President Orders First Film Buying Investigation

644 Features in 1933—Imports Dropped 30%

Twickenham Studio Tripling Space; 36 Films Planned

Moviegoers...are they human beings?

By DON CARLE GILLETTE

Among the latest group of booklets on the so-called scientific findings of the Motion Picture Research Council is one labeled "The Social Conduct and Attitudes of Movie Fans."

It is doubtful that the authors either intended or covered as much ground around their broad title indicates.

How could it be in view of the admitted fact that movies have become a basic part of the national life and about 96 per cent of the people are moviegoers?

And this being the case, why make microscopic studies of movie fans any more than of people who ride automobiles or men who wear suspenders or women who don't wear corsets or folks who eat spinach?

These questions are pointed, and not impertinent, because in conducting, and widely publicizing, a campaign to dissect the behavior of "movie fans" the sponsors convey the implication that said "movie fans" are something fearful and apart from ordinary people.

No amount of protestation to the contrary will change that impression.

The manner in which the Council's findings have been handed to the newspapers, with the alleged "bad" aspects of the movies headlined, tells its own story.

"Why should they stress deductions in a veritable vein and deny recognition of the screen's many merits?"

Since the findings in studies of this kind depend so much on the angle of approach, it seems that a very good way to lead the industry to counteract the damage would be to conduct an opposition survey of the social conduct and attitudes of people who do NOT go to movies.

That class will be found most of the the anti-gnostics, failures and drags—persons a little bit going might have had a awful lot.

RKO, Universal and G-B Pictures Among 17 Already Set

London — Construction work begins this week on expansion of the Twickenham Studio facilities that will result in tripling the available production space, according to Julius Hagen. The improvements are

(Continued on Page 2)

U.S. Films Hold Foreign Market

Despite a multitude of obstructions, legislative and otherwise, America continues to supply a majority of the pictures shown outside the United States, according to a survey made in behalf of THE

(Continued on Page 2)

Hoot to Make 'Western' For Warners in England

West Coast Bureau of THE FILM DAILY

Hollywood—Irving Asher, head of Warner production in Tedington, near London, has signed Hoot Gibson to make "The Cowboy of London" in Great Britain, with an option for a second picture.

(Continued on Page 2)

Trade Commission Handled Only One Film Case in '33

Washington—Only one film case for a complaint charging misrepresentation in advertising of "Ingagi," was handled by the Federal Trade Commission last year, according to

(Continued on Page 2)

NRA Asks Kuykendall to Probe First Film Buying Complaint

By WILLIAM SPECHT

FILM DAILY Staff Correspondent

New Orleans—In what is believed to be the first investigation of its kind under the NRA code, Ed Kuykendall arrived here Friday to look into a complaint sent to President Roosevelt by Al Yoeman, manager of the Temple, Meridian, Miss., charging that RKO had taken product away from him and sold it to Saenger. Following his appeal to the President, Yoeman received a wire from Division Administrator Sol A. Rosenblatt stating that, while he did not interfere locally, he was asking Kuykendall to investigate.

Yoeman also obtained an injunction to restrain Saenger's Strand from showing "Little Women," but on Kuykendall's advice he did not serve it.

On Saturday, Kuykendall went over arguments of Saenger and Yoeman. While he would not talk for publication, it was authoritative learned that he discovered reluctance to sell uncontracted product to Yoeman's Temple. It was also discovered that Yoeman had refused some available pictures. Kuykendall

(Continued on Page 2)

American Firms Released 507 Last Year Against 478 in 1932

American companies released 507 features in 1933, an increase of 29 over the 478 distributed in 1932. While imported pictures declined 30 per cent to 137, compared with 196 the year before, it is shown in the composition of the past year's releases just completed for THE FILM DAILY YEAR BOOK.

German pictures suffered the most in the decline of imports, being down

(Continued on Page 2)

HOPKINS SAYS SCREEN WILL MAINTAIN STAGE

Film producers have built a machine that will keep the stage running. In the opinion of Nat Hopkin, stage producer, who with Eddie Dowling recently filmed the Paramount release, "His Double Life," with Lillian Gish and Roland Young, Hopkins sees a possibility that the

(Continued on Page 2)

Sperry Co. to Represent U.S. Air Conditioning Co.

U.S. Air Conditioning Co. of Minneapolis has closed contracts with Sperry Products Co. of Brooklyn to act as exclusive distributors of all U.S. Air products including Koolaire and Arctic Nu-Air in the

(Continued on Page 2)

They Have to Be Good

Although it would seem that any picture getting the vote of more than 100 of the nation's leading critics should be entitled to rate as one of the best of the year, two productions at present having 109 and 112 votes respectively, to their credit, will be forced out of this year's "Ten Best" list because of other pictures pulling even a higher score. Voting is now open for the deadline and the interesting results will be announced in an anxious watching world very shortly.
644 Features in 1933; Imports Decline 30%

(Continued from Page 1)

for only 64 in the past year, as against 108 the year before. En-

gland had 24, against 29 in 1932; France and Russia each had 17,

compared with 20 and 18, respectively, the year before, and others

included Italy, 4; Mexico, 5; Poland, 5; Hungary, 4; Norway, Sweden,

Morocco, Austria and Spain, one each.

Hopkins Says Screen
Will Maintain Stage

(Continued from Page 1)

The legitimate field can obtain enough funds from the picture
business, not only to keep theaters and people active, but also to
repay the screen by the development of new talent for pictures.

Silent film technique is still cramping pictures too much, says
Hopkins, and full advantage of dialogue and voice remains to be
realized. He thinks that stage producers who know writing, casting,
and direction have nothing to fear in making a picture. Additional
productions are planned by Hopkins and Dowling.

Sperry Co. to Represent
U. S. Air Conditioning Co.

(Continued from Page 1)

following territories: Maine, New Hampshire, Massachusetts, Rhode
Island, Connecticut, New York, New Jersey, Delaware, Washington, D.
C., Maryland and the eastern half of Pennsylvania. Sperry will have
representatives in all key cities and will take complete contracts includ-
ing servicing and installation. Sperry also is world distributor of Kool-
aire units.

Trade Commission Handled
Only One Film Case in '33

(Continued from Page 1)

its annual report just issued. A
"cease and desist" order was issued in this case, the Commission ruling
that a picture was not to be repre-

sented as an authentic expedition

unless actually made in the country
claimed.

Garland S. Ferguson, Jr., has
been named as chief of the Com-
mision for 1934, succeeding Charles
H. March.

Allied Unit 100% Under Code

Baltimore — The Allied unit in
Maryland is operating 100 per cent
under the code, regardless of the
attitude of the national organiza-
tion, says Tommy Goldberg, in tak-
ing exception to a story last week
in which it was said none of the
Allied units had announced
signing the code.

Judge Castles Films

Castle Films, producers of busi-
ness motion pictures, announce
the appointment of George F. Lord,
nationally known advertising and
sales executive, to their New York
staff.

Twickenham Studios

Expanding Facilities

(Continued from Page 1)

to be completed by April. Hagen
estimates that 35 features will be
made at Twickenham this year,
against 25 last year. He says he is
starting the new year with con-
tracts for 17 films, including pro-
ductions for IKO Radio Pictures,
Universal and one for Gaumont-British.

First Over-Buying Probe

Is Ordered by President

(Continued from Page 1)

is said to have advised Yoenan to
declare that such orders and ex-
changes to decide whether the re-
mainder product is for sale or not.
It is understood there was no evi-
dence that Saeger had overbought.

U. S. Films Hold

Foreign Market

(Continued from Page 1)

FILM DAILY YEAR BOOK, soon to be
placed in distribution. Although
American domination is substantially
off as compared with the pre-war
period, it nevertheless runs as high
as 96 per cent in some countries.
Greatest competition for Ameri-
can-made product is found in three
major European countries, namely,
Great Britain, France and Germany.
In Germany, for example, 258 pic-
tures were distributed during 1932-
33. Of this total, 148 were domestic
films while the United States con-
tributed the greatest number of im-
ported films.

Class Productions

Planned by New Firm

(Continued from Page 1)

the production of at least two films
during 1934. Negotiations are un-
der way which will give the com-
pany the choice of all films pro-
duced by the Theater Union, which
is presenting the anti-war preach-
ment play, "Peace on Earth," now
in its sixth week at the former Civic
Reperatory theater. H. William Fit-
elson of Fitelson & Mayers is coun-
sel for both the film company and
the Theater Union.

ComiColor Series Sold Abroad

Deals have been closed by Charles
J. Giegerich, sale manager of
ComiColor Productions, with Captain
Vandor of Paris for the foreign dis-
tribution of the Powers of the "ComiColor
Cartoon" series in France, Belgium,
Switzerland, Egypt, Spain, and Italy.
Contracts were also consummated for
Japan, India, Burma and Ceylon.

New Brockton House Opens

Brockton, Mass.—The New Mod-
ern opened Dec. 30, Morris Perl-
stein is manager.

The Strand is opening with a new
police of vaude-clips. Robert P.
Sheehan will manage it temporarily
until Joseph J. Cahn takes charge.
You clicked with "AMERICA'S DANCING DAUGHTER" Crawford and Gable... You know you can count on both Astor theatre attractions... You can sit back with "Garbo"... However, the main purpose of this page is to say "Ready, set and soon to go on... not to mention "Tarzan and His Mate" and "Viva Villa," all productions typical of Metro-Goldwyn-Mayer..."
OUT-STANDING

BROKE ALL RECORDS
AT THE RIVOLI, N. Y.

TERRIFIC IN CHICAGO!
THOUSANDS HELD
OUT FOR HOURS!

SET A NEW RECORD
AT THE ALDINE, IN
PHILADELPHIA

WOWED THEM IN
SAN FRANCISCO

HELD OVER IN
PORTLAND, ORE.

JAMMED THEM IN AT
FIRST POPULAR PRICE
RUN IN LOS ANGELES!
Thousands of men, women and children stood in line at the RIVOLI, braving the worst storm New York had known for years, clamoring to see

EDDIE CANTOR

IN THE SAMUEL GOLDWYN PRODUCTION OF

ROMAN SCANDALS

with

RUTH ETTING
GLORIA STUART
DAVID MANNERS
and the
Goldwyn Girls

Released thru UNITED ARTISTS
**The Broadway Parade**

- **Picture**
  - Dinner at Eight  
  - Design for Living  
  - Lady Killer  
  - Son of Kong  
  - A Man's Castle  
  - Smoky  
  - Flying Down to Rio (2nd week)  
  - Roman Scandals (2nd week)  
  - Emperor Jones (2nd week)  
  - Little Women (4th week)  
  - House on 56th Street (5th week)  
  - Havana Widows  
  - Counsellor at Law  
  - Reunion in Vienna  
  - Cock-Eyed World  
  - Taming of the Shrew  
  - I'm No Angel  

- **Distributor**
  - M-G-M  
  - Paramount  
  - RKO  
  - Columbia  
  - Fox  
  - SKO  
  - United Artists  
  - Warner Bros.  
  - Universal  
  - Fox  
  - Fox  
  - United Artists  

- **Theater**
  - Capital  
  - Paramount  
  - Roxy  
  - Keith  
  - Music Hall  
  - Criterion  
  - Center  
  - Palace  
  - Little Canege  
  - Globe  
  - 5th Ave Playhouse  

- **TWO-M.A.-D. RUN**
  - Queen Christina (2nd week)  

- **FOREIGN PICTURE**
  - Mirages de Paris (2nd week)  

- **FUTURE OPENINGS**
  - Sweden, Land of the Vikings  

- **Revivals**
  - Two A-D day run  

- **Subsequent run**
  - Follows Roman Scandals.

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**NEWS OF THE DAY**

Washington, D.C.—The State, gutted by fire Nov. 7, has been reopened with all new equipment. Ralph Pratt is manager.

Des Moines — The Orpheum has been reopened following installation of a new sound system.

Montgomery, Ala.—The Strand, Willy house, has adopted a new scale of 15 and 20 cents.

Dunellen, N.J.—The Lyceum is reopening with A. Manassa and H. L. Tison, both of Sanford, as managers.

Chicago — The Karlov theater, completely remodeled, has reopened.


Fiberbaugh Cal.—Rex has opened under new management.

Williams, Cal.—The Williams Theater has been leased to C. W. Hartford and A. J. Rude.

Auburn, Cal.—The Auburn is to remain closed as the result of an agreement with the State Theater.

Feature Added at Carnegie M-G-M's "Reunion in Vienna" has been added to the current Little Carnegie Playhouse program, which for the first few days consisted of "Dawn to Dawn" and other independent shorts.

Butterfield Reopens One Lansing, Mich.—The Gladmer, Butterfield house which closed with others of the circuit on Dec. 1, has resumed operations, playing "Myri and Marge," followed by "Alice in Wonderland."

**A Little from "Lots"**

By RALPH WILK

HOLLYWOOD

WORTHINGTON MINOR's option has been taken up by RKO. He recently was assigned to co-direct "The Devil's Disciple," starring John Barrymore and scheduled to go in work March 1.

Columbia's "Murder at Resford Arms," now in production with Ralph Bellamy and Shirley Grey playing the feature roles, has been renamed "One is Guilty."

Edward Ludwig has been assigned by Carl Laemmle, Jr., to direct "If I Was Rich," by William Anthony McGuire. It will serve as the star's starring vehicle for Roger Pryor.

Ginger Rogers' next RKO role will be in "Finishing School." Wanda Tuchok and George Nicholls, Jr., are to co-direct.

Carl Laemmle, Jr., has made a switch in directorial plans and also in assignment of associate producers. When "Countess of Monte Cristo" goes into production the second week in January, it will be under the direction of Harry Lachman. Kurt Neumann will direct the "Return of Frankenstein," which Philip MacDonald is furnishing with a new treatment. The associate producer of "Countess of Monte Cristo" will be Stanley Berge-

H. L. Woodard, scientist and research chemist, has joined his brother Stacy, biologist, who has been producing some of the most interesting of the Harvard studies of insect life in Educational's "Battle for Life" series.

**Comming and Going**

LYNN FARNOL, personal representative for Samuel Goldwyn, left Monday for the Middle West in connection with the exploitation of "Roman Scandal." 

GRACE MOORE, Metropolitan Opera star, signed by Columbia, returns to Hollywood about Jan. 10 to start work.

IRVING ASHER leaves the coast about a month to return to London, where he is producing in the capacity of chief writer.

ERIK CHARELL, international impresario signed by Fox, arrives tomorrow to sign the Ice de France and proceeds to Hollywood to begin work.

BEN BURK, west coast representative for Blue Seal sound equipment, has arrived in New York from the coast.

FREDRIC MARCH and his wife, FLORENCE ELDRIDGE, sailed from the coast yesterday for New York.

HIDDA HOPPER is on route from Hollywood to New York for a stage offer.

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Features Reviewed in Film Daily May 20 to Dec. 30

<table>
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<td>Mirages de Paris-AFA</td>
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<td>Moonlight RKO</td>
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<td>Morning Glory RKO</td>
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<td>Morning's Boy RKO</td>
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<td>Mysterious Lights RKO</td>
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<tr>
<td>This Day and Age RKO</td>
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<tr>
<td>Three-Cornered Moon-PAR</td>
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<td>Three Thieves AM</td>
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<td>Thrill Hunter RKO</td>
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<td>Thunder Over Mexico</td>
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<td>Tilt and Gus-PAR</td>
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<td>Toda Una Vista-PAR</td>
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<td>To the Last Man-PAR</td>
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<td>Twilight-PRX</td>
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<td>Trick for Trick-F</td>
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<td>Trouble Musters-AM</td>
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<tr>
<td>Turn Back the Clock-MGM</td>
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<tr>
<td>Under Secret Orders-PRO</td>
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<tr>
<td>Under the Tonto Rim-PAR</td>
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<td>Unknown Valley-COL</td>
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<td>Victims of Persecution-P</td>
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<td>Vi So Gar GFI</td>
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<td>Valeria-C.A.</td>
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<td>Walls of Gold-F</td>
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<td>Wandering Jew-The</td>
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<td>War of the Range-FR</td>
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<td>Wenn Die Liebe Macht Macht Zu-KIN</td>
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<tr>
<td>What Price Innocence-COL</td>
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<td>When Ladies Meet-MGM</td>
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<td>When Strangers Marry-</td>
<td>5-1-33</td>
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<tr>
<td>Whitehall, The-COL</td>
<td>9-20-33</td>
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<tr>
<td>White Face-HEL</td>
<td>11-22-33</td>
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<tr>
<td>Wild Boys of the Road-COL</td>
<td>11-14-33</td>
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<td>Wino-Women and Song</td>
<td>11-21-33</td>
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<tr>
<td>Women in Silk-COL</td>
<td>12-6-33</td>
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<tr>
<td>Women in His Life-MGM</td>
<td>11-14-33</td>
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<tr>
<td>World Change-FN</td>
<td>11-28-33</td>
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<td>Worth Women in-</td>
<td>11-14-33</td>
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We want Cantor

yes sir, (say thousands of successful showmen) when we book a Cantor picture we want a trailer with actual scenes of Cantor doing his stuff ... voice, manner, personality ...

and when we book a picture with any of those bright boys and girls with marquee names and marquee personalities we want actual scenes and actual dialog from the picture itself because ...

that's what sells pictures and that's what you get in samplevue trailers from

NATIONAL SCREEN SERVICE

... they sell the show with showmanship
Film Code Did Not Become Effective Until Dec. 11

AMUSEMENT STOCKS END YEAR WITH PLUS SIGNS

More Paring of Capital Setups Needed, Says Powers

Sees Industry Required to Finance Its Own Activities

Notwithstanding the several major slashes already made in the film industry's capital structure, the operating results in 1934 will depend a great deal upon how expeditiously various executive and receivership committees are able to disentangle themselves from the load of obligations accumulated in recent years, says P. A. Powers in a statement to THE FILM DAILY following his recent return from the coast.

"With these difficulties behind (Continued on Page 9)

DRAM. STOCK HOUSES DOWN TO 29 FROM 200

Only 29 theaters are playing stock in competition with picture houses, as compared with nearly 200 in 1929, according to a survey made in behalf of THE FILM DAILY. Stock companies are now located as follows:

Boston, Peabody; Baltimore, Auditorium; Bridgeport, Mosque; Cincinnati, Cox; Cleve (Continued on Page 8)

Three St. Louis Houses Going on Sale Shortly

St. Louis — Date for the foreclosure sale of the Ambassador, Missouri and Grand Central theater buildings and the furnishings of the three theaters by Nelson Conliff, special master appointed by U. S. (Continued on Page 8)

Union Upheld Under Code

Supreme Court Justice Collin yesterday upheld the independent theater owners association from the rule of the code of morals. Among the cases tried were those of the above three. Plaintiff in the action is Local 306.

Exit for Tough Film Heroes, Says Glazer

Hollywood—Tough heroes who were ushered into the film scene by the gangster cycle have seen their heyday and soon will be entirely replaced by more genteel types, in the opinion of Barney Oker, Faramount producing executive. The life of these gangland specimens was prolonged by the insistence of one or two casting directors who regarded them as unusual types, says Glazer, but exhibitors squawks and box-office returns have now put a definite veto on them.

M. P. T. O. OF OHIO
JOIN S M. P. T. O. A.

Columbus—At the first meeting of the board of directors of the M. P. T. O. of Ohio since the recent annual convention, a resolution was adopted to affiliate with the M. P. T. O. A. The Ohio association has not been affiliated with the national (Continued on Page 8)

Officers Are Elected
By Ohio Valley Ass'n

Cincinnati—Newly elected officers of the Ohio Valley Independent exhibitors' League are: president, William Van; vice-president, Frank Huss, Jr.; secretary, Harold O. Krein; treasurer, Harold O. Krein; directors are: Harold Bernstein, Frank Huss, Jr., Henry Levy, Leo Stephany, William Gies, Willi Van, Charles Fine, Sam Turk, H. O. Krein, offices have been opened at 1838 Central Parkway.

LeRoy-Warner Wedding Attended by Over 150

More than 150 persons, mostly identified with the film industry, were present at the wedding of Doris Warner, daughter of Mr. and Mrs. Harry M. Warner, and Mervyn LeRoy last evening at the Waldorf. The ceremony was performed by Rabbi Solomon A. Fineberg.

The couple will sail on the Empress of Britain in a few days for a world trip, returning in June. Among guests at the wedding were: Mr. and Mrs. Mervyn LeRoy, Owen Reller (Continued on Page 11)

Four-Day Extension Granted On Effective Date of Code

Jenkins-Lucas to Operate 4 Publix Atlanta Houses

Famous Theaters Corp., Paramount subsidiary yesterday completed a deal with William Jenkins and Arthur Lucas of Atlanta for the operation of four theaters now operated by various subsidiaries in Atlanta. The deal is (Continued on Page 8)

MICHIGAN ALLIED UNIT NOT SIGNING IN FULL

Detroit—Signing of the code only with reservations, if at all, has been recommended by Allied Theaters of Michigan to its membership, according to E. S. Kinney. Full protection of legal rights was the first (Continued on Page 9)

ROCKY MT. EXHIBS
POOL FOR PROTECTION

Denver—Six well-known theater men of the Rocky Mountain territory, together with a former exchange manager, have organized Gibraltar Enterprises, Inc., in a move to consolidate six corporations owning 13 theaters into one holding corporation, organized as a protective idea, and to effect economies in (Continued on Page 8)

Sol Rosenblatt to Attend
All Code Authority Meets

Divisional Administrator Sol A. Rosenblatt, now in New York, will attend all Code Authority meetings, the next being scheduled for tomorrow afternoon at the Bar Association Building. He did not attend the meetings of the committees named (Continued on Page 8)

Code Analysis

A comprehensive analysis of the motion picture code prepared by Attorney Louis Nitze will be published in instalments in THE FILM DAILY beginning tomorrow. The analysis presents in practical business language the full meaning of the code and will prove valuable to all branches of the industry.
Forming Canadian Firm To Handle Air Products

Plans are under way for the formation of a Canadian company to distribute U.S. Air Conditioning Co. products, including Kooler-Aire and Arctic Nu-Air. Sperry Products Co. of Brooklyn recently signed contracts to handle various eastern territories, in the theater line, and Sperry is local distributor of Kooler-Aire units for railroads, buses and other transportation lines. Roy Chandler Co. is export distributor of Kooler-Aire throughout the world.

New Independent Co.

Pinnacle Productions has been formed by J. D. Troup and Randolph Crossley with plans for distributing both features and shorts. The company will release a series of one-star Laurel revivals, synchronized with sound and music, and also a feature, "Chloe," which Marshall Neilan directs. Additional production is planned. Crossley will have headquarters at the Coast and Trop remains in New York.

Ciney Exhibs to Meet on Code

Cincinnati — All exhibitors in greater Cincinnati, whether affiliated or not, are to attend a meeting Friday at the offices of the new Ohio Valley Independent Exhibitors' League, 1656 Central Parkway, to bear an analysis of the film code before its final acceptance.

"Pugitive Lovers" Date Advanced

Following a special screening for home office executives yesterday, M-G-M advanced the release date of "Pugitive Lovers," from Randolph to Jan. 5. It goes into the Capitol Jan. 12. Robert Montgomery and Madame Evans head the cast.

Final Talk on Code by Nizer

The second and final lecture on the motion picture code will be given by Attorney Louis Nizer at a meeting of exchange men tomorrow in the Grand Ballroom of the Hotel Edison at 3:15 P. M.

Roxy Claims New Year Record

The Roxy claims it had the greatest attendance of any house on the street for its New Year's Eve show, despite the fact that its admission prices were greater than most other deluxe houses.

Bandits Kill One, Injure Two

Lynn, Mass. — Fred Summer, billposter, was killed, while another employe, Harry Condon, was shot, and a third, James McElroy, was wounded in a holdup of the Paramount theater by three bandits yesterday morning. The robbers got $200. Several thousand dollars had been banked the night before.

Several Promotions Made In Fox Intermountain Div.

Denver — Promotions in the Fox West Coast Intermountain Division were made because of the resignation of Charles U. Yaeger as district manager, are announced by Robert Newton, division manager, as follows: Harry Ashton, manager of the Mayan here, made district manager; Jeff Stout, city manager at Boulder, comes here as manager of the Mayan; Ray Davis of the Rialto, Sterling, goes to Boulder; Fred Glass rejoins the organization as manager at Sterling. Yaeger resigned to sell his "Bank Night" idea to theaters.

Mother of Cohn Boys Dies

Mrs. Bella Cohn, 69, mother of Harry, Jack and Nat Cohn of Columbia, and May Hirsh, 72, of United Pictures, died Saturday night. A daughter, Mrs. Anna Fraum, also survives. Funeral services will be held tomorrow at 1 P. M. in the West End Funeral Chapel, 115 West 79th St., with interment in Old Mt. Carmel Cemetery, Cypress Hills.

Seeking Another Newsreel House

Following the closing of the Embassy as a newsreel theater on Monday due to inability of Embassy Pictures, Inc., operators of the house, to obtain a satisfactory adjustment of rental claims on expiration of lease, new locations are being considered for a continuance of the shows policy, which originated at this house. Rent demanded at the Embassy was excessive, according to Mrs. H. Talley, general manager of Movie Tone.

Einfeld, Brown on Ball Committee

At the invitation of Henry L. Doheny, national chairman of the Birthday Ball for the President, S. Charles Einfeld, Warner advertising and publicity head, and George Brown, Columbia's advertising and publicity director, have joined the Stage and Screen Division Publicity Committee for the ball, which takes place Jan. 30.

Farewell Party for Schooher

Howard S. Cullman and the entire staff of the Roxy will tender a farewell party to Dave Schooher, tomorrow night, when that popular master of ceremonies concludes his recent run of 51 weeks at that playhouse. Mr. Schooher plans to leave early next week for Florida for a brief vacation.

Set Carnival Code Hearing

Washington Bureau of THE FILM DAILY will hold Jan. 17 in the Ambassador Hotel, with Sol A. Rosenblatt presiding.

Mabel Jaffe With 20th Century

Mabel Jaffe, recently back from a tour of the coast, has joined 20th Century as assistant to Frank Underwood, eastern story editor.
The first hit of the New Year is M.G.M's "Fugitive Lovers". Screen it right away and start promotion!

THRILL TO SOMETHING NEW!

Two weeks at Radio City to Top Money and hold-out crowds during New York's biggest snow storm and coldest weather in ten years!

NOW PLAYING IN A HUNDRED KEY-SPOTS THROUGOUT THE COUNTRY...

BACKED BY ANOTHER GREAT NATIONAL NEWSPAPER ADVERTISING CAMPAIGN!
ON EARTH AND IN THE SKY!

with

DOLORES DEL RIO

GENE RAYMOND - RAUL ROULIEN
GINGER ROGERS - FRED ASTAIRE
and 200 Beautiful Girls Picked from 10,000

Music by VINCENT YOUMANS
Lyrics by Edward Eliscu and Gus Kahn

Staged in Fabulous Beauty by Louis Brock
Stunningly Directed by Thornton Freeland

...Your fondest dreams of musical romance come true! ... Spectacle, set to rhythm, 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! ...
IN A BOAT
by Richard Wallace
A Charles R. Rogers Production.
AMUSEMENT STOCKS ADVANCED IN 1933

(Continued from Page 1)

heavier, stocks showing a turnover of approximately 23,072,000 each, against about 17,000,000 in 1932, while turnover in bonds was $22,613,000, against about $17,500,000 in 1932.

Major gains for the year among stocks included Columbia, up more than 150 per cent on the Big Board, and about 200 per cent on the curb; Pathe "A," about 500 per cent; Eastman, up 60 per cent; Loew common, up 50 per cent; Loew preferred, up about 25 per cent; Warner common, up 100 per cent; Warner preferred, up 150 per cent; Techicolor, up 200 per cent, and others in smaller amounts. Bonds showing the most gains included Keith and Paramount Pathe, Warner and American Seating.

Minus signs, most of them small, are shown by RKO, Keith-Albee-Orpheum preferred, Paramount certi- ficates, Universal and Sentury Sale- tory Control.

A survey of the 1934 outlook published yesterday, Dow-Jones declared that prospects seem better than in a number of years. Advanced in foreign exchange is expected to increase the industry’s receipts from abroad by about $12,000,000 to $15,000,000. Inventories of practically all companies are running around $10,000,000 to $15,000,000 compared with $25,000,000 and more in former years, and companies like Warner and Fox, after going through the black, are now Pabst commodious and gradually straightening out its affairs.

Dramatic Stock Houses Down to 29 From 200

(Continued from Page 1)

land. Playhouses closed in Chicago; Civic; Ed- monton, New Empire; Hollywood, Playhouse, El Capitan; Hunt; Tent; Hartford, Club; Irvington, Elks; Indianapolis, Enchil; Kan- sas City; Shubert; Lincoln; Temple; Milwau- kee, Davidson; Miners; Randalls; Montreal, His Majesty’s; Montgomery, Grand; Plim- field, Temple; Portland, American; Pittsburgh, Civic Playhouse; St. Louis, Shubert; San Francisco, City, Summit, Jack; Trenton, State; Upper Darby, Playhouse; Ucla, Ma- jesite.

Three St. Louis Houses Going on Sale Shortly

(Continued from Page 1)

District Judge Charles B. Davis last week, will probably be set for late this month. Under the law the spe- cial master must advertise for four weeks prior to the sale. Action of the Court, directing the fore- closure sale is expected to hasten reorganization of St. Louis Proper- ties Corp., now in receivership.

Cantar at Brooklyn Paramount

Eddie Cantor will appear in per- son at the Brooklyn Paramount starting Friday.

Amusement Stocks in 1933

NEW YORK STOCK EXCHANGE

<table>
<thead>
<tr>
<th>Stock and Approx.</th>
<th>Dividend</th>
<th>High</th>
<th>Low</th>
<th>Date</th>
<th>Long Date</th>
<th>Last</th>
<th>Change</th>
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<tr>
<td>American Seating</td>
<td>72.900</td>
<td>7%</td>
<td>1</td>
<td>12-12</td>
<td>13-17</td>
<td>10-20</td>
<td>3%</td>
</tr>
<tr>
<td>Balto-Brake-Cen.</td>
<td>235.150</td>
<td>7%</td>
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<td>12-12</td>
<td>13-17</td>
<td>10-20</td>
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</tr>
<tr>
<td>Loew Bros. (14%)</td>
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<td>1</td>
<td>12-12</td>
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<td>7%</td>
<td>1</td>
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<td>13-17</td>
<td>10-20</td>
<td>3%</td>
</tr>
<tr>
<td>RKO (A) Bond (b)</td>
<td>5,825</td>
<td>7%</td>
<td>1</td>
<td>12-12</td>
<td>13-17</td>
<td>10-20</td>
<td>3%</td>
</tr>
<tr>
<td>RKO (A) Bond (c)</td>
<td>5,825</td>
<td>7%</td>
<td>1</td>
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</tr>
<tr>
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<td>10-20</td>
<td>3%</td>
</tr>
<tr>
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<td>3%</td>
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<tr>
<td>RKO (A) Bond (f)</td>
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<td>3%</td>
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<tr>
<td>RKO (A) Bond (h)</td>
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<td>7%</td>
<td>1</td>
<td>12-12</td>
<td>13-17</td>
<td>10-20</td>
<td>3%</td>
</tr>
</tbody>
</table>

ROCKY MT. EXHIBS

POOL FOR PROTECTION

(Continued from Page 1)

other ways. Those in the corpora- tion: Charles R. Gilmour, former manager of the Philadelphia office; E. J. O’Malley, manager of the Los Angeles office; and W. H. Deschute, owner of four theaters in Indianapolis and Wheatfield, Wis.; vice-president; Nathan A. Jenkins, manager of the Santa Fe, Denver and Amarillo, and treasurer; W. H. Freudenfeld, owner of houses in Denver and a member of the board of directors; Pathe College, owner of houses in Albuquerque and Del Norte, Colo., treasurer; Thomas F. Murphy, owner of theaters in Dayton, N. Y., and Edward W. Ward, owner of the Silver City, N. M., theater. All of the above are members of the board.

Theaters included, with a valuation of over $1,250,000, their location and seating capacity, are: Rialto, 200, Alamosa, Colo.; Princess, 420, Del Norte Cole; American, 826, Rex, and Rialto, 485, Denver; State, 900, South Bend, Ind.; 700, and the Schooler, 800, Raton, N. M.; Louise, period of eight months, Santa Fe, N. M.; Egyptian, 1,046, and the Orpheum, 3,000, Cortland, N. Y.; Silk, 800, Silver City, N. M.; Variety, 400, Mexico, Wyo. The corporation plans to build another theater at Silver City soon.

One of the main objects of the holding company is to finance "Little of each wal- kie’s territory against invasion by either cir- cuit or individual. It will soon announce a new theater in any of the above locations. It will build another house, even if the money would far outspend that spot. No other will be entered unless all houses can be bought. A fund of $2,000,000 has been placed in the bank and can be touched for nothing if not needed. Rebuilding taxes will be taken care of by savings.

Each separate group of houses is organized as a corporation, with a president and a member of the board in each in- cident. Headquarters will be maintained in Chicago, with a group manager to be named. Fred J. Knill, formerly with Gilmour and Bros., will be booker and office manager.

M.P.T.O. of Ohio Set

To Join M.P.T.O.

(Continued from Page 1)

association for about six years. It was believed that better results could be obtained by the national association in view of the code developments.

A resolution was also adopted to restrict the giving of information or other association services only to members in good standing.

The meeting was held in the office of Business Manager P. J. Wood.

Jenkins-Lucas to Operate

4 Publix Atlanta Houses

(Continued from Page 1)

for a period of six months and is on a salary and percentage basis. Jenkins and Lucas are partners with Famous in other Georgia theaters.

"Gallant Lady" Showing Today

National trade showing of "Gal- lant Lady," Ann Harding vehicle produced by 20th Century for U. A., takes place today, with the New York trade showing for 11 A. M. at the Astor Theater.

Arthur Freudenfeld Loses Father

Cincinnati—The father of Arthur Freudenfeld, RKO division manager, died in Milwaukee last week.

Gives Foreign Rights to Shorts

Amicimena Export has secured the exclusive foreign rights to "Broadway Gossip" and "American Explorer," series of shorts produced by United Newreel Corp. Both series will be re-synchronized in Spanish for Spanish speaking countries.

Names for “Love Past Thirty”

West Coast Bureau of THE FILM DAILY

Hollywood—Eileen Pringle, Theo- dor von Eltz, Gertrude Astor and Phyllis Barry are among the name players signed for "Love Past Thirty," Monarch release which Vin- cerre has been preparing for months. Supporting cast includes Dot Far- ley, Francis Ford, Robert Fraser, Virginia Gilmore, Barry Mah- Ben Hall, Pat O’Malley, Mary Carr and others.

Sparks Circuit Changes

Miami, Fla.—John L. Crovo, for many years connected with Jackson- sonville theaters, has been transfer- red to Miami and named manager of Sparks Paramount theater. He succeeds Vernon D. Hunter, who has gone to Tampa to become district manager of Sparks interests in that locality.

"Little Women" Companion Film

RKO, having registered prior claim with the Hays Office on January 10, has been given a "go ahead" by the Hays Office for developing a "Little Women" companion picture to the forthcoming "March of Time." The production will be in color, with likely boys of the same quintette of feminine stars being used.

(Continued from Page 1)
MORE WRITE-OFFS
ESSENTIAL--POWERS

(Continued from Page 1)
them, they can concentrate on the principal work of the business, the production of pictures that will en-
trance the public," declares Powers. He believes that, with financial wor-
ries on their mind, producers cannot
devote untroubled attention to their work and consequently the quality of pictures suffers.

"Future finances must come from the busi-
ness itself," Powers also
states, "as motion picture securities cannot be immediately marketed.
Foreign competition is another thing
which American producers will have to reckon with."

Declaring that too many pictures are being turned out, Powers advoc-
ates a drastic cut in production.

Coming and Going

WESLEY RUGGLES and his wife, ARLINE
JONES, arrived in New York yesterday from
Hollywood.

J. R. ALLEN is in New York from Toronto
and will look after the Weldon Pictures offices
for a few days while Maxwell Cohn is away
due to the death of his mother.

CLARE TREYOR, Fox player, is scheduled
to leave Friday for the West. She who recently finished
work with Robert Woolsey in RKO's "Hips Hips
Hooray," is in New York to conclude arrange-
ments for a short vaudeville tour and a radio
appearance.

GEORGE O'BRIEN leaves New York today for
the Coast.

HOWARD S. CULLMAN of the Roxy is back
from a brief visit to Washington.

SOL A. ROSENBLATT, RKO publicity director
with headquarters at the Palace, Chicago, is
in New York for a brief

stay.

DR. A. H. GIANINNI expects to leave
New York on his return to the coast this week.

JOHNNY JOHNSON, RKO publicity director
with headquarters at the Palace, Chicago, is
in New York for a brief

stay.

AL MERTZ, RKO short subject sales
manager, returns today from a tour of exhibitors
in Cincinnati, Cleveland, Indianapolis, Detroit,
Buffalo.

LOUIS NIZER returned to New York yester-
day after a holiday trip to Nassau.

GEORGE BROWN returned his duties at
Columbus yesterday following a trip to the Carib-
bean.

ARTHUR HORBLOW, JR., leaves New York
today for the Coast.

SOL A. ROSENBLATT will return to Wash-
ington on Friday from New York.

TIM McCAY, after a flying trip East to visit
New York and spend Christmas with his father in
Saginaw, has returned west to resume work
in "The Spirit of the Siouxs." He plans to study manu-
scripts for a future production.

FRANK RUCK arrives tomorrow on the Rex
ship.

MIKE JACKSON, formerly contact man for the
M-G-M publicity department, leaves for the
Coast tomorrow.

SAM JAFFE, Broadway producer, after com-
pleting work in Paramount's "The Amazing
Great," with Marlene Dietrich, has sailed for
SOUTH AMERICA with his family.

CYRIL CHADWICK has arrived in New York
from the Coast, after appearing in "The Ca
and the Fiddle.

AILLEN ST. JOHN BRENON of the Para-
mount publicity department left New York
yesterday for a Coast trip.

(Continued from Page 1)

MORE WRITE-OFFS
ESSENTIAL--POWERS

NOW THAT the merry-making is over and we have
tried out all the Christmas ties that don't match our complexion
and it seems fitting to reflect on the tremendous part this
industry played in enhancing the glamour, smiles and happiness
of the festive season. The most noticeable aspect
was in the toy departments, where Mickey and Minnie Mouse
planted to a surprising degree, the attraction of Santa Claus
The kids were satisfied to shake hands with old St. Nick
but they followed the laughable mice around the
stores in droves, literally millions of them in fact. Cartoon
characters were sold
The latest to crash
the merchandise fields is Soglow's "Little King," now being made
by Van Beuren and distributed by RKO. The
Royal Comick's funny form was to be seen on compacts, book
covers, greeting cards and, and, both Macy's and
Bloomingdale's featured window displays of "Little King"
like this.

Camera shops chalked up their greatest sales in 16 mm. films of animated or formal movie
films and the feature of all trans-Atlantic holiday trips was a specially booked screen show.
Opportunities for merchandise and other tie-ins are limitless with 1934
offering a more extensive field than ever before in the history of the movies.

THROUGH THE development of a portable elec-
tric pipe organ... that can be set up in playing order in a
half-hour... local recording studios can now include
Organ Music in their brochures... which means pamphlets to
the box office who recently published and dis-
tributed the 'Organette' series of shorts is the inventor
The contraption comes in three parts... a console with two
keyboards... the motor... and the cabinet of pipes which,
seems to go sour... because of a secret gadget.
And jumping from the ears to the ears, comes the information that
Aaron Singer, research editor of "Amusement Age"
and is so interested in what can be done to relieve the Visual
Fatigue of Motion Pictures... that he is going to Europe
soon to glean further data for his new 400 page book which
comes out in the spring.

THOSE PARAMOUNT lads over in fog-smitten
London staged a swell stunt when they had Mrs. Reginald Har-
greaves, the original Alice of "Alice in Wonderland," attend a
special preview of the newly made film. It is one of the immortal classics for Mrs. Hargreaves over 50 years ago
and her statement, following the screening, was sent out
over every available British news service reaching millions
of homes via press and radio or radio. Which reminds us of the
publicity now being given another lovely old-timer.

Carrie Jacobs Bond, whose melodies are in the heart of everyone
and whose beautiful songs are now being transposed to the
screen by Master Art. Only last week Louella
Parsons, writing from the coast, hailed the dope that the Bond
melodies MIGHT reach the screen... to which E. Schwartz
of Master Art wired Louella that they ARE and have been booked
by the Capitol.

And, talking about old-timers, have you heard Eddie Cantor's shadow... stogie or
whatever he is... Rubinoff play his
$100,000 Stradivarius at the Palace this week? It
reminds us of "I Love You Truly" and the other Bond songs

IF YOU'RE interested in "Theater Arts in Soviet
Russia" and you should be... you'll have a chance
to cover the subject to great satisfaction on Jan. 14
when the latest films on the Soviet taken by Julian Bryan
will be shown at the New School for Social Research
Bryan will handle the descriptive talk and Lee Simon-
son will discuss current Soviet theater problems.
And, before they take it down, be sure to look in at the lobby of the Roxy
it so they are having a special display for RKO's "Son of Kong"... it's real bait.

CODE EFFECTIVE DATE
CHANGED TO DEC. 11

(Continued from Page 1)

(Continued from Page 1)

Michigan Allied Unit

Not Signing in Full

The objective of the reservations, which followed a standard form sent to all
members. Essential points covered were

1. Refusal of agreement to arbitrate con-

2. Dissolution of the company

3. The refusal of arbitration.

Sol Rosenblatt to Attend
All Code Authority Meets

to recommend a headquarters loca-
tion for the Code Authority, to de-
vote means of financing the code and
to make recommendations for
memberships in the local zoning and

Fire at Mt. Vernon House

Mount Vernon, N. Y.—Fire origi-
nating from a short circuit New
Year's Eve caused injury to about
dozens persons at the Plaza, inde-
pendent house. Stanley Klein, man-
ger, was among those treated at
the hospital for burns.

Best wishes from THE
FILM DAILY to the fol-
lowing on their birthday:

January 3

Paul Benjamin
Marion Davies
Eddie Gribbon
Dorothy Arzner
Anna May Wong
George B. Seitz
A LITTLE from "LOTS"

By RALPH WILK

HOLLYWOOD

IREV CUMMINGS will next di-
rect "Grand Canyorn," the Fox
film version of the best seller by A.
J. Cronin, adapted to the screen by
Glady's Unger and Emmie Gallo-
way. Warner Baxter will play the
starring role.

Jack Harvey and Milton Raison
will do the script of "Strictly Dyna-
mite," in which Jimmy Durante
will appear for RKO.

Charles Wilson and Harry Todd
are additions to Columbia's "It Happ-
ened One Night."

Fox has awarded Hugh Williams,
newly signed English player, the
coveted role of the leading part in
"Richard Aylington and the En-
emies," which Al Rockett is pro-
ducing for Fox. Screen play is by
Samuel Hoffenstein and Lenore Cof-
fee.

Other recent Fox cast assign-
ments include Evelyn Venable for
"David Harum," with Will Rogers,
and Rosemary Ames and Rochelle
Hudson for "Odd Thursday," with
Warner Baxter.

Jesse Lasky, Jr., son of the pro-
curier an collaborator on the se-
rin of Fox's "Coming Out Party," is
recovering from an emergency ap-
dectomy performed on Christmas
Day.

"Little Miss Marker," a forth-
coming B. P. Schulberg production
for Paramount, will not be a Sylvia
Sidney vehicle, Schulberg announces.
The Damon Runyon story, being
prepared by William Lipman and
Frank Partos, will be an all-star
production.

Richard Arlen, Jr., is the new-
best star of Hollywood. He has
been signed for his first screen role
in Charles R. Rogers' "Baby in the
Ice Box." Arlen, Sr., also is in it.

Columbia has signed Greta Meyer
for "The Line-Up," with Marian
Nixon and William Gargan.

Frank Borzage's second Columbia
picture, formerly called "No Great-
er Glory," has been retitled "Men of
Tomorrow."

Adole Thomas, blonde beauty from
the New York musical stage, takes
her place among the girls who have
made good in Hollywood, her con-
tract with RKO having been re-
newed.

Simile—As unmoled as a cast-
ing director walking on Hollywood
boulevard.

Third Soviet Film Program

Third program of film showings
of the Film & Photo League series
on the "History of the Soviet Film"
will be presented Saturday at the
New School for Social Research.
The program will consist of "Forest
Jews on Soil," and "Un-
lucky Truck," an animated sound
cartoon.

Frank Elliott for Play

Frank Elliott, screen and stage
actor, has been cast for "Dods-
worth," which Sidney Howard has
adapted and in which Walter Hus-
ton will play the lead where the
show opens on Broadway soon.

Universal Buys Play

"The Human Side," play by Christ-
ine Ames produced in Los Angeles,
has been acquired by Universal. It
may be produced on Broadway by "U"
in addition to being slated for
filming next month.

Shea's Century Back to Duals
Buffalo—Shea's Century has re-
turned to double features.

Ralph Budd takes Office as Mayor

Ralph Budd, Warner personnel di-
rector, was officially inducted into
office as Mayor of Wycoff on Mon-
day.

Warners Sign Stage Actress

Helen Lowell, stage actress, has
been signed by Warners and will
leave in a week or so for the coast.
Her first film role will probably be
in "Fur Coats."

Arliiss Film to Have Color Scene

West Coast Bureau of THE FILM DAILY

Hollywood—One scene in 'The
House of Rothschild,' first George
Arliiss picture for 20th Century, will
be filmed in Technicolor. It's the in-
cident where Arliiss is created a baron.

Theater Manager Gets Film Test

Buffalo—James F. Collins, Jr.,
former house manager of the Holly-
wood, has gone to New York to
get a test for Fox films.

Sparks Circuit Staff Changes

Clearwater, Fl.—Del Padgett of
Jacksonville, has taken over man-
agement of the Capital and Ritz,
succeeding Jack Fitwater, trans-
ferred to Palm Beach by Sparks.

M-G-M Buys Broadway Play

M-G-M is understood to have
bought screen rights to "All Good
Americans," Broadway play, yester-
day.

SHORT SUBJECTS

"Not Tonight, Josephine" with
Frank McHugh, Kitty Kelly,
Robert Barrat

Vitaphone 21 mins.

Above Average

In cast and production values this
two-reeler belongs to the exception-
ally class. Filmed in Technicolor, it
is a burlesque on Napoleon and his
neglect of Josephine in favor of
other dams, principally Marie
Louise. Frank McHugh plays the
part of Napoleon. Worked into the
action are several flash musical
cards and a lot of dancing beau-
ties. All in all, it makes a satisfy-
ing dessert for any film program.

Eddie Cline directed.

"Jack Denny and Band"

with Minnor and Root, and Paul Small

Vitaphone 10 mins.

Good

Besides the pleasing music of
Jack Denny and his aggregation,
this Melody Master subject, directed
by Joseph Henabery, features a
graceful team of ballroom dancers,
Minnor and Root, and the vocalist.
Piano and violin work is nicely va-
ried and balanced, with perfor-
ance taking place in an attractive
night club setting.

"Sitting on a Backyard Fence"

(Merrie Melody Cartoon)

Vitaphone 7 mins.

Snappy

A fast and funny animated comic
produced by Leon Schlesinger.
Action occurs in a backyard and
deals mostly with cats and ones
night-time meanderings, with four of
them involved in a romantic affair
that has a funny finish. A lively
musical accompaniment adds to
the short's entertainment value.

"Commercial Medley"

Lewis Jacobs 7 mins.

Saturating Trailers

A compilation of trailer material
assembled in such a way as to poke
fun at the dynamic methods em-
ployed in advance screen announce-
ments. Subject is just a curio of
no particular value as entertain-
ment.

Cary Grant Laid Up

London—Cary Grant, Paramount
player, who recently underwent an
operation, has been ordered to re-
main under treatment here until
Jan. 15 at least. On his return to
Hollywood he is to appear with Syl-
via Sidney in "Thirty Day Prin-
cess."

Emmanuel Cohen Resting

West Coast Bureau, THE FILM DAILY

Hollywood—Admitted to his phibilis
"to take a short rest. Emmanuel
Cohen, chief projectionist at Par-
mount, has left Hollywood to spend
a week at a nearby resort.
**FUGITIVE LOVERS**

with Robert Montgomery, Madge Evans, Ted Healy, Nat Pendleton

M-G-M

84 mins.

EXCITING AND SUSPENSEFUL DRAmatic EVENT TRIP IN TRANSCONTINENTAL BUS

Much credit should be given director Boleslavsky for his snappy handling of this good all-around picture. He has not only managed to fill the screen with beautiful scenic shots of the country at large, but rather has packed the film with action.

The bus starts from New York with passengers of various types, among whom are Madge Evans, a chorine who is trying to shake Nat Pendleton, a gangster who won't be shaken. Ted Healy, a wise-cracking traveling man who is always "mellow," and many other interesting folks. While passing through a Pennsylvania town, there is a prison break and Robert Montgomery, one of the escaping prisoners, hitchs on to the bus. He meets Madge and Mrs. Edward Morris, an old friend and a younger who are traveling with a busload of school children from freezing in their stalled vehicle. Many of the opening sequences are acc
debis, but the picture becomes taut to a fast pace.

Cast: Robert Montgomery, Madge Evans, Ted Healy, Nat Pendleton, C. Henry Gordon, Ruth Selwyn, Larry Fee, Miss Howard, Jerry Howard.

Director, Richard Boleslavsky; Authors, Ferdinand Rieyler, Albert Mackeent; Frances Goodrich, George B. Seitz, Editor, William S. Gray; Camera
d, Ted Tetzlaff; Recording Engineer, Douglas Skewer.

Direction, Fine; Photography, Excellent.

**SENSATION HUNTERS**

with Arline Judge, Preston Foster and Kenneth MacKenna

M-G-M

73 mins.

FAIRLY DIVERTING SEMI-MUSICAL OF BACKSTAGE TYPE LAID IN PANAMA DIVE.

Proving that a girl of good up-bred linage, who wants to go on the stage and uses a notorious Panama dive for her debut cannot be expected to grow and become respected and respected at almost all times and find honest men to woo her, this picture derives its chief entertainment from backstage atmosphere and the quips, cracks and antics of Arline Judge as a dumbbell dancer who likes sailors.

Several production numbers are highlights. Marion Burns is the girl. On board ship on route to Panama with troupe she meets Preston Foster, who leaves her in a clouded situation. The teen Jim Crebby (Kenneth MacKenna), wealthy flyer, falls in love with her. He commits suicide when wife refuses to divorce him. Unable to return to the cabaret, Marion and Arline take jobs in a terrible dive where Arline is stabbed. About to turn prostitute to provide hospitalization for Arline, Marion is saved by appearance of Foster.

Cast: Arline Judge, Marion Burns, Preston Foster, Kenneth MacKenna, Juanita Hansen, Creighton Hale, Cyril Chadwick, Nella Harly, Harold Minjer and Finis Barton.

Director, Charles Vidor; Author, Whitman Chambers; Adaptation, Paul Schofield; Dialogue, Albert DeMond; Editor, Carl Pierars; Cameraman, Sid Hickson; Recording Engineer, William C. Staehly, Jr.

Direction, Okay; Photography, Good.

**LeRoy-Warner Wedding Attended by Over 150**

(Continued from Page 1)

Lester Krieger, Herbert Copelin, Betty Warner, Mrs. and Mrs. Leon Greenbaum, Mr. and Mrs. Arnold Young, and in the film of Lehman Bros., bankers who have handled a good deal of Warner film company financing. The step was first reported some days ago.

Hertz a Lehman Partner

John D. Hertz, who for a time was chairman of the finance committee of Paramount Publix, has taken up his duties at Lehman Bros. in the film of Lehman Bros., bankers who have handled a good deal of Warner film company financing. The step was first reported some days ago.

**Release Dates Are Set On 10 M-G-M Features**


**Gene Laymon Starting Two West Coast Bureau of THE FILM DAILY**

Hollywood—Gene Laymon, head of Triumphant Pictures, back from New York where he closed release on the 12 two-reelers in his "Patty Laymon Comedy" series, starts work next week on the series.

Laymon also made a releasing deal in New York on eight six-reel melodramas, the first of which, "Twisted Rails," by J. V. Jefferson and featuring Jack Donohue and a new star, will be in work this week with Al Herman directing.

**Mancall With Majestic**

Boone Mancall has been engaged by Mannie Goldstein, executive vice-president of Majestic Pictures, to handle the advertising and publicity for the company, replacing Bert Ennis, who resigned last week.

**THE FILM DAILY**

Wednesday, Jan. 3, 1934

11
Saenger Gives Up 206 Film Buys in First Code Case

NRA TO BE PERMANENT, PRESIDENT INDICATES

Joseph M. Schenck Outlines British Cooperation Plans

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Interchange of Talent to Start with Arliss and Buchanam

London—Plans for a closer working alliance between United Artists, British & Dominions and London Films, involving more interchange of talent between England and Hollywood, were outlined by Joseph M. Schenck, president of UA, following his arrival here. Among the early developments will be the filming by R. B. D. of the Broadway musical, "Sons of..." (Continued on Page 1)

Testimonial to Yamins

Boston—Nathan Yamins, New England exhibitor leader and a member of the Code Authority, will be tendered a testimonial dinner by the Independent Exhibitors of New England at the Cop-

---

M.P.FEDERATION MAPS PLANS OF FINANCING

A financing plan, under which producer members will be assessed on the basis of negative footage and distributors on the basis of positive footage, was devised by the execu-

---

More “Commercial” Films Urged by Wesley Ruggles

Lower production costs and more pictures of “commercial” value are the two essentials that will give added impetus to the return of pro-

---

206 Features Are Relinquished by Saenger Circuit in Code Case

Hornblow Sees Repeal Hurting Class Films

With repeal resulting in reduced picture theater attendance on the part of sophisticated persons, producers must cease making films for this type of individual and instead produce stories with mass appeal, declared Arthur Hornblow, Paramount associate producer, before leaving New York for the Coast to assume his new duties. People clas-

---

Recovery Act Powers May Be Enacted Into Permanent Legislation

By WILLIAM SILBERBERG

Washington — A continuation of the powers of the Recovery Act and their enactment into permanent na-

---

PRA. COMPLETES NEW THEATER SETUP

At a meeting yesterday of stockholders of Theater Management Co., whose stock is owned by the Trust-

---

Non-Theatrical Company Organized by Sol Lesser

West Coast Bureau of THE FILM DAILY

Hollywood—Sol Lesser has formed a new company, Non-Theatrical Pictures Corp., to produce and distribute features and

---

When Max Meets West

If negotiations now under way materialize, a new team of vaudeville owners will result. Paramount, which had the prestige to realiz-

---
I.T.O.A. Claims Points

In Ruling on Union Men

Temporary injunction granted by the Supreme Court on Tuesday in the action brought by Local 306 against the Independent Theater Owners Ass'n, because of the latter's employment of "company union" operators, does not affect the exhibit in his employment, but merely reiterates the necessity of compliance with the NRA code, according to a statement yesterday by Weisman, Quinn, Allan & Spett, attorneys for the exhibitor unit.

The attorneys point out that the court did not grant the request of Local 306 to stop the indie group from continuation of its contracts, from excluding members of Local 306 or from employing fewer men at lower wages than those on July 15, 1933, and they claim the ruling is of advantage to the exhibitor since it indicates the court will enforce the code, if there is fair competition. If the code is not complied with by the higher courts, it will enable exhibitors to apply to the State Supreme Court for enforcement of all rights granted in the code as against distributors and producers and in favor of exhibitors. The indie exhibitors contend that it has at all times complied with NRA requirements.

Hearing scheduled for yesterday before the N.R.A. protesting against the Independent Theater Owners engaging operators from their own "company union" was postponed until tomorrow. Meeting of the exhibitor association is understood to have been also deferred until tomorrow to await outcome of the hearing. Case involved parallels pending in Supreme Court before Justice Collins, which is scheduled for hearing Jan. 29.

Nick Schenck Laid Up

Nicholas M. Schenck was confined to his home yesterday by illness.

Herbert K. Somborn Dead

West Coast Bureau of THE FILM DAILY

Hollywood—Herbert K. Somborn, SS, pioneer producer and second husband of Gloria Swanson, died Tuesday. He was owner of the Brown Derby restaurants.

Mrs. Louis C. Hehl Dies

St. Louis—Mrs. Louis C. Hehl, 72, wife of the secretary-treasurer of the regional M.P.T.O., died Tuesday. She was a member of the Brown Derby restaurants.

New Orleans Union Head Dies

New Orleans—Arthur X. Chateau, Sr., 44, president of the operators' union, Local 293, died Monday at his home. Vice-president Edward Burns will succeed him.

Fire Razes Oklahoma House

Oklahoma.—Fire destroyed the Hippodrome on New Year's Eve, with damage estimated at $75,000.

Russian Film at 5th Ave.

"The Patriots," Russian talker which had its New York premiere recently, goes into the Fifth Ave. Playhouse today.

Resuming Wage Parleys

With New York Operators

With Division Administrator Sol A. Rosenblatt sitting in at the conference, efforts to arrive at an operators' wage scale for the New York territory will be resumed, probably today, at a meeting at the offices of the I. A. T. S. E. Attending will be President Harry Brandt of the Independent Theater Owners; Harry Sherman, President of Local 306; and Fred J. Dempsey, I. A. T. S. E. official.

Fanchon & Marco Get

Fox Theater, St. Louis

St. Louis—Fanchon & Marco, as predicted, are acquiring the Fox, largest local movie house. Orchestro and stage shows will be dropped, with house going to double features. Next F. & M. step is expected to be the acquisition of the Missouri, now one of the Skorucas group. F. & M. also have the St. Louis, which is playing stage units.

New Distributing Firm

Formed by M. A. Marks

A new distributing firm, Marcy Pictures Corp., has been organized by M. A. Marks with headquarters in the Film Center. Product already acquired, for distribution in the territory, includes the Showmens Pictures releases, "Public Stenographer," "Big Race" and "The Moth." Charlie Gould will handle sales in the New York territory.

Schine Appoints Tom Olsen

Bellefontaine, O.—Tom Olsen succeeds George Riester as manager for Schine Enterprises' offices in nearby smaller towns. Riester accepted a district post for Skorucas in the Philadelphia area.

JAY EMMANUEL TO COAST

Philadelphia—Jay Emanuel, publisher, and Mrs. Emanuel leave Philadelphia Jan. 12 for a winter vacation business and pleasure trip to the coast. They will be away three weeks.

Paramount Meeting Tomorrow

Another meeting of Paramount Public creditors is on the calendar for tomorrow at 19 A. M. in the office of Referee Henry K. Davis. Nothing on the program so far.

Sam Morris on Ball Committee

Sam E. Morris, vice-president of Warner Bros., has accepted the invitation of Henry L. Deboer, national chairman of the Birthday Ball for the President, to act on the committee of the amusement industry.

Win Fire Prevention Honors

First place in the 1934 nationwide fire prevention activities, announced by the Cleveland Film Board of Trade, with the St. Louis Board second and the New York Board third, according to announcement by the National Fire Protection Ass'n.
ride the crest of america's whirlwind comeback with WARNER BROS. the

20,000 YEARS PICTURE
IN SING SING SNATCHER
KING'S VACATION SILVER DOLLAR
BUREAU OF MISSING PERSONS
THE WORLD CHANGES
KENNEL MURDER CASE
FORTY SECOND STREET
SON OF A SAILOR-I LOVED A WOMAN
HAVANA WIDOWS-THE LITTLE GIANT
LADY KILLER CONVENTION CITY
HOUSE ON GOLD Diggers
56TH STREET OF 1933

20101 COMPANY

VOIT AIRE
THE WORKING MAN
MARY STEVENS, M. D.
I'M A FUGITIVE FROM A CHAIN GANG
ELMER THE GREAT
GOODBYE AGAIN
FOOTLIGHT
THE MAYOR
PARADE OF HELL
KAY FRANCIS
MARG. LINDSAY
MENJOU-RUBY KEELER-BETTE DAVIS
DICK POWELL-MacMAHON
O'BRIEN-AL JOLSON
TALBOT

MUNI
STANWYCK
BARTHELMESS
CAGNEY
ROBINSON
JOE E. BROWN
BLONDELL
WM. POWELL
DVORK
DON. WOODS
JEAN MUIR-HALLE ROY
GLENDILA FARRELL

Yesterday/Today/Tomorrow

FOLLOW THE LEADERS...turn over
WARNER BROS. paved the way!
WARNER BROS. hold the way!

Let's go WITH

1934!

The screen's blazing firebrand in the greatest show of his career! Liberty Magazines most popular story for 1933

PAUL MUNI in
"HI, NELLIE"
(2 words that mean B. O.) with GLENDA FARRELL NED SPARKS
Direc. by Mervyn LeRoy

Savage Blood Runs Wild Again! . . .

BARTEHELMESS in
"MASSACRE"
ANN Dvorak CLAIRE DODD DUDLEY DIGGES
The greatest INDIAN story of all times! Direc. by Allan Crosland

Screen's First Fashion Extravaganza—Myriad Wonders in Clothes, Girls, Music . . .

"FASHION OF 1934"
Starring William Powell, Bette Davis, Frank McHugh, Vera Teasdale, Hugh Herbert—directed by Dieterle—Numismatically staged and directed by Berkeley

* A Warner Bros. Picture  "A First National Picture  Vitagraph, Inc., Distributors
1934 Greets the Rising Star Who Takes Her Place Among the Screen’s Greatest!

KAY FRANCIS
in
"MANDALAY"
RICARDO CORTEZ
LYLE TALBOT
WARNER OLAND
Dir. by Michael Curtiz

The star and author of "Little Caesar" link their genius in a greater triumph!

ROBINSON
in
W. R. Burnett’s great book-of-the-month
"DARK HAZARD"
GENEVIEVE TOBIN
GLENDA FARRELL
Dir. by Al Green

The picture that will top the best of 1934’s best — from the novel

"AS THE EARTH TURNS"
JEAN MUIR
DONALD WOODS
Dir. by Al Green

NOW IN PREPARATION

ANTHONY ADVERSE
NAPOLÉON: His Life and Loves
DUBARRY
CLASSMATES
HAROLD TEEN
FOX has the money pictures coming ... and going strong!

Hire extra ushers...arrange for extra shows...when these three crowd-pullers reach your house. One a current key-city clean-up...another starting in a great big way...a third you'll be setting in for extra playing time. It's pleasant dreams for showmen when they date in hits like these!

WILL ROGERS in Mr. Skitch with ZASU PITTS

ROCHELLE HUDSON
FLORENCE DESMOND
HARRY GREEN
EUGENE PALLETTE

Based on Anne Cameron's story "Green Dice"
Directed by James Cruze

NOW PILING UP outstanding grosses in the: State Theatre, Los Angeles; Stuart Theatre, Lincoln; Alabama Theatre, Birmingham; Roxy Theatre, New York; Apollo Theatre, Indianapolis; Fox Theatre, Detroit; Warfield Theatre, San Francisco; Orpheum Theatre, Denver...everywhere. The verdict: Rogers' best in years!
INTO '34 WITH TWO SMASHES!

STARTING OFF at a terrifc pace in pre-release run at the Four-Star Theatre, Los Angeles. Smash business building daily, hourly . . . with unparalleled word-of-mouth and newspaper raves. Management anticipates sensational four-week run.

I Am Suzanne!
with
LILIAN HARVEY
GENE RAYMOND
LESLIE BANKS


JESSE L. LASKY Production

JANET GAYNOR
LIONEL BARRYMORE
in
Carolina

with
ROBERT YOUNG
RICHARD CROMWELL
HENRIETTA Crosman
MONA BARRIE
STEPIN FETCHIT

From "The House of Connelly" by Paul Green
Directed by Henry King

COMING UP. A cast ablaze with talent . . . a story alive with love, drama, music, laughter . . . a wisp of a girl who bursts into sleepy Carolina, upsets tradition, awakens romance, stirs up excitement everywhere. Look for "State Fair" grosses . . . or better!
ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Note: The actual paragraphs of the Code will not be reprinted in this analysis—nor will the entire Code, due to the Code's length and complexity. Instead, the analysis will endeavor to summarize the legal terms into layman's language, and for this purpose will subdivide the articles of the Code into different sections in order to make their content clear. The articles and section numbers of the Code will, however, be cited in each instance so that reference can be made to the original language of the Code.

PREAMBLE

This Code is binding on all those engaged in the Motion Picture Industry.

ARTICLE I—DEFINITIONS

1. Motion Picture Industry
   The Industry includes, without limitation, the production, distribution open-theatrical accounts, and all activities normally related thereto.

2. Producer
   Any person, partnership or corporation who makes a contract to engage in or engage in the production of motion pictures, is a Producer.

3. Distributor
   Any person, partnership or corporation who owns or operates a theater for the exhibition of motion pictures, is a Distributor.

4. Exhibitor
   Any person, partnership or corporation who owns or operates a theater for the exhibition of motion pictures, is an Exhibitor.

5. Legitimate Production
   A theatrical performance of dramatic or musical plays performed on the stage by living persons, is a Legitimate production.

6. Employee
   Every person employed by a Producer, Distributor or Exhibitor, is an Employee.

7. Clearance
   Clearance is the period of time between the end of an exhibition which has been licensed ahead of another theater and the beginning of an exhibition at such other theater.

8. Zone
   A Zone is any defined area over which a local clearance and zoning board has jurisdiction.

9. Non-Theatrical Account
   A non-theatrical account is a church, school or any other place where motion pictures are shown not in the usual or ordinary course of the business of operating a theater.

10. Affiliated Exhibitor
    There are two tests to determine who an Exhibitor is "affiliated." He is an affiliated Exhibitor if he operates a theater, and if
    (a) His theater is owned, controlled or managed by a Producer or Distributor; or if
    (b) A Producer or Distributor has a financial interest in the ownership, control or management of his theater.

11. Unaffiliated Exhibitor
    There are two tests to determine whether an Exhibitor is "unaffiliated." He is an unaffiliated Exhibitor if he operates a theater, and if
    (a) His theater is not owned, controlled or managed by any Producer or Distributor; or if
    (b) No Producer or Distributor has an interest in the ownership, control or management of his theater.

12. Outside or Associated Producer
    There are two tests for this definition. A Producer of plays, short subjects or cartoons is an outside or associated Producer if
    (a) He operates his own production unit; and
    (b) Does so in conjunction with another Producer or Distributor whose trade name or trade mark appears on the productions.

13. Administrator
    This term refers to the National Recovery Administration appointed by the President under the National Industrial Recovery Act. The present Administrator is Gen. Hugh S. Johnson.

14. Effective Date
    The Code becomes effective ten days after the approval of the President.

15. Population
    Population is determined by the 1930 Federal Census.

NOTE: Complete text of the Motion Picture Code as signed by President Roosevelt appeared in the Dec. 1 issue of THE FILM DAILY. Additional copies of the issue are available.

Non-Theatrical Company Organized by Sol Lesser

(Continued from Page 4)

shorts in 16mm. The new firm is chartered in New York state and Alfred Cohen has been appointed general manager with headquarters in the RKO Building, New York.

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(Continued from Page 4)

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EXTRA!!!

(OUT NEXT MONTH)

Here Is The Book That Will Soon Be On The Desks Of Every Executive In The Industry And Stay There Every Day During The Coming Year

Free To Film Daily Subscribers
HELEN TWELVE TREES will appear opposite Hugh Williams in Fox's "All Men are Enemies."

Frank Borzage and Edwin G. Robinson will go to France to make sequences for First National's "Papoleon."

Gregory Ratoff has been engaged by Fox to appear with Jimmy Durante in the George White "Scandal."

Irene Dunne, instead of Katharine Hepburn, will star in "Age of Innocence" for RKO.

Bette Davis and Ricardo Cortez are to be starred in First National's "Hit Me Again," with Glenda Farrell and Frank McHugh in support.


Ralph Bellamy has bought a ranch near Salem, Conn. Bellamy is not working with Irene Dunne in RKO's "Transient Love."

Recent RKO writing assignments include Joseph Moncure March to do the screen play of "Dance of Desire" and H. W. Hannemann to do a treatment of "Hide in the Dark."

Complete cast for Fox's "David Harum" includes, in support of Will Rogers, Louise Dresser, Evelyn Venable, Kent Taylor, Irene Bentley, Charles Middleton, Noah Beery, Ralph Morgan, Franklin Merger, Roger Imhof and Stepin Fetchit. James Cruze is directing.

Damon Runyon's story, "The Old Doll's House," will be produced by Warners with Helen Leland, new acquisition from the stage, in the cast.

Earl Baldwin, Warner Bros. scenarist, who is one of the most prolific writers on the Coast, is writing an untitled musical comedy which is being wired for Warner Bros. His recent originals include "Havana Widows" and "Blondie Johnson." He also wrote the screen play of "Wonder Bar," "Wild Boys of the Road" and "Honoré Guy."

SAENGER GIVES UP FILMS IN CODE CASE

Young Leading Men Scarcity West Coast Box, THE FILM DAILY Hollywood—Young leading men—especially one whose name rolls well, has acting ability and a singing voice—are a rather scarce article these days, according to Clarence Brown, M-G-M director. He says he is having a hard time finding an actor with these qualifications to play opposite Joan Crawford in "Pretty Sadie Mack."
Adela Rogers St. John, authoress of “Woman’s Man” (The Great God Fourflush), has interviewed every big star in Hollywood including Hepburn, Pickford, Garbo, Harlow and dozens of others. Her fiction stories about the movie capital are featured by Liberty, Cosmopolitan and other national publications. “Woman’s Man” is one of the best yarns ever written about the World’s own land of make-believe.
150 W. Pa.-W. Va. Exhibs Disapprove of Film Code

MURPHY-Once Again

Drive for Film Code Signatures Starts Today

Paramount is Starting 13 Productions Within a Month

8 NEW RKO PICTURES STARTING BY FEB. 1

Series of Russian Shorts Is Acquired by Imperial

Code Makeup Assailed by 150 At Exhib Meet in Pittsburgh
Decentralization Benefit

Hartford, Conn.—Several Connecticut companies have been somewhat enriched as a result of the filing of papers recording the transfer of the Fox New England circuit back to the Poli interests.

The New England circuit sold for $650, the highest on record for a single transfer. Similar sales also are to be filed in New Haven, Bridgeport, Watertown, Meriden and in Worcester and Springfield, Mass.

Drive for Code Signatures Opens;
Approval Deadline Is Extended

(Continued from Page 1)

fixed as Jan. 20, it was announced following the second meeting of the body yesterday afternoon at the Bar Association building.

Decision was made to establish headquarters in the RKO Building within two weeks. Only 100 per cent approval of the code will enable little signatories to participate in its benefits, Executive Secretary John C. Flink stated following the meeting, confirming an exclusive story in yesterday's FILM DAILY. Forms must be addressed to the Code Authority at Room 1204, Paramount Building.

Attending the meeting were: Sidney R. Kent, who presided as chairman; Harry M. Warner, George J. Schaefer, R. H. Cochrane, J. Robert Rubin as alternate for Nicholas M. Schenck, W. Ray Johnston, Charles L. O'Reilly, Ed Kuykendall and Nathan Yamins. M. H. Aylesworth was an absentee, without an alternate pinch-hitting for him. Harry L. Schaefer, Warner attorney, accompanied H. M. Warner. Neither Eddie Cantor or Marie Dressler, two major members of the Authority, was in attendance.

The Authority confirmed appointment of alternates as follows: W. C. Michel for Kent. Austin C. Keough for Schaefer. Rubin for Schenck.

Confer on Operator Scale

Conferences on an operators' basic wage scale for New York territory were resumed yesterday at a meeting held at I. A. T. S. E. headquarters, with no definite agreement understood to have resulted.

Division Administrator Rosenblatt, supported to attend, did not, although he arranged the meeting.

Staging Warshawsky Play

"The Woman of Destiny," by Sam Warshawsky, will be presented by the Civic Repertory Theater, Syracuse, N. Y., the week of Jan. 29.

Brace Conning, executive director, is staging it.

"Disraeli" Returns Wednesday

Broadway revival showing of "Disraeli," with George Arliss, opens Wednesday at the Hollywood.

Chas. Yaeger Resigns

Denver—Charles U. Yaeger has resigned as district manager for Fox in the Intermountain division and organized Allied Enterprises, which will market the "Bank Night" idea to theaters. C. C. Ezell, formerly of Warner Bros., is sales manager.

"Design for Living" Holds Over

Paramount's "Design for Living" is being held for a second week at the New York Paramount, together with the stage show headed by Joe Penner.

Para. Plans "Alice" Follow-Up

As a result of the reception accorded "Alice in Wonderland," Paramount plans to make another attempt for the screen. For 1934, it will probably be "Cinderella," with Charlotte Henry in the lead.

FORM SENT TO ALL EXHIBITORS FOR CODE SIGNATURE

CODE OF FAIR COMPETITION FOR THE MOTION PICTURE INDUSTRY

The undersigned hereby approves, adopts and submits to the Code of Fair Competition for the Motion Picture Industry as approved by the Motion Picture Patents Company, November 22, 1917.

Signed this day of , 19 , at , .

[Signature]

[Name of Individual or Corporation] (Seal)

Check One: Producer ______ Distributor ______ Exhibitor ______

(1) State business address and office home address.

(2) If exhibitor state name and location of theater, and seating capacity.

(3) If distributor state name and address of exchange.

(4) If producer state name of companies.

This Assent Is Invalid If Qualified

After signature return to "CODE AUTHORITY MOTION PICTURE INDUSTRY" in the enclosed envelope.

FINANCIAL

NEW YORK STOCK MARKET

High Low Close

Am. Sea. 3 9/6 3 1/3 3 3/4

Columbia Picts. 24 21 21 21

Con. Fam. 10 1/2 10 1/3 10 3/4

East. Kodak 80 79 80 1/2

Fox, Inc. 10 21/3 10 1/2 10

Low's, Inc. 28 27 27 1/4

Pathex, Inc. 1 1/4 1 1/8 1 1/4

Pathex, Inc. 15/16 15/16 15/16

Rubens 3 1/8 3 1/8 3 1/8

Warner Bros. 5 1/4 5 1/4 5 1/4

NEW YORK CURB MARKET

Tecnedizer 8 3/4 8 3/4 8 3/4

Trans-Lox 2 1/16 2 1/16 2 1/16

NEW YORK BOND MARKET

Gen. Th. Eq. 6 1/4 @ 6 1/4 @ 6 1/4 @

Low 6 3/4 @ 6 3/4 @ 6 3/4 @

Par. 6 4/7 @ 6 4/7 @ 6 4/7 @

Par. 6 5/8 @ 6 5/8 @

Par. 6 15/16 @ 6 15/16 @ 6 15/16 @

N. Y. PRODUCE EXCHANGE SECURITIES

Par. 1 1/4 @ 1 1/4 @ 1 1/4 @

"Disraeli" Held Over

Buffalo — Warner's revival of "Disraeli" was held over for a second week at the Buffalo Theater.

Charles Chrisdie Dead

Charles H. Chrisdie, veteran theatrical costumer, died this week at his home in New Garden.

Louis Marcus Improved

Salt Lake City—Louis Marcus, Mayflower Salt Lake City and head of Marcus Enterprises, has returned from California, improved in health.

Neill Pratt Dead

West Coast Bureau of THE FILM DAILY—Neill Pratt, screen and stage actor, died here this week. He was 44 years old.

COMING AND GOING

FRANK BUCK arrived from Europe yesterday on the Pan American Clipper.

J. R. MCDONOUGH of RKO leaves today for the coast.

SHERI DELLA (Aunt Jemima) returns to New York this week from the coast after finishing her role in "Foot Folks.

ROBERT WOOLEY and DOROTHY LEE arrived in New York last night from Hollywood to join S. T. WHEELER, who came on ahead for a brief vaudeville tour and some radio appearances.

WILLIAM ROWLAND arrives from the coast today by plane.

TERRY TURNER has returned to New York from the Coast.

IRVING ASHER, production head of Warner's Studios in Tottenden, near London, sails today aboard the Mauretania for London.

EUGENE V. BRIWSTER arrives in New York today from Hollywood on the Santa Teresa.

T. E. B. SCHULBERG leaves New York today for the coast accompanied by Blanche Strock, stylist and head of the Jay-Thorp theatrical department.

DOUGLAS MONTGOMERY leaves for the coast in about two weeks to appear in Universal's "Little Man, What Now?"

400 at Bella Cohn Rites

About 400 persons came to the film executives' attended funeral services held yesterday for Mrs. Bella Cohn, mother of Harry, Jack and Max Cohn. Services were at the Park West Funeral Chapel, with interment in Mt. Carmel Cemetery, Cypress Hills. Joe Brandt, Sam Katz, Jules Levy and Sam Dembow were among the film executives present.

THE INDUSTRY'S DATE BOOK

Jan. 9: Testimonial dinner to Nathan Yamins at the Empire Hotel. E. M. Loew will be speaker.


Jan. 25: Fifth Annual Banquet and Ball of the Motion Picture Expositions' Club at the Waldorf-Astoria Hotel, New York.

Jan. 30: Newspaper Motion Picture Show in Vienna.
LILIAN HARVEY, dream of beauty miracle of dancing grace, in a romance as tenderly appealing as "7th Heaven." Spiced with sparkling spectacle, cuddlesome cuties, blazing splendor, striking effects, unique surprise and laughter in the Piccoli Marionettes. Brightened with gay, bewitching melodies. Everything for everybody

A Jesse L. Lasky Production

I AM SUZANNE!

Lilian Harvey

Gene Raymond

Leslie Banks

Your patrons always like FOX
MOVIE TONE NEWS

Story and screen play by Edwin Justus Mayer and Rowland V. Lee
Podrecca's Piccoli Marionettes Directed by Rowland V. Lee
EXPLOITETTES

Elaborate Girl Tableaux
Ballys "Footlight Parade"

WARNERS "Footlight Parade" was accorded one of the biggest advance exploitation campaigns in Hollywood. This week it was pulled in Houston, where it played the Metropolitan Theater. The smash stunt of the campaign, which was handled by Allen Glenn, Warner exploiter in that territory, and Manager E. E. Collier, consisted of a huge turntable erected on a marquee opposite the Metropolitan. At certain times throughout the opening day, a group of scantily clad girls formed tableaux on this turntable. Above the front, in littered letters, was the title of the picture. At night, the scene was illuminated with a group of figures from the Met marquee. The ballyhoo could be seen for blocks.

In addition to the above, arrangements were made with local French Apparel Shop for a window display consisting of a parade of girl tableaux. All but the lower part of the window was screened and carried the following copy: "Parade to "Footlight Parade" in Chic Van Raalte Hose." The girls, sans skirts, paraded behind the curtain, which was covered with stills and copy on the picture. A huge lobby stretcher was placed above the main exit doors of the theater, announcing the picture's title and cast. The stretcher was backlit, with spotlighted portrait enlargements of the stars placed at either end. Ten mounted cut-out figures of the chorus girls were arranged along the ramp walls, each figure on a pedestal bearing copy on the show. The town was also thoroughly covered by paper on the attraction and by the distribution of over 30,000 heralds. Three local music shops tied-in for window displays on the sheet music from the musical. The Houston Press ran a "Pick Your Star" contest, in which the readers were asked to select most attractive girls from a layout of five photographs.

—Metropolitan, Houston, Tex.

TIMELY TOPICS

Exhibs Rap Publication of Box-Office Figures

WHEREAS the Theater Owners Association of North and South Carolina, in its session at the Hotel Charlotte, Charlotte, North Carolina for its regular meeting, wishes to go on record, and WHEREAS, the publication of high priced stars' salaries and the publication of motion picture theater box office figures have been extremely detrimental to the motion picture industry, because these excessive amounts exceed the salary of the President of the United States, and these large sums of money tend to influence the public and legislators opinion of the ability of the industry to pay taxes and absorb other adverse legislation to an exorbitant degree, and WHEREAS, in many cases these figures are fictitious, and, WHEREAS, the publication of these figures creates much ill-will toward the industry for these reasons, NOW THEREFORE BE IT RESOLVED that the North and Carolina Theaters Association in convention duly assembled go on record as severely criticizing and condemning the publication of these figures, and furthermore, that they request the producers, studio heads, publicity men and trade publications to immediately desist and discontinue any further publication of star salaries or theater box office figures, and BE IT RESOLVED FURTHER THAT a copy of this resolution be mailed to the heads of all producing companies, the distributors and all the motion picture trade papers.

—Theater Owners of North and South Carolina, Inc.

High Fidelity Puts on Dog

Hitting a new high in de luxe promotional brochures, the 1934 Photophone High Fidelity Promotion Book is now being distributed with the New Year contacts of L. & O. Stoltz, manager of the Photophone Division of the RCA Western Circuit. This book is a gorgeous and impressive conception measuring about 12 x 16, with hard covers, in silver lettering. It contains essential facts, helpful charts and other informative propaganda in high fidelity sound, together with facsimile test-figures of typical circuit owners and other exhibitors on the merits of the product.

Happy Birthday

Best wishes from THE FILM DAILY to the following on their birthday:

January 5
Edward Sutherland
Jack Ackroyd
George Maguire
Alfred C. Goulding
LET'S FALL IN LOVE

A MUSICAL ROMANCE OF TWO HEARTS IN LOVE TIME!

with EDMUND LOWE
Ann Sothern—Miriam Jordan
Gregory Ratoff

Story and screen-play by Herbert Fields
Music and lyrics by Harold Arlen and Ted Koehler
Directed by David Fromm

A COLUMBIA PICTURE
BEN BERNIE
The "Old Maestro" himself. Radio's most popular Master of Ceremonies transfers that magnetic personality to the screen.

CARL BRISON
England's reigning musical comedy favorite who recently made a hit in "The DuBarry".

KITTY CARLISLE
Broadway's newest singing star. Now scoring a tremendous personal success in "Champagne, Sec", in New York.

EDDIE CRAVEN
A nephew of Frank Craven, famous actor and comedian, Eddie has set all New York laughing at his antics in "Sailor Beware".

DOROTHY DELL
Internationally famous in 1930 as "Miss Universe", Miss Dell became a featured star in Florenz Ziegfeld's 1931 Follies.

FRANCES DRAKE
Sensational newcomer to American screen from English stage successes and pictures. Soon to be seen in "Bolero".

BARBARA FRITCHIE
A debutante and Junior Leaguer whose distinctive personality and beauty won her a contract for screen appearances.

JACK HALEY
Star of the stage successes, "Good News," and "Take A Chance"; Haley recently made a hit on the screen in "Sitting Pretty".

Paramount ANSWERS
IDA LUPINO
Daughter of Stanley Lupino, famous English comedian and dancer, she has scored a great success in English pictures.

ETHEL MERMAN
The girl who set New York aflame with her torch-singing in "Girl Crazy", George White's "Scandals" and "Take A Chance".

JOE MORRISON
Sweet singer of songs with George Olsen and his Music, Morrison became famous overnight when he introduced "The Last Round-Up" to radio listeners.

SALLY RAND
The girl who made Chicago famous! Miss Rand in her Fan Dance was one of the outstanding attractions of the World's Fair.

LANNY ROSS
One of Radio's great voices. Singing star of the Maxwell House "Show Boat" Hour.

EVELYN VENABLE
Starred on the stage as Walter Hampden's leading woman, her performance in "Cradle Song" gives great promise for the future.

JOHN LODGE
Leading man for Marlene Dietrich in her forthcoming production based on the life of "Catherine the Great."

DOROTHY WILSON
Whose performance in Charles R. Rogers' "Eight Girls In A Boat", is exciting comment all over the country.

THE OLD CRY FOR NEW FACES!
ANALYSIS OF MOTION PICTURE CODE

BY LOUIS NIZER

(Continued from Page 1)

1. Code Authority

The agency to administer the Code is the Code Authority which shall have such powers as shall be necessary for this purpose and shall also have such powers as are given to it in the Code.

2. Composition of Code Authority

(a) Definite Appointees

There are ten definite appointees: The five representing affiliated Producers, Distributors and Exhibitors are:

- Merlta H. Ayresworth
- Sidney R. Black
- George J. Schaefer
- Nicholas M. Schenck
- Harry M. Warner

The five representing unaffiliated Producers, Distributors and Exhibitors are:

- Robert H. Cochrane
- W. Ray Johnston
- Ed Kuykendall
- Charles L. O'Reilly
- Nathan Yaron

(b) Employee Representatives

When any question arises which affects a class of employees engaged in the Industry, a representative of that class shall be added to the Code Authority, with the right to vote. Such representative is chosen in the following manner:

The class of employees involved suggests a list of representatives which are chosen in a manner prescribed by the Administrator. The Administrator then chooses a representative from the nominations thus made.

(c) Government Representatives

The Administrator may designate three additional persons without vote to sit on the Code Authority. These representatives of the Industry must not have any direct, personal interest in the Motion Picture Industry nor any interest opposed to those engaged in the Industry.

(d) Choosing of Temporary Alternate

There are four situations in which a temporary alternate may take the place of the regular member of the Code Authority:

1. Absence of the regular member.
2. Resignation of the regular member.
3. Ineligibility of the regular member. A member becomes ineligible if he ceases to be associated with the class which he represents; for example, if a Producer goes out of the production business or if an Exhibitor gives up his theater and does not operate any theaters. There may be other cases of ineligibility.

4. Incapacity of the regular member. This is usually due to illness.

In any of these four cases, the regular member designates an alternate to act temporarily in his place. Such alternate must be of the same general class of the Industry, and an actual executive of the distribution or production department if he represents that class, or an actual operating Exhibitor if he represents that class. The Code Authority has the right to designate an alternate and if it does so, the regular member must designate another.

(e) Choosing a Permanent Alternate

Permanent alternates are chosen in the same manner as temporary alternates. A permanent alternate must be approved not only by the Code Authority but by the Administrator.

(f) Alternate Chosen by Code Authority

If for any reason the regular member is unable to designate his alternate, the Code Authority may do so. Its designation must be made, however, from the same general class as that of the regular member and is subject to the approval of the Administrator.

(g) Representation Limited

No employer in the Industry may have more than one representative at any time upon the Code Authority. For example, a Producer may not have two of his executives sitting upon the Code Authority.

(h) Vacancy

When a regular member ceases to be an actual executive of a Producer or Distributor, or an actual operating Exhibitor, a vacancy is created on the Code Authority. In such case, the regular member does not select his code authority. The Code Authority selects the alternate from the same general class and subject to the approval of the Administrator.

(Te to be continued)
OWN VOICES IN ANIMATED CARTOONS

"Undisconnected wid de Fresh Air Taxicab Co. of America, Incorupulated," Andrew H. Brown, President, Andrew H. Brown, Director, Andrew H. Brown, Author, Andrew H. Brown, Cameraman and Amos Jones, Property Man, announce the first super-supreme-colossal-de luxe production of "The Great Animater Pitcher Co. of America, Incorupulated" Entitled

"THE RASSLIN' MATCH"
FIRST OF THE LONG ANTICIPATED SERIES BRINGING TO THE SCREEN FOR THE FIRST TIME "AMOS AND ANDY," THEIR FRIENDS, ASSOCIATES AND FELLOW LODGE BRETHREN, JUST AS THEIR MILLIONS OF RADIO FANS IMAGINE THEM!

RADIO'S GREATEST STARS! RECORD-BREAKERS IN PERSONAL APPEARANCES! NOW A GREAT ELECTRIC-LIGHT ATTRACTION FOR YOU IN ANIMATED CARTOONS!

PRODUCED BY THE
VAN BEUREN CORPORATION
**A "LITTLE" from HOLLYWOOD "LOTS"**

By RALPH WILK


Judith Wood, Broadway actress, has been signed for "Looking for Trouble," 20th Century production for United Artists release. Spencer Tracy, Jack Oakie, Constance Cummings and Arline Judge head the cast.

Chic Sale has been engaged to appear in two M-G-M shorts.


Nelson Eddy has signed a new long-term M-G-M contract and may next be seen in the forthcoming "Prisoner of Zenda." George Nicholls, Jr., has a busy year ahead. He will co-direct "Finishing School" in January. In March he will co-direct "The Devil's Disciple," starring John Barrymore.

"The Crosby Murder Case" is the new title of Universal's production formerly called "Special Investigator." It features Wynne Gibson and Osmolow Stevens.

Labor Board Called In Dubinsky Dispute

(Continued from Page 1)

The Building Service Employees Union, affiliated with the A. F. of L., with the main idea of getting more pay. Charles C. Levy is secretary of the group.

Third Week for Cantor Film Eddie Cantor in "Roman Scandals" will start its third week at the Rivoli tomorrow. Next picture is Ann Harding in "Gallant Lady." Both are U. A. releases.

"Rio" Moves to RKO Center After two weeks at the Radio City Music Hall, RKO's "Flying Down to Rio" opens at the RKO Center tomorrow.

"Roman Scandals" in Dual Date New Haven—"Roman Scandals," Goldwyn production released by United Artists, playing at both the Polish and Bijou theater here, still did S.R.O.

Robert George Burns Funeral Today Funeral services for Robert George Burns, who was connected with the Radio City Music Hall art department, will be held this morning.

Expect Decision Soon In Erpi-Warner Action Decision in the jurisdictional dispute in connection with the Warner Bros. suit against Electrical Research Products over royalty payments is expected in two weeks from the Supreme Court of Delaware. The defendants claim the case should be arbitrated rather than tried in court, citing a contract covering the original deal.

"Bombay Mail" at Palace Universal's "Bombay Mail" will have its New York premiere today at the Palace. It stars Edmund Lowe.

**Picks Ten Best Songs**

WHAT big picture today does not include backgrounds that call for composite photography? The answer is obvious. ... The really vital point is: what medium to use in photographing these important backgrounds? ... Eastman has answered that question. Eastman Background Negative, with its remarkably fine grain, its surprising speed, and its excellent processing characteristics, completely solves the film problem of the composite shot. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN

Background Negative
$200 in Prizes for the Best Theatre Campaigns on "Fugitive Lovers"

WHAT CAPITOL, N. Y. IS DOING

1. Teaser ad campaign in newspapers 8 days in advance.
2. N.Y. Daily Mirror stunt: "FIND THE FUGITIVE LOVERS."
3. Teaser tack cards, teaser 1-sheets and three sheets.
4. Special dodger for mailing and giveaway purposes.
5. Radio sketch WOR, Mon., Wed. & Fri.
6. Tie-up with Greyhound Bus Lines.
7. Special teaser 24-sheet block posters.
8. Parade of busses with banners to Capitol opening day.
9. Camera on truck perambulator looking for "Fugitive Lovers" in N. Y.
10. Special press stunts. Increased advertising budget.

1. $200 in prizes for best promotion campaign on "Fugitive Lovers." 1st prize, $100; 2nd prize, $50; 3rd prize, $30; 4th prize, $20.
2. In case of ties, duplicate prizes will be awarded.
3. Campaigns must be fully documented with proofs of activities, not merely a list of them.
4. Contest ends March 5th, 1934.
5. Send your campaign to "Fugitive Lovers Contest," M-G-M, 1540 B'way, N. Y. C.
6. The judges are: "Chuck" Lewis, Showmen's Round Table; A. Mike Vogel, M. P. Herald; W. R. Ferguson, M-G-M.

Teaser Card used by Capitol, N.Y.
All Code Authorities to Meet in Wash’n Next Month

GENERAL THEATERS REORGANIZATION PLAN FILED

Zukor Chairman, Kohn President of Famous Theaters

Officer Appointed by New Unit Which Acquired Publix Assets

In the election of officers yesterday by the board of directors of Famous Theaters Co., new company which took over the assets of Publix Enterprises at a bankruptcy sale, Adolph Zukor was elected chairman of the board. Other officers appointed include: president, Ralph A. Kohn; vice-president, (Continued on Page 3)

PARA. DECENTRALIZES EXPLOITATION FORCE

Under a decentralization plan for the Paramount exploitation department, various executives have been assigned to headquarters in the field. Jimmy Ashcraft will locate in Chicago, covering that city, Detroit, Indianapolis, St. Louis, Minneapolis, Des Moines, Omaha, Milwaukee and St. Paul. Ed Corcoran will work (Continued on Page 5)

Kohn, Dembow to Confer With Theater Partners

Conference planned by Ralph A. Kohn and Sam Dembow, Jr., with company partners Tuesday in Atlanta will be the first of a series of similar meetings to work out problems and co-operative plans between affiliates and Paramount Theater Service Corp. Kohn and Dembow leave New York tomorrow.

Virginia M. P. T. O. BEING REORGANIZED

The M. P. T. O. of Virginia, affiliated with the M. P. T. O. A., has been reorganized, according to word received yesterday by President Ed Kuykendall of the national exhibitor association, who will remain in New (Continued on Page 2)

British Ticket Machine Being Put on U. S. Market

London—Percy Phillipson, managing director of Automatic Ticket England and president of Automatic Ticket, sailed this week on the Aquitania for New York to reorganize the Automatic Ticket throughout America. He will remain in the U. S. from three to six months. Phillipson is responsible for the installation of this ticket issuing machine in all parts of England.

NRA Intervention Sought In Chi. Operator Trouble

With indications last night that a walkout of Chicago operators has been averted, temporarily, at least, Jack Miller, president of the Exhibitors Ass’n of Chicago, is expected to arrive in New York im (Continued on Page 3)

Gen. Johnson Calls Meeting Of All NRA Code Authorities

Six More Roadshows For “Queen Christina”

M-G-M is scheduling at least six roadshow engagements, besides the Broadway run, for “Queen Christina.” Picture will open at the Nixon, Pittsburgh, Jan. 15, and in Cleveland and Boston on Jan. 20. Three other dates are now being selected.

Washington Bureau of THE FILM DAILY

Washington—A combined meeting of the code authorities of all codes so far approved, about 195 in number, will be held here early next month to discuss violations and administrative problems. General Hugh S. Johnson indicated yesterday that every nature of problem will be taken up at this meeting. At present there are active controversies in only six or eight codes, Johnson said.

Chase Bank Compromise on G.T.E. Submitted to Court

By NORMAN M. MACLEOD

FILM DAILY Staff Correspondent

Wilmingtont, Del.—A proposed compromise agreement with the Chase National Bank of New York was filed in Chancery Court here yesterday by U. S. Senator Daniel O. Hastings, receiver for General Theaters Equipment. Hastings petitioned the court for authority to enter into the agreement and for its approval. Hearing was fixed for Feb. 23. The Chase Bank has filed (Continued on Page 7)

HOLDOVER RECORD IN B’WAY HOUSES

Holdovers on Broadway this week establishes something of a record, with nearly a dozen houses playing films in their second week or longer. “Dinner at Eight” at the Capitol and “Design for Living” at the Paramount are both holding over in their first show, after two-a-day runs. “Man’s Castle” continues at (Continued on Page 7)

Five Detroit First-Runs Now Playing Stage Shows

Detroit—Addition of stage shows at the Mayfair, managed by Lew Kane, and the State, run by Thomas D. Moule, makes five local first-runs now on such a policy.

Nizer Code Analysis a Hit!

Analysis of the motion picture code prepared by Louis Nizer, attorney, and being published serially in THE FILM DAILY has made a great hit with distributors, exhibitors and other interested parties, judging from the number of requests received for additional copies of institute containing these statements. Nizer is being handled all kinds of bouquets for his fine job.

Seek to Cut Miss. Tax

Jackson, Miss.—One of the bills to be introduced in the new session of the Legislature, now in session, provides for the repeal of the 10 per cent amusement tax and the introduction of a companion bill placing a 2 per cent tax on admissions. This state has a 2 per cent retail tax and exhibitors feel they are being treated unfairly.
Change in Hollywood

Despite the circumstance that trends and cycles in the world of motion pictures are usually discernible only to the wise and prophetic producer, the results would seem that a certain broader scope of projection and appeal are being sought, at least by progressive producers. Films have hitherto been confined to those types and methods of limited appeal of American audiences even when designed to carry foreign-language themes. Such a bias has in the celluloid palaces of South America and cinema Taj Mahal of the Continent the romantic, adventurous and musical types of Male Street and Broadway have been predominant. Now, however, a single production corporation announced the impending screening of an unusualumber of Ernest Lubitsch's pictures, the comprehensive remembrance of "Anthony Adverse," Bruce Lockhart's best seller of the ballet revolution, "British Agent," and "The Very Light of the Moon" in Ireland. Add to these several impending films of contemporary life in Russia, including a no-doubt, from interest in the recognition of the U.S. S. R., and now being programmed of other studios, and it is apparent that the stereotyped tragedy and gayety of Hollywood are undergong a sea change.

This doesn't, obviously, mean that the movies have suddenly and universally either gone highbrow or communist, or that hallmark sequences, Wild West gun dramas or Mario Driscoll comedies are to disappear. Heaven forbid that any of those, especially the last, ever should! It would merely seem to indicate that Hollywood is in some measure aware of the interests of the times and at least willing to make a gesture in the direction of maturity and serious endeavor.

Par. Decentralizes Exploitation Forces

(Continued from Page 1)

out of Philadelphia, handling Washington, Charlotte, Pittsburgh, Columbus, Cleveland and Cincinnati. Gerald Westergren will make his headquarters in Dallas and will cover San Antonio, Kansas City, Oklahoma City, New Orleans, Houston and Atlanta.

In the absence of Robert Gillham, advertising director, who, with John Hammell, left New York yesterday for a Coast trip, Al Wilkie will be in complete charge of the publicity and advertising department.

Rosenblatt a Colonel

Washington—Sol. A. Rosenblatt's commission as a Kentucky Colonel arrived yesterday from Governor Ruby LaFoon of that state.

Continue Confabs on Union Scale

Conferences toward an agreement on a basic operators’ wage scale for the New York metropolitan territory have continued last night at the office of Milton C. Weissman, attorney for the Independent Theater Owners Association. Attending were members of Local 306, headed by President Harry Sherman, and five members of the exhibitors' unit led by President Harry Brandt.

Columbia Gets “Fighting Priest

Chicago—B. C. Passoff, president of Shamarock Pictures, Detroit, in Chicago on business, states that distribution of Shamarock's picture, "The Fighting Priest," based on the work of the radio crusader, Father Coughlin, has been taken over by Columbia Pictures.

88,000,000 Poli Policy Annulled

Hartford—An 88,000,000 fire insurance policy of Poli National Threading, made by receivers of the property, has been set aside by a decision of Federal Judge Edwin S. Thomas.

George W. Laskey Dead

Brownsville, Pa. — George W. Laskey, known theater manager here, died this week at Mt. Pocono Sanitarium, Stroudsburg.

Virginia MPTO Resumes

As an MPTOA Affiliate

York until next Thursday in order to attend the Code Authority meeting Wednesday night. Elmer H. Brinton of Richmond is secretary of the unit.

Reade Adds Jersey House

Engwood, N. J.—Walter Reade has added the Englewood Theater, in his circuit. Purchased was made from Frederick Brown, realtor.

Ft. Worth Hollywood Lifts Scale

Fort Worth—Having undergone about $10,000 in improvements since N. Edward Beck became manager, the Hollywood has raised its scale to 50 cents top, against 35 cents formerly. Business is picking up, according to Beck.

For the opening of "Dancing Lady," Beck staged a regular Hollywood premiere, with Florine McKinley, local girl who is now in pictures, making a personal appearance.

11 "Eskimo" Pre-Releases Set

Eleven pre-release showings of "Eskimo" are planned by M-G-M this month. Dates are as follows: Jan. 12—Loew's Grand, Atlanta; Loew's State, Houston; Loew's Vendome, Nashville; Loew's State, Norfolk; Loew's Richmond, Virginia, Miami, Jan. 11—Loew's State, New Orleans; Jan. 9—Community, Miami Beach; Jan. 10—Paramount, Palm Beach; Jan. 29—Keller, West Palm Beach; Jan. 25—Oakley, Lake Worth, Fla.

Pre-Releases for "Fashions"

Pre-release dates in key city spots throughout the country, each pre- released by a big campaign, will be given Warner's "Fashions of 1934," musical with William Powell and Betty Davis. A big national campaign on the picture has been mapped out by the advertising and publicity department under S. Charles Einfeld.

Springer-Coolies Out of I.T.O.A.

The Independent Theater Owners Association, known to them that the Springer-Coolies circuit is no longer a member of the association.
14 FILMS UNDER WAY
AT THE FOX STUDIOS

West Coast Bureau of THE FILM DAILY

Hollywood—Fox now has four pictures in work, five others in the cutting room and another five slated to start this month.


Paramount has promoted two Washington exchange employees. Gerald Westergen, ad sales manager, has been placed on the home office exploitation force and Stanley R. Chase, Washington ad sales clerk and Westergen's former assistant, has moved up to the vaunted post.

"Before Midnight" at Mayfair

"Before Midnight," Columbia feature with Ralph Bellamy and June Collyer, opens Monday with a 6 P. M. preview at the Mayfair.

COMING AND GOING

JULES DEMARIA, honorary president of the French Cinema Syndicate, sailed today on the Lafayette for Paris after a New York visit.

CARLYLE BLACKWELL, star of the "Theatrical Life," sailed yesterday for London to appear at Dorchester House. She is accompanied by her mother, MRS. NINA RIQUE.

C. C. MOSKOWITZ of M-G-M sailed yesterday on a West Indies cruise.

HERBERT T. SILVERBERG of Buffalo is in New York for a brief visit.

IKE LISBON, theater operator in Cincinnati, was a visitor at the Warner home office yesterday.

ROBERT GILLHAM and JOHN HAMMELL left New York yesterday for the Coast.

WILLIAM FERGUSON arrives back in New York Monday from a brief Southern trip.

EUGENE O'BRIEN is in New York from the Coast.

JACK MELLER is scheduled to arrive in New York immediately from Chicago.

GARRETT FORT has arrived in New York following the death of his father.

MAX ARNOW is on the Coast after a visit to the Warner home office.

STANLEY B. WAITE will visit Paramount's San Antonio and Oklahoma City branches following the meetings being held next week in Atlantic City. GEORGE J. SCHAFER will return to New York after the Dallas cost-cutting Tuesday.

SAM DEMBOW and RALPH A. KOHN leave New York tomorrow for Atlanta.

ZUKOR IS CHAIRMAN
OF FAMOUS THEATERS

(Continued from Page 1)

Frank, president; Sam Dembow, Jr.; treasurer, Walter B. Cokell; assistant treasurer, Paul Baldwin; secretary, Austin C. Krouth.

NRA Intervention Sought
In Chi. Operator Trouble

(Continued from Page 1)

mediately to seek aid of Division Administrator Sol A. Rosenblatt in adjusting the dispute. Difficulties are understood to be based on a back-pay dispute.

Joins Gettering Legal Firm

Charles Horowitz has resigned as first assistant and acting corporation counsel of the city of New York to return to private practice as a member of the firm of Gettering & Gettering, which will continue under the name of Gettering, Horowitz & Gettering.

Sixth Showmens Release Ready

A print of "The Mousetrap," sixth of the Showmen's Pictures releases for this season, was received yesterday from the coast by Dave Mountan, president, and release is set for Jan. 15. Sally O'Neill and Paul Page head the cast.

Davies Joins Detroit Exchange

Detroit—Charles Davies, former city salesman for Universal and later Omaha manager, has joined Excellent Pictures, being handled by William Flemion while S. K. Deck er is in Hollywood.

Walter Huston in Toronto

Chicago—Walter Huston and his wife stopped over in Chicago this week on their way to Toronto, where they planned to visit Huston's brother, Alex, before going on to New York, where Huston will re- hearse for "Dodsworth."

HAPPY BIRTHDAY

Best wishes from THE FILM DAILY to the following on their birthdays:

January 6-7

Tom Mix Fred Niblo
Kurt Hlaat Loretta Young
Ludwig Berger Stanley Smith
Adolph Zukor Ernest L. Robbins

Kenneth Thoman
FOX has the money pictures coming . . . and going strong!

Hire extra ushers...arrange for extra shows...when these three crowd-pullers reach your house. One a current key-city clean-up...another starting in a great big way...a third you'll be setting in for extra playing time. It's pleasant dreams for showmen when they date in hits like these!

WILL
ROGERS
in
Mr. Skitch
with
ZASU PITTS

ROCHELLE HUDSON
FLORENCE DESMOND
HARRY GREEN
EUGENE PALLETTE

Based on Anne Cameron's story "Green Dice"
Directed by James Cruze

NOW PILING UP outstanding grosses in the: State Theatre, Los Angeles; Stuart Theatre, Lincoln; Alabama Theatre, Birmingham; Roxy Theatre, New York; Apollo Theatre, Indianapolis; Fox Theatre, Detroit; Warfield Theatre, San Francisco; Orpheum Theatre, Denver... everywhere. The verdict: Rogers' best in years!
STARTING OFF at a terrific pace in pre-release run at the Four-Star Theatre, Los Angeles. Smash business building daily, hourly ... with unparalleled word-of-mouth and newspaper raves. Management anticipates sensational four-week run.

INTO ’34 WITH TWO SMASHES!

I Am Suzanne!  
with  
LILIAN HARVEY  
GENE RAYMOND  
LESLIE BANKS  

JESSE L. LASKY Production

COMING UP. A cast ablaze with talent ... a story alive with love, drama, music, laughter ... a wisp of a girl who bursts into sleepy Carolina, upsets tradition, awakens romance, stirs up excitement everywhere. Look for "State Fair" grosses ... or better!

JANET GAYNOR
LIONEL BARRYMORE

in
Carolina

with
ROBERT YOUNG
RICHARD CROMWELL
HENRIETTA CROSeman
MONA BARRIE
STEPIN FETCHIT

From "The House of Connelly" by Paul Green
Directed by Henry King
Edmund Lowe in "BOMBAY MAIL" with Shirley Grey, Onslow Stevens, Ralph Forbes
Universal 68 mins.
MURDER MYSTERY ABOARD TRAIN IN ORIENT IS VERY WELL DONE ALL-AROUND AND SHOULD PLEASE THE MELDORAMA FANS.
On an express train traveling through India toward Bombay a couple of murder's take place, the station master falling on various persons who had both motive and means to do the deeds. So the audience is given plenty of material on which to exercise its guessing ability. One of the victims is a Bengal Governor and another is a Maharajah who knew some important state information and was on the verge of spilling it. The sleuthing activities are led by Edmund Lowe, in the role of a Scotland Yard agent, and suspense is kept alive in very good fashion until the final solution is reached, with the least suspected person turning out to be the guilty. Love interest does not figure very strongly in the proceedings, although there is a touch of it between an American, and an oriental woman. Cast: Edmund Lowe, Shirley Grey, Onslow Stevens, Ralph Forbes, Ferdinand Gottschalk, John Davidson, Hedda Hopper, Tom Moore, John Bray, Brandon Hurst, Jameson Thomas, Thomas Renavent, Gary Owen, Huntley Gordon, Herbert Cornell, Walter Armitage, Douglas Gerrard, Harold Allen.
Director: Edwin L. Marin; Author: L. P. Blochman; Adapter: Tom Reed; Camera: Charles Stumar; Recording Engineer: C. Roy Hunter; Editor: Doris Drought.
Direction: Fine; Photography: Fine.

"FOG" with Donald Cook, Mary Brian, Reginald Denny
Colombia 69 mins.
GOOD MURDER MYSTERY WITH FAIR SHARE OF SUSPENSE, STAGED ABOARD OCEAN Liner.
The director and author have held close to the original plot and continuity of this story which recently appeared in a weekly publication. It concerns three murders, and the high fogs envelop the huge ship. The first murderer is that of a ghoulish old millionnaire. No clues are left by the murderer, and in addition to the ship's detective, Donald Cook, in the role of a scientific criminologist, takes up the trail. Before the ship's surgeon can perform an autopsy on the body, he is also murdered. Then is staged in the dining salon, a seance, for the ship is considered to be haunted by the mystery. The film has been staged well and photographed in fine fashion.

"SWEDEN, LAND OF THE VIKINGS" with John W. Boyle 77 mins.
VERY INTERESTING TRAVEL PICTURE, FILMED IN COLOR, WITH SPOKEN NARRATIVE AND MUSIC.
Photographed in natural color, and provided with an informative running commentary spoken by Wilfred Lucas, together with appropriate musical accompaniment, this travelogue is a distinctive and enjoyable affair, with both educational and entertainment value. John W. Boyle, who is one of Hollywood's chief cinematographers, made the picture entirely on his own resources and he did a painstaking job in rounding up the beautiful and most interesting features of Nordic country. The picture starts with the sailing of New York, and upon arriving at the harbor of Gothenburg the camera starts right in to catch the activity at the docks, then goes on a thorough tour of the country, taking in everything from busy cities to the charming fields, mountains, rivers, playgrounds, and industrious people in their various occupations and enjoying relaxation, festivities, etc. Sweden is revealed as a very tidy, industrious and pleasant country with the beauties that might be suspected by persons who are not acquainted with the country, and its historical spots will interest any tour guide.

As Boyle did all the camera work himself, the production carries no other credits outside of Wilfred Lucas' running commentary. The high contrast photography, using the Multicolor process, is all of fine quality, and Boyle used some good technique in his composition scenes.

"IN THE MONEY" with Skeets Gallagher and Lois Wilson
Chesterfield-Invisible 66 mins.
AMUSING COMEDY OF A NUTTY FAMILY CAUGHT IN FINANCIAL STRANDS SHOULD PLEASE IN THE POP HOUSES.
This Maury Cohen production is a non-sensical conceit, created for no other reason than to entertain in its modest way, and considered by Major Cohen to prove satisfying in the popular price houses. Story concerns a motherless family whose members are all more or less bugs, with the exception of Lois Wilson, the elder daughter, who looks after the tribe. Father is a screwy scientist, one sister is goofy on art and has a husband living on the family; another girl, Sally Starr, has a biological complex over a prize-fighter, Warren Pyke, whom she loves, and is even engaged to Gibbons, an Englishman, and so forth. Suddenly the family income stops, due to receivership of the company in which the father had an interest, and the panic is on. Arrival of Skeets Gallagher, the fighter's manager, who eventually eggs the bug into going into the ring with a championship fight and then sees to it that he wins, leads to a solution of the family's worries. At the same time, Lois gets Skeets for a husband.

Director: Frank Strayer; Author: Robert Ellis; Adapter: same; Camera: Camerman, L. E. Clark; Recording Engineer, Roland Reed.
Direction: Good; Photography: Good.

Elissa Landi and Paul Lukas in "BY CANDLELIGHT"
Universal 69 mins.
ENJOYABLE ROMANTIC COMEDY ABOUT TWO SERVANTS POSING AS ARISTOCRATS WITH AMUSING COMPLICATIONS.
Though the basic idea is not very new, nor original, the performances have brought about such adult audiences in general enjoy seeing every once in a while. On a train bound for Monte Carlo, Elissa Landi and Paul Lukas meet for the first time, concealing their identities as servants by pretending they are aristocrats. Elissa thinks Paul is a Prince, and Paul takes her for a society girl. At Monte Carlo, Paul takes Elissa to the home of his employer, Nils Ascher, who walks in on them unexpectedly and apprehends the situation, assumes the role of Paul's butler, much to the discomfiture of Paul. In due course the complications are untangled, with Paul eventually winner, and the panic is on. A scene of the leavens the deception. Miss Landi, Lukas and Ascher do good work in the chief roles, and the remainder of the cast is fine.


Director, James Whale: Author, Siegfried Geyer; Adaptors, Hans Kraly, F. Hugh Herbert, Karen de Wolf and Ruth Cummings; Cameraman, John Mescall; Recording Engineer, Gilbert Kurland; Editor, David Berg.
Direction: Fine; Photography: Fine.

"THE LUCKY TEXAN" with John Wayne
Monogram 56 mins.
SMASH-BANG WESTERN WITH PLENTY OF FAST ACTION, THRILLS, MYSTERY AND HARD RIDIN'.
Audiences that favor westerns will eat this one up, because it is full of pep. The story breaks away from the general run of outdoor pictures and permits a character actor to share honors with the star. The character man is George Hayes, who plays the part of a ranch owner who, with Wayne, discovers a streak of gold in a hidden creek. They cash in from time to time, always keeping secret the location of their unrecorded claim. The sheriff's son commits robbery and murder, and fastens the blame on Hayes. Wayne soon discovers the real murderer and frees the old man but trouble lies ahead. While Hayes is out on the plains, he is blackjacked and left to his fate by a bad dog, "Frisday" brings Wayne and soon all is cleared up. The romance between Wayne and Barbara Sheldon, in the part of his wife, and her grandmother, is small but adequate. The film introduces new stunts and thrills, and winds up with a laugh surprise.

Cast: George Hayes, Barbara Sheldon, George Haynes, Lloyd Whitlock, Yakima Canutt, Gordon DeMille, Edward Parker, Ester Key, Richard LeBaron, John Wayne.
Director, R. N. Bradbury; Author, same; Dialogue, same; Editor, Carl Pierson; Cameraman, Archie Stout; Recording Engineer, Dave Stoner.
Direction: Box-office. Photography: Good.
ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Third Instalment

ARTICLE II—ADMINISTRATION

(Cont.)

3. Rules of Code Authority
The Code Authority makes its own rules concerning meetings and procedure.
1. Appointment of Committees (a) The Code Authority may appoint committees to carry out the purposes of the Code.
(b) The persons upon such committees may be persons other than members of the Code Authority.
(c) The Code Authority may give any committee any power and authority which it has under the Code.
(d) The Code Authority may at any time remove any member of a committee appointed by it.
(e) Any action taken by any committee must be reviewed by the Code Authority.
5. Gathering Statistics and Investigations
(a) 1. Statistics
The Code Authority shall collect from members of the Industry, such statistics as are required by the President or which are necessary to effect the purposes of the National Recovery Act.
(b) 2. After compiling this data, the Code Authority may give summaries of it to the various members of the Industry without identifying the individual statistics. All this shall be done in such form and such manner as the Code Authority or Administrator shall direct.
3. No statistics or information of one member of the Industry shall be revealed to any other member. But the giving of summaries of such information shall not be considered a violation of this provision.
(b) Investigations
The Code Authority has the right to make independent investigations of violations of the Code by any branch of the Industry or by any person, firm or corporation engaged in the Industry. The Code Authority reports to the Administrator on all such matters.
(c) The Code Authority considers recommendations and interpretations including those which refer to trade practices. It may do so of its own volition or upon the recommendations of others.
7. Additional Rules
(a) The Code Authority may prescribe additional rules for the conduct of Producers, Distributors and Exhibitors among themselves, with each other and with their employees. Such rules may be made only after notice and hearing to all parties interested.
(b) Such new rules must be submitted to the Administrator and if they are approved also by the President after such notice and hearing to all as the President shall think necessary —they become rules of fair practice for the Industry. Only then do violations of these rules constitute violation of the Code.

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HOLDOVER RECORD IN B'WAY HOUSES

(Continued from Page 1)

the Rialto, "Smoky" at the Mayfair, "Lady Killer" at the Strand, "House of 58th St." at the Hollywood, "Roman Scandal" at the Rivoli, and the two-day "Queen Christina" at the Astor. "Flying Down to Rio," after two weeks at the Music Hall, moved to the RKO Center to continue its Radio City run. "Emperor Jones" remains a third week in its return engagement at the Criterion. Down at the Acme "Mirages de Paris" is playing a third week. The Palace, usually booking subsequent runs, this week has a first-run, "Bombay Mail." Two other pictures, "Sons of the Desert" and "Fog," are having their metropolitan premiere in Brooklyn houses.

Boyle to Film Other Countries
John W. Boyle, cameraman who made the feature, "Sweden, Land of the Vikings," now playing at the 55th Street Playhouse, plans to produce similar pictures in color dealing with Italy, Russia and other countries. Boyle is now in New York dickering for national distribution of "Sweden."

The Striking Advantages of NATIONAL COPPER COATED HIGH INTENSITY A.C. PROJECTOR CARBONS for the Neighborhood Theatre are

Greatly Increased Illumination
Snow White Light

The new lamps designed specifically for these carbons, available now, include:
12-in. carbons in both holders Dependable arc control Correct feed ratio Properly designed transformer New optical system giving ONE-THIRD MORE LIGHT

High Intensity quality and brilliancy in the neighborhood theatre at negligible added cost.
A LITTLE from "LOTS"

By RALPH WILK

Hollywood

FREDRIC MARCH’S first starring vehicle for 20th Century Pictures will be entitled “The Firebrand,” instead of “The Affairs of Cellini,” the title suggested by the producers. It is a story of the successful stage comedy by Edw. Justus Marx and on which the picture is based.

March is in New York for rehearsals and in Washington for the March 4 Inauguration, but will return to Hollywood to begin work.

“Hold That Girl!” is the new title of the Mayer production of the Fox production featuring James Dunn and Claire Trevor. Hamilton MacFadden directed.

Edwin Maxwell and Sidney Bracey have been allotted roles in The Ninth Guest. The picture is in which Donald Cook and Genevieve Tobin will have the leading parts.

Tay Garnett and Ernst Lubitsch have exchanged offices. Garnett is occupying Lubitsch’s former offices at Paramount, and Lubitsch is using the offices formerly assigned to Garnett at M-G-M. Lubitsch plans to have his picture completed in time for Garnett to follow him into the M-G-M suite.

Chick Chandler’s holiday guests held a target practice with his new air gun and “denuded” his Christmas trees with B B shot.

Joe May, Viennese, who is Columbia’s newest director, built Germany’s Hollywood, the first film city on the continent. He is credited with the discovery of Jan Kiepura and has directed Emil Jannings, Conrad Veidt, Lya De Putti and others. His latest picture, “The Wedding of the Private Secretary,” was made in France.

Jean Frontal is no more! Ben Holmes, who directed her in a dozen pictures at RKO, has changed her name to Jean Fontaine. The director declares it has nothing to do with numerology or occult sciences, but that the new label is the designation of common sense. She is Mrs. Chick Chandler in private life.

Due to an attack of grippe which has confined him to his home, Eddie Cahn has been forced to withdraw as director of Columbia’s “One Is Guilty,” featuring Ralph Bellamy and Shirley Grey, and has been replaced by Lambert Hillyer.

Ginger Rogers, one of Hollywood’s busiest actresses, is currently at work in two pictures at the Warner-First National studios. These are “Hot Air,” with Dick Powell and Pat O’Brien also in the cast and “Upper World,” with Warren William and Mary Astor.

“Hot Air,” the new musical picture with Dick Powell, Pat O’Brien, Ginger Rogers, Allen Jenkins and others, started production yesterday at the Warner studios under the direction of Ray Enright, with Frank Berkeley in charge of the musical numbers. Another member of the cast is Joan Wheeler.

Edward Everett Horton has been chosen by First National as the second lead in “Hit Me Again.” It will be directed by Robert Florey.

“Ready for Love,” a story by Roy Flims, has been purchased by Paramount and slated for production during February.

Detroit Notes

Detroit—C. A. Garner and Paul Laveque of Foreign Films have subleased the Rivoli and reopened it for foreign pictures.

Trans-Lux’s Modern will be closed for a week while seating capacity is increased to 600 from 300.

Closings this week included the Library, recently reopened by R. G. Taylor; Doric, managed by Frank Scheuer, and Empress, owned by Louis Chapoton, who is going to Hollywood.

Jake Sullivan has succeeded Walter Gunn as temporary manager of the Your theater, owned by Fred De Loder Circuit.

James Wickert, former assistant manager at the Michigan, has been made manager of the Madison, where Weldon Pictures is presenting “Damaged Lives.”

F. E. North, appointed Warner-First National division manager, will also retain his duties as Detroit branch manager.

Saxe Houses Add Matinees Milwaukee—Saxe Amusement Management, Inc., is offering daily matinees at its Garfield and Medjeska theaters, both neighborhood houses. Shows are continuous with admittance at 15 cents until 6 o’clock and 25 cents thereafter.

George Delis in New Post Canton, O.—George A. Delis, until recently manager of the Palace, Lowell, has been made district manager of exploitation of the A. G. Constant houses in this territory.

Grand Rapids, Mich.—Fulton theater has started a new policy, advertising admissions never over 15 cents for adults.

Buffalo—The Circle theater which was closed for a few days for repairs has reopened.

Sault Ste. Marie, Mich.—The Dorsela Bldg. Corp. is now operating the 500 theater here with E. R. Sather as manager.

Wisconsin Dells, Wis.—Richard Moran is the new owner of the Mission, formerly operated by G. C. Olson.

Cobb, Wis.—The Arcadia, managed by R. K. Lang, has been closed until March 1.

Flint, Mich.—The Savoy has been reopened by Sunlin Amusement Enterprises. William DuBarry is manager. The Regent, Butterfield house, was also recently reopened.

Maple Rapids, Mich.—The Elmac, only house here, has been taken over by Robert Hunter from Floyd Wadlow.

Nude Posters Seized

Detroit—In a drive against nude pictures, 82 pieces of poster matter were seized last month.

Duranosell in East Liberty East Liberty, Pa.—George Duranosell, last with Publix in Hazleton, has been named manager of the Cameo theater. He succeeds Harry Prase, Jr.

Publix Meeting Postponed Meeting of Paramount Publix creditors scheduled for yesterday at the office of Referee Henry K. Davis was postponed until next Friday.

Lewis E. Botzum Dies Akron, O.—Lewis E. Botzum, 54, an executive of the Botzum Bros. Theaters, died this week in Arizona, where he had been several weeks in an effort to regain his health.

Ralph Kemper in East Liverpool East Liverpool, O.—Ralph Kemper former manager of the Capitol, Wheeling, W. Va., has been named manager of the State here.

Keith Chambers Promoted Canton, O.—Keith Chambers, who came here recently as assistant manager of the Palace, has been advanced to resident manager by A. G. Constant.

Columbia Sets Release Columbia has set Jan. 15 as the release date for “One to Every Woman,” with Ralph Bellamy and Fay Wray.

St. Louis—The Congress was re-opened recently by St. Louis Amusement Co.

Charleston, Ill.—The Lincoln has been transferred by Fox West Coast Theaters to Frisiana Amusement Co.

Highland, Ill.—Orchard Theater Corp. has taken over the Ayclon, formerly operated by J. H. Jones.

Kincad, Ill.—The Kincad has re-opened.

East St. Louis, Ill.—The Washington has re-opened under the management of George Jackson, who at one time operated the Waverly.

Orrville, O.—F. D. Richbaum of Cincinnati has purchased the Grand here.

Meadville, Pa.—The New Victor, formerly the Strand, reopened recently under the management of David Victor.

Millington, Mich.—The Capitol has been re-opened under the management of J. C. Cuddodock.

Clare, Mich.—The Ideal, only house here, has been sold to W. J. Olson by Mrs. John Aasine.

Sawyer, Mich.—The Flynn has been re-opened under the management of Louis Lipovsky.

Villa Grove, III.—The Star is giving regular shows once more.

RKO Books 2 Educational “Poppin’ The Cork,” Educational’s three-reel Musical Comedy starring Milton Berle, and “Song of Vienna,” in its Treasure Chest series, have been booked to play over the entire RKO Metropolitan Circuit from Jan. 6 to 9 inclusive.

Straub Joins Radio Station Buffalo—Herbert L. Straub, former music director of Shea’s Buffalo, will become general music director of the Buffalo Broadcasting Corporation.

Cantor Film May Run 4 Weeks Philadelphia—Having set a new record at the Aldine in its first week, Eddie Cantor in “Roman Scandals,” U. A. release, will probably run four weeks there.

167-Seat House Opens

Williamstown, Mich.—Seating only 167 and believed to be the smallest house built in this state since talkies, the Williamstown Theater opened this week with Jay Butters as manager.
Rosenblatt Grants First Exception on 40-Hr. Week
WORLD OUTPUT OF FEATURES TOTALED 2,100 IN '33
Exhibs Laying Down on Showmanship, Says Ray Moon

The Future
...as we see it

By JACK ALICOATE

AND what of the future of this great industry? Conditions generally are better all along the line. There is also a rather definite feeling, in most key spots, that the business is well on the way back to prosperity. Its economic and artistic position, challenged during the past few years, is again firmly established. The quality of product, surely, is as good as could be expected. Exhibitors, due to the code, feel their position assured. Those of our great companies that were in difficulty are again looking toward financial stability and independence. It is our modest guess then that the fall of 1934 will see this important and far reaching industry once more well on its way toward its place in the sun.

We have recently had occasion to scan the lists of important stars and directors of a few years back. It is startling to find how many who were in the big money at that time are now completely out of the picture. The career of most stars, at best, is a short and merry one, compared to activities in other fields. They seldom if ever, come back. Like "Grand Hotel," they come and go, and nothing ever happens.

We sat in an important picture house the other day and heard the company, management, and everyone connected with the outfit severely razzed by a half dozen patrons for advertising in marquee lights the name of a celebrated stage star whom these patrons expected to see in person, and who was there only in celluloid in the form of a short subject. This, obviously, is a problem for only the de luxe, but one that can cause criticism plenty, if not watched.

The wolves are at it again. Some are big and bad and some are slick and cunning. We refer to the bad boy movie promoters who are glib of tongue and (Continued on Page 3)

Inclination is to Wait for "Naturals", Says Booking Executive

By H. F. REYES
FILM DAILY Staff Correspondent

Detroit—That too many exhibitors are laying down on the job when it comes to showmanship, and "sit tight" for "naturals" to come along once in a while, is the charge made by Ray Moon, manager of Mid-West States (Continued on Page 7)

MUSICIANS DEMAND SUNDAY LEGIT SHOWS

A move to force Actors' Equity to drop its stand against Sunday closing of legit theaters has been attacked by the Musicians' Union, Local 802, with a view to providing jobs for more of their members. A contingent of the union held a meeting last week and voted to strike against Equity shows unless the association changes its attitude.

NEBRASKA-IOWA M.P.T.O.
Meet This Week on Code

Omaha—Invitations to the 20th independent exhibitors in this territory have been sent out by M. P. T. O. of Nebraska and Iowa to attend at a meeting at the Loyal Hotel Jan. 9-10. Purpose of the convention is to discuss the code and make recommendations to the zoning board. Charles W. Williams, veteran M. P. T. O. president, will preside.

FILM PRODUCTION PLANNED BY STOLL

London—That Stoll Theaters Corp., important British circuit, is planning to enter the production field was revealed by Sir Oswald Stoll at the company's annual meeting. He outlined a scheme which he said would net a profit of about $1,250,000. A leading producer now tied up by another has agreed to join the Stoll venture by next fall or sooner if he can get his release, Stoll said.

Indies Get Ultimatum
From Operator Local 306

President Harry Sherman of Local 306, operators' union, has delivered an ultimatum to the Independent Theater Owners Association that unless the New York exhibitors substantiate its membership claims by Thursday, when the next conference takes place on the subject (Continued on Page 7)

Boston Operators Are Granted First Exception on 40-Hr. Week

$10 "Fashions" Premiere

Warner plan a $10 premiere for "Fashions of 1934," at the New York Strand on Jan. 18. The opening will be backed by one of the biggest campaigns ever launched by the company, according to S. Charles Einfeld, head of advertising and publicity.

Boston—Division Administrator Sol A. Rosenblatt is understood to have granted Local 182, operators' union, an exception in observing the 40-hour week specified by the motion picture code, owing to state-ments of the local that all its mem-

(Continued on Page 7)

1,590 Pictures Turned Out Last Year by Combined Foreign Countries

World output of features in 1933 totalled approximately 2,100, according to statistics gathered by THE FILM DAILY, supplemented by data from the Motion Picture Division of the Department of Commerce. Of this number, foreign countries combined turned out in the neighborhood of 1,590, compared with about 510 made in the U. S. but whereas the product of most of the respective foreign nations was distributed exclusively within their own borders, American pictures con-

(Continued on Page 7)

OKLAHOMA EXHIBITORS ENDORSE FILM CODE

Oklahoma City—Full endorsement of the motion picture code was given by the Tulsa Theatres Owners Ass'n at its convention here last week, with about 200 in attendance. A committee was ap-

(Continued on Page 7)

Chas. Ernst Now Handling J. J. Goodstein Circuit

Denver—Chas. Ernst, formerly with Foxwesco, is now general manager of the J. J. Goodstein theaters in this state.

The Real "Ten Best"

Out of some 55 lists of "Ten Best Pictures of 1933" picked by critics and already announced in their respective publications, not one contains all the pictures that comprise the real "Ten Best" as selected by the consensus of opinion of about 600 of the nation's leading critics. In fact, no published list contains even one quarter of the genuinely "Ten Best." Although fairly close unanimity exists with regard to the first five or six outstanding pictures, when it comes to the remainder of list the balancing of comparative merits is so necessary in arriving at a fair ap-

(Continued on Page 7)
The Broadway Parade

- Picture
  - Dinner at Eight (2nd week)*
  - Design for Living (2nd week)
  - Lady Killer (2nd week)
  - By Candlelight
  - A Man’s Castle (2nd week)
  - Smoky (2nd week)
  - If I Were Free
  - Roman Scandals (3rd week)
  - Emperor Jones (3rd week)
  - Flying Down to Rio
  - Home on 55th St. (16th week)
  - Bombay Mail
  - Little Women
  - Convicted
  - The Patriots
  - Sweden, Land of the Vikings

- Distributor
  - M-G-M
  - Paramount
  - Warner
  - Universal
  - Columbia
  - Fox
  - RKO
  - Warner Bros.
  - Universal
  - Kroko
  - Far
  - Fox
  - Ankin

- Theater
  - Capitol
  - Paramount
  - Strand
  - Roxy
  - Rialto
  - Music Hall
  - Rivoli
  - Criterion
  - Center
  - Hollywood
  - Palace
  - Canco
  - Little Carnegie

* Follows Astor two-a-day run.
† Follows Criterion two-a-day run.
‡ Revivals.

- TWO-A-DAY-RUN — Astor
- FOREIGN PICTURE — M-G-M

- Mirages de Paris (3rd week)

- FUTURE OPENINGS
  - Before Midnight (Opens tonight)
  - Man of Two Worlds (Jan. 11)
  - Eight Girls in a Boat (Jan. 12)
  - Fugitive Lovers (Jan. 12)
  - I Was a Spy (Jan. 12)
  - Gallant Lady

- GAUMONT-BRITISH STUDIOS

The Future

... as we see it
(Continued from Page 1)

Offer enormous returns for money invested in motion picture production. Usually it is a short subject idea that is to revolutionize the business. We know of several who were caught, who listened not wisely but too well, and who came too late for sound, practical advice. No business on earth is as alluring to the sucker as pictures.

To Broadcast “Fugitive Lovers” Arrangements were completed Saturday for the broadcasting over Station WOR of the serialization of M-G-M’s “Fugitive Lovers,” which opens Friday at the Capitol. The story will be dramatized in three episodes of five minutes each, and will be heard tonight, Wednesday and Friday at 6:45 P. M.

Gaumont-British Studios Busy on Four Productions

Four features are currently under way at the two Gaumont-British studios in London, according to word received by Arthur A. Lee, operating head of G-B in America. The group is headed by “Jew Suss,” which will be released under the title of “Power.” Others are “Princess Charming,” with Evelyn Laye; “Turkey Time,” with Tom Walls and Ralph Lynn; and “Wild Boy,” with Jack the Miller and Sonnie Hale.

Amity Forms New Exchange

A new combine headed by Ben Schwartz, Harry Horowitz and Sol H. Kravitz, is announced by John C. Cronin, head of Amity Pictures, as distributors of the company product through the New York Amity exchange. Among the product is the Will Rogers series, “Puss in Boots,” and the entire new program of features, first of which is scheduled for release March 15. Schwartz, Horowitz and Kravitz are incorporated as the New York Amity Exchange.

TWO LITTLE WORDS THAT MEAN A GOLD MINE FROM WARNER BROS.

Tax Bills in Four States

Admission tax bills are now pending in four state legislatures, including Colorado, Iowa, West Virginia and Montana. The first three legislatures resumed their sessions soon following recesses while Montana is currently in session.

A 3 per cent sales tax measure is on the calendar in the Ohio Legislature, where exhibitors are hoping to repeal the current state admission tax. The Michigan Legislature has also considered a sales tax bill which has passed the Senate and is now in the House.
TIMELY TOPICS

Arthur Hopkins Says
Screen May Save Stage

The motion picture, long regarded as the greatest force to the stage, may yet prove its salvation. It strikes me as extremely possible that the picture producers have built a machine which will keep the stage running. It may be that from the picture business the theater producer can obtain sufficient funds not only to keep the theater and its people active, but also to repay pictures by the development of new talent for screen use. I have held this theory for some time and that is one of the main reasons why I have become a picture producer. I am going to make films as I believe they should be made. Under my arrangement, I am not restricted by any set studio methods nor by any preconceived ideas. From my brief experience I have had, I feel that no theatrical producer who knows writing, casting and direction, has anything to fear in producing a picture. The direction of my first film was by much the same method as I would have used in directing a stage play, making allowances for the smaller playing area and adding sufficient "business" to give the picture movement. I have felt that talking pictures are still more or less bound by the technique of the silent film and that full advantage of dialogue and voice has not been taken. Close-ups and camera angles tend to interfere with the flow of the story, to distract the mind from the narration which, after all, is the main thing.

—Arthur Hopkins

COMING AND GOING

JAMES R. GRAINGER, general manager of distribution for Universal, arrives in New York this morning from an extensive trip.

CHARLIE EINFELD, Warner advertising and publicity head, and CARL LESSERMAN, assistant to Ed Stern, Warner executive in charge of Southern and Western distribution, leave today for a business trip to Dallas. They will return next Monday.

SAMUEL GOLDWYN arrives in New York from the West Coast this week.

E. H. GIFFRTH and FRANCIS EDWARDS FARAGON have returned to Hollywood after a brief trip in the East.

H. M. WARREN sailed Saturday for the San Francisco coast.

JOE RIVKIN has returned from Washington. He was in connection with Max Baer's personal appearance engagements.

BOB ROBBINS, general sales manager for Universal, is on a two-weeks visit in Palm Beach. He will return on Jan. 19.

JACK ROBBINS, head of Robbins Music Corp., has been in the middle of the South with Mrs. Robbins for a short rest in the Southland.

EXPLOITETTES

Series of Stunts Used On "The Emperor Jones"

In EXPLOITETTES, the opening of Eugene O'Neill's famous screen version of "The Emperor Jones" produced by Krinsky and Coehran and released by United Artists, the manager of the Palace theater, Canton, Ohio, put over a series of stunts which attracted the attention of the entire city. A few days before the opening, the advertising budget was increased 25 per cent. This was followed up by imprinting 3,500 stock heralds which contained the "Liberty Magazine" review of the picture. These heralds were inserted in the latest copy of the production and distributed by their agents. Three thousand book marks, containing ad copy on the picture, were placed in all local libraries. Announcement of the picture's opening was made in the English classes of all local schools. Quantity of paper was used in this campaign; 600 stock sheets were shipped throughout the city with special concentration in the Negro sections. A special half sheet was used announcing that the balcony of the theater would be exclusively set aside for colored patrons. In addition, 24-sheet stands were spotted in principal sections of the city. In lining up local merchants for tie-ups, more than 300 specially printed 11x14s were used in many local windows besides 47 neon light displays mentioning the picture. Each window contained stills of Paul Robeson, star in the picture, and other theater billing. Local radio stations aided the campaign. Radio Station WHBC and WADC daily mentioned the picture and theater on their programs. All interurban trolleys and bus lines carried special half-sheets announcing the opening of "Emperor Jones." For a street band, hooly a truck, banded with six sheets, was parted around town.

—Palace, Canton, O.
A resolution it will be a pleasure to keep: to make more money in 1934 with short subjects by playing and exploiting more Educational Pictures

- Start now with these -

**Star Comedy Specials**
**Ernest Truex**
In his great comedy of the nude comes
"**Mr. Adam**"
"A hone for he-haws!"
—Film Daily

**Andy Clyde Comedies**
"**An Old Gypsy Custom**"
Springtime and the Gypsies are too much for Andy
Produced by C. H. Allen

**Coronet Comedies**
**Stoofnagle and Bud**
Famous radio comics, as a couple of our "injuns", who create a "Stoof-nagle-ness" that's even nutterer.
"**The Inventors**"
An Al Christie Production

**TOM HOWARD COMEDIES**
"**Divorce Sweets**"
Peek and Bob detectives, almost get their correspondence, and how they get the laughs!

**Stoofnagle and Bud**

**Moran and Mack Comedies**
"**The Freeze Out**"
From frozen Alaska to Hades with the "Two Black Crows", it's the fastest and funniest short subject they have ever made.
Produced by Al Christie

**Frolics of Youth**
"**Pardon My Pips**"
with Junior Coghlan
and Shirley Temple
"Altogether delightful!"
—Rob Wagner's Script

**Mermaid Comedies**
"**Trimmed in Furs**"
The moose caws fly and the laughs come fast and furious in this hokum comedy.
An E. H. Allen Production

**Musical Comedies**
"**Poppin' the Cork**"
with Milton Berle
An elaborate featurette of timely comedy and music with two new song hits, "Here's Looking at You" and "Poppin' the Cork!"
*3 reels — A Jack White Production

**Hallucination**

**Names Now Here**
Among shorts

SPICE IN THE BIG C C

Among shorts
LATE NEWS FLASH!
Coming
BUSTER KEATON
in a
STAR COMEDY SPECIAL

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U.S.A. by
FOX FILM CORPORATION
SHORT SUBJECTS

“Roamin’ Thru the Roses” with Art Jarrett

Columbia

Pleasing

A romantic skit, acted entirely in lyrical form with the vocalizing led by Art Jarrett, popular radio singer, and a few attractive girly numbers. It starts with Jarrett and his sweetheart visiting a supposedly ideal couple and looking to them as their model of marital felicity. When the latter get into a scrap, Jarrett and his chum depart and the arguing over which of their friends was to blame they work up a fight themselves. Eventually the romance is patched for a musical wedding finale. It’s a somewhat different affair and should be enjoyed by audiences generally. Among members of the supporting cast are Bobby Watson, Neely Edwards and Carol Wines.

Krazy Kat in “Whacks Museum”

Columbia

Fair Animated

This one ranks just so-so among animated cartoon comedies. Action takes place in a wax museum, where of course the exhibits come to life and engage in various antics. Nothing very exciting is developed, however, and action is a bit slow until it is peped up by a fire sequence in which some of the uglier figures are melted down into more shapely and attractive exhibits. Some of the figures are famous film stars, such as Jimmy Durante, Mae West, Joe E. Brown and others.

“Double-Crossing the Rattler”

Tom White

10 mins.

Interesting Novelty

A very engrossing snake hunt, showing how rattlesnakes are located in their nests, caught by hand with the aid of a forked stick, milked of their venom, deprived of their fangs, etc. Accompanying the action is an informative running talk. Although the narrator is not credited, the voice sounds like that of Lowell Thomas.

SHOW-MAN’S REMINDER

Renew your state and city licenses now.


Denver—Al Poulten, former booker for Paramount, has moved over to Columbia in the same job. Howard Crane, formerly at Paramount, is now back on the Paramount booking job.

Salt Lake City—Eddie Diamond is now active house manager at the Orpheum.

Salt Lake City—Double features have been inaugurated at the new Stadium.

Chicago—After four weeks of acoustical work, Count Basie and his men have completed refinishing the auditorium of the Pantheon, making the place one of the best in the city from a sound standpoint.

Kansas City—The La Salle, formerly the Broadmoor opened Christmas Day with new RCA high fidelity sound equipment.

East Hampton, Conn.—The East Hampton, operated by Nathan Lemberg, was swept by fire this week, with loss estimated at $3,000.

Denver—J. J. Goodstein, owner of theaters in Pueblo, Colo., and Philadelphia, Pa., has remodeled the Opera House at Alamosa, Colo., back into a theater, and renamed it the Palm.

RKO Radio Releasing 7 Shorts This Month

Seven “Bolero,” the first release by RKO Radio Pictures this month. Pictures just placed in release are “On Approval,” with Julia Sanderson and Frank Crumit, directed by Kenneth Webb; Ethel Waters in “Bubbling Over,” an Off-Stage Revue musical comedy. With her are Hamtre Harrington, the Southernares quartet and the Rosamond Johnson choir, all popular radio names, directed by Leigh Johnson, and the first of a series of cartoons, featuring the voices of Amos ‘n Andy is “The Basinett Match.”


Helen Morgan in Educ’l Subject

Helen Morgan has been assigned the starring role in a new Educational-Song Hit Story which will be placed in production next week. She will introduce a new song by Gene Buck and Dr. Hugo Biesenfeld, “One Little Smile,” from which the picture derives its title.

Etta, Cal.—Rupe & Hiland have reopened the Etta K. P. theatre.

Williams, Cal.—The H. & R. Theatre Co. has reopened the Williams here.

Palo Alto, Cal.—The California theater has reopened.

Napa, Cal.—J. N. Tocchini announces he is discontinuing his State theater.

Milwaukee—Two local neighborhood houses, the Elite and the Rainbow, suffered slight loss from fires this evening of New Year’s Day.

Oconto, Wis.—A. L. Merritt, operator of the Princess, was married recently to Miss Roxane Weber of Oconto.

Chicago—Bradley & Jerome, dancers who appear in Paramount’s “Bolero,” arrived in Chicago a few days ago on a tour of key cities. The tour is being directed by Jack Dailey of Paramount’s publicity department.

Port Huron, Mich.—The Griswold, suburban house, has closed.

Ecorse, Mich.—The Ecorse, only local house, has reopened under the ownership of Steve Russ, with Andrew Bzovi as manager.

New York Paramount Sets Seven Advance Bookings

For its current offer,”Designs for Cathedrals,” in its second week, bookings of the New York Paramount have been set in the following order: Eight Girls with a Boat,” All of Me,” “Mine, Babe is Stolen,” “Four Frightened People,” “The Search for Beauty,” “Six of a Kind” and “Bolero.”

To Discuss Baer-Carnera Fight

Washington—Jack Dempsey arrives here today to meet other promoters for a discussion of a match next summer between Max Baer and Primo Carnera, the champ. Baer is now making personal appearances here, going over big, and will play Brooklyn next week. Carnera and Baer appeared together in the picture “Prizefighter and the Lady,” and negotiations for another Baer picture are now under way.

Ushers’ Group to Meet

A meeting of theater ushers, ticket takers, janitors and others organized last week by the Theater and Amusement Employees’ Union will take place tomorrow night in Bryant Hall to protest against the men who are said to have cut wages from $15 to $10 since the code was signed.

SHORT SHOTS from EASTERN STUDIOS

By CHAS. ALICOCATE

CAB CALLOWAY will be featured in a musical short to be produced by Paramount and released in their “Headliner” series. Production is scheduled to get under way Wednesday at the East Coast Service studio under the direction of Fred Waller. Lester Roush will assist Waller with William Steiner doing the camera work.

Leigh Jason, upon completion of directing his next short for Meyer Davis-Van Beuren, scheduled to get under way next week, will leave for the coast to fulfill a previous contract with Hal Roach to direct two comedies, after which Jason will return east to resume his directing activities for Meyer Davis-Van Beuren.

Cutting on “The Inventors” in which Stoopnagle and Bud, radio zanies, makes their debut in Educational’s Coronet Comedies, has been completed at the Eastern Service studio in Astoria. Olive Borden appears as leading lady in “The Inventors” which was produced by Al Christie.

Another production unit has been added to the staff of Gem Productions for the making of GoofyTone News Reels, which is being released by Universal Pictures.

Charles Judels and George Givot start work today at the Vitaphone studio in a two-reel comedy entitled “Salted Peanuts.” The comedians are supported by Monty Celin, Lionel Stander, Hugh Cameron and Janet Rathburn. Ralph Staub directs.

Production on “Expectant Father,” with Ernest Torrence, to be produced by Al Christie for Educational release, starts Jan. 15 at the Eastern Service studio in Astoria.


BIG NEWS

AS SEEN BY THE PRESS AGENT

“Edward Everett Horton, at the close of 1933, still held his title as Holly- wood’s champion string-saver.

- BE RADIOTOGRAPHIC.”
RAY MOON SAYS EXHIBS
LACK SHOWMANSHIP

(Continued from Page 1)

Theaters. Commenting on business reports from representative suburban houses in this entire area, Moon says, most exhibitors, who see other houses drawing more patronage, go in for price-cutting instead of exploitation.

"They don't even try showmanship," declares Moon. "If they did, everyone could make money. The trouble with grosses is low admission prices. Attendance itself is generally satisfactory, but grosses are too low. The public is getting too much for its money. The result is a surfeit for the public, and distaste for the theater, together with red figures and headaches for the exhibitor."

Grant Boston Operators
Exception on 40-Hr. Week

(Continued from Page 1)

bers are employed and therefore it lacks licensed operators to work additional hours required under its contract with exhibitors. Average week runs 49 hours. The local has a membership of 180 projectionists. This is the first known exception granted in connection with the code.

Indies Get Ultimatum
From Operator Local 306

(Continued from Page 1)

of a basic wage scale for the New York metropolitan territory, he will begin negotiations with individual exhibitors. The J. T. O. A. has a meeting scheduled for Wednesday, when the wage scale proposals made by Local 306 will be considered.

THE INDUSTRY'S
DATE BOOK

Today: Allied Theater Owners of New Jersey meeting at New Jersey headquarters, 250 W. 44th St., 2 P. M.

Jan. 9: Testimonial dinner at Nathson Yamin's tendered by Independent Exhibitors of New England, Copley Plaza Hotel, Boston. 7 P. M.

Jan. 9-10: M.P.T.O. of Nebraska and Western Iowa meet at Loyalt Hotel, Omaha.

Jan. 10: Hearings on theatrical poster exchange code, under Division Administrator A. B. Whiteside, Washington, D. C.

Jan. 14: Allied Theater Owners of New Jersey meeting in screening room of Stacy Theater, Trenton, N. J., 12:30 P. M.


Jan. 23: Allied Theater Owners of New Jersey meeting at New York headquarters, 2 P. M.

Jan. 30: Allied Theater Owners of New Jersey meeting at New Jersey headquarters, 2 P. M.

June 16-17: 2nd International Motion Picture Week, Vienna.

ANALYSIS OF
MOtion PICTURE CODE

By LOUIS NIZER

Fourth Installment

ARTICLE II—ADMISSION

(Continued)

8. Use of Trade Associations

The Code Authority may, to such extent and in such manner as it thinks most useful, utilize the facilities of:

(a) National trade associations;
(b) Regional trade associations;
(c) Local trade associations;
(d) Boards of any kind;
(e) Institutes or groups of any kind;
(f) Organizations in the Industry.

9. Ineligibility and Selecting Alternate

(a) No member of the Code Authority may sit on any matter involving his company or its own interest directly. If it involves his company's interest merely as a class, for example merely as Producers, Distributors or Exhibitors, then he is not disqualified.

(b) If a member is ineligible, the Code Authority selecting the ineligible member designates an alternate from the same general class. Such alternate must not be connected with the company or theater of the ineligible member.

10. Appointment and Expenses

(a) The Code Authority may appoint, remove and fix the salary of all persons it employs to assist it in administering the Code.

(b) The expenses of the Code Authority in administering the Code must be budgeted and fairly allocated amongst the Producers, Distributors and Exhibitors. The expenses are assessed against the members of each branch of the Industry who accept the benefits or as sent to the Code. The manner of assessment is determined by the Code Authority.

(c) If any person fails to pay any assessment put on as an expense in administering the Code, he may not file any complaint under any article of this Code.

(To Be Continued)

R. E. Griffith Moves to Dallas

Denver—R. E. Griffith, executive of the Westland Theaters, Inc., Denver, and the Griffith Amusement Company, Oklahoma City, has moved his family to Dallas, where he will make his home.

Armida Signed at St. Moritz Grill

Following her appearance as guest of honor at the St. Moritz Grill last Thursday night, Armida has been engaged by S. Gregory Taylor as a permanent feature of the Grill's entertainment.

Football Film for Strand

Pictures of the Rose Bowl football game won by Columbia University will be shown by Warners at the New York Strand starting Thursday night.

Will Rogers Signs Again

West Coast Bureau of THE DAILY HOLLYWOOD—Will Rogers has signed another contract with Fox, marking his fifth year with the company. He is now working in "David Harum."

Transamerica Declares Dividend

San Francisco—Transamerica controlled by the Giannini interests, has declared a dividend of 12 1/2 cents, payable Jan. 31. It is the 10th dividend by the company since 1931.

Agnes Ayres for Stage

Chicago—Agnes Ayres, screen actress now making personal appearances in Chicago theaters, is soon to have the leading role in a legitimate production on Broadway.

2,100 FEATURES
'33 WORLD OUTPUT

(Continued from Page 1)

continue to enjoy the widest circulation throughout the world. England, the leading market for U. S. films, is still showing a good 70 per cent of American films despite the increased production activity there, and in many other countries the people prefer dubbed versions of Hollywood features to their native product, the data shows.

American exports of motion pictures to foreign markets for the first 11 months of 1933 showed a small but encouraging increase over the same period in 1932, according to figures compiled by N. D. Golden, chief of the Motion Picture Section of the Bureau of Foreign and Domestic Commerce. Total was 148,142,099 linear feet of negative and positive, valued at $3,291,149, against 146,921,307 feet valued at $3,780,825 in the corresponding 11 months of 1932.

A concise tabulation of the 1933 features by various countries appears on page 1.

Oklahoma Exhibitors
Endorse Film Code

(Continued from Page 1)

pointed to negotiate cheaper power and light charges for members of the unit. Recommendations for code authority appointments include Zip Payne, Sol Davis, Pat McGee, A. B. Monander, Ralph Talbot and Morris Loewenstein for the clearance and zoning board, and William Zolfor, Len Stocker, R. H. Clark and Fred B. Pickrel for the grievance board.

Fox to Make Army Air Film

West Coast Bureau of THE DAILY HOLLYWOOD—The Army Flying School at San Antonio, the West Point of the air, will serve as a background for "Fledglings," which Fox will produce with Lew Ayres in the leading role. It will be made for Fox by Al Rickett and will be the first directorial vehicle for Lee Garmes, cameraman.

Buyers gasp!

Users sigh!

Competitors gasp!

ENGINEERING SKILL CANONIZED IT
HOWARD HAWKS has been engaged by Columbia to direct "Twentieth Century," for which the company recently signed John Barrymore as the male lead. Production is scheduled to start Jan. 15.


Arthur Caesar started yesterday on the screen play of "Elizabeth and Mary," which Lowell Sherman will direct and will play the role of Black Douglas.

"Merry Wives of Reno" has gone into production at Warners, with H. Bruce Humberstone directing. It is a comedy with cast headed by Donald Woods, Glenda Farrell, Margaret Lindsay, Frank McHugh, Hugh Herbert, Guy Kibbee, Ruth Donnelly and Hobart Cavanaugh.

Willard Robertson, who is featured in Columbia's "One Is Guilty," was the late David Belasco's stage manager for several years. He was present in Belasco's office when the name Gladys Smith was changed to Mary Pickford. In fact, he was the first person to write the new name.


Columbia has signed Rita LaRoy for "One Is Guilty" which is now in work under the guidance of Lambert Hillyer. Ralph Bellamy and Shirley Grey have the leading parts.

Roy Del Ruth goes from Warners to 20th Century on a long term contract. He will direct Ronald Colman in "Bulldog Drummond Strikes Back."

William Cameron Menzies and George Sommes have been assigned to direct Paramount's "The Man Who Broke His Heart," an assignment previously scheduled for Alexander Hall. The change was made so that Hall may be available for another important picture to which he earlier had devoted special study. Victor McLaglen, whose travels have led him to almost every port on the globe, has been signed for a leading role. He will share honors with Preston Foster.

"Five Fragments" (temporary title), by George Dyer, has been purchased by Warners. William Dieterle will direct and Pat O'Brien has the male lead.

James Tinling, director of "Jimmy and Sally," in which James Dunn and Claire Trevor are starred, has been assigned to do as much for "3 on a Honeymoon," the screen adaptation of Isabel Ross's "Promenade Deck." ZaSu Pitts will be in the cast.

Joan Blondell and George Barnes, her husband, have returned from a vacation of a few days spent in Death Valley as the final stage in the star's convalescence from her recent operation for appendicitis.
‘Roxy’ Winds Up Duties at Radio City Music Hall

300 NOMINATIONS RECEIVED FOR FILM CODE POSTS

Gov’t Expected to Make No More Code Appointments

Scarcity of Applicants With Qualifications Among Reasons

BY WILLIAM SILBERBERG
FILM DAILY Staff Correspondent

Washington—No further nominations as government representatives in the motion picture code authority are expected, for the time being. Difficulty in finding suitable applicants who are familiar enough with the required duties of such membership is believed to preclude possibilities of any immediate appointments. There is also a general administrative policy to decide upon.

(Continued on Page 6)

40-HOUR WEEK HITS UNION WAGE SCALES

Motivated by the opinion that, under the film industry code, operators’ locals must pay the wages of additional men beyond the 40-hour limit imposed by the NRA agreement, local unions throughout the country are protesting to both Gen. Hugh S. Johnson and Division Administrator Sol A. Rosenblatt.

Claim is made that the situation

(Continued on Page 6)

Eight Roadshows Set On “Roman Scandals”

Eight roadshow openings on “Roman Scandals” have been set by Lynn Farnol. Premieres of the Samuel Goldwyn picture on Jan. 12 are scheduled as follows: Loew’s Penn., Pittsburgh; Loew’s State.

(Continued on Page 6)

Pigs is Pigs

New Orleans—The third little pig was given away here last week. Garden Theater, unable to book “Three Little Pigs” for a return run, advertised the most serious porker a premium along with turkeys and the like.

Birmingham to Have Drastic Censorship

Birmingham—As a result of sexy advertising matter used by a vaudeville troupe for a special midnight show last week, a new censorship war has broken out here and the city attorney’s office is writing up new regulations that are expected to be the most drastic in the country in the matter of censoring films and stage shows. Mrs. H. B. Adams is the city inspector.

COAST TO COAST TRAIN FOR “MOULIN ROUGE”

As an exploitation stunt for “Moulin Rouge,” United Artists and 20th Century have made a tepid with Socony Vacuum Oil Co., of New York whereby about 15 stars will join in a “Moulin Rouge Caravan” leaving Feb. 1 from New York and visiting the various key cities and openings of the picture. The trip will be made by train from city to city, with buses used for transportation at each stopover point.

(Continued on Page 6)

National Exchange Setup Completed by Majestic

Upon closing of contracts this week between Majestic Pictures and Lee Goldberg and Colonel Fred Levy of Louisville, giving the latter two the Majestic franchise for the Indiana and Kentucky territory, Majestic will

(Continued on Page 6)

Rothafel Taking a Vacation Before Announcing New Plans

Ken Goldsmith to Produce 4 Jackie Searl Features

Hollywood—A new series of four outdoor pictures starring Jackie Searl, juvenile actor, is announced by Ken Goldsmith, president of Goldsmith Productions. The first will start March 10. In addition to Searl, it will feature two animal actors, Lobo, the wolf dog, and Bingo, a horse. Each picture will be a full six-reel feature.

Resignation of Samuel L. “Roxy” Rothafel as impresario of the Radio City Music Hall was accepted yesterday by J. R. McDonough, general manager of EKO and president of Radio City Theaters. Although Roxy has already ceased activity at the theater, the resignation officially becomes effective Feb. 16th.

Contrary to many reports which placed the salary question as being paramount in the controversy, Roxy

(Continued on Page 6)

Rosenblatt Urges Names Be Forwarded to Film in N. Y.

More than 300 nominations for members and secretaries of the local zoning and grievance boards had been received by Division Administrator Sol A. Rosenblatt, of the NRA and the Code Authority up to last night. Representing every territory the nominees are indenified with both major company and independent interests.

Deadline for filing nominations is Jan. 20. All suggestions must be sent the Code Authority in the Paramount Building, New York, not

(Continued on Page 6)

6 FLORIDA HOUSES RESUME ACTIVITY

Jacksonville, Fla.—Six theaters in the state have reopened in the last few days. They include the Dreka, DeLand, handled by Frank H. Bell; Paramount, Palm Beach; Palace, Lakeland, managed by Bolivar Hyed; Florida, Daytona Beach, managed by James L. Cartwright; Aladdin, Cocoa; and Park, in the Flamingo section of Palm Beach.

Arbitrators Award Fox “Lola Montez” Title

Right to the title “Lola Montez,” announced for production by M-G-M, with Fox owning complete world rights to a play called “Lola Montez” by Adolph Paul, has been

(Continued on Page 6)

Gene Raymond Week in K. C.

Kansas City—Local fans can take their choice this week between seeing “The House on 56th Street” with Gene Raymond and at the Uptown, and “Flying Down to Rio” with Gene Raymond at the Mainstreet. There is one other first run movie in town—but Mr. Raymond does not play in that.
### **THE DAILY**

Tuesday, Jan. 9, 1934

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**$100,000 Worth of Furs in Film**

"For Coats," starring Allan Mackeiken, will go into production tomorrow at the Warner Studio, and directed by Green will direct the picture, which is Miss Mackeiken's first starring vehicle. The leading masculine role will be filled by Robert Allyn. Approximately $100,000 worth of furs, sables and ermine is being worn and displayed in the picture, which is based on a story written by Ann Garrick and adapted by Manuel Seft.

---

**Two Subjects Completed In New Tom Terriss Series**

First two subjects have been completed in the new series of 13 one-reel travel romances being made by Tom Terriss under the general title of "Quest of the Perfect Woman." The initial shorts comprise material gathered in Morocco and Algeria, including the tomb of King Tut-anhk-Amen which has recently been comprised in the latest addition to the sound and dialogue, together with music, are part of each reel. A national release is now being negotiated, after which Terriss will sail to do some more filming. Hammer Pictures, Inc., with Arthur Hamer as assistant, is the company producing the shorts.

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**Randforce Takes Over Two Steinman Houses**

Randforce has acquired two Brooklyn houses from Charles Steinman. They are the National and Terminal. Steinman has closed his third theater, the New Atlantic.

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**Goldwyn to Visit Russia**

Samuel Goldwyn, who arrives in New York tomorrow morning with a print of Anna Stein's first American picture, "Nana," will sail in a few weeks for Moscow, where he will probably see the Russian premiere of Miss Stein's picture. He also will be in London for the opening of "Roman Scandals." Before leaving the coast, Goldwyn signed Rouben Mamoulian to direct Miss Stein in "Resurrection."

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**Film on Mexican Oils**

Washington, Bureau of the Daily Film Industry Report Washington—"Through the Oil Field's of Mexico," three-reel silent educational film, has been completed under the supervision of the U.S. Bureau of Mines in cooperation with an oil producing company. The film is based on the Bureau's comprehensive library of films visualizing the mineral and allied industries.

**Rube Wolf at Roxy**

Rube Wolf, master of ceremonies, makes his Broadway debut on Friday at the Roxy, succeeding Dave Schoeler.

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**Camerman Elect**

Officers of the International Photographers of the Motion Picture Industry, Local 644, for the ensuing year were elected at a general meeting last week. They are: F. Walter Strunge, president; Harry W. Smith, vice-president; Frank G. Kirby, treasurer; Tom Hogan, secretary; Frank Landi, sergeant-at-arms; Ray Foster, trustee (three years); O. V. Johnson, business representative.

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**New Warner Merchandising Plan**

A "Showman's Corner" has been inaugurated in the Warner press books, which are edited under the supervision of Charlie Elsford, publicity and advertising chief. This new feature is devoted to a resume of exploitation stunts which have proven successful in past performances by exhibitors over the country. First of the Warner merchandising plans which include the new "Showman's Corner" are those on "The Big Shakedown," "Easy to Love" and "Massacre."

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**What's Quats NRA**

Grover A. Walls has resigned as local NRA Administrator in New York. He has also quit Wams's and is joining a liquor group, Schenley Affiliated Corporations.

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**Reviving French Film**

"Bride of a Poet" ("Le Sang d'un Poete"), picked by the National Board of Review, as one of the best foreign films of the year, will have a return showing at the Fifth Ave. Playhouse starting Thursday.

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### **FINANCIAL**

**NEW YORK STOCK MARKET**

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**NEW YORK CUB MARKET**

Technicolor 8% 8% 8% 8%
Trans-Lux 2% 2% 2%

**NEW YORK BOND MARKET**

| Gen. Th. Eq. 6% | 3% | 3% | 3% |
| Keeh 10/6 | 51% | 51% | 51% |
| Loeu 6 11/46 | 86% | 86% | 86% |
| Paramount 6 47 cts | 29 | 29 | 29 |
| Par. By 57/4 | 30 | 30 | 30 |
| Pathe 737 | 88 | 88 | 88 |
| Warner's 639 | 41% | 41% | 41% |
| Para. Public | 1% | 1% | 1% |

Hugh L. Dunn Dead

Baltimore—Hugh L. Dunn, connected with Ford's Theater in various capacities since the house was built in 1871, died Saturday night.

Robbers Get $400

Two holdup men got $400 at the Hopkinson Theater, Brooklyn, Sunday night. They approached Oscar Green, manager and Irving Richard, treasurer, as the latter were counting up the day's receipts.

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### **COMING AND GOING**

MAURICE CHEVALIER, HARRY MARDX; ERIC CHARRELL, foreign producer signed by Fox, MICHEL VALLEE and CHARLES BOYER, French player, and ABRAM FRANKEL, French producer, arrive in New York today on the Ile de France.

SALUEL GOLDFMNN arrives in New York on Wednesday from the coast on route to Moscow.

DOLORES DEL RIO reaches New York today from Hollywood for the brief vacation after finishing "Green Mansions" for RKO.

BEN BERSTEIN, Los Angeles exhibitor, arrives in New York today to discuss motion picture code matters and transact other business.

JOSEPH I. SCHNITZER is due in New York this week from the coast to conclude arrangements for the function plans calling for 2 features.

JESSE L. LASH has delayed his departure from the coast for New York.

AL. CHRISTIE returned from California yesterday.

HOWARD HAWKS, engaged last week in Cuba to direct "Twentieth Century," arrives in New York today in search of a leading lady to play opposite John Barrymore in "Fifty Million Frenchmen." 

SOL EDWARDS, assistant sales manager for Educational Pictures, left last night on a tour of the Fox exchanges in Cleveland, Cincinnati, Indianapolis, St. Louis, Kansas City, Omaha, St. Louis, Minneapolis and Chicago.

M. E. COMERFORD arrives in New York from Scranton to attend the M.P.T.O.A. committee meeting.

FRED JACK, Warner district manager in Oregon, leaves New York today on his return home.

CHARLOTTE STIFFE, new assistant designer for "Wormes," leaves New York today for the Coast to assume her duties.

CARL BRESON, foreign player signed by Paramount, arrives in New York from Aquitania and leaves the latter part of the week for Hollywood. HERBERT T. SILVEBERG returned to Buffalo last night from New York.

MONTE BRICE and DORIS HILL are among the guests arriving at the Hotel Warwick from Hollywood.

W. RAY JOHNSON leaves today for Boston to attend the testimonial dinner to Nathan Yamin.

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**Maurice Chevalier, Harry Marx; Eric Charreell, foreign producer signed by Fox...**
MASSACRE

SAVAGE BLOOD RUNS WILD AGAIN!

...THANKS TO WARNER BROS.
EXPLOITETTES

Paper Sponsors Warner Stars’ Caricature Contest

A SERIES of 12 caricatures of Warner Bros.-First National players, sketched by Abner Dean, well-known artist whose works have appeared in the ’New Yorker,’ ‘College Humor,’ ‘Common Sense’ and other magazines, was made by the basis of a ‘Know Your Stars’ contest sponsored by the Chattanooga “Times.” The unusual angle of the stunt is that the newspaper ran the contest unsolicited, the caricatures having been sent them by the Warner home office publicity department for publicity purposes. Realizing the reader interest in a contest of this sort and the prominence of Abner Dean’s “Timetime” sketches, the editor adapted the sketches for use in the contest. According to the details of the contest, the 12 Abner Dean caricatures appeared in the Sunday (Dec. 10) issue of the Chattanooga “Times” and the readers were invited to guess the identity of the stars and write a 100-word essay on “Which of These Players I Like Best and Why.” Prizes for three local houses, the Tivoli, State and Rialto, were awarded the winners of the contest. By Wednesday evening, the closing time of the contest, over 4,500 replies were received by the paper.

TIMELY TOPICS

Says Animated Cartoons Change Comedy Psychology

ANIMATED cartoons have changed the entire psychology of human comedies. The mechanical tricks which, for many years, had been an integral part of motion picture comedies, have been almost completely taken over by the cartoons, and since it is true that the cartoon animals have a quality of appeal that no human can compete with, the only logical thing was to withdraw in their favor. Gag comedies are, therefore, now quite obsolete, and in their wake comes the personality comedy, stronger now than ever. I wouldn’t attempt, in the new order of things, to make a comparison, but our strong comedy personality. Because I share this opinion with the executives of the company with which I am affiliated, Educational Pictures embarked on a talent hunt which has resulted in the most impressive line-up of top-notch names ever correlated by a short subjects company. Stoopnagle and Budd, Ernest Truesdell, Bob Hope, Moreau and Mack, Andy Clyde, Lillian Roth, Eddie Cra- ven, Charles Judels, Tom Patri- cola are among the personalities Educational has selected for its current program of two-reel comedies. Showing the extent to which we attach importance to the presence of names in our comedies, Educational has moved half of its current production activities to the east to insure availability of first rank talent. With the Broadway stage and the radio keeping a continuous demand for the topnotchers in New York, we did the equivalent of bringing the mountain to Mohammed.

—Al Christie.
**Blazing Action**

...GEARED TO BLAST THE ICICLES OFF EVERY POCKET-BOOK IN AMERICA....

**WHEN White Arms QUICKEN Savage BLOOD**

...things are bound to happen—and happen fast! Be there when famous Dick Barthelmess hits the high spot of this big, vital story of America's forgotten million!

**MAKE YOUR SCREEN AN ARENA OF WHIRLWIND THRILLS WITH DICK AS A FIGHTING RED MAN HURLING DEFIANCE AT HIS WHITE FOES**

Warner Bros. exploitation crew is coming thru with a grand rush for “Massacre”. Dozens of practical show ideas, flash street stunts, two-fisted ads and stories will be found in the big merchandizing campaign, soon available at all Warner Bros.—First National Exchanges—all emphasizing the showy Indian atmosphere and smashing action of this unusual attraction.
EXPECT NO MORE GOV'T NOMINEES

(Continued from Page 1) which in the opinion of General Johnson would necessitate no more than one government statement or the codification of a code authority. Division Administrator Sol A. Rosenblatt is the single government member at this writing.

40-Hour Week Hits Union Wage Scales

(Continued from Page 1) caused by the shortening of working hours and assumption of the obligation, under existing contracts signed by unions, fulfill operators for theaters regular operating weeks, projectionists will sustain wage reductions ranging from $7 to $16 per week per man, in many towns.

Eight Roadshows Set

(Continued from Page 1) Cleveland; Albin, Cincinnati; Palace, Indianapolis; State, St. Louis and United Artists, Chicago. On Jan. 17, the pictures will premiere at the Palace, Washington, and Great Lakes, Buffalo. Farrel will personally supervise the last two openings.

Meet Today to Discuss M.P.T.O.A. Financing

(Continued from Page 1) dent E. Kuykendall, who has been in New York since last week, has prepared a budget which he will submit for approval of the committee.

Kuykendall yesterday stated he has not as yet made up his mind as to whether or not he will call a meeting of the M. P. T. O. A. board. He is busy with organization work pending the next meeting of the Code Authority, of which he is a member, tomorrow night.

Chi. Union Warned Against Striking

(Continued from Page 1) ing an agreement. Rosenblatt will meet with the operators and exhibitors at a convention in an effort to iron out differences.

Under the code Rosenblatt has the authority to call a hearing on labor disputes in an effort to adjust difficulties. Jack Miller, president of the Exhibitor Association of Chicago, has promised that he will defer his trip east to confer with the Division Administrator on the subject.

Columbia Signs Roland Pertwee

Roland Pertwee, eminent English author, playwright and contributor to American magazines, has been engaged by Columbia for its writing staff and will sail for America within the next few weeks.

HOLLYWOOD

WILL ROGERS will appear in "Merry Andrew," adapted by Kubez Glasmus from the play by Lewis Beach. Sol Wurtzel will produce for Fox.

"Stars on Stripes," all-color short, is in work at M-G-M. Cast includes Shirley Ross, Dorothy Appleby, Muriel Evans, Moe Howard, Agnes Anderson and Ruth Channing. Al Boasberg is directing under supervision of Jack Cummings.

Roger Inhof has been assigned a role in Fox's "Murder in Trinidad," with Nigel Bruce and Heather Angel, under the direction of Louis King.

Jack Cummings is directing as well as producing "Cowman's Last," first of two shorts in which Chie Sale will appear for M-G-M.

Harry Oliver, art director for M-G-M on "Viva Villa," will not have time to take his souvenirs from Mexico City to his desert hacienda in Borego Valley. He starts work immediately on the sets and backgrounds for "The Cat's Paw," Harold Lloyd's new comedy.

Samuel Goldwyn is all smiles. Irving Thalberg, Darryl Zanuck, Richard Barthelmess and others who attended the preview of "Nana," agreed that Anna Sten is a great screen bet. Many believe her American screen debut is more auspicious than that of any other foreign star since the inception of the titles.

Robert Florey is losing little time between pictures. He had no sooner finished "Registered Nurse" under schedule than he started shooting on "Hit Me Again" three days later. He is under contract to Warner Bros. He directed "The House on 50th Street," "Girl Missing" and "Ex-Lady."

Patsy Kelly, under contract to Hal Roach, will play the featured comedic role in "The Countess of Monte Cristo," for Universal, with Kurt Neumann directing. Miss Kelly is represented by Ralph G. Farnam.

Aileen Carlyle, who has attracted much attention by her work in the version of "The Cat and the Fiddle," has signed an exclusive management contract with Jack Gardner, the agent.

Wallace Ford is appearing in "Men in White," with Clark Gable and Myrna Loy. Richard Boleslavsky is directing and Monta Bell is the producer of this M-G-M picture.

Harold Minter, production manager, and Edward Kull, cameraman, for Goldsmith Productions, will get a break as co-directors of the new film, "False Faces," a sound outdoor picture. The first picture will go into production March 10.

Norman Houston has been signed by Trem Carr to write the screen play of E. Phillips Oppenheim's story, "Numbers of Monte Carlo." It goes in work within two weeks under the supervision of Paul Malvern.

Bobby Watson is appearing in M-G-M's "It Happened One Day," being produced by John Considine with William K. Howard directing.

First National has made two changes in the cast of "Hit Me Again," and has set back the beginning of production on the picture for one more week. The first replacement is that of Joan Blondell for Bette Davis, who will be given a role in another picture. Claire Dodd replaces Glenda Farrell, whose work will be used in another and another on the production schedule. Additions are Henry O'Neill and Johnny Arthur.

Leslie Howard, noted English stage and screen star, has arrived in Hollywood to resume his American film career, interrupted a few months ago when he journeyed to London to appear in a stage play there. The actor was accompanied by Mrs. Howard. He will be starred in Somerset Maugham's novel, "Of Human Bondage," soon to be produced by RKO Radio.

Harry Wilcoxon, English player, has been picked by Cecil B. De Mille for the role of Marc Anthony in "Cleopatra," with Claudette Colbert. "

Reno," has agreed that Anna Sten is a great screen bet. Many believe her American screen debut is more auspicious than that of any other foreign star since the inception of the titles.

Robert Florey is losing little time between pictures. He had no sooner

PB.

WILD

(Continued from Page 1) addition to picture and broadcasting facilities, the 15 stars who have agreed to the trip include: Andra Carriello, Jimmie Gleason, Mrs. Gleason, Russell Gleason, Raymond Hatton, Creighton Hale, Anna Q. Nilson, Mary Carlisle, Johnnie Mack Brown, Mary Brian, Ben Turpin, Sally O'Neil, Sally Blake, Arline Judge, Patsy Ruth Miller and Nancy Welford. John Hundley will act a master of ceremonies.

Costumes designed at the coast studios will be worn by the 15 Moulin Rouge girls, consisting of blue coats, silver hats with silver arm bands, typical Russian Cossack type.

First stop will be Philadelphia, where a series of luncheons, broadcasts, interviews and parties will take place. The stars will have the opportunity to be interviews by the key city newspapers which in itself will result in unlimited columns of publicity.

In addition to theater appearances by the stars, arrangements will be made in different key cities to have the entire show broadcast over one of the local coast stations. The broadcast mention will be made of the engagement of the picture in that particular city.

Among other cities to be visited are Washington, Baltimore, Hartford, Boston, Albany, Rochester, Buffalo Clevelend, Detroit, Chicago, Milwaukee, Indianapolis, St. Louis, Kansas City, Los Angeles and San Francisco.

Arbitrators Award Fox "Lola Montez" Title

(Continued from Page 1) awarded priority on the title by an arbitration committee composed of Stephen Low, New York; Florence Scott, Paramount; J. M. Noan, SKO; Robert Harris, Universal, and A. S. Howson, Warners. Fox will produce the picture soon.

23 More "Wonder Bar" Dates

Twenty-three more simultaneous key city roadshow openings have been set on Walt Disney's forthcoming all-star musical "Wonder Bar," which will have its world premiere on Broadway at two-a-day. This will figure of day-and-date "Wonder Bar" openings throughout the country at 125, with further dates to be announced. These showings which will take place early in February, will be preceded in each instance by a special exploitation campaign.

N. O. House May Reopen

New Orleans—Separation of the Louisiana Theatre on Michoula, the remainder of the Anthony bankruptcy may cause the house to reopen soon.
RKO
17 mins.

A Van Beuren-Meyer Davis release that stands up well for snappy entertainment and tuneful songs. The short is built around a fairly interesting story of several Harlem folks who in the most part, are lazy bones sitting around and waiting for dinner. Ethel Waters, as the wife of a good for nothing janitor, enlists her pa and sings three numbers. One is exceptionally good. "Southern Airs", an unusually good record, and Hamtree Harrington, help to carry the short through to a laugh finish.

Amos 'n' Andy in
"The Rasslin' Match"

RKO
10 mins.
Cartoon-Voice Combination

This cartoon brings a new technique to the screen insofar as the actual voices of Amos and Andy have been used with the drawn characters. It has been fairly well accomplished and should prove a good laugh number, especially for the followers of the two radio comedians. "The Kingfish" and "Bullneck Mooseface" are the only other characters included in the film. The story is taken from the radio episode where Andy and "Bullneck Mooseface" meet on the canvas and wrestle for the championship of "sumpin'".

Tabloid Reviews of
FOREIGN FILMS

"DER FRECHDACHS" ("The Fresh Imp"), in German; produced by Ufa; directed by Carl Boese and Heinze Hille; with Willy Fritsch, Camilla Horn, Ralph Arthur Roberts, Elie Elster, Anton Pointner; at the Yorkville Theater.

Fairly entertaining romantic comedy in French setting, about a cheeky cut-up who tries to win the hand of a young wife. Production has a pleasing musical accompaniment, and as a whole it should satisfy the clientele that understands German.

"LA SOMBRA DE PANCHO VILLA," Spanish-dialogue production made in Mexico; directed by Miguel Contreras; with Luis G. Barreiro, Carmen Guerrero and Manuel Tejel. Distributed by Columbia. At the Teatro Variedades.

Good native picture dealing with the Mexican revolution in the years just before the world war. Has very interesting color, action, and bits of romance and comedy.

Tuesday, Jan. 9, 1934

SHORT SUBJECTS

Ethel Waters in "Bubblin' Over" with Hamtree Harrington, Southern Airs

"FASHIONS OF 1934" with Bette Davis, Frank McHugh and Hugh Herbert

First National
78 mins.

CLASSY SEMI-MUSICAL PACKED WITH FLASH ENTERTAINMENT AND BIG EXPLOITATION POSSIBILITIES.

Though it has a serviceable story, presenting William Powell in one of those big-time producer roles at which he is so adept, the chief strength of this picture is the handled production and its extensive angles of tie-up with the clothing trade. The plot background concerns the activities of Powell and his aides, Bette Davis and Frank McHugh, in pillering exclusive Paris styles and selling them to New York shops. Triangle interest enters the scene when Powell runs across an old girl friend, Veree Teasdale, posing as a Russian princess about to marry Reginald Owen, the most famous style shop owner in Paris. When Powell is about to be jailed on complaint of Owen, he threatens to expose Veree and make her career a laughing stock unless charges are withdrawn. Style sequences entertain as do the girlly displays.


Director, William Dotele; Authors, Warren Duff, Harry Collins, Adaptors, F. Hugh Herbert, Carl Erickson, Gene Marlowe, Donald O'Sullivan, Cameraman, William Rees; Editor, Jack Kilfiel.

Direction, Smart Photography, A-1.

OLSEN'S BIG MOMENT

with El Brendel and Walter Catlett

Fox

66 mins.

CONGLOMERATION OF SLAPSTICK COMEDY, GANGSTERSM, ETC., RATES BELOW AVERAGE.

Lacking sufficient story structure, this yarn is padded out with all sorts of slapstick and other action devices, all of which neither harmonize nor make for very satisfying entertainment despite occasional laughs. El Brendel and Walter Catlett are the main supports of the picture. Brendel, in the role of a janitor in an apartment house, gets mixed up with all sorts of trouble, principally through Catlett, a bumbling boy. Barbara Weeks, at the instance of her mother, is about to marry Catlett for his money, although she really loves John Arledge. Brendel manages to prevent the mis-match, with Catlett also escaping a marriage with the sister of a gangster who mistook him for her boy friend. The action is pretty far-fetched at times, even for nonsense, and Mal St. Clair's efforts to help the script by directorial handling had too much to be used.


Director, Malcolm St. Clair; Author, George Marshall, Adaptors, Henry Johnson and James Tynan; Cameraman, L. O'Connell; Recording Engineer, Pat Costello.

Direction, Fair, Photography, Fair.

"BEFORE MIDNIGHT" with Ralph Bellamy and June Collyer

Columbia
62 mins.

MURDER MYSTERY, THICK WITH COMPLICATIONS, SHOULD BE ENJOYED BY THOSE WHO LIKE THIS TYPE OF MELODRAMA.

Kept suspenseful by a well complicated plot, this murder mystery answers its purpose very adequately as far for the melodrama fans. A detective, called to the home of an eccentric millionaire who is afraid for his life, arrives in time to see the murder committed in his presence. There is no definite clue, so suspicion falls on the various members of the household and on a young man who wants to marry the millionaire's ward against his old friend's wishes. Following a hunch, the detective learns that the murdered man is not the millionaire at all, but had been made to pose as such by the man, who, in turn took the part of secretary. Says he did this because the girl is his illegitimate daughter and he wanted to protect her from the disgrace. Also, the dead man had planned to kill the millionaire and get his money, so the latter had acted in self-defense. Thus, to spare the girl further scandal, he commits suicide. Good cast and able direction help the story.


Director, Lambert Hillyer; Author, Robert Quigley; Adaptors, Samuel Cameraman, Edward Carey; Supery, Recording Engineer, George Cooper, Editor, Otto Meyer.

Direction, Good. Photography, Good.

"RAFTER ROMANCE" with Ginger Rogers and Norman Foster

RKO

72 mins.

ROOMING HOUSE ROMANCE MAKES AGREEABLE LIGHT ENTERTAINMENT SUITABLE FOR FAMILY AUDIENCES.

Nothing of a pretentious nature about this picture, but it makes pleasing entertainment for the family trade. Set in a Greenwich Village rooming house, where Ginger Rogers and Norman Foster, one working during the day and the other at night, occupy the same attic without ever having met each other. It's an amusing situation, with Ginger trying to figure out what her co-roomer is like, and Norman doing likewise, and following out their respective conceptions they pull gags on each other that provide a good deal of fun. In due course the two get acquainted away from the boarding house, still not knowing who they are, and it's a case of love, with its expected consequences. Besides the likable performances given by Miss Rogers and Foster, there is a couple of good characterizations by George Sidney and Laura Hope Crews. William Seiter's direction is in appropriate vein.

Cast: Ginger Rogers, Norman Foster, George Sidney, Laura Hope Crews, Robert Benchley, Gunn Williams, Sidney Miller and Ferike Boros.

Director, William Seiter; Author, John Wells; Adaptors, H. W. Hannemann, Sam Mintz, Glenn Tryon; Cameraman, David Abel, Recording Engineer, Hugh McDowell, Jr., Editor, James H. Hall.

Direction, Good. Photography, Good.

HOLD YOUR HORSES!
WE ARE WORKING...
NIGHT & DAY ON THE
1934 FILM DAILY...
YEAR BOOK...
ORDERS ARE PILING...
UP BY HUNDREDS...
FOR THIS BOOK THAT...
WILL BE BIGGER AND...
MORE IMPORTANT...
THAN EVER BEFORE...
IT WILL BE READY...
FOR DISTRIBUTION...
IN FEBRUARY AND ON...
TIME AS USUAL...
ANALYSIS OF MOTION PICTURE CODE

BY LOUIS NIZER

Fifth Installment

ARTICLE V—

UNFAIR PRACTICES

Note: Articles III and IV deal with general provisions and labor provisions and will be treated subsequen-
tly. In analyzing Article V—

UNFAIR PRACTICES — there will be omitted at this point and subse-
sequently treated General subdivisions and provisions concerning Producers.

D.—DISTRIBUTORS

Part 1. Threatening to Build
(a) No Distributor may, in order to obtain a contract from an Ex-
hibitor in order to obtain higher film rentals, threaten or cause the Exhibitor by committing a
definite act showing an intention to build, or acquire a com-
peting theater.

(b) A Producer or Distributor has the right, however, in good
faith, to build or acquire a the-
ater.

Part 2. Distributor's Employee Having

Interest in Theater
(a) If a Distributor’s employee has any direct or indirect interest in a theater, he may not use his position with the Distributor to interfere with the licensing of pictures by a competing theater.

(b) An employee of a Distributor has no interest in a theater be-
cause his Distributor operates theaters.

Part 3. Substitutions
(a) Where substitutions not permitted.
The Distributor may not sub-
scribe if the contract of a Distributor shall—

1. Names a star or stars,
2. Names a director,
3. Names well-known author,
4. Names well-known book or play,
5. Has the words “no substitu-
tion” next to any picture.

(b) Where substitutions permitted.
If the contract does not name a star, director, author, book or play and has not the words “no substitute,” then the Distributor may substitute—

1. For any story, book or play
2. For any member of a cast any other director, cast or member of a cast.

(c) Changes of title and adapta-
tions.
Whether substitutions are per-
mitted or not, the Distributor may change the title of any picture and make changes, alterations and adaptations of any story, book or play upon which the picture is based.

(d) Notice of substitutions.
1. Where the Distributor may substitute for any author, book or play another author, book or play and does so, no-
notice of substitution must be given.
2. Such notice shall be in the form of a paid advertisement of not less than one-quarter page in at least one issue of a national trade publication.
3. Such notice must be given before the release date of a picture in which the substitu-
tion was made.

4. Non-Theatrical Accounts
(a) Power to Prohibit

Even the complaint of an Exhibitor a Local Grievance Board may decide that the showing of a picture by a com-
peing non-theatrical account is an unfair practice. The Grievance Board may either prohibit such exhibitions en-
tirely or merely restrict or limit them in a certain way. No Distributor may license its pictures to a non-theatrical account contrary to the deci-
dion of the Local Grievance Board.

(b) No Power to Prohibit

Even a Grievance Board may not make a decision that it is an unfair practice to license pictures to:
1. Army posts or camps
2. Ships or boats of the United States Navy
3. Ships carrying passengers to or from foreign or domestic ports
4. Educational institutions
5. Religious institutions.
6. Institutions housing “shuts,” such as prisons, hos-
pitals and orphanages.

(To be Continued)

K. C. Legit House Closes

Kansas City—Due to lack of legit shows, the Shubert has closed tem-
porarily.

Changing to Dramatic Stock

Birmingham — The Jefferson re-
turns to dramatic stock at 40 cents a seat this Jan. 20. The theater is run co-operatively by local the-
atical unions.

N. O. Liberty Reopens

New Orleans — Redecorated and new Western Electric equip-
ment, the Liberty has reopened. House is operated by Liberty
Manager, L. M. Ashe, President; J. M. Wittmer, vice-
V. L. M. Ashe, secre-
t-treasurer; J. S. Carrigan, house manager.

‘ROXY’ WINDS UP AT MUSIC HALL

(Continued from Page 1)

stated to FILM DAILY yesterday the resignation was brought about solely through differences on policy.

“I want to make it clear that I have resigned but the highest regard for Mr. Rockefeller, Jr., Mr. Rosen-
worth, Mr. McDonough and all other RKO executives, and our association has always been a happy one for me,” said Roxy. “In a few days I shall leave for a five-week vacation in Florida and upon my return I shall have an important announce-
ment to make regarding my future plans.”

The official announcement from Murray’s office said in full: “Leon Leonidoff, who produced all Music Hall stage shows during ‘Roxy’s’ illness of several months, will con-

inue as producer. All the forces of the theater’s stage shows will be retained and augmented, with special attrac-
tions.”

Charles Griswold

Resigns

As Manager of Music Hall

Charles Griswold, manager of the Radio City Music Hall and formerly manager of the Roxy during the Samuel L. Rothafel regime, resign-

Charles Whitman, manager of the RKO Palace and former manager of the RKO Al-
bee, has succeeded Griswold at the Music Hall. Ray Conners, manager of the RKO Pantages, has been transferred to replace Whitman.

National Exchange Setup

Completed by Majestic

(Continued from Page 1)

complete its national distribution setup, it was stated yesterday to FILM DAILY by E. H. Goldstein, vice-president. Last week Herman Luckman, president of Majestic and holder of the New York fran-

chise, changed the name of his local exchange from Capital to Majestic. There are now 28 Majestic distrib-

utors in the U. S. and in Canada, with Goldberg-Levy majors among the latter, and in Canada. All the others also have the Louisville area franchise. Majestic production schedule for 1931 is one-third fin-

dished, according to Goldstein.

“Moulin Rouge” Showing Today

Trade showing of “Moulin Rouge”, 20th Century production for United Artists, will take place at 11 A. M. today at the Majestic.

New Publicity Director

Seattle—H. B. Shaffer has been

appointed publicist director of the local Monogram exchange, where he will make his headquarters in future, replacing H. B. Sokottka.
New Records Set in 12th Critics' Poll on 'Ten Best'

Reopening of Film Code is Urged by NRA Official

“CAVALCADE” HEADS TEN BEST FILMS

100 More Nominations are Received by Code Authority

Names Proposed for Code Posts Reach Total of 400

More than 100 additional nominations for members and secretaries of the local governing and zoning boards were announced by the Code Authority in New York yesterday, bringing the announced total of suggestions to more than 400. Yesterday's batch of nominations proposed the following names:


Cincinnati—Henry Herbst.

Chicago—Maurice White, Paul Krieger. (Continued on Page 4)

NEB.-IOWA M.P.T.O. VOTES PREMIUM BAN

By L. W. FOUNTAIN

FILM DAILY Staff Correspondent

Omaha—Out-state members of the M. P. T. O. of Nebraska and Western Iowa, in conference yesterday, went on record as definitely opposed to premiums, but declared themselves unwilling to give up double features until they are relinquished by city exhibitors.

The meeting was unable to agree. (Continued on Page 4)

Code Labor Clauses Too Loose, Says NRA Compliance Official

Reopening of hearings on the film industry code was urged by James F. Hodgson, regional NRA compliance board chairman, who yesterday declared that the document suffers from loosely-drawn clauses and needs tightening. He made the statement in connection with a hearing on the complaint of Local 306, operators' union, that 55 of its members have been discharged by the Independent Theater Owners Association and replaced with 25 operators. (Continued on Page 4)

18 Vote for "3 Pigs"

Though.reaching it would not count in the official results of the poll, 18 critics included Walt Disney's animated short, "Three Little Pigs," as one of their selections for the Ten Best Pictures of 1933 in The Film Daily's 12th annual nationwide poll. Several other critics appended a mention of "Three Little Pigs" in addition to naming their 10 favorites, some adding a note to the effect that they would have included the short as one of the Ten if it had been permissible.

Critics Did Fine Job In Picking "Best"

By DON CARLE GILLETTE

CONSIDERING what a difficult task it was to single out the 10 most deserving productions from among the unusually strong and colorful crop of 1933, the 400 critics who voted in the annual FILM DAILY poll deserve a nice big wreath for the excellent job they turned in.

Individually, a "ten best" list can be very much subject to dispute—especially one compiled by a scribe with such pronounced artistic or highbrow inclinations that he includes from five to seven foreign pictures among his selections—but when several (Continued on Page 5)

Voting on Best Films of 1933 Tops All Former Marks

With number of voters topping all previous records by a wide margin, "Cavalcade" was acclaimed leader of the parade of the Ten Best Pictures of 1933 in the twelfth annual poll conducted by THE FILM DAILY with the cooperation of the nation's leading motion picture critics.

The other nine winning pictures were: "42nd Street," "Private Life of Henry VIII," "Lady for a Day." (Continued on Page 5)

BIG CROWD ATTENDS YAMINS TESTIMONIAL

Boston—A large turnout of exhibitors and other film people was on hand at the Copely-Plaza Hotel last night for the testimonial dinner tendered to Nathan Yamins by the Independent Exhibitors of New England. Those coming from out of town included Ed Kuykendall, Abram F. Myers, Charles L. O'Reilly, Sidney Samuelson, W. Ray Johnston, Joseph McConville and Abe Montague, and others.

Bigger Each Year

In addition to setting a new record for the number of critics participating in the 1933 vote on the Ten Best Pictures of the year, 11 ballots were received after the poll had closed and the story sent out for release today. Added to the 389 critics officially counted in, the grand total of critics taking part in the selection of the outstanding 1933 pictures is 390, compared with the previous high mark of 369 established last year.
SO. CALIF. VOTING ON PREMIUM BAN

Southern California seems likely to be the first territory to abolish premiums under provisions of the motion picture code which says the policy can be eliminated in zones where 75 per cent of active independent theaters and 75 per cent of active affiliated houses vote against it.

In a poll now substantially under way 248 out of 215 independent houses have voted to ban the practice, stated Ben Bernstein, Los Angeles exhibitor leader, upon his arrival in New York yesterday from the Coast. There are approximately 250 independent houses in the territory, stated Bernstein. Circuit theaters, which number about 100, are expected to act the practice 100 per cent, said Bernstein. He anticipates the poll will be completed by the end of January.

Bernstein plans to remain in New York about three weeks, attending to code and product matters.

M-G-M Adding Shorts, Pete Smith Producing West Coast Bureau of THE FILM DAILY

Hollywood—M-G-M has signed a long-term contract with Pete Smith whereby he will devote his time exclusively to short subject work with the company, increasing its output of shorts for the season. The move is a result of response to shorts which Smith has been making on the side. Howard Dietz, at present visiting the studio, has appointed Frank Whitbeck as head of the studio advertising department succeeding Smith. Whitbeck started yesterday. The studio publicity department continues as a separate unit headed by Howard Strickling.

Nominated for Poster Hearings

Washington Bureau of THE FILM DAILY

Washington—John Manning and Joel Berrall yesterday were appointed labor and consumers advisors, respectively, for the theatrical poster code hearing.

J. G. Bachman Laid Up

J. G. Bachman, president of Preferred Pictures, is laid up at the St. Moritz Hotel by an attack of influenza.

Cincy Exhibs Adopt Code With Some Reservations

Cincinnati—Fifty exhibitors attending a meeting for code analysis at Ohio Valley Independent Exhibitor's League headquarters voted for adoption of the code with reservations, says Willis Vance, president.

Pay Questionnaire Ready

Washington Bureau of THE FILM DAILY

Washington—Salary questionnaire blanks are believed to be ready for mailing at the end of the week here, where returns also are to be made. This inquiry will have nothing to do with the Code Authority.

4 FEATURES FOR DIME IN LIMA PRICE WAR

Lima, O.—As the highspot of a three-cornered price war here between Warners, George Ritzele and F. C. Fochl, the latter, who operates the Rialto and Quinna, offered four features for 10 cents. It was a Saturday night show, with the regular dual bill supplemented by a preview of the incoming dual program. Ritzele, operating the Fau- rot, Lyric and Majestic, is reported to have started cutting prices to 15 and 20 cents at the Faurot for first-run pictures and three acts of vaudeville; 10 cents at the Lyric, duals, both first-runs, and the same at the Majestic. Warners dropped the price at the Ohio, ace house, to 15 and 25 cents, tax included, and 15 cents at the Sigma, and 10 cents for matinees at the State.

No Deal on With 'Roxy', Says Howard S. Cullman

Answering rumors that S. L. "Roxy" Rothafel might rejoin the original Roxy now that he has left Radio City, Howard S. Cullman, re- porter, said yesterday that "there is no change of any kind whatever contemplated in the management or operation of the Roxy Theater." He said the present arrangement had proved successful for 13 months and no change is desired.

FINANCIAL

NEW YORK STOCK MARKET

Net High Low Close

Columbia Picts., vct. 23 22 21 21
Con. Fm. Ind. 34 33 32 32
Con. Fm. Ind. pfd. 11% 11% 11% 11%
Ent. Kodak 80 80 80 80
Fox Fe. "A" 12% 12% 12% 12%
Loew's, Inc. 27 26 26 26
Mgm., Inc. 46 46 46 46
Paramount corp. 11% 11% 11% 11%
Path. Exch. 10% 10% 10% 10%
RKO 2 2 2 2
Warners 4 4 4 4

NEW YORK CURB MARKET

Technicolor 83% 83% 83% 83%
Trans-Lux 2% 2% 2% 2%

NEW YORK ROND MARKET

Gen. Th. Eq. 6490 4 33 33 33
Gr. Th. Eq. 6490 cris. 4 4 4 4
Keith A.O. 646 532 532 532
Loew 6 Is 41w 86% 86% 86%
Par. By. 52/51 30% 30% 30%
Par. 52/50 filed 30 29% 29%
Warners 659 42 42 42
N. Y. PRODUCE EXCHANGE SECURITIES

Pera. Publix 1% 1% 1% 1% —

THE INDUSTRY'S DATE BOOK

Today: M.P.T.O. of Nebraska and Western Iowa meet at Lou Pas Hotel, Omaha.

Today: Hearings on theatrical poster exchange code, under Division Administrator A. D. Whiteside, Washington, D.C.

Jan. 16: Allied Theater Owners of New Jersey meeting in assembly room of Stanley Theater, Trenton, N.J., 12:30 P.M.


UNION WEEKLY

"Hi, Nellie"

TWO LITTLE WORDS THAT MEAN A GOLD MINE FROM WARNER BROS.
Dear John we are holding I AM SUZANNE at the Fox Theatre Philadelphia for a second week stop this is the first time for nearly a year that we have felt justified in holding over a picture. Stop we realize it took brains, courage and cooperation to make I AM SUZANNE which definitely sets LILIAN HARVEY as an American star and if producers are to continue to make pictures of this calibre they must be encouraged. Stop May I say congratulations to the Fox Film Corporation for the first hit of the new year.

A R Boyd, 314P

I AM SUZANNE!
with
LILIAN HARVEY

GENE RAYMOND
LESLIE BANKS

Podrecca's Piccoli Marionettes
Directed by Rowland V. Lee
JESSE L. LASKY
Production

Booked into
RADIO CITY MUSIC HALL
for January 18th showing

Janet
GAYNOR
Lionel
BARRYMORE
in
"CAROLINA"
Robert Young • Richard Cromwell
Henrietta Crosman • Mona Barrie
Stepin Fetchit
From Paul Green's "The House of Connelly"
Directed by Henry King

A story so rich in drama... romance... humanness... and humor... that two of the screen's outstanding stars have every opportunity to give fully of their inspired genius.

2nd WEEK
for
SMOKY
at the
MAYFAIR, N.Y.
Unsullied critics' praise
(Daily News: ★★★) as most human horse ever born moves capacity crowds to laughs and tears.

Your patrons always like
FOX MOVIE TONE NEWS
100 MORE NOMINATED FOR FILM CODE POSTS

(Continued from Page 1)

I. Liboff, J. Real Neth, Sidney Jacobs, Al

Jan Maritz, W. A. Finnery, William Reves,

Kurt Reimann. Clevelander-Martin G. Smith, Nat Wolf,


Dallas—H. H. Church, O. A. Englebrecht,

Roy L. Walker, L. C. Tisdall. Atlanta—J. L.

Saxe, E. C. Beatty, Ed Kirchner, J. E. Flynn, Carl H.


Kansas City—Clarence Scholtz, Ward Scott,


Lou Hulbert, Bernusten. Memphis—Paul Wilson, Jimmy Rogers,


Shih, William Walls. Milwaukee—A. D. Kovel,

New Orleans—Harry McLeod, Joe Barer,

Joa, C. Atome, Will Shields. Maurice F. Mur, Art Kiers, Luke Comer,

Horace Danoff, Bob Kowalski. North and South Carolina—Em Farnham

H. F. Calabrese, The Attorney, Charles W.

Peignet, J. F. Kirby, R. J. Ingram, Most

money, Bill O’Keeffe, Murphy Greer,

Sam Craver. Omaha—M. Henderson, C. M. Parkhurst

Harry Weyler, C. E. Williams, Mort Schieh

and Michael Scobie. Philadelphia—Robert Mohr, M. S. Land

Morris Wix, Leon Schlesinger, Robert

Rush, Bob Wadsworth. Portland, Ore.—Miss Ruth Doyle,

Washington—A. J. Boyack, Herman A.

Wan, Robert Smelter, Sam Galanty, J. J.

Payr, Walter Coulter, Lou Garmon, Wil

Slim. Wilder.

Neb-Iowa M.P.T.O.

Votes Premium Ban

on a plan for zoning and clearance.

A committee was named to formu-

late action for consideration today.

More than 60 spectators came for

the conference despite snow and bad

roads. President Charles E. Wil-

liams presided.

Coming and Going

FELIX F. FEIST has left New York on a

tour of M-G-M exchanges.

LOU HALPERIN of Warner Bros. Coast the-

aters left New York yesterday on his return to

the Coast.

WILLIAM POWELL, BETTE DAVIS, FRANK

MCUGHER and VERREK SEDALDIE, principals in

First National’s “Prisoner of Second Avenue,”

are expected to be in New York for the premiere

next Thursday at the Hollywood Theater.

RUTH ETTING, appearing in “Roman Scandals” and “Hops Hops Hooray,” arrives to-

day from the coast to resume her radio sing-

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EUGENE O’BRIEN sailed for Europe last night on the French liner, the Countess Lina.

MR. and MRS. IRVING BROWNING left

yesterday after a three weeks’ vacation in Florida.

J.S. MOUNT of RKO leaves for the

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THE FILM DAILY

Wednesday, Jan. 10, 1934

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URGES REOPENING

OF THE FILM CODE

(Continued from Page 1)

Hodgson urged the exhibitors to comply with the spirit of the code

instead of the letter.

Fred Schollem, attorney for Local 118 of the Theater Employers

Union, asserted ushers have been cut

$400 to $2,000 a month in some instances. He

charged that the janitors are forced to work 84 hours a week.

Another charge instituted by Scho-

lem was the effect that four

Brooklyn and Queens theaters over

$800 in back pay to members of the

union. Hodgson promised to inves-

tigate the back pay matter and ask

the matter, if charges are proven true.

Universal Studios Reopen:

LACONVILLE, JR., DELAYS TRIP

West Coast Tours of THE FILM DAILY

Hollywood—Universal studios re-

opened activity yesterday with the

"Countless of Monte Cristo," as the

first production to start. Carl Lam-

mle, Jr., postponed his trip east

for several weeks in order to be on

hand for the launching of several

productions. Those to follow in-


Closes Film Center Deals

Erwin S. Wolfson, agent, has sold off

all stock with the Film Center to

Martin Gottlieb and Charles L. Welch. Wolfson also has renewed leases with Morris Kleinerman, Ex-

hibitors Pictures Corp. and Herman Ross Enterprises.

Amity Gets Browning Film

"Men of Ships," produced by Irv-

ning Browning, has been acquired by

Amity Pictures, John M. Crimmann

announces. It is a narrative of New York’s water front.

HAPPY BIRTHDAY

Best wishes from THE FILM DAILY to the following on their birthdays:

January 10

Francis X. Bushman Pauline Starke

Douglas MacLean Dan Silber

Roy W. Scheider

Pauline Starke

Douglas MacLean

Dan Silber

Happy Birthday
Twelfth Annual "Ten Best" Poll Sets New Records

Picking Screen Leaders of Last Season Was No Easy Task

"Another Language," "Topaz" and various crack-jack musicals were others.

The Ballot-Ticket on which the ballot-

ing took place included those nationally

released in the fiscal year ending Nov. 1, 1952. Pictures like "Berkeley Square," which received showings in only a few key cities up to this date, will be included in the 1953 list.

Represents Consensus

Although the selections of some critics varied widely with others, many felt that the "arty" scribes who put down as many as five, six and seven foreign pictures among their ten best the "ten best" list usually reflects the over-all press opinion as to which were the truly outstanding pictures of the year. Though a few extremes of opinion are inevitable, the extensive national scope of this poll, as compared with local polls or the tastes of an individual critic who nominates whose tastes are likely to be specialized out of tune with the great general public, results in the most representative consensus that it is possible to attain.

More Producers Represented

In contrast to last year, when one producing company garnered five of the Ten Best, the list was more widely distributed this time and no producer came in with more than two placements. Paramount, Fox and Warner-First National each had two, while M-G-M, United Artists, Columbia and Filmmoche, Inc., had one apiece.

In the honor list, M-G-M walked away with the biggest number, getting it as compared with 7 for Warners, Paramount, Fox and Warner-First National and United Artists.

Increasing Interest in Poll

Continually increasing interest in the picking of the "Ten Best Pictures" was evidenced by at least 36 local polls conducted at the year-end. Many of these local polls were held at the suggestion of THE FILM DAILY, and motion picture critics who adopted the idea reported very keen interest among their readers.

Amount of newspaper space given the "Ten Best" this year also was greater than ever, indicating the news value which editors placed on the stories.

Dozen Ballots Too Late

More than a dozen ballots were received from around the poll had closed and therefore could not be counted. Until the votes were finally tabulated, these last returns, number of critics participating crossed the 400 mark, another new record.

The Film Daily

Wednesday, Jan. 10, 1954

THE 1953 ROLL OF HONOR

<table>
<thead>
<tr>
<th>Picture</th>
<th>Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal Kingdom—M-G-M</td>
<td>121</td>
</tr>
<tr>
<td>Topaz—Warner-First</td>
<td>120</td>
</tr>
<tr>
<td>White Ladies—M-G-M</td>
<td>119</td>
</tr>
<tr>
<td>Mogambo—M-G-M</td>
<td>110</td>
</tr>
<tr>
<td>Rachel—United Artists</td>
<td>106</td>
</tr>
<tr>
<td>Gabriel Over the White House—M-G-M</td>
<td>103</td>
</tr>
<tr>
<td>Strangers on a Train—Paramount</td>
<td>93</td>
</tr>
<tr>
<td>The Bowery—United Artists</td>
<td>91</td>
</tr>
<tr>
<td>Footlight Parade—Warner Bros.</td>
<td>88</td>
</tr>
<tr>
<td>Power and the Glory—Fox</td>
<td>86</td>
</tr>
<tr>
<td>Another Language—M-G-M</td>
<td>81</td>
</tr>
<tr>
<td>Be Mine Tonight—Universal</td>
<td>80</td>
</tr>
<tr>
<td>Voltaire-Warner Bros.</td>
<td>79</td>
</tr>
<tr>
<td>King Kong—RKO</td>
<td>78</td>
</tr>
<tr>
<td>Topaz—RKO</td>
<td>73</td>
</tr>
<tr>
<td>Zoo in Budapest—Fox</td>
<td>70</td>
</tr>
<tr>
<td>Gold Diggers of 1933—Warner Bros.</td>
<td>68</td>
</tr>
<tr>
<td>Strangers Return—M-G-M</td>
<td>66</td>
</tr>
<tr>
<td>Emperor Jones—United Artists</td>
<td>63</td>
</tr>
<tr>
<td>Silver Dollar—Warner Bros.</td>
<td>61</td>
</tr>
</tbody>
</table>

Critics Did Fine Job In Picking "Best"

(Continued from Page 1)

CRITICS of the country's best critical minds register their collective opinion, it results in a consensus that leaves no loophole for dispute.

DIVERSITY and distinctive merits were plentiful in the pictures that were voted the "Ten Best" for the past year. Every production represented a type of its own, several of them were the forerunners of new cycles, and all of them made money at the box-office. Every player and perhaps significant interest was the inclusion of "She Done Him Wrong" in the winning roster. Although this picture was the subject of much censorial attention in squeamish quarters, the critics showed commendable fair-mindedness in ignoring these criticisms of the picture and evaluating it on its undoubted entertainment merits.

CLASS and arty pictures, as a whole, received fewer votes from the critics than any poll since the screen started seriously to experiment along the more artistic lines. "Maedchen in Uniform," the nearest thing to a class attraction in the "Ten Best" list, had a tense theme handled with such clarity and directness that, despite the foreign origin of the picture, it was easily understood and appreciated even without the aid of English talk.

In proportion to its cost, "Maedchen" was very successful financially despite the fact that it did not get the same kind of distribution accorded an American production.

BESIDES the ten leading pictures, the "Roll of Honor" contains at least half a dozen productions of "Ten Best" caliber but unable to squeeze into that classification because of the numerical limitation.

In some former years such exceptional entertainment as "Tugboat Annie," "Animal Kingdom," "When Ladies Meet," "Reunion in Vienna," "Morning Glory," "Topaz," "Gabriel Over the White House" and others would have been sure things for a "Ten Best" list.

But in the past year so much progress was made, creatively and technically and artistically, that special considerations played a big part when it came to final selection of the best output.

Among the most notable improvements in film quality, the critics have recorded their valuations to the studios.

And the evidences of better understanding and cooperation between the two is a very gratifying augury for the future.

167 Pictures Nominted

Counting final ballots, a total of 167 pictures received votes from critics in the 1953 "Ten Best" poll. This is the largest number of nominations for any poll to date.

THE 1953 ROLL OF HONOR

<table>
<thead>
<tr>
<th>Picture</th>
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<tbody>
<tr>
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<td>79</td>
</tr>
<tr>
<td>I Had a Million—M-G-M</td>
<td>68</td>
</tr>
<tr>
<td>Night Flight—M-G-M</td>
<td>67</td>
</tr>
<tr>
<td>Doctor Bull—Fox</td>
<td>64</td>
</tr>
<tr>
<td>The Stripper—M-G-M</td>
<td>64</td>
</tr>
<tr>
<td>The Three Cornered Moon—Paramount</td>
<td>59</td>
</tr>
<tr>
<td>Below—M-G-M</td>
<td>58</td>
</tr>
<tr>
<td>Poll de Contee—Hart</td>
<td>14</td>
</tr>
<tr>
<td>Ann Avikin—RKO</td>
<td>14</td>
</tr>
<tr>
<td>Bettee Tea of General Year—Columbia</td>
<td>12</td>
</tr>
<tr>
<td>Teen Weekly—United Artists</td>
<td>12</td>
</tr>
<tr>
<td>The Golden Jester—Paramount</td>
<td>12</td>
</tr>
<tr>
<td>Pilgrimage—Fox</td>
<td>12</td>
</tr>
<tr>
<td>Song of Songs—Paramount</td>
<td>12</td>
</tr>
<tr>
<td>A Nous, La Liberté—Capitol, Harold Auten</td>
<td>10</td>
</tr>
<tr>
<td>Jennie Gerhardt—Paramount</td>
<td>10</td>
</tr>
</tbody>
</table>

Foreign Films in Winning List for First Time Since Talkers

(Continued from Page 1)

"Farewell to Arms," "State Fair," "I Am a Fugitive From a Chain Gang," "Maedchen in Uniform" and "Raspoutine and the Empress." A total of 167 films received votes in the poll, and 41 made the grade for the Honor List.

No Two Alike

In range of subject matter, no two pictures in the winning list were of identical type. "Cavalcade" was a historical epic in a British setting. "Forty-Second Street," an outstanding musical, blazed the trail for the return of this class of picture, besides presenting Warner Baxter in his best role since "Old Arizona."

"Private Life of Henry VIII" commanded attention particularly for the compelling performance of Charles Laughton, backed by an elaborate production. "Laddy for a Day" was a strong down-to-earth human interest story, with Mary Robson making the most of her grand role. "State Fair" hit home because of its imaginative handling of a story dealing with ordinary folks and their dreams. "Farewell to Arms" was a tender love tragedy, enhanced by the fine work of Helen Hayes and Gary Cooper. "She Done Him Wrong," in addi
Take a letter please—

Dear mister exhibitor—

There is so much good news to tell you as the year 1934 gets under way—

GARBO returns!

When the public stands in line to see a $2 show in these days it must be the greatest attraction of our times. GARBO packs 'em in at every performance of "Queen Christina"—the big show of 1934!
The trade paper headlines tell the story of "Dinner at 8" at popular prices. From Maine to California it is crashing through to new records!

M-G-M is the studio with a smile because week-after-week they are turning out HITS!

Typical of yours truly
Metro-Goldwyn-Mayer

HAVE YOU ENTERED THE "FUGITIVE LOVERS" $200 PRIZE CONTEST!
400 of Nation’s Film Critics Participate in Poll

ONE OF THE TEN BEST PICTURES of 1933

"CAVALCADE"

Producer.......................... Winfield Sheehan
Director.......................... Frank Lloyd
Stars.............................. Clive Brook, Diana Wynyard
Assistant Director................. William Tummel
Author.............................. Noel Coward
Adaptor and Dialogue.............. Reginald Berkeley
Continuity Edited by................ Sonya Levien
Film Editor...................... Margaret Clancy
Photographer..................... Ernest Palmer
Recording Engineer............. J. E. Aiken
Art Director..................... William Darling
Costumes (Ladies)............... Earl Luck
Costumes (Men’s)................ A. McDonald
War Scenes....................... William Cameron Menzies
Technical Advisor................ Lance Baxter
Dialogue Director................ George Hadden
Unit Manager..................... Charles Woolstenhulme
Publicity Director............... Charles E. McCarthy

Produced in...... Fox Movietone Studio, Movietone City, Calif.
Recording System.............. Western Electric
Premiere...................... Gaiety Theater, N. Y., Jan. 5, 1933
General Release............. April 15, 1933

Cast
Clive Brook, Diana Wynyard, Herbert Mundin, Ursula Jeans, Una O’Connor, Irene Browne, Beryl Mercer, John Warburton, Temple Pigott, Frank Lawton, Merle Tottenham, Frank Atkinson, Billy Bevan, Margaret Lindsay, Desmond Roberts, Ann Shaw, Adele Crane, Will Stanton, Stuart Hall, Mary Forbes, Brandon Hurst, Lionel Belmore, Dick Henderson, Jr., Douglas Scott, Sheila MacGill, Bonita Granville

A Fox Picture

Greatest Number of Film Scribes Pick the Top
notchers of 1933

Although 584 is the official number of critics whose ballots elected the Ten Best Pictures of 1933, additional votes received after the poll had closed brought the total of critics participating up to approximately 400, the greatest number to take part in the poll since it was launched 12 years ago.

Names of the critics and their publications appear below, listed in alphabetical order according to states and cities:

ALABAMA
NIAGARA FALLS: "Eagle"—Harry P. Hall.
HUNTSVILLE: "Daily Register"—Roy O'Neal.
MOBILE: "Register"—Merlin N. Hansen.

ARKANSAS
CAMEL: "News"—Alfred W. Ross.

CALIFORNIA
ALHAMBRA: "Post-Advocate"—Clayton J. Ward.
Bakersfield: "Californian"—Ross C. Miller.
FRESNO: "News-Tribune"—Harry Leo Wilber.
INGLEWOOD: "Daily News"—Dr. L. Rosenberg.
LONG BEACH: "Press-Telegram"—Vera Kackley.
OAKLAND: "Tribune"—Wood Soames.
PASADENA: "Star-News"—Alice Malmo Baskin.
POMONA: "Progress-Bulletin"—Okie King.
SACRAMENTO: "Bee"—Roy V. Bailey; "Union"—L. Hubert Sefton (Set).
SAN DIEGO: "Evening Tribune"—Don Short; "Sun"—Willis Werner; "Union"—Myra Lustig.

Figured in Two of Best

No director, author, player or other artist figured in more than two of the "Ten Best" pictures of 1933. Among players who appeared in two casts were Diana Wynyard, Ned Sparks, Jean Parker, Guy Kibbee, Oscar Apfel, Glanda Farrell, Mary Forbes, Reginald Barlow, Jack LaFave, Allen Jenkins, Dewey Robinson, David Landau, Brandon Hurst, Henry Gordon and Edward Arnold. Sonya Levien was co-adaptor in two pictures. Charles Lang and Sol Polito each did the camera work on two pictures, while Jack Okay is credited with art direction and Orry-Kelly designed the costumes for two pictures each.
No Two Pictures Alike in List of the "Ten Best"

SANTA BARBARA: "Daily News"—Lillian Tauring.
STOCKTON: "Record"—Melvin Bennett.

COLORADO
DENVER: "Post"—Fred W. Speers; "Post"—Betty Craig; "Rocky Mountain News"—Alberts-like.
FORT COLLINS: "Express-Courier"—James A. McCall.
GRAND JUNCTION: "Daily Sentinel"—Walter Walker.
PUYEO: "Star-Journal"—Hazel A. Smith.
TRINIDAD: "Chronicle-News"—F. E. Winstor.

CONNECTICUT
BRIDGEPORT: "Herald"—Leo Miller; "Post and Telegram"—Benjamin D. Rosefield; "Times-Star"—Edward Maum.
SOUTH NORWALK: "Sentinel"—Humphrey Delem.
TORRINGTON: "Evening Register"—John H. Thompson.
WATERBURY: "Republican"—William W. Vesburn, Jr.

DELWARE
WILMINGTON: "Evening Journal"—Harris Samotinsky.

DISTRICT OF COLUMBIA

FLORIDA
BARSTOW: "Polk County Record"—Clencie Frazier.
DAYTONA BEACH: "Sun Record"—August Burgard.
JACKSONVILLE: "Florida Times Union"—Jean Henderson; "Florida"—H. W. Schafer.
MIAMI: "Daily News"—Ben Provit; "Herald"—Eugene Hay.
PENSACOLA: "News"—Niki Shipp.
ST. PETERSBURG: "Evening Independent"—A. R. Dunlap; "Times"—T. C. Harris, Jr.
TAMPA: "Morning Tribune"—E. D. Lambert.
WEST PALM BEACH: "Palm Beach Times"—Vernon L. Smith.

Star Films
Majority of the winning pictures in the 1933 poll had definite star value. In "She Done Him Wrong", Mae West was the big attraction. Dilto for Charles Laughton's "Henry VIII". "Rainbow" had the three Barrymores. "I Am a Fugitive" was dominated by Paul Muni. In "State Fair" Janet Gaynor, Will Rogers, Sally Eilers and Lew Ayres headed the cast. Helen Hayes, Gary Cooper and Adolph Menjou were in "Farewell to Arms". Warner Baxter and a host of other names gave weight to "42nd Street". May Robson's performance was the big thing in "Lady for a Day", which also had Warren William. Cilie Brook headed the "Cavalcade" cast.

ONE OF THE TEN BEST PICTURES of 1933

"42nd STREET"

Director .......................................................... Lloyd Bacon
Stars .............................................................. Warner Baxter, Bebe Daniels, Ruby Keeler, Dick Powell
Assistant Director ............................................. Gordon Hollingshead
Author ............................................................ Charles Lederer
Adaptors and Dialoguex ............................... James Seymour, Rian James
Film Editor ....................................................... Thomas Pratt
Photographer ..................................................... Sol Polito
Costumes .......................................................... Orry-Kelly
Art Director ....................................................... Jack Okey
Musical Numbers ............................................. Al Dubin, Harry Warren
Dances ............................................................. Busby Berkeley
General Press Agent ......................................... S. Charles Einfeld

Producer in .............................................. Warner Bros. Studios, Burbank, Cal.
Recording System .............................................. Western Electric
Premiere ......................................................... Strand Theater, N. Y., March 8, 1933
General Release ................................................ March 11, 1933

Cast
Warner Baxter, Bebe Daniels, George Brent, Una Merkel, Ruby Keeler, Guy Kibbee, Ned Sparks, Dick Powell, Ginger Rogers, George E. Stone, Eddie Nugent, Allen Jenkins, Robert McWade, Harry Axt, Clarence Nordstrom, Henry B. Walthall

A Warner Bros. Picture

Film Daily Poll Of Critics Covering The Entire United States
The producers who discovered and brought KATHARINE HEPBURN to triumphant stardom confidently offer the screen debut of a blazing new star

FRANCIS LEDERER

.... DESTINED FOR GREATNESS!

PREVIEW COMMENTS:

"Stands out like an Orangeman in a St. Patrick’s Day celebration.”

Variety (Hollywood)

"May be well served as a promise of Nectar and Ambrosia to come from Lederer.”

M. P. Daily

WORLD PREMIERE
THURSDAY, JAN. 11
RADIO CITY MUSIC HALL

FRANCIS LEDERER
ELISSA LANDI

in
"MAN OF TWO"

with Henry Stephenson . . . . J. Farrell MacDonald . . . . Directed by J. Walt
WORLDS

RUBEN... A PANDRO S. BERMAN PRODUCTION
BABY LE ROY
directed by Alexander Hall

A Paramount Picture
“Previewed ‘Miss Fane’s Baby’ privately with about thirty people in attendance. Everybody enthusiastic and positive it will be excellent box office attraction.” — Charles D. Skouras, Fox West Coast Theatre

“‘Miss Fane’s Baby’ fine entertainment.”

— Martin J. Mullin, M. & P. Theatres

“Everyone connected with this picture should take bows for a grand entertainment. The picture is one of those often talked of but rarely produced. A combination of suspense and feminine appeal—with the stress on the former.”

— Hollywood Variety

“Here is a great picture—probably one of the most timely and impressive stories ever brought to the screen. Packed with emotion-stirring value. Poignantly realistic, it is the type of thrilling, sympathy-arousing entertainment that should be tremendously popular with all classes of patrons.”

— Motion Picture Herald

“Paramount has a hit in ‘Fane’s Baby Is Stolen’. A picture that is timely, universal and appealing. Preview audience sobbed unrestrainedly through the whole thing and burst out with whole-hearted applause at the end when kidnappers are caught. Authentic, human and dramatic.”

— Hollywood Reporter

“Thrilling entertainment that leans heavily on the heart side. This production is an ideal combination of up-to-the-minute sentiment with tense heart interest and a suspense that holds all the way.”

— Motion Picture Daily

"If it's a PARAMOUNT PICTURE it's the best show in town"
Total of 167 Films Nominated in "Ten Best" Poll

ONE OF THE TEN BEST PICTURES
OF 1933

"THE PRIVATE LIFE
OF HENRY VIII"

Produced by London Film Productions, Inc.
Director Alexander Korda
Star Charles Laughton
Authors, Adaptors, Dialoguers...Lajos Biró, Arthur Wimperis
Film Editor Hal Young
Photographer George Perinal
Costumes John Armstrong
Art Director Vincent Korda
Historical Expert Philip Lindsay
General Press Agent Hal Horne

Produced in London Film Productions Studio, London
Recording System Western Electric
Premiere (U. S.) Keith's Theater, Boston, Oct. 7, 1933
General Release Oct. 12, 1933

Cast
Charles Laughton, Robert Donat, Lady Tree, Binnie Barnes, Elia Kazan, Merle Oberon, Franklin Dyall, Miles Mander, Wendy Barrie, Claudio Allister, John Loder, Everley Gregg, Laurence Harvey, William Austin, John Turnbull, Frederick Culy, Gibb McLaughlin, Sam Livesey

A United Artists Release

Film Daily Poll Of Critics
Covering The Entire United States

Honor Roll Drops
Due to the bigger votes piled up by the winning "Ten", number of pictures in the Honor List for 1933 dropped to 41, compared with 47 the year before. The pictures heading the Honor Roll, however, had many more votes than the pictures in corresponding positions in previous years, with "Animal Kingdom" getting the vote of 121 critics; "Tugboat Annie" 102; "Wives and Lovers" 94; "Morning Glory", 86, and "Reunion in Vienna", 74.

GEORGIA
ATLANTA: "Journal"—Frank Daniel.
THOMASVILLE: "Times-Enterprise"—Emily R. Martin.

ILLINOIS
BELLEVILLE: "News-Democrat"—Mrs. Robert L. Knoe.
MOLINE: "Dispatch"—Clarence L. Lucas.
WAUKESHA: "News-Sun"—E. J. Macklin.

INDIANA
ANDERSON: "Herald"—Charles Timothy Jones.
ELKHART: "Daily Truth"—Dan Albrecht.
EVANSVILLE: "Courier and Journal"—Frederick J. Topping; "Press"—Ed Klinger.
KOKOMO: "Tribune-Dispatch"—Maurice C. Tuil.
NEW CASTLE: "Courier-Times"—Helen Castle.
TERRE HAUTE: "Star"—Mabel McKee.

IOWA
COUNCIL BLUFFS: "Daily Nonpareil"—Robby A. Wallace.
BURLINGTON: "Daily Hawk-Eye Gazette"—Walter E. Koers.
FORT MADISON: "Democrat"—S. W. Mitchell.
DAVENPORT: "Democrat"—John E. O'Donnell; "Times"—Ray M. Ballard.
DE S M O I N E S: "Register and Tribune"—Vernon Pope.
OTTUMWA: "Daily Courier"—Albert M. Erner.
OSKALOOSA: "Oskaloosa Herald".

Honor Roll Drops
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Interest in "Ten Best Pictures" Keener Than Ever

KANSAS
EMPIRIA: "Emporia Gazette"—Frank C. Cleugh.
HUTCHINSON: "Herald"—E. Lewon May.

KENTUCKY
LOUISVILLE: "Times"—Dan Thompson; "Courier-Journal"—Boyd Martin.

LOUISIANA
ALEXANDRIA: "Town Talk"—Hunter Jarreau.
NEW ORLEANS: "Times-Picayune"—Charles P. Jones.

SHREVEPORT: "Times"—Ralph N. Swanson.

MAINE
PORTLAND: "Evening Express"—Kenneth W. Berry; "Evening News"—Harold C. Call; "Press Herald"—Alice E. Modes.

MARYLAND
ANNAPOLIS: "Evening Capital"—Elmer M. Jackson, Jr.
BALTIMORE: "American"—Carroll Dubray; "Post"—George Browning; "News"—Norman Clark; "Sun"—Donald Kirby.

MASSACHUSETTS
LAWRENCE: "Eagle-Tribune"—Timothy F. O'Hean.
LOWELL: "Sun"—Georgiana S. Paquette.
LYNN: "Daily Evening Item"—Harold Day Valpy.
NORTH ATTLEBORO: "Evening Chronicle"—Charles F. Martin.
SALEM: "Evening News"—Peter G. Ingoldsby.
SOUTHBRIDGE: "News"—Joe M. Clark.
SPRINGFIELD: "Republican"—Louise Mace; "Union"—A. L. S. Wood.
WAKEFIELD: "Daily Item"—Gardner Campbell.

MICHIGAN
ADRIAN: "Daily Telegram"—Madge A. Millikin.
ANN ARBOR: "Daily News"—Allison Ind.

Directed "Ten Best"

Directors of the 1932 "Ten Best" were: "Cavalcade", Frank Lloyd; "42nd Street", Lloyd Bacon; "Private Life of Henry VIII", Alexander Korda; "Lady for a Day", Frank Capra; "State Fair", Henry King; "Farewell to Arms", Frank Borzage; "She Done Him Wrong", Lowell Sherman; "I Am a Fugitive", Mervyn LeRoy; "Maedchen in Uniform", Léon-freine Segen; "Rasputin and the Empress", Richard Boleslavsky.
36 Local "Ten Best" Polls Conducted on '33 Films

"STATE FAIR"

Producer: Winfield Sheehan
Director: Henry King
Stars: Janet Gaynor, Will Rogers, Lew Ayres, Sally Eilers
Assistant Director: Ray Flynn
Adaptors and Dialoguers: Sonya Levien, Paul Green
Film Editor: L. W. Bischoff
Photographer: Hal Mohr
Recording Engineer: A. L. Von Kirbach
Art Director: Duncan Cramer
Costume Director: Rita Kaufman
Publicity Director: Charles E. McCarthy

Produced in Fox Movietone Studio, Movieland City, Cal.
Recording System: Western Electric
Premiere: Radio City Music Hall, Jan. 26, 1933
General Release: February 10, 1933

Cast
Janet Gaynor, Will Rogers, Lew Ayres, Sally Eilers, Norma Foster, Louise Dresser, Frank Craven, Victor Jory, Frank Melton

A Fox Picture

Film Daily Poll Of Critics Covering The Entire United States

On 1934 Ballot
A few critics voted for "Berkeley Square", "Little Women" and some other pictures which were not included in the Film Daily poll because they had not been nationally released in time. The list of films submitted for vote on the 1933 "Ten Best" comprised releases to Nov. 1, 1933. Pictures that were generally released shortly thereafter will be included in the 1934 ballot.
41 Productions Accorded Place on 1933 Honor Roll

NEW JERSEY

ASBURY PARK: "Press".
ATLANTIC CITY: "Press-Union"—Howard P. Dimon.
HACKENSACK: "Bergen Evening Record"—
Kenneth L. Diamant.
MORRISTOWN: "Daily Record"—Norman B.
Tomlinson.
NEWARK: "Sunday Call"—Robert C. Ring;
"Advocate"—Hazel Kirk; "Star-Telegram"—Richard
Murray.
NEW BRUNSWICK: "Daily Home News"—
Will Baltch.
PATERSON: "Evening News"—Julius C.
Levience.
TRENTON: "Times-Advertiser"—Albert B.
Thompson; "State Gazette"—Alex Y. Burtem.

NEW MEXICO

ALBUQUERQUE: "Journal"—Harold Burroughs.

NEW YORK

ALBANY: "Knickerbocker Press & Evening
News"—William H. Haskell.
BROOKLYN: "Citizen"—Edgar Price; "Times-
Union"—Charles E. Hastings; "Daily Eagle"—
Martin Dickstein; "Home Talk"—Larry Mason.
BUFFALO: "Courier-Express"—W. E. J.
Martin; "Evening News"—E. H. Gooding.
DUNKIRK: "Evening Observer"—Margaret L.
Toomey.
ELMIRA: "Star-Gazette"—George McCann;
"Reporters"—J. Maxwell Beers.
GEOBEVA: "Daily Times"—A. Glenn Rogers.
GLOVERSVILLE: "Leader-Republican"—Walter
F. Hine.
ITHACA: "Journal-News"—William J.
Waters.
JAMESTOWN: "Post"—Waite Forsyth.
LONG ISLAND CITY: "Daily Star"—Albert
E. Parks.
LYNBROOK: "Nassau Daily Star"—Howard
Frankman.
NEWBURGH: "News"—Calvin D. Myers.
NEW YORK CITY: "Daily News"—Kate Cam-
on; "Journal of Commerce"—Julius Cohen;
"Evening Journal"—Rose Pezwick; "Morning
Telegraph"—Al Sherman.
SCHENECTADY: "Gazette"—Helen Clinton;
"Union Star"—Everett L. Finch.
ROCHESTER: "Times-Union"—Arthur D.
Goodman "Democrat and Chronicle"—George
L. David.
SYRACUSE: "American"—E. R. Vadeboncoeur;
"Herald"—Chester B. Bahn; "Journal"—Franklin
H. Chase; "Post-Standard"—Helen Taft
Walker.
TROY: "Observer-Budget"—E. R. Collins.
WATERTOWN: "Daily Times"—Ken Foher.

NORTH CAROLINA

CHARLOTTE: "Observer"—Mary Brooks Par-
ham.

11 M-G-Ms in Honor List

M-G-M walked away with the Honor List, getting 11 pictures against 7 for
Paramount, 5 for RKO, 4 for Fox, 4 for
United Artists, 4 for Warners, one each
for Universal and Columbia, and two
foreigns. In points (total votes re-
cieved by all pictures) M-G-M also
led the parade.

ONE OF THE
TEN BEST
PICTURES
of 1933

"A FAREWELL TO ARMS"

Director .................. Frank Borzage
Stars ..................... Helen Hayes, Gary Cooper
Assistant Directors .................. Lou Borzage, Art Jacobson
Author .................. Ernest Hemingway
Adaptors and Dialogueuers .................. Benjamin Glazer, Oliver H. P.
Garrett
Film Editor .................. Otho Lovering
Photographer .................. Charles Lang
Recording Engineer .................. Harold C. Lewis
Costumes .................. Travis Banton
Technical Director—war sequences .................. Charles Griffin
Technical Director—hospital sequences .................. Dr. Jardini
Art Director .................. Roland Anderson
General Press Agent .................. R. M. Gilham

Premiere .................. Criterion Theater, N. Y., Dec. 8, 1932
General Release .................. January 6, 1933

Cast

Helen Hayes, Gary Cooper, Adolphe Menjou, Mary Philips, Jack La Rue,
Blanche Friderici, Henry Armetta, George Humbert, Fred Malatesta, Mary
Forbes, Tom Ricketts, Robert Cautero, Gilbert Emery

A Paramount Picture

Film Daily Poll Of Critics
Covering The Entire United States
Seven Producers Represented in Winning Pictures

ELIZABETH CITY: "Daily Advance"—Nellie Boyce.
HICKORY: "Daily Record"—L. C. Gifford.
HIGH POINT: "Enterprise"—John Mebane.

OHIO
ASHLAND: "Times-Gazette"—Marcella Houston.
CANTON: "Repository"—Donnel R. Smith.
CHILLICOTHE: "News-Advertiser"—Alvin C. Zurcher.
CINCINNATI: "Enquirer"—Herma J. Bernard.
"Times-Star"—William G. Shiegl.
"Post"—Max Schiegl.
COLUMBUS: "Citizen"—William S. Cunningham.
"Dispatch"—H. E. Cherrington.
"Ohio State Journal"—Herbert C. Eckert.

COSHOCTON: "Daily & Sunday Tribune"—Hal Jenkins.
"Daily Herald"—Joe Keller.
"Journal"—A. E. Bampy.

MARION: "Star"—Marcella Hought.
PAINESVILLE: "Telegraph"—Thurston F. Sigman.
SALEM: "News"—Mary Louise Layden.
SPRINGFIELD: "Daily News"—Iva M. Karson.
STEUBENVILLE: "Herald Star"—Mary Berger.
TOLEDO: "News-Bee"—Alton Saunders.
"Times"—Mitchell Woodbury.
"Blade"—V. K. Richards.

YOUNGSTOWN: "Telegram"—Charles A. Leddy.

OKLAHOMA
"Examiner"—Ruth Welty.
GUTHRIE: "Daily Leader"—Virginia Wilkens.
OKLAHOMA CITY: "Daily Oklahoman"—Jack Stinnett.
TULSA: "Daily World"—Faith Hierseyman.
"Tribune"—Joe Meyer, Jr.

OREGON
MEDFORD: "Mail-Tribune"—Herbert Grey.
"News-Telegram"—Larry Warren.
"Oregonian"—Fred M. White.

4 Played Music Hall
Four of the Ten Best Pictures of 1933 played the Radio City Music Hall. "Cavalcade" was shown there following its two-a-day run at the Gaiety, while "Private Life of Henry VIII", "Lady for a Day" and "State Fair" opened in Radio City.

THE FILM DAILY
Wednesday, Jan. 10, 1934

ONE OF THE TEN BEST PICTURES
of 1933

"SHE DONE HIM WRONG"

Director .................................. Lowell Sherman
Star ...................................... Mae West
Assistant Director ..................... James Dugan
Author ................................... Mae West
Adaptors and Dialoguers .............. Harvey Thew, John Bright
Film Editor ............................. Alexander Hall
Photographer ............................ Charles Lang
Recording Engineer .................... Harry M. Lindgren
Costumes ............................... Edith Head
Art Director ............................. Bob Usher
General Press Agent ................... R. M. Gillham

Produced in ............................. Paramount Studio, Hollywood, Cal.
Recording System ....................... Western Electric
Premiere ................................ Paramount Theater, N. Y., Feb. 9, 1933
General Release ......................... Jan. 27, 1933

Cast
Mae West, Cary Grant, Owen Moore, Noah Beery, Gilbert Roland, David
Landau, Rafaela Ottiano, Dewey Robinson, Rochelle Hudson, Tammany Young,
Fuzzy Knight, Robert E. Homans, Grace La Rue, Louise Beavers, James C.
Eagle, Tom Kennedy, Harry Wallace, Tom McGuire, Wade Bateler

A Paramount Picture

Film Daily Poll Of Critics
Covering The Entire United States
Two Foreign Productions Win Places in "Ten Best"

Pennsylvania

AMBRIDGE: "Daily Citizen"—Robert C. Mac- 

huy.

BRADDICK: "Daily News-Herald"—James 

Ball.

BRADFORD: "Star-Record"—Era—Mary 

Yvo Flanagan.

BUTLER: "Eagle"—William H. Baldinger. 

ERIE: "Dispatch-Herald"—J. A. Wenzbach. 


HARRISBURG: "Telegraph"—L. U. Kay. 


LANSDORD: "Evening Record"—Wm. D. Wat-

kins.

LATROBE: "Bulletin".


PHILADELPHIA: "Inquirer"—Mildred Martin; 

"Gazette"—William H. Volle; "Public Ledger"— 

Eric M. Knight; "Evening Ledger"—Henry T. 

Morfch; "Evening Star"—Paul H. Nowland; 

"Record"—Elie Finn.

MEADVILLE: "Tribune-Republican"—Walter 

Irving Bates.

PITTSBURGH: "Press"—Kasper Monahan; 

"Sun-Telegraph"—William J. Lewis; "Post- 

Standard"—Harold W. Cohan.

PHILADELPHIA: "Evening Bulletin"—William 

F. Gleason.

READING: "Times"—W. E. Erle Homan.

SCRANTON: "Scrantontian".

SHAMOKIN: "Dispatch"—Chyde F. Kemer.

STROUDSBURG: "Record"—Colley S. Baker.

TARENTUM: "Valley Daily News"—Mrs. 

Julia Rithel.

UNIONTOWN: "News Standard"—O'Neil 

Kennedy.

YORK: "York Dispatch"—Wilbert L. Hare.

WILLIAMSPORT: "Sun"—J. M. Good.

Rhode Island

NEWPORT: "Daily News"—Edward A. Sher-

man.

 PROVIDENCE: "News-Tribune"—A. Alfred 

Marcella; "Sunday Journal"—

WESTERLY: "Daily Sun"—Edward J. Butler.

WOONSOCKET: "Call"—Mrs. Eleanor V. Arnold.

South Carolina

FLORENCE: "Morning News"—Willis H. 

Harper.

South Dakota

ABERDEEN: "American-News"—Francis C. 

Patton.

RAPID CITY: "Daily Journal"—Redford H. 

Dibbles.

SIoux FALLS: "Daily Argus-Leader"—Roger 

S. Brown.

Well Divided

For the first time in the 12 years' 

history of the "Ten Best" poll, no 

producing organization had more than 

two of the winning pictures. Seven 

companies are represented in the 1933 

"Ten", with three of them, Fox, Warners 

and Paramount, getting two pictures 

each, while M-G-M, United Artists, 

Columbia and Filmchocie (Krimsky- 

Cochran) have one apiece.

ONE OF THE 

TEN BEST 

PICTURES 

of 1933

"I AM A FUGITIVE 

FROM A CHAIN 

GANG"

Director ................................................. Mervyn LeRoy

Star ..................................................... Paul Muni

Assistant Director .................................... Al Alborn

Author .................................................. Robert E. Burns

Adaptors and Dialoguers ................... Howard Green, Brown Holmes

Film Editor ............................................ Bill Holmes

Photographer .......................................... Sol Polito

Costumes ............................................... Orry-Kelly

Art Director .......................................... Jack Okey

General Press Agent ............................... S. Charles Einfeld

Produced in ........................................... Warner Bros. Studios, Burbank, Cal.

Premiere ............................................. Strand Theater, N. Y., Nov. 10, 1932

General Release .......................... Nov. 19, 1932

Cast

Paul Muni, Glenda Farrell, Helen Vinson, Preston Foster, David Landau, Sally 
Blane, Noel Francis, Berton Churchill, Edward J. McNamara, Robert Warwick, 
Oscar Apfel, Roscoe Karns, Sheila Terry, Russell Simpson, Allen Jenkins, Louise 
Carter, John Marston, James Bell, Charles Middleton, Spencer Charters, Harry 
Holman, John Wray, William Janney, Hale Hamilton, Jack LaRue, Morgan 
Wallace, Reginald Barlow, C. Henry Gordon, Charles Sellon, George Collins, 
Will Pawley, Lew Kelly, Edward Arnold, Sam Baker, Dewey Robinson, Ed Ellis, 
William LeMarre

A Warner Bros. Picture

Film Daily Poll Of Critics 
Covering The Entire United States
"Cavalcade" Vote is Biggest for Any Film to Date

ONE OF THE TEN BEST PICTURES of 1933

"MAEDCHEN IN UNIFORM"

Producer and Supervisor .................. Carl Froelich
Director .................................. Leontine Sagan
Stars .................................. Dorothea Wieck, Hertha Thiele
Author, Adaptor and Dialoguer .......... Christa Winsloe
Film Editor ............................. Leontine Sagan

Produced at Bild und Ton Studio, Berlin, Germany
Recording System .................. Tobis-Klangfilm
Premiere .................. Berlin, Germany, January, 1931
General Release (U.S.) ................. November, 1932

Cast

A Filmchoice, Inc. Release

Film Daily Poll Of Critics Covering The Entire United States

TENNESSEE

CHATTANOOGA: "News"—Murray E. Wych; "Times"—N. Key Hart.


NASHVILLE: "Banner"—J. W. West, Jr.

TEXAS

BEAUMONT: "Journal"—Martha E. Sasser.

FORT WORTH: "Post"—Jack Gordon.


PALESTINE: "Daily Herald"—H. V. Hamilton.

PARIS: "Evening News"—Elizabeth Duval.

SAN ANTONIO: "Evening News"—Mary Leona Waller; "Light"—Samuel W. Woelford.

WICHITA FALLS: "Daily Times"—J. A. Wray.

VERMONT

BARK: "Daily Times".

VIRGINIA

DANVILLE: "Register"—H. B. Trumble.

LYNCHBURG: "Advance"—David Wayne Wight.

NORFOLK: "Virginian-Pilot"—Ralph K. T. Larson.

PETERSBURG: "Progress-Index"—H. G. Turner.

RICHMOND: "Times-Dispatch"—Clarence Boykin.

STAUNTON: "Leader and News-Leader"—E. W. Opie.

WINCHESTER: "Star"—R. S. Fassler.

WASHINGTON

BELLINGHAM: "Herald"—Vernon V. Vine.


SPOKANE: "Daily Chronicle"—Ray Budwin; "Spokesman-Review"—Margaret Bean.

TACOMA: "Times"—Paul Buselle.

WALLA WALLA: "Daily Bulletin"—Iris Little.

WEST VIRGINIA


CLARKSBURG: "Telegram"—Gene Collett.

MORGANTOWN: "Post"—Brooks Cottle.

MOUNDSVILLE: "Daily Echo"—Alexandra Shaw.

WHEELING: "Intelligencer"—Charles L. Long; "News"—Morris Burman.

36 Local Polls

Local "Ten Best" polls coming to the attention of The Film Daily this year numbered 36, with a possibility that there may have been others. This set a new high for such polls and is regarded as an indication of the great interest that has developed in this annual event originated, fostered and conducted nationally by The Film Daily.
Newspapers Everywhere Run "Ten Best" Story Today

ONE OF THE
TEN BEST
PICTURES
OF 1933

"RASPUTIN AND
THE EMPRESS"

Director
Richard Boleslavsky
Stars
John Barrymore, Ethel Barrymore, Lionel Barrymore
Author, Adaptor, Dialogue
Charles MacArthur
Assistant Director
Cullen Tate
Film Editor
...Tom Held
Photographer
William Daniels
Recording Engineer
Douglas Shearer
Costumes
Adrian
Art Directors
Cedric Gibbons, Alexander Toluboff
Musical Score
Hubert Stothart
General Press Agent
Howard Dietz

Produced in
M-G-M Studios, Culver City, Cal.
Recording System
Western Electric
Premiere
Astor Theater, N. Y., Dec. 23, 1932
General Release
March 24, 1933

Cast

A Metro-Goldwyn-Mayer Picture

Film Daily Poll Of Critics
Covering The Entire United States

More Newspaper Space
Selection of the "Ten Best" for 1933 has already received more newspaper space than in any previous year. This was due primarily to the greater number of critics conducting local polls. From the number of requests received for this year's "Ten Best" release, indications are that the story will be given more representation than ever by newspapers everywhere, as well as by trade and fan magazines, radio stations, etc.
Constance Bennett in
"MOULIN ROUGE"
with Franchot Tone and Tullio Carminatti United Artists-20th Century 70 mins.

SMART AND LIVELY MUSIC WITH BETTER THAN USUAL STORY, SOME CATCHY NUMBERS AND GORGEOUS GIRLS.

Though it belongs to the backstage school, there are enough individual merits in this production to put it over for the costs its fidelity by vamping it in musical romance. Story is somewhat in the sophisticated class and stronger than the average musical plot. Constance Bennett plays a dual role, representing two members of a sister act, one of whom went to Paris and became famous under a foreign name, while the other married Franchot Tone, whose refusal to let her go on the stage again results in their separation. Franchot and Tullio Carminatti, a producer, engage the foreign star for their show. On her arrival, she lets Con- nie take her place, after having transformed her so friends would recognize her and thus prevent her from going to her husband—in addition to keeping him and others in hot water for a while as she tests his fidelity by vamping him in her guise as the foreign star. Miss Bennett, Tone and Carminatti give swell performances. Music is very good and the girl number is a treat.

Cast: Constance Bennett, Franchot Tone, Tullio Carminatti, Helen Westley, Andrew Tomes, Russ Berrie, Herbert Camomagh, Georges Renavent, Fuzzy Knight, Russ Col- lumbo, Boswell Sisters.

Director: Sidney Lanfield; Authors: Mul- nally Johnson, Henry Lehrman, Adapto- same, Cameraman, Charles Rother; Editor: Floyd Nicerl.

Direction: Sparkling, Photography, Ace.

Lola Lane and William Collier, Jr., in "PUBLIC STENOGRAPHER"

Marcy 64 mins.

FAIRLY ENTERTAINING COMEDY DRAMA. THIN AND RAMBLING STORY PRINCIPAL WEAKNESS.

Lola Lane does the title role, playing a girl who attracts the attention of the son of a company executive. Eventually she falls in love with him. Then the young feller returns to Lola and explains that he had booked a Cincy call off his previous engagement. Lola recalls the notes and all ends happily. The picture has been a good production job and its players do well enough with their respective roles. Dialogue is bright. Produced by Screencraft Productions.


Director, Lew Collins; Supervisor, Al Alt; Author, Elwood Ullman; Adaptors and Con- tinuity Writers, Joe O'Donnell and Lew Collins.

Direction, Okay, Photography, Good.

"BIG TIME OR BUST" with Regis Toomey and Gloria Shear Tower 52 mins.

INTERESTING, WELL PRODUCED SEMI-MUSICAL OF CARNIVAL COUPLE'S MARITAL UPS AND DOWNS."

A familiar story, but well-developed. This semi-musical develops its chief conflict from the situation where the bread-win- ning high-driver who was going to make the big time or bust finds himself sup- ported by his wife who became the Broad- way star instead and her humiliation fanned further by the attentions to her of a well-known playboy. Democent with all three present finds him hurrying off to an in- tended suicide while doing his stunt, to abandon the idea when his wife appears and sacrifice her career to satisfy his vanity. Story starts in carnival to progress to point where both are starving after show folds. She gets a job in a night club, attracts the eye of a playboy who gets a producer to her and gives her another suitor. Then the playboy (Sheel) is attractive and both the role Cast, production and direction are good—fine for pop houses.


Director, Sam Newfield; Author, George Wallace Sayre; Art Direction, Raolph De- Lacey, Cameraman, Harry Forbes, Recording Engineer, L. E. Tepe; Film Editor, Al Clarke.

Direction, Good, Photography, Good.

REVIEWING THE SHORT SUBJECTS

"Manhattan Lullaby" with Helen Morgan Educational 8 mins.

Pleasing Songolag A fairly pleasing song hit story in which Helen Morgan is the leading lady. Henry King's Hotel Pierre Orches- tra, features the "Stork Song." The story opens with Miss Morgan looke- ing at New York from her apart- ment balcony, which brings in some unusual shots of the city at night. The scenes then cut back and forth from Miss Morgan in her apart- ment to various descriptive scenes. She also sings a song, which has little interest but too much double expos- ing.

"Pardon My Pups" with Junior Coghlan and Shirley Temple Educational Good Skit 17 mins.

Suggested story, "Wild Oats," by Florence Ryerson and Colin Clements, and directed by Charles Lamont, this enjoyable comedy starts with Junior Coghlan and his sister waking up on the morn- ing of his birthday. He wants a puppy for his birthday present. His mother informs him that he will have to work to earn a puppy. He goes to work and upon getting him a pup from a hunting dog owned by a friend of his, Junior, who had been bitten while small, is afraid of dogs and runs away from home. Just outside of town, he hears the barking of a dog and investigates. Finding the dog hurt, he carries it back home, where he gives it a bath and becomes at- tached to it, but the dog objects to the mongrel. Story ends up with the dog being in the boy's room with the owner finding him and starting a fight with Junior. During the fight, pups are born. Many funny situations are worked in.

Stoopnagle and Bud in "The Inventors" with Olive Borden Educational 19 mins.

Excellent Comedy Produced and directed by Al Christie, this enjoyable comedy shows Stoopnagle and Bud at their best as the nutty inventors. Open- ing with Stoopnagle and Bud re- ceiving their diploma in their laboratory, they then show the com- mittee some of their inventions. A school for girls, being taught by Olive Borden, vote Stoopnagle and Bud as the outstanding inventors in the country. As a result they are invited to the school to give a talk. The girls want them to demonstrate their ability as inventors, but having no equipment they send the girls out to get it, which results in some very funny situations. They wind up by building a "Stupenstone" which scares everyone in the place, turning the School into an asylum from the result of phone calls to the authorities. If you are looking for belly laughs this has them.

Scrapy in "Hollywood Babies" Columbia 7 mins. Good Cartoon A rather cute and at the same time very comical idea is back of this animated subject turned out by the Charles B. Mintz forcers. Scrapy and his helper, trying to make a picture, go around to the homes of the spring-tastic ones. They wind up the latter's baby counterparts for the cast. Among them are a baby Du- rante, a baby Canton, and ditto for Joe E. Brown, Will Rogers, Laurel- Hardy, Greta Garbo, Marie Dreesler, Ben Turpin, Charlie Chaplin Four. Done around with their adult heads but baby bodies, they make quite an amusing sight.

"FIGHTING CODE" with Diane Sinclair Columbia 65 mins.

ACE WESTERN WITH MYSTERY TIED IN AND CORKING ROMANTIC ANGLE BASED ON ASSUMED IDENTITY.

Expertly acted and directed, fast-moving and telling a tale that smoothly blends romance, mystery and plentiful, exciting action this picture will make Western fans happy. The film finds Back Jones assuming the identity of the long-missing brother of the attractive Diane Sinclair after he has picked up a letter exhorting the wanderer to return and arrives at her ranch at a moment when he must pose as her brother to help her. Jones learns that his sup- posed father died as a suspected thief and alleged suicide under mysterious circum- stances. He makes himself marked for death by a power which shoots in the back and from ambush. How Jones manages to evade the death traps is clever and gives a personal unravel the mystery of his father's death and the attempts to kill him is skillfully and thrillingly told with a romantic windup.
Universal has set plans for the production of 36 features for 1934-35. Several pictures have already been purchased for the new program. On the present program, 19 films have been completed, with 10 ready for production and seven set to start April 1. Release dates have been set to May 20.

No Complaints Received By Labor Board Since Aug.

Washington—The National Labor Board said yesterday that it had not received any complaints since last August regarding disputes involving theatrical unions, and that it will decline to take further action on any jurisdictional fights until the A. F. of L. first attempts a settlement itself.

Fox Adding Sound Stage

West Coast Bureau of THE FILM DAILY

Hollywood—Construction of another sound stage has been started at the Fox studios as part of the company's expansion of facilities.

6 Pre-Releases Set on "Fashions"

Six pre-releases are planned on "Fashions of 1934," and are already set by Warners. Following the $10 top premiere at the Hollywood on Jan. 18, the picture opens at the Stanley, Philadelphia, Jan. 25; Earl, Washington, Stanley, Pittsburgh, Metropolitan, Boston, and Keith's, Cincinnati, Feb. 2. General release date is Feb. 17.

"Sweden" Is Held Over

John W. Boyle's travel feature in color, "Sweden, Land of the Vikings," is being held for a second week at the 55th Street Playhouse. First week of the engagement set a two-year admission record for the house, according to the management.

Party for Charrell and Boyer

Erik Charrell, producer, and Charles Boyer, player, who arrived this week from abroad under contract to Fox, will be guests of honor at a reception from 4:30 to 7 o'clock this afternoon at the Waldorf-Astoria Hotel.

Columbia Musical for Rialto

Columbia's musical "Let's Fall in Love," opens Jan. 17 at the Rialto for an indefinite run.

Fred Waring at Paramount

Fred Waring and his popular band will be the headline stage attraction at the Paramount theater beginning Friday.

Marquee Humor

Kansas City—Sign on the front of the Rockhill Theater, double, reads:

"FAMILY NIGHT — NO MARRIAGE TIES—DISGRACE"
SHORT SHOTS from EASTERN STUDIOS

By CHAS. ALICOATE

ROBERT SNODY will complete cutting on “The Social Register” this week at the Eastern Service studio in Astoria. The feature, which stars Colleen Moore, was produced and directed by Marshall Neilan for Columbia release.

“Enlighten Thy Daughter,” produced at the Photoplay studio, Irvington, by Exploitation Pictures under the supervision of Loris Weiss, will be released soon for a Broadway run by Arthur Greenshell, Inc. George H. Dalvymple will handle the exploitation.

Jack Daly will complete casting this week for “Dance Hall Dames,” a feature to be made by Bud Pollard Productions. The work scheduled to get under way the later part of the month in Grantwood, N. J.

Production on the musical show featuring Cab Calloway and his orchestra is under way at the West Coast Service studio under the direction of Paul Weller. The show is being produced by Paramount for release in their “Headliner” series.

“So You Won’t Talk” (tentative title), being produced by the Meyer Davis unit of Van Beuren for RKO release, goes into production today at the Fox studio. Featured in the short, which is being directed by Leigh Jason, are Donald Novis, Irene Tavlor, Mrs. Pennyfeather, Meyer Davis and his orchestra and Shemp Howard, supported by a bevy of Broadway beauties. Monty Shaif will supervise, with Joel Nadel in charge of production. H. O. Kusche and Art Jarrett are credited with the story.

Temple Ezrath Israel, known as the Jewish Actors’ Temple, will hold its annual benefit at the Majestic theater on Jan. 14. Among the many stage and screen stars scheduled to appear are George Jessel, Bert Lahr, Jack Benny and Mary Livingston, Pat Rooney, Wayne and Eugene Howard, Yacht Club Boys, Sally Ward, George Givot and Jack Ross.

“A Way I Am in Love,” the song his number of “The Knife of the Party,” produced by Meyer Davis-Van Beuren for RKO release, is being featured by Eddy Duchin’s orchestra on the NBC network. The number, published by Irving Berlin, was written by Johnny Burke and Harold Spina.

11th Week for “3 Pigs”

Cincinnati — Walt Disney’s porcine stars go into their 11th consecutive week at the Terminal Theater here.

ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Sixth Installation

ARTICLE V—UNFAIR PRACTICES—(Cont.)

5. Short Subjects Proportionate to Pictures

(a) Proportionate Limitation

As a condition for licensing features the Distributor may require that the Exhibitor also license short subjects. There is a limitation, however, upon this condition: The Exhibitor need not contract for a greater percentage of short subjects required by it than the percentage of the Distributor’s feature pictures required by it. In other words, if the Exhibitor desires to license for one-third of the features needed by the Exhibitor at his theater, he may be required to contract for one-third of the short subjects needed by the Exhibitor at his theater.

(b) Example

Suppose that the Exhibitor requires 150 features at his theater during the year. He is to license only 40 features of the Distributor. In other words, he is about to contract for one-third or 33 1/3% of the number of features required by him.

Suppose, also, that the Exhibitor requires at his theater 100 short subjects during the year. In such a case the Distributor may require, as a condition for licensing the features, that the Exhibitor contract for one-third or 33 1/3% of the short subjects needed by the Exhibitor—that is 100 short subjects.

(c) Voluntary License

The limitation above is against “genuinely voluntary licensing” of short subjects. It does not prohibit the Exhibitor from genuinely and voluntarily licensing more than the percentage of pictures above described.

(b) News Reels Excluded

News reels are not included in the term “short subjects” and, therefore, do not come within the above limitation.

6. Checking Receipts Confidential

(a) Information received in the checking of receipts must not be divulged by the Exhibitor or its agents.

(b) Such information may be divulged in an arbitration or grievance proceeding, if necessary in any Code Authority or Government report. (To be Continued)

250 Exhibs Preview “Moulin

More than 250 circuit buyers and leading exhibitors in the Metropolita

tan area were among those who attended the national trade showing of “Moulin Rouge,” 20th Century Production, at the Astor theater yesterday. The feature will shortly be released by United Artists.

Music Society Files Suit

Shreveport, La. — Representatives of the American Society of Composers, Authors and Publishers filed copyright violation suits in federal district court here against the Crystal theater, Shreveport; the South Louisiana Theatre; the manager; Strand theater, West Monroe, Jos. M. Heard, the Blossom Heath Club.

Buys Product for India

Exhibitors Pictures Corp. has acquired the following product for India: four Mascot serials; Principal’s “Tarzan the Fearless” serial; Celebrity’s series of color cartoons, and two features; “Fat Em Alive” and “Found Alive.”

John W. Boyle to Speak on Color

John W. Boyle, cinematographer who made “The Story of the Vikings,” color feature, will speak in color photography this afternoon at 5 o’clock from station WOR.

“Easy to Love” at Strand

“Easy to Love,” with Genevieve Tobin, Adolphe Menjou, Mary Astor, and other well known players featured, will open tomorrow night at the New York Strand. Also on the program will be a film showing the visit of the Columbia University football team to the Warner studios in Hollywood following their game against Stanford at the Pasadena Rose Bowl on New Year’s Day.

“Massacre” Serialized

A ten-chapter serialization based on Frank National’s “Massacre,” starring Richard Barthelmess, is being made available to exhibitors through the company’s merchandising plan on the picture.

Pinched for Sunday Benefit

Richmond — For attempting to give a Sunday show for the benefit of the Crippled Children’s Hospital, Walter J. Coulter and several of his employees at the Byrd Theater were served with a warrent of a violation of the ancient Sabbath law.

Cleveland. Unit to Install Officers

Cleveland—Officials of the Cleveland Motion Picture Exhibitors Association, elected at a recent meeting, will be installed at a general meeting of the organization on Jan. 18. Ernest Schwartz is president.

A Little from “Lots” By RALPH WILK

JOSEPH SCHILDKRAUT, recently signed by Columbia, will be co-starred with Carol Lombard in “Sonata.” David Burton is to direct.

At a district dinner in San Jose, Will Rogers was proposed as a candidate for Governor of California.

Wedding bells having tolled in Phoenix this week for Ricardo Cortez and Mrs. Christine Lee, word now comes from London that Cary Grant and Virginia Cherrill will do likewise in that city.

Ted Fiorito and his orchestra have been signed by Warners for “Hot Air,” with the Four Mills Brothers also expected to join the cast headed by Dick Powell, Pat O’Brien, Ginger Rogers and Allen Jenkins.

Joan Marsh has been given a long-tenured contract by Paramount, and will have the feminine lead in “Murder at the Vanities.”

Next Wheeler and Woobsey comedy for RKO will be “Prat Heads.” Louis Brock is preparing the production, an original by Edward Kaufman and Mark Sandrich. Dorothy Lee and Thelma Todd will be in it.

Paramount launches its new talent-developing experiment on Friday with the presentation of a stock company production of “Double Door” before a live audience of the stars, directors and other studio workers at the studio theater. Phyllis Laughton is the coach.

Universal has changed the title of “The Crosby Murder Case” to “The Crosby Case.”

Three song-writing teams have been assigned to Paramount’s “We’re Not Dressing.” They include Arthur Johnston and Sam Coslow, Mack Gordon and Harry Revel, and Ralph Rainger and Lee Robin. Norman Taurog will direct.

Henrietta Crosman will be in Fox’s “Three on a Honeymoon,” with ZaSu Pitts.

Rockefeller Report Denied

“The Rockefellers have no interest in film production,” it was stated to FILM DAILY yesterday by Nelson Rockefeller, who has charge of the Rockefeller financial holdings in Radio City, in reply to a report that his family was considering the purchase of the distribution company. The report had the Rockefellers interested to assure a supply of first-rate films for Radio City theaters and to halt such censure of the movie industry as that of Dr. Lawrence Lowell against block booking.
Ohio M.P.T.O. Appealing to NRA on Cancellations

FILM CODE AUTHORITY FINANCING PLAN POSTPONED
Blumenthal, Nathanson, Halsey-Stuart After the Roxy

Deal for Seventh Avenue House Reported Ready for Signatures
A. C. Blumenthal, N. L. Nathanson and Halsey, Stuart & Co. are understood to be set to take over the Roxy on Seventh Ave, under a deal now ready for signing. The house at present is operated under supervision of Howard S. Cullinan as receiver.

The new management is understood to be scheduled to get part... (Continued on Page 7)

CODE UPS STUDIO NUT A MILLION---GOLDWYN
Conditions imposed by the motion picture code are increasing overhead of big studios by $1,000,000 a year, declared Samuel Goldwyn upon his arrival in New York yesterday from the Coast. He reiterated his state-... (Continued on Page 7)

Need Experience on Code, Declares General Johnson
Washington Bureau of THE FILM DAILY
Washington—There will be no appointments to the motion picture code authority in the near future, General Johnson told newspapermen... (Continued on Page 6)

Distributors Won't Cancel 10% On Contracts Made Before Code
Bo' Dowling May Get RKO Post in Europe
Ambrose Dowling, RKO foreign department executive, is expected to become resident manager of the company for Europe soon, head-quartering in Paris. Dowling is understood planning to go abroad with Phil Reisman, head of the department.

Columbus—As a result of replies to letters sent to leading distributors, who said that the 10 per cent cancellation clause could not be enforced on contracts signed prior to the effective date of the code, F. J. Wood, business manager of the M. P.T.O. of Ohio will lodge a complaint with Division Administrator Sol A. Rosenstein. Wood says the... (Continued on Page 6)

F. N. Case Put Off
Anti-trust suit brought by the Federal Government against Warner-First National, based on the merger of the two companies seven years ago, has been postponed for 60 days. Case was on the U. S. District Court calendar in New York yesterday.

COPYRIGHT HEARING LIKELY TO BE CALLED
Washington Bureau of THE FILM DAILY
Washington—Calling of a special meeting of the House Committee on Patents and Copyrights at an early date to hear testimony regarding the copyright law's effect on the film industry is being urged by 40 to 60 members of the House, Congressman Sirovich said yesterday. Sirovich, who is chairman of the committee, said many complaints... (Continued on Page 7)

Warner-Coca-Cola Make 2-Yr. $1,000,000 Tieup
In one of the biggest national tieups ever made by a film company with a manufacturer, arrangements have been concluded by S. Charles Einfeld, Warner advertising and publicity chief, whereby Warner-First National stars and product... (Continued on Page 6)

Code Authority Will Base System Upon Actual Experience
A plan for financing the motion picture code machinery has been indefinitely deferred in order to allow the code authorities to base the arrangements upon actual experience and to bring about "the utmost economy," it was stated late last night after a Code Authority meeting held at Warner Bros. A committee was appointed to draft a manual covering the operation of the local grievance and zoning boards. Com-... (Continued on Page 8)

CODE DELINQUENTS CAN'T SIGN LATER
Individuals and companies in the industry who fail to indicate compliance with the motion picture code by Jan. 31, the deadline, will have no later opportunity to approve the document and thereby participate in its benefits, it was pointed out yesterday in behalf of the Code Au... (Continued on Page 8)

Adolph Zukor Westbound For Production Confabs
Adolph Zukor, Paramount president, left yesterday on his seasonal trip to Hollywood. He will spend about 10 days at the studios, discussing Spring production plans with Emanuel Cohen, chief of production.

RKO Grooming New Star West Coast Bar, THE FILM DAILY Hollywood—RKO considers Ada Cavelli its best but since Katherine Hepburn, and accordingly is at work on plans to make a star out of her. Miss Cavelli is to appear with Richard Dix in "The Cooee Duet." She is an American girl who scored on the stage abroad and recently was discovered playing in stock by Francis Farquah, writer.
Chase Bank Improves Its Interest in Fox

Interest of the Chase National Bank in Fox Film, Theaters Equipment and associated companies was further protected and improved in the past week, said Winthrop A. Blardin, president of the bank, in addressing stockholders at the annual meeting. He pointed out that Fox Film Corp. has been capitalized exceptionally well and a defense has been filed in lieu of most of its debt, thereby avoiding receivership. A new short agreement is reported signed by Mr. A. mobilized, stated that "the Fox Film Corp. is at present operating profitably."

Progress has been made, A. said in rearranging the affairs of the principal subsidiary theaters companies of the corporation, which went into bankruptcy early in 1933. Reconstruction of the Fox Film Corp. has cleared the way in large measure for reorganization of the General Theaters Equipment, Inc., he said. The defaulted two-year 4½ gold note of the Film Securities Corp., of which the bank held $6,000,000, has been foreclosed and the bank has received its pro rata share of Loew's, Inc., stock, which was the principal collateral.

Columbus Exhibits Dicker With Independent Union

Columbus—Local exhibitors controlling screen running houses are negotiating with the Ohio Motion Picture Projectionists Independent Union, for a scale for operators in that class of houses. The scale submitted by the union runs from $15 a week for houses with less than 200 seats to $40 for houses with 1,000 seats. Only one man in a booth is provided and the hours are 40 a week.

3 Signed by Morrison Office

Weldon Heyburn, just back from making a picture abroad, has been placed under management by the Independent Motion Picture Union and assigned with Sam Sax of Vitaphone Studio for Heyburn to appear opposite Lillian Roth in short pictures in work today. The actor leaves Wednesday for the coast to resume feature work.

Heyburn leaves Saturday for California, while Erin O'Brien Moore is now on her way to the coast, both to sign in pictures through Morgan deals.

Columbus Variety Party Jan. 21

Columbus—Third annual banquet and entertainment of the Variety Club of Columbus will be held Jan. 21 at the Deshler-Wallick.
EXPLOITETTES

Worcester Paper Plugs Vitaphone Musical

ONE of the most effective exploitation tie-ups are arranged for a short subject that is handled by Warner Bros. In conjunction with the release of their Vitaphone two-reel musical entitled "Yeast Is Yeast." The Worcester "Telegram-Gazette," one of Paul Block's papers, with over 100,000 daily circulation devoted a column in a recent issue in heralding the short and advising its readers to "look up the picture in their own community" before they want to spend an amusing evening at the movies." In addition to the above, the Fleischmann organization, makers of yeast cakes, which supplied the yeast used in the short at the Brooklyn Vitaphone plant, are cooperating with displays in their dealers' windows over the country. Exhibitors playing "Yeast Is Yeast" are thus offered a corking tie-up for their showings of this two-reeler, which stars Tom Patricola. The short is released in Vitaphone's series of "Broadway Brevities."

Coulter Exonerated

Richmond-Walter J. Coulter and his Byrd Theater employees served with papers Sunday in connection with the staging of a benefit show, were completely exonerated in police court. A bill to repeal the state's ancient blue laws will be filed in the General Assembly by Vivian L. Page of Norfolk. Other measures coming up at the session include an admission tax and a bill to give the censorship division more powers over film advertising.

Attorneys Wind Up Publix Work

Attorneys on the Irving Trust Co. staff handling the Publix Enterprises receivership expect to wind up their work at the Paramount building this week. Work of reorganization of the company under the auspices of Famous Theaters Corp. is now under way.

Teaser on "Hi, Nellie"

A teaser campaign designed to make a national bow of "Hi, Nellie," the title of the new Paul Muni picture, has been started by the Warner advertising and publicity staff. Telephone operators in all Warner exchanges have been instructed to answer their telephone calls with the cryptic, "Hi, Nellie," and Warner salesmen will greet exhibitors in the same manner. Other stunts likewise are being worked out.

TIMELY TOPICS

Two-Reelers Have Best Subject Range

TWO reelers have the greatest subject field in the motion picture industry. Unlike their bigger brothers, the feature subjects, which always need a detailed story with a plot, short subjects can be on any topic of current interest. Sometimes, they contain a story or a plot, but this is not essential. An unusual travelogue, an oddity, or some current topic of interest serves as a good subject. In the past subjects have ranged from microscopic mysteries in the sea, rare bird life, bullfighting in Mexico, modern stage revues, Indian football, and other interesting happenings throughout the world. This gives an insight on the potentialities of the short subject from an entertaining standpoint. Although nearly any subject under the sun may be developed into a "top drawing" short, it should not be misunderstood that a short subject is put out in the easiest way or in a haphazard manner. All the painstaking care that goes into a feature production is used on the short subject. The best subject, direction, photography and technical workmanship are used. This insures only successful results.

--Jack Cummings.

Film Board Re-elects Frank Drew

Cleveland—For the ninth consecutive year, Frank Drew of M-G-M has been re-elected president of the Cleveland Film Board of Trade. Other officers, likewise unanimously re-elected, were L. J. Schmertz, Pox, vice-president; Holbrook C. Bissell, Columbus, treasurer. The secretary is Mrs. Georgia Moffett. The annual dinner dance to raise the film relief fund will be held Feb. 12.

Rawlinson in Educational Short

Herbert Rawlinson will be seen opposite Helen Morgan in the Educational Song Hi Story, "The Doctor." Montagu Love also is in it, with Johnnie Walker directing.

Happy Birthday

Best wishes from THE FILM DAILY to the following on their birthdays:

January 11

Porter H. Evans Chester Conklin
Enos Pascal Monte Bleu
Earl Baldwin
CLARK GABLE and CLAUDETTE COLBERT in "IT HAPPENED ONE NIGHT"
From the Cosmopolitan Magazine story by Samuel Hopkins Adams
Screen play by Robert Riskin
A FRANK CAPRA Production

"MEN OF TOMORROW"
From the world-famous novel by FERENC MOLNAR
Screen play by JO SWERLING
A FRANK BORZAGE Production

"ONCE TO EVERY WOMAN"
with RALPH BELLAMY • FAY WRAY
Walter Connolly • Mary Carlisle—From the Cosmopolitan Magazine story by A. J. Cronin
Screen play by Jo Swerling — Directed by Lambert Hillyer
JOHN BARRYMORE
in
"20th CENTURY"
From the sensational Broadway Success
By Ben Hecht and Charles MacArthur
with
Carole Lombard
Screen play by Arthur Kober
Directed by HOWARD HAWKS

COLLEEN MOORE
in
"SOCIAL REGISTER"
Charles Winninger
Alexander Kirkland
Ross Alexander
Pauline Frederick
Robert Benchley
Margaret Livingston
From the play by John Emerson and Anita Loos
Supervised and Directed by Marshall Neilan
Associate producer—William C. De Mille

"LET'S FALL IN LOVE"
with EDMUND LOWE
Ann Sothern • Miriam Jordan • Gregory Ratoff
Story and screen play by Herbert Fields. Music and lyrics by Harold Arlen and Ted Koehler
Directed by David Burton
A "LITTLE" from HOLLYWOOD "LOTS"

By RALPH WILK

Stacy Woodworth, co-producer, with his brother, H. L., of Educational's Battle For Life Series, has just returned to Los Angeles from a six-months sojourn in New Zealand, where he gathered considerable rare material for this series, "The Waxen City," a study of bee life, will be the next Battle For Life release.

George O'Brien, who cancelled his New York visit to rush back to Hollywood, is understood to be sought by Cecil B. De Mille for the role of Marc Anthony in "Cleopatra." M-G-M also is reported negotiating for O'Brien's services, while Fox, to whom he was under contract for several years until recently, may get him back on a new deal.

"West Point of the Air," an original story by Philip Dunn dealing with the education of army aviators for service, is announced for production by M-G-M. Monta Bell will produce it.

The next short subject in which Ted Healy and his stooges will appear for M-G-M is "Employment Agency for Stooges," by Herman Timberg.

De Mille Celebrates 20th Year in Films

Cecil B. De Mille this week celebrates his twentieth year in motion pictures. In a statement on the occasion, the Paramount director sees a continuation of the screen's progress, and adds:

"The end of the carefully made picture is in sight. The coming year will undoubtedly see a greater decline in the 'program' picture in favor of films carefully designed along every line of good taste. Every year a new lesson is learned, but the hope of producing good pictures is certainly not to be true received by the public. During the past year particularly, the public has shown shrinking taste in supporting pictures which have been produced with great care and the finest of production materials."

Loretta Young, now finishing in the George Arliss picture, "House of Rothschild," has been assigned roles in two further productions to be made this winter by 20th Century. She is to play the feminine lead opposite Ronald Colman in "Bulldog Drummond Strikes Back," and will also be seen in "The Firebrand," in which Constance Bennett and Fredric March will co-star. Also, Miss Morgan, who scored in the stage presentation of "The Firebrand," will likewise appear in the picturization of the comedy. Another addition to the cast that has been announced by Darryl F. Zanuck is Frances Dee.

"The Little Red Hen," second subject in the P. A. Powers "ComColor Cartoon" series, was completed this week by Ub Iwerks at the Animated Pictures Corp. studio. Arrangements are being made for simultaneous first showings of this new color cartoon in New York and Los Angeles.

Warner-Coca-Cola Make 2-Yr. $1,000,000 Tieup

(Warner-Coca-Cola will receive exploitation involving special advertising expenditures of $1,000,000 over a period of two years. Local tieups with exhibitors are included in the deal.)

Starring Gloria Stuart

West Coast Bureau of THE FILM DAILY

Hollywood—Gloria Stuart, Universal contract player, is being elevated to stardom. General Manager Carl Laemmle, Jr., announces that an original story by Lou Foster, "Campus Queen," had been purchased as Miss Stuart's first stellar vehicle. James R. Grainger, sales chief, pronounced Miss Stuart excellent star material.

Gets Astor Franchise

Flax Bros. have taken over the franchise for all product produced by Astor Pictures Corp. for distribution in Maryland, District of Columbia, Delaware and Virginia thru Liberty Film Exchange, Washington.

Karty at St. Louis Auditorium

St. Louis—Julius L. Karty, manager of the Shubert-Kitalo, has been appointed general manager of the new Municipal Auditorium under James E. Darst.

Ben Stolfo May Direct Picture at Biograph Plant

Ben Stolfo, director of Reliance's "Joe Palooka" for United Artists, has relayed word that his next picture may be made in the east with the Biograph studios as the likely location. Stolfo is to visit the studios with Harry Goeck today, when negotiations will be opened. The director expects to produce two films this year for Reliance.

Indianapolis Keith's Closes

Indianapolis—Keith's closed this week after three months of resumed operation. J. M. Halperin, general manager of the Indiana and Circle, has adopted a split-week policy at the former house.

Saal Reznick to Rest in Florida

Cleveland—Saal Reznick Universal branch manager, who has been laid up with a bronchial cold, leaves with Mrs. Reznick for a two-weeks' recuperate at Miami Beach. Art Young, office manager, will be in charge during Reznick's absence.

Hal Roach After Donald Novis

West Coast Bureau of THE FILM DAILY

Hollywood—Hal Roach will negotiate with Donald Novis on the romantic lead in "Babes in Toyland."
BLUMENTHAL GROUP AFTER ROXY THEATER

(Continued from Page 1) of the M-G-M program. Halley-Stuart has been identified with considerable film financing. Deal may be closed today or tomorrow. S. L. ("Roxy") Rothafel, who has been reported from time to time as acquiring the house, will not be connected with the project.

Copyright Hearing Likely to be Called

(Continued from Page 1) had been received from exhibitors regarding the film code. His resolution for a film probe, still on the Valentine calendar, is receiving added support this session, Sirovich said.

Bondholders Lose Suit Over Fox B'klyn House

Application of Dennis Wiand for an order compelling Continental Bank & Trust to account for monies received in connection with the management of the Fox Theater building in Brooklyn was denied yesterday by Supreme Court Justice Paul Bonygne, Brooklyn. The petitioner contended the bank had no right to carry on a theater business. She alleged that the Fox Theater Corp. executed a 32-year lease in September, 1926, amounting to $17,700,000, and quit the theater January 1, 1932. No action has been taken to recover from the Fox organization, she said.

Martin Starr Gets Contract

The Martin Starr office has been assigned the contract to stage and produce the Metropolitan Guest Eunion of the 500 Sullivan County Hotels. The event is sponsored by the Federation of Hotelmen Association and it is the first time that all the summer resorts have united together in such a reunion. One of the considerations insisted upon by Starr is that the greater part of the profits of this huge undertaking be diverted to worthy New York charities, including the Film Fund, Jewish Sufferers of Germany and the Film Daily Relief Fund. Rudy Vallée has been contracted to play all evening.

Closing St. Louis Fox Deal

St. Louis—Receivers for the Fox Theater have gone to New York to close the deal for Fanchon & Marco to operate the house.

SHORT SUBJECT REVIEWS

"The Strange Case of Hennessy"

with Cliff Edwards

RKO 22 mins.

This is another Meyer Davis-Van Beuren musical comedy and it goes with a good motion of genuine entertainment. Many of the sequences have been made in rhythm, with catchy melody and snappy lyrics. Edwards plays the part of a nut who escapes from the asylum and masquerades as Silo Dance, a famous detective. He gets away with the disguise until the real Silo shows up. There is a bit of ukule playing, some tuneful ensemble numbers, a bit of suspense and a wealth of laughs in this one.

Clark and McCullough in "Hey Nanny Nanny"

RKO 21 mins.

This series needs a change of pace in the way of stories that do not always have these comedians masquerading as elephants. As it happens, this time they take the place of a masseur who is away on vacation, and after mistaking a bottle of horse liniment for alcohol, they decide to become magicians. At a swell party, Clark manages to make a mess of every trick he attempts and with the help of a goof puts over a few laughs, but too few for a two-reeler.

"In Venice"

(Terry-Toon)

Educational

6 mins.

An average number of cartoon comedies go. Action takes place in Venice, where the characters in their gondolatas keep time with an operatic music background, going to welcome the return of Balboa. A big car escorted by police races to the scene and Will Rogers in caricature decorates Bolobo. During the ceremony a call for help is heard in the water and the little hero goes to the rescue of his sweetheart, who is pulled to the bottom by a devil-fish after which the scene centers around the hero rescuing the girl.

"On Approval"

with Julia Sanderson and
Frank Crumit

RKO 17 mins.

This "Headliner Comedy" will prove an attraction wherever played and whether or not the audience is composed of Sanderson-Crumit radio fans. The story is cleverly worked out for laughs, action, suspense and all it lacks goes, and the couple decide to adopt a child, and after an interesting and humorous sequence which works up to the climax, the film has a swell ending. The radio couple sings one or two short numbers which seem a lean serving.

"Moorish Spain"

(Vagabond Adventure)

RKO 7 mins.

The beauties of Southern Spain are shown in this reel, with Allos Havillam handling the narrative in interesting fashion. Methods of agriculture, large herds of goats, the production of cork from bark, the Alhambra, and some Gypsy dances complete the reel. It is a very satisfactory travellers.

"Canyon Of Romance"

with Claud Fleming

Educational

9 mins.

Produced by Harry C. Brown and Curtis F. Nagel and photographed by Harry Perry, this one presents Claud Fleming in a trip through the Grand Canyon showing the interesting spots of the historic country. Audiences will find it interesting as well as entertaining.

The Little King in "Jest of Honor"

(Soglow Cartoon)

RKO 8 mins.

This animated portrayal of the strip cartoon character loses considerable humor in its transposition to the screen. It lacks gag and pep. This story concerns the King, who is discovered riding a surf board in the wake of the royal yacht. He dives overboard for a rendezvous with a mermaid. Later, in port, he is welcomed by a roasting populace and introduced by the mayor. His disrespect to that civic official forces the King to escape back to the yacht and while en route is hailed by the mermaid who presents him with six little baby mermaids.

CODE UPS STUDIO NUT A MILLION—GOLDWYN

(Continued from Page 1)

ments to the effect that admission price must be gradually raised to offset enlarged production and other costs.

"Twenty-five cents is too low an admission price for houses in large cities," asserted the producer.

Goldwyn assailed double featuring, especially in situations in which such bills are supplemented by 10 acts of vaudeville, all for 25 cents. He has not signed the film industry code.

After several weeks in New York, working on arrangements for the premiere of "Nana" and also the next Eddie Cantor story, Goldwyn will sail for Russia. Before his departure he plans to set, tentatively at least, his 1934-35 schedule, which will include one Cantor picture.

Dietrich Sets Record in Sydney

Hurdling a censorship barrier which for some time appeared insuperable, Marlene Dietrich's "Song of Songs" has broken a four-year attendance record at the Prince Edward Theater in Sydney, Australia, according to cable advice received yesterday by John W. Hicks, Jr., vice president of Paramount International Corp. The message stated that in addition to "Song of Songs," five other Paramount pictures had first releases in Sydney theaters during the Christmas show week.

Wilmer & Vincent in Deals

Richmond — Wilmer & Vincent have just acquired the land occupied by the Colonial Theater, one of the W. & V. Circuit. They also have sold the Old Strand to Associated Builders, Inc.

Terry-Toon at Music Hall

Another Educational Terry-Toon, "Sunny South," has been booked by the Radio City Music Hall starting today. "The Village Blacksmith," also a Terry-Toon, has been booked to play the entire RKO metropolitan circuit starting Saturday.

it's not a production!

it's a Creation!

20 YEARS RESEARCH BEHIND IT
FINANCING PLAN OF CODE POSTPONED

(Continued from Page 1)

posing the committee, three Charles L. O’Reilly, Nathan Yamins, H. F. Bareford and J. Robert Rubin.

Code Authority headquarters will be opened on the twenty-third floor of the RKO Building. Seven of the ten regular members of the Code Authority attended the meeting. Austin C. Keough represented George J. Schaefer as alternate, J. Robert Rubin represented Nicholas M. Schenck and Bareford pinch-hit for Harry M. Warner. Col. E. A. Schiller also attended in anticipation that code finances would be discussed.

Under an agreement reached, persons signing compliance blanks before Jan. 31, which is the deadline, may also submit nominations for local zoning and grievance boards to be received not later than that date.

Next meeting of the Code Authority will be held Jan. 23 at 2 p.m., with H. R. Cochran presiding as chairman.

Receivers’ Claims Delay West Coast Reorganization

West Coast Bureau of THE FILM DAILY

Los Angeles—Reorganization of West Coast Theaters, now in receivership, is expected to be effected within four or five weeks. Progress is being blocked at present due to compensation claims filed by the receivers which will be again taken up at a hearing scheduled for Feb. 10. Skouras Bros. are understood to operate the circuit, as at present, under the reorganization.

“Gallant Lady” at Rivoli Jan. 20

Ann Harding in “Gallant Lady,” 20th Century production, opens Jan. 20 at the Rivoli. Eddie Cantor in “Roman Scandals” starts its fourth week at the house on Saturday.

2,000 Theater Workers Join

More than 2,000 theater workers, including usherers, janitors, etc., have been enrolled so far in the new Theater and Amusement Employees Union, Local 118, affiliated with the A. F. of L., according to Charles C. Levey, secretary-treasurer. The group held two mass meetings this week in Bryant Hall.

“Little Women” Push On

Seattle—“Little Women” ran for a total of four weeks and three days, at John Hamrick’s Blue Mouse theater. It broke house records on a raised admission at the Avalon in Olympia, broke records for Toot theater in Brem-Claw, and did good business at Enumclaw and Kent.

ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Seventh Installment

ARTICLES, UNFAIR PRACTICES, CONSENT

7. Fraudulent Transfer by Distributor.

No Distributor may transfer its assets for the purpose of avoiding the delivery of any feature picture to any Exhibitor.

8. Adjustment of Average Price Contract

(a) If the number of feature pictures contracted for is not delivered by the Contract due, the Exhibitor is entitled to a fair adjustment of the license fees only if:

1. The pictures were licensed in a group for a specified, average sum per picture; and,

2. This fact is stated in the contract; and,

3. The Exhibitor has fully performed all the terms of the contract.

(b) If there is a dispute concerning the adjustment, it shall be determined by the Local Grievance Board. The Board has power to determine whether the Exhibitor is entitled to an adjustment and if so, how much it should be.

9. Designating Special Days of the Week

(a) When Not Permitted

The Distributor may not require a specific day or a week for exhibition of a certain picture or class of pictures if:

1. The contract does not grant that special right to the Distributor by its very terms; or,

2. If the contract is a flat rental contract.

(b) Relief to Exhibitor

1. If the Exhibitor has a percentage contract, and there is a clause in it which permits the designation of a certain picture upon certain days of the week, the Exhibitor may still apply to the Local Grievance Board for relief for that cause.

2. The only ground for the relief is that the subject and character of the picture are unsuitable for exhibition on the day designated.

3. The claim of the Exhibitor must be made within three days after receipt of the notice of availability of the particular picture. If the Distributor requests it, a Grievance Board must decide the matter within forty-eight hours’ notice. The reason for this speed is that the rights of subsequent runs must be protected.

4. The Local Grievance Board uphold the claim of the Exhibitor and relieves him from playing the picture on a designated date, the procedure is as follows:

1. The Distributor has the right to designate for the same date another picture upon a percentage basis. This substituted picture must be one under contract upon the same or similar terms as the picture ruled unsuitable.

2. The Distributor has the right to designate the picture which has been objected to and ruled out for a later date, but upon another day of the week than that for which it was originally designated.

3. The decision of the Local Grievance Board does not apply to any other theater.

TO BE CONTINUED

Two Stories Acquired by M-G-M

West Coast Bureau of THE FILM DAILY

Hollywood—Two more stories have been added to M-G-M’s list of assembled properties. They are “Calm Yourself,” by Edward Hope Coffey, soon to appear in the “American Magazine,” and “Roundhouse Meg,” an original story for the screen written by Stuart Paton.

Riskin’s Contract Renewed

West Coast Bureau of THE FILM DAILY

Hollywood—Robert Riskin, author and scenarist, has been given a new long-term contract by M-G-M. He did the screen treatment of “Lady for a Day” and more recently “It Happened One Night.”

Dual Bill at 5th Ave.

Eisenstein’s “Thunder Over Mexico” will double with “Le Sang d’un Poete” at the Fifth Ave. Playhouse starting today.

“Dancing Lady” Big in London

London—Two-week run of “Dancing Lady,” M-G-M picture with Joan Crawford and Clark Gable, has topped all showings at the Empire for the past year.

Alex Gray Finishes Short

Educational has completed shooting “Trav’ling the Road,” Song Hit Story starring Alexander Gray.

APPEALING TO N.R.A.

(Continued from Page 1)

at the distributors is unfair to exhibitors, especially those who signed their 1933-34 contracts before the N.R.A. Those who delayed signing, thereby entailing a bigger selling cost, are given the advantage of the 10 per cent cancellation clause, he points out.

Code Delinquents

Can’t Sign Later

(Continued from Page 1)

authority. No provision is made in the code for delinquents to sign after the given period has expired.

In an effort to facilitate compliance the Code Authority in scores of instances is returning signed agreements which the signatories have approved the code in part. Emphasis was again made yesterday that only 100 per cent compliance makes a valid code.

Person or companies which enter the industry after Jan. 31 must indicate approval of the code within 45 days after their entrance if they wish to derive code benefits.

Need Experience on Code, Declares General Johnson

(Continued from Page 1)

yesterday. “We’ve got to have some experience on that code first,” he said. Johnson has decided to call all code authorities here by Feb. 15 to consider means of reducing work hours in all industries, if possible. He also wants overlapping codes consolidated.

W. E.-New Zealand Deal

In one of the biggest equipment deals recently here, New Zealand, M. Woolodbe, managing director of Amalgamated Theaters, has signed for Western Electric sound system in seven new theaters and for Wide Range modification in 13 houses already having W. E. equipment.

55 Prints on “Beanstalk”

To supply metropolitan area bookings on “Jack and the Beanstalk,” first of the ComiColor Cartoons produced by P. A. Powers’ Celebrity Pictures, a total of 55 prints were used by Principal. It is stated that Skouras, Century, Randforce and Trans-Lux houses are now playing the cartoon short.

900 Exhibs at Screening

West Coast Bureau of THE FILM DAILY

Hollywood—About 900 Southern California exhibitors attended the local trade showing of 20th Century’s “Moulin Rouge.”

M-G-M Finishes Two

West Coast Bureau of THE FILM DAILY

Hollywood—Shooting on “Laughing Bones (At Last)” is in progress. Mary Roberts’ starring vehicle dealing with the Chinese film star, the “Titan of Wall Street,” has been completed at M-G-M.
Paramount Forms Nat'l Theater Advisory Board

CHICAGO UNION STRIKE AVERTED BY CODE CLAUSE

Musical Sequences for Nearly Half of Warner Lineup

Jack Warner Says Public Demands More Gayety in Pictures

Believing that the public is in the mood for more gayety in pictures, as evidenced by the reception accorded recent musical productions, Warner-First National is providing musical sequences for about half of the films now in work or being edited at the studios, according to Jack L. Warner, production chief.

"Fashions of 1934," which opens soon, will be the first William Powell production.

(Continued on Page 4)

EXPECT ZONE BOARDS TO START IN FEB'Y

Operation of the local zoning and grievance boards shortly after Feb. 1 is anticipated by the Code Authority, which has fixed a deadline of Jan. 31 for compliance signatures and Jan. 20 for nominations for board memberships.

The committee appointed at the Code Authority's meeting Wednesday night to draft a manual governing the boards.

(Continued on Page 7)

Giveaways Not Lottery, Milwaukee Court Rules

Milwaukee — A municipal court jury acquitted Charles Washichek, operator of the Pearl charged with operating a lottery. The deputy district attorney charged that Washichek's system of "free food shows" each week constituted a violation of the lottery laws and provided unfair competition.

(Continued on Page 4)

Switch to One of "Best"

Instead of the revival originally scheduled for the first half of next week, the Little Carnegie Playhouse has switched to "The Emperor Jones," which was voted one of the best pictures of 1933 in THE FILM DAILY's national poll of critics.

A ban on all contests has been proposed as a feature of the advertising code to be observed by major companies. M-G-M is understood to have suggested the idea on the grounds that such a move would be in keeping with the spirit of the motion picture code.

(Continued on Page 4)

BLUMENTHAL GROUP AFTER FOX B'KLYN

Wm. Doherty Appointed Assistant Administrator

Washington, D.C. — William Doherty, a former newspaperman here, later with Universal Service, and who recently joined the NRA, yesterday was officially installed as assistant deputy administrator of the amusement division, surviving the resignation of Sol A. Rosenblatt.

(Continued on Page 8)

STUDIO CODE GROUPS ANNOUNCED BY NRA

Reorganization Completed At St. Petersburg Studios

St. Petersburg, Fla. — A reorganization of Sun Haven Studios, Inc., has been completed with the naming of Chester Beecroft as chief studio executive. Beecroft has reorganized the company's affairs.

(Continued on Page 5)

Urged for Code Post

BUFFALO — Representatives from this section of Congress have endorsed and urged the appointment of Dr. Peter C. Casey, of Buffalo, as a member of the film code authority to take the place of Dr. A. Lawrence Lowell.
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FINANCIAL

NEW YORK STOCK MARKET

Low High Close Chg.

Am. Scot. .......... 85% 93% 89% 4%
Con. Fin., Ind. ....... 141% 127% 125% 1%
Con. Fin. Ind. pfds. 134% 124% 124% 1%
East. Kodak ......... 81% 80% 81% 1%
Fax. Fin. "A" ......... 124% 125% 125% 1%
Loom's, Inc. ....... 74% 74% 74% 1%
Metro-Goldwyn .... 211% 211% 211% 1%
Paramount ........ 32% 32% 32% 0%
Pathe Exch. ....... 1% 1% 1% 0%
do "A" .......... 1% 1% 1% 0%
RKO ............... 2% 2% 2% 0%
Warner Bros. ...... 5% 5%

NEW YORK CUSH MARKET

Technicolor ....... 8% 8% 8%
Trans-Lux ....... 1% 1% 1% 0%

NEW YORK BOND MARKET

Gen. Th. Eq. ....... 41% 4% 4% 1%
Gen. Th. Eq. 6.00% cf. 4% 4% 4% 1%
Loew 6% 41w .... 87% 87% 87% 1%
Paramount 6.07% filed 30% 30% 30% 1%
Par. By, 5%31% ...... 31% 31% 31% 1%
Par. By, 5%31% cf. 31% 31% 31% 1%
Par. 5%31% cf. 31% 31% 31% 1%
N. Y. PRODUCE EXCHANGE SECURITIES

Para. Publix ... 2 1% 2 1%

THE INDUSTRY'S DATE BOOK

Jan. 16: Allied Theater Owners of New Jersey meeting in screening room of Studio Theater, Trenton, N. J., 12:30 P. M.

PUBLICS BEING BILLED

$191,000 ADDITIONAL

Bills for $15,000 additional compensation for Dan Michalove, who served as assistant to the trustees of Public Enterprises during part of its period of receivership, and for $176,000 for various Paramount Publick departments for various services, will be submitted at a meeting of Publick Enterprises creditors Jan. 27 at the office of Henry K. Davis. Michalove's bill is in addition to his regular salary. The Paramount Publick claim is from its accounting, real estate and other departments.

First adjourned meeting of Publick Enterprises creditors scheduled for today has been adjourned sine die.

NEW COMPANY PRODUCING

AIR TRAVEL SOCIETY

Hollywood - Norris Bros. Co., newly formed company with headquarters in the Movita Building, is producing a series of sight-seeing trips through the U. S. by airplane. The shorts will be called "America from the Air." First of the subjects, a three-reeler on California, has been completed.

A. H. BLANK ACQUIRES

PUBLIX-NEBRASKA ASSETS

Omaha—Settlement of assets of Publix-Nebraska, Inc., was revealed this week in the sale of fixtures of the World and State theaters to A. H. Blank, along with the repudiation of the lease on the houses by J. W. Denman, trustee. Sale price is said to be $4,100, which includes the Capitol, Grand Island; one-fourth interest in the Bonham, Fairbury, and other property.

FRENCH PICTURES PREVIEWED

A preview screening of two French pictures, "Madame Bovary" and "Jeunesse," was held yesterday afternoon on the Ile de France. The showing was arranged by John S. Tapernoux, importer of French films.

BRILL GROUP MAY GET CASINO

Sol Brill interests are understood likely to take over the Casino theater, Seventh Ave. at 50th St. Theater formerly housed Earl Carroll shows.

NEBRASKA-IOWA M.P.T.O.

DELAY ACTION ON BOARDS

Omaha—After arguing the plan of action on zoning and clearance here this week, the Nebraska-Iowa M.P.T.O. failed to reach a decision and postponed further discussion until permanent code committees are formed. While all exhibitors have signed the code, President Charles E. Williams indicated that the clearance committee will have plenty of work.

BOSTON OPERATORS' UNION

DENIES 40-HR. EXCEPTION

Boston—Denial is made by the Operators Union, Local 182, that it has been granted an exception by Division Administrator Sol A. Rosenblatt from observing the 40-hour week. Report had it that the exception was made due to an insufficient number of licensed members in the local to enable observance of the 40-hour week.

FINN DECLARES UNIONS

HAVE KICKED TO N.R.A.

James J. Finn, editor of "International Projectionist," yesterday took issue with Division Administrator Sol A. Rosenblatt's denial that he has received no complaints from operators' locals concerning wage cuts brought about by the film industry code. He stated that he has carbon copies of "many complaints mailed to Rosenblatt" in his file.

PARAMOUNT TO HOLD

SHORT SUBJECT WEEK

Paramount will stage a "National Short Subject Week" during a seven-day period beginning Feb. 11. Neil Agnew, sales manager, announced today.

WM. HUNT ON STATE COMMITTEE

William hunt, operator of 14 houses in New Jersey, has been made a member of the appropriations committee of the House of Representatives of that state. His headquarters are in Wildwood, N. J.

BLANK CREDITORS ACCEPT OFFER

Omaha—Creditors of A. H. Blank Theater Co. of Nebraska have voted to accept the bankruptcy's offer to settle claims at 20 cents on the dollar.

TWO LITTLE WORDS THAT MEAN A GOLD MINE FROM WARNER BROS.
OF COURSE
FOX LEADS IN 1933

"CAVALCADE" HEADS TEN BEST FILMS

—And FOX will lead in 1934. Here are a few of the big ones soon to be released:

"C A R O L I N A"
"D E V I L T I G E R"
"G E O R G E W H I T E ' S S C A N D A L S"
"F O X F O L L I E S"
"B O T T O M S U P"

THE TEN BEST PICTURES 1933

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<th>Picture</th>
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Your patrons always like
FOX MOVIE TONE NEWS
MUSICAL SEQUENCES
FOR WARNER PICTURES

(Continued from Page 1)

cell film with musical interludes. Even Joe E. Brown's "A Very Honorable Guy" will contain a song and dance sequence. Ray Francis will sing in "Mandalay." A musical number appears in Ruth Chatterton's "Journal of a Crime." "Harold Teen," "Hot Air" and "Upper World" are others with musical interpolations.

"Wonder Bar," with Al Jolson, Kay Francis, Dolores Del Rio, Dick Powell and Ricardo Cortez, is another elaborate musical production.

Studio Code Groups
Announced by NRA

(Continued from Page 1)

Authority standing committee on "extras" also was announced:

Dr. A. H. Giannini, B. Mabel Kinney, Mrs. Una H. Hopkins, Fred Perlow, M. H. Hoffman, B. B. Kahane, Pat Casey, Charles Miller, Larry Steer, Lee Phelps, Allen Garcia, Fred D. Burns, Kinney, Hoffman, Kahane, Miller and Steers also will be executive committee of the standing committee of extras.

PEDRO CONCEPCION BUENO, general manager of the Societedi Electricas De Construcciones Electrificas (S.I.E.C.E.), general distributor in Spain for KKO pictures and RCA Photophone, has arrived in New York and is staying at the Ritz Carlton Hotel. After a series of conferences with KKO officials, Bueno will return to Spain on the Rex, sailing about Feb. 4.

FRED MARCH, Paramount player, with his wife, Florence, and their adopted daughter, arrived in New York on Monday night. They are leaving for Hollywood the first of the month. Part of their vacation will be spent in Anacapa, where the Machs own a hotel, "El MARCH, the family home, SAM JAFFE, who played in Paramount's "Scarlet Empress," returns to New York on the same boat.

RICHARD BRADY, sales manager for Eastman Kodak, and HERMAN C. SIEVERS, New York manager for the company, sail tonight on the Columbus for a West Indies cruise.

LEON SCHLEISER, producer of "Launey Tunes" and "Merrie Melodies" cartoons, located through Vitaphone, is in town, staying at the Hotel Astor. He will return to Hollywood in about a week.

KAY FRANCIS is en route to Hollywood after a New York vacation. She may play the role of the Empress Josephine opposite Edward G. Robinson in first nation's "Napoleon, His Life and Loves."

RAY LONG is returning to New York from the coast in company with Roy Howard.

ED KUVENDALL left New York last night on his return to Canada, Miss.

GEORGE J. SCHAEFFER returns to New York Tuesday from the South.

WILLIAM PIZOR leaves for the coast today.

SAM KRELLBERG leaves for the coast today.

WILLIAM BARNETT of Masco and Co., will fly to the coast Monday.

IAN KEITH has returned to New York from the Coast.

THE MUSICAL SEQUENCES

(Continued from Page 1)

THOSE HOLLYWOOD panners who think that stars and feature players have nothing solid beneath the make-up... should take a glint at the results of a recent poll... held on the M-G-M stages... for the most popular pieces of reading matter... consumed by the players.

OUT OF 52 ballots... "Anthony Adverse"... the 1,200 page tome by Hervey Allen... received 41 first choice votes... with Aldous Huxley's "Brave New World"... taking second honors... and to prove that our screen idols are not becoming too philosophical... third place was invariably given a murder mystery.

MANY SURPRISE VOTES added spice to the poll... Fred Healey the director, chose "The Epic of America" and "Van Loon's Geography." Madge Evans, who is curr-azy about dogs... selected Virginia Woolf's "Flushing." Wallace Ford picks "Mansions of Philosophy." Jean Harlow and Carole Lombard listed their favorites, King Lardner's "Round Up"... and Nat Pendleton... former amateur champion wrestler and now a natty screen villain... gave the nod to Jules Romaine's "Men of Good Will." Further investigation brought to light the fact that detective novels and books of the lighter sort... are perused at the studios... while the heavier stuff is absorbed at the fireside.

BING CROSBY, the Paramount crooner, has started the new year most auspiciously... Bing and his brother-man-ager Everett received word this week... that out in the Ventura oil fields... a well... in which they hold major interest... has "come in"... and promises to pay big... So whereupon Bing called up his lawyer... and now his share of the profits will be credited to the account of his young son, Gary Eau.

LOCAL SCREEN TEST directors are plenty busy these days... with eyes focused on the new editions of show girl pulpbrides... now staking out along the roadways.

EDDIE ROTH, one of the tantalizing Ziegfeld "Follies" beauties... is awaiting official word of her recent screen try-out... and Kay Cameron... gorgeous daughter of the actor. Hugh Cameron, and his future in their debut with Billy Rose's Casino de Paree revue... and also is slated for the flickers... Producers are also after a couple of Nat Dorfman's new plays... especially "The Errant Lady"... which is causing plenty bidding... Nat has also completed "The Gag Man"... a swell story with a radio background.

JOHN C. FLINN held forth at the A. M. P. A. luncheon yesterday... with a large attendance... and another gathering of important guests... Dolores Del Rio looking more lovely than ever... Cedric Gibbons... who has just finished "Tarzan and his Mate" for M-G-M... his first directorial assignment... Julius Tannen... a surprise guest... who was discovered by prexy Flinn trying to hide behind a belated luncheon... A. J. Powers the big press man... and a group of fan magazine folk including Evelyn Bal- lurino, Mettmer Franklin, Carl Schoeder, James Reid, Virginia Maxwell and Radie Harris... they were introduced by the association's stuttering secretary Al Sherman... Important announcements included the appointment of Milton Silver as chairman of the A.M.P.A. publicity department... the Press Photographers' Ass'n dinner... Feb. 2 at the Commodore... the Catholic Actors' Guild big show at the Majestic Feb. 4... and the outfit's board of directors meet today at Sardi's.

CODE CLAUSE AVERTS CHI. UNION STRIKE

(Continued from Page 1)

Motion Picture Machine Operators had disagreed with the Exhibitors Association of Chicago and that a strike had been ordered effective at 9 A.M., January 4. Immediate communication with Thos. E. Mal- ley, representing the union, and dis- cussing the attempt to exchange the provisions of the code, resulted in withdrawal of the strike order and an agreement to arbitrate imme- diately.

"The NRA has just been advised that on Jan. 10 the arbitration was entirely successful and satisfactory to all parties concerned. The ad- ministration has expressed its grati- tution to Mr. Malley and to the Chicago Exhibitors Ass'n for their cooperation and entire compliance with the code."

Financial Survey Sees
Improvement in Outlook

(Continued from Page 1)

tion production and exhibition.

Box-office receipts in the last quarter of 1933 declined from the highest level as in the corresponding 1932 period after having dropped 20 per cent earlier in the year, says the report, and the foreign exchange situation, economies and increased attendance are among the favorable factors, along with liquidation of the real estate and financial difficulties being nearly completed. The code will add only about 5 per cent to studio and circuit overhead and about 16 per cent to independent theaters, the survey estimates.

Louisiana Allied Signing
With Some Reservations

New Orleans—Allied will sign the code with some exceptions, Henry Lazarus, board chairman, told FILM DAILY.

Paramount Buys Play

Paramount has bought the screen rights to "Her Master's Voice," Max Gordon stage hit.

Best Wishes from THE FILM DAILY to the following on their birthday:

January 12
Low Collins 40
Marvin Schenck 45
Eddie Seizer 34
**NEWS of the DAY**

North Platte, Neb.—Fox is reopening the Paramount, closed for a year. This gives them two houses here. Dave Davis will manage both houses.

Alamosa, Colo.—J. J. Godstein is installing Western Electric sound in the remodeled opera house and plans to reopen by Jan. 26. Calls it The Palm.

Pueblo, Colo.—Westland Theaters, Inc., has leased the Palm theater and have closed it temporarily.

Fond du Lac, Wis.—W. L. Ainsworth, operator of the Garfield and secretary of the M.P.T.O. of Wisconsin and Upper Michigan, has been re-appointed a member of the park board here to Jan. 1, 1939.

Milwaukee—Articles of incorporation have been filed by Paden Theaters. Incorporators are L. J. Denison, R. J. Patterson and Cyrus D. Shabaz.

Buffalo—The Operators Union has settled the strike at the Palace after some three weeks.

Pontchartrain, La.—The Ideal will reopen Jan. 13.

Seattle—Local Film Board of Trade recently re-elected H. Neal East of Paramount as president and gave a special vote of commendation for his services during the past year. E. A. Lamb of KKO is vice-president and Mrs. Roberta Lynch, executive secretary. Trustees include: L. J. McGinley of Universal, A1 Oxtoby of Warner and H. Edmond of Fox.

Tampa, Fla.—The Victory theater is being opened on a three-day-a-week basis.

Mt. Dora, Fla.—Mount Dora Theater is being opened and will operate on a four-day-a-week basis.

Alpine, Atlantic City. Closed Atlantic City—The Alpine, one of the city's oldest, an indie playing "flesh" and films, has closed by order of the building department. Manager Milton Russell, who took charge of the house when it was remodeled and reopened Dec. 25, 1932, by the late Harry Savage, the inspectors for the building department found several flaws in the walls which it is alleged would have in time become dangerous to patrons. Contractors estimated it would cost $8,000 to make necessary repairs.

**NEWS of the WEEK**

**A LITTLE from "LOTS"**

By RALPH WILK

**HOLLYWOOD**

LINCOLN QUARBERG has completed his original story, "Where's Brown," which will be made by Universal with Dale Van Every as the producer. The story deals with newspaper life and should be authentic, as Quarberg and Van Every are former newspapermen. Quarberg is now at work on another original, which will also be supervised by Van Every.

HARPO MARX'S trip to Moscow for a single appearance can hardly be described as "a sleeper jump."

EUSKOR, husband of Helen Freeman, screen actress, is the author of "Jojave," a series of short stories dealing with the desert, that will be published in book form.

GEORGE STEVENS has completed the direction of "Undie-World," a comedy, at KKO, with Lou Brock as the producer.

Youngsters are certainly interested in "Harold Teen." While on location at Van Every's the "Harold Teen" company, directed by Murray Roth, had three motorcycle cops busy, so that "shooting" could be done.

SALLY ELLERS will have the leading role in Fox's "3 On A Honeymoon." Miss Ellers completes the cast in the production which James Tiling will direct. The others scheduled for the film include Henrietta Crosman, ZaSu Pitts, Irene Bentley, Howard Lally and Cornelius Keefe.

Having appeared to such advantage in the forthcoming "Fox Follies," four-year-old Shirley Temple, heretofore the star of Educational pictures, has been signed to a long term contract by Fox executives.

The Four Mills brothers are the latest radio stars to be signed by Warners for "Hot Air," the musical radio romance which Ray Enright is now directing. Dick Powell, Pat O'Brien, Ginger Rogers, Allen Jenkins, Hugh Herbert, Grant Mitchell, Joan Wheeler, Ted Fiorito and his band and many other prominent figures of screen and air will be seen and heard in the picture, which will have musical numbers created and directed by Busby Berkeley. "Hot Air" is based on an original story by Paul Finder Moss and Jerry Wald, the scene play having been written by Warren Duff and Harry Sauber. Harry Warren and Al Dubin are the authors of the songs.

Another fairy tale, "The Brave Trojan Soldier," has been selected to go into production as the third subject in the P. A. Powers "Comicolor" series, distributed by Celebrity Productions.

Dorothy Dell, Ziegfeld Follies star recently signed by Paramount, has been assigned the feminine lead in "The Man Who Broke His Heart." Earlier slated for a role in "Come On Marines," Miss Dell gets the better assignment as result of additional screen tests. She will appear with Preston Foster, Victor McLaglen and Alphonso Skipworth in the waterfront picture.

Latest additions to the cast of Columbia's "The Line-Up," which Howard Higgin is directing, are Frank Boucher, Jesse Parry, John Bleier and Joseph Crehan. Marson Nixon and William Gargan play the romantic leads in the melodrama, which was written by George Waggner. Others already signed include Greta Meyer, Paul Hurst, John Miljan and Harold Huber. Sid Rogell is associate producer.

Randolph Scott has returned to Paramount's Hollywood studios following a six-weeks sojourn in Europe. With Cary Grant, who remained in England because of illness, Scott toured London and its environs. En route back to Hollywood Scott visited his parents in Charlotte, N. C.

Seven singers of popular songs are now under contract to Paramount. Bing Crosby was the first of the lot, and Lanny Ross, Joe Morris, Carl Brisson, Kitty Carlisle, Dorothy Dell and Ethel Merman recently have been added.

Reorganization Completed At St. Petersburg Studios

(Abridged from Page 1) his local studio personnel preparatory to starting major production around Jan. 22. The permanent studio personnel as named by Beecroft follows: Frank Gatter, assistant to the chief studio executive; Fred V. Blair, general manager; Harry G. Smith, scenario editor; William A. Dawson and Richard Harrity, assistant scenario editors; Ronde Hatton, publicity director; Emma Braley, assistant publicity director; Walter Keller, technical director; Pat Hurst, property master; Charles Trisell, second assistant, production; Percy Glenn, sound engineer; Fred Guard, scenic artist; James Hanley, chief electrician.

James F. Sammon has been named to represent the studio in New York.

The studio plant was built last year by J. C. Parker, Jr., who remains as president, and Fred V. Blair, secretary, treasurer and general manager.

Beecroft's first production is now in preparation and the film story will be based upon the romantic incidents of Florida's rich early history.
A HEADLINE CAST GIVES A FRONT-PAGE SHOW!

Entertainment stars give their talent—The Film Daily gives this space—

So you GIVE A HAND! — — BE ON HAND at the

MILK and EGG LEAGUE BENEFIT

FOR THE LOS ANGELES SANITORIUM
FOR NEW YORK'S TUBERCULAR POOR

NEW AMSTERDAM THEATRE
42nd STREET WEST OF BROADWAY

SUNDAY, JAN. 28 • • • 8:15 P. M.

• With 1,001 Stars of Stage, Screen, and Radio •
A GRAND SHOW! . . . . A GRAND CAUSE! . . . . AND WHAT A GRAND AND GLORIOUS FEELING FOR YOU
to know you've helped bring health and happi-
ness to hundreds of New York's unfortunates!

A PERCENTAGE OF THE PROCEEDS WILL BE DONATED TO THE ACTORS' FUND OF AMERICA.

Make your reservations NOW!

TICKETS ON SALE AT THE NEW YORK STRAND
Or 'Phone Circle 7-5900
A 1934 Barnum Gets a Break

This following was received yesterday—by telegram, too—from A. P. Waxon, apparently after he had spent a night going back over the exploits of P. T. Barnum.

"Dear Mr. Cropper, 

Let me congratulate you a pap hip this morning. We were represented by Wm. Flanigon, V. is Tilton, and D. E. A. at the meeting yesterday of the Allied Theaters of New jersey. We were there at 10.30. There were other producers and exhibitors representing themselves in the meeting.

Yours sincerely,

A. P. Waxon"

Myers Denies Advocating Partial Signing of Code

(Continued from Page 1)

The code authorities, after a series of meetings with the producers, have announced that the code will be signed by the film companies. The companies have agreed to sign the code, but the partial signing of the code by any company will be the exception.

Seek Contest Ban

In Advertising Code

(Continued from Page 1)

The contest picture ban, as advertised by the Code Authority, was discussed at a meeting of department heads at the Hays Office last night.

Three Clauses Hinge

On Rosenblatt Report

The fate of three production clauses incorporated in the motion picture code is now in the hands of the Code Authority for control of "unreasonable salaries," contingent upon the report which Division Administrator will make to the Code Authority following Roosevelt's Colorado investigation late this month. Rosenblatt is expected to stop in Chicago, Jan. 29, enroute to the Coast, to try to adjust a back-pay dispute between Chicago theaters and the producers' union there.

In addition to the salary control clause, the provisions which prohibit contract offers until three months prior to the expiration of a current agreement has been partially suspended by the President pending examination of the mechanics of how the first three months of the agreement should be considered.

The report is expected by the Code Authority to be released in the following order:

Pizar to Start Production

William Pizar, head of Imperial Distributing Co., leaves for the coast today to start production on the first three two-reelers in a series of 12 and also to arrange production on the first feature in Imperial's schedule of eight for 1934-35 release.

Pizar will go on six weeks.

Altering Loew's New York

Loew's New York, Broadway lan-

Source: TheFilm Daily

Expect Zone Boards To Start In Feb'

(Continued from Page 1)

erning operations of the local boards, an advance meeting was held at the office of J. Robert Rubin, member of the committee and alternate for Nicholas M. Schenck. It was decided that the zone boards, which have been made up to late last night on the number of compliance blanks required to be filed by the Code Authority, have been completed.

Additional board nominations announced yesterday follow:


K. con- 

dor, Kenneth Lee, E. O. Boster, James Conole, Frank M. Keen, Donald J. Donovan, Lincoln Gerhardt, Cincinnati—S. T. Deeling. 


St. Louis—Kearls S. Sullivan.


Pizar’s Testimony

Hi obtained that would require theaters in British Guiana to show at least 25 per cent British films has been drafted by the Colonial Government for presentation to the Legislature.

British Guiana Quota

Trinity Hollywood, which was to have opened on the Castlery that would require theaters in British Guiana to show at least 25 per cent British films has been drafted by the Colonial Government for presentation to the Legislature.

Relations between the Independent Theater Owners Association and Local 306, operators’ union, were split wide open yesterday when the exhibitor association, scheduled to be called in conference at a scheduled meeting called to discuss any discussions on a basic wage scale for the territory. Withdrawal from the meeting was described by Attorney Samuel M. Birnbaum counsel for 306, Monday afternoon, and attempt on the part of the I. T. O. to cover up its inherent weaknesses and its fear to disclose the fact that it is not representing a majority of New York City exhibitors.

President Harry Sherman of the local, a member of the unit that it must substantiate its membership claims at yesterday’s scheduled conference.

The I. T. O. A. for weeks has sought by every means to pre-emptorate and to Isolde the inclusion of all exhibitors, ” said Birnbaum. "At our last joint meeting President Harry Sherman had a committee formed of that, because of widespread reports of the withdrawal from I. T. O. A. and H. Schwartz, Springer and other important members, he was furnished with written authorities made from these exhibitors whom the committee claimed to represent. This re- quest was dropped by the President Sherman or any other authorized representative of 306 had quested these stories, and that the stories made absolutely no difference in the agreement reached or in the arrangements made for the meeting. Being unable to obtain the written authorities as promised, President Sherman of 306 refused to meet with the I. T. O. committee. The I. T. O. A. had no further contact with any of the New York City exhibitors by reason of this refusal and at no time made any attempt to get the proof that it is a representative body.

Roach Signs Radio Expert

For Work on Musical Film

West Coast Bureau Of THE FILM DAILY

Hollywood—John W. Swallow, radio expert and producer of Hollywood-on-the-Air and other NBC programs, has been signed by Hal Roach to serve as technical director for the musical side of "Babes in Togland." Roach also has engaged Harry Jackson’s orchestra for the pictures, which will employ the advance in concentrated musical entertainment developed by radio. Production is to start early next month, according to Mr. Ginzberg, vice-president and general manager of the Roach studios.

President Sees “Son of Sailor”

WASHINGTON—A special screening of "Son of Sailor," starring Joe E. Brown, was held this week for President Roos- evelt in the White House projection room. The program also included the famous Tom Sawyer cartoon "Buddy The Gob," a Vitaphone “Looney Tune” cartoon.
**ANALYSIS OF MOTION PICTURE CODE**

By LOUIS NIZER

**Eighth Installment**

**ARTICLE V—DISTRIBUTORS AGREE (B) (d)**

Subsequent Run Play Dates

If a proceeding to rule out a designated picture is pending before a Local Grievance Board or an award is made by the Local Board ruling the picture and, therefore, it becomes impractical to serve subsequent-run Exhibitors in compliance with any notice of availability or confirmed play dates given to them, the Distributor has the right to change such play dates. This right exists even though the play date has actually been confirmed.

10. Withholding Features Because of Breach of Shorts

If an Exhibitor has agreed to arbitration under arbitration contracts between the Distributor and himself, then the Distributor may not retransfer:

(a) To deliver a feature picture because of the Exhibitor’s default on a short subject contract;

(b) To deliver a short subject because of the default of the Exhibitor on the feature contract.

11. Offer of Additional Feature

If the Distributor during a certain season generally releases a feature picture in addition to the number of pictures announced for release during that season, he must first offer such additional picture to the Exhibitor if:

1. The Exhibitor has contracted for more than 50 per cent of the Distributor’s pictures announced for release during that season; and,

2. The Exhibitor is not in default under any existing contract with the Distributor.

(b) If, in the above case, two Exhibitors have each contracted for 50 per cent of the Distributor’s pictures, the Distributor may, in his own discretion, decide which of the two Exhibitors he will offer the picture to first.

(c) The requirement that the Distributor offer the additional picture to the Exhibitor means that he offer to the Exhibitor an opportunity to negotiate for this picture. It does not bind the Distributor or Exhibitor in advance to any special terms.

12. Fire Regulations

Whereby the Distributor maintains an exchange, he must abide by the regulations of the Code Authority,–

(a) For the prevention of fire,

(b) For the holding of fire drills,

(c) Monthly inspections,

(d) Storing of inflammable material,

(e) Inspection of prints,

(f) Maintenance and testing of automatic sprinkler systems and fire extinguishers,

(g) Avoidance of smoking.

(h) Other methods to protect the lives of employees and the public.

**ARTICLE V—E. EXHIBITORS**

1. Rejection Under Selective Contract

If an Exhibitor enters into a selective contract which permits him to reject more than 15 per cent of the pictures licensed, he shall reject as follows:

(a) The Exhibitor must give written notice to the Distributor of his rejection;

(b) Such notice must be given within 21 days after the availability of that picture in the exchange territory where the Exhibitor’s theater is located.

If the Exhibitor does not comply with this method of rejection, the picture is considered to have been selected by him.

2. Over-Buying

(a) Prohibition

No Exhibitor may contract for more pictures than he reasonably requires if he does so with the intent and effect of depriving a competitor from obtaining such excess pictures.

(b) Reasonable Over-Buying

An Exhibitor may contract for a reasonable number of pictures in excess of those actually required in order to reasonably protect himself against non-delivery by the Distributor.

(To be Continued)

**SESSIONS**

**S.R.O. at Trans-Luxes**

The two Trans-Lux theaters, one at Broadway and 49th Street and the other at Madison Avenue at 60th Street, now the scene of the war, have taken sessions that present a news reel and short subject program. Reports that business is capacity both afternoon and evening since the closing of the Embassy News Reel Theatre programs last a little over an hour.

**BLUMENTHAL GROUP**

**AFTER FOX B’KLYN**

(Continued from Page 1)

Loew interests are expected to furnish product. Cost of renovating the Roxy is estimated at $50,000. In connection with yesterday’s FILM DAILY story about the Roxy, Howard S. Cullman of the Roxy Theaters Corp. said:

"Any authoritative statements as to a reorganization of the Roxy Theaters Corp. will be issued by the Roxy Theaters Corporation’s First Bondholders Committee, Louis H. Pounds, chairman, or by that committee’s attorneys, White & Case, when, as and if any plan meets with their approval. The Committee has no statement to make with respect thereto on any plan of reorganization at this time."

Para. Adds Three Writers

West Coast Bureau of THE FILM DAILY

Hollywood — Vincent Lawrence, Harry Hervey and Jane Hinton joined the film industry’s West Coast writing staff. Lawrence is engaged on the screen play of “Cleopatra,” which Cecil B. DeMille will direct with Claudette Colbert. Hervey, author of “Shanghai Express,” will develop an original story. Miss Hinton will adapt “Lovers in Quarantine” in collaboration with Harry Ruskin.

**VARIETY**

Joins in the Unanimous Praise for “Dawn to Dawn”

Directed by Josef Berne

"A most convincing example of the power of simplicity... Picture is sure entertainment... Will hold up its end in a house which plays it... Dramatically potent story... The girl is unusually well played by Julie Haydon. She is certainly to get attention from the majors in this direction of his performance.—VARIETY."

**★ ★ ★ THREE STARS**

— N. Y. DAILY NEWS

**FIRST RUNS AVAILABLE**

Territorial and Foreign Rights Controlled by

Du World Pictures, Inc.

Case Address: DuWorldPix

729 Seventh Avenue

N. Y. C.

BRYANT 9-0866
Rotating Chairman for Zoning, Grievance Boards

VAUDEVILLE PRODUCERS SEEK REVISION OF CODE CLAUSES

Hollywood's 1933 Overhead $135,000,000

The system of rotating chairman will be used in connection with the local grievance and zoning boards, as in the instance of the Code Authority, it was decided yesterday at a meeting of the Code Authority committee appointed to draw up uniform covering procedure of the boards. The committee, which met in the office of J. Robert Rubin, desires exhibitor and distributor suggestions for rules which must be submitted before the next Code Authority meeting in New York, Jan. 23. Principles of procedure adopted will be used both for the local boards and the Authority. Attending yesterday's committee meeting were: Rubin, Charles L. O'Reilly, Nathan Yaminis, H. S. Bareford and John C. Finn, executive secretary.

2000 Questionnaires Mailed

Last Night to Film Industry

BY WILLIAM SULZERBERG

The Washington Board of the Film Daily—Approximately 2,000 salary investigation questionnaires covering every class of company employee from directors of companies, executives, supervisors and actors down to studio mechanical help, with a detailed provision for all employees earning over $150 a week, were sent out last night to all producers, distributors and circuit operators in the nation, pursuant to the Executive Order of Nov. 27. The questionnaires are voluminous.

Code Board Members Not to Receive Pay

"No provision is being made to pay fees or salaries to any member of local boards appointed from the industry or from outside the industry with the exception of the paid secretary," John C. Finn, executive secretary of the Code Authority, said yesterday. By the new order even directors and city officials of local boards of appeal will be paid only such expenses as they may incur in the conduct of their work.

Gabe Yorke, Arch Reeve

Exchanging Fox Ad Posts

In a move by Charles E. McCarthy, Fox advertising and publicity chief, to effect closer cooperation between the New York and coast publicity departments, G. S. Yorke, vice-president of the Code Authority, announced yesterday that he is to take over the duties of Tom McCarthy, who has been transferred to Los Angeles as executive assistant to William O. O'Brien, president.

Adopt Rotating Chairman Plan

FOR ZONING, GRIEVANCE BOARDS

No salary investigation questionnaires covering every class of company employee from directors of companies, executives, supervisors and actors down to studio mechanical help, with a detailed provision for all employees earning over $150 a week, were sent out last night to all producers, distributors and circuit operators in the nation, pursuant to the Executive Order of Nov. 27. The questionnaires are voluminous.

In the face of adverse business conditions, theaters in the New York metropolitan territory increased slightly in number last year, the total reaching 1,119 as compared with 1,102 in 1933, it is shown by the annual theater directory compiled by the New York Film Board of Trade under supervision of Attorney Louis Nizer, secretary. Aggregate seating capacity of the zone is now 1,260,444, against 1,260,844 last year. Affiliated theaters have dropped from 215 to 196. Independent houses, individual or in circuits, numbered 925, compared with 887 last year with a total of 881,502 seats. There are 4,087 wired houses, 32 theaters are silent and 125 are dark, the report shows.

High Tax Measures are Avoided in Missouri

Jefferson, Mo.—Several stiff taxation bills affecting the film industry were eliminated yesterday with the passage by the Senate and House of a general state sales tax of one-half of one percent. The measure now goes to Governor Park for signature. Alternative bills include a straight 10 per cent tax on admissions, another specifying a levy of 1 ½ cents on admissions up to 25 cents and 10 per cent above that figure, and a tax on film footages. The situation in this state was likened by industry representatives to that which existed in Ohio last year, except that in Missouri the various factions worked together and were successful. The legislature adjourned late yesterday. For the film industry, this was one of the stiffest tax fights it has had in any state.
Senator Wagner to Hear New Orleans Labor Case

Washington—Senator Robert F. Wagner of the National Labor Board yesterday stated that the labor dispute between Loew's State, New Orleans, and the local union involving the alleged unjust discharge of four men, will take place here at 10 A.M. on Tuesday.

Would Foreclose 5 Houses

Manufacturers Trust Co., as trustee of a $90,000,000 mortgage issue by Allied Owners Corp., yesterday applied to Federal Judge Jinch in Brooklyn for foreclosure of the mortgage, which involves five theaters, the Pitkin, Kings and Paramount in Brooklyn, Valencia in Jacksonville and a house in Alabama. In opposing the move, John L. Flynn, attorney for Allied Owners trustees, said a contract called for purchase of the Pitkin and Kings by Loew for $11,000,000, to be paid in 10 years, and that foreclosure would nullify the contract. The motion is set for Jan. 19.

New Better Films Council

East St. Louis, Ill.—With representatives of 32 movie companies attending, the East St. Louis Better Films Council was formed at a meeting of the Y.W.C.A. this week. Elsie Cianahan is chairman.

“Henry” in 5th Month in Paris

Paris—“The Private Life of Henry VIII,” the London Film Production released by United Artists and starring Charles Laughton, is now in its fifth month here and still going strong.

Fort Worth Bars Nudist Film

Fort Worth, Tex.—After a private showing to the censor board, the nudist film, “Elysia,” was turned down. This is the only nudist movie ever banned outright by the present censor board.

“Social Register” Release Set

Columbia's “The Social Register,” made in New York under the supervision of the director of Marion M. Nelian, will be nationally released Jan. 29.

St. Louis Theaters Are Restoring Prices

St. Louis—With Fanchon & Marco's deal for the Fox Theater practical set, giving them control of both house and the St. Louis end of the price war here is seen. The Fox already has advanced its early matinee prices from 25 to 29 cents, and general evening scale from 35 to 40 cents. The St. Louis is scheduled to boost prices Feb. 2, going from 25 at the same branch. In the afternoon, and 55 cents at night.

Cleve. Exhibs Sign in Part

Cleveland—Members of the Cleveland M. P. Exhibitors Ass'n at a meeting yesterday overwhelmingly voted in favor of signing the film code with reservations.

Dog Racing Bill Killed

Seattle—A bill to legalize dog racing in the state of Washington has been killed in the House. Movie interests fought the measure because of the competition involved.

Lou Preston on Trip for Health

Lou Preston, managing director of the Academy of Music and former Skouras district manager in Wisconsin, has resigned, effective immediately, and leaves today on an extended sea trip. Preston has been ill health for several weeks and the vacation was suggested by his physician.

Paris Premiere for “Catherine”

London—“Catherine the Great,” London Films production with Douglas Fairbanks, Jr., will have its premiere Jan. 19 at the Lord Byron Theater in Paris. Fairbanks will attend the opening. He then returns here for several more pictures, which United Artists will distribute.

Taxation Looms in Kentucky

Frankfort, Ky. — Tax program outlined yesterday by Governor Laffoon will include a state levy on vacations unless that portion of the plan is defeated.

Mary Pickford Booked in Boston

Boston—Mary Pickford will appear in person at the Metropolitan for a week beginning Jan. 19.

New Boston City Censor

Boston—Herbert J. McNary has been appointed city censor by Mayor Frederick W. Mansfield, to succeed Stanton White.

M-G-M Acquires Play

“All Good Americans,” recent Broadway play by S. J. and Laura Ferrelson, has been acquired by M-G-M.

4 New Paramount Branch Managers

Paramount has named four new branch managers, as follows: James J. Donohue, Salt Lake manager transferred to Minneapolis; replacing Chapter A. Roeder, who takes charge of the San Francisco exchange; Harold E. W. Conn, Oklahoma City manager, who is assigned to Dallas, succeeding Phil Longdon, resigned; Charles G. Epperson, salesman connected with the Salt Lake City office, named manager of the same branch; Sidney R. Simpson, Dallas salesman, appointed manager in Oklahoma City.

New York Stock Market

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New York Curb Market

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Printers 

Tologies of the Hays office advertising code agreed upon by advertising and publishing department heads finds that the proposed ban on contests, reported extensively in yesterday's FILM DAILY, is confined to contests in which persons are required to purchase tickets in order to participate. Only such contests produce an effect of promoting use of the agreement.

Social Register Release Set

Columbia's "The Social Register," made in New York under the supervision of the director of Marion M. Nelian, will be nationally released Jan. 29.

M-G-M Acquires Play

"All Good Americans," recent Broadway play by S. J. and Laura Ferrelson, has been acquired by M-G-M.
VAUDE PRODUCERS SEEK CODE CHANGES

(Continued from Page 1)

actors already employed and presently employment of others.

Mallock, chairman of the committee, said that the contemplated production recently in New York by the vaudeville and vaudeville sets was being held up because of the code. He asserted that clauses in code make cost of production and presentation prohibitive citing the clauses stipulating that performers be paid during layoffs, and the fixing of a $35 weekly minimum for little people. He said that unless opening dates of theaters made layoffs a necessity and producers feel it is unfair that they should be paid $35 weekly and not get out of dancing school. He added that the code took no cognizance of the custom of vaudeville houses working units and paid half-salaried during the first two weeks of break-

The vaudeville producers will hold an organization meeting this afternoon at the Playhouse Theater. Among those affiliated with the group are Baby Carroll, Gus Edel, Basil Delpino, Tom Kennedy, Earl Lindsay, Chas. Mosconi, Eddie Jackeck, George Chos, Louis Hooper, Lester Lee, Nick Agena, Harry Kirvit, Morris Golden, Harry Noman, John Hickey and others.

Code Board Members Not to Receive Pay

(Continued from Page 1)
yesterday wired the Theater Owners of Oklahoma in response to a program protesting against the rumored pay of some board members. The Oklahoma wire contended that "this is responsible work and members should receive remuneration." Filmm replied:

"The Code Authority has placed itself on record as unanimously approving the policy of performing all duties and supervising the duties and functions of local clearance and district and local clearance units and at the minimum of expense to the three branches of the industry from which it is drawn the expense of operation will be charged. Members of the Code Authority are devoting unlimited time and effort with no remuneration but are prompted by a desire to render unselfish service to the industry at large in support of the Code and its administration's appeal to the government. A subsequent telegram from the exhibitor referred to that "that you are in your attitude. Position taken simply to codify the code to the uniform treatment of all members of boards.'"

COMING AND GOING

JERRY Süssman of the Paramount foreign department is back in New York from Mexico.

SOL A. ROSENBLATT leaves for the Coast within 10 days.

NATHAN YAMINS returned to Fall River yesterday from New York.

COLLEEN MOORE, who recently finished work in RKO's "Success Story," leaves Holly-

DOUGLAS FAIRBANKS, JR., going abroad to rehearse work for London Films, and J. CARLOS DAVETTA, Fox's director general in France, still today on the Ile de France.

MRS. GAYNOR, lost for a vacation, is stopping over in Chicago and arrives in New York early next week.

RAILROAD PASSENGERS for the coast to start work in M-G-M's "Man in the Mirror.")

SALARIES FROM $150 EMBRACED IN PROBE

(Continued from Page 1)

and detailed in content and instructions, covering gross receipts for each year from 1931 to 1933, cost of supplies, total capital investment, surplus and reserves, net profit or loss, number of company directors, as well as compensation, number of executives, supervisors, clerical office and service, actors and actresses, extras, motion picture directors, musical directors, writers, authors, composers on down to laboratory workers. Compensation in each class is called for. A separate detailed sheet requires the listing of all employees whose aggregate compensation totals more than $150 weekly. Provision in one of the questionnaires calls for listing of the amount of cash bonuses, commissions, and other cash compensation in capital stock, bonds or other securities, amount of subscription rights and gifts. All parts of survey are from 1931 to 1933 inclusive.

Division Administrator Sol A. Rosenblatt said no time limit has yet been set for their return here, but it is figured that it will take about 30 days. All replies, which must be certified to, be said, "will be held in strictest secrecy, the information being for the government alone."

While the questionnaires are not identical with those sent out recently by the Federal Trade Commission, the latter was consulted in their preparation. A complete compilation of all data obtained will be done at NRA itself, by the statistical division of that administration. The investigation itself, has nothing to do with the one conducted by the Trade Commission pursuant to the Costigan resolution of the Senate.

Regular Loew Preferred Dividend

Regular quarterly dividend of $1.625 has been declared on Loew's preferred stock, payable Feb. 15 to stockholders of record Jan. 31.

AYLESWORTH ANNOUNCES RADIO CITY OFFICERS

(Continued from Page 1)

president and acting general manager; Herman Zolbiel, treasurer; William Mallard, secretary.

The foregoing and Webster B. Todd, Joseph O. Brown and Francis T. Christy comprise the board of directors.

GABE YORK, ARCH REEVE EXCHANGING FOX AD POSTS

(Continued from Page 1)

advertising manager in New York, leaves for the coast next week to trade places with Arch Reeve, head of the Hollywood publicity department.

"Carolina" Premiere in South CHARLOTTE, N. C.—Janet Gaynor and Lionel Barrymore in "Carolina," directed by Henry King and based on Paul Groves' "House of Connel-

M. P. FEDERATION MEETS

General business was transacted by the executive committee of the Federation of the M.P. Industry at a meeting yesterday in New York.

CARROLL, MISS, with the nobility of 
the Prince of Wales... and includes the 
King and Queen in her New Year's calls... scorns "high hat" and is a regular telling... to the world... which should be swell news for the folks in Hollywood... where the star will soon make a fox for... and where those who, count, are human... and those who aren't human... can't count.

"SING, WE printed that item about Buster and 
Louise Keaton.... we have had a number of phone calls 
and messages... asking for Buster's address... from film folk who want to send congratulations to the great comedian... who was lost in the shuffle of and whose comeback should be hailed by exhibitors... So here's the dope... Buster has been signed for a series of shorts... and that's where to send your wires... All of which reminds us... that the producers who are in crying need for box-office stars... should bend over a bit and see who is sitting on the doorstep.

PARAMOUNT OPERATIONS CONTINUE PROFITABLE

(Continued from Page 1)

ahead, totalling about $260,000,000, action to end the bankruptcy is not an 
early possibility, it was stated. The claims will have to be cut down drastically for a settlement, the truste

DOCTORS VIEW FILM

Richard—Dr. W. B. Foster, di-
rector of the local Department of Public Welfare, and Dr. B. K. Flan-

4 WARNERS BOOKED IN 2 WEEKS

Pittsburgh—During the two weeks 
beginning Jan. 19, four Warner-

first National pictures will play 
first theaters here. The booking 

BIRTHDAY WISHES

Best wishes from THE
FILM DAILY to the fol-
lowing on their birthdays:

January 13-14

Herbert Brenon Kay Francis Louis Payne Edwin Styles Bobe Daniels Clara Bergner Major Edward Bowes Edward P. Curtis
"EASY TO LOVE"
with Genevieve Tobin, Adolphe Menjou, Mary Astor, Edward Everett Horton 
WRITTEN BY 65 mins. 
SOPHISTICATED MARITAL COMEDY HELD UP CHIEFLY BY THE EARNEST WORK OF FINE CAST.
Lacking an unfamiliar or substantial nature in the way of plot, this rather unconventional comedy has to rely largely on its cast to prove what it is, which happen to be very good. The story is just one of these crapulous affairs. Adolphe Menjou, married to Genevieve Tobin, is the best father in the world with Mary Astor. At the same time, a mutual friend, Edward Everett Horton, is making a play for the wife, but she wants only her husband. So she hires a detective to trail him, then catches the love nest, makes some sharp thrusts at Mary, and follows it up by inviting her to dinner where an all-around showdown takes place. When Adolphe suspects his wife is likely Menjou off with a politics that he wants his wife more than the other woman. The actual denouement and reconciliation is forced however, by the threat of divorce by Patricia Ellis, who threatens to lose her sweetheart sans benefit of a wedding unless the parents make up.

CAST
Genevieve Tobin, Adolphe Menjou, Mary Astor, Guy Kibbee, Edward Everett Horton, Patricia Ellis, Hugo Herbert, Robert Greig, Paul Lay, Horter Cavanaugh, Harold Waldridge.

DIRECTOR, Writer. Keighley; Author, Neil Morgan; Adapters, Earl Burnett, Charles Germain; Recording Engineer, George Tribby; Editor, Jack Hively.

Direction, Good. Photography, Good.

"WEST OF THE DIVIDE"
with John Wayne, Virginia Brown Faire 
Mongram 54 mins.

GREAT STUFF FOR WESTERN FANS WITH THIRLLS GALORE AND SPEED FROM START TO FINISH.

You'll go a long way before seeing a better western than this exciting film which is about the best yet turned out by Monogram. It is spiced with some ace riding, a couple of very real fist fights and some surprise thrills that are breath-taking.
The story concerns Wayne, who as a cowhand, returns to the scenes of his boyhood after an absence of 12 years. He is set on discovering the murderer of his father and also in locating his little brother whom he has not seen since the killing. Wayne gets in with the gang that is out to steal a ranch and kidnap the rancher's daughter. Before the final pay-off when he saves the ranch, wins the girl and finds his brother, he battles his way through many barriers and proves a wealth of good snappy entertainment. George Hayes again comes in for most of the characterizations in Wayne's pal in good times and bad, and little Billy O'Brien is fine as the kid of the ranch house.


DIRECTOR, R. N. Bradbury; Author, same; Dialogue, same; Editor, Carl Pierson; Cameraman, Archie Stout; Recording Engineer, John Sturdevant.

Direction, Swell. Photography, Excellent.

"EIGHT GIRLS IN A BOAT"
with Dorothy Wilson, Douglas Montgomery, Kay Johnson, Walter Connolly
PARAMOUNT 85 mins.

WELL-CONTRIVED STORY OF ADOLESCENT GIRLS WILL APPEAL BEST TO THE FEMININE CLIENTELE.

Essentially a woman's story, because the dominating theme is the problem that engulfs a girl, Dorothy Wilson, who becames friendly with a Swiss finishing school has been worked out in a sympathetic manner that should make it quite engaging to men as well. It is basically a "study" of its kind, rather than being just entertainment; and audiences that can see it from this viewpoint will enjoy it most. Action shows how the school attempts to educate the young girls so as to fortify them against the hard world. But all too frequently trouble her predicament overshadows all the studies, sports, gayeties, etc. The chagrin in the case is not in a position to marry unless he sacrifices his career, is admirably portrayed by Douglas Montgomery. Richard Wallace's direction has genuine feeling in it.

CAST: Dorothy Wilson, Douglas Montgomery, Kay Johnson, Barbara Barondess, Ferne Foret, Bates, Walter Connolly, James Duryl, Colin Campbell, Peggy Montgomery, Margaret Marquis, Marjorie Cavaleri, Virginia Hall, Kay Hammond.

DIRECTOR, Richard Wallace; Author, Helen MacDonald; Adapters, Lewis Foster, Casey Robinson, Cameraman, Gilbert Warrington.


"I WAS A SPY"
with Madeleine Carroll, Herbert Marshall, Conrad Veidt, Gerald Du Maurier
Fox-Gaumont- British 85 mins.

SUSPENSEFUL SPY DRAMA ENHANCED BY FINE PERFORMANCES AND SMOOTH-RUNNING ACTION.

This one belongs to the better grade of English pictures as far as international appeal is concerned. Though it never works up to any great dramatic highlights, the story is consistently interesting and maintains a nice level of suspense. The fine work of an expert cast, plus intelligently restrained direction, are helpful factors to this end. Story revolves around Madeleine Carroll, a Belgian girl whom the invaders Germans induct into service as a nurse and who turns spy against them. Herbert Marshall, a doctor, is one of her confederates. To gain certain information, Madeleine submits to the advances of Conrad Veidt, German commandant, who subsequently detects the girl's activities and demands the customary death sentence. Marshall then comes forth and claims the blame in order to save Madeleine from the firing squad.

CAST: Madeleine Carroll, Herbert Marshall, Conrad Veidt, Gerald Du Maurier, Edmund, Donald Cartaph, Eva Moore, Nigel Bruce, May Agate, Mary Hunt, George Merritt, Anthony Bushell.

DIRECTOR, Victor Saville; Author, Martha McKenna; Adaptors, W. P. Lipscomb, Additional Dialogue, Ian Hay, Cameraman, Van Enger, Recording Engineer, William Salter.

Direction, Smooth. Photography, Fine.

SHORT SUBJECT REVIEWS

Tom Terriss in "Quest of the Perfect Woman"
Hammer Pictures. 10 mins. Unusual and Swell.

Tom Terriss, long identified as the vagabond adventurer and director, has hit upon a different and dandy idea in this new series. It is not a travelogue, but rather a "romantic quest" from place to place in search of "the perfect woman." The subjects have a sort of "short story" in them, acted by the actual foreigner, and the usual offstage narrative is replaced by dialogue between Terriss and his aides. The first two in the series are "The Vampire of Marrakesh," showing Terriss in a spacy incident with a Moorish beauty in a Sultan's palace, and "The Veiled Dancer of ElOued," in which Terriss trails another chaser of the dancer who has glimpsed dancing in the streets. The subjects have story interest, natural scenic interest, a dash of piquant sex that is handled with good taste. Tom Terriss, yet has a kick in it, nice musical accompaniment and even an occasional comic touch. They ought to go over fine.

Roy Turk in "Song Hits" Vitaphone Pleasing.

A sort of song-o-logue bringing in various numbers written by Roy Turk. Scene is Turk's office in his publishing house. A girl comes in and wishes to be shown the course followed by a song writer. Time it is submitted until it becomes hit. So Turk shows her around, with a vocalist interpolating bits from various of his hits.

"Buddy's Show Boat"
(Merrie Melody) Vitaphone. 7 mins. Good.

Buddy and his sweetie have a showboat and stop the river to give a performance. First comes the street parade, then the show itself. Buddy gets into trouble when a deckhand villain does some dirt to the girl but is promptly squelched by a waltz. Action is lively and there is a tuneful accompaniment.


Dancing occupied a good deal of the interest of this Broadway rev- 2.

ity. Hal Le Roy, an usher, meets a girl, a member of the chorus in the same theater, each thinking the other is a somebody. When they come face to face in the theater, they are told that they are fired. So they frame a dancing act together, become a big hit, and return to the theater to show the hard-hearted manager.

HOLLYWOOD PLAZA

MOST CONVENIENT
Hotel in Hollywood
$2.50 up, Single
$3.00 up, Double
Special weekly and monthly rates

The Plaza is near everything to see and do in Hollywood. Ideal for business or pleasure.

Every room has private dressing room, bath and shower. Beds "built for rest." Protection of convenience. Fine foods at reasonable prices. Convenient parking for your car.

Chas. Donegan, Mgr. Eugene Stern, Prop.

The "Merrie Melody" Vine at Hollywood Blvd. HOLLYWOOD
Reopenings Spurt in N W., Pennsylvania, Oklahoma

2,500 THEATERS CHANGED HANDS IN PAST YEAR

160 More Nominations Are Made for Code Board Posts

Changes in Ownership of Theaters Averaged 200 a Month

Approximately 2,500 theaters, about one-fifth of the active houses in the U.S., underwent a change of ownership in 1933, it is shown in a recapitulation of the monthly reports of theater changes published in THE FILM DAILY. High mark for transfers occurred in September, which had 264 houses shifting to new owners, while in April there were 262. Low month was August, with 149. For the year as a whole, the average was a little more than 200 a month.

CREAM OF NEW FACES ON COAST - GRIFFITH

West Coast Bureau of THE FILM DAILY

Hollywood — After a four-week fruitless search in the east for new faces to cast in "Alien Corn," Ann Harding vehicle which he is to direct for RKO, Edward H. Griffith returned here convinced that the cream of new faces as well as acting talent is right here in Hollywood. Even artists' representatives in New York admitted this, Griffith says. He urged less hesitancy on the part of producers in choosing from the extra ranks.

Reductions Expected

In Shorts Programs

Substantial reductions in the total number of short subjects to be produced for the 1934-35 season are indicated owing to the fact that the motion picture code generally

Northwest, Penn. and Okla.

Report Spurt in Reopenings

"Moulin Rouge" Caravan

Starting from Capital

Due to a change in plans, the 20th Century-Socony Vacuum "Moulin Rouge Caravan" originally scheduled to start its cross-country tour from New York will shift its starting point to Washington where an

(Continued on Page 4)

Vol. LV. No. 12
New York, Monday, January 16, 1934
5 Cents

The Cinema

... on-a-string

by Jack Alcicato

No one is BETTER copy for the boys than SAM goldwyn ... If you think the paying customers are TIRED of going places you should have seen the crowds at the pro tennis matches at the GARDEN ... An official HIGH in government circles just told us that NO industry was more CONSTRUCTIVE in its N.S.A. cooperation than motion pictures ... LITTLE WOMEN can't miss making the TEN BEST of 1934 ... And speaking of the TEN BEST of 1933 the amount of interest created in the NEWSPAPERS of the country in this year's ballot was a record breaker ... All is well with ARTHUR Lowe and MRS. on that round-the-world jaunt ... SID Kent is planning a month with the SUNSHINE in Florida ... 

THAT fan dance of FANNY brice in the Folies is a TORNADO ... ED schiller who knows tells us that biz is on the UP-curve ... THE COMEBACK of Paramount can well be hailed as a MAJOR achievement ... NICK schenck is coming along nicely after being a pretty sick man ... Al Jolson has not hurt pictures ... COURT-LAND smith has a new lens that does everything but TALK ... That LOWELL thomas personality SHOULD be in pictures ... ENGLAND is having OVERSEASING indigestion ... J. J. McCarthy is doing a swell job over on 44th Street ... that SAM katz person is about ready to TALK ... TOM moore, Washington exib, has circuit aspirations ...

IT is BREAKING the hearts of some of the CHRONIC monkey-wrenchers to find that this code business is ON-THE-LEVEL ... BIZ-Barometer—Florida is having the best season since the big CRACK-UP ... Looks like another THEATER cycle is on the way ... BROADWAY looks more like Conoy island every day ... We MISS the Embassy as a REGULAR visitor to the NEWS flickers ... Just a wee bit more prosperity and you'll see several important industry projects under way ... Have you a little SALARY questionnaire in your home?

Additional Names Proposed for Members and Secretaries

One hundred and sixty more nominations for members and secretaries of local clearance and zoning boards were announced Saturday by the Code Authority in New York. The latest list of recommendations follows:

Alhambra—William Raynor, Morris Shulman, Harry Basket, Jacob Koenen, W. H. Mills, .....

(Continued on Page 4)

$300,000 NEGATIVE ON KORDA'S NEXT 6

London—Following completion of "Kongo Raid" and "Exit Don Juan," London Films, under the direction of Alexander Korda and producing for United Artists release, plans for more quality pictures costing not less than $300,000 each, according to Korda. This was the cost of "Henry VIII," which Korda says could not have been made in Hollywood for less than $750,000. London Films also has another completed picture, "Catherine the Great," with Douglas Fairbanks, Jr.

Hal Roach Completes

Half of '33-'34 Lineup

West Coast Bureau of THE FILM DAILY

Hollywood—Hal Roach has completed approximately half of his 1933-34 short subject program for M-G-M, with 20 out of 52 pictures now finished. The second of his scheduled two features entitled "Babes in Toyland" is currently in production. Roach begins work on his 1934-35 program in June.

(Continued on Page 4)

"10 Best" Dramatized

The Ten Best Pictures of 1933, as determined by The Film Daily's nationwide poll of critics, were impressively dramatized by "Time Magazine" in its March of Time program Friday night over a national WABC network. A descriptive bit was presented on each picture. Lowell Thomas, the ace news commentator of the Air, also spoke on the poll over WJZ's nationwide hookup.

11 NEW RKO FILMS SLATED TO START

West Coast Bureau of THE FILM DAILY

Hollywood—In addition to pictures now in work, RKO has preparations under way on 11 other productions. They include "Strictly

(Continued on Page 4)
Not Selecting Secretaries Until Code Boards are Set

Paid secretaries of local zoning and grievance boards will not be selected until the boards themselves are named and set up shortly after the first of next month, the Code Authority has decided. Appointments will be made by the Code Authority upon recommendations of the boards. The Code Authority office in the Paramount building is being flooded with applications for board secretarial posts.

Series of Color Shorts For New Para. Program

Paramount's 1934-35 short subject program will contain a series of color cartoons known as "Color Classics," produced by Max Fleischer. A minimum of six subjects is planned and the group may run as high as 12 pictures. Lou Diamond, in charge of short subject production, will go to the Coast late this month to confer with Emanuel Cohen, company's production head, on next year's shorts program.

New Accessory

Frey Mayer, accessory manager of the Big U Exchange, announces his first personal accessory. He was born yesterday at the Hardee Hospital. Weighs six pounds, mother and baby doing nicely, thank you. Will be called Jon Stephen Mayer.

Eddie Bonns Improved

Edward Bonns, Universal's short subject picture, is looking well and is expected to be back at his desk today after being laid up on account of a bad cold contracted on a tour of exchanges.

Holding Code Meeting At Western Michigan

Grand Rapids—Alied Theater Owners of Michigan is sponsoring a meeting at the Pantlind Hotel here, Jan. 18, to discuss the code and members of its zoning and grievance boards. H. M. Richy, Allied general manager, will be present. Meeting is open to all exhibitors, whether or not they are members of Allied. Similar confabs were set for Detroit and Flint.

New Virginia Theater Unit

Salem, Va.—Virginia Theater Management Corp., a Maryland corporation, has just been domesticated in Virginia to do a theater and amusement business. Principal officer of the corporation in this state is to be located here, with Bernard Depkin, Jr., in charge of business.

First Holdover in Years

Grand Rapids—Max West in "I'm No Angel" was the first picture to run a full week at the Our theater since "All Quiet." Business was up 40 per cent, according to Allen Johnson, manager.
Eric Charell, producer of international fame! Charles Boyer, outstanding dramatic figure of France! Joining their genius under the FOX banner . . . to give America a glorious new entertainment thrill. Two more brilliant personalities added to the resplendent FOX roster. Further evidence that FOX is ever alert to add glamour to your box office!

To appear in Erik Charell's first American production . . . which will bring to the fore all the mysterious glamour that radiates from this magnetic personality.


Here to make productions typical of the amazing vitality, originality and appeal which characterize his sensational Continental successes.

11 NEW RKO FILMS SLATED TO START

(Continued from Page 1)

trol," "Trigger," "Keep 'Em Rolling" (formerly "Rockeyy"), "Two Alone," "Hips Bips Brought," "Smoke Story" and "Man of Two Worlds." "Secret Love" and "So You Won't Sing, Eh?" also will join the list shortly.

"Moulin Rouge" Caravan

(Continued from Capital Page)

rangements are being made by United Artists to give the caravan a Presidential sendoff. The tour starts from the Capital on Sat., with arrival in other cities as follows: Baltimore, Feb. 3; Philadelphia, Feb. 5; New York, Feb. 6-7; Boston and Providence, Feb. 9-10; Albany and Syracuse, Feb. 12; Rochester and Buffalo, Feb. 13-14; Cleveland, Feb. 15; Detroit, Feb. 16-17; Chicago, Feb. 19-20; Milwaukee, Feb. 21-22; Indianapolis, Feb. 23; St. Louis, Feb. 24-25; Kansas City, Feb. 28, and later to San Francisco and Los Angeles.

Reductions Expected

In Shorts Programs

(Continued from Page 1)

prohibits 100 per cent tying in of shorts. The document specifies that a distributor can force only as many shorts as features sold to exhibitors in the deal.

Within the next weeks major companies will begin to lay out their programs for the new season, with conferences both in New York and at the coast.

Dorothy Gish in New Play

Dorothy Gish appears in "By Your Leave," which opens in New York Jan. 24 at the Morosco theater and begins a tryout today in Philadelphia.

LAURA LA PLANTE leaves the coast this week for New York city to work on "The World," a Warner picture.

JUNE KNIGHT, Universal player, is going to Miami, Fla., for a brief vacation.

JOHN W. CONSIDINE, Sr., and WILLIAM K. HOWARD are in the cast.

JOHN BLYSTONE is having a vacation in New York.

CARL LESERMAN, assistant to Grad Sears, Warner sales executive, and CHARLES EINFELD, advertising manager and publicity head, return today from a business trip to Dallas.

R. MCDONOUGH of RKO left for the coast yesterday.

SAMUEL L. "ROXY" ROTHMAEL's proposed trip to Florida has been postponed until later this week.

P. E. ISSICK, A. KRAMER, H. REIFF and M. A. LEHMANN of RKO arrived in Cleveland arrived in New York a few days ago.

HOWARD HUGHES has gone to Miami from New York, but will take his personal direction of the night air show.
State-Lake Crowd Roars as
"In the Money" Shows
Antics of Family

By ROB REEL
(Chicago American)

Like another shot of "Three Cornered Moon"? "In the Money" is your prescription.

The State-Lake screen offering unfolds a plot very similar to the Rimplegar family's ups and downs. Another screwy menage, motherless this time, featuring an inventor father who occasionally blows up the house by mistake, and a motley assortment of brothers, sisters, and in-laws, shepherded by Lambie, the big sister.

Little sister goes in for nudism and Eugenics and shows up one eventful day with a prize fighter for a prospective husband. Warren Hymer is the title challenger who decides to give up the mainly art in favor of Shakespearean histories. His manager, played by Skeets Gallagher, doesn't take too kindly to this proposition and starts a campaign to change his pug's mind, if any.

The situation is further complicated by a sister who has artistic leanings and a yen for the Left Bank, and who is married to a third-rate actor. Also by a young brother who takes joy in risk his neck on a motorcycle.

The family finances fall suddenly and Lambie tries to make the others realize their plight. In an effort to bring home a little bacon, young brother, played rather self-consciously by Junior Coghlan, gets himself badly hurt in a motorcycle race. Five figured money then becomes a grim necessity if buddy is to have the important operation, which will restore the use of his legs.

The only source of some quick cash is the championship boxing bout, which will net prize fighter "Gunboat" $65,000, win or lose. All that stands in the way is Gunboat's new-formed prejudice against circuses. Smart manager Skeets finally takes care of that, just in the nick of time. Then Skeets and the good sister (Lois Wilson) — well, you know the rest. "In the Money" is amusing . . . in fairness it must be chronicled that the State-Lake audience roared.

"IN THE MONEY"
Produced by
MAURY M. COHEN
AN INVINCIBLE PICTURE
Directed by Frank Strayer
Story by Robert Ellis
CAST: Skeets Gallagher, Lois Wilson,
Warren Hymer, Sally Starr, Arthur Hoyt.

Distributed by
CHESTERFIELD MOTION PICTURES CORP.
1540 BROADWAY, N. Y. C.
ANALYSIS OF
MOTION PICTURE CODE

By LOUIS NIZER

Ninth Installment

ARTICLE V—UNFAIR PRACTICES—EXHIBITORS

(cont.)

3. Rebates

1. Price of Admission

(a) Lowering Admission Prices

No exhibitor may lower the admission price which he
publicly announces or advertises, by giving rebates in the
form of gifts.

1. Lotteries

2. Prizes

3. Throw-away tickets

4. Two-or-more-admission passes

5. Any method which

(b) Minimum Admission Price

The exhibitor must, at all

times, maintain the minimum

admission price specified in

his contract. Except as set

forth above, the exhibitor

may reduce or increase his ad-

mission prices at his own
discretion.

2. Premiums

(a) Nothing in Section 1

prohibits the exhibitor from
giving rebates such as premiums

in the form of gifts.

(b) Even gifts, however, shall be

prohibited if 75 per cent of the

exhibitors in an area de-

fined by each local Board

and Zoning Board, express in

writing their desire to pro-

hibit this practice.

(c) The 75 per cent vote above

mentioned must be at least 75

per cent of the affiliated the-
ners in the territory and at

least 75 per cent of the un-

affiliated theaters in the terri-

ory.

(d) Each Exhibitor is entitled to

one vote for each theater

which is actively and contin-

uously operated by that Exhi-

bitor in that territory.

Exhibitor Wins Action
Involving Theater Code

(Continued from Page 1)

of the New York State Supreme
Court just issued in Albany. Devi-
sion was made in the case of Louis
Rosen, exhibitor, against John
Chesnus, Brooklyn landlord, repre-

sented by Attorney Louis Nizer.

The court, which heard the case after it

had been appealed, refused specific

performance of the contract, as

sought by Nizer, and granted the

petitioner's demands of $12,000.

12 Houses Install Tyl-A-Mats

Installation of Tyl-A-Mats in 12

theaters within the last few weeks

has been made by O. W. Jackson & Co.

Houses include the Park, New-

burgh; Suffolk, Riverhead; Skouras

Crotoba, Middletown and Yorktown, all

in Manhattan; RKO Palace and

Strand, Rochester; Oceana, Bright-

on Beach; Southern, Columbus;

RKO Albe, Providence; Palace, Place

Orange, N. J., and Shawnee, Shaw-

nee, Pa.

Two Actor Groups Chartered

Actors' Betterment Ass'n and the
Burlesque Artists' Ass'n are now af-

iliated with the A. F. of L. through

the granting of charters by the

Associated Actors and Artists of

America, which has jurisdiction

over the entertainment field under

the A. F. of L. Frank Gillmore,

president of Actors' Equity, also

is president of the A. A. A. A.

A. C. Blumenthal Loses
Suit Over Fox Stock Sale

Philadelphia—A. C. Blumenthal's
suit against Albert M. Greenfield,
seeking $151,575 as commissions in
connection with the sale of William
Fox's stock holdings a few years ago,
has been dismissed by the U. S.
Circuit Court. Greenfield was clear of charges.

Sam Thall Dead

Sam Thall, RKO transportation
manager, died Friday of heart trou-
ble at his home 640 Washington AVE.
After an illness of three weeks, Thall
had been transportation

manager for RKO for 30 years and prior to
that was with the Orpheum Cir-

cuit. He was in his seventies, wife

and daughter survive.

Cleveland Benefit Show

Cleveland—Under auspices of the
Cleveland Film Board of Trade, a
dinner dance to raise a local relief
fund, will be held Feb. 12. Commit-
tee on arrangements consists of I. J.
Schmertz, Fox; John Himeschein,
Paramount, and H. C. Bissell,
Columbia.

New House for Brooklyn

A new theater, seating 500, is un-

der construction at Ave. N and

Schneckly Ave., Brooklyn, and has
been leased by Sidney Grover of Pel-

ham. House, constructed by the

Weingarten interests, will be open

in March.

Herb Jennings at Fordham

Herb Jennings has been named

manager of the RKO Palace, suc-

ceeding Arthur Connor, who was

appointed manager of the RKO Pal-

ace.
A LITTLE from "LOTS"

By RALPH WILK

HOLLYWOOD

GOUVERNEUR MORRIS, noted novelis and screen writer, has been signed to write the screen play for "The Sea Girl," RKO picture which will go into production early in March. Shirley Burden is associate producer.

Harry Green is the father of a seven-pound boy.

William Wellman is reading the script of "Stingaree," RKO vehicle for Irene Dunne, and may start directing it about the middle of February. David Lewis will supervise.

Twelve of the mannequins of "Fashions of 1934," First National picture starring William Powell which will have its world premiere in New York on Thursday evening, will fly to New York in order to be present that evening. Orry-Kelly, fashion creator, is expected to go east by the same plane.

"Flirtation Walk," a story by Delmar Davis, has been bought by Warners and the adaptation is now being prepared. It will have a musical comedy sequence.

"Two Alone" has definitely announced as the final release title for RKO Radio Pictures screen version of Dan Totheroh's play, "Wild Birds." Jean Parker and Tom Brown are featured in the production, which was directed by Elliott Nugent.

Richard Barthelmess's next for Warners will be "One Man Woman." Alan Crossland will be the director.

Production of the Stuart Palmer mystery thriller, "Muder on the Blackboard," as a sequel to "Penguin Pool Murder Case," is in preparation at RKO. Willis Goldbeck has been signed to write the play, George Archainbaud will probably direct. Kenneth Macgowan is associate producer.

Charles Lamont will direct the next Educational-Andy Clyde Comedy shortly to go into production. A departure for this series, this comedy, as yet untitled, will have original songs with music by Alfonse Corelli. Story is by Ewart Adamson.

Kenneth Peach, ace cameraman who photographed Hal Roach's feature, "Song of the Desert," has been assigned to do the camera work on "Old and New." On the same day that First National's "Fashions of 1934" has its premiere at the Hollywood theater, next Thursday, the Warner theater across the street will present the opening of "The Man With a Million Years Ago," recent World's Fair attraction.

N-E-W-S O-F T-H-E D-A-Y

Boston—Robert Nunes has been appointed western Massachusetts and Connecticut sales manager for First Division.

Donora, Pa. — Irwin Weiss, until recently in the Philadelphia district for Warner Bros., has been named manager of the Harris here, replacing Bill Decker, promoted to city manager of Warner houses in Johnstown.

Canton, O.—L. Ward Farrar has assumed his duties as manager of Loew's, replacing George Kraska, who has gone to New York to become manager of Loew's Paradise. Farrar comes from Columbus.

Providencia—The Columbia, directed by Henry Iannotti, will close Jan. 16, according to present plans.

Boston—Bert Mackenzie, New England exploitation manager for M-G-M, is recuperating from an illness at the Hotel Bradford.

Orangeburg, S. C.—Edisto Theater Corp. has reopened the old bluebird under the new name of Ritz with H. L. Frazier as manager.

Cowpens, S. C.—Sam Reevin is operating the Cowpens, recently reopened.

Mocksville, N. C.—The Princess, under the management of H. F. Moore, is open again.

Akron, O.—Warner's Strand has definitely decided to continue previews and the Colonial will follow.

Detroit—A. J. Norris, owner of the Michigan Film Library, has taken over the Ritz, East Side house, from A. Stanley Janiszewski.

Detroit—The Madison, which reopened recently after being closed four years, is to be taken over by United Detroit Theaters, which owns the building. James Wickert is managing the house.

THE NEW YORK HOME of THE STARS of STAGE AND SCREEN and "THE MOST INTERESTING HOTEL IN AMERICA"

DIRECTION . . . S. GREGORY TAYLOR

St Moritz
ON THE PARK
50 CENTRAL PARK SOUTH . . . NEW YORK
Companies to Cooperate on Salary Questionnaires

71 PER CENT OF WORLD’S THEATERS NOW WIRED

Will H. Hays Sees 1934 as Year of ‘Big’ Pictures

Predicts Many Significant Films Among Output in Coming Months

That 1934 will see more pictures of "big caliper" than any previous year was predicted by Will H. Hays in an NBC radio talk Sunday night in a symposium that also included expressions by Daniel Frohman, H. L. Mencken, Dr. Harry Emerson Fosdick, Richard C. Patterson and others. Pointing to the numerous historical and dramatic spectaculars being produced, Hays and that this year's crop of films would prove (Continued on Page 4)

STEP UP ACTIVITY AT M-G-M STUDIOS

West Coast Bureau of THE FILM DAILY

Louis Brock Producing 3 More RKO Features

West Coast Bureau of THE FILM DAILY
Hollywood — Two more musicals and a comedy-drama have been assigned to Lou Brock by Merian C. Cooper for production this season. This is in addition to Brock's supervision of RKO shorts. The movies are (Continued on Page 4)

No Resistance Encountered By Salary Questionnaires

Southern Calif. Unit Joining M. P. T. O. A.

Next exhibitor unit to affiliate with the M. P. T. O. A. will be the Independent Theater Owners of Southern California. Ben Bernstein, official of the association and who generally sided with the M. P. T. O. A. faction during the code-drafting days in Washington, is now in New York.

Despite rumored rumbles of dissatisfaction with the salary questionnaire submitted by the Federal Government. pursuant to the Executive Order seeking to find out about allegedly excessive compensation paid within the film industry, indications yesterday were that major companies would not raise any serious objections but would "go along" in a cooperative spirit.

As one executive put it, any re-
Admission is Boosted
By Denver Orpheum

Denver—The Orpheum has boosted admission at night for the main floor and loges from 40 cents to 50 cents, including tax. Balcony remains 40 cents. This is the first increase in prices in this territory in many months.

May Drop Chorus Girls
As a Result of Code

Code regulations requiring that chorus girls be given a day off weekly are causing a great deal of trouble to Fanchon & Marco at the Roxy and may result in dropping of the line girls if a satisfactory formula cannot be worked out, according to Jack Partington. Partington said that because four girls are left off daily an entire new line is on the stage each day and this requires rehearsals before each performance. Conferences may be held shortly with the Capitol and Music Hall heads, which have similar problems.

Pizor Sells Six Films


Theaters Win Sunday Fight

Manhattan, Kan.—After being closed since Dec. 14 because of a fight over the results of an election on Sunday performance, local theaters have re-opened under a compromise whereby they will run seven days a week but submit Sunday bills to the Parent-Teacher Assn. for approval.

Poor Richard Club Honors Disney

Philadelphia—Poor Richard Club, tomorrow, when he is awarded that organization's gold medal for the outstanding achievement of 1933 at a banquet in the Benjamin Franklin Hotel, Eddie Cantor will act as Disney's proxy in receiving the medal.

Tax Bills Now Pending
In Six Legislatures

With the introduction of 10 percent tax bills in the Kentucky and Virginia legislatures, number of such measures now total six. Tax bills are under consideration in Colorado, Iowa, Missouri, West Virginia. Ohio exhibitors are optimistic regarding their chances of persuading repeal of their state's admission tax law.

Nine more legislatures are scheduled to go into session soon. They are Wash., Mass., N.J., N.Y., S.D. and South Carolina, with Louisiana beginning May 14 and Delaware on March 6.

Bo' Dowling Will Make
Headquarters in London

Ambrose "Bo" Dowling, whose appointment as European representative for RKO was confirmed yesterday by Ned E. Depinet, vice-president, will make his headquarters in London. Dowling and Philip Reisman, general foreign sales manager, sail Saturday on the Conte di Savoia.

Check on Consent Decree

Washington Bureau of THE FILM DAILY—Filing of a memorandum by the Federal Trade Commission with the NRA regarding alleged unfair trade practices of Poor West Coast Theaters is understood to have been simply the bringing up to date of their information regarding commune to consent decree obtained in August 1930. Division Administrator Rosenblatt, while admitting he had the information turned over to him by the Commission would not comment. Neither would the Department of Justice.

Hecht Adapting "Zenda"

West Coast Bureau of THE FILM DAILY—Ben Hecht is adapting the talkie version of "Prisoner of Zenda," which M-G-M plans to place in production shortly with Nelson Eddy in the chief role.

Submit Reorganization Plans

Reorganization plans for Paramount Public will be submitted for approval at a hearing to be held tomorrow at 10:30 a.m. in the bankruptcy division of the U. S. District Court.

Spot News from
Columbia


Praiseworthy reports on Frank Bor- ragoon's "NO GREATER GLORY" predict a sensational success for this screen masterpiece—based on the world famous novel by Ferenc Molnar.

LOU HOHL, LEON ERROL, JACK OSTERMAN AND ARTHUR JARRETT are making good shows better shows in Columbia's 2-reel MUSICAL COMEDIES.
FLASH BULLETIN FROM WARNER BROS. TO EVERY EXHIBITOR IN AMERICA:

MUNI IS COMING IN A BIG ONE!

HOUSE MANAGERS:—Paul Muni in "Hi, Nellie" soon will sweep America to the roar of record grosses. Tune up your staff. Start your campaign now!

ADVERTISING, PUBLICITY AND EXPLOITATION MEN:—Here's a chance to do your stuff. You can absolutely shoot the works—the show will back you up.

PROJECTION OPERATORS:—Gear machines to the last point of perfection. Muni gives the GREATEST PERFORMANCE IN TALKING PICTURE HISTORY!

TICKET SELLERS:—Limber up your fingers. "Hi, Nellie" will pull like a billion-volt dynamo if properly sold.

USHERS:—Snap into it like real showmen. Start telling 'em now about "Hi, Nellie"

BILL POSTERS:—Drape the town with the sensational line of Muni paper—a two week flash in advance won't be too much.

SIGN ARTISTS:—Get the situation stills and character shots of Muni. Here's your chance to spread yourself.

"Hi, Nellie"

With Glenda Farrell—Ned Sparks—Directed by Mervyn LeRoy

TWO LITTLE WORDS THAT MEAN A GOLD MINE FROM WARNER BROS.
WILL HAYS SEES 1934 AS YEAR OF BIG FILMS

(Continued from Page 1)

among the most educational as well as entertaining ever produced. There will also be many pictures reflecting current interests of interest in modern life, Hays said.

Speaking on types of films, Hays declared that every ticket bought by a moviegoer is a ballot for that kind of picture, hence the situation is almost entirely in the public's hands.

Step Up Activity
At M-G-M Studios

(Continued from Page 1)

Delmonico's, "The Merry Widow," "Stealing Through Life," and "Prisoner of Zenda." At present in work are "Hollywood Party," "Viva Villa," "Mystery of the Dead Police," "Man in White," "Operator 13," "Rip Tide" and "Tarzan and His Mate." In addition to these, "The Cat and the Fiddle," "Laughing Boy" and "It Happened One Day" were completed recently and are being prepared for release.

Chl. Union to Average 35-40 Hours

Chicago—Under the new contract signed by the operators' union and theater owners, operators will average from 35 to 40 hours a week from now on, with wages remaining at about $75 to $100 a week.

Ohio Valley Exhibits to Meet

Cincinnati—A final meeting before accepting the film code will be held Jan. 23 by the Ohio Valley Independent Exhibitors' League, of which Willis Vance is president. Meetings of the organization have been held for members only.

Frank Shay Joins Agency

Frank Shay, former publisher for noted authors, has joined the Kennday & Livingston literary and dramatic agency as an associate.

Coming and Going

MARY PICKFORD is back east from Chicago.

LINDSEY ULRICH arrives in New York this week from the coast, having failed to reach an agreement on a picture.

HARRY GOLDS of U. A. is expected in New York this week judging subsequent role deals.

RUDY VALETTI returns to New York this week from Hollywood.

FREDERICK MARSH and his wife, FLORENCE ELDRIDGE, have arrived in New York from the coast.

PRIMO CARNEVA arrives from Italy tomorrow on the Conte de Savoia.

R. H. BRUCE LOCKHART, author of "British Agents," which will serve Leslie Howard as his first National picture, arrives in New York Jan. 30 at the Aquatania.

AMBROSE DOWLING and PHIL REISSMAN sail for Europe on Saturday aboard the Conte de Savoia.

FIRMS TO COOPERATE ON QUESTIONNAIRES

(Continued from Page 1)

sistance on the part of the industry could be contrived by the Department of Justice, which could subpoena any books and records it desires, without the aid of any special act or legislation.

Lou Brock Producing
3 More RKO Features

(Continued from Page 1)

nials are "Frat Heads," now in work with Wheeler and Woolsey, Thelma Todd and Dorothy Lee, and "Down to Their Last Yacht," original by Herbert Fields. The other is "Blarney Stone," a gob yarn by Hubert Osborne, with William Gargan in the lead.

Krimsky-Cochran to Make
2 or 3 Films Next Season

John Krimsky and Gifford Cochran, distributors of "Maedchen in Uniform" and producers of "Emperor Jones," plan to make two or three features for 1934-35 release. Krimsky stated yesterday in New York that the company will place in distribution within two weeks an English version of "Maedchen in Uniform."

N. O. Union Case Settled

New Orleans—Appeal of Loew's State against the local labor board decision to restore union operators, scheduled to be heard by the National Labor Board in Washington today, may be postponed as Loew's and the union have reached an agreement to restore union men Feb. 1.

RKO Theater Assignments

Herbert Jennings has been appointed manager of the Fort Wayne RKO, replacing Ray Connor, transferred to the management of the Palace. Joseph C. Greenfield, formerly manager of the Franklin, has replaced John H. Patterson at the Greenpoint, with Lou Golden taking the management of the Franklin. Abe Valet, formerly assistant manager, treasurer of the Bushwick, has replaced Hubert Camp as manager of the Shore Road, Brooklyn.

Best wishes from THE

FILM DAILY to the follow-

January 16

Harry Carey
Katherine Stewart
Diana Wynyard
This is

ANNA STEN

“She is not just the 'find' of the season... she is the 'find' of all time... one of the most glamorous personalities the screen has ever known.”

ALICE TILDESLEY
Philadelphia Public Ledger Syndicate
By RALPH WILK

HOWARD J. GREEN, the scenarioist, has made an auspicious start as a producer. He brought his initial production, "Is You Won’t Sing, Eh?" in two days ahead of schedule and $20,000 under the budget.


"Isolation," an original story with a new background, written by Arthur T. Horman and Reginald Callov, is attracting much attention among story editors of the major studios. Horman wrote "Moonest Gal in Town," for RKO, and "The Big Shot" for Warner Bros. Callov was formerly with Howard Hughes.

The sound recorders on "A Very Honorable Guy," starring Joe E. Brown, will never look another chicken in the face. Five hundred chickens were used in the comedy for two days and furnished a wide and varied assortment of noises.

Elliott Nugent, who directed "Two Alone," "If I Were Free" and "Three-Cornered Moon," is preparing to direct "Strictly Dynamite," for RKO. "Three-Cornered Moon" was chosen as one of the ten best pictures of 1933 by the National Board of Review.


Stephen Goosson, art director, has married Mrs. Janet McCormick.

Alice Lake, a star in the silent days, has an extra role in "Para-

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Tampa, Fla.—Jesse L. Clark, for several years manager of Gulf Theaters, is one of the largest managers in the state. He is building a new theatre, the "Palm," in the heart of the city. It will be the largest theatre in the state and will be equipped with every modern feature.

Louisville—Tom Norman has changed his policy at the National from split week to full week with vaudeville and pictures.

Irving, Ky.—The Strand, W. R. Shafer, manager, has opened with RCA Photophone High Fidelity sound.

Detroit—Doric theater, West Side, is being dismantled and converted into a beer garden by Charles See-stead.

Gloucester, Mass.—The Union Hill theater, formerly owned by Edward Klein, has been transferred to Jack Riff.

Grant until they both return from London to the United States.

"The Loudspeacker" starring Ray Walker with Joseph Santley direct ing will be the first of four Monogram features to go into production within the next four weeks, according to Trem Carr, who tentatively scheduled the radio story to start Wednesday. The other three features are "Jane Eyre," "Manhattan Love Songs," and "Numbers of Monte Carlo." "The Loudspeacker" will be made by the W. T. Lackey unit, which produced "The Sweetheart of Sigma Chi."

Paramount Signs Stage Comic Paul Gerrals, roller skating com edian of Earl Carroll's stage pro duction of "Murder at the Vani ties," has been signed by Paramount and is expected to leave for Hollywood within the next two months.

Howard Hughes Wins Air Race Miami—Howard Hughes, the producer, came in first in the closing day program at Miami's All-American Air Meet. He flew 185,707 miles an hour.

Finger Painting Exhibit at Roxy Starting next Sunday the Roxy will present the first comprehensive exhibit of finger painting ever displayed in this city. Proceeds from the sale of pictures will go to welfare work.

4 More "Fashions" Bookings Four more pre-release bookings of "Fashions of 1934" have been made by Warners, as follows: Grand, Columbus; Capitol, Salt Lake City; Victory, Dayton, all on Feb. 15, and Stacey, Trenton, Feb. 18.

Stern Directing Mexican Film Seymour Stern has been engaged by Leonie Knoeller Sterner to direct the American Indian feature "Pueblo," which is being produced on location in New Mexico.

Albert Wolf Dead Milwaukee—Albert Wolf, 35, house manager of the Garden, died last week. He was about three months ago from Gary, Ind., where he managed the Family theater.

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ADDING to the Committee on Extras

The Code Authority has appointed two more members to the standing committee on extras to function on the coast until the code is completed. They are J. Buckingham Russell, and F. M. Friedman, casting director at Fox. Division Administrator Solomon A. Rosenbalt has approved the selections. So far 15 members of the committee have been named.

mount's "The Man Who Broke His Heart."

Cecil B. De Mille has postponed the start of "Cleopatra" until early February, due to elaborate preparations entailed. Claudette Colbert will have the title role in this Paramount release.

RKO has assigned Nils Asther and Wynne Gibson to "The Doctor," Richard Dix picture which John Robertson will direct under supervision of David Lewis. Billie Burke and Mitzi Green have been signed by the same company for "Finishing School," with Ginger Rogers and Frances Dee. Wanda Tuchock and George Nicholls, Jr., will direct.

Starring Charles Grapewin, veteran character actor, and with Emma Dunne appearing opposite him, "The Understanding Heart" will be produced by George B. Botcher on his next for Chesterfield field. Story is an original by Robert Ellis. Richard Thorpe will direct. Production starts today at Universal studios, with Andy Anderson at the camera and Melville Shyer as assistant director.

Hobart Cavanaughs, comedian, is simultaneously at work in three pictures: the Warnes first National studios. These are "Missy Wives of Reno," "Hot Air" and "A Very Honorable Guy," starring Joe E. Brown.

LeRoy Prinz, Paramount dance director, has been assigned to Bing Crosby's next picture, "We're Not Dressing." Prinz is to arrange some specialty numbers for Crosby, Ethel Merman and other featured players in the musical. Norman Taurog will direct.

"Fragrant," forthcoming Warner picture with Betty Davis, Margaret Lindsay and Pat O'Brien, has been retitled "The Golden Gate."

Ann Sothern, who has the feminine lead in Columbia's "Let's Fall in Love," has been placed under a long-term contract.

Columbia has selected "Don't Fall in Love," a play by Charles Beahan and Dorothy Speare as the first starring vehicle for Grace Moore. Victor Schertzinger will have charge of production.

Lynn Riggs will write the script of "Family Man," RKO production to be supervised by Miles Connolly.

Adele Comandini had to suspend work on the script of "Jane Eyre," which he is preparing from Charlotte Bronte's story for Monogram Pictures for one week. Miss Comandini was injured in an automobile accident last week and was confined to the Wilshire Hospital in Hollywood for several days.

Virginia Cherrill, starring in "Monogram's" "He Couldn't Take It," has deferred her marriage to Cary Grant until they both return from London to the United States.

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SHORT SHOTS FROM EASTERN STUDIOS

By CHAS. ALICOATE

ALEXANDER GRAY, who recently completed "Travelling the Road," a Song Star short, directed by James T. Farrell, a the Paradise Club. Her first Vitaphone short, "Gypsy Caravan," has been given a return booking at the Hollywood theater on the program with "Dial.

Eastern Service Studios will discontinue their activities at the Bronx studio and will center all work at the company's Astoria plant. The Bronx studio, it is understood, will be taken over by E.R.P. to be used as an experimental station.

With Helen Morgan and Lillian Tashman signed for leading parts in "Frankie and Johnnie," selection of the rest of the cast is expected to be completed within the next ten days. Production on the feature to get underway about the first week in February under the direction of Chester Erskin at the Biograph studio.

Production on the musical short featuring Cab Calloway and his orchestra, for release in Paramount's "Headliner" series, has been completed at the West Coast Service studio. Fred Wahler directed, with William Steiner and George Weber doing the camera work.

John Kivinsky and Gifford Cochran have just completed the dubbing in English on "Maiden in Uniform" at the West Coast Service studio.

Charles E. Mack Buried

Newhall, Cal.—Funeral services for Charles E. Mack of Moran and Mack were held yesterday at the Mack ranch here. William S. Hart, Noah Beery, Harry Carey and numerous other film personalities were among the mourners.

Contest Ban Put to Circuits

The contest ban put to circuits is expected to be completed within the next ten days. Production on the feature is underway about the first week in February under the direction of Chester Erskin at the Biograph studio.

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"Carrie Jacobs-Bond" (Edwin C. Hill series)

Master Art

Interesting

In this subject Edwin C. Hill pays a visit to Carrie Jacobs-Bond, author of numerous sentimental songs that have remained popular for many years. Glimpses are shown of the composer, who is now past 75, and an active woman, at her piano, out walking, etc. Musical interpolations, with vocals by Ralph Kirnbry and organ accompanied by Lew White, are pictorially illustrated by shadowy scenes in keeping with the mood of the subject.

"Samoan Memories" (E. M. Newman Musical World Journey)

Vitaphone 10 mins.

Good

Aided by an excellent musical score, this E. M. Newman visit to the Samoan group is an entertaining travelogue. The picturesque-ness of the islands is revealed, and attention is called to the well-developed natives at work and play. The short includes views of the house where Somerset Maugham wrote "Rain" and the place where Robert Louis Stevenson is buried.

"Myrt and Marge"

Columbia 60 mins.

Good Action Drama of Auto Racers That Should Satisfy the Outdoor Picture FANS.

The action of this film starts with the auto races at Altoona, and follows the speed fiends to Providence, Elgin, and finally the annual event at Indianapolis. The story is centered around Billy Bub, who plays his brother, Billy rides as Tim's mechanic in all the races. The races refuse to ride a crooked race and leave their employer to join a straighter, whose daughter, Sue Carol, is in love with Tim. At all tracks there is much intrigue, but the real thrills come at Indianapolis where smash-ups, cars burning, and some red hot racing keep the action at top speed. At Elgin, Tim crashes with another car, to clear the track for his kid brother; drives another machine. Later before the big race, he is warned to have his brother lose the race, or Tim will face prosecution for the Elgin affair. The kid learns of the threat and deliberately tries to lose but when he brings his car to the pits, Tim replaces the mechanic and forces the boy to cross the line first.


Director, Otto Brower; Author, Henry Hopper; Dialogue, George Kimball; Camera, William Steiner and George Weber; Camera work.

"Notre Dame Glee Club" with Charles Coleman

Vitaphone Entertaining

About half a dozen nicely varied numbers are sung by the Notre Dame boys in this one-reeler. After an introductory piece where the boys march into formation, there is a levee boat, a nautical number, another straight piece, and a football sequence in which the vocalizing of the roadies is accompanied by process action.

Takes Space in Film Center State Film Service Corp. has leased office space in the Film Center Building.

"Enemies of Progress," in Russia with English titles; producer by Rotillen; directed by Nikalai Beresnyev; with Leonid, Gardin, Tatskin, Kostickin, Youdin, Trakhina.

Historical melodrama depicting the "white army's" last stand against the Bolsheviks has plenty of action, adventure and a happy ending.

"FRAULEIN - FALSch VERBUNDEN" ("Wrong Number, Miss"), in German; produced by German-Italian Films; directed by E. W. Mo; with Magda Schneider, Janne Reimann, Trude Berliner, Jose Wodron, et al. At the 79th St. Theater.

Pleasing musical comedy about two couples who make blind dates over the phone and have their dates cross. Lively music, good singing and general light-hearted gaiety.

"DER Hochtourist" ("The Mountain Man"), in German; produced by Ufa; directed by Alfred Zeiser; with Trude Berliner, Otto Wallburg, Maria Solove, Theo Shall, Eugen Rex, et al. At the Yorkville Theater.

Romantic comedy in Alpine setting holds plenty of good entertainment for those who understand German.

Permits Trustee to Sue Wisconsin Theater Units

Milwaukee—As the result of a ruling Jan. 13 by Federal Judge Ferd Geiger, Clarence Benton, trustee in bankruptcy for the Statewide Theater Corp., can bring suit against the Wisconsin Amusement Enterprises Corp. and Fox-Wisconsin Co., both of which have been enjoined from disposing of their assets.

Fourth Soviet Program

Film & Photo League's fourth program of the series of film showings on the "History of the Soviet Film" will take place Jan. 27 at the New School for Social Research, "Shanghai Document" is the feature to be shown, representing an anti-imperialist program, with Donald Henderson, ex-professor at Columbia, as guest lecturer. Performances will be given at 7 and 9:30 P. M.

"THE"}

it's the 7 V-8 car of the theatre

AUTOMOBILE INSPIRATION CONCEIVED IT
THEATERS IN WORLD
71 PER CENT WIRED

(Continued from Page 1)
movies: 5,160 (4,000); England, 4,672 (4,414); France, 3,900 (3,470); Spain, 2,500 (1,943); Italy, 2,450 (1,079); Czechoslovakia, 2,024;
State, 2,018 (1,226); Nigeria, 1,100; India, 850 (750); Poland, 750 (561); Norway, 674 (353); Belgium, 400 (200); Greece, 350 (137);
Romania, 350 (350); Denmark, 350 (300); Iceland, 288 (184); Switzerland, 310 (380); Netherlands, 255 (240); Portugal, 250 (107); Norway, 220 (175); Finland, 220 (100).

Ten More Noted
For Film Code Posts
(Continued from Page 1)

Littell; Indianapolis, Mrs. Helen Keeler and Marian M. Hull; Philadelphia, Oscar Neufield and Jack H. Greenberg; Pittsburgh, Emaline Fineberg; Milwaukee, George Fischer and B. K. Fischer.

CWA Grants $28,000
To Provide Stage Jobs

In the first instance of its kind in the history of the American stage, a Government appropriation to finance stage jobs has been made through the granting of $28,000 by the Civil Works Administra-
tion to give immediate work to 150 actors. Actors' Equity and the Board of Education are cooperating in the project, which calls for the staging of 12 plays in selected high schools, auditoriums, museums, etc., for free performances. First production will open on March 10 in the Brooklyn Academy of Music, and the successful spring season will be extended to other communities. Authors of "clean" plays will be asked to waive royalties, while some prominent directors are to stage productions without pay.

Warner Stars on 6 Covers

Warner take top honors on the first six fan magazines to reach the newsstands for February, with all covers devoted to Warner-First Na-
tional players. Both Photoplay and Picture Play carry covers on Kay Francis; Ruby Keeler is represented on Movie Mirror and Silver Screen; Patricia Ellis' picture is on the cover of Motion Picture Classic, and Screen World's cover is given over to Rickey Newell.

"Fortune Teller" in Spanish
West Coast Bar, THE FILM DAILY

Hollywood—Spanish version of the "Fortune Teller," the famous Victor Hugo opus, is being produced at Warner Brothers, with direction by Sam McGane, with Enrico Caruso, Jr., in the leading role.

"Job Teller"...Analyses of the Picture Code...By LOUIS NIZER

Tenth installment

ARTICLE V—UNFAIR PRACTICES—EXHIBITORS—(cont.)
3. Violations by Exhibitors
   (a) If a Local Grievance Board decides that an Exhibitor has violated any of the rules concerning rebates and premiums, it may decide that the Exhibitor shall not be permitted to contract for any motion pictures unless he pays the following:

   (b) In such a case the Local Grievance Board may direct the Distributors to refuse to contract with the Exhibitor and to refuse to deliver pictures under existing contracts made after the Code went into effect.

4. Ninety Days' Time to Dispose of Premiums
   If 75 per cent of the Exhibitors in the territory prohibit

   Form Better Films Council
   Fond du Lac, Wis. — A Better Films Council has been organized here with Mrs. J. P. Connell as president; Mrs. G. F. Brown, vice-president; Mrs. D. S. Sullivan, secretary, and Mrs. Frank Spellman, treasurer.

   Brookyln Century Closes
   The Century theater, Brooklyn, which had been playing vaudeville and pictures, closed Friday. The house was dark for a long time prior to reopening over a month ago.

   Jossey and Lefton Home-Bound
   Cleveland—J. S. Jossey and Nat L. Lefton of the local Monogram exchange, are driving home from the coast where they have been since the first of the year looking over production.

   Twin Run in Lowell
   Lowell, Mass. — "Enlighten Thy Daughters," distributed in New England by American Pictures of Boston, has set precedent here by playing day and date at the Victory and Lowell theaters.

   Marcus to Rest
   Salt Lake City—Louis Marcus, local mayor and head of Marcus Enterprises, is returning to California to continue his vacation until he has fully regained his health.

   Denver Exchange Fire
   Denver—Fire started from rubbish in the furnace room burned a hole in the floor and did $500 dam-
ge to the M-G-M exchange. Firemen extinguished the flames before any films were burned.

   Advance "Massacre" Opening
   Opening of First National's "Massac-
re" at the New York Strand has moved up to tomorrow morning.

   the giving of rebates in the form of premiums or gifts, the rule does not take effect until ninety days after such vote so that any premiums or gifts on hand may be disposed of in the meantime.

4. Fraudulent Transfer by Exhibitor
   (a) No Exhibitor may transfer ownership or possession of his theater to avoid uncom-
mpleted contracts.

   (b) If any dispute arises con-
   cerning such a transfer, it may be submitted to the Local Grievance Board for deci-
dion.

   (c) The findings of the Local Grievance Board are binding upon all parties concerned; that is, the Distributor, the Exhibitor who operated the theater and the new operator.

(To be Continued)

Dolores Del Rio on Air
Dolores Del Rio will be heard over the NBC network at 9:30 P. M. Wednesday, singing a number from First National's "Wonder Bar," in which she appears.

Reagan Joins Colonels
Louisville—C. M. Reagan, district manager for the Paramount Com-
pany of Chicago, has been appointed a Kentucky Colonel.

84% of Territory Sold
Celebrity's "ComiColor Cartoons" are now being served in 84 per cent of the U. S. territory, according to Charles J. Giegerich, sales manager.

Vera Van atRoxy
Vera Van, who has been added to the stage billing Friday at the Roxy, is now on the set of "Three Flamingo." Vera Van was added to the stage billing Friday at the Roxy. Trixie Frigance also is on it, and Mickey Mouse in "Three Flamingo." Vera Van will have a new screen accent.

Robson Film Re-named
"You Can't Buy Everything" is announced by M-G-M as the final entry for the Robson starring vehicle, formerly known as "Old Hannibal."

Amity Gets Siam Film
John M. Crinnion has acquired "Am From Siam" for distribution by Amity Pictures.

Fox Closes Louisiana Deals
New Orleans—Fox has closed with out-of-town runs controlled by Af-
filated and Rupert Richards.

Stage Shows at Cinci
Cincinnati — Asher Mayer of Strand Enterprises, New York, has installed a new policy of presenta-
tions with pictures at the Strand here.

(Continued from Page 1)
committee of three members of the association, who will have a hear-
ing before Division Administrator Soth. If Division Administrator Soth
is absent or at the theater, the hearing will be held on Thursday at 10 o'clock, instead of Tuesday, on their requests for
modification of the stage talent clauses in the film code, was elected temporary chairman of the new or-

Vaude. Employment
Hit by Film Code
(Continued From Page 1)
during the Interstate Circuit raised its vaudeville budget only from $1,800 to
$3,500 weekly, asserts that unless the code is repealed, the installation of stage shows will be pro-
hibitive for his circuit.

7 Productions in Work
At Warner-First Nat'l
West Coast Bureau of THE FILM DAILY

Hollywood—Seven features, currently in work at Warner-First Na-
tional, an increase of two in the past week, while five more are in preparation. Those before the cam-

Raphaelson, Vollmer at M-G-M
West Coast Bureau of THE FILM DAILY

Hollywood—Samson Raphaelson and Lulu Vollmer have joined the M-G-M writing staff.

Whitehead on Labor Board
Ralph Whitehead, head of the Actors’ Refutation Board, was appointed yesterday to the NRA Labor Board and leaves today for Washington.
76 Cases Already Settled Under Code—Rosenblatt

ACTIVE U. S. THEATERS UP 320 FROM YEAR AGO

Major Warner Reports "Distinct Upturn in Business"

Says Both Exhibition and Distribution Grosses Continue Upward

"A distinct national upturn in business is evidenced by both exhibition and distribution receipts," declared Major Albert Warner yesterday in New York. His statement coincides with those of various industry executives, both in exhibition and distribution, who observe a substantial improvement over conditions a year ago.

"The impetus received by grosses during the holiday period has been

NRA WONT TAKE UP DUBINSKY UNION ROW

The NRA will not take a hand in the operators' situation in St. Joseph, Mo., as the dispute with the heatemen there is based on a contract which expired Dec. 1, or 11 days before the motion picture code became effective, Ed Dubinsky, exhibitor leader, told The Film Daily yesterday in New York. Division Administrator Sol A. Rosenblatt (Continued on Page 6)

Erpi is Again Upheld
In Aleograph Action

In a decision handed down this week, the Second Circuit Court of Appeals in New York upheld Western Electric in the Aleograph infringement suit on sound equipment. The court sustained the ruling of (Continued on Page 8)

5% Tax Looms in Virginia

Richmond—Governor George C. Peery, who assumed office yesterday, will recommend a 5 per cent tax on admissions, it was learned yesterday. Exhibitors had been anticipating something of the kind, and delegations of the newly formed M.P.T.O. of Virginia have already visited the legislative halls to combat the measure.

13,736 Houses Now Open in This Country

There were 320 more theaters in operation throughout the U. S. at the beginning of this year than on the corresponding day a year ago, according to the annual compilation of Film Board of Trade reports. Total number of houses at present is given as 18,971, against 19,311 a year ago, or an elimination of 940. Closed theaters at the start of 1934 total 4,635, compared with 8,885. This is an actual reopening of 1,250 (Continued on Page 4)

ERPI-VITA, RULING
BEING FILED FEB. 6

By N. M. MacLeod

FILM DAILY Staff Correspondent

Wilmington, Del.—The State Supreme Court announced yesterday that it will file an opinion Feb. 6th in the appeal case of Electrical Research Products from a decree filed against it in Chancery Court here in litigation filed against it by Vi (Continued on Page 10)

Wm. Fox Notifies Exhibs
On Flywheel Patent Ruling

Formal notification of the U. S. District Court decision recently handed down in Scranton, Pa., by Judge Johnson, finding infringements on the flywheel patents controlled by American-Tri-Ergon Corp. has been sent to 16,000 exhibitors by the William Fox company (Continued on Page 4)

Will Hays to the Coast

Following an executive meeting of the Hays organization yesterday, Will H. Hays left on his twelfth January trip to the coast. At yesterday's con- tal the new membership of Walt Disney in the association was confirmed, and the matter of closer cooperation between east and west was discussed.

Gov't Backing of 600 "Flesh" Houses
Is Viewed as Competition for Movies

Rosenblatt to Address
National Review Board

Washington—Division Administrator Sol A. Rosenblatt, who leaves Friday for the coast, returns in about 10 days and will address the National Board of Review at the Pennsylvania Hotel, New York, Feb. 9. Rosenblatt will stop at the Beverly Wilshire in Los Angeles.

With film interests viewing the move as likely to offer substantial competition, a plan bearing the approval of Henry F. Wolf, local NRA administrator, whereby 600 theaters, now dark, would be opened with "flesh" entertainment to reduce unemployment among actors, was laid before Civil Works Administrator Harry Hopkins in Washington this week by Ralph (Continued on Page 8)

40 More Names Submitted for Code Boards

Virtually every national and regional exhibitor association has submitted recommendations for the local protection and grievance boards and their secretaries, it was stated yesterday in announcing another batch of membership suggestions which comprised 40 names.

A meeting of the Code Authority (Continued on Page 10)

33 Exhibitor Labor Disputes
Among 76 Settled Under Code

Working on Credit Plan
For Indep't Producers

Preliminary steps have been taken by Ben Berke for the organization of a credit expansion plan for independent producers. Under the project as planned, laboratories would function as trustees for a group of four major creditors involved in production. The setup would include (Continued on Page 6)

by William Silberberg
FILM DAILY Staff Correspondent

Washington—Commenting on the film code's administration to date, Division Administrator Sol A. Rosenblatt said yesterday that 43 exhibitor compliance cases involving unfair trade practices have been settled thus far, and 33 exhibitor labor disputes have likewise been adjusted. There are now three ar (Continued on Page 8)
Finds Average Mental Age is 17.7

After all the fuss that’s been made about the movies having to be held down to a mental age of 12-year-olds, the myth is exploded in a statement by Dr. David Segel, test specialist in the Federal Office of Education, Washington, declaring that the average mental age among moviegoers has been put at 11.8. That line about an average 12-year-old mentality arose from Army tests during the war and later was found to be a mistake, according to Dr. Segel. But the movie hecklers never stopped using it.

Samuel Goldwyn’s “Nana” Booked for Music Hall

Samuel Goldwyn’s “Nana,” starring Anna Sten and released by U. A., has been booked to play the Radio City Music Hall starting Feb. 1. It is likely that an extensive advertising and publicity campaign will be waged locally.

Two More Are Appointed On Extras’ Committee

Washington—Bentley Russell of a Hollywood supporting players’ association and F. M. Friedman of the Fox casting department have been appointed to the Committee on Extras, Sol A. Rosenblatt announced yesterday.

Loew’s Annual Meet Put Off

Annual meeting of Loew’s scheduled for yesterday was deferred until Feb. 17. The reason is understood to be because Film Securities wanted to vote, but the stock transfer involved had not been effected.

Ass’t Directors Elect

Fred Scheld President

At a meeting of the Association of Assistant Directors, held Monday night, Fred Scheld was elected president for the ensuing year. Other officers elected were: George Cline, vice-president; Dan Nadel, recording secretary; Saul Harrison, financial secretary; Joe Nadel, chairman of the board of directors. Others elected to the board of directors are: Ben Schwall, Jack Delaney, Joe Brannon and Walter Sheridan. Joe Holton is chairman of the board of trustees, with Warren Murray and Herbert Heyman as other trustees.

Para. Takes Up 3 Options

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount has exercised options on the contracts of Charles Ruggles, Sir Guy Standing, and Mitchell Leisen, the latter a director. Ruggles next week will be in Melody in Spring,' with Lanny Ross and Mary Boland. Sir Guy Standing goes into "Double Door," with Evelyn Venable. Leisen’s next assignment is "Murther at the Vanities.""
Seo's Smiling!

Because he watches with glee "Dinner at 8" making new records at popular prices. Because GARBO is a bigger draw than ever in "Christina" at the $2 Astor N.Y. Because week after week it's happiness in every box-office.

WATCH!

NOVARRO and Jeanette
MacDONALD in "Cat and the Fiddle"

MONTGOMERY in "Fugitive Lovers"

GABLE in "Men in White"

WEISSMULLER in "Tarzan and His Mate"

BEERY in "Viva Villa"

WATCH!

SHEARER in "Rip Tide"

"ESKIMO" It's a hit exploited at popular prices

MAY ROBSON in "You Can't Buy Everything"

"HOLLYWOOD PARTY" Unique!

And Plenty More M-G-M Smiling Hits!
### MOTION PICTURE THEATERS in the U. S. as of JAN., 1934

#### TOTAL THEATERS

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<th>Territory</th>
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Total at Jan. 1, 1933: 19,311, 11,161,193

### Independent Theaters

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### Active U. S. Houses Up 320 in Past Year

(Continued from Page 1)

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<td>2,179</td>
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(Continued from Page 1)

**Active U. S. Houses Up 320 in Past Year**

**Wm. Fox Notifies Exhibitors On Flywheel Patent Ruling**

**“GALLANT LADY” is Ann Harding’s best picture in years!**

---

**Hudson Theater Goes Radio**

Columbia Broadcasting System has taken a one-year lease on the Hudson Theater, legitimate house, and will use it as a broadcasting studio along the same lines as National Broadcasting Company's studio atop the New Amsterdam Theater.
This is

ANNAS TEN

"She will immediately become a tremendous box-office attraction."

RALPH WILK
Film Daily
MAJ. WARNER SEES
‘DISTINCT UPTURN’

(Continued from Page 1)

perpetuated,” said Major Warner. “The recovery efforts of the Ad-
ministration are now beginning to
...tangibly show although progress along this uphill road is naturally slow. Coupled with this improve-
ment is a deeper feeling of opti-
mism and confidence which is bound to foster recovery.

“Convinced that these improve-
ments will prove permanent and the
start of better business conditions, we are putting every effort back of
our big pictures, particularly ‘Won-
der Bar,’ ‘Fashions of 1934,’ ‘Man-
dalay,’ ‘Dark Hazard’ and ‘As the Earth Turns’.”

Substantial improvement of busi-
ness in the Kansas City territory was reported by Ed Dubinsky in
New York yesterday.

Another U Horror Film
West Coast Bureau of THE FILM DAILY

Hollywood—In addition to “The Return of Frankenstein,” Carl
Laemmle, Jr. announces that Uni-
versal will make still another horror
picture, “The Black Cat,” based on the Edgar Allan Poe work. Edgar
Ullmer will direct and Boris Karloff may star in it.

CLASS A ENTERTAINMENT FROM START TO FINISH.

“GALLANT LADY” IS A PRODUCTION OF THE HIGHEST QUALITY!

NRA WON'T TAKE UP DUBINSKY UNION ROW

(Continued from Page 1)

blatt informed him to this effect at a Washington conference Monday.

...that the Dubinsky group was violating the code. Lou Krouse, Washington
representative of the union, repres-
ent...st at the conference with
Rosenthal.

Working on Credit Plan
For Indep’t Producers
(Coast from Page 1)

raw stock manufacturers, labora-
tories, studios and sound recording companies.

Berke has contacted Eastman Kodak, as well as a number of labora-
tories, on the proposal. On his trip
to coast this week he will further developed the plan.

Berke is to be associated with the Alexander Bros. studio on the
coast. He will install Blue Seal sound recording.

Hoffberg Gets 3 Pictures
Two Willis Kent features, “Bat-
ting Buckaroo” and “Texas Tor-
nado,” both with Lane Chandler,
...Hutchinson drama...

“MYSTIC HOUR,” have been acquired for foreign distribution by J. H.
Hoffberg & Co.

Compliance Boards Continue
Washington Bureau of THE FILM DAILY

Washington—All local voluntary and compliance boards will continue to function pending organization of
permanent agencies of the National
Emergency Council, as a result of
...executive order issued yesterday.

MARY PICKFORD TO BOSTON FRIDAY
Boston—Mary Pickford will open in a personal appearance engage-
ment at the Metropolitan on Friday.

SHOW-MAN’S REMINDER

Have you started making your plans
about Lent?
The Biggest Names

The Biggest Laughs

in short subjects

STOOPNAGLE and BUDD in
"THE INVENTORS"
with OLIVE BORDEN

"Excellent comedy... shows Stoopnagle and Budd at their best as the nutty inventors... If you are looking for belly laughs, this has them." — Film Daily

CORONET COMEDY
Produced by AL CHRISTIE

"I pledged the Fox sales force the best comedies on the market for 1934, both in name strength and entertainment value. I believe these new two-reel laugh pictures show that Educational is going to deliver on that pledge. They will give you the treat of again hearing your audiences rocking with that good old belt-line laughter that pays you such handsome profits. I recommend that you see them both right now." — E. H. Hammons

FROLICS OF YOUTH
"PARDON MY PUPS"

A comedy of youth, its fights and its frolics, that will keep any audience in stitches of laughter, and then leave a pleasant memory.

with JUNIOR COGHLAN
and SHIRLEY TEMPLE

"Altogether delightful." — Rob. Wagner's Script
"Furnishes plenty of laughs. Shirley Temple is great." — M. P. DAILY

... and always

More Big Names

To the long list of big names in Educational Pictures is now added

BUSTER KEATON
coming soon in a new STAR COMEDY SPECIAL

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U. S. A. by FOX FILM CORPORATION
76 CASES SETTLED
UNDER FILM CODE

(Continued from Page 1)

bitrations of labor disputes in progress.

On the extra situation he said that every extra complaint received thus far, has been given immediate attention and been taken care of, thanks to the excellent cooperation of the producers.

Erpi Is Again Upheld
In Aleograph Action

(Continued from Page 1)

Judge Inch of the District Court that W. E. equipment does not infringe on the Aleograph patent. Similar decisions were previously handed down by courts in Dallas and New Orleans in a corresponding case brought against Electrical Research Products.

No Further Probing
Into Film Finances

Washington Bureau of THE FILM DAILY

Washington—No further inquiries into motion picture finances are contemplated, according to Senator Fletcher, chairman of the Senate Banking and Currency Committee, which is also conducting the Wall Street quiz.

MOVIE COMPETITION
SEEN IN ‘FLESH’ PLAN

(Continued from Page 1)

Whitehead, head of the Actors’ Bet- trayment Association, according to William Charlton, local NRA publicity chief.

The plan provides for the establish- ment of circuits reaching out from New York to provide the pub- lic with four varieties of “flesh” entertainment—vaudeville revues, musical comedies, dramas and farces—possibly on the rotary stock plan. The government would be asked to pay the code scale of wages and provide transportation for the tors. The sponsors of the plan, who include the heads of the local theatrical unions, expect that the project will become self-supporting in view of the publicity and the promise of support received from hamners of commerce over the country.

According to Charlton, the com- mittee behind the plan, should it go into effect, will not rush pell-mell into a town, but will consider whether the locality already has entertainment that is necessary. Local movie theater owners will be consulted and will be induced, whenever possible, to play “flesh” entertainment, Charlton declared.

It was originally the purpose of the local NRA administration to present the plan to the Reconstruction Finance Committee, but the grant this week of $28,000 to Ac-
tors’ Equity by the CWA, and the appointment of Whitehead to the NRA Labor Board and his departure for Washington, led to the belief that quicker action could be ob- tained from the CWA.

Danny Rosenblatt Dined

A bachelor dinner was tendered Danny Rosenblatt, William Fox at- torney, at the Hofbrau House last night. Picture people attending in- cluded Herman Gluckman, S. S. Krellberg, Al Krellberg and others.

Lowell Sherman to Direct at U
West Coast Bureau of THE FILM DAILY

Hollywood—Lowell Sherman has accepted Universal’s offer to direct “The Left Bank,” Elmer Rice play. Gloria Stuart will be featured in it.

“A Little from ‘Lots’”

By RALPH WILK

HOLLYWOOD

Metro has completed production plans for the new picture tentatively known as “In Old Louisiana.” George Seitz is to direct, Lucien Hubbard is the producer and the cast will include Lupe Velez, Warner Oland, Jean Parker, Robert Young, Nat Pendleton, Raymond Hatton, Ted Healy and Isabel Jewell. The story is an original by Lucien Hubbard.

Esther Ralston has been added to the cast of “Sadie McKee,” new starring film for Joan Crawford based on Vina Delmar’s serialized novel of the same name. Clarence Brown will direct at the Metro studios.

With the scenario of “The Love Life of a Crooner” uncompleted, production has been postponed for the time being. When it is eventually made, Russ Columbo and June Knight will star in it. For the time being, the team has been broken up. Columbo will star in “The Bachelor Wife,” a play by Henry Segall, which Eddie Burrell will probably direct, and Miss Knight has been booked for two weeks at the Miami Beach and Tennis Club, Miami, Fla.

“Gallant Lady” is a
great production
headed for a great
public reception!

Russell Leddy, Oriental Theatre, Milwaukee, Wis.

Johnny Jones, Tower Theatre Milwaukee, Wis.

Excellent entertainment.
Great cast, too.

“Gallant Lady” in Song

In connection with the opening of “Gallant Lady,” 20th Century production, at the Rivoli on Saturday, Irving Berlin, Inc., music publishers, have put out a new song entitled “Gallant Lady.” The song will be heard for the first time on the air during the Helen Morgan program over Station WABC and coast-to-coast Columbia network on Sunday.

Step Up Sound Service

All Electrical Research Products service engineers are now equipped with new and improved testing apparatus to facilitate the making of measurements to determine quantita- tively the actual response at vari- ous frequencies of Western Elec- tric Sound Systems. Such measurements have heretofore been made as needed.

2 New Houses for Egypt

Cairo—Newest additions to the theater list in Egypt are the 700- seat Empire in this city and the Kursaal, seating 600, in Port Said.

Third Week for “Sweden”

John W. Boyle’s travel feature in color, “Sweden, Land of the Vik- ings,” today starts its third week at the 86th Street Playhouse.

BIG NEWS

AS SEEN BY THE PRESS
AGENT

“Lloyd Bacon admits he is no expert
at tennis, golf or bridge, but he is a
champion mumblety-peg player.”

—DAVE EPSTEIN.
REVIEWING THE SHORT SUBJECTS

“What’s To Do?” (Follies of Youth Series)
Very Good Comedy
Educational
20 mins.
A very enjoyable affair. It’s a
amusing comedy, with the principal
role played by Sonny, whose mother
makes him do housework while the
other boys and girls are out having
a good time. Sent to bed early, Sonny
sees his pals outside his win-
dow playing ball. His team is get-
ing the worst of it, so they come to
the window and urge him on. Though
he does so, in its nightgown, and after
batting a home run he dives back through
his window into his bed, where
another finds him panting hard and
suspects he is sick. So a doctor is
called, and Sonny’s gang ring in a
shony, who is unmasked by the
boy’s sister, but things finally
work out to Sonny’s liking. Lots
of really amusing action and good
fun for any audience.

Our Gang in
“Bedtime Worries”
M-G-M
Fine
Plenty of swell entertainment for
the kids in this Hal Roach comedy.
The action revolves around a burg-
ar invading the home of one of the
kids and being taken for Santa
Claus, in which guise he proceeds
to gather up the silverware, etc.
But the arrival of the rest of the
gang of kids interposes itself. Though
the young folks will get the most
enjoyment out of it, the comedy will
prove good entertainment for grown-
ups as well.

“Isham Jones and His Orchestra”
with Gypsy Nina and The Boylans
(Melody Master)
Vitaphone
10 mins.
Good Musical
Jones and his musicians are first
shown broadcasting at a radio stu-
dio. The picture moves to the in-
terior of the “Toyland Club” where
the dancing Boylans display their
great musical talents and Nina rend-
ers two numbers assisted by her
accordion. The reed ends with the
Jones orchestra playing Rachmanin-
off’s “Prelude” while inspirational
pictures are superimposed at the
top of the screen. Scenes at the
club are very well handled. The
orchestra plays seven numbers and
can be classed as one of the lead-
ning musical organizations heard
around these parts.

Ben Blue in
“Nervous Hands”
with Loretta Sayers and Billy
Halligan
(Big V Comedy)
Vitaphone
20 mins.
Good Gags
This short is written around the
old triangle theme but plenty of
gags are sure to capture
laughs, have been worked into the
action. Ben Blue introduces his
famous burlesque Russian dance
which is also included in his vaude-
ville sketches. It is a cute. The
story tells of a couple who have the
usual domestic battles which are
enhanced by the unexpected ap-
pearance of Blue. Some of the sit-
uations are hilarious and suspenseful.
It is okay.

Easy Aces in
“Isn’t That Awful”
Vitaphone
10 mins.
Pretty Good
This is the story of a woman
who answers every radio contest
announcement and gathers several
hundred empty cartons so as to be
prepared for any contests which
require carton blocks. To cure her
over-enthusiasm, her husband de-
termines to try everything that his wife
sends for, as a result of the broad-
casts. All goes well until he drinks
the last bottle of a certain product which
winds up the reel with disastrous
results, for him.

Hal LeRoy in
“Private Lessons”
with Dawn O’Day, Dorothy Dare,
Barbara MacDonald, Jack Fago
Vitaphone
22 mins.
Fast Dancing
Regardless of the plot of this short,
LeRoy’s dancing alone can
carry any single reel. He is just
about the nimblest-footed performer
on stage or screen. The story is
enough to carry the dance sequences
which are many, and all costumed
and staged well. There is a bit of
love interest and plenty of pretty
girls to catch the eye. The reel
winds up with some unusual dance
girls to catch the eye. The reel
flakes are described by the en-
semble.

“The Mississippi”
(Pepper Pot Series)
Vitaphone
10 mins.
Unusually Beautiful
This is classed as a “tone jour-
ney” with Perko Grofe’s tuneful
composition “Mississippi Suite”
employed as the inspiration. It is
one of the most delightful shorts
produced in many months and de-
spite it’s highly artistic treatment
by director Roy Mack it cannot fail
to please all types of audiences.
The mood of the Mississippi has been
loved into the pictures which move
with classic finesse from Indians to
Huckleberry Finn, from steamboat
darkies dancing to plantation
scenes. It is restful yet entertain-
ing, enjoyable and impressive.

“Morocco Nights”
with Fuzzy Knight, George Black-
wood, Shirley Ross, Dewey Robinson,
Francis MacDonald, Fletcher Norton
(in Technicolor)
Vitaphone
18 mins.
Grand Entertainment
Director Eddie Cline has made a
pretentious production of this com-
edy, which opens in a night club with
Fuzzy directing the orchestra.
He stages a fake mind-reading
stunt in which he appears to tell
what tunes the dancers desires ren-
dered. Two Arabs see his stunt and
eone him to go to Morocco to
play for the Sheik who has forgot-
ten the tune best liked by his late
wife. The lads fail to discover the
mysterious song until a parrot that
Fuzzy purchased sings a few bars of
“Who’s Afraid of the Big Bad Wolf?”
The orchestra takes up the
tune and as it is the one the Sheik
has been waiting for, all are saved
of death. Knight is extremely
funny in some sequences and
the whole film has been well handled.
Five musical numbers are included.
The scenes in Morocco carry a
wealth of atmosphere.

“Italy”
with E. M. Newman
(Musical World Journey)
Vitaphone
11 mins.
Fine
Opening with some very beau-
tiful shots of Venice, this interest-
travel short moves to many famous
places in the city of canals. The
ancient and new parts of Venice,
glass blowers at work, natives of
Alberobello and their mediaeval
methods of industry, such as rug
making and agriculture, are all
shown and described by Newman in
elegant style. The entire reel is
backed up by a series of tuneful
Italian melodies.

Paramount Meeting Put Off
Meeting of Paramount Publix
creditors slated for this morning at
the office of Henry K. Davis, referee,
has been put off until Jan. 25 at 11
a.m. Matters to be considered in-
clude the West Coast and Walter
Reid settlements.

I’ve never heard more favorable
comments on a picture!

I enjoyed it immensely. Ann
Harding gives a marvelous
performance! I con-
gratulate 20th Century

Robert Kimmelman
Harris Amusement
Companies,
Pittsburgh, Penn.

WILLIAM WEISS
Capitol & Liberty
Theatres,
McKeesport, Penn.
40 MORE NOMINATED FOR POSTS ON CODE

(Continued from Page 1)

a committee on procedure for local boards will be held later this week, prior to the next code Authority

session Tuesday at 2 p.m.

Yesterday's list of recommendations follow:

Albany—Miss Jane Halloran.
Atlanta—Lester H. Keene, Tony Sudekem, John Evans, Sherwood L. Austin, Mrs. Almazo Richardson.
Chicago—Alex Maatz, J. Goldberg, James Fusiano, V. U. Young.
Minneapolis—Mabel M. Dietz.
New Orleans—Mrs. J. B. Heine.
Omaha—Henry Molsoky, Dean Martin.
San Francisco—Miss Rowena Foley.
Seattle—Robert B. Lynch.

New St. Louis Company

St. Louis—Judy Amusement Co. has been incorporated by Herman Goldman, Jake Leventhal and Gerald Goldman to carry on a general moving picture and amusement business.

“Gallant Lady” is one of the finest pictures United Artists has ever released. Congratulations to Darryl F. Zanuck.

SHORT SHOTS from EASTERN STUDIOS

by CHAS. ALICOATE

CHARLES (Buddy) Rogers, who

opens at the Paradise restaurant on Jan. 26, will also appear in a series of two-reelers to be produced in an eastern studio. Rogers will be cast in the role of an athlete, similar to the old “Leather Puffer” series.

Recording studio and projection rooms formerly operated by the At-

las Sound Recording Studios have been taken over and will continue opera-

tion under the J. Berkig Cont-

tiner Enterprises, Inc.

A series of comedy one-reelers,

produced on an entirely new angle, will be made by the Noveltv Pic-

tures, Inc. Production of the first of the series is scheduled to get un-

der way Friday at the Hayes & Beal studios, Oceanside, Long Is-

tand.

Ralph Staub, after completing

direction on the George Givens-

Charles Judels comedy short at the Vitaphone studio, started work im-

mediately on a two-reeler featuring

Harry Gribbon and Shemp Howard, from a story by Jack Henley and

Dolph Slinger.

Irene Taylor, who plays the ro-

mantic lead opposite Donald Novis- in the latest RKO Van Beuren mu-

sical comedy film, which stars Meyer

Ross, has been cast in the role of a female singer in a series. She will

appear next week at the Broadway Theatre in New York.

A musical short for release in

Paramount’s “Headliner” series is

going into production today under

the direction of Fred Wahler at the West Coast Service studio. William

Steiner is doing the camera work.

Jack Aichele, formerly in charge of

Eastern Service studio’s Bronx plant, now closed, has taken up his new duties as purchasing agent for the Astoria studio with headquarters at the Astoria studio.

Shooting on “The Expectant

Father,” starring Ernest Truex and

Montagu Love, will be completed tomorrow at the Eastern Service studio in Astoria. William Warburton has been engaged to do the exteriors on the short, which is being directed by Al Christie for Educational re-

lease.

Lillian Roth completes work to-

morrow in “Mardi-Gras,” three-

reel musical comedy being produced at the Vitaphone studio. Miss Roth is supported by a roster of promi-

nent supporting players including

Oscarine Smith, George Houston, Weldon Heyburn, Jack Goode, and Pat West.

Transfer “Alice” Suit

Samuel Kantrowich’s suit to re-

strain Paramount from distributing and showing “Alice in Wonderland,” on the ground that he owns the

right to the use of the title for film

purposes, has been transferred from the Supreme Court to the Federal

Court. Kantrowich says an “Alice” picture was originally made in 1914 by William Sturgis, and that in 1916 he acquired the sole right to use the name for films.

“ERPI-VITA: RULING BEING FILED FEB. 6

(Continued from Page 1)

C. Evans

Manager

Loew’s State

St. Louis, Mo.

L. Evans

General Manager

Pine Street Theatre

St. Louis, Mo.

ERPI-VITA. RULING

BEING FILED FEB. 6

taphone. Chancery Court over-

ruled that the matters involved in the litigation should be submitted to arbitration. ERPI contended that the agreements between it and Vitaphone prevented the latter from bringing the litigation. Chief Justice Pen- newell, since retired, held that Vitaphone could prosecute the action in this jurisdiction. ERPI then ap-

pealed to the Supreme Court. In the Supreme Court, former Federal Judge Hugh M. Morris, counsel for Vitaphone argued that ERPI could not take an appeal be-

cause the final decree had been entered. It is not known whether the Supreme Court’s decision will be limited to the ques-

tion of whether an appeal may be taken before a final decree is en-

tered, or whether the opinion will go into the merits of the entire case.

At the request of counsel, Chief Justice Daniel J. Layton, who suc-

ceeded Chief Justice Pennewell, sat in the Supreme Court. In the event the litigation goes back to Chancery Court, Layton will sit, Chanceller J. O. Wolcott being disqualified to sit by reason of the fact that he is a stockholder in Warner Bros. Pic-

tures.

Counsel, it was stated, requested that Chief Justice Layton sit so that he might become fully acquaint-

ed with the case.

Australin Gov’t Offers Prizes for Best Pictures

Sydney—As a means of stimulating

native film production, the Gov-

ernment of Australia will give a prize of $500 for the best sound film produced in Australia be-

tween July 1, 1933, and Dec. 1, 1934. The scenario must win be $5,250 and the third prize $3,000. The film must not be less than 8,000 feet long or more than 8,000 feet, and 75 per

cent of the scenes must be pho-

graphed in Australia or its terri-

tories. The capital of the producing company must be substantially Brit-

ish, and approximately 50 per cent of the acting and the production work must be done by British sub-

jects who have lived for at least the two preceding years in Australia. A prize of $1,250 will be given for the best feature sound film scenario containing Australian content and written in Australia. The scenario must win be $1,250 and the third prize $750. The competition is being handled by the Chief Film Censor.

A swell audience picture! Ann Harding at her best.
A STATEMENT

YOU no doubt have read of my resignation from Radio City. Because I am leaving for a brief rest it has been impossible to communicate with many of my friends in the motion picture industry.

Therefore, I am taking this means of expressing to them my very great appreciation for the loyalty and the warm personal friendship shown me.

To my staff, to the executives in the industry and to all the other fine men and women in this business whom I am proud to call my friends, I write this note of thanks and gratitude for the pleasant relations which have been my good fortune to enjoy, and which I am sure will continue.

For the present all communications should be addressed to me at 115 Central Park West, New York City.

Sincerely,
“So well acted by Mr. Lederer that it tickled the risibles of the audience... spectators applauded this film”
—Hall, N.Y. Times

“His Hollywood entrance can be definitely set down as a success”
—Watts, N.Y. Herald-Tribune

“Broadway's most exciting matinee idol”
—Bland Johaneson, N.Y. Mirror

“Has both talent and personality”
—Regina Crewe, N.Y. American

“An excellently true and sympathetic performance”
—Boehnel, N.Y. World-Telegram

“An actor of sufficient skill and personal charm to endow any character he portrays with the love-glow”
—Delehanty, N.Y. Post

“Charming”
—John S. Cohen, N.Y. Eve. Sun

FRANCIS LEDERER
ELISSA LANDI

in
“MAN OF TWO WORLDS”

with Henry Stephenson... J. Farrell MacDonald
Directed by J. Walter Ruben... A Pandro S. Berman Production
Take It or Leave It—Goldwyn's Reply on Percentage

10% CANCELLATIONS RETROACTIVE, NRA RULES

23 Denver Theaters Compete in Giving Away Autos

Free Flivver Stunt Begun by Huffman is Topped by Rival Houses

By L. A. RUNE
FILM DAILY Staff Correspondent
Denver—Wide interest has been aroused by a fight between eight Harry Huffman houses and a group of 15 others over the giving away of autos. Huffman started by announcing a free car every two weeks
(Continued on Page 8)

THREATEN TO STRIKE UNLESS DEMANDS MET

Fifteen hundred members of the Building Service Employees Union, following a meeting Tuesday night at Bryant Hall, have voted to demand from circuits a 40-hour, six-day week, the hours to run consecutively, closed shop, and minimum wages of 45 cents an hour for
(Continued on Page 8)

Sixth House is Opened By Varbalow Brothers

Palmyra, N. J.—Joseph and Samuel Varbalow reopened the Broadway here Tuesday as the sixth house in their circuit. They also operate the Walt Whitman, Pennsauken; Broadway, Pitman; Auditorium and Victoria, East Camden, and Apollo, Gloucester City.

Ohio Cars Nudist Films
Columbia—Setting a precedent as to the future action of the Ohio censor board, several nudist films, including "Back to Nature" and "Naturally Naked," have been barred in this state.

N. L. NATHANSON JOINS PAR. THEATER COUNCIL

N. L. Nathanson, president of Famous Players-Canadian Corp., has accepted an invitation to act as a member of the theater operating advisory committee of the Paramount theater interests, Ralph A. Kohn announced yesterday. This is the second appointment to the committee. The first was E. V. Richards.

5,000 in Actors' Guild

By '35, Says Fred March

With a present membership of about 2,500, the Screen Actors' Guild will have nearly 5,000 on its roster by 1935, Fredric March stated to FILM DAILY yesterday in New York. Future plans for the Guild include serious consideration of percentage agreements between actors and producers and discussions on the salary control question, he said. "Our leaving the Academy was brought about through our belief
(Continued on Page 6)

G-B Sets $200,000 Minimum Film Cost

Believing the available market now warrants an increase in production budget, Gaumont-British will hereafter allot a minimum of
(Continued on Page 6)

B. O. Films Worth High Rental, Goldwyn Tells ITOA Boycotters

Exhibition Board Proposed In Massachusetts Measure

Boston—A bill to establish a motion picture board for supervision of exhibition was introduced in the Massachusetts legislature yesterday by Rep. Dolan. The board would consist of five members, including a woman and a clergyman.

Declaring that an exhibitor is better off in paying 40 or 50 per cent for a great picture than 15 per cent for a turkey," Samuel Goldwyn, addressing a luncheon meeting of the I.T.O.A., which had issued a boycott on his pictures, yesterday defended his right to set his own price on what he had to
(Continued on Page 6)

Television Hearsar—Sarnoff

In addition to a new transmission system making it possible to send three messages over one wave length, each at the rate of 100 words a minute, recent RCA developments bring television considerably nearer, said David Sarnoff in an address this week before the Advertising Club of New York. Sending 16 pictures a minute in rotation, which constitutes television, is easy under the new system, declared Sarnoff.
Mono. Leases Studio Space
For Spurt in Production
West Coast Bureau of THE FILM DAILY
Hollywood—To accommodate the four Monogram productions being placed in work this month, Trem Carr has closed a deal with the Metropolitan Studios for extra space. With the resumption of production activity yesterday, Mono- gram started "The Loud-speaker," a $10,000, picture directed by Joseph Sanfey and featuring Roy Walker. The other three to start soon are "Numbers of Monte Carlo," "Manhattan Love Song" and "Jane Eyre."

S.M.P.E. Cuts Fees
In Membership Drive
Coincident with a national drive for new members, the S. M. P. E. board of directors, at a meeting scheduled for tomorrow at the Hotel Pennsylvania, will reduce membership fees. Two classes of memberships will be supplemented by a third. Under the revised plan, the new class will be known as "members," with a fee of $20 annually. Active members will pay $10 and associate members $6. E. R. Geib of National Carcon is chairman of the membership committee.

The society's projection practices committees will meet Jan. 24 with Harry Ruben, chairman, in charge.

Colin Clive Under New Management
Colin Clive, now appearing with Katherine Hepburn in "The Lake," is safari under management of the Leo Morison office by Joe Rovikin. After the show closes, Clive will go to Hollywood for pictures.

Fox Releasing Jungle Film Feb. 16
"Devil Tiger," made by Claude E. Ewell in the Far East jungles, will be nationally released Feb. 16 by Fox, Marion Burns, Katherine Hepburn and Harry Woods head the cast. James O. Searing wrote the story and Truman Talley edited the picture.

Ruth Roland in Publicity Agency
West Coast Bureau of THE FILM DAILY
Hollywood—Ruth Roland and David Arlen have organized International Publicists, Ltd., to represent screen personalities. Offices have been opened in the Pantages Theater Building.

Legit Managers Reject
Clause on Film Rights
Legitimate managers signatory to the basic agreement with the Dramatists Guild have rejected the clause in the legit theater code dealing with sale of film rights. The clause would have permitted managers to share in the sale of picture rights even when a play fails to run three weeks on Broadway but would require that at least $500 advance royalty be paid on contracting for any play, to be returned under no conditions. The current agreement stipulates that the managers can share equally with the dramatist in the sale of picture rights only when the play runs for three weeks on Broadway and fixes no minimum advance royalty. The alternative action of the managers was rejected by the board of the Dramatists Guild.

Payette Names Sub-Committee
Washington Bureau of THE FILM DAILY
Washington—J. J. Payette, chairman of the theater owners committee of the District of Columbia for the celebration of the President's birthday, has appointed a sub-committee on production consisting of Carter Barron and Guy Wonders, and another on publicity including Hardie Meakin, RKO; Lou Browne, Loew's, Frank La Faile, Warners, and Rodney Collier, Universal. A benefit show will be given at the Fox theater, with proceeds going to the fund to establish an infantile paralysis sanitarium at Warm Springs, Ga.

Diamond Heads Para. Music Unit
Famous Music Corp., now wholly owned by Paramount as the result of negotiations recently concluded with Warners, elected the following officers: president, Lou Diamond; vice-president, Walter B. Cokell; secretary, Norman Collyer; assistant secretary, James S. Polk. Board of directors includes Lou Diamond, James S. Polk, Walter B. Cokell and Sidney Justin.

Sam Silver Opening New House
Sam Silver, real estate operator who controls the Edison Theater at 107th St. and Broadway, is opening a new de luxe house, the Sutton Playhouse, 205 East 57th St., in the fashionable residential district. Silver has arranged with RCA Victor for installation of Photophone High Fidelity sound equipment.

John W. Alldate — Editor and Publisher

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Friedrichstrasse, 221, Paris—P. A. Harle, La Cinematographie Francaise, Rue de la Cour- les-Noues, 19.

FINANCIAL

NEW YORK STOCK MARKET
High Low Close Chg.
Am. Sear. 4 1/2 4 1/2 4 1/2
California 1 4 1/2 4 1/2 4 1/2
Con. Fm. Ind. 3 3/4 3 3/4 4
Con. Fm. Ind., ltd. 12 1/8 12 3/4 12 3/4 + 1/4
East. Kodak 6 1/8 6 1/8 6 1/8
Fo'c'sle "A" 14 1/4 13 14
Fox, Inc. 27 1/2 26 1/2 27 1/2
Paramount cts. 3 5/8 3 5/8 3 5/8 + 1/8
Pathé Exch. 12 1/4 12 1/2 12 1/2
RKO 2 3/4 2 3/4 2 3/4
Warner Bros. 5 1/4
NEW YORK CURB MARKET
Technicolor 9 1/4 9 9 1/4
Trans-Lux 2 1/2 2 1/2 2 1/2
NEW YORK BOND MARKET
Gen. Eq. 6% 6% 6% + 1/4
Gen. Eq. 6% 6% 6% + 1/4
Keith A-O 6% 6% 6% + 1/4
Loew 6% 4 1/8 4 1/8 4 1/8 + 1/8
Paramount 5% 39 39 39
Par. By 5% 39 39 39 + 1/4
Par. By 5% 39 39 39 + 1/4
Par. By 5% 39 39 39 + 1/4
Warner's 6% 45 45 45 + 1/4
N. Y. PRODUCE EXCHANGE SECURITIES
Para. Public. . . . . . . 2.5 2.5 2.5 + 1/4

Walter Connolly Loses Mother
Mather of Walter Connolly, stage and screen actor, is dead.

Jersey Exhibits to Fight Tax
Trenton—New Jersey independent exhibitors under the leadership of the theaters of New Jersey are organizing to protest their interests connecting with the general sales tax pending in the Legislature. A meeting was dis- cussed at a meeting of the Allied unit at the Stacey Theater on Tuesday.
This is **ANNA STEN**

"She is the most beautiful creature that I have ever seen on the screen."

JIMMY FIDLER  
_Screenland_
COMING
THE SCREEN'S FIRST
FASHION
STARRING WILLIAM POWELL
DIRECTED BY DIETERLE • DANNY
Remember
$10.00 TOP
Opening at Hollywood Theatre, Broadway
JAN. 18TH
from Warner Bros.!

Fashion Extravaganza—With Songs and Music!

S of 1934

Bette Davis • Veree Teasdale • Frank McHugh • Hugh Herbert • Reginald Owen

Staged and Directed by Busby Berkeley • Songs by Kahal and Fain • Gowns by Orry Kelly

42nd Street • "Gold Diggers" • "Footlight Parade"

Well here we are again!
GOLDWYN DELIVERS RENTAL ULTIMATUM

(Continued from Page 1) sell and said exhibitors could take “it or leave it.” To the assembled independent theater men, Goldwyn explained his own independence. He told how he arrived at his first results when “Vanity” was a fortune spent on it, because he considered them bad, and had invested another fortune to make a good production. The producer declared he wasn’t afraid of anyone’s ban; declaring he would not sell “Nana” until it was seen, and exhibitors can then decide if they want to buy it. Goldwyn attended the luncheon as the guest of Harry Brandt, president of the association.

50 Protests Filed Against Code Names

(Continued from Page 1) quarters will be left to the local boards for determination. Rules for procedure to be followed by the board will be submitted for ratification at the Code Authority meeting scheduled for Tuesday. A new Code Authority is being selected, and assent blankets to theaters in all U. S. territories as well as in the U. S. proper. Adequate time for filing complaints will be allowed in these cases.

In compiling data and information in connection with proposed rule changes, the operations of local boards the Code Authority has learned that approximately 35 states have jurisdiction under which decisions arrived at are as binding as court decisions.

G-B Sets $200,000 Minimum Film Cost

(Continued from Page 1) $200,000 for each picture, says Arthur J. Bowles, vice-president of the American G-B subsidiary. Everyday life plots will characterize the product designed for the U. S. market, said Lee. Coming productions in this category include “Magnolia Street,” Brown’s “Resolution,” “Rhodes,” “Men Without Work” and “Covent Garden.”

West Coast Bureau of THE FILM DAILY

Hollywood — William Powell and Kay Francis will be co-starred in Warner’s “The Key.”

Cleve. Exhib Unit Chartered

Cleveland-The Cleveland Motion Picture Theatres Association, which has been functioning for a number of years, has been chartered under Ohio laws with no capital stock for the purpose of setting and maintaining harmonious conditions among exhibitors, to oppose the enactment of harmful legislation, to secure wise and useful legislation and to promote the best interests of the theater members. Incorporators are M. B. Herr, John D. Kalafat and S. L. Shorr. George W. Reid is agent of the association.
The biggest prize money contest in years. Open to all exhibitors in the U. S. and Canada...regardless of the size of theatre operated.

Its aim: to get your ideas...as a practical showman...on how to advertise, exploit, publicize the three FOX smash musical productions now being filmed for spring release...FOX FOLLIES, BOTTOMS UP, GEORGE WHITE'S SCANDALS.

All three are musicals. But all three are different. Bear this in mind when preparing your campaigns. Each campaign should be distinctive and different from the other.

READ THESE RULES*

1. The contest will begin on receipt of this letter and will close February 17th. All campaigns must be in the office of Charles E. McCarthy, Fox Film Corporation, 444 West 56th Street, New York City, not later than that date.
2. The contest will be open to all theatre managers and their employees.
3. Each contestant must submit complete advertising, exploitation and publicity campaigns on each of the three pictures in order to qualify for any prize.
4. Contestants who are not equipped to submit drawings or layouts of their ideas may describe them in writing and be assured of equal consideration by the judges.
5. No employees of the Fox Film Corporation will be eligible to compete in this contest.
6. The Advertising and Publicity department of the Fox Film Corporation under the direction of Charles E. McCarthy will be the sole and only judge of the contest. Its decision as to the winners will be final.
7. The Fox Film Corporation shall have all rights to use all or any part of the campaigns submitted.

9 DIFFERENT AWARDS FOR CAMPAIGNS ON:

FOX FOLLIES

BOTTOMS UP

GEORGE WHITE'S SCANDALS

3. Prizes on EACH of the above:

1. $100 for the best complete campaign including outdoor, advertising, exploitation, publicity.
2. $50 for the best newspaper advertising campaign.
3. $50 for the best outdoor and exploitation campaign.

*REMEMBER, that in order to qualify for any of these prizes, each contestant must submit a complete campaign on all three pictures!

THE PRIZES will be distributed as soon as possible after the winners have been determined. In case of a tie, duplicate prizes will be awarded.

WATCH for a letter addressed to you containing everything you need to know for the contest.

SHOW your mettle as a showman. Start laying out your campaigns now. Don’t wait!

Send them along at once to:

CHARLES E. McCARTHY
Director, Advertising and Publicity

Fox Film Corporation, 444 W. 56th St., New York City

In case of ties, duplicate prizes will be awarded.
ANALYSIS of FILM CODE

By LOUIS NIZER

Twelfth Instalment

ARTICLE V—UNFAIR PRACTICES—DISTRIBUTORS—EXHIBITORS (Cont.)

1. Standard Optional Contract

(a) The 1933 Optional Standard License Agreement shall be the standard contract used by Distributors.

(b) The Exhibitor and Distributor may mutually agree to use a different form of license agreement in any case.

(c) If there is a conflict between the Optional Contract and the provisions of the Code, the Code provisions shall govern.

(d) The Distributor may insert in the schedule of the contract any provisions with reference to its individual sales policy which are not contradictory of the other terms of the contract.

(To be Continued)

COMEING AND GOING

T. F. KENNEDY of Paramount Studios, France, sailed on the George Washington yesterday.

DALE VAN EVERY, Universal associate producer, arrives in New York tomorrow from Hollywood for work on "Where Is Drowned" newspaper story by Lincoln Quarberg.

DOUGLAS MONTGOMERY leaves New York on Saturday for the coast to appear in Universal's "Little Man, What Now?" to be directed by Frank Borzage.

J. H. SEIDELMAN, Columbia's former manager, will tomorrow on the Olympic to attend the first performance by the company's new organization in England. He will also visit the continent.

S. A. LYNCH leaves today for a few days' vacation in Florida.

LOUIS CALHURN leaves New York next week for the coast to play in "The Firebrand" for 20th Century.

J. H. BARKER, Jr., managing director for Eng in Australia, arrives in New York tomorrow from Sydney.

BEN BERINIEST, Los Angeles exhibitor leader, left New York last night on his return to his hotel on the coast.

GEORGE BANCROFT left last night for the Coast.

GEORGE J. SCHAER has delayed his return to New York from the South until today.

BILL KUNZMAN of National Carbon arrives in New York today from the Coast.

ROLAND PERTEL, author signed by Columbia, arrived from England yesterday on the Olympic.

ERNEST STERN, art director: DUDLEY WILL- KINSON, American actor; THOMAS C. GIBB, English actor; and LUCIEN CODEL and VICTOR HENRIQUE, foreign actors, arrived from abroad yesterday on the Champlain.

MAX SCHUMANN arrives in New York tomorrow on the Brenin from Germany.

HARRY BRANDT leaves New York tomorrow for a vacation in Florida.

23 Denver Houses

Giving Away Autos

(Continued From Page 1)

for 12 weeks, with four first-run, two downtown suburbs and two neighborhoods in on the deal. After he had given away three cars, 15 other dealers in the same towns which the competition by giving away a car weekly. Both groups are using the program as the giveaway, the HFBB houses are the Denver, Orphoom, Paramount, Aladdin, Rialto, Tabor, Bluebird and Bideawee. The Denver, Alpine, Federal, Hiawa- ha, Isis, Jewel, Ogden, Mayan, Rex, Santa Fe, State, Victory, Webber, Egyptian and Granada. Almost every house on the New York film, ranging from chamberva silverware and mattresses up to blurrors.

Amity Gets "Hell on Earth"

Ben Schwartz, Sol Kravitz and Hobie Horowitz of the New York Amity Exchange have acquired New York and New Jersey distribution for the 21st Century's first international talkie, "Hell on Earth," a war film in four languages, negotiations are now under way for the Canadian rights.

Schweber and Steinberg are in charge of publicity and exploitation.

"Christina" Release Set

"Queen Christina" will be released nationally by M-G-M on Feb. 8.

Threaten to Strike

Unless Demands Met

(Continued from Page 1)

50 ushers and 60 cents an hour for the elderly, would include all aspects of savings prevention workers, cleaners and maintenance men. A general strike is threatened if the demands are not met.

The film code provides a minimum wage of 75 cents an hour for all, 60 cents an hour for janitors, and 50 cents an hour for all others. According to the New York Federation of the Union, contracts with all film theaters in a week. No deadline has been set for signing.

Late Tuesday afternoon, Levy appeared before William Farrell of the NRA Washington bureau in the Customhouse and made complaints that many circuits were classifying janitors, cleaners and other employees as "skilled" workers, who, under the code, are rated as skilled workers and hence can be requested to work 60 hours if necessary. Levy asserted that these men were not skilled workers and that the code was being violated. Farrell promised a ruling on this point by next Tuesday, and will rule also on the question of whether agreements for cleaning theaters entered into before the code was adopted, under which many men are working, would be abolished. The code and the new contracts for black day rest on this latter ruling.

Yesterday, Levy filed a batch of complaints with James E. Hodgson, branch director of the NRA compliance board, charging most of the Western Circuits in the business with violation of the code and with working men beyond the code limits.

Levy said that a local circuit had been investigated by the NRA before the code was adopted, and a penalty of $100 was imposed on the circuit.

Levy said that a circuit had been found in violation of the code, and that on the basis of a new raises the payscale for the workers.

I.T.O.O. Ball Feb. 21

First annual ball of the I. T. O. A. will be held Feb. 21 at the Waldorf Astoria, and will include dinner and stage show. William Brandt is in charge of arrangements.
Michigan Allied to Hold Monthly Meets on Code

NRA AND SIROVICH TO CONFERENCE ON COPYRIGHT LAW

Decentralizing Entire Industry Urged by Hoblitzzle

Advocates Making Each Community Center of Its Activity

By ANN BRADSHAW
FILM DAILY Staff Correspondent

Dallas — Decentralizing of the entire amusement industry, making each community in which it operates the center of its activity, was advocated by Karl Hoblitzzle in a statement this week in connection with the conventions of Interstate Circuit officials. Personalized showmanship, the kind that builds and

(Continued on Page 6)

CONN. OKAYS CODE, MAKES NOMINATIONS

Notice of unanimous approval of the motion picture code by the M. P. T. O. of Connecticut was received yesterday by John C. Flinn, executive secretary of the Code Authority. The unit also sent its recommendations for the local zoning and grievance boards. Accompanying the communication, from President John Fishman, were compliance blanks signed by members of the association. Recommendations, which include:

(Continued on Page 6)

56 More Nominated For Posts Under Code

Fifty-six additional nominations for local zoning and grievance boards and their secretaries were made public by the Code Authority yesterday. Following are the names suggested:


(Continued on Page 2)

Add Naturals
On the marquee at the Little Carnegie

“Rasputin and the Empress”

“She Done Him Wrong”

RCA Stockholders Nearly Tripled in Year

RCA shareholders numbered 287,813 on Dec. 30, a gain of 180,791 in a year, and indicates that most shareholders have received stock through the distribution made by the General Electric and Westinghouse on Feb. 20, have retained that stock in their possession. The number of shareholders after this distribution was approximately 94,000. Five years ago RCA had only 25,000 stockholders.

Circuit Heads Approve Ban on Contests

Major circuit heads are understood to have generally approved the interpretation of the Hays advertising code clause covering contests agreed to by advertising and publicity department executives. The clause bans contests in which patrons are required to purchase tickets in order to participate, such as:

(Continued on Page 6)

Monthly Meetings on Code Planned by Michigan Allied

George Weeks to Handle G-B Los Angeles Office

George W. Weeks will be in charge of a branch office to be opened shortly in Los Angeles by Gaumont-British Picture Corp. of America, it is announced by Arthur A. Lee, G-B operating head in this country. The new branch will handle the company's pictures that are released direct to exhibitors.

Legendre Accompanying Rosenblatt to the Coast

Washington Bureau of THE FILM DAILY
Washington — Morris Legendre, movie expert, yesterday was appointed as assistant and technical advisor to Division Administrator Sol A. Rosenblatt to accompany him on his west coast trip today.

Film Probe Bill Not to be Pushed by Congressman Pending Parleys

BY WILLIAM SIZERBERG
FILM DAILY Staff Correspondent
Washington — Following a midnight telephone conference Wednesday night between Administrator Hugh S. Johnson and Congressman William I. Sirovich, regarding sections of the copyright law and their applicability to the film industry, Sirovich said yesterday that Johnson had suggested the advisability of possible amendments to the existing.

(Continued on Page 6)

NEW FIRM TO MAKE 12 FILMS IN CANADA

J. R. Booth of Ottawa, president of several Canadian enterprises and part owner of the Film Laboratories of Canada, Ltd., is forming a producing company which will make 12 features for British film quota, the FILM DAILY learns. Plans for construction of an elaborate studio in Ottawa have been drawn up and building will start April 1. Arthur Gottlieb of DaArt is U. S. representative for Booth in connection with the studio and the films.

Independent Union Denied Charter in Pennsylvania

Harrisburg — Application of the Independent Moving Picture Machine Operators’ union for a charter in Pennsylvania was refused this week. Three officials of the union are under indictment for violating the state statute by operating an out-of-the-state corporation here without authority from the state.

Sunday Bill Filed in Albany

Albany—A bill to permit dramatic and musical performances on Sunday had its introduction in the Senate by Julius S. Berg of the Bronx. The measure applies to legitimate shows.

Uncle Sam as Entertainment Sponsor

AFTER having done more than any other branch of the amusement business in furthering the cause of the New Deal, the movies are about to be left at the tail end of the parade of those who are going to benefit under the recovery program. That is, unless the movies wake up to themselves, and pronto.

The legitimate stage already has acted and obtained an initial subsidy through the CWA to put some of its people to work giving free shows in schools, auditoriums, etc. It’s going to be a bit of movie competition that may grow to disturbing proportions if CWA activity is extended, as it is likely to be.

(Continued on Page 2)
Uncle Sam as Entertainment Sponsor

(Continued from Page 1)

Another group of stage people are now working on a plan to reopen some 600 theaters with various forms of “flesh” entertainment. More competition for picture houses.

If the Government is countenancing these projects because they will serve a dual purpose—amusement of an unemployed artists and bring needed entertainment to many persons who at the moment have little or no money for shows.

Movies, too, can serve these ends, and very well.

motion picture theaters now closed could be put into operation with programs of the type that are not ordinarily profitable on a commercial basis but are desirable from the standpoint of promoting good citizenship.

B. C. Fassio Closes Deals For Handling of Shorts

B. C. Fassio, president of Shamrock Pictures, Detroit, has sold world’s rights to “The Fighting Pilot,” produced by Golden Arrow Productions, to Inter-Americans Film Corp. The deal is exclusive of Michigan, where Powers Pictures is handling the subject.

Fassio also has sold to Kinematograph the world rights, exclusive of Michigan, to the feature “World’s Fair Ode Time Illustrated Songs,” and 13 “News from the Dailies,” both series being made by Mirror Productions. Shamrock is opening its own exchange for the Michigan distribution of these shorts.

After a week in New York, where among other arrangements he arranged finances for future production, Fassio left last night for Cleveland and then to Detroit to resume work.

Zira Appeal Up Next Month

Harry Samuel Zira, action against the transfer of 23 Paramount negatives to Film Production Corp., as bank preferences will be heard by the Appellate Division about Feb. 10 or 15. The action also involves the company’s sale of its half interest in Columbia Pictures’ Projecting System and various phases of its theater decentralization. Brief filed by Zira runs 56 pages.

New Warner Argentine Sales Head

Following the death of Henrique Blunt, Brazilian distribution head for Warner Bros., William Fait, in charge of sales for that company in the Argentine, has succeeded Blunt’s post. Guido Buzucigia, branch manager for Warners in Buenos Aires, has been promoted to fill the position vacated by Fait.

Thomas Gets “Wine. Women. Song.”

Harry Thomas of First Division has acquired Chadwick’s “Wine, Women and Song” for distribution in the Buffalo, Pittsburgh, Cleveland, Cincinnati and Louisville areas.
So rich in every human emotion that –

TWO OF THE SCREEN'S MOST POPULAR STARS GIVE FULLY OF THEIR BOUNDLESS GENIUS

- Drama... romance... humanness... humor... abound in this completely appealing picture. A wisp of a girl bursts like a ray of sunshine into a sleepy Carolina plantation... tumbles cobwebby tradition... awakens a new joyous spirit... stirs up excitement. Into-the-heart entertainment... bigger than "State Fair"!

JANET GAYNOR
LIONEL BARRYMORE

in

"CAROLINA"

ROBERT YOUNG • HENRIETTA CROSMAN
RICHARD CROMWELL • MONA BARRIE
STEPIN FETCHIT

Directed by HENRY KING. From "The House of Connelly" by Paul Green
Paramount and Progress

By MARTIN QUIGLEY

Glancing backwards as we approach this year-end, what has happened in the case of Paramount Pictures is something that stands out in sharp and luminous relief as a development of consequence to the industry at large.

For many years the name of Paramount connoted something of vast importance in the world of motion pictures. The institution behind the name played a leading role in matters of production, distribution and exhibition. Upon the attraction value of its product many thousands of theatres throughout the world placed an enormous reliance. To the public it meant a great column in the temple of the motion picture.

△ △ △

Then, in the latter part of last year and through the commencement of this year, rumors of financial distress flew about the trade and lodged with the public. Eventually, the state of bankruptcy of the parent concern and certain of the subsidiary companies became a matter of public concern and certain of the subsidiary enterprises. This development was not and could not have been rightly interpreted as an isolated instance of distress with little or no consequences beyond the interests immediately affected. The predicament of Paramount and its shadow through a length and breadth of the industry, reflecting apprehension and even gloom virtually throughout the business. One of the great pillars of the temple of the motion picture was cracking under the strain.

However, it developed that those responsible for the administration of the Paramount interests had planned carefully and well in anticipation of the inevitable readjustments that had to be provided for. The activities concerned with production and distribution were marshalled into subsidiary corporations in order to permit an uninterrupted operation and a continuity of management irrespective of what complexities the processes of the law would introduce.

△ △ △

The arrangements which were provided succeeded significantly in keeping the wheels of the distribution machine, both domestic and foreign, turning so that the thousands of theatres which needed their customary supply of Paramount product could continue to be served. The studios, which on account of the difficulties of the bankruptcy, were not only kept functioning but actually succeeded in running out a number of significant attractions.

Theatre companies which went into bankruptcy or receivership were carefully administered to the end that the necessary readjustments were effected with the least possible hindrance to the circulation of the product and the regular flow of attraction to the screen. Largely in the hands of local men of experience and reputation, the difficulties of leasehold and mortgage problems were overcome and sectional enterprises have either been reorganized or are about to be.

△ △ △

And thus the name of Paramount has survived in the world of motion pictures. Quite obviously, however, what has been done has neither been an accident nor has it been an easy accomplishment. Paramount Pictures during the past year faced a very critical test. In the face of many obstacles it has made such progress as to reflect much credit upon the management as well as to afford a little satisfaction to the industry at large. The concern of the industry has been most pertinent. Had disaster overwhelmed the Paramount Pictures group of enterprises, reverberations from it would have echoed across every quarter of the industry. In fact, it may be said that the rehabilitation of the industry at large has gone on hand in hand with the reorganization and reconstruction which have taken place in the Paramount Pictures group.

△ △ △

The Paramount personnel, in production and in distribution, have been under a severe strain, not only for the formidable tasks facing them but also because of the uncertainties. All of this imposition of additional burdens and, consequently, the achievements which have been attained well merit an added measure of recognition. Progress which has been made by the Paramount Pictures group is doubtless is, and has every right to be considered as a source of both satisfaction and encouragement. The record of the past several months may well be an inspiration to the whole organization to carry on and through to the goal of the complete reestablishment of Paramount on its enviable plane of former years.
enlightened law to remedy alleged practices within the industry and sug-

gested early conferences with officials of the NRA and the congress-

to air specific points of the law as they pertain to the movies. 

Johnson stated some time ago that the copyright laws are responsible for block booking. Sirovich agreed to the proposed conferences, he said, 

at which Johnson said he would delegate Division Administrator Sol A. Rosenblatt as his representative to begin as soon as the deputy returns from his coast trip. 

Pending the outcome of the con-

ferences, Sirovich said he would withheld pressing of his investiga-

tion resolution before the House. 

Urges Decentralization 

Of the Entire Industry 

(Continued from Page 1) 

holds steady trade, is the order of the 

day, he declared. 

Representatives of 86 theaters in 39 cities and New York executives of film companies and exhibition 

ners were in attendance. 

Other speakers included R. J. O'Donnell, Interstate general man-

ager, and Clarence E. Lins, receiver for the Southern Electric 

uit that will combine with Hob-

lizelle's interests on termination of the 

receiverness. 

Pinnacle Gets "Hired Wife" 

Pinnacle Productions, J. D. Trop, president, has acquired "Hired Wife" for world distribution. Fea-

ture was made in Florida, with 

Greta Nissen, Molly O'Day and James Kirkwood heading the cast. "Clayo" will be Pinnacle's second 

release. 

Acquire Jersey Theater 

Arthur Siegel, Warner Newark 

booker, and Dan Weinberg, for-

merly Skouras booker for New 

Jersy, have acquired the Ramsey, 

Ramsey, N. J. 

Tarzan, Police Dog, for Shorts 

Superior Talking Pictures, Inc., 

will place in production this month a series of 12 features with Tar-

zan, the Police Dog. 

Ampa Moves Meeting Place 

Starting Thursday, the weekly Ampa luncheons will be held in the Paramount 

Hotel grill. Next Thursday will be RKO 

day with William H. Neillson as chairman and Roger Baldwin as guest of honor, 

speaking on "The Bows of Fashion." The following meeting will be women's day, with Tess 

Michael, art director at the Artcraft in charge. 

An Eddie Dowling meeting and a meet-

ing headed by trade paper members will follow. President John C. Film 

announced that ballots concerning pro-

posed changes in constitution will be mailed to all members within the next 

30 days. 

CIRCUITS APPROVE 

BAN ON CONTESTS 

(Continued from Page 1) 

tieups, according to the interpreta-

tion, amount to advertisement price-

cutting. A proposal has also been 

made that the giving of passes in 

connection with contests be banned 

as this practice also constitutes 

price-reducing. 

Conn. Okays Code, 

Makes Nominations 

(Continued from Page 1) 

clude Edward G. Levy, M.P.T.O.A. 

general counsel, who is suggested 

as secretary of the New Haven 

zoning and grievance boards, follow: 

GRIEVANCE BOARD: Affiliated exhib-

itor, J. E. Hoffman, Warner Bros.; alternates: George Crouse, Paramount; unaffiliated exhib-

itor, J. J. Fishbein, Rivoli Theater. 

HADLEY: Alternate, Arthur H. Lockwood, 

Middlesex Theater. 

MIDDLETOWN: Secretary, Edward G. Levy, 

152 Temple Street, New 

Haven; unaffiliated member, Prof. Wesley A. Sturges, Yale University Law School. 

CLEANING AND ZONING BOARD: 

Affiliated exhibitor, B. E. Hoffman, Warner Bros.; secretary, Charles E. Weiss, Paramount; 

unaffiliated first run, Louis M. Siegel, Palace 

Theaters, New Haven; alternate, Samuel 

Vartes, Stamford Theater; unaffiliated 

subsequent runs, Adolph Johnson, Gary 

Theater; third run, New Haven, William J. 

Has-

man, Strand Theater, Winsted; first alter-

native, Martin Kelleher, Princess Theater, 

Hartford. Lee Benoff, Ronoff Theater, Madi-

son; second alternate, Albert Pickus, Strat-

ford Theater, Stratford. J. L. Shulman, 

Rivoli, Hartford; secretary, Edward G. Levy. 

Michigan Allied Plans 

Monthly Code Meetings 

(Continued From Page 1) 

explained code actions at yesterday's 

meeting. The association's direc-

tive board approved approximately 

25 exhibits for code board nomina-

tions, he said, and approval by out-

lying groups is expected. 

A new rule adopted to give 

service only to paid up members. 

Picking "Miss Fashion" in N. E. 

As part of the campaign for 

Warner's "Fashions of 1934," the 

M. & P. circuit in New England 

will conduct a contest in that territory to select "Miss Fashion of 1934." 

The winner will make personal ap-

pearances with the picture. 

\"The Film Daily\" Birthday Issue \"Happy Birthday!\"
This is

ANNA STEN

“She will sweep this country much in the same manner as Garbo and Katharine Hepburn swept it.”

DAN THOMAS Newspaper Enterprises Association
SHORT SUBJECTS

"Mickey Shanghaied" (Mickey Mouse Cartoon) 8 mins.
United Artists

"A Nifty" 8 mins.
Another sure-fire release filled with gags and packed with laughs. Mickey and Minnie are in the clutter-es of a crowded ship and each is trying to find his or her way. While a motley crew swabs the decks, the blood-thirsty skipper goads with glee as Mickey and Minnie try to struggle free from their bindings. Finally Mickey breaks away, releases Minnie and then the chase begins. It takes Minnie to the top of the mast, while Mickey fires the ship's cannon at the crew and skipper. It's fast, and plenty funny.

"The China Shop" (Silly Symphony) 10 mins.
Swell
Excellent entertainment. Colorful, restful, pleasing and humorous. Story concerns the old keeper of a china shop, who locks up for the night, believing that all his precious china pieces are safe. After he has gone, all the objects come to life and have a merry party which is spoiled by a villainous centaur who steals a beautiful dancing lady. The bille that follows breaks up most of the chinaware. In the morning the old store keeper finds a way out of his troubles by marking the broken chin pieces "antiques" and convincing the prices on all.

Richard Talmadge in "Pirate Treasure" with Luella Lund, Walter Miller, Pat O'May (Serial)
Universal Approx. 18 mins.
First-Rate
If the achievement of the first three episodes of this new serial are continued, exhibitors will rejoice at the kid customers glued. Romance, thrill, action adventure and glamour mark the first installment. The plot concerns Dick Moreland (Richard Talmadge), who is shown completing a solo round-the-world flight. He has won a $25,000 prize and with the money proposes to seek the pirate gold buried by a buccaneer uncle whose map he possesses. Relating his plan to the exclusive Auto Club he is overheard by Walter Miller. The first three issues are devoted to the attempts to steal the map. The romance interest and the narrative are well-developed.

"Vaudeville On Parade" 20 mins.
Good Entertainment
Run off like a vaudeville show and on a theater stage, this Men-tone short starts with a shot of Harvey Dye and the wind-up oveture. Then follow successively De Di's animal circus, dog act; Jack McAllen, comedian; Charles Colling's dance act, "The Gypsy Nina," songstress; Harry

"SIXTEEN FATHOMS DEEP" with Sally O'Neill and Creighton Chaney
98 mins.
"DELIGHTFUL ROMANTIC FANTASY FILLED WITH NOVELTY AND CHARM FOR YOUNG AND OLD.

With a wide diversity of entertainment elements, this Jesse L. Lads production is something out of the ordinary and generally enjoyable though a bit long. Primarily the romance of Lilian Harvey, a famous Parisian dancer, and Gene Raymond, who is wrapped up heart and soul in the marionette business which has been in his family for generations, the story has been imaginatively handled in the contrasts between the living persons and their puppet counterparts. There are occasional musical and dancing interludes. Also a grand performance by Leslie Banks, who steals a big chunk of the show as Suzanne's dishonest manager who walks out on her when she breaks her leg but returns when she has recovered and tries to take her away from Gene, her benefactor. The romantic motif brought up by Gene's backwardness because he feels he is unworthy of the dancing star, while Suzanne has a fight to win Gene's interest. The romance scenes are filled with more than human love, but finally conclusions.


Director, Rowland W. Lee; Authors, Rowland W. Lee, Edwin Justus Mayer; Camera, Carman; Lee Carman; Recording Engineer, pacing, Barritt; Direction, Fine, Photography, Fine.

"Strange As It Seems" No. 5 Universal 10 mins.
Very Interesting
Such item as the bare-breasted Balinese women in one of their more illustrous qualities, the Mexican drug-doctors, eighty-year old Mrs. Vickery who has developed into a successful mural painter, unusual Mexico City fisheries and the rock bats of the Siwash Indians are among the first-rate clips which comprise this reel.

Oswald in "The Candy House" Universal 9 mins.
Exceptional
This is an exceptional achievement worthy of ranking with the best animated cartoons. In rhyme and with pleasant lilting music, the tale of Hansel and Gretel and their experience with a gnomophoanlant. Amusing, suspenseful and ending happily, this one will win the applause of all who viewed "The Three Little Pigs."

Joe Linn Johns Interstate
Dallas—After spending a year as amusement editor of the "Times-Herald," Joe Linn has joined Interstate, the motion picture circuit associated with the Melba theater.

"A Woman's MAN" with Sally O'Neill and Creighton Chaney
98 mins.
"GOOD SEA MELODRAMA WITH ACTION AND THRILLS AS ITS CHIEF ELEMENTS OF ENTERTAINMENT.

Old reliable heavy melodrama of the sea is given plenty of sway in this yarn dealing with the occupation of sponge-fishing. For audiences that like action and those who want something a bit different in the way of natural locale, the picture should prove amply pleasing. Creighton Chaney, son of the famous Lee Blanche, Jack Keely, Lloyd Ingram, George Nash, Robert Karnin, St. Jenks, Constantine Romanoff, Richard Alexander, Russell Simpson, Philo Freig, Jean Carbo, Ralph Figueroa, Adaptors; Author, Eustace L. Adams; Adaptors, B. A. Ban- nnier, Norman Houston, Cameron, Al- bert; Recording Engineer, Balsley; Phillips.

Direction, Action, Photography, unusual.

"REMARKABLE STAR PRIZEFIGHTER ROMANCE DRAMA WITH MODERATE APPEAL FOR POP AUDIENCES."

The highlights of this film include the brilliant performance of John Halliday, the back-stairway to the stage and the fact that a new ending has been given a much-repeated theme. The story now to start, with sleepy consumers registering the temperament of a movie star, played by Miss de la Mette. Her director, John Halliday, does his best to set her straight and finally decides to humor her whims. In doing so, he introduces her to Ford, a prizefighter who is trying to win a championship battle. Ford falls for the girl and breaks training time and again. He accidentally overhears her tell another suitor that her friendship with the mug is the big fight, the kid is well ahead, when he remembers her remarks. He deliberately throws the fight. Later all ends well. The film exposes the method of dubbing a song. Halliday does a convincing job.


Director, Edward Ludwig; Author, Ralph Figueroa; Adaptors, J. Hyland, Director, Good, Photography, Fair.

A Little from "Lots" By RALPH WILK

WARREN WILLIAM instead of Ricardo Cortez, who is honey-mooning, will have the male lead in First National's "Me Again."

Monarch's "Love Past Thirty," with Aileen Pringle, Theodore von Eltz, Gertrude Messinger and Phyllis Barry, has been completed.

"Strange Holiday" is the release title set by Paramount for "Death Takes a Holiday," with Fredric March.

Charles R. Rogers has bought "Canal Boy," by Forest Halsey and Clara Beranger, for Dorothy Wili- son's next film. Casey Robinson is adapting it. Rogers also has bought "In Conference," by Vera Caspary and Bruce Manning. Marlene Dietrich is doing the screen treatment.

M-G-M has acquired film rights to two Rudyard Kipling stories, "Kim" and "Captains Courageous."

Katharine Hepburn's next RKO screen version of Lulu Vollmer's play, "Trigger," will be released by M-G-M under the title "Spilt Milk." The supporting cast includes Robert Young and Ralph Bellamy.

B. P. Schulberg, producing for Paramount, has signed Preston Sturges to write the screen play for Sylvia Sidney's "Thirty-Three Days" and Sam Hellman to work on dialogue for "Little Miss Marker."

Herbert Mundin has been cast by Fox for "All Men Are Enemies."

"No Greater Glory" has been decided upon as the definite title for Frank Borzage's second Columbia picture, formerly known as "Men of Tomorrow."

Leo McCarey, Paramount contract director, will direct Mae West in her next picture, "It Ain't So."

Lyle Talbot is the latest to join the cast of "Golden Gate," Warner's new picture. The picturization of the story formerly called "Fragments."

Carole Lombard will have the role opposite Bing Crosby in his next Paramount musical, "We're No Dressing."

Otto Brower will direct "Sea Girl," RKO picture, with Joel Mc- Creu.

"Jail Birds of Paradise" is the new title for "Reformania," an M-G-M comedy short, which was directed by Al Boasberg. The comedy was supervised by Sam Baerwitz instead of Jack Cummings, as originally reported.
$105,752 Profit in First Quarter for Warners

ALLIED BOARD HOLDING CODE MEET NEXT WEEK

Upholds Producers’ Right Under the Copyright Law

Attorney Says Block Booking Not Related to Copyright Laws

By WILLIAM SILBERBERG
FILM DAILY Staff Correspondent
Washington—Producers have the same right under the copyright law to control their product as the American Society of Composers, Authors & Publishers have to charge theaters, orchestras and others for playing their music, in the opinion of Fulton Brylawski, nationally known copyright attorney and counsel in that capacity here for producers. Block booking has nothing to do with the copyright laws, Brylawski says.

(Continued on Page 2)

MPTOA UNIT IN LA.
IS BELIEVED NEAR

By WILLIAM SPECHT
FILM DAILY Staff Correspondent
New Orleans—In line with reports that attempts to organize a Louisiana unit of the M.P.T.O.A. will be made after the exhibitor meeting being held Jan. 21 at the Hilton Hotel here, Ed Kukendall, a leading independent exhibitor here, declares that a unit will be organized in Los Angeles.

(Continued on Page 3)

POST OFFICE STOPS ADS ON GIVEAWAYS

Denver—As a result of the epidemic of “free” stuff given away by local theaters, the Post Office Department has notified newspapers here that hereafter no papers will be permitted through the mails if they carry ads with the slightest reference to giveaways involving an element of chance that may be considered gambling.

(Continued on Page 3)

Five New Productions Started at Paramount

East Coast Bureau of THE FILM DAILY
Hollywood—Coincident with the arrival of Adolph Zukor, Paramount has put five features in work. They include “Melody in Spring,” “Man of the Morning,” “Baby in the Ice Box,” “We’re Not Dressing” and “Trumpet Blows.”

Profit of $105,752 in Quarter First for Warners Since 1930

34 Additional Names Submitted to C. A.

With today the deadline for filing nominations for local grievance and zoning boards and their secretaries with the Code Authority, announcement was made yesterday of 34 additional membership suggestions, as follows:


(Continued on Page 2)

NEW MOVE IN DETROIT TO RAISE ADMISSIONS

Detroit—A new move to raise admission prices has been started by Allied Theaters of Michigan. Matter has been referred to a committee headed by J. C. Ritter, national president of Allied, including Lew Whalen, Fred DelRoller, Sam Brown and Frank A. Wetmore. Necessity of higher prices is based on increased operating costs under the code.

(Continued on Page 3)

S.M.P.E. Spring Meet
Set for Atlantic City

Spring meeting of the S.M.P.E. has been tentatively set for April 25, 24, 25 and 26 at Atlantic City. Plans in connection with the convention were made by its board of directors at a meeting yesterday at the Hotel Pennsylvania. Re-classification of memberships, together with a reduction of fees, was agreed upon.

Important Developments Expected from Allied Confab Here

Important steps relating to the motion picture code will be taken at a meeting of the Allied board of directors Wednesday at the Hotel Warwick, New York. The session, which takes place the day following the next meeting of the Code Authority, is expected to pay much attention to membership nominations for local zoning and grievance boards, in which it is vitally interested. Speculation continues as to whether or not the exhibitor association will move to legally obstruct the code.

CONFER NEXT WEEK ON MUSIC AGREEMENT

Conferences in connection with a music agreement between film companies and music publishers will be resumed next week, probably on Tuesday, in New York. Delay in drafting the contract has been due to distraction of the NRA codes. Representing the producing firms is...

2 Regional Sales Meets
Being Held by Columbia

First of two regional sales meetings being held by Columbia takes place today in New York with Abe Montague presiding. Distribution and merchandising plans on several special pictures will be discussed. A similar confab will be held for the western division in Chicago on Jan. 29, under Jerry Safir.

Through Fire for Mae

Boston—Because Mae West was on the screen, an audience of 600 refused to vacate the Egyptian Theater during a fire the other day. The blaze did about $400 damage.
Upholds the Producers
Under Copyright Law
(Continued from Page 1)
Jawski declared, Congressman Simon use, long active in copyright matters, is alleged to have stated some time ago that the copyright laws could not control the amount of royalty or seat tax charged by the Screen Society. Brylowski said Jawski admitted the law’s inability to control this practice.

T.O.A. Plans Appeal
Against Too Many Unions
Alarmed by the organization of various new unions, the T.O.A. of New York is planning to appeal to the Divisional Administrator Sol A. Rose of the National Labor Relations Board for an order to prevent them from any encroachment on the New York labor market, mandatory for all those who have been involved in the strike. The law is now in effect and the company has been ordered to submit a report to the NLRB on the matter.

Lovalace Starts at Fox Feb. 1
Hunter Lovelace, 22, the new head of the reading department at William Craven Company, general studio representative, Joseph Pincus continues as talent scout.

Warner Bros. Reports
First Profit Since ’30
(Continued from Page 1)
iment of debentures and bonds. Current assets at the end of the period totaled $1,154,146,037.45, an increase of $1,132,305,585.25, while current liabilities stood at $1,935,305,585.25, an increase of $1,925,745,305.58.

34 Additional Names
Submitted to C. A.
(Continued from Page 1)

Best wishes from THE FILM DAILY to the following on their birthday:

January 19-20-21
Harvey H. Gatz B. F. Schultzen
Harley Risch Luiz Matzer
George Satilik
Viscount Julius De Morgan Joseph Adams
Dennis F. O’Brien
Wheeler Jennings Arthur S. Dickinson
Roger Mayer James Marcus
S. Carlisle

Indies to Consider Hays Ad Plan
Offer of the Hays organization to censor advertising and publicity of independent companies as well as its own members will be submitted to a general membership meeting of the Federation of the M. P. I. Industry next week for decision, it was decided at a meeting of its board of directors yesterday in the office of President Harry Thomas, following a report by the committee on standards. The code was also discussed.
HOLLYWOOD

PHIL. L. RYAN, producing comedies for Paramount, starts shooting Monday on the second Chico feature, "One Day," about which Wesley Del Lord is directing. Little Lamar Watson, who made a hit with Sale Martet and Jesse J. Jr., reports opposite him. Ryan and Sale are now discussing contract and option for future shorts.

"This Side of Heaven" is the final title of M-G-M's picture, formerly called "It Happens One Day," Lionel Barrymore and Fay Bainter head the cast.

Mrs. Leslie Carter has been picked by Director Lowell Sherman for the Queen Elizabeth role in Universal's "North and South." Margaret Sullivan will play Mary. Russ Columbo is an addition to U's "Glamour."

Ann Sothern, borrowed from Columbia, and Helen Lyndes have joined the cast of Paramount's "Melody in Spring," which includes Lanny Ross, Charlie Ruggles, Mary Boland and Wallace Beery. Director is John M. McGlen directing. Ross will next appear in Clare Kummer's "Her Master's Voice," with Charles Laughton now writing the screen play.

Patricia Ellis, Miss Methot, Helen Lowery, Dorothy Peterson, Henry O'Neill, Philip Faversham and Marjorie Gateson are additions to Warner's "Pat's Purse."

Buddy Coleman will direct Tim McCoy in "Storm at Midnight" for Columbia.

COMING & GOING

LOU ELUMENTHAL and JACK SHAPIRO leave Sunday on a West Indies cruise.

JULIE L. LARKIN and JESSE, JR., are on route from the coast to Havana on a vacation trip. From Cuba they go to Palm Beach, then back to Hollywood, where Lasky résultat production for Fox.

WILLIAM F. BARRETT, president of Amer-
ange, calls on the Bremen tonight on his annual trip to Europe and the continent.

ERIK CHARLIE has left New York for the coast to start work for Fox.

Mr. and Mrs. Thomas Meighan sail tonight on the Bremen for Europe.

CAPT. W. H. FAWCETT of the Fawcett Publications sails for Bermuda today on the Murdock of Bermuda.

PHIL RIESEN and AMBROSE S. DOWLING sail for Europe today.

CARL LAEMMLE, JR., calls Feb. 3 on the Rio de France for Paris. He will be away six weeks.

JOHN R. FIECER, president of Monarch Productions, is in New York from the coast.

DOLORES DEL RIO, accompanied by CEDRIC GIFFORD, leaves today for the coast to resume work at RKO.

JULES LEVY returns to New York today from the coast. He has all film of RKO sound today.

FRANK BUCK leaves today for St. Louis.

HARRY WILCOXON arrives Tuesday on the Majestic from England to appear in Paramount's "Cleopatra."

SATURDAY, JANUARY 20, 1934

A Little from "Lots"

BY RALPH WILK

Dorothy Wick and Alice Brady in "MISS FANE'S BABY IS STOLEN" with Baby Le Roy

Paramount

KIDNAP DRAMA WITH PLENTY OF SUSPENSE WILL APPEAL MOSTLY TO FEMME PATRONS.

Written around a sensational theme and undoubtedly inspired by the Lindbergh kidnap case, "Miss Fane's Baby Is Stolen," is a slow start, gradually speeds up and ends with a series of suspenseful situations that will keep the audience on the edge of their seats. Dorothea Wick, a movie star who fairly worshiped her fatherless child, Baby Le Roy. The boy is kidnapped, and after much hesitation the police are called in. No clues develop until the film is about half over, then the mother receives a letter from the kidnappers. The baby is held by a trio of gangsters whose hideaway is a hut near one occupied by Alice Brady, wife of a truck farmer. Alice has three of her own, and being the sort of kind she soon suspects the gang of being the fugitives. The film ends with an ex- ample and a surprise finish. Little "Spanky" McFarland shares honors with Baby Le Roy and Alice Brady as being the best attractions in the picture.


Directed: Alexander Hall; Author: Fumi Hughes, Adapta, Adela Rogers St. Johns; Dialogue: same; Editor: James Smith; Cameraman: Alfred Gilks; Recording Engineer: Arthur W. Singley.

Direction, Fine Photography, Excellent.

COLUMBIA

LET'S FALL IN LOVE.

with Ann Sothern, Gregory Ratoff, Edmund Lowe

COLUMBIA

DANDY COMEDY DRAMA WITH MUSIC, STRONG ON OUTSTANDING PERFORMANCES AND GENERAL ENTERTAINMENT VALUES.

Taking a formula story that has proved successful many times, again, Director David Burton has whipped up a piece of entertainment that goes over for the full count. "Let's Fall in Love" has the advantage of an unusually efficient script, several noteworthy performances and a song number that should become a popular hit. Miss Sothern plays the part of a circus artiste who is picked to play the lead in a film when the real star, Tala Birell, walks away. Edmund Lowe, as the director, finds Ann and builds up her self-esteem. She becomes the produce, and of course the little girl makes good despite the fact that the jealous Miriam Jordan exposes her circus origin. Ratoff and Lowe are on the same page with Lowe supplying the romance opposite Miss Sothern.


Directed: Alexander Hall; Author: Herbert Fields; Adapta, Herbert Fields; Music, Ted Koehler, Harold Arlen; Cameraman, Benjamin King; Recording Engineer, George Cottey; Editor, C. S. McLeod.

Direction, Aces Photography. Fine.

MPTOA Unit in La. Is Believed Near

(CONTINUED FROM PAGE 1)

a strong labor organization is urgently needed. In a FILM DAILY interview, McLeod said: "With as many of the local boards may prefer to deal with what appears trite and unsatisfactory, the line is thin. The need for organization becomes greater. Particularly is it the need for the small remote exhibitor. When he is in trouble, he often has no one to turn to. Whatever legal advice he can get is often by those not familiar with the problems peculiar to the film business. I have not only code problems in mind but all the problems which confront the exhibitor. An exhibitor's organization can give him the benefit of experience, it can give him local help even."

Post Office Stops Ads on Giveaways

(CONTINUED FROM PAGE 1)

strued as a lottery. Even the use of more phase such as "Auto Week," if it refers to giving away autos, is taboo.

Demonstrating Advanced Sound

First New York presentation of Broad band radio transmission and reproduction of speech and music in auditority perspective, originally planned for Philadelphia last April, will take place Wednesday evening at the winter convention of the American Institute of Electrical Engineers at the Engineering Auditorium.

CANTON, O. — Young & Richstart have leased the Lyons dance for several years, and will reopen the State after improvements.

Alliance, O. — Alliance Theater Inc. has formed directors of John Shilling, Helen Reese and Sidney L. Geiger, will reopen the Columbus largest local house.

New Philadelphia, O. — Forney L. Bowers, several years manager of the Union here and Bexley in Plover, has been moved to Zanesville as manager of the Weller, another Shoe house.

DOVER, O. — Bill Reis is planning to reopen the Ohio, dark all winter.

Southington, Conn. — A. M. Schuman and associates have taken a five-year lease on the former Colesman, now known as the Colonial. Schuman has been operating the house for some time.

Franklin, Mass. — The Morse Opera House, run by Mr. Miclach, is dark.

"Fashions" Set Opening Record

First National's "Fashions of 1934" set a new opening night attendance record at the Hollywood on Thursday, with 5,436 attending, the first evening's performances. This made the second Warner hit in two days on Broadway, "Massacre," getting a strong sendoff at the Strand the day before.

Lebensburger Opens Exchange Cleveland — Maurice Lebensburger, until recently manager of the Music Exchange, has gone on his own, acquiring Ohio and Kentucky rights to Powers' Color-Car- toons as a starter. He has opened an office in the Film Bldg. Physical distribution will be through Fischer Exchanges.

"Nana" Trade Showings Jan. 23

Samuel Goldwyn's "Nana" will be nationally tradied shown on Jan. 23 in all key cities except New York, where it opens Feb. 1 at the Radio City Music Hall.

Lionel Barrymore in Person

Lionel Barrymore comes East next week to appear at the Century, Baltimore, in connection with "This Side of Heaven.

Siegel Not in Theater Deal

Newark, N. J. — Arthur Siegel, Warner brother, retired associated with Dan Weinberg in acquisition of the Ramsey, Ramsey, N. J., says he is not a party in the deal.

Rebuilds Webb City House

Webb City, Mo. — L. D. Wineland of "Picher, Oklahoma, has rebuilt his house here. It burned down last year.
A Question ANSWERED

WHAT big picture today does not include backgrounds that call for composite photography? The answer is obvious. . . The really vital point is: what medium to use in photographing these important backgrounds? . . . Eastman has answered that question. Eastman Background Negative, with its remarkably fine grain, its surprising speed, and its excellent processing characteristics, completely solves the film problem of the composite shot. Eastman Kodak Company. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN
Background Negative
Midwest Theater Activity is Liveliest in Six Years

CODE AUTHORITY IS SUED IN ALLIED TEST CASE

7,000 Assents from Theaters Expected by Code Authority

About 5,000 Compliance Signatures Are Already In

Anticipation that approximately 7,000 theaters of the active and regularly-operated houses in the country, will assent to the code was expressed at Code Authority headquarters Saturday. Out of about 13,500 theaters now open, estimate was made that 10,500 may be classified as regular film owners. Up to Sat.

(Continued on Page 7)

FOX RELEASE DATES SET UP TO JUNE 1


(Continued on Page 7)

55 More Nominations

For Film Code Posts

Fifty-five more nominations for members of board and secretaries of the local grievance and zoning boards were announced Saturday by the Code Authority. They include: Atlanta—Love H. Harrell; Charlotte—J. J. Greer, H. H. Everett; Houston—Julie Sears, J. J. Kirby; H. J. Ingrain, M. S. Hill; Chicago—Jack Miller, M. Saperstein, John Dittrum; Cincinnati—Floyd D. Morrow; Dallas—R. O’Donnell, Ed. Brevick, P. J. Johnson; Des Moines—Leon Matthews; Detroit—Joe Denison, Harvey Campbell; Kansas City—(Continued on Page 8)

Theater Openings in Midwest Exceed the Last Six Years

Heavy Trading in Loew Shares
Trading in Loew shares on Friday and Saturday was the heaviest of any stock on the Big Board, with the stock moving up from a low of 25% on Thursday to 30% on Saturday, finally closing at 29%. Turnover on Friday was 128,000 shares, and on Saturday 81,200 shares, more than double the figure for the most active stock.

4 $100,000 SPECIALS PLANNED BY MONARCH
John R. Freuler, president of Monarch Productions, now in New York, is arranging finances for four $100,000 specials to be produced by National Players, Ltd., and released with 10 other features on Monarch’s 1934-35 lineup. A $5 per cent budget increase on the latter pictures also is anticipated. Freuler returns to Hollywood in a few days to resume production activity.

Launch New Move in Miss. To Bring Down 10% Tax
Jackson, Miss.—With the present sales tax law expiring soon, a bill has been introduced in the House to make the tax permanent. Amusements, now paying the highest sales tax of any business, are trying to have the rate cut from 10 per cent to 2 per cent. Louisiana and Alabama have their eye on a similar sales tax.

E. M. Loew Takes Over 2 Massachusetts Houses
Boston—E. M. Loew Circuit has taken over the Richmond theater, North Adams, from Ben Taylor. Ownership of the Strand, Peabody, has passed from Marcel Mekleberg and Harry Silverling to E. M. Loew and G. Schwartz. Consolidated Amusement Co. remains as the operating firm.

Seek to Enjoin Authority From Refusing Qualified Code Assents
In a test case sponsored by Allied States Ass’n, suit was filed Saturday in the U. S. District Court in New York by Congress Theater Inc., Newark, N. J., against Sol A. Rosenblatt, Divisional Administrator of the NRA, and the members and secretary of the Code Authority for the motion picture industry, to enjoin the defendants from refusing to accept a qualified assent to the code tendered by the Congress Theater, under which the latter reserved its rights under the Sherman Antitrust Law and other statutes and fees, or, in the alternative, to adjudicate the motion picture code contrary to the National Recovery Act and in violation of the Enact Amendment.

HEAVY SCHEDULE SET BY HAL ROACH STUDIO
West Coast Bureau of THE FILM DAILY Hollywood—Hal Roach Studio will set a new record for activity in the next six months, when at least 240 short comedies and two features are slated for production. It is announced by Henry Ginsberg, vice-president and general manager. The features are "Babes in Toyland" and one starring Laurel and Hardy.

Sam Katzman Organizes Own Producing Company
West Coast Bureau of THE FILM DAILY Hollywood—Sam Katzman, formerly vice-president of Screenraft, has formed his own producing company and will leave for New York this week to arrange for distribution. He has opened office at 6048 Sunset Boulevard.

Put Fem Appeal in Title
Birmingham—M-G-M’s “Pride Fighter and Lady” has been re-titled “The Conquering Sex” for the opening of 300 houses, starting at the Alabama here this week.
The Film Daily

THE BROADWAY PARADE

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*After Astor two-a-day run.  **Subsequent runs.

TWO-A-DAY-RUN

Queen Christina (5th week)       M-G-M-  Astor

FOREIGN PICTURES

Thunder Over Mexico (2nd week; revival)  Principal  5th Ave. Playhouse
Le Sang d’un Poete (2nd week; revival)  Astor  5th Ave. Playhouse

ENEMIES OF Progress (2nd week)  Aminko  Acme

FUTURE OPENINGS

Girls in Uniform (Jan. 24)  Kurnsky-Couchan  Criterion
White Woman (Jan. 24)  Paramount  Center
As Husbands Go (Jan. 25)  Fox  Music Hall
Four-Frightened People (Jan. 28)  Paramount  Palais
Women in His Life (Jan. 26)  M-G-M  Capitol
Beloved (Jan. 26)  Bred & Beard  Olympic
Picture Brides (Jan. 26)  United Artists  Music Hall

Appointing Committee

On Vaudeville Demands

Washington—The Motion Picture Code Authority, at its meeting to-day in New York, will appoint a committee to examine demands of a vaudeville group that code provisions affecting them be modified. This faction objects to certain provisions incorporated in Act 4, Part 2, of the document. Some agitation for a vaudeville representative on the Code Authority has been heard, but no such addition is expected to be made.

Dick Powell for Radio Series

West Coast Bureau of THE FILM DAILY

Hollywood—Dick Powell has received permission from Warners, who have him under contract, for 13 weekly appearances on the Old Gold radio program over WABC.

Warner Get “Dark Tower”

Warner has acquired “Dark Tower,” Broadway play by Alexander Woollcott and George S. Kaufman.

Geo. Schaefer Finds Improvement in South

A general improvement in business in the south, evident in virtually all lines, is perceptible in that territory, George J. Schaefer, Paramount general manager, told THE FILM DAILY Thursday following his return to New York. Business in that area, he stated, is better than in the north.

Visual Instruction Group

Meets in Cleveland, Feb. 26-27

Cleveland—Winter meeting of the National Education Association’s visual instruction department will be held at the Carlton Hotel here Feb. 26-27. Subjects include “Educational Influence of Motion Pictures Upon Children and Youth,” by Dr. W. W. Charters; “A Comprehensive Program for the Teaching of Motion Picture Appreciation,” by Dr. Edgar Dale; “Popularizing Critical Appreciation of Photoplays Among Adolescents,” by Dr. William L. Lewin, and other topics.

“The Nellie”

TWO LITTLE WORDS THAT MEAN A GOLD MINE FROM WARNER BROS.

NOW PLAYING

3rd WEEK AT GRAND CENTRAL, ST. LOUIS

FORGOTTEN MEN

For Dates and State Rights JEWEL PROD., INC., 723 7th Ave., N. Y. City
The superlative praise which is flooding the newspapers of the country on Anna Stien has all come spontaneously from the hundreds of critics who have seen Nana her first American picture.
This is a front page spread from the Sunday section of the December 10, 1933, issue of the St. Louis Post Dispatch, with the largest circulation of any paper in the Mississippi Valley. That a newspaper should run this unsolicited is an indication of the great public interest in this picture.
PARAMOUNT'S SHOW PICTURE FOR SHOWMEN
Directed by Erle Kenton

with LARRY "BUSTER" CRABBE
IDA LUPINO ROBERT ARMSTRONG
JAMES GLEASON ROSCOE KARNS
TOBY WING and the 30 International "Search for Beauty" Contest Winners,
Flower of the world's feminine beauty and stalwart youth.

THE "SEARCH FOR BEAUTY" was participated in by 900 theatres in the United States, 36 theatres in Great Britain, 40 theatres in Australia, 45 theatres in New Zealand, 15 theatres in South Africa, and the Canadian Legion of the British Empire Service League.

The publicity and exploitation attendant to this "Search" has pre-sold this picture to the thousands of people who are interested in those who entered the contest.
Sterling Holloway in "Meeting Maggie" 
Universal 
20 mins. 
Plenty Funny
It took some time for Hollywood to wake to the comedy possibilities of Sterling Holloway, but in this Warren Doane production he comes to front. The two-roller is one of the season's best and the laughs are attained with much less than usual forcing. Sterling is the roommate of Eddie Nugent, who has a date with his girl but learns over the phone that her cousin is going to call. So Sterling goes along as part of the crew, the cousin, who doesn't turn up, whereupon Eddie grabs the first handy dame, a giddy trick who turns out to be the wife of Bert Roach. Plenty doing all the time, and it's all highly amusing.

"Hollywood on Parade" 
Paramount 
11 mins. 
Okay
As the background for this Louis Lewy fan reel, Shipwreck Kelly, the flagpole sitter, takes a bunch of the "Sitting Pretty" chorines up to pole and lets them gaze through a telescope at various places around Hollywood. Among those sighted are El Brendel, Joe E. Brown, Charlie Chaplin, Robert Montgomery, Harold Lloyd, Richard Barthelmess, Lupe Velez, Johnny Weissmuller, William Powell, Bing Crosby, Viola Dana, Pat Barrymore and others. There are comic touches here and there.

"Sea Killers" 
Television Productions 
32 mins. 
Adventures and Thrills
Very interesting expedition combining deep-sea fishing thrills with a quest for sunken treasure, and winding up with an unusual scene in which the underside camera shows a diver crushed to death by a giant octopus. Early part of the film is devoted to catching giant fish, turtles, porpoise, etc., including many thrilling incidents, and then to the exploration of the ocean bottom for more thrilling and rare photographic catches. An interesting running comment and musical score add to the entertainment values of the picture.

Popeye the Sailor in "Sock-a-Bye" 
Paramount 
6 mins. 
Swell Cartoon
In this animated subject Popeye is looking after his adopted baby, pushing the sleeping child around in a carriage, and he destroys everything he comes across that makes any noise likely to wake the kid, who sleeps on while skyscrapers fall but finally wakes at the drop of a safety pin.

"Goofytoone Newsreel, No. 3" 
Universal 
10 mins. 
Good Fun
Such items as prosperity, the gold standard, the classic "Belmont Donkey" race, an interview with a famous botanist, and a heart balm ad litigant are cleverly spoofed. The reel is smartly conceived, splendidly executed and funny.

"Little Jack Little" 
(Pepper Pot Series) 
Vitaphone 
9 mins. 
Song Repertory
Seven numbers written by Little are plugged in this one. The frontispiece of each song sheet is shown with Little interpolated. Action and additional melody are added by Lester Cole, Gloria Talmar, George Taps, Virginia McMaughton and Vercell and Sinnott. Because of the diversification of song numbers and a few scenic shots, the reel should provide satisfactory entertainment.


Kansas City—Humor has it that Bill Rankle and Jack Truitt are interested in the proposed reopening of the Fantages theater.

Clementon, N. J.—Full week showings have been inaugurated by Warners at the Clementon theater.

Kansas City—Double features at 15 cents have gone over so well at the Royal that George Boker has decided to retain the policy, which was put in as an experiment.

Woonsocket, R. I.—Frank Murphy, chief usher at the Brockton (Mas.) theater, has been transferred to the Stadium here as house manager. Ben Greenberg is managing director.

Boston—Joseph Schmuck has been appointed New Hampshire and Vermont sales representative for First Division by Manager Carl Crawford.

Kansas City—Jay Means is installing new RCA Victor High Fidelity sound equipment in his Bagdad. The Circle, Sioux City, Ia., and the Egyptian, Denver, also have put in High Fidelity.

Madera, Cal.—Safe of the Madera was cracked the other day and $300 taken.

Grass Valley, Cal.—Legion theater has been sold to William Esterly by J. E. Ricard and L. A. Bartlett.

Reno, Nev.—The Reno theater, recently damaged by fire, has been reopened by Sol Lachman.

San Jose, Cal.—Heater Theater Corp. has discontinued the Willow Glen theater, Willow Glen.

Providence — Abraham E. Kroll has been installed as president of Local No. 25, I. A. Union, with Ralph P. McDermott, vice-president; Fred W. Newcomb, recording secretary; Frank H. W. Allen, financial secretary and treasurer, and Joseph A. Prew, business agent.

A LITTLE from "LOTS" 
By RALPH WILK

HOLLYWOOD

WALTER CONNOLLY has been signed to play the famous Oriental detective, Charlie Chan, in the next Fox productions dealing with his adventures. Screen play is being written by Seton I. Miller and it will be produced by John Stone.

Dore Schary, author of the original screen story from which Monogram's "He Couldn't Take It" was made, has been engaged to write the continuity for Columbia's "Hell Cat."

Warner's "A Gentleman from San Francisco" unit leaves today for San Francisco to make location scenes. William Dieterle is directing. Cast includes Bette Davis, Pat O'Brien, Margaret Lindsay, Lyle Talbot, Hugh Herbert, Henry O'Neill, Douglas Dumbrille and others. This is the production formerly known as "Golden Gate."

Notes from the RKO lot: Ginger Rogers assigned by Lou Brock opposite William Gargan in "Blarney Smith," with Jane Murfin writing. J. Walter Ruben will direct Clive Brook in "Family Man."... Richard Dix and Irene Dunne to co-star in "Dynamite." Ralph Spence doing screen play for Jimmy Durante's "Strictly Dynamite."... Bruce Cabot, Benita Bondi, Howard Wilson, Helen Freeman and Sarah Hayden added to "Finishing School,"... Will Beech and Van Burton to do the music for "Frat Heats."

LITTLE from "LOTS" 
By RALPH WILK

Walter Woolsey picture... "Of Human Bondage," with Leslie Howard and Irene Dunne, goes to work Feb. 10. Dolores Del Rio, on her return from New York this week, starts work in "Green Mansions."... George Nicholls, back from New York with exteriors for "Finishing School."

In a last-minute switch, Trem Carr is starting "House of Doom" instead of "Numbers of Monte Carlo" as the next Monogram production. William Nigh will direct. Lou Ostrow is preparing to film "City Limits," starring Ray Walker.

A number of players have been added to "The Countess of Monte Cristo," in production at Universal Pictures under the direction of Karl Freund. Stanley Bergerman, associate producer, announced the casting of Paul Page, Carmel Myers, Frank Reicher, Richard Tucker, Matthew Betz, Dewey Robinson, Rollo Lloyd and Harvey Clarke.

Frank Morgan is appearing in Columbia's "Sisters Under the Skin," Jo Swerling story, being directed by DeWitt O'Keeffe. Louis Lane, Joseph Schildkraut head the cast.

Jack La Rue and Thelma Todd have been signed to head the cast in "Take the Stand." Liberty Special, now in production at the Pathe studios under the direction of Phil Rosen. In support of the leads will be Gale Patrick, Russell Hopton, Paul Hart, Berton Churchill, Leslie Fenton, Vince Barnett, Bradford Page, Jason Robards, Sheila Terry, Arnold Gray, DeWitt Jennings, Ed Wadsworth, Charles D. Strickland, Oscar Apfel, Richard Tucker, Edward Le Saint, Al Hill, Judith Vossell.

Verree Teasdale has been placed under long term contract by Warners.

Francis X. Bushman, Jr., is an addition to the cast of M-G-M's "Viva Villa."

Joe E. Brown's next First National picture will be "Sawdust," by Bert Kalmar and Harry Ruby.

Paramount has changed the title of "Baby in the Ice Box," Charles R. Rogers production, to "She Made Her Bed."

Leor Errol has been assigned by Paramount to "We're Not Dressing."

Adults Like Laurel-Hardy
Fifty-four per cent of the Laurel-Hardy fans do not agree w. Hal Roach analysis of fan mail reaching him. Seetc. evenly divided in the correspondents.
7,000 THEATERS EXPECTED TO SIGN

(Continued from Page 1)

Wednesday between 4,000 and 5,000 sign‐

sleeves would be blanked out by the time of the deadline for assents set for Jan. 31. All companies in the industry can and will be assessed in connection with financing of the code, it was

pointed out, regardless of whether or not they indicate compliance, which entitles them to benefits of the local boards.

At the Code Authority meeting scheduled for tomorrow at 2 o'clock at the Hotel Astor, nominations for local boards and secretaries will be discussed, but selections will not be made until a later date. Whether or not the 10 per cent cancellation clauses embraced in the code is re-

viewed to apply before effective date of the code will not be determined until a case involving this subject reaches the Code Authority on appeal.

FOX Release Schedule

Is Set Up to June 1

(Continued from Page 3)


Detroit Notes

Detroit—S. Kalinski has returned to exhibition by acquiring the Elah, East Side house, from H. B. Krzyzanski and H. A. Fowser.

Rovil, only first‐running show for eign and class films, has closed.

RKO Downtown went back to the registration stage last week, making the film‐run on that policy.

Ramona, East Side, has resumed stage shows. It is the only Public neighborhood house with flesh.

Suspended sentence of 50 days was imposed on James Keough, manager of the Adams, for alleged indecent posters on "Elysa." Court put him on a year's probation. Willis Kinnear of the Rivoli pleaded guilty to a similar charge.

Coming and Going

WILLIAM K. HOWARD, director, arrives from the coast today at the Grace Line Santa

Paula. MAJOR and MRS. ALBERT WARNER sailed Saturday at the Virginia for California.

PROF. ERNEST STERN, European scenic de-

signer, leaves New York today for Hollywood to create the sets for Erik Charell's first Fox

production in the United States.

SYLVIA SIDNEY, accompanied by MRS. MARION GERING, wife of the Paramount direc-

tor, arrives in New York on Wednesday morning from Hollywood.

I. D. DEFRENET left yesterday for the coast.

PANDRO BERMAN leaves tonight for the coast.

MIDWEST ACTIVITY

LIVEIEST IN YEARS

(Continued from Page 1)

opening a house at Hutchinson. Se-

eral others are planned or contem-

plated, according to reports from film men traveling the territory.

Clarence E. Low, Jr., of Commonwealth Theaters, Inc., also re-

ports country business has returned almost to normal again. There has been some improvement in the city houses likewise, Schultz said, but it does not yet compare with that shown by houses in smaller towns.

Meet This Week to Draft

Music Publishing Codes

Committee meetings on drafting a code for popular music publishers will be held in Washington this week when clauses proposed in an independent publishers' code will be considered. A code is also in work for standard publishers. Sheet mu-

sic publishers are included in the retail code.

Mechandising Problem

Holding Up Television

Rochester—Television has been brought down to within six months of practical application, according to Ray H. Hanson, chief engineer of Stromberg‐Carlson Telephone Manu-

facturing Co. Merchandising of the apparatus is the sole remaining con-

cern, he declared.

Regular Loew's Boston Dividend

Boston—Loew's Boston Theaters has declared regular quarterly divi-

dend of 15 cents, payable Feb. 1 to stock of record Jan. 29.

Jimenez Joins Sack

San Antonio—E. J. Jimenez, for-

mer importer of Mexican films, has

been made manager of the Spanish
division of Sack Amendment Enter-
prises. "Almas Encantadas," made by Jimenez in Mexico, has been turned over to Sack for distrib-
ution.

Maurice Barr's Father Dead

New Orleans—Robert Patrick Barr, 76, father of Maurice F. Barr, Saenger executive, died at his home here after a two months' illness.

HAPPY BIRTHDAY

Wishes to THE

FILM DAILY for the fol-

lowing on their birthday:

January 22

D. W. Griffith

Conrad Veidt
CODE AUTHORITY SUED IN ALLIED TEST CASE

(Continued from Page 1)

ment to the Constitution and to enjoin its enforcement against the complainant. Complaint is signed by Allied State Assts, chairman as counsel, and verified by Reuben L. Haas, president of the complaining theater, and Sidney E. Samuelson, president of Allied Theater Owners of New Jersey.

Included among the twelve defendants are Merlin H. Aylesworth, head of RKO; Sidney R. Kent, president of Fox; George J. Schaefer, vice-president of Paramount; Nicholas M. Schecter, president of Loew's, Inc.; Harry M. Warner, president of Warner Bros., and Robert H. Cochrane, vice-president of Universal Administrator Hugh S. Johnson is not a party defendant for the reason that he cannot be found in the Southern District of New York, the complaint states.

The bill of complaint alleges that the motion picture code is contrary to the Recovery Act for the reasons that (a) it was not applied for by any representative group of the entire industry; (b) that by its terms and necessary effect the code is designed to promote monopolies and to eliminate and oppress small enterprises, and that it will operate to discriminate against them; and (c) that the code does in fact permit monopolies and monopolistic practices.

In support of this charge it is alleged that the code confers on the Code Authority, dominated by major producers, the power to injure and drive out of business the independent theaters competitive with the theaters owned and operated by such producers, and that in doing so the code attempts to authorize a practice that has been condemned by the courts as monopolistic in various suits and proceedings by private parties and by the Government of the United States.

The bill of complaint further re-

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THE INDUSTRY'S DATE BOOK

Jan. 23: Ohio Valley Independent Exhibitors' League meeting to discuss code, Cincinnati.
Jan. 23: Allied Theater Owners of New Jersey meeting at New York Athletic Club, 2 P. M.
Jan. 29: Columbus regional sales meeting, Chi-

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The Film DAILY

Monday, Jan. 22, 1934

Attending Allied Meeting

Allied leaders expected to attend the board of directors' meeting Wednesday at the Hotel Warwick, New York, include: Abram E. Myers, Sidney E. Samuelson, H. M. Pickford in Demand

Boston—Following her successful engagements both in New York and Chicago, Mary Pickford is being flooded with offers for bookings in various parts of the country. Her latest batch of requests for personal appearances come from exhibitors in New York, Seattle, Portland, San Francisco, Portland, Spokane, St. Louis, Buffalo and Brooklyn.

"Gallant Lady" Breaks Records Philadelphia — "Gallant Lady," opening Friday at the Aldine, broke the records previously established by "The Bowery" and "Henry VIII."

No Liquor in Loew House

Reflecting the attitude of major circuits, Col. E. A. Schiller on Saturday declared that no liquor will be served in any Loew theater.

Stage and Screen

55 More Nominations

For Film Code Posts

(Continued from Page 1)

Alhance—Howard Daily, William Freeland, J. T. Howard.
Memphis—Paul Zellins, T. A. Ballas, John Eaton, H. L. Cohen, J. F. Willingham, T. W. Young, W. K. Fulton, W. S. Tyron; Minne-
apolis—Ben Bookley, Frank Manole, James Jonshon, Leo Blaik, Everett Dillely, William Gisnor, Frank Watske, L. Rubenstein, Henry Green, Jack Lorentz.


Sixth Suit Over "Fugitive" Atlanta—Suit for $100,000 dam-
ages, charging defamation of char-
acter by "I Am a Fugitive from a Chain Gang," has been filed in Ful-
ton Superior Court by Vivian Stan-
ley, member of the Georgia Prison Commission, against Warners, et al. This makes a total of six suits based on the film to date.

Refuse Tax Reductions Lake Charles, La.—Attempts by the Southern Amusement Co., operators of theaters here in Jennings, to compel these cities to accept tax reduction by the Louisiana Tax Commission from $66,180 to $87,210 failed when the courts ruled the cause for action. Southern ap-
pealed.

A. T. P. LAUNCHES EXPANSION PROGRAM

(Continued from Page 1)

stage" and are ready to branch out, Dean said. Among improvements at the studio will be the installation of the most modern equipment, including RCA High Fidelity sound recording. As soon as the company's pictures have established a sound reputation here, international distribution will be considered, according to Dean.

With additional independent producers negotiating for space at the Ealing studios, Dean believes that A. B. F. D., the A. T. P. renting organization, may come to be regarded as a sort of "United Artists" of this country.

THE NEW YORK HOME

of

THE STARS

of

STAGE AND SCREEN

"THE MOST INTERESTING HOTEL

IN AMERICA"

DIRECTION . . . S. GREGORY TAYLOR
A Definite Appropriation Is Being Withheld Pending Study

Major company executives who are members of the Code Authority are understood to be hopeful that the costs of administering the film industry code can be kept down to $250,000 annually. No definite ap- (Continued on Page 4)

H. S. McLcOD Heads LOUISIANA MPTOA UNIT

By WILLIAM SPECHT
FILM DAILY Staff Correspondent

New Orleans—In a stormy session involving clashes between President Ed Kuykendall of the M.P.T.O.A. and Henry Lazarus of Allied Theater Owners of Louisiana, a temporary organization to affiliate with the M.P.T.O.A. was effected Sunday with H. S. McLeod as president. S. Higgenbotham, Joe Barceloni and (Continued on Page 7)

Glazer Urges Soft Pedal On Educational Values

West Coast Bureau of THE FILM DAILY

Hollywood—A general warning to the industry, to stop stressing to the public that the screen is educational as well as entertaining, is issued by Ben Glazer, writer-producer. Propaganda of this kind, unless held (Continued on Page 7)

CODE AUTHORITY GETS 62 ADDITIONAL NAMES

Sixty-two more nominations for local zone boards and secretaries, including 29 for the New York metropolitan territory, were announced yesterday by the Code Authority. Today's list, which embraces members of the T. O. C. C. and Allied Theaters at New York, is as follows:

Albany—Tony Ryan, Victor Bros; Buffalo (Continued on Page 8)

Board Named to Arbitrate St. Louis Operator Scale

Washington Bureau of THE FILM DAILY

Washington—A special arbitration board is understood to have been set up for St. Louis operator wage scale controversy. Oscar (Continued on Page 7)

Gradual Drift to Indie Field Predicted by William LeBaron

STUDIO ROUTINE UPSET BY CODE, SAYS SELWYN

Production routine at the studios has been upset by the code, says Edgar Selwyn, M-G-M director, who arrived Sunday from the coast for a rest and to look around for story (Continued on Page 4)

The Daily Newspaper
Of Motion Pictures
Now Sixteen Years Old

VOL. LV. No. 19
NEW YORK, TUESDAY, JANUARY 23, 1934
3 CENTS

SHORTAGE OF PRODUCTION EXEC S SEEN BY LE BARON

ED KUYKENDALL ATTACKS ALLIED'S ADVICE ON CODE

Hope to Keep Code Authority Nut Down to $250,000

By DON CARLE GILLETTE

IN SUMMING up what the song-and- dance pictures have done this season, it is apparent that anybody who still looks on screen musicals as a "cycle" has fallen out of step with the times. Judging by the consistently favorable reception of these pictures for nearly a year, musical productions may now be considered definitely established as a permanent and substantial part of screen entertainment.

The only annoying factor in the situation is the persistence of some cinema commentators in harping on what they call a "musical cycle" and an "epidemic of musicals." •

THIS audible minority needs to be set straight.

When the legitimate theater flourished, nobody ever heard dramatic critics or anybody else complaining about an epidemic of musicals just because a good portion of the stage offerings were musical comedies, operettas and revues.

Musicals always were a large part of theater entertainment, expected and accepted.

Now that theater entertainment has become more than 90 per cent movies, it is inevitable that a generous part of screen fare should be musical.

•

THE misguided attitude toward this type of film is partly due to the false start made by musicals a few years ago.

But the studios have since learned how to make them; the cream of the necessary talent is at their command because this talent now has found the screen its best outlet; and finally, musicals have maintained patronage because, on the basis of entertainment values, these pictures as a whole have surpassed all other types.

So let no producer allow himself to be fooled about musicals being a "cycle." They are here to stay; the time is ripe for more of them, of more different varieties, and as a type they will be more widely profitable than any other productions.

No Trust Law Letup

WASHINGTON—Coincident with the executive order issued Saturday by President establishing the Federal Trade Commission and the Department of Justice as direct appeal agencies for small independents who are not satisfied with the way their cases are handled by code boards, Donald E. Rock- berg, N.R.A. general counsel, stated that the provision of the anti-trust laws are still in force and no monopolistic practices are permitted under code. The President's order emphasized that codes cannot be used for discrimination or price-fixing.

Herschel Stuart Joining F. & M.

Herschel Stuart, former general manager of the RKO circuit and for the past six months connected with Paramount theater operations, has been granted a leave of absence by Ralph A. Kohn starting Feb. 10 and ending May 1. Meanwhile Stuart will make his headquarters at the Fanchon & Marco offices in the Bond (Continued on Page 7)

Robert Wyler Organizes Own Producing Company

Robert Wyler, former Universal director, has organized Wyler Productions, Inc., a New York company, to produce pictures. Wyler is president of the company, with the board of directors also including Murray Garson, John Wexley, whose (Continued on Page 8)

Only Unqualified Code Assents Count, Says MPTOA Head

Terming alleged Allied statements to the effect that exhibitors are not required to sign the code in order to protest to local clearance boards and the Code Authority as a "brazen lie," President Ed Kuykendall, in a statement yesterday, declared that the N.R.A. administration has never made a ruling on the matter. Only unqualified assents count in indicating compliance with the code, he asserted.

He cracked out at "false and mis- (Continued on Page 8)
PHILIPSON REORGANIZES
general register corp.

General register corp., manufacturer and distributors of ticket issuing machines, has been completely reorganized under the personal supervision of Percy Phillipson, president, with new spacious offices and showrooms located on the 15th floor of the New Loew Building. C. Foster has been named vice-president and treasurer, with W. L. Tenney as general manager in charge of sales. Ray Duport will head the Pennsylvania district with headquarters in Philadelphia.

A new register that will revolutionize the ticket issuing machine is now in process of manufacture, according to Phillipson, with marketing expected to start in a few weeks.

MAY ROBSON FOR CAPITOL;
LIONEL BARRYMORE FOLLOWS

May Robson will appear in the Capitol with the work of two vaudevillian producers, will be given a hearing today before the Tax Code Authority in the Bar Association building on their request for a certificate. The action after the hearing a committee composed of all interest, including the Chorus Equity, Actors' Betterment Ass'n and the N. V. A., will be given a hearing to report and would report the suggested changes.

PINE TO HANDLE EXPLOITATION

Bill Pine, Paramount studio advertising manager, will take charge of Paramount's exploitation in addition to his other duties, succeeding John C. Flink in this post. Pine arrives in New York next month and will spend part of his time in the East and part at the Coast. At the studio his assistant, William Thomas, will handle advertising under Pine's supervision. Flink is now executive secretary of the Code Authority.

AMELIA SUMMERSVILLE-DEAD

Amelia Shaw Summerville, 71, stage and screen actress, died Sunday at her home, 430 West 55th St. Funeral services will be held tomorrow at the Church of the Stranger.

Service Employers' Union
Filing Demands Tomorrow

Building Service Employers Union, composed of caterers, janitors, matrons, maintenance men and others, will present its demands for a new wage scale and working conditions to major courts tomorrow morning, according to Charles C. Levy, secretary of the union. Levy said that if the courts refused to approve them, he would call a meeting of his members within 10 days to vote a general strike. Levy expects rulings today from the NRA on numerous complaints made last week, including one that a circuit had discharged an employee because he had joined the union.

Al Greason Funeral Today

Funeral services for Alfred Rushton Greason, “Variety” staff member who died Sunday will be held at 11 o’clock this morning at the Riverside Memorial Chapel. Greason was an editor under the signature of “Rush” and suffering New Year’s Day and had been fighting kidney trouble ever since. He was 52 years old and had been with “Variety” almost since it started. Besides his rating as the paper’s leading theatrical critic, Greason wrote a weekly analysis on amusement stocks.

Paramount Memphis Changes

Mempis—William F. Burgie has been named Paramount branch manager, succeeding Paul Wilson, resigned. Burgie, who has been a prominent concert and stage manager for the past six years, has succeeded by W. Grover Wray, head booker. Gary Hammond, assistant booker, assumes Wray’s duties.

H. G. Wells to Make Film of Future

London—A picture depicting what civilization will be like 150 years from now is to be made by H. G. Wells in collaboration with Alexander Korda at the Elstree studios. It is tentatively titled “Whither Mankind?” and will cost about $300,000.

Maine Premiere for “Earth Turns”

World premiere of Warner’s “As the Earth Turns” will be held in Portland and Bangor, Maine, where the action of the story takes place.

“Massacre” Holding Over

Richard Barthelmess in “Massacre,” First National release, is being held over at the Strand. “Hi, Neighbor!” will be the next attraction.

SAM KATZMAN arrives in New York this week and will go to Hollywood on a series of 12 pictures he plans to produce.

ROBERT S. GILLHAM, Paramount’s chiefly of advertising and publicity, returns this week from the coast. BILL PAGIN, who is to be the studio contact man in New York, comes east early next month.

HARRY WILCOXON, English player signed for Paramount’s “Cleopatra,” arrives tomorrow on the Mauretania, instead of the Majestic, and leaves immediately for Hollywood.

EDMUND GOULDING is on a rush trip to New York from the coast to see his wife, MARYKIE MOSS, who is ill.

EDGAR SELWYN, M-G-M director, arrived Sunday at the Warwick from the coast.

WALTER CONNOLLY, who recently finished his home, is a Columbia producer. Happening Tonight” arrived in New York yesterday from the coast for a brief vacation.

SOPHIE TUCKER has left for Hollywood, Fla., to appear at the Hollywood Club for a foursome, which she goes to the coast for picture work.

WERNER RICHARD HEMANN, composer of music for “Congress Dances,” has arrived from abroad and leaves tomorrow for Hollywood to submit the score for Erik Charek’s first full picture.

JOSEPH M. SCHENCK and ARTHUR W. KELLY are due in New York on Thursday from abroad.

JAY EMMANUEL and MRS. EMMANUEL return from Seattle on Feb. 12 by boat from the Coast.

NRA Not Yet Served
In Allied’s Code Suit

Washington Bureau of THE FILM DAILY
Washington—NRA officials up to last night had not been notified or served with the suit brought in New York on Saturday against the Code Authority and Bi-annual, filed by Sol A. Rosenberg, New York. All comments was withheld pending official notification here.

“Fighting Priest” Booked

Inter-American Films Corp., headed by David Strong, who recently acquired “The Fighting Priest,” has closed a deal with RKO for the showing of the picture with opening scheduled for Jan. 31 at the Center.

PHILLY MPTO Elects Today

Philadelphia—Re-election of Lewis Fine as president and Dave Barron as chairman of the board of the M. P. T. O. of Eastern Pennsylvania is expected at today’s meeting of the Broadmoor when the annual election is held. The unit plans to approve the code. Percentage demands, including those of filmers, are to be considered. The operators’ situation will also be acted upon and information provided concerning the letter sent exhibitors by American Kinema concerning its court decision protecting its flywheel sound patent.
FLASH!

"I AM SUZANNE" DOES BIGGEST SATURDAY AND SUNDAY BUSINESS AT RADIO CITY MUSIC HALL OF ANY FOX PICTURE SINCE "CAVALCADE"

- And "Cavalcade" holds the Radio City Music Hall attendance record

I Am Suzanne!

with

LILIAN HARVEY

GENE RAYMOND

LESLIE BANKS


JESSE L. LASKY 'Production
LeBARON SEES DEATH OF PRODUCTION EXECS
(Continued From Page 1)
latitude for the capable executive to produce a harvest that will die in this direction is inevitable," says Le Baron. "Far-sighted financiers are aware of this and are holding their time before stepping into the production game.
Hollywood will shortly be confronted with the fact that the associate producers of today are the independent producers of tomorrow. Sound financial backing will enable them to make entertaining pictures without the accrued tremendous overhead before they start production. Competition will find increased salaries for stars and featured players who will be paid by the picture. Interchange of players will be the dominant. Promote as a result, since the producer having the story most suitable will go after the picture who will play the story characters, thus eliminating the present practice of fitting the story to the star." Le Baron insists.

The unit system now in vogue at the major studios is but a step forward in this direction. Each associate producer has practically an independent organization of his own. However, as the cycle slowly turns to the point I predict, it will bring with it a common ground on which production will be leveled with the inevitable survival of the fittest.

7 of Canton's 8 Houses
On Double Feature Plan
Canton, O.—Dual programs now dominate the Loew's, Guild, Motzart, Valentine, Strand, Windsor and McKinley, all second-runs, are offering duals daily, while Palace, first-run, switches as much as for the last year of change. Alhambra, Warner first-run, offers regular film and preview of Saturday opening film every Friday night, with business for that night greatly improved. Loew's is the only house in eight here sticking to first-run single showings.

Philly Benefit Show
Philadelphia—The Film Board of Trade will run a benefit show Feb. 4 for the industry's needy in this territory. Benefit will be given at the Stanley.

Harry Butler Married
Harry Butler, director, was married Saturday in New York to Ann Bowden of Cleveland.

28 Music Hall Promotions
Twenty-eight promotions in the staff of the Radio City Music Hall were made Saturday. Herman Whitman, manager. George Hammon, chief of service, and List Gergenborg, night doorman, were made assistant managers under Kirk McGee, first assistant to Whitman.

A FEW MONTHS ago when Merlin H. Aylesworth took J. R. McDonough away from the presidency of RCA through the door to Mr. Dacie as he is familiarly known, he had plenty of explaining to do to David Sarnoff who wasn't over-anxious to have J. R. move over to RKO. But the "Deuce" evidently knew what he was aiming at for today. J. R. is slowly... and interestingly doing things that count... over at RKO.

FOR TWO YEARS it has been interesting to watch RKO work itself out of plenty trouble... and now, benefited by whole-hearted co-operation, constructive receivership and a RKO line-up, the picture is doing at last.

We're overlooking the fact that McDonough abhors publicity... and has been "out" whenever we've called for tea. The fact remains that the two men have a way of ferreting out the unferretable... and from there snooping we learn that the gent is careful on expense... a good listener... who does his own thinking... who believes in a strong executive line-up... and has faith in mankind.

THE MUSIC HALL is McDonough's biggest problem... and so... before he left for the coast... he brightened the corner... by arranging for Goldwyn's "Nana" and Fox's "Alien"... RKO's "Lost Patrol"... Columbia's "It Happened One Night" starring Gable and Colbert... RKO's "Spitfire" with Hepburn and .....

A BALLOON resplendent with gawdly gowns... a banquet designed by the famous Oscar, himself... snap-hang entertainment... and a great evening... and morning....

THAT was what the 1,500 guests were treated to, at the fifth annual Warner Ball... at the Waldorf... Saturday night. Just about the time we were seeing pink elephants, a sneak-out was being arranged at Billy Rose's Casino de Paree. Revue... is a wonder... and shouldn't be passed up.

Patricia Bowman will dance her prettiest at the Waldorf's birthday ball, to be held this Thursday night, and tomorrow night at 7:30... over WOK. Radio Harris will interview Tullio Carminati... who is in "Gallant Lady"... now at the Rivoli.

TO FOR "ROMAN SCANDALS" the U. A. lads tied up with Chase and Sanborn's coffee... for "Moulin Rouge" will tie-up with Maxwell House... and for "Joe Palooka" they're figuring on the cream and sugar. This week marks the twentieth anniversary of "Y. Ray Johnston in the motion picture biz... and the Monogramites are keeping the telephone companies doting and dash ing.

$250,000 CODE NUT BELIEVED POSSIBLE
(Continued From Page 1)
propriation, however, will be set until the Code Authority meets today at 2 p.m. at the Hotel Astor.

Studio Routine Upset
By Code, Says Selwyn
(Continued From Page 1)
material. Speaking of the code's effect on the studios, Selwyn said: "The code doesn't benefit the stars and high paid executives directly, it restricts the number of hours electricians, script clerks, stage hands, secretaries, etc., can work. Nor are they pleased with the results, since in many cases their earnings have been cut. Speaking from the point of view of the director, I can say that the details of the code have not been too well worked out. Just when we get the set all arranged we often find that the whole crew of technicians have to be relieved. That means a new crew must come on, which has to be instructed from the beginning. It's enough to make me tear my hair."

Eight for Rugoff & Becker
Rugoff & Becker will add the eighth house to their circuits—Thursday when they open the new Oceana at Brighton Beach. House seats 2,176.

New Manager at RKO Victory
Providencia — H. Green, formerly assistant manager at the RKO Victory, has been made manager, replacing H. R. Hughes.

Vaud at RKO Madison
Effective Saturday, the RKO Madison will include vaudeville on its programs Saturdays and Sundays only.

Marcy Gets Willis Kent Film
Willis Kent's "The Woman Condemned" will be released in the New York territory by Marcy Pictures Corp.

"Hell on Earth" for Acme
"Hell on Earth," war film in four languages, opens Jan. 27 at the Acme. Film is released by Aeolid Pictures Corp.
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THEATER CHANGES REPORTED BY FILM BOARDS OF TRADE

ALABAMA
Closings
ISEE—TOWNER Hall.

Closings
ISLE—TOWN Hall.

Closings
ADRIAN—New. ELLSWORTH—Majestic; HALL—The Star; PAULI—Beauregard; PAULI—Beauregard; SPRING GROVE—Princess

Change in Ownership
BUDE—Amus, transferred to Mrs. Mary A. Thomas.

Closes
CARTER SPRING—State; LUCEDALE—Palace.

New Theater
CLARKSDALE—Globe.

NEBRASKA
Changes in Ownership
BROWNVILLE—Opera House, transferred to Thomas Bros. by Bert F. Thurm, LAC.; BROOKS—Royal, transferred to Mrs. Henry G. Cherry by Mrs. H. F. Voter; WINSBRO— transfer, transferred to Charles G. Meyers by W. H. Brune.

Closings
CAMPBELL—Community; MILFORD—Auditorium.

NEW MEXICO
Change in Ownership
CARRIZO—closed transferred to J. C. Burton by R. A. Walker.

Closes
NEW JERSEY
Change in Ownership

Closes
ASBURY PARK—Lyric; ATLANTIC HIGHLANDS—HOURSaupt Heights—State; HIGHLANDS—Half Hawks Auditorium; RED BANK—Huntington.

Closes
CAMDEN—Broadview;

NEW YORK
Change in Ownership
NEWBURGH—transferred to Eugene Levy.

Closes
CALICOON CENTER—Tumble Inn; CARLISLE—-leaning; LIGHT—opera; SOUTH BAY—Park; OTISVILLE—Mish; ROSEN DAUP—Yankons; ST. JOSEPH'S—New York.

Manhattan
Caruso (formerly President), 247 West 48th St., transferred to Zenith Realty Corp. by Jerome Real Estate Corp. Granerie, 318 First Ave., transferred to Addam Weln by Dery Amusement Corp.; Libbina, 89 W. 135th St., transferred to Leifak Amusement Corp. (Lee Brodhead); Lively, 1214 Madison Avenue, transferred to Ben. Amusement Corp. by Reece & Fortgang.

Closes
Belmore, 2038 Third Ave.; Chicago, 158 West 123rd St.; New York, 74 East Broadway; Yorkville, 219 East 86th Street.

Brooklyn
BROOKLYN—transferred to J. H. Hudders by H. M. Jensen; Beauregard (formerly Summit) transferred to Mustard & Rowe by H. M. Jensen.

force Amusement Corp. by DeGrave Amusement Co., Translux Corp. by Translux Corp., transferred to Randiflour Amusement Corp. by E. C. Bowers, 3313 St. & Quentin Road, transferred to Quentin Theater Corp. by Somner & Somner, Inc.

Closes
Blake, 838 Blake Avenue; Broadway Park, 837 Broadway, Globe, Sunner Street; Hempstead, 221 E. 161st Ave. by Robert Liberty & Liberty Avenue; New Atlantic, 205 Flato Street, transferred to T. J. B. Theaters by T. J. B. Theaters Corp. by R. H. Berry.

Changes in Ownership
RICHMOND HILL—closed transferred to Screen Theater, Inc. by Mondrigh Theater Corp.; W Vie, transferred to H. J. B. Theaters by H. J. B. Theaters Corp.

Closes
HAMPTON BAYS—closed SEA CLIFF—Park; WEST BAYSID—Victory.

Closes
RIVERHEAD—West End.

NORTH CAROLINA
Changes in Ownership
ASHEVILLE—Strand, transferred to C. I. & W. Theaters by Public-Bamberd; BLAIR—closed transferred to Mary Einhardt; CAULFIELD—transferred to Caudill by Amusement Operating Co.; CONCORD—State, transferred to Boyd J. Norton by Concord Amusement Co.; S. WILLIAMS—Linden, transferred to G. C. Tondleman by Faye & Paquette.

Closes
AVEN—New; BELMONT—New.

ST. PAUL—Close.

NORTH DAKOTA
Change in Ownership
MCIWILLIE—closed transferred to J. McMillan by George McMillan.

Closes
GREENORA—Orpheum KILDEER—Auditorium; MINTO—State; NORTHWOOD—Grand.

OHIO
Change in Ownership
CINCINNATI—Exton, transferred to A. J. Niedenthal by Wint & Jones.

Closes
COLUMBUS—Open; ST. MARYS—Regent.

Closes
CALDWELL—Lyric; MUSKOGUE—Rainbow.

OKLAHOMA
Closes
WEBB CITY—Liberty.

Closes
BISHBY—Liberty; CUVETTA—Palace; Cushing—Civic; KELL—Orpheum; HOOKER—Mansion; MISSION—Unique; STILLWATER—Cedar; WRIGHT CITY—Cheslet.

OREGON
Changes in Ownership
CLATSOP—Rexie; transferred to H. L. Berry by K. A. Smith; MARION—B. E. Bowers; PORTLAND—Bagdad, transferred to Bruma Co., by Joe Beld to Mrs. C. B.

Closes
BEAVERTON—Spring; JUNCTION CITY—River; PORTLAND—No Hill; WASHINGTON—Liberty.

Pennsylvania
Changes in Ownership
ALLENTOWN—Town—Park Organization; transferred to A. W. Hettig by A. W. Hettig.

Closes
ALLENTOWN—New;

Closes
DAW—Hall; ECLIPSE—State; MIDDLETOWN—Royal; PENNSYLVANIA—Royal; PINEBLUFFS—CLIFF; PINES—TOPTON.

Closes
BOARDS
MIDDLETOWN—Majestic, transferred to A. A. McKinley by Mrs. C. Z. Kav.

Closes
BRISTOW—New.

WASHINGTON
Changes in Ownership
SPOKANE—Unique, transferred to A. P. Mitchell by Mrs. Z. L. Kav.

Closes
CASSAWAY—Haven.

Closes
CASSAWAY—Lynn.

WISCONSIN
GLIDDEN—Red; MENGEN—Grand.

West Virginia
Changes in Ownership
CASSAWAY—Cassaway, transferred to Ray E. Thayer by George E. Deil.

Closes
CASSAWAY—Lynn; PENNSBORO—Penn.

Closes
PINEBLUFFS—Pastime.
DAILY

HERSCHEL STUART
JOINING F. & M.

(Continued from Page 1)

Building. It is likely that Stuart will soon sign contracts whereby he will take over operation of certain Fanchon & Marco western houses in association with Harry Arthur and Louis N. Cohen.

Board Named to Arbitrate
St. Louis Operator Scale

(Continued from Page 1)

Kleintops, business agent for the local in St. Louis, will act as arbiter of the operators, while Fred Wehr- enberg, M.P.T.O. president, is to act for the theaters. If an agreement cannot be reached, Division Adminis- trator Sol A. Rosenblatt will name a third man.

“Vanities” Girls Off for Coast

Earl Carroll and 11 picked beauties who are to appear in Param- ount’s screen version of “Murder at the Vanities” will depart today for the coast. As a send-off they will be given a farewell breakfast at the Savarin Restaurant at Penn Station, with music and various Broadway celebrities on hand.

New Virginia Censor

Richmond — Mrs. Elizabeth Churchill Chalkley, widow of the late State Senator John W. Chalkley, has succeeded Mrs. Emma Speed Sampson as a member of the state division of motion picture censorship.

RKO Cameo Sub-Leased

RKO yesterday sub-leased the Cameo to Harry Schiffman and Jack Shapiro. The house will continue with a straight picture policy. George Trilling will replace Norman Eik as manager.

Frank Winninger Dead

Wausau, Wis.—Frank Winninger, 58, of the five Winningers who for years have been identified with various forms of show business, died at his home here Sunday after a long illness.

New Contracts for Emerson-Loos

West Coast Bureau of THE FILM DAILY

Hollywood — New writing con- acts with John Emerson and Anita Loos are announced by M-G-M. They are now working on an original for Lean Harlow and Lionel Barrymore.

Dukes at Shea’s Lafayette

Buffalo — The Lafayette, formerly autostere and pictures, has inaugu- ration of a new policy of two first-run fea- tures.

Principal Buys “Dawn to Dawn”

Archie Mayer of Du-World Pictures has sold to Nat Cherin, presi- dent of Principal Film Exchange, and New York and northern New Jersey rights to “Dawn to Dawn.”

THE FILM

SHORT SHOTS FROM EASTERN STUDIOS

By CHAS. ALICOATE

PRODUCTION on the first of a series of new shorts being made for Nestle’s Picture Corp. has been completed at the Hayes & Real studio, Oceanside.

With shooting completed on the new Star Comedy Special, “The Ex- pectant Father,” with Ernest Truce, this is surprising news for the making and editing of the short, which is scheduled for release Feb. 16.

Tentative plans for the opening of Charles “Buddy” Rogers and his orchestra at the Paradise Restau- rant, Jan. 26, assures one of the most elaborate demonstrations ever accorded a band leader on his de- but. Rogers music will be heard from WJZ and WOR according to pre-opening arrangements.

Harry Gribbon completed produc- tion yesterday in “The Nude Deal,” his third Vitaphone short. Support- ing Gribbon in this two-reeler are Shemp Howard, Don Tompkins, Jimmy Stewart and Lily Stengel. It was directed by Ralph Staub.

Zanuck Sets Next Two

For Twentieth Century

West Coast Bureau of THE FILM DAILY


Smoot Sells 2 Houses to Schine

Mount Vernon, Ga.—Harry Smoot has sold the Vine and Memorial the- aters to Schine Enterprises. Smoot has gone to Florida for the winter.

BARRIOR WITH BEDROOM and BATH

$5.00 per day

Above the 8th Floor $6.00 and up

Enjoy the comforts of a parlor and bedroom suite....

All rooms equipped with combination tub and shower bath, and running ice water.

Ideal location — adjacent to shopping, business and theater areas.

SWIMMING POOL AND GYMNASIUM

FREE TO GUESTS

H. S. McLEOD HEADS
LUSIANA MPTOA UNIT

(Continued from Page 1)

Charles Lauve is vice-presidents, and the board consists of the offi- cers and Ed Mahick, Joe Alina and Phil Silman. A meeting will be held tomorrow to complete a perma- nent organization including all the territory served by New Orleans exchanges.

Saenger Circuit was represented at the meeting but could not be consulted until the receiver had been consulted. Howard McCay spoke on how the organization can benefit the independents affiliated in legislative fights.

Glazer Urges Soft Pedal

On Educational Values

(Continued from Page 1)

in check, will keep many people from the theater, declares Glazer, because the public go to shows to be entertained and they don’t want education mixed with their amusement. If films are instructive, let them be that way without making capital of it, Glazer suggests, and the moviegoers won’t mind.

Denver Operators Elect

Denver—Local Operators’ Union has elected the following officers for this year: Ralph E. Sturdevant, president; Harold M. LeHew, vice- president; Edward A. Reinger, financial secretary; R. E. Waller, corresponding secretary; Allen E. Wilson, business agent.
ED KUYKENDALL RAPS
ALLIED CODE ADVISE

(Continued from Page 1)

leading propaganda, half-baked opinions and advice about the code" uttered in connection with "trick reservations." He charged that "Alli-

ed-prepared reservations make a fife attempt to (1) withhold ass-

sent to parts of the NRA code rela-

tive to unreasonable clearance and at the same time give qualified assent to other parts, (2) tie the hands of President Roosevelt in ad-

ministering the code, (3) reverse and amend the Act of Congress cre-

ating the NRA and (4) at the same time agree to comply with all of the act."

"Affiliated theaters are dues pay-

ing members of Allied units, just the same as they are in the M. P. T. O. A. and the T. O. C. C.," de-

clared Kuykendall. "We are not criticizig this policy in any way as we believe that all theater own-

ers should belong to and support their local trade associations."

Revie Spanish Film Council
Madrid—The Spanish Motion Pic-

ture Council, formed some time ago but never really active, is now to be de-

finitely attached to the Section of the Council of International Cinematographic relations in the international labor bureau of the Ministry of Labor and will handle various film matters, including preparations for the second His-

pano-American Motion Picture Con-

gress.

Establishment of film quotas, as soon as native production is suf-

ficient, looms as a possibility.

Italian Gov't Approves Exposition
Rome—Official approval has been given by the Italian Government on the proposal of International Motion Picture Producers Association of America that the Second Exhibition of Cinematic Art be held in Venice, Aug. 1-20. Film cartoons will be shown in original version, with prizes to be given for the best. A congress for writers and directors also will be part of the event.

"Nana" in Chicago Feb. 1

United Artists expects to open "Nana" at the United Artists, Chi-

cago, Feb. 1, day and date with the New York premiere at the Music Hall. Expectations are that the company will roadshow "Catherine the Great."

Joe Koehler Loses Mother
Twin Falls, Idaho—Joe Koehler, op-

erator of the Roxy, is mourning the death of his mother in the east.

Theater Manager Is Hero
Brighton, Colo. — Glen W. Miller, manager of the Roxy, by climbing a telephone pole and directing firemen where to turn the water, probably saved the $70,000 theater. Fire started in the old Opera House build-

ing. Damage was held to $500.

ANALYSIS OF
MOTION PICTURE CODE

By LOUIS NIZER

Thirtieth Installment

ARTICLE VIII—UNFAIR PRACTICES—DISTRIBUTORS—EXHIBITORS—(Cont.)

2. Arbitration Under Contract
(a) If the Distributor and Exhibitor agree to arbitration in the exhibition contract, the arbitration shall be in accordance with the arbitration clause of the Optional License Agreement.
(b) Where the contract provides for Fairbanks, the parties may stipulate that any arbit-

rator shall be appointed by each and if the two appointed cannot agree, they shall ap-

point an umpire.

3. Inducing Breach of Contract
No Exhibitor or Distributor shall induct another to breach a contract for the exhibition of films.

4. Obtaining Advantage by Gifts
No Exhibitor or Distributor shall promise to give a gift to the purpose of—
(a) Obtaining advantages that would not otherwise be obtainable.
(b) Influencing a Distributor or Exhibitor not to deal with any other Exhibitor or Distributor.

5. Disclosing Box Office Receipts for Publication
No Exhibitor or Distributor shall reveal box office receipts for publication except—
(a) Necessary reports to stockholders.
(b) To credit and governmental agencies.
(c) To other like bodies.
No Exhibitor or Distributor shall be responsible for disclosures made by agencies not authorized to do so.

6. Ten Percent Cancellation
(a) To What Contracts Cancellation Applies
The right of the Exhibitor to cancel ten per cent of the feature pictures arises only if—
1. The Exhibitor has contracted for all of the pictures offered at one time by the Distributor; and,
2. The average license fee is not more than $250.00.
(b) Conditions of Cancellation
If the ten per cent cancellation applies to a contract, there are two conditions upon the right to cancel:
1. The Exhibitor must not be in default under the contract; and,
2. The Exhibitor must have lived up to the terms of the contract requiring exhibition at certain intervals.

Fashion Week for "Fashions"
West Coast Bureau of THE FILM DAILY

Los Angeles—As part of the ex-

ploitation campaign of the National's "Fashions of 1934," which will have its dual premiere at the Hollywood and Downtown theaters here on Feb. 17, Mayor Frank L. Shaw will proclaim a Fashion Week, The local campaign on "Fashion's" being handled by Harry Maizlish, Warner theater advertising manage-

ner in this territory, and will in-

clude the cooperation of all neigh-

boring communities in this Fashion Week.

Kids' Cartoon Matinee Clicks
Canton, Ohio—W. Ward Farrar, new

manager of Loew's, sprung a sur-

prise on downtown theaters when he announced a 10 o'clock Saturday morning cartoon show for kids. House was capacity despite the smaller admission, highest yet here for a kid show.

Tom Olsen Gets Schine Post
Belleville, N. J.—Tom Olsen has been named district manager for Schine Enterprises with jurisdiction over the Holland here and the cir-

cuit's house in Piqua. He succeeds George Reiser, who left to join Skouras.

CODE AUTHORITY GETS 62 ADDITIONAL NAMES

(Continued from Page 1)

—Milton Guggenheim, Henry Selheimer, Doris Alexan-

der; Boston—A. D. Redfern; Francis Lyon; Dallas—Miss Laura Roberts, C. H. Larche, L. Will; Des Moines—


Robert Wyler Organizes Own Producing Company

(Continued from Page 1)

aest play has just been accepted by the theater. Glenn Dick Koonce, and C. R. Cayle. Wyler leaves in a few days for Paris and Vienna to secure material for several plays.
Salary Probe "Secondary", Rosenblatt Tells Coast

PHILLY MPTO URGES FULL ASSENT ON CODE

HOBILTZELLE JOINS PARA. THEATER BOARD

Study of Producer Practices
Rosenblatt's Chief Aim on Coast

NRA Still in Dark on Allied's Suit
Washington Bureau of THE FILM DAILY
Washington—General Johnson up to last night had received no official notification of a suit filed against the Code Authority by Allied, he stated. Other NRA officials likewise had no notice of it. No comment was made. Definite plans for the meeting of all Code Authorities are still to be made, Johnson stated.

PHILLY MPTO URGES FULL ASSENT ON CODE

Karl Hobilitzelle is the third appointee on Paramount's theater operating advisory committee, which was announced yesterday by Ralph A. Kohn, Hobilitzelle, who joined E. V. Richards and N. L. Nathan- son, was chosen at last week's meeting which was held in Los Angeles.

Lighting Firms Merge;
Charles Ross as President
Charles Ross, president of the Motion Picture Service Co., largest lighting equipment company in the east, announces the consolidation of his firm with Motion Picture Lighting Co. of Long Island City, controlled by M. W. Palmer and H. D. Nace.

ALLIED GOT RULING ON QUALIFIED ASSENT

In a return to the statement of Ed Kuykendall, M.P.T.O. president, that Allied had been misleading exhibitors with advice that they could appeal to code boards, although they did not sign 100 per cent code assents, Sidney E. Samuels announced that John J. Payette, general zone manager here.

RITAKA Orders 6 Rehired
Reinstatement of six discharged theater employees was ordered yesterday by Ben Golden, executive secretary of the NRA Regional Labor Board, after hearing complaints by the Theater Amusement Employees Union charging that circuits were discriminating against employees who joined the union.
Charles Rogers Sets
Remainder of Lineup

West Coast Bureau of THE FILM DAILY

Hollywood—Charles R. Rogers, having already finished six pictures for the 1933-34 season, has completed selection of his remaining four films which Paramount will release this year. They include:

"Green Gold," Rex Beach romance of the tropical fruit industry to be filmed soon in Hawaii, with Harry Joe Brown directing. The script is being completed by Howard Estabrook.

"It's a Pleasure to Lose," panto
ing story by Gene Towne and Gra
ham Baker, starring George Raft.

"In Conference," murder mystery by Vera Casparay and Bruce Ma
ing, with screen play by Brian
Marlow, Agnes Christine Johnson and Joseph Gollomb.

"Conal Boy," original by Forest
Halsey and Clara Beranger which
Casey Robinson is scenariozing, with
Dorothy Wilson and Dougla
smokey heading the cast.

Quittner's Attorney
Attacks Film Code

In a letter to Dr. A. Lawrence
Lowell, congratulating him on his
decision to serve on the motion picture Code Authority, Attorney Arthur Butler Graham, counsel for Joseph P. Quittner in the Quittner-
Paramount anti-trust suit, attacks the code on the ground that it fails to eliminate block booking and
blind buying.

"It is a matter of concern to im
partial observers that a so-called
'code of fair competition' should have been approved for the motion picture industry, the effect of which is to perpetrate and give legal sanction to the monopolistic practices that have been condemned repeatedly by courts of law and by the court of public opinion," declares Graham in his communication made public yesterday.

27 More Nominations
Received by Authority

Another batch of 27 names, pro
posed for members and secretaries of local clearance and zoning boards and local grievance boards, was an
ounced yesterday by the Code Au
thority. They include:

Cleveland—A. G. Constant; Des Moines—R. M. Copeland; W. E. Bankford; D. V. Mc
Leans, Hale Caravagno, Tom Brown.

Another advance on "Wonder Bar"

More than 130 simultaneous pre
release dates have been set by War
ners on "Wonder Bar," which will be
distributed in the form of a broad
way in April at $2 top. Picture is a
musical extravaganza, with Al Jol
son heading the cast.

Shoestringers of Stage
Benefit Movies—Shipman

From the standpoint of legitimate theater competition, Broadway pic
ture theaters are benefiting from policy of many stage producers who try to do shows on a shoestring basis, declared Sam Shipman, veteran dramatist, yesterday. Lacking adequate financing, these stage pro
ducers fail to give a show a fair trial, backed by enough plugging, he said. As a consequence many shows which would "build" if they had a chance to stay on Broadway, do a flop instead, asserted Ship
man.

Frank Capra produced one of the
best pictures of 1935, "Lady For A Day." It's a clinch he'll equal that record with CLARK GABLE and CLAUDETTE COLBERT in
"It Happened One Night."
Richard Barthelmess in "Massacre" with Ann Dvorak, Dudley Digges, Claire Dodd, Henry O'Neill, Robert Barrat. Directed by Alan Crosland...A First National Picture
HELD OVER 2nd WEEK!

BARTHELMESS 'MASSACRE'S N. Y. CRITICS

Slays Watts, Pelswick, Boehnel, Delehanty, All Others, With Wham Redskin Role!

(The "Variety Daily" please note!)

"The one important picture of the current season." Eve. Post

"One of the few really worth-while films in weeks." World-Telegram

"Magnificent. Here's a lulu. Abounds in rousing action. First-rate thriller." Daily Mirror

"Easily the best Barthelmess has had in several seasons." Eve. Journal

"Most vigorous since 'I Am A Fugitive.'" Herald-Tribune

"Excitingly melodramatic. Scenes brim with action. N. Y. American

"Packed with exciting events. Moves with speed and force." Daily News

"Grand melodrama. A new setting and a new viewpoint for the talkies." Eve. Sun
The Biggest and Most Practical Campaign Book Ever Made. It is 32 inches high and 24 inches wide. Every inch crammed with Showmanship!

GET IT AT YOUR M-G-M EXCHANGE TODAY!

CAMPAIGN BOOK

ESKIMO WIFE TRADERS

W. S. Van Dyke
This Giant Press Book Will Make Showmanship History

★ REPRODUCING 9 CITIES’ FULL CAMPAIGNS!
Box-office history was made in Atlanta, Richmond, Norfolk, Miami and five other pre-release “Eskimo” engagements. The press book gives photos, facts and figures that will help you get the same thrilling results.

★ 30 BIG NATIONAL “ESKIMO” TIE-UPS!
Special window cards, streamers, banners, etc., available for marvelous merchant tie-ups on Lipton’s Tea, Norge Refrigerator, Remington Typewriter, Lucky Strike, Atwater Kent, Eskimo Pie and 22 more equally big.

★ 15 SMASHING ADVERTISING PAGES!
Thrill ads successfully used in pre-release engagements. The greatest variety, covering every angle of this epic picture, including “Strange Moral Code of Eskimo.” FULL PAGE CO-OP. ADVERTISING lay-out.

★ NEWSPAPER SERIAL, RADIO, PRESS SECTION!

★ ADDED ACCESSORIES IN FULL COLORS!
Giant Pictorial cut-out letters, combination marquee hangers and door-knob novelties, Circus Heralds. Jumbo Display Cards. And 100 other exploitation devices in addition to full line of posters and accessories.
HOLLYWOOD

NEWLY appointed ways and means committee of the Academy of Motion Picture Arts and Sciences is reported to be working toward reestablishing the association as a service institution. A new plan of financing is being worked out, and the annual awards banquet is expected to take place in March. Donald G eidhill continues as acting executive secretary.

James Cagney's next Warner picture, "Goin' to Town," goes into work Jan. 30. Script is by Gene Markey and Kathryn Scola.

Pioneer Pictures, financed by John Hay Whitney, will make the "Days of Pompeii" which RKO is to release. It will be filmed in Technicolor.

Constance Cummings has been given the role in Universal's "Glamour" formerly intended for Gloria Stuart, who is busy on "Where's Brown?"

Otto Kruger will play the lead in RKO's "Crime Doctor," originally scheduled as a Richard Dix vehicle. John Robertson will direct. Cast also includes Wyane Gibson, Nila Asther and Ada Cavell, with screen play by Jane Murfin from the Israel Zangwill story.

PHILLIP M. P'TO URGES FULL ASSISTANCE TO COMMUNICATIONS (Continued from Page 1)

Ivory Berlin Publishing Co. has closed a deal with the Meyer De-Van-Beurum production unit whereby they will publish all tunes from the pictures made by Meyer Davis in Paramount's "Rancho Grande." Cliff Edwards and Ethel Waters shorts are now being printed.

Joe Courtney begins work today at the Vitaphone studio in "Alibi Baby," two-reel musical. Supporting cast includes Roscoe Ates, Lilian Bond, Cora Baeck, George Clarium and Jack Good and Kathleen Lockhart.

Wheeler and Woolsey in "HIPS, HIPS, HIPS!" with Dorothy Lee, Ruth Etting and Thelma Todd

RKO ABOUT THE BEST AND CLEANEST OF THE WHEELER-WOOLSEY SERIES, PLENTY LAUGHS AND ACTION PLUS MUSIC TRIMMINGS. Since the Wheeler and Woolsey fun fests is first-rate entertainment for the mass audience. It is free of the risque gags that dotted some of their previous efforts, and consequently is more acceptable as family amusement. The musical side of the picture, though not on a lavish scale, is of good quality and con-tains one song that will surely be a hit. For story basis, Wheeler and Woolsey, as a couple of pitchmen selling flavored lip sticks, pose as big business men and merge with Thelma Todd's classy beauty parlor after Wheeler has been attracted by Dorothy Lee, who works in the parlor. One of the male executives, rebuffed by Dot, who knows he is double-crossing the shop, makes a rival attempt to expose the two lads and then frames it for Thelma to lose a cross-country auto race in which she has entered a car for a and her results, but is caught afterward and promises to make good on the plot and save the day in a fast and amusing finish. Ruth Etting sings a nice number at the close of the picture.

Cast: Bert Wheeler, Robert Woolsey, Ruth Etting, Thelma Todd, Dorothy Lee, George Meeker, James Burns, Matt BGregg, Spencer Charters.

Director, Mark Sandrich; Authors, Harry Ruby, Bert Kalmar, Edward Kaufman; Music and lyrics, Harry Ruby, Bert Kalmar; Dances, Dave Gould; Cameraman, David Abel; Recording Engineer, P. J. Faulkner; Editor, Basil Wrangell.

Directors, Lively, Photography, A.1.

LIGHTING Firms Merge; Charles Ross as President (Continued from Page 1)

Clark. The new company, to be called Motion Picture Lighting and Engineering Corp., will be the largest organization of its kind in the world, handling incandescent and arc lights for sound and talking pictures. Ross will be president of the combined units, with Palmer as vice-president, Clark as general manager, Charles S. Burns, formerly in charge of lighting and sound for Goldwyn pictures, as assistant general manager, and Harry Kleinfeld as lighting superintendent. Headquarters will be at 318 West 42nd St.

M-G-M to Make "Copperfield"

Walt Goetz Bound for "FRIDAY FILM DAILY" Hollywood — David Selznick and George Cukor, producer and director, respectively, of "Dinner at Eight," will join Rudolph Valenta again in making Dickens' "David Copperfield" for M-G-M.

Skouras Books Astat Lineup


M-G-M Buys "The Thin Man"

"The Thin Man," mystery-detective story by Dashiell Hammett, has been acquired by M-G-M.
**PHOTOPHONE USERS**

**ASSURED PROTECTION**

(Continued from Page 1)

the higher court. The complete letter follows:

"Many exhibitors and others licensed to use RCA Photophone and RCA Victor sound film reproducing apparatus have recently received from the American Tri-Argus Corp, a letter which states the decision of the U.S. District Court for the Middle District of Pennsylvania in a patent suit between the American Tri-Argus Corp., and Altona Public Theaters and Amherst & Vin- coln, Corp., defendants, concerning sound film reproducing apparatus.

"These suits were defended by RCA Photophone, Inc. on behalf of the defendants, in view of the provisions for patent protection contained in the contracts with the defendants concerning the sound film reproducing apparatus in questions.

"All proceedings in the District Court, including injunctions, have been stayed. An appeal from the lower Court's decision has been taken to U. S. Circuit Court of Appeals and is being promptly prosecuted by RCA Photophone, Inc., the makers of the apparatus. We have been advised by counsel that the decision of the lower court is, unheard, that the patent involved is invalid as against several grounds, and that the Circuit Court of Appeals should decide.

"Exhibitors and others licensed to use RCA Photophone and RCA Victor sound film reproducing equipment should not be concerned about patents relating to such apparatus or any statement of the American Tri-Argus Corp. with respect to such matters. We will protect customers and licensees in accordance with the rights assumed under any contracts involved."

**ITOA Wage Scale Issue Expected to Go to NRA**

(Continued from Page 1)

offices of Local 306. Both sides were as far apart as the poles, it was said.

Similar pessimism was expressed of the outlook for an agreement with burlesque theatre owners at a meeting today in the offices of the I.A.T.S.E.

**Coming and Going**

ED KUKENDALL, who arrived in New York recently to attend a COA Authority meeting, will remain indefinitely.

NATHAN YAMINS arrived in New York yesterday from Fall River, Mass.

ED ANSIN of Boston arrived in New York yesterday.


MR. AND MRS. LIONEL BARRYMORE arrive at the Warwick today from the coast.

MARJORIE LYTTLE, stage actress signed by RKO, is on her way to Hollywood.

VICTOR J. SCHUETZ, following a visit of several weeks in New York, has sailed to Europe where he is managing director of Fox Film in the Argentine and Uruguay.

JACK COHN leaves this morning on a hurried trip to California.

TOM SPRY, Waver branch manager in Boston, arrived in New York yesterday for conferences with Andy Smith.

Kitty Carlisle, stage player under contract to Paramount, left yesterday for the Coast.

Jules Levy returned yesterday from a tour of RKO southern exchanges.

**ERPI LICENSEES ALSO PROTECTED**

(Continued from Page 1)

of the right to drop serving at the end of a two-year period, waiver right to litigation protection from the sound company. Considerable exhibitor apprehension has been caused by notifications sent them by the William Fox organization concerning the court ruling on its patent.

**Business 10% Improved**

On A. E. Lichtman Circuit

expects further improvement, indicated by public optimism concerning the future. Lichtman left New York last night for Richmond, where he will aid in the exhibitor fight against a proposed 5 cent state admission tax.

Colorado Realty Co. Settles

Pueblo, Colo.—Creditors of the bankrupt Colorado Realty Co., of which J. J. Goodstein is president, have accepted settlement of claims at 25 cents on the dollar, payable in installments. Mortgages on the Rialto here and on projection equipment in the Fox Film Alamo, and the lease of the Rialto here have been put up as security.

Extend Lease on Criterion

John Krimsky and Gifford Cochran have renewed their lease on the Criterion for four more weeks, with an option for another four weeks. Under the deal, made with receivers of this Broadway house, the rental is $1,000. English dialogue version of "Mae'dehin in Uniform" opens there tonight.

Zimmerman Joins Nevins

Lester Zimmerman, formerly with the press department of the Fox Brooklyn Theater, has joined the Bert Nevins publicity office. Zimmerman is acting as contact man for the Nevins outfit and is also in charge of the photo department.

"He" Booked for Cameo

"He—King of Virtue," French farce recently shown at the 55th St. Playhouse, opens Saturday at the Cameo.

**THE FILM DAILY**

Best wishes from THE FILM DAILY to the following on their birthdays:

January 24

Paul Fojs
Jack Houle
A. Zrelch
Jack Lustberg
SALARIES SECONDARY, SAYS SOL ROSENBLATT
Continued from Page 1

said, adding that he does not plan to establish any maximum salary scale.

Rosenblatt was accompanied by Mr. John L. Elliot, his assistant technical advisor, and Mrs. Rosen-
blatt. The Division Administrator is to make a report to President Roosevelt, he stated.

Representatives of the Camera-
men's Union held an informal meet-
ing with Rosenblatt last night to
discuss the spread of employment and limitation of hours. About 400 cam-
eramen, which is 50 per cent of the
union membership, are unem-
ployed. If the plans suggested by
the union are carried out, 200 more
members would be given work.
Union claims the studios have failed
to carry out agreement to reemploy
without prejudice men who went
on strike last summer. About 125
cameramen were refused their own
jobs, with one major studio keeping out 25 old employees, the union
claims. Members of the sound men's
union will meet with Rosenblatt.
They are members of the I.A.T.S.E.
and claim the I.B.E.W. sound men
should not be recognized.

Rosenblatt received several hours
yesterday in conference with Henry
Gineberg, general manager of Hal
Roach Studios. Rosenblatt is ex-
pected to hold all daily conferences
with studio heads and also to meet
with labor organization representa-
tives.

Allied Got Ruling
On Qualified Assent
Continued from Page 1

ubson of the Allied board of direc-
tors yesterday made known a rul-
ing on this point obtained by Al-
lied. On Dec. 10, Sampson stated
the question had been submitted to
General Counsel Donald Richberg of
the NRA, and on Dec. 13 Allied
received the following opinion from
L.M.C. Smith, assistant counsel of
NRA:

"Individual assent to the code is
not required as a condition of ap-
pearance before and review of the
action of clearance and zoning
boards. By reason of the particu-
lar functions of grievance boards
such assent has been required in
their case."

Paramount Hearing Friday
A hearing in connection with pro-
tests against claims of Paramount
Publicist trustees is understood sched-
uled for Friday, possibly at the Bar
Association Building. Judge Knox
of the U. S. District Court has
turned the case over to Judge Woul-
sey.

Peggy Fears Joins Fox in March

Peggy Fears, actress-producer
signed by Fox to a long-term con-
tract as an actress, will go to Holly-
wood in March to start work.

ANALYSIS OF MOTION PICTURE CODE
By LOUIS NIZER

Fourteenth Installment
ARTICLE V.—UNFAIR PRACTICES—DISTRIBUTORS—EX-
HIBITORS—(Cont.)
(c) Manner of Cancellation
The Exhibitor must give
written notice of can-
cellation to the Distribut-
or at the time of can-
cellation, in order to cancel:
1. Notice
The Exhibitor must give
written notice of can-
cellation to the Distribut-
or within ten days after
the general release date
of the picture in that terri-
ory. Under the Standard
Optional Contract, a pic-
ture is generally released
in a territory if it has been
exhibited for not less than
days at a theater in the
territory in which the ex-
change is located which
serves the Exhibitor and
admission prices usually
charged at such theater.
Subsequently he is credited
with this sum when he
plays the tenth picture.

If the picture is cancelled
on a percentage contract,
how is the license fee to be
paid at the time of can-
cellation, computed? The
method is as follows:
1. Prior Distributor's Pictures
Average the gross receipts of
the Distributor's feature
pictures exhibited at the
theater during the nine-
days prior to the notice of
cancellation. Apply to this
average sum the percent-
age terms of the contract.
The sum thus computed is
the amount that the Exhib-
itor must pay to the Dis-
birutor at the time of can-
cellation.

Example: Suppose that the
Exhibitor wishes to cancel
the fifth picture to be de-
frived to him. Since he
has not yet paid for nine
pictures of that group of
ten, he can only cancel by
paying the license fee of
the picture cancelled.

If the license fee under
the contract is a $50.00
beurante plus twenty per-
cent of the gross receipts,
the sum to be paid to the
Distributor is computed as
follows:
Suppose that three of
the Distributor's feature
pictures were exhibited at
this theater during the
nine days prior to the
notice of cancellation, and
suppose that the total gross
receipts of these three pic-
tures were $900.00. The
average gross receipts per
picture were, therefore,
300.00. The percentage
terms of the contract must
be applied to this sum.
Twenty per cent of $300.00
is $60.00. Under the con-
tract this sum must be
paid in addition to the
50.00 guarantee. There-
fore, during the Exhbitors
in order to cancel the fifth
picture, must pay $110.00
to the Distributor at the
time that written cancella-
tion is sent.

(TO BE CONTINUED)

Columbus Club Hears Hays, Johnson
Columbus — Will H. Hays and
General Hugh S. Johnson, speaking
over the Columbia network, felici-
tated the local Variety club at
its annual party this week. Nearly 450
attended. William J. James was
toastmaster, with John H. Harris,
Jr., of Pittsburgh and Senator Har-
ris also among those present.

"Devil Tiger" for Rialto
"Devil Tiger," the Clyde E. Elliott
bungle picture for Fox, will have its
Broadway premiere at the Rialto.
Opening date has not been set.

Closed for Repairs
Charlottesville, Va. — The Para-
mount, one of the Hunter Perry
houses, is closed for repairs. It
was damaged by fire recently. Marsh
Geller is manager.

"Fashions" Holding Over
First National's "Fashions of
1944" is being held over for a sec-
ond week at the Hollywood, starting
today.

Taking Fight Pictures
Pictures of the Ross-Petrolle
fight, to be held tonight in Madison
Square Garden, will be made by
Rexclusive pictures Corp, and released
tomorrow to the Rialto and Central
theaters for first run showings.

Fourteen RKO circuit houses will
play the films on subsequent run.

Howard Gould Joins Midwest
Kansas City—Howard Gould
has taken over the Nebraska territory
for the Midwest Distributors
at Omaha, Robert Withers an-
nounces.

RKO Signs Stage Actress
Marjorie Lytell, Broadway actress,
has been signed by Kenneth Strong-
gowan. RKO associate producer, for
"Finishing School."

File Sales Tax Bill in N. J.
Trenton—A general retail tax on
2 per cent on gross sales is proposed
in a bill introduced Monday night
in the state legislature.

MACHINERY OF CODE
SOON SET TO START
Continued from Page 1

filled, including five members of each
grievance board, seven members of
each zoning board and a secretary for each, number 416.

R. H. Cochrane presided at
the meeting, held at the Hotel Astor.
The committee assigned to the job
of writing a manual covering lo-
cal boards' functions will have its
report ready for presentation at the
next Code Authority session. Mat-
ters of preparing Code Authority
rules, code budget and financing
were deferred until a later date.

As provided for under the code,
a committee was named to the
CHS. A. Rosenblatt is on the
Coast, Cochrane, as chairman of yester-
day's meeting, will appoint a com-
mittee of seven members to inver-
se protests of a vaudeville group
concerning vaudeville labor provi-
sions incorporated in the code.

The board will meet on the
meeting, after the last minutes of the recent Washington
conference on the subject. In the
absence of Rosenblatt, Deputy Ad-
ministrator William F. Farnsworth
represented him.

Appointment of five members of
the Coast agency committee was de-
erred pending the return of Rosen-
blatt. The committee on local board
recommendations will immedi-
ately begin study of the nominna-
tions and will meet on Friday to
discuss them. Its members are:
Charles L. O'Reilly, Sidney R. Kent,
George R. James, W. R. Fiske, Na-
than Yamin and Ed Kuy-
kendall.

Date of the next Code Authority
meeting has been tentatively set
in Feb. 9 at 2 p.m. at the Hotel Ast-
or. If the committee on board
recommendations completes its work
earlier, the date may be moved for-
ward. Yamin is scheduled to pre-
side as chairman.

Charlie Chaplin's assent was
received yesterday by the Code Au-
thority. Although United Artists
has signed as a distributing com-
pany, protests of a vaudeville group
by Samuel Goldwyn have not as yet
indicated compliance.

M. H. Aylsworth, who is in Flor-
da, was an absentee, without al-
ternate. Joe Bernhard represented
H. M. Warner and J. Robert Rubin
for Nicholas M. Schenck.

Acquires Goldstone Film
American Film Exchange has ac-
quired "The Mystic Power," pro-
duced by Phil Goldstone, for distri-
bution in New York and Northern
New Jersey.
Government to Defend Code Authority in Test Case

NEW NRA MANUAL TO SPEED ACTION ON COMPLAINTS

Paramount Set for 1934-35 Stride With 60 Features

Good Signs...along the film highway

By DON CARLE GILLETTE

Teaching of motion picture appreciation in schools, colleges, civic forums, etc., is developing a momentum that bids fair to have far-reaching, beneficial results.

Scattered institutions of varying importance have been doing work of this kind for some years, but it is just lately that the realm of higher learning, such as New York University, took definite steps to include a cinema course in its academic program.

It is a significant step, not only because it means recognition of the movies by classes which long have held themselves aloof from it, but also because this kind of education, instead of critical, slamming and fault-finding, is the right avenue of approach by those who are interested in making the screen better.

Another good sign of the times is the sudden increase in the number of matinees for kids being given around the country, usually on Saturday mornings, and in many cases at an admission price as high as 25 cents.

The interesting angle here is that practically all of these programs are composed of animated cartoon comedies, or cartoons and other shorts.

Imperious behind this turn of events, as anyone might guess, was "Three Little Pigs" and other creations of the Walt Disney shops.

Which goes to show what a succession of beneficial results can come from a little seven-minute cartoon comedy.

Decentralized Theater Setup Planned as Permanent

By ARTHUR W. EDDY

With a program of 60 features scheduled for the 1934-35 season, and with 14 of the "ace" showmen in the country among its partners, Paramount is now definitely set to continue its work on rehabilitation with a spirit of utmost confidence.

Under the guidance of Adolph Zukor as president, George J. Schaefer as general manager and other able ex-

(Continued on Page 6)

BIG EXPANSION SEEN IN INDUSTRIAL FILMS

52 FEATURES SLATED BY COLUMBIA FOR '35

Columbia's program for 1934-35 will comprise approximately 52 features, the same as this season's quota.

Jack Cohn, who is now en route to the Coast, will confer with Harry Cohn on matters in connection with the schedule.

 Didn't Intend 10% Clause To Disturb Existing Deals

Hullabaloo raised in certain quarters over a reported demand that the 10 per cent cancellation clause in the code be made retroactive as of the effective date of the code drew state-

(Continued on Page 6)

Code Authority Names Vaudeville Committee

A Code Authority committee appointed yesterday by R. H. Cochran to investigate vaudeville provisions of the code will meet at 2 p.m. today at the Hotel Astor.

The committee consists of: E. A. Schiller, chairman, and J. H. Schiller, vice-chairman.

(Continued on Page 6)

Defense of C. A. Test Case Being Undertaken by Gov't

Dermody Officially Named 'U' New England Manager

J. F. Dermody, for some time acting New England district manager for Universal, has been officially named to the post by James B. Grainger, district chief.

Dermody's headquarters will be in Boston.

The Federal Government, through the NRA, will undertake the defense of members of the Code Authority in connection with the test case filed in behalf of Allied seeking to enjoin the body from refusing qualified assistants to the code.

Suit is pending in the U. S. District Court, New York.

(Continued on Page 8)

Independents Are Assured Fair Hearing in Code Controversies

Washington Bureau of THE FILM DAILY

New York—The independent producers are assured a fair hearing of their complaints according to the rules contained in a newly issued NRA manual designed to expedite the handling of code disputes. The manual is for the guidance of all code authorities and for the newly appointed state directors.

New rules on the handling of complaints provide three avenues to insure official review of charges and to expedite action.

The manual declares that even where a code authority or other industrial agency has been authorized to handle complaints, the complainant can insist on the provisions of the manual being followed.

(Continued on Page 6)

ROSENBLATT, ZANUCK TALK ON STAR RAIDS

By RALPH WILK

FILM DAILY Staff Correspondent

Hollywood—Division Administrator Sol A. Rosenblatt held a conference yesterday with Darryl F.

Zanuck, production chief of 20th Century. Rosenblatt did not broach the question of star raiding with the producer, but the latter finally brought up the question himself.

(Continued on Page 6)

Wilby Signs With Union At Higher Wage Scale

Birmingham—In signing contracts with Wilby houses to run for another year, the operators' union obtained restoration of the wage cuts made during the bank holiday and also received some increases.

From Negative to Positive

RKO Radio Pictures has changed the title of "So You Won't Sing, Eh?" to "Sing and Like It."
Preparing Rules Covering Code Board Alternates

Owing to the fact that the motion picture code makes no provisions for appointment of alternates for members of local zoning and grievance boards, this matter will be taken care of in rules now being prepared to cover board procedure. The code, however, provides for the naming of alternates for Code Authority members. A meeting of the committee is tentatively scheduled for tomorrow.

Pierre Levy Handling Fort Worth Theaters

Fort Worth, Tex. — Pierre Levy, who owned the Hippodrome, Palace, and Strand here until 1919, when he sold out to United Amusement Co., with the agreement he would not open a competing theater for five years, has been in show business as city manager of the local Interstate theaters, the Strand, Hippodrome, Palace, and Majestic. The appointment was made by Karl Hoblitzwile.

St. Louis Fox Deal Up to Court

St. Louis — Fanchon & Marco's proposal for the Fox theater was submitted to Circuit Judge O'Neill Ryan yesterday by receivers of the theater. The court probably will accept or reject the proposition today.

It provides for weekly payment of $1,350 for ground rent, insurance, and $100 to the Metropolitan Co. to keep all communications to short lines. A daily cable at $5 will be sent to The Daily in St. Louis.

Circuits Book Roosevelt Reel

As a result of interest aroused in the President's Birthday, the Edin W. Hill reel titled "Story of the Roosevelt Family in America," one of the Master Art "Human Side of the News" series, has been booked by the Loew, Warner, Poli, Skorupas, and RKO theaters in the east and numerous other theaters around the country.

"Knife of Party" Fins-hed

"Knife of the Party," starring Lillian Miles and Jack Good, and produced by Meyer Davis-Van Beuren for RKO release, has been completed.

New Brighton Beach House Opens

First big theater erected in Brooklyn in several years, the Ocean at Brighton Beach, opens today with M-G-M's "Dancing Lady."

Paramount Meeting Adjourned

Meeting of Paramount Publix creditors scheduled for yesterday morning was adjourned for one week.

"Wonder Bar" Premiere in Month

World premiere of Warner's "Wonder Bar" will take place at a Broadway house about Washington's Birthday. Campaign on the picture will be conducted for a month in advance.

Allied Board Meeting Is Continuing Today

Discussions of local zoning and grievance board appointments and its pending test case against the motion picture code are understood to have taken place at a meeting of the Allied board of directors yesterday at the Hotel Warwick. The session continues today.

Attending the meeting are: Abram F. Myers, Sidney E. Samuelson, Nathan Yanunis, James C. Ritter, Al Steffen, H. M. Richey, Aaron Saperstein, Ray Branch, Abram Stone, Fred Harrington, Moe Horowitz, Fred Strief and Adler of Wisconsin.

Singing Sam for Three Shorts

Detroit — R. C. Faust, president of Shamrock Pictures, has signed Singing Sam, the Barbasol Man, to make three shorts in the "Ye Old Time Illustrated Songs" series.

These shorts, together with the series called "News from the Dugout," are throughout the world, with exception of Michigan, by Kinematheatra, Inc., New York.

"I've Got Your Number" Pre-Release

After a home office preview of "I've Got Your Number," Warner executives yesterday decided to rush the picture through for a special pre-release world premiere on Broadway within two weeks. Joan Blondell and Pat O'Brien head the cast.

Adapting Colman Film

West Coast Bureau of THE FILM DAILY

Hollywood—Nunnally Johnson and Henry Lehman have been signed by Darryl F. Zanuck to adapt the screen version for 20th Century's "Bulldog Drummond Strikes Back," in which Ronald Colman and Loretta Young will be seen.

New Florida Corporations

Jacksonville, Fla.—Two new corporations have taken out charters involving the Grand and Rialto, Sparks houses, in Orlando, Southeastern Theaters Corp., with J. G. Sims, L. F. Coiffel and M. B. Huffacker, directors, is a reorganization of the Sparks group, while Central Florida Theaters, Inc., is formed on behalf of Universal Pictures Corp., to deed property to the Southeastern Corp., and take back a mortgage.

Directors of the latter are G. W. Milam, L. E. Bradock, P. A. Myrick.

Coming and Going

RICHARDO CORTEZ, having finished his role in First National's "Wonder Bar," is on route to New York with his bride.

ARTHUR LOWE leaves Shanghai Saturday on his return to New York.

ROBERT COLLIER of Fanchon & Marco has arrived in New York from the Coast.

JOSEPH M. SCHNECK and ARTHUR W. KELLY arrive in New York tonight on the Europa from abroad.

SYLVIA SIDNEY has arrived in New York from the coast for a short visit.

HARRY WILCOXON, English actor who arrived in New York yesterday to play the role of Marc Anthony in Paramount's "Camelot," departs by plane at noon today for Hollywood.
THE FUNNIEST THING THEY'VE EVER DONE

BERT WHEELER
ROB'T WOOLSEY

with
RUTH ETTING
THELMA TODD
DOROTHY LEE

HIPS HIPS HOO-RAY

MUSIC LYRICS AND SCREEN PLAY BY
HARRY RUBY AND BERT KALMAR
MERIAN C. COOPER
Directed by Mark Sandrich
A spunky little miss...courageous in the face of shoddy pride...determined to win the man she loved...though she had to turn a sleepy Carolina plantation upside down to bring him to her.
An appeal as wide as the range of human emotions...as deep as the human heart. Laughter and tears...romance, music and hard-hitting drama. With Janet Gaynor and Lionel Barrymore giving unspARINGLY of their brilliant talents.

JANET GAYNOR
LIONEL BARRYMORE
in
"CAROLINA"

ROBERT YOUNG • HENRIETTA CROSeman
RICHARD CROMWELL • MONA BARRIE
STEPIN FETCHIT

Directed by HENRY KING. From "The House of Connelly" by Paul Green
NRA RULES TO SPEED ACTION IN DISPUTES

(Continued from Page 1)

on an independent NRA review either in Washington or by the state director.

If the complainant goes to officials and charges the code authority with being hostile or monopolistically dominated, the case will not be referred to the code authority.

Whenever a code authority fails to satisfy a complainant he has full right to demand a personal hearing before it, and failing satisfaction to take the case up with NRA.

The new rules were required to meet the change being made in the country-wide compliance organization, now being transferred to agencies under the national emergency council set-up.

The manner of letters states that while many codes state that the code authority is authorized or required to adjust complaints of various kinds within an industry, such statements are not in themselves an authorization to the code authority to proceed to adjust complaints. Approval by the deputy administrator is necessary in order to authorize it to receive complaints "in the first instance" or to handle complaints "on reference." It emphasizes the fact that the complainant has the final say, and must assume that responsibility.

The various rights of appeal and reinstatement of the ultimate power of the code authorities, is applicable, it was stated here, to all members of an industry whether they have signed the code or not.

From now on the various state and regional units of the National Emergency Council will fill the gaps in all code authority machinery replacing the local compliance boards who will have no NRA matters.

General Johnson had a lengthy conference with Senator Nye yesterday regarding further administrative steps for protection of "the little man."

Evelyn Laye Resumes Work
London—Evelyn Laye has resumed work in "Princess Charming" at the Islington studios of Gaumont-British following recovery from an accident.

Eddie Schelsi Marries
New Orleans—Eddie Schelsi, associated with the Inter-city film delivery service, and Florence Betzer of Bromberg Attractions were married this week.

Anxious to Tell
Minneapolis—Merle Potter, motion picture critic of the "Minneapolis Journal," was out yesterday to view "Ekimo," which he saw at a preview, that he cited his review in the Sunday edition a whole week before the film opened. He awarded an AAAA (extraordinary) rating by Potter.

ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

EDITOR'S NOTE: Due to a mixup in continuity of the installment of the article scheduled for publication on Jan. 23, the following sections published Jan. 23, 1934 were repeated. Exhibitors may ignore yesterday's installment 34G. Today's follow the sections published Jan. 23.

Fourteenth Installment

ARTICLE V—UNFAIR PRACTICES—DISTRIBUTORS—EXHIBITORS—(Cont.)

(c) Manner of Cancellation

The Exhibitor must live up to the following terms in order to cancel:

1. Notice. The Exhibitor must give written notice of cancellation to the Distributor within fourteen days after the general release date of the picture in the territory in which the change is located which serves the Exhibitor and at admission prices charged at such theater.

2. Cancellation Without Payment. If the Exhibitor has paid for nine feature pictures, he may cancel the tenth feature picture without payment for it. This is true of each subsequent group of ten.

3. Cancellation With Payment. If the Exhibitor wishes to cancel a picture which he has paid for the other nine of the group, he may do so by paying the license fee of the cancelled picture at the time the notice of cancellation is given. In such a case the payment is credited against the tenth picture when he exhibits it.

4. Groups Less Than Ten and More Than Five

If the only group licensed or if the last group under the contract is less than ten pictures but more than five, the Exhibitor is still entitled to cancel one. In such case he need not pay for nine pictures before having the right to cancel. He must pay for all of that group except in cases where, if the last group, for example, is composed of eight pictures, he must pay for seven before he may cancel the eighth.

(d) Loss of Cancellation Privilege and Refund

If the Exhibitor fails or refuses to comply with any term of the contract or with any arbitration award rendered under it, two things happen:

1. The privilege of cancellation is revoked so that the Exhibitor may not cancel any of the pictures under the contract.

2. The Exhibitor must pay to the Distributor the license fees of all pictures previously scheduled.

(Tobacco Continued)

Code Authority Names Vaudeville Committee

(Continued from Page 1)

Loew's; Sam Dembow, Jr., Public; Major L. E. Thomas, ZKO; Joseph Bernhard, Warner Bros.; George Skouras, Skouras Theaters; Jack Partington, Fanchon Theaters; Henry Chesterfield, N. V.; Ralph Whitehead, Actors Betterment Ass'n; Charles B. Maddock and Marty Forkins, vaudeville producers.

It is expected that a hearing will be arranged in order to give all vaudeville elements an opportunity to submit their proposals.

Another Code Authority committee, named to prepare five regulations for exchange of the right to show a picture this morning at 10 o'clock at the Paramount Building, W. Ray Johnston, shyster lawyer, will include Feist in the committee. As Feist is on the Coast, J. S. MacLeod of M-O-M will serve for him.

Grownups Swap Kiddie Matineses

Kiddie matineses being conducted extensively in Loew houses, with programs consisting of Walt Disney cartoon shorts, have shown surprising results in drawing out the grownups as well. Outstanding instances occurred at Loew's Parkway, Wilmington, Del., on Saturday, when 1,500 kids and adults were turned away by Manager George A. Jones. Though the show was arranged for children only, about 400 adults admitted admission, but adults without children were barred. With doors scheduled to open at 10 A.M., by 8 o'clock there was a line four deep and five blocks long. There was so much crying among the kids that Jones will repeat the performance this week. He also is considering a Walt Disney show for adults only. George A. Parkinson was taken over by Loew under Jones' management, it was a "white elephant" for years.

PARAMOUNT SETS 60 FOR 1934-35

Continued from Page 1

... executives the company is benefiting from tangible recovery efforts. Paramount's theater setup under its decentralization plan launched some months ago is planned as permanent. Its partners generally dominate the territories in which they operate. In addition to their expertise in their fields, their rating as leaders of their respective communities makes them invaluable adjutants to Paramount in particular and the industry in general.

The Paramount partnership roster includes such exhibition names as Barney Balaban, A. H. Blank, Mike Kiney, Robert Wilby, E. J. Sparks, the Mathis Holditzels, Robert O'Donnell, William Jenkins, E. M. Comerford, M. J. Mullen, Sam Pinanski, Arthur Lucas and George Trendle.

Paramount's distributing force is bringing in more than sufficient revenue to take care of the company's production as well as other costs. While a policy of economy is being rigidly practiced in all departments, quality of negatives or efficiency will not be impaired, company executives state.

Didn't Intend 10% Clause To Disturb Existing Deals

Continued from Page 1

ments yesterday from several industry leaders, who helped draft the downtown code that the intent was that its provisions become operative simultaneously with the code effective date but not so as to disturb existing contracts.

The Code Authority has not appealed to the NRA for a ruling in the matter, the Executive Secretary of the body said yesterday, and denied that it has intention of such an action.

New House for Swampscott

Boston—If members of the annual town meeting in Swampscott vote to rezone one section of Humphrey Street, a new theater may be erected on a vacant site by Charles Wong. Hub architects have already drawn plans for a house to seat 1,500 persons.

Movies Expanding in China

Shanghai—An era of expansion for movies is seen for China. New theaters are opening up at a rapid rate and there is a good demand for production. Warner Bros. having its own office here, plans eventually to release pictures in this country within 30 to 60 days after U. S. release. In Hong-Kong The Theater Equipment Co., subsidiary of Hong-Kong Amusement Co., has bought $100,000 in RCA Photophone equipment and it is expected that within three years their country can make movies almost as good as American product.
EXPLOITETTES

"Eskimo" Press Book
M-G-M's Best in 10 Years

In recognition of the unusual showmanship possibilities of "Eskimo," and its ability to respond to special mercantile effort as demonstrated in pre-release engagements, M-G-M is backing up this picture with the largest and most complete press book it has put out in 10 years. With more than triple the usual number of big national tie-ups, including manufacturers of nationally known products, and educational book-ups whereby 150,000 grade schools may avail themselves of material such as water-color contests and children's tests of their knowledge of Arctic life, enterprising showmen have been provided with a campaign brochure that spells money for them in many ways.

Additional tie-ups include local distributors of mackinaws, stoves, underwear, ulsters, comforters and blankets, skates and skating outfits, weather devices for houses and automobile necessities like No Freeze.

Exhibitors all over the country have been supplied with some of the most comprehensive and useful accessories distributed in connection with the national release of a feature production. Complete information is given as to just how "Eskimo" was put over in nine special pre-release engagements. An 15-minute radio dramatization is available on request. Publicity material supplied in advance of the film's release includes 35 feature stories of all sorts with an unusual selection of large and small stills. A 12-chapter serial, specially illustrated, has also been prepared for country-wide distribution. Special trailers have been sent out, and exhibitors have the advantage of one of the most unusual and extensive national advertising campaigns ever undertaken by M-G-M.

The press book presents a detailed survey of all national tie-ups and of all the special stunts, such as the dog train and trainled penguins, recommended to exhibitors.

Corinne Griffith Back
West Coast Br., THE FILM DAILY
Hollywood—Corinne Griffith is set to reunite with the screen in "The Crime Doctor." She will be co-starred with Otto Kruger. John Roberson will direct.

TIMELY TOPICS

Timing Greatest Factor in Filming Comedy

Contrary to popular opinion, "gags" or clever lines are not of the most importance in filming a screen comedy, but timing. Humorous lines are, of course, indispensable to a comedy. But it is the director's job to go on from there. In filming a comedy I can think of no one element more essential than timing. The funniest stage play I ever saw, was one in which the comedy scene was cut out of rhythm to the beating of a metronome, one of those instruments used by beginners in piano playing. It was very luscious, the actors nodding "yes" or "no" or delivering sentences in one-syllable words to the skipping of the pendulum. The audience, I remember, all fell out of their seats. Yet, upon analysis, it wasn't the dialogue that was so, exasperatingly funny, but the fact that every movement, every word was done in rhythm. Although less pointed, the same spirit must be held behind any successful comedy. The actor's lines must be spaced and their movements controlled to the beating of an imaginary metronome. It is the director's duty to see that this is done. His success in a large measure rises or falls with this ability. We had not spoken dialogue or musical accompaniments to aid a weak scene then. Either a comedy sequence was perfectly timed or it was a complete flop. And the same thing goes for slapstick as for the most subtle type of humor.

—Harry Beaumont.

Warners Lead in Pittsburgh

Pittsburgh—Warner-First National lead in Pittsburgh this week, with three of the company's pictures playing simultaneously first run theaters here. These are "Hi, Nellie," at the Stanley; "Massacre," at the Walzer; and "The Big Shakedown," at the Davis.

We got a kick out of reading about Al Sindlinger's tabloid stunt ... up in Appleton, Wisconsin last week. Al dispatched several lads with good lungs throughout the city's streets, each with a bundle of the tabloids, and each yelling "Extra! Miss France's Baby is Stolen!" ... Gals left petting parties to grab a copy. Bridge games were abandoned to read the news. According to Al, folks came out of their houses and lined up against the saloons. They never saw the result that the Paramount pix about the snitch racket did a bumper week at the Appleton Theater. The stunt cost a pittance, but it was a case of coin and good will. In a display of gowns valued at $3,000 representing six eras in American history from 1840 to 1934, and worn in Universal's "Beloved," has been installed in the lobby, the six opens at the Roxy tomorrow and should be a sure bet for the gals.

Corinne Griffith Back
West Coast Br., THE FILM DAILY
Hollywood—Corinne Griffith is set to reunite with the screen in "The Crime Doctor." She will be co-starred with Otto Kruger. John Roberson will direct.

Best wishes from THE FILM DAILY to the following on their birthdays:

January 25
Millay May
Salapiro Victor M.

Happy Birthday
WARNER-F.N. STUDIOS PREPARE TO START 7


The six in work are "Golden Gate," "Hit Me Again," "The Key," "Fur Coats," "Hot Air" and "Fortune Teller."

Government Will Defend Code Authority Test Suit

(Continued from Page 1)

must be filed within 20 days from date of service, the hearing is not likely to take place until after Lincoln's Birthday, Feb. 12.

Rosenblatt, Zanuck

Talk on Star Raids

(Continued from Page 1)

Zanuck said last night that his session with the administrator was entirely harmonious.

Representatives of the I.A.T.S.E. sound men's union will ask Rosenblatt to have the code scale of $175 a week placed in effect. Although the scale is supposed to be retroactive to Dec. 7, it has not been put in effect yet. Sound and camera men working on a weekly basis are not required to take a layoff and this hinders the spread of employment. Union men want every six hours over 36 a week considered a day, and the workers laid off without pay to give work to fellow workers. It is understood Rosenblatt will refer this problem to the studio labor board consisting of Pat Casey, A. J. Berres, Richard Le Strange, Edward Smith and a fifth member to be named by Rosenblatt. Half of the 700 union sound men are now unemployed.

More Film Folk Insuring

St. Louis — Last month's survey of insurance by the American Life Convention showed 43 policies taken out by the directors, producers, players, etc., out of each 10,164 buyers of policies. This compared with 26 each for similar surveys made in December, 1932, and July 1933.

Sole Survivor

Lone holdout against the dual billing era on the East Side of New York is Loew's Capitol. There are other theaters in that area are playing double features throughout the week.

A LITTLE from "LOTS"

By RALPH WILK

ARThUR BROCH and George Sea- son, members of the M-G-M scenario staff, have written an origi nal, "Contact," and "Old Port." They have also written a screen play and dialogue for their story. They are now working on "High School," which will be supervised by Hunt Stromberg.

By the way, Bloch was a member of Professor Baker's famous "Work- shop 47" at Yale, while Seaton attended the University of Michigan.

Frank Albertson played the lead in "The Love Detective," a Columbia musical short directed by Archie Gottler. Other principals were Betty Grable, Armand Kaliz, Gloria Warner and Rea Stark.

Lloyd French will direct an un titled "All-Star" comedy at Hal Roach's. The cast will include Eddie Foy, Jr., Douglas Wakefield, Billy Nelson, Jack Barty, Billy Gilbert, Don Barclay and others.

Howard J. Green, who recently completed his contract at RKO, is writing the screen play for "The Mag Magoo," which Albert Lewis will supervise for Paramount.

Cliff Reid has been assigned by RKO as producer of "Fugitive from Glory."

Jack Miller Must Testify Again

Chicago—Jack Miller, head of the Exhibitors Ass'n here, has been threatened with contempt of court by Federal Judge John P. Barnes, who has directed him to reappear before the grand jury and reply again to questions on which he gave unsatisfactory testimony Oct. 28 when he was a witness in the income tax probe of Thomas Malay, who controls the operators' union. Miller was questioned specifically concerning mysterious gifts amounting to $75,000 which the government contends were made to Malay.

Arrigoni-Warner Suit Settled

Middletown, Conn.—The $100,000 suit of Frank Arrigoni & Sons, Inc., against Warner Theaters, in which breach of contract was alleged, has been settled.

McLeod as Permanent Prexy

New Orleans—H. S. McLeod, temporary president of the new Allied Theater Owners of Louisiana, is expected to permanently fill this office.

Holding Over Again

"Sweden, Land of the Vikings" is being held for a fourth week at the 55th St. Playhouse, and "Blood of a Poet" and "Thunder Over Mexico" will continue for a third week at the Fifth Ave. Playhouse.

BIG EXPANSION SEEN IN INDUSTRIAL FILMS

(Continued from Page 1)

Bureau's production plans are based on the idea that the public is anxious to see and hear the latest news of the war in its most attractive form. And although the industry is of utmost interest to the average person in everyday life, there is every indication that the volume output of the pictures from industrial companies this year will be tremendously increased over last year.

Repeating Kiddies' Show Kansas City's special Saturday matinee for kids staged by Manager John McManus of Loew's Midland drew such a crowd that it will be repeated. Disney cartoons comprised the program, at 25 cents admission.

Above the 8th Floor $6.00 and up

Enjoy the comforts of a parlor and bedroom suite....

All rooms equipped with combination tub and shower bath, and running ice water. Ideal location—adjacent to shopping, business and theatre districts.

SWIMMING POOL AND GYMNASIUM FREE TO GUESTS
20 British Productions Set by Joseph M. Schenck

STAGE SEEKS FILM AID AGAINST FREE RADIO SHOWS

Chase Bank Sells 165,000 Loew Shares in Open Market

Big Block Disposed of in 10 Days With Stock Going Up

Complete liquidation by the Chase National Bank of its holdings of 165,000 shares of Loew's, Inc., common stock, received recently as the bank's proportion of the collateral securing the $20,000,000 notes of Film Securities Corp., became known yesterday. Sale of the shares was accomplished largely in the past week, when turnover of Loew stock was 280,400 shares, compared with 12,106 the week before, and it was done without depressing the price of the stock, which, on the contrary, gained about three points for the period.

The operation was timed to start (Continued on Page 6)

C. A. Members Seek Advice on Suit

Several members of the Code Authority are taking steps to determine if the Federal Government will defend them in suits brought against them for the motion picture code. One has written to the office of Division Administrator Sol A. Rosenblatt in Washington while another will seek advice in the matter from Executive Secretary John C. Film.

Paramount and Reade Withdraw Counter Claims

Counter claims filed by Paramount and Walter Reade, circuit operators, were withdrawn by mutual agreement at a meeting of Paramount Publix creditors yesterday at the office of Referee Henry K. Devis, Representatives of the Allied Owners' bondholders' group filed (Continued on Page 12)

Unanimously of the opinion that vaudeville should remain a part of the motion picture code and should not be covered by a separate code, a committee appointed by the Code Authority to investigate vaudeville labor clauses yesterday decided to hold a hearing Jan. 31 at 2 p.m. in the East Ballroom of the Hotel Astor to hear recommendations. In event the committee finds that this (Continued on Page 12)

Schenck Makes Arrangements For 20 Features in England

President Joseph Schenck of United Artists, as he landed last night from the Europe after several weeks abroad, told the FILM DAILY that he has arranged for production of 20 features in England. Twelve will be made by British & Dominions, while London Films, with which Alexander Korda is identified, will make eight.

Schenck also arranged for exchange of players between the two English companies and United (Continued on Page 12)

Non-Paying Audiences at Broadcasts Develop Into Competition

As a result of a motion by Paul Dullzell, executive secretary of Actors' Equity Ass'n, at a meeting of the Legitimate Theater Code Authority, a committee has been appointed to confer with members of the Motion Picture Code Authority and seek the latter's cooperation in approaching the Radio Code Authority with a view to curbing the growing competition resulting from free admissions to radio broadcasts. The committee includes Frank Gillmore, president of Equity; William C. Elliott, president of the I.A.T.S.E., and Marcus Heiman, William P. Farnsworth, NRA

(Continued on Page 6)

Elect Sidney E. Samuelson Allied President

Sidney E. Samuelson was elected president of Allied yesterday at the second day of its board of directors meeting at the Hotel Warwick. Samuelson, who is president of Allied in New Jersey, succeeds James C. Ritter.

Abram S. Myers was re-elected general counsel and chairman of the board and Herman Blum of Baltimore

(Continued on Page 12)

President

(Continued on Page 12)

UNITED ARTISTS OPEN 14 FOREIGN BRANCHES

Under a distribution expansion plan which gives United Artists representation in various small foreign countries, 14 branches have been opened, Arthur W. Kelley, in charge of foreign distribution, told the FILM DAILY last night as he disembarked from the Europa after (Continued on Page 12)

Kennebeck is Appointed Para. Chief in Far East

Appointment of John E. Kennebeck as managing director of Paramount Film Service Limited of Australia, New Zealand, Java and Straits Settlements was announced (Continued on Page 12)

“Catherine” 2-a-Day

“Catherine the Great.” London Films production starring Douglas Fairbanks, Jr., and Elizabeth Bergner, and released by United Artists, has been set to open Feb. 14 at the Astor for a two-a-day run.

PARA. WILL FINISH ITS LINEUP IN APRIL

West Coast Bureau of THE FILM DAILY - Hollywood—Indications are that Paramount will finish work on its 1933-34 program late in April. The company has already acquired nearly 40 stories for its 1934-35 list.

Censorship is Attacked By Liberties Union Head

Declaring that “the shadow of professional censorship beclouds the manuscript of every scenario writer,” Roger Baldwin, head of the Civil Liberties Union, launched an attack on the New York censor board before the A.M.P.A. regular weekly meeting yesterday. The (Continued on Page 6)

Tri-Ergon Hearing Feb. 2

Sound patent infringement case brought by American Tri-Ergon Corp. against various New York independent exhibitors and distributors has now been scheduled for hearing on Feb. 2 in the Appellate Division of the New York State Supreme Court.
FINANCIAL

NEW YORK STOCK MARKET

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Reloading Lent Short

"The Holy Land," a Van Beuren Vagabond Adventure subject, is being released immediately by RKO as a specially suitable booking for the Lenten season.

Code Authority Busy

Executive Secretary John C. Flinn of the Code Authority has done a great deal of running around in the Paramount building in connection with the Code Authority's handling of the motion picture industry. Personnel will be reduced when these investigations are completed. Flinn will move his force into the Paramount building to take over the Code Authority's quarters in Radio City on Feb. 13.

Pickup in Business

Reported by Giannini

"Business is showing a pickup," declared Dr. A. H. Giannini last night in New York, following his arrival to address the savings division of the American Banking Association at a banquet in the Hotel Waldorf-Astoria.

"What we need is more good pictures," he observed. Dr. Giannini will return to the Coast within a few days.

Texas Unit Plans Meeting

A meeting of Southwestern exhibitors is being planned for Dallas early next month by the Theaters Owners Protection Association of Texas. The code in general is on the program being arranged by President H. K. Kuykendall, M. P. T. O. A., has been invited to attend and speak.

Hear Quittner Motion Tuesday

Hearing on a motion to allow appeal of the J. P. Quittner anti-trust case without necessity of printing the records of the U. S. District Court trial last Spring has been postponed from today until Tuesday at 4:30 o'clock before Judge Caffey in his chambers at 225 Broadway. Defendant in the action is Paramount.

Rembusch Hearing Feb. 5

Frank Rembusch's anti-trust suit against the Hays organization and major distributors is scheduled for hearing in the U. S. District Court, New York, Feb. 5. The former exhibitor alleges the defendants refused to sell him film, Graham & Reynolds, counsel for J. P. Quittner in his current anti-trust case, is associated with the prosecution of the Rembusch action.

Settle Dispute Over Animal Film

Settlement of the controversy of "Beyond Bengal" animal picture made in Siam and Malaya, was announced yesterday by Harry Schenck and Phra Abhaivongse. Arrangements are now being made for distribution of the feature.

Federation Meeting Put Off

General membership meeting tentatively scheduled by the Federation of the M. P. Industry for today has been put off until next week. President Henry Thomas leaves tomorrow for Florida.

Two Little Words That Mean a Gold Mine from Warner Bros.

"Hi, Al!"

When you laugh at the antics of "Scrappy"—the world laughs with you. Here's one reel cartoon comic known and enjoyed from Pole to Pole and everywhere else that English is spoken!
ASIA'S FIERCEST JUNGLE BEASTS CLASH IN MORTAL COMBAT!!!

CLYDE E. ELLIOTT
director of "BRING 'EM BACK ALIVE"
surpasses himself in this roaring torrent of sensational excitement!

DEVIL TIGER
eyes like balls of fire... fangs like murderous daggers... powerful, crafty, terror-inspiring... mad with thirst for human blood.

ACTUAL SIGHTS... ACTUAL SOUNDS... UNPARALLELED THRILLS... HITHERTO UNWITNESSED BY ANY LIVING MAN

15 TREMENDOUS THRILLS
Three lone humans... in Asia's darkest jungles... pitting their puny strength against a maelstrom of ferocious beasts. Snarling tigers... breath-crushing pythons... steel-jawed crocodiles... lions... hyenas... bears... giant lizards... leopards... other animals... knowing one law; Kill or be killed!

THE RAVES BEGIN:
"This travel film is a pip for thrilling animal combats in the jungle. There are so many exploitation angles that IT'S A CINCH TO CORRAL THE CUSTOMERS with just a little smash. Clyde Elliott made this film in the heart of tropical Asia. IT'S A SWELL FILM AND ONE OF THE BEST OF ITS KIND."
says M. P. DAILY

Plaster the town with posters! Smack the newspapers with big ads! Flood the dailies with publicity! Turn your front into a jungle! Daze the town with stunts! FOR HERE YOU HAVE THE GREATEST ANIMAL SENSATION YET MADE... AN UNSTOPPABLE MOP-UP!

From the black heart of Asia's impenetrable jungles comes this amazing saga of beasts at death grips in the struggle for life. You hear their actual battle cries re-echo through the forest... sounds that haunt you for days!

REAL!!!!!! GENUINE!! AUTHENTIC!

Directed by CLYDE E. ELLIOTT
director of "BRING 'EM BACK ALIVE"

Edited by Truman Talley
Story by James O. Spearing
TIMELY TOPICS

Director Tells Three Attributes to Success

GOOD taste, artistic appreciation and dramatic instinct, in the order named, are the prerequisites to success in motion picture directing. Good taste comes first because a violation of it is the most censorable element in a picture, and also because bad taste is certainly not entertaining. Critics and the public will often forgive a director's other faults, but not the lack of good taste. Artistic appreciation is next since the picture's entire balance depends on it. Under the head of artistic appreciation comes the director's appraisal of the talent about him. He may not be able to find fault with what he knows just whom he wants for certain roles and how they are to portray them. Dramatic instinct is the last of the director's three main obligations. He gets here the benefit of the performer's interpretation of the role along with the performer's individuality and his popularity. Whatever is done to the film, the director must correct. This amounts to dramatic instinct or sure perspective and it is something that must be borne in a person.

—James Flood.

Peace Advocate Sponsors Film

Grace Allen Bangs, producer of the peace film, "The Cry of the World" and Campaign Secretary of World Peace Ways, announces herself as actively sponsoring "Hell on Earth," the first film to be produced specifically for an international audience, with dialogue in several languages. This picture will make debut Thursday evening at the Acme Theater on Saturday night.

Booklet on Selling Via Movies

How to sell commodities and services by the use of talking motion pictures is discussed in an illustrated folder just issued by Bell & Howell. The company has developed a portable 16 mm. sound-on-film projecting outfit, the Filmsonad, particularly for sales work.

"Girls in Uniform"

Though the job of dubbing was done, "Girls in Uniform," the English-speaking version of "Mädchen in Uniform" which opened Wednesday night at the Criterion Theater, undoubtedly loses some distinction as a result of trying to harmonize English dialogue with the original atmosphere. The language sometimes interferes with the emotion of the story, while the original is eloquent. However, it remains a satisfactory factor and a fairly moving job of storytelling and, in the current version, the ice is thickest where it appears, due to the exigencies of translation. This and the exploitation value should make it good box-office property.

THE FILM DAILY

Friday, Jan. 26, 1934

EXPLOITETTES

Providence Merchants Exploit "Roman Scandals"

A WIDE assortment of effective tie-ups with many leading merchants were among the most outstanding highlights of the exploitation campaign waged by Manager H. H. Maloney for "Roman Scandals," at Loew's State Theater. Through the cooperation of Standard Brands, Inc., sales agents for Chase and Sanborn, arrangements were made for an entire window display in the Bilmore Market. In addition to a special 40 x 60 sign, pennants and cut-outs of Eddie Cantor were prominently displayed in their window and in the store. Two hundred pennants were distributed to other stores in the city. The F & W Grant stores gave an entire window to a display of lipstick, music sheets, cosmetics, cellulose phnom, clocks and cards with the center of the attraction being stills and cut-outs of Eddie Cantor. The song hits in "Roman Scandals" were plugged over radio stations WJAR and WEAN. At the local NBC station, WJAR, sheet music covers and cut-outs of Cantor and Ruth Etting were displayed in a street store. Other merchant tie-ups were put over with florists, beauty parlors, pet shops, fashion fur coats, art supplies, furniture and toys. In each case mention was made of the picture. More than 10,000 tabloids were distributed and 500 one sheets posted. Forty of the local Thrift stores used 3,500 price list broadsides with the center of the display advertising the picture.

—Loew's State, Providence.
Fashions of 1934 is the season's smartest entertainment... the last word...

ring Broadway a new idea in the combination of drama and musical divertisse-

tment."

tuous and vivid. A first cousin to 'Footlight Parade' and 'Gold

edly will be tremendously successful... has the makings of a movie

gers'. Undoubtedly will be tremendously successful... has the makings of a movie

atural... A comfort and joy to moviegoers.""First of Hollywood's style pic-

es. From where we're sitting, it looks like the start of another cycle. Powell is

Will delight the hearts of women. Has snap from start to finish.""

(1)—N.Y. American (2)—World—Telegram
(3)—Evening Journal (4)—N. Y. Daily News
(5)—N.Y. Daily Mirror (6)—Morn. Telegraph
(See also second page following)

WILLIAM POWELL in
"FASHIONS OF 1934"
CHASE BANK SELLS BLOCK OF LOEW'S

(Continued from Page 1) immediately on the issuance of the Warner Bros. financial statement for the first quarter, showing Warner's first profit in years. This statement went over the ticker last Friday at 2 p.m., and a few minutes thereafter the big activity in Loew trading got under way. With prices running from under 28 to $50.00, the sale brought Chase close to $5,000,000.

Under the national banking laws, the Chase bank could have retained that stock only in a very limited form or time length of time. Among purchasers of the shares are understood to have been several interests who already were large stockholders.

Western Electric, which also has a block of about 135,000 shares of Loew as its share in the division among Film Securities noteholders, is understood to be planning to retain all of the stock for the present.

Censorship is Attacked
By Liberties Union Head

(Continued from Page 1) speaker said that a bill to abolish New York state censorship would come before the state legislature next week and that, with the support of many women's clubs and other influential organizations, the chances for its approval were great.

"The movies need no control by the stupid minds of censors," said Baldwin. "There is no sense in censorship. Control should be left to the U. S. District Attorney, a judge and, if wanted, a jury. Leave the movies morals to them."

Major Bowes M. C. at Ball

Major Edward Bowes, managing director of the Capitol, will be toastmaster and master of ceremonies at President Roosevelt's Birthday Ball to be held next Tuesday evening at the Astor Hotel.

189 "Fashions" Day-and-Dates

First National's "Fashions of 1934" has been booked to play simultaneously in 180 cities the week of Feb. 17, Warners announced yesterday.

HARRY SCHENCK & PHRA ABHAIVONGC
Announce

All controversies and disputes have been settled to complete satisfaction of both parties, over Animal Picture produced by Harry Schenck in Siam and Malaya. Titled "Beyond Bengal." They may be reached at 'Phone, Circle 7-2641 for distribution arrangements.

ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Fifteenth Installment

ARTICLE V.—UNFAIR PRACTICES—DISTRIBUTORS—EXHIBITORS—(Cont.)

(e) Computing Average License Fee

The ten per cent cancellation privilege applies only to contracts of five pictures or more. The license fee is not more than $250.00. If the contract is on a percentage basis, however, it be determined in advance whether the average license fee is more or less than $250.00. The method is as follows:

1. Distributor's Prior Pictures

Average the license fees of all of the Distributor's feature pictures exhibited on a percentage basis at the Exhibitor's theater during one year prior to the present contract.

Example One: Suppose that during the preceding year five of the Distributor's pictures were exhibited upon a percentage basis. Suppose that the total license fees for the five pictures according to the percentage terms were $1,500.00. The average license fee per picture is, therefore, $300.00. This is computed by dividing the total license fees of $1,500.00 by the number of pictures exhibited, which is five. The average license fee is, therefore, more than $250.00 and the Exhibitor is not entitled to any cancellation under the existing contract.

Example Two: If, on the other hand, the total license fees of the five pictures played during the prior year were $1,000.00, the average license fee per picture would be $200.00. Since this amount is less than $250.00, the Exhibitor is entitled to ten per cent cancellation under the present contract.

(f) Computing Payment Made with Cancellation

If the Exhibitor is entitled to ten per cent cancellation and he desires to cancel a picture before he has paid for nine others, he may do so provided he pays the license fee of the cancelled picture. Subsequently, he is credited with this sum when he plays the tenth picture.

The question arises as to whether or not the Exhibitor knows the percentage terms of the contract. The sum thus computed is the amount that the Exhibitor must pay to the Distributor at the time of cancellation. Suppose that the Exhibitor desires to cancel a picture. How is the license fee to be paid at the time of cancellation, computed?

The method is as follows:

1. Prior Distributor's Pictures

Average the gross receipts of the Distributor's feature pictures exhibited at the theater during nine days prior to the notice of cancellation. Apply to this average sum the percent-

SEEK AID OF FILMS
IN FIGHT ON RADIO

(Continued from Page 1) deputy administrator for the entertainment industry, is an ex officio member of the committee.

Action on the encroachment of "radio shows" in the field of films of the theater was spurred by the recent leasing of the Hudson Theater as a studio by the Columbia Broadcasting System. Number of persons now attending broadcasts of various programs at the WEA, WJZ, WABC, WOR and other stations is estimated to be as high as 20,000 in a day.


due terms of the contract. The sum thus computed is the amount that the Exhibitor must pay to the Distributor at the time of cancellation. Suppose that the Exhibitor desires to cancel a picture. How is the license fee to be paid at the time of cancellation, computed?

The method is as follows:

1. Prior Distributor's Pictures

Average the gross receipts of the Distributor's feature pictures exhibited at the theater during nine days prior to the notice of cancellation. Apply to this average sum the percent-

MARKET FACTS

Wired theaters throughout the world number 41,822, according to the Dept. of Commerce's 10th biennial report on trade. WAC! WOR and other stations is estimated to be as high as 20,000 in a day.

(To be Continued)
FASHIONS OF 1934

WILLIAM POWELL

"FASHIONS OF 1934"

A First National Picture.

Spectacular in motion pictures. Most amusing of the current film shows on B'way. (6)

Splendor surpassing any spectacles for the musical films. Should set the pace for the musicals and ermine. Audience was swept into the Hollywood Theatre last night in a perfumed deluge of perfumes. The column might well be called 'Fashions of 1934'..."
Flash!

WARNER BROS. COVER THE CALENDAR WITH HITS!

January 13th— "Easy to Love" with Menjou • January 20th— Barthelmeas in "Massacre"

January 20th— Paul Muni in "Hi, Nellie!" • January 27th— "Bedside" with William, Muir

February 3rd— Robinson in "Dark Hazard" • February 10th— Kay Francis in "Mandalay"

February 17th— William Powell in "Fashions of 1934" with Bette Davis, Veree Teasdale

February 24th— Blondell in "I've Got Your Number" with O'Brien, Farrell, Jenkins

And for February Pre-Release Dates— "Wonder Bar" with 20 stars including Francis, Jolson

And then— "As The Earth Turns", "Gambling Lady", "Heat Lightning", "Journal of A Crime"

* A Warner Bros. Picture
** A First National Picture
* A Vitagraph, Inc., Distributors
Published in full, for permanent reference, in the coming 1934, (16th Edition) of The Year Book.

Over 1000 pages of informative and statistical data compiled by the Film Daily with the enthusiastic co-operation of every branch of the business.

OUT IN FEBRUARY

There is only one Year Book of Motion Pictures and that is published annually by Film Daily. It is comprehensive and complete and is referred to as the Encyclopedia of the motion picture industry.
DAUL TERRY, co-producer with Frank Moser of Educational's Terry-Toons, states that a new technique in cartoon story development will be introduced in their latest release, "The Three Bears." Unique in the cartoon, it approaches more closely than anything the "narrazage" created by William K. Howard in "Power And The Glory," except that in "The Three Bears," which doesn't take itself seriously, the central character (the father bear) has a set-to with the narrator over the manner in which the narrative is being handled.

Irene Taylor is polishing the cadences of a brand new song, "Between You and Me," for presentation on her next weekly Columbia broadcast. It was written especially for her to sing in the latest RKO Van Beuren-Meyer Davie musical. This picture, as yet untitled, stars Miss Taylor together with Donald Novis and the Meyer Davie Orchestra. It is a political satire of Washington local.

Chl. Majestic to Vaude? Chicago—Rumors are again prevalent that the Majestic, now playing pictures, is turning to a vaudeville and picture policy soon.

Hollywood

JANE MURFIN has been given the choice writing assignment of adapting W. H. Hudson's novel, "Green Mansions," to the screen. Dolores Del Rio and Joel McCrea will be seen together again in this RKO production, which will be directed by Ernest B. Schoedsack. Kenneth MacGowan will be associate producer and shooting will start the latter part of February.

Seton I. Miller, having completed the screen play for Fox's "Murder in Trinidad," has been assigned the task of writing the screen play of "Charlie Chan's Challenge," in which Walter Connolly will have the leading role. William Conselman and Kubee Glasmon will do the screen play of "Merry Andrew," in which Will Rogers will be starred.

Norman Foster has been signed for a prominent role in RKO Radio's "Strictly Dynamaite." He joins a cast which includes Jimmy Durante, the star, and the Four Mills Brothers, famous radio and stage stars. Production will get under way Feb. 1, with Elliott Nugent directing. Robert L. Colwell and Robert A. Simon wrote the story and Maurice Whitten is an H. N. Swanson production.

"Birds of a Feather" is the next picture to be produced by Invincible. Frank Strayer is directing and Maury Cohen supervising with production at Universal Studios. The cast includes John Miljan, Shirley Grey, Monroe Owles, Vale Hamilton, Robert Elliot, Maurice Black and Otto Kruger. This will be released around March 1 and is an addition to Invincible's program.

John Mack Brown and Charles Starrett are additions to the cast of Fox's "3 on a Honeymoon."

Henry Hathaway, who has directed all of Paramount's westerns, has been assigned his first straight dramatic feature, "Come On, Marines," starring Richard Arlen.

Maidel Turner and Jameson Thomas are the final additions to the cast of Columbia's "It Happened One Night."

Noel Francis and Charles Brown have been signed by Columbia for roles in "The Line-Up," with Marian Nixon and William Gargan playing the romantic leads. Others in the cast include Gretta Meyer, Paul Hurst, John Miljan, Harold Huber, Frank Reicher, Jesse Parry, John Bleifer and Joseph Crehan. Howard Higin is directing with Sid Rogell as associate producer.

Katherine DeMille, young daughter of Cecil B. DeMille, is making her second bid for screen fame in Paramount's "The Trumpet Blows," starring George Raft with Adolphe Menjou and Frances Drake. She recently made her film debut in "Viva Villa."

Arthur Byron has been added by Warners to the cast of "A Gentleman from San Francisco," which is now being filmed on location in that city under the direction of William Dieterle.

Four musical hits are featured in the Reliance production, "Palooka," starring Jimmy Durante, Stuart Erwin and Lupe Velez and soon to be released by United Artists. The songs are "Inka Dinka Doo" and Lupe delivers "Like Me a Little Bit Less." The other two numbers in the picture are "Palooka" and "Count Your Blessings."

W. William Neill will direct Jack Holt in his next Columbia picture, "The Whirlpool."

Hugh Williams, who was signed by Fox and is appearing in "All Men Are Enemies," portrays an important role in the British and Dominion production, "Sorrell and Son," which will soon be released by United Artists, H. B. Warner will be starring in the leading role in "Sorrell and Son."

Robert Tasker, regarded as an authority on stories having a crime background, has been signed by RKO Radio to write some special pictures for "The Crime Doctor." He will be working in collaboration with James Murnin. Judith Wood is an addition to the cast, headed by Corinne Griffith and Otto Kruger.

"The Quilter" is the release title on the Chesterfield picture featuring Emma Dunn, Charley Grapewin and William Bakewell. It was formerly known as "The Understanding Heart."

Francis McDonald has been engaged by Columbia for "The Line-Up."

Warners announce the title change of James Cagney's latest starring vehicle from "The Chaser" to "Blondes and Bandits."

Ruth Donnelly, who is in New York for a month's vacation, has been signed to a new long term contract by First National. She appeared last in "The Wonder Bar."

Pat O'Brien has been signed by Warners to a new long term contract following his work in "I've Got Your Number," "Gambling Lady" and "Hot Air."
20 BRITISH FEATURES
SET BY JOS. SCHENCK

(Continued from Page 1)
Artists producers. Among those he
will bring to Hollywood are Jack
Buchanan, who will first work in
"Sons O' Guns" with Lily Damita
before sailing, and Elizabeth Berg-
ner, who appears in "Catherine the
Great," which United Artists
will release. Schenck has signed a
promising new player, Edna Reid
who, despite her name, is a Mexican.
Picture business in England is
"very good," said Schenck. He also
reported an improvement in France.

United Artists Opens
14 Foreign Branches
(Continued from Page 1)
a seven months' trip abroad. New
offices will be opened in those in
Yugoslavia, Poland, Estonia, Egypt,
Syria, Persia, Palestine and Austria.
Hungary.

Kelly leaves within a month on
another trip, this time to Australia.
He said that his company's new face
of holding world premieres of Brit-
ish-made pictures in Paris, is mak-
ing quite a hit.

New Plan on Para. Stage Units
With no intention of reviving the
Publix presentations unit plan, which
formerly brought stage moves
to key city houses throughout the
country, policy of the company is
now to try out certain acts or shows
in the New York Paramount and
recommend them, if they are suit-
able, for engagements in big houses
operated by its patrons. Under this
system, Miriam Hopkins is in a
condensed version of "Affairs of
Anatol," at the Paramount.

Paramount's bread and the rich-
icks will be recommended to various Publix
partners.

"Rio" Held Over
Fort Worth, Tex.—RKO's "Flying
down to Rio" was held over for three
extra days at the Hollywood, man-
aged by N. Edward Beck.

COMING AND GOING

JOHN MACK, new head of the Fox
story department in New York, arrives
in New York tomorrow by plane.

MAY ROBSON left the Coast last
night and will arrive in New York Sunday morning to
appear in person for a week at the Capitol.

FREDRIC MARCH leaves New York to-
morrow for the coast.

HARRY THOMAS departs for Florida to-
night.

GENE RAYMOND returns from abroad yes-
terday on the Europa.

OTIS SKINNER sailed yesterday on the Presi-
dent Lincoln for a trip around the world.

R. H. BRUCE LOCKHARD, author of "British
Agent," to be filmed by First National, ar-
rived in New York Tuesday on the Aquitania
for a lecture tour.

MANY observers of motion pic-
ture progress are pointing to the
possibility that the vast motion
picture public may soon be ready
for the treasure house of great com-
edy and drama that lies in a possible
Shakespearean cycle on the screen.
The success of great historical spec-
tacles and other outstanding costu-
matic pictures recently produced
are paving the way for even higher class
entertainment produced on a popular basis.—WILL H. HAYS.

"In pictures I have not yet learned
to discipline myself to being just an
actor, who does as she is bid."—HELEN HAYES.

"Hollywood is fine in small doses."—MIRIAM HOPKINS.

"A good drama will live without great personalities; you can't put any actor or actress, no matter how
intense his or her popularity, can survive long without the air of sub-
stantial drama."—CARL LAEM-
MLE, JR.

"The public demands stories with
punches set to music."—JOHN HAMRICK.

"Diversification is the surest re-
ceipe for successful picture produc-
tion."—HAL B. WALLIS.

"I am convinced that all the values
of a play or a novel can be put on
screen as effectively as on the stage."—ARTHUR HOPKINS.

"Pictures should not be a play
about life. The stage has done that
for centuries. Pictures should be
life itself."—WILLIAM DIETERLE.

"Lives are moulded through ex-
periences and mistakes."—WILLIAM BAXTER.

"The glamour of a star doesn't
interest me."—PAUL MUNI.

"Nothing can conceal from audi-
ences the type of person a motion
picture star is underneath."—GARY
COOPER.

"If you make up your mind solidly
about it, Hollywood makes no
clear demand on your privacy than
if you were a cabinet maker."—FREDRIC MARCH.

"If a man is given a screen bid
because he happens to have an ex-
ceptional physique he faces the dan-
ger of remaining forever a
character actor with no appeal prop to be exhibited
and when convenient."—BUSTER
CRABBE.

Para. Star-Training Plan
Clicking, Says Gillham

pany has acquired are being used.

"Double Door" has been made and
the schedule calls for "Pursuit of
Happiness" and "She Loves Me
Not," among others. Phyllis Lough-
erville's Count Staveno stock organi-
zation is directing. It is planned to have the shows reviewed and the notices
printed, as in the instance of a reg-
ularly-presented production.

Players which Paramount will
polish up with starring anticipa-
tions in mind include Lanny Ross,
Frances Drake, Ida Lupino, Carl
Brisson, Dorothy Dell, Harry Wil-
coxon, Barbara Villchotch, John
Lodge, Helen Mack, Gwenellin Gill
and Colin Tapley.

Code Authority Approves
Fire Prevention Rules
(Continued from Page 1)

Meyer Davis in Vaudeville

Meyer Davis, president of Magna
Pictures, producing musical shorts in
association with Van Beuren for
Paramount, opens Feb. 2 with his
orchestra and a vaudeville act at
Loew's, Washington, D. C.

VAUDEVILLE HEARING IS SET FOR JAN. 31
(Continued from Page 1)
section of the code should be changed, revisions will be urged upon
the Code Authority.

In the absence of Col. E. A.
Schiller, who was ill, Sam Demby
presided. In attendance were:
Charles B. Maddock, Marty Perkins,
Joe Bernhard, Louis K. Sidney,
representing Loew's; Henry Chester-
field, Edward Alpers, representing
Skouras Theaters; Major L. E.
Thompson and Jack Partington.

Decision that vaudeville provi-
sions should remain in the motion
picture code was based on the fact
that the film industry and the vaud-
eville and presentation stage are
closely allied. A list of persons
representative of vaudeville is be-
ton, formerly with the Jessie Ben-
nette stock organization, is direct-
ing. It is planned to have the shows reviewed and the notices
printed, as in the instance of a reg-
ularly-presented production.

Players which Paramount will
polish up with starring anticipa-
tions in mind include Lanny Ross,
Frances Drake, Ida Lupino, Carl
Brisson, Dorothy Dell, Harry Wil-
coxon, Barbara Villchotch, John
Lodge, Helen Mack, Gwenellin Gill
and Colin Tapley.

Kennebeck is Appointed
Para. Chief in Far East

(Continued from Page 1)
yesterday by John W. Hicks, Jr.,
vice-president of Paramount Inter-
national Corp. Kennebeck succeeds
William J. Clark, resigned. Ken-
nebeck has been with Paramount
for 14 years in various posts.

Vienna Theater Tax Cut

Vienna's Tax assessment on movie
theaters has been cut by 20 per cent
effective July 1.
Federal Suit Filed to Test Co-operative Buying

**IRVING TRUST SEEKS DISCHARGE AS RKO RECEIVER**

**Allied Forming President’s Cabinet of 24 Members**

Regional Members’ Board to Aid in National Solidification

With intent of solidifying its association nationally, Allied is establishing a President’s cabinet under which, in addition to a vice-president for each of six territories to be mapped out, three committees will be appointed. They will be filled as follows: a finance committee, chairman of business relations committee and chairman of public relations committee. With four members of the cabinet (Continued on Page 3)

**U. A. BRITISH LINEUP TO COST $4,800,000**

Total of $4,800,000 will be expended in the production of 18 features to be made by British & Dominion and London Films for United Artists, said President Joseph Schenck in New York yesterday, fol.

Appeal in Flywheel Case Is Delayed Until Spring

Appeal of Wilmer & Vincent and Altona Publix Corp. from the Scranton U. S. District Court decision finding infringement upon flywheel patents controlled by the American Tri-Ergon Corp., is not expected to be heard in the District Court of Appeals, Philadelphia, before spring. Meanwhile the record of the trial, consisting of 1,500 pages, must be printed.

**NEW LOUISIANA UNIT GOES INDEPENDENT AGENTS ORGANIZE TO FIGHT LICENSE**

New Orleans — Permanent organization of a theater owners’ association to include both affiliated and unaffiliated exhibitors in Louisiana and parts of Mississippi, Alabama and Florida was effected this week from the temporary group formed Jan. 21 when Ed Kuykendall was here. The new group, however, (Continued on Page 3)

**Whithead Declines Post On Vaudeville Committee**

Ralph Whithead, executive secretary of the Actors’ Betterment Association, Inc., an A. F. of L. union, yesterday notified R. H. Cochrane that he could not serve on the committee appointed to consider changes in the stage talent. Code because of the presence on the committee of a representative of the National Vaudeville Artists’ Ass’n, which Whitehead described as a “company union.”

**Invincible to Produce At Mack Sennett Studio**

Invincible to Produce at Mack Sennett Studio

West Coast Bureau of THE FILM DAILY

Hollywood — Maury Cohen, producer of Invincible pictures, is switching from the Universal lot and will hereafter make his pictures at the Mack Sennett studios, according to Walter C. Durst, new general manager of the Sennett studio.

**Test Suit Against Co-op Buying Filed in Detroit Federal Court**

**Test Suit Against Co-op Buying Filed in Detroit Federal Court**

Detroit—A Federal Court suit, looked upon as the first test case of the right of cooperative buying, was filed this week by Frank A. Wetsam on behalf of the Orlole Theater, one of his circuit of houses, against Mid-States Theaters, booking organization, headed by Ray Moon. Suit asks $400,000 damages, alleging discrimination in bookings (Continued on Page 3)

**Bank Would Terminate Equity Receivership Early in June**

Irving Trust Co. will seek its discharge as receiver in equity for RKO early in June, the FILM DAILY learns. One year ago today the court appointed Irving Trust to take over the affairs of the RKO holding company and all subsidiaries. A. H. McLaughland was placed in charge of the company’s financial activities as representative of the Irving Trust. Since that time the Orpheum Circuit, said to be the heaviest losing subsidiary, has been (Continued on Page 3)

**CODE AUTHORITY IN LONG SESSION**

The Code Authority committee handling local boards nominations had an all-day session yesterday at the Union League Club, with the meeting ending late last night. Another session takes place beginning at 9:30 o’clock this morning. No announcement on the work being accomplished will be made until the Code Authority meeting scheduled for Feb. 9, when Division Administrators (Continued on Page 3)

**Theater Employees Union Submits Contract Monday**

Following written notification to theater circuita by Charles C. Levey, secretary of the Building Service Employees Union, on Wednesday, that he had been empowered to negotiate a new wage scale and working (Continued on Page 3)

35 Czech Films in 1933

Prague — Studios in Czechoslovakia churned out 35 features in 1933, an increase of seven over the previous year. Four million entries were made into the total of 162, including 80 German, 26 French, 20 American and 9 British.
Court Reserves Decision On Compensation Claims

Decision was reserved by Judge John M. Woolsey of the U. S. District Court in the Bar Association charge yesterday, when attorneys opposed to compensation claims for Paramount Publix receivers registered their opposition, and were served with a brief filed by Saul E. Rogers, representing a group of bondholders, a brief in which he seeks to prevent the liquidation of the Publix receivers, who served prior to the current bankruptcy, from receiving any compensation on the grounds that the appointments were invalid as a prior involuntary receivership action had preference over the voluntary petition filed by the company itself. All papers must be submitted by Feb. 14.

Installs DeForest Widerange

Boston — Harold Davidson, division engineer for the New England branch office of General Talking Pictures, has been named to head the U. S. installation of the new DeForest Superwide Range system in the Grand, Taunton.

Another London House for U. A.

London—United Artists has acquired the London Pavilion, which is being re-constructed and will re-open in September. The theater seats 1,200 and supplements another recent acquisition, the Leicester Square, which seats 2,000.

Col. Cooper on Dominion Committee

Toronto — Col. John A. Cooper, president of the Motion Picture Distributors of Canada, is a member of an executive committee appointed this week by prominent business men planning a national tour of the Dominion to aid the Government in budget balancing and other constructive work.

Unger Holds Meet in Columbus

Joseph J. Unger, Paramount division manager, conducted a meeting of Paramount exchange employees in Columbus, Ohio, yesterday. With him was Milton Kusell. After a stop at Pittsburgh they returned to New York Monday.

Regular Columbus Pfd. Dividend

Columbia Pictures has declared a regular quarterly dividend of 75 cents on the preferred stock, payable March 1 to stockholders of record Feb. 15.

Antonio Moreno Joins Caravan

West Coast Bureau of THE FILM DAILY

Hollywood—Antonio Moreno has joined the Caravan being sent on tour by United Artists in a tepid "Moulin Rouge," left yesterday for New York to assemble for the cross-country trek.

Campaign for "One Night"

Boston — "It Happened One Night" has been released and can be given the same sort of attention as "Lady for a Day," with special screens, exploitation stunts, and exploitation luncheons, according to Manager Tim O'Toole of Columbia.

Seven More Nominated For Code Board Posts

Announcement of seven more nominations for local code boards and secretaries was made by the Code Administration yesterday as follows: "A Day in the Life of Virginia," W. Burton Smith, Charlotte, N. C.; Mrs. Kenneth Richardson, Los Angeles; Lester F. Jounson, Floyd F. Clifton, Pittsburgh; J. S. Skibol, Art Levy, San Francisco; Bruce Johnson.

Cagney-Blondell to Co-Star

West Coast Bureau of THE FILM DAILY

Hollywood — James Cagney and Joan Blondell will be co-starred by Warners in "Without Honor," which goes in work soon under direction of Lloyd Bacon. Story is an original by Robert Lyle, adapted by Tom Buckingham and Niven Busch.

Harry Rosendorf Buried

Baltimore — Funeral services for New York movie pioneer, held yesterday. He died Wednesday.

RKO Books "Forgotten Men"

"Forgotten Men," released by Samuel Cummins of Jugend Productions, has been booked for RKO circuit key spots throughout the country following big business at the RKO Victory, Providence.

Ann Ronnell on RKO Musical Film

West Coast Bureau of THE FILM DAILY

Hollywood — Ann Ronnell, who turned out the tunes for "Three Little Pigs," has been signed by Lou Brock to write the songs for "Down to Their Last Yacht," new RKO musical.

 Warner Studio Dines Rosenblatt

West Coast Bureau of THE FILM DAILY

Hollywood — Sol A. Rosenblatt, his wife and Morris Legende, his assistants, were guests at a special dinner in honor of Tommy Sangster, First National studios on Wednesday. Jack Warner played host.

March Set as Bernie Mills Month

Albany — Standard Film Exchange, distributors of Monogram pictures, has set the month of March as this year's "Bernie Mills Month," in tribute to the head of the exchange.

Fire Destroys $800 in Film

Lakeview, Mich.—Fire in the projection room of the Liberty destroyed $800 worth of film. An audience of 400 were watching the film, but three men in the booth at the time were severely burned.

Cecil Pace Goes West

Denver—Cecil Pace has resigned after selling Metro pictures for 13 years. He is going back into the wholesale liquor business.

Six Fathoms Deep Holds Over

"Six Fathoms Deep," Monogram release, is being held over at Walter Reade's Mayfair Theater.

Comings and Goings

ROBERT E. SHERWOOD is en route to Hollywood to join the M-G-M staff.

DALE VAN EVERY has left New York for Baltimore.

MARTHA SLEEPER, M-G-M player, following a vacation in New York, leaves in a few days for the coast to appear on the Los Angeles stage in "Back Door.""PEGGY WOOD sails tonight on the Europa for the other side.

JOHN B. NATHAN, Paramount's general manager in Central America, with head office at Cristobal, arrives in New York Monday on the Pennsylvania for his annual visit.

ABRAM F. MYERS returned to Washington last night from New York.

AL STEFFES and H. M. RICHEY left New York yesterday on their return to Detroit.

LOUIS CALHOUN leaves New York early next week for the coast.

SAUL E. ROGERS left New York last night for Glen Spay in Sullivan County, N. Y.

MONROE SCHAFF, supervisor of the RKO Van Beuren musical comedies produced by Meyer D. Shuman, arranged for a ten-day vacation in Miami, where he will join Joe Nadell, production manager with the same company, T. GOMMERSALL, western division sales manager for Universal, left for Chicago last night.

JACK GALLAGHER, president of Fanchon Royer, Inc. and Fanchon Royer arrived from the coast yesterday.

CARL LAEMMLE and CARL LAEMMLE, JR. left the coast last night for New York.

Presnell Starting 3

West Coast Bureau of THE FILM DAILY

Hollywood—Robert Presnell, associate producer at Warners, has placed "The Key" in work. It stars William Powell and Kay Francis. He will follow this with "Hit Me Again," original by F. Hugh Herbert, with Joan Blondell, Warren William, Edward Everett Horton and Frank McHugh, and then "British Agent," with Leslie Howard.

Reopening Boston Arty House

Boston—The Fine Arts theatre reopens soon for the showing of unique and artistic films, largely of European origin. George Krasna again will be in charge.

FINANCIAL

NEW YORK STOCK MARKET

High Low Close Chg.

Am. Seat. .......... 53 43 51 10

Con. Fm. Ind. ...... 53 43 11 3

Gen. Fm. Post. ....... 14 14 10 4

East. Kodak ...... 8834 8731 8831 1

East. Kodak pfd. .... 122122 122122 1

Fox Fm. "A" ....... 153 141 136 1

Loew's, Inc. ...... 293 285 280 3

Paramount cfs. .... 33133 33 1

Path. Exch. ...... 313 313 313 1

Path. Exch. pfd. .. 135 135 135 0

RKO ........... 3 3 2 1

Warner Bros. .. 14 14 14 0

NEW YORK CURB MARKET

High Low Close Chg.

Technicolor .... 105 105 105 0

NEW YORK BOND MARKET

Gen. Th. Eq. 6490 64 64 64 0

Gen. Th. To. 6690 cfts. 52 52 52 0

Keitel A-6 60 60 60 0

Keitel B-4 60 60 60 0

Lowe 6511 92 91 91 1

Paramount 6497 cfts. 30 30 30 0

Par. By. 3157 31 31 31 6

Par. By. 3157 31 31 31 6

Pathe 7687 88 88 88 1

Warner's 6852 55 55 55 1

N. Y. PRODUCE EXCHANGE SECURITIES

Para. Publi .... 31 31 31 1

3 for U. A. on Broadway

United Artists expects to have three pictures ready for Broadway early next month, "Hana" and "Two on the Aisle," and the "Fugitive," according to Manager Tim O'Toole of Columbia.

Villalobos寄信
ALLIED IS FORMING PRESIDENT'S CABINET

(Continued from Page 1)

stationed in each zone, total membership of the body, which will function supplementary to the board of directors, will be 24.

Appointments of the vice-presidents by President Sidney E. Samuelson and Abram F. Myers, chairman of the board, takes place in 10 days. Allied's board completed a three-day meeting yesterday at the Hotel Warwick.

U. A. British Lineup
To Cost $4,800,000

(Continued from Page 1)

lowing his return from Europe. He is the only six of the pictures produced by London Films and at least three of the British & Dominion films. London Films will make the following: "Don Juan," with Douglas Fairbanks, Sr., in H. G. Wells story, an African Chevalier based on Marshall Nays, and two starring Charles Laughton. British & Dominion's first will be "Son's O' Guns," which Sidney Lanfield will direct.

Darryl Zanuck, who goes to London in April or May, will lend a hand in supervising the work. Schenck plans to leave for the coast on Tuesday to spend a month at the studio.

Writers Ask Rosenblatt
For Guild Recognition

(Continued from Page 1)

Writers. They also requested Rosenblatt to appoint five members of the Guild to the producers-writers arbitration committee.

Dinner for Bill Doyle
Boston—Manager Bill Doyle of the Strand, South Boston, was given a farewell bachelor dinner this week at the Hotel Commander.

Heads Denver Tourist Bureau
Denver—Harry Huffman, manager of eight theaters here, has been elected president of the Denver Convention and Tourist Bureau.

Standard Sales Lineup
Buffalo—Howard Brink is now covering Syracuse; Sam Schoenfeld is at Rochester, and Nat Sedikman in Buffalo under a new sales line-up of Standard Films.

Schenck Urges Open Door

"We should reciprocate with Great Britain and welcome its worthwhile pictures to this country as our theaters need good screen entertainment regardles of its place of origin," declared Joseph Schenck yesterday. "SuchScreen cooperation, furthermore, is healthy from the standpoint of Hollywood and it makes coast producers 'stand on liberty.'"

IRVING TRUST SEeks END OF RKO RECEIVER

(Continued from Page 1)

was disposed of, and the majority of unwanted leases throughout the RKO circuit have been dropped or transferred.

It is known that the next RKO financial statement will show a definite and marked improvement over last year's figures. Both the RKO circuit and Radio Pictures are now operating "in the black" and the Music Hall, under the new rental arrangement, is showing a continued profit.

Federal Suit is Filed
On Cooperative Buying

(Continued from Page 1)

tives, whose main objective is the defeat of a bill introduced at Albany to regulate activities of agents.

The measure, introduced by Senator Albert Suhr, would set up a license fee of $500 for agents and bookers, the posting of individual bonds of $5,000, limiting of commissions to 5 per cent, and creation of a special division supervised by the state.

Lyns declared that the passage of such a law would put agents out of business. He also urged the members at the meeting to stop cut-throat each other.

Theater Employees Union
Submits Contract Monday

(Continued from Page 1)

conditions for members of his union, including stores, ticket takers, ma-

trons and others. Levey plans to personally deliver contracts embodying the union's demands on Monday.

In addition to a closed shop and a 40-hour, six-day week, Levey is asking a minimum pay scale of 45 cents an hour for ushers, 60 cents an hour for janitors and intermediate hour rates for other members of his union.

International Event

Through a transatlantic hook-up between London and New York, NBC last night broadcast over their WEAF network a series of pictures connected with the unveiling of a statue of Max Mallow in the British capital. The pictures were cut out simul-
taneously with that of the British Broadcasting Company, and as a result was heard not only throughout all of North America, but also throughout Europe.

NEW LOUISIANA UNIT
GOES INDEPENDENT

(Continued from Page 1)

decided not to affiliate with M. P. T. O. A. or any other national or-

ganization, a reversal of original plans. Al Yoeman, Norman Carter and Rodney Toupa were added to the board. H. S. McLeod is president of the unit.

New Camera on View at British Fair

A new invention, combining in one piece both camera and projector for home movies, improved sound-recording machines for studio and newsreel work, and a film printing machine with automatic light control, are among new exhibits to be shown for the first time in the display of optical and scientific instruments at the British Industries Fair, which will be held in London and Birmingham from Feb. 19 to March 2.

E. J. Harvey Changes
Danbury, Conn.—Edward J. Har-

vey, recently manager of Warner's Cabin, has succeeded D. W. Barker as manager of the Palace here.
**A LITTLE from "LOTS"**

BY RALPH WILK

**HOLLYWOOD**

ROY DEL RUTH has taken leave of Warner-First National, where he had been for 10 years, to join 20th Century. During his Warner association, Del Ruth directed 85 features, establishing something of a record for money-makers.

Henry Armetta, signed to a new Universal contract, started work this week in a new Warren Doane comedy, "Hot and Bothered."**

Dick Powell, signed by Columbia Broadcasting Co. on a 26-week contract for the "Old Gold" hour, will have Ted Healy's orchestra featured with him on the same program. Paul Moss, who, with Jerry Wald, wrote "Hot Air," for Warner Bros., is writing the material for the air program.

Our Passing Show: Herman Wober, Harold Lloyd, Henry King, Henry Herzhorn, J. J. Sullivan, George Baner, Jerome Beatty, Jack Oakley, Oliver Seven, Jason Joy, J. L. Murphy, Henry Wales at the dinner tendered Arch Reeve.

**"FOUR FRIGHTENED PEOPLE"**

with Claudette Colbert, Herbert Marshall, John Boles, Gloria Stuart, Universal—92 mins. ELEGANT AVENTURE YARN IN JUNGLE OUTRITES LEO CARROLL, AND ROMANCE NICELY BLENDED.

This yarn is rather fantastic, its locale is efficiently novel and suspenseful to please the average audience. Claudette, Herbert, Mary and William Gargan, with babonic place, become lost in the Malay jungle. Claudette, a school teacher with spectacles and other unappealing exteriors but a yearning for romance underneath, is regarded as a pest by the two men, until she pry her taking a shower under a waterfall. Then both become goody over her and she in turn becomes an object of a big way for Herbert, a reticent chap who has an unappreciative wife at home, and eventually gets her man. Most of the comedy is provided by Miss Gargan, a flighty widow with a yen to teach birth control to the natives. Leo Carrillo appears as a jungle guide. Gargan plays a sort of Floyd Gibbons role.


**BLENDED**

with John Boles, Gloria Stuart, Universal—92 mins. DELIGHTFUL EPIC DRAMA AIDED GREATLY BY JOHN BOLES' EXCELLENT RENDERING OF SEVERAL SONGS.

The popularity of John Boles will be greatly enhanced now that he has been given the opportunity to register himself as the possessor of an unusually fine singing voice. Boles renders two original numbers and also the old song, "In the Gloom." Of the originals, "One More Time," is destined to be one of the year's hits. Story is set at a home and a ranch and follows the career and loves of the following generations. Boles as the leading character portrays a musician whose love for music is inherited by his children. None succeeds until his great grandson definitely shows a spark of genius. He becomes a great pianist, but learns toward the more modern themes. Boles sticks to his original symphonies, to the end.


**"wałow"**

with Lila Lee, John Wray, J. K. Kerrigan, Alvin Gordon, Paramount—71 mins. BRETTER THAN THE USUAL RUN OF WESTERNS AND ESPECIALLY STRONG IN APPEAL FOR THE JUVENILES.

Somewhat off the beaten path, as westerns go, this production should prove a refreshing change for the outdoor story fans. Having Jackie Cooper, casting his picture's appeal is particularly for the juvenile trade, although grownups will find enough in the story to interest them, too. From the temenent section of a big city, Jackie's father sends him out west and then comicts suicide. Jackie, who always has been a bowwow star fan, finds the open spaces not quite as he imagined. His rancher friend is on the trail of a man who ran away with his former wife, and in due course they meet, shots are fired, and Jackie is wounded. For a time it looks as though he won't pull through, but he finally makes it, and the husband and wife are reunited as the villain is put out of the way. Cast is strong.

**Cast:** Jackie Cooper, Lila Lee, John Wray, Addison Richards, Alvin Gordon, Barton MacLane, J. K. Kerrigan, Del Henderson, Joe Barton, William LeMaire, George Pearce, Herbert Cornell, Irving Bacon, Charles B. Middleton, Lillian Hammer, Willie Robyns.

**Director:** Paul Stane; Authors, Will James, Paul Stane; Adaptors, Agnes Brand Varty, Robert Vernon, E. P. Thriller. Second-run policy will shift to the Colonial.

**LOLCE COWBOY**

with Lila Lee, John Wray, J. K. Kerrigan, Alvin Gordon, Paramount—71 mins. BRETTER THAN THE USUAL RUN OF WESTERNS AND ESPECIALLY STRONG IN APPEAL FOR THE JUVENILES.

Somewhat off the beaten path, as westerns go, this production should prove a refreshing change for the outdoor story fans. Having Jackie Cooper, casting his picture's appeal is particularly for the juvenile trade, although grownups will find enough in the story to interest them, too. From the temenent section of a big city, Jackie's father sends him out west and then comcts suicide. Jackie, who always has been a bowwow star fan, finds the open spaces not quite as he imagined. His rancher friend is on the trail of a man who ran away with his former wife, and in due course they meet, shots are fired, and Jackie is wounded. For a time it looks as though he won't pull through, but he finally makes it, and the husband and wife are reunited as the villain is put out of the way. Cast is strong.

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**Director:** Paul Stane; Authors, Will James, Paul Stane; Adaptors, Agnes Brand Varty, Robert Vernon, E. P. Thriller. Second-run policy will shift to the Colonial.
N. J. Supreme Court Declares Sunday Tax Invalid
SECOND SUIT IS FILED AGAINST CODE AUTHORITY
Non-Theatrical Film Output Showing Sharp Increase

66 Subjects Are Listed Among Releases Last Month

A sharp increase in production of non-theatrical films is indicated by the current release chart of such pictures for the month of December compiled by the Department of Commerce. The list totals 66 subjects, many of them running three, four and even five reels. Industrial, medical and educational subjects comprise the bulk of the output.

In the news notes accompanying the chart, it is stated that a con-

(Continued on Page 6)

BETWEEN 20 AND 25 FOR U. A. IN '34-35

United Artists is expected to announce between 20 and 25 features for release during the 1934-35 season. Of this number, Reliance will produce four pictures, supplementing product turned out by Samuel Goldwyn and 20th Century.

Joe Gilbert to Produce Series of Kiddie Films

Joe Gilbert, veteran Broadway manager, has completed plans to produce a series of kiddie pictures based on famous old-time child legends and fairy tales in which he will feature juvenile talent exclusively. The new film concern, which has established its New York headquarters at 158 West 46th St., has already begun casting for the first production. Among the child artists discovered and signed recently by Gilbert are: Billy Fiddy, Elvi

(Continued on Page 6)

200 Times a Sawbones

West Coast Brfr., THE FILM DAILY

Hollywood—Eric Mayne, just signed for a dectative role in Fox's "David Harum," has played 200 medicole notes in the last 12 years.

K. C. EXHIBITORS MEET SEEK TO CURB ALL FREE RADIO SHOWS

Kansas City—Exhibitors here will meet today at the Hotel President with a representative from Loew's Midland theater in an attempt to get together on admission prices.

Equity to Continue Fight On Sunday Legit. Shows

Actors' Equity Ass'n will oppose the Berg bill introduced at Albany to permit Sunday legitimate shows and is considering whether it shall oppose the measure sponsored by Senator Albert Wald of New York City requiring a $500 license fee and $5,000 bond for agents and bookers, Frank Gillmore, president of Equity, said Saturday.

Gillmore said that the Wald bill would undoubtedly work a hardship

(Continued on Page 2)

Sunday Movie Tax Invalid, N. J. Supreme Court Rules

Revised Vaude Clauses Expected in Film Code

The celerity with which a vaudeville committee was appointed by the Code Authority and a date set for a public hearing on possible changes in the vaudeville code is understood to be due to the request of Division Administrator Sol A. Rosenblatt for a report on the vaudeville situation early in February, apparently in the belief that some revision is necessary.

Trenton—Imposing of a tax on motion picture theaters for operating on Sunday is illegal, it has been ruled by the New Jersey Supreme Court. The case involved the town of Vineland, where the authorities wanted to collect from movies for the privilege of Sunday opening, which recently was made a matter of local option throughout the state.

The decision had been awaited with interest by exhibitors in many other localities facing a similar condition.

Steffes and Herrington Sponsor New Action on Allied Behalf

A second Allied-sponsored suit seeking to enjoin members and the secretary of the Code Authority from refusing to accept qualified assetts was instituted Saturday through Al Steffes of Detroit and Fred Herrington of Pittsburgh, both leaders of the exhibitor association. The complaint is returnable tomorrow in the U. S. District Court, New York City, Room 235.

Papers were served on members

(Continued on Page 6)

ROSENBLATT CONFER WITH COAST AGENTS

West Coast Bureau of THE FILM DAILY

Hollywood—Following a general meeting of agents last week with Division Administrator Sol A. Rosenblatt, a committee was appointed by the agents to confer again with Rosenblatt this week. The committee consists of Ralph Blum, attorney; Myron Selznick, Mike Levey, Scott Dunlap, Charles Feldman and Paul Berg. Little was accomplished at the first meeting.

Klangfilm Compromises On Sound Patent Suits

Berlin—In the course of pending negotiations between the German Cinema Owners Ass'n and the Klangfilm G.m.b.H. to clear existing patent difficulties and especially to stop

(Continued on Page 6)

Numerical Cycle

The title thinker-uppers are going in heavy for numbers these days. Paramount already has "8 Girls in a Boat," "4 Frightened People," "8 of a Kind," Fox is making "7 on a Honeymoon," Columbia has "9th Guest" as well as "20th Century," M-G-M is making "Operator 13," and there is Monogram's "16 Families Deep."
Complete Nominations For 32 Local Boards

Nominations for membership in 32 local boards and secretaries were completed by a Code Authority committee Saturday at a meeting at the Union League Club. The list will be submitted to the parent body Feb. 9 for its ratification.

"Moulin Rouge" Troupe in Town

About 20 film names arrived in New York yesterday from the coast to embark on United Artists' coast-to-coast trip in behalf of 20th Century's "Moulin Rouge." The arrival included George Bancroft, Dorothy Dunbar, James, Lucile and Russell Gleason, Antonio Moreno, Leo Carillo, Hoot Gibson, Eddie Quinn, Jack Mulhall, Creighton Hale, Ben Turpin, Ross ace Atos, Anna Q. Nilson, Norey Welford, Doris Hall, Mary Carlisle and John Hundyke. The caravan starts its itinerary Feb. 1 in Washington and will visit Philadelphia, New York and Boston before heading west.

Warner Stars Coming East

Kay Francis, Dolores Del Rio, Dick Powell, Hal LeRoy, Al Jolson and Ruby Keeler, all appearing in Warner's, "Way Down East," are expected to come east within the next week or so to be present at the world première of the picture. Ruth Donnelly and Ricardo Carpenter already have come to New York and will attend the opening.

Warners Sign Phil Regan

West Coast Branch of THE FILM DAILY

To announce that a long term contract has been signed with Warner Bros. Regan, who has been spending a vacation on the coast, left for New York last week and is due back in Hollywood Feb. 5 to start his picture career.

Lockhart Finishes Third Short

Gene Lockhart, currently appearing in "Wilderness," and Kathleen Lockhart have just completed their third Vitaphone short, "Alibi Baby."

Burton Holmes Lecture

Burton Holmes, who presented his illustrated lecture, "Locks Around the World," at Carnegie Hall last night, will repeat the program at the same place this afternoon.

Equity to Continue Fight On Sunday Legit. Shows

(Continued from Page 1)
on agents and force many of them out of business. He added that Equity might call in Senator Wald and talk over the bill with him. Gillmore, commenting on how long Equity was having no trouble with agents in the legitimate field, believes they were all Equity men. In the matter of Sunday shows, Gillmore said that Equity would continue its past custom of sending a delegation to Albany to fight the Sunday bill.

Feist in New Orleans

New Orleans—Felix X. Feist, general sales manager of M-G-M; A. F. Cummings, manager of exchange operations, and E. E. Kenne, southern district manager, arrived here Friday on a tour of inspection. They will proceed to the coast, Ben Fish, Southern representative, also arrived. W. F. Freeman and Leo Spitz of Publix visited E. V. Richards during the week.

Apollo Reopened by Sidney Cohen

Apollo on 125th St., famous old burlesque house, has been reopened with new photophone High Fidelity sound equipment. House is now operated by Stump Stores, Inc., of which Sidney Cohen, once president of the M. P. T. O. A., is president. Morris Sussman, manager of the Fox Brooklyn and the Empire, and the Empire, and the Empire, and the Empire, and the Empire, for Cohen, will manage the 125th St. house.

Oppose Nazi Film

Declaring that the German film, "S. A. Mann-Brand," planned to be shown on Broadway soon, is anti-Semitic and anti-communist, the Film and Photo League is organizing mass pressure to prevent the opening of the picture. The film is said to present all its Nazi characters as snow-white an- cient, and the Jews and Com- munists as blackguards.

Berkeley, Merna Kennedy to Wed

West Coast Branch of THE FILM DAILY

Hollywood—Marriage of Bobby Berkeley, Warner-First National dance director, and Merna Kennedy, will be celebrated here Feb. 10. It was announced Saturday. The couple will go to New York on their honeymoon.

Kansas Business Mixed, Sava Taylor

Kansas City—Movie business in the rural towns of Kansas is not improved, says Harry Taylor, Columbia exchange manager, on his return from a long trip throughout the state. In the larger towns, however, business is better, he states.

Talkers Reach Ethiopia

Ethiopia recently heard its first sound pictures, with the initial program including a French Pathé feature and an American enchanted eon- tainment, it is reported to the Department of Commerce, via Consul W. S. Farrell, Addis Ababa.

THE INDUSTRY'S DATE BOOK

Today: Columbia regional sales meeting, Chica- go.

Jan. 30: Allied Theater Owners of New Jersey meeting at New York headquarters, 3 P. M.

Feb. 10: Special meeting of Columbia M. P. Exhibitors' and Independent M. P. Exhibitors of Ohio to discuss signing of code, Cleveland.

Feb. 4: Roll of the New Orleans Theatrical Crafts, Municipal Auditorium, New Orleans, 9 P. M.

Feb. 4: Benefit show under auspices of Film Board of Trade, Stanley Theater, Philadel- phia.

Feb. 7: Monthly meeting of Eastern Assn.'s of Non-theatrical Film Producers, Inc., New York.


Feb. 9: Meeting of Code Authority, Hotel Astor, New York, 2 P. M.


June 16—July 2: International Motion Picture Week, Venice, Italy.

Attend Chicago Sales Confab


Runyon Writing Quirk-Flag Story

Fox has signed Damon Runyon to write an original story which Edmund Lowe and Victor McLaglen will continue their Quirk-Flag combina- tion.

FINANCIAL

NEW YORK STOCK MARKET

[Table with stock market information]

NEW YORK CURB MARKET

[Table with stock market information]

NEW YORK BOND MARKET

Korth A-06 46... 60 00 60
Loew 6s 4100... 50 00 50
Paramount 6s 475... 35 00 35
Par. By 51551... 35 00 35
Par. 51551... 35 00 35
Warner's 639... 51 51 51

THE INDUSTRY'S DATE BOOK

Monday, Jan. 29, 1934

THE FIGHTING PRIEST

Potential Prophet of the Masses of the East

REV. CHAS. E. COULIHAN

BECAUSE PICTURES

INTER-AMERICANS FILM CORP.

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New York City

STATE and FOREIGN RIGHTS for Sale
NATURE SAVES HER GREATEST THRILLS FOR BRING ‘EM BACK ALIVE’

FRANK BUCK

"WILD CARGO"

COMING SOON!

VAN BEUREN PRODUCTION
EXPLOITETTES

Sweetheart Angle Stressed For Dressler Film

MANAGER C. G. Taylor of Shea's theater, Buffalo, stressed the "sweetheart" angle in his campaign on "Her Sweetheart, Christopher Bean" when the picture was scheduled to play at his theater. He arranged a tie-up with the Unterecker Candy Company, which furnished 5,000 candy kisses which were placed in envelopes with copy reading: "Kisses from the World's Sweetheart — Marie Dressler." These kisses were distributed by two girls the day before the opening of the picture. The A. & P. stores had a special sale on Sweetheart Soap and used 300 special window cards in their Buffalo stores. Fifteen flower-shop windows had cards reading: "For your sweetheart — Flowers — See 'Her Sweetheart' at Shea's Buffalo." Star stills were used in seven jewelry stores with autographed copy and playdates of the picture and these were placed in silver frames with the copy: "Why not give your sweetheart your photograph for Christmas?" Three thousand heralds were used as stuffers in laundry packages with the Mohn and Hunter and the Quality Laundry Companies. Ten thousand napkins were distributed to various restaurants in the downtown district. With the repeal of prohibition, 20,000 throwaways were printed with copy reading: "Happy Days Are Here Again — Laugh with Marie Dressler, the World's Sweetheart, Serving You a Satisfying Cocktail of Happiness in her latest sensation, 'Her Sweetheart.' — Shea's, Buffalo.

Coming and Going

ADRIENNE ALLEN arrives from England today to tomorrow on the Aquitania, which also brings DEKE WILLIAMS and other members of the British "Greatest Than I" theatrical company.

NORMA TALMALDGE sailed Saturday on the Bremen for Europe.

WILL H. MAYS is expected to leave the coast this week for New York.

J. A. HOFFBEER Saturday for Coba.

A. HOFFBEER of the Max Gluckman office sailed Saturday on a West Indies cruise.

GEORGE KRASKA has left New York for Boston to prepare the adaptation of the Max Arno Theater for Broadway on Feb. 1 with foreign pictures booked with the assistance of Roman Rebush of Kienemata.

TIMELY TOPICS

March Calls Film Audiences More Critical Than Stage

MODERN screen audiences are far more critical of their entertainment than any stage audience ever was and for this reason motion picture actors and actresses have to watch their step to a greater extent than they did in the theater. The average film fan in America's hinterland has a far more observant eye and detects flaws and incongruities more quickly than his sophisticated Broadway countryman. The reason seems to lie in the fact that motion pictures are essentially intimate. The ability of the camera to pry into life with its all-revealing close-ups, which unmask every facial expression, has made its public unusually discriminating. The stage audience is forced to depend more on suggestion. If we depict a waterfall on the stage, we do it by means of an off-stage sound of running water and a reference in the dialogue to the waterfall's proximity, Picturgoers, however, won't stand for this deception. If the action or background of the story calls for a waterfall, they want to see and hear it. The same applies to other objects which are shown every day on the screen but which can only be suggested on the stage. Thus it is that the films have constantly set new standards of entertainment. On the other hand, flimstones take their critical duties more seriously than stage audiences. They shop not only for their own entertainment, but act as arbiters for their entire neighborhood. If a picture has a false note, it is not long before everyone knows about it. —Freddie March

Happy Birthday

Best wishes from THE FILM DAILY to the following on their birthdays:

January 20

Ernst Lubitsch Johnnie O'Geary Albert Cantil Earl G. Guillet

Arthur Clayton
But mark it on your calendar now as the date of the Outstanding Social Event of the Industry in 1934.

**INDEPENDENT THEATRE OWNERS ASSOCIATION**

**Annual Midnite Supper and Ball**

**Hotel Waldorf-Astoria**

Entertainment by

**GREATEST STARS**

of stage and screen

**SPECTACULAR ACTS**

from reigning Broadway Hits

---

Dance Music by

**THREE FAMOUS BANDS**

---

("TICKETS TEN DOLLARS per person")

Wm. Brandt
Chairman
Entertainment Committee
NON-THEATRICAL FILMS SHOW SHARP INCREASE

vention for facilitating international circulation of educational films will be held in Geneva, Oct. 5-11, under auspices of the League of Nations. Curtis T. Everett is the American delegate.

Joe Gilbert to Produce Series of Kiddie Films

(Continued from Page 1)


9 "Mandalay" Pre-Releases

Nine special pre-releases by city bookings have been set on Warner's "Mandalay," starring Kay Francis. The showings take place the week of Feb. 2 at the Mary Anderson, Louisville; Strand, Hartford; grand, Columbus; Roger Sherman, New Haven; Cameo, Bridgeport; Earl, Washington; Warner, Memphis; Stanley, Pittsburgh, and Warner, Worcester.

New Educational Musical

A new educational musical comedy, as yet untitled, is being put in production today at Al Christie at the Eastern Service Studio in Astoria. A number of special songs were written by the cast and directed by Johnny Birks and Harold Spina, who were responsible for the current song hit, "Annie Doesn't Live Here Any More."

David Sugarmann in New Britain

New Britain, Conn.—David E. Sugarmann of New Haven has succeeded Francis S. Morin as manager of Warner's Embassy here. Morin, recently married, has been transferred to Danbury.

New Tim McCoy Release

Columbia's "Speed Wings," starring Tim McCoy, will be released Feb. 6.

SECOND SUIT FILED AGAINST AUTHORITY

(Continued from Page 1)

of the Code Authority's local board nominations committee and Executive Secretary John C. Film on Saturday morning as they met at the Union League Club. Divisional Administrator Sol A. Rosenblatt has not been served as yet as he is in California. The suit involved is virtually the same in character as the one filed against the Code Authority on Jan. 20 by Congress Theater, Inc., Newark.

Klangfilm Compromises On Sound Patent Suits

(Continued from Page 1)

the further use of sound film production apparatus not entirely protected by patents, Klangfilm has agreed to the suggestion of the Cinema Owners to bring on the market a special low-cost apparatus for theaters up to 100 seats, and by purchase of this equipment theaters that use unpatented sound apparatus without arrangement with Klangfilm may protect themselves from future breach of patent suits. The settlement is expected to greatly benefit German theater trade as well as clearing up patent difficulties of long standing.

4 Continents in G-B Film Locales

London—Pictures on the 1933-34 schedule of Gaumont-British will boast locales filmed on four continents and the high seas. The list includes, in addition to pictures filmed in the Shepherd's Bush and Elstbourne studios: "The Constant Nymph," filmed in the Austrian Tyrol; "Rhodes," a story of the life of Cecil Rhodes, to be filmed in South Africa; "Soldiers Three," which will be made in India and a Robert J. Flaherty picture to be filmed in Australia.

New M-G-M-Dressler Contract

West Coast Bureau of THE FILM DAILY

Hollywood—Marie Dressler's new M-G-M contract becomes effective March 31. The company has also re-signed Pete Smith for two years.

FACTS ABOUT FILMS

The public rates its likings on a basis of 20% beauty and 75% artistry, says Winfield Sheehan.
ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

SIXTEENTH INSTALLMENT

ARTICLE V—UNFAIR PRACTICES—DISTRIBUTORS—EXHIBITORS—(cont.)

2. No Prior Distributor's Pictures

If no feature pictures of the Distributor were exhibited at the theater during ninety days prior to the notice of cancellation, average the gross receipts for the period of thirty operating days prior to the written notice. Apply to such average, the percentage terms of the contract. The sum thus computed must be paid by the Exhibitor to the Distributor with notice of cancellation.

Example: Suppose that the gross receipts of thirty operating days prior to the notice of cancellation are $4,500.00. The average daily gross receipts are, therefore, $150.00. The percentage terms of the contract must be applied to this sum. Assuming that the percentage terms are $50.00 guarantee plus twenty per cent of the gross receipts, the computation is as follows:

Twenty per cent of $150.00 is $30.00. The guarantee to be paid in addition to this sum is $50.00. Therefore, the Exhibitor in order to cancel must pay $80.00 to the Distributor at the time that written cancellation is sent.

g) Computing Fractions

In computing the number of feature pictures which may be cancelled, fractions of more than one half are counted as one.

b) Rights as to Canceled Picture

When the Exhibitor cancels a picture, all his rights to it end and go back to the Distributor.

c) Optional Contract Amended

This Code provides that the Optional Standard License Agreement shall after the effective date of this Code be the standard contract used by Distributors. That contract, however, is amended by substituting for the 5-5-5 cancellation clause the ten per cent cancellation clause analyzed in this Article.

ARTICLE VI—GRIEVANCES

AND ZONING BOARDS

Clearance and Zoning Boards

Purpose

To prevent clearance of unreasonably large length and area, fair schedules of clearance and zoning may be made by a Local Clearance and Zoning Board created for such area and territory.

2. Selection and Composition of Clearance and Zoning Boards

(a) Each Board is appointed by the Code Authority.

(b) Each Board is composed of seven members selected in the following manner:

1. Two Distributors; (one affiliated and one unaffiliated).

2. Two first-run Exhibitors; (one affiliated and one unaffiliated).

3. Two subsequent-run unaffiliated Exhibitors.

4. One person having no affiliation with any branch of the Motion Picture Industry who must be approved by the Administrator. This person is regarded as the impartial representative of the Code Authority and votes only if the Board is deadlocked.

(c) The members of each Board shall, by a majority vote, select a chairman.

(d) If there is a vacancy in the Board, it shall be filled from the class of members in which the vacancy occurred.

3. Duties of Clearance and Zoning Boards

(a) Preparing Clearance Schedules

Prior to January 1st of each year, the Board shall formulate and publish for its territory a schedule of clearance. The schedule shall apply for the season which follows.

(b) Nature of Schedule

The schedule may classify theaters by zones or other classifications suited to local conditions. The only purpose of the schedule shall be:

1. To fix the maximum clearance in length of time.

2. To fix maximum clearance for area.

(c) Changing Schedule

Each Board may, after fair notice and hearing to interested parties, change or modify any part of the schedule which it has set up. No such change may, however, affect any contract made pursuant to such prior schedule without the written consent of the parties to such contract.

Sec. 4. Factors in Setting up Clearance Schedule

Each Board when making any classification of theaters or when fixing the maximum period or area of clearance, shall consider and give weight to the following six facts:

(a) Effect on License Fees

That clearance to a great extent determines the rental value of pictures.

(b) Lowering License Fees

That inadequate clearance lowers the rental value of pictures.

(c) Causing Unemployment

That lower rental values tend to reduce the number of pictures made and thereby cause unemployment.

(d) Affects Subsequent-Run Theaters

That unreasonable clearance to a great extent affects the value of pictures for subsequent-run theaters.

(e) Board of Subsequent-Run Theaters

That unreasonable clearance lowers the possibility income from pictures to subsequent-run theaters.

(f) Income of Distributor

That unreasonable clearance lowers the possible income to the Distributor from subsequent-run Exhibitors.

Sec. 5. Decision of Clearance and Zoning Boards

(a) The decision shall be reached by a majority vote.

(b) If the Board is evenly divided, the impartial representative of the Code Authority decides.

(c) The decision of the Board must be in writing.

Sec. 6. Publishing and Filing Schedule

The Clearance and Zoning Board shall promptly publish the schedules which it draws up and file a copy with the Code Authority.

Sec. 7. Protest Against Schedules and Appeals

(a) Filing Protest

Any party aggrieved by the Clearance and Zoning schedule may file a protest in writing with the Clearance and Zoning Board not later than 30 days after publication of the schedule.

(b) Hearing the Protest

The Clearance and Zoning Board must promptly convene and give reasonable notice to all parties having an interest and afford them the opportunity to present their papers and evidence. The Board has the power to make reasonable rules concerning notice of the time, place and manner of hearing.

(c) Decision

The Clearance and Zoning Board must make its decision within 15 days after the protest has been filed, or within three days after the hearing, whichever date is sooner.

(d) Appeal from Clearance and Zoning Board

Any person aggrieved by the decision may appeal to the Code Authority by filing the appeal or mailing it by registered mail, or delivering in writing the appeal within five days after the decision. In such case all evidence taken before the Local Clearance and Zoning Board shall be referred to the Code Authority.

(e) Hearing Before Code Authority

All persons interested in the decision have the right to appear before the Code Authority and present additional evidence.

(f) Decision by Code Authority

After investigating the protest and reviewing the evidence taken before the Local Board, and considering the additional evidence, the Code Authority must make its decision not later than 15 days after the hearing.

(g) Time of the Essence

The various steps described above must be strictly followed in every respect in order to give full relief before the buying season begins.

Sec. 8. Schedules and Decisions Applicable to All Exhibitors and Distributors

(a) All Distributors and Exhibitors in the territory to which the schedules apply are bound by:

1. The schedules of clearance.

2. Decisions made by any Local Clearance and Zoning Board.

3. Decisions of the Code Authority upon any appeal to it.

(b) Contracts in Force During Season

Pending the decision of any dispute all existing contracts between the Distributor and Exhibitor must continue to be performed in every respect.

Sec. 9. Jurisdiction Limited

The jurisdiction of the Local Clearance and Zoning Board is limited to the matters above set forth and the Board may hear no questions other than those referring to clearance and zoning matters.

(TO BE CONTINUED)
B. A. Rolfe and his orchestra begin work today in a Vitaphone one-reel short, "A Jolly Good Fellow." Supporting roles for Rolfe and his radio orchestra are the "Men About Town," Dolly Arden, Bert Matthews, Beverly Phalon and Sally Woodall. Short is being directed by Joseph Henabery.

Jefferson Machamer, known for his syndicated comic strip and magazine covers, will produce and star in a series of one-reel comedy reels based on his "Gags and Gals" page in the New York Sunday Mirror. The first of the series is scheduled to be put into production the first of this week at the Photocolor Studios, Irvington-on-the-Hudson, N. Y. Cotters formerly publicity man with Universal and Paramount, is associated with Machamer in the company, which will be known as the Carter-Machamer Productions, Inc.

Production on a commercial picture for the Abbott Dairy Co. has been started by the Ruby Film Co. Shooting is being done at the company's Philadelphia plant under the supervision of Aaron Friedman with Edward Ruby, assisted by Bert Wetzel, doing the camera work.

Judy Courtney, stage and screen player who last appeared on Broadway in "Hold Your Horses," completed work Saturday at the Vitaphone studio in "Alibi Baby," a two-reel musical comedy.

William Watson, Art Jarrett and Royal Foster have put the final touches on their original story, which will serve as Bob Hope's first starring vehicle for Educational. A Christie will start shooting on the two-reeler, to be released as the third in Educational's Musical Comedy series, today at the Astoria studios, where sets depicting the South American background, now being erected, Leah Ray will play the feminine lead for which Lillian Roth was originally cast.

The Broadway Parade

<table>
<thead>
<tr>
<th>Picture</th>
<th>Distributor</th>
<th>Theater</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women in His Life</td>
<td>M-G-M</td>
<td>Capitol</td>
</tr>
<tr>
<td>Golfer Lady (2nd week)</td>
<td>Warners Bros.</td>
<td>Hollywood</td>
</tr>
<tr>
<td>Fashions of 1934 (2nd week)</td>
<td>Warners Bros.</td>
<td>Strand</td>
</tr>
<tr>
<td>Massacre (2nd week)</td>
<td>Warners Bros.</td>
<td>Strand</td>
</tr>
<tr>
<td>He, King of Virtue</td>
<td>First Division</td>
<td>Cameo</td>
</tr>
<tr>
<td>Solvent</td>
<td>Universal</td>
<td>Roy</td>
</tr>
<tr>
<td>Four Frightened People</td>
<td>Paramount</td>
<td>Paramount</td>
</tr>
<tr>
<td>Al Horwitz Co.</td>
<td>Gaumont-British</td>
<td>Ritola</td>
</tr>
<tr>
<td>The Ghost</td>
<td>Monogram</td>
<td>Mavies</td>
</tr>
<tr>
<td>16 Fathom Deep (2nd week)</td>
<td>Monogram</td>
<td>Criterion</td>
</tr>
<tr>
<td>Girls in Uniform</td>
<td>Paramount</td>
<td>Paramount</td>
</tr>
<tr>
<td>Design for Living</td>
<td>Center</td>
<td>Center</td>
</tr>
<tr>
<td>Sweden, Land of the Vikings (6th week)</td>
<td>John W. Boyle</td>
<td>35th St. Playhouse</td>
</tr>
<tr>
<td>Bill of Divorcement (revival)</td>
<td>RKO</td>
<td>Little Carnegie</td>
</tr>
<tr>
<td>Flying Down to Rio</td>
<td>RKO</td>
<td>Palace</td>
</tr>
</tbody>
</table>

- Subsequent run.

Two-Day-Run

<table>
<thead>
<tr>
<th>Picture</th>
<th>Distributor</th>
<th>Theater</th>
</tr>
</thead>
<tbody>
<tr>
<td>Queen Christina</td>
<td>M-G-M</td>
<td>Astor</td>
</tr>
</tbody>
</table>

Foreign Pictures

Hull on Earth | Acme |
Le Sang d'un Poete (3rd week) | Edward T. Ricci |
| | Acme |
| Thunder Over Mexico | Paramount |

Future Openings

Hi, Nellie (Jan. 31) | Warner Bros. |
| Frontier Marshal (Jan. 31) | Fox |
| Nana (Feb. 1) | United Artists |
| All of Me (Feb. 1) | Paramount |
| You Can't Have Everything (Feb. 2) | Warner Bros. |
| I've Got Your Number (Feb. 2) | Fox |
| Don't Tiger (Feb. 2) | United Artists |
| Catherine the Great (Feb. 14) | Paramount |
| Take a Chance* | Paramount |

- Subsequent run.

Seek to Curb All

Free Radio Shows

(Continued from Page 1)

Passed Saturday by Marcus Heiman, one of the committee appointed by the legitimate last week to act in the matter, Heiman said the Motion Picture Code Authority today will be added to the legit in the complaint to the Radio Code Authority.

Warner February Releases


"Beside," another F. N. picture, was nationally released Saturday.

Pass Anti-Marathon Bill

Des Moines—Backed by exhibitor interests, a bill prohibiting marathon shows has been passed by the Iowa legislature.

Lawrence Lehman Laid Up

Kansas City—Lawrence Lehman, manager of the Mainstreet, went to the hospital last week for a minor operation. Jack Gross is substituting for him.
Exhibs Top Producers in Profits, Tax Figures Show

CODE AUTHORITY SUIT EXPECTED TO BE PUT OFF

Errors Claimed in Labor Action Against Indie Exhibs

I.T.O.A. Says Absence of Prevailing Scale Obviated Violation

Pending decision by Supreme Court Justice Collins on a motion for re-argument made several days ago by the I.T.O.A., the hearing scheduled for yesterday on the temporary injunction obtained Jan. 2 from Justice Collins to restrain the I.T.O.A. from employing members of the Allied Motion Picture Operators union is indefinitely postponed.

In applying for a re-argument, (Continued on Page 7)

DeFOREST LICENSEES ASSURED PROTECTION

In line with similar action taken by B.C.A. Protograph and Western Electric, General Talking Pictures (DeForest), through Vice-President J. Stark, has assured its sound licensees that they will be protected under any outcome of the fly-whip case.

Grosses Up Everywhere, Says Harry Gold on Trip

New Orleans — United Artists grosses “are rising everywhere,” said Harry Gold of the home office while on a tour of exchanges. Conditions throughout the south, especially Texas, are very good, he said. Felix P. Feist of M-G-M, who also arrived here last week on route to the coast, made similar observations about improvement in the south.

Second Tax Bill in Kentucky

Louisville — In addition to the bill for a gross sales tax of 1.5 per cent, there is being introduced into the Kentucky legislature another bill calling for a tax of 3 cents on every 25 cent-ticket. Theaters are fighting both bills with hopes of success.

Tax Figures Show Exhibitors Fared Better Than Producers

TOLEDO LONG-RUN RECORD

Set By “Little Women”

Toledo, O.—John Kunler of the Pantheon claims to hold the city’s record engagement. He recently played “Little Women” for 25 consecutive days.

Motion picture exhibition is the most profitable branch of the amusement business according to income tax data just released by the federal government. For the year 1931, out of 5,514 exhibitor returns filed 1,187 reported a profit and 1-

Hearing of Allied Action Set for Today Likely To Be Postponed

Hearing on the second suit filed in behalf of Allied against members of the Code Authority is expected to be adjourned when the case is called this morning at 10:30 o’clock in the U. S. District Court, New York, with Judge William. B. Kado presiding. Counsel for defendants will ask that the case be put over until Division Administrator Sol A. Rosenblatt returns from the Coast just before the next Code Authority session, scheduled for Feb. 9.

Attorneys will also point out that, (Continued on Page 8)

EXPECT NRA TO GRANT ASSENT EXTENSION

That the NRA would grant an extension of the period for filing code asents to Feb. 28 was virtually certain last night, following formal petition of the Code Authority seeking this permission. Execu-

(Continued on Page 6)

Resuming Operation Of B’klyn Paramount

Paramount on Friday takes over operation of the Brooklyn Paramount from Allied Owners. The policy of pictures and stage shows will be retained. William Raynor will continue in charge of the de luxe under supervision of Boris Morros.

Sheehan in Credits

West Coast Dye, THE FILM DAILY

Hollywood—Westfield Sheehan’s name will appear in screen credits for the first time when the main title of “The Big Sleep” is presented at the picture. This inaugurates Fox’s new policy of identifying producers on its pictures. Forthcoming Sheehan productions will include “David Harum” and “Fox Folies.”
Locust Hill Keeps Shorts
Keep Step With Features

West Coast Bureau of THE FILM DAILY
Hollywood — Failure of two-reel comedy producers to keep step with the profit-making films made by features is largely responsible for the increase of double-feature programs, declares H. Lee Huggin, former production executive for Mack Sennett.

"It is possible to make good two-reelers without greatly increasing expenditures, but the producers of shorts must advance in step with the picture business if they are to keep pace with the business of the future," says Huggin.

"The two-reel comedy of the future will be as smartly written as any successful feature. Direction, writing, beautiful settings, cast - these are the elements of the successful two-reeler, and for the producer who understands how to produce a crown and a throne, a prosperous reign waiting."

Add Four Cartoon Celebs

West Coast Bureau of THE FILM DAILY
Hollywood — Emil Offeman, general manager of Animated Pictures Corp., producing the new Powers ComiColor and Whipee Whopper cartoons, in color, promises more prominent additions to the production staff. They include Tom McNamara, well-known in the cartoon world and formerly with Reach's "Our Gang" comedies; Earl Hurd, who was political cartoonist on the New York "Post" and has worked for comics of the "Telegram"; William Wheeler, who now has a syndicate of his own; and the "Plankey Kids," starring Bob Stokes, formerly in charge of the Life Drawing Room of the Chattanooga School of Art.

Criterion Hearing Put Over

A Paramount Publicity hearing before before Henry K. Davis on the matter of taxes in connection with the Criterion Theater, controlled by the Senece Holding Co., yesterday was put over until next Monday at 2 p.m. due to opposition to the payment. Objections were registered by Mr. Milton K. White & Case, representing Bankers Trust Co., Lawyers County Trust Co., and Manufacturers Trust Co. Amount involved in the assessment runs between $770,000 and $775,000.

Estabrook on "Copperfield"

West Coast Bureau of THE FILM DAILY
Hollywood — Hollywood producer Howard Estabrook to write the screen play of Charles Dickens' "David Copperfield," which George Cukor will direct as a David Selznick production for M-G-M, brings together again the same trio who made the winning "Bill of Divorces" for RKO. Estabrook has just finished the screen version and dialogue for "Gold" at Paramount.

McAdoo to Dispatch Caravan

United Artists' "Moulin Rouge Caravan" will be dispatched on its way Friday in Washington for a luncheon in honor of the visiting Hollywood stars by the Senator from their home state, William G. McAdoo, in a private dining room of the Capitol. The caravan reaches New York on Feb. 6.

"Palooka" Trade-showings

"Palooka," produced by Harry Goetz and Edward Small of Reliance for United Artists release, will be trade-shown in key cities throughout the country on Feb. 6. McFarland Sueeeds Suee at M. H. Joseph C. Shea has resigned from the Radio City Music Hall public relations department and has been replaced by Al MacFarland. The MacFarland Sueeeds Suee at M. H. Joseph C. Shea has resigned from the Radio City Music Hall public relations department and has been replaced by Al MacFarland.
There could be no more convincing tribute to the remarkable success of your stewardship than the prosperity of the thousands of theatres which are playing these WARNER BROS. PICTURES
STORY, CONTINUITY and DIALOGUE
by ADELE BUFFINGTON
Suggested by "THE PEACOCK SCREEN"
By FANNY HEASLIP LEA

A polite crook, a society Raffles, loses confidence in his own confidence game when a moll with a lurid past breezes into his life... and the hard-boiled con man turns into a Romantic Romeo. Together they make the hard trek over the right road to win out. A keen, expertly written story that combines heart throbs and hair-raising suspense.

with this strong cast
BILL BOYD
DOROTHY MACKAILL
JUNE COLLYER
ALAN MOWBRAY
WILLIAM COLLIER, SR.
GUINN WILLIAMS
Directed by Phil Rosen

STORIES BY FAMOUS AUTHOR:
MADE BY A VETERAN PRODUCER!
M. H. HOFFMAN
Who Gave You 'MOTHER'S MILLIONS' and 'MAD PARADE'

AVAILABLE FEB. 22nd FOR PRE-RELEASE
"WHEN STRANGERS MEET"

STORY, CONTINUITY and DIALOGUE
by ADELE BUFFINGTON
Suggested by "THE WAY"
By ZONA GALE

A unique picture... with an all star cast of great performers...
A production interpreted by superlative artists, fine direction...
A human, powerful story of elemental emotions... Extraordinary entertainment that the industry and public will acclaim.

with
RICHARD CROMWELL - ARLINE JUDGE
LUCIEN LITTLEFIELD - CHARLES MIDDLETON
HALE HAMILTON - SARAH PADDEN - MAUDE EBURN
BARBARA WEEKS - SHEILA TERRY - RAY WALKER
Directed by CHRISTY CABANNE

RECORDED BY RCA-VICTOR SYSTEM
Coarse, sensuous, unfeeling... living by her wits... a woman suddenly finds herself the central figure in a murder mystery that defies solution. Impending disaster brings to her the realization of a wasted life... and a rousing trial scene, the climax of this mighty drama, finds her a changed woman; making this an amazingly gripping narrative!

MAD HONEYMOON
Suggested by "SEARCH FOR THE SPRING"

There's a little bit of bad in every good little girl... and instead of a cold shoulder she got warm embraces when she turned on her hotcha vamp technique to catch her man. A merry melee of modern matrimony... with a carload of laughs!

THE QUITTER
Suggested by "THE BIG MITTEN"

Damon Runyon’s staggering narrative of a man’s compromise between courage and cowardice; the sanctity of a pledge catapults a virile he-man into amazing adventures in a red-blooded, pulsating drama bristling with electric thrills and hair-raising action.

SCHOOL FOR GIRLS
Suggested by "OUR UNDISCIPLINED DAUGHTERS"

"Finishing schools... and what they finish! A straight-from-the-hip story of modern youth... including single standards, double beds, and triple bromides! And a four star finish!"

WITHOUT CHILDREN
Suggested by "EYES OF YOUTH"

Overwhelming in its sincerity, profound in its presentation of the truth, this frank, daring story mirrors dramatically a vital situation that finds its counterpart in countless homes. Rich in human interest, with an outspoken message for every thinking adult in the land, "Without Children" will prove one of the greatest screen plays of our time.

TWO HEADS ON A PILLOW
Suggested by "THE ETERNAL MASCUINE"

Two hearts, two souls made as one... what joys, what sorrows lie on their unchartered course! Here is a truly brilliant comedy-drama of the first... the second... the third year; its chuckles and chagrins, smiles and sighs, triumphs and tears!
HOLLYWOOD

THE new year is starting off with song for Albertina Rasch and her dancing girls, Miss Rasch will create and direct the musical ensembles for "The Merry Widow," at M-G-M. Miss Rasch's girls appeared in "Going Hollywood." In Miami, Fla., another Albertina Rasch ensemble is appearing at the Villa Venice, Florida's most swank night club.

Gems "Patty" Laymon is producing "Twisted Rails," an action melodrama, with Al Herman directing. Jack Donovan and Alice Dahl are co-stars with Philip McCullough, Elyn Glyn, Dade Keith, Bob McKenzie, Pat Harmon and others.

Maureen O'Sullivan and John Farrow have announced their engagement.

Little Dorothy Gray, who did excellent work in "As the Earth Turns," is one of the busiest young actresses in the film colony. She has just completed work in "Men in Black." Her other films include "Beloved" and "Bedside."

Mark Sandrich will direct Wheeler and Woolsey in an untitled comedy, now being written by Ben Holmes and Edward Kaufman. Sandrich also directed the comedians in "Hips, Hips, Hooray."

Columbia has exercised its option on Ethel Hill, the only woman writer on its scenario staff. She is now writing the screen play and dialogue for "Whirlpool," Jack Holt's next picture.

"Mickey's Medicine Men" is to be the next story produced by Larry Darmour's "Mickey McGuire" series. Joseph Levering, story editor, and other members of the Darmour writing department are preparing the story.

Kitty Carlisle, star of the Broadway stage hit, "Champagne Sec," has arrived from New York to start her long term contract with Paramount. The deal was set by the Harry Weber office.


Three newcomers, Pauline True, Maxine Doyle and Barbara Blaisdell, have been signed by Warners for grooving as screen attractions.

Mary Jordan, sister of Dorothy Jordan, RKO Radio featured player, has been signed to make her film debut in that studio's production of "Finishing School."

M-G-M has bought "Gems of 1934," an original story by Herman Timberg, and will produce a short subject based on this material.

Sterling Holloway has been signed by H. N. Swanson, associate producer for RKO Radio studio, for "Strictly Dynamite."

Jackie Boyle, son of the noted stage dancer, Jock Boyle, has been signed by B. G. DeSylva to make his professional debut in Fox Film's "Let's Put on a Show Up." He will lead a song and dance number with Pat Pater- son and a chorus.

Pandro Berman, assistant executive producer to Merian C. Cooper, will do work on his new assignment, "Of Human Bondage," which will be Leslie Howard's new RKO starring vehicle for RKO Radio. It will be directed by John Cromwell from an adaptation of the Somerset Maugham story by Lester Cohen.

John Ford will direct "The World Moves On," original by Reginald Berkeley, with Madeleine Carroll.

"Let's Be Ritchy" has been chosen by Universal as the title for the next Lew Ayres picture. It was adapted from the William Anthony McGuire Broadway play, "A Very Little London," which will be Leslie Howard's new RKO starring vehicle for RKO Radio. It will be directed by John Cromwell from an adaptation of the Somerset Maugham story by Lester Cohen.

John Ford will direct "The World Moves On," original by Reginald Berkeley, with Madeleine Carroll.

Virginia Corporation Richmond—Regent Theater Corp. Marion, Va., has been chartered with Harvey David as president.

Virginia Theater Co. has been granted a revocation of charter, with E. Felgner Neal as president.

M-G-M Buys "Declasse" "Declasse," Zoe Akins play produced on Broadway in 1919, has been acquired by M-G-M.

Carlyle Blackwell Buys Estate Carlyle Blackwell, star of the silent days, has bought a 30-acre estate in the Obsture District of Brookfield, Conn.

Gertrude Niessen's Fourth Vita. Gertrude Niessen, radio blues singer, has been signed by Saxe Wax for her fourth Vitaphone musical.

Third Week for "Fashions" First National's "Fashions of 1934" will be held for a third week at the Hollywood.
**LAST FIVE BOARDS TO BE SET FEB. 8**

(Continued from Page 1)

Robbers Get $2,000 in Green Bay.

Green Bay, Wis.—Approximately $2,000 was stolen from the office of the Strand when burglars broke into the house over the roof. The money represented proceeds of the Strand and Orpheum.

**Coming and Going**

WILL ROGERS, after doing his Sunday broadcast from New York, returned to Washington yesterday to attend Vice-President Garner's dinner to President Roosevelt last night.

MARY PICKFORD is back in New York from Boston.

MADELINE CARROLL, British star signed by Fox for "The World Moves On," arrived in New York today on the Ile De France. She also brings ROBERT HURLay, head of the French motion picture syndicate.

JOE MANKIEWICZ, who flew from the coast to0 New York, is back now, after the entire cast of " yields to world" was shooting in Cleveland, has been here the past week, is returning to Hollywood this week.

HARRY H. THOMAS, president of First Division Exchange, is on route to Miami Beach for a vacation.

AL FRIEDLANDER, general sales manager and director of advertising and publicity for First Division returns today from a business trip through Ohio.

I. A. MAAS, assistant foreign manager for Fox Film, has left New York on an extended business trip through Central America. His first stop is to be Mexico City.

CRESSON A. SMITH, RKO sales executive, left Sunday on a midwest tour.

HARLEY, who recently finished work in Warner's "Wonder Bar" and "Harold Teen," returns to New York tomorrow from the coast.

MORT BLUMENTHALL, Warner theater executive, returned yesterday from Cleveland, Pittsburgh, Washington and Philadelphia.

SYLVIA SIDNEY, new in New York, leaves within a few days for the Coast to work in "Thirty Day Princess" for Paramount.

AILEEN ST. JOHN BRENNON returned to New York yesterday from the coast.

RALPH A. KONN returns to New York tomorrow from the Coast.

BARBARA SARDENESS has arrived in New York from the Coast.

MIRIAM HOPKINS will depart for the Coast soon after completing her engagement at the New York Paramount.

HELENE COSTELLO is in New York with the object of making a picture of two.

**ALONG THE RIALTO**

WITH PHIL M. DALY

- - - IF PARAMOUNT is depending on the spirit of its executives and employees as an intrinsic part of its new deal program . . . the odds are 100 to 1 in favor of success . . . . Right now the sales representatives are hitting on all cylinders planting in great style the "Victory Drive" with National Shorts Week to follow.

- - - THE SPIRIT of the sales organization is also aces . . . . with George J. Schaefer chasing around the country handing out oral stimulants . . . . and imbuing the men with the will to win's challenge. Right now the sales representatives are hitting on all cylinders planting in great style the "Victory Drive" with National Shorts Week to follow.

- - - BUT TO GET right down to the department that holds the bag . . . . as far as the selection of product and new talent is concerned . . . and Franklin Holman mentioned as a gent, if there ever was one . . . . and one who knows his stuff . . . . His department never sleeps . . . . always on the look-out for new talent . . . . day and night . . . . when a possibility is discovered . . . long interviews follow . . . . weeks of rehearsals . . . and finally the screen test . . . . Lanny Ross, Dorothy Dill, Kitty Carlisle, Joe Morrison, Eddie Craven, William Prawley, Paul Carr and Grace Bradley . . . . are among the new screen talent that has run the Paramount gauntlet.

- - - OUR VISIT to Paramount . . . . was all too short . . . . as is our space for reporting our reactions . . . . but we learned much . . . . and found . . . . in addition to the spirit of progress . . . . a FRIENDLY SPIRIT between co-workers and between executive and office worker . . . . and most of all a certain happiness that mixes well with hard work if you know the ingredients.

- - - WALTER EBERHART'S newest Broadway riddle . . . . is to ask the film lads to guess which one of the Ten Best of 1933 . . . . was the only winner not recorded by Western Electric Sound System . . . . our guess was right . . . . "Maschinen Unerformbar" . . . . where W. E . . . . doesn't operate . . . . but we're wise to Walt . . . . he's trying to plant the hope that 9 out of 10 best pix had W. E. sound. Don't forget the A.M.P.A. luncheon at the Hotel Paramount Thursday . . . . The first headline to be announced by Tess Michaels of U. A. chairman is Tamara . . . . the Russian temptress . . . . who is now appearing in "Roberta".

**ERRORS CLAIMED IN LABOR ACTION**

(Continued from Page 1)

Milton C. Weisman, attorney for the I.T.O.A., asserted that there was no prevailing wage scale when the case was originally submitted to Justice Collins, and that therefore he claim of Local 306 that wages were being cut was incorrect. Weisman stated further that Local 306 could not legally claim to be representing an employ in the action because no members of Local 306 had been employed by the I.T.O.A. or two months prior to the appearance of a code. Another point made by Weisman was that Local 306 had failed to heed the code provision calling for arbitration of disputes before instigation of legal action.

Redrafting Measure To Regulate Agents

(Continued from Page 1)

ready has a satisfactory bonding system for the legifield. Whitehead points out, and the Wald bill's requirements that agents file a detailed statement for each booking, setting forth expense, salaries paid individual artists, transportation, profits, etc., would work a great hardship.

**Quits Catholic Movie Post**

Mrs. Thomas A. McGoldrick, chairman of the motion picture bureau of the International Federation of Catholic Alumnae, which she founded about 10 years ago, has resigned due to ill health. She is succeeded by Mrs. James F. Looram. Mrs. McGoldrick continues as honorary chairman. Part of the work of the group is to preview pictures and circulate approved lists.

Schine Acquires Another

Mt. Vernon, O.—The Vine theater has been taken over by Schine Theatrical Co. of Goversville, N. Y., from Harry V. Smoots. House reopens early in February after remodeling.

HAPPY BIRTHDAY

Best wishes from THE FILM DAILY to its "Birthday Boy" in Moscow, Jan. 30th, owing on their birthday:

**January 30**

C. C. Eurr  
Gredwell Sears  
E. V. Richards  
Sara Nihes  
Henry McCarthy
TAX FIGURES SHOW EXHIBITS PROFIT MOST

(Continued from Page 1)
148 showed a loss, while out of 199 producer reports, only 54 indicated a profit and 145 showed a loss. Of 523 theaters playing stage attractions, 182 reported a profit against 343 in the red.

Toledo Ball Committee
Toledo—Henry Sticklemeer of the Paramount, Howard Feigley of the Rivoli, Wally Caldwell of Loew’s Valentine, James Walters of the Empire and Jack O’Connell of the Ohio form the entertainment committee for the President’s Ball and Stage Show to be given tonight at Civic Auditorium. Bernard Lustig is director of publicity. Jack O’Connell will be master of ceremonies, with Wally Caldwell as stage manager. The Toledo Federation of Musicians is cooperating with three- dance bands and the Paramount Orchestra will play the stage show. Stage employees and operators are donating the services of their men.

3 New Educational Comedies Booked
Three new Educational comedies open this week in New York, to play the following weeks in Brooklyn. “Get Along Little Wife,” a Coronet Comedy with Taylor Holmes and Natalie Moorhead, starts today at the Mayfair, New York; “The Good Bad Man,” another in this series, with Charles Judels and Tom Patricola, opens Friday at the Roxy, and “The Inventors,” starring Stoopnagle and Buell, starts Friday at the Fox Brooklyn.

Louis Kaufman Joins Warners
Cleveland—Louis Kaufman, a former vice-president of the defunct Guardian Bank, has joined Warner Bros, in charge of code violation complaints with headquarters in New York.

WARNING TO EXHIBITORS
If you have recently received a notice about alleged infringement of certain sound copyright patents, we say to you: “DON’T WORRY.” Keep right on operating your theatre and giving your patrons the best pictures you can get.

S. O. S.
WIDE FIDELITY
is a certain, safe buy for any exhibitor, at any time. Priced at one-third to one-fifth the prices asked by the monopoly.

Don’t be Hoodwinked
S.O.S. HAS THE FACTS
and will Advise You
Under expert legal counsel, S.O.S. will gladly guide you—if you will write naming the type of equipment you are using . . . .

Just Address
SERVICE BOARD
S. O. S. CORP.
1600 BROADWAY
N. Y. CITY

ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Seventeenth Installment
ARTICLE VI—GRIEVANCE AND ZONING BOARDS—(Cont.)
Part 2. Grievance Boards
Sec. 1. Purposes
(a) The Complaint
Any Exhibitor may file a complaint with the Grievance Board against a competing Exhibitor on the ground that the competing Exhibitor has committed any one of the acts which have deprived him of a sufficient number of pictures to operate his theater. The complaint must be that the wrong conduct had the following elements in it:
1. That it was done with the intention of depriving the complaining Exhibitor of a sufficient number of pictures to operate.
2. That it had this effect.
3. That it was done without just cause.
(b) The Four Acts Conforming Jurisdiction
The complaint must be that the competing Exhibitor deprived the complaining Exhibitor of a sufficient number of pictures to operate his theater by any one of the following four methods:
1. Over-Buying
2. Change of Program
3. Preventing Contract with Complaining Exhibitor
4. Any Other Similar Act
Committing any other similar act with the intent and effect of depriving without just cause the complaining Exhibitor of a sufficient number of pictures to operate his theater.
Sec. 2. Hearing
(a) Complaint
Each complaint must be in writing and must be made immediately after knowledge of the wrong committed. If the wrong is threatened, the complaint must be made immediately after notice.
(b) Extent of Hearing
A full hearing must be had of all parties concerned. This includes:
1. Exhibitors directly involved.
2. Distributors having contracts with the defending Exhibitor.
3. Exhibitors having subsequent runs after the Exhibitor directly involved.

8 Via. Releases in February

Anti-Walkathon Ordinance
Milwaukee—Walkathons would be prohibited under a proposed ordinance introduced in the common council. In Madison an application for a walkathon license was denied.

CODE AUTHORITY SUIT EXPECTED TO GO OVER
with the extension of the time limit for filing an answer moved back to Feb. 28, there is no immediate necessity for acting on the matter.

John C. Flinn, executive secretary of the Code Authority, who was served last Saturday with six members, will appear in court this morning, as well as Ed Kuykendall, a member of the body. Other defendants so far served are: Sidney R. Kent, George J. Schaefer, W. Ray Johnston, R. H. Cochran and Nathan Yamin. Felix A. Jenkins of the Fox legal staff will represent Kent, Austin C. Keough, Paramount general counsel, will appear for Schaefer and W. S. McKay is expected to represent Cochran.

The Dept. of Justice will handle the case for Rosenblatt when he is served.

5 Ross Promotions in Effect
Five promotions made last week by Ross Federal Service went into effect yesterday. They included: Arthur S. Kane, who became division manager with headquarters in Los Angeles; Walter I. Brown, appointed midwest division manager; Max Ungerman, Denver manager, transferred to Atlanta; J. C. Page, Indianapolis manager, transferred to Denver; B. E. Jolley, Atlanta manager, transferred to Indianapolis.

Jane Winton in Opera

SWIMMING POOL AND GYMNASIUM FREE TO GUESTS
Above the 8th Floor $6.00
and up
Enjoy the comforts of a parlor and bedroom suite . . . .
All rooms equipped with combination tub and shower and running ice water. Ideal location—adjacent to shopping, business and theatre districts.
New Censor Setup for N. Y. State Proposed in Bill

Allied Agrees to Delay in Code Authority Suit

"U" May Boost 1934-35 Lineup to 40, Says Laemmle, Jr.

Current Program to be Completed Early in May

Universal's program for 1934-35 may provide as many as 40 features, with a minimum of 36 certain, Carl Laemmle Jr., told The Film Daily in New York yesterday on his arrival from the coast. The company's current schedule calls for 36. Production policy of Universal is to make unusual themes, away from the beaten path, such as "The Invisible Man," declared Laemmle. He predicts the greatest year ahead that the industry has ever experienced. Laemmle sees tremendous (Continued on Page 7)

14 Warner-F. N. Films Ready for Release

West Coast Bureau of The Film Daily

Hollywood—Warner-First National studios are maintaining the biggest production activity in their history and now have 14 features finished ahead of release dates, according to Jack L. Warner, production (Continued on Page 7)

Code Authority Denies Separate Zone in N. J.

Pointing out that existing film zones will be used for code purposes, as specified in the code, the Code Authority has denied petition of 52 New Jersey exhibitors seeking to have a separate zone made (Continued on Page 6)

Stealing Our Stuff

Movie theater managers aren't the only places where natureals and other kinds of combinations occur. White of Educational reports the following Church advertisement noted in a daily paper:

"DO YOU KNOW WHAT HELL IS?"

Come and Hear Our New Organist.

Would Take Censorship Duties Out of Education Department

Rosenblatt to Hasten So. California Board

West Coast Bureau of The Film Daily

Hollywood—Following a conference yesterday with the independent M.P.T.O. of Southern California, Division Administrator Sol A. Rosenblatt promised he would get busy on the setting up of zoning and clearance boards for this territory.

Albany—Changes in the state censorship setup, specifying the comptroller as head of a new motion picture division, to take over the functions at present carried on by the education department, are proposed in a bill introduced by Assemblyman Neustein and referred to the Committee on Ways and Means. Under the measure it would (Continued on Page 7)

Consent to Later Hearing in View of More Time for Code Assents

Allied agreed to postponement of the hearing on the Congress Theater suit against the Code Authority, seeking to enjoin the body from refusing to accept qualified assents, in consideration of an extension of the period for filing assents to Feb. 28. The action, filed by the New-ark theater, was on the calendar of the U. S. District Court yesterday but Judge Bondy approved postponement until Feb. 20, a move which was agreeable to the Code Authority members' attorneys. The case was on the calendar of (Continued on Page 7)

NEW EXCHANGE GROUP IS IN FORMULATION

Creation of a new national distributing organization, embracing several important independent exchanges, and with the program of eight Liberty Pictures releases for 1934-35 as a nucleus, is at present (Continued on Page 6)

25 Speakers Scheduled At Vaudeville Hearing

Twenty-five speakers are listed to talk at the hearing to be held at 2 p.m. today in the East ballroom of the Hotel Astor on the vaudeville (Continued on Page 6)

Only One Suit

Despite reports to the contrary, a second suit has not been brought by Allied against the Code Authority in an effort to enjoin the code body from refusing to accept qualified assents. THE FILM DAILY learned yesterday, papers which were served on its members of the Authority and Executive Secretary John C. Flinn last Saturday were void in connection with affidavits in support of the suit filed previously by Allied through the Congress Theater, Newark.
MPTOA Joins Fight On Free Radio Shows (Continued from Page 1)

attacks the policy of unfair competition to admission-charging theaters.

Letters complaining of the practice will go out today to 22 stations, Kuykendall stated. He de-
scribed this radio competition, under which advertisers give away free tickets, as a threat to the business of theaters. The M. P. T. O. has compiled data on the subject from investigations in all sections of the country. Protests have been made by New York legitimate the-
aters against leasing of the Hudson Theater on West 44th St. as a WABC studio in which free broad-
casts will be staged.

4 More Code Nominations Filed by Ohio M.P.T.O.
The M. P. T. O. of Ohio, through Pete Wood, has filed four additional 5.5.

nominations with the Code Authori-

ty in connection with the makeup of local boards and committees. The names are: John A. Schwiain of Hamilton; Lawrence Burns of Columbus; B. W. Eckert of Cleveland, and Henry Bieberson Jr. of Delaware.

New Ticket Register

A new ticket register to be mark-
et under the trade name of Ameri-

can Silent Ticket Register has been brought out by the National Ticket Register Co. Several out-

standing features, including silent operation, interchangeable units, rubber top-cover plate, one lock key for entire machine and visible ticket numbers under top-cover, are claimed for the machine. Jack Eng-

len, formerly of World Ticket Sup-

ply and General Register Corp., is general manager of the company in charge of sales.

Para. Meeting Today

Examination of Paramount Pub-

lics officials will continue this morn-

ing at a creditors meeting at 1 o'clock at the office of Referee Henry K. Davis.

“Nelle” in New York and Biklyn

“Hi, Nelle,” Paul Muni’s latest

starring vehicle for Warner Bros., opens simultaneously tonight at the New York and Brooklyn Strand theaters.

Para. Theaters Setup Completed by Spring

10 houses in Pennsylvania and New Jersey, will be the last to come under the reorganization plan of E. W. Lynch since he was chosen last May as chairman of the reorganization committee for Paramount properties. Twelve other circuits have been sub-leased by Lynch, not including the Famous Theaters Corp., which took over all Publicx Enterprises holdings.

Decision Reserved on Lloyd Films

Judge Bondy in the U. S. Dis-

trict Court, New York, yesterday reserved decision on a breach of contract suit brought by Pathé against Embassy Pictures in con-

nection with the distribution of a Harold Lloyd shorts series. A breach of contract action filed by Embassy against Pathé is pending in the New York State Supreme Court.

Miriam Hopkins to Play Chicago

Following her current personal appearance at the New York Para-

mir, Miriam Hopkins will play a week at the Chicago Theater, Chi-

cago, starting Feb. 9. Other en-
gagements in Detroit, Buffalo and Boston may follow before she re-

turns to Hollywood in June.

Sam E. Morris Improved

Sam E. Morris, vice-president of Warner Bros., yesterday was re-

ported improving in Sydenham Hos-

tial, where he underwent an opera-

tion last week.

Labor Board Hears Dubinsky Case

St. Louis — The regional labor board, after two days of hearings in St. Louis, and five days of rebuttal hearings, of the three-man hearing, to determine the constitutionality of the bill passed by the state legislature, is due to begin hearings on the bill today.

Form St. Louis Fox Operating Unit

St. Louis — Eden Theater Co. has been organized to operate the Fox Theater under the new Fanchon & Marco leasing deal. Stock will be held by George Greenman, Charles Knuth, A. E. Lepold and Elmer G. Sandahl.

“Enlighten Thy Daughter” in Ohio

Strange, the last entry appearing under the heading "Enlighten Thy Daughter" in Ohio this week, has opened this week at the RKO Palace, Akron. A Cle-

land radio station is being negotiated. Ma-

jestic Pictures is handling the film in that state.

"Big Shakedown" for Mayfair

"The Big Shakedown," Warner re-

lease, will follow "Frontier Marshal!" at the Mayfair next week.

Cincinnati Film Board Re-elects

Cincinnati — All officers of Cincin-

nati Film Board of Trade have been unanimously re-elected. These are: Stanley Jacques, president; William Erbinger, vice-president; E. M. Booth, treasurer; and Alice Juergen, secretary.

Coming and Going

CHESTER MORRIS, being loaned by Universal to Chesterfield for "Frankie and Johnny," arrives in New York on Saturday to start work on film made in the cast.

ED KUYKENDALL left New York last night on his return to Columbia, New Jersey. MONTE BRICE plans a trip to Florida fol-

lowing the release of his picture. He is producing for General Electric.

MRS. ELMIL E. SHAUER and MRS. MILDERD REINHOLD are in New York to resume their radio broad-
casting.

JACK HAYES, producer of Education’s Baby Burlesk series, is in New York from the coast returning after spending a week in Hollywood, club, and office. MAURICE FLECKLES arrived in New York yesterday from the coast to meet his son in the Lammlachie party.

RICHARDO CORTEZ is in New York.

GREGORY RATOFF reaches New York next week from the Coast.

William L. Busby Dead

Cape Girardeau, Mo. — William L. Busby, president of Busby Poster Co., died Feb. 6 in New York. The body was brought to his home in Cape Girardeau, where funeral services were held yesterday.

Harry Singer to Denver

St. Louis — Harry Singer, Fanchon & Marco’s general representative here, has been transferred to Den-

ver. This permits Harry Greenman to continue at the Fox Theater under P. & M.

Australasian Outlet for Monogram

Al Aronson and Max Ehrenfeld have made a deal with Ritchie Ex-

port Corp. to handle Monogram pic-

tures in Australia. Ritchie will pay for the first 12 weeks, and at the end of that time will renew the contract. Ritchie has been producing and exporting films for the past 20 years.

N. J. Allied Discuss Code

Maintaining its policy of not acting on the code as a unit, Allied Theaters of New York yesterday individually ad-

vanced in a group of 25 theaters, all of whom were represented at the meeting. Many different problems were discussed. As a result of the meeting, a committee was formed to work out a code for the state.

THE DAILY THEATRE 

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Robert S. Parkes, 5th Ave., 52°/53°, New York, 19°; phone 6120; Bette, Cincinnati, France, Rue de la Cour-

dues, Neuf, 19.

New York Stock Market

New York Curb Market

Transactions 

N. Y. Produce Exchange Securities
Garbo
QUEEN CHRISTINA

Great M-G-M events soon to electrify the box-offices of the nation!

BEERY
VIVA VILLA

SHEARER
RIP TIDE
Another hit from FOX

JANET GAYNOR
LIONEL BARRYMORE
in
"CAROLINA"

ROBERT YOUNG • HENRIETTA CROSMAN
RICHARD CROMWELL • MONA BARRIE
STEPIN FETCHIT

Directed by HENRY KING. From “The House of Connelly” by Paul Green

Your patrons always like FOX MOVIETONE NEWS
“Carolina” crashes into top-money brackets

New star combination proves spectacular success.... as pre-release engagements play to S. R. O. business. Thundering applause greets greatest performances of two great stars. The word is out: FOX has made another “State Fair.”

PHILADELPHIA
FOX Theatre
“Opened to biggest business since ‘Paddy’. Audience reaction very good. All critics unanimous in praise.”
AL BOYD

RICHMOND
STATE & CAPITOL Theatres (day & date)
“Opened to big business at both Capitol and State. Believe it to be best of Gaynor’s pictures. Audience reaction great.”
SAM BENDHEIM, Jr.

Baltimore
NEW Theatre
“More pictures like ‘Carolina’ and we could pay off the national debt. Greater than ‘Paddy’ and ‘State Fair’. Expect phenomenal 3 week run.”
M. A. MECHANIC

Detroit
FOX Theatre
“What a picture and how the audience eats it up. Biggest business in many, many months. Standees in house and lobby.”
D. M. IDZAL

Charlotte
CAROLINA Theatre
“Widely enthusiastic audience packed theatre for opening. Throngs crowded street unable to get tickets. Laughter and applause throughout.”

Cleveland
HIPPODROME Theatre
“Best opening day’s receipts in history of theatre. Doubled regular Saturday receipts, playing capacity all day. Marvelous public and press comment.”
New Exchange Group

Is in Formation

(Continued from Page 1)

under way, it was indicated yester-
day by Budd Rogers, general
sales manager of Liberty Pictures,
of which M. H. Hoffman is presi-
dent. Rogers said that, while he
was not in position to reveal the
names of the units expected to tie
up with the new venture, he had
already closed several important deals
for key territories on the Liberty
product that will serve as the basis
for the plan.

Two features, "Cheaters," from a
story by Fanny Haslip Lea, with
Bill Boyd, Dorothy Mackall, June
Collier and William Collier Sr.,
and "When Strangers Meet," based
on a Zona Gale story, with Lucien
Littlefield, Hilda Howland, Barbara
Weeks and Charles Middleton,
already have been finished by Liberty.
A third, "Take the Stand," sug-
gested by Earl Wilson, is now in
active, with Jack LaRue, Gail Pat-
rick, Thelma Todd, Russell Hopton,
Helen Mack, Henry S. Barnett and
Leslie Fenton, has just been placed
in work by Hoffman.

A Damon Runyon story, "The Big
Mitt," promises to be one of the
other stories will be one by Reginald
Wright Kaufman and another by
Mrs. Wilson Woodrow.

Code Authority Denies
Separate Zone in N. J.

(Continued from Page 1)

out of Southern New Jersey. Al-
lied Theaters of New Jersey spon-
sored the plan. At present theaters
in this area are served out of Phil-
adephia.

In the allied letter to the Code
Authority accompanying the peti-
tion, assertion is made that one
reason why the exhibitors seek a se-
parate territory is because of "threats
of reprisal" from prosecuting groups
in neighboring territory. Conditions
in Southern New Jersey differ from
those in Western Pennsylvania, it
is pointed out, and therefore should
be handled separately. The letter,
which says that the signatories rep-
resent 80 per cent of the independent
exhibitors in the section, seeks a
public hearing in event the Code
Authority denies its petition.

A Little from "Lots"

By RALPH WILK

HOLLYWOOD

W. S. VAN DYKE has been as-
ssigned to direct "The Thin
Man," recently purchased from
Dashiell Hammett by M-G-M.

Richard Wallace returns this week
from New York with a load of story
material dug up in the course of his
New York visit. While in the
metropolis Wallace received plaudits
for his direction of Paramount's
"Eight Girls in a Boat."

Glenda Farrell and Claire Dodd
are additions to Warner's "One
Man's Woman" with Pat O'Brien.

The Nanking government has de-
clared M-G-M permission to film "The
Good Earth" in China.

Edward Lowry, popular master of
ceremonies, will make his film debut
in Monogram's "The Ape," with
Verna Hillie, John Sheehan and
Brandon Hurst. William Nigh di-
rects.

B. P. Schulberg at Paramount has
assigned Gladys Lehman to write
the continuity for "Little Miss
Marketer," Damon Runyon story, and
Albert D'Anno to do the comedy
situations for "Congo.

Karen Morley and Richard Crom-
well will appear in Columbia's "The
Most Precious Thing in Life."

Paramount's "Baby in the Ice
Box" will be released as "She Made
Her Bed."

"Smb" Pollard, one of the most
popular of the silent comedians,
was signed for an important com-
edy role in RKO Radio's production
of "Sungaree," which will co-star
Richard Dix and Irene Dunne.

George O'Brien in "FRANK NIETZEL MARSHAL"

with Irene Bentley, Bert Ivarson, Eton Churchill, Alan Edwards
Fox 66 mins.
FACCE WESTERN WITH STORIES OF USUALLY STORY AND PLENTY OF ACTION AND SUSPENSE.

There are so many merits in this western production that it should have
two standing up as a single feature in any box house. Besides a suspenseful story allowing
for plenty of action, the picture has a
Western quality and it has been directed with plenty of punch by Lew
teller. George O'Brien shines in the title role. Arriving in Tomb-
stone on the same coach with Irene Bent-
ley, who has come to meet her father and
doesn't know that he has been killed in
cold blood by Benton Churchill, the crooked
Mayor. George immediately shows his
bravery by overpowering a local bad man.
On persuasion he accepts appointment as Marshall of the town and
proceeds to co-signing notes for $40,000.
finds that the executive who arranged the
proposed "loan" to another firm has absconded with the money. He faces
arrest and disgrace, but the truth is cleared
and the matter cleared up for a happy
ending. There is considerable suspense in
the film and plenty for the women to
cry over.

Cast: Lionel Barrymore, Fay Dainter, Mac
Clare, Tom Brown, Una Merkel, Mary
Carnie, Orval Stew-
worth, Eddie Nugent, C. Henry Gordon,
Dickie Moore.

Lionel Barrymore in "THIS SIDE OF HEAVEN"

with Fay Bainter, Mary Clare, Tom Brown, Una Merkel
M-G-M 76 mins.

NEW YORK, N. Y.

This can be classed as another individual success for Lionel Barrymore, who portrays
a character that is a family man and
comfortable conditions that enable him
to carry on with ease, but who face near
tragedy when the old man is accused of
embiggling a large sum of money from
his firm. The film takes considerable time
to plant the individuality of each member of the family. Fay Bainter, the mother,
loving, yet blind to her husband's distress
until it is nearly too late; a son and daugh-
ter who have a daughter about to be married, and a fla-
titious house-maid. Barrymore, previously
prominent as a lawyer, is rewritten as an
dashing lawyer who must save the family.

Cast: Lionel Barrymore, Fay Bainter, the
family lawyer, Mary Clare, Tom Brown, Una
Merkel, Loucks, E. G. Perine, Angela
Lansbury, Shirley Maleck, Malcolm
Sargent, Ray Whitehead, Ernest Freericks.

Lionel Barrymore in "THE MAN IN THE BOX"

with Fay Bainter, Lionel Barrymore, Tom Brown, Una
Merkel
M-G-M 83 mins.

This is one of the most realistic of the
lately produced films. The script is
written by Edgar Ferguson, the author
of "The Man I Married. " Barrymore
portrays a man who is driven to
madness by the loss of his wife. With(for)
the aid of a sympathetic casting director,
Dr. Alan Aidar, he plunges into a
private investigation to trace the
murder of his wife. The story is
developed in a very easy going way and
the results are very satisfactory.

Cast: Lionel Barrymore, Fay Bainter, Tom
Brown, Una Merkel, Alan Aidar, Julius
Wald, Marie Morgan, Pauline Lord,
Edward Ellis, Sydney Stewart, Annie
McDowell, Olive Gray, Barbara Mc
donald, John Vastan, J. P. McGovern,
Tony Havel, Edgar Ferguson.

Lionel Barrymore in "Glistening FLOWS"

with Fay Bainter, Lionel Barrymore, Tom Brown
M-G-M 83 mins.

This is an interesting picture, based on the novel by "Glistening FLOWS"
by Edgar Ferguson. The story is
written in a very easy way and the
results are very satisfactory.

Cast: Lionel Barrymore, Fay Bainter, Tom
Brown, Una Merkel, Alan Aidar, Julius
Wald, Marie Morgan, Pauline Lord,
Edward Ellis, Sydney Stewart, Annie
McDowell, Olive Gray, Barbara Mc
donald, John Vastan, J. P. McGovern,
Tony Havel, Edgar Ferguson.
U' MAY JUMP TO 40
ON 1934-35 PROGRAM

(Continued from Page 1)
possibilities in Margaret Sullivan, Hilda Stuart and Roger Pryor, who are being developed by Universal. Universal's current season program will be finished early in May, late in Laemmle. As a result, the beginning story conferences on next season's lineup with Carl Laemmle Sr., James R. Grainger, R. H. Cochrane, P. D. Cochrane, Charles Paine, and Robert Harris, eastern story editor, attending. Harris arrives in New York this morning flying from the Coast.

Laemmle plans to remain in the East two or three weeks. He is considering making a trip to Florida before returning to the coast.

U's foreign production plans also will be set at conferences now by Laemmle Jr. to go abroad. Max Friedman, European distribution head, and Fritz Kellner, head of German sales, are in New York to confer with the Laemmlers on the foreign program, which may run as high as 20 features, including eight to be made in England and between 6 and 12 in France.

14 WARNER-F. N. FILMS

Ready for Release
(Continued From Page 1)

chief. The pictures, which will have pre-release bookings in key cities, include:

- Kay Francis in "Monday," with Ricardo Cortez and Lyle Talbot; "I've Got Your Number," with Jean Blondell, Pat O'Brien and David Manners;
- "Wanda," with Al Jolson, Kay Francis, Dolores Del Rio, Dick Powell and other parts for June MacMullen, Ann Dvorak, Preston Foster and Lyle Talbot; "Jill of the Jungle."

In "A Merry Wives of Windsor," with Donald Woods, Margaret Lindsay, Hugh Herbert, Frank Coghlin and Kay Kyser; "Charles Dickens' "David Copperfield" to the screen ......."

- NOW THAT THE David Selznick-George Cukor combination is again a reality, the screen can expect many new departures in the way of stories and direction. It was this team that saw RKO's "Little Women" as a valuable screen property, despite much opposition to the story itself, and it is this duo that made "What Price Hollywood?" 

- "A Bill of Divorcement" and "Dinner at Eight." Now the efforts are ready to bring Charles Dickens' "David Copperfield" to the screen ......

- AND HERE'S another story, with the Metro lot as the locale ....... a gent named Jay Lloyd ....... 6 feet 2 inches high ....... and 194 pounds Toledo ....... was a tire salesman in Texas ........ one month ago ........ for General Tire Co. .... but .... Jay happened to be the right man ...... at the right place ....... at the right time ....... and now he holds a contract with M-G-M ....... and will soon be opening mail bags full of fan nonsense ....... and being blamed for the breaking up of happy homes .......

- Wearing the head trainer of the baby popularity lion is supervising Jay's debut ....... and may change his name to Rollo ....... or samphun.

- ANOTHER WELL-CONSTRUCTED and sensible press book has reached our desk ....... It is Warner's book on "Fashions of 1934" ....... and from the time the eye first catches the striking blue and white cover which blinks "This is an Exploitation Picture" to the back cover .... there is enough exhibitor assistance to fill the bill for any theater whether it is a de luxe house or a small town arcade of the Van Beuren-Meyer-Davis musical comedy shorts .... has just finished a book about midd gets called "It's a Small World" .... it should put a crimp in the gag about "Little Women." The Erskle Club will tender a dinner to its baseball team champions of the Motion Picture League .... tonight at Martin's Restaurant

Bert Sanford will be toastmaster.

HEARING IS POSTPONED
IN SUIT AGAINST G. A.

(Continued from Page 1)

the U.S. District Court, with Judge Bondy, in whose court the Paramount receivership and bankruptcy petitions were granted, sitting. John C. Flinn, executive secretary of the Code Authority, was present in court, as well as Ed Kuykendall, Attorney Austin C. Keenan was there to represent George J. Schaefer and W. S. McKay as counsel for R. H. Cochrane. Norman Samuelson, brother of Sidney E. Samuelson, represented the plaintiff.

New Censorship Setup
Proposed for New York
(Continued from Page 1)

be up to the commissioner to appoint the censorship personnel and designate the necessary offices and bureaus. Newsreels would be exempt from license, while scientific and educational films would not be required to pay the license fee of $3 a thousand feet and $2 a thousand for additional copies.

CBS Going Right Through
With Hudson Radio Show
(Continued From Page 1)

the grounds of unfair competition. The inaugural program at the Hudson will include practically the entire CBS star roster and a coast-to-coast hookup that will bring in Bing Crosby, Burns & Allen and Guy Lombardo. First regular program at the Hudson will be that of the Ford Motor Co., which comprises the Fred Waring orchestra and guest stars. Other programs for the Hudson are being worked out, it was said at CBS.

"U" Moves in March

Universal now plans to move to its new quarters in the RKO building late in March, when work of alterations is completed there. Space embraces the entire 10th, 11th and 12th floors and part of the ninth.

HAPPY BIRTHDAY

January 31
Zane Gray
Tallulah Bankhead
Lana Turner
Tyrone Power
Adelle Watson
Marcella Daly

Best wishes from THE FILM DAILY to the following on their birthday.

лемmel's arrival in America occurs Feb. 14, in his memory week selections of his trip on the ship Necker.

A LEMMEL'S ANNIVERSARY
LANGUOROUS

James Don Juan Casanova Durante
The Einstein of the Sofa

See him at the
NATION WIDE TRADE SHOWS
of
“PALOOKA”

TUESDAY
FEB. 6TH
Get Your Tickets
At Your Nearest
UNITED ARTISTS EXCHANGE

with JIMMY DURANTE
LUPE VELEZ
STUART ERWIN

A. Reliance Picture
Produced by Edward Small
Rosenblatt Opposes Gov't Regulation, Censorship

Borah Puts Allied Complaint in Congressional Record

Forcing of Shorts Among Items Charged in Communication

By WILLIAM SIBLEBERG
FILM DAILY Staff Correspondent
Washington — A telegram from the Allied States board of directors, alleging producer violations of the film code, was entered into the Congressional Record yesterday by Senator Borah as part of his move-ment in support of the antitrust laws. The wire alleged that majors were forcing shorts with
(Can't continue on Page 4)

KOHN ENTHUSIASTIC OVER THEATER POLICY

"After observing the operations of our theater decentralization pol-icy, I am firmly convinced that more satisfactory results can be obtained by this plan than any other," Ralph A. Kohan told THIS FILM DAILY yester-day, after arriving in New York
(Can't continue on Page 4)

Ruling on Part Assent At Variance With Code

The opinion which Sidney E. Samuelson, new Allied president, was given him by I. M. C. Smith, assistant counsel of the NRA, to the effect that "individual assent to the
(Can't continue on Page 4)

Opposed to Gov't Regulation, Rosenblatt Tells Coast Group

International Premieres For "Wonder Bar" Feb. 21
First National's "Wonder Bar" will have its world premiere Feb. 21 at the New York Strand and simultaneously in London, Paris and Vienna, where the stage play on which the film is based had successful runs. Shortly after these premieres, 150 key city engagements will start.

By RALPH WILK
West Coast Manager, THIS FILM DAILY

Cost Holds Back Television

Television transmission is "ready to come out," but receiving apparatus still too expensive for mass distribution, said Charles A. Wall of NBC, in an address before the Manhattan Old Boys' Club this week.

VAUDE, PROBLEMS AIREA AT HEARING

Woes and problems arising from the vaudeville and presentation actor labor section of the motion picture were discussed at a hearing held under the auspices of a Code Authority committee at the Hotel Astor yesterday afternoon, with an approximate 150 attending. Action especially centered on the code wage requirement of $35 a week for chorus girls on the road, with stage
(Can't continue on Page 8)

NRA to Rule Tomorrow On Restoring Union Men

NRA Regional Compliance Board is expected to announce its decision tomorrow on the application of Local 306 for reinstatement of 65 mem-bers of the local dropped from 11 I. T. O. A. houses last August. De-ci-sion was to have been rendered Tuesday, but was delayed pending presence of the full board personnel.

Groups of Four or More Houses Now Total 412 Against 380 in '32

Continued decentralization of large circuits resulted in 32 new independent groups of four or more theaters last year, according to figures compiled for the forthcoming 1934 FILM DAILY YEAR BOOK.

The compilation shows 412 circuits in the United States, Canada and Alaska operating at least four houses at the end of 1933, compared with 380 at the same time in 1932.

MINN. ALLIED SENDS QUALIFIED ASSENTS

One hundred thirty-seven mem-bers of Allied Theatres of Minnesota yesterday unanimously voted to send qualified assents to the Code Authority in spite of insistence of that body that it would accept only com-plete compliances. Two exhibitors who had previously sent unqualified assents to the NRA wired withdrawing them.

Company Unions Hit In Johnson Statement

Washington Bureau OF THIS FILM DAILY
Washington — Creation of com-pany unions since the NRA is a counter device in some parts at least, General Johnson stated yesterday. His remarks were construed as indicat-ing he would not countenance such unions, many of which have been reported started by movie cir-cuits.

Local Exposition Clicks

Oshkosh, Wis.—Four local theaters co-operated with merchants in staging a five-day exhibit of Oshkosh products by 60 local manufacturers. Exhibit-allaying included the Rex, Oshkosh, Strand, Grand and Star theatres. The exhibit attracted thousands of people.
“Catherine the Great”

Popularity of historical and costume pictures will be elevated somewhat further by this new arrival from the London film studio. Produced by the Korda-Toepplitz organization for United Artists release, and with Douglas Fairbanks, Jr., and Elizabeth Bergner heading the cast, it is a distinguished and impressive production. Because of its emphasis on the amorous deviations of the Russian Empress who preceded Catherine, as well as the dissipated conduct of the half-mad Grand Duke, played by Fairbanks, the picture’s appeal points largely to adult and class trade. But Miss Bergner’s portrayal of the kind and faithful Catherine will win her plaudits from any audience. Senes moves a bit slowly at times, due to Director Paul Czinner’s penchant for lingering on certain details, but this is a minor affair. There are enough scenes in which the production is enticed to command plenty of attention—and to show that those Brits are forging steadily ahead in the making of pictures with more than native box-office value.

Walter Cokell Testifies
At Paramount Meeting

More details surrounding the formation of Film Production Corp., Paramount subsidiary, focal point for various creditor attacks during the bankruptcy proceedings now current, were provided by Walter Cokell, assistant treasurer of Paramount Publix, at a creditors’ meeting held yesterday morning at the office of Referee Henry K. Davis. Next creditors’ session is scheduled for Feb. 6 at 2 p.m.

Frank Walker Addresses
State Emergency Heads

Washington Bureau of THE FILM DAILY;
Washington—Frank Walker, executive director of the National Emergency Council, yesterday addressed the state directors of the council who are here for instructions as to their duties. He told them that in their respective states, they will be direct representatives of the National Recovery Administration, vested with full authority to supervise compliance machinery subject to the promulgated regulations.

Jacob S. Grauman Buried

Milwaukee—Funeral services were held this week for Jacob S. Grauman, 48, operator of the Downer wirescreen theater and the Brin theater in Menasha and the Rex in Oshkosh. He died here Jan. 26. Grauman was associated with the picture business in Wisconsin for 20 years and formerly represented M-G-M in Chicago. He was a director of the M. P. T. O. of Wisconsin and Upper Michigan, Inc., and is survived by his widow, three sons and his mother.

RKO Buys “Dover Road” for Brook

West Coast Bureau of THE FILM DAILY;
Hollywood — RKO has bought “The Dover Road,” A. A. Milne stage hit, as a starring vehicle for Clive Brook. David Lewis will produce it, with work starting in a few weeks.

Alec Moss Joins Paramount

Alec Moss has joined the exploitation department of Paramount. He will assist Robert M. Gillham, director of publicity and advertising, and Bill Pine, recently named to head the east and west coast exploitation departments.

Warner-F. N. Releases
Are Set Up to May 1

Warner-First National releases for the next three months were set yesterday. Thirteen pictures will be released in this period, as follows: February—“Dark Hazard,” “Mandalay,” “Fashions of 1934,” “I’ve Got Your Number;” March—“Heat Lightning,” “Journal of Crime,” “Blondes and Bonds,” “Wonder Bar,” “Gambling Lady;” April—“Harold Teen,” “As the Earth Turns,” “Registered Nurse,” “A Modern Hero.”

M. J. Weisfeld Moves

M. J. Weisfeld, now acting as motion picture producers’ representative, moves into new offices today in the Harriman National Bank Building at 527 Fifth Ave.

“Devil Tiger” at Rialto Feb. 7

“Devil Tiger,” the Clyde Elliott jungle picture released by Fox, will open Feb. 7 at the Rialto.

Ells Martling Dead

Wichita, Kans.—Ells Martling, Sr., 70, for 30 years manager of the old and new Crawford here, died this week.

MARY NOLAN
Now
Under Personal Supervision of
HARRY H CHARD and MAX GOLDF
WMCA Bldg. Room 707
1697 Broadway
WANTED! 5000 DOG TEAMS!

"Eskimo" is the showman's delight!

Roll up your sleeves and watch the dough roll in!

Not since "Trader Horn" have showmen got such promotion results!

Get the Giant Campaign Book. It's a pleasure to promote!

M-G-M's "ESKIMO"
ROSENBLATT OPPOSES GOV'T REGULATION

(Continued from Page 1)

Rosenblatt declared. He also conferred this week with representatives of the Hay's organization on supervi-
sion of scenarios, presumably with a view to more careful elimination of material that is likely to cause criticism.

Ruling on Part Assent
At Variance With Code

(Continued from Page 1)

code is not required as a condition of appearance before and review of the section of clearance and zoning boards. A con-
sideration of the code itself, according to major company attorneys yesterday. They pointed to the grievance
boards section of Article 6 in which a paragraph reads: "No exhibitor or distributor shall be entitled to file
any complaint under this or any other article of this code unless such exhib-
itor or distributor shall have duly executed the code in its
entirety" within the prescribed period. This clause, they contended, means
that exhibitors must file unqualified
assents in order to benefit from the
local clearance and zoning boards, as well as the grievance boards.

"Moulin Rouge" at Rivoli Feb. 7
Constance Bennett in "Moulin Rouge," 20th Century production for
United Artists release, opens Feb. 7 at the Rivoli.

Leases Newark House
Newark, N. J.—Sidney Franklin has leased the Little theater for Perl Realty Co.

C. V. Davis Opens New House
Lenoir, N. C.—The Avon theater opens today with C. V. Davis as
manager. Davis has other theater interests in the area.

Smoking Permits Refused
Boston—Mayor Mansfield has de-
died the petition of the RKO Keith and the Park Theaters for smoking
privileges. The mayor has taken
no action against theaters already
allowed smoking rights.

St. Louis Theater Incorporates
St. Louis—Sallisbury Theater, Inc., has been incorporated by Clare-
ce Kaimann and Edna Dreher.

Coming and Going

HOWARD HAWKS, recently engaged by Co-
lumbia to direct "Twentieth Century," has
left New York for the coast to "start work.

ORKY-KELLY, the Warner-First National
studio stalwart, will go to Paris after attending the New York Film Festival to do research work on costumes for "Madame Du Barry.

IRVING MILLS leaves soon for Los Angeles
to arrange theater and club bookings for Duke
Ellington's orchestra, which also is to appear in Paramount's screen version of "Murder at the Vanities."

ALLIED COMPLAINT
PUT INTO RECORD

(Continued from Page 1)

features in excess of the number needed by stamping contracts with a
clause that the exhibitor has agreed to purchase an excess num-
ber of shorts and requiring the ex-
hibitor to initial the clause.

The communication also stated
Allied's stand on the assent blanks
and alleged that the Code Author-
ity was monopolistic and dominated
by major interests.

Para. to Star Helen Mack
West Coast Bureau of THE FILM DAILY
Hollywood — Through a release agreement with RKO studios, Helen
Mack has been signed to a five-year Paramount contract, with almost
definite assurance of stardom.

Walter Percival Dies
West Coast Bureau of THE FILM DAILY
Hollywood — Walter C. Percival,
stage and screen writer and twin
brother of Mrs. Ralph T. Kettering,
lived here this week.

Cantor Film May Go 3 Weeks
Omaha—Eddie Cantor in "Roman Scandals," set at the World for
two weeks, is doing turn-away business and may be held a third week. Book-
ing upsets the usual house policy of
double features.

Loew’s, Canton, Ups Prices
Canton, O.—Loew’s, which dropped
vaude last week for straight pictures,
is charging 40 cents tonight and 30 cents afternoons for first-
rung films, highest admission of seven
local theaters.

Split-Week at Youngstown
Youngstown — Park, after two
weeks of full-week vaude-films, has
switched to split-week with new programs opening on Saturdays
and Thursdays, according to Manager
Joseph Shagrin.

"Hell on Earth" Held Over
"Hell on Earth," war film, is being
held over at the Acme.
READ "VARIETY DAILY" REGULARLY

for terse, dependable reports on coming pictures!

Take 2 minutes to read these 2 typical examples of Variety Daily's accurate, expert, on-the-spot analyses of studio output, and you'll see why you, too, need this practical, helpful daily news service!

"As The Earth Turns"


"Warners has made an outstanding picture of Gladys Hasty Carroll's best seller, 'As the Earth Turns.' It is a triumph for all concerned from the director and supervisor to the least bit player. And it has that rare quality of picture-making which combines fine artistry with the universal heart appeal which is box-office insurance. It should make a barrel of money, despite the fact that it has no draw names.

"Greatest contribution to the picture's calibre is probably Al Green's inspired direction. Screen has seldom if ever seen children, from four years old to 14, handled with such charm and naturalness. Older players are also piloted for striking results . . .

"Honesty, sincerity, effective simplicity graced with laughter keynote the production—a design laid down in Ernest Pascal's excellent adaptation, which keeps the story close to vital human relationships.

"Jean Muir gives a topping performance, rounded and mellow, as the simple, maternal girl who reluctantly gives her heart to Donald Woods, who also plays his part with fine feeling."


"I've Got Your Number"


"A fast, exciting, robust . . . comedy through which a cast of pulling names romps for a sustained laugh fest, is this tale revolving around the adventures of two trouble shooting telephone repair men, 'I've Got Your Number' has money written all over it. With canny showmanship it stirs together exciting, novel, romantic and melodramatic elements in just the right proportions with the laugh substance to get the widest audience appeal.

"Even the melodrama . . . is played to the hilt for comedy.

"Blondell, O'Brien and Farrell swagger through the top spots with plenty gusto, leaving a trail of guffaws, while Allen Jenkins does the best job of his career . . .

"Lines are racy and toy ludicrously with the double entendre through the novel use of telephone and switchboard technical terms commonly understood.

"Direction of Ray Enright and screen story treatment by Warren Duff and Sidney Sutherland get away from the commonplace and usual routines in getting laughs and maintain breezy freshness."

—Variety Daily, January 20.

Supplement your present trade paper information with a subscription to

[Variety Daily Logo]
PARAMOUNT announces pictures for February and 5 out of five

"SEARCH FOR BEAUTY"
with the 30 International "Search for Beauty" Contest Winners and Larry "Buster" Crabbe, Ida Lupino, Robert Armstrong, James Gleason, Roscoe Karns and Toby Wing
Directed by Erle Kenton
Release date February 2

"SIX OF A KIND"
with Charlie Ruggles, Mary Boland, W. C. Fields, Alison Skipworth, George Burns and Gracie Allen
Directed by Leo McCarey
Release date February 9
es five release

have "IT"

GEORGE RAFT in "BOLERO"
with Carole Lombard, Sally Rand, the Fan Dancer, and Frances Drake
Directed by Wesley Ruggles
Release date February 23

EDMUND LOWE VICTOR McLAGLEN in "NO MORE WOMEN"
A Charles R. Rogers Production. Directed by Albert Rogell
Release date February 23

SYLVIA SIDNEY FREDRIC MARCH in "GOOD DAME"
Directed by Marion Gering. A B.P. Shulberg Production
Release date February 16

if it's a PARAMOUNT PICTURE — it's the best show in town!
VAUDE. PROBLEMS
AIDED AT HEARING

(Continued from Page 1)
show and vaudeville producers contending the figure is too high.

Speaking for the recently formed United Vaudeville Guild and Directors Union, Charles B. Maddock said his group, comprising 12 members and furnishing employment to approximately 8,000 persons annually, wants viewing of the code to accomplish the following: two weeks' rehearsal grants, two weeks break-in period without wages, termination of the clause compelling a producer to pay $3 per day to chorus girls during holidays, and modification of the chorus girls' minimum wage provisions. Alex Gerber, identified with the same association, supplemented Maddock's remarks by expressing wonder why the minimum for chorus girls in presentations and vaudeville should be so high when burlesque chorus girls have a minimum of $20 per week.

Executive Secretary John C. Flynn of the Code Authority opened the meeting by explaining its purpose. He read a telegram from Eddie Cantor, member of the Authority, viewing the move to reconsider vaudeville conditions as a "laughable proposition."

Stephen Trilling, observer, declared that small houses should be entitled to lower minimums during break-ins. Stating that inter-state circuit managers represent approximately 40 shows a year under its new policy, Charles Friedlander asserted that exhibitors can't afford to pay for lay-offs. A minimum wage of $4 per week was suggested by George A. Godfrey. Another recommendation by way of revision was suggested by Abe Lastrov, who advocated one day layoff for every six weeks of work.

Other speakers included: Joe Lurie, Jr., Joe Fenton, Alan Corti, Frank Cashman, Jack Fairbanks, Fred Walker and Irving Yates. Included in the group and in the audience were: Sam Dembov, Jr., Louis L. Sid-gey, George Sulnar, Eddie Alpertson, Morris Moss, Major L. E. Thompson and Joe Bernard.

Reorganization Set
For Florida Houses

New Orleans—With Federal Court permission to Stamey Theaters receivers to accept Central Florida Theaters stock in return for claims the Stameys have against Florida Peninsula Theaters, Inc., reorganization of the Peninsula into Central Florida Theaters expects to be completed. The two groups have also been granted permission to loan Central Florida up to $10,000. Peninsula Theaters, two-thirds owned by Stameys and for which they assumed responsibility on $492,000 notes, cover the former Universal Florida houses.

Du World Moves

Du World Pictures, recently organized by Archie Mayers and Irving Shapiro, moved yesterday from the seventh to the seventeenth floor of 729 Seventh Avenue.

VauDe in Tough Fix

Actors, playing presenters and vaudeville are in such tough financial circumstances, that the town's next bookings in their broken-down quarters are apparently not on the horizon. This is the way Joe Laurie described things at the Code Authority hearing and the way the while chorus girls, without position picture code yesterday. A New York's judicial order granting the request, coupled with the circuits, was urged by Laurie.

EIGHTEENTH INSTALLMENT
ARTICLE VI—GRIEVANCE AND ZONING BOARDS—(cont.)

Sec 3. The Decision of the Grievance Board

(a) Findings of Fact

The Grievance Board must decide whether the Exhibitor against whom the complaint is brought has committed any one of the four acts described above. It must make a finding of fact on this subject. This means that the Board must reach a conclusion from the evidence before it as to whether the Exhibitor complained against did or did not do any one of the acts described above with the intention and effect of depriving another Exhibitor of enough pictures to operate his theater.

(b) The Award of the Grievance Board

1. Nature of Award

Upon the facts found, the Grievance Board may make an award either dismissing the complaint or granting refusal.

ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

EIGHTEENTH INSTALLMENT
ARTICLE VI—GRIEVANCE AND ZONING BOARDS—(cont.)

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1. Nature of Award

Upon the facts found, the Grievance Board may make an award either dismissing the complaint or granting refusal.

LITTLE from "OTS"

By RALPH WILK

HOLLYWOOD

ALICE WHITE has been signed by RKO for "Strictly Dynamite," with Jimmy Durante, Norman Foster and others. Elliott Lewis is to direct. Maureen Watson did the screen play from a story by Robert L. Colwell and Robert A. Smit.

Harry Warren and Al Dubin, ace songsters, played new roles last week. They were pressed into service by Al Jolson and Dick Powell, who are to appear on two radio programs and each sought the songwriting team on advice of the musical selections for their respective programs.

Rupert Hughes and Gouverneur Morris were guests of honor at the Masquers' Revel. Gene Austin, Candy and Cocoa, James Cagney, Edward Arnold, John Sheehan, Frederick Santley, Syd Saylor, Eddie Nugent, Charles Williams, Jr., Edwin Maxwell, and Stanley Fields were among the performers. Sam Hardy was master of ceremonies, while Parnell Pratt was the master of ceremonies.

"Sutter's Gold," epic of California and first of the big specials to be made by Universal for 1934-35, will go in work about June, with William Wyler probably directing.

Claire Dodd and Glenda Farrell are additions to Warner's "One Man's Woman," while Ann Hale and George E. Stone have been added to "A Gentleman from San Francisco."

Jean Muir will play a courted role in First National's "Napoleon," starring Edward G. Robinson.

Complete cast of "Louisiana," which George Seitz will direct for M-G-M, includes Robert Young, Jean Parker, C. Henry Gordon, Ted Healy, Ruth Channing, Nat Pendleton, Maudie Eburne, Raymond Hatton, Irene Franklin, Joseph Cotten, George Lewis and Erville Anderson.

"W. S. Van Dyke will direct M-G-M's film version of "The Thin Man."" Dashehill Hammett mystery story.

"Glamour," with Constance Cummings and Paul Lukas, has gone in work at Universal under the direction of William Wyler.

KOHN ENTHUSIASTIC OVER THEATER POLICY

(Continued from Page 1)
from the Coast and previously a Dallas theater meeting. He was enthusiastic over the workings of the policy. The next territorial meeting with Paramount partners will probably be held soon at Omaha, where another member of the new management body will be appointed.

4 M-G-M Releases Set

M-G-M release dates to March 9 were announced yesterday. They are Feb. 16, "The Cat and the Fiddle"; Feb. 23, "Viva Villa"; March 2, "Mystery of the Dead Police," and March 9, "Rip Tide."

Tabloid Reviews of FOREIGN FILMS

"EIN STADT STEHT KOPF" ("A Town Standing on Its Head"), in German; produced by Ufa; directed by Hermann Grunendges; with Hermann Thimig, Jenny Jugo, Szoke Szakal, Berthe Ostyn, Thea Lingen, Fritz Kammers, et al. At the Yorkville Theater.

Lively and very amusing comedy about a traveling salesman who gets mixed up in the affairs of a corrupt municipal and sets things right with the aid of the Mayor's daughter.

"UND ES LEUCHTET DIE PUSZTA" ("The Dance of Love"), in German; produced by Ufa; directed by Heinle Hille; with Rose Barsony, Wolf Albeck-Ketty, Margot van Holmy, Karoly Sugar. At the 79th St. Theater.

Enjoyable musical in Hungarian locale with a good portion of fine singing and dancing, plus a satisfying romantic story.

"PROFANACION," in Spanish; produced by Indo-America; directed by Chano Urute; with Julio Villamarin, Graciela Meza, Fernandez. At the Teatro Variedades.

Early entertaining Mexican tragedy dealing with the melancholy that is supposed to fall on persons who open the tombs of the ancient Aztecs.

R. A. Cain Resigns

Salt Lake City—R. A. Cain, former Universal sales representative, has resigned due to the illness of his mother, who lives in Denver, according to Manager Jack Rue.

Her First Movie

On the special invitation of Samuel Goldwyn a little, white-haired, 77-year-old woman, who has never been inside a movie theater, will attend the first showing of "Nana" at the Radio City Music Hall today. She is Mme. Catherine Barrett, who conducts a sewing house in Washington Square, where Edna Ferber and other famous artists have lived. Phillips H. Hopper,POSITE in "The Film," will escort Mme. Barret.
YOU DON'T PAY FOR EXPERIMENTING WHEN YOU USE—

AUTOMATIC GOLD SEAL TICKET REGISTERS

The Guardians of Cash Receipts

THE BOX OFFICE IS THE HEART OF YOUR THEATER

PROTECT IT WITH

AUTOMATIC GOLD SEAL TICKET REGISTERS

FOR TWENTY YEARS

The Standard Modern Means For Handling Tickets

PROTECTION........

Protect cash receipts and safeguard the net

profits.

Prevent collusion and the resale of tickets.

Prevent the use of counterfeit and misappropriated tickets.

Keep tickets securely under lock and key.

ACCURACY........

Maintain an unfailing, unchangeable and

accurate record of ticket sales.

Facilitate accurate, dependable and quick

audit.

Furnish double check on ticket sales.

SPEED...............

Serve your patrons faster and more conveniently.

Prevent "walk-aways" by reducing waiting lines.

CONVENIENCE.....

Simplify the cashiers work and promote accuracy by eliminating lost motion in ticket selling and change making.

Tickets may not be removed from ticket booth at night but remain safely in the registers after their mechanism has been locked.

Accurate registration simplifies audit.

GENERAL REGISTER CORPORATION

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1018 SO. WABASH AVE.............. 1726 SO. VERNON AVE.

CHICAGO, ILL.............. LOS ANGELES, CAL.

1707 NO. 13TH STREET
PHILADELPHIA, PA.

90 ROYALTON STREET
BOSTON, MASS.

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PHILADELPHIA, PA.
**REVIEWING THE SHORT SUBJECTS**

**“Git Along Little Wife”** with Taylor Holmes, Natalie Moorhead Educational     20 mins. Good Comedy A fine performance by Taylor Holmes, nicely supported by Natalie Moorhead and Lena Malina, lifts this domestic comedy somewhat above the general run. Taylor is believably married to the late, lamented Lina Lamont, and still carries around the memory of his former wife, Lena. She moves in on him, making things so disagreeable that Taylor contemplates murder as the quickest solution. After going through a sweat in the belief that he was responsible for her death, though the body can’t be found, Taylor learns that his ex has another husband and is just out to shake him down, whereupon the husband is given the bum’s rush.

**“The Dance Parade”** with the Ethel Mignon Kids Milo Productions 22 mins. Fair This dance revue performed entirely by children is a matter of time by having too much talent scattered all over the set, all doing pretty much the same thing. The youngsters obviously can do things, but they would show much better in smaller doses and with more vocal numbers between the dancing routines. As it stands, the subject is a fairly entertaining affair in which the kids do various kinds of dancing, mostly ensemble and team numbers, plus a few impersonations, with a juvenile orchestra in a flash background supplying the music.

**Andy Clyde in “An Old Gypsy Custom”** with Lloyd Hamilton, Addie McPhail Educational 20 mins. Good Comedy With Lloyd Hamilton and Addie McPhail among his supporting cast, Andy Clyde’s latest is a generally enjoyable affair. Andy, who runs a store, gets smitten with a gypsy girl from a visiting troupe who are actually out to rob him. Complications develop between Andy and the girl and her charming gypsy husband, with accidental compromising situations, chasing, etc., to a climactic riot. Andy plays the role of a cop in his familiar oldtime style that is still good for laughs.

**“British Guiana”** (FitzPatrick TravelTalk) M-G-M 10 mins. Fine Highlight of this expedition into the only British possession in South America is a series of views of the highest waterfall in the world, said to be several times higher than Niagara. It is a marvellous sight and each of the various angles shown by the camera is very interesting. Other views of the country include Cayenne, the capital, the river, and some striking views of British Guiana. The talking part is all times engaging.

**Krazy Kat in “The Curio Shop”** Columbia 6 mins. Fair Animated Krazy and his girl friend visit a curio shop where the charm of a Chinese tapestry comes to life and enacts a little love drama. It tells about a little Chinese girl whose stern father wants to marry her off to a decrepit husband, whereupon the girl rebels and beats its, and is pursued by and young hero to the rescue.

**“Mickey Mouse in “Camping Out”** United Artists 7 mins. A Pip The ingenuity back of this latest animated comedy is enough to make anybody marvel at how it is possible for the Walt Disney bunch to keep thinking up so many good ideas for making people laugh. Action revolves around a camping party headed by Mickey and including all of his familiar pals. Their visit is resented by the mosquitoes, who proceed to organize their forces and attack the “city slickers” in the various ways in which Mickey’s gang meets the attacks will keep any audience roared with laughter. The making of these comedies has been funnier than this one.

Films Only at Canton Lyceum Canton, O. — Policy for Lyceum, former vaude house, leased by Young & Rimehart, will be straight pictures when reopened within a few weeks.

“CURTAIN AT EIGHT” with Dorothy Mackaill, C. Aubrey Smith, Paul Cavanagh Majestic 68 mins. FAIR MURDER MYSTERY WITH ROMANTIC AND LACERANT TWISTS GOOD CAST IS A HELP. Starting out as the tale of a matinee idol with three of his cast, including two sisters, in love with him, the plot of this story develops with the murder of the character and a suicide and other two murderers thrown in. As five people are involved, there are several spectacles and a chimpanzee is a possible sixth. The piece holds fair interest aided by a musical comedy detective and reporter. Paul Cavanagh is the matinee idol. His character is that of Marion Shilling, one of the sisters, discovering his infidelity, commits suicide. At a farewell party to Cavanagh, who is going to New York with Ruthela Stevens, a local heist is under way, with an agreement with his wife, who has been shown posing as his secretary, that she gets half of his booty. Cavanagh is shot. Sus- picion falls on others but finally rests on Dorothy Mackaill, sister of the suicide, who is saved by a kindly detective. The chimp is blamed. Picture is showing in New York under title “Backstage Mystery.”

**CAST:** Dorothy Mackaill, C. Aubrey Smith, Paul Cavanagh, Sam Hardy, Marion Shilling, Russell Hopton, Natalie Moorhead, Helen Hamilton, Ruthela Stevens, Jack Mulhall.

**Director, E. Mason Hopper; Editor, Ed- ward T. Lowe; Editor, Earl Cran; Cam- eraman, Jra Morgan; Editor, Grant Whytack; Director, Fair. Photography, O K.”
INTRODUCING

"the Speaker of the Evening"

EVER sit in on a banquet while a toastmaster, with more cracks to his line than a syndicated columnist, introduced a speaker who was a washout? It happens often.

Think about your theatre the same way. You book a feature, promote it, stunt it, advertise it to a fare-thee-well. And you pack them. You’re just like the toastmaster. You’ve got your customers on edge, waiting for something swell.

And then... up comes the speaker of the evening—your sound—the most vital part of your show. And what do your customers do?

If you have High Fidelity, they sit thrilled to the most perfect sound that money can buy. They listen to realism unrivelled by life itself. In short they listen to natural sound, and they go home, sold on your house, sure to come next week.

But, if you haven’t High Fidelity... Well, why take the negative angle? Some day in the interest of your box office, you will have High Fidelity, and when you do you’ll understand and join in the enthusiasm of the hundreds of ear wise exhibitors who are making money with their...

HIGH FIDELITY
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Make them ear happy with HIGH FIDELITY

PHOTOPHONE DIVISION
RCA VICTOR CO., Inc.
Camden, New Jersey

Stage presentations are on the rebound. If you plan to go in for them, remember: Stage Sound must now be as good as Screen Sound, or else... Sound Reinforcing is the answer and we have a completely standardized proposition to tell you about. Mail this coupon.

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SOON
HEPBURN

"SPITFIRE"
3 Stage Show Clauses Expected to be Changed

UNQUALIFIED CODE SIGNATURES JUMP TO 6,217

Fox Completing 1933-34 Program by Middle of April

Nine Features Slated to Start in February and March

West Coast Bureau of THE FILM DAILY

Hollywood—The middle of April will witness completion of work on the Fox current season program. Three features are scheduled to go into production this month, with starting dates as follows: Feb. 5, "Gold and the Woman"; Feb. 12, "Now I'll Tell," and Feb. 9, "Springtime for Henry." Six productions begin in March, five of them being: "Grand Canyon," "Charlie Chan's Challenge," "Fledglings," a spy story and a race track story.

DENVER CROWDS COME DESPITE PRICE BOOSTS

Denver—The second price boost in a month at the Orpheum has only made the crowds more anxious to get on the inside. Early last month Harry Huffman boosted the tariff for the main floor and lobbies from 40 cents to 50 cents. Grosses increased and Huffman expressed himself as having made a mistake in (Continued on Page 14)

"Lady for Day" Contest

Winners Are Announced

Winners of the ten prizes in the national exploitation contest held by Columbia in connection with "Lady for a Day," with nearly 400 theaters competing, were announced yesterday. Ingenuity, showmanship and coverage were the determining factors. (Continued on Page 14)

Revision of Vaudeville Clauses Indicated Following Code Confab

Bankruptcy Discharge Is Asked by Publix

A petition for a discharge from bankruptcy has been filed by attorneys for Publix Theaters in the U. S. District Court, New York. Assets of the corporation were recently acquired by Famous Theaters Corp. Date for a hearing on the petition, at which creditors must register objections, if they so desire, has not yet been fixed.

Modification of the vaudeville and presentation labor clauses in the motion picture code was indicated yesterday, following the hearing held on the subject the previous day at the Hotel Astor, when numerous criticisms were aimed at the provisions by circuit house operators as well as bookers, agents and actors.

Three major provisions are likely to be modified. Action is expected in connection with producer assertions that $35 a week for chorus girls has not yet been fixed.

Nearly 2,000 Assets Received in Past Week by Code Authority

Unqualified assets to the motion picture code have now reached 6,217 in number, it was stated at the Code Authority's office yesterday. Previous figures announced on Jan. 23 showed a total of 4,502.

The Daily Newspaper Of Motion Pictures
Now Sixteen Years Old

VOL. LXV. NO. 28
NEW YORK, FRIDAY, FEBRUARY 2, 1934
5 CENTS

GRAND RAPIDS EXHIBS WIN FIGHT ON BEANOS

Grand Rapids, Mich.—Theaters here have been victorious in their fight against commercial "bean games," Prosecutor Bartel J. Jonkman issuing an edict that all bean games must be closed tomorrow. One bean operator has been convicted on a gambling charge and seven cases are pending. Theater owners declared that unless beans were stopped they would be forced (Continued on Page 13)

Five 1934-35 Stories Bought by Monogram

Purchase of five stories for Monogram's 1934-35 program was announced yesterday by President W. Ray Johnston. They include: "Heads Up", by Adele Comandini; "The Right Man", by Albert Payson Terhune; "Women Who L.I.T." by Frederic and Fanny Hatton; "Twenty Years", by Robert F. Roden, and "Sing Sing Nights", by Harry Stephen Keeler.

Rosenblatt Back Monday

Wash. Bureau of THE FILM DAILY

Washington—Division Administrator Sol A. Rosenblatt is expected back in Washington on Monday from the Coast. Advice from the coast said he left there yesterday afternoon. He will attend the next meeting of the Code Authority in New York on Feb. 9, it is anticipated.
NRA Officials Are mum
On Cancellation Ruling
Washington Bureau of THE FILM DAILY
Washington—Any further statements on the 10 per cent cancella-
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A. Rosenblatt, as NRA officials here
have declined all comment. Rosen-
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“Moulin Rouge” Caravan Starts
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Drums O’Dooood” Booked
“Drums O’Doodoos,” all-New pic-
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Pictures, with a personal appearance
of Laura Bowman, who plays the
leading role in the feature.

“Palooka” Trade Showing
Local trade showing of “Palooka,”
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Tel. Columbia 5-6741

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BARNUM & BAILEYHOO THIS BELL-RINGING SMASH!

Give it all you’ve got...it will get you all you can take!

Your showman’s blood will tingle when you see this box-office clean-up... THE MOST THRILLING ANIMAL PICTURE EVER MADE... a-glitter with every possible selling angle. Book it and boost it for an S.R.O. sensation!

DEVIL TIGER

Directed by CLYDE E. ELLIOTT
director of "BRING 'EM BACK ALIVE"

Story by James O. Spearing
Edited by Truman Talley

THEY'LL NEVER FORGET THESE THRILLS:

SEE The lion... king of beasts... battle the tiger... monarch of the jungle... roaring, snarling, ferocious... vicious teeth rending living flesh in an unforgettable struggle for supremacy.

SEE Hundreds of mammoth Indian elephants in fear-crazed stampede... crashing giant trees... trampling human life... crushing everything before them.

SEE The crocodile and the tiger in a frenzied fight for life... lashing, whirling, churning the jungle waters into a deadly scarlet foam.

SEE The hero-explorer trapped in the relentless, life-smothering coils of a 40-foot python... and his miraculous escape.

SEE The "Devil Tiger" himself... eyes like balls of fire... fangs as sharp as ice-picks... powerful, crafty, terror-inspiring... his black heart haunted by the Evil One himself... mad with the thirst for human blood.

SEE These and a score of other sensational thrills... each more amazing than the last... actual sounds and scenes that will burn themselves into your memory forever.
Warners' 'Wonder Bar' Cast Sets Multiple Star Record

With the largest cast of stars, featured players, and chorus beauties ever gathered in the Warner Bros.-First National studios, "Wonder Bar" stacks up as the most overwhelming screen spectacle attempted by the company that stood the industry on its collective back with "Footlight Parade," "Gold Diggers," and "42nd Street."

With "make it different" the studio byword, Warner Bros. started building box-office values immediately upon purchase of the story. The studio aimed to break precedent and set records in all departments, as a result of which the talent division comprises a "Who's Who" of Hollywood's greatest.

Kay Francis appears as the glamorous, capricious, amorous Parisian wife; Al Jolson as the night club entertainer, Dolores Del Rio as Inez, the exotically alluring night club dancer, Ricardo Cortez as Inez's partner, "matinee" idol and gigolo, Dick Powell as the young singing band leader, Hal LeRoy as the kid hoofing marvel, and Ruth Donnelly, Guy Kibbee, Hugh Herbert, Fiat d'Orsay, Henry O'Neill, Merna Kennedy, Henry Kolker, Mia Ichioka, Pat Wing, Clay Clement and many others in varying dramatic and comedy parts.

In addition to the marquee personalities, Warners commissioned Busby Berkeley to double his quota of beautiful girls for the ensemble spectacles. Instead of the gorgeous group of two hundred used in "42nd Street," "Gold Diggers of 1933," "Footlight Parade" and "Fashions of 1934," Berkeley put four hundred to work in "Wonder Bar's" imaginative chorus sequences.

Warner's fortification of "Wonder Bar" with a long list of selected stars is regarded in Hollywood as indicative of specially keen business foresight, the trade holding that the pictures' sale to the public is facilitated for the exhibitor, giving him the greatest opportunity in film history to use the fine art of ballyhoo.

"Wonder Bar" World-Famous as Stage Hit

"Wonder Bar," Warner Bros. extravaganza to exceed its own successful extravaganzas, was one of the most successful of this century's stage plays in this country, with a two-year road tour, plus a solid sell-out year in New York, behind it. In Europe, "Wonder Bar" set enviable records in Vienna, Paris, Berlin, and London.

"WONDER BAR" ADDED TO BACON'S HIT LIST

Lloyd Bacon's record of "box-office champions" is due for an addition, according to preview reports on "Wonder Bar" from Hollywood. Bacon directed "42nd Street," one of 1933's "Ten Best" in the FILM DAILY Poll and a champion for two successive months in MOTION PICTURE HERALD's national box-office survey.

Bacon also directed "Footlight Parade," which achieved similar "best b. o." renown. In addition to directing two of the industry's most successful musical extravaganzas, Bacon has directed a half dozen of the money-making Joe E. Brown films.

New "Wonder Bar" Tango Hailed as Dance Sensation


Representing a blend of the famous Apache dance of Paris and the Tango of the Argentine, "The Gaacho" is danced to the "Tango Del Rio," a Dublin-Warren melody dedicated to the beautiful star. Jose Fernandez, coach of the ballet for the Hollywood Bowl's presentation of Ravel's "Bolero," directed Miss Del Rio and Cortez. Coast dancing masters are enthusiastic over the possibilities of the routine for popular ball-room dancing.
Dubin-Warren Tunes
Click as Radio Hits
Al Dubin and Harry Warren, writers of the screen's most successful songs, collaborated again on the musical score of "Wonder Bar," turning out six hits for Dick Powell, Kay Francis, Al Jolson, and the Busby Berkeley chorus creations. A specially-planned music campaign is establishing the numbers in a national advance build-up, with Guy Lombardo, Paul Whiteman, the Mills Brothers, and other first-raters plugging them.

Looking for something different in melodies and lyrics, the writers of the "42nd Street" and "Gold Diggers of 1933" hits produced the title number, "Wonder Bar," as well as "Vive La France," "Don't Say Goodnight," "Goin' To Heaven On A Mule," "Why Do I Dream Those Dreams" and "Tango Del Rio," the latter dedicated to Dolores Del Rio, who dances the number with Ricardo Cortez.

In addition to the studio-created tunes, Jolson sings the famous Russian air, "Dark Eyes."

**Berkeley's Lavish Spectacles**

for 'Wonder Bar' Stress Novelty

"Wonder Bar" is the first screen presentation of its type, according to Warner Bros.-First National, the producers. The story, described as "intimate," is said to introduce an entirely new technique in presentation, including the theater audience as participants in the action. With Al Jolson, master of intimacy, pacing the show, the guests at the "Wonder Bar," a huge Parisian night club and popular rendezvous, sit in and watch the story unfold. It has, according to preview reports, the effect of "taking the audience where everything is happening."

The story of "Wonder Bar" is based on the famous international play by Karl Farkas and Geza Heczeg which played in the leading capitals of Europe and was then imported to New York for a long run. Earl Baldwin, one of Hollywood's top-flight scenario writers, wrote the screen adaptation of "Wonder Bar" for Warner Bros.

**NATIONAL TIE-UPS TO SELL "WONDER" FILM**

National exploitation tie-ups blanketing the country are now in process of completion by Warner Bros, as advance aids in selling "Wonder Bar" to the public. One of the first tie-ins will be with Coca-Cola and its national coverage in dozens of large circulation publications. Other tie-ups will cover all the possibilities for giving exhibitors local coverage through national plugs. Full details will be included in the special merchandising plan now in work by Warners.

**BY REQUEST!**

Kay Francis and Ricardo Cortez, appearing together in "Wonder Bar," are teamed for the third time in recent months. The combine has resulted in an increase in the mail for both stars and has established them as one of the top-earning couples in pictures. Before "Wonder Bar" Francis and Cortez were featured in "The House on 50th Street" and "Mandalay."

**WB Plans Gigantic Easter Send-Off for 'Wonder Bar'**

Easter Week has been definitely set by Warners for nation-wide pre-release engagements of "Wonder Bar," according to home office announcement, and selected bookings for this period are now being accepted. Preceding these dates there will be simultaneous world premiers in New York, Paris, London and Vienna on February 21st, as part of a gigantic plan for an all-time high in pre-release campaigns.

The New York opening at the Strand Theater will be attended by the most elaborate ceremonies ever arranged for a stage or screen premiere. The majority of the film's stars will come East for the occasion and a nation-wide broadcast from the stage of the Strand will be participated in by celebrities in the audience. Formal dress will be the order and Manhattan's social and theatrical elite will also participate.

Seats for the New York opening are scaled at $6.00 top, with a share of the proceeds to charity.
EXPLOITETTES

Elaborate Bally Heralded "Fashions of 1934" Premiere

ONE of the most effective ballyhoos ever accorded a Broadway sale was that given to First National's "Fashions of 1934" at the Hollywood Theater. The highlights of the campaign included a magnificent fashion parade staged in the lobby and rounding of the theater, with mannequins selected from the city's leading department stores. One of the lobby displays featured fifty of the original fashion sketches in color, designed for the picture by Orry-Kelly, leading Hollywood stylist. The Susskes Fifth Avenue store also cooperated on the Hollywood premiere of the fashion show, which was put on at different intervals all during the first week of the picture's run. In addition, a lingerie show was also on display, featuring ten models wearing the latest Du Pont rayons, and another mannequin was a store's intimate ladies' wear. Miss Margot Nilson exhibited her designs, arranged on a display table, which were placed in the latest in fashions and was present in the theater lobby opening night to answer questions relative to the new styles and means of creating her soap figureines. Students of the Traphagen School of Fashion designing were also at the theater, illustrating the technique of style illustration, and a display of silk and rayon from Mallinson's and Du Pont's respectively, were used as a feature of the theater lobby. They arranged the latest trends in fabrics. Mallinson's arranged a display of silk and rayon for the lobby display. In the theater lobby, this gorgeous silk display was insured for $7,500. In addition to the silk display, the theater lobby and marquee were decorated with a colorful array of ostrich plumes and feathers. Ostrich feather pens were distributed to all guests opening night. The Loose-Wiles Biscuit company distributed ten thousand booklets entitled, "Fashions, Foods and Frocks of 1934," in connection with the first and later showings of "Fashions of 1934." Radio, newspaper breaks and full-page advertisements also figured in the campaign.

-Hollywood Theater, N. Y.

Certified Jungle Film

"Devil Tiger," the Fox release which opens next week at the Rialto, is a 100% pictorial film, with every single episode photographed on location in the virgin jungles of the great Asian continent, according to an official release by Clyde E. Elliott, who made the picture.

THE FILM DAILY

Friday, Feb. 2, 1934

ALONG THE RIALTO

-with PHIL M. DALY

- - - TESS MICHAELS of U. A. made good with honors as chairman of the A.M.P.A. Ladies' Day party... held at the Hotel Paramount yesterday noon. More than 125 members and guests full but to hear the array of important folks that Tess gathered for the occasion... A telegram from Mary Pickford auspiciously started things going... Then followed a bow from Elizabeth Arden, the cosmetic queen... a swell display, by Alice Fleckman hour... "N. Y. American... two songs by tempting Tamara of "Roberta"... a bow from Carol Stone, daughter of the immortal Fred, who later addressed the lads and ladies talk... Finally falls of meaning by Blanche Yurka, a real trouper... Ladies Day at the A.M.P.A. will no doubt become an annual affair... and the gal who is selected to head next year's meeting will have to go some... to better Tess Michael's work.

- - - NEWS NOTES.- Along the Rialto... Now that the Samuel Goldwyn campaign introducing Anna Sten in "Nana" has been completed... Lynn Farnol will sail Feb. 28 on the Manhattan... for Ireland... there to plant a kiss on the Blarney Stone... he may linger there till sometime in the summer... the lucky mug... Madeleine Carroll, the Gaumont-British star who charmed us in "I Was a Spy"... will be tendered one of those typical royal welcome displays by which the director is in store at the Perrottet suite... at the Waldorf-Astoria, this afternoon... the engravcd invitations call it "The Dancant"... no less.

- - - LAST NIGHT Ham Fisher, producer of the comic cartoon strip, "Palooka," which was produced by Edward Small and Harry Getz out of Reliable Pictures, was guest to a host of sports editors and boxing writers... at a private showing of the film... which will soon be released by United Artists... Ricardo Cortez has been spotted to go on the other show... by Alice Fleckman hour... and on Dale Carnegie's program, "Little Known Facts About Well Known People"... Sunday, over WEAF... a resume of Frank Buck's career as an animal trainer will be broadcast... no less.

- - - SITTING IN a sweet spot... as the most versatile producer of Broadway revues... and with well-founded rumors that Holly Rose is the young man who contributed most of the lyrics for the current Folies... the majority of Pannie Brice's hilarious material... and at the Dixieland Revue... out of the cold into the warmth of success... What with Hollywood going strong for musicals and girleen screen revues who can tell what this embryo Ziegfeld will be in our midst... shortly... no less.

- - - WARNER'S "Hi, Nellie!" opened to standee biz at the Strand Thursday night... Boris Goldsreyer has been appointed advertising manager of the "Evening Post" and will handle the movie stuff... Over at the Roxy... starting today is a Tom Patricola-Charlie Judels two-reeler titled "The Good Bad Man," and they say it deserves the feature billing that Morris Kinsler is giving it... B. J. Hynes has moved to Denver, in association with Harry Hufman in the management of the Denver and Orpheum there... Hynes was recently personal chief for Herschel Stuart at Detroit... A slick little miniature press book has been issued by U. A. on Walt Disney's Silly Symphony "The China Shop"... everything from advance stories to lobby displays is included... and if you haven't taken the family to see this new screen gem... you're neglectful... no less.

- - - TWO ORGANIZATIONS that helped pull over the recent FILM DAILY RELIEF FUND drive are holding their annual dinner this week, and we're saying that now is the time for all good men and women to buy tickets for the Press Photographers' Ball, which takes place tonight at the Commodore for the big Sunday night at the Majestic... sponsored by the Catholic Actors' Guild for the benefit of destitute actors and actresses.

TIMELY TOPICS

Story the Main Thing
On Either Stage or Screen

The story is the main thing, whether on the stage or the screen. A young playwright named Shakespeare had the same idea some centuries ago. Any director, to be a success, should know the story, should work on the story of his production, should have his own ideas of what that story is going to be. On the stage the most important work we do is before rehearsals when producer and writer strive together. The picture director is in the same position. If he knows stories, if he can work with a writer and get his story as it should be, he will succeed. If he is not competent along those lines, he loses his value. But infinitely more important, I believe, that a director should know stories than that he should "know the camera." After all, knowledge of the camera and what it can do may be gained by experience. A director cannot keep looking through a camera without gaining knowledge of its possibilities. But a story mind is a gift that is not to be acquired. I am still at variance with many ideas advanced by motion picture directors. I do not believe that all phases of what is called picture technique are necessary for making a picture. Years ago, on the stage, when an actor wanted to emphasize a certain line and make sure he got a laugh, he turned and delivered that line straight into the faces of the audience. I have seen many pictures turned out under such conditions, the actor turned to face the camera. That's wrong. I believe the illusions of a scene is lost when that is done. We have cured that fault on the stage, and it will be cured on the screen also. There is need, in either medium, to strain for laughs. Nor do I think that many camera angles are needed.

—Arthur Hopkins.
YESTERDAY IN NEW YORK, DESPITE ONE OF THE WORST SNOW STORMS IN YEARS, A NEW STAR, NEVER BEFORE SEEN IN AN AMERICAN PICTURE, PLAYED TO THE LARGEST CROWDS IN THE HISTORY OF THE WORLD'S LARGEST THEATER.
SHORT SUBJECTS

"Business is a Pleasure" Vitaphone 18 mins. Enjoyable Song Novelty

One of the best of the Technicolor musicals in the "Broadway Brevi-
ties" series. It is tuneful, fast-moving,

and has a good rhythm and is better than usual on the

comic end. For a sort of plot there is a
department store that is going

on its feet, whereupon a live-wire
gent sells the managers the idea of

jazzing up the place with musical

touches, installing an orchestra and

crooners to bring in the crowds and

stir up their buying impulses. Idea

works out beautifully, even inject-
ing some hotcha into the staid man-

agerial staff.

George Meyer in

"Those Were the Days" Vitaphone 10 mins. Enjoyable Song Novelty

As an opening for revival of some of his oldtime song hits, George

Meyer is shown in conference with an

income tax man who is trying to

straighten out the composer's ac-

counts. Mention of various popular

songs leads to flashback renditions, the

numbers including "Song of the

Nile," "My Mother's Rosary," "Everything is Peaches Down in

Georgia" and others.

Vince Barnett in

"Where's Elmer" Universal 20 mins. Plenteous Laughs

Vince finds himself leader of a
gang of racketeers, as soon as the

real leader ducks out to avoid trou-

ble. As the business of hold-ups is
dull, the lads decide to open a hos-

tel and provide patients in a most

unusual manner: they sit in doorways

and throw banana skins on the

sidewalk, subsequently taking the

victims to the gang's hotel for

repairs. Others drop flower-pots from high windows, some cause au-

tori accidents. Soon the hospital is

Going and Coming

ANDRE CHALUS, directing head of the Film

Union, S. A., of Paris, has arrived in New

York to confer with RKO executives. The

Film Union distributes RKO product through-

out France, Belgium and Switzerland.

DELBERT GOODMAN, For East district man-

ager for Fox Film, left New York yesterday

for Jacksonville. After conferences at the Fox

studio, he will sail to Japan, where he makes his home.

JESSE L. LASKY and son have left Florida

for Hollywood, following a trip through the

Panama Canal.

DAVID MANNES, who returned this week

from Europe, has returned to Hollywood after a few days' visit with friends at Haslinky.
ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

NINETEENTH INSTALLMENT
ARTICLE VI—GRIEVANCE AND ZONING BOARDS—(cont.)

Sec. 4. General Jurisdiction of Grievance Boards

In addition to the four special grounds upon which a complaint can be brought before the Grievance Board, the Grievance Board has general jurisdiction. In the case of the four specific grounds, the Grievance Board makes a decision. In any other case, it does not make a decision, but merely certifies the matter to the Code Authority for decision.

(a) Complaints Under Code or Otherwise

All complaints of Exhibitors or Distributors concerning the provisions of the Code or otherwise which are not designated to be heard—

1. Directly by the Code Authority,
2. By arbitration, or
3. By the Local Clearing Board or any Board may be brought before the Local Grievance Board.

(b) Certifying to Code Authority

The Grievance Board by majority vote may certify the complaint or grievance to the Code Authority for decision. If the Grievance Board does not feel that the matter should be referred to the Code Authority for decision, it may dismiss the complaint or grievance.

(c) Appeal to Code Authority

If such complaint is dismissed, an appeal may be taken from the dismissal to the Code Authority.

(d) Hearing and Appeal

The grievance before the Board and before the Code Authority is heard within the time within which certain steps can be taken are the same as in ordinary hearings and appeals from the Grievance Board as described in Section 6 and 7, analyzed below.

Sec. 5. Limitation of Jurisdiction

Every District has the right to license its own pictures to its affiliated theaters. No Grievance Board has jurisdiction to hear or determine any complaint by an Exhibitor based upon the fact that the Distributor has licensed its pictures at its affiliated theaters.

Sec. 6. Appointment of Grievance Board

In each exchange territory the Code Authority shall appoint a Local Grievance Board.

(a) Composition of Board

Each Board shall consist of:

- Five members:
  - Two Distributors (1 affiliated and 1 unaffiliated);
  - Two Exhibitors (1 affiliated and 1 unaffiliated);
  - One impartial representative of the Code Authority approved by the Administrator and having no affiliation with the industry.

(b) Voting

The impartial representative of the Code Authority votes only if the Board is deadlock.

(c) Chairman—Vacancy

A Chairman shall be selected by majority vote of the members of the Board. A vacancy shall be filled from the class of members in which the vacancy occurred.

(d) Disqualification

No member shall sit on any matter involving his own or his company's interest.

(e) Decision

The decision shall be determined by a majority vote. If there is a deadlock, the question is submitted for decision to the impartial representative.

(f) Time and Manner of Decision

The decision must be in writing. It must be made within fifteen days from the filing of the complaint or within three days after the hearing, whichever date is earlier.

Part 2. Threatening Legal Proceedings

It is an unfair trade practice to harass or cause a rival distributor to withdraw their products by publishing or circulating notices in the good faith:

- Threats.
- Suits.
- Any other legal proceedings.

Part 3. Obtaining Confidential Information

It is an unfair trade practice to secure confidential information concerning a competitor's business by:

- Any statement or representation.
- Any false impersonation of one in authority.
- Bribery.
- Any other unfair method.

Part 4. Unreasonably Excessive Salaries

(Note: This Part 4 (including Subdivisions (a), (b), (c), and (d), as analyzed below) has been suspended by the President pending from the Administrator after investigation.)

(a) Power to Investigate

To prevent destructive competition by unreasonable payment for personal services, the Code Authority has the power to investigate whether any employer has agreed to pay an unreasonably excessive inducement to any person to enter into his employ.

(b) Power to Assess

If the Code Authority finds that the employer has agreed to pay an unreasonably excessive inducement, it has the power, with the approval of the Administrator, to assess the employer in the amount of the unreasonable excess payment. Such assessment must not exceed, however, the sum of $10,000.00.

(c) Publishing Findings

The Code Authority may also in such a case make public its findings.

(d) Contracts Not Affected

Regardless of the finding of the Code Authority or its assessment, the contract of employment is not affected. The contract is binding on the employer and employee.

(e) Assessments Paid to Code Authority

All assessments made must be paid to the Code Authority for use by it in the administration of the Code.

Productions Clauses Analyzed

Production clauses in the motion picture code, apparently misunderstood in some quarters, are now clarified by Attorney General John W. Davis in his analysis which is a division of the Code Authority which he is conducting in Hollywood.

A. GENERAL

Part 1. Defaming Competitors

It is an unfair trade practice to defame a competitor by falsely imputing to him—

- Dishonesty.
- Inability to perform contracts.
- Dishonesty or conduct standing.
- Disparagement of the grade or quality of his motion pictures or theaters.
- Other false representations.

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(Continued on Page 14)
As of its phenomenon
RADIO CITY MUS
SAMUEL GOLDB

Anna Stern
has been
FOUR WEEKS
TWO WEEKS AT THE MUSIC HALL

Releas
UNI
ART
result
of opening at the
C H A L L yesterday,
SYN'S production of
in Nana
set for
R A D I O C I T Y
TWO WEEKS AT THE CENTER
thru
EDS
TS
STAGE SHOW CLAUSES LIKELY TO BE CHANGED

(Continued from Page 1)

Harry Brown in New Post
Chicago—Harry Brown, formerly manager of the Chicago Lake, has been made assistant manager of the American.

HOLLYWOOD

LAZY “BUSTER” CRABBE and Joan Marsh will play the romantic leads in “The Telling Me” which Paramount has just placed in work. W. C. Fields heads the cast, with Earle C. Kenton directing. Screen play is by Faust Jones and J. P. McEvoy.

Ralph Rainger and Leo Bobbin have written four musical numbers for “The Trumpet Blows,” now George Raft vehicle for Adolphe Menjou and Frances Drake also are in it.

Fox is making elaborate preparations for the filming of “Work of Art,” the new Sinclair Lewis novel. Work is scheduled to start shortly.

Appearing for the first time under new caption of Laya Joy, Joyzelle will perform one of her dances in “The Ape,” Monogram feature, which William Nigh is directing.

June, Jane and Joan Gale have been added to Para’s “Melody in Spring,” with Charlie Ruggles, Mary Boland and Sammy Ross. Norman McLenned is directing.

The Chicago Bears, world’s champion professional football team, headed by “Red” Grange will appear in a short subject produced by M-G-M. Ray McCarey will direct and Pete Smith will supply the explanatory remarks.

Twentieth Century has signed Fay Wray for “The Firebrand” and Charles Butterworth for “Bulldog Drummond Strikes Back.”

Rose Coughlan, the second, granddaughter of the famous star, Rose Coughlan, is to carry on the traditions of her famous stage family, Young Rose, 15, is making her film debut in the RKO picture, “Finishing School,” at the same time she is attending Hollywood High School.

Adlyn Doyle, pretty former “stand-in” for Katharine Hepburn, has been given a break with her assignment to a role in RKO’s “Finishing School.” She joins a cast that includes Ginger Rogers, Bruce Cabot, Frances Dee, Mitzi Green, Billie Burke, and Margorie Lytell.

Carrie Truedwell Lackey, mother of W. T. Lackey, Monogram producer, died at her home this week at the age of 61.

Frank Craven, Sally Blane and Ray Walker will have leading roles in Monogram’s “稀土” series.

Columbia filled four important roles for “Storm,” scheduled for release shortly by Fred Micoy’s next starring vehicle, when Alphonzo Ethier, Ward Bond, Frank McDonald and Joseph Crehan were engaged this week. The story is by Harold Shumate. Billie Sothern is the feminine lead. C. C. Coleman is directing.

Edward I. Ludwig, director of “Woman’s Man,” has just been signed by Universal to direct “If I Were Rich.”

John Wayne is back from a short vacation at Warm Springs and is now at the Paramount St. Louis studio preparning to appear in his next for Lone Star Productions, “The Star Roller.”

Trem Carr, vice president in charge of production for Monogram pictures, announce that production will begin Feb. 9 on Monogram’s new twelfth centurty romance with music, “Manhattan Love Songs.” Lanny Fields will direct. Fields and David Silverstein wrote the script from Cornell Woolrich’s novel of that name.

“La Buenaventura” is the Spanish title for the new M-G-M film, “The Fortune Teller,” which is being filmed in Spanish at the Warner studios under the direction of William McGann. Earico Caruso, Jr., son of the celebrated tenor, and himself possessed of a magnificent singing voice, plays the leading role of Baroni. Other members of the cast are: Anita Campillo, George de Neel, Jack Alborn, Antonio Vidal, Marcella Nivon and Francisco Moran. Miguel de Zarraga has written the Spanish dialogue, based on an adaptation of the original book and lyrics which were the work of Harry E. Smith.

Production is rapidly being completed on Monogram’s new mystery thriller, “The Ape,” based on the Adam Hull Shirks’s play of the same name. The cast includes the following players: Ed Lowry, noted radio entertainer, Verna Hillie, Paramount contract player, Joyzelle, noted stage player, who will be known on the screen as Lurene Tuttle, Richard Ridgeway, Cleo Clement, popular Broadway leading man, who starred in London for two years in “Aloma of the South Seas.” George Hayes, Dale Fuller, Harry Bradley, Irving Bacon, Mary Foy, Sam Godfrey, George Cleveland, Marjorie Warner and Phil McCullough. Albert E. De Mondo wrote the script of “The Ape” for Monogram, and William Nigh is directing.

Delegates to See “Catherine”

Through the courtesy of United Artists, about 400 delegates to the national conference of the National Board of Review will attend a private screening of the London Films “Great Expectations” at the New School for Social Research next Thursday evening.

GRAND RAPIDS EXHIBITS WIN FIGHT ON BEANS

(Continued from Page 1)

to resort to “give-away” tactics, which in itself is against state laws. At one time $85 commercial bean games were operating here in the past six months, attracting 5,000 persons daily.

St. Louis Court Approves Lease of Fox Theater

St. Louis — Circuit Judge Ryan yesterday approved the agreement under which the Fox Theater receiver leased the house for $1,550 a week to Eden Theater Co., a recently organized Fanchon & Marco subsidiary. Profit is to be split 50-50. The lease to continue until the present receivership is terminated.

Essaness Gets Vendome

Chicago — The Vendome, South Side house, has been taken over by the Essaness circuit. It is under the management of Dick Kemp.

Stanley Resumes Stage Shows

Pittsburgh—Stage shows will be resumed by Stanley on Feb. 15, with the Shubert revue, “Artists and Models.” Loew’s Penn returned to stage shows last week, both houses will bill stage attractions as they are available.

Shorts Booked for Run

Chicago—“Poppin’ the Cork,” Educational’s three-reel musical comedy, starring Milton Berle, and “Across the Sea,” a Romantic Journey, opened for a long-run engagement yesterday at McVicker’s.

Robinson in “Dark Tower”


Freddy Rich for Vita. Short

Freddy Rich and His Orchestra have been signed by Sam Sax for a Vitaphone one-reeler.

ANTICIPATE LOCAL HOLIDAYS AND SOCIAL EVENTS

REMEMBER
Another spectacular addition to EDUCATIONAL PICTURES' long list of big name short subject box-office stars, already including:

ERNEST TRUEX
STOOPNAGLE AND BUDD
TOM HOWARD
LILLIAN ROTH
JUNIOR COGHLAN
SHIRLEY TEMPLE

ANDY CLYDE
HELEN MORGAN
BOB HOPE
MILTON BERLE
TOM PATRICOLA
CHARLES JUDELS

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U. S. A. by FOX Film Corporation
DENVER CROWDS COME DESPITE PRICE BOOSTS

(Continued from Page 1)
not fixing the entire house 50 cents. He has now done this and for the past week the gross is one of the biggest in months. With "Flying Down to Rio" on the screen and Leo Carrillo in person the gross Sunday was the biggest since Huffman took over the theater a year and a half ago. This boost puts two of the first runs on the 50 cent top at night, the Orpheum and Denver. Other houses are getting 45 cents, with the Aladdin reserving logs until 8 p.m. at 50 cents.

Meet to Map NVA Fund Drive
N.V.A. Fund, Inc., will meet today to consider plans for raising money immediately to take care of N.V.A. activities. The annual collection week in theaters over the country will again be held this year, Henry Chesterfield, secretary of the N.V.A. Fund, said yesterday.

Fox Signs Stage Actress
Freyva Leigh, stage actress who appeared recently on Broadway in "Dark Tower," has been signed by Fox for featured roles and will leave today for Hollywood.

WARNERS ACQUIRE NOVEL
Warner-First National have acquired screen rights to "Oil for the Lamps of China," novel by Alice Tisdale Hobart.

SHORT SHOTS from EASTERN STUDIOS

By CHAS. ALICOATE

THE largest and most elaborate set ever used in an Educational two-reeler will be seen in the comedy, as yet untitled, which Al Christie is producing with Bob Hope in the starring role. The act, representing a complete Latin village, almost entirely occupies the largest stage, measuring 217 x 120 feet, at the Eastern Service Studios in Astoria. This is the second largest stage in existence. This is the most elaborate comedy Educational has made this season.

"The Three Bears," latest Educational-Terry-Toon release, has been booked for a week's engagement, starting today at the Fox in Brooklyn.

Bill Terry,apper manager of the New York Giants, visited the Vitaphone studio this week under the wing of Production Chief Sam Sax. "Alibi Baby," the latest musical short of the "Broadway Brevities" series, was shot at the time, and Manager Terry seemed to take a lively interest in the even livelier antics of the multidimensional and pulchritudinous beauty chorus at work on the sets.

Ben Blue has started work on his fifth short at the Vitaphone studio. Cost lined up by Sam Sax, studio production chief, to support the comedian in this comedy, which is as yet untitled, includes Elaine Melchior, Monty Collins, Dorothy Brown, Hugh Cameron, Toney Hughes, Lillian Gordon and Vicki Cummings. Ralph Staub has been assigned to direct.

Shooting is now under way on the newest Vitaphone "Melody Makers" short, "A Jolly Good Fellow," B. A. Rolfe and his orchestra are starred. The "Men About Town" trio will appear along with the 22-piece band. Dolly Arden, Bert Mathews, Beverly Phalon and Sally Woodall also appear in leading parts.

ANALYSIS of FILM CODE

(Continued from Page 9)

B. PRODUCERS
Part 1. Obtaining Dismissal of Stage Employee
It is an unfair trade practice for any Producer to assist in obtaining the voluntary release or dismissal of an actor, dramatist or actor who is rendering exclusive services for a "legitimate" drama or musical comedy, in order to secure his services for motion picture purposes.

Part 2. Conspiracy to Prevent Producer from Renting Studio
It is an unfair trade practice for a number of Producers who ordinarily rent studios to Producers, to conspire to prevent any responsible Producer from renting their studios or studio facilities.

Part 3. Employing Members of the Family as Extras
It is an unfair trade practice for a Producer to knowingly employ as an extra a member of the family of any employee, or any person who does not depend upon "extra" work for livelihood. An one woman the rule made to this rule if production problems necessitate it.

Part 4. Regulations Concerning Agents
Sec. 1. The Agency Committee
There shall be organized an Agency Committee.
(a) How Composed
This Committee shall be composed of ten members as follows:
Five shall be Producers or Producers' representatives;
Five shall consist of one agent, one actor, one writer, one director and one technician.
(b) How Selected
1. The five Producers or Producers' representatives are named by the Code Author-
(Two to be Continued)

37 British Producers Are Active at Present
Thirty-seven producing companies are now operating in England, according to a survey made in behalf of the British Film Daily Year Book. British production in 1933 totalled approximately 190 features.

Discarding Vaudeville
Chicago's Sheridan theater, Essaness house, has discontinued vaudeville.

FACTS ABOUT FILMS

France and its North African colonies have 4,825 cinemas, of which 2,684 are now wired.

Friday, Feb. 2, 1934
Coming: A Fourth Year of

ACHIEVEMENT

SINCE Eastman Super-sensitive Panchromatic Negative was introduced early in 1931, its revolutionary qualities have fulfilled every hope and prediction of its sponsors. It has helped cameramen and producers so tremendously...it has affected the motion picture art so profoundly...it has contributed to so many cinematic triumphs, that a further prediction can now be made: In its fourth year, as heretofore, this Eastman film will be an important factor in the most conspicuous motion picture achievements. Eastman Kodak Company. (J.E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-sensitive Panchromatic Negative
MARGUERITE de la MOTTE

Presented by MONOGRAM PICTURES
Directed by EDWARD LUDWIG
Supervised by BEN VERSCHLEISER

ADELA ROGERS ST. JOHN

whose feature stories about all the big stars are "lead" articles in Liberty, Cosmopolitan and the best fan magazines, wrote this "inside" story of the movie capitol.

Plenty of entertainment . . . The kind that is sure to please.
—Hollywood Reporter

Good story well directed . . . Sparkling with comedy, should hold any audience.
—Variety

Real Entertainment for any exhibitor's audiences.
—Motion Picture Herald

Refreshing piece of entertainment sparkling with smart dialogue, yet not sophisticated . . . Appeal for all classes of audiences.
—Motion Picture Daily

THE REAL "INSIDE" STORY of HOLLYWOOD by ONE WHO KNOWS
Part of Regional Boards to Start Early in March

MAJOR RELEASES IN '33 TOPPED LAST THREE YEARS

Some Circuits Agree to Negotiate With Service Union

Meet Next Week to Vote on Strike Against Unwilling Theaters

Negotiations are under way between Paramount-Publix, Rambouillet circuit, the Rialto and the Roxie and the newly-organized Building Service Employees Union which seeks a closed shop, a 49-hour six-day week and a higher wage scale for ushers, ticket takers, janitors, maids, janitors, and others, according to Charles C. Levy, secretary of the union. All other circuits which have received contracts have paid (Continued on Page 3)

HAYS OFFICE GROUP HOLD CODE CONFESSION

Operation of the film code as it applies to distribution and exhibition was discussed at a meeting of major company executives at the Hays office yesterday. About 25 representatives attended the session, which was partly devoted to definitions of the various clauses in the document.

Embassy is Reopening As a Newsreel Theater

Reopening of the Embassy as a newsreel theater is scheduled for next Saturday. The News product will form the basis of the 45-minute program. Fox Movietone recently gave up the house because of inability to agree on new rental terms. F. C. Woods, Jr., is managing director of the new enterprise, known as The Newsreel Theaters, Inc.

First Zoning, Grievance Boards Expected to Start Next Month

H. M. Warner and Morris Going Abroad on Survey

A survey of European conditions, including those in Germany, will be made by Harry M. Warner and Sam E. Morris on a trip abroad in March following the former's return from New York from the Coast, where he is now conferring on 1934-35 production plans. Morris is now recuperating from an operation at the Sydenham Hospital, New York.

Some of the local zoning and grievance boards authorized by the motion picture code will begin functioning early in March, it was stated at the Code Authority office in New York yesterday. The various boards will start to operate as soon as they are set up. Personnel of a number of them will be ratified by the Authority at its next meeting Friday at the New York Athletic Club, as the new quarters (Continued on Page 1)

WARNER-ERPI RULING EXPECTED TUESDAY

Whether or not the Warner Bros. suit against Electrical Research Products seeking sound royalties will be tried in court or settled through arbitration will be known Tuesday when the Supreme Court of Delaware hands down a decision at Wilmington on an appeal filed by the defendant from a Chancery Court decision bringing the case within jurisdiction of the courts. Arguments in the case were made last November.

Reports Better Outlook In Michigan and Illinois

Detroit-Movie outlook in Michigan and Illinois is much improved, it is reported by Harold C. Robinson, manager in Film Truck Service. Many rural houses in Illinois have opened recently, and in Michigan the small town operators report increased business, he says.

138 Features Last Year From Nine Leading Companies

Features released by nine major companies in the calendar year 1933 totalled 138, an increase of 23 over 1932 and 14 more than in 1931. It is shown in data compiled for the forthcoming 1934 FILM DAILY YEAR BOOK. Number released by each company last year was: Paramount, 58; Warner-Pi rates National, 55; Fox, 50; RKO, 48; M-G-M, 42; Universal, 37; Columbia, 32; United Artists, 16.

JOHNSON URGES NEW MONOPOLY DEFINITION

Washington Bureau of THE FILM DAILY

Washington—"A new definition of what constitutes a monopoly or a monopolistic practice is necessary now," said General Johnson last night in explaining the NRA's relation to the anti-trust laws. The NRA has no power to prevent monopolies, and in itself violates them by "restraining trade," therefore the necessity for the new definition, he declared.

$202,312 Loss in 1933

For Keith's Memorial

Boston—Keith Memorial Theater Corp., reports a 1933 loss of $202,312.75. Admissions totaled $780,563.

Loew Fights for "Nana"

Claiming its contract entitles it to "Nana," immediately after its first-run, now in progress at the Music Hall, the Loew circuit is understood to be demanding delivery of the picture by United Artists as soon as it finishes its Music Hall engagement instead of after playing the scheduled two weeks at the big house and two more weeks at the RKO Center in Radio City. Picture is packing them in.
Circuits Cold to Plan For Vaude Tryout House

Circuit heads yesterday indicated no disposition to adopt suggestion made by Joe Laurie, Jr., vaudeville headliner, that they jointly establish a "showing" house in New York for acts. They declared they find no need for such a theater, as urged by Laurie at the hearing last Wednesday on the vaudeville and presentations section of the motion picture code.

"Catherine" Trade Showing Feb. 14

National trade showings of "Catherine the Great," London Films production starring Douglas Fairbanks Jr. and Elizabeth Bergner, will be held Feb. 14 by United Artists in all key cities except New York.

Frank Lynch a Daddy

Frank Lynch, short subject booker for the Skouras theaters, passed out the corona perfectus yesterday in celebration of the arrival of an eight-pound boy born to Mrs. Lynch in New Haven on Thursday.

Academy Awards March 15th

West Coast Bureau of THE FILM DAILY

Hollywood — Academy of Motion Picture Arts will make its award for the outstanding screen performances from Aug. 1, 1932 to Dec. 1, 1933 at its banquet to be held here March 15th.

Coming and Going

DOROTHY STICKNEY, Broadway actress, signs by Paramount, arrives on the coast tomorrow.

JEFF LAZARUS, chairman of the Paramount board in Hollywood, arrives in New York Feb. 12 on the California to look over material.

WILL H. HAYS is expected back from the coast in time to attend the N.Y.A. Fund meeting which will be put off to Monday.


LAURA LA PLANTE talks today on the Ile de France for England to appear in Warner films there. Also sailing on the same boat are ROBERT KITCHE, manager for Jeannette MacDonald; MAX CONANT, actor; JOHN C. WILSON, manager for Noel Coward, and GARE SCHWARTZ, director of Paramount Laboratories, Paris.

MR. and MRS. NICHOLAS M. SCHENCK sail today for California.

JOE SHEA, who recently resigned from the Radio City publicity staff, left New York yesterday to join the Fox studio publicity department at the Coast.

Schaefer Questioned in "M" Suit

In connection with the suit brought by Joseph Plunkett and Walter Beade against Paramount alleging conspiracy to suppress the feature, "M," through failure to re-lease it, Attorney Saul E. Rogers has started examination of George J. Schaefer, general manager of Paramount. The examination continues at Rogers' office Wednesday at 3 p.m. Damages amounting to $100,000 are asked in the suit.

NEW patron-age is attracted by the increased billi-

Avenue of the Stars, Los Angeles, Calif.

National Copper Coated High Intensity A. C. PROJECTOR

CARBONS give increased satisfaction

ONE-THIRD more light than that given by the low intensity D.C. arc is project-

ed by the new lamps designed especially for these carbons. They provide for full length carbons, correct feed ratio, dependable arc control. Operate directly from transformer.

from either

VIEWPOINT

That of the Projector House

That of the Box Office

That of the Projector House

NATIONAL COOPER-COPPER CARBONS COMPANY, INC.

Carbon Sales Division, Cleveland, Ohio

Unit of Union Carbide and Carbon Corporation

Branch Sales Offices: New York Pittsburgh Chicago San Francisco

FRANK WHEELER DEAD

St. Louis—Sam Wheeler, 70, veteran actor, playwright and theater owner and one of the founders of Actors' Equity, died here this week.

MARY NOLAN

Now Under Personal Supervision of HARRY RICHARDS and MAX GOLDFER

WMCA Bldg., Room 707

1607 Broadway

DENVER EXHIBIT

Denver—The code should not be signed as it now stands was the feeling expressed by Theater managers at a meeting here. Most managers think the code covers too much ground and takes too much control out of their box office operations. But mountain circuit are among those who have signed.

FINANCIAL

NEW YORK STOCK MARKET

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NEW YORK CURRENCY

Nat. Scr. Ser. | 16 1/2 | 16 1/2 | 16 1/2 |
Technicolor | 10 1/2 | 10 1/2 | 10 1/2 |
Trans-Lux | 2 1/2 | 2 1/2 | 2 1/2 |

NEW YORK BOND MARKET

Gen. Th. & Ea. | 64 1/2 | 64 1/2 | 64 1/2 |
Gen. Th. & Ea. pfd. | 6 6 | 6 6 | 6 6 |
Loew's 4, 41/4 | 95 | 95 | 95 |
Paramount 6,497 cbfs. | 36 1/2 | 36 1/2 | 36 1/2 |
Par. By. | 31 1/4 | 31 1/4 | 31 1/4 |
Par. By. 55,551 cbfs. | 35 1/2 | 35 1/2 | 35 1/2 |
Par. 15,509 cbfs. | 36 1/4 | 36 1/4 | 36 1/4 |
Warner's 6,837 | 55 1/2 | 55 1/2 | 55 1/2 |

N.Y. PRODUCE EXCHANGE SECURITIES

Para Pubs. | 3 2 1/4 | 3 2 1/4 | 3 2 1/4 |
REGIONAL BOARDS

START IN MARCH

(Continued from Page 1)

in the RKO building are not as yet ready for occupancy.

Executive Secretary John C. Flinn will submit to Division Administrator Sol A. Rosenblatt immediately a list of nominations for non-industry board members. Approval of these selections rest with him.

At the Code Authority session Friday, Rosenblatt is expected to report concerning his work in setting up code machinery at the Coast. A meeting of the committee preparing a manual for the local boards will be held in New York next week, prior to the Code Authority session.

“Wonder Bar” Easter Dates

Following its international premiere in New York, Paris, London and Vienna on Feb. 21, “Wonder Bar” will be available for special pre-release showings during Easter Week, it is announced by Warners. It is expected that over 150 key city theaters will be simultaneously shown “Wonder Bar” during this holiday week.

Richard P. Penny Dead

Denver—Richard Pendleton Penny, 59, former owner of string of theaters in northern Colorado, died at his home in Denver after a long illness. After selling his theaters he spent four years as a booker in the Bert Levy agency in Dallas.

Releasing “Girls in Uniform”

“Girls in Uniform,” English-dialogue version of “Maedchen in Uniform,” will end its Criterion run tomorrow night and will be generally released by John Krinnisky and Gifford Cochrane.

Joan Lowell Film on Way

Joan Lowell has called Van Beu- ren from Guatemala that the picture she made of her adventures in South America is on its way to New York and that she will arrive in New York on Feb. 8. The picture will be released through RKO about April 1.

Ben Pollock Orchestra for Vita

Ben Pollock and his orchestra have been signed by Sam Sux for a one-reel Vitaphone short.

“He” Held Over at Cameo

“He, King of Virtue,” First Division release, is being held for a second week at the Cameo.

Kent Taking Month’s Rest

Sidney R. Kent, who is resting in Florida, is expected to remain away from his office for a month.

CIRCUITS DICKERING WITH SERVICE UNION

(Continued from Page 1)

no attention to them, Levy declared yesterday. He said that if he received no word from these circuits by Feb. 12, he intended to take the matter up with the NRA Regional Labor Board. Meanwhile the union will hold a meeting next week, at which time Levy says he will ask the membership to vote a general strike to be called if recognition is not forthcoming. The union now has a membership of close to 5,000.

Westley Barton, Eastern auditor for the building service Union International, arrived in town yesterday. In the event of a strike, Barton will be detailed to handle negotiations, Levy said. Next week the union will move from Brooklyn to new headquarters at 145 West 45th St.

Local 306 Case Ended

An order making the order of the Court of Appeals the order of the Supreme Court in a dismissal of an appeal by three receivers has been written by Justice Lydon, thereby bringing to a close the receivership action involving Local 306, opera- tors’ union. The receivers not only were denied commissions of $7,500, and counsel fees of $5,000, but were made to restore the outlay of about $900 in disbursements.

Whitney Bolton on Air

Whitney Bolton, scenarist and dramatic critic of “The Morning Telegraph,” goes on the ether via station WNEW within two weeks to offer a broadcast comprising reviews and Broadway gags.

Extend Film Center Lease

Industrial Pictures Corp. has renewed its lease on the fourth floor of the Film Center Building.

Hess Laid Up By Cold

Gabriel L. Hess was confined to his home yesterday by a severe cold.
A LITTLE FROM "LOTS"  
By RALPH WILK

HOLLYWOOD

HERBERT ALLER has acquired rights to "Don't Be That Way," which he will produce.

Our Passing Show: Charles R. Rogers, Harry Rapf, Henry Herbrun at the Wampas dinner tendered in honor of Sol A. Rosenberg; Archie Josephson motoring to Universal.

Glen Allwine, who supervised "Midshipman Jack," will also supervise "Let Who Will Be Lover," for RKO. Ray Harris is writing the screen play and dialogue.

Charles Lamont has completed the direction of "Managed Money," a "Frolics of Youth" comedy for Educational.

Garrett Fort has been added to Paramount's writing staff, his first assignment being the screen play of "Pursuit of Happiness," by Julius J. Epstein and Paul Moss have also been added.

Henry King has gone to New Orleans, Florida and Havana to get atmospheric shots for "Marie Galante," his next Fox production.

Columbia has exercised its option on the services of Ethel Hill and signed the scenarist to a new term contract.

Ted Healy has been signed to a new contract by MGM. His next role will be in "Louisiana.")

The title of MGM's golf short, formerly known as "Goofy Golf" is now "Trick Golf." The football short with Red Grange and the Chicago Bears has been titled "Pro Football."


Edward G. Robinson will make "Dark Towers" before "Napoleon." First National announces. The latter film is to follow next. Verree Teasdale may play opposite Robinson in "Napoleon."

May Robson in "YOU CAN'T BUY EVERYTHING" with Jean Parker, Lewis Stone, William Bakewell.

M-G-M.

VERY GOOD HUMAN INTEREST STORY THAT BUILDS UP TO A TEAR-JERKER ON MAY ROBSON'S FINE WORK.

Nicely handled all around, this tale of an old feminine Wall Street wizard, whose daughter, in the first half, gives talkative non action but sequences leading up to the climax finally gives the film the essential momentum. The story concerns March, who as a college professor, is having a real love affair with Miriam Hopkins, a student and daughter of wealthy parents. March wishes to marry but Miriam fears that wedlock will be the end of romance. While in a night club, Miriam's purse is stolen by Raft, a former criminal, whose girl, Helen Mack, is about to have a baby. After a fight, Raft is returned to prison and Helen sent to a girls' home. Miriam engineers their escape but the law closes in around them, and the film, with the exception of the final clinch, ends tragically. The leading parts are handled in expert fashion, but lack of action in the first three or four reels holds the picture to an average rating.


Director: James Flood; Author: Rose Allyn; Camera Adaptors: Sidney Buchman, Thomas Mitchell, Dialogue, Thomas Mitchell; Editor, Otto Löwenberg; Cameraman, Victor Millet; Recording Engineer, Martin Adolph; Sound, Edmund Lamkin.

Direction, Good. Photography, Excellent.

BUFFALO—David Miller. Universal manager and president of the Buffalo Film Board, has returned from a short vacation, while A. Charles Hayman, manager of the Lafayette, is getting ready for his annual rest.

BUFFALO—Eugene K. Milton, property man at Shea's Hippodrome, has just been elected president of I. A. T. S. E. Local No. 10.

DENVER—R. E. Griffith Theaters, Inc., has moved its accounting department back to Oklahoma City. The booking office has been kept here, and Henry Lockhart of Oklahoma City has moved here to take over the job.

DENVER—Westland Theaters, Inc., has doubled its capital stock to 6,000,000. A. A. Withers is now president of the company.
Musicals Again to Figure Big on ’34-35 Programs

LOEW PROFIT IN FIRST QUARTER JUMPS 100%

Labor Board Orders Reinstatement of Local 306 Men

Operators Dropped by I.T.O.A. Must be Rehired

Ruling that no employer has a right to discharge employees for non-valid reasons and make a contract with a union which does not represent a majority of such employees in his field, the N.R.A. Regional Labor Board has ordered 10 I.T.O.A. theaters to reinstate about 55 members of Local 306 dropped last August. The theaters had engaged members of the Allied Motion Picture Operators Union, which Local 306 charged was a company union.

52 MINIMUM PLANNED BY FOX FOR 1934-35

Fox’s program for 1934-35 will offer at least 52 features. The company’s current season schedule affords a similar number. Work on the new year program begins within a few weeks.

16,000 Persons Aided

By Coast Relief Fund

West Coast Bureau of THE FILM DAILY

Hollywood—Approximately 4,000 cases, representing about 16,000 persons, were aided last year by the Motion Picture Relief Fund, it is announced by Marion Davies, president. Expenditures totaled $150,000, including $40,000 worth of food provided to feed about 15,000 people, $20,000 paid for rents and public utilities, and in any number of cases saved eviction of families from their homes. About 1,000 people received private medical care, of which 300

(Continued on Page 17)

National Board to Review 25 Years of Film Interest

Twenty-five years of public interest in films will be reviewed at the annual conference of the National Board of Review to be held Feb. 8-10 at the Hotel Pennsylvania. Motion picture study groups from all

(Continued on Page 2)

CamPAIGNS

... Showmanship de luxe

By DON CARLE GILLETTE

Within the memory of the oldest Broadway settlers, there have been few campaigns to compare with the one that ushered in Samuel Goldwyn’s new find, Anna Sten, in “Nana.”

Proof, in the form of results, is available to anyone interested by merely dropping around to the Radio City Music Hall, where folks are waiting in the cold and fighting to get in to see this new personality who was a stranger to them up to a few days ago.

How all these thousands of film fans were keyed up into that irrepressible desire to see Anna Sten so badly would make a very useful textbook for any showman.

(Continued on Page 2)

Stop Us If You’ve Heard It

And Jackskirk at Educational tells about the two cities who met on the street.

“Now’s business by you?” asked the first.

“Colossal!” replied the second, “but I think it will get better soon.”
HE campaign from start to finish, was conceived with perfect fitness of style and method for the particular occasion.

Instead of the customary opening rhetorical brays with 30-inch guns, the initial ads consisted solely of an alluring half-tone of Miss Sten with a single word of reading matter.

For several days a different fascinating half-tone appeared, with continued sparsity of words, until the public had been pieced into taking a keen interest and asking itself questions about the mysterious newcomer.

With a swelling crescendo in type; the star's name, title of her picture, its coming premiere at the Music Hall, etc.

All this was fed to the public gradually, always with dignified allure, never in a manner that might give any readers adjudicial indignation.

So by the opening day of the picture the town had been worked up to such a crescendo of curiosity that S.R. O. was a foregone conclusion.

NOR was anyone heard to leave the theater disappointed or of the opinion that he had been over-sold.

In fact, both critics and fans freely stated that it was all justified.

Whether or not the story of "Ness" met their expectations, there was no doubt that Anna Sten had.

And since it was Anna Sten that had been very shrewdly sold to them, nobody had any inclination to kick.

THERE have been some other ingenious campaigns lately that give evidence of a better trend in advertising and exploitation.

In a different and less elaborate fashion, though also suited ideally to its purpose, was the very successful teaser stunt put by Warner forces on "Hi, Nellie!"

And M.G.M.'s handling of the return of Greta Garbo was noteworthy.

But this Anna Sten campaign is the one that will linger the longest.

For both the way in which he moulds Anna Sten into a star performer and the manner employed in making the public accept her right off the bat, Samuel Goldwyn will be taking bows for a long time to come.

CaM painps 
...Showmanship de luxe

(Continued from Page 1)

New Paramount Setup
Not Starting Till May

Despite progress being made in the reorganization of Paramount Publicity, indications yesterday were that the new setup will not be functioning completely until May. As in the case of Publix Theaters, a national campaign will be formed by the group now heading Paramount Publicity to acquire its assets.

Small Florida Exhibs Complain

Bartow, Fla.—Eighteen exhibitors from small cities in central Florida met at the Ernada theater to discuss problems confronting independent operators. The complaint among the independents is that they are being discriminated against and that the big companies are being given preference. The exhibitors agreed to bring these unfair trade practices to the attention of their representatives in Washington and before the public.

Caravan in Philly Today

Philadelphia — United Artists' "Moulin Rouge" caravan of stars will be here today following appearances in Washington and Baltimore last week. Next stop is New York, coincident with the opening of "Moulin Rouge" at the Rivoli.

Padgett Managing Another

Clearwater, Fla.—The Ritz, closed for the past few months is to be reopened. Del Padgett, who is looking after the Ritz and Capitol, both Sparks houses, will serve as manager.

National Board to Review
25 Years of Film Interest

(Continued from Page 1)

parts of the country will participate in the conference, which marks the 25th anniversary of the founding of the Board. Sol A. Rosenblatt is to be among the speakers, and a prominent industry executive will address the gathering on "The Response of the Producers to Cooperative Public Effort."

Contest on "No Greater Glory"

Following up the exploitation contest recently held in connection with "Lady for a Day," Columbia will distribute $500 in cash prizes for the best and most effective campaign on "No Greater Glory." Frank Borzage production. The campaign adjudged the biggest and best will net the theater manager a first prize of $300, with second prize of $200; third, $100, and next five, $50 each.

Gadsden Gets Strait

Gadsden, Ala.—Under a new ordinance passed by the city commission, nothing in the way of nudity will be permitted in films or stage shows. Sunday performances also must not start before 1 P.M., and no vaudeville will be permitted on the Sabbath.

RESPONSIBLE PARTY

with wide acquaintance and favorably known in the Film Business desires to represent a foreign distributor or a producer desiring of securing releases for their product in the U. S. A. Address Box No. 983 "C" Film Daily 1659 Broadway New York, N. Y.

Dame Ruthven predicts that "NO GREATER GLORY" is headed for the year's highest honors! The screen's mightiest soul-stirring spectacle which Frank Borzage made from Terence Molnar's great novel...
Stranger no built finally cast design discontented.

Directed Another Arthur reason by Alfred E. Hohl, E. Green.

From the best-seller by Gladys Hasty Carroll. Wisely, farm activities of the New England scene were not gone into except to point up character clash.

Drama is built up around three neighboring Maine farm families, two old settlers, the third Polish newcomers to the soil from the city. Clash, sacrifice, envy, heartache and finally heart ease come from the diverse ambitions of the neighboring groups. Tale shows with extraordinary understanding how the land, the frozen and the teeming soil, splits hearts apart and joins them again. Other than this, and the touching love stories of the 'young people, there is no involvement. It moves like the seasons—the slow turning of the earth from winter to summer.

Jean Muir gives a top-notch performance. Rounded and mellow, as the simple, maternal girl who reluctantly gives her heart to Donald Woods, the young Pole, who also plays his part with fine feeling.

Noteworthy too, are William Janney, the boy who goes to college and Dorothy Appleby, the feverish discontent with the farm who almost seduces Janney to renunciation of everything for her. Arthur Hohl as the listless farmer, and David Landau as the dependable landsman. Sarah Padden and Egon Brecher as the Polish couple. Dorothy Peterson as a discontented wife, Emily Lowry as a happy bride, are particularly effective. Among the children Dorothy Gray stands out in a splendid piece of juvenile work, together with David Durang as the young Polish son. Other kids are all remarkably fine.

Photography is excellent, and the effects of New England scene and house interiors as provided by Robert Haas help greatly. Leo Forbstein's music fits handsomely, and technical work is excellent.

WARNER BROS. Vitagraph, Inc., Distributors
EXPLOITETTES

Broadway's Biggest Sign Exploited "Queen Christina"

AFTER a glittering first night world premiere at the Astor Theater, New York, Tuesday evening, December 20, "Queen Christina" seems established as an outstanding new season M-G-M special-run hit. The sign above the theater—the largest illuminated theatrical sign on Broadway—carried the single word Garbo in flashing electric bulbs over a massive likeness of the Swedish star. The sign is probably the simplest and yet most effective used by M-G-M for an Astor presentation. The lobby design is done in modernistic style combining the historical appeal of the story with the modern treatment accorded it and was highly praised by persons in the industry. Fashion tie-ups with "Queen Christina" were sought by New York's biggest department stores and fashion houses. The result was an exclusive tie-up with Macy's, publicizing the type of gowns worn by Greta Garbo in the film. The store gave a special window display to the film, introduced by the picture and also devoted page after page of costly advertising space in the New York daily papers to reproductions of special Garbo silhouette styles. This represented perhaps the most unusual fashion tie-up worked out in New York on a new screen production.

—Astor, New York City.

Finger and Footprints

Exploited "Missing Persons"

IRVING BLUMBERG, manager of the Stanton, attracted a lot of attention to "Bureau of Missing Persons" by offering to make finger and foot prints of all children who were brought to the theater by their parents any day between the hours of 12 and 2 P.M. during the run of the picture. Blumberg obtained the finger printing apparatus from the Philadelphia Police Department. His offer was made via the newspapers, on a special lobby easel in front of the theater and on the screen. The first day of his offer, which was on a Saturday, two hundred parents took advantage of the theater's offer.

—Stanton, Philadelphia.

9 Million Saw Museum Films

A total of 27,160 pictures were sent out last year by the Visual Education Service of the American Museum of Natural History, according to T. Davidson, president, who estimates that 9,000,000 persons saw the pictures.
A "LITTLE" from HOLLYWOOD "LOTS"

By RALPH WILK

WARNER'S "Dames," new musical comedy picture co-starring Ruby Keeler and Dick Powell, will go into production in about two weeks. Powell, who has been very busy of late in "Wonder Bar" and "Hot Air," has gone to De- monte for a few days' vacation before beginning his next screen role. Because of the impending production of "Dames" Ruby Keeler was unable to accept a role in "Hot Air." Also, her husband, Al Jolson, to New York.

The courtly Huntley Gordon, one of screenland's real veteran actors, whose career dates back to the old days of Vitagraph, has appeared in every type of motion picture ever made—except a two-reel comedy. Now he completes the gamut with an assignment in Educational's new Frolics of Youth comedy, "Managed Money."

Almost a year and a half ago Mitzi Green, child actress and impersonator, left Hollywood to take up radio work. At that time she had just made a sensation in her characterization of "Little Orphan Annie," for RKO Radio. Today she is back in the screen capital, a poised, dignified ingenue, standing on the threshold of young girlhood and playing her first semi-grown up role.

Adolphe Menjou, currently featur- ed in George Raft's "The Trum- pet Blows," has been handed the leading role in B. P. Schulberg's "Little Miss Marker," the Damon Runyon story which will feature Dorothy Dell, Jack LaRue and Cora Sue Collins. Production is slated to begin Feb. 12.

Ralph Rainger and Leo Robin will write the music and lyrics for "Cosmetics" it is announced at the Paramount studios. This is the B. P. Schulberg picture to be made from the Hungarian stage success.

New Incorporations

NEW YORK


Atlasta Picture Corp., of New York, Manhattan. Harry J. Pell, Harry J. Pell, Attorney, B. Robbins.


American Seating Company

Makers of Dependable Seating for Theatres and Auditoriums

General Offices: Grand Rapids, Michigan

BRANCHES IN ALL PRINCIPAL CITIES

ARE YOU DRIVING AWAY THE TRADE YOU WANT TO BRING IN?

ASK US,

"How can I reseat my theatre economically?"

- Community patronage can be regained and retained by many theatres if owners will provide comfort and ease for audiences while seated.
MONTONE Productions will start shooting Wednesday on a new two-reel musical variety subject at Fox studio for Universal release. The short which has been tentatively titled "The Passing Revue" will feature Ed Sullivan, Daily News columnist, as Emcee. His entertainers will include George Givot, Irene Taylor, Block & Sully, Abe Lyman and his orchestra, Barbara Blair and Adler & Bradford. Milton Schwartzwald will direct, with Frank Zucker in charge of the cameras.

Production on the industrial made by Ruby Film Co. for Abbot Dairy Co., showing the manufacture of "Popcicles" and which may be used for theater release, has been completed. Aaron P. Silverberg supervised the production, with Edward Ruby in charge of the cameras.

Paul Florenz, who devises the striking dance creations for the two-reel "Broadway Brevities" at the Brooklyn Vitaphone studio, is on the lookout for six stunning chorus girls these days. The demand is due to the forthcoming musical short, "Hi, Spy," which requires a chorus of 22 beauties.

An new Educational comedy starring Tom Howard is scheduled to be put into production tomorrow by Al Christie at the Eastern Service Studio in Astoria. The comedy will be based on an original story by William Watson and Arthur Jarrett. George Sheldon, who has been playing a strong supporting role in all of the Tom Howard comedies, will again support the comedian.

Lillian Gordon, the blonde vaudeville star who first appeared before the camera in the newly completed Vitaphone short "Alibi Baby," takes so well to film work that she was awarded a role in the latest Ben Blue comedy, on which shooting will be completed today at the Vitaphone studios in Brooklyn.

16,000 Persons Aided
By Coast Relief Fund

(Continued from Page 1)

were treated in hospitals, sanitariums, and rest homes. Special nurses were provided in 50 cases and 100 major operations were performed.

The social workers of the Fund made approximately 1,500 home visits in addition to about 6,000 office interviews. During the Christmas holidays the Fund distributed 1,000 turkey Christmas baskets, and gave a ticket for a Christmas turkey dinner good at several of the best Hollywood restaurants to about 600 single people.

The Motion Picture Relief Fund is a private charitable organization supported entirely by members of the motion picture profession, the majority of whom pledge 50 cents out of each $100 of their earnings. Officers of the Fund, besides Marion Davies, president, include Fred W. Boitson, chairman of the executive committee; Ronald Colman, first vice-president; Mary Pickford, second vice-president; Will H. Hays, third vice-president; Samuel Goldwyn, fourth vice-president; M. C. Loew; treasurer; Frances X. Baur, executive secretary.

Educational Releasing
10 Subjects This Month

Four two-reeler comedies and six single-reeler are being released by Educational through Fox this month.

With "The Inventors," the Stopp nagle and Bud starring comedy, just sent out for national distribution, the following four subjects will be released Feb. 9: "The Super Snooper," an Andy Clyde comedy; "Rip Van Winkle," a new Terry Toon; "Travelling the Road," a Song Hit story starring Alexander Grey, and "City of Wax," a Battle for Life release.

"The Expectant Father," the second Star Comedy special with Ernest Torrence, will be released Feb. 16, and on Feb. 23, the following subjects will be released: "Managed Money," a Frolies of Youth comedy with Junior Coghlan and Shirley Temple featured; "Mediterranean Blues," a Romantic Journey; and "The Doctor," a Song Hit story starring Helen Morgan.

FI. Worth Union Elects

Fort Worth, Tex.—The local operators' Union has elected the following officers for this year: president, D. W. Gould; vice-president, J. L. Hobson; business agent, H. L. Woods; corresponding secretary, B. Y. Coffman; financial secretary, R. L. Morgan; treasurer, Don R. Roberts; recording clerk, A. L. Bailey.

Va. Censorship Agitation Meets Richmond—Agitation for discontinuance of the state censorship division is subsiding. Mrs. Emma Speed Samson, ousted member of the division, has recommended its continuance in the hope of bringing moral and social welfare committee.
COPELAND-BACKS
GOV'T FILM SERIES

(Continued from Page 1)

with and financed by American industry. A series of films giving the public an insight into the setup and operation of the Government machinery would not only prove of great educational value to the nation, but would fit in with the recovery program, said Copeland.

One of the big producing companies is understood to be ready to undertake the production of the pictures, which are expected to have appeal for commercial exhibition as well as for educational purposes.

In the report of the film activities of the Bureau of Mines for 1933 just completed by M. L. Leopold, supervising engineer, it is shown that the bureau has about 3,000 reels in its library. These were loaned on 53, 865 occasions during the year, and it is estimated that 4,839,497 persons saw them.

Nine RKO Short Subjects Being Released in Feb'y

Nine shorts are being released this month by RKO. The group includes four two-reelers, as follows: "In the Devil Doghouse," with Clark and McCullough; "Bridal Ball," a Blondes and Redheads comedy; "Knife of the Party," musical with Lillian Miles, and "Torch Tango," musical with Ruth Etting. The five one-reelers are: "The Lion Tamer.," "Amos 'n' Andy cartoon; "Jolly Good Felons," "Soglow cartoon; "Good Knight," Aesop Fable, and a Pathe Review.

THE INDUSTRY'S DATE BOOK

Feb. 9: Meeting of Code Authority, Hotel Astor, New York, 2 P. M.
Feb. 24-27: Winter meeting of Visual Instruction Department, National Education Association, Carter Hotel, Cleveland.
March 15: Annual awards banquet of the Academy of Motion Picture Arts and Sciences, Hollywood.
April 23-26: S.M.P.E. Spring meeting, Atlantic City.
June 16-July 2: International Motion Picture Week, Vienna.
Aug. 9-10: Second Exhibition of Cinematography, Venice, Italy.

ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Twentieth Installment

ARTICLE V—UNFAIR PRACTICES—PRODUCERS

(Continued)

Sec. 1. Agency Committee (Cont.)

2. The other five representatives are selected by the Administrator from nominations made by each class.

Sec. 2. Not Dealing with Certain Agents

No producer shall directly or indirectly transact any business relating to motion pictures with an agent who has been found by the Agency Committee to be guilty of any of the following acts:

(a) Giving Gift

Giving, offering or promising to any employee of a Producer a gift to influence the employee in dealing with the Producer.

(b) Enticing Employee

Enticing or attempting to entice an employee under a written contract, from his employment, or enticing or advising an employee to violate his obligation to perform his contract, whether written or oral.

(c) Misrepresenting

Knowingly to make a materially false representation to a Producer in negotiations for employment of the person represented by the agent.

(d) Violating This Article

Violating, evading or attempting to do so, directly or indirectly, any of the provisions of Parts 4 and 5 of this Article V which deal with agents' conduct and with Producers' conduct towards one another in engaging employees.

Sec. 3. Registration of Agents

The Agency Committee may recommend to the Administrator uniform terms and procedure for registering all agents with whom Producers may deal. These rules may also provide for the suspension, revocation or cancellation of such registration.

(a) Approval of Administrator

The recommendations of the Agency Committee concerning registration must be submitted in writing to the Administrator who may give such notice and hearing as he prescribes and then ap-

MUSICALS CONTINUE ON '34-'35 PROGRAMS

(Continued from Page 1)

there will be no let-up on musicals during the season ahead.

Continued producer and distributor enthusiasm for this type of picture is based on the fact that virtually every musical brought in grosses which were at least satisfactory. Warner Bros. in particular had big success with musicals, turning out several smashers in a row.

however, make application to the Agency Committee within thirty days after the decision.

Sec. 4. Rules for Agents

The Agency Committee may set up rules of fair practice governing relations between Producers and agents, writers, actors, directors, and technicians. Such rules can be adopted only after notice and hearing and with the approval of the Administrator.

(To Be Continued)
Loew Leads Trading in 5,000,000-Share Day

SOL A. ROSENBLATT MAY ACT ON ALLIED CHARGES

Columbia to Sell on Story Value Alone, Says Jack Cohn

Many Musicals Planned on Next Season's Program

Columbia will hereafter sell all product on story value alone, waiting for actual casting of the pieces to announce the leading players, Jack Cohn, who arrived from the coast yesterday told Film Daily. Cohn gave as an example Columbia's current special feature, "It Happened One Night," which was sold originally with only the "Frank Capra Production" billing and subsequently announced as a co-starring feature for Claudette Colbert.

(Continued on Page 6)

M-G-M SCHEDULES
52 FOR 1934-35

M-G-M's 1934-35 program will comprise 52 features, the same number as scheduled for the current year. Nicholas M. Schenck, who is now en route to the Coast from New York, will discuss new season plans with Louis B. Mayer and other studio officials upon his arrival in Hollywood.

I. T. O. of Arkansas Meets Feb. 11-12 in Little Rock

Little Rock, Ark.—First semi-annual meeting of the Independent Theater Owners of Arkansas will be held Feb. 11-12 at the Marion Hotel here, it is announced by J. F. Norman, secretary-treasurer, entire.

(Continued on Page 6)

717 MORE ASSETS RECEIVED BY C. A.

Unqualified assents to the code now total 6,584, according to announcement from Code Authority headquarters yesterday. Previous announcement last Thursday listed 6,217 signatures.

The Code Authority's committee on vaudeville labor clauses meets.

New La. Exhib Unit Adopts Gulf States Name

New Orleans—Gulf States Theater Operators of America, the name selected by the directors of the new exhibitor group headed by H. S. McLeod. The directors are also working on a constitution and by-laws, a clause of which is reported to restrain the organization from affiliating with any national group.

With entry of Saenger Theaters into the G.S.T.O.A. it now numbers leading affiliated and independent owners in its membership.

(Continued on Page 6)

COMPLIANCE BOARDS UP TO ROSENBLATT

Local compliance boards in the key cities, authorized by a recent NRA order from Washington, may be set up provided Division Administrator Sol A. Rosenblatt and the Code Authority decide such steps should be taken with the object of fully effectuating the provisions of the motion picture code.

In event this move is made, a principal task confronting the boards will be labor cases which are certain to arise one of the most troublesome.

(Continued on Page 6)

Lesser Gets Jackie For "Peck's Bad Boy"

West Coast Bureau of THE FILM DAILY

Hollywood—Sol Lesser has borrowed Jackie Cooper from M-G-M to play the lad in "Peck's Bad Boy." Lesser also will make a serial, "Chandu," based on the radio serial of the same name, with Gayne Whitman. "Lost City" is another production by Lesser.

(Continued on Page 6)

Big Activity in Loew Shares Following Bullish Report

Ken Goldsmith Moves Into Larger Studios

West Coast Bureau of THE FILM DAILY

Hollywood—To obtain facilities for his more extensive production plans, Ken Goldsmith has moved from the Beachwood studios to larger quarters at the Talmans studios. Program of Goldsmith Productions.

(Continued on Page 6)

G-B Increases Shorts

London—An increase in short subjects to 64 releases, as an unusual lineup for a British company, is announced by Gaumont-British. The new program will include 26 Gaumont-British Miniatures, pictorial camera studies; 26 Gaumont-British, former Gaumont-ideal Cinemagazine, and 12 comedies from Educational in America.

Division Administrator Returns With Coast Data

By WILLIAM SIEBERT

FILM DAILY Staff Correspondent

Washington—Division Administrator Sol A. Rosenblatt, who returned yesterday morning from the Coast, in response to a question about the Allied complaint inserted in the Congressional Record said that the charges had not been called to his attention, but that if they were he would take action.

Rosenblatt brought with him a

(Continued on Page 6)

AIM TO MAKE HOUSES PAY FIREMEN'S WAGES

First step in the expected move to require that each city pay the proportionate salary of firemen for the part of the day they spend in protecting audiences was taken yesterday when Fire Commissioner John J. McElligott began receiving reports on theaters where firemen are assigned. Under the city laws, any house having a stage and scenery is required to have a fireman.

(Continued on Page 6)

May Ask NRA Arbitration In K.C. Admission Dispute

Kansas City—Inability to reach an agreement on admission prices after several conferences with Loew's Midland representatives has led exhibitors here to feel that they will have to demand arbitration through the NRA.

"Roxy" Says It Ain't So

Stories to the effect that L. S. "Roxy" Rothafel has been signed to appear in Paramount theaters were denied yesterday by the impresario in a message from the south. "Roxy" said he has not signed with anyone and will not so until he returns to New York.
Tubs., the share, 96 share. 8 l./8434 173/3/3 New +%26y 89y 96 10 8 33/58 27x533 des-Noues, Wardour JOHNSON RKO Loew's, May Fm. Kodak FINANCIAL Inc $5.00; for Manager; a YORK 225. the I. RALPH 123 2 2 90-91 2'/'2/3 by coast. Francis London has been by Hollywood. Katharine has also participating in the Hollywood. Waterloo will be playing at the New York stage, pronounced "success story" for Warner Brothers. When the Embassy Pathe News Theater opens Saturday with a policy of 25-minute programs of Pathe News exclusively, the official "asame," will be pronounced by Leon E. Franconi, called "the Father of the American News." Franconi was the first editor of the United States release of Pathe News. F. C. Wood will be managing director of the Embassy.

Selwyn Urges Attention
To Sales Angles in Films
Selling angles, from the standpoint of the exhibitor, should be importantly considered in the selection of screen stories, declared Edgar Selwyn in New York yesterday. Pictures must have a story and a theme as well, he said, if satisfactory entertainment is to come out of them.

Selwyn, who leaves Monday on his return to the coast, completed "Mystery of the Dead Police" for M-G-M before his trip East.

Gloria Stuart May Take Stage Role
West Coast Bureau of THE FILM DAILY
Hollywood—A series of unusual short subjects has been started by the Cooperative Pictures, the picture now being prepared for release at the Davidge Laboratories, are "Giants of the Deep," dealing with large-shark angling, and "Lights of Mt. Wilson," showing the ascent of the famous mountain and the work of the observatories. Camera work is by J. C. "Doc" Cook. Release arrangements are now being negotiated.

Warners Sign Clive and Gleckler
Colin Clive, now appearing on Broadway with Katharine Hepburn in "The Lake," has been signed by Warner Bros. for a picture. The contract is with Francis and William Powell. He leaves Sunday by plane for the Capital to sign. The production office of the Leo M. Ninorsky office, Robert Gleckler, also signed by Warners through Leo Morisson, left yesterday for Hollywood.

Skouras Books "Fighting Priest."
"The Fighting Priest," short released by Inter-American Film Corp., has been booked over the Skouras metropolitan circuit. The picture is now playing in RKO metropolitan houses.

Becker to Address Review Board
John F. Becker of Paramount has been selected to address the National Board of Review Conference on Saturday at the Hotel Pennsylvania on the subject, "The Response of the Producer to Cooperative Public Effort."

Fox Buys "Ace" for Baxter
West Coast Bureau of THE FILM DAILY
Hollywood—With RKO and London stage production, has been bought by Fox as a vehicle for Warner Baxter.

"Moulin Rouge" Caravan
Parades in N. Y. Today
Arriving today from Philadelphia, with a two-hour delay at the Bamberger store in Newark, the "Moulin Rouge" Caravan will be met by a detachment of motorcycle police at the Holland Tunnel at 3:30 P. M. and escorted to City Hall, where the Bunny's stars parade will start. The tour will get the official welcome. The train will then parade from City Hall to Columbus Circle in its specially decorated Reid of autos. A supper-dance is scheduled for tonight in the Terrace Room of the Hotel New Yorker, and tomorrow the stars will appear on the stage of the Rivoli in conjunction with the opening of the picture.

Central America
Off to Assume
Jerome P. Sussman sailed Saturday for Panama to take up his new duties as Paramount's general manager for Central America and the northern republics of South America. He succeeds John B. Nathan, who is in New York for a promotion.

New Novelty Short Series
West Coast Bureau of THE FILM DAILY
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EXPLOITETTES

Comprehensive N.Y. Campaign for “Fugitive Lovers”

A comprehensive campaign was put over in connection with the first-run showing of “Fugitive Lovers,” at the Capitol, New York. The story, dealing with the adventures of an escaping prison inmate on a transcontinental bus, was distributed through the Greyhound line. More than a dozen buses were taken out of storage by the Greyhound Company in New York and given to the screen company to use for exploitation purposes. Some of them carried posters: “Free ride to the Capitol to see ‘Fugitive Lovers,’ and ran from many local stations. A total of fifteen buses took place on Broadway on Friday, Jan. 12, opening day of the film. Radio tie-ups were used in all of the successful campaigns of this type ever attempted. A novel radio continuity, detailing highlights of the adventures in the picture, ran over WOR from 6:45 to 6:50 P.M. three days in advance of the opening, on Monday, Wednesday and Friday. A steady radio plug was given the film over Station WJZ, and the WMCA Modern Records Program also featured “Fugitive Lovers.” The New York Mirror ran a ten-day “Fugitive Lovers” search contest which turned out to have extraordinary drawing appeal. Each day the paper plugged the two “fugitive lovers” adrift in New York, asking the public to identify them with special prizes being awarded. The Mirror put out 5,000 newstand cards, in addition to its run-of-paper publicity, for the contest. Newspaper advertising included unique front-page teaser ads in the “Times” and “Herald-Tribune,” a special teaser ad campaign in other papers and specially prepared opening day and run-of-picture advertisements. Teaser trailers in four styles were used in the Loew theaters, and 400 new window posters utilized in Broadway surface lines prior to and during the engagement. Three special 24-sheet locations were spotted on Broadway in the Times Square district, two hundred thousand special dodgers were mailed out with copies of Loew’s Weekly, the news-of-the-week Loew Theater folder, and the “Mighty Movie.”

TIMELY TOPICS

Imaginative Cinema Predicted by Paul Green

In the Imaginative Cinema, as I like to call it, which is soon to be a power in the world, this truth will be recognized naturally, that the art of the cinema is not the art of the theater. And conversely the theater—(that is, the imaginative theater, for no other is really left, now that the movies have taken over the professional theater)—this theater must realize that it is not that of the cinema. Each has a nature of its own, and each must interpret man and his world in its own technique. But in each the poet as a creator shall be supreme. In the cinema he has a means of universal and infinite richness the intimate presence of the camera. In the former he has an invention which eradicates all the material difficulties of depiction which beset the stage but which projects forth only shadows of two dimensions and begins with a certain aloofness therefore In the latter he has the embodied being which projects only itself and in three dimensions and begins with a complete and vital closeness therefor. And as the essential nature of the camera is expressed in pantomime and accompanying sound, so the essential nature of the intimate presence is expressed in words and accompanying pantomime. And in this new cinematic art form we shall some day find the complete expression of man. And that genius we await. Chaplin is the forerunner of some Shakesperean or of some other. No one is the forerunner in the imaginative theater for the coming apostle of the shining word. But the growing concerted effort of people believing and working in the art theater throughout the world is providing the way.

—Paul Green in “New York Times.”

Canton Houses Seek Price Truce

Canton, O.—A move is on foot among major houses here to put a standard admission price in effect on all three first-runs. Loew’s has just cut its scale from 40 to 25 cents top at night and 25 cents for matinee, the same as Warner’s Alhambra. The Palace charges 22 cents afternoons and 33 cents at night.

More Vaude for Max Baer

Max Baer, before going to the coast, will return to New York in the fall to continue his wildly successful vaudeville contract by the Leo Morrison office. Baer is now in the south.
In NEW YORK!
at the RADIO CITY MUSIC HALL, where

ANNAP STEN
in SAMUEL GOLDWYN'S Production of

Nana

Opened to One of the Largest Crowds
Ever Known in the History of the Theatre,

BUSINESS THE SECOND DAY WAS BIGGER THAN THE FIRST, AND
BUSINESS THE THIRD DAY WAS BIGGER THAN THE SECOND!

Released thru
UNITED ARTISTS
In CHICAGO!

at the UNITED ARTISTS THEATRE, where

Anna Sten

in SAMUEL GOLDFYN'S Production of Nana

Broke the Opening Record Previously Held by "Roman Scandals"

BUSINESS THE SECOND DAY WAS BIGGER THAN THE FIRST, AND

BUSINESS THE THIRD DAY WAS BIGGER THAN THE SECOND!

Released thru UNITED ARTISTS
ROSENBLATT MAY ACT ON ALLIED CHARGES

(Continued from Page 1)

suitcase of facts and records which, he said, he had not sufficiently compiled and digested to reach any definite conclusion. He said it faced producers and distributors working entirely in cooperation.

I.T.O. of Arkansas Meets Feb. 11-12 in Little Rock
two days will be devoted to business. The unit was formed Jan. 14 with 32 charter members. It will not affiliate with any national organization at present, but will work for the interest of independent exhibitors and cooperate with the Code Authority and with other industry organization in adjusting difficulties, regulations, jurisdiction, etc. T. W. Sharp is president of the association and Ray Morrow is vice-president.

Take Larger Quarters

Exploitation Pictures, handling "Brighten Thy Daughters" and Superior Talking Pictures, distributing the Buddy Roosevelt and Buffalo Bill, Jr., westerns, have moved into larger quarters on the seventh floor at 729 Seventh Ave.

Edward Mehes Dead
Salt Lake City—Edward Mehes, 65, one of the first exhibitors here, has died in Los Angeles according to word received here.

Trinz Reopening Garrick
Chicago—Trinz Garrick is soon to be reopened by Eddie Trinz as a grind house.

"Forgetting Men" at Criterion
"Forgetting Men," the war film, is back to Broadway for a run at the Criterion.

THE INDUSTRY'S DATE BOOK

Feb. 7: Monthly meeting of Eastern Ass'n of Non-Theatrical Film Producers, Inc., New York.
Feb. 9: Mooting of Code Authority, Hotel Astor, New York. 2 P. M.
Feb. 26-27: Winter meeting of Visual Instruction, Department, National Education Association, Carter Hotel, Cleveland.
March 15: Annual awards of the Academy of Motion Picture Arts and Sciences, Hollywood.
June 16-July 2: International Motion Picture Writers' Guild, Rome, Italy.
Aug. 1-20: Second Exhibition of Cinematography, Venice, Italy.

A LITTLE from "LOTS"

By RALPH WILK

HOLLYWOOD

VICTOR JORY has been borrowed by Warners for an important role in "All About Eve;" Blondell in "Without Honor," which is soon to start production. Guy Kibbee will have another prominent part. The picture will be directed by Lloyd Bacon and production will start in a few weeks.

Henry B. Walthall has been added to the cast of "Operator Thirteen," busy making plans for "All About Eve;" Mike Milho in "The Deacon," which he will produce for Universal, with Kurt Neumann. Guy Kibbee is expected to play the "Deacon."

Sam Taylor, who directed Harold Lloyd in several of the comedian's biggest hits when Lloyd made his headquarters at the Metropolitan studio, is again directing Lloyd. Lloyd's new vehicle is "The Cat's Paw" and the Metropolitan plant is again being used by Lloyd after a lapse of a few years.

Richard Dix is all smiles these days. He broke a hundred in golf on his birthday. He will soon start work in "Stingaree," with William Wellman directing.

Leigh Jason is directing an untitled comedy short at Hal Roach's. His cast includes Eddie Foy, Jr., Lilian Miles, Eddie Borden, Doris Whitney and others. The music was written by Val Burton and Will Jason. Bill O'Donnell is in charge of the dance.

Hollywood's first dog christening party was held at the home of M. C. Levey in honor of Warners' William's four wire-haired terrier puppies. More than two score screen notables—and their dogs—were invited to attend the novel function. Louise Fazenda, Corinne Griffith, Dick Powell and Edward Everett Horton were among the celebrities who displayed their dogs at the party.

Complete cast of "Firebrand," which is being put into production this week at the 20th Century Fox Studio, is announced by Darryl F. Zanuck as follows: Bette Davis, Constance Bennett, Frank Morgan, Henry Levin, Louis Calhern, Jessie Ralph, Vincent Barnett, Jay Eaton and John Rutherford. The production is being directed by Gregory La Cava and the screen adaptation has been made by Bess McCreery. Release of the picture will be through United Artists.

717 MORE ASSENTS RECEIVED BY C. A.

(Continued from Page 1)

today at the New York Athletic Club. Thursday's schedule provides for a meeting of the committee which has prepared the manuscript for local boards and a session of the committee on board nominations. John D. Clark will act for Sidney R. Kent, who is in Florida, at the latter meeting and also the Code Authority session Friday.

Ken Goldsmith Moves Into Larger Studios

(Continued from Page 1)

now includes six features and four outdoor pictures starring Jackie Pearl. "I Hate Women," by Mary E. McCarthy, goes in work this week with Aubrey Scotto directing.

Integrity Film Forming Own Distribution System

For the release of "Miracle Man of the Centuries" and other theatrical and non-theatrical product, Integrity Film Corp. is making franchise deals whereby each franchise holder will act as the local exchange and branch manager for Integrity. Paul J. Davis, special field man, is now on a tour of the country to appoint these representatives at a private press showing of "Miracle Man," which is based on the life of St. Anthony of Padua, will be given Thursday. Davide Calacani is president of Integrity Film.

RKO Borrows Bette Davis

West Coast Bureau of THE FILM DAILY

Bette Davis has been borrowed by RKO from Warners to play opposite Leslie Howard in "Of Human Heart." John Cromwell will direct from a screen play by Laster Cohen.

Mitzi Green Back to Stage

West Coast Bureau of THE FILM DAILY

Mitzi Green, having decided the role in RKO's "Finishing School" was not suited to her, is returning to New York from the coast and will resume stage and radio work.

HAPPY BIRTHDAY

Best wishes from THE FILM DAILY to the following on their birthdays:

February 6

Louis Nizer
Joseph F. Kennedy
Simon Nava
Marion Orth
Jack Luden
Russell Gleason
William Cary Duncan

Tuesday, Feb. 6, 1934
ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Twenty-First Installation

ARTICLE V—UNFAIR PRACTICES—PRODUCERS

(Continued)

sec. 5. Decisions of the Agency Committee

(a) Recommendations to Administrator

The Agency Committee shall make findings of fact concerning any dispute and shall make recommendations to the Administrator. If the Committee is unanimous. If it is not unanimous, separate recommendations may be submitted to the effect that the Committee has disagreed.

(b) Hearing

Notice and full opportunity must be given to all interested parties to appear and be heard at any hearing.

(c) Transcript of Testimony

A complete transcript of the testimony and arguments must be certified to the Administrator together with the recommendations of the Committee.

(d) Administrator’s Final Authority

The Administrator may approve, reject or modify the recommendations. He may conduct further investigations and hearings. The order of the Administrator is final.

Sec. 6. Information Furnished by Producers

The Agency Committee, subject to the regulations of the Administrator, has authority to require all Producers to furnish such information as they may desire to carry out the provisions of this Part.

Sec. 7. Rules of Procedure

The Agency Committee may prescribe rules of procedure for determining disputes coming before it.

Sec. 8. Definition of “Agent”

An agent is any person, firm, corporation or association who directly or indirectly, for consideration, obtains or promises to obtain employment for any person in connection with the production of motion pictures.

Ask Receiver for Wheeling House

Wheeling, W. Va.—Appointment of a special receiver for the Capitol, largest local theater and ace movie house, is asked in an equity action instituted in the Ohio County Circuit Court by Cleveland Trust Co., which claims default of bonds amounting to $480,000.

Gamby to Take Screen Test

Maria Gambarelli, who has left Hollywood to appear at Grauman’s Chinese Theater in conjunction with the showing of “Queen Christina,” will be tested by a major company for a role in a forthcoming musical film.

2 Cleveland Houses Reopening

Cleveland—As a result of better local conditions, Paul Gusdanovic is reopening the Moreland for Sunday shows, while George Israel will reopen the Temple, colored house, after alterations.

The Allen is reported planning to change its policy to include stage appearances.

Jolson, Paul Moss at Cheese Club

Al Jolson, just back from the coast, and Paul Moss, new city license commissioner, will be the headline attraction at today’s luncheon of the Cheese Club at Leone’s Restaurant. Moss will talk on censorship and kindred matters.

Loew’s, Akron, Cuts Scale

Akron, O. — Loew’s has reduced admission prices to 36 cents top all night and 22 cents in the afternoon.

Sec. 9. Limitation on Power of Code Authority

The power of the Code Authority to make rules governing the conduct of Producers with their employees (Article II, Section 7) does not supersede the powers of the Agency Committee (Part 4), or the powers of a special committee for such purpose, set forth in Part 4 (A), analyzed below.

Sec. 10. Disclosing Dual Interest of Producer and Agent

It is an unfair practice for any Producer, in any capacity, to influence, directly or indirectly, his employees in the business of an agent without advising the Agency Committee of this fact within twenty days from the effective date of this Code.

(a) Dual Interest Subsequently Acquired

If the interest is acquired after the effective date of the Code, then the Agency Committee must be notified within ten days after such interest is acquired.

(b) Public Disclosure

The Agency Committee may require disclosure in such manner as it thinks advisable.

(c) Other Requirements

The Agency Committee may make further rules in connection with such disclosure subject to the approval of the Administrator.

Part 4 (A), Rules Governing Relations Between Producers and Others

(a) Special Committee

The Administrator may determine, upon a fair showing and after notice, that a special committee shall be appointed to adopt rules of fair practice governing relations between:

1. Producers and employees.
2. Producers and directors.
3. Producers and technicians.
4. Producers and agents.
5. Producers and others.

In each case the Producers and others interested shall be equally represented on the committee.

(b) Appointment of Committee

The appointment of the special committee and its procedure shall be the same as if the case were that of the Agency Committee.

(c) Making Public Committee’s Report

At the same time that the report of the Committee is sent to the Administrator, it shall be made public in such manner as the Administrator deems necessary.

(To Be Continued)

Tabloid Reviews of FOREIGN FILMS

"DER TRAUMENDE MUND" ("The Dreamy Mouth"), in German, with English titles; produced by Bayerischen; directed by Paul Czinner; with Anton Edthofer, Elizabeth Bergner, Rudolf Forster, Margarete Hussy, Sara Fueth, Peter Kroger, Hanne Mann, Ernst Stahl-Nachbauer. At the 79th St. Theater.

Engrossing love drama about a wife who kills herself as the way out of a triangle involving her husband’s best friend, a musician. Fine musical background makes for added entertainment value. The leading woman, Elizabeth Bergner, will soon be seen here in an English picture, “Catherine the Great,” which also was directed by Paul Czinner.

"LA CRUZ Y LA ESPADA" ("The Cross and the Sword"), in Spanish; produced by Fox; directed by Frank Strayer; with John Wayne, Anita Camplino, Juan Torena. At the Teatro Variedades.

Enjoyable historical romance of early California with Jose Majica as a young priest fighting to resist the lure of gold and the love of a beautiful girl. Has lots of action and several good songs sung by Majica.

Wonders of the Sun— Sensational 10-day sightseeing tour of South America with 10-day sightseeing excursion of Los Angeles. See your travel agent or your nearest Warner Bros. branch office for further details.

"WONDER-Bar" Serial

A special ten-day sightseeing tour based on Warner’s forthcoming “Wonder Bar” has been completed and made available in mat to exhibitors.

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IF YOU’VE got something big, advertise it. Look at Mae West!—GEORGE JESSEL.

“The chief virtues the critic can bring to the theater are humility and enthusiasm. These are the chief virtues any one can bring to the theater.”—ARTHUR HOPKINS.

“Very soon we shall have on the one hand the art cinema with its triumphant beauty and also on the other hand the art theater with its triumphant beauty.”—PAUL GREEN.

“Compare a hundred business men with a hundred actors in their capacity as husbands, and you’ll find that the success average of the actor is far higher than that of the man who deals with facts and not with fantasy.”—RALPH MORGAN.

“I dislocated my shoulder once when I was a kid and it used to slip out of place after that on the slightest provocation. Now my mind is like that.”—GRACIE ALLEN.

WORDS and WISDOM......
COLUMBIA TO SELL ON STORY VALUES

(Continued from Page 1)

and Clark Gable. A similar policy was carried out in the coming release, “No Greater Glory,” directed by Frank Borzage, with Lois Wilson and Ralph Morgan as the featured players.

“We have bought many plays and originals for next year’s program,” said Cohn, “but we are giving all our thought and effort to the completion of this season’s schedule. Arrangements for the New York opening of the Capra picture are now under way. We will back the feature up with a heavy local and national campaign, with radio playing an important part. The majority of our remaining productions will receive similar treatment.”

“We are not sure as to the total number of pictures for next year for Columbia, but the list will include many musicals. The Grace Moore picture will soon go in work, and other musicals will follow as they are accepted by the production department.”

Columbia now has nine completed productions awaiting release, three shooting and two ready for production. The films completed are “It Happened One Night,” “No Greater Glory,” “The Social Register,” “The Line Up,” “One Is Guilty,” “Special Wings,” “The Lady is Willing,” “The Fighting Ranger,” and “The Man Trailing.” In work are “The Most Precious Thing in Life,” “Sisters Under the Skin” and “Whirlpool.” Ready for the studios are “Twentieth Century” and an untitled Grace Moore musical to be directed by Victor Schertzinger. In preparation are “Whom the Gods Destroy,” “Party’s Over,” “Black Moon,” “Red Square” and “Take the Witness.”

SHORT SHOTS FROM EASTERN STUDIOS

By CHAS. ALCIGATE

THE Ritz Brothers have been signed by Educational for a short subject scheduled to start in three weeks. Joe Rivkin of the Lee Morrison office closed the deal.

Gertrude Niesen started work yesterday in a two-reel Vitaphone musical comedy, “Darling Enemy.” A cast of 100 bit and extras players has been assembled to support Miss Niesen in this short.

Joe Ruttenberg has been signed to handle the cameras on the feature, “Frankie and Johnnie,” which is scheduled to be put into production by Columbia by March within the next ten days at the Biograph Studio.

COLUMBIA TO SELL ON STORY VALUES

(Continued from Page 1)

New Orleans—Mystic and Comas Carnival balls will be featured for national newsreel distribution next month by Harcol. This makes Co-mus’ screen debut.

Salt Lake City—D. T. Lane, president of the Film Board of Trade in the Intermountain territory has been appointed president of the Intermountain Printers Code Board.

Bethany, Mo.—Fire destroyed the Cozy theater last week.

Fremont, O.—Sigmund Gladstone, who has been operating the Fremont under lease, has sold the lease to Gastro Theaters Corp., Dover.

Bellman Signs Liberty Releases

Jack Bellman of Hollywood Exchange yesterday signed contracts with Budd Rogers for the distribution of all Liberty productions in Washington, Philadelphia, Buffalo and New York. New York representative for Liberty, is now negotiating for release in other territories of the entire Liberty 1934-1935 schedule of eight productions. First three films are completed. They are “Cheaters,” “When Strangers Meet” and “Take the Stand.” It is possible that Damon Runyon’s “The Quitter” will be started next week. Production is at the Pathe Studios, Culver City.

Dembow, Wilby for Re-election

Re-election of Sam Dembow, Jr., as president and Robert Wilby as vice-president of North Carolina Theaters is scheduled to take place at the annual meeting Feb. 15 in Greensboro. The corporation is a Paramount affiliate.

Judge Cox to Hear Rembusch Suit

Judge Cox will hear the Frank Rembusch anti-trust suit against major companies and the Hays association which is scheduled to go on trial today in the U.S. District Court, New York. Graham & Re- monds is representing the plaintiff.

“Hi, Nellie” Equals “Footlight” Week-end business for “Hi, Nellie” at the New York Strand equalled the receipts for “Footlight Parade” in the corresponding period, it was stated by Warners yesterday. The picture holds over.

Fourth Week for “Fashions”

“Fashions of 1934” will hold for a fourth week at the Hollywood on Broadway. The First National picture also opens at the Brooklyn Strand tomorrow evening.

Mike Kahn Joins Majestic

Mike Kahn, formerly with Fox, has replaced Percy Barr as manager of Majestic Pictures here.

NEWS OF THE DAY

Chicago—The Parkway, North Side house, has been closed for remodeling and will be reopened within a few weeks.

Chicago—Henry Herbel, manager of the local Universal office is taking a rest in Florida.

Cleveland—Al DeSmet, exhibitor, was rushed to Lakeside Hospital last week for an emergency operation.

Cleveland—The Allen has switched its opening day from Wednesday to Friday.

Chicago—Jack Miller, president of the Chicago Exhibitors’ Ass’n, is vacationing in Florida.

“Vanities” Stage Show Unit

Paramount has bought rights to use parts of “Murder at the Vanities” from Earl Carroll with the object of incorporating them in a stage show which will play the New York and Brooklyn Paramount theaters. Paramount also is filming “Murder at the Vanities.”

2 Educational for RKO Circuit

“The Good Bad Man,” Educational—Cronet Comedy featuring Charles Judels and Tom Patricola, and “The Three Bears,” a Terry-Teon, have been booked to play the RKO metropolitan circuit.

COMPLIANCE BOARDS UP TO ROSENBLATT

(Continued from Page 1)

besome of situations under the code. A number of communications in reference to interpretations of labor clauses and other matters have been received by John C. Flinn, executive secretary. Flinn today sends to Rosenblatt a list of about 125 names, proposed as impartial non-industry members of local grievance and zoning boards.

Aim to Make Houses Pay Firemen’s Wages

(Continued from Page 1)

hand during performances. Movie houses without full stage and scenery are inspected nightly. About 175 houses all over the state are required to have firemen assigned to them.

Pelps to Make Series For DuWorld Release

Le Roy Phelps, cameraman for Frank Buck’s “Wild Cargo,” has been assigned by Arche Meyers and Irvin Shapiro to produce a series of wild animal shorts for DuWorld release. Phelps left yesterday for Florida. His trip will include Texas and Mexico.

Must File Quitter Briefs by Friday

Judge Caffey in the U.S. District Court, New York, has given counsel for Edward Quitter, suing Paramount under the anti-trust laws, until Friday to file briefs.
Average Film Footage Increases Over Year Ago

VITAPHONE-ERPI SUIT GOES BACK TO ARBITRATION

Spread of 'Keno' Competition Worries Exhibitors

Disguised Gambling Games Become Serious Opposition in Many Cities

Exhibitors throughout the country report an alarming new element of competition in the form of concession games common to the carnivals midway and which are drawing tremendous crowds in some of the larger cities.

In the Los Angeles district, under the guise of "tango parlor," this competition recently flourished with drastic effects on the theaters, until local authorities got wise to the fact that it was a gambling game.

Censorship

EVIDENCE of opposition to state censorship of motion pictures is accumulating at such a rate that those reformers who deplore the practice of prohibit all as a field of activity, have been looking to the movies at their next most profitable battleground, are likely to find the sailing pretty rough.

Though the latest attempt to end censorship, in tough old Virginia did not achieve the desired end, the campaign resulted in exposing the silliness of certain activities to such an extent that a great amount of salutary work was done. This was accomplished chiefly through a series of very intelligent front-page articles by A. H. Clarke and Clarence E. Boykin in the "Richmond Times-Dispatch" under the general heading of "Movie Censors—Why?".

WHEN the Messrs. Clarke and Boykin point out that, to insist Virginia must have censorship is either to argue for similar nationwide control or to admit that citizens in states without censors are being censored or are morally stronger than Virginians, they put their fingers on the button that lights up and unmasks the whole ridiculous situation.

And they might have added when Virginians wander off, as most of them frequently do, from the shelter of their own state into adjoining communities having no legal censorship, what can the home state moral watchdogs do to prevent their charges from coming in contact with the allegedly undesirable elements against which they are guarded at home?

TO PRESUME that certain screen matter might be injurious to morals in one state and not in another is too laughable for words.

Such reasoning comes from censors who have been appointed on political grounds regardless of their practical qualifications for the work.

From any standpoint, public sentiment and existing laws provide far better protection than the farce now being enacted by political appointees under the name of censorship.

Lasky Staying

West Coast Box, THE FILM DAILY Hollywood—Reported differences between Jesse L. Lasky and Winfield R. Sheehan are believed to have been ironed out and the unit producer is definitely remaining with Fox. Reports had him switching to RKO release, but this was denied by Sidney R. Kent, Fox president. Lasky returned from the southeast on Monday to resume work.

FEWER ONE-REELERS ON NEW ED'L LINEUP

A reduction of 25 per cent is contemplated in Educational's one-reeler schedule for 1934-35 release through Fox, Earle W. Hammons of Film Daily yesterday. It is too early to state any definite plan, but it is possible that after a conference with John D. Clark of Fox, Educational may provide for 78 one-reelers for the coming season compared with 106 for the present year," said Hammons.

(Continued on Page 4)

THEA. SERVICE UNION MODIFYING ITS TERMS

Circuits which sign with the Building Service Employees Union without forcing a recourse to a strike will receive concessions in the matter of wage scales and other conditions, it was stated yesterday by Charles C. Levey, secretary of the union.

Musicals Ringing B.O. Bell All Over, Says Jules Levy

More musicals in the new season's programs will boost business throughout the country to a great degree, Jules Levy stated to Film Daily yesterday on his return from the Midwest.

72-Min. Average Footage Now Against 67 Minutes a Year Ago

Wm. K. Howard Optimistic On Outlook for Film Code

A new note in Hollywood comments on the motion picture code was sounded yesterday by William K. Howard, who declared that the industry is moving forward at an accelerated pace.

Footage of features has shown a slight increase in the past year or so since exhibitors lodged wide complaints about short-length, and the average now runs to 72 minutes, compared with 67 minutes more than a year ago, it is shown in a tabulation.

10% Tax Passes Miss. House

Jackson, Miss.—The House of Representatives has passed almost unanimously a bill re-enacting the 10 per cent amusement tax. Exhibitors had hoped to have this tax reduced to 2 per cent in line with the state retail sales tax, but with this action the House little hope is seen.
Cokell is Questioned at Paramount Hearing

Attorney Saul E. Rogers, counsel for a group of Paramount-Publix bondholders, questioned Walter B. Cokell, assistant treasurer, along with a relative of executives on the company's payroll, at a meeting of creditors yesterday at the office of Referee Henry K. Davis. Cokell recalled submitting a list of relatives to John Hertz, chairman of the finance committee, at Hertz's request. He said he did not remember all the names on the list. S. S. Issacs, attorney representing the trustees, also examined the meeting. The adjourned hearing until Feb. 20.

Another meeting of creditors takes place this afternoon to pass a compromise plan of distribution of Harry K. Stone in connection with Brockton theaters. He originally sought $160,728 but the compromise plan offers $7,500.

Nathan Yamin Opposes Code Board Nominations

Oposition by Nathan Yamin, Allied's representative on the Code Authority, to membership proposals for the Boston grievance and zoning boards made by a major company official is understood to be a principal reason for delay in finalizing personnel upon the local bodies. The tangle will again receive consideration at the Code Authority meeting scheduled for Friday in the New York Athletic Club. In addition to Boston, membership of boards in Detroit, Chicago, Cleveland and New York is yet to be definitely approved.

Koplar on St. Louis Fox Board

St. Louis—Board of managers for both the Fox and St. Louis theaters will include Harry Koplar in addition to Charles E. Kurtzman and Harry Greenman. Koplar is among the owners of the St. Louis, taken over by the Yamarin group about four months ago from the Church & Marco, who have now acquired the Fox as well.

Musicians to Hold Referendum

About 15,000 musicians will meet March 12 to hold a referendum on local autonomy for the Associated Musicians of Greater New York, comprising Local 802, American Federation of Musicians. Aim is to unit Joseph N. Weber.

Trumbull on Hays Publicity

Walter Trumbull, newspaper man who was associated with Col. Louis McHenry Howe, President's aide, in series of radio talks, has been assigned publicity duties at the Hays Office in New York.

Giving Chair Demonstration

J. George Fineberg gives a luncheon and demonstration of his new theater chair tomorrow noon at the Hotel Astor.

"Dark Hazard" for Rialto


I.T.O.A. and Local 306

Told to Adjust Dispute

Granting the I.T.O.A. motion for re-argument and then affirming his original decision temporarily enjoining the I.T.O.A. from employing members of the Allied Motion Picture Operators union in the action brought by Local 306, Supreme Court Justice Collins, in his opinion handed down yesterday, advised the litigants to adjust their disputes either among themselves or through the NRA machinery and failing in that, to proceed with trial at the earliest possible moment.

Form Cleve. Variety Club

Cleveland—The Cleveland Variety Club was organized yesterday at a meeting in the Statler Hotel attended by John Harris and other members of the National Labor Club. Officers elected were: J. E. Fontaine, Pres.; H. M. Addison and Frank Davis, Vice-Pres.; J. A. Statler, Secretary; M. B. Horwitz, Treasurer. Directors are: George Roberts, Nat Holt, Nat Wolf, E. F. Flamin, Harry Howlett and Fred Meyers.

Would Probe Code Setups

Washington Bureau of the DAILY WASHINGTON—A senate resolution calling for the records of all personnel concerned with the formulation and enforcement of code was offered by Senator Nye yesterday. Majority leader Robinson asked that it go over for consideration at a later date.

Meet Again on Code

A continuation of the meeting on code interpretation held Friday at the Hays office took place yesterday with about a score of major company representatives attending.

Henry King to Sail from Florida

Henry King, who left New York yesterday for Florida, will embark from the latter place for Europe and make shots for his next Fox picture, "Mme Gallante." His latest directorial effort, "Curfew," has opened in several out-of-town spots to fine business and will have its New York first-run at the Radio City Music Hall following "Nana."

Universal Buys Two Stories

West Cost Bureau of THE FILM DAILY Hollywood—Okeay on two Universal story purchases was received yesterday from Connie Hines, 348 S. Figueroa St., in New York. The stories are "Fraulein" by Edith and Edward Ellis, and "Humbug," by Max Marcin, who will direct it with a free hand.

Dick Sutherland Dead

West Coast Bureau of The DAILY—Dick Sutherland, 35, for years a character actor on the screen and the stage, died at his home here a few days ago.

Nat Fielda Dead

Detroit—Nat Fielda, brother of Leo Fielda and Joel Fielda, is dead. Fieldas have been in film comedies with the Sidney Drews, died here a few days ago.

Spot News from Columbia

You'll soon be able to see it! You'll soon hear the whole world talking about it! The screen's mightiest soul-stirring spectacular, "NO GREATER GLORY." Frank Borzage's masterly production based on Ferenc Molnar's famous novel.

The outstanding performances of two outstanding careers! CLARK GABLE and CLAUDIETTE COLBERT together for the first time in Frank Capra's "It Happened One Night," the season's brightest romantic comedy.

Millionaire Usher Marries

Everett, Mass.—William H. Quigley, local young man who has invested a quarter million and still keeps his job as usher at the Loews Theater, was a surprise by marrying a New Hampshire girl whom he met a week ago. They plan to leave Thursday for New York where they will take up their residence and enjoy his wealth until after the ceremony.
The Name That Has Won The Greatest Recognition In Short Subjects During The Past Year!

Pete Smith writes his own dialogue and delivers it himself... in a salty, natural, witty way that has made him a happy habit with millions of picture-goers. The *PETE SMITH name on your program adds sparkle to the complete show. His SPORT CHAMPIONS and ODDITIES are widely played...but we predict his new series GOOFY MOVIES will be your next Short Subject favorite!

"Handlebars", "Fine Feathers", "Menu" got a big hand. "Inflation" was rated 1933's best.
THE FILM DAILY

FILM CODE ASSETS PASS 7,000 MARK
(Continued from Page 1)

ing held last week at the Hotel Astor in connection with demands for modification of various code clauses. Its report, which is expected to contain recommendations for at least three major revisions, will be presented to the Authority at its next meeting Friday.

Fewer One-Reelers
On New Educat'l Lineup
(Continued from Page 1)

reeler schedule of 52 will continue for the new season.

Hammans expects to leave for London next month to confer with Gaumont-British officials regarding the renewal of Educational's deal with Ideal Pictures for distribution in Great Britain. The present ten year contract expires in September.

Walkathon Contests
Plaging the South

Birmingham—Walkathon contests in practically every city of any size in the South are giving theaters strong competition. With so-called floor shows and big publicity, the contests are packing them in nightly. The local contest closed last week after running nearly four months and theater business picked up immediately. Contests are on at New Orleans, Little Rock, Houston, San Antonio, Nashville, Mobile and other large cities of the South.

Eddie Cantor Opposes
Change in Chorus Pay

Threatening to resign as a member of the Code Authority if the proposal to cut the $25 weekly minimum pay for chorus girls is put through, Eddie Cantor plans to appear at the C. A. meeting on Friday and protest against the changes demanded by vaudeville interests. Though he has no vote on the Authority, Cantor says he can holler loud.

“Carolina” Held Over

Detroit—“Carolina,” Fox picture, is being held for a second week, moving from the Fox to the Downtown.

HAPPY BIRTHDAY

Best wishes from THE FILM DAILY to the following on their birthdays:

February 7

Fred F. De Sylva
Henry Nugent
Paul Guerryman
Fred Stanley

‘Keno’ Competition
Worries Exhibitors

(Continued from Page 1)

proposition. Grand Rapids, where more than 4,000 persons daily were being attracted by “beano,” the ordinance attacking gambling also was invoked and the joints closed.

Another campaign against “keno” and “bingo” games is now under way in Columbus, where Business Manager P. J. Wood of the M.P.T.O. of Ohio is leading the attack. Similar concessions, including “corn games” and other lottery propositions, have been reported from numerous towns. In some cases the games were set up by carnival concessionaires who have had a bad outdoor season in the last few years and were driven to other channels of operation.

Theater Service Union
Modifying Its Terms

(Continued from Page 1)

the union. Levey said he was 99 per cent certain that the Rialto, Roxy, Randforce Circuit and Paramount Public could sign the union’s closed shop contracts by Saturday. He also declared that since last Friday all major circuits have “promised” to deal with the union.

Theaters Rated

MUSICALS RINGING B. O. Bell
All Over, Says Jules Levy

(Continued from Page 1)

a tour of southern RKO exchanges. “Box office results being hung up by our musical releases form the basis of my contention,” said Levy. “In every key city musicals are hitting new highs in box office results.”

Coming and Going

MARION GERIN, who is to direct “Her Master’s Voice” for Paramount, leaves the coast next week for New York to see the play, now current on Broadway.

HENRY KING left New York yesterday for Florida on route to Panama.

ZASU PITTS will come to New York for a vacation after finishing her role in Fox’s “3 on a Honeymoon.” HENRIETTA CROMAN also may come east.

MRS. AND MRS. DAVID WARFIELD sail today on the Queen of Bermuda for a jaunt to Bermuda.

BELA LUGOSI leaves about the end of the month for the coast to make “The Black Cat” for Universal, after which he will produce and star himself on the stage in San Francisco’s “Pagan Fury,” probably opening in Chicago in April.

CHARLES F. HYNES, publicity director for Gaumont-British-American, is back from a trip to Minneapolis.

H. S. BAREFORD has returned to New York from the Coast.

HARRY M. WARNER, who was expected back in New York next week from the Coast, has been delayed owing to the illness of his father.

MELVIN H. AYLESWORTH left for the coast yesterday. He will return in about four days.

Sylva Studios has set the 15th for the Thursday evening to resume work at Paramount.

CARL-GERHARD WALLMAN, NO representa-
itive in Scandinavia, sails for Europe on the Bremen Saturday.

FILM CODE ASSETS PASS 7,000 MARK
(Continued from Page 1)

it’s a howling success “Palooka” and you can take that literally for at the trade show at the Astor it had hard-boiled guys like Harold Franklin laughing long, loud and wholeheartedly. I haven’t heard so much spontaneous glee in a theater since Jimmie Durante’s schnozzle became a national Institution and that’s a long time, mates.

THE LAUGH lines come along with the regularity of surf breaking on the beach and they have you floundering, gurgling and gasping trying to get your breath for the next submersive gurgler. It must have taken a half dozen comedy writers to turn out those lines—no one or two writers could possibly be that good. United Artists have a Laugh Show that they can tout to the sky limit and everybody in custody will come and see it and I agree that there is one pic that wasn’t oversold.

A BIG radio plug is being given Jerome Kern’s musical numbers for “The Cat and the Fiddle,” which operetta M-G-M releases in film form February 16. the various song numbers are being featured on eight different programs on as many evenings. Didja see that Liggett’s drug store window opposite the Radio City Music Hall? it displays 35 stills of the Anna Sten film furore, “Nana” comes pretty near being a record for a single window display.

THE BOYS are still talking about that fishing trip last month down in Laredo, Texas, where Jack Pickens was host to a group that included Jules Levy, George Schaefer, Stanley Waite, E. V. Richards, Karl Hoblitzel, Harold Robb, Ed Rowley, Herb McIntyre, it is planned to make it an annual affair.

WE SEE by the public prints that the newspaper editors are all steamed up over the goings and comings of Mister Ruben Mamoulian and Mlle. Garbo was greta on board that train with Ruben coming East the Pennsy Railroad sez yes and if so, what of it? looks to us like another clever publicity stunt of her press agent, her Mystery Atmosphere having fizzled, something else had to be done to keep her in the limelight, she has a lotta tough competition now with the Hepburns and Stens grabbing the limelight.

WE ARE glad to note that Aline MacMahon is the most popular character actress on the screen as far as the Brits are concerned, was this the outcome of a contest held by the London “Daily Mail” for her first starring vehicle, “Heat Lightning,” will open soon on Broadway, we have always thought that Warners had a marvelous bet in Aline. If they can have some films built exclusively to fit her highly original and individualistic style of comedy.

MEMBERS OF the Moulin Rouge Caravan stopping over in New York for two days on its cross-country tour will be interviewed on WOR by Radie Harris, the players are Mary Carlisle, Anna Q. Nilsson and Rosco Ates.

(Continued from Page 1)

3,000 miles from coast to coast.

WE ARE going to give you another scoop. We can’t resist telling you that classical music is the current rage at Radio City. Baritones and tenors and sopranos are being promoted in the greatest numbers for one week, followed by pianos, violins, horns and clarinets. Drivers and managers are calling their stock into the fold and have been setting up a big record sale on each week. There is a new radio hit on the air and it’s “Hail! Hail! The Gang’s all Here,” sung by a battery of well-known radio artists.

THE DAILYs will be published Thursday.

‘Keno’ Competition Worries Exhibitors

(Continued from Page 1)

a week. It is reported that more than three-fourths of the circuit’s theaters were showing the picture.

With the exception of the Astor and the Majestic, downtown theaters switched to the new Pictures. A co-production of the American and the Warner Brothers, it is reported to be a business and highly lauded by film critics.

AMPHITHEATER plans to switch in a March picture which will be a co-production between the two.

“Palooka” has been in the limelight in every key city in the nation since its opening. It is reported to be the first of the new “kino” or ‘knee’ games that are replacing vaudeville. The “kino” games are now being played in Grand Rapids, Salt Lake City, and other cities.

Ralph Levy, vice-president of RKO, said recently in an interview with the Daily that the film is being played in theaters in every section of the country.

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** ** ** ** **
SNAP yo’ fingers, gentlemen, at that ole davil Winter. It’s a snap to do business in the snappiest kind of weather with “Fashion Follies of 1934.”

Ask George Trendle how he made a monkey out of Mr. Zero at his Detroit “Fashions” premiere last Friday!

Ask the boys at the Washington Earle about their sensational opening the same day in 8 — count ’em — 8 inches of snow!

Ask anybody at the Metropolitan Boston about the swell opening they got, with traffic tied up tighter than Houdini in the rope trick!

But don’t ask anybody whether they think any other company can top Warners at the box-office...They’ll think you’re crazy!

FOR THOSE LONG, COLD WINTER EVENINGS WE RECOMMEND

WM. POWELL in "FASHION FOLLIES OF 1934"

OR ALMOST ANY OTHER WARNER BROS. SHOW YOU CAN MENTION


Vitagraph, Inc., Distributors
LILA LEE has just received two assignments, one in "Fugitives" and the other opposite Jack Holt in Columbia's "Whirlpool."

Barbara (Sanyon) Blair will make her initial First National appearance in "Sawdust," with Joe E. Brown.

Wynne Gibson will have the featured role in "Give My Love," Vicki Baum story being produced by B. F. Zemid for Universal.

Hugh Herbert has been assigned to Warner's "A Gentleman from San Francisco."

Clara Blandick and Grant Mitchell are additions to M-G-M's "The Showoff."

John Beverley Marley, cameraman, and Virginia Ruth McDado, plan to marry in a few days.

Edward Everett Horton and Genevieve Tobin, have the featured roles in "Bachelors, Wife," which will make its work at Universal next week with Lloyd Corrigan directing. "U" also has borrowed Philip Reed for "Glamour."

Irving Pichel, on completing his present assignment in RKO's "The Crime Doctor," moves to First National to enact the featured character role in "The Gilded Cage," which William Dieterle will direct.

6/66. Group to Eleet in March

Election of officers of the Miniature Movies Institute and 16mm. Board of Trade will take place in March. Through the efforts of A. D. V. Storey, a merger of interests in this field was recently effected and luncheon meeting has been resumed on the third Thursday of each month at the Hotel Victoria.

M-G-M Buys Star Vehicle

West Coast Bureau of THE FILM DAILY

Hollywood—"Star Express," original by J. P. Wolfskill and Allen Rivkin, has been bought by M-G-M for early production with a number of stars in it.

Loew Books "Gow"

"Gow," south sea cannibal and head hunter picture released by The Film Exchange, has been booked by the Loew Circuit. It opens Feb. 12.

Cagney Film Retitled

"Always a Gent" is the new title of James Cagney's latest Warner release previously known as "Stocks and Bonds."

"I Was a Spy" for Carnegie

"I Was a Spy," Gaumont-British picture, motionally shown at the Rex, opens at the Little Carnegie today for a run.

Hollywood

Howard Estabrook, who has just completed the screen play and dialogue for "Green Gold," a Charles Rogers-Paramount production, moved back this week to M-G-M, for the January contract, to start work on the "David Copperfield" story, which George Cukor will dir.

Clarence Brown, contrary to reports, has made only four tests of prospective crooners for the lead opposite Joan Crawford in "Pretty Sadie Mackee," the cost of said tests totalling approximately $1,000. However, it appears that M-G-M is seeking James Dunn on a loan from the Fox lot for the role.

Francis Edwards Faragoh, who is writing the screen play and dialogue for "The Alien Corn," which Edward H. Griffith is to direct for RKO, is being sought by Universal to write the screen version for "The Hunchback of Notre Dame," which "U" plans to make into one of its biggest specials on next year's program.

Edward H. Griffith has discovered a neighborhood theater in Los Angeles which features local talent each month in amateur plays written and directed by high school pupils. Two of last week's cast were sought out by Griffith and are to be given tests for minor roles in "Alien Corn."

New Contract for Durante

West Coast Bureau of THE FILM DAILY

Hollywood—Jimmy Durante has signed his first major contract. He is now appearing in "Hollywood Party." The company also has signed a new contract with Elizabeth Allan, English film actresses, who has just finished work in "Mystery of the Dead Police," and "Men in White."

RKO Buys "Gay Divorcee"

RKO has purchased screen rights to "The Gay Divorcee" play by Dwight Taylor of the Radio Pictures writing staff. The play is now proving extremely successful in London with Fred Astaire, who will also star in the screen production.

"Little Women" Big in London

London (By Cable)—RKO's "Little Women," which opened at the Regal last Friday, has broken all records to date, according to Sol A. Newman, RKO representative here.

Powers' Cartoon at Roxy

"The Little Red Hen," a Powers' Cartoon, was released just recently, has been booked by the Roxy on the bill starting Friday.

Charles Somma a Candidate

Richmond Va.—Charles A. Somma, theater operator, is a candidate for the common council.

No Crusade by Moss

Paul Moss, New York's new Commission- er of licenses, has no intentions of launching a drive against shows as currently given. In picture exhibiting, Moss, who is the brother of B. S. Moss, former circuit operator, "I will not tolerate offensive shows."

16 Pictures Under Way

At Fox Film Studios

West Coast Bureau of THE FILM DAILY


Ethel Bergman Resigns

Cleveland—Ethel Epstein Berg- man, with the local Fox exchange for 25 years as office manager, has resigned.

Rebusch Suit Put Over

The Frank Rebusch conspiracy suit against major companies and the Hays office, which was opened over in the S. District Court, Judge Cox presiding, on the death of \( \text{a} \) inquest of Max D. Stuen, representing the defendants.
GET THE JUMP ON THE OTHER FELLOW
"DEVIL TIGER" IS READY FOR YOU NOW!

Enough amazing Animal Fights for half-a-dozen Thrilling Features—Packed into half-a-dozen Breathless Reels!!!

SEE IT! Prints NOW in all Fox exchanges. Beat the field! Get the jump! Set your dates on "Devil Tiger" NOW!

DEVIL TIGER

ASIA'S FIERcest JUNGLE BEASTS CLASH IN MORTAL COMBAT!!!

Directed by CLYDE E. ELLIOTT
director of "BRING 'EM BACK ALIVE"

THIS "24" STOPS 'EM IN THEIR TRACKS
Imagine it in full blazing color!

And a complete line of seat-selling accessories
IT'S HERE!

The NEW DEAL in THEATRE SEATING!

What is it? What does it mean?

I invite you all to attend the New York Premiere of the U 16, with Floating Comfort—"The New Deal in Theatre Seating"—on Thursday and Friday of this week, at the Astor Hotel, Suite 158.

I. George Steinberg
East-West Indep’ts Join in New Fight for Duals

MAJORS INCREASING FEATURE OUTPUT NEXT SEASON

Erpi Now Ready for Arbitration of Vitaphone Action

Sees Way Cleared for the Resumption of Hearings in Royalty Issue

Commenting on the Delaware Supreme Court decision in the Vitaphone action for sound royalties, Electrical Research Products yesterday stated that it was ready to resume arbitration of the issue. The statement said: "The decision entered by the Delaware Supreme Court yesterday is (Continued on Page 10)

BRANDT RE-ELECTED HEAD OF I. T. O. A.

Harry Brandt was re-elected President of the I.T.O.A. yesterday at a meeting at the Hotel Astor. Other new officers are: First Vice-Pres., Leo Justin; Second Vice-Pres., Bernard Barry; Treas., Hyman Rachmil; Sec., Maurice Brown.

Paul Moss, new License Commissioner, who was a guest, told the exhibitors that grafting on the part of some license inspectors must stop. He appealed to the theater- (Continued on Page 2)

More Studio Expansion

Under Way in England

London—Following announcement of the new production company formed by Stanley Lupino, London Film Productions has taken over the former Whitehall Studio for six months from Consolidated Film Studios, headed by J. V. Bryson, who plans to double its size and restore

(Continued on Page 11)

Indep’t Associations Join

In Fight for Double Bills

Virginia Admission Tax

Abandoned by Governor

Richmond—Addressing the Legislature yesterday, Governor Peery said he had abandoned the proposal for a 5-cent admission tax in eliminating $312,000 from recommendations. Opponents of the bill said the tax would cause hundreds of small theaters to close.

Although the Independent Motion Picture Producers & Distributors Ass’n in Hollywood has decided to retain its own identity, it has agreed to work together with the Federation of the M. P. Industry of New York in dealing with problems confronting independents, particularly in fighting any restrictions on double features, according to a tele-

380 Pictures Tentatively Planned by 8 Companies for 1934-35

Output of features by major companies next season is slated for an increase, according to the tentative plans of eight leading producers showing an aggregate of about 380 pictures contemplated.

Profiled programs shape up as follows: Paramount, 60; Warner-First National, 60; Fox, 52 (minimum); M-G-M, 32; RKO, 20; Universal, 40; United Artists, 25 (maximum); Columbia, 32.

142 MORE ASSETS RECEIVED YESTERDAY

Assets to the motion picture echec yesterday reached the 7,147 mark, increasing by 142 okays since the previous day. Deadline for filing approvals is Feb. 28.

Mountan Makes New Deal

With Screencraft Prods.

A new contract whereby Screencraft Productions will produce the remainder of the Showmens Pictures line has been closed by David J. Mountan, president of Showmens. Al Alt, Abe Prell and Sam Katzman, officials of Screencraft, have returned to the coast from New York following conclusion of the deal, and production of "St. Louis Woman" begins Tuesday.

"Devil Tiger" Jams Rialto

Fox's "Devil Tiger", the Clyde E. Elliott jungle picture, had them standing up almost from the opening hour yesterday morning at the Rialto. The picture comes in with a crackle-lick selling campaign, and from the smiles on the faces of Arthur Meyer, managing director, and Ed Lenahan, house manager, as they watched the mobs surging to get into the Rialto, is headed for several new records.
Harry Brandt Re-Elected President of I.T.O.A.

(Continued from Page 1)

men to co-operate with him in an effort to cut down this practice, and promised to regard the source of charges as confidential in order to prevent them from reprisals. Moss urged the association to help the LaGuardia administration in putting over its economic program.

It was decided to partly lift the ban on product buying from RKO. No members may make deals on a flat percentage basis. The association is still opposed to percentage deals with this distributing company.

Eddie Dowling at Ampa

Eddie Dowling and the cast of his current stage offering, "Big Hearted Herbert," will be at today's Ampa luncheon in the Hotel Paramount Grill.

Bill on Better Morals

Washington Bureau of THE FILM DAILY

Washington—A petition from the Society of Friends of West Coast Filmmakers, Pa., urging higher moral standards in films was presented to the House yesterday by Congressman Kinzer of Pennsylvania. It was referred to the House committee on interstate commerce.

Harold Lloyd Signs Four

West Coast Bureau of THE FILM DAILY

Hollywood—Grant Mitchell, Nat Pendleton and Warner Hymer have been signed for "The Cat's Paw." Harold Lloyd's new picture which Sam Taylor is directing for Fox release. Una Merkel and George Barbor are also in it.

Broadcast from Roxy Studio

Broadcasting of a program from the Roxy theater building will be resumed Sunday for the first time in more than a year and a half. The program will go over WOR from 3 to 3:30 every Sunday afternoon in conjunction with F. & M. Stagehouses.

Ed Levy to Defend Kuykendall

Edward Levy, general counsel of the M. P. T. O. A., will represent Ed Kuykendall when the Congress theater suit against members of the Code Authority goes to trial Feb. 20 in the U. S. District Court. Kuykendall expects to be back in the South on that date.

Send Letters to Radio Stations

Pointing out that the M. P. T. O. A. is approaching the matter of free shows given by radio stations along lines of a "request," not a "demand," Ed Kuykendall yesterday said that letters to stations throughout the country go in the mail today from Kuykendall.

Kuykendall Reports Exhibs 100 Per Cent Behind Code

(Continued from Page 1)
der the code can and will be adjusted, he said.

Kuykendall will hold a meeting of his board of directors or contact them through the mail in regard to the exact date of the annual M. P. T. O. A. convention, scheduled for February in April.

Staging "Queer People" Monday

Legit production of "Queer People," from the book about Hollywood by Carroll and Garret Graham, opens Monday night at the National theater. Hal Skelly heads the cast, which also includes Nita Scardia, a star of the silent films. Galen Bogue is the producer, with Melville Burke as director.

Final Soviet Bill

Film & Photo League's final program of the series on the "History of the Russian Film," Feb. 17 at the New School for Social Research. "Jew at War" is the feature to be shown on the subject of "The Jew in Soviet Films."

Walter Kingsford for "Frankie"

Walter Kingsford, legit player now appearing in "Pursuit of Happiness," has been signed by All-Star Productions to make his film debut in "Frankie and Johnnie," which Chester Erskine will make at the Biograph Studios.

Douglas Montgomery In Play

Douglas Montgomery, also known in film circles as "Dougie Dillahas," has been signed for the male lead in "Gentlewoman," a new John Howard Lawson stage play being produced by the Group theater.

Advance dispatches on Frank Bor- zage's "NO GREATER GLORY," hail it as the screen's greatest emotional triumph. Based on Ferenc Molnar's famous novel, it promises to be a sensation!

QUOTE OF THE DAY

"CLARK GABLE and CLAUD- ETTE COLBERT in 'It Happened One Night,' making swell, human entertainment which should clean up at any body's box-office. They're the skilful direction post box-office foremost!"—M. P. DAILY

Tough Assignment

West Coast Bureau, THE FILM DAILY

Hollywood—First, national's casting office is making a nationwide search for a four-year-old Canadian boy to appear in the latter's new picture, "Swedish." How a kid can appear in movies at the age of four-years apparent has happened aren't occurred to casting Director Maxwell Arrow.
THE FILM DAILY

WARNER-F. N. STUDIOS WORKING ON 11 FILMS

West Coast Bureau of THE FILM DAILY

Hollywood—In addition to the 17 pictures completed and awaiting release dates, 11 productions are currently in various stages at the Warner-First National studios. Six are in work and five are in preparation, with all of them designed for mass appeal.

The six before the cameras are "The Key," story of the Sinn Fein revolt in Ireland, featuring an all-star cast headed by William Powell, Kay Francis and Warren William; "The Gentleman From San Francisco," George Arliss' story of a fast-thinking and fast-acting newspaper reporter, featuring Bette Davis, Donald Woods, Lyle Talbot and Margaret Lindsay; "Hit Me Again," a comedy by F. Hugh Herbert, with an all-star cast including Joan Blondell, Warren William, Edward Everett Horton and Frank McHugh; "Fur Coats," a dramatic story with a smart New York shop as the background, and presenting Aline MacMahon in her first starring role, supported by Paul Kelly and Will Dvorak; "One Man's Woman," a story of modern life, with the roster of players headed by Pat O'Brien, Glenda Farrell, Raymond Hatton, Derek Deck, and "Without Honor," a James Cagney thriller with most of the scenes to be "shot" on location at a fishing village off the coast of California, with Joan Blondell and Guy Kibbee supporting the star.

In preparation are "Sawdust," a comedy with a circus background, which will star Joe E. Brown; "Dames," a musical revue co-star Dick Powell and Ruby Keeler; "The Old Doll's House," one of Damon Runyon's stories; "Napoleon," which will star Edward G. Robinson; and "British Agent," a story of the Bolshevik revolution in Russia based on the authentic memoirs of R. H. Bruce Lockhart, and starring Leslie Howard.

Irish Production Looms

Dublin—Production of pictures in the Irish Free State is now expected to start soon this same time this year, according to the plans of promoters. The Dutch company, Edipics, is reported sending its managing director here to open distribution offices and inspect studio locations.

FACTS ABOUT FILMS

Movie fan magazine readers total about 8,800,000 monthly.

THE PIONEER newhouse now plays the pioneer newsreel and the Embassy is now the only house sticking strictly to newsreels—a nice I.F. reception yesterday with Leon Franci as guest of Harold Wondel, the present editor of the Pathe News. Leon you will recall as the first editor of the pioneer reel the new regime will carry on in the traditions of Courtland Smith, who opened the Embassy originally, the first Newsreel theater in the world. Rutgers Nelson, old Pal, and Numa, helped the boys put over their party to the press.

REVIEW BOARD MEET UNDER WAY TODAY


The conference runs through Saturday, with tomorrow's program including talks on research, appreciation, writer's viewpoints and visual education, also the annual luncheon with Sol A. Rosenblatt among the speakers.

Await Word on Paris Situation

Major companies yesterday were anxiously awaiting cables from Paris to learn whether or not the riots had damaged their exchange operations. Apparently a strict censorship yesterday was preventing advice. No word had been received at the Hays office yesterday on the Paris situation.

New Sound System for Embassy

An elaborate improved-design RCA Victor Photophone sound system is being installed in the Embassy Pathe News theater, which opens Saturday.
Sweeping across the nation.

First popular priced engagements electrify the industry.

Albany, Philadelphia, Chicago, Allentown, send the first glorious reports to gladden the hearts of showmen.

Audiences enthralled by the first appearance in 18 months of the screen's star of stars.

M-G-M wins highest praise of press for glamorous drama, mighty production that brings Garbo back to millions who await her.

For showmen M-G-M has prepared a Giant Campaign Book befitting the launching of the greatest box-office attraction of our time.
names for it!

FRUGGLES • MARY BOLAND • ALISON SKIPWORTH BURNS • GRACIE ALLEN

OF A KIND”

Picture • Directed by Leo McCarey
ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Production employees rendering services of an artistic, technical or executive nature are classified as follows:

(a) Employees Without Written Contract (Class A Employees). Employees who are not under written contract, but who receive not less than $250.00 a week or $2,500.00 per picture. Whenever this group of employees is referred to, they will be designated Class A employees.

(b) Employees with Written Contract For Less Than One Year—(Class B Employees). Employees who are under written contract for a period of less than one year, whose compensation is not less than $250.00 a week or $2,500.00 per picture. In measuring the time of one year, options should be included. Whenever this group of employees is referred to, they will be designated Class B employees.

(c) Employees With Written Contract For at Least One Year—(Class C Employees). Employees with written contract for at least one year or for less than one year whose compensation is not less than $250.00 a week or $2,500.00 per picture. In measuring the period of one year, options should be included. In computing the salary of $250.00 a week, lay-off periods should be excluded. Whenever this group of employees is referred to, they will be designated Class C employees.

(d) Free Lance Employees Not Included. The Section which forbids Producers from negotiating with employees prior to the last 30 days of their contracts (Section 1, (c) of this Part 5) and the section which forbids Producers to refer to Class A, B and C employees, do not apply to free lance writers, directors and other employees who work in one or two pictures only, unless the employment of such employees is intended to or covers a period of at least one year.

(e) Refusal of Contract for Class B and C Employees. Class B and Class C employees are defined as employees under written contract for at least a year. The word contract shall apply not only to any existing contract with the Producer, but any prior contract with the Producer or with a corporation or a preceding corporation of such Producer in the employment has been continuous. In other words, even though there may be several contracts with different employers named in which the employees are the contracts of the Producer and interest, they are not considered for the purpose of this Section 3. Employees of the new company must determine whether they are for a one year period or less.

Sec. 3. Negotiations of Producer for Employee of Another Producer

Note: This Section 3 (including Subdivisions (a) to (g) as analyzed below in Section 6) is suspended by the President's order pending investigation and report of the Administrator.

(a) Notice of Renunciation. If a Producer wishes to make an offer to an employee of another Producer, he must give his employee notice of the offer. This notice must be given only if:

1. The employee falls within the group described above or Class A B or C or D employees.
2. The employee has been registered by his employer with the Registrar as described below in Section 6.
3. In the case of Class B and Class C employees those having written contracts as above described, notice need only be given to the employer if the employee has given his employer an option to renew or extend the contract or within the last month of the contract and has notified the Registrar of his option. The offer then becomes a offer to renew the contract.

(b) Time of Notice. The notice to the employer must be given on the same day that the offer is made to the employee.

(c) Manner and Contents of Notice. The notice must be in writing and must state the complete terms and conditions of the offer. It must give the compensation, the period of employment and any additional special terms.

(d) Filing Notice with Registrar. At the time that the notice is given to the employer, a copy must be delivered to the Registrar.

(e) Rights of Employer. The employer must then be given a reasonable opportunity (not exceeding three days) to negotiate with his employee for a continuation of the services.

(f) Rights of Employee. The employee has the full right to decide which offer he will accept.

(g) Competing Producer Must Make Firm Offer. The offer which the Producer makes and reports to the employer must have two conditions in it:

1. The right of the employer to negotiate for his employee.
2. The competing Producer's offer must remain open until at least 24 hours after the period permitted to the employer to negotiate. The purpose of this provision is that if the employee does not renew the contract, the employee has 24 hours' time in which to accept the competing Producer's offer.

(To be Continued)

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PARLOR with BEDROOM and BATH
...

The Park Central
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THE FILM DAILY

Thursday, Feb. 8, 1934

WILLIAM HORNBECK, for 17 years film ed-
or of Mack Sennett comedies, has sailed from San Francisco for a six weeks' vacation in the Orient.

LILYAN TASHIAN arrives in New York to- morrow from the coast to appear in "Fascie and Jehoah," "CHESHER MORRIS is already here for the same picture.

EDNA BEST, actress and wife of Herbert Marshall, left New York yesterday for Holly- wood after a visit to London.

WATTERSON ROTHACKER is in the will H. RAFT's party coming east from Hollywood. Rothacker will go to Florida.

PHIL ROSEN arrives in New York this week from the coast.

RUTH SELWYN returns from Europe today on the Bremen.

F. W. WILCOX-JONES has returned to New York from Florida, after recuperating from a long illness.

TOM DOUGLAS leaves New York within a few days for the Coast.

MARGARIT GERING, Paramount director, who arrived in New York last night to see the Broadway production of "Her Master's Voice," will return by plane to the coast immediately after seeing the show.

B. G. DULSKY, SID SILVERS, HAROLD ADAMSON and BURTON LANE, who produced the musical comedy "Follies" at the Box's "Bottoms Up," leave the coast next week for New York.

JOAN LOWELL returns Thursday from Guate- mala aboard the Plantano.

ED MCKAY, RCA executive, and Canadian sales manager, returned yesterday from a tour of eastern exchanges.
Fox

DEVIL TIGER 60 mins. THRILLS, ACTION, HUMOR AND ROSE-tigers BLENDED INTO ONE OF THE BEST ANIMAL PICTURES. Audiences are about ready for another real exciting animal picture, and this one should fill the bill very nicely. Produced by the Clyde E. Elliott expedition to the Asiatic jungles, it has among other things the greatest supporting wildlife animal battles yet seen in a single picture. They include thrilling encounters between a leopard and a python, a lion and a tiger, a hyena and a bear, a monkey and some giant crabs, a tiger and a crocodile in the water, and various other beasts. Some of them, particularly the chimp who gets all tangled up in the multiple claws of the crabs, the tiger who is at a disadvantage in a battle crocodile under water, and the bear with a habit of standing on his hind feet man-like to make an attack on a Big takes a lop-sided appearance as suspicious. And those 60-foot pythons, one of which winds itself around the bear, will give the fans a few things to be talking about. The上演 hunt to a dread man-kill Tiger tiger whom even the natives refuse to hunt. In the whole picture is supported by a triangle involving Marion Banes and Kane Richmond, who develop into a love team, and Harry Woods, leader of the hunt, who has been casting eyes of desire on Marion. Woods is killed in an elephant stampede, and the lovers eventually find their way out and are finally wringing down the devil tiger for a finale.

Cast: Marion Banes, Kane Richmond, Howard Voss, Hazel Allen, Director, Clyde E. Elliott; Author, James O. Spearing; Editor, Tammy Talley. Direction, Box-office, Photography, Fine.

Helen Morgan in
FURY OF THE JUNGLE
with Donald Cook, Peggy Shannon, Alan Dinehart, Dudley Digges. Toshiro Mori
Columbia 68 mins.

FAILY SATISFYING TROPICAL MEL-O-DRAMA BUILT AROUND THE FAMILIAR TRIANGLE THEME. With its action motivated by the inevitable competition between two men over a woman, this latest variation of the all too familiar tropical yarn is all right for the popular price houses. The woman who becomes the bone of contention is Peggy Shannon, left or more less helpless in a South American jungle when her brother, whom she is accompanying on an exploration trip, is taken down by the fever. In a refuge for fugitives, Peggy attracts Donald Cook, an escaped criminal, who desires to protect her despite his apparent hatred or women. The heavy part is played by Alan Dinehart, who tries all sorts of villainy in order to get Peggy for himself, and eventually meets his doom while the lovers make their get away. Dudley Digges is seen in another of his tropical doctor roles, and the cast as a whole is good.

Cast: Donald Cook, Peggy Shannon, Alan Dinehart, Harold Huber, Dudley Bigges, Toshiro Mori, Clarence Muse, Fredric March, Kay Egan, Director, Roy Willam Nall; Author, Horace McCoy; Adaptation, Ethel Hill, Dore Schary; Cameraman, John Stumar, Editor, Jack L. Turner; Direction, Okay, Photography, Good.

A Shorey's production of
LA FROCHARD ET LES DEUX ORPHEES
(‘Two Torn Orphans’), in French, with English titles; produced by Partho-Cinema; directed by Maurice Tourneur; with Yvette Guilbert, Gabriel Gabrio, Jean Harlow, Renée Jean, Pierre Magnier, Emmy Lynn, Jean Martinelli, Emile Saulieu, Camille Bert, Martha Scott, and others. 80 mins. Filled to capacity every night at Playhouse.

Though its handling is a little out of date for American audiences of today, this French production of the famous tear-jerking classic is a generally interesting and entertaining affair for French film followers. The work of Yvette Guilbert as the old hag is a surprise, though there are other good performances.

DEALY SUGGESTIONS ON VAUDE. CHANGES

Aware of the complexity of the vaudeville labor situation, the Code Authority committee appointed to handle this matter has decided not to submit any plea of condemnation or petitions for alteration of the code at the Code Authority meeting tomorrow, but will give the problem another study to the problems confronting it. Only a progress report is to be made to the Code Authority at its session tomorrow at the New York Athletic Club.

The committee will acquire additional information on vaudeville and presentation labor. At its meeting Tuesday night it discussed the various problems and regulations and expects that a number of modifications, including perhaps three major ones, will eventually be urged in its report. Another committee meeting will be held early next week.

Aeolian Engages Trivas

Victor Trivas, director of “Hell on Earth” has been signed by Aeolian Pictures to produce an international feature in four languages. It will be made in this country, Trivas is expected to sail for America within the next two weeks. Bert Meyers, of Filodora and Meyers, counsel for Aeolian, handled the deal. Trivas is a Russian and a graduate of the Art Theaters of the Soviet Capital.

Their Engagement Announced

Boston—The engagement has finally been confirmed of Sanka Barr, booker for American Pictures here, and Hyman Grossman.

Truck manages to get away and while waiting in the husband’s suffering room at the hospital, Love walks in and confesses that he too is to become a father. Their conversation is not well over before any audience. The babies arrive and all ends well. Plenty of action, snappy dialogue, tears of laughter, and a good all round production.

Tabloid Reviews of FOREIGN FILMS

“Let’s You and Him Fight”

Paramount 7 mins.

Busy Bears

Here is one of the best and most interesting of all bee-life subjects. Gayne Whitman gives us a spectacular insect in the life of the bee, dramatizing with great effect the toils of the “workers,” the life of the queen, the “drones,” and finally the evolution of the bee from egg to actual hatching.

Andy Clyde in
The Sunny Snoper

with Jason Robards, Dorothy Dix, Arthur Hoyt, Addie McPhail.

Educational 19 mins.

Just Fair

Not much in this one to arouse laughter. The weak story has Andy as a rich old man who, to learn the lowdown about his prospective son-in-law, becomes a porter in the hotel at which the young man is living. Andy gets mixed up with some jewel robbers and lands in jail. He appears in the line-up and is made to assume many disguises for the scrutiny of various victims who have been gipped by various con men. He finally is released and the film ends with some old-time slap-stick stuff.

“Paramount Pictorial”

(No. 3-8) 6 mins.

Good

Trio of items in this short show includes scenes of an amateur mariners’ voyage to the West Indies, the singing of “Trees” by Donald Novis with illustrated scenic accompaniment in color by Robert Bruce, and two numbers, “What Have We Got to Lose?” and “St. Louis Blues,” sung by Gilda Gray with Lou Alter at the piano. All entertaining.

Bing Crosby in
Just an Echo

with Mary Kornman and Vernon Dent

Paramount 20 mins.

Pleaseing

In this latest of the Arvid E. Gillstrom two-reelers, Bing Crosby plays the role of an officer in a Government park reservation where no smoking is allowed. Mary Kornman, a friend through drive, with Mary is making a lit cigarette, and the park headquarters it develops that the girl is a niece of Bing’s superior officer. She has him assigned to do such work as fetching her baggage, shining her boots, etc., while Vernon Dent takes to her girl, and so on. The comedy results, plus some agreeable crooning by Crosby.

“Rip Van Winkle”

(Terry Toon) 7 mins.

Educational

Fair Cartoon

This one shows Farmer Al Falfa as Old Rip, sleeping under a shady tree with his faithful pup at his feet. Mrs. Rip comes out of the house and starts nagging the old man. The film dissolves to Rip’s dream that he is high in the Catskills making merry with the mythical Rip Van Winkle, so he wakes up to find his wife still nagging. Phil Sheib has written a clever musical score for the short but the gaps are few and the action is only fair.

Helen Morgan in
Montague Love, Herbert Rawlinson, Dorothy Werner

Educational 8 mins.

Sob Stuff

Starting with a reproduction of the famous painting, this film soon has Helen Morgan singing “One Little Smile,” with plenty sob in her voice. The narrative, which graphically describes a brief history of the painting, is interesting, but Miss Morgan’s song will appeal mostly to the femines who like to cry.

Ernest Truex in
The Expectant Father

with Montague Love, Mary Jane Barrett, Edward Armstrong, Kathleen Key

Educational 21 mins.

Swell Comedy

This one will get ‘em from start to finish. The story tells of Truex whose wife is in the hospital awaiting a blessed event for her. He comes several efforts to ask his boss, Montague Love, to permit him to take the afternoon off but Love is gruff and ready to discharge Truex.

—The Film Daily—

Thursday, Feb. 8, 1934

9
ERPI READY TO RESUME VITA ARBITRATION

(Continued from Page 1)

very gratifying. About a year and a half ago the Vitaphone Corporation tried to abandon the arbitration proceedings it had started against Electrical Research Products, Inc., in New York and to try their case in the Delaware courts the matters which had gone to arbitration and on which a large part of the evidence had been taken. Yesterday's decision seems to clear the way for the resumption of the hearings before the arbitrators. We are ready to go forward and hope the evidence remaining to be presented to the arbitrators can be completed and issues decided promptly.  

Sack Gets Mexican Film

San Antonio — Sack Amusement Enterprises has closed a deal with Cultural, S. B., producers of Mexico City, for exclusive distribution of the military feature, "Aguilas de America," in Texas, New Mexico, Arizona, Colorado, Wyoming, California and Florida.

"Hell on Earth" for Third Week

"Hell on Earth," international war film, is being held for a third week at the Acme.

Hollywood

JUPE VELEZ has been signed by RKO to play opposite Jimmy Durante in "Strictly Dynamite."


Ethel Sykes has been signed for the lead opposite Lou Holtz in "Showmanship," Columbia.

Mary Boland is the latest cast addition to RKO Radio's "Sin of Mademoiselle" as star to Richard Dix and Irene Dunne. Henry Stephenson, Andy Devine and others also are in it. William A. Wellman will direct.

Paget George O'Brien! The former Fox star returned from New York two weeks ago and has been "dressing out" at his Malibu house ever since—turning down all interviews and insisting he is working on a "new deal."

"Lady Mary's Lover" is announced as the final title of the M-G-M picture formerly known as "Rip Tide." Norma Shearer, Robert Montgomery and Herbert Marshall have the leading roles. Story is an original by Edmund Goulding, who is also directing.

Fox's next Charlie Chan mystery will be titled "Charlie Chan's Courage" instead of "Charlie Chan's Challenge," and will feature Walter Connolly.

Peter Arno, artist-humorist, recently signed by Paramount to bring his unique ideas to the screen, will do the elaborate settings for "Murder at the Vanities," film version of Earl Carroll's current Broadway hit. Arno will work with Ernst Fegele, under Hans Dreier, head of Paramount's art department. Mitchell Leisen directs "Murder at the Vanities."

Re-election of Louis B. Mayer as president of the Motion Picture Producers was something of an upset for the advance dopesters who had been predicting an incumbent. Jack L. Warner and Winfield R. Sheehan also continue as first and second vice-presidents.

Screen rights to "Oil for the Lamps of China," new novel by Aleinide Hobart, have been purchased by Warners.

Clyde Beatty, despite the recent attack on him by one of his lions while giving a performance in Cleveland, has advised Nat Levine that he will arrive here on schedule Feb. 22 to start work in "The Lost Jungle," Mascot serial.

Columbia has exercised its option on Donald Cook for another year.

Kathleen Howard, former Metro-politan opera star, has been engaged by Paramount for "You're Telling Me," in which W. C. Fields is featured.

Robert Gleckler, signed this week by Warners, has been assigned to "The Return of the Terror," based on "Edgar Wallace's The Terror." Gleckler is now on his way to the Coast from New York. Mary Astor will be the heroine of the picture.

Edmund Breese has been added to the cast of Paramount's "Come On Marines," with Richard Arlen, Ida Lupino, Roscoe Karns and George Bradford. Roger Gray also has been signed for the picture.

Paramount has renewed the option on the contract of William Frawley, former Broadway stage player.

Alexander Hall, recently elevated to a directorship at Paramount, will direct "Little Miss Marker," B. P. Schulberg, independent producer, has announced. Written by Damon Runyon, the picture will feature Adolphe Menjou, Dorothy Dell and Jack LaRue.

After tryout showings in two different places under the different names of "Death Takes a Holiday" and "Strange Holiday," Paramount has decided to retain the former title on the Fredric March picture because it drew a far bigger attendance than the second.

When the new Lew Ayres film "Let's Be Ritzty," started this week at Universal, its cast was slightly amended. The support now includes Patricia Ellis, Isabel Jewell and Frank McHugh in the featured roles. In addition there are Berton Churchill, Robert McWade, Addison Richards, Adrian Morris, Hedda Hopper, Betty Lawford, Clay Cole and Lois January. Edward Ludwig is directing.

Decreases Capitalization

Norfolk, Va. — An amendment to the charter of the Gates Theater, Inc., has just been granted decreasing authorized maximum capital from $50,000 to $15,000. William S. Wilder is president of the corporation.

EAST-WEST INDEP'TS

IN NEW DUAL FIGHT

(Continued from Page 1)

gram sent this week by Trem Carr, new president of the coast unit to the New York group. Both financial and moral support will be given the Federation, Carr said. He added that the coast unit had added many new members.

Both associations intend to fight any attempt during the new season to insert clauses in contracts restricting dual bills and any efforts by zoning and clearance boards to the restrictive clearance on houses showing duals.

Sam Wolf, attorney for the IMPDA, and Jacob Schechter, attorney for the Federation, will have charge of any joint legal aspects to be considered.

Talker Shown in L'Ope, Paris

Paris—Western Electric Sound System was temporarily installed in L'Ope for the first showing of a talking picture in the historic edifice. The occasion was the screening of a Napoleonie drama, "L'Agence des Agiles," for the benefit of the French Legion of Honor. The exhibition was attended by a distinguished list of guests headed by President Lebrun.

Bernice Claire in Vita. Musical Bernice Claire has been signed by Sam Sax for a two-reel Vitaphone operetta. J. Harold Murray, musical comedy leading man, will appear with her. Cy Woods is writing the book and Joseph Henabery will direct.

Teaser Campaign on "Catherine" A teaser advertising campaign is being conducted by United Artists for Catherine the Great, which opens two-day at the Astor on Feb. 14. First day's ads contained several blank slides, the idea being to fill in one of them each day.

Aeta Break in at Burly Houses Vaudeville acts, especially dance turns with feminine appeal, are using burlesque houses for break-ins now that there are so few regular vaudeville break-in houses, and earning more money than in the regular vaudeville houses, which seek to pay new acts negligible wages.

BIG NEWS

AS SEEN BY THE express AGENT

"Baby LeRoy will eat his spinach every day if it is fed to him by a beautiful girl—but not otherwise." —PARAMOUNT.
**THE FILM DAILY**

**THURSDAY, FEB. 8, 1934**

**MOULIN ROUGE CARAVAN**

**HIGHLIGHTS**

THE troupe of the 20th Century-United Artists "Moulin Rouge Caravan" arrived in town Tuesday and were formally presented to the members of the local press at a reception at the Terrace Room of the Hotel New Yorker.

In the Hollywood contingent were Antonio Moreno, Anna Q. Nilsson, Dorothy Dandridge, Mary Carlisle, Yvonne Atie, Orson Welles, Jack McAllister, Nancy Welford, Ben Turpin and John Halliday.

While the caravan still has a couple of thousand miles touring before they again reach Hollywood, they do not forget the swell party they were given there.

John Halliday was master-of-ceremonies and introduced the various stars, dishing out plenty of chatter.

Chester Morris, who is working in "Frankie and Johnnie" in the East, took a bow—but that wasn't all. He was finally compelled to make a speech.

Romeo Atte drew a big hand on his starring act. While he didn't say much, he took plenty of time to say it.

Ange Tomson and his stable headman got a big hand from the Hollywood crowd.

Janet Beecher and Tilla Carminati, parked in one corner, were found to be discussing the swell time they had during the filming of "Gallant Lady," their latest U. A. release.

Helen Westley, who played roles in "Moulin Rouge" and "The House of Rothschild," is here to do another play for the Theater Guild, was on hand.

Nancy Welford, another charming miss on the caravan train, was introduced to the gang and obliged with a song.

Jack McAllister, during one of the intervals in speech-making, copied some of John Harrel's glory in mastering of-ceremonies himself.

Jack is still a favorite here.

Anna Q. Nilsson was in all her glory once again renewing many acquaintances with local newspaper folks. It isn't surprising if this trip will reveal a real boom in her come-back.

Ben Turpin has eyes all over the place. There was some talk about his ditching his moustache—but it was only talk.

**10 Best Dressed Women for Premiere**

First National is inviting the 10 best dressed women in the U. S. to attend the premiere of "Wonder Bar" at the New York Strand on Feb. 21. They include Kay Francis, Bette Davis, Deanna Durbin, Whitney Bourne, Mrs. Harrison Williams, Mrs. Irene Castile McLaughlin of Chicago, Charlotte Dorrance of Philadelphia, Betty Edwards of Dallas, Marigayle Hopkins of New Orleans and Mrs. James Garrett Eddy of Seattle.

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**M-NEW-S O-F T-H-E D-A-Y**

Miami—Sonny Shepherd put over a swell campaign on "Roman Scandals," a U. A. release, at the Mayfair theater here with the result that the picture was held over for another week.

Cincinnati—Stanley Jacques, RKO branch manager, is taking a short enforced rest due to ill health at Martinsville.

Louisville—Joseph S. Bohn has opened the Arista, a new house.

Gary, Ind.—Royal Amusement Corp. has been chartered to operate moving picture houses. Incorporators are LeRoy W. Anxandel, Abrahm B. Hyman and Florence Hyman.

Detroit—Phil Szczepanowski has succeeded Walter Gunn as manager of the Your Theater, operated by the Fred De Linder Circuit.

Detroit—R. G. Taylor has taken over management of the Sheridan, east side house, following the death of his father, Fred Taylor. R. G. Taylor has closed the Library, which he managed.

**See Newsreel Houses A Coming Institution**

(Continued from Page 1)

The cooperative plan under which exhibitors will be asked to cooperate in making a number of pictures themselves. Other expansion under way includes the Julius Hagen and Nettlefold studios. Two new production companies also have been announced. They are Kenneth McLaughlin Productions, headed by Kenneth McLaughlin, Francis H. Rose and W. J. Coleman, and Feature Films, Ltd., with Sir Michael S. Bruce and Edwin Lewis as directors.

**More Studio Expansion Under Way in England**

(Continued from Page 1)

JUVENILE MATINEES GAIN

Cleveland — Saturday morning matinees for kids being given by H. M. Addison at the State have shot up in popularity. First program drew about 500, while last week there was a turnout of 12,000.

Newsreel Theaters, Inc., of which W. F. Githens is president, is prepared to open other houses itself if the present undertaking pans out as expected.

F. W. Wood will be managing director of the Embassy, with Lynn McManns handling publicity and Helen Ryan, cashier at the house for four years, back in the cage.

As part of the introductory campaign for the theater, a reception was given there yesterday to Leon Franconi, first editor of the Pathe News in this country.
THIS AMAZING SUCCESS RECORD MEANS ACTUAL CASH FOR YOU!

WARNER BROS. HAVE LANDED
4 HITS ON B’WAY IN 15 DAYS!

HERE'S THE ACTUAL HIT-BY-HIT ACCOUNT WITH FULL NAMES AND DATES—

JAN. 17—Critics rave over "MASSACRE" at the Strand—and it holds second week!

JAN. 18—Critics rave over "FASHION FOLLIES OF 1934" at the Hollywood—and it’s still running!

JAN. 31—Critics rave over "HI, NELLIE!" at the Strand—and it's headed for 3rd week!

FEB. 1—Once more the critics trot out their most expensive adjectives to hail Roxy premiere of

"I'VE GOT YOUR NUMBER"
With JOAN BLONDELL • PAT O'BRIEN

"Never a dull moment. Bears the Warner Brothers stamp, in the sense that it excavates in a new field—that of telephone operations—while maintaining that clever, slangy, colorful comedy-drama angle of 'Smart Money,' 'Taxi' or 'Public Enemy.' Suspense until the very end. Always entertaining and fast-moving. Lively, snappy and original."
—Herald-Tribune

"'I've Got Your Number' will be followed this season by several trouble shooter melodramas. Its followers certainly will not be able to surpass 'I've Got Your Number.'"
—Daily Mirror

"Exciting comedy. Entertaining film. O'Brien creating amusement and excitement wherever he goes. Moves quickly and entertainingly from first to last."
—Daily News

"Hilarious product. Fast and hearty."
—New York Times

"Amusing, actionful picture...Entertainingly different...Exciting."
—American

CAN YOU BEAT IT, GENTLEMEN—CAN YOU BEAT IT?
SCHENCK-ZANUCK ENTERING THE LEGITIMATE FIELD

Gulf Coast Exhib Unit in Four-State Membership Drive

Campaign Embraces La., Miss., Ala. and Part of Fla.

New Orleans—Membership drive for the new Gulf States Theater Owners Ass’n begins today when a meeting of New Orleans exhibitors will be held in the Paramount screening room. The territory served by exchanges here has been divided into zones and captains for each zone will meet here on Feb. 15 for conferences prior to opening.

(Continued on Page 16)

11 HOUSES REOPENED IN CINCINNATI AREA

Cincinnati—Eleven theater re-openings in this territory last month are shown by the current report of the Film Board of Trade. Five were former silent houses newly wired. Closings during the period totaled only five.

The reopenings include: Hippodrome, Corbin, Ky.; State, Lexington.

(Continued on Page 15)

Allied Expansion Drive Starting in Two Weeks

Expansion plan outlined by Allied will begin to function in two weeks. President Sidney E. Samuelson, chairman Abram F. Myers and National Yamin will meet today in New York to advance plans. Selection of the six regional vice-presidents authorized under the expansion project are expected to be made at the meeting.

Lee Tracy Signed by "U"

West Coast, THE FILM DAILY

Hollywood—Lee Tracy has been signed by Universal which will star him in a newspaper story, "If I Tell the World," written by Lincoln Q. White and being adapted by Dale Van Every. Pat O'Brien also will be in it.

Sentiment Against Censorship

Washington, Bureau of THE FILM DAILY

Washington—Receipt in the last few weeks of hundreds of petitions containing thousands of signatures protesting against any form of radio censorship is interpreted here as indicating increased public sentiment against censorship of all kinds, including the screen. This is believed to preclude the possibility of any Federal film censorship receiving public support.

Political Censorship Denounced At Board of Review Conference

Political censorship of motion pictures was the target of a verbal barrage fired by speakers yesterday at the opening session of the National Board of Review, held last week in the Hotel Pennsylvania. Following a morning preview of Warner's "Heat Lightning," the afternoon session was opened with a spirited attack by many as a crusade against the motion picture industry by the Code Authority committee in charge of the matter.

(Continued on Page 4)

Radio Pictures Already Set On 10 Films for New Season

Eddie Dowling Attacks Free Radio Studio Shows

The growing evil and menace of "free entertainment," particularly "admissions to radio shows, was attacked by Eddie Dowling at yes-

(Continued on Page 14)

20th Century Undertaking Presentation of Stage Productions

West Coast Bureau of THE FILM DAILY

Hollywood—Presentation of stage plays in New York and other cities will be undertaken by 20th Century Pictures, the Schenck-Zanuck company, as an extension of its production activities for 1934, according to an announcement yesterday by Joseph M. Schenck, president, and Darryl F. Zanuck, production chief of the firm.

Whether the company will finance the stage ventures through intermediary Broadway producers, or whether it will set up its own production company is not known. (Continued on Page 16)

PROFIT-SHARING PLAN PREDICTED BY ZUKOR

West Coast Bureau of THE FILM DAILY

Hollywood—Eventually adoption of the profit-sharing plan for players, directors and writers is predicted by Adolph Zukor, Paramount president, here on a periodic visit. After his return he will reach the point of popularity where they actually draw big admission prices.

(Continued on Page 15)

Canton First-Run Houses Adopt Uniform Admission

Canton, Ohio—Three major film houses here, Loew's Palace and Warner's Adams, got together this week and put into effect a uniform admission price scale. Top at all houses is.

(Continued on Page 15)

THINGS LOOK UP . . . enthusiasm flourishes again in film circles

By DON CARLE GILLETTE

ALMOST anywhere you go in film circles these day you can't help noticing a more cheerful spirit and a more enthusiastic outlook on the movie situation.

Where, only a few months back, the gloom was so thick that it made a London fog look like a crisp October afternoon in the Apennines, you can now find the atmosphere shot with bright beams of optimism and glimmering shafts of assurance.

Those who were victims of the depression have become its masters, the old fighting spirit is back, and once more nothing is impossible except you think it is.

HOW come all this change, is anyone heard asking? Oh, come several things.

(Continued on Page 2)
THINGS LOOK UP

...enthusiasm flourishes again in film circles

(Continued from Page 1)

Though the calendar belies the statement, it is springtime for the movies and the ice is cracking up. Things are beginning to happen again in quantities.

Such as Samuel Goldwyn's Anna Sten in "Nana," and Clyde Elliott's "Devil Tiger," and that "Muslin Roses" caravan circling around and the Embassy opening as an all-Pathe News theater, and the annual "Where's Garbo" front-page guessing bee, and that "Hi, Nellie!" stuff, and the new pep and ingenuity in current picture campaigns, the reliable rumbles of other big b. o. bets about to come forth, and Twentieth Century planning to add production of stage plays—and oh, lots of other things.

*THERE'S* there's the general business picture, getting better daily. Car loadings, steel operations and power output continuing to rise; savings banks deposits in 18 states increase 144,583 in the past year; earnings of the first 125 big corporations to report for 1933 show a gain of 331 per cent over 1932. And the stock market booming; brokers' offices jammed as before; and exhibitors waking up, if the better performance of the tickers can bring the board room bugs back 110 per cent, why can't the theaters with better shows do the same? Well, who said they can't or won't or aren't?

So, between it all, the situation is decidedly more pleasant to look upon and contemplate.

But chiefly it's that revival of the old enthusiastic spirit in big gobs. That enthusiasm is the most impelling of all motivating forces in this business as long as it holds sway, the moves will keep going places.

Comedy Names to Top Educational Program

Taking advantage of the comedy personalities built up by the radio, as well as the stars available from established screen comedians, Educational will develop its 1934-35 program on comedy names, says E. W. Hammons.

Personalities of national renown have a ready-made audience and the exhibitor is assured that his exploitation of these names will bring results, Hammons points out.

Among the celebrities already slated for Educational's new season roster are Ernest Truex, Stoogepole and Budd, Andy Clyde, Buster Keaton, Bob Hope, Milton Berle, Helen Morgan and others.

New England Sticking To Give-Away Policies

New England will continue to favor premiums despite code provisions which allow territories to abolish the practice by a 75 per cent vote, Nathan Yaminis, Allied leader and a member of the Code Authority, told THE FILM DAILY yesterday in New York.

Business in that zone is spotty said Yaminis, with best conditions existing in the textile towns.

New Kansas Censor

Kansas City, Kan.—Governor London has appointed Mrs. W. R. Stubbs, widow of the former Governor of this state, a member of the Kansas Censor board, succeeding Jessie Hodges, resigned.

Shanberger, Jr., Joins General Pictures Prods

Fred C. Shanberger, Jr., who has been operating theaters in the Baltimore area, is now vice-president and general manager of General Pictures Productions, producers of the Goofyton Newsreel released by Universal.

Showing French Films

Another special showing of French pictures arranged by John S. Tannenou will be held tonight aboard the S. S. Champlain at Pier 57, Foot of West 14th St. Program includes three features, "L'Abbe Constantin" directed by J. P. Paulin; "Jofroii," directed by Marcel Pagnol, and "Mireille," musical.

Regular Eastern Dividends

Eastman Kodak Co. has declared the regular quarterly dividends of 75 cents on the common and $1.50 on the preferred stocks, both payable April 2 to stock of record March 6.

FINANCIAL

NEW YORK STOCK MARKET

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NEW YORK RATES

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Drops Vaude for Daubes

Youngstown, O.—After two weeks of vaudefilm, the Park here has dropped stage shows in favor of double features at 20 cents for adults at nights and 15 cents matinees.

Field Force Scout Stories

Co-operation of the Fox field force in securing material on the market has been sought by John D. Clark, in charge of distribution, and announcement just made. He quotes the studio's story needs as indicated by Winterset R. Sheehan.
"CAROLINA" IS HOLD-OVER HIT!
BEATS "PADDY" IN KEY CITIES!

- Again FOX does it... as freezing weather and terrific blizzards fail to slow up "Carolina" after spectacular openings everywhere! Extended playing time necessary. House records topple. Watch for more great news as "Carolina" continues its great box-office march.

More hot news: After sensational openings held for SECOND WEEK at the FOX, Philadelphia... HIPPODROME, Cleveland... NEW, Baltimore • Beat everything in past two years at the SAENGER, New Orleans... which shows all companies’ finest product • At the ECKEL, Syracuse, beat "Paddy" and "State Fair"... held for SECOND WEEK • 100 per cent bigger than "Paddy" at the ORPHEUM, Denver • Topped every FOX hit... including "State Fair", "Paddy" at the CENTURY, Rochester • At Shea’s BUFFALO, greater than any FOX picture... 50 per cent bigger than "PADDY" • It's the biggest hit in years!

JANET GAYNOR
LIONEL BARRYMORE
in
"CAROLINA"

ROBERT YOUNG • HENRIETTA CROSMAN
RICHARD CROMWELL • MONA BARRIE
STEPIN FETCHIT

Directed by HENRY KING. From "The House of Connelly" by Paul Green
Produced by WINFIELD SHEEHAN
Political Censorship Denounced
At Board of Review Conference

(continued from Page 1)

session was called to order by presiding officer LeRoy E. Bowman, field director of the Child Study Association of America. In his address Bowman said:

"Movies are for all people and should not be controlled for, or by any small section of the population of the country. The motion picture industry is incapable of exercising on itself the influence that will conduce to its own interests. No organization of producers, no matter who its president, may be, can possibly do an impartial job of itself. There is great need for the focusing of public opinion and social pressure on the movies. Censorship has a semblance of social control that is false. We deplore 'civic action' groups of one city and also persons of only one sex."

Dr. Worth M. Tippy, executive secretary of the Department of the Church and Social Service of the Federal Council of Churches, told the members that proposals for establishing state and city boards of censors and for congressional legislation are constantly being brought forward and that many of them are "all advised." They should be studied carefully by a reputable group such as a better films council and its reasoned opinion given to the general public and to the public," he said. "The Federal Council Committee will train young people in motion picture appreciation and are now studying the technique of the motion picture and the standards of judging them. Eventually, they will not knowingly go to see a poor picture."

"Functions of the National Board," was the subject of an address by Wilton A. Barrett, executive secretary of the Board of Review. He said in part:

"The board was formed to offer protection to the American people from the early blight of political censorship and to evaluate the possibilities of this new art. Individuals cannot be made to think alike about motion pictures. If they cannot, it would be the industry's problems, but the stereotyped motion pictures would be a standard. Local censor boards are ridiculous. The condemnation of one film in one state and the passing of the same film in another state are outstanding examples of the meaning of that statement. The National Board on Review must seek the unification of all groups that sympathize with our philosophy. We want no censorship. We want educated public opinion that will encourage the production of fine films. It is time to stop talking about 'the morals of the movies,' for morals change and movies change. The morals of yesterday do not fit in with the moral viewpoint of today. We will change again and the movies will also change. The great medium is an adjustment that medium into adjustment to our lives and our lives into adjustment with it.

Speaking on the efforts of the industry to turn out superior pictures, John Barry of Paramount declared that each ticket bought at the box-office constitutes a vote which determines the kind of pictures which are to be produced. He urged the board to take steps to encourage appreciation of fine pictures and later a resolution along this line was adopted. Barry listed a number of outstanding pictures produced by Paramount.

The conference will continue today with a morning session at which Dr. A. A. Brill, psychoanalyst and psychiatrist, will be presiding officer. Dr. Frederic M. Thrasher of N. Y. University will speak on what can be done about picture "The running of Suzanne E. Schwartzman, director of the Children's Laboratories, N. Y. University, will address the members on "Can Research Be Related to the Social Movement for the Understanding and Utilizing the Method of Picture." Greta Palmer, editor of the women's page of the "World-Telegram" will take the topic, "A Writer's Viewpoint on the Motion Pictures." Dr. F. Dean McClusky will speak on "The Place of Research in Visual Education." and Isabel P. Kennedy, secretary of the Federation of Social Agencies, Pittsburgh, will address the members on "The Films and the Community."

Sol A. Rosenblatt will be the chief speaker at the Nineteenth Annual Luncheon to be held tomorrow noon at which Dr. George W. Kirch- wey will be toastmaster. Other speakers will be Bishop Francis J. McDonald, Emphasis; Terry Ram- saye and John Collier. A private showing of "LeSang d' un Poete" will be given the members tonight at the Fifth Avenue Playhouse.
Our watchword for February is "Mandalay."
Watch Kay Francis in her third great money show in a row from Warner Bros.

Vitagraph, Inc., Distributed.
"One of the most charmingly human dramas ever to reach the screen ... Gable and Colbert were never better...see it!"

"A rating. Positively swell! This is one you cannot afford to miss. Don't let anything keep you away!"

"Gay entertainment for anybody. Here is romance, garnished with lots of laughs. It's Clark Gable at his best."

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"IT HAPPENED ONE NIGHT"...but it doesn't happen every night that you have a chance to see such a swell all-around perfect picture."

"Clark Gable has received a new lease of life in this brilliantly written, cleverly directed comedy of love. If you miss it—don't blame us!"

"It is superlative entertainment... see it for sheer enjoyment. So sparkling and spontaneous that you wonder why these two have never been teamed before."

"Another swell, bang-up grand picture... do a favor to your audience and grab this one off for them...it's got everything—names, superb acting, riotous comedy and perfect direction."

"Should clean up at anybody's box-office... puts box-office values foremost...seems headed to go places with audiences and do things for showmen."
Why write any copy?

a DARRYL F. ZANUCK Production
presented by JOSEPH M. SCHENCK
Released thru
UNITED ARTISTS
Constance Bennett in "Moulin Rouge"

THREE AND ONE-HALF STARS
— Daily News

Another 20 TH CENTURY PICTURE OPENS IN NEW YORK
TIMELY TOPICS

Urges Hollywood to Meet Competition from Abroad

ENGLAND by the quality of its pictures is compelling Hollywood to recognize its importance as a factor in screen production. This does not mean that Hollywood is losing its supremacy as the dominating center of world production, but the challenge Nevertheless is a serious one, and requires Hollywood's producers to be on their mettle. There is nothing for Hollywood to do but accept this competition in a friendly spirit, because it is going to be of mutual benefit to the industry on both sides of the Atlantic. They are developing their own stars over there and need our directors, writers and technical experts. The type of picture Hollywood and England will make will be different from each other. Through "Henry the Eighth" the English got a taste of the recognition to be won in America by pictures of truly epic quality. The English have the background and physical facilities for such productions, and in Alexander Korda they have a producer-director who knows from experience in Hollywood our methods of making pictures. Both British Dominion and London Films companies are well equipped for picture production. In "Catherine the Great" English production has surpassed its previous success with "Henry the Eighth." Thus aroused, its producers are concentrating as never before. I am not trying to sound any alarms, for I know the result of this competition is going to make Hollywood more alert. As far as 20th Century Pictures, is concerned, Darryl F. Zanuck and I welcome this rivalry, and intend to foster it by interchange of stars and producing personnel. Toward this end I have arranged for some of our stars and producing experts to participate in English pictures which the United Artists will distribute in this country. Thus we will serve the double purpose of improving the quality of English pictures shown here, and of spurring Hollywood on to keener effort.

—Joseph M. Schenck.

Dough Starts New Film


EXPLOITETTES

Merchandising Campaign Blankets "Love Past Thirty"

EXHIBITORS playing Monarch's "Love Past Thirty" featuring Aileen Pringle, Theodor von Eltz, Gertrude Manseker and Phyllis Barry, are being furnish a wealth of practical tie-ups via a compact campaign book. The story of the picture is being fictionized in a forthcoming issue of "Hollywood," a Fawcett publication. As the press sheet points out, this may be tied-in effectively by the exhibitor. A. L. Burt Co., publisher of the novel, has prepared a special book band, with cuts of Aileen Pringle, Theodor von Eltz and Gertrude Manseker, carrying credits and catchlines. A forthcoming issue of "Psychology" magazine carries a story by Priscilla Wayne, author of "Love Past Thirty"— and who conducts a "Loveland Column" in a mid-week newspaper. A tie-up that will insure added attraction for the feature is a country-wide hairedressers' campaign completely outlined in the current issue of "Beauty Culture." Still, especially posed during production, are listed in the press sheet by number, supplemented by brief outlines of their direct possibilities to the local merchant, while several notes, suggest intriguing advertising at low cost. A New York studio has prepared full-page ads in the metropolitan tabloids featuring Miss Pringle and Miss Messinger and several papers have run, or have in preparation, features playing up popular angles of the story. The 59 national papers which have already used "Love Past Thirty" as a syndicated feature, offer specific avenues for additional features.

—Freder Film Associates.
A MERGER that makes the biggest industry news in many months! It affects you!

(See next page)
“Hey . . . diddle . . . diddle

THE CAT AND THE FIDDLE

The PREVIEW... was a WOW!

They positively cheered! Never such a Preview in Hollywood history. Because "Cat and the Fiddle" is all Youth, Gayety, Romance, Melody... a superb musical with a glorious love story. When Ramon Novarro sings those Jerome Kern heart-songs to Jeanette MacDonald your pulse quickens! In the cast, Frank Morgan, Charles Butterworth, Jean Hersholt, Vivienne Segal. Great directorial job by W. K. Howard. The play ran 2 years on Broadway!

Ramon NOVARRO—Jeanette MacDonald
CAT AND THE FIDDLE

it’s M-G-M music for your box-office!
By LOUIS NIZER

ANALYSIS OF MOTION PICTURE CODE

Twenty-Third Installation

ARTICLE V—UNFAIR PRACTICE

Sec. 4. Notice to Producer, After Contract Expires, of Offer To His Employee.

Note: This Section 4 (including Subdivisions (a) to (e) as analyzed below) is suspended by the President's order pending investigation and report of the Administrator. Class C employees have been defined above. They are employees under written contract for at least one year or at least three pictures who receive not less than $250.00 a week or $3,000.00 per picture. In respect to these Class C employees, a Producer, under certain circumstances, is entitled to notice of a competing offer even if it is made after the contract of his employee has expired.

(a) When Producer Entitled to Notice

A Producer is entitled to notice of a competing offer even after his employee's contract has expired if the following five conditions exist:

1. The employee in question is a Class C employee.
2. The Producer has good faith made an offer to his employee to continue or renew his contract.
3. The offer was made before the last 30 days of his employee's contract.
4. The employee rejected the offer.
5. The compensation last paid to the employee was at least $500.00 per week or $6,000.00 per picture.

(b) Notice of Offer During Three Month Period

The employing Producer is entitled to notice of offers made by other Producers during a period of three months from the end of the first employment if the employee received previously less than $1,000.00 a week or less than $12,000.00 per picture.

(c) Notice of Offer During Six Month Period

The employing Producer is entitled to notice of offers made by other Producers during a period of six months from the end of the first employment if the employee received previously at least $1,000.00 a week or at least $12,000.00 per picture.

(d) Time of Notice

The notice to the employer must be given on the same day that the offer is made to his employee.

(e) Procedure and Rules of Notice

The notification of the Registrant and all the other procedure and rules with reference to offers shall be the same as in Section 3 as analyzed above, in order that the result shall be as provided in Section 5 of the Code.

1. The employer shall have a reasonable period, not exceeding three days, to negotiate and contract for the services of the employee.

2. The offer of the competing Producer shall be a firm offer for 24 hours after the time of the employer to negotiate expires.

3. The employee at all times shall have a free and independent choice as to which offer he will accept.

Sec. 5. Coercion to Prevent Offers

(a) Coercion by Producer

It is an unfair trade practice for any Producer to use force to prevent offers being made to any employee by other Producers.

(b) Violation of this Part by Any One in Industry

No Producer, Distributor or Exhibitor shall violate this Part which deals with offers to employees.

Sec. 6. Standing Committee and Register

Note: This Section 6 (including Subdivisions (a) to (i) as analyzed below) is suspended by the President's order pending investigation and report of the Administrator.

The analysis of Section 4 above indicated that one of the conditions for the use of the Producer's right of notice of a competing offer is that he himself has made an offer in good faith which was rejected. It also showed that under different circumstances, the Producer is entitled to notice of offers made for three months and in some cases for six months after the contract of his employee expires. The following machinery has been set up to decide the questions of good faith and whether the Producer falls within the three or six month category.

(c) Coercion to Prevent Offers

Standing Committee

The Code Authority appoints a standing committee which has full power to decide the good faith of any offer made by the employer and to determine whether he comes within the three or six month category.

Appointment of Registrar

The standing committee appoints and removes the Registrar of the Code Authority. The Registrar's actions may be reviewed, reversed or modified by any decision of the Registrar.

Information to Producers Concerning Notice of Offer

The Registrar provides a method whereby all Producers may find out when notices of offers may be sent to the employer or former employer.

(e) Procedure to Prevent Delay

The Registrar also prescribes the procedure to prevent an employer or former employer from unreasonably delaying his decision, so that immediate employment can be had by persons who have offers from other Producers. The Registrar has power to designate a reasonable period, which in no case shall be more than three days, within which the competing Producer cannot close his contract. In other words, the Registrar can give no more than three days' time to the employer or former employer to negotiate with his employee.

(f) Employer Not Entitled to Notice if He Has Not Registered Employee's Name

None of the provisions of this part dealing with negotiations for employees applies to employees whose names are not registered by the employing Producer.

(g) Right to Registration

The standing committee decides whether there is a right to register or to continue registration. This decision can be made either on its own motion or upon the application of the party interested, including the employee.

(h) Notifying Registrar That Employment Is Ended

If, for any reason, the employment of a person whose name is registered ends, the employer must notify the Registrar in writing immediately.

(i) Producer's Right Not to Register Name or to Withdraw Registered Name

Any Producer may withdraw the name of his employee from registration or by sending written notice to the Registrar may waive the right to be notified of offers, provided this is not done as a result of an agreement with the employee.

(j) Notifying Producers of Registrations

The Registrar provides a proper method for notifying Producers promptly of all registrations, withdrawal of registrations, waivers or termination of employment.

(To Be Continued)
By RALPH WILK

A LICE FAYE, elevated to featured roles by Fox after her appearance in George White’s “Scandals,” will have a leading part in “Now I’ll Tell,” by Mrs. Arnold Rothstein. Spencer Tracy will be starred. Edwin Burke will adapt and direct.

Mae Clark, Douglas Dumbrille, Ned Sparks, James Marcus, Jay Lloyd, Larry Adler and Hattie McDaniel have been added to M-G-M’s “Operator 13,” which Raoul Walsh will direct. Marion Davies and Gary Cooper play the leads.

Henry Stephenson has joined the cast of Fox’s “All Men Are Enemies.”

Henry Wadsworth has been given a new M-G-M picture. He will next appear in “The Show-Off.”

On their return to New York in a few days, B. G. DeSylva, Sid Silvers, Harold Adamson and Burton Lane, will produce a musical called “Napoleon, Jr.” They have just finished “Bottoms Up” for Fox.

Leonard Praskins has been given the assignment to write the screen version of “Head of the Family,” (tentative title), the next George Arliss picture to be made by the newly formed 20th Century Pictures and released by United Artists. “Head of the Family” is being made from a play of same name by Katherine Grunston.

Busby Berkeley, who did the dance spectacles for “Wonder Bar,” and Myrna Kennedy, who is a member of the picture’s all-star cast, will be married tomorrow. The newlyweds are expected to spend a few days in New York for a brief honeymoon which will include their presence at “Wonder Bar’s” premiere, a search for new locations and a search for more beauties for film work.

Joe E. Brown’s next First National starring picture, “Sawdust,” a story of circus life, will enter production at the company’s Burbank studios on Monday. Brown’s leading woman will be Barbara Blair, recently gone over from radio to picture work and now under contract to First National. Also in the cast will be a four-year-old replica of Brown. The studio is now looking for such a child and reports a flood of applications, none of which have been accepted to date.

A cast of headliners is supporting William Powell and Kay Francis in their new co-starring picture, “The Key,” for Warners. Robert Barrat, J. M. Kerrigan, Frank O’Keefe, Joan Wheeler, Hobart Cavanaugh and Arthur Treacher are among the players. Phil Regan, the “Singing Cop” of radio, who was signed a couple of weeks ago to a long-term contract by Warners, has a prominent role, his first appearance on the screen. And Colin Clive, now appearing on the Broadway stage in “Katherine Hepburn in "The Lake," leaves for Hollywood by airplane on Sunday for a featured part in “The Key.”

Andy Clyde’s latest comedy, just completed at the Educational Studios, has been titled “Hello Prosperity.”

Because of pressure on directors’ time, Universal has had to postpone “Elizabeth and Mary” and start “Little Man, What Now?” immediately instead. The difficulty was occasioned by Frank Borzage’s obligations at Warner Brothers and the fact that Margaret Sullivan was scheduled to appear in both of these pictures, and it was decided to effect is to put the Borzage production of “Little Man, What Now!” in production next Monday. The script has been written by William Anthony McGuire and is entirely completed. Rehearsals will begin next Tuesday.

Glendon Alline, associate producer at RKO, is now supervising the production tentatively titled “Arabella.”

Frank Craven, popular Broadway comedian, has been added to the cast of Warner’s “Without Honor,” which co-stars James Cagney and Jean Blondell. Craven supplants Guy Kibbee in this role, the latter having been assigned an important part in “Dames,” musical romance with Dick Powell and Ruby Keeler.

Jesse Lasky will make one of three Fox musicals already definitely slated for the 1934-35 production season. It will be directed by Raoul Walsh and will be starring Myrna Loy and Fred Astaire. Madeleine Carroll and Joan Blondell are also likely to be cast in the film, which was planned for the screen of one of the others and one will be made by Ely Charell. George White and E. G. DeSylva may also make ready for production. Tentatively depending on the success of the musicals pictures now under way.

Contrary to report Cecil B. De Mille has as yet made no selection for the role of Julius Caesar in his next Paramount production, “Cleopatra.” His interest now lies in the direction of Cedric Hardwicke, young English actor recently knighted by the King for his work on “Ben Hur” and who will direct and screen. De Mille shortly will import Harry Wilcoxon from England to play the Marc Antony role opposite Claudette Colbert.

First National completed production on “Hit Me Again” this week. Joan Blondell and Warren William have the leading roles in the film, which was adapted for the screen by F. Hugh Herbert and Carl Erickson from Herbert’s play. The cast of principals includes Edward Everett Horton, Frank McHugh, Claire Dodd, Joan Wheeler, Virginia Sale and Leonard Carey. Robert Florey directed and Miss Blondell’s husband, George Barnes, was chief cameraman.

Four comedy experts joined forces in providing the story which will introduce Buster Keaton as star of Educational’s Freedies. Edward W. Van Sloan, Frank Adlam, Claire Dodd, Joan Wheeler, Virginia Sale and Leonard Carey. Robert Florey directed and Miss Blondell’s husband, George Barnes, was chief cameraman.

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More Title Changes

James Cagney’s latest Warner picture, formerly known as “Blondes and Bonds” and changed only two days ago to “Always a Gent,” was altered again yesterday to “Jimmy the Gent.” Warners said this is “the final and definite title,” but they didn’t say “positively.”

A Gentleman from San Francisco,” another Warner film, becomes “Fog Over Frisco.”

RKO’s Katherine Hepburn picture, “Trigger,” has been changed to “Spirited.”

Eddie Dowling Attacks Free Radio Studio Shows

Eddie Dowling is one of President Roosevelt’s intimates on whom he relies for guidance in great degree in matters concerning the amusement field. The after-luncheon comments on Eddie’s remarks indicated that the free entertainment evil has probably been made a subject of White House discussion, although the speaker did not say so.

Shaff Conferring With Richman

Miami Beach—Monroe Shaff is here conferring with Harry Richman on appearing in a short to be made by Meyer Davis for RKO Van Beuren.

A “LITTLE” from HOLLYWOOD “LOTS”

(Continued from Page 1)

terday’s A.M.P.A. luncheon in the Paramount grill.

"We can’t afford to give our wares away," said Dowling, speaking on the studio’s behalf of actors. He called upon the press agents to use all their power and influence to direct public opinion against the free entertainment provided by the radio studios.

J. C. Nugent, another speaker, also took a healthy slam at tryouts in radio and vaudeville as a dishonest practice that cheats the performer out of just remuneration. Nugent said that it was a condition that the N.R.A. has to remedy if the actor is to get a square deal. Dowling is one of President Roosevelt’s intimates on whom he relies for guidance in great degree in matters concerning the amusement field. The after-luncheon comments on Eddie’s remarks indicated that the free entertainment evil has probably been made a subject of White House discussion, although the speaker did not say so.

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SHORT SHOTS from EASTERN STUDIOS

By CHAS. ALICOATE

PRODUCTION on "The Cat Catchers," two-reel comedy featuring Tom Howard, supported by George Shelton and being produced and directed for Educational release, by Al Christie at the Eastern Service studio in New Jersey, was completed yesterday. Fred Sheld and Warren Murray assisted Christie on the production, with George Weber doing the camerawork. Arthur Jarrett and William Watson are credited with the story.

Shooting on "The Possing Review" being produced by Mentone for Universal release, will be completed today at the Fox studio, Milton Schoenwald is directing the short, which features Ed Sullivan as a salesman with an array of entertainers for the National Vaudeville circuit. Zucker and Bergi Cater are doing the camera work.

Chester Morris, who came east to play the leading male role in "Frankie and Johnnie," which Chester Erskin is to produce at the Biograph Studios, not only is keenly enthusiastic about the story, but he gave Erskine a few thoughts on the script which were promptly incorporated.

Gertrude Nielsen, popular radio songstress, has completed a two-reel Vitaphone musical comedy entitled "Darling Enemy." Among the cast of over 100 bit and extra players assembled to support Miss Nielsen in this short are Weldon Heyburn, Roscoe Ada, Bernice "Bunny" Lee, The Randals and Captain Dudley Clements, Ralph Samford and Pat West.

"Spick 'n Spanish," has been selected as the title of the recently completed "comedy with music," which Al Christie produced for Educational with Bob Hope and Leah Ray. This two-reel comedy innovation is the most elaborate production for Educational's current program.

Bert Gunnell is preparing an original story, "Mr. America," for feature.

Interesting Religious Film

Integrity Film Corp. is planning to roadshow "Saint Anthony of Padua," a nine-reel feature that faithfully follows the life and miracles of the great Catholic saint. The picture, shown to the trade and press yesterday and produced in Italy, and carries both English and Italian titles, with a musical score of sacred songs. Suitable for Catholic or Italian neighborhoods, although it is too deeply religious to class as theatrical entertainment.

"THE LOST PATROL" with Victor McLaglen, Boris Karloff, Reginald Denny, Wallace Ford 74 min.

TENSE AND SUSPENSEFUL DESERT WAR DRAMA AIDED BY GOOD PERFORMANCES AND ACE DIRECTION.

Smacking of "Beau Geste," and packing plenty of general human interest even though it hasn't a woman in the cast, this war story ranks as one of the best of its kind. It depicts, as an incident of the World War, the fate of a British patrol lost in the Mesopotamian desert where the wilderated soldiers are at the mercy of Arabian sharphotters whom they cannot see but who pop off the squad one by one until only the sergeant, Victor McLaglen, is left. Then, coming out in the open a little too soon, the Arabs are mowed down with a machine gun by the avenging McLaglen just as a rescue company arrives. It is a gripping story, more action than words, with the tension well maintained, and by deft direction the grimness of the situation is never allowed to descend to the point of over-dramatization. McLaglen turns in a corking performance as the sergeant, and other outstanding roles are done as a soldier of fortune, Boris Karloff as a religious fanatic and Wallace Ford as the last man killed.


Director: John Ford; Author, Phillip MacDonald; Director, Dudley Nichols; Additional Dialogue, Garrett Perry; Cameraman, Harold Wenstrom; Recording Engineer, Glenn Portman; Editor, Paul Weatherwax;


11 Houses Reopened In Cincinnati Area

(Continued from Page 1)


Fox Changes in Charlotte

Charlotte, N. C. — J. J. Grady, manager of the Fox exchange, has been transferred to Cincinnati. Herman Bierdorf comes from Washington to be the new manager of the exchange and S. J. Hisson is in temporary charge of the office.

Lucille Lloyd for the RKO Van Beuren Musical Comedies produced by Meyer Davis. The story is a satire on the usual bathing beauty contests to select Miss America.

Ben Blue is scheduled to start work soon at the Brooklyn Vita- phone studio in "Daredevil O'Dare," his sixth two-reel comedy for Vitaphone. The script has already been completed and "shooting" will begin as soon as casting is completed. "Daredevil O'Dare," which will be directed by Ralph Staub, will be released in Vitaphone's series of "Big V" comedies.

"THE BIG SHAKEDOWN" with Charles Farrell, Bette Davis, Ricardo Cortez, Glenda Farrell

First National 64 min.

VERY MELODRAMATIC GANGSTER STORY WITH WEAK AND UNCONVINCING SITUATIONS.

Adulterated and fake patent medicines as a gyp racket, is the theme around which this frail feature has been built. It is far-fetched, over-acted and unbelievable for the most part. Farrell starts out as owner of a corner drug store with Bette Davis as his clerk and fiancée. Cortez, a beer racketeer, finding his business a flop with repeal of prohibition, decides to start in the phoney drug racket. He coaxes Farrell to become chemist for the outfit. Their game brings them plenty of dough and all goes fairly well until Bette is taken to the hospital where some of the fake drugs are used. Farrell tries to stop the use of the adulterated stimulants on his wife, without divulging to the surgeons the basis of his objections. Their baby dies but Bette is saved. Farrell kills Cortez, the remainder of the gang are cornered and all evidence of Glenda Farrell, who plays his sweetheart, stand out as the only worth while persons in the film. Farrell and Miss Davis are not at their best.


Director, John Francis Dillon; Author, Sam Engles; Cameraman, Sid Hicks; Editor, Jack Thomas;

Direction, Ordinary, Photography, Good.

Profit-Sharing Plan Predicted by Zukor

(Continued from Page 1) business at theaters, it is impossible to determine their worth in terms of salary, says Zukor, and the only fair system of payment is in proportion to the profits they bring for the company. Actors who merely give good performances should be paid as craftsmen if they do not add materially to a picture's revenue, he declared.

Canton First-Run Houses Adopt Uniform Admission

(Continued from Page 1) three now is 35 cents nights and 25 cents matinees, including tax. Children's admission remains at a dime anytime.

Valentine, Mozart and Strand have upped night admission for adults to 17 cents with afternoons a dime. All three are second run houses. McKinley and Victoria neighborhoods continue to grind at a dime, with duals most of the week.

William Harrigan for "Frankie"

William Harrigan, who appeared on Broadway recently in "The Dark Tower" and also has been in several films, was signed yesterday for "Frankie and Johnnie," which Chester Erskin is to produce at the Biograph Studios for All Star Productions.

HOLD YOUR HORSES!
WE ARE WORKING .
NIGHT & DAY ON THE
1934 FILM DAILY
YEAR BOOK
ORDERS ARE PILING
UP BY HUNDREDS
FOR THIS BOOK.
WILL BE BIGGER AND
MORE IMPORTANT
THAN EVER BEFORE
IT WILL BE READY
FOR DISTRIBUTION
THIS MONTH ON
TIME AS USUAL.
SCHENCK-ZANUCK FIRM ENTERING LEGIT FIELD

(Continued from Page 1)

duction organization to present the plays directly in New York, are among details not yet worked out. Pending the completion of these arrangements, Franklin Underwood, eastern scenario editor of 20th Century, has already begun a search for unproduced play manuscripts.

Since one of the chief purposes of the play-production policy will be to find material suitable ultimately for motion picture presentation, film potentialities will be an important, but not the only, factor in the selection of plays. The purpose of the firm will be to find manuscripts that are equally meritorious for stage and screen presentation.

"Close cooperation between the theater and motion pictures," Zanuck said yesterday in speaking of the new policy, "is inevitable, and I should not be surprised to see other film companies also branching out before long into stage producing. Through films, radio and syndicated newspaper features, the tastes of the whole nation have been gradually brought to a similar standard during the last few years, and I feel sure that a successful New York play is the safest foundation for a motion picture appealing to the entire country."

"Stage and screen are each a separate medium, and a distinct technique is necessary for each. But both seek to entertain large blocks of people and certain underlying principles of showmanship are valid for them both. There is no doubt in my mind that each can profit by a closer association with the other — the stage to profit through the addition of fresh capital, the screen to profit through the addition of fresh ideas, which can be tried out on the stage without the staggering financial risks necessary to experiments in motion pictures."

Al DeShetler Buried in Toledo

Cleveland—Funeral services were held this week in Toledo for Al DeShetler, manager of the Royal, who died following an emergency operation for gall stones.

Warner's Lake Goes Dual

Cleveland — Warner's Lake has gone into a double feature policy.

St. Louis—George Tyson, advertising and publicity chief for Central Theaters Co., is back from Pittsburgh, where he conferred with Variety Club representatives.

St. Louis — Oscar Dane has re-opened the theater with "Sins of Love." Picture has a social hygiene and medical theme.

Denver — J. B. Melton, owner of the Victory and Colorado, left by airplane for his regular visit to his Florida ranch.

Fort Morgan, Colo.—After a complete remodeling and redecoration job, Edwin Bluck has reopened the U. S. A. theater, closed several years. It gives Bluck two houses here.

Evart, Mich.—The Lyric, closed several weeks for extensive repairs, has reopened.

Youngstown, O.—Feiber & Shea's Paramount has reduced admissions. Top nights now is 28 cents, and afternoons 22 cents.

Concord, N. C. — The Pastime, operated by W. E. Stuart, has been reopened. It was damaged by fire recently.

Sees Admission Prices Due for General Rise

Theater admissions, generally, will advance when exhibitors believe they have the power to absorb it, in the opinion of John R. Freuler, president of Monarch, though such a rise, he points out, will merely place them at the same level they were a year and a half ago when admissions were indiscriminately slashed. Freuler has voted to exhibit motion pictures exclusively, according to Freuler, sets the average program at between 150 and 170 minutes, and reveals the volume of entertainment offered cinema patrons, at a single show, is upwards of 100 per cent greater than the War. "A slow but steady advance in show values," says Freuler, that has now established a two-and-one-half hour show generally. It is no more apt to be arbitrarily revised downward than are full-length books likely to be scrapped for short stories or that features are universally substituted for shorts. The public has evidenced a definite, permanent desire for quantity with their quality, and, as the economic situation improves, they will be found willing to pay fairly for what they have become accustomed to expect.

Broadwater, Neb.—A. W. Wilkinson has reopened the Isis.

Buffalo — Upward trend of theater patronage is steadily increasing the number of houses in the Buffalo area which are modernizing or otherwise improving. Recent jobs include Maxine, Shea's Buffalo, Great Lakes, Artistic and Jubiles, all of Buffalo, and Schine's State, Rochester; Opera House, Sherburn, and Colonial, Niagara Falls.

Buffalo — Ralph Merriman presided at a meeting of exhibitors in Syracuse at which the code was discussed but no action taken.

Buffalo — Max W. Rowley, former RKO representative in Rochester, has joined with Hollywood Pictures in Albany.

Washington — Frank K. Shaffer, former assistant manager of the Capitol, Winchester, Va., has been promoted to manager of the New Virginia at Harrisonburg, J. J. Payette, Warner zone manager, announces.

Bennettsville, S. C. — The Carolina, operated by H. B. Anderson, has opened.

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Howard Cullman an Author, Too

Howard S. Cullman of the Roxy Theater is the author of an article entitled "By Your Authority," which appears in the Feb. 10 issue of the magazine "Today," edited by Raymond L. Moley.

RKO Maps Big Campaign On New Hepburn Picture

A tremendous national campaign is being launched by RKO for the special Easter week release of the new Katharine Hepburn Picture, "Spitfire," formerly called "Trigger," according to Jules Levy, general sales manager, national magazines, promotional tie-ups, and numerous ticket-selling schemes will be employed in the drive.

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Crosby in "She Love Me Not"

West Coast Bureau of THE FILM DAILY

Hollywood — Paramount has assigned George Crosby to go for the lead in the film version of "She Loves Me Not," Broadway stage hit. Dorothy Dell and Buster Crabbe also are slated for roles.

Madeleine Carroll Dined in Toronto

Toronto — After being guest of honor at a press luncheon here, Madeleine Carroll has left for Hollywood to start work in the picture she is to make for Fox under the exchange arrangement it i made with Gaumont-British, to whom she is under contract, and Fox.

Akron Prices Revised

Akron, O. — Admission prices here took a revision this week, with Loew's again altering, the second week within a week. Palace and Strand also are in the new setup, with matinees at 30 cents for adults, tax included, and nights 40 cents, tax included. Colonial, Feiber & Shea's first-run, continues its current scale of 33 cents top at night and 22 cents afternoons.

Chapman Joins U. A. in Milwaukee

Cleveland—Abe Chapman has resigned as booker at the local First Division exchange to become office manager for United Artists in Milwaukee. The appointment was made by U. A. Division Manager Jack Goldhar.

"Rio" Tops "Little Women" in Spots

Though "Little Women" still holds the box-office record in the current RKO lineup, "Flying Down to Rio" has topped it in several spots, according to returns received at RKO. The situations include Dallas, Detroit, Fort Worth, Grand Rapids, Benton Harbor and Bay City.

SHOWMAN'S REMINDER

Lincoln's Birthday on Monday. Holiday prices and schedule.
WE CANNOT TELL A LIE!
(It’s Washington’s Birthday Eve)

You Must Hurry And Get Your Ticket Or
You May Miss Out On The Biggest, Gayest
Party This Industry Has Ever Staged.

Reservations Are Going Fast . . . The Wal-
dorf-Astoria Ballroom Is Big . . . But Ca-
pacity Is Capacity.

ENTERTAINMENT! DANCING! MIDNIGHT SUPPER! TALKIES

FILMED AND SCREENED THE SAME NIGHT!

Dance Music By Famous Bands
Spectacular Acts From Reining Broadway
Hits

Guest Orchestras From Leading Night Clubs
Special Breakfast Show at 5:30 A. M.

WE REPEAT
HURRY

TICKETS TEN DOLLARS PER PERSON

SEND RESERVATIONS TO
WM. BRANDT, CHAIRMAN OF ENTERTAINMENT COMMITTEE
GLOBE THEATRE, TIMES SQUARE, N. Y. C.
**PREVIEW REPORTS!**

This is a great showmanship picture. It's great, first because it dares transgress the most sacred production tenet, telling a romantic and dramatic story without a woman in the cast. "The Lost Patrol" will be one of the year's most discussed pictures, not alone for the subject and treatment, but for the interest-creating and sustaining color, punch and thrill.

The reaction of the preview audience visibly indicated that the picture made a deep impress upon women. "The Lost Patrol" is not stock merchandise. It's a courageous picture; one that courageous, resourceful showmen should welcome.

—Motion Picture Herald—Feb. 3

"The Lost Patrol" is red-meat drama with a red-blooded wallop.

—Motion Picture Daily—Jan. 25

"Lost Patrol" is strong meat, designed for popular entertainment. It should give a good account of itself at the box office.

—Daily Variety—Jan 24
Code Authority Meeting at Washington March 5

ROSENBLATT SCORES ‘RACKET’ DRIVES ON FILMS
Cold Wave Nicks Theater Attendance 20 Per Cent

Reports to Home Office Show Effects of Zero Temperatures
Theater grosses generally slump off 20 per cent yesterday as a result of the cold spell, according to reports reaching New York home offices. Broadway houses were hit along with the rest of the country as city thermometers registered a new low in temperatures.

U. S. FILM TALENT SOUGHT BY SOVIET
Through an offer made to Boris Petroff, for 10 years Paramount stage director in New York and associated with Mae West in her pictures, it was learned this week that a Russian committee is on route to Hollywood to buy American pictures, line up talent and get first-hand information on production a la Hollywood.

The official offer to Petroff calls for his going to Russia and introduction of American movies in that country. (Continued on Page 2)

Capitol Extending Policy Of M-G-M Stars in Person
New policy of presenting M-G-M stars in person at the Capitol will be extended by Major Edward Bowes, with Ramon Novarro coming in next week for his first stage appearance in the country. He will appear in conjunction with "Cat and the Fiddle," his latest picture. Bowes says it is planned to bring practically all M-G-M stars before the public in person.

Intelligence Going Up Mental appeal movie audiences, for years rated as pretty low, has advanced from 16 to 21, it was stated in one of the papers delivered at the National Board of Review conference which winds up today at the Hotel Pennsylvania. But the movies probably won't get their due credit for putting it up.

Double-Standard Reformers
Chiding the "resolution-passing" type of local film reformers, a speaker at the National Board of Review Conference told about members of a midnight better films group who took their children to see a "family picture" they had endorsed, and then hid themselves across the street to see a very different type of film.

Independence of Independents Is Proclaimed by Carl Laemmle

Masce Opens Coast Unit For Shipment of Films
Masce & Co. of California, a branch of the New York film of film forwarders, has been formed with offices in Los Angeles. E. J. Santiestevan will be the coast manager. The new move will enable shipment of films direct from the coast to all parts of the world.

Ten Fox Players Being Groomed for Stardom

Chair Exhibit Brings 12 Circuit Contracts
Contracts for re-seatings of 12 major circuit houses with the new type theater chair being marketed by the International Seat Corp. have been signed as a result of the two-day showing of the seat which ended yesterday at the Hotel Astor. It was said by J. George Feinberg, (Continued on Page 5)

Code Authority Meeting Set For Washington on March 5

New Ohio Ass'n Arouses More Hope in Tax Fight
Columbus—Formation of the new state-wide exhibitor association, Independent Theater Owners of Ohio, with affiliated circuit houses excluded from membership, has aroused more hope of success in the efforts to end the 10 per cent state (Continued on Page 4)

NRA Has No Censorship Aims, Administrator Tells Review Board
There are scores of organized drives against the best interests of the film industry that may be classed as "racketeering" propositions, declared Division Administrator Sol A. Rosenblatt yesterday at the annual luncheon of the National Board of Review in the Hotel Pennsylvania.

"We may be thankful that most groups are properly motivated and are in true co-operation with the motion picture industry in all branches," he stated. "Like your organization, the Better Films Council is of in- (Continued on Page 3)

TOA GRANTED STAY ON REHIRING OF MEN
Judge Finch of the Appellate Court has granted a stay in the order issued this week by Judge Collins of the Supreme Court directing the I.T.O.A. to employ the same number of operators as on Aug. 23, 1933. The Appellate ruling, to remain in force until the appeal in (Continued on Page 5)

2½ Per Cent Tax Bill Passes Iowa Senate
A flat 2½ per cent tax on all amusements is provided in a general sales tax bill which has just passed the Iowa Senate and now goes to the House. Exhibitors are fighting the measure on the ground that it discriminates against the theaters.

No Paper Monday In observance of Lincoln's Birthday, a legal holiday, there will be no issue of The Film Daily on Monday.

(Continued on Page 3)

(Continued on Page 4)

(Continued on Page 4)
“Moulin Rouge” Caravan Stirs Up New England

Providence—Arrival of the “Moulin Rouge” Caravan with its coterie of Hollywood stars created quite a stir here yesterday. The train came here after stops at New York, New Haven and Hartford. At the Poli theater, Bridgeport, thousands mobbed the stars and many were hurt in the crush. With state motor police, the caravan rode into New Haven, where it was greeted by the mayor and a large Yale delegation. After lunch, the stars appeared at Poli’s, drawing capacity. Next stop was Hartford, appearing again at the local Poli theater at night, with thousands turned away. Members of the caravan were feted at a big dinner in the State hotel with Mayor Beach of Hartford as official welcomer. From here the caravan heads for Boston. Al Selig is handling publicity along the way.

Mono. to Build Star List

West Coast Bureau of THE FILM DAILY

Hollywood—Plans for building a star for Monogram’s 19th Metro pictures program are announced by Trem Carr, production chief, with the signing of Dixie Lee (Mrs. Bing Crosby) to a five-picture deal, starting with “Manhattan Love Song.” Ray Walker is another intended for Monogram’s star group.

Exchanges Adopt Monogram Name

Monogram franchise holders operating in San Francisco, Los Angeles, Pittsburgh, Seattle, Denver, Portland and Salt Lake City will henceforth be known as Monogram Pictures Exchange in their respective cities. The change will make a similar change in April. The San Francisco and Los Angeles exchanges, operated by Francis F. John, were formerly known as Cooperative Exchanges; the Pittsburgh office was known as denoted Service Bureau; the Seattle, Denver, Portland and Salt Lake City exchanges were known as the Shefield Exchange System.

Board Personnel—To Be O’Kayed by C.A.

With no local board selections definitely agreed upon, the code authority adjourned its meeting shortly after 11 o’clock last night at the New York Athletic Club after a session at which the various nominations were discussed. All members on their alternates were present at the meeting, at which Nathan Yamins presided. The nominations committee will meet on Tuesday and the code authority will convene next Friday. J. Robert Rubin will preside.

U. S. Film Talent

Soviet Film

 vemuing American production methods there. If the deal goes through, he said yesterday, it will take along a man from a soprano, sound technician and script assistant. A woman now in Hollywood is representing the Soviet in lining up girls for the committee that is on record.

Gaumont-British Activity

London—Gaumont-British will put “Chu Chin Chow” in work next week with Anna May Wong starred and Walter Purden as the Indochinese in “Evergreen,” the cup story. “The Last Wall” is being made as one of the most ambitious pictures ever made in England, is taxing the resources of both the G-B studios at Shepherd Bush and the Gaumont plant in Islington. Evelyn Laye’s “Princess Charming” has just been finished, and Robert J. Flaherty is-completing “Man of Aran.”

Among stars to be developed by G-B are Gwyneth Lloyd, Mary Clare and Barry Mackay.

Mayfair Sets Five Bookings

Wallace Reade has set five pictures for early showing at the Mayfair. Three are of new stars, including Tennyson, Heath, and Norman Foster with “Orient Express,” George O’Brien and Mary Brian in “Ever Sinner Eve” and Wynne Gibson and Preston Foster in “Sleepers East.” Warren Williams in “Bessie,” First National, “First Division’s “Picture Brides,” with Dorothy Mackaill and Regina Toomey, are the others.

New 5-ara—Huntley Perry Company

Paramount has organized a new corporation known as Dominion Theaters to operate several Virginia houses under its partnership with Hunter Perry. Theaters are located in Newport News and Charlotteville.

Frank Bruner at Rivoli

Frank Bruner, personal representative of Mary Pickford for the last several months, has joined the Rivoli as successor to James H. MacFarland, who joins the Radio City Music Hall publicity staff under George Gerhard.

RKO Gets Stage Play

RKO has acquired film rights to the Broadway play "Wednesday’s Child" produced by George Haight and Henry Potter.
Chair Exhibit Brings
12 Circuit Contracts
(Continued from Page 1)

vice-president of the company. A second two-day demonstration of the new equipment will be held at the Astor next Tuesday and Wednesday, after which Feinberg will take the company to establish agencies.

Agencies have already been granted to Buchanan & Adler, Chicago, for the Middle Tennessee and Wisconsin area; W. A. Fannin, Cincinnati, for Ohio and Kentucky, and capito, 50 Newbury St., Boston, for New England. Feinberg is handing the major circuits himself.

Among the distinctive features of this all-metal chair is the fact that only four bolts, those required to hold the side of the seat in place, are employed. The rest of the chair is jointed to fit securely. Each chair is individual, and there is no open arm. The floating comfort is being principles makes seating very comfortable. Springs are open so that movement is easy, if necessary, and the seats are all around the making the tearing of stockings unlikely. No tacks are anywhere employed. Chairs can be obtained in any color with felt or plush at no extra charge.

“Footlight” Beats “Diggers”
Mexico City—Warner’s “Footlight Parade” did 30 per cent more business than “Gold Diggers of 1933” in its run at the Palace. Last Sunday’s attendance was the biggest in the history of the house.

I.T.O.A. Names Board

New board of directors of the I. T. O. A. consists of the following members:


ROSENBLATT SCORES
‘RACKET’ FILM DRIVES
(Continued from Page 1)
calculable value which is evidenced in the splendid work of the St. Louis Better Films group. The NRA has no desire to interest itself in censorship of motion pictures but it will act as in ‘liaison’ capacity between producers and consumers for the benefit of the public and for high moral standards,

Bishop Francis J. McConnell, another speaker, stated that the general tone of the movies has shown a great improvement and that any demand for type movies cannot be changed by the “fashioning” of any individuals or groups. “It is easy to think there is more danger in things the there really is,” he said.

Other speakers were Elmer Rice,chairman of the Illinois, Fr. R. Buss, Colleen Moore and Tullio Carminati. Among those at the dais were Leon Francini, Joan Lowell and J. B. Warner. Toastmaster Dr. George W. Kirkley read congratulatory telegrams from M. H. Aylesworth, Adolph Zukor, Carl Laemmle, Harry Warner and M-G-M.

I.T.O.A. Is Granted Stay
In Rehiring of Operators
(Continued from Page 1)
“SEARCH FOR BEAUTY”
with Larry “Buster” Crabbe, Ida Lupino, Robert Armstrong, James Gleason, Roscoe Karns, Toby Wing
Paramount
78 min.
ENTERTAINMENT WITH ROMANCE AND COMEDY WOVEN AROUND PHYSICAL CHARADE ANGLE.

“MADAME SPY”
with Fay Wray, Nils Asther
Universal
70 min.
PLENTY OF SUSPENSE IN DRAMA OF WOMAN SPY THAT SHOULD PLEASE THE THRILL FANS.

The action takes place principally in Vienna, and involves a Russian woman spy in the era of the Czarist’s regime. Fay Wray plays the part, and she first appears as a nurse in the Austro army when she marries Nils Asther of the intelligence service after he is wounded in an airplane encounter. The plot unravels with many complications and mysterious actions of a group of people in all walks of life who are in the secret service of both the Australian and Russian governments. Some of the action is not very clear and the spectator has a hard time figuring out of the moves and their motivation. But along about the second half the story gets going in earnest, and the suspense is built up and holds you easily to the end. Gradually the audience is let in on the fact that the wife of the Austrian officer is in love with him and detests the assignment that has been given her. But she is forced to go through with it to a suspenseful climax, and the usual happy Hollywood ending.


Director: Karl Freund; Authors: Johannes Brand; Joseph Than, Max Kimich; Adapt: William Hurbur.
Direction, Art Photography: Spotty.

Universal Proclams
Independence of Indies
(Continued from Page 1)
statement, Laemmle is said, to be prepared for any allegations to be shadowed by the unit. Plans of procedure are expected to be outlined at the Feb. 18 meeting when officers are to be elected and a constitution approved.

P. J. Wood and eight officers and directors of the M. P. T. O. of Ohio have joined the new organization.

M. B. Horwitz, Nat Charnans, Harry Greenberger, Elmer Sharp, Charles Finger, Willis Vance, Henry Beberson, John A. Schwalm, Sam E. Lind, C. F. Piffer, Max Stearns, J. Real Neth, L. F. Eick and Pete Wood were all those who voted in the organization conference.

matt Rogers, with the screen adaptation done by Brian Marlow. Robert North is acting as associate producer.

Sam Coslow and Arthur Johnston, co-authors of “Thanks,” “The Day I Came Alone,” “Came Along With Chance,” “Learn to Croon,” and other hits Bing Crosby made famous, will write the music for Paramount’s screen production of Earl Carroll’s “Mudder at the Vanities.”

Carl Brisson, Danish star of English musical comedy, who makes his American screen debut in the film, and Kitty Carlisle, New York stage star, are among the principals, and the screen also includes Jack Oakie, Toby Wing and Victor McLaglen.

Mitchell Leisen directs.

New Ohio Assn. Arouses
More Hope in Tax Fight
(Continued from Page 1)
admission tax, which is only a minor problem to be shadowed by the unit. Plans of procedure are expected to be outlined at the Feb. 18 meeting when officers are to be elected and a constitution approved.

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Ed Fisher with Radio Station
Edward J. Fisher, formerly with the National Arts and Exposition staff, is director of publicity of the new radio station, WNEW, which opens Feb. 18.

Bostonians on Cruise
Boston—Phil Fox of Columbia and E.W. Greenlee, Interstate Mails Feb. 10 on the 15, 150-passenger yacht Edelweiss, in the heretofore looked upon by the public as a barnyard drama, is very vaguely reminiscent of the technique of the "Three Little Figs," with the he-calling upon the pig, the duck and the rat to help her in planting, and reaping the wheat crop for her little brood of chicks so she can make some bread. The three barnyard pals always have ecuses when it comes to doing any work, but they are right there to help the little hen eat the loaf of bread. Then the heroine gives them the ha-ha as she retires to her coop and locks the door. Lively and interesting.

"Davy Jones’ Locker" (Willie Whopper Cartoon)
M-G-M
First- Rate
This Ub Iwerks creation is a highly entertaining bit of fantasy, very attractively colored. Willie Whopper and his girl friend are out fishing on the bounding main. They hook a fish which drags them down through the deeps to Davy Jones’ locker. Their adventures in a glimpse from Davy’s clutches are very diverting. Animation is splendid.

"Fathe Review" 9 min.
Okay
Views of the steel industry, the Bavarian Alps, soap sculptors, and, a classic node dancer, comprise the subject matter of this review. Most interesting, and timely, is the dancer.

Publishing Texas Epic
Dallas — "Tejas," novelized from the historic play, "The Eyes of Texas," the early days of this state by Al Hill and Harley Sadler, is now appearing serially in the "Oak Cliff Tribune," published in Oak Cliff, local suburb. Sadler, for years has had a traveling dramatic company in Texas, while Hill has been producing shows and now editing the "Tribune." The story is understood to have interest- ed scouts for film material.

Jack Hazzard for "Frankie"
Jack Hazzard of the stage is the latest addition to the cast of "Frankie and Johnnie," to be made for Chester Erskin at the Biograph studios.

Banks Back on London Stage
Boston—Leslie Banks, Gaumont-British star, is back here starring in a legitimate production, "Clive," which recently appeared op- posite Lillian Harvey in Fox’s "J. Am Suzannah."
24 Pittsburgh Zone Theaters Reopened Last Month

Protests of Various Kinds Being Received at Rate of Ten a Day

Chief among the protests hurled at industry practices, as indicated by letters received daily by the Code Authority, is unfair competition due to give-aways, it was stated at the office of the code administrative body Saturday. Complaints informally filed with the Authority are principally aimed at these situations. Others are in connection with (Continued on Page 12)

SUBSIDIZING OF STAGE INEVITABLE—SELWYN

A great central theater in Los Angeles subsidized by the screen, with unlimited opportunities given new talent, both writing and dramatic, is predicted by Edgar Selwyn, M-G-M director, now in New York. The screen needs such a medium for development of new material, he declared, and eventually will find itself obliged to subsidize the stage in order to save it from becoming practically extinct.

Theater Service Union Extends Deadline to Sat.

Deadline for theater circuits to recognize the Building Service Employes Union by starting negotiations has been set back to next Saturday, after which the NRA Regional Labor Board will be asked to act, it was said yesterday by Charles C. Levey, secretary of the union. To date only the Rialto, Roxy and Randoff Circuit have begun dict.

(Continued on Page 9)

Laemmle to Tell of His First 50 Years Here

On the eve of the fiftieth anniversary of his arrival in this country, Carl Laemmle will go on the air over WEAF at 7 o'clock tonight in a talk on his 50 years in this country. Laemmle landed in New York on St. Valentine's Day from the S. S. Necker, and he will probably tell his radio listeners that Necker in those days didn't mean the same thing it does now.

'Scientific' Film Studies Assailed

At Nat'l Board of Review Conference

Embassy Makes Bow As Pathe News House

Mayor LaGuardia on Saturday officially reopened the Embassy theater as an all-Pathe News house. Among other celebrities present were (Continued on Page 8)

Improvement in Pittsburgh Area Is Reflected in 24 Reopenings

Pittsburgh—Reflecting better conditions in the steel and coal regions, 24 theaters in this area reopened last month, it is shown by the monthly report of the Film Board of Trade. Twenty of the houses are in western Pennsylvania and the other four in West Virginia. In the same period two Pennsylvania houses closed and one dark house was dismantled, while in West Virginia there were two closings and seven dark theaters were dismantled.

The reopened houses, a few of them on part time, were: Pennsylvania: Majestic, Bentleville; Maryland: Blawnox; Bison, Brownsville; Cadogan, Cadogan; Orpheum. (Continued on Page 8)

Newsreel Theaters

...an opportunity overlooked... screen morals and other things

By DON CARLE GILLETTE

If THE vision of the sponsors behind the reopening of the Embassy Theater as an all-Pathe News house turn out to be as clear and sound as it appears at present, this event may become an important milestone in the onward march of screen entertainment.

The possibilities of the newsreel as an entertainment form all by itself, have never been even partly explored. Although many film men have felt and said that the material presented in newsreels is possessed of audience interest far in excess of that indicated by the arbitrary eight or ten minutes usually allotted the topical subject by most theaters, there has been an inexplicable timidity about taking advantage of the opportunities in this field. Or else film men are just unaware of a good bet. (Continued on Page 2)

$1,164,507 First Quarter Profit Compared With $93,911 Year Ago

Staging a strong comeback in earning power as a result of improved conditions here and abroad as well as reflecting overhead economies and box-office product, Metro-Goldwyn Pictures made a net profit of $1,164,507 in the 12 weeks ended Nov. 28, first quarter of the current fiscal year, compared with only $93,911 in the preceding quarter and (Continued on Page 12)

NEW YORK ZONE LAGS ON CODE SIGNATURES

Indicating that the New York metropolitan territory is lagging behind in signing to the motion picture code is the fact that, out of 1,119 theaters in the zone, only 463 have sent in unqualified compliances. Apart from all territories totalled 7,402 Saturday, as compared with the last previous announcement which showed 7,147.

Alex Schreiber to Run Own Detroit Theaters

Detroit—Alex Schreiber, who was acting as general manager for the combined circuit of houses operated jointly by himself and his brother, Jacob Schreiber, has pulled away to take over personal charge of his own houses, with headquarters at the Loop. The move is due solely to need of increased personal attention and represents no split be.

(Continued on Page 8)

Rainbow Seating Scheme

Detroit—Varied color seating will be applied to a theater for the first time when the new Midway, Dearborn, opens in about two weeks. Alternate green and red rows of seats is used. Design was made by W. A. Gedis of Ideal Seating Co. The theater's architect, Frederick H. Eide, and Equipment Co. has the seating contract.
Newspaper Theaters

... an opportunity overlooked ... screen morals and other things

(Continued from Page 1)

NOWADAYS especially, with the public at large having become so keenly interested in current events—political, economic and social, local, national and international—and with so much happening all the time, it seems a very simple matter in arithmetic for any live showman to figure out that a regular comprehensive screen program of topical subject matter can attract enough people to make the venture worthwhile.

If the theory is correct, every city of even moderate size could support a strictly newswheel theater, with anywhere from 50 to 75 per cent of the program made up of local interest that can be gathered by the camera crew that should be stationed in each community for this very purpose.

Aside from sport news breaks, sports and routine events, there is a vast latitude in the field of human interest angles on headline stories while they are still in the headlines and in the public curiosity.

Most of this stuff may have little or no national interest, but in its own territory it will be as welcome as the home town newspaper.

The whole idea is one to conjure with.

"Said" Wilton A. Barrett, executive secretary of the National Board of Review, at the annual conference of this group last week:

"As the time is now, writing about 'the morals of the movies,' for morals change, and the movies change, and the moral viewpoint of yesterday is not the moral viewpoint of today."

Aside from films, folks in the film industry will be glad to know that this over-due realization is beginning to seep in where it had formerly encountered impenetrable resistance.

Pictures can't very well conform to morals of the triple pectocottic era when women have even discarded brassieres.

And the views on censorship expressed at the Review Board's conference were equally different from the clamor of most other organized film bodies.

The tide is turning against the professional agitators for censorship.

Selection and discrimination, by a public that is gradually being educated to better levels, will eventually prove the best method of suppressing and discouraging the unattractive type of picture and this is at the same time an effective way to do it.

Finally, it is of special and significant interest to glimpse these headlines in the newspapers the day after one of the Review Board conferences:

"Motive of Censors Attacked by Rico—All Are 'Either Neurotic or Crooked Playwright Tells Film Board of Review.'—NEW YORK TIMES"

"Movies Prevent Crime, Psychiatrist Tells Censors."—NEW YORK AMERICAN "Home, Not Film, Brings Crime," Says Kirchwey."—HERALD-TRIBUNE.

Yes, the tide certainly is turning.

It isn't very noticeable yet, but the musical pictures are gradually creating a wider appreciation of music and a demand for more kinds of it.

Some exhibitors have started capitalizing on this by arranging weekly performances of classical programs put on by local musicians, including many who are otherwise unemployed.

It's a swell idea that ought to be adopted more widely.

Some Board Personnel May Be Announced Friday

Announcement is expected to be made Friday of some of the local board's personnel, following a meeting of the Code Authority which in all probability will take place at its new headquarters in the RKO building.

The zoning and grievance boards will begin to function as soon as possible, with a general starting date for all.

Meeting of the nominations committee will be held at the New York Athletic Club today. Executive Secretary John C. Flinn hopes to be able to move into his new quarters tomorrow.

1,000 for Detroit Variety Party

Detroit—With 580 reservations already in, about 1,000 are expected to attend the first Detroit Variety Club banquet at the Book-Cadillac Hotel on Feb. 24. Delegations are expected from St. Louis, Cleveland and Columbus.
KAY FRANCIS IS NOT ONE BIT BETTER IN MANDALAY THAN SHE WAS IN "MARY STEVENS" AND "56TH ST."

BECAUSE EVEN WARNER BROS. CANNOT IMPROVE ON PERFECTION
EXPLOITETTES

Old Vintage Autos Exploited “The Bowery”

A CORKING street ballyhoo and newspaper co-operation topped the exploit campaign waged by Manager Melnick for the opening of the 20th Century Production, "The Bowery," at Loew's Grand Theatre in Atlanta, Ga. A few days before the opening more than 100 copies of the "Bowery" were obtained and paraded the streets of the city with banners reading: "We are on our way to The Bowery at Loew's Grand." Inasmuch as many of these cars were relics, this parade attracted considerable attention for the feature. In the Atlanta Journal a Chuckle Ad Contest was arranged in connection with the newspaper's win ad section. Twenty-five prizes were offered and the newspaper plans to put up the winners in a series of ads giving the picture, theater and stars a brief ex repro of the arrangements were completed whereby a huge candle was lit and placed in the lobby of the theater a day before the opening. Large cards announced this contest offering prizes to the persons guessing the "Bowery" at Loew's Grand in hours and minutes the candy would burn. This stunt lent a little "old-time" flavor to the house with many persons putting in their guesses. The front of the theater was decorated with signs and huge blowers 40 feet long and extending high above the marquee. On three downtown office buildings billboards, 16 x 40 and 15 x 15 feet, were used commanding additional attention for "The Bowery." Newspaper co-operation was obtained through the "Journal" for a special story on old-time movies in which Beene, Brodie and Connors were mentioned; the "American" and "Constitution" devoted considerable space with stories and cuts of the various stars in the film.

—Loew's Grand, Atlanta.

THE INDUSTRY'S DATE BOOK

Feb. 15: New state association, Independent Theater Owners of Ohio meets to elect officers. President, W. Wilbur, Dechler-Wallick Hotel, Columbus, O.


Feb. 24: First annual banquet of Detroit Variety Club, Book-Cadillac Hotel, Detroit.


March 4: Film Relief Dance, Medina Athletic Club, Chicago.

TIMELY TOPICS

Concerning Educators and Film Criticism

IT IS natural that parents and educators should concern themselves more with the social and ethical aspects of motion pictures than with their value as artistic products. Frequently what one accepts as a technical and artistic triumph, another rejects as suitable food for growing boys and girls. It is as if one must view the film with two eyes, each focused separately upon two images, the one being the film as an adult product, the other as a toy. What is shown varies so much from what is known, however, that any good novel or stage play is judged, and the other the film as a juvenile product, with its known powerful means for affecting the thoughts and habits and emotions of the impressionable adolescent. But while we customarily keep the critical right eye wide open, by which the moral and ethical value of the film is determined to our satisfaction as parents and teachers, we often keep the left eye, by which the artistic value of the picture is equally measured, tightly closed, or give at best a brief squint through lazy and drooping eyelids. We let loose fulminations and boys and girls are at a loss to point out flaws in the film when judged artistically, and we have been reading and studying the various aspects and ethical of the film product, and so demonstrate our ability as critics of both sense and dignity in separating sanity from fiction, our voices, where matters of the essential welfare of boys and girls are affected, however, is so important that the role of the film as a morality picture is concerned, would be heard like the blast of a trumpet instead of as a feeble blast.

—Annette Glick, Educational Screen

HAPPY BIRTHDAY

Best wishes from THE FILM DAILY to the following on their birthday:

February 13

George F. Skouras

Kate Price

Howard Bretherton

Dorothy Mathews

« « « «
TOLD BY MEN... FOR WOMEN!
“She was a good kid, Sarge... and dance! She was a looker too! ...We wasn't exactly married...but if ever a guy got a wife too good for him, that was me.”

“The band was a-playin'... and there was Molly in her red hat a-wavin' back from the dock... an' the last sight I ever saw o' her.”

“My Mother... she never wanted me to be away...that's why I'm here... I ran away!”

THE LOS

JOHN FORD'S
MIGHTY PRODUCTION OF PHILIP MACDONALD'S THUNDERING STORY
TOLD BY MEN FOR WOMEN!

with VICTOR McLAGLEN
BORIS KARLOFF
WALLACE FORD  REGINALD DENO
"Oh yes, they're dark. But the longer you're there, the whiter they get... the girls all came swimming out... flowers in their long hair... I can see that gold shimmer on their wet bodies as they swam like mermaids to the rail and climbed on board."

"Stop! Stop! I implore you! I can't bear this any longer... does it mean nothing that now, near to your death, you must live sin all over again in your minds."

HARD MEN! FIGHTING FOR LIFE AND LIVING AGAIN THE LOVES THAT NUMBERED THEIR HOURS IN A TUMBLING WORLD!

PATROL

RKO RADIO PICTURE
MERIAN C. COOPER, EXECUTIVE PRODUCER
ANA LYSIS OF
MOTION PICTURE CODE

By LOUIS NIZER

(Continued from Page 1)

Twenty-Fourth Installment

ARTICLE V—UNFAIR PRACTICES—PRODUCERS

(Continued)

Sec. 7. Wrongful Refusal of Employee to Work

(a) Decision of Wrongful Refusal

The Code Authority or any committee appointed by it may, after notice and hearing, find that an employee has refused, without just cause, his regular services under a contract of employment.

(b) Power of Code Authority

In such case the Code Authority has the power, with the approval of the Administrator, to order all Producers not to employ any person for such time as the Code Authority deems necessary.

(c) Obedience of Code Authority Order

If such an order is given, it is an unfair trade practice:

1. For a Distributor to distribute any picture in which that employee participated, if such picture was produced during the time prohibited by the Code Authority.

2. For a Distributor to exhibit a picture in which that employee participated if such picture was produced during the time prohibited by the Code Authority.

3. For an Exhibitor to exhibit a picture in which that employee participated if such picture was produced during the time prohibited by the Code Authority.

(d) Hearing Before Code Authority

The hearing to decide whether an employee has wrongfully refused to work must be had upon due notice and full opportunity must be given to all interested parties to appear.

(e) Submitting Findings to Administrator

A transcript of the testimony and arguments, together with the findings and order of the Code Authority, must be certified to the Administrator.

(f) Power of Administrator

The Administrator may approve, reject or modify the order of the Code Authority and may conduct further investigations and hearings. The order of the Administrator is final.

Sec. 8. Deliberate Violation by Producer

(a) Prohibiting Distribution or Exhibition

If the Code Authority finds that a Producer has deliberately violated any of the provisions of this Part and such finding is approved by the Administrator, the Code Authority with the approval of the Administrator, has the power to impose such restrictions as it may consider proper upon the distribution or exhibition of pictures produced by such Producer.

(b) Notice of Ruling

Notification of the ruling of the Code Authority as approved by the Administrator shall be published in such manner as the Code Authority prescribes.

Part 6. Cartoon Producers

(a) Employing Full Time Employee of Another Producer

No cartoon Producer shall employ a person during such time as he is employed full time by another.

(b) Enticing Employee

No cartoon Producer shall make any offer directly or indirectly to an employee to induce him to break his contract of employment.

(c) Adopting Another’s Cartoon Character

No cartoon Producer shall adopt a cartoon character or another in such a way as to appropriate the good will of another.

C. PRODUCERS—DISTRIBUTORS

Part 1. Prohibiting Picture Exhibition Prior to Dramatic Performance

If a contract granting motion picture rights in a dramatic or dramatic-illoquio in which the rights in the picture referred to are the exclusive full rights are made, the producer may permit in the picture or part of the picture prior to its release.

Part 2. Entitling an Outside or Associated Producer

An outside or associated Producer is one who operates his own production unit and does so in conjunction with another Producer or Distributor whose trade name appears on the production.

(a) Interfering with Relationship

It is an unfair trade practice to intentionally interfere with the existing relationship between an outside or associated Producer and a Producer or Distributor.

1. To entice an outside or associated Producer away from a Producer or Distributor; or

2. To create discord or strife between them; or

3. To break or attempt to break any existing contracts between them; or

4. To obtain a change-in terms of an existing contract between them.

(To be continued)

24 HOUSES REOPENED IN PITTSBURGH AREA

Franklin; Grand, Greensburg; Carl¬
ton, DuBois; Photoplay, Grassflat; Lync¬
eum and State, Kittanning; Sa¬
vo, Hooversville; Mather, Mather; Cre¬
sten, Mahonington; Morris, Morrisdale; Rosco, Rosco; Liberty, Saxton; Penn, Slovak; Gable, Shar¬
; Grand, W. Tarentum; Liberty, Con¬
fluence.

West Virginia: Grand, Belington; Cos¬
man, Brownston; Liberty, Davis; Temple, Wheeling.

Alex Schreiber to Run Own Detroit Theaters

(Continued from Page 1)

...ween the brothers, who were formerly competitors, Ben Wachanaske, former general manager, returns to the Jacob Schreiber interests in his "old post," disposing of his interest in the New Bijou. Ray Cloud, assistant general manager of the Jacob Schreiber houses, takes over as manager of the bettered booker for the Colonial, Majestic, Blackstone, and Fine Arts theaters.

Embassy Makes Bow As Pathe News House

(Continued from Page 2)

...Capt. Bob Bartlett, Joan Lowell, Leon Fraxoni, pioneer newsreel editor, and Courtland Smith, president of Pathe News, announced that "Ten Years Ago This Week" will be a weekly feature on the 50-minute program. The current sequence dramatizes the political career of President Wilson. Another highlight in the issue is an animated-drawing explanation of the armistice and the method of making payments. The current program includes 12 subjects in addition to eight clips shown under the sub-title News Flashes.

ITOA Not Notified of Ruling

No notification has been received by the I. T. O. A. of the ruling made over a week ago by the NRA Regional Labor Board ordering the I. T. O. A. to reinstate 56 members of Local 396 released last August, it was said Saturday by attorney for the I. T. O. A.
Another P. A. POWERS

With a CAPTIVATING Theme Melody

Says the Hen:
"WHO WILL HELP ME SOW MY WHEAT?"

Says the Pig:
"NOT I, I'M MUCH TOO FAT."

Says the Duck:
"NOT I, MY FEET ARE FLAT."

Says the Mouse:
"NOT I, GO ASK THE CAT."

The World Famous Fairy Tale
Known and Loved by Countless Millions

Produced in GORGEOUS COLORS
Like "Jack and the Beanstalk"
"The LITTLE RED HEN" is a great

DAY and NIGHT HEADLINE ATTRACTION
An Irresistible Magnet for Juveniles
A piece de resistance for Grown-ups!

Coming! "THE BRAVE TIN SOLDIER"
Another Famous Fantasy
With a Splendid Theme Song

CELEBRITY PRODUCTIONS
723 SEVENTH AVE., NEW YORK CITY Cable Address "CELEBRITY"
Hollywood Democratic will begin this week at the Warner studios on "One Man's Woman," in which O'Brien, Glenda Farrell and Claire Dodd will have the principal roles. Gene Towne and C. Graham Baker wrote the outline of the story, which has been adapted by F. Hugh Herbert. Erwin Gelsey and David Boehm, Alan Crossland will direct. The character role was originally intended for Richard Barthelmess, who, however, will appear in another screen vehicle, Pat O'Brien assuming the part of the pugilist-hero.

Kane Richmond and Guy Usher are the latest additions to the cast of Columbia's next Tim McCoy action-drama, "Storm Over Texas," which is being directed by C. C. Coleman. Billie Seward plays opposite the star. Others already signed are Alphonse Ethier, Ward Bond, Francis MacDonald and Joseph Crehan. Harold Shumate wrote the story in which McCoy is seen as a telephone engineer who endangers his life to restore communication in a flood-stricken area cut off from the mainland.

"Harold Teen," the new Warner comedy based on the famous newspaper comic strip, has been edited and cut and a print shipped to New York by air mail. Hal LeRoy plays the title role, and also in the cast are Rochelle Hudson, Patricia Ellis, Guy Kibbee, Hugh Herbert, Hobart Cavanaugh, Chic Chandler and many other players. "Harold Teen" in its screen version is being directed by Murray Roth. The script was written by Paul Gerrard Smith and Al Cohn.

With the engagement of Arthur Stuart Hull, Montague Shaw and Robert Graves, Columbia has filled three important character roles for "Sisters Under the Skin," now in production under the guidance of David Burton, Elissa Landi and Joseph Schiklust constitute the starring team, with Frank Morgan, Clara Blandick, Samuel Hinds, Howard Hickman and Selmer Jackson in featured parts. "Sisters Under the Skin," which bore the early title of "Sonata," was written by S. K. Lauren and adapted for the screen by Jo Swerling.

Duke Ellington and his famous aggregation of musicians will arrive in Hollywood this week for a featured spot in Paramount’s film version of the Earl Carroll stage hit, "Murder at the Vanities."

Donald Dillaway is an addition to the cast of "First National picture starring Joe E. Brown."

Frank Craven has joined the cast of "Without Honor," James Cagney’s new Warner film.

Paul Sloan is being sought by Universal to direct one feature production upon the completion of his present assignment, "Down to Their Last Yacht," Lou Brock feature musical for RKO.

In order to thoroughly familiarize himself with the details and atmosphere of the life of "David Copperfield," Howard Estabrook, M-G-M scenarist, has been spending several hours daily at the Huntington Library in Pasadena, gathering material from the works of Charles Dickens.

Clarence Brown is reported negotiating for the purchase of a new seven-passenger airplane capable of making 300 m.p.h. The M-G-M director is an experienced pilot and now owns a speed-four-seater.

James K. McGuinness has completed the first draft of his screen play on the Mary Roberts Rinehart series of "Tish" stories, which Irving Thalberg is to produce for M-G-M, with Marie Dressler as the star.

Edward H. Griffith expects to complete the selection of his cast this week for "Alien Corn," which he is to direct for RKO, with Ann Harding as the star. Francis Paragoh is writing the screen play and dialogue.

**THE BROADWAY PARADE**

**Picture**

Search for Beauty
Hedy Lamarr (2nd week)
Hedy Lamarr
This Side of Heaven
Polly Bergen (M-G-M)
M-G-M
Mohlin Rouge
Olive
Hi, Nellie (2nd week)
M-G-M
Davie Tiger
Productions
Madame Spy
RKO
The Great Window
Warner Bros.
Forgotten Men (revival)
Warner Bros.
Lady Susanne
M-G-M
As Husbands Go
Found Alive

**TWO-DAY-RUN**

Queen Christina (5th week)
M-G-M
M-G-M

**FOREIGN PICTURES**

Holl on Earth (3rd week)

Le Frochard et Les Deux Opheliennes (2nd week)

Le Sang d’un Poste (5th week) (revival)

Thunder Over Mexico (5th week)

**FUTURE OPENINGS**

Catherine the Great (Feb. 13)

Charley's Aunt (Feb. 14)

Mandarin (Feb. 14)

Mary of Scotland (Feb. 15)

Miss America (Feb. 15)

Carroll (Feb. 15)

Car and the Fiddle (Feb. 16)

Belasco (Feb. 16)

Les Nazaires (Feb. 16)

Le Sang d’un Poste (Feb. 17)

Frenchman (Feb. 21)

Dog Days (Feb. 21)

Carnival of Souls (Feb. 23)

Six of a Kind (Mar. 2)

* Subsequent run.

**G. T. E. HEARING TODAY**

Wilmington, Del.—Hearing takes place today on the petition of Daniel O. Hastings, receiver for General Theatre Equipment, for approval of compromising certain claims with the Chase Bank. Chief Justice Daniel J. Layton of the Supreme Court will preside due to the disqualification of Chancellor J. O. Wolcott whose wife owns some Chase stock.

"Moulin" Caravan in Albany

Albany — After making a big splash in Boston last Saturday, the "Moulin Rouge" caravan left Sunday for this city in its cross-country jaunt. Despite freezing weather, the audience stirred up turnaway business for "Moulin Rouge" at Loew’s State in Boston. The stars made two broadcasts, were received by the Lieutenant Governor of the state and the Mayor and participated in other activities.

Comicolor Cartoon’s 100% Showing

Los Angeles—Beginning March 3 "Jack and the Beanstalk," a Powers Comicolor Cartoon distributed by Celebrity Productions, will start a 100 per cent exhibition engagement in this area. It is booked in every West Coast Theater in Los Angeles, Glendale and Pasadena.

Saxe Gets Madison House

Milwaukee — Saxe Amusement Management, Inc., operators of theaters in Milwaukee, Oshkosh, Ken- neketa and Janesville, has taken over the Capitol, Madison, and will reopen the house shortly, according to announcement by Thomas Saxe, general manager. It was formerly operated by Warner Bros.
GIVE-AWAYS LEAD CODE COMPLAINTS

(Continued from Page 1) protection schedules. Approximately 10 letters of protest are being received each day at the office. So far overbuying has been a subject of comparatively few complaints, it was stated.

New Stage Producing Firm

A new producing firm known as Maurice Marks & Alfred Cerf, Inc., has been formed with headquarters at 1776 Broadway. Marks has been identified with a number of theatrical productions during the past 15 years and was co-author of "Ragtime," "Rain," "In a Million," etc. Cerf recently was associated with John Krimsky and Ginsburg in their presentation of "Maedchen in Uniform." The new firm, according to Marks, will be associated with several established theatrical producers in the financing of plays next fall. Two scripts are already under consideration, one of which will be tried out this summer in stock.

Zirn to Appeal Para. Ruling

Attorney Samuel Zirn, representing Robert S. Levy, Paramount bondholder and active in opposition to various of the company's bankruptcy moves, on Saturday told THE FILM DAILY that he is preparing an appeal to the U. S. Supreme Court from the Circuit Court of Appeals' decision refusing to remove the three trustees. He said he expects to file the appeal within two weeks.

Another Zirn action, aimed at the transfer of 23 Paramount negatives into Film Production Corp., is on today's calendar in the Appellate Division but is not expected to be reached until tomorrow.

NEW INCORPORATIONS

NEW YORK

Lincoln Studio, Inc., Manhattan, Motion picture and theatre
John Van Valkenburgh, Thomas F. Coburn, John Stigliano, Attorney, Thomas F. Coburn

Warner-Gunning Productions, Inc., Manhattan, Plays and motion picture studio
Walter B. Williams, Elmer E. Wilson, Edward B. Fleming, Attorney, David H. Cohn

Benny Rubin Enterprises, Inc., Manhattan, Theatrical and motion picture studio
Alfred S. Krell, Bilda Gane, Nathan Rothstein, Attorneys, Krell & Fitzsimmons


Jere Theaters, Inc., New York, Motion picture and dramatic plays
Cornelius Flaherty, Herbert Low, Philip Flaherty, attorney, The Pure in Heart Corp., Manhattan, Theatrical, pictures and vaudeville

The Art of Musical Russia, Inc., Manhattan, Theaters and motion picture
William Dwyer, Paul Berghold, Beatrice DeVal, Attorneys, Salinger & Salinger

Huntsville, Mo.—Tom Boddy has taken over the Capitol.
Kasnas City, Kan.—George Ellis is reopening the Dunbar with RCA High Fidelity sound equipment.

Kansas City — The theater at Hardtner, Kan., closed for some time, is being rebuilt in a beautiful showhouse.

Chicag — Ann Aaron has been made assistant to Herbert Ellzburg, advertising manager of Essaness Theaters. She succeeds Ann Cohen.

Chicago — George Moyen is the new assistant manager of the Crown, Essaness house, succeeding Walter Johnson, transferred to the Irving.

Bristol, R.I.—The Pastime, owned by Lon Vail, has burned.

Five New M-G-M Films Scheduled to Go in Work

West Coast Bureau of THE FILM DAILY

Hollywood — With five features currently in actual production, five more are scheduled to go before the cameras within the next two weeks at the M-G-M lot.


Sparks Circuit Changes

Jacksonville, Fla.—Jack Hodges is back as house manager of Florida theater following two years in Tampa at the Franklin and Tampa theaters. Earl Murray of Orlando is replacing Hodges at the Franklin. Howard Jaudon goes to the Tampa. All are Sparks houses.

"Mandalay" Next at Strand

A change in schedules will bring first National's "Mandalay" instead of "Wonder Bar" into the New York Strand following "Hi, Nellie." The new picture opens tomorrow night.

Re-issuing Washington Short

Vitaphone's two-reel subject, "Washington, the Man and the Capitol," is being re-issued for bookings during the week of Washington's Birthday.

MacFarland Starts at Music Hall

James Hool MacFarland has assumed his new duties over at the Radio City Music Hall succeeding Joe Shea. Frank Bruner replaced MacFarland at the Rivoli yesterday.

Kasnas City — Robert R. Jersey has taken over the entire interest in Associated Film Distributors, Inc. He formerly was a partner in the exchange with Marvin L. Godwin.

Dodge City, Kan. — The Beeson theater, closed for four years under Fox control, has been reopened by an independent exhibitor.

Boston—Mory Goldstein, who returned from a honeymoon to be assigned for several weeks as salesmen in Washington territory, has returned to his regular duties at the M-G-M exchange.

Boston—Joe DiPesa, publicist for Loew theaters, has confined to his home by illness part of this week.

Edmore, Mich. — The Coliseum, owned and operated by Elmer Wood, has installed sound equipment and reopened.

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The positive giving picture Kansas—The mistake roving Some gross $1909, petition VOL.

The Daily Newspaper Of Motion Pictures Now Sixteen Years Old

15 Reopenings Last Month in Omaha Territory

WARNERS TO INSIST ON COURT TRIAL OF ERPI SUIT

Indie Producer Ass'n to Assess Members $5 a Reel

Keno Menace

... and other things

By JACK ALICOATE

A harmless evening's diversion, the unimaginitive game of Keno fitted nicely into the family scheme of things. Masking behind its modern nom-de-plumes of Keno, Radio, Lucky and Tango, it has developed in some sections into menace to both the community and the theater. So lucrative have been the returns to the owners of many Keno parlors that it has been possible for them to knock off the choicest locations on the best "Bright Light" streets, and to pay sweet rent for the privilege of taking baskets of dimes and quarters from those who can least afford it. Some cities already have the situation under control with adequate restrictive legislation. It is a menace to the industry that should be stamped out early.

It was not until the industry of the screen reached maturity that America became a picture loving nation. While for generations every town and hamlet in Europe had its municipally subsidized opera and orchestra, it is only in comparatively recent years that many of our home folks have turned occasionally from the more practical things of life to the beauty and charm of high grade music. All of which leads us to the thought that no theater worthy of the name can make a mistake in giving its patrons a goodly supply of better music. They already have enough of the hi-ninny-ninny-and-a-hootcha-cha variety. The idea that class music appeals to but few was recently given the side door via a "Literary Digest" Poll of our great middle class. The result was a decided preference for Symphony and classical music as well as the better known operas.

Having been a roving journalist observer in this alluring industry ever since the time they painted the piano on the back drop, we can speak with at least a modest degree of authority on the domestic relations of the picture business and its fourth estate. What the critics and newspaper men and women who cover

Remaining Officers Are Elected to Complete New Slate

West Coast Bureau of THE FILM DAILY

Hollywood—Members of the Independent Motion Picture Producers Ass'n will hereafter be assessed dues on the basis of $5 a negative reel, instead of the $50 monthly, it was decided at the organization's last meeting presided over by Tremen Carr. This was the first meeting with the increased membership brought about by the addition of the

(Continued on Page 8)

COORDINATE DEFENSES IN AUTHORITY ACTION

Although Washington reports indicate that the Government will not undertake handling of cases instituted against individual members of the Code Authority in the action brought by Allied through Congress (Continued on Page 4)

New Ark. Association Votes Not to Affiliate

Little Rock, Ark. — Resolutions pledging full cooperation and support to all code authorities, also cooperation with all other exhibitors (Continued on Page 8)

RKO SET TO TRY OUT TELEVISION ON COAST

West Coast Bureau of THE FILM DAILY

Hollywood—With M. H. Aylesworth, J. R. McDonough, Ned E. Depinet, B. B. Kahane and other company officials present, RKO is understood to be set for a television test to be made Saturday in conjunction with the Hollywood-on-the-air radio broadcast. It will take place at the Hillstreet Theater. About a dozen stars from RKO pictures are to take part in it.

Code Authority Taking Up Free Radio Shows Friday

Written request made last Thursday by the Legitimate Theater Code Authority for the cooperation of the Motion Picture Code Authority (Continued on Page 8)

Theater Reopenings Last Month Totaled 15 in Omaha Territory

Marked Increase Reported In Sales of RKO Product

A "marked increase" in gross sales of features and shorts for the first two months of the present year as compared with 1933 has been chalked up by RKO, Jules Levy, general sales manager, told The FILM DAILY yesterday. Although Levy would not give an ac-

(Continued on Page 2)

$555,000 Already Spent Over Vitaphone-Erpi Royalty Dispute

By N. M. MacLeod

FILM DAILY Staff Correspondent

Wilmington, Del.—Further litigation in another effort to prevent its claims against Electrical Research Products Corp. from going back to arbitration in New York is expected to be filed in Chancery Court here soon by Vitaphone Corp. Warner's new lettering out, which's Supreme Court ruling to the effect that there was nothing in the record to show

(Continued on Page 8)

A. H. BLANK JOINING PARA. THEATER BOARD

A. H. Blank of the A. H. Blank Enterprises, Famous Theater partner, is expected to be named to the theater advisory board of the holding company during the meeting now under way at Des Moines. Ralph A. Kohn, Sam Dembow Jr., and Frank Freeman are in Des Moines. On return of the executives to

(Continued on Page 4)

National Trade Showings For Six Warner Pictures

National trade shows of at least six Warner-First National pictures will be held March 6. Product scheduled for preview includes "Wonder Bar," "As the Earth Turns," "Journal of a Crime," "Harold Teen," "Jimmy the Gent" and "Gambling Lady." Sixteen Warner F.-N. pictures are at present completed and awaiting release.

"All Quiet" His Greatest

Of all the pictures produced by Universal, "All Quiet on the Western Front" gave him "the greatest satisfaction," the talkie premier last night in an interview over the NBC network on the tenth anniversary of his arrival in New York City. He recalled that his first picture, "Beggars," produced in 1909, cost $1,000.
Keno Menace

...and other things

(Continued from Page 1)

the industry want most is honest and intelligent cooperation on the part of independent exhibitors and key men. Consideration in the shaping of legitimate charter-of-house seats at openings and previews, so that they can carry through their work comfortably and without unnecessary annoyance. And, most of all, a truthful reply to questions. Real newspaper folk never break a confidence. What they want least is flattery, cocktail parties and bunk build-ups for weak pictures. Let us remind you they are probably the toughest gang in the world to try to kid.

Martin G. Smith Slated As New Ohio Unit Prexy

Cleveland—Martin G. Smith, until recently president of the M. P. T. O. of Ohio, is expected to be elected president of the new Independent Theater Operators' Association in Columbus on Thursday. Charter of the Independent M. P. O. of Ohio, formed recently in Columbus, is in the new association, and a new charter issued for the I. T. O.

G.T.E. Hearing Put Off

Wilmington — Due to illness of Chief Justice Layton of the Supreme Court, hearing of the petition of Daniel O. Hastings, receiver for General Theaters Equipment, for approval of the compromise agreement with Chase Bank was postponed yesterday. It may come up in two weeks.

RKO Eastern Sales Meet

First of two regional sales meetings for RKO eastern branch managers was held yesterday at the Park Central with Jules Levy, general superintendent of the branch, and his assistant, Branch managers were addressed by Frank Buck and Courtland Smith, president and vice-president of the company. The meetings wind up this afternoon.

Constance Bennett with finale

West Coast Bureau of THE FILM DAILY

Hollywood—Leon Gordon is working on a screen original, "Indochina," to star Constance Bennett and Clark Gable at Metro. Miss Bennett also is to be co-starred by with 30th Century in several more pictures with Frederic March after "The Firebrand." One story already being prepared is "Half Angel," by Fanny Halsey Lea.

Ferretti Joins Sperry Products

J. J. Ferretti, formerly eastern representative of United States Air Conditioning Corp., manufacturing Kooler-Aire and Arctic-Nu-Air cooling equipment, has joined with the Kooler-Aire division of Sperry Products Co. as sales manager in charge of theaters.

Harry Hart Adds House

Milwaukee—Harry Hart, operator of the Atlas, has taken over the Majestic, both neighborhood houses.

60 Day-Date Openings For

"It Happened One Night"

At least 60 day-and-date openings on "It Happened One Night," starring Clark Gable and Claudette Colbert, are expected by Columbia for February, with engagements running one and two weeks. Under supervision of George Brown, in charge of advertising and publicity, a publicity force comprising 14 men left New York last night to handle the openings.

The picture opens Feb. 22 at the Radio City Music Hall.

Confab of Authorities

Will Last Several Days

Washington Bureau of THE FILM DAILY

Washington — The general code authority, under the supervision of Louis C. Bucket, expected to be arrived yesterday on his way to Washington, is in the closing stages of a new code, and a new charter issued for the I. T. O.

Vitaphone Completing Program By March 28

Vitaphone will complete its current short subject program by March 28, when the Brooklyn studio will take a five-week recess, according to Sam Sax, production head. Sax, accompanied by Mrs. Sax, will sail March 17 for a trip to Europe.

Must Post Labor Rules

Washington Bureau of THE FILM DAILY

Washington—Regulations requiring employers operating under approved codes to post provisions of those codes conspicuously in their establishments were issued yesterday by the N.R.A.

Agree on More Boards

Agreements were reached on a number more of local board make-ups at a meeting of the Code Authority's committee on nominations yesterday at the New York Athletic Club. Another session will be held today at 1 o'clock at which it is expected the committee will complete nominations to go to the Code Authority meeting on Friday.

Jason Joy Joins Fox

West Coast Bureau of THE FILM DAILY

Hollywood—Col. Jason S. Joy has become Fox scenario editor to work closely with Julian Johnson, head of the Los Angeles story department. He replaces Philip Kleim, who resigned recently.

M-G-M Signs Charles Laughton

Charles Laughton, now in England, has been signed by M-G-M to play the leading role in the XVI opposite Norma Shearer in "Marie Antoinette."
The screen which has waited ten years for a picture to equal the thrill, the epic humanity of "The Big Parade" now welcomes "VIVA VILLA."

Because in its 1001 nights of amazing, romantic adventure...in its story of riotous revolution and revelry...in its blood-fingling heroism is entertainment that will pack the theatres of the nation!

"VIVA VILLA!"

An all-star cast with thousands of others

in METRO-GOLDWYN-MAYER'S Giant of Screen Triumphs!

Produced by DAVID O. SELZNICK
Directed by JACK CONWAY

THIS M-G-M AD is telling 27,000,000 motion picture fans about it!
A. H. BLANK JOINING PARA. THEATER BOARD

(Continued from Page 1)

New York World also expected with regard to Famous Theaters, Paramount's new holding company, to take over the 92 Minnesota Amusement Co. houses. The deal with William Hamm Jr., receiver for the former Public northwest group, is said to involve $550,000 for back rentals and notes.

Coordinate Defenses In Authority Action

Theater, preliminaries are now under way toward coordinating the defense moves. Division Administrator Sol R. Rosenblatt is understood to have recommended that the defenses be unified. The case, under which the sitting Ed Levy disc jockey to the state's administrative body from refusing to accept qualified assents, is on the U. S. District Court calendar for Thursday. Attorney Edward Levy of New Haven, M. P. T. O. A. general counsel and representing Ed Kuykendall, president of the association, in the case, was in New York yesterday filing notice of appearance.

Open Seat Show Room

International Seat Corp. has opened its U-16 showroom in the Paramount Building, where a permanent exhibit of the U-16, with Floating Comfort, will be on display under the supervision of J. George Feinberg, vice-president in charge of sales.

May Call Troopers Against Beanos

Grand Rapids, Mich. — Because some beanos parlor has continued to operate in defiance of a recent local ban, Prosecutor J. Alfred Glum told police that unless the law is enforced he will ask that state troopers be called in and a grand jury investigation started.

"Road to Ruin" for Northwest

Chicago—Al Dezel of Road Show Pictures has closed with Minnesota Amusement Co. to play "Road to Ruin" out of circuit from the circuit in the northwestern territory.

Would Mortgage NVA Bldg.

Suggestion that a $100,000 first mortgage be taken on the N.V.A. Building, to meet unpaid wages of employees, back rent on the clubhouse and to provide funds for a stadium for the N.V.A. charitable activities until April when the annual collection work in the theaters usually takes place, has been made by Henry Chauferfield, treasurer of the N.V.A. Fund Inc., in telegram to W. H. Hayes and the heads of the major circuits. Chauferfield believes that the second mortgage could be paid off after the collection. The Fund Committee, including Sam Debow, J. R., Max Silver and Major L. E. Thompson, has urged that the club take smaller quarters.

15 HOUSES REOPENED IN OMAHA TERRITORY

(Continued from Page 1)

Monroe; Royal, Panora; Plaza, Thurman; Walnut, Walnut, Waconia, Iowa, and the Roxy, Moline, Ill.

Only five houses closed in the same period in the Island, Grand Island, and Crecent, Wilcox, Neb., and the Ritz, Centerville; Moville, Moville and Princess Reinbeck, la.

Marked Increase Reported In Sales of RKO Product

(Continued from Page 1)

To meet the object of being closely in touch with the New Jersey legislative situation, next meeting of Allied Theaters of New Jersey will probably be held at the Stanley theater, Trenton, Monday. President Sidney E. Samuelson did not attend the meeting of the unit in New York yesterday owing to a severe cold.

27 Vitaphone Releases Set

Vitaphone has set dates on 27 shorts to be released in the remainder of this month and through April, it is announced by Norman H. Moray, sales executive.

"Wonder Bar" Miami Premiere

Miami Beach, Fla.—World premiere of Warner's "Wonder Bar" takes place Feb. 20 at the Community Beach here. Al Jolson will probably fly down from New York for the event.

New Contract for Alfred E. Green

In Coast Bureau OF THE FILM DAILY

Hollywood—Alfred E. Green has signed a new contract with Warner-First National.

Manitowoc Bans Walkathons

Manitowoc, Wis.—An ordinance banning walking and dance marathons has been adopted by the city council.

WIDOW'S BIRTHDAY

Best wishes from THE FILM DAILY to the following on their birthday:

February 14

Fred Scott
Jack Bertoni
Stuart Erwin
Marcia Harris
Michael Devarney Farley
William R. Swift
Box office lines brave New York's zero gales (see cut). Coldest weather in 16 years! Extra cops to handle pushing crowds. Capacity business from early morning to late at night. Thanks to showmanship...and a box office smash.

READ the details of this great campaign. Stunts that can be used in your town. It's all in the "Devil Tiger" pressbook and supplement. Demand it from your FOX exchange.

DEMON TIGER

Asia's Fiercest Jungle Beasts Clash in Mortal Combat

Directed by CLYDE E. ELLIOTT
director of "BRING 'EM BACK ALIVE"

Story by James O. Spearing
Edited by Truman Talley

AND THREE MORE FOX PICTURES
OF THE SAME BOX OFFICE STRIPE...

ONE GIRL against four woman-haters...and they love it!

Color...life...music...romance...and laugh after resounding laugh.

EVER SINCE EVE

GEORGE O'BRIEN
MARY BRIAN
HERBERT MUNDIN

From "The Hero to the Hoard" by Paul Armstrong
Stage play produced by Kula LeShade.

A Glamorous New Personality brings the screen a new thrill.

Your audiences will welcome her dramatic brilliance...as a girl who knew the right men...but trusted the wrong ones.

I BELIEVED IN YOU

ROSEMARY AMES
JOHN BOLES • VICTOR JORY

Directed by Irving Cummings

Teamed again...

in a whirl of love and laughter

The sweethearts of "Jimmy and Sally"...in the lightning-fast adventures of a live-wire girl reporter.

HOLD THAT GIRL!

JAMES DUNN
CLAIRE TREVOR

Directed by Hamilton MacFadden
HOLLYWOOD

JAY GORNEY and Sig Herzig, who worked together on "Moonlight and Pretzels," are writing "Here's to Love," a musical romance, which Stanley Bergerman will produce for Universal. They hope their new opus will be brighter than "moonlight" and have more twists than "pretzels."

Our Passing Show: Louis B. Mayer, Irving Thalberg, C. B. De Mille, Fay Wray, John Monk Sauters, Raquel Torres, Jack Sherrill at opening of "Queen Christina."

Grace Hale is one of the busiest comedienne on the coast. She has just finished work in "Hot Air" and is now working in "Glamour." Her recent pictures include "Singing and Like It" and "Blonde Bombshell."

Jane Reid, who worked in "Merry Wives of Reno" and "Registered Nurse," will marry a non-professional in Texas the latter part of the month.

Alan Crosland, who directed "Maugham" and is directing "One Man Woman," for Warner Bros. Pat O'Brien, who plays a leading role in the prize-fight story, is being trained by Jackie Fields and dropped five pounds doing road work.

Marguerite Roberts, formerly with Fox and Paramount and Bernard Schubert, who was with RKO, are in the Miss Mar Called "Bad Boy," which Sol Lesser will produce, with Jackie Cooper starred. In the new version, the boy will be 12 years old.

Franchot Tone has been signed by Fox to play opposite Madeleine Carroll in "The World Moves On." John Ford will direct.

Borrowing of William Powell by M-G-M from Warners for the lead in "The Thin Man," with Myrna Loy as the feminine lead, creates a new screen team of more than usual interest. W. S. Van Dyke will direct.

Tiffany Thayer, author of "Thirteen Men," "Thirteen Women," "Three Sheets," and other best sellers, made his debut as a motion picture actor last week at Paramount. George Sommes, co-directing Dorothy Dell in "The Man Who Broke His Heart," needed an actor of certain type and possibilities for the making of a street scene in the production, when Thayer strolled on the set to visit some friends. The author was immediately drafted into service, and prevailed upon to appear before the cameras.

Here and There: Emanuel Cohen, Georgie Raft, Wesley Ruggles, Maxwell Anderson, Merritt Hurlburd, Benjamin Glazer, William LeBaron, Bayard Veiller at the preview of "Bolero."

Believe it or not—Charles Bickford has refused an offer of $100,000 to star in one picture for British International. The fiery tempered red-head who so recently shocked British journalists with his frank comments on English production, has decided to produce one picture in Hollywood before journeying across the Atlantic again.

Franchot Tone will be Joan Crawford's leading man in "Sadie McKee," which Clarence Brown will direct for M-G-M.

Bill Gehring to Chicago Cincinnati—Bill Gehring, local Fox branch manager, is reported slated for transfer to branch management of the Chicago office. J. J. Grady, former Fox manager in Chattanooga, succeeds Gehring there.

Hoblitzelle on Board St. Louis—Karl Hoblitzelle, south-west circuit head, has been elected to the board of directors of Smith & Davis Mfg. Co., of which his brother, William E. Hoblitzelle, is president.

Grand Rapids, Mich. — Franklin Theater has reopened with new sound equipment and other improvements.

Milwaukee—Livingston Lanning, manager of Fox's Wisconsin, is recovering from an operation for appendicitis.

Milwaukee—Louis Orolow, manager of Saxe's Uptown, has been named a director of the West North Avenue Advancement Ass'n.

Cincinnati—Ross Spencer, formerly assistant booker for Paramount, now covers Dayton territory as salesman.

Bangor, Mich.—The Regent has been renamed the Sun.

Dade Enterprises Sue Over Films Miami, Fla.—Suit to enjoin Vitaphone from supplying films to the Flager, Sparks house and operated by Dade Enterprises, operators of the State. They allege that when contract was made with Vitaphone the Sparks group operated only eight theaters. Later the circuit acquired the Flager. This means the picture will be shown in the Sparks house three blocks distant before it comes to the State.

More Big Shows for Mainstreet Kansas City—Success of legitimate productions at the Mainstreet has caused manager Lawrence Lehman to announce additional bookings of this kind, including "Spirit of the Prince," "Cotton Club Revue," "The New Yorker" and "Greenwich Village Follies."

Royalty at "Catharine" Premiere London—Local premiere of "Catharine the Great" was attended by the Prince of Wales and other members of the Royal Family, the King of Greece, ex-Queen of Spain, foreign ambassadors and others of note. The picture, made by London Films and released by United Artists, received an ovation and a long run is predicted.

Wausau Theaters Elect Wausau, Wis.—George Ruder has been named president of Wausau Theaters Co. Other officers include: J. S. Alexander, vice-president; Ben Alexander, secretary; W. H. Thom, treasurer; F. T. Webster, assistant secretary and general manager. Directors in addition to the officers are M. P. McCulloch and A. P. Woodson.

Academy Cuts Technicians' Dues Hollywood—Dues in the Technicians' Branch of the Academy of Motion Picture Arts & Sciences have been cut by $15 a year for active membership and $10 for associate members, with initiation fee equal to a year's dues.

Cleveland — Sam Barck, theater owner, was secretly married last month, it has just been announced.

Minneapolis — Carl Michel has given up representation of Majestic pictures and will devote his entire time to managing the Tri-State Independent Theaters Owners' circuit.


Covington, Ky.—Jos. J. Lee is re-opening the Strand after remodeling.

Milan, Mich. — The Garrick has been sold by Harry Lush to E. F. Brown.

Territories Sold on Tyler Series William Stiehr, distributing the six Tom Tyler features being made by Bernard B. Ray, has sold the following territories: New York, Philadelphia, Washington, Buffalo, and Hollywood Film Exchange; Ohio, Kentucky, to Selected Pictures; Pittsburgh, Detroit, to Monarch Pictures; New England, to Cameo Film Attractions; Kansas City, Omaha, to SecuritY Pictures; Texas, to Jack Adams; Oklahoma, Arkansas, to Allied Film Exchange. First release is due March 1.

Tri-Ergon Suit Put Off Again The long-pending patent suit brought by American Tri-Ergon Corp. against various New York independent exhibitors and distributors represented by Attorney Louis Nizer yesterday was again postponed, this time until March 5.

Leases Memphis Theater Atlanta—General Theater Enterprises, which has the Atlanta Theater here, has taken over the Lyceum in Memphis.

Edmund Lowe to Make Personals Edmund Lowe leaves New York on Friday for Philadelphia to make personal appearance at the Earle. The following week he will play the Brooklyn Paramount.

Esterly Leases House Kansas City—C. E. Esterly, formerly operator of the Sun, has leased the Penn Valley theater, seeing about 700.

Dracula Plus Frankenstei West Coast Bars, THE FILM DAILY Hollywood—In addition to Bela (Grosz) Lugosi, Universal has assigned Boris (Frankenstein) Karloff as co-star in "Black Cat."
“BEGGARS IN EMERINE” with Lionel Atwill, Betty Furness

90 mins.

HIGHLY UNIQUE PLOT GIVES LIONEL ATWILL SUPREME INTERESTING ROLE IN DRAMATIC STORY.

To state the plot baldly it may sound like a very fantastic idea, but it has been handled very cleverly and worked out into a most believable and convincing film. This is due in large degree to Lionel Atwill’s splendid performance as the head of a small independent steel mill, on terms of good fellowship with his workers in the mill. One of the directors of his company is a stage winner, in his dealings with his wife and child, and when Atwill is ready to leave the hospital, he finds that his steel mill has also been taken from him. The crippled man goes out as a street beggar, and in the course of years with his business ability organizes the big steel industry of the country into a powerful fraternal body with an immense war chest. At the proper time, with the aid of his organization, they finance, they engineers a coup in the market and ousts the man who ruined his life and broke up his home. Very novel plot that holds the interest. Cost: Lionel Atwill, H. B. Walthall, Betty Furness, Jameson Thomas, James James, Bush, Astrid Allwyn, George Hayes, Stephen Groves, Sam Godfrey, Lee Phillips, Clinton Lyle, Sidney deCrey, Gayle Myrtle Stedman, Gordon DeMallie.

Director, Phil Rosen; Author, Esther Reed; Cameraman, Gilbert Warren; Direction, Clever; Photography, Good.

“LOVE PAST THIRTY”

64 mins.

PLEASANT LITTLE DRAMA OF SMALL TOWN ROMANCE WILL PLEASE THE NEIGHBORHOOD TRADE.

Adapted from the novel of the same name by Priscilla Wayne. A story that held the interest of all these years. Aileen Pringle plays the part of the old maid in the small town where the sweetheart of early youth returns to renew his courtship. She has acted as mother to the children of her brother, and neglected herself in caring for them. Her young niece starts playing for her aunt’s beauty, and almost succeeds in an- nuxing him. But the aunt awakens the managerial ability of a friend whom the visits in a nearby city, and comes back to the town radiantly beautiful and stepping out for the good times she had enjoyed herself. She wins her younger rival, and every- thing works out satisfactorily for all concerned, as the young girl goes back to her discarded youth. Has good sus- pense and the touches that will appeal to the femmest.

Cast: Aileen Pringle, Theodore von Eltz, Phillips Barry, John Marston, Robert Frazer, Gertrude Messinger, Gaylord Pendleton, Virginia Sales, Ber Hall, Philip O’Malley, Del Farley, Margaret Car, Director, Vin Moore; Author, Priscilla Wayne; Adaptors, Earle Snell, Dialogue, same; Editor, Fred Age; Cameraman, Irving Allen.

Direction, Good; Photography, Fair.

“THE BIG RACE”

with Boots Mallory, John Darrow

Showens Pictures

66 mins.

POORLY HANDLED RACETRACK DRAMA—SHOULD DEVELOP SUSPENSE OR EXPECTATION.

There has been much left out of this picture that would bring it up to the average rating. The story is commonplace and the race at the finish falls flat. It is evidently the running of a handicap cut into the film without any attempt at close-ups to add the necessary punch and suspense. The story concerns John Dar- row, son of a wealthy racehorse owner, who is turned out of his home by his father who suspects John of crooked work at the track. Because of the publicity given his alleged misconduct, John’s sweet- heart, Boots Mallory, breaks their engagement. John and his faithful trainer, Paul Hurst, decide to vindicate themselves. They grooms their remaining horse for the big race and after many hardships enter the race and subsequently win the first prize. All ends well. The film has many draggy spots, a few fairly funny comedy sequences, and a weak finish. Paul Hurst as the trainer contributes the best performance in the cast.

Cast: Boots Mallory, John Darrow, Paul Hurst, Frankie Darrow, Phillips Smalley, Katherine Williams.

Director, Fred Newmeyer; Author, Hugh Cummings; Scenarioist, same; Dialogue, same; Editor, S. Ray; cameraman; George Mechan; Recording Engineer, rich.

Direction, Poor; Photography, Fair.

“SHADOWS OF SING SING”

with Mary Brian, Bruce Cabot

Columbia

64 mins.

STRONG DRAMA OF POLICE WAR ON UNDERWORLD WITH PUNCH IN CLEVER SURPRISE MURDER CLIMAX.

The methods and procedure of police headquarters in working on crimes is interestingly presented in authentic detail that gives the film an atmosphere of real- ism. The action revolves around Bruce Cabot, son of a detective, who falls in love with the sister of the big racketeer. The film is well directed, and the police officers have been trained to get. A lieutenant of the racketeer, ambitious to take over the reins of power, uses this situation for his own advantage. He has an accomplice kill the racketeer with the youth’s stolen gun after a quarrel between the two over the young chap’s claim to marry the girl. The frame-up is cleverly contrived so that there seems no possible chance for the boy to escape the death penalty, as all the evidence is so dead against him. Then his father, the detective, springs a sensational coup at the climax of the trial that results in un- covering the real killer in a most un- looked for quarter. Plenty of punch and ingenious twists in a very dramatic story.


Director, John Hall; Author, Katherine Scola, Doris Malloy; Adaptors, Albert De- mond; Editor, John Rawlins; Cameraman, William Mink.

Direction, Very Good; Photography, Fair.

CONSISTENT
RELIABLE
SUPREME

THE YEAR BOOK
LEADS IN SIZE
LEADS IN COVERAGE
LEADS IN BACKGROUND
LEADS IN ADVERTISING

6th EDITION IS NOW IN WORK AND WILL BE READY FOR DELIVERY IN ABOUT 3 WEEKS AND MORE USEFUL THAN EVER BEFORE
INDIE ASS'N TO TAX MEMBERS $5 A REEL

(Continued from Page 1)

former producers branch of the Federation of the M. P. Industry.

Officers elected to complete the slate are: H. L. Chadwick and J. Doyce-Smith, vice-presidents, and William Berke and Jack Nelson, directors. At the previous meeting Tren Cram was elected president; Ken Goldsmith and M. H. Hoffman, vice-presidents; Larry Darmour, treasurer; Nat Levine, secretary.

New Ark. Association
VOTES NOT TO AFFILIATE

(Continued from Page 1)

organizations, but no affiliation with either national unit for the present, were passed at the first semi-annual meeting of the Independent Theater Owners of Arkansas. Constitution and by-laws, as drafted by a committee including President T. W. Shank, Vice-President Ray Morrow and Secretary-Treasurer J. F. Norman, was adopted. Different sections of the code were discussed.

"Moulin" Caravan in Syracuse

Syracuse — The United Artists "Moulin Rouge" caravan arrived here yesterday after stirring things up in Albany, where it placed C. H. Buckley's Palace Theater on Monday. Local results were equally big for Loew's State. G. F. Sully is getting complimented for his handling of the entire caravan.

Salt Lake Exchange Transfers

Salt Lake City — Manager Jack Donaher of the Paramount exchange has been transferred to Minneapolis. C. C. Epperson succeeds him here, and Allen Hyde, former booking manager, takes Epperson's place on the sales force.

Tabloid Reviews of Foreign Films

"TAUSEND FUER EINE NACHT" ("A Thousand for One Night"), in German, produced by Avanti Tonfilm; directed by Max Mack; with Jakob Tiedke, Johanna Terwin, Claire Rommer, Eugen Jensen, Willi Stettner, Trade Berliner, Harald Paulsen, A. Grosch. At the 70th St. Theater.

Fairy enjoyable romance with some agreeable singing and dancing. Good acting helps matters along; plot concerns the efforts of two parents to arrange a marriage for their daughter.

"DER MEISTERDETEKTIV" ("The Master Detective"), in German; directed by Franz Seitz; with Weiss Ferdig, Max Waller, Ery Bos, Huns Stuewe, Fritz Kamper. At the Yorkville Theater.

Romance and amateur detective combining in an amusing comedy that is sufficiently lively and well acted to please German film followers.

WARNERS TO INSIST ON ERFI COURT TRIAL

(Continued from Page 1)

that the arbitration proceedings progress the past four years has broken down was said here to leave a way open for Vitaphone to file a amended bill of complaint, and it was believed Vitaphone's array of legal talent will soon file an amended to the original bill in another effort to prove that the arbitration has broken down. The action may eventually find its way back to the Supreme Court.

Chief point at issue is whether Frank J. Hogan of Washington, one of three arbitrators, had resigned before Vitaphone filed its original bill of complaint. General opinion among legal minds is that if Hogan has not resigned, the state courts should assume jurisdiction in the suit.

It is revealed that the four years of arbitration cost ERFI $450,745 and Vitaphone $105,159.

Code Authority Taking Up "Free Radio Shows Friday"

(Continued from Page 1)

ity in protesting against free radio shows to the Radio Code Authority is expected to be considered by the Film Code Authority at its meeting this Friday at the New York Athletic Club. It is understood that the film Code Authority did not act on the urgent Code's request last Thursday because that meeting was given over wholly to nominations for grievance and zoning boards.

"The Grasshopper And The Ants" (Silly Symphony) 8 mins. United Artists

Steady Delight

This latest Walt Disney opus is a steady delight. Color incident and tunefulness are first-rate and the appeal is universal. The fabric related is that of the fiddling grasshopper who laughs at the busy ants while they toil in the summer. His philosophy is summed up in the tune "The World Owes Me A Living." He induces one of the ants to join him in idleness, but the ant quips him when the Queen Bee happens by. Winter comes and the grasshopper, unable to find food, turns blue and is finally taken in by the ants and saved from starvation.

Cubby the Bear in "Coon Crazy" (Aesop Fable)

RKO

Good

Forced to pinch hit at the mike when several scheduled radio performers fail to show up, Cubby proceeds to give imitations of various stars, accompanied by novelty interpolations. Amusing, tuneful and lively.

Miniature Movie Awards

Nominations close on Friday for the two annual miniature movies achievement awards being made by the Miniature Movies Institute & 15 mm. Film Board of Trade, which meets for lunch the third Thursday of each month at the Hotel Victoria.

"The Grasshopper And The Ants"

Minneapolis — With six first-runs playing simultaneously in Minneapolis and Dayton, Paramount claims a record for these parts.

"The Orphans" Hold Over

"Le Frochard et Les Deux Orphelines" is being held over at 55th St. Playhouse.

PARLOR WITH BEDROOM & BATH

$5.00 PER DAY

For 2 Persons

Enjoy the comforts of a parlors and bedroom suite...

All rooms equipped with combination tub and shower, bath, and running ice water. Ideal location — adjacent to shopping, business and theatre districts.
The Code Authority’s committee on local board nominations has failed to agree upon personnel of the zoning and grievance boards for the New York metropolitan area when it adjourned late yesterday after-noon after making further progress in selecting tentative lists. John D. Clark served for Sidney R. Kent, (Continued on Page 12)

Soviet Film Head Coming To Negotiate U. S. Deals

Within three months the president of Soyuz Importkino, Soviet film trust, will visit the United States to arrange for purchases of sound equipment and to make booking deals for exhibition of American (Continued on Page 12)

Trade Papers’ Ampa Program

Gerald Campbell, British Consul General, heads the list of important persons who will sit at the dais at today’s AMPA luncheon at the Hotel Paramount grill. The program has been arranged by trade paper members of the organization and includes Arthur Lyons, president of the National Association of Artists Representatives, Lillian Tashman, Walter Connolly, Phil Baker and Edmund Lowe.

55,000 See “Devil Tiger” In First Week at Rialto

More than 55,000 saw “Devil Tiger” in its first week at the Rialto, according to Fox Film, which is releasing the Clyde E. Elliott jungle picture. The record was made in spite of the severe cold spell. Additional key city premiers of the film are set for this week-end in about three dozen key cities.

Fair Zoning Plan Included in Recommendations by Brandt

A campaign for a fair zoning plan for the New York metropolitan territory is included in the 10-point program outlined for the I. T. O. A. by President William Brandt in his annual report to his association yesterday. The year’s program is as follows:
1. Elimination of percentage demands.
2. Fairer zoning plan for New York territory.
3. Modification of labor demands, as inspired by code.

BRITISH-FILM CIRCUIT STARTS UP IN CANADA

Toronto—Initial link in a proposed Canadian circuit for the showing of British pictures exclusively will be inaugurated here Saturday with the opening of “A Southern Maid,” starring Bebe Daniels, it is announced by Oscar R. Hanson, president of Allied Theaters of Canada, general manager of Associated Theaters, (Continued on Page 12)

Five Regional Meetings Being Held by Universal

Ideas for guidance in shaping Universal’s 1934-35 program will be obtained from the company’s exchange managers through a series of five regional meetings this week-

Cantor as Sheik Next

Jacksonville — Eddie Cantor, caught off guard while passing through here on his way to Miami, admitted he will play an Arabian sheik in his next Goldwyn picture, which he must finish before taking a European vacation. Ginger Rogers and her co-star, Leo Carillo, will appear with him. After a month in Miami, Cantor returns to New York for a week of personal appearances, then to Hollywood.
Annual Sales Meets in Summer Again

Early summer gatherings of sales forces for annual meetings, which several years ago generally took place in April or May, will again be in order this year, according to current indications. Dispositions of major distributors to push back their conventions is based on a desire to allow ample time for the code machinery to begin functioning in the territories.

Paramount's meeting will take place in June, George J. Schaeter said yesterday.

Heads of Unions Note A Slight Improvement

A slight improvement in employment among their members due mainly to reopened theaters, and only indirectly to the theater, is noted currently as against a year ago today. It was stated at the FILM DAILY by William C. Elliott, president of the I. A. T. S. E., and Joseph N. Weber, president of the American Federation of Musicians, that the bulk of improvement in the musicians' position was due to the legalization of liquor. Elliott said improved business conditions augured well for added employment.

Production Well Advanced On Imperial's 1934 Lineup

Production on the current Imperial lineup is well advanced, says William Pizor, president, on his return from four weeks at the coast. "Twisted Trails," first of the eight series, of stunt melodramas, has been completed, and the second starts March 16. Two of the eight three-reel westerns starring Wally Wales also are finished, with the third starting March 16. Other two-reel stories are completed and the two-reel action stories starring Flash, the wonder dog, and six of the 15 travelogues in natural color. Pizor also is making 15 one-reel silhouettes, with "Nero" completed and "Napoleon at Waterloo" under way.

Magna Signs Nick Grinde

Nick Grinde, for years an M-G-M director, has been signed by Magna Pictures, headed by Meyer Davis and Monroe Shaff, to direct shorts, as the company seeks to expand its production, being made by Magna for RKO-Van Beuren. Grinde arrives Monday from the coast.

Shaff, now in Florida, has just signed Harry Richman for the Magna star lineup, which also includes Bert Labh and others.

Trux Comedy for Music Hall


Sully Gets Gold Badge with Caravan

Rochester, N. Y.—Twentieth Century-Fox's "Moulin Rouge" caravan arrived here yesterday with G. P. Sulli, in charge of the cross-country trek, wearing a gold badge given him the day before by Mayor Marvin of Syracuse, where the troupe of stars kicked up quite a bit of excitement. The program here included an appearance at Loew's and a gala reception later at the Sagamore Hotel.

Ticket Booth Display

A novel and complete show room consisting of a full-size ticket booth, along with the company's entire line ticket registers displayed for demonstration purposes. It has been made an addition to the General Register Company's headquarters in the Loew State building.

The screen's mightiest soul-stirring achievement, Frank Borzage's "NO GREATER GLORY," based on the world famous novel by Ferenc Molnar. Advance reports from Hollywood hail it as one of the year's greatest.
THE BIGGEST TUESDAY MAT
Will It Be

WARNER

a

National Trade Exhibit

MAR

At All W

COME AND GET AN ENTIRELY NEW SLANT ON SHOW BUS
MODES FOR SPRING, AS INTRODUCED BY THE ACKNO
WARNER HITS THE TRADE PRESS HAS BEEN TALKING A
THAT COMES FROM SEEING WITH YOUR OWN EYES AN EIG

“Wond
Chatterton in “Jo

“As the Ea
Cagney in “Jim

Hal LeRoy in

Don’t Miss It!...All W

Write your Warner exchange manager now! Tell
other accommodation
EVE IN THEATRICAL HISTORY

AGED BY

BROS.

AN EYE-WITNESS LINE ON THE STARTLING NEW MOVIE
GED STYLE-SETTERS OF THE INDUSTRY! SEE THE GREAT
FOR WEEKS. ENJOY THE GRAND AND GLORIOUS FEELING
EEKS' SUPPLY OF SURE-PROFIT MERCHANDISE, INCLUDING

Bar™

Human of a Crime™

Inh Turns™

By the Gent™

Harold Teen™

The Boys Will Be There!

you'll be there. He'll arrange special hotel and
your convenience.
10-POINT PROGRAM OUTLINED BY ITOA
(Continued from Page 1)
1. Co-operative buying of equipment.
2. Co-operative buying of insurance.
3. Correction and control of legislative situation.
4. Elimination of seat tax for music.
5. Elimination of score charge.
6. Elimination of city ordinance compelling installation of fire alarm boxes in theaters, the boxes being leased by the National District Telegraph Co.
7. Campaign for increased membership.

A committee is working in cooperation with Herbert Ebenstein in an effort to effect reductions of theater liability premiums. In discussing the New York legislative situation Senator Walters of R.F.D said that state groups are interested in amending the sales tax bill to include a tax per cent on theater admissions.

Five Regional Meetings Being Held by Universal
(Continued from Page 1)
end, following a home office session just concluded with Carl Laemmle and Carl Laemmle, Jr., presiding. The field men will be asked for suggestions on story purchases and screen personalities, in addition to their experiences with certain types of pictures.

E. T. Comersall leaves today for Chicago to conduct a midwest meeting at the Drake Hotel, after which he will hold a meeting on Saturday at the Hotel Muchibach, Kansas City. Sig Wittman, after a meeting at the Pittsburgh branch on Saturday, will convene similar groups in Washington on Sunday and in Philadelphia on Monday.

Heywood-Wakefield Cuts Loss Boston—Net loss of HeywoodWakefield for the year ended Dec. 31 was cut to $785,762, compared with $1,461,446 in 1932.

Variety Club Likely for Canton Canton, O.—Formation of a Variety Club here is under consideration. A meeting will be held soon to discuss plans for the club.

Swanky Premiere
A swanky audience jammed the Astor last night for the two-city premiere of "Catherine the Great," London Films production starring Douglas Fairbanks, Jr. and Elizabeth Bergner. In addition to a host of social celebrities, the audience included Clark Gable, Chester Morris, Edmund Lowe, Lilian Gish and others. The picture, released by United Artists, was covered in THE FILM DAILY, Jan. 1 and Feb. 1. Advance campaign, under supervision of Nat Horn, was one of the season's biggest and included a radio hook-up in the lobby for the opening.

ALONG THE RIALTO

with PHIL M. DALY

5 GROUP DISCUSSIONS ON WASHINGTON SLATE
(Continued from Page 1)

Excessive prices and monopolistic tendencies.

Group 3—Trade practices: control of protection, limitation of machine hours; restriction of expansion of facilities; ethical practices, regulating competitive relationship.

Group 4—Code Authority Organization: code administration, including compliance and enforcement, inequalities, inconsistencies and over-lapping in codes; inter-industry and inter-code coordination; financing of code administration use and control of the Code Eagle.

Group 5—Operation of codes in small enterprises; position of minorities.

Members of all Code Authorities and various trade association code committees must answer questions of suggestions calculated to improve the policies or procedures of the NRA not later than Feb. 20.

Warner—F. N. Complete 75% of 1933-34 Lineup
(Continued from Page 1)
will be maintained, studio executives state. The final group will be headed by "Napoleon," "British Agent," "Du Barry," "Doctor Monica" and "Anthony Adverse.

Educational Gets Hawaiian Reel
Educational has acquired "Hula Honeymoon," a reel showing the marriage customs and ceremonies in Hawaii, for the seventh release in its Treasure Chest series.

Schine Circuit Promotions
Bellefontaine, O.—Mitchell Conery has been made manager of the Schine theaters here, replacing Tom Olsen, promoted to district manager, with headquarters in Piqua.

Bill Schell Transferred
Ambridge, Pa.—Bill Schell, for some time manager of Warner's Kenyon, Pittsburgh, has been transferred to the Ambridge.
Paramount brings you

"Bolero"

Starring George Raft

with Carole Lombard • Sally Rand • Frances Drake

A Paramount Picture • Directed by Wesley Ruggles
PARAMOUNT'S

"Bolero"

Starring

GEORGE RAFT
with CAROLE LOMBARD
SALLY RAND • FRANCES DRAKE

• The elements that made Ravel’s “Bolero” one of the most exciting and popular of modern musical compositions have been translated into the language of the screen... There are thrills in the visual interpretation—excitement and emotional appeal... and new dances and new music to captivate your audiences. • Bolero presents the private and public life of the world’s greatest dancer... A romantic and adventurous fellow who climbs to success on a ladder of women’s hearts...

SALLY RAND
The Original Fan Dancer of
CHICAGO
WORLD FAIR FAME
For the first time on the screen, dancing her original fan dance. Sensation of sensations.

Directed by Wesley Ruggles, who gave you "College Humor"
The first picture to deal with the life and loves of a male dancer!
The girl who puts the B.O.* in "BOLERO"

"Sally Rand, in her sensational fan dance, proves the fan is quicker than the eye."

"Sally Rand's fan dance, front paged into a box-office attraction, is worth the price of admission alone."

—Motion Picture Daily

*BOX OFFICE
Today: New state association, Independent Theater Owners; Columbus, O. (to treasurer, state office, approved by laws), etc., Deshler-Wick Hotel, Columbus.


Feb. 24: First annual banquet of Detroit Variety Club, Book-Cadillac Hotel, Detroit.


March 4: Film Relief Dance, Medina Athletic Club, Chicago.

Mar. 5-8: Conference of Code Authorities, Washington, D. C.


March 15: Annual awards banquet of the Academy of Motion Picture Arts and Sciences, Hollywood.

April 22-23: Spring convention of Society of Motion Picture Engineers, Chatfield-Haddon Hall Hotel, Atlantic City.

June: 16-21: International Motion Picture Week, Vienna.

Aug. 1-20: Second Exhibition of Cinematograph, Venice, Italy.

Meet for Gulf Membership Drive

New Orleans — Meeting of the zone captains in the membership drive for the Gulf States Theater Owners Ass'n has been postponed from Feb. 15 to Feb. 21 at 1:00 P.M. in the Paramount screening room. Seventeen independent theaters here, in addition to the 18 controlled by United, filed application with the membership committee, consisting of Ed Myrlik, S. Higgenbotham, Philip Sliman, H. S. McLeod, at the Feb. 9 meeting.

Bareford on Defense Plans

Bareford S. Bareford, Warner attorney and alternate for Harry M. Warner on the Code Authority, is acting for members of the code's administrative body in an effort to coordinate their defense plans in connection with the suit brought by Allied through the Congress theater. He conferred with Divisional Administrator Sol A. Rosenblatt in New York Tuesday.

As the Earth Turns

Walters, New England New England Drama refreshing in its wholesomeness and human characteristics.

This film marks a very decided departure from the accepted standards of what constitutes a good picture. Playwright's Gerald R. Carroll's widely read novel has been cleverly transferred to the screen and will prove a welcome relief to thousands of theatregoers fed up on the artificial and sophisticated fare. It portrays graphically the reactions of two families to the trials and hardships of life on the farm. Certain members of both families love the soil, while the others yearn for the life of the city. Jean Muir and Donald Woods typify the city born, and their romance comes to fruition after the two families have passed through a series of events that brings happiness and contentment to the various members. A very human document, filled with poignant, tender and beautiful touches. This production stands out as one of the highlights in the history of Hollywood that portrays a phase of American life with absolute fidelity. We cannot recall any film that typifies such a theme, and captures so vividly the poignancy and incident. Jean Muir looks like a future star of unique qualities, and Donald Woods adds a new and realistic personality.

CAST: Jean Muir, Donald Woods, Emily Lowry, William Janney, Dayd Landon, Dorothy Peterson, Florence Grobel, Helen Garvey, Alvin Abitoff, George Billings, Martha Knowland, David Denby, Arthur Hulme.

Director, Alfred E. Green; Author, Gladys H. Carrow, Adaptor, Exterior; Producer, Herbert Levin; Editor, cameraman; Byron Haskins.

Indie First-Run Scarcity

Indie First-Run Scarcity Delays Local Board Setups

(Continued from Page 1)

submit its nominations at the Code Authority meeting tomorrow.

A first month to a Code-climbed to 7,446 today. The Code's authority committee's main plans to meet today or tomorrow just prior to the parent body's session.

Major companies who have signed up to the Code in Oct. 19 are officially notified by the Bennett's official to the Code officials; Warner Bros.; First National, Stanwyck Co. of America, Tamarack, by Harry M. Warner; Fox Film, Sidney R. Kessel; Universal-Faithful Enterprise, Pear-Loom, RKO Kino Pictures, by E. L. Kaye; Republic, by M. H. Aylworth; Loew's, Metro-Goldwyn-Mayer, Paramount Distributing Corp., and Merz's, Goldwyn-Mayer, Corp., National, M. S. Schnerch, Paramount Productions, Emile Schenck, Paramount-Fox, and E. A. Lewis, MacDonnell, by George J. Schaefer; Educational Film Corp., and Educational and Technical Pictures, E. W. Hanbake, Max Fleischer Studio, through Max Fleischer, signed the code Oct. 31.


Greenville, Mich. — Opening of a new theater for the public, is scheduled to take place in March. C. H. Gibson, J. S. Gibson, Jr., and L. M. Quinn are backing the enterprise.

No Styles in Stories, Says Adolph Zukor

(Continued from Page 1)

press. He stated that the composition percentage plan which he has in mind will apply to those people mainly stars, or whose names appear by box-office.

Cohen will come to New York about Easter, said the Paramount president, who plans to make another trip to the Coast within two months.

New Akron Partnership

Akron, Ohio — Smith and Minder have formed a partnership to operate the Park, formerly the Roxie, and the Portage, a neighborhood house.

Frank P. Miller Dead

Haverhill, Mass. — Frank P. Miller, owner and manager of the Lafayette, died yesterday. The Lafayette was formerly the Orpheum, where Louis B. Mayer made his start.

Warners Reopen Lima House

Lima, O. — The State, Warner house, dark November, is open again.

Century Houses Go Wide Range

Eight houses of the Century Circuit of Brooklyn and Long Island have contracted for Western Electric Wide Range, General Sales Manager C. W. Bunn of Electrical Research Products announced yesterday. Houses are: Kingsway, A. Bemar, and Merrick, Queens, Park, Malverne, Avalon and Grove. Installation work will begin next week.

Now Hell's Eat

Cincinnati — Jack Thatcher, exhibits for "Lilac" at the New Lexington. New Shawtwhen and Logan, has opened a restaurant called "The Daily" Sunday.
ANALYSIS OF MOTION PICTURE CODE

by Louis Nizer

Twenty-fifth installment

ARTICLE V—UNFAIR PRACTICES—PRODUCERS—DISTRIBUTORS—(Cont.)

(b) Negotiating for Outside or Associated Producer
No Producer or Distributor shall negotiate or make any offer to an outside or associated Producer within one of the following periods, depending upon which one is earlier:

1. At any time prior to 60 days before the end of an existing contract between the outside or associated Producer and any other Producer or Distributor.

2. At any time prior to 60 days before the date when the outside or associated Producer shall fulfill its delivery commitment under its existing contract.

ARTICLE IV

LABOR PROVISIONS—A. PRODUCTION

Sec. 1. Hours of Employment
(a) Forty-Hour Week
No employee shall work more than forty hours in any one week.

(b) Employees Who May Work Forty Hours

There are 23 classes of employees who may work forty hours a week.

They are:

1. Accountants
2. Accounting Machine Operators
3. Bookkeepers
4. Clerks
5. Firemen
6. Garage Clerks
7. Gardeners
8. Janitors
9. Librarians
10. Mail Clerks
11. Messengers
12. Mimeograph Operators
13. Porters
14. Readers
15. Restaurant Workers
16. Seamstresses
17. Stereographers
18. Telephone Operators
19. Telegraph Operators
20. Timekeepers
21. Typists
22. Watchmen
23. Secretaries (exclusive of executive secretaries receiving $35.00 or more per week).

(c) Employees Who May Work Only Thirty-Six Hours a Week

No studio mechanic of the following classes shall work more than thirty-six hours a week:

1. Artists and Sculptors
2. Automotive Mechanics
3. Blacksmiths
4. Carpenters
5. Casters and Mouldmakers
6. Cement Finishers
7. Chauffeurs and Truck Drivers
8. Construction Foremen (carpenters)
9. Electrical Foremen
10. Electrical Workers
11. Flooromen (electric)
12. Foundrymen
13. Gaffers
14. Grips
15. Laborers
16. Lamp Operators
17. Machinists
18. Marbelizers
19. Grainers
20. Furniture Finishers
21. Modelers (staff)
22. Model-Makers (staff)
23. Moulders (metal)
24. Operating Engineers
25. Ornamental Iron Workers
26. Painters
27. Pattern Makers
28. Plasterers
29. Plumbers
30. Projectionists (except process projectionists)
31. Propertymen
32. Scenic Artists
33. Set Drapers
34. Sheet-Metal Workers
35. Sign Writers
36. Sprinkler Fitters
37. Steam Fitters
38. Structural Steel Workers
39. Swing Gang (property)
40. Upholsterers
41. Welders
42. Laboratory Workers

Only the following classifications of Laboratory Workers are included in the thirty-six hour maximum:

1. Chemical Mixers
2. Negative Assemblers
3. Breaker-downs
4. Negative Developers’ Assistants
5. Negative Notchers
6. Negative Splicers
7. Positive Daily Assemblers
8. Positive Developers’ Assistants
10. Printers
11. Processing and Negative Polishers
12. Release Inspectors
13. Rewinders
14. Sensitometry Assistants
15. Shift Boss Printers

(d) Employees To Whom Maximum Hours Do Not Apply

The 40 and 36 hour maximum week does not apply to employees on emergency, or maintenance and repair work; nor to skilled workers on continuous processes where restriction of hours would delay production. Nor do these maximum hours apply to the following classes of employees:

1. Executive or Professional Employees

Maximum hours do not apply to:

A. Employees in executive or managerial capacities.
AND SO TO BED!

The last forms of the 1934 Film Year Book are now being put to bed.

This stupendous volume which covers the motion picture industry from A to Z is awaited by thousands. This, the 16th edition will be the finest ever published.

It completely covers a great industry that has just gone thru one of the toughest years known.

A new industry has been born. New personnel, new locations, new managements, new backings all accurately recorded in this encyclopedia of Motion Pictures. Plus, worlds of other valuable interesting information. The book that is found everywhere that pictures are made or shown. Out this month, on time as usual.
A "LITTLE" from HOLLYWOOD "LOTS"

By RALPH WILK

LYNN OVERMAN, eminent Broadway and London stage star, has been signed by Paramount for a leading role in "Little Miss Marker," the B. P. Schulberg production which will be directed by Alexander Hall.

"And Let Who Will Be Clever," by Ogdan Nash, has been bought by RKO as a possible vehicle for Joel McCrea and Francis Dee. Ray Harris will do the script.

"The House of Mystery" is the new name of the Monogram feature formerly called "Curse of Kali." It is the story by Adam Hall Shirk.

Cary Grant, due back from abroad shortly with his bride, Virginia Cherrill, will start work immediately with Sylvia Sidney in "Thirty Day Princess." at Paramount.

Ralph Murphy will direct Dorothy Wilson and Douglas Montgomery in "Canal Road" which Charles R. Rogers will produce for Paramount. Production will start in two weeks.

Universal has decided on "The Uncertain Lady," as the releasing title for "The Bachelor Wife," the play by Harry Segall which will go into production next week under the direction of Karl Freund. Cast will be headed by Edward Everett Horton and Genevieve Tobin.

"One Woman," Tiffany Thayer's latest best seller, bought for filming by Paramount, will go on the screen as a vehicle featuring Frances Drake, newcomer.

"Lizzie Skerrit" by Frances Marion has been purchased by Charles R. Rogers who will produce it for Paramount. Frank R. Adams will adapt it.

Zasu Pitts has been signed by Charles R. Rogers for "In Conference," Paramount release.

Nils Asther will appear in Universal's "The Humbug."

19 Added to "Murder at the Vanities"

Nineteen players have just been added to "Murder at the Vanities," being filmed by Paramount from the Earl Carroll stage production. They include Winifred Allan, Chicago heroines; Lona Andre, Clara Los Sheridan, Gwenwenn Gill, Colin Tapley, Jesse Ralph, Barbara Britches, Charles R. Middleton, Charles R. McKeen, Hal Green, Teru Shimada, Mildred Graver, Stanley Blystone, Mike Donovan, Gertrude Mickeal, Gay Patrick and Diana Hunter. They join Jack Oakie, Carl Brooke, Kitty Carlisle, Toby Wing, Victor McLaglen and Beryl Wallace. Mitchell Leisen is the director.

Warren William's next for First National will be "Self Portrait," original by Carl Erickson.

Roger Pryor has been signed by Universal for "I'll Tell the World," which Edward Segall will direct.

Edna Best will play the heroine in Warner's "The Key."

John Halliday has been signed by RKO for "Finishing School."

Pandro Berman will be the producer of RKO's "The Gay Divorcee," with Ginger Rogers, Fred Astaire and Helen Broderick. Production starts as soon as Astaire returns from London, where he is playing in the stage version.

Ralph Rainer and Leo Robin are writing the songs for three different pictures at once at Paramount. Their current assignments are "Cosmopolitan," "Come On Marines" and "Little Miss Marker."

Irene Ware has been signed by 20th Century for "The Firebrand," starring Constance Bennett and Fredric March. Cast also includes Frank Morgan, Fay Wray, Louis Calhern, Vincent Barnett, Jay Eaton and John Rutherford.

Diana Wynyard has signed a new contract with M-G-M. She is tentatively scheduled to appear in a picture with the Barrymores. Meanwhile Miss Wynyard will play opposite Clive Brook in RKO's "The Dover Road."

Maurice Chevalier is currently being schooled in the intricacies of the Vienna waltz by Madame Alber- tina Rasch, who is teaching the French star dancing steps for the "Merry Widow" at Metro.

Agnes Christine Johnston has returned to screen writing at Paramount studios, after an interlude of magazine fiction work. She has been signed by Charles R. Rogers to help prepare the screen play of "In Conference."

Chesterfield has set "Twin Brothers" as the release title of the uninvincible feature film, "Birds of a Feather." John Mill

finds Conditions Best in South New Orleans—That the south is in better condition than any other part of the U. S. was the opinion expressed by Arthur Dickinson, Hays office representative in charge of fire protection, while here this week to look over exchanges. He left Feb. 13 for Dallas.

Ups Prices for "Carolina" New Orleans—With the moving in of Fox's "Carolina" for a second week on Canal St., the Globe has hiked prices from 15-25 to 25-40 cents.


Gaxton and Moore at Paramount P. L. Gaxton and Victor Moore, musical comedy stars, will appear on the Paramount stage for the week starting Friday.

Harry Langdon and Mabel G. Sheldon were married Monday in Tucson. And the secret marriage of Zasu Pitts to Edward Woodall in Minden, Neb., last October, became known only this week.

Mary MacLaren, former picture star, and A. Laurie Brazee, former newspaper-woman have written an original story, "Bachelors' Canal," laid in India. The story is attracting much attention among story editors.

John Miljan and Ward Bond are additions to Columbia's "Whirlpool."

Charles Ruggles has been signed by Warners for the lead in "Friends of Mr. Sweeney."

Universal writing assignments include Ernest Pascal to adapt "Human Side," which Eddie Buzzell will direct, and Cyril Hume to adapt "Frailty," being prepared by Edwin L. Marin.

John Halliday has been added to Warner's "Return of the Terror," and "Poodles" Hanneford and Alfred Codona, circus stars have been signed for the Joe E. Brown picture, "Sawdust."

Herbert Mundin and Henrietta Crosman are additions to "Odd Thursday," new Warner Baxter vehicle at Fox.

John Boles will have the male lead in Fox's picture, as yet untitled, featuring Claire Trevor and Harry Green.

Conway Tearle will appear in RKO's "Stingaree."

Drue Leyton, known previously as Freya Leigh in the cast of "The Dark Tower," has arrived in Hollywood under contract to Fox and will appear in "Now I'll Tell," the story by Mrs. Arnold Rothstein.
Detroit—The Davison, East Side house, has closed.

Covington, Ky.—L. B. Wilson, proprietor of three first-runs here, is taking an extended Florida vacation.

Detroit—Cameramen's Local 666 has been formed here, using jointly the offices of Local 38 of the I. A. T. S. E., according to John Doyle, business agent of the stagehands.

Holly Springs, Miss.—Leo Lieb-son is to start construction on a new house seating 750 people. Will cost approximately $19,000.

St. Petersburg, Fla.—The Alcazar is being opened under the management of Mrs. Laura Sprague, owner.

Key West, Fla.—The Palace has been reopened.

Buffalo—George A. Moezer, manager of the Hollywood Pictures Exchange, has added Sidney Stein to his staff of salesmen.

Cincinnati—Mrs. Elizabeth Gais- sen, 78, part owner of the Center theater, died last week. George Herring continues operation of the house.

Salt Lake City — Dora Maycock, booker at Vitaphone for many years, and C. O. Hauxhurst, manager of the Marlo theater, were married last week.

Salt Lake City—Perry Smoot has been made assistant booker to Max Goldstein of the local Fox West Coast office.

Jamesstown, N. Y.—In a switch of posts, Irwin S. Kay is now manager of the Winter Garden and F. M. Westfall has moved over to the Palace, both Warner houses under the divisional direction of R. E. Crabill.

New Haven, Conn.—Walter Lloyd, manager of the Paramount, was tendered a testimonial dinner last week by 150 friends and members of the New Haven Advertising Club.

Westbrook, Me.—Plans are under way to open a new theater here about April 1 in competition with Publix.

Belfast, Me.—The Opera House will be opened by J. St. Pleer about Feb. 20, according to present plans.

Caro, Mich.—The Temple theater has closed.

Chicago—"Waltz Time," the screen opera featuring Evelyn Laye, is being held over a second week at the World Playhouse. Dan Roche, formerly publicity man for Pathé, is now manager of the World Playhouse and by booking pictures of general appeal he has brought the house out of the red.

Detroit—J. Juengling, of the Paramount office, announces arrival of a boy.

Bristol, Conn.—Dennis Rich, for the past four years assistant manager of the Cameo and Bristol, Warner houses, has been named manager, succeeding Edward J. Harvey, transferred to Danbury.

Buchanan, Mich.—The former Princess theater has been renamed the Hollywood.

New Orleans—Hal Norfleet replaces Bill Wolfinson as Orpheum press agent here.

Detroit—S. K. Decker, president of Excellent Pictures Corp., has returned from California.

Boston—Maurice Wolf, manager of the local M-G-M Exchange, is taking a vacation in Florida. Henry Wolper is in charge during his absence.

Southington, Conn.—The Colonial, formerly the Coleman, has been leased by A. M. Schuman and associates for five years. He has been operating the house for some time.

Lawrence, Mass.—The Colonial has been opened by J. Sayer.

Alliance, O.—The Ideal, formerly owned by Smith Amusement Co., has been dismantled. Same company until recently operated the Columbia, which was sold at receivers' sale.

Louisville, O.—W. A. Smith has leased the Owen from Harold Sherer, and the house is open seven days a week with four program changes.

Milwaukee—E. M. Dieringer, Inc., theatrical equipment concern, has been incorporated by E. M. Dier-inger, P. Dieringer and M. Wetzel.

Milwaukee—Pending final disposition of the Statewide Theaters bankruptcy case, no assets of Fox Wisconsin Co. and Wisconsin Amusement Enterprises are to be disposed of, according to a Federal court edict.

Marietta, O.—R. W. Rhodes, former-ly at Loew's, Canton, is now with the Shea interests here.

Defiance, O.—Leo Jones and Carl M. Kahn, who have been operating the Strand, have dissolved and Kahn is now operating the house himself.

Boston—Harry Brown, Jr., is back as exploitation manager at the Paramount and now handles all downtown circuit houses except the Metropol-itan. Martin Glazer is his personal assistant.

North Adams, Mass.—Linden For-key, whose brother Ken manages the Magnet, Boston, is managing the Richmond here for the new owner, E. M. Loew Circuit.

New Philadelphia, O.—Judgment for $24,162.84 and foreclosure of a mortgage on the equipment of the Lincoln, Dennison, is asked in a suit filed in common pleas court here by Columbus Mutual Life Insurance Co. against Jacob Smith of Denni-son.

Orrville, O.—F. D. Krichbaum of Cincinnati has purchased the Grand here.
“THE NIGHT WAS MADE FOR LOVE!”

“ARE YOU ASLEEP YET DARLING?”

“No dear... I'm still thinking of that marvelous picture.... ... when Ramon Novarro sang those love songs to Jeanette MacDonald, it positively took me back to our honeymoon days..... that picture will thrill everybody who was ever in love ..... it's so gay and romantic .... and those Jerome Kern songs... to my mind "Cat and The Fiddle" is the best musical I've ever seen .... no wonder it played two years on Broadway.... I'm going to give it the liveliest promotion I've ever given a picture in this town...
Missing in 39
**Public Hearings to Precede C. A. Meeting in Wash’n**

**PLAN JOINT CONFAB ON RADIO FREE SHOWS POLICY**

Saenger Organization Improved Its Status Last Year

Better Financial Position Shown in Realty and Theater Reports

New Orleans—Despite the worst banking and general conditions this city has known in years, reports of Saenger Realty and Saenger Theaters, both in receivership, are encouragingly hopeful. Though Saenger Realty shows an operating loss of $15,349.76, it increased its cash between March 2 and Sept. 30 from $13,060.15 to $51,333.47, exclusive of $35,174.94 in U. S. Treasury certificates. It also built up reserves for fixed charges and has apparently paid off a mortgage in Greenville as well as interest on

(Continued on Page 4)

**AGENTS’ ETHICS CODE MADE PUBLIC TODAY**

A code of ethics drawn up by the National Association of Theatrical Artists’ Representatives to govern the relations of agents, actors and talent buyers, and which has already been submitted for approval to the film Code Authority, will be read to the trade press tomorrow at the Astor at 2 o’clock.

The code covers the activity of agents and agents in all fields in

(Continued on Page 4)

Colonel Frey is Elected Director in Loew’s, Inc.

Colonel Isadore Frey, connected with the Loew legal department for years, was elected a member of the company’s board of directors to fill

(Continued on Page 4)

Butterfield Going for Flesh

Detroit—“Green Pastures,” first legitimate melodrama to play Butterfield circuit. Butterfield also

put in vaudeville at the DeSmond, Port Huron; Worther, Ypsilanti, Capitol, Jackson, and Michigan, Ann Arbor.

**Applying Today for Reargument**

**In Vitaphone-Erpip Royalty Suit**

Elect Thompson, Blumberg To Canadian RKO Board

Toronto—At a meeting of the stockholders of RKO Canada, Ltd., held yesterday, Major L. E. Thompson and Nate Blumberg were elected to the board of directors to replace B. B. Kahane and Harold B. Franklin. Attending the meeting from New York, in addition to Thompson

(Continued on Page 4)

No Film Legislation Expected This Session

**Washington Bureau of THE FILM DAILY**

**Washington—**No measures antagonistic to the film industry are likely to be enacted at the current session of Congress, judging from a survey of the political situation here. Apart from the fact that the Administration is concentrating its attention on its recovery program,

(Continued on Page 4)

Three New Theaters

**Opening in Louisiana**

New Orleans—New theaters scheduled to open in this territory shortly are: Liberty, Shreveport, S. N. Hardwell; Ratcliff, Vinton, and a house, unnamed, in Sulphur, to be operated by the Carnahan Electrical interests.

(Continued on Page 4)

**Johnson Orders Public Hearing’s Before Code Authorities’ Confab**

11,375 of Pathe Shares

Repurchased by Company

Patie has repurchased 9,030 shares of its Class A and 2,345 shares of its common stock, it is revealed in a list made public by the New York Stock Exchange covering corporations who have re-acquired

their own stock. Universal also is

(Continued on Page 4)

Film, Stage and Radio Code Authorities Will Meet

Plans designed to eliminate competition from free broadcasting shows were set in motion yesterday when steps were taken towards a joint code and a campaign representing the legitimate theater and radio code authorities. The theater groups are

(Continued on Page 4)

**UPTURN IN SPRING IS SEEN BY ZUKOR**

Theater box-offices will not begin to really benefit from government relief funds until April or May, in the opinion of Adolph Zukor.

By that time, he says, the public will have taken care of its most necessary expenditures and will be ready to spend more money on amusements and luxuries.

**Moskowitz Says Circuits Will Live Up to the Code**

Clarifying the position of major circuits as regards the theater and amusement employees’ union, Charles C. Moskowitz of Loew years

(Continued on Page 3)

**Eye to Business**

Boston Transcript tells about the showman, sick in a New York hospital, receiving a visit from a friend he hadn’t seen in some time.

“Hey, you’re back in town here?” asked the visitor.

“About a week,” replied the sick man. “But that’s nothing. I’ve been in a bit of a bind since I saw you last.”

“Who’s doing your booking?” was the quick comeback.
**DAILY**

**Saturday, Feb. 17, 1934**

**RAYMOND GRIFFITH**, associate producer under Darryl F. Zanuck of 20th Century, arrives tomorrow from the coast for a week's visit before sailing for England.

JEANETTE MACDONALD, M-G-M star, is on tour to secure work for a holiday before beginning work on "Duchess of Dulumo" and "Merry Widows." 

**CRESSON SMITH**, RKO division sales manager, and A. A. SHUBERT, head of the contract department, leave tomorrow for Chicago.


**MAX SCHMELING** sails tonight for the Orient.

**EDGAR SELWYN** leaves New York today for the Coast.

**JEFF LAZARUS**, head of the Paramount editorial board, will spend a week in New York before returning west.

**Astor Pictures Plans New Series**

In addition to its current series of 13 two-reel Westerns entitled "Paul 'n Ben," Astor Pictures will produce another group of 12 similar subjects for distribution beginning early in May. Bob Savini stated yesterday. Ben Corbett and Jack Perlin are co-starring in the current series. With many features being turned out in unusual lengths, in many instances bills do not permit playing of a second feature, according to Savini, but three-reel subjects are needed to fill out the program.

**Loew Closes Australian Deals**

Plans for acquisition of two Australian theaters, one in Melbourne and the other in Sydney, were made by Arthur Loew, who, with J. Vogel, returned to the Loew office yesterday following a three months' trip to Australia, China, Japan and the Dutch East Indies. In Sydney a third, 2,500 seat theater is being constructed, while the 1,500-seat house in Melbourne is being rebuilt for Loew.

Loew will leave New York within three weeks for a European trip.

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**IT SEEMS** that Max Fleischer brought an action to restrain a manufacturer from making Betty Boop dolls he won, and Judge Woolsey, the jurist who rendered the famous erudite "Ulysses" verdict, put over another literary classic in his decision he describes Betty Boop thus:

- **THE CHARACTER** which was depicted combined in appearance the childish with the sophisticated... a round baby face with big eyes and a nose like a button... framed in a somewhat careful coiffure... with a body of which perhaps the most noticeable characteristic is the most self-confident little bust imaginable... well-tailored... inge ole boy... ya noticed that too, ya li'l rascal.

- **JUST TO show** what a jam wrong billing can get a guy in Larry 'Buster' Crabbe lost his amateur athletic standing when Paramount billed him in "King of the Jungle" with the line... "Olympic Swimming Champion..."... this, according to the A. A. U. constituted using his amateur rep for monetary gain.

- **IN ITS trek upstate** the "Moulin Rouge" Gardner is riding all sorts of house records for one night performances the Caravan left for Cleveland yesterday.

- **A. J. Mason** will be the official starter for a six-mile Race starting Sunday at Madison Square Garden. 

The special shooting of "Under Bar" at Warners home office yesterday the reception he got and his own enthusiasm, the mammal lawyer will be heard from some more on the screen... The Russian Ambassador was a guest at the Washington preview of United Artists' "Catherine the Great" the RKO Keith's in Washington on Thursday next.

**I.T.O.A. Holding Meet**

On Code Objections

With object of registering exceptions to some tentative selections to the New York zone boards to be set up the C.T.A. and A.A. negotiated to interpretation of the code theater labor wage clause as referring to booth costs as well as to costs per man, an I.T.O.A. special committee will confer with Divisional Administrator Sol A. Rosenblatt in New York the middle of next week.

The I.T.O.A. boards of directors, at a meeting yesterday made preliminary plans for the conference through contacting Rosenblatt via telephones at the Code Authority office claims that the original referred to in the code are figured on an individual operator basis.

**Decision Reserved in Labor Case**

Decision was reserved yesterday in the Federal Court in the appeal from the order of Justice Collins directing the I.T.O.A. to employ the same number of operators as on Aug. 25, 1933.

Third Week for "Moulin Rouge" Due to pickup in business, "Moulin Rouge" is being held a third week at the Rivoli, putting back the "Palooka" opening to Feb. 28.

**RKO Studios Preparing Five Original Stories**

West Coast Bureau of THE FILM DAILY

Hollywood—With six productions now in work, five original stories are in preparation for actual shooting next month at the RKO studios. The latter are "Allen Corn" in which Ann Harding will be starred; "Down to their Last Yacht," a musical with Sidney Fox heading the cast; a Wheeler and Woolsey comedy; "Green Mansions" in which Dolores Del Rio and Joel McCrea will be co-starred and "Folk Race" on the Blackboard a mystery-comedy-drama with Edna May Oliver and James Gleason. The films in production are "Finishing School," "Crime Doctor," "Of Human Bondage," "Dover Road," "Stingaree" and "Strictly Dyna-

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**M-G-M Signs Gloria Swanson**

West Coast Bureau of THE FILM DAILY

Hollywood — Gloria Swanson has been placed under contract by M-G-M. Though her first picture has not been decided upon, it may be Elinor Glyn's "Three Weeks," with Irving Thalberg as producer.

**Duality Back at RKO Downtown**

Detroit — RKO Downtown, first-run, has returned to double features.

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This is News

When a dog bites a man it's not news, but when Joe J. Towne meets a performer with a bigger mouth than his, it is news, and is known by that fact even if the bitter happens to be a bit. It happened in El Monte, Calif. this week while Brown was making a extended the Film Daily's "lawcourt." The cameras recorded the attack and story made for A. A. U. as well.
Applying for Reappraisal
In Vita-Eri Action
(Continued from Page 1)

handed down an opinion holding that the lower court had erred in
assuming jurisdiction of Vitaphone's action against ERPI in view of arb-
tration contracts entered into be-
 tween the two corporations in New
York. This ruling ERPI will probably
file a petition for a rehearing in the High
Court before the Supreme Court and
present a final decree in line with the
court's opinion, which, if signed,
would send the matters in dispute
down to arbitration in New York.
Counsel for Vitaphone, it was au-
thoritatively learned yesterday, wil-
led to petition the court for a date for reap-


May Not Call Will Hays
In Frank Remus Trial
Will H. Hays may not be called.


Western Sales Meeting
May Be Held by RKO
Plans for a western sales meet-
ing, in addition to the ones being
held next week in Chicago and Mem-
phis, are being considered by RKO.
Decision will be made on Jules Levy's
forthcoming trip to the coast in
connection with his semi-annual con-
ference at the studio.


Moskowitz Says Circuits
Will Live Up to the Code
(Continued from Page 1)

sday that the theaters "will live
up to the code in every re-
w ard when they are members of an organization.
Employees who are at present
with the company will not be divi-

ded, whether they are members of an organization
or not, as long as

Catherine" Adds Performance
"Catherine of the Great," playing
two-a-day at the Astor, will give
three shows today as well as to mor-
row as a result of demand for seats.
United Artists artists were at the box-
office on Monday, and the schedule will apply next week-end.
PLAN JOINT CONFAB
ON RADIO FREE SHOWS

(Continued from Page 1)

executives will be available to aid in adjusting the situation.

The motion picture Code Authority, at a meeting yesterday, named a committee comprising Charles R. Schuster of Paramount and Sidney R. Kent to handle the matter. The legitimate theater and radio Code Authority will each be asked to name committees of three. The motion picture Code Authority acted following a request from the legitimate theater authority to aid its co-operation in an effort to bring about an end of the free show practice.

In a letter to John C. Flinn, executive secretary of the film Code Authority, Chairman, Marcus Hartman of the legitimate Code Authority committee on radio broadcasting, declared that the practice of free radio shows is widespread that a nation-wide report shows they are drawing an attendance of $5,000 weekly in only 18 cities.

Most of yesterday's meeting was devoted to consideration of nominations to legitimate Code Authority committees. Advices were received from N.R.A. headquarters. Ed Kuykendall and submit the procedure to be followed in making rulings on the code.

Colonel Frey is Elected Director of Loew's, Inc.
(Continued from Page 1)

an old vacancy, at the annual stockholders' meeting yesterday. J. Rob- ert Rubin, president at the session at which the annual report was ap- proved.

David Bernstein, vice-president and treasurer, told the stockholders that earnings in the current quarter are being maintained at about the same rate as the first quarter. He also said the company is improving and extending its radio station.

6 Leads Opposite Fairbanks
London—Douglas Fairbanks will have the leading ladies in "Fair Case Juan," being produced by London Films under direction of Sidney Franklin. Cast includes Bottica Nunez, Meire O'Brien, Greta Garbo, Lila Dunne, Laughton, Bing Baris, Jean Gardner and Rene Napiers.

HOLLYWOOD

CHARLIE RUGGLES has been signed for an important role in "Her Master's Voice," which R. P. Schuberg will produce for Paramount. Soon to go into production, "Her Master's Voice," to feature a version of Clara Kummer's current Broadway success, will have practically the same cast as "Melody in Spring," these being Lanny Ross, Mary Boland and Ruggles.

Elizabeth (Pat) Patterson and Charles Boyer were married this week in Yuma, Ariz.

Warner Baxter's new Fox picture has been renamed "Too Many Women." It was formerly "Odd Thursday.

11,375 of Pathe Shares Repurchased by Company

listed as buying back 136 shares of preferred stock. In total re-acquired stock, Transamerica, controlled by the Glen Grant MacCleod, has a total of 1,185,558 shares.

Elect Thompson, Blumberg To Canadian RKO Board
(Continued from Page 1)

and Blumberg, were O. R. McMahon and A. E. Rees. The company op- erates theaters in Toronto, St. John, Ottawa, Vancouver and Winnipeg.

7,496 Code Assents In

With daily reports now totaling a taping off of assents to the code, total of unqualified compliances reached 7,496 yesterday. It was stated at the Code Authority offices that statement shows an increase of 19 over the previous day's total.

Maurice Emerson Joins Willoughby

Maurice Emerson, formerly traveling cameraman for William Pizor and photographer of travel films now being booked by RKO, has joined the Willoughby Camera Stores as manager of the 10mm. sound-on-film department, Emerson will handle the purchase of 35mm. films for reduction to the smaller size and will also be in charge of sales and rental of 16mm features and shorts.

Fox Buys Two Stories

"Impersonation," currently in process, and "Ladies Home Journal," and "Dime Woman," play by Wilson and Amnona Collison, have been acquired by Fox.

Five Stories Bought by RKO

In a spurt of play buying, RKO has acquired screen rights to five stories during the past two weeks. News items are: "50th Anniversaries," "By Your Leave," "Gay Divorce," "A Coat, a Hat, a Glove" and "Wednesday's Child.

Aline MacMahon, who has just finished her first starring vehicle, "Fur Coats," will next be presented by Warners in 'Happy Family,' a variation of the original stage and screen play by Gene Markey and Kathlyn Scola. The film will be directed by Alfred E. Green. Assigned to the supporting cast are Guy Kibbee, Allen Jenkins, Hugh Herbert, Joan Wheeler and others.

The largest camera crane in Holly- lwood is now in process of construction in the Educational lot. The crane weighs over five tons, but is easily made of aluminum and duralumin, its weight is just one-third of what such a device would weigh if made of steel.

SAENGER THEATERS

IMPROVES STATUS

(Continued from Page 1)

bonds in Clarksville, and provide a reserve for $49,000.00 unpaid rent on the Saenger here.

Saenger Theaters shows an operating loss of $41,014,34, but increased $1,559,477.15 from Sept. 30 to $41,649.54 to $115,786.82, exclusive of $70,000 in U. S. Treasury certificates. In addition, it provides reserves for interest on notes and bonds, depreciation of property, etc.

Agents' Ethics Code
Made Public Today
(Continued from Page 1)

including motion pictures, according to Arthur Lyons, president of the Ass'n, who revealed that negotiations for a merger with the Los Angeles agents' organization were pending. Among the more important provisions of the code is that requiring the theaters booking shows to provide proof of responsibility or post bonds, the regulation prohibiting an actor to split representation as for films, stage, vaudeville, and the pledge of the association to make good salaries of actors if theaters failed to pay off. Lyons said he expects the code would end the twin evils of overpayment and underpayment of actors.
McDonough to Have Charge of All RKO Activities

PERSONNEL OF 42 LOCAL CODE BOARDS ANNOUNCED

Using Present Clearance-Zoning Schedules as Basis

The Academy... and other things

There is unquestionably a definite place in this industry for the Academy of Motion Picture Arts and Sciences. And this regardless of civil war that recently shook its foundations and threatened its very existence. In the matter of record- ed cooperative technical and artistic advancement, the Academy stands alone. Its program of standardization saved millions for the industry. It provides a common meeting ground for those with like problems. Now that the housecleaning is over it is not unlikely that the Academy will become more important than ever.

No type of competition is more destructive than price wars. When theater owners cut admission prices simply because the other fellow is doing it, the result is death. It is the picture, in normal times, and not the price that brings patrons to the box-office. As yet no one has been able to solve the problem of making money by selling anything below its cost.

Recently, in the Southland, we had a lunch with one of the largest buyers of film in the country. "Film salesmen," he told us, "are now gentlemen and of a higher class than formerly. However, there is still room for improvement. Among their objectionable qualities, and mind you we refer to the minority, are repetition, rudeness, egotism and bragging. Their worst fault, however, is knocking competitors. Personally, we were of the opinion that this sort of elementary selling had passed on with the depression.

THANKS to Mr. Goldstone and Mr. United Artists, we have two new, welcome faces on the screens of America. Each may have a golden future before her. We refer respectfully to Miss Sten as "Nana," and Miss Bergner as "Catherine." Each has that indefinable something, other than IT, that makes for screen popularity. The future of the art rests even more upon new faces than in new stories, ideas or technique.

Aylesworth to Devote Efforts To Financial End Exclusively

Keen Competition On For Broadway Plays

Keen competition for produced plays, with Paramount and Metro providing the most spirited competition, and RKO now displaying fervid activity in acquisition of current Broadway shows, has resulted in higher prices for Broadway plays than in the past five years. RKO has deals on for five current plays.
The Broadway Parade

Call Grand Jury Probe
Of Grand Rapids Beanos

Grand Rapids, Mich.—Culminating efforts of exhibitors to stop beanos competition, a one-man grand jury investigation has been called at request of producer Bartel J. Jonkman, who recently ordered the games stopped. City officials are charged with being accessory before the fact in commission of offenses against gaming laws. Beanos parlors were attracting 30,000 persons weekly before Jonkman's recent order.

Trustees to Press Action
For Return of 23 Films

Paramount Publix trustees indicate their intention of pressing their court action seeking to compel return to Paramount of 23 feature negatives held by Film Production Corp. Denial was made that efforts are being made to adjust the matter without going into court.

The transfer of these negatives has been attacked by Attorney Samuel Zinn and other layers representing minor bondholders as a bankruptcy fraud violating the bond covenant.

Win Exploitation Prizes

Winners in the exploitation contest conducted among Loew theatres in connection with 20th Century's "The Bowery" are announced by United Artists, as follows: Carter Barron and Lew Brown of the Palace, Washington, first cash prize of $25; Lester Pollack of Loew, Rochester, second prize of $25; H. M. Addison, Loew's State, Cleveland, alternate prize of $25. Judges were Darryl F. Zanuck, A. Lichten and Hal Horne.

The INDUSTRY'S DATE BOOK

Today: Allied Theater Owners of New Jersey meeting at Stacey Theater, Trenton, N. J.
The BOX OFFICE STAR of the Year!

ANNA STEN

In Her Unsurpassed Screen Performance

“TRAPEZE”

Directed by E. A. Dupont, Creator of “Variety”

AN ALL-ENGLISH VERSION OF THE PICTURE VOTED AN OUTSTANDING HIT!

RAVES FROM THE PRESS!

“One of the best all-around screen melodramas of the year . . . deserving of rank among the talking pictures' finest achievements!”

N. Y. World-Telegram

“A ★★★ picture! Packs thrills . . . spectacular . . . fast-moving, peppy . . . will certainly hold your interest from start to finish!”

N. Y. Daily News

“Interesting and impressive melodrama . . . Miss STEN attractive . . . providing the picture with its most effective performance.”

N. Y. Herald-Tribune

“Atmosphere superb . . . supporting cast good, but both overshadowed by the star whose pulchritude and talent continue to justify the raves!”

N. Y. American

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PROTEX PICTURES CORP.
32 East 58th Street, New York

VOlunteer 5-3320

CASH IN ON THE MOST PUBLICIZED SCREEN PERSONALITY OF THE DAY!

The BIG-MONEY Bet of 1934!

(U.S. and Canadian rights exclusively controlled by Protex Pictures Corporation)
A LITTLE from "Lots"  
BY RALPH WILK

HOLLYWOOD

DAVID BUTLER has been assigned by Fox to direct Will Rogers and Peggie Wood in "Merry Andrew." 


Frank Craven, now being featured in Monogram's "City Limits," has been signed by Charles R. Rogers for a part in the new Paramount picture "In Confidence." 

Ferdinand Schumann-Heink, son of the famous contralto, has been signed for "The Wells Move On" Fox production with Madeleine Carroll and Franchot Tone.

Horace and Stacy Woodard, producers of Educational's Battle For Life series, are "seventy miles out of California," gathering material for the next release in this series, which will graphically show how "life begins" with six or seven highly divergent types of animals.

Work is starting on Columbia's "Twentieth Century," with John Barrymore in the starring role, and Carole Lombard playing the feminine lead. Barrymore recently returned to Hollywood after a vacation cruise on his yacht, while Director Howard Hawks has already started to assemble a hand-picked cast to support the principals in this important production.

Vince Barnett and Ferdinand Gottschalk have been added to Paramount's "Thirty Day Princess." 

Frank Layton is an addition to Columbia's "Storm at Midnight," Tim McCoy vehicle.

George Pat Collins goes in the cast of "One Man's Woman" at Warners.

Production is scheduled to start Feb. 21 on "Hello Prosperity," Educational-Andy Clyde Comedy, in which Clyde will essay the role of a "wine-taster."

**Definition on Giveaways**

Only "straight" or "comedy" giveaways can be abolished under the code, according to an interpretation by Lester S. Taborsky, general counsel of the big company operators. Banning of the practice, as provided under the new code, will affect 75 per cent of the independent and active theaters. Sixty per cent of affiliated and active houses vote to discontinue the practice.

**A BRAND new technique in publicity!**

as noted on the first publicity yarn sent out by N. W. Ayer & Son on Mickey Mouse.... (for they are evidently handling the account) at the top is a printed announcement as follows: "Note to Editor: We submit the material on this sheet for you to judge solely on the basis of its general interest, without relation to any advertising we may have placed in your publication.... and if you ask us... that is a very subtle way of directing the editor's attention to the fact that the N. W. Ayer outfit, which place big gobes of advertising... is sending in a yarn and could break.

THE FIRST setback to the Moulin Rouge Caravan pictures with Anna Q. Nilsson sent to a Cleveland hospital with a severe attack of sinus... she was expected to rejoin the Caravan in Detroit last Saturday... in Cleveland the Caravan had 1,000 standees at Loew's State... with H. M. Ad- don, Loew's district man, and Art Catlin, house manager, greeting the visiting stars.

MEMBERS OF the Fashion Group will attend the Paramount theater next Friday eve... to witness the screen debut of Kathleen Howard, their former preco... who appears in "Death Takes a Holiday." Meg Maloney will make his first stage appearance on Broadway in more than a year at the Paramount show... the Consul General of Mex- ico will be in the Capitol with a party of 10 this eve to honor Ramon Navarro in "The Cat and the Fiddle." 

Ramon also being there in person... was Howard S. Cullman of the Roxy theater embarrassed... when he took the Missus to a nubile hospital on a busman's holiday... and the film they were showing was "I Was a Spy" which had just played his own house... a film pressagey made. This hilarious scene has in its plot and a plane cast... having been surprised to find he had broken it while sleeping... Caption: "Pressagey Gets Unexpected Break!"

Apollo, A. C., as M-G-M Outlet Atlantic City—The new Apollo, now under renovation, and scheduled to open Feb. 29 as a first-run for M-G-M, will not be ready until some weeks later, perhaps March 10, it is announced by the owner, P. Mor- timer Lewis. It will open as a straight movie house, all equipment being installed for stage presentations in the event the Warner theaters decide to install "flesh.”

Frank E. Stuart Back in Business Detroit—Frank E. Stuart, former- ly with Pathe, Fox and other film companies, has returned to picture business, affiliating with Monarch Pictures Corp., independent exchange, as state sales representa- tive.

Para. Product for 5th Ave. Fifth Avenue Playhouse has signed with Paramount for second- run pictures until April. House is changing three weekly.

Majestic, Chicago, adds "B.B.B." Chicago — Majestic is installing "B. B. B." Hollywood m.c., and his orchestra as an experiment. The house has been running pictures only.

Millward Gets Amity Exchange Seattle—Amity Picture is opening a new exchange here under the name of Metropolitan Film Exchange, Inc., operated by D. C. Mill- ward.

**SHORT SHOTS from EASTERN STUDIOS**

By CHAS. ALICOATE

THIRTEEN Brothers, vaudeville and musical comedy trio, signed by Educational Pictures, will be featured in the next musical comedy which Al Christie will produce at the Eastern Service studio in As- tonia within a few weeks. A musical comedy book, with original music, is now being prepared for this two-reeler, which will be the fourth in Educational's series this season.

Jeannie Lang denies all rumors that she will play vaudeville during her present air contract (Hudson). She prefers to devote all her time to radio. She will, however, be featured in shorts to be produced by Warner Bros. at the Brooklyn Vitaphone studio.

Burnet Hershey has completed the treatment of the story, "No More West," which will feature Bert Lahr in a two-reel short scheduled to be put into production by the Mayer Davis unit of Van Beuren the first week in March. "No More West" will be directed by Nick Grinde, his assignment for this company, with work to be done at the Biograph studio.

We've heard of acts "doubling," but Charlie (Boday) Rogers will "quintuple" this week, playing with his California Cavalcade at Loco's of Valencia in Jackson, the Paradise Restaurant, the Empire Ballroom (for one night), a short at the Brooklyn Vitaphone studio and a fraternity dance at Princeton.

Synchronizing of a twelve-reel travelogue, picturizing the country from coast to coast, by the Drivas Picture Co., is now under way at the Reeves Sound Recording studio.

Reggie Childs is scheduled to make his first band short on Feb. 26 at the Vitaphone Brooklyn studio.

Montague Love is the latest addition to the cast of "Frankie and Johnny," being directed by Chester Erskine at the Biograph plant.

**Movie Pamphlet Published**

"The Eyes of the Movie," by Harry Allan, a noted critic who died recently, has been published as one of the six pamphlets sponsored by the Film and Photo League and published by International Pamphlets. The booklets cover various social aspects of motion pictures.
THIS IS THE SHOW that Warner Bros. have been building for eight months as the high spot of this season . . . The story that has been famous for six years as an international stage success . . . The production that departs completely from previous musical formulas, to create as distinct a novelty as was "42nd Street" one year ago today.
THESE ARE THE STARS who set a new record for quality and calibre of names in a single screen production:—KAY FRANCIS, DICK POWELL, DOLORES DEL RIO, AL JOLSON, RICARDO CORTEZ, HAL LE ROY, GUY KIBBEE, HUGH HERBERT, RUTH DONNELLY, FIFI D'ORSAY, MERNA KENNEDY, ROBERT BARRAT. Directed by Lloyd Bacon, who made "42nd Street" and "Footlight Parade."
THESE ARE THE SONGS by Dubin and Warren which are being featured daily by radio's greatest bands...contributing a fortune in publicity to the fame of Wonder Bar:—"Goin' To Heaven on a Mule"—"Don't Say Goodnight"—"Wonder Bar"—"Vive La France"—"Why Do I Dream Those Dreams"—"Tango Del Rio"

...Staged in incredibly lavish numbers created and directed by Busby Berkeley.
THIS IS THE THRILL you can give your patrons Easter Week in a special pre-release engagement, of which there will be a limited number, following the advance publicity premiere in Miami February 20th, where this "gorgeous novelty" will be introduced to the American public at the Community Theatre by WARNER BROS.
Setup of 42 Local Code Boards Announced

BUFFALO

CHARLOTTE

CINCINNATI
Grievance Board—representative national distributor affiliated, Ward Scott, Fox; representative distributor unaffiliated, Paul Kriger, Universal; exhibitor affiliated, E. S. Orians, Universal; exhibitor unaffiliated, Harold Robb, Dallas; subsequent run exhibitors unaffiliated, Frank W. Davis, Cincinnati; subsequent run exhibitors unaffiliated, Geo. L. Keys, Dayton, Ohio.

DALLAS
Grievance Board—representative national distributor affiliated, L. R. Eickel, Metro; exhibitor affiliated, Harry H. Brantom, Fox; exhibitor unaffiliated, John P. McElheny, Columbia; exhibitor unaffiliated, Roy L. Walker, Warners; exhibitor unaffiliated, David L. Finkle, Paramount; exhibitor unaffiliated, Burno Wilson, Warner; exhibitor unaffiliated, C. F. Argue, RKO; exhibitor unaffiliated, R. J. O'Connell, Paramount; exhibitor unaffiliated, Harold Robb, Dallas; subsequent run exhibitors unaffiliated, Pat Scott, Dallas, L. C. Tidball, Ft. Worth.

DENVER
Grievance Board—representative national distributor affiliated, Earl Bell, Warner; representative distributor unaffiliated, Jack Lamphier, Universal; exhibitor affiliated, Jack Lamphier, Universal; exhibitor unaffiliated, Jack Finkle, Paramount; exhibitor unaffiliated, E. H. Huffman, Denver; exhibitor unaffiliated, Harry A. Goodridge, Denver; exhibit

DEPOSE
Grievance Board—representative national distributor affiliated, L. R. Eickel, Metro; exhibitor affiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. Miller, Fox; exhibitor unaffiliated, Robert J. 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Setup of First 42 Local Code Boards Announced

PITTSBURGH

Griechance Board — representative national distributor affiliated, Ben Kalmine, Warner; representative distributor unaffiliated, B. E. Hunt, United Artists; exhibitor affiliated, M. J. Cutler, Universal; exhibitor unaffiliated, Dr. C. E. Herman, Carnegie, Pa. Clearance and Zoning Board — representative national distributor affiliated, J. J. Maloney, Metro; representative distributor unaffiliated, James Alexander, Monogram; first run exhibitor affiliated, Harry M. Kalmue, Warner; first run exhibitor unaffiliated, Frank Harris, Pittsburgh; subsequent run exhibitors unaffiliated, Alex S. Moore, Pittsburgh; Jos. Weis, McKeesport, Pa.

PORTLAND, OREGON


ST. LOUIS

Griechance Board — representative national distributor affiliated, Louis Amicher, 3015 Washington; representative distributor unaffiliated, Barney Rosenthal, West Coast; exhibitor affiliated, Leo Hill, St. Louis Amusement Co.; exhibitor unaffiliated, Louis Ansell, St. Louis.

Clearance and Zoning Board — representative national distributor affiliated, Maurice Schweitzer, Paramount; representative distributor unaffiliated, Chester, D. Hill, Columbia; first run exhibitor affiliated, Harold W. Evans, Loew's; first run exhibitor unaffiliated, C. E. Turkey, St. Louis; subsequent run exhibitors unaffiliated, Fred. Weinhorn, St. Louis; C. H. Kaiman, St. Louis.

SALT LAKE CITY

Griechance Board — representative national distributor affiliated, T. J. Walsh, RKO; representative distributor unaffiliated, Irving Schlank, United Artists; exhibitor affiliated, Harry David, Louis Marcus—Paramount; exhibitor unaffiliated, C. E. Hend, Earke, Utah.

Clearance and Zoning Board — representative national distributor affiliated, Chas. L. Walker, Fox; representative distributor unaffiliated, Jack Rue, Universal; first run exhibitor affiliated, Leo Marcus—Paramount; first run exhibitor unaffiliated, B. F. Thatcher, Logan; subsequent run exhibitors unaffiliated, J. E. Lawrence, Salt Lake City; John Gillette, Tooele.

SEATTLE


Using Present Schedules As Clearance-Zoning Basis

(Continued from Page 1)

Secretary Flinn said Saturday the code provides that the schedules must be established prior to Jan. 1 of each year, but this exception was necessary.

Expanding Movie Exhibits At Steel Pier in A. C.

(Continued from Page 1)

in charge of the project has left for Hollywood to arrange for shipment of exhibits. A Mickey Mouse layout is among those sought. Opening of the exhibit is set for June 30. The pier may run two houses for Easter holidays.

Code Authority Suit Postponed to March 1

(Continued from Page 1)

postponed to March 1 before Judge Bondy in the U. S. District Court, New York. The hearing had been scheduled for tomorrow before Judge Knox.

Fox Will Restrict Its Music on Radio

(Continued from Page 1)

available until two weeks before the opening of the film in Hollywood. The program will be released only for specially arranged broadcasts.

Doris Kenyon Appearing in Chicago

Doris Kenyon is appearing for a week at the Chicago theater.

20th Century Lineup Thinner, April by 15

(Continued from Page 1)

has been released by United Artists, two others are finished and ready for distribution, three are in production and one ready for shooting.

Ready for release are "Looking for Trouble" and "The House of Rothschild." In production are "Born to Be Bad," "The Firebrand" and "Bulldog Drummond." Zanuck expects to leave for Europe May 1 for a three months' vacation on the Continent. Upon his return he will start work on "The Great Barnum," in which Wallace Beery will be starred for the 1934-35 program.

Goldstone Resuming Production in Fall

(Continued from Page 1)

distribution through a major company. Goldstone's present active interests are solely in financial matters not connected with the movies, but he retains financial interests in several independent producing companies.

Warner Men Win Exploiter Awards

Warner home office is jubilant over the fact that three of its thea- rers in the field have won top prizes in recent exploitation tests. They are William Hendricks of the Warner theater, Memphis, who won a trip to New York for his "I'm No Angel" campaign; Howard Waugh of Memphis, winner of a gold chart for a poster and Ken Grimes of the Warner, Morgan- town, W. Va., winner with his campaign on "Dinner at Eight."
COMING!  Entirely NEW!

UNBEATABLE NOVELTY

CHARLEY BOWERS

Announces a Series of COMEDIES Based Upon

LOWELL THOMAS

"TALL STORIES"

with

LOWELL THOMAS

the renowned author and radio news voice of the air
and his dynamic personality

Backed by three Nation Wide Hook-ups

The Lowell Thomas daily broadcasts

Tens of thousands of "Tall Stories Club" members

Nine editions of the "Tall Stories" book

AND

The World Famous

BOWERS PROCESS

The Result of Years of Patient Research and Costly Experiment
by which Charley Bowers ACHIEVES the IMPOSSIBLE in
Motion Picture Photography and Side Splitting Fun.

The Exhibitors 1934 Millennium
in Box Office Values!

GREAT ENTERTAINMENT Backed By GREAT EXPLOITATION
and the rest of the show is pretty sure to be a success. There's no better guarantee of a happy audience than one of Educational's two-reel comedies, with big box-office star names to put in the lights. Father expects a baby... and you can expect one of the biggest howls in years... when you play

ERNEST TRUEX
in "The Expectant Father"
with Montague Love
An Al Christie Production

"Swell comedy... will get 'em from start to finish." Film Daily. "A laugh riot... has timing and smartly developed story... scenes in room where expectant fathers hang out are one laugh after another." M. P. Daily

Playing Radio City Music Hall

Distributed in U. S. A. by FOX Film Corporation
Agitators Use Block Booking as Blind—Pettijohn

NRA CREATES REVIEW BOARD FOR INDEPENDENTS

Labor Board Grants Union Scale Retroactive to Sept. 1

St. Louis Theaters Will Appeal Decision to Washington

St. Louis—A decision favoring the union and making the ruling retroactive to Sept. 1, although the code did not become effective until Dec. 11, is announced by Dr. William G. Patton, neutral arbiter on the NRA Regional Labor Board, in the wage dispute between operators and exhibitors. Under the decision, wages of two operators in each of 32 independent houses are raised as follows: from $60 to $75; $56.50 to $60; $53.50 to $56.50; and $49 to $53.50.

BETTER TIMES DAWN IN ROCKY MT. AREA

Denver—Opening of three towns in this territory that have been without theaters for from four to seven years, and another which has never had sound, is cited by local exchange managers in support of their optimism over business prospects this year. Cripple Creek, benefiting from the mining boom, will have sound for the first time when William Diller opens his Alta next month. Fred Lind is remodeling.

Six Transfers Effective in M-G-M Foreign Staff

Six M-G-M foreign department officials are affected under changes being made in its South American personnel. Tom Hale, who has been in charge of distribution in Venezuela, has been appointed supervisor of sales in Chile and Peru. Joe Goltz, formerly in charge of sales in Argentina, has been transferred to M-G-M's London branch.

Coal Region Theaters Story Agents See Experiencing a Boom

Cincinnati—Partly due to the NRA code and partly to the recent cold spells, practically all theaters in the coal fields of Kentucky and West Virginia have reopened and are doing old-time business, according to reports reaching local exchanges. The code has meant higher wages for miners.

Warners Selling Away From Canadian Circuit

Toronto—Indicating differences with Famous Players Canadian Circuit, Warner is understood to be now selling three features to independent situations. The pictures are "Fashions Follies of 1934"—"Convention City" and "Hi, Nellie." Generally about 150 Famous Players Canadian houses play Warner product.

In New York yesterday, A. W. Smith, Jr., Warner's Canadian and Eastern sales manager, asked by Aylesworth Discusses New Setup with Home Office Execs.

Merlin H. Aylesworth returned unexpectedly to New York from the coast yesterday and immediately called a meeting of RKO executives to discuss recent changes in administration of RKO and its subsidiary companies. Aylesworth expressed his confidence in the new setup, the FILM DAILY learns, and predicted a year of increased profits and a better average run of films. Aylesworth also held meetings with NBC executives in the afternoon.

Coal Region Theaters

Story Agents See Experiencing a Boom

More stories of the definitely socialist trend in the near future are predicted by Verne Porter and David B. Hampton, literary agents who have extensive dealings with film companies. Currently the demands of producers are for romances, adventure, dramas, biographies, chiefly historical, outdoor romances, mystery and adventure yarns, stories embracing a social viewpoint and tales that impart a knowledge of

B. B. Buchanan Joins Ben Adler Signs, Inc.

Chicago—B. B. Buchanan, formerly with Paramount Publix and Balaban & Katz, has become vice-president of Ben Adler Signs, Inc., makers of signs for theaters and other buildings. Buchanan had extensive experience covering a period of 16 years in the construction and maintenance departments of Publix and B. & K.

Pettijohn Scores Agitators Using Block Booking as Blind

Erpi Contract Upheld By Okla. District Court

Validity of the exhibitor license agreement of Electrical Research Products has been upheld by the U. S. District Court for the Western District of Oklahoma in an opinion by Judge Edgar Vaughn in a New Haven—Professional agitators are using block-booking as a smoke-screen to hide their attempts to impose political censorship on the film industry, said C. C. Pettijohn, general counsel of the M.P.P.D.A., in an address before the New Haven Bar Association at the Yale Law School yesterday. "Although block..."
Meet Monday to Discuss
Service Employees’ Strike

Meeting to vote a strike against all local circuits has been called by the theater and amusement employees union, Local 118, for next Monday at Palm Garden. Strike orders will be issued only if mediation of the NRA Regional Labor Board or the National Labor Board fails to obtain recognition of the union, it was said yesterday by Chas. C. Levey, secretary of the union.

It is understood that Paramount, which has decided to assume the duties of a general manager of distribution in Continental Europe. He succeeds I. Blumenthal, resigned. Gare Schwarts, vice-president of Paramount's European branch, has been appointed general manager of the new studio laboratory, also has resigned.

Reichblum Headquarters
Moving to Pittsburgh

Cleveland—Sam Reichblum, through his offices in the local,
The Warners know how to make melodramas. They whip up the tempo of the story at the proper moments. ‘Massacre’ presents a new setting and a new viewpoint for the talkies.

—I. Y. Sun, Jan. 18

‘I’ve Got Your Number’ bears the Warner Brothers stamp, in the sense that it excavates in a new field — while maintaining that clever, slangy, colorful comedy-drama angle of ‘Smart Money’ and ‘Public Enemy.’ —N. Y. Tribune, Feb. 3

‘Fashions of 1934′ brings Broadway a new idea in the combination of drama and divertissement and is presented with that gesture of lavishness that has come to distinguish the Warner offerings in this field. —N. Y. American, Jan. 19

The cinema’s ventures into social criticism are usually conducted under the expert guidance of the zealous Warner Brothers.

—N. Y. Herald-Tribune, Jan. 21

The Warners, those masters of melodrama, have turned out another of their rapid-fire, high-pressure . . . yarns and registered another sure hit in ‘Hi, Nellie!’ —N. Y. Sun, Feb. 1

From where we’re sitting, “Fashions of 1934” looks like the start of another cycle. —N. Y. Eve. Journal, Jan. 19

‘Hi, Nellie’ is as superior to its predecessor as an Al Jolson is to any of his many imitators. —N. Y. Telegraph, Feb. 1

The House of Warner has outdone itself in ‘Fashions of 1934.’ It should set the pace for the spectacular in motion pictures. —N. Y. Telegraph, Jan. 19

...that’s LEADERSHIP
GABLE AND COLBERT. SEE IT.

“A SWELL ALL-SONG PICTURE.”

“POSITIVELY SWELL, THING KEEP YOU HEADED TO DO THE SWELL!”

“COLBERT WAS NOT SWELL. KEEP IT—DON'T MISS IT!”

“GAY ENTERTAINMENT.”

“PACKED WITH LAUGHS AND REAL BOX-OFFICE SWELL!”

“ACE ENTERTAINMENT HANDSOME PROFIT.”

“ANOTHER SWELL, PICTURE . . . GRAB THIS PRODUCTION”

Directed by the man who created
“LADY FOR A DAY”

IT’S GREAT!
WALTER CONNOLLY
ROSCOE KARNS

From the Cosmopolitan Magazine story by
Samuel Hopkins Adams
Screen play by
ROBERT RISKIN
AGITATORS SCORED
BY C. G. PETTIJOHN

(Continued from Page 1) booking is a business practice passed
upon by the courts, accepted with
proper limitations in the Industry of
any distributor is unable to get
for it helps to keep the price of movies
to a universally popular scale," Pet-
tijoyn stated. "Agitators without
the remotest idea of the business needs
or business practices of a highly or-
organized industry—professional or-
izers of campaigns to discover 'scien-
tifically' what's wrong with
the movies—have joined hands with
agitators who have muscled-in on
the business to ery from the house-
tops that block-booking blocks the
lip white pictures which they say
the public wants."

Pettijohn pointed out that not
more than 20 per cent of the sales of
any distributor are made for the
entire list of pictures, and that ex-
hibitors select only the films which
they themselves think fit, regard-
less of whether they are the pictures
that meet with social en-
dorsement, while the so-called arti-
ficic films approved by the agitators
are usually the ones cancelled by
exhibitors.

"Gangsters within the indus-
ty who feed upon selfish interests
and litigation agitate on subjects
having to do with the business
have helped to build up misunder-
standing and agitation outside of
the industry because it is either
poorers of the code to make it
profitable," declared Pettijohn.

20th Century Limiting
1934-35 Lineup to 12
(Continued from Page 1) rival in New York from the coast.
Griffith sails Friday for Europe, when he will look at a number of plays.
Zanuck is due in New York about
May 25. Work on the new program
will begin in August.

Boost Prices for "Wonder Bar" Debut
Miami — Prices for the run of
First National's "Wonder Bar,"
which had its world premiere Sat-
day at the Community, were boosted
to 75 cents for the run. Sunday's business broke all house records.
The picture opens in New York on
Feb. 28.

Combining Vaude Info.
Information on the vaudeville and
presentation labor situation derived
from hearings and questions raised by
the Code Authority will supplement data
obtained at the recent hearing on the
question in the courts, when the Code Au-
thority's committee submits its report
as at Monday at its next
session. The committee will hold an-
other meeting Monday before the Code Au-
thority headquarters at 2:30 o'clock. It
reports that the question of the vaude-
line will contain recommendations for modifica-
tions of the code, when the Code Au-

HOLLYWOOD
JIMMY "SCHNOZZLE" DURANTE

(Continued from Page 1) acquired a valet last week, when
Edgar Norton, veteran character
actor, was added to his retinue in
"Strictly Dynamite."

Our Passing Show: Mae Clark,
Vic Jory, Sam Hardy and James
Dunn dancing to the tunes of Jack
Martin's Uptown orchestra at the
Marcell Inn, Allentown.

Jack Vance heads a new organi-
ization, the Sovereign Pictures Corp.
Jerome Storm will assist Vance in
the production of two series of
pictures, one a group of three-reeel
films and the other action films.

Ray Walker, Monogram discovery
currently to be seen in "He Couldn't
Take It," and whose new pictures
includes "City Limits" and "The
Loudspeaker," has been signed by
B. P. Schulberg to appear opposite
Sylvia Sidney in her new Paramount
picture.

Trem Carr, Monogram vice presi-
dent, announced this week appointment
of two new supervisory assignments. Ben Ver-
schelser will produce "Money Means
Nothing," by William Anthony Mc-
Guire, with Frances Hylan adapting,
and Paul Malvern will produce
"Border Patrol," Stuart Anthony's
aviation starr.

Gassing has been completed on
"The Loudspeaker," next Monogram
picture to go into production. Sup-
porting the star, Ray Walker, will
be Jacqueline Wells, Charles Grape-
win, Noel Frances, Spencer Char-
ter, Leonard Corder, May Carr, Wil-
bur Mack, Ruth Romaine, Larry
Wheat, Leonard Carry, Billy
Erwin, Frances Frances and Bille
Every.

2 'Caravan' Members Back
Milwaukee — With Jack Mulhll
and Anna Q. Nixon due to rej
here after having been left behind
in Detroit on account of illness, 20th
Century's "Moulin Rouge" caravan
arrived here yesterday. En route
from Detroit, where the caravan
drummed up a new house record for
the United Artists Theater, the
troupe stopped in Fort Wayne,
arriving six hours late due to a big
storm, and made an appearance at
the Embrey's, jamming the house.

NRA Considering Lottery Complaint
New Orleans—The independent-
Allied joint complaint to Gen. Hugh
Johnson, claiming unfairness in
the buying of lottery tickets, which
the boards were in effect, was an-
sweared this week. Johnson's office is
reported to have said the matter
would be taken up through the regular
channels.

Cincy Mayfair Changes Hands
Cincinnati—J. E. Crawford and
John R. Loebourfou have taken over
the Mayfair from Moris Segal.
Houses reopens Saturday under di-
rection of Kay Turner.

Small Fire at Capitol
A small blaze at the Capitol yes-
terday noon ruined the theater's
$1,500 curtain. An audience of
about 5,000 was present, but
obody was obliged to leave.

New House for Swampscoot
Swampscoot, Mass. — Preliminary
plans are being drawn for Charles
Wong of the Far East Restaurant
for erection of a theater on Hum-
phrey St. here.

Hal Horne Laid Up
Hal Horne, director of advertising
and publicity for United Artists, is
laid up by sickness.

A LITTLE from "LOTS"
By RALPH WILK

HOLLYWOOD

B. P. Schulberg to appear opposite
Sylvia Sidney in her new Paramount

Atlantic City Notes
Atlantic City.—Milton Russell,
former manager of Aline theater,
angling for house to run colored
shows... would be first ever in At-
antic City... Waxman interes-
tions were angling for Aldine which
goes up for sale in April, through
a "straw man"... Globe theater on
Boardwalk will be burley house for
summer... Million Dollar Pier will
cut pictures from schedule this sum-
mer if present "thrill act" program for
Hippodrome goes through... Steel Pier
to run three theaters again... with pies...
... C.O.C camp (Continued from Page 1)"... a.

Better Times Dawn
In Rocky Mt. Area
(Continued from Page 1) eling a building into a theater at
Littleton. House will be called the
New Grand. Ross Labort has taken
the Emmass, Glen Rock, Wyo., and
will reopen it as soon as sound is
installed. Ray Rayburn is opening
the Arcade in Newell, S. D., for part-
time shows.

New Sound Invasion at Yorkville
A new sound invention developed
by Rudolf Pfenniger, "Die toene-
ndes Hahnschart," consisting of tunes pro-
duced by hand-drawings and then
photographed, will be shown for the
first time in America at the York-
vile theater starting tomorrow. The
same program will include "Die
blonde Chrisl" ("The Alpine Violin-
Watchmaker of Mittenwald"), with Karin
Hardt.

WARREN WILLIAM as CAPER
West Coast Cast, THE FILM DAILY
Hollywood—Cecil S. DeMille, after
much discussion, has signed Warren
Williams to play Caesar in "Cleopatra"
for Paramount.

AUTHORITY PREPARING
CODE REPORTS RESULT
(Continued from Page 1) ing from code requirements and also
increase in payrolls. Executive
Secretary John C. Flinn is working on
the report in behalf of the Au-

The Authority's committee on
ominations met again yesterday
and will resume work today, further
considering membership selections
for the 20 boards remaining to be
named. Denial was made at the Code
Authority's headquarters yester-
day of a report that Arthur S.
Dickinson of the Hays organization
expert in matters of exchange fire
prevention regulations, would join
the code administrative machinery
to handle this phase of its activities.
LABOR BOARD RULING RETROACTIVE TO SEPT.

(Continued from Page 1) $66.50; $42.50 to $47.50, and $40 to $45. Total involved in back pay, if the ruling stands, is about $14,000.

Fred W. Hergenreger, president of the M.P.T.O., says he will appeal to General Johnson and President Roosevelt and the courts, if necessary. He especially objects to the attempt to carry a code arbitration ruling beyond Dec. 11.

Between April 16 and Aug. 19, last, projectionists consented to the lower rates, but at the end of the summer season they insisted on restoration of the higher scales. Dr. Patton has communicated his decision to the NRA in Washington.

Erpi Contract Upheld By Okla. District Court

(Continued from Page 1) suit brought by Erpi against Home Amusement Co. for recovery of equipment formerly installed in the Savoy Theater, Shawnee, Okla., as well as for recovery of Erpi's unpaid charges. The defendant conceded that, as the equipment was leased for ten years, total amount payable would be $50,000 and that on this basis the defendant was entitled to a substantial recovery from Erpi; that Erpi could not both recover the equipment and recover the unpaid weekly charges; that the contract is unconscionable and violates the statute against penalties. The court overruled each contention and granted judgment in favor of Erpi, both for delivery of the equipment and for the full amount of money claimed by Erpi. In two cases brought by Erpi against Shawnee Theatres Co. and in one against Clinton Theater Co. in which the same issues were involved, the court granted similar judgments in favor of Erpi. The theaters in all of these cases were part of the A. B. Mondain circuit.

WARNERS SELLING AWAY FROM CANADIAN CIRCUIT

The Film Daily concerning the report, said "I have no comment to make."

"Palooka" Opens Feb. 27

"Palooka," the Reliance production released by United Artists, is scheduled to open Feb. 27 at the Rivoli. Jimmy Durante and Lupe Velez are starred.

U. S. Films Lead in Finland

Out of 687 films released in Finland last year, 407 were American, it is shown in a report from American Consul Frederick P. Latimer, Jr., to the Department of Commerce. Germany came next with 127. Increase in film activity was credited partly to the reduction of 5 per cent in amusement tax.

REVIEW BOARD NAMED BY NRA FOR INDEP'S

(Continued from Page 1) to Puerto, and George Suarez, in charge of distribution in Chile, have been assigned to sales promotion in Argentina.

P. Miranda Gonzalez has been given supervision of sales in Venezuela and Colombia. Dan Greenhouse, formerly with the M-G-M coast studio and now temporarily in Washington connected with the company's exchange there, goes to Colombia to succeed Gonzalez as sales manager.

Extra Shows for Novarro at Capitol

As a result of turnaway business over the week-end at the Capitol, with "Cat and the Fiddle" on the screen and Ramon Novarro in person on the stage, extra shows were put on yesterday. Novarro is out to beat the record set by Robert Montgomery in person last Spring. Clark Gable, who comes in Friday, is expected to top both predecessors.

BUFFALO VARIETY CLUB NEARLY SETTLED

Buffalo—A Buffalo branch of the National Variety Club is expected within two weeks. Dave Miller of Universal, Sydney Samson of Fox, and Edward K. O'Shea of M-G-M are working on preliminary plans.

Farewell Party for Gehring

Cincinnati—Bill Gehring, who is being transferred from here by Fox, will be given a farewell party on Saturday at the Netherland Plaza Hotel by the Variety Club, of which he has been president, Allan Moritz, Columbia manager, is the new provy.

Dear Shirley,

I hope you are well. I just wanted to let you know that I am doing okay. I miss you and think about you often. Please let me know if there is anything I can do for you.

Yours truly,

[Your Name]
The "man bites dog" story of newspaper tradition gets a new twist in the jungle when a 30-foot python attacks and captures Frank Buck, wrapping the man who brings 'em back alive in his death-dealing coils. Emergencies like this, however, are all in the day's work for this daring adventurer whose occupation is at once the most hazardous and fascinating of any man alive, for it seems that regardless of how many men penetrate the unknown world Nature saves her biggest thrills for Frank Buck.

FRANK BUCK'S "WILD CARGO"
Van Beuren Production . . . . . RKO Radio Picture
Directed by Armand Denis
COMING SOON!
M.P.T.O.A. Annual Meet Set for April 10-12 in L.A.

STUDIOS ONE TO THREE MONTHS AHEAD OF SCHEDULE

Place on Local Code Boards is Demanded by I.T.O.A.

All-Industry Session Planned At MPTOA Annual Convention

Paris Houses Dark Tomw In Tribute to King Albert

With April 10-12 definitely selected as the dates for the annual M.P.T.O.A. convention in Los Angeles, President Ed Kuykendall is now developing plans for the meet and will make the form of an all-industry session. At a luncheon tendered to the trade press yesterday at the Algonquin, Kuykendall

Short Shots

... on-a-string

By JACK ALICOATE

THE MAYOR of New York is its greatest booster of NEWSREELS ... etc.

THE BATTLE for the old roxy is a MERE... etc.

Col. bill ERSNt heads the list with production running. An all-industry code is due.

NEVER more fine pictures along the BIG ... etc.

CATHERINE the GREAT is plain ... etc.

CAT and the FIDDLE is swell ... etc.

JEFF's has plans for ROME ... etc.

Ed Kuykendall is elected PRESIDENT of the jury for the JUNE FILM FESTIVAL in WIEN (Vienna) to you ... etc.

HE will be producer HAROLD franklin.

The Roxy comeback is going to surprise some of the SMART boys ... etc.

YOUNG doug NEVER did anything in pictures be- fore “Catherine” ... etc.

Ed schiller is headed for his favorite Florida fishing front ... etc.

NO showman has more friends that MIKE comford ... etc.

Those advocating Courts instead of CODES are talking them- selves right out of the picture ... etc.

Florida trip made us feel that we have just pellucided in ANOTHER nervous breakdown for the middle of next month ... etc.

Boy, polish up that driver, we feel like knocking a few miles.

Representation of 300 The- aters Claimed by Indep't Unit

Demand will be made to Division Administrator Sol A. Rosenblatt by the I.T.O.A. that local boards for the New York zone will include members of its association, it was decided at a meeting of the unit yesterday. At the conference to be held soon with Rosenblatt on labor and other code matters, the demand will be presented, based on the claim that the unit is the only one in the territory which is "truly representative." Membership totals 300.

KUYKENDALL SLATED FOR A SECOND TERM

Re-election of Ed Kuykendall as president of the M.P.T.O.A. is expected to take place at the annual exhibitor organization convention at Los Angeles April 11-12. Kuyken- dall, who is also a member of the... etc.

Film Offer to Lindbergh Is Revealed by Hearst

Colonel Lindbergh's refusal of $50,000,000 to make a picture under William Randolph Hearst's Cosmopolitan banner for release by M.G.M. was revealed yesterday by Hearst in an editorial defense of Lindbergh... etc.

UPHOLD FOX PROTEST OVER "FOLLIES" TITLE

Protest by Fox against Warners over the word "Follies" in the latter's "Fashion Follies of 1934" was upheld in an arbitration ruling yesterday by the Haye Office committee on title registration. The board found that Warner did not register the title as required, that the use of "Follies" was in conflict with the annual "Fox Movietone Follies," that Warner's advertising of the title was detrimental to Fox interests and that the playing up of the word "Follies" was misleading... etc.

Bill to Admit Juveniles Being Framed for N. Y. C.

The La Guardia Administration is drafting a bill to allow children under 16 years to attend shows in local houses which employ matrons. The measure will be introduced in the State Legislature by a member of the Fusion group. In past years bills similar in na... etc.

MASS BILL MAY DENY AMUSEMENT TO KIDS

Boston—Under a bill introduced in the House and slated for hearing this week, all children under 14 would be barred from any theater showing movies with the exception of pictures of an educational or religious nature. Thomas Dorgan... etc.

A. C. Can't Take It; Mayor Would Stop Film

Atlantic City—Because First Na- tional's "Convention City" shows a mayor making the same welcome speech to all conventions, and depicts gold-diggers making a business... etc.

Wm. K. Howard Buys Play

William K. Howard, who last di- rected "Cat and the Fiddle" for M-G-M, has bought "The Far End Hill." Let- her Robinson play which was present- ed by the Abbey Players in New York, and will film it on the coast. Negoci- ations for the sale were made by Johnnie Walker.

M.P.T.O.A. Annual Meet Set for April 10-12 in L.A.
Adolph Zukor on Stand At Rembusch Hearing

The presence of Adolph Zukor on the witness stand and the testimony of Grace M. McCracken, former secretary of Frank J. Rembusch, that the former Indiana exhibitor, under medical attention since 1932, did not know that his suit was now being tried, was the direct cause of an adjournment on the seventh day of the trial of Rembusch's Federal Court suit against Carol B. Hays, who has been home sick since his arrival from the coast, is expected to testify today.

Plaintiff's counsel said that the purpose of the testimony as to Rembusch's condition was to explain his absence from the courtroom.

Zukor was drawn back over the years to his early participation in the industry and traced the development of Paramount up to the time the company went into the exhibition end of the business. Louis Phillips, Paramount attorney, was examined briefly.

Lasky Building Up Contract Personnel

West Coast Bureau of THE FILM DAILY

Hollywood—Altering his previous policy of engaging talent for specific pictures only, Jesse L. Lasky has started to build up a creative organization of his own hereafter give term contracts to directors, players and authors. First to be signed is Keene Thompson, writer, whose initial work for Lasky is the collaboration on "Forbidden Lips."

Two More Philly Downtown Houses

Philadelphia—This city's downtown section is getting two more independent first-runs this week. The Walnut is reopens tomorrow under management of Iz Hirst, with a policy of pictures and tab shows.

Thursday the New York summer operatic performances with an Italian operatic picture as the opening. S. E. Toth will operate the theater.

"Moulin" Caravan in Chicago

Chicago—Twentieth Century's "Moulin Rouge" caravan arrived here yesterday from Milwaukee and the stars appeared at the United Artists Theater. In Milwaukee, L. K. Brin, owner of the Garden, gave a special performance for the troupe in the Majestic, specially opened for their appearance. House was sold out at 75 cents.

Death House Scene Ruined At Albany

Scenes of a man being strapped in an electric chair have been ordered cut from a current feature by Dr. George M. Wiley, assistant state commissioner of education.

Code Boards Committee Adjourns Until Monday

With the New York boards' personnel still definitely undecided, the Code Authority committee on nominations adjourned yesterday noon until Monday, when it will meet again just prior to a session of the Code Authority. Board makeups for Philadelphia and Indianapolis are understood to have been selected for submission to the Code Authority. Among boards reported still hanging are Boston, San Francisco, Albany and others.

Approve Ethics Code

New and revolutionary Code of Ethics of the Nat'l Ass'n of Theatrical Artists' Representatives has been ratified by association members and will go into effect following approval of a uniform contract which requires the consent of Actors' Equity and Actors' Betterment Ass'n on commission and other terms, it was said yesterday by Julius Kendall, counsel for the agents' group Ass'n. Copies of the Code have been mailed to all bookers, film producers, and actor associations asking for opinion on its merits, Kendall said.

D. A. Doran With Group Theater

D. A. Doran, Jr., formerly with Fox and Paramount, will be associated with the Group Theater in the stage production of "Gentlewoman." Doran is now on the coast.

FINANCIAL

NEW YORK STOCK MARKET

High Low Close Chg.

Am. Seat. 7 1/2 6 1/2

Columbia Pict. 25 7/8 25 1/4 4 1/2

Con. Frem. Ind. 17 1/4 16 7/8 16 3/4 1/4

Fox Frem. Ind. 42 1/2 40 1/2 40 1/2 1/4

Low's, Inc. 24 1/2 23 1/4 23 1/8

Metro-Goldwyn 91 1/8 91 1/4 91 1/2

Paramount 24 1/4 24 1/2 24 1/2

Pathes Exc. 3 1/2 3 3/4 3 7/8

RKO 17 1/4 17 3/8 17 3/8

Univ. Pict. 37 1/8 37 3/4 37 3/4

Warner Bros. 24 7/8 24 7/8 24 7/8

NEW YORK CURRENCY MARKET

Technicolor 10 5/8 10 5/8

NEW YORK BOND MARKET

Gen. Tel. 64 6/8 1 1/2 1 1/2

Gen. Tel. Eq. 64 6/8 1 1/2 1 1/2

Keith A-O 61 6/8 61 6/8 61 6/8

Loew's 61 6/8 61 6/8 61 6/8

Paramount 61 6/8 61 6/8 61 6/8

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Paramount 51 6/8 51 6/8 51 6/8

Pathes 74 7/8 74 7/8 74 7/8

Warner Bros. 63 3/8 63 3/8 63 3/8

N. Y. PRODUCE EXCHANGE SECURITIES

Pare. Fable 4 3/8 4 3/8 4 3/8

Happy Birthday

February 21

Gordon S. White
RAGING RHINO RUNS RIOT!

There's no time for "stills" in a world of thrills, so this drawing, one of a series of scenes from "Wild Cargo", was sketched from an actual "frame" of the film by the famous artist J. Clinton Shepherd.

The rarest of animals and most dangerous when aroused is the armor-plated Indian Rhino. Only two are known to captivity, both females. Frank Buck had an order to bring back alive a male. Months of search were finally rewarded with a noble specimen, five tons of ferocity, armored like a war tank. Plans were laid for his capture. Fifty natives manned the steel-wire net. Suddenly the Rhino turned and charged directly at Buck! Had he sensed this man among the many was his enemy come to rob him of his lush jungle? Once! Twice! He charged! Death on the prong of that single brute horn! A moment's pause and Buck beckoned the boys to fall behind in a half circle, then he stationed himself, a living target for the thunderous charge. Nature always saves her biggest thrills for him and you'll see them all in

FRANK BUCK'S "WILD CARGO"
Van Beuren Production . . . . RKO Radio Picture
Directed by Armand Denis
COMING SOON!
Only Leo can do it! Week after week the biggest STAR names on your marquee!

**THE FAN DANCER!**

**PARADE OF STARS** coming to the **STATE THEATRE**

- **GARBO** in the secret lives of "QUEEN CHRISTINA"
- **Ramon Novarro**
- **Jeanette MacDonald** "CAT AND THE FIDDLE"
- **Lionel Barrymore** "THIS SIDE OF HEAVEN"
- **Beaumont Montgomery** "MYSTERY OF MR. X"
- **Wallace Beery** in "VIVA VILLA"
- **Norma Shearer** in "RIP TIDE"

**BELONG**. Dodger used by State Theatre. Print one for your own theatre.
LIONEL BARRYMORE
"THIS SIDE OF HEAVEN"

MONTGOMERY
"MYSTERY OF MR. X"
and "RIP TIDE"

SHEARER
"RIP TIDE"
MAJOR STUDIOS AHEAD ON ’33-’34 SCHEDULES

**Labor Board Hearing Para. Case Today**

Hearing will be held today before the NRA Regional Labor Board over Paramount’s answer that it would not restate members of the theater and amusement employees union, local 19, whom the board had ordered taken back at the Paramount, Stape-
ton, because they had quit without just cause.

**Chas. L. Comerford**

secretary of the board, said he plans to go to Washington next Tuesday, after members of his union have voted on a general strike, and lay his case before the National Labor Board. He said that one of the larger circuits might be hit by a general strike before the end of the week. He declined to name the circuit.

**Place on Code Boards Demanded by J.T.O.A.**

500 theaters, the association states. Inclusion of I. T. O. A. members in the boards is another condition imposed before the union will assest to the code.

**The new executive committee, comprising members of the board, directors, was elected yesterday as follows:** Jack Shapiro, Leon Rosenblatt, M. F. Fleischmann, Rudy Sanders and Leo Brecher. Ex-officio members are Louis Bernenthal and Harry Brandt. New trustees are: William Landau, Sam Schwartz and Rudy Sanders.

A drive is under way for a reduction in ticket sales and associated companies have offered a milder cut which will be accepted. A further reduction will be sought.

**A. C. Can’t Call It; May or Would See Film**

of getting bankrolls out of delegations. Mayor Bacharach is considering action to stop further showing of the picture. He says he doesn’t mind the part about the same speeches, he says, but that gold-digger stuff is liable to cause a lot of wive to keep their husbands from coming to conventions here. The mayor asked the city-solicitor to view the picture and report as to what legal steps could be taken.

**British Imports Increase**

British film imports in 1933 to-taled 78,606,144 feet linear, against 61,752,657 in 1932 and 76,726,236 in 1931. According to figures tendered by the Department of Commerce from the American Consulate’s Office in London. There were increases in blank and positive film, but a decrease in negative.

**Arrested for Nudist Picture**

Dothan, Ala.—Charged with violat-ing a city ordinance, Rufus Davis, local theater manager, was arrested for playing a nudist pic-ture. The picture was continued after his arrest.

**Clayton Long in Alliance, Neb.**

West Coast Bureau of THE FILM DAILY

Los Angeles—Clayton Long, for-merly manager of the K.B. at Paramount, is now manager of the Imperial at Alliance, Neb., a Fox West Coast house.

**American Seating Cuts Loss**

American Seating Co. reports net loss of $174,000 in 1933, compared with loss of $49,818 the previous year.

**Kuykendall Slated For A Second Term**

Code Authority, is understood willing to resume the office in order to continue the industry rehabilitation work in which he has promi-

**Bill to Admit Juveniles Being Framed for N. Y. C.**

ture but state-wide in application have been defeated. The Corpora-
tion Counsel of New York City, how-

40 Clevelenders to Detroit Party

Cleveland — A delegation of 40 will leave here Saturday noon on the Blue Ribbon Club dinner in Detroit. J. E. Fon-
taine, president, will officially lead the party.

New Denver Indep’t Exchange Denver — Distinctive Screen At-

**Occasional Vaude at Denham Denver**

Another change of policy at the Denham will again bring in stage shows when available. On occasions prices will be boosted to 55 cents against 40 cents for pictures only. Orpheum: charges only 50 cents for its ‘combination bill.’

**“Mandalay” Holding Over**

Kay Francis in “Mandalay.” War-

Weather

Snow bound at Great Neck, Charles L. F. Monday morning kept in contact with the weather bureau by frequent telephone calls to other offices. In the west, interest in the proceedings was particularly keen at Los Angeles city’s personnel.  The subject of much wrangling, was again under consideration.
Jack Oakie and Spencer Tracy in "LOOKING FOR TROUBLE" with Constance Cummings and Artie Judge United Artists 77 mins.

OAKIE-TRACY COMBINATION SCORES IN COMEDY-MELODRAMA WITH SOME RIOTOUS HIGHSPTS.

Built around the more or less far-fetched escapades of a couple of telephone "trouble shooters," this 20th Century production is at its best when Jack Oakie is engaged in clowning and buffoonery with Spencer Tracy as his straight man. The romantic sequences also have their humorous aspects. But when the action turns to heavy melodrama, wire-tapping racketeering, safe-blowing, byways, etc., interest takes a little recess. All in all, however, it is pretty sure to deliver satisfaction. Oakie alone in the best work he has done, is enough for that. Central characters in the congestion are Spencer Tracy, an ace telephone repair man, and Jack Oakie, a wise-cracking practical jokester just in from a small burg and assigned as Tracy's helper. The latter's girl, Constance Cummings, gets involved with his crooked ex-helper, and is pinched on accidental evidence when he is murdered by another. Whereupon Tracy, with Oakie's aid, turns things upside down until he proves her innocence, and so to a dual wedding.

Cast: Spencer Tracy, Jack Oakie, Constance Cummings, Artie Judge, Judi Wood, Morgan Conway, Paul Harvey, Joseph Sayers, Franklin Ardel. 

Director, William Wellman; Author, J. R. Roper; Adaptors and Dialogue, Leonard Praskins, Elmer Harris; Editor, Pete Fritch; Cameraman, James Van Trees.


Helen Foster in "ROAD TO RUIN"

True Life Photoplays 64 mins.

DRAMA OF JUVENILE DELINQUENCY WELL HANDLED AND PONTS A MORAL WHILE ENTERTAINING.

The story of young girls following the primrose path is honestly and frankly handled, without any suggestive scenes. It is a frank presentation of the pitfalls of youth, and it whitewashes none of the characters. The results of their folly, ignorance and carelessness are pointed graphically for the moral. The theme follows the careers of two young girls, and one in particular who is introduced to a gay, fast crowd by her giddy friend. The complicity of the girl's parents is shown—the mother doing a little stepping on her own, and father also not averse to cheating. Meanwhile daughter gets into deeper and deeper trouble, finally landing in Juvenile Court. The finale is tragedy for the girl in her untimely death, and the lesson being brought home to the parents of their criminal negligence in not protecting her from her own ignorance. Helen Foster plays the principal role convincingly.

Cast: Helen Foster, Nell O'-Day, Glen Boles, Bobby Quirk, Paul Paige, Virginia True Boardman, Richard-Tucker, Mae Busch, Directors, Mrs Wallace Reid, Melville Shane; Editor, S. Roy Luby; Cameraman, James Diamond. 

Direction, Satisfactory. Photography, Fair.

A LITTLE from "LOTS" by RALPH WILK

NANCY CARROLL, Otto Kruger and Heather Angel will head the cast of "Forbidden Lips," being produced by Jesse L. Lasky for Fox. Frank Tuttle will direct the picture, based on Benn Levy's "Springtime for Henry."

Gary Cooper has signed a new Paramount contract.

Jason Joy, after a leave of several months, is back permanently at Fox with his offices in the Writers Building at the Westwood Studio, where his principal duties will be on story matters and censorship problems.

Columbia has bought "I'll Fix It," original by Leonard Spiegelgass, for Elissa Landi.

Una Merkel, Warner Oland, C. Aubrey Smith and Arthur Hohl are additions to 20th Century's "Bulldog Drummond Strikes Back." Edward Ludwig will direct Charlie Ruggles in "Friends of Mr. Sweeney" for Warners.

Universal will release the Edwin and Edith Ellis play, "Frailty," under the title of "Affairs of a Gentleman." Paul Lukas will be starred.

M. H. Hoffman will produce "The Quitter" as his next Liberty Special. Leila Hyams, Phillip Holmes, Jack La Rue, Robert McWade, Hedda Hopper and Eddie Nugent head the cast, with Fred Newmeyer directing.

"Mystery of Mr. X" is the new title of M-G-M's "Mystery of the Dead Police."
with
CAROLE LOMBARD  SALLY RAND  the tan dancer  FRANCES DRAKE

A Paramount Picture...Directed by Wesley Ruggles
Yates Sees Production Divided With East in 5 Years

CODE ASSENT IS INTERPRETED BY GEN. JOHNSON

Aylesworth Minimizes Radio Show Competition

RKO Head Sees New Setup Enabling More Direct Action

It Happened in Hollywood

LABOR BOARD ORDERS REINSTATEMENT OF 17

BROADCASTERS BUCK CURBING OF AUDIENCES

Radio broadcasting stations, particularly the two national networks, are planning to resist the joint attempt of the Motion Picture and Theatrical Code Authorities to persuade them to abandon free studio shows on the grounds they afford unfair competition to theaters. The matter is expected to

Remainder of Lineup Is Set by Universal

following completion of plans for the remainder of the current Universal lineup of 36 features, Carl Laemmle, Jr., has returned to the coast. Next season's program also was definitely plotted, with excep-

Features at $100,000 Less Possible in East, Says Yates

N. Y. Allied Meets Monday

By DON HANCOCK

In three to five years, film production will be equally divided between Hollywood and New York, with eastern productions made by major companies at an average of $100,000 less per picture than the

Earlier Openings

With Clark Gable in person, the Capitol today opens doors at 10 A.M., and will give five shows a day. The Music Hall, with Gable in "The Hound of the Baskervilles," will also open at 10 A.M. yesterday, and "I Happened One Night," also played at 10 A.M., yesterday, and "The Great Dictator," with Groucho Marx, a 10 A.M. opening yesterday, and "I Happened One Night," will open at 10 A.M. today.
Friday, Feb. 23, 1934

FINANCIAL

NEW YORK STOCK MARKET

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NEW YORK CUBAN MARKET

Technicolor | 12 1/4 | 12 1/4 | 12 1/4 |

NEW YORK BOND MARKET

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Cite Ruling on Assessment

Recent decision of Federal Judge Randolph Bryant, in Los Angeles, finding that the petroleum code does not apply to companies in that field which have not signed the code is being cited by Allied leaders as substantiating their claims that exhibitors who do not accept the code are liable for assessments in connection with its financial contribution to state and local causes. Members of the code machinery are in doubt whether the code is binding on exhibitors unless they indicate compliance with the code.

Only 35 indep. houses

Now Closed in New Jersey

With a total of 249 independent houses in New Jersey currently open, only 35 are now closed, according to the latest survey just completed in that state. Total of 40 exhibitors in the state provide the six regional Allied vice-presidents, who is now tentatively scheduled for next week, in one possibility of another postponement is that the Washington NIRA meeting on code reforms may demand attendance of either or both leaders.

Hays on Stand in Rembusch Trial

Will H. Hays was the principal witness Wednesday at the trial of the Rembusch conspiracy suit in its second week in Federal Court. Hays was quizzed on the formation of arbitration boards, credit committees, film boards of trade and the development of a uniform contract. In the afternoon Leo Brecher testified on his difficulties in getting product for his local theaters. Trial will be resumed today.

New Trial for Kleiege

Indianapolis—The case involving the dynamiting of the State Theater in Hammond in 1927 was reopened this week when the Indiana Supreme Court reversed the conviction of William Kleiege, former Hammond theater operator, for conspiracy charge. The higher court ordered a new trial for him. The Supreme Court hearing was requested by the judge who by the trial judge were prejudicial and unfair to Kleiege.

Weekly Luncheon for C. V. Variety

Kanny City—Newly formed Variety Club here will hold Monday luncheons until permanent club rooms are obtained. Frank Hensler is president; Arthur Cole and Clarence Schultz, vice-presidents; P. E. Short, secretary; Charles E. Schaf, treasurer.

New House for Tallahassee

Tallahassee, Fla.—Plans have been completed for a theater seating 1,000 to be built on East College Avenue and South Monroe Street. U. S. C. real estate developer of Tallahassee and Chicago, is owner of the new property. Negotiations are now underway for its operation.

C. J. Vogel Improves Two Houses

West Tarentum, Pa.—C. J. Vogel and George Davis have leased the Gran and William W. Culp and will recondition it for straight films. Vogel also will make improvements in the Chester, W. Va., house in the Liberty Amusement Co. circuit.

Cut Scale at Loew's, Louisville

Loew's has cut its scale to 25 cents up to 6 o'clock and 25-40 at night.

The Saturday morning matinée for kids went over so well that it is being repeated, with an attendance of 1,000 expected.

Mark Greenbaum in Hospital

Cleveland—Mark Greenbaum, pioneer theater owner, but retired for the past five years, is in Lakeside Hospital for an operation.

May Meet Next Week

To Pick Allied V.-P.'s

Date for President Sidney E. Sanders and Chairman Abram F. Myers 10 meet to see if six regional Allied vice-presidents is now tentatively scheduled for next week. In one possibility of another postponement is that the Washington NIRA meeting on code reforms may demand attendance of either or both leaders.

Film Symposium Sunday

A symposium on the Future of the Film will be held Sunday evening at 12 East 17th St. under the auspices of the Film and Radio League, with Tom Brandon presiding. Speakers will include David Sloan, Nathan Adler, Meyer Hennes, Leon Deven, Nicholas Bela, Evelyn Gerstein and others. This is the first of a series of open discussions to be held through March and April.

Sparks Circuit Changes

Tampa, Fla.—Howard Judson has been promoted from the Franklin to manager of the Tampa theater. Jack Hodges has been transferred from the Tampa to Sam Hodges's Dade County, and Murray has been transferred from Orlando to managership of the newly formed South Florida. Sparks circuit will continue to handle advertising for all the Sparks theaters in Tampa.

Hal LeRoy, Patricia Ellis in Shorts

Hal LeRoy will make four Vitaphone shorts at the Brooklyn studios and will take over the West Coast to begin his next Warner feature picture. Patricia Ellis will probably come to East to oppose opposite him in these two-reelers.

Henry Hathaway Gets Contract

'Hottest Date in the Year' "The Film Daily" Hollywood—Henry Hathaway has been given a five-year contract with director rating by Paramount.

Warner Title Chané

"Rhythm in the Air" is the new title for Warner's "Hot Air," which features Dick Powell, Patsy O'Brien, Ginger Rogers and Allen Jenkins.

St. Louis Cashier Robbed of $820

St. Louis—A bold man took $820 in cash from Mrs. Joe Piener, cashier of the West End Lyric, the other night.

Duel at Gavett, St. Louis

Duel at Gavett, St. Louis—A double feature policy at 25 cents ton is being inaugurated tomorrow at the Gavett.

"Orient Express" at Mayfair Monday

"Orient Express," with "Orient Express," opens Monday night at the Mayfair.

Louis Lip-tone on Vacation

Chicago—Louis Lipstone, producer for Balaban & Katz, has left for Florida for a two weeks' vacation.

Coming and Going

CLARK GABLE arrives from Baltimore for his personal appearance engagement at the Capital starting today.

WILL ROGERS is in town for a visit.

ROUBEN MAROULIAN, now in New York plans to return to the Coast in about a week.

Ernest Luz Joins Music Ass'n

Ernest Luz, formerly music rector for Loew, has been engaged by the Music Publishers Protective Ass'n, to represent that organization at all screenings throughout the local censor board. Lu will check on all musical numbers played in each film for the purpose of verifying royalty payments.

Allen, Cleveland, Adda Vaude

Cleveland—Policy of the Allen will be changed March 2 10 straight films to unit stage show with 12-piece orchestra. Mrs. Allen operated by Max Lefkovich, Myr. Fune, Abe Kramer and P. E. Essick.

K. C. Drops Municipal Theater Plan

Kansas City—In the bid for the new municipal auditorium is in line for renting the theater at $250,000, which the city wants to let without any conditions temporarily for financial reasons. Later the city expects to ex- er the option and have the theater finished.

Fire Damages Louisville House

Louisville—About $3,000 damage was done this week by fire of unknown damage at the Dixie, owned by Jacobson Amusement Co.

RKO Buys Vincent Lawrence Play

"Scour Grapes," play by Vincent Lawrence, has been bought by RKO as a starring vehicle for Olive Brook. Ales Connely will produce it.

"Scandals" Music on Air March 1

Six song numbers from Fox's "Scandals" will make their air debut March 1 on the Valley program over the NBC net- work.

Best wishes from THE FILM DAILY to all our readers on your birthday.

February 22-23

Law Cody
B. P. Fireman
Albert Herman
James Kirkwood
Nacio Herb Brown
Robert Young
G. W. Yates
Norman Taurog
Victor Fleming
Emil C. Jensen
According to Motion Picture Herald's "Biggest Money Making Players" questionnaire to 15,000 exhibitors.

It has that "State Fair" flavor

LOUISE DRESSER
EVELYN VENABLE
KENT TAYLOR
STEPIN FETCHIT

From the novel by Edward Noyes Westcott
Directed by James Cruze
FOUR STARS (N. Y. Daily News)

AND CAPACITY CROWDS

GREET "CAROLINA" AT

RADIO CITY MUSIC HALL

"Carolina" continues its triumphant march . . .

a country-wide sensation . . . hailed everywhere

as Janet Gaynor's greatest picture . . . an opinion

that checks with box-office figures. FOX makes

them that way!

JANET GAYNOR
LIONEL BARRYMORE

in

"CAROLINA"

ROBERT YOUNG • HENRIETTA CROSMAN
RICHARD CROMWELL • MONA BARRIE
STEPIN FETCHIT

Directed by HENRY KING. From "The House of Connelly"

by Paul Green

Produced by

WINFIELD SHEEHAN
PLAYDATES POUR IN
AS "DEVIL TIGER" GIVES
RIALTO (N.Y.) RECORD RUN!

By phone, wire and letter . . . exhibitors are
demanding immediate playing time* on the
greatest animal thriller ever made. Shrewd show-
men, these . . . getting the jump in their towns.

Directed by CLYDE E. ELLIOTT
director of "BRING 'EM BACK ALIVE"
Story by James O. Spearing. Edited by Truman Talley.

and the list is growing by the minute!

PLAYING "DEVIL TIGER" NOW

LIBERTY ... Oklahoma City
FOX ... St. Louis, Mo.
AMERICAN ... Butte, Mont.
PARAMOUNT ... San Francisco, Calif.
ORPHEUM ... Oakland, Calif.
STATE ... Charlotte, N. C.
IMPERIAL ... Columbus, S. C.
STRAND ... Spartanburg, S. C.
ROOSEVELT ... Chicago
CAPITOL ... Dallas
AMERICAN ... Colorado Springs
STATE ... Memphis
VICTORY ... Salt Lake City
FOX ... Washington, D.C.
STATE ... New Bedford, Mass.
STATE ... Scranton, Pa.

ENTIRE COMERFORD CIRCUIT
LOEW'S ... Columbia, Wash.
EMBASSY ... Allentown, Pa.
GLOBE ... Bethlehem, Pa.
STRAND ... Cumberland, Md.
GRANBY ... Newport News, Va.
PALACE ... Norfolk, Va.
STATE ... Petersburg, Va.
MISHLER ... Richmond, Va.
SHEA'S ... Alhambra, Pa.
REGENT ... Hamilton, Ont.
PARK ... Erie, Pa.
PALACE ... New Britain, Conn.
PARK ... Stamford, Conn.
PARK ... Bangor, Me.
PALACE ... Fitchburg, Mass.
STATE ... Poughkeepsie, N. Y.
OLYMPIC ... Watertown, N. Y.
PALACE ... Hamilton, Ont.
GRAND ... Steubenville, O.
REGENT ... Ottawa, Ont.
39 MISS. HOUSES FACE BACK TAX ON EQUIP

Gulfport, Miss.—Back tax assessments on sound equipment installed by Erpi in 39 houses in Mississippi is looming with the approval of back assessments totaling $165,666 on equipment in two theaters here. The state tax collector’s office said petitions for approval by county supervisors would be filed against 37 other theaters in the state. Erpi’s contention that equipment was under-10 year lease by Saenger and Paramount and therefore exempt from state taxation was ruled down by the local county board of supervisors and notice of appeal to circuit court here is expected.

Labor Board Orders

Reinstatement of 17

(Continued from Page 1)

secretary of Local 118, sent identical telegrams to Division Administrators, S. A. Rosenblatt and Senator Robert Wagner, chairman of the National Labor Board, stating that unless “employees were compelled to comply with provision of Section 7A” a general strike would be called.

Katharine Hepburn in

“SPITFIRE”

with Robert Young and Ralph Bellamy

RKO

38 mins.

REMARKABLE WORK BY HEPBURN IS HIGHLIGHT OF GENERALLY GRIPPING DRAMA ABOUT A MOUNTAIN GIRL.

This is Katharine Hepburn’s biggest field day to date and she does a grand job of it. From the minute she takes hold of the audience the life story of the mountain girl, who thinks she is fighting a lone battle against the world, it never gets away from her. It is a curious character with a dual nature, one hard and militant, the other tender and yearning for a love which she thinks is not good enough to have. Because of her eccentric faith in prayer, the superstitious neighbors fear her as a witch and on one occasion are about to drive her away, but the intervention of Ralph Bellamy, an engineer on a nearby dam project, helps to save her. There are plenty of deep human qualities in the story, and the scenes in which Robert Young, who unfortunately is married, first awakens real love in Katharine, are just about gems. In short, it is the type of worth while picture that can count on many-sided support.

Cast: Katharine Hepburn, Robert Young, Ralph Bellamy, Martha Sappen, Sidney Tolmer, Louis Mason, Sarah Haden, Virginia Howitt, High Gonon, Theres D’Witter.

Director, John Cromwell; Author, LuV Volmer; Adaptors, Jane Marlin, LuV Volmer; Cameraman, Edward Cronjager; Recordist, Emil Portman; Editor, George Nichols, Jr.

Direction, Aces. Photography, Fine.

Clark Gable and Claudette Colbert in

“IT HAPPENED ONE NIGHT”

with Walter Connolly

Columbia

105 mins.

SWELL ENTERTAINMENT THAT OUGHT TO PULL THE MASS CLIENTELE INTO THEATERS ANYWHERE.

In a lively yarn, fast-moving, plenty humorous, racy enough to be tantalizing, and yet perhaps the best screen adaptation of a novel that has been made, Claudette Colbert walk in with a swell batch of entertainment that ought to go big any place. It is a combination achievement, with plenty of the credit due to the dandy script and Frank Capra’s direction. Gable, a New York newspaperman on the outs, and Claudette Colbert, the runaway daughter of a rich man, meet in Florida just as she is trying to make her way back to the big city by bus incognito. At first he sees nothing in her except a big scoop, while she apparently detests Gable but is forced to team up with him for her husband’s own advantage and protection, and because both are nearly broke. After spending innumerable nights together supposedly as man and wife in tourist camps, they reach New York, where Claudette intends to become the wife of a man she doesn’t love, but her wise papa, played with fine touches by Walter Connolly, has taken favorably to Gable and real love comes to a culmination.


Director, Frank Capra; Author, Samuel Hopkins Adams; Adaptor, Robert Riskin; Assistant Director, Joe Walker; Recording Engineer, E. L. Bernds; Editors, Stute.

Direction, Aces. Photography, Fine.

Edward G. Robinson in

“DARK HAZARD”

with Genevieve Tobin and Glenda Farrell

First National

72 mins.

FAIRLY ENGROSSING DRAMA ABOUT UPS AND DOWNS OF A GAMBLER WHO PROVES INFECTIOUS INTEREST TO MEN.

Although there is plenty of plot material in it, this drama for some reason never gets off the ground, more particularly because of the nature of its gambling background, which specializes in dog racing, its appeal will probably be strongest among the male trade. In a role that doesn’t develop quite as glamarously or as amusingly as some of its past performances, but nevertheless has a goodly share of dramatic interest and humorous touches, Edward G. Robinson does his usual good job. A gambler who is in the dough today and broke tomorrow, he marries a country girl, Genevieve Tobin, with the idea of leading a more useful life. But he loses his job in a hotel and takes another at a dog racing track, starts to neglect his wife in favor of a former girl friend, goes a-staying again while another man cuts in on his wife, and so on to a domestic demouement in which the racing lure proves stronger to him than his home. What little there is of love stuff is good, but secondary.


Director, Al Gork; Author, Howard; W. R. Burnett; Adaptors, Ralph Block, Brown Holmes; Cameraman, Sol Polito; Editor, Herbert Serner; Costume, A. C. Lawrence; wig, RMS; Makeup, A. C. Lawrence.

Direction, Good. Photography, Good.

Fredric March in

“DEATH TAKES A HOLIDAY”

with Evelyn Venable, Sir Guy Standing, Katharine Alexander

Paramount

78 mins.

STRONG ROMANTIC COMBINATION OF NATURAL AND SUPERFICIAL WITH APPEAL CHIEFLY TO CLASS TRADE.

Very much off the beaten path of screen entertainment, this picture presents unashamedly the sort of material which the trade has taken it right. Its theme, daring and somewhat spooky, but in a fascinating rather than a shocking manner, is also a three-day holiday, “Taken by the Angel of Death, portrayed with fine effectiveness by Fredric March. Anxious to know why mortals have such a desire to keep on living, he comes to earth in the disguise of a Prince attending a house party where only the host is aware of his identity. The Prince proves a very fascinating character, especially to Evelyn Venable, and they become gripped in a romance that is replete with suspenseful elements. Though the girl’s father begs Death not to take her, the girl herself is without fear and is perfectly willing to go away with the stranger. And the Prince, so at the end of his three days he departs with her.


Director, Mitchell Leisen; Author, Albert Castell; Adaptors, Maxwell Anderson, Elisha Cook, Alan Ferris; Cameraman, Charles Lang; Recording Engineer, Harold Lewis.

To every exhibitor in the world . . . to every patron who patiently waits and wonders. Magic words . . . SOON NORMA SHEARER in "RIP TIDE." Magic, because all the months of waiting intensify the thrill of the glorious attraction she has just completed. Sinners in silks are the chosen rich of her romantic story . . . their lives, loves, heart-aches . . . their drama pulsating across continents and oceans . . . Manhattan, St. Moritz, the Riviera, London . . . and Norma Shearer exceeding the beauty and allure of her "Divorcee" and "Strangers May Kiss" fame! Proudly M-G-M brings back to your theatre the First Lady of the Screen!

Produced by THALBERG
JOHNSON CLARIFIES
FILM CODE ASSENT

(Continued from Page 1)

HOLLYWOOD

GEORE O'BRIEN intends to
profit by the mistake made by
other film stars who avidly accept-
stage offers. In previous months he
has been playing a role on the
initial appearance behind the foot-
lights. For the past two months,
O'Brien has been rehearsing a sketch
conceived by himself and within the
next few weeks plans on inviting a
group of local newspaper critics
to a suburban theater, where he will
give a "tryout" performance. O'Brien
expects the reactions to guide him in his decision to either accept or reject a New York appear-
ance.

Hundreds of letters and telegram have been received at Universal, ad-
ressed to Carl Laemmle, Jr., con-
gratulating the latter on his initia-
tive in terminating Lee Tracy
from his screen contract, to
resume his career on the screen
Now that Laemmle has brought the
imitable actor back, he is "to tell
the World," and the recent agitation
concerning the star turned out to be
unprecedented. Other studies have
put in bids for his services.

Charles Vidor will direct Param-
ount's screen adaptation of the
stage play, "Double Door.

Chesterfield has started produc-
tion at Universal Studios on "Stoler
cows" originally by Carl Brawn.
Cast includes Sally Blane, Charles
Starrrett, Jameson Thomas and
others. Richard Thorpe is directing
with M. A. Anderson at the camera
George R. Batcher is supervising

Cast of "St. Louis Woman," now
being produced by Screencraft
Productions, Inc., for Showmen
Pictures, Inc., of which Dave Mount-
ain is president, includes Sally
Blane, Frank Morgan, Josephine
Hunt, Ruta Lee, Robert Taylor,
Betty Blye, Robert Lowery and

No Objections Registered
On Board Appointments

(Continued from Page 1)
dent of the agents' association, that
this group's code of ethics be in-
corporated in the motion picture
code has been referred to Sol A.
Rosenblatt, it was stated at code authority
headquarters.

Audio Productions, Inc.
Expanding Its Activities

(Continued from Page 1)
studies on 56th St. John Foster,
formerly in charge of animation
and cartoon work for Van Beuren, is
in charge of animation. Alex Gan-
sell, formerly with Visagraphics
Pictures and UPA, also has been
added to the staff. Another appoint-
ment is Edwin Ludig, for 14 years
with David Belasco, as musical di-
rector.

Educational Subjects Booked

Educator's "Manhattan Lull-
aby," Song Hit Story starring Helen
Morgan, has been booked by RKO
for its entire metropolitan circuit
starting March 19. "What Does
Holmes Do to Bed?" has been signed by
the Roxy for the week of March 2.

MINIMIZES RADIO
SHOW COMPETITION

(Continued from Page 1)
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Remainder of Lineup
Is Set by Universal

(Continued from Page 1)
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(Continued from Page 1)
BUCK FACES TRUMPETING TERRORS!

The capture of a herd of wild elephants, the building of a great stockade to receive them and the wild and thundering charge of their hundreds of tons through the jungle is but one of many exciting and thrilling chapters in Frank (Bring-'Em-Back-Alive) Buck's new picture "WILD CARGO", in which the jungle unfolds its world of mystery to the man who is its lord. Some of the strangest and rarest animals alive are shown in this picture along with those exciting moments and biggest thrills which Nature seems bent on saving for the daring adventurer whose occupation is constantly filled with peril and surprises.

FRANK BUCK'S "WILD CARGO"
Van Beuren Production . . . . RKO Radio Picture
Directed by Armand Denis
COMING SOON!

This drawing by the famous artist J. Clinton Shepherd is one of a series of scenes from "Wild Cargo" and was inspired by an actual "frame" in the film. There's no time for "stills" in a world full of thrills!
72 Sign Detroit Price-Boost and Protection Plan

**EXTEND DEADLINE FOR CODE ASSENTS TO MARCH 28**

**Allied States** Withdraws Suit Against Code Authority

NRA Interpretation of Code Assents Appeases Exhibitor Association

Satisfied with the code assents interpretation made by Gen. Johnson, Allied yesterday formally withdrew its Congress theater suit against the Code Authority to retain it from refusing to accept qualified compliances. Attorney Norman Samuelson, who with Abram F. Myers, was handling the case for the plaintiff, appeared in the U. S. District Court before Judge Knox and explained terms of the settlement. (Continued on Page 4)

NRA ORDERS 10 HOUSES TO REESTABLISH SCALE

Climaxing a series of hearings and investigations of complaints filed by President Harry Sherman of United States, local S. N. operators union, Nathan Strauss, Jr., state director of the NRA, yesterday handed down a decision compelling 10 local theaters to reestablish "within 10 days the conditions that prevailed as of Aug. 25, 1933, as regards the number of men in the booth, the booth cost." (Continued on Page 4)

E. J. Sparks to Build Tallahassee Vaude House

Tallahassee, Fla. — E. J. Sparks, Florida circuit operator, will replace the State, recently destroyed by fire, with an ultra-modern house seating 1,200 and equipped with stage and vaudeville. Sparks also operates the Ritz here.

Blast at Yonkers House

Yonkers — White employes of the power company were at work on transformers in the basement of the Fox Theater yesterday noon, accumulated gases caused an explosion that damaged the lobby, killed two persons and injured a number of others. No patrons were in the theater at the time.

72 CONTRACT PLAYERS READY TO OFFER BILL ON PARAM'NT ROSTER

West Coast Bureau of THE FILM DAILY

Hollywood — With plans for starting 25 pictures in the next three months, Paramount now has 72 players under contract, said to be the greatest number in the history of any producing company. Another unique angle is that 32 of the players are comparative newcomers. Emanuel Cohen, production chief, says this is due to the necessity of building up new star material and protecting their services after the current slate of films is completed. (Continued on Page 4)

Wally Beery, Jackie Cooper

Set for "Treasure Island"

West Coast Bureau of THE FILM DAILY

Hollywood — Wallace Beery and Jackie Cooper will be teamed again by M-G-M in "Treasure Island." Victor Fleming will direct, with Hunt Stromberg operating. (Continued on Page 4)

Youngclaus Takes Over Two Nebraska Theaters

Columbus, Neb. — William Youngclaus of Madison, who became nationally known due to his zoning and protection suit last year, has acquired the leases on the Swan and Pawnee theaters here, formerly operated by Cal Bard. (Continued on Page 4)

Agreement on Prices, Practices Drawn Up by Detroit Exhibitors

9 Exhibitors Win $600

In Fox Adv'g Contest

Nine prize winners in the exhibitor advertising contest conducted by Fox on "Fox Follies," "George White's Scandals" and "Bottoms Up" are announced by Charles E. McCarthy, director of advertising and publicity, as follows:

Barney Debbie, Community Theater, North Attleboro, Mass.; Tom Schmidt, Plaza, Black; (Continued on Page 4)

Additional Month's Time Granted for Filing of Compliances

Period for filing assents to the motion picture code will be extended one month from its present deadline of Feb. 28, under an agreement reached in the settlement of the Allied suit against the Code Authority and which resulted in the withdrawal of the Congress theater action against that body. The extension, understood to have been agreed upon at a recent Washington conference between Abram F. Myers, Allied counsel, and NRA officials, is expected to be formally approved by the Code Authority. (Continued on Page 4)

RCA REPORT SHOWS CUT IN RKO LOSS

Though audit of RKO operations for 1933 is not completed, it will show a loss of about $1,221,714 compared with a profit of $10,695,503 in 1932, according to the annual report. (Continued on Page 3)

Birmingham Calls Off Proposed Admission Tax

Birmingham — With nearly every theater in town threatening to close if the proposed 10 per cent city tax on admissions with passed is adopted, the city commission has dropped the plan. A general retail tax of 1 per cent will take its place.

Gable Jams Capitol

Clark Gable in person, plus "Mystery of Mr. X," on the screen, fetched the biggest opening in two years at the Capitol. Admission was 75 cents and the box office open at 10 A.M., a line started to form at 7 A.M. In a big spread interview given him by yesterday’s "World-Telegram," Gable commenting on the mob turnout to see him, said: "I can't explain it. I was in that stage of film career swell, and starting today I will do six shows daily."
They continue to pack 'em in at the Criterion with Samuel Cummins' "Forgotten Men," and Mister Cummins wants it known that he was the gent responsible for the tie-up with the Hearst papers which are featuring stills of official war films—based on scenes in his picture.

And still that Moulin Rouge Caravan is breaking records in its tour across the country...in Cincinnati on Thursday the troupe received a big civic reception...and local exhib like Libson was publicly thanked for bringing the show to the burg. Elizabeth Lonergan moves from the Webster Hotel to the Woodstock on March 1.

One of the niftiest newspaper stunts of the season engineered by E. H. Goldstein of Majestic...with the Sunday "Mirror" featuring a series of stunts...for the f essions of a code respondent...and the dame who tells the yarn is the same one whose bedroom adventures form the background of Majestic's "Irene's Blonde."

A nice array of talent lined up by Martin Starr to receive the compliments of their theaters. Mr. Starr will have a bevy of Zieggy beauties to act as hostesses...and Lloyd Hughes and Buddy Rogers will be there to raise the gate, a percentage of the gate to go to the Film Daily Relief Fund.

Code Assents Up to 7,574

Assents to the code yesterday reached its new high of 7,574, it was stated at the Code Authority office. The total will be substantially...swelled following receipt from Paramount and Warner Bros. for their business.

Local 368 Wins Point Against ITOA

A unanimous decision of the Apellate Division yesterday upheld the injunction granted last week by Supreme Court Justice Collins pending trial of the suit brought by Local 368 against the ITOA. Trial of the case is expected to start in 10 days.

Seek to Avert Service Strike

At the request of Mrs. Eleanor Herrick, chairman of the NRA Regional Labor Board, circuit representatives will confer with her Monday in an effort to avert the threatened service employees' strike.

Regular Loew Common Dividend

Loew's has declared regular quarterly dividend of 25 cents on the common stock payable March 31 to stock of record March 15.

South Made Dallas RKO Manager

Appointment of S. M. South as RKO branch manager in Dallas, succeeding L. E. Harrington, is announced by Jules Levy, general sales manager.

Federation Meeting Put Off

Meeting of the Federation of the M. P. Industry scheduled for yesterday was put off until Tuesday.

Leon Levine Opens Office

Leon Levine has opened an office at 500 Fifth Ave. to act as producer's representative and also to acquire complete product for release on the state right market.

Roxy Sets Matinee Record

A record for matinee business is reported by the Roxy for Washington Birthday, when more than 1,700 paid to get in. Screen feature is RKO's "Hips, Hips, Hooray."

Vaude Back at Oriental, Chicago

Avalon--Balaban & Katz will re-store stage shows March 2 at the Oriental, 6,000-seat Loos loop house, which has been on a straight picture policy the last two years. Morris Silver and Nan Elliott of the William Morris office will book the house.

Quittern at Remusch Trial

Joseph Quittern, son of the Mid- dleton exhibitor, was on the stand yesterday at the trial of the Remusch suit in Federal Court. Max Steuer also cross-examined Leo Brecher. Trial continues Monday.

Paramount Signs Stage Actress

Mary Morris, stage actress who scored in "Double Door," has been signed by Paramount and is now on her way to the coast to appear in the film version.

First Division Gets "Forgotten Men"

First Division has taken over "Forgotten Men," war film, from Samuel Cummins for distribution in the U.S.
Robert Montgomery in "MYSTERY OF MR. X" with Elizabeth Allan, Lewis Stone, John Darrow, Henry Stephenson, M-G-M

"NEATLY MURAL AND CROOK MYSTERY. CLEVER, SUSPENSIVE AND EXCITING, PLUS A NEAT ROMANCE TIED IN.

For murder mystery fans, better entertainment than this one is hard to find. It is so well done, in fact, with the inclusion of the famous "RACE TO THE JET" chapter, that the novel is completely circumvented. What it appeals extend quite beyond the main theme of the drama. Mystery revolves around the killing of several coppers by a Mr. X. A jewel crook, Robert Montgomery, pulls a job on the same spot as one of the killings, causing Scotland Yard to take a back seat. When Bob realizes he can't get rid of the jewel until the murder is caught, threats when Boots the Jockey is accidentally falls in love with the commissioner's daughter, Elizabeth Allan, whom he quite unexpectedly and gallon France, Ralph Roberts. Meanwhile one of the Yard officials, Lewis Stone, becomes suspicious of Bob and has him probes, but the enterprising crook succeeds in bringing down the murder, whereupon he goes straight.

Cast: Robert Montgomery, Elizabeth Allan, Lewis Stone, Ralph Roberts, Henry Stephenson, Forrester Harvey, Ivan Simpson, Leon Mudie, Alec B. Francis, Charles Lane

Director: Edgar Selwyn; Author, Philip MacDonald; Adaptors, Howard Emmett Rogers, Philip MacDonald; Additional Dialogue, Monkton Hoffe; Cameraman, Oliver T. Marsh; Editor, Hugh Wyvern

Direction, Grand Photography. Fine.

THE BIG RACE" with Boots Mallory, Frankie Darro and John Darrow

Showmens Pictures

A LITTLE LAMINAR ALONG FAIRLY FAMILIAR LINES SHOULD PROVE OKAY FOR THE NEIGHBORHOOD BILLS.

While the story here is along more or less the familiar lines, it is with a lot of interest to make it fairly entertaining stuff for the pop crowds. Accused by his father of taking part in a framing of a real horse, John Darrow takes the mare and leaves home. He also leaves behind a sweetheart, Boots Mallory, who lot's circumstantial evidence influence him against him. Unable to make them believe his story, John plans to enter and win a forthcoming big race, but lack of working funds and other handicaps beset him. He manages to get spotted in the race however, when Boots realizes his mistake and comes to his rescue by secretely paying the entrance fee, and then he is declared winner of the race as a result of the first jockey being disqualified for pulling some rough stuff on Darrow. And so, with the clearing up of the mystery about who doped the horse, the way is paved for a reunion of father and son, as well as the lovers.

Cast: Boots Mallory, John Darrow, Frankie Darro, Phillips Smalley, Katherine Williams

Director: Cast: Bob Newhouse, Frankie Darro, John Darrow, Boots Mallory, Phillips Smalley, Katherine Williams

"RIDING THRU"

Wm. Steiner

FAIR WESTERN BUILT AROUND DUNE RANCH AND STALLION USED AS LURE BY HORSE RUSTLERS.

Fairly novel in story and developed with a pleasant romantic interest and the usual number of guys and gals this one should satisfy audiences in particular. Difficulties center around a ranch which has been thrown open to the "dudes" because the owner has become half up through thefts of horses from his herd. The rancher has summoned Tommy to help find the thieves. It is shown that a white stallion has been haring away the mares and that the thesques were driven into a concealed valley. The foreman of the ranch is the leader of the crooks. Tom gets a job at the ranch and then proceeds to corral the crooks, block every step of the way through him and his cohorts to a fighting finish. The development of Tom's affair with the rancher's niece is carried right through the story to a clinch at the end.

Cast: Tom Tommy, Ruth Faust, Lila McKechnie, John McCullagh, Joe Meeman and Bud Osborne

Director, Harry Webb; Author, Carol Shindler; Adaptor, Rose Gordon; Dialogue, Dorothy Parker; Music, Frank Kruse; Recording Engineer, Freeman Lang; Editor, Fred Bain


Ruth Chatterton in "JOURNAL OF A CRIME" with Adolphe Menjou

First National

66 mins. 

PACKED WITH FEMME APPEAL. IN UNUSUAL DRAMA AND RUTH CHATTERTON IS SPLENDID.

Founded on the French stage play of Jacques Duvall, a star-grown-up and intelligent fare that should click big with women of all classes. For it touches upon the fact that to most femmes, the fate what to do about a rival who is stealing your man? In this case, Ruth Chatterton kill her rival who is about to take her husband, Adolphe Menjou, from her. Circumstances pin the crime on a man fleeing from the commission of another murder. Only her husband knows that she is guilty. The drama carries on through the next six months, showing the psychological reaction of the wife as the husband suspects her to a more or less silent treatment. Then when the innocent man is gallotted for the crime he committed, she breaks down, and starts on her way to confess to the district attorney. Here a most unusual twist is given the drama, that estranged wife to husband to start life all over again with a clean slate. The direction of William Keighley is superb, and film is filled with sure touches.


Director, William Keighley; Author, Jacques Duvall; Adaptors, F. Hugh Herbert, Charles Kenyon; Editor, William Clemens; Cameraman, Ernest Heallen

Direction, Splendid, Photography, Excellent.

"THE SIMPLE TAILOR," Soviet silent; produced by Wulfku; directed by V. Viner; with A. Mindlin, V. Holeceva, M. Liarov. At the Acme Theater.

Tragic drama dealing with persecution of Jews in Russia during the former Czars regime. Though well done from a technical standpoint, subject is too depressing for general entertainment.


Amusing comedy drama with incident music, nicely acted and generally worked all around. Story deals with the business career of a couple of enterprising young down-and-outers who meet and team up.

"EIN GEWISER HERR GRAN" ("A Certain Mr. Gran"), in German; produced by Ufa; directed by Gerhard Lamprecht; with Hans Albers, Karin Hartl, Albert Basser, Olga Tschechowa, Rose Strasden. At the 79th St. Theater.

Good spy drama, against colorful Euro- pean background, with some enjoyable romance on the side. Story has plenty of suspenseful action and is very well acted and directed throughout.

RCA Financial Report

Shows Cut in RKO Loss

(Continued from Page 3)

RCA's own statement shows net loss of $382,094, about half the loss in the previous year. There was a profit in the final quarter, however, marking the first profit since the start of 1932. In the meantime, stockholders, Chairman James G. Harbord and President David Sarnoff express satisfaction at the progress made by RKO. They hope for this to continue so as to warrant a reorganization and discontinuance of the receivership. Comments on television indicate it still has problems to overcome.
MORE TIME GRANTED FOR CODE COMPLIANCE

(Continued from Page 1)

authority at its next meeting, Monday.

Agreement to defer the present deadline has definitely been made, Norman Samuelson, counsel for Congress theater in association with Myers, told THE FILM DAILY yesterday. Under the settlement, he pointed out, Allied succeeds in obtaining a clarification of the code to the effect that exhibitors who have signed may nevertheless bring suit in regular courts of law in event they differ with decisions of the local boards or Code Authority. This amounts to a qualified, assent, Samuelson said, and is satisfactory to Allied. The time extension was agreed to in order to allow Allied members who have been withholding their assents to now send them to the Code Authority.

At Monday’s meeting of the Code Authority plans for financing of the code machinery also will be considered, with the committee in charge submitting a report.

Palestine Film at Acme

"The Dream of My People," first English singing and talking picture made in Palestine, with Cantor Joseph Rosenblatt featured, opens today at the Acme. It was made by Palestine America Film Co., Ltd.

Glazer Sees Benefits from Anti-Censorship Agitation

(Continued from Page 1)

In Hollywood—Current spread of agitation against censors will eventually bring results of great benefit to the screen in forcing producers more freedom to create pictures without many of the present hampering restrictions, says Barney Glazer, producer associated with Paramount. Fullest development of screen art depends on more freedom, declares Glazer, who believes that when any film oversteps the bounds of decency the force of public sentiment will provide a more effective check than censorship.

Ready to Offer Bill For Ohio Tax Relief

(Continued from Page 1)

here this week to discuss plans for fighting the tax. Among them were Nat Wolf, Frank Phelps, E. H. Dannenberg, Phil Chakeres, W. A. Finney, H. M. Addison, Nat Holt, Ike Libben, M. R. Clark and others.

In a wire to Will H. Hays, as a result of a report that major houses in Ohio would slash prices to combat the independents' tax program, P. J. Wood of the I.T.O. declared that "even intimidating tactics of this character will not deter us from our intentions to conduct our legislative efforts so that the entire industry will be benefited."

72 Contract Players On Paramount Roster

(Continued from Page 1)

and the employees working in the booth who were discharged in violation of Section 7A. Houses affected by the order are: Monroe, Eagle, 70th Street, Manhattan and Central in Manhattan; Ritz, Art and Bronx Star, Bronx, and Globe and Sanders in Brooklyn.

Virginia Passes "Wonder Bar"

Richmond—First National's "Wonder Bar," which the censors held up on account of the Negro Heaven scenes, has now been passed.

ALLIED WITHDRAWS CODE AUTHORITY SUIT

(Continued from Page 1)

ment. Code Authority members were represented by Austin C. Keough, for George J. Schaefer, Harold S. Barofd, for H. M. War- ner. Attorneys representing Sol A. Rosenblatt, divisional administrator, and the Dept. of Justice also were present.

72 Detroit Theaters Sign Price-Boost Plan

(Continued from Page 1)


A minimum price of 30 cents is set by the schedule for any house, either children or adults, at any time.

Midnight shows can be given only when same-day admission charge is charged. Preview are forbidden, except trade showings, and all runs must open at 6 A.M., not earlier. This applies especially to grind houses, and the first runs opening the next week's bill early.

Triple bills are outlawed. Double bills are allowed with any type of stage show. No variation is allowed between main house and balcony. All matinees close at 6 o'clock. However, on first runs, a 40 and 30 cent matinee to 2 o'clock is allowed on houses with stage shows and without, respectively. In other houses, evening prices prevail at Sunday and holiday matinees.

The plan becomes operative when 75 per cent of the Detroit houses have been signed up. This is expected within about a week.

NICKELODEON to SUPER DELUXE

From the days of the Nickelodeon to the Super De Luxe Movie Palace, General Registers have been standard equipment for the progressive theatre. Designed by foremost engineers . . . manufactured by skilled technicians . . . installed by expert mechanics . . . they are synonymous with motion picture theatre progress.

General Register Corporation

1018 S. WABASH AVE. 1540 Broadway 307 NO. 13TH STREET
CHICAGO, ILL. NEW YORK PHILADELPHIA, PA.

1725 SO. VERNON AVE. 80 BOYLSTON STREET
LOS ANGELES, CAL. BOSTON, MASS.

CASH CONTROL SYSTEMS

For 20 years—General Registers have been protecting box office receipts.

AUTOMATIC SIMPLEX TICKET REGISTERS

WABASH 1726

4
Fanchon & Marco in Deals for Additional Theaters

TOTAL CODE COMPLIANCES JUMP BY NEARLY 1,500

‘Star’ Review System Should be Abandoned—Jack Cohn

"Warner Bros... show their wares"

By JACK ALCIOATE

Acting upon the tried and proven idea that the best way to sell a product is to let the customer sample it, and spurred on, no doubt, by their successful "try it before you buy it" campaign of last year, the resourceful outfit of Warner Bros. & Co. of New York, Hollywood, have since have set aside March 6 for their Second National Trade Exhibit of Warner product. Six features, or probably twice that many from the Warner workshop awaiting display, will be shown in 35 key cities. Based on the figures of last year an attendance well over twenty thousand is expected. Tie-ups have been arranged with community, civic and public welfare organizations as well as women's clubs. Mayors, Governors and other high public officials will be on hand. Pictures on display will include "Wonder Bar," "As the Earth Turns," "Journal of a Crime," "Harold Teen," "Jimmie the Gent" and "Gambling Lady." All in all March 6 looks like a big day for Warner Bros. for their national trade show idea has already proven its practicability. And place another red star on the Warner report card for progressiveness.

We have just had an earful from an exhibitor from the wide open spaces. His main complaint is common, especially from the little fellows. Somehow or other they feel they are the forgotten men of motion pictures. Forgotten at least most of the year and only remembered during the selling season. Always tell us, it is the same thing. Year after year the companies cater to them, rush them, promise them, sell them more pictures than they can use and then forget them, until another year. And funny thing. They complain less about being overshadowed than about being forgotten. And so what? Perhaps an official company host or hostess to keep up contact through correspondence with the neglected ones. At least they must not be allowed to feel forgotten.

RKO Starting New Season

With 38 on Star Lineup

West Coast Bureau of THE FILM DAILY

Hollywood — RKO will start the new production season this spring with nine stars under term contract and 29 stars and feature players engaged for short terms. Eight directors under term contracts, and

Fanchon & Marco, Inc., now has deals pending to take over operation of four theaters, and the organization intends to expand "slowly and carefully" in the field of national distribution. According to Lynn Farnol, national advertisers have already spent $25-

Circuits Help Boost Code Assents to New High

Mark of 9,039

New total of assents Saturday was 9,039, swelled by signatures from Warner and Paramount theaters. Last previous announced gross was 7,574.

Membership of 42 local boards announced last Monday included 21 M.G.M. and Loew representatives, and a similar number of Paramount distribution and theater men.

Executive Secretary John C. Flinn

(Continued on Page 6)

KAHANE RESIGNATION IS REPORTED LIKELY

B. B. Kahane, president of RKO studios, who arrived last night from the coast, has come east to attend a meeting of the RKO board of directors and, it is learned, to also discuss the plan with H. Aylesworth, his possible resignation from RKO.

THE FILM DAILY learns. Kahane, formerly general counsel for RKO, is said to be dissatisfied with his transfer from the presidency of Radio Pictures to his present post.

Texas Court Rules Against State Regulation of Films

Dallas—Dissolution of an injunction against the Joy theater after District Judge W. M. Taylor held that Texas has no power to regulate entertainments through censorship or injunction has resulted in urgent requests from women's club leaders that the city use its authority to insure complete entertainment by

Dressing Up

Tendency in production is now away from nudity at the "cycle" swings towards conservatism in dress in pictures, according to J. J. McCarthy, in charge of the "famous organization advertising code. He cited the following pictures in support of his contention.

Growth in the number of code assents continues to show a steady upward trend, according to the Daily Motion Picture. The latest total is 9,039, which is 1,500 more than the previous high of 7,574, reached last April.

The increase in assents has been attributed to several factors, including the growing popularity of color pictures and the increasing number of theaters in operation.

The Daily Newspaper Of Motion Pictures Now Sixteen Years Old

VOL. LXV. NO. 46
NEW YORK, MONDAY, FEBRUARY 26, 1934
5 CENTS

Intimate in Character
International in Scope
Independent in Thought
The Broadway Parade

- Picture: Mystery of Mr. X.
- Distributor: M-G-M.
- Theater: Capitol

- Picture: Death Takes a Holiday.
- Distributor: Paramount.
- Theater: Paramount

- Picture: It Happened One Night.
- Distributor: Columbia.
- Theater: Music Hall

- Picture: Hips, Hips, Hurray.
- Distributor: RKO.
- Theater: Radio City

- Picture: Shadows of Sing Sing.
- Distributor: Columbia.
- Theater: Mayfair

- Picture: Mandate (2nd week).
- Distributor: Warner Bros.
- Theater: Strand

- Picture: Moulin Rouge (3rd week).
- Distributor: Warner Bros.
- Theater: Rialto

- Picture: Streetcar Named Desire.
- Distributor: United Artists.
- Theater: Little Carnegie

- Picture: Trapeze (2nd week).
- Distributor: Fox.
- Theater: Palace

- Picture: Dream of My People.
- Distributor: Film Classics.
- Theater: Acme

- Picture: Forgotten Men (3rd week).
- Distributor: Jewel Productions.
- Theater: Criterion

- Picture: Carolina.
- Distributor: Fox.
- Theater: Palace

- Picture: Road to Ruin (2nd week).
- Distributor: First Division.
- Theater: Camco

- Picture: Two-Day-Run.
- Distributor: Astor.
- Theater: Astor

- Picture: Foreign Dialogue Picture.
- Distributor: Scandinavian Talk, Pic.
- Theater: 55th St. Playhouse

TRADE OPENINGS

- Picture: Orient Express (Feb. 27).
- Distributor: United Artists.
- Theater: Rivoli

- Picture: Fallopian (Feb. 27).
- Distributor: United Artists.
- Theater: Rivoli

- Picture: David Harum (March 1).
- Distributor: United Artists.
- Theater: Music Hall

- Picture: Six of a Kind (March 2).
- Distributor: Paramount.
- Theater: Paramount

- Picture: Queen Christina (March 2).
- Distributor: M-G-M.
- Theater: Capital

- Picture: North Guest (March 2).
- Distributor: Columbia.
- Theater: Radio City

- Picture: Bedside (March 6).
- Distributor: Warner Bros.
- Theater: Rialto

- Picture: Heat Lightning (9).
- Distributor: Warner Bros.
- Theater: Rialto

- Picture: Aksene (March 11).
- Distributor: Blue Ribbon Photoplay.
- Theater: 55th St. Playhouse

Warnings to Test Public

On Hokum vs. Realism

Dallas — In connection with the world premiere of "As the Earth Turns" at the Malco on Friday, the Warner home office advertising and publicity department has entered into a tieup to determine whether the public wants hokum or realism in films. The premiere will be sponsored by the Dallas Film Guild and the "Dallas News" in cooperation with the local Chamber of Commerce. Four hundred guests, representing all walks of life, have been invited to the opening to render judgment. Gladys Hasty Carroll, author of novel, also will be on hand, with a dinner in her honor to follow the showing. WARNER plans to employ the same ideas on other premieres.

Cleve, Cincy Exhib Units Will Continue Activities

Cleveland — All reports to the contrary notwithstanding, formation of Independent Theater Owners of Ohio will not affect local exhibitor associations. Both the Cleveland Motion Picture Exhibitors Ass'n and Ohio Valley Exhibitors Ass'n will continue to function and to handle purely local problems.

New Deal Resume at Embassy

A comprehensive resume of President Roosevelt's first year in office is the highlight of this week's program at the Embassy Pathé News Theater.

Kaplan After 2 Cleveland Houses

Cleveland — Kaplan Brothers, now operating five subsequent road picture theaters, are negotiating for leases on the Southern and Family. Both houses have been closed.
"Solid gold entertainment. Over-running with original and different showmanship. Chock full of entertainment elements. In many ways, it tops any one of its predecessors. Story differs vividly from those utilized in the previous pictures. Unusual entertainment made sensational."
—M. P. Herald, Feb. 17

"Superb piece of entertainment. Results amply justify its imposing cast and lavish production. Gauged to popular appeal every foot of the way. 'Goin' to Heaven on a Mule' is a gorgeous novelty. Al Jolson takes a lusty new lease on film life."
—Variety Daily, Feb. 8

"Sunday's business at the world premiere of 'Wonder Bar' broke all house records at the Community Theatre, Miami."
—Film Daily, Feb. 20

"Loaded to the gunwales with entertainment. 'Goin' to Heaven on a Mule' is immense all the way. The Warners went further along in their showmanship by studding the picture with a swell supporting cast. Jolson . . . again gives that undeniable personality of his full range to stamp itself on the celluloid."
—Motion Picture Daily, Feb. 17

"Another outstanding achievement in the succession of Warner-First National musical hits. Ensemble numbers bigger and more spectacular than any shown before. Will get the class money as well as the mass trade anywhere. Host of marquee names . . . Jolson shows that all he needs is material to make him one of the best screen bets."
—Film Daily, Feb. 17

WORDS OF WISDOM FROM MEN WHO KNOW ABOUT

WARNER BROS.

WONDER BAR

Coming to Make This the Gladdest Easter Week in All Your Born Days!


A First National Picture, Filograph, Inc., Distributors.
COHN WOULD END 'STAR' REVIEW SYSTEM

(Continued from Page 1)

neglect the review itself,” says Cohn.

“This is unfair to the public and the theater. The public now glances at reviews with the same lack of confidence. If there are less than four stars, the picture is dismissed by the reader as unimportant. Many pictures now ranked with less than four stars are highly recommended in the body of the review as worthwhile entertainment. This method of rating defeats the very purpose for which a review is written.

“I believe it is the sentiment of theater operators. Surely no paper will object to abolishing this system or have any ownership to cooperate and will call the attention of the newspapers to its unfairness.

“While this is true it was brought about the attention of the Chicago Tribune, where this method originated, it was gradually abolished. The same can be done elsewhere. Theater operators should get together and insist that the system be abolished, as it is unjust and unfair, and be injurious to the motion picture theaters.”

Gulf Association Drive

Is Starting This Week

New Orleans—With the appointment of zone captains at an enthusiastic meeting of the Gulf States Theater Owners’ Asso. at the Jung Hotel last week, the territory membership drive for that organization will start in a few days. The meeting was the first G. S. T. O. A. get-together of exhibitors from sections of Mississippi and Alabama as well as Louisiana. Captains appointed are: Joe Barons, Baton Rouge; L. H. Langhob, New Roads; Claude Hazel, Shreveport; E. A. Antony, Ponchatoula; Sidney Harp, Donaldsonville, Thibedeaux; A. H. Yerman, Meridian; E. W. Ilings, Ocean Springs; Arthur Lehmann, Jackson; Salomon Bros., McComb, Tyler, Columbus, and representatives of the Bailey and Silman interests. Each captain will recruit members in a 20-mile zone around the centers where he has theaters.

The organization is for protection, not profit, President H. S. Mced told the meeting. There is only one salaried officer.

“Roman Scandals” Paris Benefit

Paris—in cooperation with the local United Artists office and the director of the Lord Byron theater, a gala matinee showing of Goldwyn’s “Roman Scandals” has been arranged for early March with the net to be donated to the American Hospital here.

ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Twentieth-Instalment

ARTICLE IV—LABOR PROVISIONS—PRODUCTION—(Cont.)

4. Employees in News-Real Production

The maximum hour week does not apply to employees assigned directly in news-reel production in the following classifications:

A. Editors and subeditors.
B. Film cutters and film joiners.
C. Type setters.

4-A. Special Rule as to News-Real Cameramen and Soundmen

The working hours of newsreal cameramen and soundmen shall be limited to 320 hours in any eight week period. The time is computed on the assumption that there would be leave of absence for their equipment until their return, but contacting and planning shall not be counted as working hours. Nor shall this limitation of 320 hours in any eight week period apply to those newreel and cameramen and soundmen who make special trips of a semi-vacational nature on trains or ships; or who shall be assigned to duty at a summer or winter resort for a long period of time; or who shall be assigned on roving or "gypsy" assignments.

5. Employees in the Production of Animated Motion Picture Cartoons

The maximum hour week shall not apply to employees of producers of animated motion picture cartoons in the following classifications:

A. Animators.
B. Assistant animators.
C. Cartoon photographers.
D. Story and music department employees.

5-A. Special Rule for Cartoon Tracers and Pencillers

The working hours of tracers and pencillers shall be limited to 44 hours in any one week. If there is an emergency, they may work longer hours.

(c) Special Rule for Employees in Production Unit

Employees engaged directly in production whose working time must necessarily follow that of a production unit have been referred to above (d—2). Special rules apply to these employees:

1. Day Off at End of Production

If such employees work on any hourly basis or on a daily basis with overtime compensation they shall at the end of any production be given a full day off without pay for each six hours of work over the 36 hours weekly average during the production. If such employee work on a weekly basis, this provision giving them a day off shall not apply.

2. Seventy Dollar Employees Laid Off One Day

Any assistant directors, assistant directors, company wardrobe men, women and assistants, costumers, designers, draftsmen, make-up artists, hairdressers, optical experts, process projectionists, script clerks and wardrobe fitters who receive $70.00 or less per week (without overtime compensation) shall be laid off one full day without pay at the end of a production for each six hours of work over the 36 hour weekly average. If such employees work on a full day’s pay. No such employee shall work in another studio during the time of the lay-off.

(RK0 Starting New Season

Within Three Months

(Continued from Page 1)

eight engaged by the picture, will also be on the roster. The studios will also start the new schedule with a writing staff of 17.

Three features are new in the cutting rooms. They are "Successes of the "Love" and Crime Doctor." In production are "Finishing School," "Strictly Dynamite," "The Dover Door," "Sting, Scream, and Off Human Bondage," Prepared for early production are "Alien Corn," "Down to Their Last Curtain," "The Merchant of Harem," "Muder on the Blackboard" and a Wheeler and Woolsey feature.

$100,000 Spent in Tieups

Within Last Two Months

(Continued from Page 1)

000 in exploiting fashion tieups on the picture. Best’s store spent $4,000 in "line ads," Abraham & Straus, Macy’s, Bloomingdale’s and L. J. Fox were some of the local stores cooperating in the tieup campaign. In addition to the ads cooperate with their window displays and beauty parlor exploitation. M-G-M’s "Queen Christina," the company star, ran many tieups and the expenditure of large amounts on ad campaigns.

New Ticket Machine Model

A new ticket issuing machine, known as the Model "C," designed especially for small theaters, fairs, carnivals, has just been put on the General Register. The machine is built so that it can be either set flush in the counter or set on top of the counter and be moved at will. It has a handsome bronze cabinet and will give any theater operator the same protection as the more expensive electrically operated machine.

Percy Phillips, president of General Register, says this is the fore-runner of a large number of new tieup machines that will be of material benefit and help to theater owners both large and small.

Caravan Spends Week End in St. L.

St. Louis—Arriving late Saturday night, the "American goes to Rouge" cross-country caravan of stars made a two-day stop here. The party held a big banquet in the exclusive Columbia Club in Indianapolis, and the stars brought S. R. O. to Loew’s Palace.

MAY INVOCHE NRA AID AGAINST BEANO GAMES

(Continued from Page 1)

MAY INVOCHE NRA AID AGAINST BEANO GAMES

(Continued from Page 1)
EXPLOITETTES

Fine Premiere Campaign
On "Sixteen Fathoms Deep"

An extensive publicity and exploitation campaign to put over Monogram's "Sixteen Fathoms Deep" in its New York premiere engagement, was worked out by Stockton Leigh, publicity and advertising manager of the Mayfair theater; Leo Justin, house manager, and the owner-operator, Walter Reade. The front, which repeatedly stopped traffic in front of the theater, consisted of a large diving tank into which a professional submerged and performed; an elaborate miniature of a underwater scene operated by an hydraulic mechanism which made all the figures move; a display of diving suits, nautical equipment, sponges and the like of giant fish besides the usual display of stills, attractive lobby panels and compo board display, with the billing set in relief in various colors and a 40 x 60 banner exhibited over the marquee of the theater which occupied a good half of the facade of the building. The theater also took a considerable amount of advertising space in all the newspapers, and arranged for various window and dealer tie-ups, the principal one of which was a window on Fifth Ave. at the Southern Pacific Railroad offices, showing a giant reproduction of the principals, Sally O'Neil and Creighton Chaney, in full color, the billing set against a background of compo board display in various tones of grey cut to resemble giant waves and a profuse array of stills from the film. The picture went over so well the first week that Manager Reade extended the run an extra week.

-Mayfair, New York City

Coming and Going

RALPH A. KOHN, SAM DEMBOW and Y. FRANK FREEMAN have gone to Jacksonville. JOHN W. HICKS, Paramount foreign manager, returns to New York the middle of March from Europe.

J. E. MCDONOUGH, Ned DEPINE, B. B. KARANE and H. A. McCUNE arrived last night from the coast.

N. D. GOLDEN of the M. P. Division in the Department of Commerce arrived in New York Saturday on NRA matters.

WINNER OF THE SCANDALOUS CROW appellation of "Cleveland News" is going aboard for six months with the brand new transatlantic liner, HMT "Queen Mary," returning in April. ELIZABETH ALLAN is in New York en route to England for a vacation before returning to London to operate the M-G-M's "Coppertopfield."

RUTH HOLMAN, Paramount production executive at the home office, and JEFF LAZARUS, chairman of the editorial board at the Hollywood studios, left yesterday for the coast.

ON THE 23rd floor of the Radio City building the motion picture Code Authority is quietly functioning without any fuss or flurry. Since January first in organizing local Clearances and Zoning and Grievance Boards in 31 cities, with 12 representatives in each city, also a paid secretary meaning that 401 persons will carry out the Distributors' and Exhibitors' relationship in the Code...this tremendous organizing blanket the nation will be all set to function by March 1.

ON THE evening when you are dining out with the president of the Standard Oil Company...or at home trying to impress the janitor of the apartment building that you are a Big Film Shot...either one of 'em is liable to spring this one on you...

"Tell me, ole pal, how is the Code Authority progressing?" ... and would you be in a helluva fix...if ya hadn't read this kolyum?...

TO DATE the Authority has received over 7,500 qualified assents...each assent is tabulated on special cards...one for permanent New York headquarters' record...the other for local Boards...total cards tabulated to date, 15,900...during the first two weeks of organization...more than 1,000 pleads were handled daily...including over 400 Grievance Board complaints which will be transmitted to the local Boards when they start operation...in three days 7,500 letters were mailed with return envelopes to the complete list of exhibitors, national and independent exchanges...all done by a staff of less than a dozen people!...oh, well, John Flinn is the administrative head...as executive secretary...which explains ev'rythin'.

TWENTY-THREE active committees of the Code Authority have been in almost daily conferences...these include the committee on Finance (the Authority must finance itself from the three branches of the industry—Production, Distribution, Exhibitors)...a committee of selection of names for membership on Local Boards (which have analyzed 2,000 individual names)...a committee on preparation of procedures for Local Boards (has prepared a printed booklet containing activities of both Zoning and Grievance Boards)...a committee on.headquarters has equipped the offices in the RKO building (with an immense room for appeals to be heard from local boards)...a committee on studio labor and Hollywood activities.

THE MEMBERS of the Code Authority are: Mervyn H. Aylesworth, Sidney R. Kent, George J. Schaefer, Nicholas M. Schenck, Harry M. Warner, Robert H. Cochrane, W. Ray Johnston, Ed Ruykendall, Charles L. O'Reilly, Nathan Yamin, non-voting members Eddie Caster and Marie Dressler...alternates who have served at meetings include Major L. E. Thompson, W. C. Michel, Neil Agnew, Austin C. Keough, J. Robert Rubin, Charles Moskowitz, John D. Clark, Harold S. Bareford, Jack Cohen, all of them are toting an unstinting of their time and energy...working harmoniously together for the one common purpose...accomplishing wonders in a short space of time in the elimination of vexatious, difficult problems of a highly complicated industry.

THE SUCCESS of the Code Authority will depend upon the smallest possible number of appeals for final judgment...so every effort has been bent to organizing a decentralized functioning body in Hollywood and in 31 branch film centers...for the Code Authority rather than OPERATED by it...and it is anticipated that all these boards will be actively operating by March 15...and the success of these organizings is wholly attributed by the Authority to Sol A. Rosenblatt...who has handled hundreds of labor difficulties...and amicably settled them.
WARREN WILLIAM will have one of the starring roles in Warner's "Dr. Monics," with Kay Francis, Verree Teasdale and Jean Muir. The company also has assigned Henry Stephenson to "The Key" and Maude Eburne to "Return of the Terror." 

Gordon Westcott has the juvenile lead in "Sawdust," the new Joe E. Brown picture for First National. 

Jack Holt will next be starred in "Black Moon" at Columbia. 

Charles McAvey, who launched Mae West on the road to acting success, is in the cast of Paramount's "Murder at the Vanities." He taught the curvaceous screen star her first ditty in a Brooklyn theater, when Mae was seven years old. 

Ruby Keeler and Dick Powell will be supported in "Dames," their forthcoming co-starring musical for Warners, by Glenda Farrell, Guy Kro- bee, Hugh Herbert and Barbara "Snoopy" Blair. The dance ensembles in this picture will be staged by Busby Berkeley, with Archie Mayo assigned to direct the story part. 

The six long-term contract winners among the 36 contest winners in Paramount's "Search for Beauty" have been assigned roles in W. C. Fields' "You're Telling Me." Those assigned are Julian Madison, Minneapolis; Colin Tapley, New Zealand; Eldred Tidbury, South Africa; Alfred Delen, Dublin; Gwenllian Gill, North Carolina; and Clara Lou Sheridan, Dallas. 

Lillian Bond will appear opposite Tim McCoy in Columbia's "Highway Patrol," with D. Ross Lederman directing under supervision of Irving Briskin. 

"Queen's Affair" Opens in London London—World premiere of "The Queen's Affair," British & Dominions production released by United Artists, took place at the Plaza Friday night and was attended by celebrities from stage, screen and society. The picture, formerly titled "The Queen," was directed by Herbert Wilcox, with Anna Neagle and Ferdinand Graeve leading roles. 

Dressler-Beery to Be Re-Teamed M-G-M is understood to be planning to team Marie Dressler and Wallace Beery again. Inquiries are being made for a story for the pair. 


Shearer, Laughton in "Barretts" "West Coast Bureau of THE FILM DAILY" Hollywood — Norma Shearer and Charles Laughton will have the leads in M-G-M's "Barretts of Wimpole Street," from the stage play. Sidney Franklin will direct. 

Hal Horne Improving Hal Horne, who has been seriously ill at the Park Central Hotel, is much improved and is expected at his desk late this week. 

TEXAS COURT RULES AGAINST STATE REGULATION OF FILMS 

appointing a board of censors as provided under existing ordinances. Karl Hoblitte has offered all possible cooperation with the council in providing better film shows by inviting representatives of the women to previews of attractions.
SHORT SHOTS FROM EASTERN STUDIOS

By CHAS. ALICOATE

BERNICE CLAIRE has completed her work in "Who Is That Girl," a two-reel musical, at the Vitaphone studio. Cy Woods, staff writer, wrote the original operetta, while Cliff Hess composed the music. Joe Henberly directed.

Pedro Sambarino, head of the Sambarino studios of Lima, Peru, and Buenos Aires, who recently arrived in New York with a feature film taken among the Inca ruins of Cuzco, Peru, has started cutting and editing the film in conjunction with the Inter-American Film Corp, who will handle the world distribution.

Percy Helton has been added to the cast of "Frankie and Johnnie" now being produced and directed by Chester Erskine for All Star Productions at the Biograph studios.

Bill Robinson, colored dancer, in the latest Broadway star to join the ranks of Vitaphone performers, according to Sam Sax, production chief at the Brooklyn plant, who signed the dancer for appearance on a Vitaphone short. Supporting Robinson in the short, titled "Black Orchids" and now in work, are Ernest Whitman, Dusty Fletcher, Tony Brown, Eddie Mathews, Hattie Noel, Babe Mathews and Muriel Rohr.

Robert Sisk, Herman Zobiel, Joe Mann and Bill Saul took in guests of H. J. Yates on a visit to the Biograph studio last week.

Peter Higgins, Irish American tenor, has just made his screen debut in "Vaudeville Days," a two-reel musical variety subject produced by Montone Productions for release by Universal Pictures. The subject was made at the Fox studios.

Mary Pickford, most noted of the original Biograph stars, officially christened the modernized Biograph plant last Friday. "Frankie and Johnnie" is now being produced there by Chester Erskine.

5 State Censor Bills Pend

Five censorship bills, two seeking to establish new state boards, are pending in state legislatures currently in session. Massachusetts has such a bill under consideration and in West Virginia, a measure would not only authorize forming of a board but also give it jurisdiction over radio. The Virginia assembly has before it a bill seeking to abolish the state board and also one to amend the existing state statute, under which license is given, to give it authority over advertising. In New York state, a bill has been introduced to end state censorship but allow the Comptroller's office to assess a flat rate tax on film instead.

HE WANTS US!

CICERO, Ill. — Mayor John M. Molder, who has been fighting against the motion picture business in this city for many years, has filed a lawsuit in the county court here seeking to put a curb on the showmen and to prevent the showing of "wild and immoral" films in his city.

The suit is based on the following points: The films are being shown "beneath the very eyes of the children" of the city, and the pictures are "most unsuitable for the use of the underprivileged classes." The mayor also charges that the films are being shown "in the open air" and that the showmen are using "false advertising." The suit asks for an injunction to prevent the showing of the films in the future.

"It Happened One Night" Opens

WALTER CONNOLLY - Roscoe Karns

"It Happened One Night" opens at the Rialto here tonight. Lafayette Adams has written the story for ROBERT BOSWORTH/FRANK CUMMINGS.

"GABLE AND COLBERT NEVER BETTER" - PHOTOFLY MAGAZINE

"GABLE AND COLBERT NEVER BETTER" - PHOTOFLY MAGAZINE

"IT-DON'T BLAME US"/SHOWURED MAGAZINE

"SNAPPY, HUMOROUS AND HUMAN" - SCREEN BOOK MAGAZINE

A FRANK CAPRA Production

5 State Censor Bills Pend

Five censorship bills, two seeking to establish new State boards, are pending in state legislatures currently in session. Massachusetts has such a bill under consideration and in West Virginia, a measure would not only authorize forming of a board but also give it jurisdiction over radio. The Virginia assembly has before it a bill seeking to abolish the state board and also one to amend the existing state statute, under which license is given, to give it authority over advertising. In New York state, a bill has been introduced to end state censorship but allow the Comptroller's office to assess a flat rate tax on film instead.

Who Invented the Movie Camera?

The invention of the movie camera is usually credited to the Lumiere brothers, whose company, Societe des Freres Lumiere, exhibited the first public motion picture in Paris in 1895. However, there are several stories about the invention of the camera. For example, some historians credit the invention to the American inventor Thomas Edison, who patented a device for recording images for later projection as early as 1889. Edison's device, known as the Kinetograph, was similar to the later invention of the Lumiere brothers, but it was not widely used or adopted. Another inventor who is sometimes credited with the invention of the movie camera is the French inventor Louis Le Prince, who patented a device for recording moving images on film as early as 1888. Le Prince's invention was never perfected, but it laid the groundwork for later developments in the field of motion picture technology. Ultimately, it is difficult to pin the invention of the movie camera on any one individual or company, as it was a result of the combined efforts of many inventors and scientists working in the field at the time. The Lumiere brothers are widely credited with popularizing the invention, but the true inventor of the movie camera is still a matter of debate among historians and enthusiasts.

A Welder at Work

JACK HUMPHREY - 20th CENTURY

A Welder at Work

The welder at work is a crucial figure in the production process of the shipbuilding industry. These skilled workers are responsible for joining together the various components of a ship using a combination of heat and pressure. This requires a high level of precision and attention to detail, as any mistakes made in the welding process can result in a weakened or damaged structure. The welder at work uses a variety of tools and techniques to create strong, durable joints that will hold up to the harsh conditions of the ocean. This is an important role in the overall production of a ship, as the quality of the welding can have a direct impact on the safety and durability of the vessel. The welder at work is an essential member of the shipbuilding team, providing a critical link between the design and construction phases of the project.
After months of perilous adventure in the jungle, Frank Buck had his "WILD CARGO" ready to bring back alive to America, when bedlam broke loose in the thatched shelter room of the stockade where the animals were crated and caged. Monkeys screamed! Roars and cries pierced the air! King Cobra was loose! The hissing, spitting demon of the crawling world in whose fangs lurked certain death! Unarmed, his back to the wire and picket wall, his exit blocked by the hooded giant, coiled and ready to strike, Frank Buck ripped off his coat and like a matador baiting an enraged bull waited for the perilous moment when he or the Cobra would strike first. Why is it Nature saves her biggest thrills for Buck?

FRANK BUCK'S "WILD CARGO"
Van Beuren Production . . . RKO Radio Picture
Directed by Armand Denis
COMING SOON!

The above drawing, one of a series of scenes from "Wild Cargo", was sketched from an actual "frame" of the film by the famous artist J. Clinton Shepherd. There's no time for "stills" in a world full of thrills!
Drop in Exec Salaries Shown by Report to Senate

Final Date for Assents Changed to March 10

Exhibition Not Keeping Pace With Production—Franklin

Too Much Standardization, Not Enough Individuality, Is Claim

By HAROLD B. FRANKLIN

The time has come when the spirit of showmanship must be rekindled in motion picture theaters to keep pace with improved conditions. While motion picture production has made strides during the past few hectic years, theaters, however, have lagged behind both physically and in operation standards. Because of financial pressure theaters have been allowed to deteriorate, service staffs have been reduced to a dangerous minimum, on account of extreme salary cuts.

(Continued on Page 8)

Decide Cancellation Clause Retroactive

The 10 per cent cancellation clause provided in the motion picture code will be retroactive to apply to film contracts existing before Dec. 7 last year, the effective date of the code, it was learned following a meeting of the Code Authority last night. Whether or not these provisions would be retroactive has been the subject of much discussion within the industry.

NRA Boston Labor Ruling Taken to Court by Circuit

Boston — Samuel Pinanski and Harry L. Sampson, temporary receivers for Public Olympia theaters, have filed petition in Suffolk Su.

(Continued on Page 8)

Musicians Reciprocate

Omaha—In appreciation of the Paramount Theater’s action in hiring an orchestra of 25 in conjunction with the current engagement of the Sayde Rand on the stage, the local musician’s union placed ads in daily papers, inviting the public to attend the theater in support of “living music.” The union also postcarded its entire membership, urging attendance.

(Continued on Page 8)

35 Young Players Are Signed by Fox

West Coast Bureau of THE FILM DAILY

Hollywood—Fox yesterday gave contracts to 35 young players selected from hundreds as having the best potentials. In the group are Shirley Aronson, Lynn Bari, Dorothy Dearing, Edna Haskin, Julie Casablanca, Iris Shaw, Anita Thompson, Alphonse Ungar, Marion Welden, Nadine Donn, Florence Dixon, Joan Alice, Anne Nettle, Joan Chaboty, Patricia Lee, Philippa Hilber, Marlene Wright, Esther Ins_PCIE, Patricia Farr, Genevra Sawyer, Elsie Larson, Irene Coleman, Mary Blackwood, Virginia Hills, Lucille Miller, Jamsy Grant, Tom Reso, Fred Wallace, William Stelling, Pat Gunning, George Ford, Paul McVey, Glenn Gallagher, Paul Perry and Carrie Taylor.

(Continued on Page 8)

FILM-LEGIT-RADIO

MEETING MARCH 5

M. P. T. O. A. MAPS OUT

CONVENTION TOPICS

Date for the joint meeting of the motion picture, radio and legitimate theater code authorities on the subject of free shows in broadcasting studios has been set as March 5, the starting date of the N.R.A. Washington meeting of Code Authorities. The film and legitimate authorities will meet in New York Thursday to prepare their case, preliminary to the Washington session.

Essaness Circuit Biz Up; Opening Sunday Noon Now

Chicago—Due to marked increase in business, all Essaness circuit houses have adopted a new policy, opening at noon. Twenty of the circuit’s 24 theaters also are giving Saturday midnight shows, which have been found very popular.

Selwyn Blames Exhibs

For Sameness in Films

Experimentation and diversity in film subjects are held down by exhibitors who prefer repetition of the types of stories with which they are familiar rather than take a chance on something new, says Edgar.

(Continued on Page 6)

Code Authority Sets New Deadline for Filing Compliances

Deadline for filing assents to the code was changed to March 10 by the Code Authority at a meeting yesterday at which the code’s administrative body made further progress in selecting local board personnel. Boards agreed upon inclusion of those in Albany, Atlanta, Chicago, and Cleveland.

Makeup of the boards for New York and Boston are understood to still be a subject of controversy. Personnel of these new boards will be announced today.

Extension of the assents deadline

(Continued on Page 7)

10 Regional Meetings

Set By I.T.O. Of Ohio

Columbus — In order to acquaint exhibitors with its platform, the newly formed Independent Theater Owners of Ohio, of which Martin G. Sill is president, will hold a series of 10 regional meetings next month, as follows: March 1, Commodore

Foreign Promotions

Announced by U. A.

Several promotions in the United Artists foreign staff were announced yesterday by Arthur W. Kelly, Walter Gould, former general manager in Latin America, be-

(Continued on Page 6)

Federal Trade Report Shows

Big Cut in Salaries of Execs

Office of the Press

WASHINGTON

Meyer Davis-Van Beuren

To Produce at Biograph

Production of the Meyer Davis-Van Beuren musical comedies for RKO release, which had been turned out at the Fox Movietone studio, will hereafter take place at the Biograph Studios, due to the need for more space, Davis announces. "No More West," with Bert Lahr, will be the first short to go in work there, in about two weeks. Nick Grinde is to direct.

(Continued on Page 7)

Kahane Denies Reports

B. B. Kahane, president of RKO Studios, yesterday denied rumors that he would resign on account of the recent executive re-organization of RKO Radio Pictures. "Since the re-arrange ment was my suggestion, it is ridiculous to say that I will resign on that account," said Kahane. The RKO board of directors will meet Thursday to consider the recent changes. Kahane intends to return to the coast Saturday.
Academy "Best" Nominations Tally with "10 Best"

West Coast Bureau of THE FILM DAILY


New York Stock Market

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200 Films Planned in England This Year

London—Two hundred films at an aggregate cost of $20,000,000 already are scheduled for 1934, according to a survey announced by the U. S. Department of Commerce. The British government has the largest program, with 35 pictures costing about $6,250,000. British producers are making plans to secure a larger share of the film business in the colonies, particularly British West Indies, British Guiana, British Honduras, Nigeria, the Gold Coast and other places. Nigeria alone, with 80,000 inhabitants, has no theater wired for sound films.

St. Louis Labor Decision

Being Alleged to NRA

Thirty-two St. Louis neighborhood houses owned by Fred Wehrenberg and Oscar Lehr, are alleged to Division Director Sol A. Rosenblatt from an arbitrate decision on a projections' backpay dispute which involves about $15,000. Wehrenberg and Lehr arrived in New York yesterday from St. Louis and may go to Washington to confer with Rosenblatt.

Fassio Resumes With Shamrock

Detroit—B. C. Fassio, president of Shamrock Pictures, Inc., has taken over the management of the corporation with stock being turned over to him from the exchange for release of the one completed feature, "The Fighting Priest," with Father Coughlin. Fassio will continue the production schedule outlined for Shamrock.

Continue Dickstein Bill Hearing

Washington Bureau of THE FILM DAILY

Washington—Short hearings on the Dickstein bill to restrict foreign talent were held yesterday morning. Representatives of various phases of the legitimate stage were heard, most of them supporting the measure. A brief opposing the bill is expected to be filed by the film producers.

Drop Drive Against Lobby R. O.'s

The city has dropped its drive to check removal of lobby offices in New York City theaters. Particularly those located in the Times Square area, following petition of the N. T. O. A. About 15 violations had been charged, on the grounds that the box-offices did not in the original theater plans approved by the city.
A PERSONAL STATEMENT FROM WARNER BROS.' EMPLOYEES

We, the undersigned home-office employees of Warner Bros., having duly previewed the picture known as "JOURNAL OF A CRIME," do hereby of our own free will record our sworn belief that it is one of the most brilliant productions ever delivered by Warner Bros.' Studio.

And whereas we desire to give tangible expression to our exceptional enthusiasm for this great entertainment, therefore we do now authorize the paid publication of this resolution as our personal recommendation of this attraction to the motion picture trade.

(Signed)

[Signatures]

Sworn to before me this 23rd day of February, 1934

[Seal]

(SEE RUTH CHATTERTON IN "JOURNAL OF A CRIME" AT WARNER BROS.' NATIONAL TRADE EXHIBIT MARCH 6TH)

STAGG

BIGGEST OPENING DAY

IN THE HISTORY OF

RADIO CITY MUSIC HALL

A FRANK CAPRA Production

Directed by the man who created "LADY FOR A DAY"
BROKE RECORD
Keith's Theatre
WASHINGTON, D. C.

BROKE RECORD
Bijou Theatre
SPRINGFIELD, MASS.

BROKE 2 YEAR RECORD
Liberty Theatre
SEATTLE, WASH.

DOUBLED BUSINESS
Loew's Theatre
HARTFORD, Conn.

BREAKING RECORDS
Keith's Theatre
SYRACUSE, N. Y.

SENSATIONAL BUSINESS
Keith's Theatre
BOSTON, MASS.

TREMENDOUS BUSINESS
Palace Theatre
CINCINNATI, OHIO

YEAR'S BIGGEST
Fox Theatre
DETROIT, MICH.

HELD OVER
Orpheum Theatre
ST. PAUL, MINN.

HELD OVER
Orpheum Theatre
NEW ORLEANS, LA.

LINES ALL DAY
Golden Gate Theatre
SAN FRANCISCO, CAL.

TERRIFIC BUSINESS
Stanley Theatre
PHILADELPHIA, PA.

with WALTER CONNOLLY—ROSCOE KARNS
Story by Samuel Hopkins Adams
Screen Play by ROBERT RISKIN
Selwyn Blames Exhibs
For Sameness in Films
(Continued from Page 1)
Selwyn, stage and screen producer, says in an article in Sunday's "Collier's" that the studios are anxious to try novel departures, but the hostile attitude of exhibitors to unconventional homes compels producers to adhere to more or less standardized product, Selwyn claims.

Next for Wheeler-Wooley
West Coast Bureau of THE FILM DAILY
Hollywood — Bert Wheeler and Robert Woolsey will co-star "Cockeyed Cavaliers" as their next KKO production, it is announced by the studio, which is leased to the film comedy. Dorothy Lee and Thelma Todd will have the leading feminine roles, and Mark Sandrich will direct. The story will be written by Edie Kaufman, Ben Holmes, and Grant Garrett.

M-G-M Releases Set to April 29
Release dates for M-G-M features to April 29 are: March 9, "The Barretts of Wimpole Street"; March 19, "Riptide"; March 30, "Tarzan and His Mate"; April 3, "Viva Villa"; April 15, "The Star Spangled Banquet"; April 20, "Laughing Boy."

Start Fourth ComiColor Cartoon
West Coast Bureau of THE FILM DAILY
Hollywood — "Pass in Boots," fourth of the Comicolor series being produced by Celebrity, has been planned for work at the Animated Picture Studios for April release. The "Brave Tin Soldier" was finished last week.

Frank Buck Articles in "Collier's"
First of 19 articles been written by Frank Buck for "Collier's Magazine" will appear in the March 24 issue. He tells about his latest Far East jungle adventures.

Heads NRA Research Division
Washington—Leon Henderson of the Russell Sage Foundation has been appointed head of the NRA Research and Planning Division.

This may account for the high quality that was maintained in comedy. Dorothy Lee and Thelma Todd will have the leading feminine roles, and Mark Sandrich will direct. The story will be written by Edie Kaufman, Ben Holmes, and Grant Garrett.

Foreign Promotions
Announced by U. A.
(Continued from Page 1)
comes divisional manager over all Central and South America. He sailed Saturday for a trip around his new territory. Edward U gast, who has been Philippine manager, is now assistant to Tom Mulroney, foreign sales manager, at the home office, and is succeeded in Manila by Charles H. Core, Sidney Albright, former manager in China, takes over the general managership in Japan, succeeding Earl Kramer, resigned and now en route to the U. S. to settle the estate of his father who died recently.

Chi. O. H. May Be Combo Movie
Chicago — A group of New York capitalists are interested in a project to take over the Chicago Civic Opera House and install a combination of movies, opera and ballet. Details of the project have not been revealed, but it is understood that the place will be given a distinct continental atmosphere, with beer and food served both inside and also a terrace overlooking the Chicago River.

Fox Scenarists in Chicago
Chicago—Gene Towne and Graham Baker, Hollywood scenarists, are in Chicago and it is reported they are to write a scenario for Fox in which Joe Cook, stage comedian, will be starred. Cook is now appearing here in "Hold Your Horses."

"Carolina" Holds in Loop
Chicago "Carolina" proved as popular at the Chicago as that it has been moved to the Roosevelt, a block down the street, for a second week in its run. "Son of Kong," which has been doing capacity business at the Castle, also has been held over.

Trend Makes Staff Transfers
Detroit—Shifting of assistant house managers by George W. Trendle, manager of United Detroit Theaters, the local Publix unit, includes Russell Chapman, former Michigan, shifted to the United Artists; replacing Dean Coffin, moved to the Fisher; D. Tanner from the Fisher succeeds Chapman at the Michigan.

Austrian Company Collapses
Vienna—Poor state of the German film market is said to be largely responsible for the financial collapse of Rechnitz & Reiter (Lux-Film), renters and owners of many important cinemas.

Austrian Production Increases
Vienna — Production in Austria last year totaled 15 features and 90 shorts, against 10 features and 40 shorts in 1932.

M. P. T. O. A. MAPS OUT CONVENTION TOPICS
(Continued from Page 1)
and admissions, censorship, drastic regulatory legislation and ordinances, modern theater construction, new and national public groups interested in motion picture views, views on the code operations such as local grievance and zoning boards, trade practices, labor provisions.

Ben Bernstein is chairman of the Los Angeles arrangements committee and in charge of hotel reservations. Special convention trains will leave Chicago and New Orleans April 6.

Greenville, Mich.—Construction of a 300-seat house, remodeled from a store a week ago, will be called the Gibson, with Charles and Joe Gibson and L. M. Quinnet as operators. Opening is scheduled for March 14. Herman H. Hunt of National Theater Supply, Detroit, is equipping it.

Frank Lloyd, David Butler Re-signed
West Coast Bureau of THE FILM DAILY
Hollywood—Fox has signed new contracts with Frank Lloyd and David Butler, directors. Butler will next direct Will Rogers and Peggy Wood in "Merry Andrew," while Lloyd is preparing "Servants' Entrance."

'Frisco Circuits Book Cartoons
San Francisco—Celebrity's Comi-Color Cartoons have been booked by all circuits in this territory except one. The cartoon is regarded as something of a record. First-twos began showing "Jack and the Beanstalk" yesterday.

Soviet Kid Film Set for Release
"Broken Shores," with Nazi Germany as its locale and children comprising most of its cast, will be released early in March by Amkino.

DuWorld Gets Samoan Film
"Bride of Samon," produced by Phil Brown, has been acquired for immediate release by DuWorld Pictures.

10 More from Royer
Ten more features, to be released at the show of one every three weeks, will be called for by the Fanchon Royer production. The first of the three pictures completed is "Hollywood Honolulu." "Rome Foyer" goes into work March 25. Miss Royer leaves New York next week or on the coast to resume production. Jack Gallagher, president of the company, had remained in New York two more weeks to make distribution arrangements.
REPORT TO SENATE SHOWS SALARY DROP

(Continued from Page 1)

sared with $308,923 in 1930 and $371,302 in 1929. At this point, Loew received a total of $989,309 in 1928 with average over six years as low as $153,500 up to the 1925 figure. J. B. Ruby received $86,890 every year.

In the case of Warner Bros., the report stated that the company agreed to pay H. M. Warner, Jack L. Warner and Albert Warner $10,000 a week for six years beginning in 1928, and gave them 15,000 shares of stock outright and 75,000 shares in escrow to be paid out at the rate of $6,000 a share in 1929. Rembusch, the personal holding company of the three Warner, reported for 1929, $530,008; in 1930, $2,394,422; in 1931, $989,497; in 1932 at the present rate $280,575. In 1933 the company assets were listed at $169,790, of which 30% they were listed at $303,185,444. Abel Cary Thomas was reported earning a salary and bonus of $136,000 in 1928.

The report gave the following salaries for Fox executives: Sidney R. Kent, president, $67,675 in 1929, $96,000 in 1930, $120,000 in 1931, $150,000 in 1932, $180,000 in 1933; Harold R. Franklin received $75,000 in 1931. Columbia Pictures reported Harry Cohn earning $145,600 salary and bonus for 1933. Samuel Goldwyn earned $40,009 in 1929, $40,050 in 1929, $103,889 in 1930; W. C. Miller, $29,250 in 1930.

MGM reported Louis B. Mayer, Irving Thalberg, and J. Robert Rubin receiving collectively in 1928, $1,487,245, in 1929, $1,727,123; in 1930, $2,121,185; and in 1931, $2,121,185.

Total salaries of Paramount–Public in 1929, officers and directors, total of $4,452,700. Radio Keith Orpheum salaries were not a bit less. In the rest, executives are grossly underpaid. Harold R. Franklin received $75,000 in 1931. Columbia Pictures reported Harry Cohn earning $145,600 salary and bonus for 1933. Samuel Goldwyn earned $40,009 in 1929, $40,050 in 1929, $103,889 in 1930; W. C. Miller, $29,250 in 1930.

Universal reported Carl Laemmle in 1928, $123,000; 1929, $158,500; 1930, nothing; 1931, $155,000; 1932, $152,000; 1933, $135,000. H. C. Cochrane received $65,400 in 1930 and $76,000 in 1933. James R. Grainger was reported at $52,000 for 1931. Phil Keiman received $66,000 in 1931.

Only officers and directors were reported to the Commission.

Not Attending Hearing

Owing to the fact that the motion picture code's machinery has not yet begun to function completely, members of the Code Authority will not attend the Washington hearing to be held this morning today to give opportunity to critics of all codes to register their ideas. A committee of six leading leaders by THE FILM DAILY yesterday indicated no disposition to participate in the meeting if it is too early to observe the code's operations.

DEADLINE FOR ASSETS CHANGED TO MARCH 10

(Continued from Page 1)

was due to an arrangement made following the NRA's recent Washington ruling clarifying the scope of assets. It had originally been intended to extend the deadline to March 23 but it was found a shorter period would suffice. The vaudeville committee's report on suggested modifications of the vaudeville labor clauses of the code was presented and submitted to Division Administrator Sol A. Rosenblatt for study. The committees on annual and finance will meet today.

In event that the Code Authority does not hold a meeting of its own at Washington next week a session will be held in New York on the day the Washington gathering is over. W. Ray Johnston will preside as chairman.

Rembusch Hearing Continues

The plaintiff's case in the Rembusch conspiracy suit against the major firms, now in its third Federal Court week, is expected to be completed by Thursday, it was said yesterday by Jos. T. Weed, of plaintiff's counsel. All day yesterday was consumed with the testimony of Jos. Quittner, and later, Mr. Weed, Today Hubert Woodsmall, Rembusch's former partner, and Chas. Curzon, former manager of Rembusch's Rialto, Indianapolis, will testify.

Kirkwood Back to Stage

James Kirkwood will return to the stage in April in the leading role of "The House of Remsen," by Nicholas Sussman, William J. Perlman and Max Bramer. Sussman also is sponsoring the production. "Moulin" Caravan in Kansas City "Palooka" Opens Today

20th Century Borrows "Alice" West Coast Bureau of THE FILM DAILY Hollywood—Charlotte Henry of "Alice in Wonderland" has been borrowed from Paramount by 20th Century for "Head of the Family," next George Arliss film for United Artists release.

February 27


**ACTION IS DELAYED ON THEATER STRIKE**

Meeting of circuit representatives and the lobbyist, who is chairman of the NRA Regional Labor Board, to avert a possible strike of service employees, was put off yesterday until Wednesday. Voting on a general strike took place last night, but there will be no strike called until after the meeting tomorrow, Chas. C. Levey, secretary of the service union, said yesterday.

**NRA Boston Labor Ruling Taken to Court by Circuit**

(Continued from Page 9)

The perior Court asking instructions whether they should follow an order by the National Labor Relations Board involving the union's listing of 26 theaters under a regional labor board in approving the union's list of theaters as engineers. Working hours and wages of men in five theaters are involved in the dispute. Receivers ask the court to fix the wages and hours, or authorize petition to the Code Authority.

**Circuit Insures 181 Employees**

Seattle—One hundred and sixty-one employees of Evergreen State Amusement Corp. have been covered with insurance in amounts ranging from $1,600 to $17,500, according to a ruling by employee's group policy by that company, with employees and circuit each paying part of the premium. Prudential Ins. Co. of America issued the policy.

**Capitol Bookings Set to April 20**

Bookings for the Capitol up to April 20 have been set as follows: March 2, “Queen Christina”; March 16, “The Show Off”; March 23, “Lazy River,” formerly titled “Cotton Patch”; March 30, “Riptide”; April 13, “Tarzan and His Mate”; April 20, “Viva Villa.”

**New Toledo Theater Firm**

Toledo—Papers have been filed with the secretary of state chartering the River Theater Co. by John J. Kendrick, John W. Winn and Alan B. Loop.

**Greensboro House Reopens**

Greensboro, N. C.—The remodeled Rialto, with Edwin Martenet as vice-president and general manager, has reopened.

“Doorway to Hell” Holds at Globe

Revival of James Cagney’s “Doorway to Hell” is being held a second week at the Globe.

**Have 4 of Best Sellers**

Four of the past month’s best-sellers, as indicated by reports from 95 book dealers in 72 cities, are among the season’s acquisitions by Women’s Trade Advertisers, “Dick Whittington and His Cat,” “Gypsy,” “The Fisherman’s Secret,” and “Carrie.”

**10 REGIONAL MEETINGS SET BY I.T.O. OF OHIO**

(Continued from Page 1)

Perry Hotel, Toledo; March 2, Hotel Novia, Lima; March 5, Van Cleve Hotel, Dayton; March 9, Claremont Hotel, Akron; March 12, Portage Hotel, Akron; March 13, Hotel Ohio, Youngstown; March 14, Fort Steuben Hotel, Steubenville. Dates of the Cincinnati, Cleveland and Columbus sessions will be announced later. Business Manager P. J. Wood and various officials will address the gatherings. The association’s platform calls for: membership to include every independent exhibitor, repeal of admission tax, reduction of unfair percentage and preferred playing time demands, protection of members at grievance-clearance board meetings, reference unfair legislation, protection of members in matters pertaining to sound equipment, patent litigation and abolition of score charge and music tax.

**Detroit Notes**

Detroit — Variety Club banquet Saturday night drew about a thousand. It was held in three ballrooms in the Book-Cadillac Hotel, where the club has its rooms, and all space was sold out several days in advance.

Van Cohn is putting in vaudeville at the Senate, West Side key house. Louis H. Harris has joined the staff of Excellent Pictures. He is handling state sales.

Edward Bonville has been transferred from the Oriole to the new Belmont by the Sam Brown Circuit. Sidney Hunter also is manager at the Belmont, which has a continuous policy. Charles T. Danke resigned from the Imperial to take over the Oriole in the Brown Circuit. and Michael J. Chargot resumes personal operation of the Imperial. The Brown Circuit is now in charge over the Holbrook, North End house, has closed it for improvements.

Talmat’s People’s theater, former Yiddish legit house, has adopted a policy of foreign films on five nights a week.

Discuss British Films on Radio

Outstanding advancements made by the British film industry, as recently indicated by “Catherine the Great” and “Henry VIII,” both released by United Artists, will be discussed in a radio interview by Mabel Drew and Charles Martin over station WMCA at 2 P. M. today.

**A LITTLE FROM "LOTS"**

By RALPH WILK

HOLLYWOOD

COLONEL JASON JOY has been appointed the Fox studio contact man on matters affecting the Production Code with the Association of Motion Picture Producers. Colonel Joy will discuss all treat- ments of stories with the Hays As sociation Production Code authorities and check the completed scripts prior to actual production.

Alvin Wykoff, cameraman, and John Helliott, trainer, were injured Sunday when a lion and a Himalayan bear attacked them while they were making a picture.

Katherine Denman, daughter of Cecil B., has signed a long term Paramount contract.

Oliver H. P. Garrett has been engaged by B. P. Schulberg to adapt “One Way Ticket,” novel by Ethel Turner, as the next Sidney Sidney vehicle for Paramount.

“Repeal,” Charles Francis Coe’s sensational story recently concluded in the “Saturday Evening Post,” is to be an M-G-M starring vehicle for Jean Harlow.

Busby Berkeley is conducting a search for 150 new girls for musical numbers in Warner’s “Dames.”

M-G-M has signed Jeffrey Taylor to its roster of players. He comes from Pomona College.

Mary Astor will have the feminine lead in First National’s “Dark Tower.” She was suggested by Miss Astor.

Kansas City—Following its weekend stay in St. Louis, the “Moulin Rouge” cross-country caravan is here for two days. Despite heavy snow, the troupe of stars brought capacity business to Loew’s State both Saturday and Sunday.

I. T. O. A. Board Meets Today

The I. T. O. A. board of directors meets today, prior to a regular meeting of the association tomorrow.

“Palooka,” United Artists release produced by Reliance and starring Jimmy Durante, Lupe Velez and Stuart Erwin, opens this morning at the Rivoli. The picture was reviewed in the Film Daily of Feb. 1.

Ralph Friendly Through at Para.

Ralph Friendly, attorney associated with Root, Clark & Buckner, counsel for the Paramount producers, has completed his work at the Paramount home office.

Warners Change Policy at Orpheum

Chicago—Two changes a week, at reduced scale, will be the new policy at Warner’s Orpheum starting tomorrow.

George S. Kaufman, co-author.

Alcot Rosenberg has been signed by Columbia to direct “The Party’s Over,” Broadway play by Daniel Kuely. Felix Young will be the super-

* * *

Despite the difficulties other di-
rectors claim to have in securing a suitable list of players for their casts, Del Ruth seems to have done exceedingly well, thanks to his new chief, Darryl Zanuck. For his initial directional assignment under the 20th Century banner, “Bulldog Drummond Strikes Back,” Del Ruth has such players as Loretta Young, Warner Oland, Charles But-
terworth, Una Merkel, Kathleen Burke, C. Aubrey Smith, J. M. Kerrigan, Forrest Harvey, George Sherwood, E. E. Olle, Clyde Bevan, George Rigas and Misschel Auer to support Ronald Colman.

Berton Churchill has joined the cast of Warner’s “Friends of Mr. Jefferson,” with Loretta Young and Cecil Cunningham are additions to “Return of the Terror.”

CAST ASSIGNMENTS


WARNER—Ann Dvorak for the feminine lead in “Friends of Mr. Swenney.” Frank Conroy for “Return of the Terror.”

PARAMOUNT—Philip Holmes and Neil Sparks for “In Conference.”

COLUMBIA—Rita Lakey for “The Whirl- pool.”

KO—Billy Bevan for “Stronger.”

MONOGRAM—Billy Erwin for “The Loud- speakers.”

UNIVERSAL—Dorothy Granger for “I’ll Tell the World.”

Paramount Regains Broadway Block

Control of the Broadway block including the Criterion theater has been regained by the company, under a re- ported deal whereby the holding company has given a $175,000 one-year mortgage to the Paramount trustees. The property had been offered for sale by realtors.

Birmingham Bandits Get $1,600

Birmingham—After tying C. B. Bryan, assistant manager, and Mar- garet Weinberg, and cutting the phone wires, the bandits made off with $1,600 from the Ritz the other night.

Franco-English Company Formed

London—a new Franco-English company, British & Continental Film Productions, Ltd., has been formed with M. Sam Spiegel as president. Jacques Feyder will direct a picture for them and another in English with Emil Jennings as star.

Lee Newsome Moved to Austin

Dallas—Lee Newsome, transferred from the Melba, is holding forth among the University of Texas co-eds at the three Austin houses in the Hoblitze circuit.

“David Harum” Bucks Storm

Opening at the Miller Theater, Wichi- ta, in a blinding storm, Fox’s “David Harum” hit the house gross 100 per cent, according to a wire yesterday from Manager H. E. Jameyson to John D. Clark, Fox sales manager. „It was more sensational than anything I have shown in 10 years,” Jamey- son said.

**THE FILM DAILY**

Tuesday, Feb. 27, 1934
10 More Local Boards Named by Code Authority

MAJORS OBJECT TO NRA'S CANCELLATION RULING

Revision of All Codes is Proposed by Gen. Johnson

12-Point Plan Calls for Shorter Work Hours and Higher Pay

BY WILLIAM SILBERBERG

FILM DAILY Staff Correspondent

Washington—Before any of the NRA code critics assembled here yesterday could voice their sentiments, General Johnson announced a 12-point program for revision of all existing codes, particularly with a view to cutting work hours, increasing wages and assuring protection of small independents. Though there was an overflow on (Continued on Page 10)

SEE 75% INCREASE IN BUSINESS FILMS

Present indications and contracts organized point to a 25 per cent increase in the production and distribution of business films during 1934, Eugene Castle, president of Castle Films, told THE FILM DAILY yesterday. It is possible that industrial manufacturers will invest approximately $800,000 through the Castle company alone during the year. Last year Castle produced 25 (Continued on Page 2)

Reorganized M. P. Club Holds Luncheon Tomorrow

Coincident with the complete reorganization of the Motion Picture Club, a special luncheon and meeting is planned tomorrow at the club's headquarters, 1500 Broadway, with Will H. Hays and Attorney Louis Nizer on the program. Other important "names" are being lined (Continued on Page 2)

Grievance and Zoning Boards Are Set for Five More Cities

National Screen Service Nets $107,010 for 1933

National Screen Service Corp. reports a profit of $107,010.75 for the fiscal year ended Dec. 31, as compared with $94,566.47 for 1932.
Reorganized M. P. Club Holds Luncheon Tomorrow

(Continued from Page 1)

up for the affair at which an announcement will be made of the club’s new list of officers, which includes various business and industry personalities. The club’s new directors will include, among others, Louis Muller, Jack B. Heyman, H. Hays, C. L. Leonard, Sr., Al Lichtman, Herbert Yates and Adolph Zukor.

As a phase of the reorganization plan the club is reducing dues to 75 cents a year. A program of social events will begin within two weeks with the schedule including cocktail hours, radio forums, talks by famous people, formal and informal parties and dances. A bar is being installed. Tomorrow’s luncheon begins at 1 P. M. and the meeting which follows is scheduled to end promptly at 2:15 o’clock.

End of Dual Bill Agitation

See by M. P. Federation

Agitation over dual bills will die because the film code makes no provision of this policy, it was stated yesterday at the meeting of the Federation of the M. P. Industry in the office of Harry Thomas, president. A schedule of figures to meet budget requirements has been prepared and acknowledgment made to the IMPDA pledging cooperation, it was announced. Appointment of an executive secretary for the Federation will be made in a few days.

Universal Buys Two Stories


ew York Stock Market

New York, Feb. 28 — Low Close Chg

Am. Scot. 150 9 9

Columbia Pics. etc. 24 24 4 1

Cons. Film Ind. 34 34 1 1

Cons. Film Ind. Pitt. 16 16 0 0

East. Kodak 90 90 90 0 0

Fox “A” 144 144 144 3

Loew’s, Inc. 12 12 12 1

Pathe, Inc. 46 46 46 0 0

Pathé Ethics 33 33 33 0 0

por “A” 131 131 131 0 0

RKO 2 2 2 1

Univ. Pic. etc. 26 26 26 0 0

Warner Bros. 7 7 6 1 0

New York Curb Market

Cable Trans. 99 99 99 0 0

Trans-Lux 24 24 24 0 0

New York Bond Market

Gar. Th. 646 646 646 2

Gar. Th. 6044 etc. 88 88 88 1

Keith A-Q 606 606 606 1

Los. 46 46 46 0

Paramount 644 etc. 44 44 44 0

Pat. Bo. 80 80 80 0

Pat. Bo. 60 60 60 0

Warner Bros. 16 16 16 0

N. Y. Produce Exchange Securities

Para. Public. 4 4 4 1 0

Warner Warns to Remake “Lost Lady”

Willa Cather’s “The Lost Lady.” Pulitzer Prize novel, made by Warners as a silent in 1922, will be remade by the company as a talker.

YOUR INCOME TAX

We assist many film executives in preparation of their returns. Tax experts and accountants on hand. Please call for estimate. No obligation.

International Audit Co.

37 W. 54th Street.

N. Y. 19-2200

See 75% Increase

in Business Films

(Continued from Page 1)

reels of business films against 100 reels already arranged for in contracts. The new line-up will include 25 one-reelers, 10 four-reelers and about 16 two-reelers. Eleven reels of business films are now in production on the coast under the direction of Walter A. Rivers. “Name” orchestras will be arranged for the majority of films, with Abe Lyman and his band already under the Castle banner for industrial picking for two weeks. Announcer, has also been engaged by Castle for narratives, and other radio personalities will be used in the films. Castle will leave for the coast April 1 to arrange new contracts and supervise current productions.

Revolving Boards

Likely for New York

(Continued from Page 1)

tion situation in that section. Personnel of the two local boards has not as yet been agreed upon and has been the subject of much discussion. Providing the revolving personnel plan is adopted, New York will be the only exception to the general setup procedure.

“Catherine” May Go Five Weeks

“Catherine the Great,” with Douglas Fairbanks, Jr., and Elizabeth Bergner, goes into its third week at the Astor today with seats selling $2.50. A film review of the week.

“Wonder Bar” Opens at Strand

“Wonder Bar,” First National production with cast headed by Al Jolson, Kay Francis, Dolores Del Rio, Dick Powell and Ricardo Cortez, opens this morning at the Strand. Picture was reviewed in THE DAILY FILM of Feb. 17.

Polish Feature for Caruso Theater

“The Spy,” Polish talkie, will have its American premiere permanent theater. Under arrangement with the Caruso theater. Majestic Film Distributing Corp. is handling the picture.

M-G-M Buys Arnold Bennett Play

“Sacred and Profane Love,” Arnold Bennett novel and play, has been acquired by M-G-M.

“Death Takes Holiday” Holds

Paramount’s “Death Takes a Holiday” is being released this week at the New York Paramount. Stage show headed by Ben Bernie also holds over.

Bergman Film at 55th St. March 6


Union Authorized

To Call a Strike

(Continued from Page 1)

board, in an effort to avert the threatened strike. Levey is working a closer schedule, 40 hour week, and $18 a week for ushers and $24 for doormen, janitors and cleaners, but he feels he will compromise on the wage demands.

New British Film Company

London—A new company with registered capital of about $250,000, is being organized by Charles B. Pate, former director of the Sporting Club at Cannes. A two-stage studio is to be built at Blackpool, and it is planned to turn out six pictures a year after the company is functioning completely.

Ann Little Appears in Ohio

Canton, O.—Ann Little of the Betty Boop cartoons is making personal appearances in eastern Ohio through arrangement with Max Pleisner studios and Paramount Pictures.

Dals at Paramount, Salt Lake City—Doubles are being made a permanent policy at the Paramount, a Marcus house.

N. J. Allied Discusses Code

The code as it applies to independent exhibitors was discussed by Allied Theatre at New Jersey at a meeting yesterday. President Sidney E. Simms presided at the session of the upstate New York Allied group the previous day.
CREAM OF TODAY'S NEWS!

1—"CAT AND THE FIDDLE" opening engagements packing them in. (Novarro and Jeanette Mac Donald's love songs captivate audiences.)

2—"MYSTERY OF MR. X" rated swell entertainment, wins unanimous praise of New York critics. (Bob Montgomery's handsomest starring role and a perfect exploitation picture.)

3—GARBO in "Secret Loves of QUEEN CHRISTINA" continues happy box-office career.

4—M-G-M execs in California get first glimpse of SHEARER in "Rip Tide". Oh boy! Just wait!

5—VIVA VILLA! VIVA VILLA! VIVA VILLA! That's what the whole world will be shouting. (And Wallace Beery tops his best in it!)
BUCK LASSOS MAN-EATER!

In his great picture "Bring 'Em Back Alive" Frank Buck gave spell-bound audiences their first sight of the jungle at war with itself, with its thrilling fights and survival of the strongest. In "Wild Cargo," his latest adventure, he now shows the jungle at war with Man. Not the war of guns and cruelty but the battle of wits between Man and his cunning antagonists. There are thrills aplenty in this new film and wildly exciting surprises, such as the time when Buck had to saw off the tree limb on which a black panther perched and another time when after trapping a tiger found that he had to descend into the pit and lasso the man-eater. Nature, it seems, conspired to save her biggest thrills for

FRANK BUCK'S "WILD CARGO"
Van Beuren Production . . . RKO Radio Picture
Directed by Armand Denis
COMING SOON!

The above graphic drawing is one of a series of scenes from "Wild Cargo", sketched from an actual "frame" of the film by the famous artist J. Clinton Shepherd. There's no time for "stills" in a world full of thrills!
NEWS OF THE DAY

Charlotte, Va.—After undergoing repairs necessitated by fire damage, the Paramount is open again.

Kinsman, O.—Earl J. Smith, of the Andover Theater, Andover, has leased the Pyam here and will re-open it about March 1.

Buffalo—Jack L. Berkowitz, manager of Standard Film Exchange, is considering changing the name to Monogram Film Exchange and handling that product exclusively.

Buffalo—Shea's Hippodrome has gone to an all-film policy which Manager George A. Mason says will continue indefinitely.

Clark, La.—A theater will be opened here by the Louisiana Central Lumber Co.

Boston—George Moffit, formerly service manager at the Metropolian, is now assistant to Lew Gordon of the M. & P.-Pulbic Fensway.

Deli, La.—J. R. Colson has re-opened the Delhi.

Boston—Jack Goldstein, publicity director for RKO theaters in New England, is on a Bermuda vacation. Mary Hildegarde Healey, his assistant, is handling press work in his absence.

Chicago—Dave Nateson, assistant manager of the Sheridan and E. Stuber of the North Center have switched jobs.

Chicago—Under the new vaude- picture policy of the Oriental, Nate Platt will be supervisor of the house. Charles Cottle, now at the Ty- poli, will be house manager. Ben Bloomfield, former manager, has been transferred.

Coconut Grove, Fla.—Elmer Hecht, manager of the Grove theater, has rearranged his building, and reduced the seating capacity by approximately 500. The house had 1,500 seats, too much for the community.

Minneapolis—F. W. Murphy has become general counsel for Allied Theater Owners of Minnesota and the Dakotas, it is announced by President W. A. Steffes.

Report on Operator Issue

Reiterated interpretation of Divisional Administrator Sol A. Rosenblatt to the effect that operators' wages are figured on a booth instead of individual man basis under the code will be re- ported to the I. T. O. A. at its meeting today, following a discussion between its committee in charge of the matter and Rosenblatt. The exhibitor unit, which claims that the original intent of the operators clause in the code was to figure costs per man, will continue its efforts to effectuate this in- terpretation. Its committee intends to meet with the Divisional Administrator again soon, possibly in Washington.

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CAJUN TIDINGS

Along the Rialto

by M. Daly

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ONE OF the unsung heroes of the film biz is "Red" Green, cameraman on "Are We Civilized?" the Rapsin Production pix directed by Edwin Carewe. They were opened and the camera was planted on the side of an embankment for a difficult shot of the ground crumbling and the camera started to topple. Green without a second's hesitation threw himself under it--only the shutter was broken. Incidentally, this pix is being touted as a standout--with several major companies interested in grabbing it has a tremendous, stirring epic theme. Authoried by Harold Sherman featuring William Farnaum and Anita Louise.

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AFTER ALL these years, it has occurred to one producer to capitalize on a fundamental and universal human appeal rooted in humanity for centuries--that colors every child's life--and lingering with 'em to old age. You know the Fairy Story as P. A. Powers Celebrity Productions' cartoons known as ComiColor have been. What success these new cartoon are enjoying is due not only to the clever treatment of head cartoonist Ub Iwerks, but to the fact that he sticks close to the actual Fairy Tale as we all learned it in childhood--so when we see it on the screen it is like meeting a long lost friend. It has an immediate appeal to grown-ups as well as the kids. Walt Disney set the vogue in colored cartoons--the public is educated up to 'em--and wants more than any one producer can supply--and the letters from exibns being received at the exchanges support that conclusion.

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THEY TELL US that the equatorial quality of Mae West's next pix, "It Ain't No Sin!" will be increased by the hot music of Duke Ellington's orch. Paramount studio officials stayed up nearly all night listenin' to the weird harmonies of the band in an impromptu concert. Fletcher Henderson and his orch commence their U. S. tour in Paterson, N. J., 2-day. Brilliant weather in these parts induced Henry King to accept two more weeks for himself and orch at the swank Embassy club in Miami.

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ON THE Rivoli marquee the "LOOK!" in "Palooka" lights up separately with a flash--a bit lad got an Idea. Miss Lee Brody, exotic singer, starts an indefinite engagement tonite in the Continental Grill of the St. Moritz. Fox Film stude announcces the arrival of a boy, Feb. 10. Joseph Shea, 170 pounds, in the publicity ward; home at 9 a.m. at the studio. Gabe Yorke and staff doing well.

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WE STARTED somehun by stating that Boris Moros of the Paramount would introduce a broadcasting novelty by placing microphones around the screen to broadcast a scene in "Death Takes a Holiday" now comes H. B. Ramm of the State theater, Aiken, S. C. who claims that his brother, Louis Ramm, pulled the stunt way back in 1927 on the very first sound feature, "The Jazz Singer" as publicity director for the Dipson Theaters in upstate New York. Louis arranged a tieup with the Jamestown broadcasting station to broadcast the show from the Winter Garden for the entire week. his brother also believes that Louis was the Pioneer in other Radio Records--first the use of radio for ballyhoo and exploitation, and the first theater man to sing on the air, the first how we've started somethin'--where is the guy with Facts to make a liar outa Louis' brother?

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THE legitimate theater, motion pictures and radio should get together and do everything possible to promote the welfare of the entire entertainment business and not permit any part of it to be hurt."—FRANK GILLMORE.

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"No industry in the world as self-conscious, as timid, as easily bluffed as the motion picture industry."—HOWARO W. L.

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A motion picture is an artistic creation and only motion picture artists should have anything to say about it until it is in the can."—WELFORD BEATON.

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"Directing Miss Garbo is like playing a fine musical instrument."—ROUBEN MAMOULIAN.

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"As soon as companies realize that the film industry is not like the automobile industry there will be better pictures. The public rapidly is becoming fed up with a succession of films, each a carbon copy of the other."—SAMUEL GOLDFYN.

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"The finest pictures are the very features most often cancelled under the cancellation privileges included in block-booking by the exhibitors who shunt lowest against the alleged evils of this method of wholesaling pictures in block."—C. C. PETTJOHN.

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"One reason television isn't ready yet is that a receiving set would cost about $300. Another reason is that we can reach only 15 miles around New York with our present television experimental apparatus."—M. H. AYLESWORTH.

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"This has been a great year for Queens."—HELEN HAYES.

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Best wishes from THE FILM DAILY to the following on their birthdays:

February 28

William Wellman

Irv Boglin
will come to your screen April 14th to claim the rightful heritage of her great talent--stardom! America is waiting, we believe, for such a thoroughly American new favorite. Wholesome, eager, clean-limbed, and as natural as a day in Spring, she is the kind of girl whose moods and dreams and loves and thoughts we all can understand and share. This charm and her beauty destinée her as successor to the greatest native favorites of the past. Warner Bros. strongly urge you to prepare to capitalize fully on her marked potentialities as a box-office power, in your promotion of her first starring vehicle--

"AS THE EARTH TURNS"

**REVIEWS OF FEATURES and SHORTS**

"MYSTERY LINER" with Noah Beery 62 mins.

CLEVERLY DEVELOPED MURDER MYSTERY BUILT AROUND STRUGGLE FOR SECRET OF RADIO-OPERATED LINER.

Built around the initial test of the presumably invaluable secret of shore operation via radio of an ocean liner, and the attempts of a foreign power to get control of S 505, the tube which makes radio operation possible, the story develops into an eneorssing murder mystery with a surprise ending that should click in the pop houses. Romantic interest is cleverly interwoven. Before the ship sails with a full complement of passengers the captain is removed due to a strange illness and the inventor of S 505 nearly strangled to death. A Major Pope is put aboard as the "investigator". Suspicion falls successively on officers, crew and a passenger as the voyage proceeds eventually with murder of captain toock place.


Director: William Nigh; Author: Edgar Wallace; Adaptor, Weylin Tooman; Cameraman, Archie Stout; Recording Engineer, John A. Stranks, Jr.; Editor, Carl Pearson.

Direction, Fine; Photography, Fine.

"GOING SPANISH" Educational 21 mins.

A very pretentious two-reel musical comedy featuring Bob Hope and Leah Ray. Two very promising material to the screen, but Hope having scored in the stage hit, "Robertina," and Miss Ray well known as a night club entertainer, Hope is a real comedic talent, and the girl looks like a sure bet for pictures, for she has charm and acting ability as well as good looks. Many scenes depict a South American village on a feast day, with the comedian having a lot of fun spoofing the merry villagers. Three good song numbers by the lads who wrote the hit, "Annie Doesn't Live Here Anymore." Godfrey's Argentine Band also featured with those catchy Latin melodies. Produced by Al Christie with a lot of originality and fine kidding humor that is refreshingly different from the usual short comedy brand.

"HOLLAND DAYS" (Terry-Toon) Educational 7 mins.

FAIR ANIMATED

In a Holland locale, main action of this cartoon comedy revolves around the making of cheese, performed with the customary burlesque methods. Then the big cylinders are loaded on a ship and dispatched to a foreign port. While the salt is being added, a man descends on the cargo and makes merry until the cap returns, whereupon a battle takes place.

"FAIREST EDEN" (Port O' Call) William Pizor 9 mins.

One of the Port O'Call travel series, and very interestingly presented photographically, and also in the narration. It deals principally with the life of the native population, and shows in detail how they secure practically everything for their modest requirements from the coconut palm.

"TRAV'LIN' THE ROAD" (Song Hit Story) Educational 9 mins.

POP MOVIE NOVELTY

Features Alexander Gray and the Ritz Quartette and Milo in songs of the hobo camps. Done with a lot of originality and affection, but the songs are somewhat out of place. All together a very good cartoon.

"MEDIEVALL BLUES" (Romantic Journeys) Educational 9 mins.

PICTURESQUE

Done in Cineolor, with narration by Claude Fleming, who appears through the reel in an interesting trip through Morocco. The scenes in the native towns and the desert atmosphere are very picturesque, with plenty of human interest touches to lift this above the average travel subject.

"MANAGED MONEY" (Frolics of Youth) Educational 20 mins.

BOY INTEREST

Adventures of two young school lads who start out on a gold prospecting expedition. Junior Coghlan is trying to raise the money to go to military school with his pal. His kid sister (Shirley Temple) sneaks along, hiding herself in the back of the lorry. They discover a chance in the desert suffering from amnesia, bring him back and accidentally help in restoring his memory. They collect the reward for finding him. He proves to be the head of the military school. Good juvenile material that will appeal to the school boys. Directed by Charles Lamont.
Fox keeps its song hits fresh for you!

With your profits in mind... FOX will not allow its songs to be repeatedly plugged over the air... before the pictures show at your theatre.

Only a restricted few broadcasts will be permitted... samples to tease the public into wanting more.

So that when "Fox Follies," "George White's Scandals" and "Bottoms Up" appear on your screen... their great song hits will have definite drawing power at your box office... because they're new, fresh.

As usual, FOX thinks of you!
Grievance and Zoning Boards Are Set for Five More Cities

(Continued from Page 1)

 supervisor; impartial members, Judge Hugo Powell, Circuit Court. CLEVELAND—Grievance Board, representative national distributor affiliated, Edwards Panetta, Paramount; representative distributor unaffiliated, H. A. Kissel, exhibitor affiliated, Nat Wolf, Warners; exhibitor unaffiliated, J. D. Kaluza of Cleveland; impartial member, Judge Joseph A. Ackermann. Clearance and Zoning Board, representative national distributor affiliated, Frank Drew, M-G-M; representative distributor unaffiliated, Nat Holt, RKO; first exhibitor unaffiliated, John H. Heubner, Marion, Ohio; subsequent exhibitor, Martin J. Smith of Toledo, Frank Gross of Cleveland; impartial members, Joseph J. Ronan, Nat. L. and R. Smith, Columbia.

MILWAUKEE—Grievance Board, representative national distributor affiliated, Sam Shure, Metro; representative distributor unaffiliated, George Roman, Columbia; impartial member, D. E. Wizermer, Warners; exhibitor unaffiliated, Fred Meyer of Milwaukee; impartial member, Pierce Birk, Secretary, Milwaukee Board of Commerce. Clearance and Zoning Board, representative national distributor affiliated R. T. Smith, Warners; representative distributor unaffiliated, Geo. G. E.-independent distributor affiliated, H. J. Fitzgerald, Fox Midwest; first exhibitor unaffiliated, Tom Saxe of Madison; subsequent exhibitor, Charles A. H. Amsworth, Warner Bros. Fish of Milwaukee; impartial member, Joseph C. Rade, Nat. L. Board.

Announcement was also made yesterday of the selection of representatives as follows: Pittsburgh—grievance board, Art Stoecker, attorney; chairman, Art Stoecker; Portland—grievance, Judge Ashley Dickerson; chairman, Portland film dealers. Cleveland, Nat. L. Board of Portland, Or.; Salt Lake City—grievance, Samuel C. Powell, president of the Utah Film Dealers; chairman, George W. Beeson, assistant state CDA director; Denver—grievance, J. W. Schenck, attorney, attached to office of Attorney-General of Colorado; chairman, Charles K. Coned, Nat. L. Board of Denver; Baltimore—grievance, Maryland Guggenheim, Nat. L. Board of Baltimore; New York—grievance, J. E. C. Leland, Nat. L. Board of New York; Boston—grievance, James C. Carroll, Nat. L. Board of Boston; Chicago—grievance, M. G. M. division of Chicago; chairman, J. E. C. Leland, Nat. L. Board of Chicago. All such boards will be set and the duly notified on nominations means that this will not end the matter. The committee on nominations meets today. All nominations are subject in writing to the discretion of the appellate board.

W. B. Spike Propaganda About Ad Matter in Films

(Continued from Page 1)

sistent tier, was branded yesterday by S. Charles Einfeld, Warner advertising and publicity chief, as based on unwarranted misinterpretation of the deal with Coca-Cola. The tieup merely means that Coca-Cola is privileged to use names and pictures of Warner stars in its advertising and does not call for any plugging for the beverage company in Warner films. Einfeld said. In "Heat Lightning," forthcoming film based on the New York stage play in which Coca-Cola was mentioned as an incident appropriate to the action, the line is retained in accordance with the original script, Einfeld points out.

Northwest Allied Meetings

Minneapolis—Allied Theaters of Minnesota and the Dakotas will meet today at the Radisson hotel, with the confab open to all exhibitors whether members or not. Al Steffes, president of the unit, and several national Allied leaders are to be present.

OBJECT TO RULING ON CANCELLATIONS

to the protest as R. H. Cochran did not attend the meeting owing to the illness of his son, and John C. Flynn, executive secretary of the Code Authority, last night stated that he has been informed that some of the distributors have not agreed with the interpretation. Indications are that the dispute will be settled when a case testing the retroactivity of the Code reaches the Code Authority at some later date on appeal from a local board.

Divisional Administrator Sol A. Rosenblatt was present at the meeting at which the exception was taken on the interpretation, which was exclusively published in THE DAILY yesterday.

Revision of All Codes Proposed by Johnson

(Continued from Page 1)

hand, no film representatives were included as far as could be determined. This will continue to March 5, when the conference of all code authorities begins. Johnson's 12-point program follows.

1. A more uniform and equitable rate of price stabilization where necessary to prevent excessive price declines, with further insurance against prices outstripping purchasing power.

2. More effective rate to prevent resale below costs of production.

3. Uniformity in wages and hours in industries which are competitive.

4. Uniformity in wages and hours in industries which are non-competitive.

5. Uniformity of areas of the prevailing Southern wage differential.

6. Reduction of working hours and further increased in hourly wage.

7. Prohibition of three-man monopoly, suppression of small enterprises and inclusion in codes of control regulations to protect the small fellows.

8. An improved method to obtain compliance.

9. A method for financing code administration without race to the wall and with further insurance against prices outstripping purchasing power.

10. Elimination of inconsistent or conflicting provisions in codes.

11. Uniform Government representation on the authorities.

12. Wider use within code groups of mechanism for settling labor disputes.

First Vitaphone Color Cartoon

"Honeymoon Hotel," first of the Vitaphone cartoon comedies in color, will be released shortly. It will be one of the Merrie Melodies series.

"Moulin" Caravan Ends Tour

Kansas City — Twentieth Century's "Moulin" pictures had ended its tour here yesterday with a record of activities that included a big reception at Union Station, a parade to the Meadowbrook Hotel, an appearance at Long's Midland, which was jammed. The projector was set up in the lobby, and the Space was packed as the stars prepared to leave today for Hollywood. At 11 a.m. the script girl who records the crooner to handle publicity went on tour.

Staggering Grosses Everywhere Played!

Don Clark GABLE

Claudette COLBERT

Together for the First Time

"I Happened One Night"

With Walter Connolly, Roscoe Karns

From the Competition Magazine

Story by Samuel Shakman, Alem

Screen play by Robert Riskin

 Biggest opening day in the history of Radio City Music Hall!

RKO Sales Up 25% Depinet Reports

(Continued from Page 1)

that will be made there for "Last Days of Pompeii." Cooper will later go to Italy to make further preparations for the feature. "Our production set-up is better than it has ever been in the history of RKO," said Depinet, "and we will start the new season better prepared to make class A pictures than ever before." Although convention plans have not as yet been discussed, Depinet said that RKO would most likely hold its convention in June.
Audiences go wild over just a glimpse of Durante as the new perfect lover of the screen, and women swoon in the aisles when they see the whole picture!

Schnozzola Antics Turn Trailer Into MERRIEST OF SCREEN FUN

By HARLEIGH SCHULTZ

Jimmy Durante has such a hold on audiences that this Schnozzola genius can turn a mere trailer into comic entertainment. In witness whereof note the audience reaction currently at RKO B. F. Keith's to the few minutes where the screen goes ballyhoo but reveals plenty of laughs, so that the trailer may be reckoned as good as most, and better than many, of the comedy "shorts."

BOSTON EVENING AMERICAN

Have you seen the ad campaign by Steig, world-famous caricaturist?

HERE'S HOW IT CLICKED!

NEW YORK — Packed Rivoli at opening yesterday despite zero weather and record snowstorm!

BOSTON — Doubled gross of previous week!

WASHINGTON — Beat previous week 30% despite blizzard!

BALTIMORE — "Heavy attendance ups sugary gross" reports Variety!

AKRON — Biggest week since house re-opened last summer!

BINGHAMTON — Smashes all records! Audiences wild with enthusiasm!

by HAM FISHER

with JIMMY DURANTE

LUPE VELEZ • STUART ERWIN

MARJORIE RAMBEAU • ROBERT ARMSTRONG

MARY CARLISLE • WILLIAM CAGNEY

THELMA TODD

Directed by Benjamin Stoloff • Presented by Reliance Pictures

Produced by Edward Small

Released thru

UNITED ARTISTS
The old rule in comedy making is dethroned. Two-reel comedies as Educational makes them in 1934 must have not only all the laughs of old, but much more besides. They have big box-office names; they have romance and music, more lavish settings and finer stories. It is this rare new combination of entertainment and ticket selling values that makes such pictures as "GOING SPANISH" so important for you to play and exploit.

Ernest Truex in "THE EXPECTANT FATHER"

Buster Keaton in "THE GOLD GHOST"
Fox is Making 10% Cancellations Retroactive

46 ITOA Houses Sue to Recover ERPI Charges

Northwest Allied Votes to Refuse Code Assent

PROPOSE 80% TAX ON HUGE SALARIES

Washington Bureau of THE FILM DAILY
Washington—The House of Representatives yesterday offered an amendment to the pending tax bill to assess excessive incomes 80 per cent on all amounts above $75,000 yearly. It is believed the Senate will favorably pass and adopt this amendment, which is a result of the Federal Trade Commission's report to the Senate on salaries.

Theater Service Strike Being Held in Abeyance

Following a meeting with circuit representatives yesterday, the theater service union will hold off its strike pending further negotiations for recognition. Speaking for the circuits, Major L. E. Thompson last (Continued on Page 4)

14 Mellers in Two Series Are Planned by Sam Efrus

West Coast Bureau of THE FILM DAILY

Hollywood—Sam Efrus will produce two series of melodramas, with eight in the first and six in the second. His initial subject, "The White Savage," will be ready for release May 1. Efrus will distribute the two series on the independent circuit. (Continued on Page 4)

E. SERVICE STUDIOS FINANCING LEGIT

Eastern Service Studios is understood to have become financially interested in Broadway legitimate show production, with object of having the stage producers later film the plays at the Astoria plant. The company is reported to have financial (Continued on Page 4)

Woman Pledges for Ushers at Washington Hearing

Washington Bureau of THE FILM DAILY

Washington—First testimony to date concerning the movie industry at the public hearings being held in advance of the code authorities conference was offered yesterday by Mrs. Ruth Scott of Boston who (Continued on Page 4)
Don’t Leave It All to the Picture

Radio City Shows How to Sell Theater Service to Public

(Continued from Page 1)

“There is nothing the matter with this business that good showmanship will not cure.”

But nobody seems to have thought of that.

The main thing the matter with exhibition these days is that theater managers obviously are too much in the pictures that come and go, and too little on the potentialities of the theaters which are here all the time.

Too few of them realize that theaters, like most other enterprises, need a standing nucleus of patronage that can be counted upon regularly irrespective of the inevitable ups and downs of week-to-week programs, and the only way to acquire this backbone is through the medium of some permanent qualities in the theater itself aside from the transient attractions.

A theater so fortified not only suffers less when it gets a below average attraction, but it is geared to more with the big films as compared with the house that sells nothing but its picture and consequently must start off cold with each new screen offering.

PROGRESSIVE showmen who are interested in seeing the principle in actual application are urged to pay a few visits to the Radio City Music Hall and do a bit of look-see there.

Set inside the lobby or foyer or auditorium, observe how the attendants handle and assist the patrons, take special note of the courtesy and patience of the uniformed staff in answering even the most foolish questions, and you will know one reason why thousands of New Yorkers are going to the Music Hall every week regardless of what the program is—and why you hear exclamations of "So This is City!" from dozens of out-of-towners as they pass into the movie palace.

In frequent periods of observation at Radio City, we have never seen one of the public treated discourteously.

Whether at the front portals or at the back, the question visitors to be a persona grata or an embryo One-Eyed Connolly, he is sure to be accorded gentle consideration.

A ND just a word about the young men in those uniforms.

When the roll call of the leading showmen of tomorrow is called, don't be too surprised if you find among them a goodly number who made their entrance into the business via that Radio City service staff.

Here, truly, is a bunch of young showmen-in-the-making who display more promise per foot than you are likely to find in any similar area anywhere.

Always alert, as keenly interested in the business as a bunch of oldtimers, regular readers of trade papers, conversant with pictures and industry events, able to discuss intelligently either audiences or stars, yet always as unassuming and well deporté as deporté gentlemen.

Whoever selects these boys and imbues them with this rare spirit of conscientiousness ought to have a professorial degree of some kind.

For what it means in terms of good will cannot be calculated on a mere dollars and cents basis.

Jules Levy to Conduct RKO Meeting on Coast

A western sales conference of RKO exchange managers has been definitely decided upon, with Jules Levy, general sales manager, leaving Saturday for the coast to conduct the confab and also confer at the studios.

Harry Cohen, western sales manager, and the following branch managers will attend the session: J. H. Ashby, N. P. Jacobs, M. E. Corey, T. J. Walsh, G. W. Wolf and E. A. Lamb.

"Earth Turns" Premiere Big

Dambury, Conn. — Premiere of Warner’s "As the Earth Turns," held at the Palace here last night with a big turnout and many notable personalities in the audience, S. Charles Einfeld and Mort Blumenstock of the Warner office homes came up for the screening. Because of the New England angle in the story, the opening attracted interest for miles around.

Chester Beecroft on Coast For Ind'pt Production

West Coast Bureau of THE FILM DAILY

Hollywood—Chester Beecroft, M.G.M. executive, is now that he has plans to produce for the independent market. He recently sold his interest in the Tampa Sun Haven Studios to a New York syndicate.

Rush Dickstein Bill

Washington Bureau of THE FILM DAILY

Washington—The Dickstein bill to prevent importation of talent yesterday was reported favorably out of committee. It is believed a special rule will be asked in order to bring it up quickly before the House.

Previewing French Pictures

A preview of three French pictures will be held tonight aboard the Champlain, Pier 57, by arrangement between John S. Tapernoux, impresario, and the French Line. The films are "Leopold Le Bon Aime," "Ame de Clown," and a short, "Eperon D’Or."
America's showmen are

GOING TO TOWN

March 6th

for the big

National Trade Exhibit

of Spring Product

to be held by

WARNER BROS.

In All Warner Exchange Cities

"Exhibitors can do so much more in the selling and exploiting of pictures that they have seen than with those they simply have to take for granted . . . that they should take advantage of every opportunity to see as many pictures as they possibly can before booking them . . . It will pay dividends" . . Take this hot tip from the February 24th issue of "Box-Office" and see —

"Wonder Bar"*

Chatterton in "Journal of a Crime"**

"As the Earth Turns"**

Stanwyck in "Gambling Lady"**

Cagney in "Jimmy the Gent"**

Hal LeRoy in "Harold Teen"**

Last call for the big round-up of ace exhibitors! Tuesday's the date. Don't let anything or anybody keep you away!
Fox Cancellations To Be Retroactive

(Continued from Page 1)

made prior to Dec. 7, effective date of the code, and pertaining to films generally released after that date, is incorrect, it is willing to give exhibitors its benefits.

Neither Columbia nor Universal last night had lined up with the other major companies which have taken exception to Rosenblatt's interpretation. Jack Cohn, Columbia vice-president, stated that he had not as yet had time to examine the interpretation. R. H. Cochrane of Universal was again absent from his office yesterday owing to illness, while James R. Grainger, in charge of sales, is out of town. United Artists, The Film Daily was informed, will be at its headquarters, will not join the move as it sells pictures on an individual basis.

14 Mellers in Two Series Are Planned by Sam Efrus

(Continued from Page 1)

ident market. He has established offices at 6504 Selma Ave. Other subjects in the initial series will be "Plainsman," "Night Wife," "Return of the Gypsies," "Sea of the Sea," "The Woman Fatigued," "Lulu of the South Seas" and "Alimony Lodge."

Mayfair's Nine to Come

The remaining nine pictures on Mayfair's 1933-34 schedule of 12 pictures will be confused to the straight action type of film instead of the action melodrama which Mayfair has hit to made. Two of the nine, currently in work, are expected to be ready for March 15 release. The entire schedule will be completed Sept. 30, by present plans.

Mono. Convention in April

Monogram will hold its annual convention early in April either in Atlantic City or Los Angeles.

Install ITOA Officers March 21

Induction of new officers of the I. T. O. A. is planned for March 21 at the Hotel Astor. Mayor LaGuardia and other high city officials have accepted invitations to attend the event, which will include a dinner and meeting.

Meet on Buffalo Variety Club Buffalo—A meeting for the formation of a local Variety Club was held last night. Plans are expected to be concluded shortly.

Six More Local Boards Set

Agreement was reached by the Code Authority's committees on nominations yesterday on the personnel of six of the 19 local boards remaining to be set up. They are located in Philadelphia, San Francisco and Washington. The committee is still considering makeup of boards for New York and Boston.

46 ITOA Houses Sue to Recover ERP Fees

(Continued from Page 1)

summer granting a temporary injunction against certain parts of the Ernani contract with exhibitors.

Plans in regard to the suit were discussed at a meeting of the I. T. O. A. yesterday at the Astor. C. Milton Weisman of Weisman, Quinn, Allen & Spett is counsel for the association.

Eastern Service Studios

Financing Legit Shows

(Continued from Page 1)

scored the labor provisions concerning ushers. She appealed on behalf of her brother, employed in a Boston theater, and whose case she said was typical. Higher wage scale for theater help was her plea.

Gene Rodemich Dead

Gene Rodemich, formerly musical director for Van Beuren and one of the youngest musical directors on the radio, died late Tuesday night at the Medical Arts Center of pneumonia. He is survived by his widow, a son and daughter. Funeral services will be held at 3:30 A. M. tomorrow at 1838 Palmer Ave., Larchmont.

Rembusch's Secretary on Stand

Testimony on the details of operation of Frank J. Rembusch's one-time motion picture interests was given yesterday in Federal Court at the Rembusch suit against the major firms by Grace Trible, Rembusch's former secretary, the sole witness of the day. Miss Trible is slated to appear again today. Hubert Woodsmall, Rembusch's former partner, is also scheduled to be called.

Happy Birthday

Best wishes from THE FILM DAILY to the following on their birthday:

March 1

John Loder Wells Root Lois Moran
MEN FEARED HIM....WOMEN ADORED HIM!

The most devastating personality the world has ever known!

Hearts stood still—pulses quickened at the sight of him. What was the secret of his fascination?
SACRAMENTO, CALIF.,
It opened to two and one-half times average business
and closed to better than twice average business!

CHICAGO, ILL.,
Oriental Theatre—opening
day capacity business and
side-walk holdout all day for
a show that ran but 1 hour
and 55 minutes.

“DEATH TAKES A HOLIDAY
with EVELYN VENABLE—SIR GUY STANDING—KENT TAYLOR
A Paramount Picture, Directed by Mitchell Leisen
SHORT SHOTS from EASTERN STUDIOS

**by** CHAS. ALCOCATE

**RUTH ETTING** will start work today in a musical short titled "Ruth Must Be Served" at the Vitaphone studio. Supporting her will be Minor and Root, dancers, Eddie Tregolson, Gerald Kent and Jackson Halliday.

**Hays & Beall studios of Oceanside, L.A., have taken new offices in the RKO Palace building. Several projects with work to be done at the company's plant are now under way, according to Max Hayes, president.**

**Freddy Rich and his orchestra complete work today in a one-act Vitaphone band number. The four Eton Boys and Vera Van do their specialties in the short, which has been titled "Mirror" and which will be released in the melody masters series.**

**With the exception of the song "Give me a Heart to Sing To," written by Victor Young and Ned Washington, all music in the feature "Frankie and Johnny," now being produced and directed by Chester Erskine at the Biograph studio, will be melodies of the period of about 1890, including some famed negro spirituals.**

**Elise and Herman, known as "The Living Fountain" because their adagio routine includes dancing in the center of a real water fountain, appear in their specialty in "Vaudeville Days" two-reel musical recently produced by Menloe Pictures at the Fox studio for Universal release.**

**Biograph Studio Notes: Chester Erskine, directing "Frankie and Johnny" with over 150 in the cast and with more patience than two ordinary men... Liliyan Tashman enjoying the winter weather with a mental picture of California sun, palm trees and summer weather in mind... Chester Morris being interviewed by fan magazine editors during lunch hour, Helen Morgan singing "Give Me A Heart To Sing To," at her best... Frank Cabot and Tony Santinn assistants at the house... Joe Rottenberg, cameraman, keeping a close check on Sam Levitt's "Terry Toast,"... Eddie Sens wasting his mistake in between his duties as head makeup artist... Jack Shulit keeping up the activity in the studio... Miss Helen Eldredge, general managing... Al Wilson checking on the sets and R. Hammer reminiscing with all old timers visiting the studio.**

**FEATURE and SHORT REVIEWS**

"KEEP 'EM ROLLING"

with Walter Huston and Frances Dee RKO... 70 mins. 

"THE MAMMA OF CAVALCADE" FOR HIS HORSE IS WELL DONE BUT APPEAL MAY BE LIMITED.

A melodious and generally well-handled subject, this moving tale based on the story "Rodney" is nevertheless likely to find itself handicapped by a meaningless title and a theme that will appeal to only certain sections of the big mass audience. It depicts the ups and downs of Walter Huston, a Fort Lee cavalryman, whose whole life revolves around his horse, Rodney. When an officer appoints the mount, Huston goes on a long bender and loses his stripes, but he gains his interest and standing when the horse is restored to him. Then comes the war, with Rodney distinguishing himself as a fighting horse. Murdered when an unsympathetic efficiency officer condemns Rodney as too old, Huston goes on a war binge, however, and finally through the efforts of Frances Dee, the commanding officer's daughter who is in love with the military efficiency expert, Rodney is pensioned off and Huston is assigned to care for him. Picture was filmed at Fort Lee and has much genuine background.

**"Goofy Movies"**

(No. 2) 10 mins.

"Very Funny. Accompanied by a consistently funny explanatory commentary by Pete Smith, such clips as Columbus arboriculturists, the Chicago Auto Show, a time-lapse tape of Broadway reception and a radio address, a hilarious burlesque of trailer "ads" on coming attractions, and an up-to-the-minute wisecracking narrative on an old silent melodrama make this a first-rate one-reeler."

**"Babes in the Goods"**

with Thelma Todd and Patsy Kelly M-G-M 19 mins. 

Hilarious.

Packed with laughs, this Hal Roach comedy unravels the antics of Thelma Todd and Patsy Kelly, who are assigned to demonstrate a new washing machine in a department store window as long as there are spare parts. Then the dead axle hangs around till the automatic curts go down and the girls find themselves forced to spend the night in a bed in the window. Morning finds the drill still there and the arriving owner attracted by the crowd finally helps the undressed girls out of the window.

**"Mixed Nuts"**

(Hal Roach Comedy) M-G-M 18 mins.

Amusing Musical.

When the government appropriates $2,000,000 for jobless chorines and they are sent to Mrs. Twitchell's of Chicago, finishing school to be trained for other jobs, it might be expected that the windup would find the grads' jazz-mind and not nostalgic-minded. In between are some amusing dodos with the physical instructor, and the professors of art and anthropology (bugology). Sleep-walking finish is funny.

**"Roastbeef and Movies"**

with George Givot M-G-M 17 mins.

Entertaining Musical.

George Givot, his Greek dialect and two top girls are introduced into a waiting room of the Master-piece Film Corp. as the short opens. Through an open transom they hear someone singing "Hymn of the Tombstone" for a good film. They rush in, produce four reels, two of which are held by the rich kid who takes the girl of the gang riding. Kids proceed to build a fire engine with which they follow a race down a long hill with amusing wind-up.

**"Hi-Neighbor"**

(Our Gang Comedy) M-G-M (Diverting) 18 mins.

Kiddies principally will enjoy this one which relates the arrival of the neighborhood of a snotty rich kid with a large new fire engine auto. The gang gathers but is refused a ride by the rich kid who takes the girl of the gang riding. Kids proceed to build a fire engine with which they follow a race down a long hill with amusing wind-up.

**"Vital Victuals"**

M-G-M 10 mins.

Amusing.

Done in Technicolor and with explanatory comment by Pete Smith, this M-G-M oddity is a lesson for the ladies in cooking biscuits and roast beef given in entertaining fashion. Opening shows reporter at bride's home and she relating husband's sudden removal to hospital. He drops biscuit and it sinks through table. Bride is shown at cooking school. Amusing scenes show her very dumb. Windup with hubby home after long hospital stay shows that she has mastered the art of cookery. Great "ad" for more biscuits and roast beef.

**A Little from "Lots"**

by RALPH WILK

JANET GAYNOR and Lew Ayres will be seen together in Fox's "Servants' Entrance," which Frank Lloyd is to direct.

Richard Cortez and John Eldredge have been assigned by First National to "Dark Town." (cont.)

Helen Twelvetrees will appear with Spencer Tracy in "Now I'll Tell" at Fox. Alice Faye also is in it.

Josef Berne, who directed "Black Dawn," has joined Universal and will direct an original which he is now writing.

James Gleason has a new Fox contract calling for all-around work.

William Wyler has completed shooting on "Glamour" at Universal. It features Constance Cummings and Paul Lukas and is a B. P. Zeidman production in which music plays an important role.

Eugene Pallette and Kathryn Sera- gana are the latest additions to the cast of Warner's "Friends of Mr. Sweeney." (cont.)

Production has started on "Banker Buckaroo," the third of the two-reelers which Charlie Murray and George Sidney are making for Columbia. Jules White is directing, with Zion Myers supervising.

**"Life's Last Laughs"**

Dist. Not Set

Howling Humor from Tombstone.

This is the first of a series not yet set for release but caught accidentally in a projection room. Film is credited to Carl Stearns Clancy. It presents highly amusing epiphanies actually photographed from tombstones. All of the present collection appears to have been found in New England, and the inscriptions and funny enough to thrill any audience into howls of laughter. For something really novel, one of these would make a good tonic to any film program as long as the epiphanies continue as amusing as the first group.
N. W. ALLIED UNION
REFUSES CODE ASSENT
(Continued from Page 1)
expulsion and to notify all inde-
pendents in this territory of the
action.
Not satisfied with the operation of the association, a committee of six
was named to draw up a plan for
better functioning.

Allied Group to Testify
By WILLIAM SILBERBERG
FILM DAILY Staff Correspondent
Washington — Abram F. Myers,
Secretary-Secretary, Nathan Ya-
mins and W. A. Steffes are sched-
uled to offer testimony before the
NRA group on code administration and
code improvement next Wed-
nesday at the Mayflower Hotel.
What the subject of their testi-
mony will be could not be learned
last night, but this code group,
Number 4, presided over by Alvin
Brown,载体any executive of
the NRA, concerns itself solely with
code administration and improve-
ment problems.
An NRA list of witnesses has
Myers, Samuelson, Yamins and
Steffes also scheduled to appear.
They will present the division
considering NRA's effect on small
enterprises. This division is held
as its session at the Raleigh
Hotel.

Reporting on Code at Wash'n
A report on the operation of the
film industry code up to the present
time will be submitted by Execu-
tive Secretary Mary John Cranston
for the NRA at the joint session of all
Code Authorities March 5-8 at
Washington.
At least eight persons identified
with the Code Authority will leave
New York on the midnight train
Sunday for Washington, where they
will headquartered at the Hotel Ros-
evilt. The party is expected to in-
clude Secretary Mary John Cranston,
Robert Ruben, George J. Schaefer, Ed
Kuykendall, W. Ray Johnston, Nathan Ya-
mins, Charles L. O'Reilly, Harold S.
Bareford and Filmm.
The members will meet at Ros-
envilt's office at 9:30 o'clock Mon-
day morning, preliminary to going
to the opening session in company
with the Division Administrator.

"Merry Widow" Being Speeded
West Coast Bureau of THE FILM DAILY
Hollywood — M-G-M has moved
up the production date for "The Merry
Widow" to next Monday. Jeanette Mac-
donald, who will star in the
picture, has left New York and is
expected here Sunday night. Miss
MacDonald's following film for
M-G-M will be "Naughty Marietta."

Columbia Far Ahead
On Current Program
(Continued From Page 1)
ious Thing in Life," "The Whirl-
pool," "Twentieth Century" and the
Grace Moore picture, not yet titled.
The six being prepared are "Whom
the Gods Destroy," "The Party's
Over," "Black Moon," "The Hell
Cat," "Produce the Body" and
"Blind Date."

Protest Over Operators
To Be Filed in Washington
Formal protest against Division
Administrator Sol A. Rosenblatt's
interpretation of the operator 
classes in the code is expected to
be registered by the I. T. O. A. with
the NRA in Washington during the
joint meeting of all Code Author-
ities beginning Monday at the C.
Milton Wiseman, counsel for the
association, has notified the NRA
administration that he will appear.
The I. T. O. A. differs with Rosen-
blatt inasmuch as it claims that the
original intent of the operators'
code committee's interpretation was to
figure costs on an individual man basis,
not on a booth basis, as Rosenblatt
states.
The association's code committee
will make a protest and have it today
which will be submitted in Wash-
ington.

E. M. Loew Circuit
Adding More Theaters
Lynn, Mass.—E. M. Loew Circuit,
which is expanding more rapidly
than any other circuit in New En-
gland, has acquired the Uptown
Theater from George Schwartz.

Arflis Heads Episcopat Guild
George Arflis has been elected
President of the Episcopat Actors
Guild of America. Vice-presidents
are Rev. Dr. Randolph Ray, Edward
Milien Royle, Otis Skinner and
Grant Mitchell.

Daughter to Joan Bennett
West Coast Bureau of THE FILM DAILY
Hollywood — Joan Bennett and
Gene Markey are the parents of a
daughter, born on the mother's 24th
birthday.

Peter E. Murphy Dead
Providence—Peter E. Murphy, for
12 years manager of the Palace
Granery, died this week after an
attack of influenza.

Irene Dunne, John Boles Teamed
West Coast Bureau of THE FILM DAILY
Hollywood—Irene Dunne and John
Boles will be teamed again by KKO
in "Age of Innocence."

M-G-M Signs Stage Actress
M-G-M has signed Lucille Watson,
currently appearing in "No More
Ladies," Broadway hit.

Nearly Convict Wrong Men in Theater Killing
Lynn, Mass.—Positively identified as eight witnesses as the murderers of Fred
Sumner, billposter, in the recent Lynn Paramount robbery, and accused of first
degree murder with the object of going to the trial today on the confession of the Miller brothers, captured in New York, that they were
the killers. The men closely resembled each other. Same bandits robbed the Pab
Palace, Worcester.

Theater Service Strike
Being Held in Abeyance
(Continued From Page 1)
light said that the managers re-
iterated their stand that they are
observing the NRA code and re-
uale to discharge competent em-
ployees merely because they do not
belong to the union. Charles C.
Levey, the union secretary, was
asked to present data proving his
claim that he represents 4,000 work-

Cheatield-Invincible
Finish Two-Thirds of List
The Cheater-Invincible 1933-
34 schedule for the coming week
shows two-thirds finished and is expected
to be completed by June 1. Shoot-
ing started this week in Hollywood
on the thirteenth feature.

$13,772,504 W. E. Loss
West Coast Bureau of THE FILM DAILY
Net loss of $13,772,504 is reported
by Western Electric for 1933.
Sales were only about 17 per cent
of those registered for 1929 and the
lowest since 1915. Most of the com-
pany's business is with telephone com-
panies, with activity in the sound
field representing only a small part
of the total.

John C. Terry Dies in Florida
John C. Terry, newspaper comic
strip artist, brother of Paul Terry
and himself a pioneer in the produc-
tion of animated cartoons, died
Tuesday night in Coral Gables, Fl.
Body was cremated and the remains
were shipped to California yesterday.
His widow and three children survive.

B. & D. Start "Nell Gwynn"
London—British & Dominions has
started production on "Nell Gwynn."
Anna Neagle and Cedric Hard-
wicke in the leads under direction
of Herbert Wilcox. United Artists
will release it.

Yafla Assigned 2 Ochs Houses
Harmo Yafla has been appointed
managing director of Lee Ochs' Ma-
jestie and Gem theaters in Washing-
ton Heights.

"Wonder Bar" Packs Strand
Opening of Warner's "Wonder
Bar" at the Strand had a line wait-
ing half an hour before the doors
opened at 9:30 A. M. House reported
S.R.O. from noon on.

Walter Reade Gets City Theater
Walter Reade has acquired the
City Theater in 14th St. from
Skoukas Bros.

Third Week for Cagney Revival
James Cagney in "Doorway to Hell" is being held for a third week at the
Globe on Broadway, a Brandt
house.

WARNER-F. N. LINEUP
3 MONTHS IN ADVANCE
(Continued from Page 1)
for early shooting. Those in won
include "Doctor Monica," with Ka-
rina and Warren William
"Happy Family," with Alina M.
Mahan; "Sawdust," with Joe F.
Brown; "The Key," with William
Powell; "Return of the Terror" with
Mary Astor and Lyle Talbot
"One Man Woman," with Paul
O'Brien; "Without Honor," with
James Cagney and Joan Blondell
"Fog Over Frisco," with Bette Du-
vie and Lyle Talbot.
In preparation are "Anthon Ad
verse," "British Agent," "Dark
Tower," "Dames," "Madame Du
Barry," "Friends of Mr. Sweeney

Stanley Hawkins Shifted West
Stanley Hawkins, assistant to
Keith Glennon at the Eastern Ser
vice Studios, L. I., is joining Gen
ral Sound Studios, West Coast
plant operated by the same inter-
est, as studio manager. He leaves
New York tomorrow. As yet a
successor has been appointed.

ASSAULTS REACH 9,088
Yesterday's total on code assaults
reached 9,088, as compared with 9,
999 for the corresponding day a year
two ago. The difference is due to
compliance from Skokie metropolitan houses.

HOLLYWOOD PLAZA
MOST CONVENIENT
Hotel in Hollywood
$2.50 up, Single
$3.00 up, Double
Special weekly and monthly rates
The Plaza is near everything to see and do in Hollywood. Ideal for busi-
ness or pleasure.
Every room has private dressing room, bath and sinks. "Pads built to or-
rest." Every modern convenience. Fine foods at reasonable prices. Conven-
ient parking for your car.
Chas. Danziger, Mgr.
"The Doorway of Hospitality" at
Vine at Hollywood Blvd.
HOLLYWOOD
Johnson Orders Posting of Labor Rules in 45 Days

COURT DISMISSES REMBUSCH SUIT AGAINST MAJORS

Goldwyn Sees Alien Talent Ban Hurting Film Exports

Retaliation by Foreign Countries Predicted if Bill Passes

Passage of the Dickstein bill to restrict use of foreign talent not only would make Hollywood "half crazy," but would arouse retaliation from abroad and seriously affect showing of U. S. films in other countries, it was declared yesterday by Samuel Goldwyn. Assailing the measure as destructive, Goldwyn declared that personalities are so rare that they must be obtained wherever they are found. In importing Anna Sten and putting her into a picture, the producer pointed out, he provided work for thousands of other persons.

OMAHA INDIE EXHIBITS HIT BOARD PERSONNELS

Omaha—The first important step taken by the Independent Theater Owners of Omaha, formed yesterday at a meeting of 45 exhibitors from this territory, was to vote a protest against the appointment of four independent exhibitors in connection (Continued on Page 7)

Service Union to Ask Wage Revision in Code

Negotiations with the circuits for wage increases for service employees will start within ten days, Chas. C. Levey, secretary of the building service employees union, Local 118, said yesterday. Levey said he might go to Washington Sunday to attend (Continued on Page 7)

Nigh Directs 5 in 6 Months

West Coast Bureau, THE FILM DAILY

Hollywood—William Nigh is on the way to some sort of a record for non-stop direction with his assignment to direct "Numbers at Monte Carlo," which is his fifth Monogram picture in six months.

Metro Lineup Nearly 85% Completed

Columbia Believed Against Ruling on Cancellations

Although Columbia has not as yet indicated any official attitude, it is understood that the company will line up with the major distributors objecting to Division Administrator Sol A. Rosenblatt's interpretation finding that the code's 10

(Continued on Page 7)

Star System in Reviewing Condemned by Ampa

Star system used by some newspapers in reviewing pictures was condemned at yesterday's meeting of the A.M.P.A., which unanimously agreed to seek steps to have the method discontinued. President John C. Flinn appointed Ben Atwell as chairman to select a committee whose duty it will be to in

(Continued on Page 7)

Allied Group Files Briefs At Wash'n Code Hearing

Washington Bureau of THE FILM DAILY

Washington—In lieu of appearing personally, Abram F. Myers, Sidney E. Sammelson, Al Steffes and Nathan Yamin yesterday filed briefs before Group 5 of the N.R.A. section which is hearing complaints of the code's effect on small enter

(Continued on Page 7)

Posting Labor Rules in 45 Days Is Ordered by General Johnson

Monogram Schedule 60 Per Cent Finished

Washington—Revised regulations requiring all employers under codes to conspicuously post the labor provisions in their establishments within 45 days or be subject to a fine up to $500 or six months' imprisonment, in accordance with the

(Continued on Page 7)

Conspiracy Action Thrown Out After Three Weeks of Hearings

Federal Court Judge Cox yesterday dismissed the long drawn out Frank J. Rembusch conspiracy and monopoly action against major companies and the Hays organization. Dismissal of the suit, in which Adolph Zukor, Will H. Hays and other important executives had been called to testify, came following a motion by Max Steuer, counsel for the defendants. Hearings on the action were in their third week in the District Court. The break came while counsel for the plaintiff was questioning Hubert (Continued on Page 7)

VITAPHONE-ERPI SUIT BACK TO LOWER COURT

By N. M. MacLeod

FILM DAILY Staff Correspondent

Wilmington, Del.—As a result of the State Supreme Court denying Vitaphone's application for a rehearing of its $40,000,000 royalty case against Electrical Research Products, recently ordered back to (Continued on Page 2)

Soviet Film Trust Head On Way to Buy U. S. Films

M. Usievitch, head of the Soviet film trust, has left Moscow and is expected to arrive in New York about the middle of March to arrange for purchase of U. S. sound equipment and to book American

(Continued on Page 2)

Loew Not Booking "Roxy"

Impending personal appearance tour of "Roxy" by the star is expected to include Loew houses, it was stated yesterday by L. K. Sidney, chief of Loew's stage production activities. The "Roxy" story had it that he would play quite a part of the larger circuit in addition to Paramount, with whom he closed the deal.
Vitaphone-Erpi Suit

arbitration, the litigation goes back to the Chancery Court, where Erpi will be called upon to prove the merits of its contention that arbitration proceedings in New York had not broken and can be continued without prejudice. It is expected that arbitration did break down and that its relief could be obtained only in a court of equity. After hearing all evidence, Chancery Court will decide whether arbitration had in fact broken down. It is expected that, regardless of the lower court's decision, the case will go back to the Supreme Court on appeal.

Litigation in the case already has cost Erpi about $450,000 and Vitaphone about $105,000.

Duplications in Assents

With purpose of weeding out duplications, Executive Secretary John C. Film of the Code Authority immediately called upon all exhibitors to send in their assents to the Code. Duplications have occurred in some instances where theater operators in partnership with major circuits have sent in their compliances which have been repeated by the circuits themselves. Pending completion of the analysis, no announcement will be made of the total assents.

Boston Boards Tentatively Set

Personnel of the Boston local grievance and zoning boards was tentatively decided upon yesterday by the Code Authority's committee on complaints. Makeup of the New York boards still remains undetermined. Tentative call was also made on Friday, next week.

"Earth" Campaign in Twin Cities

"As the Earth Turns," which set a new house record at the Palace, Danbury, Conn., in its premiere engagement last night, has been given an elaborate campaign by Warners for its opening at the Minnesota, Minneapolis, and Paramount, St. Paul, March 10. Sam Clark, exploiter in the Chicago territory, has been sent to handle the Twin Cities premiers.

Watch & Ward Society Sued

Boston—Manager Edward Weinberg of the New England Watch and Ward Society for $200,000 for defamatory of character in connection with the closings of the theater for a fortnight by the censors.

Cantor Returning to Stage

After making another picture for Samuel Goldwyn this spring, Eddie Cantor will return to the stage next season with a comedy drama based on his own life and authored by David Freedman, according to the Sam H. Harris Co.

RKO Circuit Books Trucx Short

Erfnest Trux is in "Expectant Father," Educational release, has been booked over the entire RKO metropolitan circuit.

Soviet Film Trust Head

films for exhibition in Russia, it was said yesterday by Miss A. Kuznetsova, president of Amkino here. At the same time Usselitch is authorized to act on several proposals received by Amkino from American film concerns. One of the remaining nine is currently in production on the coast and the rest will be completed this spring. Russia. Showmeans Pictures is now selling in 85 per cent of the American territory, he said.

"Wonder Bar" Dual Run on Coast

Los Angeles—Warners' "Wonder Bar" will be given a $2 top formal opening at the Hollywood on March 14, after which it will play in two local Warner houses simultaneously.

O'Donnell Out of Shamrock

Detroit—Joe O'Donnell is no longer connected with Shamrock Pictures, where he was sales manager. B. C. Fasolo recently regained control of the reservation of the entire board of directors, and was elected president for another year in the reorganization.

Preview for "Midnight"

"Midnight," Chester Erskine's film version of the Theater Guild play, will be previewed at an invitation only screening in the Waldorf Astoria. The picture opens March 9 at the RKO.

T.O.A. Meeting Delayed

The T.O.A. committee on the code did not meet yesterday as scheduled. Another date for the session will be selected soon.

Dewey Bloom Getting Spliced

Toronto—Dewey Bloom of Regal Films is taking the leap in May and plans a honeymoon trip to the British studios.

"Hell on Earth" at Cameo

"Hell on Earth," the much-discussed international war film, has started a run at the Cameo.

"Heat Lighting" Opens Wednesday

Warner's "Heat Lighting" opens Wednesday at the Radio.

Columbia Title Change

Columbia's "Storm at Midnight," Soon-to-be vehicle, has been re-titled "Voice of the Night."

Meet Today on Radio Issue

The question of free radio shows will be further discussed by the film and trade code authorities when they meet this morning at the RKO building. The session was suggested by Mr. Morgan, chairman of the RKO code committee; his request was denied by the trade. Charles B. Browne, chairman of the Code Authority's committee, was detained in town. J. T. Kraft, executive secretary of the Code Authority, will attend.
“Ideally suited for the title role, Will Rogers gives one of his best character impersonations in this latest Fox film, a human interest story that should prove a b.o. smash. A hilarious comedy that cannot help but score heavily with any type of audience. It drew howls of glee from last night’s preview audience.”

—VARIETY, Daily

Will ROGERS

DAVID HARUM

LOUISE DRESSER · EVELYN VENABLE
KENT TAYLOR · STEPIN FETCHIT

From Edward Noyes Westcott’s novel. Directed by James Cruze
Produced by Winfield Sheehan
Weather or Not

Sets box-office where it has opened

NEW YORK
“Won $105,000 despite taxis and the cleverest

CHICAGO
“Capacity business for the terrific

BOSTON
“Strongest worthwhile weather bred

DETROIT
Jammed all campaign! Was New Year’s Day!

MONTREAL
“Went over huge

NEW HAVEN
In the big city Variety reports

* Available press-book with tips selling
Exhibitors, there is only one Samuel Goldwyn production of Anna Sten in "Nana." Fooling your public with foreign-made, English-dubbed pictures may do irreparable harm to your theatre's reputation.
Will Rogers in “DAVID HARUM” with Louise Dresser, Evelyn Venable, Kent Taylor, Stepin Fetchit. 83 mins. HIGHLY ENJOYABLE COMEDY-DRAMA, RICH IN HUMOR AND SENSITIVITY, WITH WILL ROGERS AT HIS BEST. Through the medium of a warm and natural characterization by Will Rogers, and understanding direction by James Craig, David Harum comes to the talking screen in a manner that makes thorough enjoyment for audiences anywhere. Though the picture is more concerned with episodes than with plot, old Harum’s horse-trading hobby which interests him more than his small-town banking business, his passion for getting the best of it in a swap, the good grace with which he accepts an occasional bum deal, and the way in doing his deeds while they are deserved, not forgetting the part he plays in bringing to a culmination the romance of his honest long bank clerk and a rich girl, provide a continual deep delight. Evelyn Venable is a gorgeous heroine, Kent Taylor does a fine job for the lover, Stepin Fetchit supplies occasional comedy, and the other players fit nicely into the appropriate background.


Edgar Kennedy in “Love on a Ladder” Radio 18 mins. A Wow Presenting Edgar Kennedy and Florence Lake at their funniest best in a clever skit wherein after ten years of married life, Florence tries to “reclaim” her and their lost romance of courting days. So she tells Edgar the idea to dress up in his sailor’s uniform that is now three sizes too small for him, climb a ladder and serenade her with his mandolin. The developments are plenty funny, and this team puts one over on the real laugh numbers of the season in the short subject field. Directed by Sam White.

“Derby Decade” (A Musically Me) Radio 21 mins. A costume burlesque, harking back to the early to ‘90’s, with the locale the Bowery. Edgar Kennedy the proud proprietor of the unfined Bowery Palace Barroom. To celebrate the installation of electric lights in his joint, one of the big gang leaders gives a party, but the rival gang leader decides to have his way. One of Fox’s “club kids”, Tom gets hold of a cabaret singer, played by Ruth Etting, to sing at the party, as he has learned that both rival gang leaders are sweet on her. He figures they won’t wreck his joint with the girl there. Ruth sings several old ballads with her usual charm. But the rival gangs are only momentarily soothed by her voice, and with a final push try to dump inside out. Swell burlesque touches and old time atmosphere very well reproduced. Directed with plenty of color by Alf Goulding.

“Holy Land” (Vagabond Adventure) Radio 10 mins. An Interesting Fine travel picture of the Holy Land, with a very interesting narration performed by Russell Spaulding. The Vagabond Adventurer travels from Jaffa to the seaport of Jaffa, Galilee, and finally enters the city of Jerusalem, and the path taken by Christ on the way to Calvary. Many unusual shots selected photographed are included in a reel that will hold great appeal to all churchgoers. It is a natural for the Easter holidays.

“Knife of the Party” (Van Buren Musical Comedy Radio 18 mins. Misses A jumbled story licks this one. It hops from one mixed situation to another, and gets practically nowhere. A theatrical troupe is stranded in a small town and they agree to work out their oil hotel. This gives a chance for the various players to do their specialties while clerking, bell hopping, etc. The comedy boys take over the dining room, provide a line of slapstick. They provide the best laughs in the film. Features Lillian Miles, Jack Good, Shemp Howard, James Fox, Charles Ruggles, Roger Me Andry, Lionel Atwill, Friends, Gertrude Mudge, Leo Kennedy. Directed by Leigh Jason.

New Universal Musical Feature West Coast Bureau of THE FILM DAILY: Hollywood—“Here’s to Love” will be produced as a musical feature for Universal by Stanley Bergerman. Jay Gorney and Sig Haanz are at work on the story and music.

Norma Shearer Film Completed West Coast Bureau of THE FILM DAILY Hollywood—“Riptide”, starring Norma Shearer with Robert Montgomery, Herbert Marshall and Lilian Taishan, has been completed at M-G-M. Edmund Goulding directed and wrote the story.

Roxy Bookings Set to March 30 Bookings for the Roxy have been set to March 30, as follows: Columbia’s “Ninth Guest,” March 2; Universal’s “Midnight,” March 9; nitewax; Pathé; March 16; Fox’s “Hold That Girl!”, March 22, and RKO’s “Two Alone,” March 30th.

Hollywood M-G-M has set “Sacred and Profane Love,” by Arnold Bennett, as the next Joan Crawford vehicle, and “Manhattan Melodrama,” original by Arthur Conant and Oliver P. Garett, as Clark Gable’s next. David Selznick will produce both.

Lou Brock, who in future will produce only features at RKO, is preparing his first under the new studio. It is “Down to Their Last Yacht,” with Sidney Fox in the lead, to be followed by Wheeler and Woolsey in “Cockeyed Cavaliers” and “The Great Marcus.” The Lee Marcus film is now RKO comedy producer, with Bert Gilroy assisting.

Virginia Pine, Chicago, heiress, has been signed by Warners.

Harlan Thompson, writer, has been signed by Fox as director of Paramount. He will handle B. P. Schulberg’s “Kiss and Make-Up.”

Ken Maynard has started in “Doomed to Die,” his eighth Universal production of the season. Maynard himself wrote the story, for which Nate Gatzert wrote the screenplay and dialogue. Leading lady is Gloria Shea.

Mort Dixon and Allie Wrubel have just joined the music-writing staff at Warners.

Edward Ludwig, director of Monogram’s “Woman’s Man,” has been kept busy steady since that film. He has just finished “Let’s Be Rity” for Universal and has been signed by Warners to handle “Friends of Mr. Gurney.”

Martha Sleeper, who played the feminine lead in Monogram’s “Broked Down Dreams,” is currently appearing on the stage of the Mayan Theater in “Double Door.”

Cines Pittaluga Reorganizing Rome—Cines Pittaluga is undergoing reorganization with Commendatore Paulo Giordano as the new president. The company is expected to again take up distribution, handling independent American, French, German and British product.

New Virginia Theater Firm Roanoke, Va.—Virginia Theater Holding Co., Inc., has been chartered with G. W. Trogan, Durham, N. C., as president; Mrs. Maude E. Longan, treasurer; E. L. Lewis, this city, secretary.

Lew Ayres’ Father Buried Capt Charles, Va.—Caleb C. Eyre, father of Lew Ayres, who was buried this week in Philadelphia. He died at Greenbake last week.

A Little from “Lots” By RALPH WILK

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OMAHA INDIE INDIE

(Continued from Page 1)

with local grievance and clearance boards. The new association expects to represent both the Allied and the I.P.T.O.A. units. According to Calvin Bard who was named temporary chairman of the organization. Yesterday's meeting at the Hotel Loyal was called by a committee of six exhibitors named several months ago to represent the territory in drafting the motion picture code.

Must Post Labor Rules
In 45 Days, Says Johnson
(Continued from Page 1)

Executive Order of Feb. 8, were issued last night by General Johnson. Compliance Director William H. Davis is urging all code authorities to communicate with him at once adding that application blanks are to be sent to the members and an estimate of the number of posters needed. Upon application those employers requesting it will receive their official copies from NRA, after making supplemental application to the Code Authority. Matters relative to posting these provisions will be taken up at the code authorities conference scheduled April 5-8. This new regulation is believed to be part of the NRA's new swing to strict code enforcement.

Allied Group Files Briefs
At Wash'n Code Hearing
(Continued from Page 1)

prizes. Leon H. Anderson, new head of the NRA research and planning division, is hearing the criticisms from independents.

Service Union to Ask
Wage Revision in Code
(Continued from Page 1)

the meeting of code authorities and ask for revision of wage scales affecting members of his union. Union membership rolls will be submitted to the NRA Regional Board within the next few days, Levey said.

Frederick Twyman on Vacation
Charlottesville, Va. — Frederick W. Twyman, manager of two theaters and Mayor of this city, has set for a Caribbean cruise aboard the Mauretania.

Ask Picketing Injunction
Pickets representing Allied M. P. Operators Union yesterday appeared in front of Broadway circuit houses playing pictures connected with Local 106. No particular significance appeared to be attached to the move. Officials of Allied refused to discuss the matter. Local 106 has attacked the U. S. District Court of New York for an injunction stop the picketing pointing to a recent decision of Judge Collins in the New York Supreme Court.

COURT DISMISSES
REMBUSCH ACTION
(Continued from Page 1)

Woodsmall, Rembusch's partner in the Capitol Amusement Co. He had been on the stage about thirty minutes when his counsel asked for a recess to discuss the case with Judge Coxe in his chambers. The plaintiff's counsel stated that he had no further proof to offer in support of his claims.

The original complaint filed by Rembusch on May 14, 1930 asked for damages amounting to $2,741.25.

Star Reviewing System
Is Condemned by Ampa
(Continued from Page 1)

 screwed by Jack Alecato. "Let us meet in common understanding"

"AND TO Louis Nizer........we salaam......for his untiring efforts in making the re-organization a glorious possibility. He told of how the lease on the club rooms has been cancelled, and of the new rent arrangement.....of the reduction of dues from $125 to $75 a year......of the Forums which will be resumed and broadcast......with one offer already made of $10,000 for the exclusive privilege of sending the Forum activities over the ether......of how the old bondholders will receive full value for their money......and of everything for which the industry should be proud......and thankful......

"TAKE THIS from Will H. Hays......I heartily endorse the club......When the history of this period is written, this sensible contribution will be remembered as 'saving the sanity of the situation'......We need the club......for the solution of difficulties......to create better understanding......We have no time for anything that does not definitely contribute to the welfare of the industry......The re-organization is based on reason and sound judgment......Upon such a foundation it cannot fail......

"AT THE DAIS were Will H. Hays, Louis Nizer, Eugene Zukor, Jules Brulstour, President, Lee Ochs, Herbert J. Yates, Jack Cohn, Felix Feist and Jack Alecato......and here's an idea of some of the luminaries who sat......listened......and were thrilled......Arthur Loew, Jack Leo, Ralph Poucher, George Dembow, Harry H. Thomas, Arthur Lee, William Brandt, Toby Grune, Williams Saal, Abe Montague, Nate Manheim, Jack Steiner, Jack Levin......and since this is the bottom of the page......you'll have to guess the rest......but......they were THERE......

THE JOURNAL OF THE NATIONAL CINEMA

March 2

Best wishes from THE FILM DAILY to all on their birthdays this month.

Jack White
N. L. Manheim
Used in 7 out of 8
American Pictures in
“1933’s TEN BEST”

OF THE Ten Best Pictures of 1933 chosen in the Film Daily’s poll, eight were American productions. Of those eight, seven were photographed on Eastman “Gray-Back.” This is outstanding evidence of the acceptance enjoyed by Eastman Super-Sensitive Panchromatic Negative among cameramen and producers...and a signal tribute to the versatility and unfailingly high quality of the film itself. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative (Gray-Backed)
Members Financing Code Authority Temporarily

BERMAN, LEVY, REISMAN BOOSTED IN NEW RKO SETUP

Allied's Code Brief Asks More Indep't Representation

Recommendations Made
in Memo Filed at
Wash'n Hearing

Washington Bureau OF THE FILM DAILY
Washington—More representation for independents on local board setups is the highlight of eight suggestions embraced in the brief filed by Abram F. Myers in behalf of Allied in connection with the public hearings on code problems held this week. Among Allied's contentions, in addition to the claim that the code "wastes quasi-judicial power over the respective rights of buyers and sellers of film, and producer-con

(Continued on Page 5)

ASSISTANT DIRECTORS
IN ACADEMY AWARDS

West Coast Bureau OF THE FILM DAILY
Hollywood—For the first time in the history of Academy awards, it has been decided to include assistant directors for the year's best consistent work. The following 18 nominations have been made: William Tummel and Perk Kard, Fox; 

(Continued on Page 4)

Independent Distributors

Get 17 Films for Coast

West Coast Bureau OF THE FILM DAILY
Los Angeles — Independent Film Distributors, with a local branch under Stanley Simmons and one in San Francisco under Bruce Johnson, has acquired four Chadwick pictures, starting with Lilvan Tashman in "Wine, Women and Song," and "Eat

(Continued on Page 4)

P. O. Probing Propaganda

Propaganda mailed to newspapers by anonymous persons who misquoted THE FILM DAILY in connection with a flap between Warners and Coca-Cola is being investigated by the Post Office Depart

ment, it is learned. Warners also have sent letters to newspapers throughout the country explaining that the flap merely involves use of display matter on Warner stars in the drink firm's exploitation.

Code Authority Being Financed
By Members Until Budget Set

Pending actual collection of money for financing the code machinery, members of the Code Authority are temporarily financing operations it was stated at the Code Authority office yesterday. This is understood to apply principally to the major companies. The Code Authority's committee on finance will meet in Washington next week and continue its work on a budget and financing plan. It is expected to submit its recommendations at the meeting of the administrative body Mar. 12.

Directors Confirm All Recent Appointments
Of Executives

At a board of directors meeting of RKO Radio Pictures and subsidiary companies held yesterday, executive appointments announced Feb. 15 by Merlin H. Aylesworth were confirmed. Three elections not previously announced were also made. They are Jules Levy, vice president of RKO Distributing Co., Phil Reisman, vice president of RKO Export Corp., and Pandro S. Berman, executive producer and vice-president of RKO Studios. Previously announced appointments were J. R. McDonough, president of RKO

(Continued on Page 4)

EDUCAT'L TO BOOST
PRODUCTION IN EAST

Production of Educational short subjects in the east this season, in addition to west coast activities, has been so successful that a goodly portion of the 1934-35 schedule will be made at eastern studios, Earle W. Hammons told FILM DAILY yesterday.

"Dividing the product assures the best possible results, making it possible to draw on the wealth of talent.

(Continued on Page 4)

Code Authority Powerless
To Increase Indep't Quota

Apparently lacking knowledge as to code provisions covering local board setups, a number of exhibitors are writing to the Code Authority in an effort to secure additional representation for independent exhibi

(Continued on Page 4)

68 Film Bills Pending

Approximately 68 bills affecting the industry are now pending in 21 state legislatures currently in session. Many of the measures are of a taxation na

ure.
ONE OF the best lil' pals this industry ever had
Hugh Weir editorial director of the Tower Publications
is taking an enforced vacate at the Doctors
Hospital in this hambler. Ed is shown to his wife's family that
that ran in Sateevest will be followed by another surgical study of
the Movies this time dissecting the film execs.
and showing how they operate... the author started
as a scenario writer for Universal... he plays up the films in
practically all his publications the "New Movie" selling
in Woolworth's and on newstands tops all the fan mags in circulation
only 750,000 monthly.

AT THE dinner being given by the White House
newspaper correspondents to President Roosevelt tonite at
the Willard Hotel in Washington Al Jobson and Hal LeRoy
will be among the entertainment. J. D. Top has moved his
Pinnacle Productions to the Paramount building The Film
and Photo League Symposium "Future of the Film," will be
held Sunday eve at 12 E. 17th Sts. circuit, Henry Hull, Jack
Arthur and Kramer & Boyle will be among the artists appearing
in the Fanchon & Marco broadcast, "Matinee Today," over WOR
Sunday, the broadcast comes from the studios in the Roxy theater.
Majestic Pictures has purchased serial rights to the N. Y. "Mirror's" serial, "Unknown Blonde"

WE HAVE just been informed by Ed Hurley that
he was married last December. The 22nd... even re-
membered the date... the lady is Pearl Akers of Ackerville,
John of the Maxwell House Coffee Akers. no rela-
tion to Shore Akers.

Prepare Radio Show Protest
A joint statement in opposition to free broadcasting studio shows on the
grounds that they take jobs away from persons in the legiti-
mate and motion picture business was agreed upon by representatives of the Motion Picture and Legiti-
mate Theater Code Authorities yesterday. It will be submitted to Ra-
dio Code Authority at a joint ses-
tion in Washington Monday.

S. M. P. Meeting in Detroit
Detroit:A meeting of the mid-
west section of the S. M. P. E. will be
held here today, with an after-
noon session at the Metropolitan
Motion Picture Studio, followed by
a dinner and an evening session.

Services for R. C. Richards
New Orleans—Services for R.
C. Richards, circuit head, Thurs-
der of E. Y. Richards, were held here
this week. He died in a Covington
Hospital he had gone six months
ago for his health.

Another for E. M. Loew
O'neville, R. I.—The O'neville
theater, which belonged to the Phil-
Smith Circuit, has been taken over by
the E. M. Loew Circuit.

Strock at Metropolitan, Boston
Boston—A. Clyde Strock has come
from Minneapolis to manage the
theater at the Metropolitan. Tom Wahl is his as-

Chicago Bans Riot Films
Chicago—All pictures of rioting
have been banned from newsreels by
policeman. The edict applies to
all theaters.

Vote Earlier Sunday Opening
New Britain, Conn.—The Common
Council has voted to change the city
ordinances to allow movies to open
at 2 p.m. on Sundays instead of 4
p.m.
**REVIEWS OF FEATURES AND SHORTS**

E. M. Newman's

*Spanish America*

Vitaphone 10 mins.

Old and new Cuba form the locale for the opening sequences of this film which then moves to Panama where interesting highlights in the city's life are depicted. Newman delivers the narrative. The musical score includes many Spanish vocal numbers.

**"Pettin' in the Park"**

(Merrie Melody Cartoon)

Vitaphone 7 mins.

Okay

This one opens with plenty pettin' in the park by birds and beasts and also a fat cop and his servant girl. After a few good gags it moves to a championship swimming match to be contested in all the water fowl in the colony. The race is cleverly handled and contains quite a few laughs.

Block and Sully in

*The Wrong Wrong Trail*

Vitaphone 10 mins.

A young man amateur detective, after receiving his star and diploma, takes it as his first case the mysterious murder of the superintendent of a lunatic asylum. At the institution he meets the nuts and many unusual things occur. Laughs are scattered with none being above the average. The finish falls flat.

**Mickey Mouse in**

*Giantland*

United Artists 8 mins.

Swell

Fertile in invention and full of amusing situations Mickey's adventures with a giant after climbing Jack's famous Beanstalk is an ace addition to this series. Especially amusing are Mickey's antics in the giant's mouth where he is pelted by peas, nearly drowned by water, almost crushed in mastication. Mickey's escape from this cell, his chase by the giant and the flight down the beanstalk wind up this very entertaining subject.

**Mickey Mouse in**

*Playful Pluto*

United Artists 8 mins.

Good

Very fast-moving, this subject makes up in variety and speedy succession of incidents for a slight lapse from the very high inventive ness of the series. Mickey is frolicking with his dog Pluto in the yard when a cyclone comes along. There follows some fun with a garden hose in which Pluto gets entangled, a chase into the house, Pluto's pursuit of a hilariously highestop, Pluto's adventures with some flypaper.

**THE NINTH GUEST**

with Genevieve Tobin, Donald Cook

Columbia 76 mins.

**MILLER OF WHOLESALE MURDERS TOLD IMPROBABLE TO IMPRESS WITH ARTIFICIAL PLOT.**

The theme is pretty far fetched, and neither author, director nor players are able to make it appear in any way convincing. It carries a certain amount of thrills and plenty of suspense, but the looseness of the plot and poor motivation tend to kill off any real interest in the proceedings. Donald Cook as a reporter and Genevieve Tobin, a singer, childhood sweethearts, are among the eight people invited to a dinner under rather mysterious circumstances. As events develop, it appears all the guests know each other and many of them are anything but friendly terms. A voice informs them over the radio, apparently, that they are brought there to play some unmentioned Mystery Game—the Ninth Guest—if they outwit him they live. If not, they die. So one after another the guests are done away with, till only Cook and Tobin and the invisible guest remain. He is proved by the hero to be the Ninth Guest and the disclosures of the radio voice operation is not very convincing.

**Cast:** Donald Cook, Genevieve Tobin, Hardie Albright, Edward Ellis, Edwin Maxwell, Vincent Barnett, Helen Finn, Samuel S. Hinds, Nella Walker, Sidney Bracey.

Director: Roy William Neill; Authors, Edwin Davis, Gwen Bristow, Bruce Manning; Adaptor: Garnett Weston; Editor, Gene Milford; Cameraman, Benjamin Kline.

Direction, Fair, Photography, Okay.

**"Jolly Good Fellows"**

Radio 7 mins.

A Soglow cartoon of the Little King, who decided to visit the royal prison. He gets himself in wrong when he starts to kilts in a char game played by two tough inmates. This starts a jail break, and then the excitement almost tears the jail apart, with the army, navy and air fleets called in to subdue the prisoners. Carries the original Soglow touch, and has plenty of originality in treatment.

**Sterling Holloway in**

*Born April First*

Universal 21 mins.

**Fair Comedy**

Sterling Holloway here plays another timid, almost feminine type. His home life with two Victorian maiden aunts emphasizes this character, and the theme of the film concerns the misunderstanding between him and the townspeople when it is learned that he is not as he seems.

**Henry Armetta in**

*Full Coverage*

Universal 21 mins.

Fair

After agreeing to take out a $100,000 insurance policy to help his wife's brother, Armetta gets into a fight with the brother-in-law and the insurance doctor. Arriving home dripping wet because wife's kin took his raincoat, Armetta takes his wife planning to poison his dog, thinks that the plot is directed against him and there after there are plenty wild doings.

**Strange As It Seems**

**(No. 37)**

Universal 10 mins.

Good

This Nathan-Fairbanks novelty includes an entertaining series of very brief clips including the artist who draws with hand and foot simultaneously, the elephant whose trumpet acts as a signal to end work, the trout streams of New Zealand along side which are thermal springs where the fish can be boilled in a few minutes, the diminutive home of Stella Royal, midget, and other items.

**Vaudeville Days**

Universal 21 mins.

Good

This one is an improvement over others in this series in that separate songs are used for each act, and Hal Sherman is a first rate m.c. Acts include Kay & Jimmy, roller skaters; Silby Bowan, swell Mae West impersonator; Peter Higgs, tenor; Jack Seymour, hurdler; Eris & Herman, adagioists, and the Chester Hale girls.

**"The Toy Shoppe"**

( Oswald Cartoon)

Universal 7 mins.

Good

Here Oswald is a toy maker. When he closes up for the night the toys awake. Jack-in-the-box's attempt to take away the little dutch doll from the dutch boy with others joining to frustrate him makes a three of enthralling narrative for the animation.

**County Fair**

( Oswald Cartoon)

Universal 6 mins.

Good

On his way to the fair, Oswald picks up a child lost thrown out of the house by his father. Child develops into finding trouble for Oswald and all in an amusing series of incidents.

**Eurythmic** (**Written**)

Dist. Not Set 15 mins.

Excellent

Rhythmic physical culture exercises as practiced by men, women and children in a physical culture school brings to the screen a new technique in the method of conducting gymnastics. In practically every exercise, accessories such as light balloons, sticks, etc., are used to give poise and grace. Musical synchronizations has been carefully handled. It is unusually good entertainment for this type short.

**Eperon D'or** (**Golden Spurs**)

(In French)

Dist. Not Set 39 mins.

Very Good

There is plenty here for those who like horseback, and what can be done with thoroughbreds in the hands of knowing riders. In its present length the film is too long for the fast consumption, but there is a wealth of thrills and much interest throughout. Horses in training, the horse hospital showing preparations for a major operation, hurdles, fast and daring riding, are all contained in the short. It has been well made and excellently synchronized.

Fox Midwest Transfers

Wichita, Kan.—C. C. Murray has been transferred by Fox Midwest from here to Topeka, where he will manage the Grand. Shirley Chambers, formerly manager of the Grand, now is manager of the Up town, Kansas City.

Miss. Senate Rejects Sunday Option

Jackson, Miss.—The Senate of the State Senate has quickly voted down a proposal to legalize Sunday shows in the state with local options in towns of 2,000 population or more.
ALLIED CODE BRIEFS ASK MORE VOICE FOR INDIES

(Continued from Page 1)

trolled and independent exhibitors, in a Code Authority and in local boards dominated by the sellers and producer-exhibitors, is the charge that the labor provisions of the film code, an act of Congress with other codes and are not justified by the Recovery Act. Allied also questions the classification of R. H. Cochrane as an "unnamed" member of the Code Authority. The eight suggestions follow:

1. That at least two additional independent, unaffiliated exhibitors be added to the Code Authority.
2. That Mr. Kunkemall be removed as an independent's representative.
3. That two additional representatives of the Administration be named to the Code Authority as contemplated by the Code, to keep equal balance with the Code.
4. That the local Clearance and Zoning Boards be enlarged to at least two additional unaffiliated, independent, or producer-exhibitor representatives.

"U" Joins in Protesting
Cancellations Ruling

Universal has lined up with other major companies in registering objection to interpretation of Divi-
sion Administrator Sol A. Rosen-
enberg's ruling that Columbia's "Frolics of 1934" was stricken from the code, because of the Code, in which the life of the National Em-
ployee Relations Board expired. The board had ruled that the Code provisions for collective bargaining, the Code's effective date, on product generally released after that date.

PARAMOUNT, WARNER, AND FOX, RKO have formally protested to the interpre-
tation and Columbia is understood to share their attitude.

Revolving Personnel
Opposed by Attorneys

(Continued from Page 1)
gagized to supplement the regular local boards. The code provides for the setting up of committees in addition to those specified in the code provided they can serve to further effectuate its provisions.

Educational to Increase
Production in the East

(Continued from Page 1)
ent at both film centers," said Ham-
mans. "In the east we have fea-
tured and will continue to engage stage and radio stars who otherwise would not be available for screen material although it is too early to say just what part of our new prod-
uct will be made in the east, it is definite that we will have added ac-
tivity here."

Another "Queen" Picture

London—in the series of historical queen pictures is "The Queen's Affair," with Anna Neagle, made by British & Dominions for United Artists release.

GEORGE MIDDLETON has arrived in New York from Madison, Wis.

PHIL REISSMAN will arrive Tuesday from Europe on the Bennington.

ARTHUR LOW will leave to plan for Europe about March 15.

HOWARD DIETZ will return from the coast Tuesday.

JULES LEVY sails today on the Virginia for the coast.

H. WILLIAM FITSELSON will return from abroad Thursday on the Washington.

WILL HAYS and ROY NORTHERN yesterday for Florida.

HARRY SQUIRES, Fox Bureau cameraman, is back from Guatemala where he filmed material for Yashadon Adventure series.

FELIPE MIER, Warner-F. N. manager in Mexico, is in New York for conferences with Karl MacDonald.

JOE HUMMEL, Warner's general foreign sales manager, has arrived in Johannesburg and leaves next week for Singapore.

ARTHUR AYLESWORTH, stage actor, leaves for the coast in about 10 days to appear in Fort National's "Dark Tower."

S. L. "ROXY" BOTHAFELD sailed last night on the Olympic for a three-week trip abroad.

MAURELLE EDWARDS, Fox picture, is on her way back to England.

JOHN COLTON, M-G-M writer, is on his way to the coast.

TOM MEIGHAN and BILL GAXTON have arrived in Miami.

BEN BLUE sails on the Champlain today for appearances abroad.

NEIL AGNEW and MILTON KUSSEL have left New York for the West Indies cruise.

DR. WM. H. VOELLER of Congrat Col. Co. is back from Porto Rico where he made an extended survey of the radio situation.

MAURICE WOLF, M-G-M Boston Manager, is back from a southern sojourn.

JOHN ZAHNF is on his way from the coast to New York.

"Frolics" Ruled Out of F. N. Title

On protest of Fox, one of "Frolics" in the title of First National's "Fashion Frolics of 1934" has been ordered discontinued by a Mayes office arbitration board which previously ordered discontinuation of one of the same title. Fox claimed the word "Frolics" was confusing, partly in view of previous advertising.

NEW RKO SETUP IS
OKAYED BY BOARD

(Continued from Page 1)

Radio Pictures, B. B. Kahane, presi-
dent of RKO studios and Ned E. Depinet, president of RKO Distrib-
uting Corp. Following the meeting Aylesworth announced that Kahane will leave his home for the coast to the studio and that Mc-
Donough will divide his time be-

Assistant Directors
In Academy Awards

(Continued from Page 1)

Charles Dorian, John Water and Bunny Dull, M-G-M; Arthur Jacob-
son, Sidney Brod and Charles Bar-
ton, Paramount; Dewey Starkey and Eddie Kiley, RKO; Fred Fox and Benjamin Silver, United Artists; Scott Beal, Billy Reiter and Joe Mc-
Donough, Universal; Gordon Hol-
lingshead, Al Alborn and Frank H. Browne, Warner.

Kineatrade Gets Passion Play Film

"Crown of Thorns," Passion Play film with versions in English, Span-
ish and Polish, has been acquired for world distribution by Kineutra-
ade.

K. C.: Pantages Reopening Set

Kansans City—Deal for reopening of the Pantages by Bill Reinke and Jack Truitt is reported set.

GREATER BOX OFFICE VALUE

THE box office value of the brilliant, snow white light from National High Intensity Projector Carbons has placed them in most of the large down-town theatres.

Smaller theatres may gain a like advantage through the use of National Copper Coated High Intensity A.C. Projector carbons. These carbons, in the new lamps built especially for their use, give a brilliant, snow white light and a higher level of screen illumination than the low intensity D.C. arc.
Code Authority Delegation in Wash'n for Confabs

SALES CONVENTIONS A MONTH LATE THIS YEAR

Six New Studios Planned in British Production Drive

No Annual Meetings Set Yet by Distributing Companies

With convention plans as yet unannounced by major companies, it is expected that the annual sales meetings will all be held at least one month later this year than in 1933. Discussions on RKO's convention will not be started for a month. M-G-M's annual meeting will be taken up shortly by Felix Feist, who returned last week from the Coast. Universal will not announce the date of its convention until the return of James R. Grainger from Hollywood.

Stage-Film-Radio Authorities Meet Wednesday on Free Shows

Joint meeting of the Code Authorities of the film, legitimate theater and radio will take place at the office of William Farnsworth, deputy administrator, in the Dept. of Commerce Building on Wednesday at 5:30 p.m. A telegram from the Radio body on Saturday fixed the date of the session, at which free shows in broadcasting studios will be discussed.

F. & M. SEEK SPONSOR IN RADIO-STAGE TIEUP

Fanchon & Marco is continuing to contact motor manufacturers and other radio sponsors in an effort to sell them the idea of assembling a huge show whose arrival in a city would be the signal for a virtual convention of dealers with special tieups and advertising and broadcasts from the theater's stage, it was reported.

Warner Trade Showings In 39 Cities Tomorrow

National trade-showing of six Warner-First National pictures will take place in 38 key cities tomorrow, with the New York screenings to be held at the Hollywood theater starting at 1 P. M. Pictures to be shown are "Wonder Bar," "Journal of a Crime," "As the Earth Turns," "Aim the Gent," "Gambling Lady" and "Harold Teen."

American House for Geneva

Two new major houses, financed by a group of men in construction, are to be opened in this city. Only original American versions will be featured.
More Stock Companies Predicted for Next Year

Although but 19 stock companies are now running in the United States, a low for the past ten years, many more companies are likely to open on Broadway, as an Actors' Equity official states. He bases his belief on the fact that the current crop of Broadway shows is better suited for presentation away from New York than some of the past several seasons and because of the restriction in the Legitimate Theater Code on selling film rights before stock and the road have seen the play.

Chicago Union Man Shot

Chicago — Emmett Quinn, right-hand man to Thomas Byrnes and the operators' union, was shot in the hand in a fracas near the union office. He was not seriously injured. Report is current that an attempt was made on Maloy's life.

Syndicate Gets "Guilty Parents"

"Guilty Parents," made by Jay Dee Kay Productions, has been acquired by the Syndicate exchange for the Greater New York and Northern New Jersey territory. Deal was closed by J. B. Kendis with United Artists All Over London

London—United Artists currently has more releases on exchange here than any other company. "Catherine the Great" is playing two-a-day at the Leicester Square. "The Queen's Affair" is at the Plaza, "Gallant Lady" at the Gallery, 90 London houses are playing "Henry VIII" and houses are showing Disney cartoons. Out of six columns of advertising in the Daily Express, with 1,000,000 circulation, more than half is on U. A. product.

Musicians' Dance April 9

Second annual dinner and dance of the Musicians' Welfare and Social League will be held April 22 at the Hotel Astor. The affair is given for the musicians' relief fund. Louis Weisman is president of the League and Bert Buritaine is in charge of ticket arrangements. Officers of the League are also officers of Local 802 of the musicians' union.

Dubinsky House Bombed

St. Joseph, Mo.—The Electric theater, operated by Barney Dubinsky, was bombed last week. Labor trouble blamed.

Majestic Has Eight to Go

Hollywood — Majestic has completed four features of its 1933-34 schedule of 12, and expects to get started on the remainder as soon as a new production manager is named. "Henry VIII" Two-a-Day in B. A.

Boston — "Private Life of Henry VIII," United Artists release, opened two-a-day to a new-week record at the Monumental Theater last week.

Warner Title Change

Title of Warner's "Far Coats" has been changed to "A Woman In Thirties."
Dear Public:

After all the nice things you've been saying about "Massacre", "Hi, Nellie!", "I've Got Your Number" and "Fashions of 1934", we haven't the slightest doubt about your reception of "Journal of a Crime". It is just as fine a picture, yet entirely different from the type of shows for which Warner Bros. are particularly noted... Frankly, we think it is a masterpiece of direction and performance. We recommend it to you personally.

Warner Bros.

RUTH CHATTERTON
"JOURNAL OF A CRIME"
EXPLOITETTES

“Bunless” Campaign Puts Over “Earth Turns”

ONE of the most unique exploitation campaigns ever accorded a premiere was put on for the world premiere of Warner’s “As the Earth Turns” at the Melba theater, Dallas. The theme of the campaign was set up by the Warner home office advertising and publicity department, which posed the question of whether the public wants realism or hokum in their film fare. Through the cooperation of the Dallas Film Guild and the Dallas “News,” the city took to this idea and made it a matter of civic interest. The catchphrase used was “No Bunk in Pictures and No Bunk in Advertising.” In addition, the campaign included the following ballyhooes: Arrangements for Eddie Barr, S. C. G of the Dallas “Dispatch,” to interview Jean Muir by long distance phone, with both ends of the conversation over WRR; a 10-page tabloid, containing a condensed version of the novel on which the picture is based, in the Dallas “Dispatch”; Gladys Hasty Carroll, author of the best-seller, in town attending literary teas and special luncheons; Dallas Film Guild sent out 8,000 letters and made many phone calls appealing to the recipients to support the picture and to ask others to support it, a special invitation list of 400 guests, representing a “cross-section” of Dallas opinion, invited to the premiere to answer the question “Should Hollywood make more pictures like ‘As the Earth Turns’?” This campaign was duplicated in several other pre-release engagements.

—Warners Bros.

THE INDUSTRY’S DATE BOOK

Today: Independent Theater Owners of Ohio regional meeting, Van Cleve Hotel, Dayton, Ohio.

Mar. 5-8: Conference of Code Authorities, Washington, D. C.


March 9: Independent Theater Owners of Ohio regional meeting, Clarendon Hotel, Xenia, Ohio.


March 12: Independent Theater Owners of Ohio regional meeting, Portage Hotel, Akron.

March 13: Independent Theater Owners of Ohio regional meeting, Fort Steuben Hotel, Steubenville, Ohio.

March 15: Annual awards banquet of the Academy of Motion Picture Arts and Sciences, Hollywood.

Mar. 16: Annual Awards Banquet of the Academy of Motion Picture Arts and Sciences, Hollywood.

EXPLOITETTES

“Moulin Rouge” Tieups Make Splurge in Buffalo

OUTSTANDING merchant tie-ups with many of the city’s leading stores, were among the highlights of the exploitation campaign put on by C. H. Taylor, manager of the Great Lakes theater, Buffalo, for the opening of “Moulin Rouge.” Music tie-ups, with all windows containing cut-outs, stills and sheet music, were effected with several stores. On clothing, in connection with cut-out displays of Franchot Tone, windows were secured in three stores. The leading florist used a smash display in his window. Promotional ads were put over with the De Luxe Cleaners and the J. N. Adams store in which copy in their newspaper ads mentioned “Moulin Rouge.” A tie-up with Maxwell House Coffee resulted in having more than 500 local grocery stores displaying special cards and window streamers. Local taxi companies were enlisted and used 100 car cards announcing the opening. Radio tie-ups were affected with Station WWEB for the use of the radio playlet. Leading hotel orchestras also featured the songs in the picture on their various programs. The outside of the lobby contained a victrola, through a tie-up with the N. Y. Talking Machine Co., featuring songs in the picture. Huge cut-outs of Constance Bennett and Franchot Tone also were on display.

—United Artists.
Denver — Al Gorrel, film salesman, has taken "Elysia," "Eat 'em Alive," "Edwin C. Hill shorts and Master Art Productions, for the Denver territory. Some of these he will also sell in the Salt Lake district. He has established headquarters at 2075 Broadway.

Salt Lake City—National Theater Supply, managed by O. J. Hazen, has obtained contract to re-equip the Majestic, Nampa, Idaho. House is being remodeled by Manager Herman J. Brown, with capacity increased from 800 to 1,100.

St. Louis — The Roxy on Lansdowne Ave. has eliminated its weekly tickets and reduced regular admission for adults to 20 cents from 25 cents.

St. Louis — Charles Kurzman, manager of the Fox and St. Louis, has been named publicity chairman of the Mid-town Business Club to promote interest in the midtown section.

Buffalo—Elmer Lux now is covering Rochester for the First Division. Dean Randell is doing Commerford booking for Oswego and Waverly. Jack Zurich is again with United Artists as a salesman in the Rochester district.

Lebanon, O. — J. C. Patterson, Grand Theater, has bought a large plot of downtown realty for investment improvement.

Smithfield, N. C.—The Sanders, operated by H. P. Howell, has opened.

Asheville, N. C.—C. L. & W. Theaters, Inc., is now operating the State.

Hillsboro, N. C.—S. S. Stevenson of Henderson has re-opened the Hillsboro.

Chester, S. C.—The Chester theater is now in operation under the management of J. E. Ross of St. George, S. C.

10 Vitaphone Releases in March


Hickory, N. C.—Fire gutted the Grand, which was owned and operated by John F. Miller.

Arabia, La.—Zank Taylor has re-opened his theater here.

Milwaukee—The Legion, neighborhood house has reopened under the direction of A. Zetley.

Denmark, Wis. — The Denmark theater has been opened here with E. Gary Ramsey as manager. The house has a seating capacity of 300 and is operating with four programs changes weekly.

Clintonville, Wis.—The Grand has reverted to Dr. W. H. Finney and has reopened with A. C. Reinke as manager.

Racine, Wis.—Recent closings include the State theater here, operated by Warners, and the Victor in Hartland.

Portland, Me.—Public has changed policy here with the Maine theater taking first-runs and the State shifting to second-runs.

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**MISTER—CAN YOU SPARE A DIME?**

A bed is a bed to the "down-and-outer" who bums a dime for a night in a flop house. But just any old seat won't do for theatre patrons. They demand restful comfort in theatre chairs and will go where they get it.

**Ask Us,**

"How can I reseat and pay for new chairs conveniently?"

---

**American Seating Company**

**Makers of Dependable Seating for Theatres and Auditoriums**

General Offices: Grand Rapids, Michigan

**BRANCHES IN ALL PRINCIPAL CITIES**
SALES CONVENTIONS TO BE A MONTH LATE

(Continued from Page 1) where he will confer with Carl Laemmle, Jr. Grainger is expected to leave for the coast next week. Fox, Warner, Paramount, Columbia, United Artists and Monogram are all delaying convention discussions until 1934-35 production schedules are set. The code situation also figures in the delay.

22 Films Under Way at Paramount Studio

(Continued from Page 1) “Thirty Day Princess,” “Melody in Spring,” “Murder at the Vanities,” “We’re Not Dressing,” “Double Dummy,” “Little Miss Marker,” “The Witching Hour” and “In Conference.”


F. & M. Seek Sponsor in Radio-Stage Tieup

(Continued from Page 1) was sent to the Film Daily on Saturday by Jack Partington. Such a show would cost between $15,000 and $20,000, according to Partington, and the theater would stand 40 per cent of the expense. He declared that while efforts to sell such a proposition had not been successful to date, he and other F. & M. executives had faith that some such welding of theater and radio was practical and would be adopted.

“Earth Turns” Sends Melba Record to Reno: William Bowers of Warner’s “As the Earth Turns” at the Melba broke all house records. The picture was given an extensive advance campaign on a theme of “no buck,” with the public invited to register its reactions.

Ushers Strike for More Pay

Milwaukee—Protesting the wage scale of 25 cents an hour for a 40-hour week under the theater code, eight ushers at the Warner theater here have struck for a 100 cent per cent increase in wages and are picketing the house. The ushers are members of the recently organized Ushers, Doormen and Cashiers’ union here.

Dunkers

Kansas City—At the usual trade showing of “It Happened One Night,” Harry Taylor, assistant manager, banqueted out doughnuts and gave an exhibition of dunking in accordance with the morning’s feature. Among those present was Mayor Bryce B. Smith, who joined in and gave a better exhibition of it than Clark Gable does in the film. The Mayor is a baker of national prominence.

HOLLYWOOD

PAT FLAHERTY, former professional and baseball star, has become a busy actor. He played the role of Corporal Phebe Martin in “Come On, Marines” and also worked in “Baby in the Ice-Box” for Charles B. Rogers. He is tentatively set for parts in “Twentieth Century” and “Operator 13.”

Bill Oliver of the Los Angeles Herald-Express is one up on Mike (“Six-Syllable”) Simmons. Tother day Bill used the word “brachycphalic” in describing Victor McLellan. Bill and Mike are sesquipedalianists, but probably don’t know it.

Tother day, a trade paper referred to a well known writer and director as the “late” Willard Mack. Mack is very much alive and active.

Billy Griffith has been signed to play one of the featured roles in “Operator 13.” He is a member of the New York Theater Guild and is represented by Ralph G. Farum.

Few of his intimates know that the modest and unassuming RKO director, J. Walter Ruben, was at one time amateur lightweight champion of New York state. Ruben still keeps in good physical condition by working with a trainer each morning.

An urgent request from David O. Selznick has been made to write additional scenes for “Viva Villa,” the M-G-M super-feature production which exhibitors are anxiously awaiting, has compelled James K. McGuinness to temporarily abandon his “Tash” assignment for Irving Thalberg.

A freshman on the athletic roster of University of Southern California whose name is being withheld, was recently given a test by M-G-M director, Sam Wood, with the result that he has been placed under contract to take effect when he completes his curriculum.

A recent visitor to Clarence Brown’s “Pretty Sadie McKee” set apparently was favorably impressed with the M-G-M director. Last week from Elgin, III., came a new and shifty megaphone with the director’s initials in silver white against a brown background.

Ricard Wallace, who recently returned to Hollywood to direct “Tramp, The” for Warner Bros., has added to the picture before returning East to make one for Erpi, has leased his New York pent house to Gladys Coe, English actress.

Archie Mayo will direct “Dark Tower” for First National.

Marion Gering will next direct “Her Master’s Voice,” with Lanny Ross, Charlie Ruggles and Mary Boland at Paramount.

Columbia has assigned Ethel Hill to adapt “Blind Date” and David Bellem to adapt “Among the Missing.”

Al Ann Ronnell and Cliff Fried are writing pictures for RKO “Down to the Last Yacht,” which Mark Sandrich will direct.

Ross Lederman will direct Tim McCoy in “Highway Patrol” for Columbia.

Ray Long has written a story around the career of William Travis of Jersey City, N. J., a York district attorney, and it will be filmed by Fox, Robert T. Kane announces.

Wanda Tuchock has been given a new writing and directing contract by RKO.

Charles Lamont will direct “Lips That Pass in the Night,” Mermaid comedy which goes in work at Educational this week. Scenes will be filmed at sea aboard the liner Empress of Britain.

“Scram” is the title of the first Joe Cook picture for Fox. Gene Towne and George Baker went to Chicago last week to confer with Cook on the project.

Bert Kalmar and Harry Ruby have been signed by RKO to do an original story and music for the next Wheeler-Woolsey picture.

H. N. Swanson will supervise “Cockeyed Cavaliers,” Wheeler- Woolsey comedy for RKO.

CAST ASSIGNMENTS


PARAMOUNT: Sam Hardy for “Little Miss Marker” with Adrienne Ames, Dorothy Dell, Jack LaRue and Lynn Overman; Aline Judge for “Great Magician” with Agnes de Millo for “Cousin Patricia”; Harry Stephenson, Lucien Littlefield and Edward Arnold for “Thirty Day Princess.”

RKO: John Bales for “Alien Core”; Clive Brook for “Sour Grapes”; Sidney Blackmer for “Down to Their Last Dollar”; Frank Thomas for “Wednesday’s Child.”

FIRST NATIONAL: Henry O’Neill and Barbara Blair for “Dark Tower”; Virginia Pine for “Dr. Idiocy.”

M-G-M: Rudi Farrow for “Just for Fun”; Frank Albert for “Head of the Family”; Emily Dunn, Hallwell Hobbs, I. F. Eltman for “The Animal Farm.”

COLUMBIA: Walter Connolly for “Twenty Eighth Century”; Jean Arthur for “Most Precious Thing.”

M-G-M: M-G-M: Ted Healy and Frances Williams for “Rings Around Rosie”.

UNIVERSAL: Alec B. Francis and Edwin Morgan for “I’ll Tell the World.”

CODEAUTHORITY GROUP

IN WASH’N FOR CONFERENCE

L. O’Reilly and W. C. Michel, alternate for Sidney R. Kent.

Members of the Code Authority arrived in Washington this morning from New York to participate in the NRA four-day program. In addition to Executive Secretary John F. Film Co., Mr. Michel included: J. Robert Rubin, Louis Phillips, as alternate for George J. Schaefer; Ed Kaykendall, Charles L. O’Reilly, Nathan Yamin, Harold S. Bareford representing H. M. Warner; M. H. Aylesworth and W. Ray Johnston, W. C. Michel arrives tomorrow to attend Wednesday’s meeting.

Six New Studios Planned

In British Film Drive

(Continued from Page 1) the present, Stuart Johnston of RCA Photophone admits having received inquiries for seven or eight complete new equipments, including five for new studios. Two of the new companies, it is learned, plan to make big productions for the international market, one is to set up a new distribution unit and another is to go into French as well as English originals. J. V. Bryson, who leased the Whitehall Studios to London Film Co., is considering erection of further stages in order to produce on his own behalf.

M-G-M to Film McGray Story

A story by Richard Carroll and N. M. Finch, a local writer of the late John J. McGray, manager of the New York Giants, has been purchased by M-G-M. It is tentatively titled “The McGray Story.” Scenes at the baseball sequences may be made on eastern diamonds.

Armida in Roxy Stage Show

Armida has been booked to head line the stage show at the Roxy starting Friday.

Dezel Gets Problem Picture

Chicago—Al Dezel of Road Show Pictures has signed a long term distribution rights to “Pittfalls of Youth,” problem picture.

“One Night” Packs ‘Em in N. O.

New Orleans—Despite the coldest weather of the year, “It Happened One Night” stood the crowds in the street at the Orpheum.

Cutting In Boston—The Al」と film is running at the Rivoli, Italian Village from 1:45 to 7:45 to transport prospective patrons. It is directed by D. J.方向盘 Career Center, independent house, is halfway between Brookline Village and the Allston.
**Analyzing Motion Picture Code**

By LOUIS NIZER

Twenty-Seventh Installment

**ARTICLE IV—LABOR PROVISIONS—PRODUCTION** (Cont.)

**Sec. 2. Minimum Wages**

(a) Forty Cents Per Hour

No employee of any class shall be paid more than forty cents an hour.

(b) Fifty Cent an Hour Employees

The following clerical, office, and service employees shall be paid not less than fifty cents an hour:

1. Accountants
2. Accounting Machine Operators
3. Bookkeepers
4. Clerks
5. File Clerks
6. Firemen
7. Garage Clerks
8. Readers
9. Secretaries
10. Stenographers
11. Telephone and Telegraph Operators
12. Timekeepers

13. Typists
14. (c) Special Rates for Studio Mechanics

No employees of the following classes of studio mechanics shall be paid less per hour than the following rates:

1. Artists and Sculptors ................................ $1.94
2. Automotive Mechanics .......................... $1.00
3. Blacksmiths ..................................... 1.16
4. Carpenters ...................................... 1.16
5. Casters and Mouldsmakers (staff) ........... 1.16
6. Cement Finishers ................................... 1.16
7. Construction Foremen (carpen-
    ter) ............................................. 1.33
8. Electrical Foremen ................................ 1.33
9. Electrical Workers ............................... 1.16
10. Floormen (electric) ............................ 1.00
11. Foundrymen ..................................... 1.16
12. Gaffers .......................................... 1.16
13. Grips ............................................. 1.00
14. Laborers ......................................... 1.00
15. Lamp Operators ................................... 1.00
16. Machinists ....................................... 1.00
17. Marionettes, Grainers and Fin-
    ishers ........................................... 1.40
18. Modelers (staff) ................................. 1.94
19. Modelmakers (staff) ............................ 1.75
20. Moulders (metal) ................................ 1.16
21. Operating Engineers ............................ 1.16
22. Ornamental Iron Workers ..................... 1.16
23. Painters .......................................... 1.16
24. Pattern Makers ................................... 1.16
25. Pianists .......................................... 1.16
26. Plumbers .......................................... 1.16
27. Printers ......................................... 1.16
28. Propetytnwns (first) ......................... 1.00
29. Royalties ........................................ 1.00
30. Scene Artists ..................................... 2.25
31. Set Dressers ..................................... 1.00
32. Streetcar Workers .............................. 1.16
33. Stage Hands ..................................... 1.16
34. Sprinkler Fitters ............................... 1.16
35. Stiffeners ....................................... 1.16
36. Structural Steel Workers ..................... 1.25
37. Steel Workers (property) ...................... 1.25
38. Upholsterers .................................... 1.16
39. Workers .......................................... 1.36

(d) Overtime Rates for Studio Mechanics

When any of the above studio mechanics works more than six hours per day, he shall receive not less than time and one-half for overtime in excess of six hours. These rates apply provided his work is rendered in the following two capacities:

1. Emergency or maintenance or re-
    pair work; or
2. Work to avoid hindering, reducing
    or delaying production.

(e) Special Rates for Special Classes

No employee of the following classes shall be paid less per hour than the rates specified below:

1. Assistant Cutters ............................... $1.30
2. Classifiers and Truck Drivers .............. $1.13 1/3
3. Laboratory Workers of the follow-
    ing classifications:
   A. Chemical Mixers ............................ .70
   B. Negative Assemblers and
    Breakdowns .................................... .81
   C. Negative Developers' Assist.
    ants .......................................... .81
   D. Positive Assemblers ........................... .50
   E. Negative Splitters ........................... .70
   F. Positive Daily Assemblers ................... .75
   G. Positive Developers' Assistants ..... .75
   H. Positive Release Splitters ............... .64
   I. Printers ....................................... .81
   J. Processing and Negative
    finishers ...................................... .30
   K. Release Inspectors ........................... .70
   L. Resealers ..................................... .64
   M. Sensitometry Assistants .................. .81
   N. Silk Mask Printers ......................... .81
   O. Waist Clerks .................................. .81
   P. Film Loaders .................................. .83 1/3

*(To Be Continued)*
Dear Bob—

"Mystery of Mr. X" is one of the grandest things you have ever done for M-G-M.

Your pal—

World-Telegram—Grade A entertainment...first rate...full of humor, romance, action and suspense...Montgomery excellent...not to be missed...

Sun—corking murder melodrama...most effective blend of suspense and light comedy...exciting yarn...suspenseful climax...good thriller...jolly picture...

Post—entertaining picture...artful combination of humor, romance, murder and Robert Montgomery...it will pay you to see it...continuously interesting...swerves neatly from a pleasant kind of drawing-room comedy to hair-raising thrills...you can't go wrong on "Mystery of Mr. X"...

American—one of the most entertaining mystery-comedy dramas the screen has seen...full of laughs...suspense is delightfully maintained and its climactic sequences possess excitement...has the crowds applauding...

Mirror—superlatively entertaining thriller...exceptionally good...harrowing suspense and charming humor...strong and appealing romantic theme...tastefully produced and brilliantly acted by unusually attractive cast...an unusual quality of genuine romantic charm...far above the usual detective thriller...don't miss it...

Times—ingenious combination of excitement, fun and romance...

News—3 Stars...one of the most exciting adventures encountered on a Broadway screen recently...directed with a great deal of skill and thoroughly well-acted...

Film Daily—better entertainment than this is hard to find...clever, suspenseful and exciting, plus a neat romance...delightful and well-done...

M. P. Daily—fine entertainment satisfaction with slam-bang finish...unique suspense situations blended with unusually charming romance...Montgomery differently clever...strong supporting cast...is packed with necessary box-office elements, including comedy...

Herald-Tribune—entertaining picture...deftly amusing amalgamation of melodrama and comedy...smooth and finished production...expert cast admirable...Montgomery in form and extremely engaging...excellent fun...

Telegraph—Montgomery at his suave and capable best...cast excellent...
Who's Afraid of the Big Bad Opposition?

Undoubtedly by the current agitation against free radio shows and against its Times Square broadcasting playhouse in particular, the Columbia Broadcasting System is making an announcement over the air inviting the public to apply for tickets to these free performances.

COLUMBIA ORGANIZES 21 HOUSES REOPENED
PLAY PRODUCING DEPT.
IN NEW ORLEANS AREA

Columbia has organized a play-producing department under Leon Leventhal, making the second major company to decide upon such activities in the last few weeks. Leventhal, who is the son-in-law of the late Joe Leblang, will try out shows in summer stock in the East or at the Coast and intends to offer them on Broadway next season. No exact program has been set, but its length will depend upon the suitable material available.

Nine Shorts Nominated
For Academy Awards

West Coast Bureau of THE FILM DAILY

Hollywood—Short subjects nominated for consideration in the awards to be made by the Academy on March 16 are as follows:

Cartoons: "Building a Building" (Disney); "Merry Old Soul" (Warner-Cartoons-Universal), and "Three Little Pigs" (Disney).

Comedies: "Mister Mugg" (Warren-Douglas-Universal); "Preferred" (Continued on Page 10).

Kirkpatrick Services
Are Being Held Today

Funeral services for A. S. Kirkpatrick, former Educational executive, who died Sunday, will be held this afternoon at 2 o'clock at his residence in Riverdale, N. J. Interment will be at Old Tappan, N. J. Kirkpatrick, who was 53 years old.

St. Louis Theater War Involves
Warners and Fanchon & Marco

Henry Hobart Planning
Production in the East

Henry Hobart and another prominent industry executive are negotiating with Eastern Service Studios for financing on a 50-50 basis for features to be produced at the Eastern Studios.

A theater war is developing in St. Louis with acquisition by Warner Bros., in association with Cella & Tate, of Shubert's Billets, which will play the Warner-First National product formerly run by the Ambassador and Missouri. The Ambassador and Missouri, together

(Continued on Page 10)

(Continued on Page 10)

389,000 Wage Earners
Affected, Says Flinn
in Memo to NRA

Washington — Total of "389,000 wage earners in the motion picture industry are directly affected by the provisions of the motion picture code," says Executive Secretary John C. Flinn of the Code Authority in a report submitted to Gen. Hugh S. Johnson yesterday coincident with the start of a five-day meeting of all Code Authorities.

Declaring that the code has already substantially aided in industrial recovery through increased employment and amplified payrolls in every branch of the industry,

(Continued on Page 10)

"RASPUTIN" Decision
PROTESTED BY M-G-M

London — Contending that the Judge misdirected the jury, M-G-M is applying for a stay of execution of the verdict pending appeal in the award of $125,000 to Princess Irene Yeussoupoff, who charged she was libeled by the character of Natasha in "Rasputin." M-G-M attorneys

(Continued on Page 9)

Mrs. August Belmont
Heads Research Council

Mrs. August Belmont, the former Eleanor Rosben of the stage, has become active president of the Motion Picture Research Council, with Dr. A. Lawrence Lowell becoming honorary president. Under her di-

(Continued on Page 9)

First Woman Supervisor

West Coast Bureau, THE FILM DAILY

Hollywood—Last Friday, M-G-M announced by RKO as the first woman supervisor. She was promoted by Pandro Berman, and her first assignment will be the second Francis Lederer picture, a South Sea story which she also is writing.

(Continued on Page 9)

S. M. P. E. Is After
1,000 New Members

Hoping to add 1,000 new members in the next 12 months, the S. M. P. E. has added 80 names to its roster in the past 30 days, bringing its total to 650 members. An effort will be made during the current membership drive to interest theater managers in becoming associate members. A reduction in dues has

(Continued on Page 9)

Town of 83 Has Theater

Heya, La.—With a population of 83, this town is supporting a 50-seat theater which has been built and operated by H. F. Helbert. House runs one night a week and has installed sound-on-film.
CWA Money Helping Theater Grosses
Circulation of money paid through the CWA in small towns during the past two weeks is indirectly showing itself in theater grosses, according to exhibitor reports reaching New York. New York, when it comes to the CWA, has had money much as five years are now reopening, it is reported. In the Cincinnati territory nine theaters have reopened in small towns with their operators generally attributing improved conditions to CWA money.

New Sound Device by Erpi Makes Talk More Natural
West Coast Bureau of THE FILM DAILY—New advancement in sound that will result in more naturalness and better quality of speech are announced following a meeting attended by studio technicians. The new device, developed by Electrical Research Products, and designed to eliminate blurred sounds, is being tested on the Warner, M-G-M, Paramount, Columbia, Fox and United circuits.

It is expected to go into actual production next week, and theaters having Wide Range equipment will not need to make any additions in order to take advantage of this improvement, according to G. C. Pratt, and vice-president.

Sound directors who attended the demonstration of the device included:

E. H. Hansen, Fox; Thomas Moulton, United Artists; Major Nathan Levinson, Warner; Douglas Shearer and Wesley Miller, M-G-M; Gilbert Kurland, Universal; John Livagary, Columbia; Dr. E. M. Honam, General Service Studios.

Paramount Branch Transfers
Three Paramount branch managers have been shifted. Ed Ruff has gone from the Boston exchange to Portland, Me., replacing John Howard, who has been transferred to Indianapolis, Ind. Stephen Davis has been switched from Indianapolis to Boston.

Tri-Ergon Suit Put Off Again
American Tri-Ergon sound patent copyright infringement case against a number of small independent exhibitors and distributors yesterday was again postponed in the Appellate Division, this time to March 13. Attorney Louis Nizer represents the defendants.

Warners Sign Dolores Del Rio
West Coast Bureau of THE FILM DAILY—Hollywood—Dolores Del Rio has been placed under contract by Warner for the next three picture year. Her first will be the title role in "Madame Du Barry," with William Dieterle directing from the screen play by Edward Chodorov.

Rube Wolf Ending Roxy Run
Rube Wolf, originally booked for four weeks at smaller engagements at the Roxy, will end his eight-week run there on Thursday. He plans to enter radio work.

"Rothschild" Opens March 14
Two-a-day opening of George Arliss in "Rothschild," 20th Century production for United Artists, is set for March 14 at the Astor.

Balaban's Denver Visit Starts Up Rumors of Deal
Denver—A. J. Balaban and Marcel Wolf spent several days here last week in conference with Harry Hoffman, manager of eight local theaters. Although Balaban said his visit was merely in the course of a trip he is making across the country, it has been rumored that he might take over the Denver and Paramount, but neither Balaban nor Horace Bennett, owner of the houses, would comment.

Labor Board to Question Circuit Representatives
Many members present will be called singly starting Thursday to appear before the NRA Regional Labor Board to answer charges of intimidation by employees preferred by Local 118, service employees union, it was said yesterday by Ben Golden, secretary of the NRA Board. It is probable that Loew's will be called first, said Golden.

Charges made in the circuits by Chas. C. Levey, secretary of the union, are that numerous employers have coerced into resigning from the union. Levey said yesterday that the executive board of Local 118 met Saturday night and ordered him to obtain action from the NRA Labor Board or call a strike.

"Wonder Bar" for Indefinite Run
Coming through its first week-end at the New York Strand with records toping the first week-ends of "42nd St," and "Gold Diggers of 1933," Warner's "Wonder Bar" has been sold for an indefinite run at the Roxy today. With "Hollywood Evergreen" opening tonight at the Rialto, there will be three Warner first-run openings on Broadway, the other being "Bosixde" at the Mayfair.

In Pittsburgh, "Wonder Bar" opened at the Stanley to the biggest first day's business since "Gold Diggers" despite the omission of the stage show for this engagement.

DeSylva to Divide Films
West Coast Bureau of THE FILM DAILY-Hollywood—B. G. DeSylva, who recently finished producing the new Fox musical, "Bottoms Up," will hereafter make one picture and one stage musical a year. The first show, "Neapolitan, Jr.," is now being written by DeSylva and Sid Silvers.

William Kleighege Goes Free
Crown Point, Ind.—William Kleighege, Hammond theater owner who was convicted in Court here of violations of the State in Gary in 1927 but recently was granted a new trial, has been freed by Judge William J. Murry.

Coming and Going
HENRY SKEEKE, British theatrical producer, arrives in New York today on the Berengaria, which also brings in PHIL REISSMAN. Schwenk and MRS. MILDRED ZUKOR return to New York from a five-week cruise on the Aquanaut.

COLUMBIA TUCKER arrives in New York to-morrow from Florida and leaves Thursday for Philadelphia to appear at the Earl Theatre.

DAVID FREEMAN, who is writing the play in which Sam H. Harris will present Eddie Cantor, has returned from Florida.

J. D. KENDIS, after closing a deal with Min- visch of Syndicates Exchange for distribution of "Guilty Parents," leaves this week for the coast with stopovers in Cleveland and Chi- cago.

NORMAN H. MORAY, Vitaphone sales man- ager, arrived in Chicago yesterday on his tour of exchanges.

H. BRUCE LOCKHART, author of "British Agent," which First National will film, is on his way back to England after an American tour lecture.

RANDOLPH BARTLETT, who has been super- vised by D. D. Peiper in Paris for Por- riter-Pantar, has returned to New York after an absence of nearly four years and is at the Maryland.

GRADWELL L. SIERS and HERMAN STAR have returned from New York to St. Louis.

CARL LESERMAN has returned to New York from the Middle West.

ALICOATE, Paramount manager in Cín- cinnati, is in New York.

WM. STEINER left Saturday for Hollywood.

AUSTIN PARKER is in town from Hollywood.

SCHNITZER, Columbia district manager, returned from Florida yesterday.

HARRY CHARNAS is due back from Holly- wood in 10 days.

LOU FRISCH is back from Florida.

E. SCHWARTZ, Master arts president, re- turns from Hollywood at the end of the week.

C. R. SIEGEL arrived in New York yesterday from London.

FRED McCONNELL of the Van Beuren Corp. returns Saturday from a mid-west sales trip.

DION KAHANE will leave for the coast to- morrow.

GEORGE SCHEAER, SAM DEMBO and PERCY FREEMAN are expected Saturday from Florida.

GEORGE WHITE is expected from the coast Friday.

"Midnight" Luncheon Today
A luncheon and preview of "Midnight" is being given at the Waldorf-Astoria today by Chester Erskin, producer of the film, and the Roxy, where it opens Friday.

RKO Closes Latin Deals
With the signing yesterday of contracts by RKO and Cine Colombia and Cina American Films for dis- tribution of Radio Pictures in Cuba and Colombia, all Latin-American situations have been closed by RKO, and the newly engaged president of RKO Latin American, Mr. Soto handled the deal for Cine Col- umbia.

Writ Against Allied Union
Judge Shielgan of the State Supreme Court yesterday signed an order in- struct- ing Allied M. F. Operators to show cause why they should not be adjudged the "company union" and restrained from picketing houses employing Local 306 operators. The case will be argued this morning.
OUT WHERE THE TEST BEGINS -

IN DANBURY—IN DALLAS
(towns like your Main Street and mine)

"AS THE EARTH TURNS"
has made good as the

FIRST BUNKLESS PICTURE!
Why "As the Earth Turns" Is Called "Motion Picture Without Hokum"

Gags Eliminated for Screen Edition of Gladys Carroll's Novel of Maine Rural Mores

BY SIDNEY C. DAVIDSON.

Representative Explains Selection of Dallas for World Premiere

DALLAS WILL DECIDE...Whether Theatre Grows want Film Stories... True to Life... Without Hokum... at the

WORLD PREMIERE

of GLADYS HASTY CARROLL'S sensational story of passion among bunk

AS THE EARTH TURNS

...Bringing Undying Fame to the Screen's Sincerest Lovers

JEAN MUIR

DONALD WOODS

FRIDAY

AT 7:30 P.M.

MELODY Theatre, Regular Engagement SATURDAY

---with pages of publicity for the "first bunkless picture"...---

-with ads like this—still plugging the "bunkless" angle...---

-with telephone teams of club-women selling the "bunkless" idea...---


-As the E- Broke All-Time House Record For...
Stage Door and Jean Muir Will Broadcast by Telephone Thursday for Listening Millions

Jean Muir... a new star appears.

Stage Door and Jean Muir Will Broadcast by Telephone Thursday for Listening Millions

-as the earth turns-

-Dallas Dispatch

The Earth Turns

-as the earth turns-

-with double-size window cards like this

-with broadcast of long-distance telephone interview with Jean Muir...

-with 10-page novelization in local paper opening day...
WE TRIED

IF you have felt the
ecstasy of moon light,
if you have known the
miracle of springtime,
a waterful...youth afire,
and you believe in the
beauty and strength of
a woman's devotion

You'll thrill to
the story of
New England hearts
beating to the rhythm
of the seasons.

TOMORROW NIGHT at 8:30

...The curtain at the Palace
Theatre will rise, and
Danbury will be the first
in all the land to greet
the characters of Gladys
Hasty Carroll's story...

"As the Earth Turns"
...they step from the pages
of the book onto the screen.
A Symphony of New
England Hearts Beating
to the Rhythm of the Seasons

WARNER BROS. PRESENTS
The Motion Picture Classic of 1934

WARNER BROS. PRESENTS
THE WORLD PREMIERE
of the Motion Picture Classic of 1934

"As The Earth Turns"

JEAN MUIR as "JEN"
DONALD WOODS as "STAN"
DOT APPLEY DOROTHY PETTENSON
A Warner Bros. Picture

RESERVED SEATS NOW ON SALE
No Advance In Price
ORCHESTRA $1.00 BALCONY SEATS 75c
THUR. FRI. SAT. at 1:15 3:15 7:15

C'MON TONIGHT!
Come by Shay,
Come by Sleigh...
...but come!
Join the great
crowds who
are coming from
everywhere

DOUBLED RECEIPTS OF BIGGEST PREVIOUS OPENING
-with giant book pages turned by girl attendant

-with this mural display completely circling lobby

-with every snowbank "posted" with one-sheets

ARTH TURNS QUADRUPLED AVERAGE BUSINESS—AT THE PALACE!
ALL HONOR TO YOU

JEAN MUIR

including Screenland's highest tribute, the Honor Page, awarded by Delight Evans, famous editor, in the May issue, out March 20th

FOR MAKING POSSIBLE—BY THE SIMPLE BEAUTY AND DEEP SINCERITY OF YOUR FIRST STAR-RING PERFORMANCE

... HOLLYWOOD'S FIRST BUNKLESS PICTURE

*AS THE EARTH TURNS*

Sell it that way and duplicate Dallas and Danbury profits! Get complete outline and material from these campaigns so you can start building now for national release date, April 14th. Order today from home-office Adv. Dept. of WARNER BROS.
FILM BOARD COLLECTS
86 P. C. OF CLAIMS

Out of a total of 4,600 claims filed by major distributors with the New York Film Board of Review in 1933 for collections, and representing an aggregate of $777,702.52, the amount collected totals $517,356.46 in 851 claims, it is shown by the annual report of Executive Secretary Louis Nizer. Pending at the close of the year were 677 claims, representing an aggregate of $109,708.84. Claims abandoned totaled 561 and represented $144,352.22.

Eighty-six per cent of the claims, excluding those now pending, were collected, states the report, which indicates that the Film Board will offer its facilities in connection with arbitration proceedings in instances where film contracts provide for arbitration.

S.M.E. is After
1,000 New Members

(Continued from Page 1)

argued that the charge was purely fictitious. In the course of the dramatic trial, the Princess said that she would sue the man who had shown the picture. Further exhibitions have been stopped by M-G-M pending outcome of the appeal.

J. Robert Rubin, M-G-M general counsel, yesterday issued the following statement regarding the "Rasputin" decision in London:

"We are shocked at the verdict. In presenting the picture "Rasputin" there was no intention or attempt to portray the Princess. The character of Rasputin is a purely fictitious one. We are advised by our London Counsel that they feel that the Judge misdirected the Jury, and that the Appeal Court will reverse the Trial Court and set the case aside pending a new trial on the Appellant's right to a new trial.

"We have every hope and expectation that a new examination of the case will be made by the law by the Appeal Court and will show this verdict to be totally erroneous."

Fox Buys Irvin Cobb Story
Irvin S. Cobb has sold an original to Fox.

Labor Board Made Indep't

Washington — Power to review the findings of the Motion Picture Board of Review has been removed from the NRA's Na
tional Compliance Board by President Roosevelt, thus making the Labor Board an independent body and opening the way for it to obtain prompt enforcement of its decisions. The President also named five additional members to the board, including a representative of General Electric.

FILM

FEAR WIDE EXTENSION
OF FREE RADIO SHOWS

Fears that free radio broadcasting shows will spread to other cities where the policy does not exist at present are indicated in a memorandum which will be directly presented by the Code Authorities of the Motion Picture and Legitimate Theater at a joint meeting with the Radio Code Authority tomorrow in Washington. The statement, which refers to the "alarming growth of free radio auditions in halls outside of auditoriums actually within the confines of the radio broadcasting stations," shows that in excess of 84,000 persons weekly attend these gratis shows, which are attacked as unfair competition.

Lasky Sees Unit Plan
Ending Program Films

(Continued from Page 1)

on the company, poor product will gradually be discouraged. This movement already is growing rapidly, Lasky says, and as it gathers momentum the program picture of today will vanish.

Mrs. August Belmont
Heads Research Council

(Continued from Page 1)

rection it is planned to build up a nationwide organization to help communities in choosing the kind of films they desire to see, to promote the use of more educational and cultural films and to encourage more pictures for children.

G-B Releasing Two Soon

"Madamissigele Zaara" is the new title of the Gaumont-British production formerly titled "Aunt Sally." It is scheduled for early release in America by Arthur Lee. The film is a Cecil B. DeMille production with Hardy.

Gaumont - British's "Orders in Orders" also is being prepared for early release here. James Gleason and Charlotte Greenwood are starred.

Broadway Plays Acquired

M-G-M is reported to have acquired "The Wind and the Rain," while RKO is understood to have added "Tobacco Road," both Broadway plays.

Ramon Novarro in Person at Chi.

Ramon Novarro leaves New York tomorrow for Chicago to appear in person at the Chicago, Paramount house, starting Friday.

Fan Intelligence Rises

Fan magazine readers have become more intelligent in recent years, according to Laurence Reid, editor of "Motion Pictur" and "Movie Classic" and "Motion Picture Magazine." Readers today want to know what is going on, and what they want to know is brought to them in a way that was never attempted before.

"We have a fantastic growth of fan magazines which are difficult to keep up with. It is not just a matter of fan magazines, but of all forms of publicity and advertising," Reid said recently. "The fans are showing a much better understanding of the film industry, and they want to know about it."
**WARNING F. & M. IN ST. LOUIS WAR**

(Continued from Page 1)

With the Grand Central, will pass to a Fanchon & Marco group comprising Harry Arthur, Harry Kopf, Marco and Snyder provided the court of law was made with the bondholders' committee. This group also controls the St. Louis and Coal. Warners will open the Rialto March 31 with "Wonder Bar," supplemented by the personal appearance of six stars, including Al Jolson, Anna May, now important realty operators, were formerly in the circuit business. Move indicates that the Warners are in St. Louis to stay.

St. Louis—That Fanchon & Marco will be servicing a total of 40 to 50 houses in this territory is predicted in local film circles. The St. Louis Amusement Co. circuit, and a number of Fox West Coast houses in this region are among the expected acquisitions.

**Nine Shorts Nominated For Academy Awards**

"Killer List" (Louis Brock-RKO), and "This is Harris" (Brock-RKO). Novelties: "Krakatoa" (Educational); "Menu" (Peter Smith-R), and "The Sea" (Educational).

**Kirkpatrick Services Are Being Held Today**

(Continued from Page 1)

old and had been ill for some time, and had been connected with the old Robertson-Cole, Metro and Mutual. He is survived by his wife, two daughters and a son.

**Westland Circuit Changes**

Denver—Several changes have been made by Westland Theaters, Inc. Milton Overman has been promoted from manager of the Kiva, Greeley, to city manager in Pueblo, where he will supervise two houses.

J. A. Sanders will manage the Pueblo, while Henry Fear will manage the Chief, Dave Morrison, formerly in the theater business, returns as manager of the Kiva at Greeley. Charles Bees, former booker for Metro and Warners at Dallas, has been made booker for Westland with Denver headquarters, and will act as assistant to T. B. Noble, Jr., general manager.

**Baxter's Talker Record**

"West Coast Bar," THE FILM DAILY has obtained, says, now working in his 42nd talker, not only he's been one of the prolific talkie but he's never given a performance that has disappointed his critics and public. Records at the Fox studios show. After finishing "Stand Up and Cheer" he will make "Too Many Women."

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**CODE REPORT SHOWS PAYROLL INCREASES**

(Continued from Page 1)

Flinn states that the average weekly payroll has been raised from 10 to 15 per cent and the hours of labor reduced, in direct proportion to one company, which showed an increase of 83 persons and total added payroll of $7000 a day. His report also indicates the progress made in effectuating the provisions of the code.

In connection with production, as affected by the code, more than 15,000 artists "ranking from classified extras to studio heads," are engaged in the vaudeville and presentation work and come under the code, states Flinn. A survey made in behalf of the Code Authority indicates that of more than 700 individual exchanges are operating in more than 40 cities, it is stated. Theaters in active operation are figured between 1,000 and 15,000, of which more than two-thirds are in competitive zones.

Preliminary round of local boards, nearly 2,000 names were submitted as nominees, declared the report, which states that some 9,000 "properly executed-vescial forms of assents" have been received up to date.

In December and January of this year, a typical major company studio, with five pictures in production, employed an average of 600 persons per day per picture as compared with the same studio, during October and November, last, employing an average of 1,000 persons per day per picture while seven features were in work. These figures indicate a 20 per cent reduction in the labor force, according to the report.

The report estimates that increased percentage of studio employment will generally run as high as 45 per cent.

At another major studio in Hollywood, the following comparison is made: The week ending June 17, 1933, 2,033 employees received in wages $234,813.57. For the week ending Oct. 14, 1932 (during the period prior to the operation of the Code provisions, but within the period of the President's Emergency Re-employment Agreement schedules) there were 3,276 employees engaged to a total payroll amount of $357,780.49 for the week. This was

**LAMBS' ST. PATRICK GAMBOLE**

Plans for making the Lambs' St. Patrick's Day Dinner Gambole and Ball the benefits of the organization were discussed at a meeting of the membership attended by George M. Cohan, David Warfield, Grover A. Whitt, Frank Crummett, James O'Brien, John Doherty, Dolly Duluth, Bert Luffey, Daniel Fruhman, and others. The St. Patrick's Day Dinner Gambole and Ball will be held March 17 at the Waldorf-Astoria Hotel.

Granite City, Ill.—William J. Mahoney, who operates theaters here and in Madison and Venice, has the result of the huge birthday cake, with greeting card signed by hundreds of citizens, sent by him to President Roosevelt. Acknowledgment of the gift has been received from the President's secretary, extending the Chief Executive's appreciation to the participants in the greeting.

Cleveland—Herbert Greenblatt, RKO branch manager, is taking a ten days' vacation in Hot Springs, Ark.

East Liverpool, O.—George S. Ellis, city manager of the State and American theaters, has increased an increase of 1,937 employees over the week ending June 17, 1933 and an increased payroll in the amount of $22,855.92 for the week.

In the larger independent studios in Hollywood, the increased employment has been approximately 20 per cent in laboring divisions and to an 18 per cent in extent in staff and office workers.

In increase in theater receipts is estimated roughly at 12 to 15 per cent.

Washington—With the permanency of NRA assured by the President in his opening address to the 4,000 code authority members and delegates assembled for the opening session, meetings from 8 o'clock last evening on are being divided into the same five groups by the same classifications that they were at the open forums last week, namely laboring, production, exchanges, RKO, Willm. S. Hart, and N.R.A. effect upon small enterprises, at which Ed Kuykendall, Nathan Yamins and Louis Phillips of Paramount will speak. Members of code authorities will split up in order that representatives of every code authority can be at each session as they will go on at the same time. Problems brought up at last week's meetings will be brought up at these meetings with the respective code authority members and speeches will be made by code authority members.

Motion picture code authority members registered are: W. Ray Johnston, Ed Kuykendall, John Flinn, Nathan Yamins and Charles O'Reilly. They attended the afternoon session at Constitution Hall, R. D. Cohn, who was absent at the opening session, was present due to illness. Division Administration "Rosenblatt was also there. William Seitz, L. B. Medhurst, Harry Creith, C. S. Spalding, Al La Cour, and others were also present.

Ass'n members registered as: Stephen Effler, Alfon Friedman, Herbert Huebner, C. Hurlman, Frank business at the two houses tremendously since assuming charge several months ago, according to George A. Deal, who is supervising the East Liverpool houses, along with the Palace at Canton and other houses in the upper Ohio Valley.

Geneva, Ala.—The Arcade was destroyed by a fire which swept through two buildings here recently.

Kansas City—Consolidated Film Distributors has succeeded Associated Film Distributors at 130 W. 18th St. on film row.

Akrong, O.—Thor Hanschfeld, former manager of the Paramount, Steubenville, has been added to the publicity staff of the Palace here.

No Pathie Production Plans

There will be no change in the present plans of Pathé Exchange Inc., for 1934-35, Stuart Webb told FILM DAILY yesterday. In its agreement with RKO, the company is prevented from entering into picture production until February, 1936. Its greatest activity is now in book laboratories, which handle Pathé News and Van Beuren prints for RKO.

"Rothschild" Souvenir Booklet

A souvenir booklet on 20th Century's "Rothschild," starring George Arliss is being mailed by United Artists to exhibitors and critics throughout the country. The book contains a brief story of Rothschild, scenes from the film and production details.

"Spyfire" May Go 2 Weeks at M. H.

RKO's "Spyfire," starring Katharine Hepburn, opening Thursday at the Paramount, is expected to be booked for a two-week stay.

Wm. S. Hart Turns Profligate Author

William S. Hart has turned author and has placed 14 short stories in the hands of his literary agents, Verne Porter and David B. Hapton.

"Viva Villa" on Air

Radio dramatization of M-G-M's "Viva Villa" will be broadcast Thursday night at 10 o'clock over a NBC net work on the Kraft hour.

Writing Marx Brothers Show

Hart, now on the coast, is writing the production in which B. H. Harris will present the Four Marx Brothers next fall.

Myers, E. J. Rosenberg, Arthur Poole and Herbert J. Yates.

The Marx Brothers, short subject made by Warners originally for the NRA drive and remade in spots, was shot yesterday at the M-G-M Code Authorities conference at Constitution Hall. It depicted progress since the beginning of the recovery program.

**THE NEWS OF THE DAY**

Tuesday, March 6, 1934

WARNERS F. & M. IN ST. LOUIS WAR
ANALYSIS of FILM CODE
Twenty-eighth Installation
ARTICLE IV—LABOR PROVISIONS—PRODUCTION (Cont.)
(d) Overtime Rates for Special Employees
When any of the above employees work more than thirty-six hours in any one week, he shall receive straight time compensation for all overtime in excess of thirty-six hours. These rates apply provided his work is rendered in the following two capacities:
1. Emergency or maintenance or repair work; or,
2. Work to avoid hindering, reducing or delaying production.
(e) Substituting Weekly Wage for Hourly Wage
For the following classifications there may be substituted a weekly wage instead of an hourly wage:
1. Construction Foremen (carpenters) .756.
2. Electrical Foreman .747.
4. Floormen (electric) .690.
5. Gripmen .697.
6. Propertymen (first) .690.
(e) Limitation for "Stand-By" or "Key Men"
For "stand-by" or "key men" not more than one man of each of the above classifications shall be assigned to any one production unit.
(To be Continued)

Tabloid Reviews of FOREIGN FILMS
"SZPIEG" ("The Spy"), in Polish; produced by Blok-Muzafilm; with Hanna Ordonez, Boguslaw Samborski, Lena Zelichowska, Iga Sys. Distributed by Majestic.
Very good spy drama and one of the best talklers to be turned out by Polish studios. Story, which is easily understandable to American audiences, deals with a plot to get the plans for an invention which would make the country safe from invasion. Technically and in point of acting and direction, it is a creditable production.

"STRIECH DURCH DE REUCHNUNG," ("Spoling the Game"), in German; produced by Ufa; directed by Alfred Zeisler; with Heinz Ruhemann, Tony van Eyck, Jacob Tiedtke, Marguerite Kupfer, Otto Wolffburg, Flokina von Platen, Fritz Kampers, Ludwig Stoeoss, et al. At the 79th St. Theater.
Good action story dealing with bicycle racing and how a young mechanic resists a bribe and comes in winner. Plot also has a romantic angle, and the production is generally well handled from the standpoint of appealing to German audiences.

WHAT'S YOUR RACKET
with Regis Toomey, Noel Francis, Mayfair
64 mins.
FAIR ACTION MELLER HAS GIRL PITTING WITS AGAINST RACKETEERS
This one is built up with the girl shrouded in a lot of mystery to the surprise of the audience. She robs the safe of a big gangster, escapes, and is pursued. Regis Toomey, a private detective, rescues her from the gang leader by knocking him cold. Then the business of the hero trying to doze out whether the girl is on the level or if she is really a gangster's moll, for she is apparently associated with the racketeers most of the time. But the audience is let in on the fact that the gangsters are also after the girl, trying to get a line on what she really is after. They try to frame her by planting some money in the safe of a night club proprietor. Regis Toomey learns of the plot, gets the girl away just in time as they are about to close in on her as she lifts the money from the safe. Then the usual chase, with the cops joining in. The bandits' car goes over the cliff, and the girl explains everything by showing that she was after marked bills for the theft of which her father was wrongfully sent to jail.
Director, Fred Guiol; Author, George E. Rogan; Adaptor, Barry Barringer; Editor, Dan Miliner; Cameraman, James S. Brown; Title, "Fair Action Meller Has Girl Pitting Wits Against Racketeers.

BEDSIDE
with Warren William, Jean Muir, Allen Jenkins
First National
65 mins.
THEATRALIZED DRAMA OF MEDICAL RACKETEERING OKAY FOR FANS WHO DON'T MIND IMPLAUSIBILITIES.
Far-fetched in many respects, this yarn manages to maintain fair interest chiefly because of its cast and background. Warren William, after having gambled away the money given him by his sweetheart, Jean Muir, to finish his medical studies and get a diploma, sets himself up in business under a different name with the diploma of a down-and-out doc whom he keeps supplied with dope. With Allen Jenkins as his publicity agent and by hiring a qualified surgeon to do the real work, William builds up a classy patronage and gets away with it until called upon to perform an emergency operation. Then he is exposed, with Jean about to quit him for good and jail staring him in the face. On his promise to clear out, the authorities let him go, and the girlmarried him likewise on his word that he is formed.
Director, Robert Florey; Authors, Marshall Soff, Harvey Tows; Adaptors, Little Hayward, James Wharton, Additional Dialogue, Rian James, Cameraman, Sid Hickox; Editor, Harold McNamara.

A LITTLE from "LOTS"
By RALPH WILK
HOLLYWOOD
JACK HALEY will be elevated to stardom by Paramount in "Here Comes the Bride." Broadway play just acquired for production by Charles R. Rogers. Ralph Murphy will direct.
Lila Lee has been signed by Maury Cohen, producer of Invincible pictures, for "Together Again." Onslow Stevens, Claude Gillingwater and Dickie Moore also have roles in it, with Frank Strayer directing.
W. S. Van Dyke will direct M-G-M's "Manhattan Melodrama," with Clark Gable, William Powell and Myrna Loy. Work on "The Thin Man" has been postponed in order to put this one in work ahead. Story is by Arthur Caesar and Oliver H. P. Garrett.
Siegfried Rumann has been given a long term contract by Fox.
Gene Markey and Kathryn Scola are adapting Warner's "A Lost Lady."
Jack Cummings, supervisor of shorts at M-G-M, is back from Florida. Jack Draper, traveling cameraman, has gone to Mexico City to photograph a Le Morley.
Fox directorial assignments of the last few days include Louis King on "Charlie Chan's Courage" and James Tinling on "Call It Luck."
George Seitz has been given a new long term contract by M-G-M.
Charles Bickford will appear in Paramount's "Little Miss Marker."
Philip Klein has returned to the Fox studio to adapt Mary Roberts Rinehart's "The State vs. Elinor Norton," which Hamilton MacFadden will direct.
"Going Straight" is the next James Dunn-Sally Eilers picture for Fox. Edward Paramore is writing the story and Harry Lachman will direct.
M-G-M has signed Porter Hall for a role in "The Thin Man." He last appeared on Broadway in "Dark Tower."
Christy Cabanne has been signed to direct Monogram's "Money Means Nothing," being adapted by Frances Hyland from the William Anthony McGuire play, "Cost of Living."
Starting date of "Lottery Lover," which Al Robertson will produce for Fox, is set for March 15. Ayres and Lilian Harvey head the cast.

Spot News from Columbia
Playing to sensational business at Keith's, Boston, and Syracuse; Palace, Cincinnati; Fox, Detroit; Golden Gate, San Francisco; Stanley, Philadelphia; Court, Wheeling. CLARK GABLE and CLAIRECETTE COLBERT in Frank Capra's "It Happened One Night."
PREVIEW
for the entire nation—

Viva VILLA!

DATE: Thursday Night, March 8th.

TIME: 10 P. M. Eastern Standard Time

PLACE: Coast-to-Coast network from National Broadcasting Studios, New York, Station WEAF, Kraft-Phenix hour.

PROGRAM: Thrilling radio dramatization of M-G-M's giant attraction "VIVA VILLA!" It is the greatest advance plug, with nationwide coverage, for any picture in film history!

IMPORTANT!

Get in touch with your local radio station today. Make arrangements for a local station announcement immediately following the "Viva Villa!" broadcast, stating that this picture will soon come to your theatre.
Even Perfectly Clean Films Cut by Kansas Censors

89% Of Code Favors Indies, Hess Analysis Says

MPTOA Tells Allied Dissenters to Quit Code Boards

As We See It

by J A C K A L I C O A T E

A LL this spiffy-doo about foreign actors and directors being sent back to their home matei seems to us to be only so much fromage. We are patriotic enough to firmly believe that La Belle America and her splendid opportunities should be reserved primarily for Americans. We further believe that our general policy of restricted immigration is safe, sound and sensible. However, to attempt to strictly nationalize our screen from the standpoint of creative art is no more possible than to confine the efforts of all great sculptors, writers, musicians and painters to the boundaries of their native lands. Sad as it may seem much of the progress of our screen has been due to foreign influence.

A BUNCH of the boys were whooping it up down at the Eucy Club. After the third dish of spumoni the talk again turned to the forgotten man of pictures, the "cinematographer," sayeth one, "because his great contribution to the art has never received proper industry appreciation." The "film salesman," chirped another, "because he is the industry minute-man, works day and night in all kinds of weather and reaches the four corners of the earth." "Right," says Old Col. Ali- coate, the sage of Harrison, "but our favor- ite forgotten man is the press agent. Hold back the snicker. We know of pictures plenty that were made successful through the genius of the press agent. And, we have yet to see proper credit, in print, for a single one of these successful exploits." Waiter, another plate of chocolate and vanilla.

THESE are a definite trend of the produc- ers of motion pictures toward legitimi- mate production. This is natural evolu- tion. The surprise is that it did not come along before. Now that the competitive phase has forced each to find its own level the stage and screen should march on, hand in hand, through the ages. One thing is certain and that is that the theatergoing public will not suffer. Picture people may not always be right but they have never been accused of doing things half way.

Would Give Posts to Men
"Who Want the NRA to Succeed"

Cracking down on the recent "great Allied test case" against the Code Authority as a "fizzle," the M. P. T. O. A., in a statement issued yesterday, called upon Allied leaders "in a position of blind opposition to the NRA" to resign from local boards and the Code Authority to make way for really representa- tion. (Continued on Page 3)

PRODUCTION BOOM
AT RKO STUDIOS

West Coast Bureau of THE FILM DAILY

Hollywood—Five thousand persons will be given work and a weekly payroll of $600,000 will be put into circulation this week as the result of a new production boom at the RKO studios. According to official (Continued on Page 16)

PHILLY MPTO TO SUE
FOR SOUND CHARGES

A suit against Electrical Re- search Products similar in nature to the action by the I. T. O. A. in New York on Feb. 28 is being planned by the M. P. T. O. of Eastern Pennsylvania. The suit, which will be filed within 10 days, is under- stood designed to seek to recover payments on equipment in excess of its actual value, all service charge payments and allegedly excessive payments on parts and replacements.

Business Boom Reported
In Gulf Coast Region

New Orleans—Reports to ex- change managers who serve this territory—Louisiana, Alabama, parts of Mississippi and Florida—indicate a big advance in business. Houses that were in the red are showing nice profits and every week sees reopenings of spots which had been closed.

Majority of Clauses in Code Found of Benefit to Small Fellows

"Excluding general provisions which were not designed to benefit any particular group in the industry, 89.3 percent of all provisions of the code were found to benefit of in- dependent exhibitors, distributors and producers," according to an analysis prepared by Gabriel L. Hess, general attorney of the Hays association, and announced yesterday.

The Hess analysis, devised to in- (Continued on Page 17)

30-HOUR WEEK BILL
REPORTED TO HOUSE

Washington Bureau of THE FILM DAILY
Washington—A bill calling for a flat 30-hour week was reported by the House Labor Committee yester- day despite the opposition of Ad- (Continued on Page 3)

N. D. Allied Meet to Map
Drive for Sunday Shows

Valley City, N. D.—Discussion of plans to bring about legalization of Sunday Shows in North Dakota will be the main business of the North Dakota Allied convention at the Rudolph Hotel here on March 11. The unit also is expected to follow the lead of the Minneapolis meet- ing in rejecting the film code.

Entertainment for Kansans
Threatened by Censor Acts

Kansas City — Resentment along film row here over the scissors work of the Kansas State Board of Mo- tion Pictures is at a point where some movie men will go so far as to say that unless better judgment and more tolerance is shown by the censors it would not be surprising if distributors go through with their threat to stop releasing their ple-

National Poster Ass'n
To Make Its Own Sheets

Obstructed by several major dis- tributors who have launched a cam- paign to enforce their copyrights on posters to prevent their being re- sold by independent poster com- panies, the National Poster Service (Continued on Page 4)
"The House of Rothschild"

As an important, impressive and timely historical document, as well as from the standpoint of exceptional entertainment with class merit and mass box-office possibilities, this being the first motion picture of the Rothschilds in the face of bitter persecution of their race, makes it a choice natural for interest, discussion and controversy in these days of Nazism. Aside from this, and speaking solely of entertainment products, it is a distinct and useful piece of work, expertly directed by Alfred Werker, with George Arliss at his best as the leading Rothschild, and the remainder of the big cast supplying a most able and colorful entourage. A delightful romance also has been injected between Loretta Young, as the dauphin of Arliss, and Robert Young, a dashing English officer. Technicolor gives a nice touch to the final sequence. It's a United Artists release.

GILLETTE

NEW YORK STOCK MARKET

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NEW YORK CURB MARKET

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NEW YORK BOND MARKET

Gen. Th. eg. 6400 10% 9% 10% 10%
Keith A-O 6400 65 64 65 65
Paramount 4947 cts. 47 46 46 46
Par. By. 20/51 9% 9% 9% 9%
Par. 21/50 47 45% 45% 45%
Paramount 615 9% 9% 9% 9%
Warner's 639 55% 55% 55% 55%
N. Y. PRODUCE EXCHANGE SECURITIES

Para. Publicx 4% 4% 4% 4%

New Para. Montreal Manager

Emanuel A. Brown has been named Montreal branch manager for Paramount. He succeeds Ed English, who has resigned.

Two Governors Line Up As M.P. Club Speakers

Speakers lined up for the Motion Picture Club Forums, which resume shortly, include: Gov. Herbert Lehman, Gov. Albert Richey, Will Rodgers and Dr. Mary Butler. Broadcasting arrangements are being made in connection with the forums.

Under the reorganization plan the club will limit associate members to 150. The gymnasium has been re-equipped for the new drives. All who attended the recent reorganization luncheon are invited to listen at the club on the first two days, guests card, for good two weeks, will be issued.

Four Productions Slated By Goldwyn for 1934-35

Samuel Goldwyn's production plans for 1934-35 call for four features to be distributed through United Artists. The list will consist of two pictures starring Anna Sten, one Eddie Cantor, and "Barbary Coast," with Gary Cooper.

Wesley Arliss as Roxy M.C.

Wesley Arliss, radio and vaudeville headline, becomes master of ceremonies at the Roxy starting Friday, succeeding Rube Wolf.

Court Halts Allied Picketing

Picketing of the Wallack and Sam Harris theaters by Allied M. P. Operators was ordered stopped by Judge Al Cohen in the New York State Supreme Court yesterday when he condemned the signs as misleading and unfair. Action was instituted by Local 13 of the United, being picketed employs its members. Other similar restraining orders will be sought by the local in connection with picketing activity of Allied at other New York theaters.

New Assignments for Simmons

At the opening of the Hollywood—Michael L. Simmons, who has just finished "Strange Mis- timed," an original story, at Barrymore and Jean Harlow for M-G-M, is moving over to the United Artists lot to do an original musical, "She's My Lady." He will return to M-G-M, possibly a trip to New York before resuming there.

FOLLY MORAN AT CAPITOL MARCH 16

In addition to Jimmy Durante and Lou Holtz, will be on the stage show at the Capitol the week of March 16. Screen attraction will feature "The Deserter." The show follows the two-week engagement of "Queen Christina."

TULLIO GARMINIATON is on route to the coast to appear in Columbia's Grace Moore picture, "The Deserter." JIM LOUGHBOURNE is in Cincinnati staging a campaign for "Nana." United Artists re- ports.

JIMMY DURANTE AND POLLY MORAN lead the coast this week for New York to appear at the Capitol starting March 16.

LEO ADLER, U. S. auditor, is in Salt Lake City this week. E. J. SMITH, district manager also is visiting Salt Lake.

W. L. Tenny, general sales manager General Register Corp., has left New York by plane for Los Angeles to reorganize West Coast distribution for his company. He also will visit San Francisco, San Diego and Seattle.

B. B. KAHANE has delayed his return to the coast until Friday.

MORRIS J. KANDEL plans to sail for Europe Saturday on the Lafayette.

NATE SPINDIGL returned from Florida Monday.

GENE RAYMOND left for the coast yesterday.

JOE BRANDT has returned from a cruise.

SAMUEL GOLDWYN leaves New York next week on his return to the Coast.

BARRA BARONDESS leaves New York to return to New York.

CHESSEL MORRIS plans to leave New York Sunday for the Coast following completion of "Frankie and Johnnie," in which he is working.

ROUBEN MAMOULIAN plans to leave New York today for Hollywood.

JAY MARSHALL was in New York yesterday from Philadelphia.
ALLEO DISSERTERS ARE TOLD TO VACATE

(Continued from Page 1)

five exhibitors who are anxious to make the NRA succeed.

The statement asked: "How can we expect impartial, unbiased decisions from the members of an organization unaccountably hostile and antagonistic to the NRA code, whose avowed purpose is to undermine, destroy and discredit the all NRA plan of self-regulation?"

National Poster Ass'n
To Make Its Own Sheets

(Continued From Page 1)

Association is planning to make its own paper and sell it to independent exchanges throughout the country. Starring in the Philadelphia territory the majors are understood to have stopped selling to independent poster firms.

Posters now being sold by major distributors are carrying imprints warning exhibitors that they must not sell the material leased to them, not sold outright.

The poster association will turn out one and three sheets as well as paper 11x14 and 22x28. At first only block paper will be used. The association plans to form its own staff of copy writers and artists to handle the work.

30-Hour Week Measure
Is Reported to the House

(Continued From Page 1)

ministrator Hugh S. Johnson and others to an arbitrary 30-hour week. The measure also would give labor a small voice in the marketing and distribution of pictures as a means of preventing interference with the N.R.A. code. The strike was taken after President Roosevelt, in closing the N.R.A. conference Monday, asked for shorter hours and higher wages. Industry unable to cope with the requirements would probably be granted exemptions.

THE INDUSTRY'S DATE BOOK

Mar. 5-8: Conference of Code Authorities. Washington, D. C.

Mar. 9: Independent Theater Owners of Ohio regional meeting, Clarendon Hotel, Zanesville, O.


Mar. 12: Independent Theater Owners of Ohio regional meeting, Portage Hotel, Akron.

Mar. 13: Independent Theater Owners of Ohio regional meeting, Ohio Hotel, Youngstown.

Mar. 14: Independent Theater Owners of Ohio regional meeting, Fort Steuben Hotel, Steubenville, O.

Mar. 15: Annual awards banquet of the Academy of Motion Picture Arts and Sciences, Hollywood.

Mar. 16: Annual Awards Banquet of the Academy of Motion Picture Arts and Sciences, Hollywood.


PUBLIC N. E. CIRCUITS
BEING REVAMPED SOON

Boston — Reorganization of the Paramount-Publix theater situation in New England is expected soon as the result of the arrival from New York of four representatives of the trustee committee.

The four from the home office are W. R. Lynch, Floyd LaPorte, Leonard Goldenson and E. H. Steen. The group will make a thorough investigation of the theater situation in Massachusetts, Maine and New Hampshire and will gather data which will enable the trustees to work out a plan of reorganization. The theater situation are the Olympia, New England Theaters Inc., Neteco and Salem.

Must Vote on Premiums,
Authority Points Out

(Continued From Page 1)

ters, but it is believed that the policy may be eradicated in event exhibitors in given territories vote against it.

As soon as local grievance boards are functioning, exhibitors will vote on the matter and ban the practice providing 25 per cent of the active independent houses in a territory and 75 per cent of the active affiliated houses in the zone indicate a desire to eliminate it.

Preston to Manage Hartford House

Hartford, Conn.—Davis & Goldbaum have taken over the 4,000-seat State and Lou Preston, formerly with Skouras Theaters, becomes manager.

Switch Para. Branch Managers

Indianapolis—J. H. Stevens, local Paramount exchange manager, and

J. T. Howard, Boston manager, are to exchange places.

Bennie Berger Adds House

Little Falls, Minn.—Bennie Berger has acquired the Lyric here. He recently sold his houses in Sioux Falls, S. D., and Thief River Falls, Minn., and is understood to be planning to take on others.

"Stolen Sweets" Release March 15

"Stolen Sweets," Chesterfield production with Sally Blane and Charles Starrett, is set for release March 15.
Barbara Stanwyck in "GAMBLING LADY" with Joel McCrea, Pat O'Brien, Claire Dodd, C. Aubrey Smith. Warner Bros. 66 min. SWELL DRAMA OF A GAMBLING GIRL'S LIFE HAS PLENTY OF TWISTS TO MAINTAIN STEADY INTEREST. Smartly handled in all departments, this story of a plucky and square-shooting lady gambler makes intriguing entertainment that ought to give general satisfaction. Barbara Stanwyck, left alone when her father, a famous one-square gambler, commits suicide as the way out of his difficulties with a crooked syndicate, gets romantically involved with Pat O'Brien, rich lad and son of one of her father's old friends, C. Aubrey Smith. A happy marriage results, but a sore spot develops when Claire Dodd, a friend of Joel, enters the scene and resorts to write and trickery to break up the marriage so she can hook Joel for herself. In a complication that results in the killing of Pat O'Brien, Barbara's old friend, with circumstantial evidence against Joel, Claire refuses to make the testimony in her possession clear Joel unless Barbara agrees to divorce him. So Barbara agrees to the sacrifice, but the truth is found out by the sympathetic father-in-law and all is made right. Cast is exceptionally good.

By RALPH WILK
TAY GARNETT, Paramount director currently working on "Honor Bright" at Paramount, has sold his first novel, "The Great Gauna," to Macaulay.

Irving Pichel says as soon as he finishes the featured character role in "The Return of the Terror," for First National, he will rejoin, inc. Paramount, where he has been signed for "Cleopatra." In all probability, he will then move to Universal where, it is reported, he will star in "Sutter's Gold."

George O'Brien's recent rodeo on the former Fox star's ranch west of Culver City proved to be so successful that he has decided to make it a weekly performance at which his cowboys will perform all sorts of riding and roping tricks in true western fashion.

British International is once more bequeathing Gloria Stuart to come to London to make at least one feature production. Miss Stuart has practically a standing offer from

A "LITTLE" from HOLLYWOOD "LOTS"

this organization but her contract with Universal, together with their extensive production schedule, D. P. Zeidman productions. Latter will star Wynne Gibson, with Karl Freund directing.

Clarence Brown's novel set consisting of nine large rooms used during filming of scenes for his current directorial assignment, M-G-M's "Pretty Sadie McKee," has effected a marked saving in time, cast and labor.

William Seiter will direct RKO's "And Let Who Will Be Clever," which Glendon Allwine will produce.

Edward H. Griffith is one director who is firmly of the opinion that Hollywood has nothing to fear from foreign studios. Though they may make progress in some directions, he says, foreign producers will take a great many years to acquire the technique that enables America to turn out the world's best liked pictures.

Writing assignments at Universal, also include Dore Schary and Lewis Foster on "The Love Life of a Sailor," for Chester Morris and Slim Summerville, and Milton Krims on the continuity of Vicki Baum's "I Give My Life," for Paramount. Also M-G-M productions. Latter will star Wynne Gibson, with Karl Freund directing.

"MANNERS Maketh the Man," an original screen story with an Oxford University background, by John Monk Saunders, has been purchased by M-G-M and will be produced under supervision of John Considine.

Carl Laemmle, Jr., is giving Ber- ton Churchill his big chance. Universal production manager announced yesterday that the veteran actor would have the starring role in "Alice the Deacon," the stage hit by John Hyer and LeRoy Clemens, which goes before the cameras this week. He will play the role of the "Deacon" in the picture, a part he created on Broadway.

Karen DeWolfe is adapting "The Humbug" for Universal. Max Marcin wrote the story and will direct, with Nils Asther starred.

With a skeleton cast, Frank Borge yesterday went into production on "Little Man, What Now?" at Universal. Margaret Sullivan and Douglas Montgomery have the chief roles.

As a tribute to her outstanding performance in Warner's "As the Earth Turned," Jean Muir has been accorded the Honor Page in "Screen-" and "Picture Magazine" for the magazine's May issue.

CAST ASSIGNMENTS
FOX—Gustav Venske as "Eck for World's Owls" in "Eek!"—Barbara Weeks and Robert Gleckler for "Now I'll Tell."
FOX PERSONALITIES

WILL MAKE THIS YOUR
Greatest
SPRING

• With theatre business definitely on the upswing . . . FOX is ready with EIGHT OUTSTANDING pictures . . . embracing the most brilliant assemblage of box office personalities ever offered by FOX . . . or anyone else.

• Brightest names from every field of showdom . . . in pictures ablaze with every show appeal . . . whose profit possibilities are LIMITLESS.

• Not in any year . . . nor in any season . . . have you had such a parade of mighty entertainments as FOX is releasing this spring!
LEW AYRES
ROSEMARY AMES
HEATHER ANGEL
WARNER BAXTER
JOHN BOLES
CHARLES BOYER
LIONEL BARRYMORE
MONA BARRIE
NIGEL BRUCE
WALTER CONNOLLY
HENRIETTA CROSMAN
JIMMY DURANTE
JACK DURANT
JAMES DUNN
SALLY EILERS
PEGGY FEARS
SYLVIA FROOS
ALICE FAYE
STEPIN FETCHIT
CHARLES FARRELL
NORMAN FOSTER
COMES TROOPING TO YOUR SCREEN

PRESTON FOSTER
NICK FORAN
JANET GAYNOR
LILIAN HARVEY
ROCHELLE HUDSON
ROGER IMHOF
VICTOR JORY
SUZANNE KAAREN
FRANK MITCHELL
HERBERT MUNDIN
PAT PATERSON
WILL ROGERS
SID SILVERS
SPENCER TRACY
SHIRLEY TEMPLE
CLaire TREvor
HELEN TWELVETREES
HUGH WILLIAMS
RUDY VALLEE
GEORGE WHITE

EVERY ONE OF THESE Personalities APPEARS IN THE SPRING GROUP
Everywhere it's played it has beaten her biggest hits. And it continues to break records...delight audiences of every type and class...pack them in the country over from Maine to California. If you haven't played it yet...you've got a big thrill coming!

JANET GAYNOR
LIONEL BARRYMORE
IN
CAROLINA

Robert Young • Richard Cromwell
Henrietta Crosman • Mona Barrie
Stepin Fetchit

From Paul Green's "The House of Connelly"
Directed by Henry King
Produced by WINFIELD SHEEHAN
America's biggest male box office star
as
America's best-loved fiction character

- The millions who chuckled over the story classic demanded our
Will in the movie... so that millions more could chortle ● Picture
him (said they to FOX) as the shrewd but chivalrous... keen but
kindly horse trader... swapping wisecracks as he drives sharp
bargains... breeding thoroughbreds while he fosters romance
- And when he drives his prize trotter to a hairbreadth win
...it's laughs, thrills and heart-throbs all in a split second
- Another "State Fair" for box office!

Will ROGERS
DAVID HARUM

Louise Dresser ● Evelyn Venable
Kent Taylor ● Stepin Fetchit

From the novel by
Edward Noyes Westcott

Directed by James Cruze
Produced by
WINFIELD SHEEHAN
Produced with a magnificence, magnitude and imagination unapproached in show history. Dazzling beauties...blazing splendor...amazing novelty...myriad surprises...laughs, songs, drama, thrills, wonder, romance, tears...and every emotion known to human kind.

THE SHOW OF 1,001 WONDERS

Produced by WINFIELD SHEEHAN
Associate Producer and Collaborator on Story and Dialogue: Lew Brown.

WARNER BAXTER
MADGE EVANS • SYLVIA FROOS
JOHN BOLES • JAMES DUNN
"AUNT JEMIMA" • SHIRLEY TEMPLE
ARTHUR BYRON • RALPH MORGAN
NIGEL BRUCE • "SKINS" MILLER
LUCIEN LITTLEFIELD • NICK FORAN
MITCHELL & DURANT • STEPIN FETCHIT

1,000 DAZZLING GIRLS! 5 BANDS OF MUSIC!
VOCAL CHORUS OF 500! 4,891 COSTUMES!
1,200 WILD ANIMALS! 1,000 PLAYERS!
335 SCENES! 2,730 TECHNICAL WORKERS!

5 Breathless Spectacles!
1. INTRODUCTION OF LOVELINESS!
2. REVIVAL OF LAUGHTER!
3. GARDEN OF BEAUTY!
4. THE MAGIC TRANSFORMATION!
5. MARCH OF PROSPERITY!

5 Song Hits!
1. "Our Last Night Together"
2. "Baby Take a Bow"
3. "I'm Laughing"
4. "Broadway's Gone Hill Billy"
5. "Out of the Red"
Richard Aldington's international best-seller ... a rapturous, impassioned, sensitive romance ... depicting a man ... fettered by routine's restraints ... restlessly, endlessly groping for the one love that was all loves in one. It will bring untold glory to its cast ... unstinted profits to your theatre.

All men are Enemies

Hugh Williams
Helen Twelvetrees
Mona Barrie
Herbert Mundin

Story by Richard Aldington
Directed by George Fitzmaurice
Produced by Al Rockett
Guaranteed hit by the team which made "Sunny Side Up": B. G. DeSylva, David Butler.

SPENCER TRACY
JOHN BOLES
PAT PATERSON
HERBERT MUNDIN • SID SILVERS
HARRY GREEN • THELMA TODD

Story and screen play: B. G. DeSylva, David Butler, Sid Silvers. Songs by Harold Adamson and Burton Lane, also Richard A. Whiting and Gus Kahn.

Directed by DAVID BUTLER
A B. G. DeSylva PRODUCTION
Reunited!

America's Favorite Star Team

News to gladden every exhibitor's heart . . . a master-stroke of FOX showmanship . . . re-joining the greatest star team of the screen in a great picture. Your marquee will swell with pride!

JANET GAYNOR
CHARLES FARRELL
in
IN LOVE WITH LIFE
(Temporary Title)
JAMES DUNN
GINGER ROGERS

From the story "Manhattan Love Song" by KATHLEEN NORRIS
PRODUCED BY WINFIELD SHEEHAN
Dashing, debonair, wealthy, romantic... he has a way with women... always his own way... and with too many women for his own good. Faced with a charge of MURDER... he has to choose between being a gentleman... and exposing a lady!

And two new FOX personalities go far toward stardom!

WARNER BAXTER
Too Many Women

with

ROSEMARY AMES
ROCHELLE HUDSON
HENRIETTA CROSMAN
HERBERT MUNDIN

From Vera Caspary's story "Odd Thursday"
Directed by James Flood
An AL ROCKETT Production
It begins where the world-famous $10 Broadway Show left off

- Surpassing George White’s greatest successes. More romance... bigger stars... greater spectacle... more catching melodies... faster fun... peppier dancing... more dazzling girls—including a trainload of 300 genuine George White Scan-dolls from Broadway. With George White, himself... on the screen... putting on his show of shows. Gentlemen, IT’S TREMENDOUS!

RUDY VALLEE radio’s heart-throb voice
with ALICE FAYE singing, bewitching beauty... an over-night star.

GEORGE WHITE’S SCANDALS

RUDY VALLEE • JIMMY DURANTE
ALICE FAYE • ADRIENNE AMES
GREGORY RATOFF • CLIFF EDWARDS
DIXIE DUNBAR • GERTRUDE MICHAEL
RICHARD CARLE • WARREN HYMER
and GEORGE WHITE

Entire Production Conceived, Created and Directed by George White
Musical Numbers direction of Harry Lachman
Story direction by Thornton Freeland
Music and Lyrics by Ray Henderson, Jack Yellen and Irving Caesar
Executive Producer, Robert T. Kane
MORE NAMES THAN YOUR MARQUEE CAN HOLD

JANET GAYNOR AND LIONEL BARRYMORE IN "CAROLINA" WITH ROBERT YOUNG, MONA BARRIE

WILL ROGERS IN "DAVID HARUM" WITH LOUISE DRESSER KENT TAYLOR, STEPIN FETCHIT

"FOX FOLLIES" SHOW OF 1,001 WONDERS WITH WARNER BAXTER, MADGE EVANS JOHN BOLES, JAMES DUNN

GEORGE WHITE'S SCANDALS" RUDY VALLEE, JIMMY DURANTE ALICE FAYE, ADRIENNE AMES GREGORY RATOFF, CLIFF EDWARDS

"BOTTOMS UP" WITH SPENCER TRACY, PAT PATERSON JOHN BOLES, HERBERT MUNDIN

"ALL MEN ARE ENEMIES" HUGH WILLIAMS, HELEN TWELVETREES, MONA BARRIE

JANET GAYNOR, CHAS. FARRELL "IN LOVE WITH LIFE" WITH JAMES DUNN

WARNER BAXTER IN "TOO MANY WOMEN" ROSEMARY AMES ROCHELLE HUDSON

MORE PATRONS THAN YOUR HOUSE CAN HANDLE
CODE FAVORS INDIES, HESS ANALYSIS SAYS

(Continued from Page 1)
dicate the code rights of “small enter-
prises and minoritites,” declares that of 45 parts examined, 26 were
for the benefit of the large Exhibitor and two Parts were
for the benefit of the Distributors. These two Parts granted no right to
the Distributors which they did not previously have. They merely codified
existing law.

To translate these figures into percentages:

1. Excluding general provisions which were not designed to bene-
fit any particular group in the industry, 83.5 percent of all provi-
sions of the Code were for the benefit of independent Exhibitors, Distributors
and Producers.

2. 99.9 percent of these provisions gave rights to the indepen-
dent Exhibitor, Distributor and Producer which they previously did not have.

3. 4 percent of all the provisions of the Code were for the benefit of
the large Distributor. No part of this 4 percent represents the granting of a right
which the Distributor did not previously have.

4. 2.2 percent of the provisions of the Code were for the benefit of
the large Exhibitor.

“Even this mathematical picture of the partiality of the Code to the
independent operator does not reveal the full protection which the
Code affords to the independents. These figures allow equal weight to each provision. If the importance and quality of the provisions were
weighed, the balance in favor of the independent operator would be
even more striking. Such provisions as those creating Grievance Boards
and Clearance and Zoning Boards, and Ten Percent Cancellation, and
Limitation of Short Subjects in Proportion to Features, involve

FACTS ABOUT FILMS

Frankie Darro, though only 16 years
old, has appeared in nearly 500 pictures.

Meadville, Miss.—The Amusco at
Bude has been reopened by Charles
and Calvin McGee of Meadville.

East St. Louis, Ill.—E. E. Parker
is now managing the Washington,
formerly operated by George Jack-
son.

St. Louis—Marion Ploessner, for-
merly publicist assistant at the Am-
bassador, has left town as advance
man and publicist agent for Dave
Apollon’s vaude act.

Canton, O.—Lyceum Theater Co.
has been incorporated in preparation
for the sacrifice in the case of the Ly-
ceum, dark for several years. H. F.
Reinhart and Max M. Young, op-
erators of the Mozart and McKinley
Theaters, are principal members of
the company.

Canton, O.—Warner’s Alhambra is
due to go dark Holy Week for com-
plete renovation.

Wilmington, O.—Forcing open a
drawer in the office of Manager Wil-
nie Nesser at the Murphy theater,
burglars took $109.

Cleveland—Barker Dick Deutsch
of Smith and Setron has donated an
attractive “bull board” to the local
Variety Club, fashioned according to
the suggestion of Nat Holt, RKO
district manager. National Presi-
dent John Harris liked it so well he
ordered four of them for clubs in
Pittsburgh, Buffalo, Kansas City and
Detroit.

Cleveland—The Allen, only local
independent downtown first-run, is
preparing unit stage shows and a
12-piece symphony pit orchestra in
addition to first-run pictures. Prices
are 25 cents for matinees and 35 cents
for evenings.

Copperfield, Utah—Edward White-
head has reopened the Diana the-
ater, closed for the past three years.

Georgetown, O.—A. H. Rosselot
has taken over the Auditorium, for-
merly owned by F. L. Crist, who
will open the Strand, Loveland,
March 19th.

Cincinnati—Dorothy Dwyer has
tendered her resignation to RKO
here after 13 years.

Chillicothe, O.—A son was born
recently to Mr. and Mrs. John Kal-
ser of the Royal theater.

Elverton, W. Va.—Elverton Coke
& Coal Co., has opened their movie
house.

Belleville, Mich.—The Martin the-
ater has been sold to Mrs. Helen
Martin by Paul Templeton.

ITOA is Not Planning
National Organization
Plan of the I. T. O. A. to coor-
dinate exhibitor activities through-
out the country does not mean
an effort is being made to form a
new national independent exhibitor
association, a spokesman for the
New York unit figures in Film
DAILY yesterday. President Harry
Brandt and Charles Lewis have ac-
cepted an invitation to speak at a
meeting of the recently-formed In-
dependent Theater Owners of Ohio
late this month, and Pete Wood and
other officials of that unit plan to
attend an I. T. O. A. session in

Finish Jewish Feature
Quality Film Corp. of 630 Ninth
Ave., has completed the first of a
series of six Jewish talking pictures
to be produced in the East. Film, as
yet untitled, is a comedy drama, with
the cast including Ludwig Sata, Max
Winer and Paula Kieled, Harry
Brown directed. Release is set for
March 30.

Roach Appoints Talent Scout
West Coast Bureau of THE FILM DAILY
Hollywood—A talent scout has
been appointed by Hal Roach to visit
Little Theaters, radio stations,
school auditoriums, musical shows,
etc., in search for new faces for
comedies.

NEWS OF THE DAY

EVEN CLEAN PICTURES CUT BY KAN. CENSORS

(Continued from Page 1)
tures in that state. When the dis-
tributors gave warning to this effect
recently the Governor intervened
and straightened things out. But
now the Kansas Censor Board has
done some more of its inexplicable
cutting, this time on "It Happened
One Night," which critics and public
alike all over the country have
hailed as an enjoyable and clean
piece of entertainment. According to
the morality code of the Kansas
censors, however, the picture con-
tained something "immoral." So it
was slashed.

In addition to the protest of the film
men, the matter has been taken up
to editonally by newspapers here.

High Fidelity for New Brandt House

The Alden, new 500-seater nearing
completion at Broadway and 67th Street, will be equipped with
Phonograph High Fidelity sound equipment when it opens early in
April. The new house is being erected on the site of some old
tenement houses by Harry Brandt.

General Register Chicago Changes

Chicago—General Register Corp.
is reorganizing its local office, with
Arthur Abrams appointed district
manager of the midwest section and
Sol Ehrenberg in charge of theater
sales on ticket registers.

John Harris at K. C. Installation

Kansas City—John Harris of
Pittsburgh came here for the in-
stallation of officers of the local
Variety Club this week. Officers
include Frank C. Hensler, president;
Arthur Cole and C. A. Schultz, vice
president; Frank E. Ritter, secre-
tary, and Charles Shafer, treasurer.
The directors are Elmer G. Rhodes,
Ralph Libeu, William Warner, Ir-
vin Dubinsky, T. R. Thompson and
L. J. McCurry.

"Rio" Tops "Little Women"

"Flying Down to Rio" has been
done 20 per cent better business
than "Little Women" in the New
York territory, according to F. R.
Drumm of the RKO New York ex-
change.
By LOUIS NIZER

**ANALYSIS OF MOTION PICTURE CODE**

**NEWSPAPER HEADLINE:**

**Newspaper Article:**

**ANALYSIS:**

The article discusses the implications of a new version of motion picture code, which includes new regulations and possible legal consequences. It also mentions recent events, such as the release of a new model H Picture register.
**Features Reviewed in Film Daily July 26 to Feb. 24**

### Title | Reviewed
---|---
Ave-Cary Film Exam | 12-23-33
Aly-Aeolian Pictures | 12-23-33
Ald-A. Allied Pictures | 12-23-33
Alex-Wiliam Alexander | 12-23-33
AM-A. American Rumanian | 12-23-33
Ark-Arthur Lee | 12-23-33
Au-A. Capitol, Harold Art | 12-23-33
Bav-Bayview Film A-G | 12-23-33
Bell-Bo. John W. Boyle | 12-23-33
Ben-Bench, Goodwood | 12-23-33
Cap-Capitol Film Exchange | 12-23-33
Cha-Chadwick, F.J. | 12-23-33
Col-Columbia | 12-23-33
Cor-Coromar Television Universelle | 12-23-33
Eug-Eugene Pictures | 12-23-33
Exp-Exploitation Pictures | 12-23-33
Fai-Faith Pictures Coro. | 12-23-33
Fay-Fay Pictures | 12-23-33
Fif-First Division | 12-23-33
For-Forrester Pictures | 12-23-33
Fre-Frederick Film Associates | 12-23-33
Fra-FraZzle Film | 12-23-33
GB-Gazomint-British | 12-23-33
GMC-G. M. C. Pictures | 12-23-33
Holly-Hollywood | 12-23-33
Ice-Int. Cinema Exch. | 12-23-33
Im-Imperial Distribution | 12-23-33
Jav-Jaffa Film Productions | 12-23-33
Jeh-Jewish Pictures | 12-23-33
Her-Herb, Martin Pictures | 12-23-33
Hol-Hollywood | 12-23-33
Kari-Karol, Inc., Business Co. | 12-23-33
Ice-Int. Cinema | 12-23-33
Ind-International Pictures | 12-23-33
Jap-Japanese Film Products | 12-23-33
Kan-Kan Films, Inc. | 12-23-33
Keen-Keenan Film | 12-23-33
Kre-Krebs, Gerald | 12-23-33
La-Laemmle, Inc. | 12-23-33
Lim-Lime Pictures | 12-23-33
Mar-Max, Pictures | 12-23-33
Maj-Majestic Pictures | 12-23-33
MAD-Mad, Pictures | 12-23-33
May-Mayfair Pictures | 12-23-33
Mex-Mexican Pictures | 12-23-33
Metro-Metro-Goldwyn-Mayer | 12-23-33
MGM-MGM Monogram Pictures | 12-23-33
Par-Paragon Pictures | 12-23-33
P&N-Pinnacle Pictures | 12-23-33
PG-Powers Pictures | 12-23-33
POT-Polka Pictures | 12-23-33
Porta-Portola Pictures | 12-23-33
Pro-Proctor Pictures | 12-23-33
PRO-Progressive Pictures | 12-23-33
RKO-RKO-Pictorial | 12-23-33
REQ-Recent Pictures | 12-23-33
Rem-Remarque, D.W. | 12-23-33
Ric-R. C. Anderson | 12-23-33
Ric-Richard Thomas | 12-23-33
Roy-Roy, Bessie | 12-23-33
Sac-Sacramento Pictures | 12-23-33
Sock-Socktam Pictures | 12-23-33
St-L. Foster, Scott | 12-23-33
Str-Sanford, Sidney | 12-23-33
Sn-Snow, Sidney | 12-23-33
Syl-Sylvia Thew | 12-23-33
SYA-Synchro Art Pictures | 12-23-33
TE-Triple Feature Film | 12-23-33
TWR-Tower Prods. | 12-23-33
Tun-Tune-Lee Films | 12-23-33
U-Universe | 12-23-33
UF-U. A. Fea. | 12-23-33
WA-Warner Bros. | 12-23-33
WEL-Wellesley Wallas | 12-23-33
WIL-Wilcox & amendment | 12-23-33
WU-World Wide | 12-23-33
ZBY-Zbyszko Polish-American Film Co. | 12-23-33

### KEY TO DISTRIBUTORS
- **AEC**: General Foreign Films
- **GEN**: General Productions
- **CHRJ**: Greenblatt Productions
- **GAR**: Gruber, Arthur Greenblatt
- **COL**: Col-Columbia
- **GAL**: Goldsmith Productions
- **GOL**: Goldsmith's Productions
- **HEL**: Hel, Pictures
- **HER**: Hergesell, Pictures
- **HOL**: Hollywood
- **HOL**: Hollywood
- **HOR**: Howard, Business Co.
- **ICE**: Int. Cinema Exch.
- **IND**: International Pictures
- **JAP**: Japanese Film Products
- **KAN**: Karol, Inc., Business Co.
- **KEE**: Keenan, Film
- **KRE**: Krebs, Gerald
- **LA**: Laemmle, Inc.
- **LIM**: Lime Pictures
- **MAR**: Majestic Pictures
- **MAD**: Mad, Pictures
- **MAY**: Mayfair Pictures
- **MEC**: M. E. C. Pictures
- **MGM**: Metro-Goldwyn-Mayer
- **MON**: Monogram Pictures
- **PAR**: Paragon Pictures
- **P&N**: Pinnacle Pictures
- **PG**: Powers Pictures
- **POT**: Polka Pictures
- **PORT**: Portola Pictures
- **PRO**: Proctor Pictures
- **RKO**: RKO Pictures
- **REQ**: Recent Pictures
- **REX**: R. C. Anderson
- **RICH**: Richard Thomas
- **ROY**: Roy, Bessie
- **SAC**: Sacramento Pictures
- **SCK**: Scandik, Pictures
- **SFO**: Scott, Foster, L.
- **SID**: Sidney, Sanford
- **SN**: Snow, Sidney
- **SYA**: Synchro Art Pictures
- **TWR**: Tower Prods.
- **TUN**: Tune-Lee Films
- **U**: Universe
- **UF**: U. A. Fea.
- **WA**: Warner Bros.
- **WEL**: Wellesley Wallas
- **WILL**: Wilcox & amendment
- **WU**: World Wide
- **ZBY**: Zbyszko Polish-American Film Co.
Magie words . . . Soon NORMA SHEARER in "RIPTIDE" from M-G-M
Johnson Asks 10% Blanket Cut in Work Hours

NRA REVIEW BOARD CREATED BY EXECUTIVE ORDER

Historical and Back-to-Farm Stories Now in Fan Favor

Fan-Magazine Mail Shows Chief Interests of Moviegoers

By ED HARRISON

Moviegoers are in a receptive mood for a series of costumepictures dealing particularly with American history or based on books familiar to them and with their favorite players in leading roles, and for more back-to-the-farm stories such as "State Fair," an analysis of farm mail received by several of the leading fan publications shows. The magazines included in the survey were "New Movie," "Photoplay," "Movie Classics" and "Motion Picture Magazine," which have a combined

NEW THEATER CIRCUIT SEEKS SPOTS UPSTATE

Gloversville, N. Y. — Real-estate men have been looking over sites here and in Oneonta, Watertown and Oswego as possibilities for new theaters planned by a group headed by Mr. Van Buren of this city and said to include several other

Pathé Exchange Reports $386,629 Profit in Year

Net profit of $386,629.02 is reported by Pathé Exchange, Inc., for the year ended Dec. 30. The profit was made possible by dividends from DuPont film subsidiary amounting to $857,000.

Columbia Dissent Official

Columbia has officially joined the other major companies having membership in the Code Authority in objecting to interpretation of Divisional Administrator Sol A. Rubenstein's letter to the effect that the code's 10 per cent composition clause is retrospective to apply to contracts made prior to the code's effective date. Letters generally distributed after that date, Mr. Cohen said yesterday.

India Doubles Import Duty on American Pictures

In an action said to be opposed at American Films, the British House of Commons at Calcutta, India, has voted to double the duty from 20 to 40 per cent on imports of foreign pictures, according to cable advice received here. The ruling, which also forbids the return of the import tax when a foreign picture is exported into India, is believed likely to curtail exhibition of American films in India almost completely.

9 Western Penna. Houses Reopened

Pittsburgh—Improved industrial activity in this region resulted in the reopening of nine theaters last month, it shown by the local Film Board of Trade report. Houses are the Community, Austin; Liberty, Confluence; Hippodrome, Erie; Mather, Mather; Grand, Suterville; Pearl, Youngwood; Strand, Oris- sonia; Penn-Slovian, Slovian, and the Granada, formerly the Grand, Pitts- burgh.

Six British Films for the Next Warner Program

At least six British made feature films will be included in the Warner 1934-35 lineup if present plans of the Warner First-National-Toddington England studios materialize. Irving Pichel, head of British production for Warners, will attempt to select at least six stories for production abroad that will result in films satisfactory to the American market. In the past two years the Warner English studios have made 58 feature films with few taking for American distribution. It is known that efforts will be concentrated on supplying the U. S. trade with a greater number of over ones than ever before. Warner players already in England are Ralph Ince, director and actor; Reginald Denny, Hoot Gibson and Laura LaPlante. Other stars may be sent abroad as the season pro- gresses.

10% Cut in Working Hours Is Asked by Gen. Johnson

LaGuardia to Meet ITOA on Juvenile Admissions

A committee representing the I. T. O. A. will confer with Mayor LaGuardia and the city's Corporation Counsel either tomorrow or Monday at City Hall concerning the state legislature bill which will be drafted in an effort to allow children under 16 years of age to attend theaters which have matrons. The committee will include President Harry Brandt and C. Milton Weis- man, counsel.

Washington Bureau of THE FILM DAILY

Washington—Proposal for reduc- tion of hours in codes through an Executive Order calling for a blank- et 10 per cent cut were revealed by General Johnson at yesterday's code authority meeting. The reduc- tions would be accompanied by in- creases in hourly pay rates so that weekly wages would not be decreased. On opposition by the textile code authority, Johnson indicated that exemptions would be allowed in individual industries where the

GROUP TO HEAR COMPLAINTS OF INDIES FORMALLY ANNOUNCED

WASHINGTON—By executive order yesterday President Roosevelt formally created the National Recover- y Review Advisory Board, designate- exclusively to hear complaints of small enterprises under codes. For- mation of the board and its person- nel headed by Clarence Darrow as chairman was outlined in FILM DAILY two weeks ago.

Powers entirely apart and sepa- rate from NRA were delegated

(Continued on Page 6)

WEST COAST BUREAU OF THE FILM DAILY

Hollywood—Master Art Products Corp, will make a series of features here, it is announced. The company also plans 36 shorts here and a like number in the East. Leo Schwartz will be in charge of coast produc- tion.

OMAHA FIRST-RUN GROUP 100% DOUBLE-FEATURING

Omaha — With the Paramount joining the list, the first-run situa- tion here is 100 per cent double-feature. Matinee prices also were slashed a dime to 25 cents till 6:00 P.M.

LEGISLATIVE COMPLIMENT

Richmond—Virginia theater interests were credited at the capital yesterday with having conducted themselves in such a manner at legislative hearings as to retain the good-will of all con- cerned in moral welfare matters be- fore the general assembly, which ad- journs Saturday after approving the state budget without taking up the proposed 5 per cent tax on admissions. The amusement men did not press their fight for open Sunday.

(Continued on Page 8)
Trade Association Formed By Film Interests in India

Bombay—The Cinema Trade Association of India, with A. Hague as president, has been formed here with the object of protecting and furthering the interests of its members. All exhibitors, producers and distributors are eligible for membership. F. H. Sidhwa is vice-president and A. A. Walter is secretary.

Paramount Considering

Shorts at Coast Studio

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount is considering production of several shorts at its coast studio. Initial subject will feature Bob Crosby with the Anson Weeks orchestra.

New Export Company Starts

Arthur Schneider, formerly of Kitche Export Co., has started Trans-Occiean Film Export Co. with headquarters at 723 Seventh Ave. He will handle export and import business for world rights. Several pictures contracted are a series of Tom Tyler westerns.

Next for Barthelmes

West Coast Bureau of THE FILM DAILY

Hollywood—"The Old Doll's House." Damon Runyon story will be the next Richard Barthelmess vehicle for First National. Margaret Lindsay will play opposite him, with Alan Crosland directing. Warren Duff is the adapter.

Preparing Next for Will Rogers

West Coast Bureau of THE FILM DAILY

Hollywood—Dudley Nichols and Sam Trott are preparing "Judge Priest," Irving S. Cobb story, as the next Will Rogers picture for Fox.

Principal Gets British Film

Princieal Film Exchange has acquired the American rights to "No Funny Business," a John Stafford production featuring Gertrude Lawrence and John Arliss. It opens Saturday at the Cameo.

Heavy Sale for "Wonder Bar"

West Coast Bureau of THE FILM DAILY

Los Angeles—Advance sale for $2 premier of Warner's "Wonder Bar" at the Hollywood on March 14 is the heaviest for any opening at this house in the last four years, management reports.

"Pinocchio" in Several Versions

Production of Colloidi's "Pinocchio" in several different languages for world distribution is planned by Excelsior Milanezio Productions. The picture is to be made in the east.

Would End N.Y. Censors

But Retain Tax on Films

Albany—A memorandum supporting the bill introduced by Herbert Brownell Jr., to abolish censorship of films, has been submitted by the National Council on Freedom from Censorship, unit of the American Civil Liberties Union. The bill proposes "to retain the tax on films and increase the revenue of the state from such taxes." The Council, which has waged a long fight against censors argues that the real evil of censorship is that a false and sentimental treatment of themes is forced on producers.

Through Pullmans to MPTOA Meet

For accommodation of eastern contingents attending the M. P. T. O. convention on the coast next month the Pennsylvania Railroad will have through sleeping car service from New York to Los Angeles, leaving here at 10:30 P.M. April 5 and with a section from Washington at 11:10 P.M. via Baltimore.

New French Film for Carnegie "Juve"

San Francisco—"Juve," ("The Pledge"), made by Abel Gance, will have its American premiere Tuesday at the Little Carnegie Playhouse. Protex is distributing it in this country.

Amity Exchange in Frisco

San Francisco—Amity Pictures, headed by John M. Crinnion, has opened an exchange here with H. Lubbin as manager.

"Harum" Breaks Record at Ecke

Syraucese, N. Y.—Will Rogers in "David Harum" broke the week-end record at Schine's Eckeal, according to Gus W. Lamp, managing director.

PARLOR WITH BEDROOM AND BATH

$5.00 A WEEK

1 OR 2 PERSONS

Above the 8th Floor $6.00 and up

Enjoy the comforts of a parlor and bedroom suite.

All rooms equipped with combination tub and shower bath, and running ice water.

Ideal location—adjacent to shopping, business and theatre districts.

Parlors, rooms, and studio apartments at

SWIMMING POOL AND GYMNASIUM

FREE TO GUESTS

The Central

55th St. at 7th Ave.
QUEEN by right of her blazing genius!...
Today she reigns over Stardom!... Again the amazing Hepburn... superb in a role completely and daringly different!... as the fighting, thieving, loving spitfire of the hills! A wildcat girl who stole men's hearts and prayed for their souls! Only Hepburn would dare such a role.
Supervised and Directed by Marshall Neilan

Associate Producer—William C. DeMille

From the play by John Emerson and Anita Loos

Special Musical Compositions by Con Conrad and Ford Dabney
Colleen Moore in Social Register

with

Charles Winninger    Pauline Frederick
Alexander Kirkland   Robert Benchley
Ross Alexander       Margaret Livingston
FANS FAVOR FILMS
OF HISTORY, FARMS

(Continued from Page 1)

bined circulation of over 2,000,000
readers. The editors believe
that fans prefer their musicals with a
strong romantic story, like "2nd Street," and the divas, like
that Margaret Sullivan, seen in "Only Our Heads," is the
most reader attention of any of the
newer players, with Madge Evans and
Jean Parker next in line. The
even consider the interest in Miss
Sullivan unusual because she had
been seen in only one picture. The
editors also agree that movie fans
show more intelligence in their likes
and dislikes than in the past. On
this point Miss Alma Mason of "New Movie" magazine remarks
that fans are quick to note technical
excellence and unusual photography
in films.

Other observations gleaned by Miss
Mason from her perusal of
fan mail are: that Janet Gaynor has
the most fans, that " Invisible Man" attracted much attention, that the
fans welcome new faces, that the fan
actors should have more mention in
billing, that the fans like to see their favorites in type parts
and object to their appearance in
roles calling for too much
sentimentality, that Laurel and Hardy are the comedy
team favorites, and that in the
voluminous comment on "Little
Women" as much interest was
expressed in delight at having seen
the translation to the screen of a
favorite story as in the appearance
of the star.

William S. Walsh, editor of "Photoplay," notes that the gangster
film was the only realism the screen has ever known, that fans
always clamor for stories of happy
marriages despite the collapse of
several of Hollywood's ideal
marriages into divorce courts, that the
public is eager to accept new
faces but that magazine editors
have much difficulty in selecting
emerging players for covers because
of the large turnover in contract
players, and that on the screen fans
are generally looking for the more
ideal aspects of life—happy family
relations, pure types of love, sacrifi-
cies, etc.

Nolan Made Kahane's Aide

Joe Nolan, assistant secretary of
RKO Radio Pictures, has been ap-
pointed assistant to B. B. Kahane,
president of RKO Studios. Nolan
will leave March 21 for the coast.

More Technicolor 2-Reelers

West Coast Branch of THE FILM DAILY announces that Vantage Film
has decided to produce more Technicolor 2-reelers as soon as the original six have
been completed. Production will begin with
the Warner studios here with Roy Mack,
director of the Brooklyn Vantage
studios, shifting to the west coast.

ALONG AT THE RIALTO

with

PHIL M. DAILY

- • IT SEEMS that when Clark Gable made his personal appearance in Baltimore—yes, he had to change his hotel
quarters no less than five times—so as not to disturb the
to young college and clerks; learned he was
at a particular caravansary: they registered and took over the
joint; staging near-riots on Clark's particular floor try-
ting to get to him—so he kept moving around the
town, the fans followed him. A 'funny'—most stars are
trying to create popularity. Mister Gable is running away
from it.

- • WE MEANT' to tell you several days ago to
look over this Educational short, "Going Spanish," it
is worth your while, something away from the routine rut-
tut-tut of shorts—it MOVES; has lilting music, new
and refreshing comedy style, a light kicking spooferness
that sparks; and a new type of man who should be sales
in more of the type... Bob Hope and Leah Ray. Bob
is a real facet... and Leah looks good from any angle.

- • THE UPSTATE boys have been doing things with
Fox's "David Harum," for that is the locale of the story
Bert Albright of the State at Cortland, N. Y., secured a
24-page edition of the Homer, N. Y. "Post" in the style current
in the days of David Harum... Gus Lampke of the Schine
Eckel in Syracuse exhibited the original manuscript of the book.

- • THERE WILL be 16 east side boys from the
neighborhood where Jimmy Durante was born... as his guests at
the Rivoli Friday nite to see "Palooka"... the occasion bein'
Snozooz's birthday... the boys represent the Eagle
Club of the Union Settlement, of which Jimmy is an honorary
member... Harold Franklin has secured the title "14th St."
the latter will be used in connection with a pic to be produced
by Mister Franklin...

- • UP AT Toronto... they made the Warner spring
trade exhibit part of the celebration held for the city's Cen-
tennial Year... over 1,600 exhibitors and guests turned out.
Rita Lake has rented an apartment in the Beverly... At
this Friday's meeting of the Catholic Actors Guild at the Astor
hotel, there will be three ex-prexies who will speak...Brand-
don Tynan, Donald Brian, Pedro De Cordoba... also Gene
Buck, an ex-prexy... the occasion being Founders Day
after the meeting guests will adjourn to the Actors Dinner
Club... where a special program will be given by Maia
Reade, presxy of the Twelfth Night Club.

- • ONE OF our dear public noted our advance tip on
Hugh Weir's new "Wild Money" series... and wants to know
what we mean by saying Mister Weir will perform a "surgical
operation on the movie execs"... well, without tipping the
author's mitt too much, the word centers about the home
office film magnate... past and present... first getting his
finance from the labs... then the underwriters from Wall St.
putting his magnate... turning him from a Proctor into a Financier...
so it looks, lads and lasses... that Mister
Weir's new "Wild Money" will make a letta movie execs wilder
than that... although he does it very good naturally... but ya know how tough some of these film fellers are
when talked about in a Satepost circulation

NRA REVIEW BOARD
CREATED BY ORDER

(Continued from Page 1)
to the board, what will act as an
independent unit, to ascertain if
monopolistic or restraint of trade
tendencies occur due to any order
with the final power given to it to
recommend to the President any
changes it deems necessary in in-
dividual cases. Darrow refused to
define a monopoly. He told newspa-
papers that there have been over 3,000 complaints already filed with
it.

Rules of procedure were outlined as
(1) Will hear only those cases in-
volving approved codes and orders
already in effect; (2) Will hear them in the order received, reser-
viving the right to advance an urgent
case; (3) Will hear only those com-
plicationssual with monopoly for-
restraint of trade based on Title 1,
Section 3-A of the Recovery Act;
(4) Before oral hearings will be
granted, code complaint must be
filed typewritten in writing; (5) If
in the opinion of the board a case
is made, notice will be sent to the
complainant and to the Code Au-
thority; (6) Upon final hearings, will
either option appeal to the President
to make the code conform to
Title 1, Section 3-A of the
Recovery Act.

Temporary quarters of the board
are now in the Willard Hotel, but
it is expected within the next few
days that they will be housed in a
government building. The board of
directors is empowered by
Darrow act so that it can split up so that three
hearings can be held at the same
time with two of the Board
members

Washington—A three hour dis-
cussion between members of the
Motion Picture Code Authority, the
Legitimate Theater and Radio Code
Authorities for the purpose of
eliminating unfair practices between
the industries ended last night with
the passage of a joint resolution
recommending frequent joint meet-
ings between the three governing
bodies and a tightening down on
the giving of free shows for charity
by any one of the arts in question.

Happy Birthday

Hal Hodge  Edgar B. Hatterick
10% CUT IN HOURS
ASKED BY JOHNSON
(Continued from Page 1)
shorter hours would work undue hardship.
The assembled code authorities also learned yesterday that Pre-
dent Roosevelt expects Congress to extend his industrial licensing pow-
ers beyond the June 16 deadline.
Though the NRA runs to the middle of 1935, the licensing provision was
limited to a year.
That the NRA is sympathetic to price control provisions also was
brought out at one of the meetings.

Paul Ash at State-Lake
Chicago—Paul Ash has been book-
ed to open at the State-Lake thea-
ter March 16 as guest conduc-
tor. The booking is regarded as a tactical
move in the fight now on between Balaban & Katz and the State-Lake.

Steamship Installations
Two Holmes projectors are being
installed by Ruby Camera Exchange
on the S. S. Stavangerfjord and the
S. S. Bergensfjord of the Norwe-
gian American Line.

Gene Murphy Back to Chicago
Chicago—Gene Murphy of the
Balaban & Katz press department
has been called back from Cleveland
to handle a publicity campaign for
the Oriental.

Detroit Notes
Detroit—Burton M. Siden and Ar-
thur D. Baeer have bought the Coo-
ley theater from Ralph Philbrook.
Philbrook’s Alden theater is now
called the Alden-Mackenzie and later
will be just the Mackenzie.

Norman Schram is now managing
the new Bijou for his father, Wesley
B. Schram, who is in Florida. Ben
Wachanskie resigned to become
general manager of the Jacob
Schreiber circuit.

Milton Schwartz has been trans-
ferred from assistant manager at
the Michigan to the State, which has
shifted to straight films, playing
dual first-runs.

Charles Curran has joined the public-
ity staff of Publix’s United
Detroit Theaters under Howard O.
Pearce.

Sack Gets Spanish Reissues
San Antonio — Sack Amusement
Enterprises has closed a deal with
Universal to handle exclusive dis-
tribution on a series of reissued
Spanish features. “Resurreccion”
and “Oriente y Occidente,” both
starring Lupe Velez, have already
been released with new prints and
new accessories.

Names Technical Manager
West Coast Bureau of THE FILM DAILY
Hollywood — Gordon S. Mitchell
has been appointed manager of the
Technical Bureau of the Academy,
through which all activities of the
Technicians’ Branch, Research Coun-
cil and subcommittees are coordi-
nated. A finance committee consist-
ing of Samuel Briskin, Carl Dreher
and Nathan Levinson was appointed
to work out details of financing the
nine projects which were interrupted
recently.

Carolina License Tax Bill
A bill providing for a license tax
for South Carolina theaters is now
under consideration by the finance
committee of that state’s Legisla-
ture. Some exhibitors hope for pas-
sage of the measure to replace the
present admission tax, it is under-
stood.

The Texas Legislature has ad-
journed without enacting any bills
affecting the film industry.

Souhami Quits Para, French Post
David Souhami, Paramount’s gen-
eral manager for France, has re-
signed. No successor will be ap-
pointed.

NEW THEATER CIRCUIT
SEEKS SPOTS UPDATE
(Continued from Page 1)
theatrical men from this state and
Ohio. Final plans of the new cir-
cuit are to be completed at a meet-
ing later this month, when officers
will be elected and application made
for charter.

A. C. Apollo Reopening as Movie
Atlantic City—The newly reno-
ved Apollo, first-run on the Board-
walk, will open Saturday with the
first local showing of “Nana.” In-
vitations have been sent to various
film heads here, in Philadelphia and
New York. New Apollo, according to an-
ouncement by George F. Weiland
and P. Mottimer Lewis, Jr., presi-
dent and treasurer, respectively, of
the Frankland Realty, has 1,500
seats. Harvey Anderson, for many
years manager of Capitol, has been
named manager. Pete Corkell, now
assistant manager of Strand will
replace him at Capitol.

The company also announces en-
larging of Strand, which now seats
1,500.

Virginia Babs Nudist Film
Richmond—“Children of the Sun,”
nudist film, has been denied a license
by the Virginia Censor board.
Irene Dunne in "THIS MAN IS MINE"

with Constance Cummings, Ralph Bellamy
Radio

76 mins.

UNCONVINCING SITUATIONS AND OVERLOADED WITH DIALOGUE. IRENE DUNNE KEEPS IT ALIVE.

Adapted from the stage play, "Love Flies In The Window," this is billed as a comedy-drama, but the melodramatic treatment is practically stage drama, with the exception of a good light comedy characterization by Vivian Tobin. As a matter of fact, it looks like a farce idea, for that is about the way the far fetched situations could be put over. Irene Dunne has the only believable part of the three principals, and you feel little sympathy for her as the author makes her out to be such a spineless wife. The husband played by Ralph Bellamy is in the role of a caddish fellow whom she should be glad to get rid of instead of fighting to hold. Constance Cummings is as the of- flame who comes back into the husband's life and almost takes him away from his wife with so much clever caricature. Then into a rather forced ending to save the impending divorce from going through. It may have made fair stage material, but an original and practical discretion of the lens its construction faults are too apparent.


Director, John Cromwell; Author, Anne Morrison Chapin; Adapter, Jane Murfin, Cameraman, David Abel; Editor, William Macadan. Direction, Fair. Photography, Okay.

BaGuella to Meet ITOA

On Juvenile Admissions

(Continued From Page 1)

yesterday a letter was received from Mayor LaGuardia to the effect that he will attend its induction of officers March 21. It was the opinion of the meeting that relations should not be resumed with RKO as reopened negotiations toward settlement of the sales policy dispute have not favorably materialized.

Dr. A. Lawrence Lowell and Mrs. August Belmont of the M. P. Research Council have been invited to attend the next meeting Wednesday.

W. B. Releasing Spanish Film Here

Warner's Spanish version of "The Fortune Teller," Victor Herbert operetta, is slated for distribution in the U. S. as well as in Latin countries, and practically decided following reactions at the preview on the coast. Pictures is released as having appeal for American as well as Spanish audiences. Erico Caruso Jr., Luis Alberni and Anita Camipilo head the cast.

Fire Damages Ft. Worth House

Ft. Worth, Tex.—Fire of unidentified origin did $1,500 damage to the Texas theater, second-run house operated by Earl Penix.

Irene Dunne in "HOUSE OF ROTHSCILD"

with Boris Karloff, Loretta Young, Robert Young

United Artists

88 mins.

OUTSTANDING PRODUCTION WITH UNUSUAL INTRINSIC MERIT PLUS BIG BOX OFFICE.

Very fine justice has been done to the Rothchild family in this 20th Century produc- tion. Whether the picture is looked upon as a historical document with a theme that links it to the present-day persecution of Jews in Germany, or strictly as entertain- ment, it stands out as something un- usual and compelling. Much of this is due to an intelligent script, the best of taste in direction, a marvelous performance by George Arliss as the human head of the house of Rothscild, and a dozen or more surrounding performances that are worthy of individual mention. The story starts with the humble beginning of the Rothchilds in a Vienna ghetto, where they portray the injustices of the class race, to their rise as powerful bankers to whom the continually warring European monarchs came with their money. Youthful romance also is provided through Arliss' daughter, Loretta Young, in love with a rich officer, Robert Young, both doing a neat job.

Constitution


Director, Alfred Werker; Author, Geo. Hembury Westley; Adaptor, Nunnally Johnson; Cameraman, Peverell Marley; Editors, Allan McNeill, Barbara McLean.


NEWS OF THE D-A-Y

"Laughing With Medburry In The Orient"

Columbia

10 mins.

Fair

A series of silent shots of Japanese life that are interesting. Medbury's job is to guide Holland Medbury through the scenes, which were never intended to be kidded. It is a tough assignment for Medbury and his chattering, which accompanies the film, is only so-so. Closer adherence to the purely informative with a better editing of the gags would help. Photography is fair.

"Laughing With Medbury Among The Nordics"

Columbia

9 mins.

Fair

Composed mainly of scenic shots, this one affords a glimpse of Oberammergau, scene of the Passion Play, and of life in Holland. Medbury chatter and the photography are fair. Shots are of considerable beauty, but subject on the whole is static.

"Laughing With Medbury In South America"

Columbia

8 mins.

Fair

Starting at Buenos Aires, this picture moves through the city, offering some shots of the beautiful harbor and then into the jungle for some nature shots and a view of a rubber plantation. Trip is interesting and Medbury chatter is O. K. Photography is fair.

Lew Preston Managing Nelson-Renner Circuit

Lew Preston has been appointed general manager of the Nelson and Renner circuit, operating six Brooklyn houses. He is headquarters at the Endicott. Preston was formerly with Skouras theaters.

Stanley Co. Awarded Verdict

Atlantic City—The Stanley Co. of America has been awarded a verdict of $3,708 by Circuit Court Judge Jayne in suit brought by the company against Boardwalk Corner Property Co. Suit was over rent on the Virginia Theater, Stanley having sent two checks by mistake for September rent to termination of occupancy, with defendant con- tinuing the other check was ac- cepted for October rent in advance.

Omaha Orpheum Ordered Sold

Omaha—Sale of the Orpheum theater has been ordered in Federal Court following Omaha Orpheum Company's failure to meet interest payments. A. H. Blank holds a lease on the house at present, and is not expected to explore until June 1. The first mortgage holders, represented by Northwestern National and Trust Co., have a claim of $1,070,000 and interest at 6 percent for 8 years.
Authorities Adopt Resolution Against Free Shows

MONOGRAM MAY CUT LINEUP FROM 36 TO 20 Contracts Almost Set for 12 Features at Biograph

RKO Also Considering Eastern Production Possibilities

Contracts for at least 12 features to be made at the Biograph studios will be signed within the next few weeks by a producing company, L. J. Yates told Film Daily yesterday. Further consideration of producing for RKO was evidenced Wednesday by a tour of the studios by B. B. Kahane and Ned Dgienet. It is likely (Continued on Page 4)

WAV FAM PROJECTS PLANNED BY SOVIETS

Soviet Russia is expected to spend $100,000,000 in theaters, including film houses, declared John Eberson, well known architect, yesterday, following his recent return from Russia. (Continued on Page 4)

Harry Sherman Hails Move Against Company Unions

Recent Washington reports that the National Labor Relations Board has filed a motion to strike the strike of independent poster companies in New York who declared that the Section 7a of the Act has been consistently flaunted and its intent (Continued on Page 4)

Film, Legit, Radio Authorities Continuing Mutual Cooperation

Consolidated Film Reports $909,388 Profit in 1933

Net profit of $909,388 is reported by Consolidated Film Industries for 1933, compared with $892,538 in 1932. Past year's net is equal to 21 cents on the common stock after requirements on the $2 cumulative preferred.

Object of free shows and social affairs conducted via local, state and national relief agencies on the grounds they afford unfair competition to regular places of amusement is raised in a resolution adopted by joint committees of the Motion Picture, Legitimate Theatre and Radio Code Authorities at a Washington convention. (Continued on Page 8)

Convention is Set for Atlantic City in April

Reduction in the 1934-35 Monogram program to 20 features, against original plans for 34, is due to the fact that the company will be considering a Dramatists Guild committee of five playwrights appointed this week to report on a possible (Continued on Page 4)

Sol Rosenblatt to Review St. Louis Labor Decision

St. Louis—Division Administrator Sol A. Rosenblatt in Washington has set March 14 for review of the recent Labor Board decision against 52 local theaters in wage dispute with operators. Fred Wehr- enberg and Oscar Lehr will attend the hearing on behalf of theater owners, while Oscar Kleeptof will appear for the union.

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Representative of independent poster companies will meet at the Hotel Lincoln this afternoon to map out plans to counteract move of major companies to adopt recent of their paper. The National Poster Service Association is preparing to make its own paper. (Continued on Page 4)

Fear "Rasputin" Verdict Will Derelict Historic Films

Verdict of a British court in awarding $125,000 damages to Irina Alexandrovna Youssoupoff for alleged libeling in connection with "Rasputin and the Empress" is certain to exercise a discouraging effect upon producers contemplating historical pictures, it was pointed out at M-G-M yesterday. The company plans to file an appeal from the verdict within a few days. With American and other producers. (Continued on Page 8)

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WANT ME TO HOLD YOUR DOG?

YES, BUT DON'T POINT HIM AT ANY-ONE. HE'S LOADED.


100% Coverage in Europe
For Monogram Releases

One hundred per cent coverage in the United Kingdom and Continental Europe for Monogram Pictures is reported by Norton V. Ritchey of the Monogram foreign department who returned from abroad yesterday on the "Washington." Contracts with Pathe Pictures Ltd. for United Kingdom distribution have been renewed as of Feb. 1 with W. F. Gell, managing director for Pathe. Aurora Films will distribute the entire Monogram product in Belgium and a Monogram office will be opened this month at Prague by J. Rosin, who will distribute the product in central European countries including Vienna and Berlin. Imperial Films will distribute the films in France and Switzerland. All other territories are covered, according to Ritchey who was in Europe three months.

Another for Hal LeRoy

Hal LeRoy is slated to return to Hollywood for Warner Bros, in May to make a feature film that will be based on the comic strip character, "Blondy."

Detroit Trans-Lux Bows Out

Detroit—William A. London, owner of the Gladwin Park theater, has bought the Trans-Lux, also known as the Morning Star, closed for two months. He is expected to the capacity and open it as a regular type theater.

Get $2,800 in Holdup

Madison, Wis.—About $2,800 was stolen from Saxe's Capitol when two armed bandits waylaid Bryn Griffiths, advertising director and treasurer, in the lower hallway of the house.

Coming and Going

GEORGE WHITE, who has been making his first film in "Scandal" for Fox on the coast, returns to his apartment at the Warwick today.

DON JACOXS, Warner theater zone manager for New Jersey, has gone to Florida.

S. SIDNEY HOWARD, playwright, sailed today for the Vaudeville Convention in St. Louis.

GEORGE KRAASK of the Fine Arts Theater, Boston, has returned to the Hub after closing some bookings in New York.

BILL LYSIE, former St. Louis theater manager, has been visiting friends in the city before returning to the coast, where he is in a king under Charles Skouras.

HAL HORN left New York yesterday for Florida to recover from an illness.

E. E. FERKINS of the Warner field exploitation department, has returned from the mid-west and southern exchanges, WILLIAM KRAEMER of the publicity department will accompany Grainger.

CHRIS BUCKLEY returns to Albanytonight. H. WILLIAM FIELTSON returned from Europe yesterday.

MORRIS J. KANDEL has delayed his trip abroad until Wednesday, when he will sail on the Washington.

W. RAY JOHNSTON is in Atlantic City making arrangements for Monogram's convention.

Polish Films to Be Shown
In 100 U. S. Communities

Deals whereby Polish talkers will be shown in about 100 Polish-speaking communities in the U. S. have been closed by Majestic Pictures, headed by Herman Gluckman. Twelve features are scheduled for showing. One, "The Spy," is now playing the Caruso theater on 40th St., where it will be held a second week. Dave Brill is handling foreign films at Majestic.

Attending "Hollywood Bar" Debut

H. M. Warner, Al Jolson, S. Charles Einfeld and Mort Blumenstock will go to Philadelphia today for the opening of Warner's "Wonder Bar" at the Stanley tomorrow.

Solomon & Citron Move

Solomon & Citron, certified public accountants, have changed their address from 42nd St. to the Paramount Building.

Cut Fares to Convention

Special rate of a fare and round-trip between any point in the U. S. and Los Angeles has been granted by the railroad for the M. T. O. A. convention in Hollywood, April 10-12. Special trains leaving Chicago and New Orleans April 6 will carry the eastern and southern delegations. New York Central, Pennsylvanias and Southern railroads are running special cars which will connect with the M. T. O. A. special at the Big Three Lines. The specials arrive in Los Angeles on the morning of April 9. Rates include a 50-cent-limit and free choice of a round trip route.

FINANCIAL

NEW YORK STOCK MARKET

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NEW YORK BOND MARKET

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Reopening After Four Years

Detroit—After being dark four years, the Empire, West Side, is being remodeled for reopening.

"U" Plans 3 Sales Meets

Universal will hold three regional sales conventions in June, James R. Gogerly, told Film Daily yesterday. They will be in New York, Chicago and San Francisco. Completion of the present lineup at Universal City is expected by May. One sales schedule will have been started. The company has driven 21 salesmen, either editing or in work and seven will be started within the month.
NEWS OF WEEK IN PHOTO-REVIEW

‘WONDER BAR’S’ 2nd SMASH WEEK at Strand, N. Y. continues to top previous Warner musicals as Variety reports ‘all-day-line’ for its opening at the Stanley Theatre, Pittsburgh.

BROADWAY GETS THREE Warner hits simultaneously in Mayfair’s ‘Bedside’, Rialto’s ‘Heat Lightning’, and ‘Wonder Bar’ at Strand.


FINAL FADEOUT for ‘Rhythm in the Air’ with Powell, Rogers, O’Brien and other favorites, completes next big music spectacle from Warners.
**VAST FILM PROJECTS PLANNED BY SOVIETS**

(Continued from Page 1)

in New York. 

Sherman Lauds Move

On “Company Unions”

(Continued From Page 1)

systematically frustrated by the company union.” Local 306 has pending an action against the Allied M. P. Operators in which it seeks to have the union dissolved on grounds of being a “company union.”

“Particularly ill-placed is the company union in the motion picture field,” says Sherman. “Our is not an industry of employer termination or of labor license, nor one of community rights, it is an industry of law and order. Rather is it an industry which in marketization of the employer, labor cooperation and makes it vitally neccessary that both parties look for the long-term.”

“Labor demands that the N. R. A. will nurle it, but it does ask that it be protected against the necessity for fighting its own kind in the form of an employer-controlled company union.”

The report of the special joint meeting of the employer-controlled company union and the N. R. A. has been held fair to be realized through the organization of a company union under the N. R. A. that will aim now for actual collective bargaining. Labor asks no more.

Lars Moen in Moscow Institute

Lars Moen, former New York film trade paper man, is now chief engi- 

neer at the Institute of Scientific Research at Moscow, according to word which has just reached New York.

Eve Bernstein With Ameralong

Eve Bernstein, formerly publicity woman for Warners, has joined Ameralong as fan paper contact.

Felix Feist Still Laid Up

Felix Feist remains at home owing to continued illness.

**THE INDUSTRY’S DATE BOOK**

Today: Independent Theater Owners of Ohio regional meeting, Clarendon Hotel, Zanes-ville, O.

March 10: Fourth Annual Dinner-Dance of the Columbus Club of Columbus Pictures, Hotel Westbad, Atlantic City.

March 11: Allied Theaters of North Dakota convention, Hotel Roblough, Valley City, N. D.

March 12: Independent Theater Owners of Ohio regional meeting, Hotel Fortier, Akron.

March 13: Independent Theater Owners of Ohio regional meeting, Hotel Marathon, Youngstown.

March 14: Independent Theater Owners of Ohio regional meeting, Fort Steuben Hotel, Steu- benville.

March 15: Annual awards banquet of the Academy of Motion Picture Arts and Sciences, Hollywood.


April 4-7: Monogram Pictures convention, Ambassador Hotel, Atlantic City.

**DRAMA GUILD TO RULE ON FILM RIGHTS ISSUE**

(Continued from Page 1)

revision of guild relations on the sale of film rights, it was stated to Film Daily yesterday by Louise Silber, secretary of the Guild. The committee includes Edward Childs Carpenter, Morris Ryskind, Howard Lindsay, Owen Davis and Marc Conno- 

It was learned that the Drama-

ists’ Guild would probably ask the Authors’ League shortly to have its members vote to adopt regulations similar to those of the Guild where the film rights of books about to be dramatized are involved. This would prevent the sale before production of film rights to a book on the verge of dramatization.

Local 118 Complaints

Up for Investigation

Investigation will be made of complaints of Local 118, building serv-

ice employees union, that there has been intimidation and dismissals of employees in Loew theaters because of union activities. It was said yester-

day by Chas. C. Moskowitz, follow-

ing a conference with Ben Gol-

den, secretary of the NRA Regional Labor Board, which David Bern-

stein also attended. At a meeting, perhaps on Saturday, Moskowitz will confer with Chas. C. Levey, secretary of Local 118, to adjust these matters.

Some representatives of the Randforce and Skoukas circuits will meet with Golden to answer Local 118’s charges on intimations and dismissals. Next Tuesday the opera-

tors of the Walnick Theater are to appear before the Labor Board to answer complaints of violations of Code hours and wages.

Remodeling St. Louis Rialto

St. Louis—Before reopening the Shubert Rialto on March 31 with “Wonder Bar,” Warners will remodel the house throughout. With acquisition of this house, Warners will make St. Louis a stopping off place for their stars on route between Hollywood and New York.

[Image]

**HAPPY BIRTHDAY**

Best wishes from THE FILM DAILY to the following on their birthdays:

**March 9**

Jess Smith       Bobby Vernon

Jimmy Durante       Margaret Lee

Jerry Colonna
"Batting average of 20th Century retains its high rating. Theatre literally rocked with laughter. Box-office all the way!"
— Associated Publications

"A rowdy, funny flicker with Tracy and Oakie at their best!"
— Sidney Skolsky
Daily News

"Another hit for Darryl F. Zanuck! Tracy and Oakie a great team!"
— North American Newspaper Alliance

"The earthquake sequence is the most thrilling and effective ever seen!
— Modern Screen Magazine

"A natural! It'll please the highbrows and have the lowbrows doubled up with laughter!"
— Billboard

"In Tracy and Oakie a splendid new screen team is born. Robust action, tangy lines, lusty laughs!"
— Motion Picture Daily

"One of the most exciting comedies I have ever seen!"
— Alice Tildesley
Philadelphia Public Ledger

"Tracy and Oakie are great! It moves and moves fast!"
— Alason Edwards
United Press

"The team of Tracy and Oakie should be incorporated immediately! Can't miss being a hit picture!"
— Hollywood Reporter

"So fast and funny only an earthquake could have topped it... and it does!"
— Jack Grant
Motion Picture Magazine

"May very well prove 20th Century's best money maker to date. Tracy and Oakie step out as a bet on the nose in the team class!"
— Daily Variety

and...
EXHIBITORS Chime in!

"I've seen all the 20th Century releases to date, and they get better and better!"
— W.W. Troxell
Wilber and Sun Theatres
Central City, Iowa.

"Excellent comedy! Very good indeed!"
— John Ludwig
Ludwig Circuit
Milwaukee, Wis.

"Will be splendid attraction in our territory"
— Charles Williams
MPTOA, Nebraska

"Very good! Tracy and Oakie at their best, with a fine supporting cast!"
— H. Knudsen
Paradise Theatre, West Allis, Wis.

"Fine entertainment! Should keep Tracy and Oakie together... they're a great team!"
— Ray Felker, Broadway Theatre,
Council Bluffs, Iowa

"Great entertainment!"
— Ralph Goldberg
Paramount Theatre, Omaha, Neb.

JOSEPH M. SCHENCK
presents
Spencer TRACY
Jack OAKIE
in
"Looking for Trouble"
with
CONSTANCE CUMMINGS
ARLINE JUDGE • JUDITH WOOD
Directed by William Wellman

A DARYL F. ZANUCK Production

Released thru
UNITED ARTISTS

20th CENTURY PICTURE
**REVIEWS**

"THE MOTH"

By WALTER LANG

*THE MOTH* is directed by RALPH WILK

**HOLLYWOOD**

WALTER LANG is directing "The Party's Over" for Columbia. Film is based on the Daniel Russell Broadway play.

Dorothy Tree has been put under long-term contract by Warners. She is now working in "Friends of Mr. Sweeney."

**CAST ASSIGNMENTS**


**SHORT SHOTS FROM EASTERN STUDIOS**

By CHAS. ALICOATE

**PRODUCTION** on "Frankie and Johnnie" will be completed tomorrow at the Biograph studio. Chester Erskine produced and directed the feature for All Star Productions, with Joseph Ruttenberg in charge of the camera. Helen Morgan, Chester Morris, Lilian Tashman, Florence Reed, William Harrigan, Walter Kingsford, Jack Hazzard, Cora Witherspoon and Sigmund Spaeth are the principals in the cast.

Ruth Etting has completed shooting at the Vitaphone studio on "Ruth Must Be Servred," a two-reel musical comedy. Supporting Miss Etting by the cast, which is directed by Joseph Henshaw, are Minor and Root, Eddie Bruce, Gerald Kent, Arthur Donaldson, Jackson Halliday and a chorus of 24.

Pat Kennedy, Irish tenor formerly with Ben Bernie's orchestra and now appearing on several radio comedy shows, has signed to appear in a movie short at an eastern studio.

Shooting is about to start on a new Educational-Coronet comedy featuring the Ritz Brothers. The picture will be produced and directed by Al Christie at the Eastern Service studios in Astoria.

Sidney Buchman, who adapted "When God's Destroyed" for Columbia, has been placed under long-term contract by the company.

M-G-M has taken up contract options on Clark Gable and Robert Young, each new agreement running one year.

Ray Harris is adapting "And Let Who Will Be Clever" for RKO.

**CAST ASSIGNMENTS**

RESOLUTION ADOPTED AGAINST FREE SHOWS

(Continued from Page 1)

ton meeting Wednesday and announced yesterday, also in opposition to the resolution such agencies "are likely to defeat the purpose of their contention by seriously disturbing the foregoing organized industries and unions."

Another resolution passed by the three committees provides "wholehearted endorsement" of joint meetings between the three Authorities for purposes of discussing mutual problems.

The Radio Code Authority met in Washington to consider the protests against free radio studio shows filed by the legitimate theater and film Code Authorities. No word as to its decisions had been received by Executive Secretary John C. Flinn of the Motion Picture group last night.

Prior to the next Code Authority meeting Monday committees on budget and nominations will hold sessions. At the administrative body meeting it is expected that the 10 local boards remaining unsettled will be determined.

Work of analyzing agents to eliminate duplications will be completed when announcement will be made of the new total.


B & H to Provide 16 MM. Titles

Chicago—For 16 mm. film users who haven’t the time or inclination to make their own titles, Bell & Howell is introducing a "Title Craft" service.

Ideal Finishes Three-Reeler

Ideal Pictures has completed production on "The Golden Ghost," a three-reeler dealing with American gold rushes.

Warner Baxter’s Next Is Set

West Coast Bureau of THE FILM DAILY

Hollywood — Cast has been completed for "Grand Canary," Warner Baxter’s next at Fox. Zita Johann, John Halliday and Marjorie Rambeau will be the chief support. Irving Cummings is to direct.

Palace Holding “One Night”

Columbia’s, "It Happened One Night" is being held for a second week at the RKO Palace, something rare for this Broadway two-run.

Embarrassing Moment

Dallas — Among those who attended the famous world premiere of Warner’s "As the Earth T urns" at the Metha here was Gladys Mantle Carroll, author of the novel. Vincent Sholl, manager of the Academy Theatre, put Mr. Carroll on the stage. After paying the writer a flowery tribute, Sholl couldn’t remember her name.

ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

ARTICLE IV — LABOR PROVIS-
SIONS—PRODUCTION — (Cont.)

4. Working Conditions to Be Provided for by Standing Committee

(a) Casting Bureaus

Casting and employment interviews of women and children shall be conducted by casting officials, and men by men.

(b) Relatives Barred as "Extra Players"

No one shall be employed as "extras" or atmosphere workers, unless an exception must be made because of the urgency of production, who is —

1. A member of the immediate family of an employee of a motion picture company.

2. Not obliged to depend upon "extra" work as a means of livelihood.

3. Employed on account of personal favoritism.

(c) Eight Hour Day

A day’s work in any State shall be eight hours with overtime as provided by the existing California Statutes.

(d) Working in Only One Picture at a Time

No person (except when working in a crowd) shall work in more than one picture for the same day’s pay, even though he receives overtime.

(e) Rotation of Work

Rotation of work shall be established to such reasonable degree as may be practicable.

(f) "Extra Players" Must Register

No studio casting office shall obtain an "extra player" from any casting agency unless said person is registered as an extra player.

Each registered "extra player" shall have a card of identification.

Sec. 4. Provisions Regarding "Free Players"

(a) Code Authority Makes Rules for Producers

The Code Authority shall provide rules for the management of those appearing under the title of "free players," which will be the subject of a rule in the Code to be adopted by the Code Authority. The Code Authority shall be given the power to add, or strike, at their discretion, other rules to cover "free player" situations.

(b) Code Authority Appoints Standing Committee

The Code Authority shall appoint a committee of three to consider and report on all players in the respective Code Authorities who have not been given a Code certificate of registration.

(c) Investigation by Standing Committee

Administration, the Code Committee, the Code Authority and the Code of Practice Committee of the American Film Producers Association, shall be given the power to investigate the Code Authority’s reports on the registration of players, in order to determine whether the registration is proper or not.

(d) Investigation by Standing Committee

Any player who commits any violation of the Code which has been accepted and promulgated by the Code Authority, shall be subject to Code authority’s punishment.

(e) Rules Promulgated by Standing Committee

The standing committee shall adopt rules for "free player" players concerning:

1. Work and employment.

2. Rotation and distribution of work.

3. Minimum salaries.

(To be Continued)

12-FEATURE CONTRACT PENDING AT BIOGRAPH

(Continued from Page 1)

... that RKO will make two or three films at Biograph. Production on "Frankie and Johnnie" will be completed today by Chester Erskine. Work is to start Monday.

Fear "Rasputin" Verdict

Will Deter Historic Films

(Continued from Page 1)

... producers now viewing historical subjects with skepticism, Russian players will lose many hours of employment in pictures which would have ordinarily been made, it was declared. Comment was made that the film, despite action of the British jury declaring that the roles of Natasha and Chegodiw were based on actual characters, Grand Duchess Marie recently referred to them as fictitious characters.

... planning to re-issue "Rasputin and the Empress."

Buffalo — Nicholas Panlen, former Russian count and now with the Niagara Hy-Toll Co., Fort Erie, learning that his cousin’s wife had been acquitted over "Rasputin," said: "I didn’t think the Princess had much of a chance to collect, but we the picture in Buffalo. While I could see it was not historically correct in all particulars. I saw nothing in it that would defame her character."

4 Feature Stars for Comedy

West Coast Bureau of THE FILM DAILY

Hollywood — Betty Compson, Robert Warwick, Dorothy Sebastian and Don Alvarado have been signed for an all-star cast in a two-reel comedy by E. H. Allen, vice-president in charge of production at Educational Studios. Short is tentatively titled, "Breakers Ahead," Charles Lummis will direct.

Dana — Detroit Holdovers

Detroit — Something unusual here, two films have moved over to new houses for a second week. "Ship of a Kind" went from the Fisher to the State, while "It Happened One Night" shifted from the Fox to the Cicero.

Triples at Butterfield House

Grand Rapids, Mich. — For the next several weeks the Isis, Butterfield house, will play three double feature bills each week instead of two, Harry D. Irons, manager, has announced.

Kalkber in Fort Wayne

Fort Wayne — J. A. J. Kalkber, formerly on the west coast, is now at the Paramount here.

World’s Largest Studios

Yokohama — Shochikos, Japan’s biggest production enterprises, plans to erect 16-picture studios at Ofuna, between here and Kamakura. Work is to start in April.
Creation of a State NRA is Proposed in Michigan

CODE MACHINERY COST SET AT $400,000 A YEAR

Licensing of All Agents Ordered by Commissioner

Artists’ Representatives Must Obtain Permits by May 1

All theatrical agents must be licensed by May 1, Commissioner of Licenses Paul Moss told 150 members of the National Association of Theatrical Artists’ Representatives at a meeting this week. Hereby nearly all Broadway agents have escaping the employment agent classification by calling themselves personal representatives.

Moss said yesterday he would act with the Association to stamp out (Continued on Page 3)

Evangelist Uses Movies as Bait

Gloucester, O.—After drawing only light attendances at his evangelistic services in the Church of Christ, the Rev. Charles H. Richards augmented his program with movies of wild animals in their native haunts, and now’s doing S. R. O.

Musicals a Cinch, Says George White

Stebbings, Letterman, Gates Reorganize Brokerage Co.

Stebbings, Letterman & Gates, Inc., which about a year ago turned over its brokerage business for clearance through Schiff, Ternhune & Co., under a year’s contract, is being reorganized with Herbert R. Ebenstein (Continued on Page 2)

Spurt in Educational Films Predicted

Production of educational and other non-theatrical films is in for a big increase, with the activity accelerated when producers realize the enormous revenue that is possible from this field, according to Mrs. Elizabeth Richey Desser, who was for eight years head of the educational department at Pathe and recently became assistant director of the Motion Picture Research Council. Demand for films designed especially for churches, clubs and (Continued on Page 4)

Express Company Offers Lower Film Shipment Rate

Grand Rapids—Proposal by American Railway Express to carry films from Detroit to this city and other Michigan points at one-third under truck rates is being investigated by a committee of exhibitors following a sectional meeting of Allied Theaters of Michigan here this week. President Ray Branch, Hastings, named a group to work with the express agency on the matter. (Continued on Page 5)

State NRA for Local Problems Proposed by Michigan Governor

Court Orders Arbitration Before Enjoining Pickets

Detroit—Because the issue had not been taken to arbitration, the U. S. District Court denied James N. Robertson, owner of the Cinderella, an injunction against Sign Writers’ Union pickets. This Federal Court insistence upon arbitration when machinery is available is believed to be a precedent here.

Lansing, Mich.—Legislation has been introduced here to set up a "State NRA," which would give the state administration power over concerns operating wholly within the state similar to that exercised by the Federal government over national business. Such legislation, Gov. W. A. Comstock said in a special message to the legislature, would enable enforcing codes now in (Continued on Page 4)

Report on Code Authority Budget to be Submitted at Meeting Monday

Costs of operating the code machinery is tentatively figured at less than $400,000 a year in the committee report which will be submitted to the Code Authority at its next meeting, Monday. Proposal is under consideration for collecting the revenue through the Code Authority headquarters, with Executive Secretary John C. Flinn in charge. The percentage to be assessed ex-

(Continued on Page 3)

M.P.T.O.A. OPPOSES FOREIGN TALENT BAN

Formal protest against the Dickstein bill to regulate importation of foreign players has been filed by the M. P. T. O. A. in Washington. The industry requires new faces, the brief contends, as well as new ideas and talent. Passage of the bill would also invite retaliation from (Continued on Page 2)

Texas Independent Unit Meets March 26 in Dallas—Theater Owners Protective Ass’n of Texas, headed by Roy L. Walker, has scheduled its annual meeting for March 26 in Dallas. President Ed Kuykendall of the M. P. T. O. A. has been invited to address the gathering.

(Continued on Page 3)

Chesterfield May Increase

Chesterfield will probably increase its schedule next season from 9 to 12 features, it was stated to FILM DAILY yester-

day by George E. Batcheller, presi-

dent, Batcheller said that his franchise-holders wanted him to make more pic-

tures, but that definite decision would not be reached until June.
The Columbians Celebrate Tonight

It has leaked out that the fourth annual dance of the Columbians at the Waldorf-Astoria to be held on Saturday night, will be an event. The committee in charge of table arrangements has been sworn to secrecy. The ducats are $15 a pair. Dinner at 7:30. The affair is electric. But don’t let that scare you. After a few whistles, all the guests will be informal and have a perfectly grand time. Won’t you come? Please do!

Propose Film Council

In Place of Censorship

Grand Rapids—Organization of a Better Films Council as a counter move against censorship was advocated at this week at a meeting of exhibitors with church, school and welfare workers. Under the plan, presented by Allen Johnson, director of Michigan Allied, the council would determine suitability of films for various ages and classify them by letters. The city is being requested to withhold action on a proposed censorship bill and substitute the council in its place.

Arranging Chi. Relief Ball

Chicago—Extensive preparations are being made for the Chicago Relief Dinner Dance to be given the night of March 23 at Medinah Athletic Club. Jack Miller heads the executive committee for the affair. Other members are Aaron Saperstein, Henry Herbel, Barney Habibian, Edward Silverman, Harry Holinquist, James Coston and Louis Reheimer. Publicity committee is headed by Herbert’s of Essanay, chairman; Laurence Stein of Warners, William Hollander of B. & K., John Joseph of RKO, Hazel Green of Film Daily, Cal Hermer of “Box-Office,” Oscar Schenk of the American and Al Solber. Entertainment committee is Will Harris, Louis Lipstone, Frank Smith, Leo B. Saltik, Billy Diamond and Harry Lipman. Committee on arrangements is John Mednikoff, Myrtle Collins, Emma Aplamaipoulis and Louis Abramson.

Poster Men Meet

Plans for combattng move of major distributors launched to prevent re-selling of their posters by independent exchanges were advanced at a meeting held by National Poster Service Association at the Hotel Lincoln yesterday. Another meeting will be held soon.

39 Skouras Houses Sign Erpi Deal

Thirty-nine Skouras theaters in the metropolitan area have signed a repair and replacement contracts with Electrical Research Products, Vice-President H. M. Wileox announced yesterday. The total number of Western Electric equipped theaters that have now signed such contracts exceeds 300.

Hoblitzel Dealt Up March 23

Paramount Publix creditors meeting is planned for March 23 to approve the Hoblitzel-Southern Enterprise deal. Session will be held at office of Referee Henry K. Davis.

M. P. T. O. A. Opposes Foreign Talent Ban

(Continued from Page 1)

abroad and cause drastic reductions in revenue now derived from there, it is pointed out. The brief also describes the plan as unworkable, partly because it is impossible to classify all players.

Hoffberg Also在 Domestic Field

In addition to its export business, J. H. Hoffberg Co. is building up a domestic distribution business on features and short subjects. The company has five American features, five in Spanish, and several series of Spanish-language B movies including the Pappy Layman comedies and Goofy Gus cartoons.

NRA Orders Union Scale Restored

New Orleans — The Liberty has been ordered to restore operator salaries to a first-run house scale and to pay the difference between this scale and what the operators were actually getting at time of opening, in a decision by the NRA compliance director here. Liberty has signed a salary concession contract to operate as a second-run house and then had opened with first runs. Rival houses protested.

“Catherine” to 4-4-4 Today

“Catherine the Great,” United Artists release having a two-day run at the Astor, will be shown four times today and three times tomorrow.

RKO Signs Juvenile Star

Frank Thomas, Jr., 11-year-old star of “Wednesday’s Child,” has been signed by RKO to appear with John Barrymore in the pictureization of the recent Broadway stage hit.

Herbert Silverberg Loses Appendix Buffalo—Herbert T. Silverberg, local film attorney, is Central Park Clinic recovering from an appendix removal.

M-G-M Signs News York Actress

Ruth Madison who appeared with Clark Gable in his sketch which played the Capital, has been signed by M-G-M. She will leave for the coast within the next two weeks.

“Riptide” Opening Moved Up

Opening of M-G-M’s “Riptide” at the Capitol has been moved up to March 23. Norma Shearer is starred.

12th WEEK ON BROADWAY

THE WALT DISNEY PRODUCTIONS. 723 7th AVE. N. Y. C.

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VERIL PRODUCTIONS. 723 7th AVE. N. Y. C.
COMMISSIONER ORDERS LICENSING OF AGENTS

(Continued from Page 1)

cut-throat competition and crookedness. He also said he would investigate offices which acted both as buyers and sellers of acts and would probably require lawyers who act as representatives of acts in obtaining contracts to take out employment licenses. He also took under consideration modification of the city's employment agency rules so that theatrical agents would not be required to pay an act's salary where a contracted engagement was not forthcoming.

At the meeting the agents voted to modify their Code of Ethics to permit commission-splitting among members only, thereby averting a battle with Loew, RKO and Actors' Equity over the franchise systems of these organizations, according to Arthur Lyons, president. The association now has 213 members.

Two U. S. Roadshows On New G-B. Lineup

(Continued from Page 1)

is budgeted at $400,000. It stars Conrad Veidt and will be shown here about April 1. The other big production will be "Chu Chin Chow," starring Anna Q. Nilsson.

Releases in the United Kingdom have been set up by Dec. 31, 1934. Michael Balcon, head of "Gainsborough," will arrive here about March 31 to consult with Lee on coming films.

Agency Regulations Submitted on Coast

(Continued from Page 1)

ically. Also that the agency shall not charge a fee unless the engagement for which the fee is sought is obtained by the agency. The agency attorneys will report their view to labor bureau officials March 21.

Refuse to Mediate With Usurers

Milwaukee — Executive board of the M. P. T. O. has declined offers of Harry Bragranick to mediate the strike of ushers and doormen at the Warner and Wisconsin theaters. If further attempts at settlement fail, a strike is to be called March 14 in all local houses.

"Spitfire," "Wild Cargo" Campaigns

RKO will put national advertising campaigns behind both "Spitfire" and "Wild Cargo," similar to the national campaign for "Little Women." Robert Siak will be in charge of the campaigns, with Barrett McCormick handling advertising copy.

Starting At Home

The NRA Administration is even checking up on the States to determine if they themselves are complying with its labor regulations in their offices. Such a letter has been received by Executive Secretary John C. Finley.

THE FILM DAILY

Saturday, March 10, 1934

COMMISSIONER ORDERS LICENSING OF AGENTS

(Continued from Page 1)

five, and the film is now being edited on the Coast. Jack La Rue and Thelma Todd are featured in the picture, an adaptation of Earl Derr Biggers' "The Dance of Hearts." Phil Rosen directed.

Lowell Sherman will direct and act in "The Human Side" for Universal.

Joe E. Brown will complete "Sawdust" next week at First National, will sail on Saturday for the Orient with Mrs. Brown.

Marian Nixon will appear opposite Nils Asther in Universal's "The Hump," which Max Maren will make.

Patricia Ellis has been borrowed by Universal from the National for "Alas the Deacon."

Harry Hefrey will do some additional writing for RKO's "Family Man," starring Richard Dix.

We were invited to cocktail with Julius Tannen at Adreyenne's yesterday afternoon. With a few score others, I met the Broadway muggs who are usually to be found in the endive elbow. Julius gave us the exuberance for the party...to celebrate the return to triumph of the theatre managers and the threatened resumption of activities by your host...ha the yap hast have an oxocose to throw a cocktail party unheard of...we didn't go...we're on a Milk Diet...and here comes another invite...to attend another cocktial party...at Leon and Eddie's Tuesday afternoon...in honor of Al Jolson...what we call Study of Two Jueh Boys Takin Alternations...A Sentimental A Tuff Spot...

NICE ORDER for Elmer Leterman, the big Insur.

GIVEN to operate the Cameo on 42nd St. - Fifth Ave. Playhouse has changed its policy from foreign to American pix.

Norma Shearer will do a scene from "Rip tide" and be interviewed by Louella Parsons on February following the Columbia network. Armita will be at the Capitol at 76th of March on return from Europe. Frank Buck will broadcast another of his "Wild Cargo" adventures over WJZ Tuesday evening. Powers' "Jack and the Beanstalk" ComiColor cartoon is playing a return date at he Roxy.

A LITTLE from "LOTS"

By RALPH WILK

HOLLYWOOD

PRODUCTION on "Take the Stand," third on the Liberty program of eight specials for 1934-35, has been concluded, and the film is now being edited on the Coast. Jack La Rue and Thelma Todd are featured in the picture, an adaptation of Earl Derr Biggers' "The Dance of Hearts." Phil Rosen directed.

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Harry Hefrey will do some additional writing for RKO's "Family Man," starring Richard Dix.

PRINCESS O'Hara," Damon Runyon story in the current "Collie," has been acquired by Universal.

Duke Ellington's band has been signed to make a Headliner short for RKO.

Boris Karloff and Bella Lugosi will be teamed by Universal in two more pictures, "Suicide Club" and "The Return of Frankenstein," if negotiations are successful.

Shirley Temple, who has been appearing in Educational's Baby Burlesks and Frolics of Youth series, now occupies first place in the ranks of Hollywood's juvenile players. She will soon be seen in a featured role in the Fox Follies, and has just been loaned to 20th for the title role in Damon Runyon's story, "Little Miss Marker."

Ray Smallwood, famous camera trick expert, has been engaged by the Educational Studios to handle a series of camera effects for the Mermaid Comedy Tentatively titled "Breakers Ahead.

New Virginia Theater Firm

Lynchburg, Va. — Copocor Pictures, Inc., has been chartered with capital of $50,000 maximum to operate theaters, etc. Officers are L. M. Cox president; H. E. Ely, Jr., of Washington, vice-president; L. L. Loving, secretary; Margaret E. Copocor, treasurer.

Coming and Going

ROBERT G. RITCHIE, manager for Jeanette MacDonald; R. H. and MRS. CLIFF EDWARDS, and EDWARD HOPE, author of "She Loves Me Not," sold tomorrow on the Lafayette for Europe.

STANLEY WOOL and LILLIAN MOLLER, English motion picture producers and representatives in London, arrived at the Hotel Warwick for a visit.

HOWARD DIETZ is due back from the coast in about a week.

JOHN G. FLYNN, branch manager for M-G-M in Denver, will be president of the Variety Club there, on a four-week vacation trip including New York and Florida.

**REVIEWS**

**NO FUNNY BUSINESS** with Gertrude Lawrence, Lawrence Olivier and Jill Esmond

Principal Exchange 60 mins. WEAK BRITISH COMEDY with CAPABLE CAST WASTED ON INSEQUENTIAL STORY. A may get the British audiences who are inclined to be patriotic toward native product, but over here this kind of light fare is likely to go rather due to the average audience. Story is a very special affair, dealing with the desire of a couple to get a divorce and hiring co-respondents without letting each other in on it. But the co-respondents, played by Laurence Olivier and Jill Esmond, get together under one of those mistaken identity circumstances and develop reciprocal romantic feelings, though each is under the impression that the other is the party he or she was hired to compromise. And so matters amble along to a finale in which the co-respondents bring their love affair to a culmination, with the wife and husband sharing in the happy finale. Included in the proceedings are a couple of sly references to Gertrude Lawrence. These are among the most enjoyable moments in the picture. F. P. I. is the producer.

Cast: Gertrude Lawrence, Laurence Olivier, Jill Esmond, Gilla McLaughlin, Muriel Allum and Edward Powys-Ellin.


George Sidney and Charlie Murray in "Ten Baby Fingers"

Columbia 15 mins. Fair Comedy.

Not much to the story idea, but Sidney and Murray manage to keep this skit a fairly amusing tempo. Action revolves around a baby being left at the door of these two bachelors. So through the familiar hokum of figuring out how to care for the kid. Finally the parents turn up.

"Broadway Nights" with the Yacht Club Boys

Paramount 10 mins. Good Novelty.

An entertaining musical novelty with a flashy night club background in which there are vocal numbers by the Yacht Club quartette, some beautiful dancing by a feminine ensemble and pleasing orchestra support. Final number by the Yacht Club group is an auto hit with comedy and action interpolations that make it quite amusing.

Rio Houses to Get Wide Range Rio de Janeiro—Western Electric Wide Range equipment is to be installed at the Alhambra and Copa-cabana Casino here.

**NEWS OF THE DAY**

Ambridge, Pa.—Milt Smith, former manager of the Warner theater here, has been assigned to the Belmar in Pittsburgh.

Canton, O.— Ward Farrar, manager of Loew's, stol a march on competition when he induced Canton retail merchants association to stage their annual spring style revue at his theater relieving that organization of the annual promotion.

Dorothy—"The Fighting Priest," with Father Coughlin, has been taken over from Shamrock by Donald Rayburn and a group of former stockholders represented by Joe O'Donnell, former sales manager. Distribution, however, has taken charge of the production work of the company again.

Rochester, N. H.—The Colonial has been opened by Interstate as a first-run.

Boston—Harry Goldman has acquired New England distribution rights of "The Fighting Priest" and "Elyzia."

MICHIGAN PROPOSES NRA WITHIN STATE

(Continued from Page 1) operation or to adjust them, if necessary, to fit strictly local conditions. The state could then lend its attention to enforcing details of national codes which are too local for Federal ratification. The bill is to be drafted after the New York state statute. Creation of a board of arbitration for various trades and enforcement of their orders by court action is expected.

Film men view the move with favor, believing local interpretation of the film code under state authority would be to their advantage as local conditions differ somewhat from those of other states.

"Upperworld" Release April 28

Warner's "Upperworld," with Warren William, Mary Astor and Ginger Rogers, has been set for release April 28. First print was previewed at the Theatre office yesterday, Ruth Chatterton in "Journal of a Crime," First National, is being released today.

Making Shorts in Detroit

Detroit—Allie Summers, former Chicago booking agent, is here producing three reels in the "Ye Olde Unadapted Songs" series being made by Shamrock Pictures. "News from the Daily" series will follow.

**HOLLYWOOD PLAZA**

**MOST CONVENIENT**

Hotel in Hollywood

$2.50 up, Single

$3.00 up, Double

Special weekly and monthly rates

The Plaza is near everything to see and do in Hollywood. Ideal for business or pleasure.

Every room has private dressing room, bath and shower, beds "built for rest." Every modern convenience. Fine foods at reasonable prices. Convenient parking for your car.

**The "Doorway of Hospitality"**

Vine at Hollywood Blvd.

HOLLYWOOD
Indep’t Producers Plan 130 Minimum for ’34-35

16TH ANNUAL INDUSTRY YEAR BOOK OUT TODAY

Johnson, Rosenblatt, Farley Invited to MPTOA Meet

OUT TO-DAY

Will Rogers Is Asked to Preside at Annual Banquet

Among outstanding figures invited by the M.P.T.O.A. to attend its 14th annual convention in Hollywood, April 10-12, are General Hugh S. Johnson, Sol A. Rosenblatt, Senator William G. McAdoo, Senator Hiram Johnson, Mayor Rossi of San Francisco, Frank Walker and Postmaster General James A. Farley. Will Rogers has been asked to preside as toastmaster at the convention banquet.

THEATER BIZ UPTURN SHOWN IN OKLAHOMA

Oklahoma City—Opening of several new houses and reopening of half a dozen others last month, as reported by the Film Board of Trade, reflect better conditions in this state. New houses in operation (Continued on Page 10)

Warner-F. N. Grooming
Fifteen for Stardom

West Coast Bureau of THE FILM DAILY

Hollywood—Before the end of the new season Warners plan to introduce about 15 new stars to the screen. Majority of the players are (Continued on Page 10)

Minimum of 130 Planned
By Indep’ts for 1934-35

Film Exchanges Support
Detroit Price Lift Plan

Detroit—An effective lever in enforcement of the agreement being negotiated to raise admission prices, as well as to determine clearance in accordance with a set schedule, was disclosed last week in the form of support from the exchanges. The protection clauses of the agreement will be written into the contract (Continued on Page 10)

Independents will produce about 130 features for the 1934-35 season, a Film Daily survey shows. Program will produce a minimum of 20, Majestic 12, Showmen’s Pictures 12, Mayfair 12, Oshenfield 9, Invincible 9, Liberty 8, Halper will handle 26, and it is estimated that about 25 will be produced by other independents. Figures for the independents are all minimum. Several expect to increase their product next season.

M. P. Council Conference

First national conference luncheon of the national board of the Motion Picture Research Council will be held March 21 in the Ballroom of the Hotel Roosevelt. Speakers will include Mrs. August Belmont, Dr. Frederick Peterson and Dr. Herbert S. Houston.

13 THEATERS OPENED
IN NORTHWEST AREA

Minneapolis — Opening of three new theaters and the reopening of 10 others the past month is shown in the current Film Board of Trade report. Three of new ones are the Clinton, Clinton; Hancock, Hancock, and Chippewa White Earth, all Minnesota. Reopened houses include the Community, Clearbrook; Crystal, Lyric, Wabasso; LeRoy, and Rex; Tower, all Minnesota; Lyceum, Flaxton; Auditorium, Kuhl; Iris, Mil.

Educational Signs Trues
Under Two-Year Contract

Ernest Trues, after making two shorts for Educational in the east as an experiment, has been signed under a two-year contract by E. W. Hammons to appear in shorts exclusively for Educational. He will make two more this season, with the next starting in a few weeks.

Local Boards Start
Early Next Month

Code Authority expectations are now that the local grievance and zoning boards will begin to function early in April. The last 10 boards will probably be decided upon at the Code Authority meeting which begins at 2 p.m. today to act on a

90% of Competitive Spots
Covered in Code Assents

Assents to the code received by the Code Authority cover approximately 90 per cent of competitive spots in the country, it was stated at C. A. headquarters Saturday. Deadline for filing assents was reached at midnight Saturday and

Gary Stages Walkathons

Gary, Ind.—Under a new ordinance to control amusement, walkathons and other dances, no persons will be issued permits. The ordinance sets up a board of three members who also will inspect all films not approved by the National Board of Review.
THAT'S OUR MANHATTAN SPECIAL—DOUBLE BANANA SPLIT
WITH WALNUTS, WHIPPED CREAM, CARAMEL SYRUP, AND
ICE CREAM!

I ORDERED A DRINK—NOT A NEW ENGLAND BOILED DINNER!


WARNERS MAY DISTRIBUTE NEW CHAS. ROGERS LINEUP

West Coast Bureau of THE FILM DAILY

Hollywood—Charles R. Rogers, who ends his association with Paramount in May, recently after completing his four remaining pictures, will probably have Warner Bros. as his new distributing outfit. First picture in his new lineup is "McFadden's Flats."

WARNERS PREPARING 2 MORE

West Coast Bureau of THE FILM DAILY

Hollywood—Following completion of "Fog Over Frisco" and "Hit Me Again," and the start of shooting on "Friends of Mr. Sweezy," the Warner-First National Studios last week began preparations on "A Lost Lady," by Willis Cathey, and "Oil for the Lamps of China," by Alice Tisdale Hobart. The studios now have eight pictures before the cameras and 12 being prepared.

75 "Earth Turms" Pre-Releases

Following success of the two test runs in Dallas and Danbury, Warner's "As the Earth Turns" to date has been booked for 75 special pre-release engagements in key cities. National release date is April 14.

JOANNE AUBERT FOR VITAPHONE

Joanne Aubert has been signed by Sam Sax for a Vitaphone two-reel musical comedy, "Ooh, That Kiss." Supporting them will be the Sizlars, Weldon Heyburn, Raymond Midderlon and others. Work starts today.

4 Universal Serials for 1934-35

Universal will make four serials for the new season. First announced is "Tailspin Tom" from Hal Forrest's comic strip in the Daily Mirror. Henry McRae will supervise production with Ray Taylor directing. Ella O'Neill will write the screen story.

OLDTIME COMEDIIES DOOMED, DECLARES AL CHRISTIE

Oldtime comedies, such as the slapstick pictures that were successful for years, but have lived their day and are doomed, says Al Christie, who is now producing for Educational in the East. "The scene has shifted, not only geographically, but psychologically," declares Christie, who calls this a year of experimentation in shorts. "More than ever before we are dealing primarily with personalities. We are not 'grinding out' comedies: we are 'building' them now, and I believe the system is working."

ADDED TO M. P. COUNCIL

Stephen P. Cabot of Boston has become national vice-chairman of the Motion Picture Research Council. He will serve as chairman of the council's activities in New England.

Beverly Jones Joins Ad Film Firm

Beverly Jones, formerly associated with Fox, Pathe and Paramount as director and editor on shorts and special subjects, has joined the department of Advertising Film Associates.

"WONDER BAR" BREAKS STANLEY RECORD


SOVIET FILMS FOR CAMEO

The Cameo Theater has booked "Amish Woman," "Broken Shores," to open March 29, and may contract for the entire Soviet product, it is understood.

FINANCIAL

NEW YORK STOCK MARKET

Quotations As of Saturday, March 12, 1934

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N. Y. PRODUCE EXCHANGE SECURITIES

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Six Theaters Are Added In Portland Territory

Portland, Ore.—Six houses were added to the active list in this territory last month. They include the New Mount Tabor in this city, the Lyric, Huntington; Star, Oregon City; Council, Council, Ida.; La Faye, New Meadow, Ida., and Liberty. Mr. Mathews and Mr. Meyers have taken over the Liberty and Granada, former Fred Merry's. La Grande, Martin & Stille acquired the Pantages here, while Fox West Coast took over the Paramount.

Nazis Ban "Catherine"

Berlin—Because Elizabeth Bergner, who is of Jewish faith, appears in it, "Catherine the Great" has been banned from further showing in Germany by the Reich Film Chamber, which is under the Nazi propaganda ministry. Officials of the film chamber said the ban was the outcome of demonstrations against the opening of a theater by united members of the Nazi film union.

Doris Hill in Educational Short

Doris Hill, formerly on the Paramount roster, has been signed by Educational for the feminine lead in the Ritz Brothers comedy which Al Christie will start this week at the Astoria studios.

Maintenance Help Under Code

Employees of theater maintenance companies who have been working 48 hours weekly under the Building Code have come under the regulations of the film code and may not work more than 40 hours weekly, according to a ruling by the state N.R.A. division.

NOW READY—

"What a Mother-In-Law!" 

A Jewish Talking Picture Featuring 
DORIS HILL

LUDWIG SATZ

QUALITY FILM CORPORATION

630 9th Ave., New York
CLEAR ALL WIRES
OR THIS WIRE FROM THE SAGE
OF THE GREAT SOUTHWEST!

GRAD SEARS
WARNER BROS PICTURES 321 WEST 44TH ST NY

YOU HAVE UNDOUBTEDLY HEARD BY THIS TIME THE SPLENDID MANNER IN WHICH
AS THE EARTH TURNS WAS RECEIVED LAST NIGHT. STOP PERSONALLY BELIEVE THAT
WE WILL DO RECORD BUSINESS WITH FINEST CAMPAIGN THAT IT HAS BEEN MY
PLEASURE TO WITNESS. STOP AUDIENCE REACTION SPLENDID AND THERE WAS A
POSITIVE CHEERING DEMONSTRATION AT THE FINALE OF FIRST PERFORMANCE
AT WHICH TIME THE AUDIENCE INSISTED UPON THE AUTHORESS MISS CARROLL
MAKING A SECOND APPEARANCE AND SPEECH. STOP WE ARE ALL GRATEFUL FOR
THIS OPPORTUNITY TO PRESENT A WORLD PREMIERE AND BELIEVE THAT IT HAS
BEEN A STEP IN THE RIGHT DIRECTION FOR THE ENTIRE TERRITORY. STOP AM
ALSO POSITIVE THAT DALLAS CAMPAIGN WILL REFLECT GREAT RETURNS FOR THIS
ATTRACTION EVERYWHERE. STOP

KINDEST PERSONAL REGARDS

R J O'DONNELL (BLONDIE TO YOU)

125PM

MELBA

WORLD PREMIERE

AS THE EARTH TURNS

WORLD PREMIERE

AS THE EARTH TURNS

WARNER BROS.'

"As the Earth Turns" with Jean Muir, Donal Woods, 22 others. From the best
sizer by Gladys Hasty Carroll. Directed by Alfred E. Green. Photograp, Inc.,
Distributor.

RIPTIDE
NORMA SHEARER
Robert Montgomery

VIVA VILLA!
WALLACE BEERY
When you talk about BIG pictures, you’re talking M-G-M language. The records of 1933-34 are already bright with “Tugboat Annie,” “Dinner at 8,” “Dancing Lady” and others from M-G-M, but—

Springtime brings Giant M-G-M Attractions that dwarf everything else in the entire industry!

The one and only company that makes road-show calibre entertainments now presents “RIPTIDE”, “VIVA VILLA!”, “TARZAN AND HIS MATE”. Talk about BIG pictures... they’re yours for a joyous M-G-M Springtime!
She's flame, piety, passion! She's charm, danger and love! A thousand moods live in the storm-tossed heart of "Trigger"—praying, thieving, fighting hellcat of the hills—whose love set fire to the mountains! ... Who but Hepburn would dare such a role? Who but Hepburn could play it?

From the play "Trigger" by Lula Vollmer
Directed by John Cromwell

RKO-RADIO PICTURE
A Pandro S. Berman Production
Merian C. Cooper
Executive Producer

NOW PLAYING RADIO CITY

BELLAMY MARTHA SLEEPER
Sixteenth Film Daily Year Book Makes Debut Today

(Continued from Page 1)

Code Cases in 1935 Year Book

A special feature of the 1935 Film Daily Year Book will be a compilation of important cases and decisions under the grievance and zoning and clearance boards. This material will be prepared by E. H. Wilkes & Co., the film attorney, who has hereunder compiled the Court Decisions for the Year Book.

praising complete copies of all the important film Codes.

It’s Indispensable

In one of our rare ambitious moments we enthusiastically started to compile a list of the individuals and organizations who found the Year Book indispensable, born of the fact that it is the only reference work that can supply them what they need. Here are a few that will not be amiss. This thought has persisted to the present edition of 1934, it seems. But the technique is different.

In the first edition all the ads were bunched solid in front of the book. The present edition carries the ads grouped in appropriate or related sections.

The first edition of the Year Book had 1,456 pages; the present edition has 1,005. To look at a complete file of Year Books from the first to the present publication is to graphically visualize the growth of the industry in that time.

They Tell It

One of the most conclusive proofs of the value of these Year Books is in the constant requests for back issues, all of which have been exhausted. The possessor of a complete file of Year Books has that which is not only practically priceless, but it places at his disposal for instant reference a vast storehouse of information about the development of the industry for almost two decades.

Our Information Department receives an average of 20 calls a day for data that can be found in the current Year Book.

One prominent publishing authority recently described the Film Daily Year Book as the best industry reference work that he had ever seen. It is not merely a flashy display of highlight facts and figures, but a complete and comprehensive volume of carefully chosen data and necessary to the industry every day of the year.

The 1934 Edition bids fair to go down in film history as one of the most important and vital of the entire series. It marks the entry of a New Era in our industry, even as the NRA ushered in a new phase in the economic life of our nation. So you will find in your copy a section containing important company home office staffs. Studios throughout the country, Associations, Clubs, Guilds, Organizations, Exhibitor organizations, labor leaders, motion picture industries, Film Boards of Trade, Censor Boards, Previewing Groups.

Codes—The full texts of the M. I. P. Code, px. ex., Theatrical Licenses and Regulations, Emergency Theater Codes, Film Boards of Trade, Censor Boards, Previewing Groups.

Legal—Decisions of general interest to the industry, compiled and compiled by an expert legal authority. Full text of important Wilmington decision on sound patents.

Exhibition—Complete section of basic statues covering Theater Fronts, Lobby, Newspapers, Window Display; Theaters, Special Stunts, Tieups. A calendar of important holidays.

Financial—Showing the organization and movement of trends and latest balance sheets of motion picture and allied companies whose securities are listed on the various stock exchanges.

Equipment—You can buy anything in the industry by consulting this Buying Guide. From a tank to an organ. List of supply dealers throughout the country. Complete list of all organizations a theater operator requires. Alphabetically presented for ready reference—from Accounting Systems to Weather stripping.

Foreign—Outlook for 1934 by important New York executives, Importers and Exporters and their addresses. Summary of U. S. Department of Commerce service. Survey of Foreign Trade. Articles on the motion picture industry in England, Germany, Soviet Russia, Canada, etc., a world survey of this industry by countries, this data supplied by Department of Commerce offices throughout the world. Foreign branches of American companies.

Add to these innumerable lists of Importers, Distributors, Exporters, Theaters, Cartoons, Supply Dealers, Still Photographers Equipment Manufacturers, Color Processors, Trailer Producers, etc., etc. The complete publication of Factory is in the United States. A reference list of books on motion picture subjects. Activity and Organizations of the industry of every description.

We may have taken up a little of your valuable time to read this. But think of all the time that has been spent by the Year Book staff to prepare this volume for your comfort and convenience. The 1934 Edition will speak for itself. This article is by way of a gesture to all who helped in its compilation.

1,000,000 Answers Plus

Among Film Daily Year Book-worriors is a chap who says he figured there are 1,000,000 questions asked in this business, and he can answer quickly and correctly by this volume. He actually is engaged in film biz, so he obviously under-estimated.

Most Used Section

The section of the Film Daily Year Book referred to most often is the "Deals" Section, which covers releases of the past 19 years, with dates of

DEALERS

YESTERDAY

MONDAY, MARCH 12, 1934
TIMELY TOPICS

Film Critic Attacks
Star Rating System

THAT egotistical, misleading and often meaningless scheme whereby a number of the country’s motion picture reviewers make their judgments of the films with a varying number of stars is under fire by producing companies who point to the injustices which have been accomplished under the plan. The basis of the petition is stated in a letter to the leading producers that it is too inflexible. Hasty readers accept the number of stars at the head of the column without reading through the review which often turns an entire column to little or no matter. It is an arbitrary, autocratic verdict which gives no reason or explanation for the judgment. If more than 20 years of regular film reviewing have taught me anything, it is that no one can tell with certainty what another will consider a great picture. There are some like “Cavalcade,” “Lady For A Day” on which the judgment may be reasonably sure but a large number of viewers shows that even in such outstanding instances as these there are divergent opinions. Honest motion picture reviewing and, indeed, any other form of honest criticism, consists, it seems to me, in trying to set forth a series of facts which will enable the reader to form a fairly intelligent judgment of his own. Of course, there must be opinion, reasons and sometimes arguments. So very frequently a modest and unimportant little film offers good entertainment. If so, it has accomplished the purpose for which it was created and the reviewer who does a fair job of reporting says so and tells why. It is obviously unjust to condemn such a picture by neglect under the star system of rating. At the same time a picture which happens to please the rapidly formed judgment of the reviewer may be boosted far beyond its reasonable merit by an extra star or two under this method of passing judgment.

—Dennis R. Smith, Canton (O.) Repository

See Defeat for Patman Bill

With Bowers of THE FILM DAILY

Washington—Legislation that the Patman bill, seeking to establish a Federal Motion Picture Commission of 13 members with power to censor and confine both domestic and foreign-made films, will not be passed by Congress, according to film industry observers. They feel that the Administration is content to let the NRA negotiate censorship matters without the necessity of additional legislation. A hearing on the bill is scheduled for March 19.

—THE FILM DAILY

EXPLOITETTES

Chi. Papers, Merchants, Radio Plugged “Gallant Lady”

IN EXPLOITING the opening of “Gallant Lady,” Bill Hollander at the United Artists Theater in Chicago put on a swell campaign which incorporated numerous merchant tie-ups, a radio hook-up and plenty of advance newspaper publicity. Starting days in advance, all local dailies played up the engagement with many publicity stories, also giving considerable space to the special art drawing out of the play, with this production. An entire window, consisting of a fashion display of gowns with appropriate cards mentioning that the gowns are replicas of those worn by Ann Harding in “Gallant Lady,” was arranged in the Marshall Field store. Mention of the picture’s engagement was played up in the store ads used in all dailies. A similar fashion tie-up was put over with Mandel Bros., and the French Line Company who used a window display giving full credit to the picture. The radio tie-up was put over with Edelweiss Beer Company through station WMAQ. For an entire week before and all during the run, “Gallant Lady” was mentioned twice daily on their programs. In addition to the broad coverage, many newspapers and 11 x 14 stills were distributed to the various agents selling Edelweiss products. The Max Factor organization distributed 50 special window cards in many cosmetic shops in the city. A special screening was arranged for the Better Film Council and the Federation of Women’s Clubs at which the picture was heartily endorsed. This endorsement was sent out to more than 3,000 members of the above organizations and in around Chicago. The lobby of the theater was decorated with a wide assortment of scene stills, cutouts and other accessories. A twenty-four page sheet, publicizing “Gallant Lady” at the United Artists’ Theater, was placed above the marquee of the Roosevelt Theater.

United Artists

Theater, Chicago.

—THE FILM DAILY

Happy Birthday

Best wishes from THE FILM DAILY to the following on their birthday:

Milton Cohen

George W. Harvey

9
Warner-F. N. Grooming
Fifteen for Stardom
(Continued from Page 1)

now classed as "junior stars" by the company and all have been selected as the result of their talents in handling minor assignments. Enrico Caruso, Jr., heads the list of male juvenile players. Others are Donald Woods, John Eldridge and Philip Faversham, son of William Faversham. The feminine players are Lorena Layson, Barbara Blair, Germaine Greer, Renee Whitney, Maxine Doyle, Lynn Browning, Joan Wheeler, Pauline True, Loretta Andrews, Virginia Pine and Rickie Newell.

Theater Biz Uptown
Shown in Oklahoma
(Continued from Page 1)

are: A. B. Momand's Gem, Muskogee; J. D. Guest's Waurika and Ed Crow's New in Waurika, and Walton Jackson's New in Ringling. Re-openings include the Antlers, Antlers; Kaw, Kaw City; New, formerly SaRoy, Sayre; Roxy, Picher; Savoy, Shawnee, and Wonderland, Sallisaw. The Warner Theater here, dark for two years, also has been re-opened with John Schoeppel as manager.
Every word of this announcement is of vital interest to the showmen of America. On April 10th in Los Angeles an unprecedented opportunity offers itself to theatre owners. The FOURTEENTH ANNUAL CONVENTION of M.P.T.O.A. organized under the most favorable circumstances as regards economy and combination of business and pleasure, promises to be a significant event in the history of motion pictures.

ITS PURPOSES
With greatly reduced fares, and low expenses it has been made possible to plan a real business convention, together with the opportunity of a lifetime to go behind the scenes, learn how talking pictures are made, and to survey coming product.

MAJOR AIMS
To exchange and review actual experience with the functioning of the NRA Code for the Motion Picture Industry
a. The local Grievance and Zoning Boards
b. The trade practice provisions
c. The labor provisions
d. Discussion of how the Code can be improved.

PRODUCER MEETS EXHIBITOR
Here is a real opportunity for round table discussions between the people who make pictures and the people who sell them to the public, exchange of views, experiences and opinions, to bring about a better appreciation of both of the other fellows troubles and problems.

BEHIND THE SCENES
This is the first exhibitor convention in Los Angeles since talking pictures and therefore it is the first opportunity of theatre owners personally to see and examine the actual production of the talking pictures they will play in their own theatres the coming season. Know the technical processes used in manufacturing the product you sell at retail to your patrons.

CONVENTION TOPICS
a. Improved methods in theatre operation, to raise the standards of exhibition, theatre management and theatre advertising.
b. Organized efforts to increase interest in and attendance at motion picture theatres.
1. Cooperation with local and national public groups sincerely interested in motion pictures.
2. In competition with other forms of amusement, such as radio, dancing, carnivals, amusement parks, etc.
c. Protection through organization against unfair and discriminatory taxes on theatres and theatre admissions, censorship, drastic regulatory legislation and ordinances.
d. Double features—an evil or a blessing.
e. Efforts to restrain cut-throat competition between theatres.
f. Modern theatre construction, remodeling and equipment.
g. Labor problems.
h. Public relations programs for the local exhibitor.
i. Famous speakers will address the convention on subjects of interest to exhibitors.

THE FACTS
1. Name of organization: Motion Picture Theatre Owners of America National Headquarters: 1600 Broadway, New York, N. Y.
3. Place and Date: Los Angeles, April 10th to 12th, 1934.
5. Minimum rates: $5.00 single, $7.00 double.
6. For hotel reservations communicate with Ben Berenstein, Chairman, Arrangements Committee, 1914 South Vermont Ave., Los Angeles, Cal.
7. Lowest fares ever offered due to special convention rates. For railroad information and reservations communicate with M. P. T. O. A. National Headquarters, 1600 Broadway, New York, N. Y.
9. Arrange for return trip and route you want, rail or boat.
11. Access to the studios is assured for convention delegates and their guests.
12. Forenoon will be devoted to business sessions, afternoons to trips through the studios and evenings to social affairs, banquet and entertainment.
HOLLYWOOD

MAURY COHEN, producer of Invisible Pictures, has bought "Fifteen," a mystery story by Charles S. Belden. Belden is now writing the adaptation.

Joel McCrea will have the male lead in RKO's "The Sea Girl."

Dan Milner, who supervised the editing, cutting and synchronization for "Are We Civilized?" which Edwina Carewe directed for Rappin Productions, has taken the print to New York, where the Manhattan Symphony will be recording the picture. The picture will have its world premiere in Chicago. Carewe and Milner will return to Hollywood in April.

Our Passing Show: John Robertson, Otto Kruger, Leo Morrisson, Joe Rivkin, Lee Chadwick, Adeline Huser at preview of "The Crime Doctor."

Emil Forst, a recognized authority on translation adaptations from the German, French and Italian, did the translation work for "A Kiss Before the Mirror," "Madame Spy" and "Mystery of the Blue Room."

Don Hartman, who wrote "Romance in Manhattan," which will star Francis Lederer, is so busy at Fox that he cannot accept an assignment to write the screen play for his original story. He and Jay Gorney are working on the story, music and lyrics for "Rodehos on Parade," which will be made by Jesse L. Lasky. To fulfill his contract with Lasky, Gorney was unable to complete his work on the screen play for "Here's to Love" at Universal, but later he and Hartman will write the music and lyrics for the Universal picture.

J. Fred Cukorly, veteran Minnesota exhibitor, is all smiles these days. Tother day he made a hole-in-one on a Hollywood course.

Kubec Glasmon is working on the adaptation of "The Lemon Drop Kid," at Paramount. He recently completed his assignment at Fox, where he worked on the adaptation of "Merry Andrew," which will star Will Rogers. He is also finishing his play, "Shoe String."

Sidney Blackmer will appear in RKO's "And Let Who Will Be Heard." Edna May Oliver also will add an addition to the cast.

Donald Cook has been signed by Columbia for "Most Precious Thing in Life."

Osgood Perkins is the latest addition to Warner's "Madame Du Barry."

First National has changed the title of Joe E. Brown's new picture "Sawdust" to "The Circus Clown." Harold Huber has replaced Gordon Westcott in the cast.

Lee Tracy has been given a five-year contract by Universal calling for four pictures a year.

Fox has bought "She Was a Lady," by Elizabeth Cobb, daughter of Irvin S. Cobb. Al Rickett will produce it, with Helen Twelvetrees headlining the cast and John Blystone directing.

Jesse L. Lasky will make John Galworthy's "The Apple Tree" as his next for Fox. Frank Tuttle is to direct.

DENVER—Mabel Weeks, secretary of the R. E. Griffith office, has been transferred to their offices in Kansas City. Her sister, Clyde Holden of San Antonio, takes over the Denver position.

DENVER—J. K. Dungan, former assistant to Roy Davis, city manager for Fox in Boulder, has gone to Deadwood, where he will join Black Hills Amusement Co.

Palmyra, N. Y.—The Strand, operated by Denny Vassopolous and managed by John A. Meyer, have arranged for installation of Photo phone High Fidelity sound equipment.

Chicago—A. Von Nomikos has contracted with RCA Victor for installation of Photophone High Fidelity apparatus in the Parkway.

CHESTER, N. C.—The Strand has had new Photophone High Fidelity sound reproducing apparatus installed by J. E. Ross, Jr.

THE INDUSTRY'S DATE BOOK

Today: Independent Theater Owners of Ohio regional meeting, Petroleum Hotel, Akron.
March 13: Independent Theater Owners of Ohio regional meeting, Ohio Hotel, Youngstown.
March 14: Independent Theater Owners of Ohio regional meeting, Fort Street Hotel, Cleveland, O.
March 16: Annual awards banquet of the Academy of Motion Picture Arts and Sciences, Hollywood.
March 23: Chicago Film Relief Dinner Dance, Medina Athletic Club, Chicago.
April 17: Motion Picture Convention, Ambassador Hotel, Atlantic City.
April 18-19: Screen Producers Convention, Hotel Ambassador, Los Angeles.
March 10: Indiana Indemnity of Photograph annual state meeting, Hotel Clapp Pool, Indianapolis.
April 14: Universal Club's Easter Ball, Hotel Lesueur, New York.
April 20: Chicago convention of Society of Motion Picture Engineers, Chalontse-Hadden Hall Hotel.
June 16-July 2: International Motion Picture Week, Venice, Italy.

THE CROSSROADS OF THE WORLD FOR THE SMART SET OF THE STAGE, SCREEN AND LITERARY FRATERNITY OF NEW YORK, CALIFORNIA AND THE CONTINENT.
1933's Busiest Artists Fell Under 1932 Record

ROSENBLATT NAMING BOARD ON UNION DISPUTE

White House Gets Plan for Reopening Vaude Houses

$3,000,000 Subsidy is Asked by Group of Actors

Federal appropriation of $3,000,000 to open dark theaters over the country to relieve unemployment among vaudeville actors is asked in a plan received at the White House this week from the Actors' Betterment Ass'n. A letter of approval of receipt of the plan was made to the ABA by Louis McHenry Howe, the President's secretary, who stated that the proposal would be laid (Continued on Page 6)

M-G-M SETS 18 STARS FOR 1934-35 LINEUP

M-G-M's 1934-35 program now taking definite shape as Coast conferences in which President Nicholas Schenk and its representatives will offer 18 stars, it was indicated yesterday following return of Howard Dietz to New York from Hollywood (Continued on Page 6)

Four More Roadshows Set On "House of Rothschild"

Four more roadshows on Century's "House of Rothschild," George Arliss vehicle which has its premiere at the Astor tomorrow night, have been set by A. L. Lichtman, vice-president and general manager of United Artists. It will open March 31 at the Ohio, Cleveland, and the Majestic, Boston; April 1 at the Oneida, Utica, and April 3 at Grauman's Chinese, Los Angeles.

16 Features Was Top Figure For Busiest Players in '33

M-G-M is Granted Stay In "Rasputin" Decision

A substantial decrease in the number of prolific players appeared in last year, as compared with the previous year, is shown in an analysis of screen credits in the 1934 Film Daily Year Book, just out. Whereas in 1932 Berton Churchill established a record of 21 features in which he received a screen credit, in 1933 he dropped to 16, the top figure for the past year, with Grant Mitchell.

shorter Work Week Still Undetermined

Washington—The question of an executive order for a shorter working week, with a compensating increase in wage or salary to maintain earning power, has not yet been decided, it was stated yesterday by General Johnson.

Legit. Theater Code Being Reopened

M-G-M Signs to Release U. A. Product in S. Africa

Distribution of United Artists releases, including Walt Disney shorts, in South Africa will be handled by M-G-M under a deal just closed between Arthur W. Kelly, vice-president in charge of foreign distribution for U. A., and M-G-M executives.

Resort Theaters Expect Big Summer Business

Mascot Pictures Plans Program of 20 Features

In addition to four serials, Mascot Pictures plans a program of 20 features for 1934-35. They will be in four groups, including four exploitation specials to be released one every three months starting June 1, eight western dramas to be re-

Appointing Committee to Determine Operators' Wage Scales Here

Division Administrator Sol A. Rosenblatt last night announced that he will appoint a board to determine an operator's wage scale for the New York metropolitan territory. The plan, made public during a meeting of the Code Authority, is occasioned by failure of representatives of the I. T. O. A. and Local 300 to reach an agreement, following a series of conferences.

Rosenblatt stated he has not yet determined the size of the board, which will embrace both exhibitors (Continued on Page 4)

200 MORE ASSETS RECEIVED YESTERDAY

About 200 more assets were received by the Code Authority yesterday, the compliances having been mailed before the deadline which was midnight Saturday. The exact total of assets may be announced today.

Personnel of 14 of the remaining (Continued on Page 6)

Stanley-Erpi Hearing Slated to Start April 2

Trial of the anti-trust suit brought by Stanley Co. of America against Electrical Research Products, Western Electric and A. T. & T., in which the Warner interests now have a preliminary injunction, begins April 2 in the U. S. District Court, Wil

(Continued on Page 4)

Swamped!

FILM DAILY offices were in a furor all day yesterday answering requests by phone, wire and in person, for copies of the 1934 Film Daily Year Book, following official announcement of publication. Copies are being shot around as fast as the augmented staff can handle them. If you don't get your immediately, have a little patience.
Re-election of Elliott Expected at L. A. Meet

Re-election of William C. Elliott as president of the I.A.T.S.E. and M.P.O. is expected at the organization's biennial convention in Los Angeles June 4-9. The convention sessions will take place that week in the city where headquarters will be established at the Brown Hotel. The Executive Board will meet the week preceding the convention.

13 Shorts Remaining

On Hal Roach Lineup

West Coast Bureau of THE FILM DAILY

Hollywood—Only 13 comedies remain to be made on this season's program at the Hal Roach studios, which are remaining activity in a few days after a two-week recess, according to Henry Ginsberg, vice-president and general manager. All units of the shorts for M-G-M release are well ahead of schedule.

E. W. Hammons and Aides Making Tour of Exchanges

E. W. Hammons, president of Educational Pictures, accompanied by J. H. Skirball, sales manager, and Harvey Day, special representative for Terry-Toons, left last night for a week's tour of six Fox exchanges in the east and mid-west. Besides visiting the exchanges for conferences on the sales of Educational pictures, Hammons will get first-hand views of exchanges regarding short subjects needs before making final decisions as to purchases for Fox's national's lineup for the coming season.

The Fox exchanges to be visited include Cleveland, Buffalo, Cleveland, Cincinnati, Indianapolis and Chicago.

1934 British Year Book Out

Kinetograph Year Book for 1934, published annually by Kinetograph Publications, Ltd., London, arrived yesterday from England. It is a comprehensive and handy volume of British film activities for the past year, containing a trade directory, list of releases, theaters, who's who and other data.

"Scarlet Empress" for Criterion

Paramount's "Scarlet Empress" starring Marlene Dietrich is understood to be slated to open at the Criterion at advanced prices in about four weeks.

Mrs. James Roosevelt on Council

Mrs. James Roosevelt, mother of the President, has accepted the honorary vice-presidency of the Motion Picture Research Council.

St. Louis Exhibs Protest Against More Theaters

St. Louis—Taking seriously the report that Warner's might erect a group of theaters in this locality as a result of the war that is looming between the major company and the Fanchon & Marco interests, President Fred Wehenberg of the M.P.T.O. has written Harry M. Warner protesting against any additional building, if contemplated. The protest was the result of an exhibitor meeting called after announcement of Warners acquiring the Shubert-Rialto. Deal of F. & M. for Ambassador and Central and St. Louis theaters is awaiting court approval. Wehenberg points out that the city already is grossly over-equipped. He plans to call on Warner personally when he goes east this week.

Aliied Still Holding Out

On Assents to Film Code

Indicative that Allied exhibitors are still withholding their assents to the code is the fact that the flood of complaints expected by the Code Authority following settlement of the Allied suit has not materialized. In preparation to handle the anticipated rush the Code Authority had added another girl to its office staff.

A recount of assents, following eliminations of duplications, is now expected to be completed early this week. Deadline for filing assents is midnight tonight.

Margaret Illington Dies

Margaret Illington, former stage star and known in private life as the wife of Major Edward Bowes of the Capitol theater, died Sunday in St. Francis' Hospital, Miami Beach, after an illness of several weeks. Major Bowes was at her bedside when she died.

Coast "Wonder Bar" Sellout

West Coast Bureau of THE FILM DAILY

Los Angeles—Two-dollar premiere of Warner's "Wonder Bar" at the Hollywood Theater tomorrow night has been a complete sell-out since Friday.

In San Diego, Lou Metzger has arranged for a special 51-cent opening on Saturday, with Dick Powell and Claire Trevor by Berkeley, Ruth Donnelly and Helen Fazenda slated to attend the event.

William Rusk Dead

William Rusk, first vice-president of the I.A.T.S.E., died recently in San Francisco, according to word just received at New York by the third official of the organization to pass away within a few days.

450 Exhibs to Attend

I. T. O. A. Installation

More than 450 exhibitors are expected to attend the installation dinner of the I. T. O. A. Monday night at the Hotel Astor, with Mayor La Guardia in charge of the inductions. C. Milton Weisman will act as toastmaster. Dance music will be supplied by Elton Danni and his St. George Hotel Orchestra. Officers to be installed include President Harry Brandt.

Norma Shearer in "Nancy Stair"

Hollywood—Nancy Stair, Bureau of THE FILM DAILY

Hollywood—"Nancy Stair," the Eimor Macaetney Lane novel about Scotland and Robert Burns, will be produced by Irving Thalberg as a Norma Shearer vehicle for M-G-M. Phillip Barry will adapt it.

"Rothschild" Advance Sale Big

Advance sale for George Arliss in "Rothschild," 20th Century Pictures' new release, being featured by United Artists and slated for premiere tomorrow night at the Astor, is so heavy that it has already been decided to give four performances on Saturdays and three on Sundays. Seats are selling two weeks ahead.

12th Week on BROADWAY

JEWEL PRODUCTIONS, 723 7TH AVE., N. Y. C.
If you hired a door-to-door salesman to sell your shows you'd pick the most impressive and convincing one you could find... *Same thing with Trailers!* These Selling Shorts have too much influence on your business to justify trifling with synthetic makeshifts.

Every exhibitor who's used them prefers Warner Bros.' Vitaphone Trailers for Warner Bros. Pictures because... 
- they feature the right selling angles.
- they contain actual action clips and dialogue highlights.
- they are planned and produced by the same studio that made the picture itself.
- and they're presented with all the smartness and novelty that distinguished Warner Bros. Pictures.

Vitaphone Trailers sell better because they thrill while they sell. If you've been using any other, switch to Vitaphone and note the difference at the box-office!

**THE EVIDENCE!**

"Warner-First National is the only company making their own trailers and they are by far the best on the market." — S. H. Rich, Rich Theatre, Montpelier, Idaho

"We use Warner trailers on all their pictures and find that they pay handsome profits." — L. E. Mahoney, New Columbus Theatre, Columbus, N.D.

"The trailer from Warner Bros. sold 'Wild Boys of the Road' for us. I cannot understand why every producer does not make his own trailers. Best business on Wednesday in two years." — J. J. Medford, Orpheum Theatre, Oxford, N.C.
ROSENBLATT NAMING BOARD ON WAGE JAM

(Continued from Page 1)

and operators, and did not know how soon it will begin functioning. Taking
issue with statements of the I. T. O. A. that the original intent of the code was to figure operator costs on an individual picture basis instead of a booth basis, Rosenblatt pointed out that the I. T. O. A. contract with Allied M. P. Operators was made on a booth cost basis. He offered a copy of the agreement, dated Aug. 31, 1933, as evidence.

Rosenblatt will still be working on the report of the Code Authority’s vaudeville committee, under- stood to contain recommendations for modifications of the vaudeville labor provisions of the code.

Staley-Erpi Hearing

Slate to Start April 2

(Continued from Page 1)

in Monti-

ging, Stanley-Erpi, which is functioning in Wilmington, Del. The plaintiff is seeking to broaden the scope of the in-
junction to include all charges of service charged. If Stanley Co. sustains its action, brought under the Sherman and Clayton anti-trust laws, the injunction will be made permanent.

Awaiting Coast

Agency Names

Division Administrator Sol A. Ro-

senblatt is awaiting more nominations before he sets up the agency committee at the Coast, he stated in New York last night. No deadline for filing of nominations for the committee, which will comprise 10 members, has been set, he said.

Alice Brady on L. A. Stage

West Coast Bureau of THE FILM DAILY

Hollywood—Alice Brady will appear in the Los Angeles stage production of biography, to be pre-

sented by Einstein & Wells at the Biltmore starting April 2. Miss Brady is being loaned by M-G-M for this engagement.

Canton Booked in Pittsburgh

Following Warner’s “Wonder Bar,” which broke all records for straight weeks in the Stanley and is being held a second week, the headline attraction will be Eddie Cantor and Dave Remington in person starting March 16.

Services for Maurice Grau

Services for Maurice Grau, artist’s representative who died Saturday, will be held at 1 P. M. today in the West End Chapel, with burial in Cypress Hills Cemetery.

M-G-M SETS 18 STARS

FOR 1934-35 LINEUP

(Continued from Page 1)

six Men Exploiting

“Death Takes Holiday”

Six Paramount exploitation men are in the field handling engagements on “Death Takes a Holiday.” Territories are being covered as fol-

lows: Hal Danson, Boston, Roches-
ter, Syracuse, Buffalo, Cleveland, Detroit; Ben Cordova, New Orleans, Atlanta, Birmingham, Washington, Baltimore, Philadelphia; Gerald Westergren, Dallas, Fort Worth, Kansas City, Oklahoma City, San Antonio, Houston, El Paso; James Ashcraft, Chicago, St. Louis, Omaha, Des Moines, Minneapolis, St. Paul, Milwaukee; Irving Water-

street, Columbus, Cincinnati, Indian-
apolis, Pittsburgh, Louisville, Moun-

ter; Jack Dailey, Los Angeles, San Francisco, San Diego, Oakland, Seattle, Portland, Salt Lake City and Denver.

Chicago Film Critic Resigns

Chicago—Hazel Flynn, for many years motion picture critic on the Chicago “American,” writing under the pseudonym of Bob Reel, has resigned. Miss Flynn also wrote a movie chatter column for the “American” under her own name and through it has built up a large fol-

lowing. She is a product of the old Essanay studio days here and worked with many motion picture people who have since become fa-

mous. Miss Flynn may go to Hol-

lywood. Her place on the “American” has been taken by Charlotte McCormick, who was her assistant.
THE 1935 Film Daily Year Book is Now in Preparation
**HOLLYWOOD**

ARTHUR BLOCH and George Seaton, M-G-M schemers, having prepared their adaptation of “Five Days,” the Eric Hatch novel, are now working on the screen play.

In the event that Patsy Flick of “She Loves Me Not,” now playing in New York, is signed for pictures, it will be a case of “Flick for the Flickers.” Pardon the pun, please.

Arthur Hornan, elder, has been signed by Radio. His initial assignment will be to collaborate with Wanda Tuchock on an untitled original story.

Edward Ludwig, who is directing “Screen of Mr. Sweeney,” at Warner Bros., may next move over to Universal to direct for Bennie Zeidman. Ludwig, recently directed “Let’s Be Ritzies” at Universal, for Producer Henry Henigson.

Dore Schary, formerly with M-G-M and Columbia, is collaborating with Lewis Foster on the screen play for “The Life Love of a Sailor,” which will be made by Universal.

David Burton will direct Elissa Landi and Joseph Schildkraut in “Sisters Under the Skin” at Columbia. Story is by Adele Buffington and Fred Nihlo, Jr.

Ethel Hill is writing the original story, and screen play for “Blind Date,” at Columbia. She is also the author of “A Woman in Her Thirties,” which Warner Bros. recently produced, with Aline MacMahon as the star. Miss Hill also wrote the screen play and dialogue for “Frenzy,” in collaboration with Dorothy Howell.

Kathleen Burke has been added to the cast of “Bulldog Drummond Strikes Back.” 20th Century picture starring Ronald Colman. Roy del Ruth is directing.

Willis Goldbeck is adapting “Wednesday’s Child,” in which RKO will star John Barrymore. Kenneth Macgowan is the producer.

Ralph G. Farnum, in association with Henry Hetcher, has arranged for John Barrymore to appear in Hind’s “Hall of Fame” radio, program April 1. Barrymore will broadcast from Hollywood over NBC.

Columbia’s next Tim McCoy vehicle, which bore the working title, “Highway Patrol,” has been permanently named “Hell Bent for Love,” the story by Harold Schmatke. Lilian Bond plays opposite the star, with Ethel Sykes, Vincent Sherman, Bradleyu, Guy Usher and James Cagney in supporting roles. D. Ross Lederman is the director.

Marquis Bushy, magazine and film critic, died last week.

Fox title changes include “Free Gold,” retitled “Wild Gold,” and “World Is Ours,” renamed “Change of Heart.”

Ann Sothern has the leading role opposite Stuart Erwin in Columbia’s “The Party’s Over.” Walter Lang is directing, with Felix Young supervising.

Pert Kelton has been given a renewal of contract by RKO and is now working in “Great American Harem.”

“Practical Joker” has gone into work at Universal! with Chester Morris, father of both, and Marjorie Nixon heading the cast, and Edward Lamme directing. Story was adapted by Charles Logue from the William Anthony McGuire play.

Charles Marshall has been signed by RKO to write an original, “Murder in the Clouds,” which Kenneth Macgowan will produce.

Mae Clarke has been signed by First National for “Dark Tower.”

William Wellman, who is completing “Stingaree,” with Richard Dix and Irene Dunne, has already been signed by RKO to direct a second picture.

Irv Fichel and Aubrey Smith have been added by Cecil B. DeMille to the cast of his next Paramount picture, “ frostrum.”

Warner’s “Hit Me Again,” recently completed comedy-successor to “Convention City,” has been retitled “Smartly.”

Upon completion of “The Firebrand,” the first of a series of pictures which Constance Bennett and Fredric March are making for the Joseph M. Schenck-Darryl F. Zanuck 20th Century Company, the two stars will begin immediate preparations for their next picture, based on a serialized novel entitled “Half Angel” by Penny Haploa Lea. “The Firebrand” is being directed by Gregory La Cava. Both pictures will be released by United Artists.

Charles R. Rogers marks the start of production on “In Conference” this week by changing the title to “Private Secretary.” The original story by Vera Caspary and Bruce Manning is being made under the direction of Barry O’Brown for Paramount release. Helen Mack, ZaSu Pitts and Grace Bradley are in the cast.

**plan for reopening vaudeville houses**

(Continued from Page 1)

fore President Roosevelt. One feature of the plan is to open a theater here where new acts would be tried out. Assembling of units to give free shows in hospitals and other institutions and in public parks during the summer is also proposed. A complete schedule of cost of operation was submitted with the plan.

**legitimate theater code is being reopened**

(Continued from Page 1)

by the NRA, it was explained, and the reconsideration is in line with the general intention to make modifications after experience has shown them to be warranted.

**mascot pictures plans program of 20 features**

(Continued from Page 1)

released one a month starting May 1, and eight action melodramas to be released starting May 15. One of the serials also will have a feature version.

**F. & M. Deal in St. Louis Awaits Bondholder Action**

Deal whereby Fanchon & Marco and Harry Koplar would take over operation of the Missouri, Ambassador and Grand Central Theaters in St. Louis now awaits approval by the bondholders of the reorganization plan submitted to them, it was said here yesterday by Arthur.

**Indie Producers to Act Against Code Violators**

West Coast Bureau of THE FILM DAILY Hollywood—Drastic action against any of its members who willfully violate the NRA code was promised at a meeting of the Independent Motion Picture Producers’ Ass’n by President Trem Carr.

The association will hold a reception in honor of the delegates to the M.P.T.O.A. convention in April.

**Warner’s Sign Platinum Blonde**

Chicago—Evelyn Dorsol, platinum blonde clothing model, has been signed by Warner and has left for Hollywood. Her picture in a local daily attracted the attention of Warner scouts.

**Radio Recess for Crosby**

West Coast Bureau, THE FILM DAILY Hollywood— Bing Crosby will take a six-months’ radio vacation starting April 13. He will star in his next Paramount production, “We’re Not Drossing.” The picture is one of the six months exclusively to films, the rest to a vacation.

**Spot News from Columbia**

The powerful story of a woman who sought happiness in a penthouse—but found it in an attic. ELISSA LANDI is “Sisters Under the Skin,” with Frank Morgan and Joseph Schildkraut. Directed by David Burton.

The screen’s foremost crook, JOHN BARRYMORE in Howard Hawk’s production of “20th Century.” screen play by Ben Hecht and Charles MacArthur—has the finest supporting cast obtainable. Carole Lombard, Walter Connolly and Roscoe Karns. A Broadway smash that will be even greater on the screen!
**NEWS of the DAY**

New Orleans—Kenneth T. Knoblock, novelist and newspaperman, has returned to film reviewing on the "Tribune" after a four-year absence, folksing Mel Washburn who is on leave.

New Orleans—Mike Pischotta has given up the Laurel. Owner John Winbaker took it over.

New Orleans—Bill Shields, manager of Affiliated's exchange here, is back on the job after eight days' illness.

Boston—Manager Tim O'Toole of Columbia reports "It Happened One Night" has been held for the third week at the Bijou in Springfield and the RKO Keith here.

Milford, Conn.—J. J. Kata has leased the Colonial, Walnut Beach, for five years from Evelina P. Smith. Kata also operates the State, New Britain.

New Haven, Conn.—Mrs. Jack Crawford is now operating the Little Theater, featuring special film shows for children.

Devon, Conn.—Harold Tobachman has taken over the Devon, formerly operated by J. Cornell.

Moosup, Conn.—The Best Theater was destroyed by fire recently.

St. Petersburg, Fla.—Circuit Judge T. Frank Hobson denied Luther W. Jones' petition to take over the Alcazar theater as receiver in a bankruptcy case.

Cleveland—James Scoville of the Scoville Essick and Reif circuit has returned from a seven-week trip to Florida, where he recuperated after a long illness.

Toledo—Howard Feighley and W. N. Skirboll, president and secretary-treasurer of Willard Theaters, Inc., have reopened the Palace.

Cleveland—Leo Jones, M-G-M short subject booker, had an automobile accident en route to Providence where he went to attend the funeral of a relative. His car was smashed.

**THE INDUSTRY'S DATE BOOK**

Today: Independent Theater Owners of Ohio regional meeting, Ohio Hotel, Youngstown.

March 14: Independent Theater Owners of Ohio regional meeting, Fort Steuben Hotel, Steubenville, O.

March 16: Annual awards banquet of the Academy of Motion Picture Arts and Sciences, Hollywood.


**FEATURE and SHORT REVIEWS**

Charlie Ruggles in "GOODBYE LOVE" with Verree Teasdale and Sidney Blackmer in the role of O. L. Laughlin, 66 mins.

CHARLIE RUGGLES SCORES AGAIN EASILY IN HILARIOUS FACE OF THE ALMONY RACKET.

This is practically Charlie Ruggles' picture all the way through. It was built for laugh purposes, and all the comedy comes on his lines and business practices. The plot is highly improbable in many spots, but being outright farce, that is excusable. Ruggles is serving as butler to Sidney Blackmer, and eventually both find themselves paying alimony to their ex-wives. Blackmer tries to chisel on his alimony payments, and that starts all the Ruggles lines in the Atlantic City for a vacation, and meets a gold digging dame (Verree Teasdale) who takes him for his bankroll that his boss gave him. Later he returns to find his boss just getting married to the gold digger. Then when Blackmer learns she is a gold digger he plants a little coup with a lid of a pal, a newspaper man. From here on the fun is fast and furious, and there are plenty of laughs to keep the picture in the class of very lively entertainment.


Director, H. Bruce Humberstone; Author, Hampton Del Ruth; Adaptation, same; Dialogue, same.

Direction, Satisfaction. Photography, Poor.

DuWorld "Bride of Samoa" 28 mins.

Okay

Holding to continuity in fine style, this three-reeler gives a complete story of the preparations for, and the actual wedding ceremony of a Samoan couple. Starting with the introduction of the bride and groom's parents, the story shows and describes all rituals and dances held in anticipation of the wedding. The making of gowns from bark, the brewing of wine, tonsorial preparations and so forth. Finally is shown the wedding with all its native glamor and riotous dancing. The film is very interesting and boasts several sequences in which well-formed native girls are the allure. It is a Phil Brown production.

Fear Auditorium Competition

St. Louis—Fearing that the new Municipal Auditorium and Community Center may hurt theater business, a group of businessmen has been formed by Charles Kurtzman called on Mayor Dickmann last week and were advised that the administration has no intention to enter into competition with regular theater.

M-G-M Gets Broadway Play

"The Shining Hour," Broadway play, has been acquired by M-G-M at a reported price of about $47,000.

**Tabloid Reviews of FOREIGN FILMS**

"DIE MUTTER DER KOMPAGNIE" ("The Company's Mother"), in German; produced by Emelka; directed by Franz Seitz; with Weiss-Felch, Betty Bird, Paul Heidemann, Grit Haid, Leo Peuker, Carl Walter Mayer. At the Yorkville Theater. Military farce dealing mainly with the amusing antics of a first sergeant who is known as the "company's mother." Also has some sprightly romantic interest.

"DER GLOCKSZYLINDER" ("The Lucky Top Hat"), in German; produced by Siegel, Monopol; directed by Rudolf Bernauer, with Felix Bressart, Charlotte Anders, Oskar Sima, Adele Sandrock, Carl Meinhard. At the 79th St. Theater.

Fairly amusing boarding-house romance with good performances by Felix Bressart, Charlotte Anders and others.

No Decision on Service Help

At a meeting Saturday evening in the office of Chas. Mosowitz of Loew's and attended by Mosowitz, Ben Golden, secretary of the NRA Regional Labor Board, and Chas. Levey, secretary of Local 118, building service employees union, dismissal of union employees was gone into with no decision reached on any individual case.

"Nell Gwynne" Finished

London—British & Dominions have just completed production on "Nell Gwynne" at the Boreham Wood studios. Herbert Wilcox directed.
ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Thirty-second Installation

ARTICLE IV—LABOR PROVISO—EXHIBITION (Cont.)

Sec. 6. Methods of Determining Prevailing Wages and Hours as of August 23, 1933

(a) Classification of Employees

This section applies to:

1. Bill-posters.
2. Carpenters.
3. Electrical Workers.
4. Engineers.
5. Firemen.
6. Motion Picture Machine Operators.
7. Oilers.
8. Painters.
9. Theatrical Stage Employees.
10. Theatrical Wardrobe Attendants.

(b) Maximum Hours and Minimum Salary as of August 23, 1933

If the maximum hours and minimum salaries of the employees above mentioned on August 23, 1933, were more favorable to the employees than this Code provides, then they are to be substituted for the provisions of this Code. The wages and hours as of August 23, 1933, refer to those of organizations affiliated with the American Federation of Labor in respect to the type of work in a particular class of theater or in a particular location. If more favorable to employees, they are adopted for that location.

(c) Determining Disputes as to the Prevailing Maximum Hours and Minimum Salaries

If no prevailing scale of maximum hours and minimum salaries existed in the particular community for a special class of employees, or there is dispute as to what such minimum salaries and maximum hours were, then the dispute shall be determined as follows:

I. If Organization Affiliated with American Federation of Labor

If the employee organization is affiliated with the American Federation of Labor, the dispute shall be decided by:

1. A representative appointed by the National President of the American Federation of Labor.
2. A representative appointed by the Exhibitors.

If they are unable to agree as to the existing maximum hours and minimum salaries for the class of theater in the particular locality, they shall agree upon an impartial third person who shall sit with the first two representatives and determine the dispute. If the two representatives cannot agree upon the third person, the Administrator shall designate the third person.

II. If No Affiliation with American Federation of Labor

If the employees are unorganized or the organization is not affiliated with the American Federation of Labor, and they are members of the affiliated organization employed by Exhibitors in that locality, then the dispute shall be determined by:

1. A representative of the unorganized employees; or a representative appointed by the President of the unaffiliated organization; or both; and,
2. A representative appointed by the National President of the affiliated organization; and,
3. A representative appointed by the Exhibitors.

If they cannot unanimously agree as to what were the existing scale of wages and maximum hours, they shall select an impartial person who shall sit with the representatives and determine the dispute. If they cannot agree upon such impartial representative, then the administrator shall appoint an impartial person.

(To be Continued)

200 MORE ASSETS RECEIVED YESTERDAY

(Continued from Page 1)

20 boards were determined at the Code Authority meeting yesterday, Boards which are yet to be decided upon include New York and Philadelphia.

Virtually the entire session was devoted to a discussion of nominations, with the result that several important pending matters were postponed. The committees on financing and manual will hold meetings today preliminary to the next Code Authority session on Wednesday of next week. George J. Schaffer will preside at the next meeting of the body.

Feagin Drama Students’ Last Bill

As their last performance of the season, senior students of the Feagin School of Dramatic Art will give A. A. Milne’s “The Perfect Lady” on Friday and Saturday evenings at the 57th St. Playhouse.

3,000-Seater for Kan. Town

Kansas City—J. W. Johnson, formerly an exhibitor at Augusta, Kan., is building a $30,000 theater, the Ritz, at McPherson, Kan.
Boston, Frisco and Washington Boards Named
COMMITTEE NAMED TO SURVEY 30-HR. WEEK PLAN
Vaude Clauses May Be Modified by Executive Order

M. P. Council
... becomes important

By DON CARLE GILLETTE

UNAFFECTED by the hail of brickbats hurled at its series of "scientific find-
ings" about the effects of movies on the youth of the land, the Payne Fund's Mo-
tors Research Council is embark-
ing on an even more expansive campaign in pursuance of its purpose.

This time, however, its efforts promise to have more practical benefits.

For, instead of conducting microscopic studies of selected subjects, the new aim is to be more directly designed to teach discrimination, appreciation and se-
lection in the matter of screen entertain-
ment; and when this is done on a broad scale the producers will find it to their profit to take cognizance of it.

BIG names are being enrolled in the council's list of sponsors. The roster already has Mrs. James Roosevelt, mother of the President; Dr. A. Lawrence Lowell, Mrs. Calvin Coolidge, Mrs. Albert Bel-
mont, Stephen P. Cabot, and others of national and local importance.

Activities of the group will be national, and from private knowledge of plans which it has under way the Council could easily become an influential and helpful factor, instead of an irritant.

At any rate, its progress will bear watch-
ing.

THE Catholic church of the country likewise have embarked on a move for better films, and here again is a large and powerful contingent that the industry cannot ignore.

In issuing 25 per cent of the movies as bad, however, the Catholics permit the conclusion that 75 per cent of the pic-
tures are okay—and that is a lot of okay in any form of entertainment, amusement or art.

MERELY calling films bad, however, will never improve them or advance pub-
tic tastes.

You can't educate an illiterate person by just harping away at the fact that he knows nothing.

And a thousand years of knocking mov-
ies wouldn't do as much good as one week devoted to educating the public in better appreciation.

Reopening of Code Would
Open Way for Other
Revisions, Is View

Modifications of the vaudeville and presentation labor provisions of the motion picture code are likely to be obtained through Presidential order but not through formal re-
opening of the code, The FILM DAILY learned last night. The N.R.A. legal department is carefully study-
ning the language of the document to determine if such a course cannot be adopted.

The principal reason militating against reopening of the code is that

NEW FRANCHISE UNIT
PLANS 18 FEATURES

Delivery of two features by June
is promised by a new national co-
operative producing and distributing organization now lining up franchise holders under the direction of
Adolph Pollak and Emil K. Ellis, attorney of 1411 Broadway. Prod-
(Continued on Page 4)

Dubinsky Labor Test Case
Goes to National Board
St. Louis—At the request of both
sides, the Regional Labor Board has certificed to the National Labor Board in Washington the Dubinsky case of St. Joseph. This action was taken because Dubinsky rejected the Regional Board ruling that the matter
shall be arbitrated, that two men
(Continued on Page 8)

United Artists Convention
May Be Held on the Coast
United Artists may hold its an-
nual convention in Los Angeles, in-
stead of Chicago, probably in July.

Code Authority Names Boards
For Boston, Frisco, Washington

Local board personalites for Bos-
ton, San Francisco and Washing-
ton, D. C., appointed by the Code Authority, were announced last
night. Undetermined so far are make-
ups of local boards for New York and
Philadelphia. They may be agreed upon at the next Code Au-
thority meeting Wednesday, next
(Continued on Page 8)

First Vaude in 20 Years
Greenville, Mich.—For the first time
in 20 years a vaudeville circuit in
this area has made a contract with a vaudeville circuit in
(Continued on Page 8)

Hijacked!
A messenger loaded with 1934 Film
Daily Year Books was hijacked in the
corridor of an office building yesterday
and relieved of one of the eagerly
sought volumes. The joke is on the
highwayman. The book he took was
branded with the intended recipient's
name stamped in gold. Which explains
why one important exec will have to
cut along for a few days with just a
plain unmarked edition of the
Year Book.

The Code Authority Group to
Study Feasibility of
Shorter Hours
Responding to President Roose-
velt's request that industries gener-
ally reduce working hours to 30 a
week and simultaneously raise
wages, the Code Authority yester-
(Continued on Page 4)

MASS. HOUSE REJECTS
JUVENILE FAN CURB
Boston—By a vote of 59 to 17, the Massachusetts House of Repres-
(Continued on Page 4)

27 Extended Runs to Date
On "Happened One Night"
"It Happened One Night," Co-
lumbia picture with Clark Gable and
Claudette Colbert, has run up two
two-week engagements, five three-
week runs and 20 two-week engage-
ments so far in its distribution car-
(Continued on Page 4)

500 DEPT STORES
HAVE CINEMA SHOPS

Department store "cinema shops"
throughout the country number
about 500 and are in locations rep-
resenting 80 per cent of the pur-
chasing power of the country, Paul
(Continued on Page 8)

corners may be modified by the Executive Order.

DUALS BREAK OUT AGAIN
In Milwaukee Territory

A break in exhibitor ranks in the
observance of the agreed-upon ban
on double feature bills in the Mil-
waukee territory is being reported
to major distributors at their New
York headquarters. According to
reports reaching them, dual policies
are creeping back into existence in
that zone.

Fox Studios Preparing Six New Productions

Hollywood—In addition to seven
work and three being edited, six
news are being prepared at the
Fox studios. They include
"Grand Caucy," "Call It Luck,
"Lover's Lane," "By Royal Command,
"Always Honest" and "Char-
lie Chan's Courage." Those in work
are "Merry Andrew," with Will
Peggs and Peggy Wood; "World
Moves On," with Madeleine Carroll
and Frank Tove; "Springtime
for Henry," with Otto Kruger and
Nancy Carroll; "Wild Gold," with
Mrs. Boles and Claire Trevor; "Too
Many Women," with Warner
Bax-
er; "Now I'll Tell," with Spencer
Tracy, Helen Twelvetrees and Alice
Faye" and "Change of Heart," with
Janet Gaynor and Charles Farrell.

3 Boards for New York

Advocated by I. T. O. A.

Establishment of separate boards
for three sections in the New York
metropolitan territory was advocated
by President Harry Loutsiad of the
I. T. O. A. yesterday as the most
workable and fair plan for
handing this zone under the
command. He urged that Brooklyn, Queens
and Long Island be incorporated into
one subdivision, New Jersey into
another and Manhattan and West-
chester into a third. Brandt favors
this plan in preference to the re-
volving board idea proposed for the
territory.

Rosenfeld to Confer

On Studio Labor Issue

A conference on production labor
provisions of the code that apply to
studio mechanics and sound men is
expected by Divison Adminis-
trator Sol A. Rosenblatt, Pat Casey,
chairman of the producers' studio
labor committee, and representatives
of Local 62; Studio Mechanics,
shortly
after March 15 in New York.

The studio mechanics claim
that they are not receiving 40 hours' pay
for a 30-hour week, as intended in
the code, states President Sol
Scoppa. Sound men also have a
complaint to the effect that wages
paid them by the various studios are
not uniform. The meeting will be
held following the return of Casey
from the Coast March 15.

Decision is Reserved

In Tri-Ergon Appeal

Appellate Division of the N. Y.
Supreme Court today reserved
decision on appeal filed by Amer-
ican Tri-Ergon in connection with a
patent infringement suit brought by
a number of New York's inde-
pendent exhibitors and distributors.
Briefs were filed by Attorney Louis
Nizer, representing the defendants
and David A. Podell, counsel for the
William Fox corporation.

ITOA to Contact Exhib Units

In connection with the I. T. O. A.
plan to coordinate activities of un-
attached exhibitor units throughout
the country, Charles (Chick)
Lewis, director of publicity of the associa-
tion, will contact 2,750 organizations
on a trip on which he will leave
within a month. The I. T. O. A. is
working with units which are not
identified with either Allied or the
M. P. T. O.

A laugh a day from "Harold Teen," Warner Bros. comedy with music from Carl Ed's famous comic strip, featuring Hal LeRoy, directed by Murray Roth.—Adv.

NEW YORK STOCK EXCHANGE

High Low

Am. Sract 5 5 5 5 5 5
Columbia Pts. etc. 25 25 25 25 25 25
Cm. Fm. Ind. 4 4 4 4 4
Cm. Fm. Ind. pfd. 16 16 16 16 16
East. Kodak 90 89 89 89 89
Fox Fm. "A" 16 16 16 16 16
Low's Inc. 33 33 33 33 33
Paramount cf. 3 3 3 3 3
Path Ex. 10 10 10 10 10
Warner Bros. 7 7 7 7
NEW YORK CURBSTOCK EXCHANGE

Techicolor 9 9 9 9 9
Trans-Lux 3 3 3 3 3
NEW YORK BOND MARKET

Gen. T. Eq. 6%. 10 10 10 10 10
Gen. T. Eq. 6½% 9 9 9 9 9
Gold 6% 64 64 64 64
Low 6%. 10 9 9 9 9
Low 6½% 96 97 97 97 97
Paramount 6½% 46 46 46 46
Par. $15.5% 47 47 47 47
RKO 6% 5 5 5 5
Universal 6 6 6 6 6
NEW YORK PRODUCE EXCHANGE

Pork pek 5/1 5/1 5/1 5/1 5/1

MUSICIANS TO MEET IN CLEVELAND

American Federation of Musicians
will hold its annual convention in
Cleveland, June 18-23. Re-election of
Weber as president is antici-
pated.

The Film Daily

Wednesday, March 14, 1934

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John W. Alacate

Editor and Publisher

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FOX FILM announces that the title "FOX FOLLIES" has been changed to "STAND UP and CHEER!"

- Owing to another company’s unauthorized use of the word “Follies” in a picture title, and its subsequent continued use of a similar title, FOX has decided to change its own title of “FOX FOLLIES” to “STAND UP and CHEER!”

- FOX retains the right to use “FOX FOLLIES,” or any variation of that title for any future pictures.

- Because the other company’s picture has already played in many places under the “Follies” title, we feel the use of “FOX FOLLIES” would be confusing to motion picture theatre-goers, and tend to give the impression of a return engagement rather than an entirely new picture.

- Therefore, for the protection of those exhibitors playing our picture, FOX finds it compulsory to make this change of title.
COMMITTEE NAMED ON 30-HOUR WEEK

(Continued from Page 1)
ity by Division Administrator Sol A. Rosenblatt.

Comprising the committee are: Harold S. Barelord of Warner Bros., alternate for Harry M. Warner; George J. Schaefer of Paramount and Charles L. O'Reilly of the T. O. C. C. A report may be submitted at the meeting of the code's administrative body Wednesday, next week.

Although Rosenblatt's request only covers production, the survey is expected to be later extended to bear upon exhibition and distribution.

27 Extended Runs to Date On "Happened One Night"

(Continued from Page 1)

runs to date are as follows: Loew's, Hartford; Golden Gate, San Francisco; Brown, Louisville; Keith's, Boston; 106th St., Cleveland. Two-week engagements up to the present time are as follows: Orpheum, New Orleans; Strand, Memphis; Palace, Cincinnati; Padre, San Juan; National, Stockton; Sierra, Sacramento; Fox, Detroit; Liberty, Seattle; Keith's, Dayton; Rialto, Atlantic; Roxie, Oakland; Orpheum, Salt Lake City; Capitol, Lynn; Court, Wheeling; Chicago, Chicago; Lafayette, Buffalo; Stanley, Philadelphia; Hippodrome, Baltimore; Palace, New York; Palace, Columbus.

Develop New Camera

West Coast Bureau of THE FILM DAILY

Hollywood—A new camera that is said to save hundreds of hours and thousands of dollars in picture production has been developed by William Eglington and Harry Cunningham and their associates of the camera department at the RKO Radio studios. The new camera enables all operations from the outside of the camera instead of from the inside of the casing or blimp. It weighs only 115 pounds loaded as compared with 160 in the old style camera. The camera is being used for the first time in the current RKO picture "Of Human Bondage" and John Cromwell, director, is very enthusiastic about it.

BIG NEWS

AS SEEN BY THE PRESS AGENT

Muriel Evans and Madge Evans, not related to one another, are under contract to the same studio and both have dogs named Mimi.

VAUDEVILLE CLAUSES MAY BE MODIFIED

(Continued from Page 1)

if such steps are taken, the entire code can be subjected to criticism and revision and it is more than likely that the scene would be a repetition of the codifying era in Washington last fall.

Dubinsky Labor Test Case Goes to National Board

(Continued from Page 1)

be used in the booth and 13 discharged men be reinstated pending final decision. The National Board is expected to hold an early hearing on this key case.

The St. Louis Board, following a hearing yesterday, took under advisement the complaint of the I. A. T. S. E. that three operators at the Ritz and Roxy theaters, Blytheville, Ark., were let out for joining the union. Charges were denied by Mr. and Mrs. C. W. McCutcheon, owners of the theaters.

Parley on Labor Case

Washington Bureau of THE FILM DAILY

Washington—Parties to the St. Louis labor case, including labor representatives, are to meet today with Sol A. Rosenblatt to attempt a compromise of the dispute before going to the National Labor Board, it was unofficially understood here yesterday.

Two New Texas Theaters

Dallas—W. I. Swain has opened a 500-seat theater in Freer, new oil town. W. F. McCoy has opened a 300-seat house in Plano and is conducting a contest to pick a name for it.

Testifying on Admission Tax

Washington Bureau of THE FILM DAILY

Washington—John F. Kelley, Ringling Bros. attorney, will appear today before the Senate Finance Committee to testify in opposition to certain phases of the pending revenue bill. His testimony is expected to concern admission taxes.

Happy Birthday

Best wishes from THE FILM DAILY to the following on their birthdays:

Joseph J. Schiller, Charles Francis Reisner, Maitland Rice

CONTINUED
RAFT stands today as one of the best actors on the screen... and given the opportunity in good stories will eventually become one of the greatest stars in the business..."
"He has a tremendous following now... but nothing to what George Raft starring picture with Adolphe Menjou and Franc..."
They Hitched Their Wagons to a STAR!

The Paramount Theatre, New York, Paramount Theatre, Brooklyn, Newman Theatre, Kansas City and Olympia Theatre, Miami report biggest business since "I'm No Angel" on GEORGE RAFT in "Bolero".... and in Los Angeles, Boston, Omaha, and Syracuse the grosses on this picture are at the season's tops!

will have"... after "THE TRUMPET BLOWS", another

NEW FRANCHISE UNIT PLANS 18 FEATURES

(Continued from Page 1)

HOLLYWOOD

EDWIN L. MARIN, who directed "Bombay Mail," "Death Kiss," and several other pictures, is directing "Lattles," a new and un-
versal. Edmund C. Grainger is the associate producer of the picture.

Charles Sturman, ace cameraman, is completing his work on "Uncer-
tain Lady," which Karl Freund is directing. Sturman has photographed numerous Universal pictures.

It seems to be popular to desert
Blackstone in favor of the screen.
In large, Paramount player, has closed his New York law office, while Samuel S. Hinds, who prac-
ticed law in Paducah for several years, is now giving all his time to acting in pictures.

The Westwood Theater Guild,
being founded by Zeppo Marx and Dickson Morgan, will be equipped with a revolving turn table stage and a double deck tier of private boxes circling the rear of the or-
chestra pit.

The Cinegol Sound system recently completed the recording for "A Friend in Need," which was pro-
duced by S. S. Krellberg. Cinegol also handled the sound on "St. Louis Woman," made by Screenraft Pictures.

Jack Vance will make "State Police" as the initial subject of his series of thrill dramas. The story, written by Rhea Mitchell, who was a leading actress in silent pic-
tures. Richard Tucker and Helen and has an open sign to play leads in the picture.

The other day, Guy Kibbee had a scene in which he had to stuff himself with a very complete meal, consisting of roast beef, potatoes, salad, toast and a roll. When Herbert Hugh Herbert said to Kibbee, "I'll buy you that lunch I owe you," Kibbee's retort was not made pub-
lic.

500 DEPT STORES HAVE CINEMA SHOPS

(Continued from Page 1)

Hollister, vice-president of R. H.
Macy and Co., told Film Daily
yesterday.

"It is impossible to state as to
just what national expansion can be
accomplished with these fashion
tie-ups, but handled in a sane, con-
servative manner they are destined to increase considerably in value both for the motion picture com-
pany and merchandiser," he said.

"We are considering the inaugura-
tion of several ideas for men's fash-
ions but there we meet with a dif-
culty psychological problem. We
also believe it would be more comfort-
ably for the actor to look and dress like a promi-
inent movie actresses, but men,
though desiring to emulate men
stars, will not admit it."

"The Cinema Shop is a natural for all concerns. For the mer-
chandising man, the local exhibitor tie-up means a continual animated fashion
show on the screen. For the ex-
hibitor, the cinema shop dignifies the store as a fashion store, and makes itself look and dress like promi-
inent movie actresses, but men,
though desiring to emulate men
stars, will not admit it."

Three Factors to Govern Code Authority Budgeting

Three major angles will be consid-
ered by the Code Authority's commit-
tee on budget, which met yesterday, prepares a financing plan
for the code machinery. They are:

1. The cost of machinery, in which they operate and run clas-
sification of pictures. This com-
mittee, and the manual committees which are engaged in the determin-
ation of the report at the Code Authority's ses-
sion Wednesday, next week.

Allied Planning Campaign
Against High Percentages

A campaign of resistance to "ex-
cess percentages" is urged by Al-
lied States Asn's in its current bul-
letin. A conference of leaders from all parts of the country on this sub-
ject are Probate, be held sometime
next month in New York, the bul-
letin states.

"Ariane" Being Held Over

"Ariane," with Elizabeth Berg-
er, is being held for a second week
at the 95th St. Playground.

Symposium on Arty Shorts

A symposium of film shorts, con-
cluding subjects exhibited in the past
only to private film societies in Paris, London and Berne, will be held
March 31 at the New School for Social Research under auspices of the Film
6 Photo League. Subjects include

"Steiner: "Presents," by Ivor Montfort; "Fall of the House of Usher," by Dr. Watson; "The Coffin Makers," by Frank Capra; "The Hole of the Other," by Man Ray, and newsmakers from the Film Daily. All of the films and their corre-
formances will be at 7 and 9:30 P.M.
"THE CRIME DOCTOR" with Otto Kruger, Karen Morley, Nils Asther KKO Radio 75 mins. CONTRIVING AND SUSPENSEFUL MURDER MYSTERY AND TRIANGLE DRAMA SMARTLY HANDLED ALL AROUND. Combining a rather intricate murder mystery with a tensely developed love triangle, this drama has plenty of stuff in it for the adult trade. Otto Kruger, famous sleuth, has lost the affection of his wife, Karen Morley, who is deeply in love with Nils Asther. Insane with jealousy, Kruger contrives to hang a foolproof murder on his rival, who is duly convicted. Though the murdered girl left a note compromising Asther, the wife refuses to believe him guilty and is ready to face even death for him. Realizing how much his wife loves the man, Kruger confesses, then bumps himself off. To send audiences home feeling better, there is an anti-climax showing that the affair was all just a flash-back story cooked up by the crime specialist. Directs direction by John Robertson and a good script by Jane Murfin. Cast: Otto Kruger, Karen Morley, Nils Asther, Judith Wood, William Frawley, Donald Crisp, J. Farrell MacDonald, Frank Conroy, G. Pat Collins, Willie Fung, Pat O'Malley, Wallis Clark, Samuel S. Hinds, Fred Kelsey, Ethel Wales.

"THE QUIPPER" with Charlie Grapewin, Emma Dunn, William Bakewell Chesterfield 68 mins. PLEASING LITTLE HUMAN INTEREST FAMILY DRAMA WITH A SMALL-TOWN NEWSPAPER BACKGROUND. For the family program houses, this unassuming but well-cast and intelligently handled small-town drama should do very nicely. Action revolves around a family in which the father, Charlie Grapewin, tired of the rut of publishing a country paper, wandered off, leaving the impression he was killed in the war. The mother, Emma Dunn, carries on bravely, but one of the sons, William Bakewell, the elder son, grows up with snobbish ideas and brings about bankruptcy. In the efforts to make a spurt he can marry a rich girl. The father shows up again, but remains in the background with his identity concealed from his son, and when the big crisis comes he steps forth and helps the family make a new start. The characters are all very human and acted with judicious restraint, making the story continuously absorbing and evoking quite a bit of sympathy. Glen Bole is good as the abused younger brother. Cast: Charlie Grapewin, Emma Dunn, William Bakewell, Barbara Weeks, Hale Hamilton, Glen Bole, Mary Karnan, Lyle Hinds, Aggie Macdonald. Director, Richard Thorpe; Author, Robert Ellis; Cameraman, M. A. Anderson; Recording Engineer, Pete Clark. Direction, Fine; Photography, Good.

"NO GREATER GLORY" Columbia 117 mins. MOVING DRAMA OF JUVENILE CONFLICTS WITH STRONG EMOTIONAL HUMAN INTEREST APPEAL. Through the masterful direction of Frank Borzage and the sincere performance of George Breakston, this drama has been lifted from the classification of strictly juvenile entertainment to a screen play that bids well to hold the attention of all ages. It is an adaptation of Ferenc Molna's novel, "The Paul Street Boys," and deals with two warring "secret societies" of boys. The Paul Street Boys, being in possession of a vacant lot where they may play their games, are bullied by the Red Shirts, a group of ruffians who covet the playground. Breakston, a frail lad, is the only private in the Paul Street gang, all other members being officers and permitted to wear uniform caps. George is the "patsy" for everyone and in an attempt to help his group he becomes critically ill. At the time when the two gangs are to fight it out for the lot, George crawls out of bed and enters the fray, but dies as he attacks the enemy "general." The finish has plenty of stuff. Lois Wilson, who plays the mother of George, is the only woman in the cast.


Director, Frank Borzage; Author, Ferenc Molnar; Adapter, Jo Swerling; Editor, Viola Lawrence; Cameraman, Joseph August; Recording Engineer, Clem Reimer. Direction, Fine; Photography, Excellent.

Leon Errol in "Hold Your Temper" Columbia 19 mins. Good Comedy. Starting out like a house afire with a continuous laughing hit, this ought to throw any audience into spasms, this comedy lets down as it goes along and ends without a punch, but still remains an enjoyable affair. Leon Errol, a newly-married business man, starts the morning fine by enjoying a good laugh with his wife over something they read. Then he starts out for the office and runs into one piece of hard luck after another, starting with car trouble and then being aggravated by everyone he meets during the rest of the day, returning home and windup by getting into a scrap with his wife. Dorothy Granger is the pulchritudinous Mrs. Krazy Kat in "Tom Thumb" Columbia 7 mins. Fair Cartoon. Woodland antics of a rather familiar vein comprise the contents of this animated cartoon. Krazy and his girl roo go in a stroll in the forest, where various kinds of animals and bugs are encountered. A big winnamon sneaks up and snatches Krazy's girl, whereupon there is the usual chase until a rescue is effected. World's finest as applied to Técla Culture Pearls means simply this that out of every hundred culture pearls gathered from the cultivated oyster beds of the Orient, only one will ordinarily prove of sufficient excellence to warrant a presentation by Técla. Offered in exquisitely matched necklaces, also in rings, bracelets, earrings and other jewel pieces set in gold or platinum and mounted to special order if desired. Values unsurpassed in Técla history.

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608 FIFTH AVE. AT 49TH ST., NEW YORK
(Adjacent To Rockefeller Center)

Wednesday, March 14, 1934

THE FILM DAILY

REVIEWS « of « FEATURES « and « SHORTS

M-P-T-O-A
CONVENTION
HOTEL AMBASSADOR
LOS ANGELES
APRIL 10-12

Visit HOLLYWOOD.
Visit the STUDIOs.

MOST IMPORTANT EXHIBITOR'S CONVENTION SINCE 1925
LOWEST FARES EVER OFFERED FOR MEMBERS—FRIENDS—GUESTS—HOSPITALITY
INFORMATION—RESERVATIONS
Motion Picture Theatre Owners of America NATIONAL HEADQUARTERS—1600 BROADWAY, NEW YORK CITY

Only the WORLD'S FINEST Culture Pearls ARE WORTHY OF THE NAME Técla

World's finest as applied to Técla Culture Pearls means simply this that out of every hundred culture pearls gathered from the cultivated oyster beds of the Orient, only one will ordinarily prove of sufficient excellence to warrant a presentation by Técla. Offered in exquisitely matched necklaces, also in rings, bracelets, earrings and other jewel pieces set in gold or platinum and mounted to special order if desired. Values unsurpassed in Técla history.

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608 FIFTH AVE. AT 49TH ST., NEW YORK
(Adjacent To Rockefeller Center)
ANALYSIS OF
MOTION PICTURE CODE

By LOUIS NIZER

Thirty-Third Installment

ARTICLE IV—LABOR PROVISIONS—EXHIBITION (Cont.)

III. If No Employees in Community Affiliated with American Federation of Labor

If there are unorganized employees or an organization not affiliated with the American Federation of Labor and there are no employees in the same community who are affiliated with the American Federation of Labor, then the dispute shall be determined by:

1. A representative of the unorganized employees or by the President of the unaffiliated organization or both; and,

2. A representative appointed by Exhibitors.

If these representatives cannot agree upon the existing minimum wages and maximum hours for the class of theater in the particular community, they shall designate an impartial person who shall sit with them and determine the rates of pay. If the exhibitors agree upon such impartial person, the Administrator shall designate such person.

(d) Wages and Hours Pending Determination of Dispute

Pending determination of the dispute, the rate of wages paid by the Exhibitor and the maximum hours then in force, shall not be changed in favor of the Exhibitor without the agreement of the Administrator. Pending the provisions of the Code in respect to hours and wages shall be binding in the meanwhile.

6 Los Angeles Houses

Go to Popkin & Ringer

West Coast Bureau of THE FILM DAILY

Los Angeles—Six local houses went under the Popkin & Ringer Bros., banner last month, the Film Board of Trade report shows. The theaters include the Art and Lark, formerly run by Mr. B. B. Badon and the Burbank, Lyceum, Optin and Moon (formerly Star & Garter), taken over from Gores Bros. Fox West Coast also took over two houses, the Carlton and Rivoli.

Premier Pictures Corp., Incorporated in Colo.

DENVER—Another attempt to produce pictures in Colorado will be made, this time by Premier Pictures Corp., incorporated here with 250,000 shares of no par value, by Merrill E. Shoup, N. M. Driscoll and A. Shovlin. A producer of the new concern is W. A. Stan, G. H. Stan, Edward Fallon, Roy Carver and Allen Curtis. Curtis, who directed for Universal from 1911 to 1918 and later for Hal Roach, Mack Sennett, Al Christie and others, will direct the productions. A studio will be built at once five miles east of Colorado Springs. First productions will be short, with features to get under way probably by fall.

New "Wild Cargo" Book

Sineval and Schuster, book publishers, have published a scarlet edition of "Wild Cargo," written by Frank Buck and Edward Anthony. The book is sold with the release of RKO Van Beuren's "Wild Cargo."

Facts About Films

During 17 years as Mack Sennett's chief film editor, William Hornebeck cut 1,182 pictures.

SHORT SHOTS FROM EASTERN STUDIOS

By CHAS. ALICOATE

PRODUCTION on the two-reel musical featuring Jeanne Aubert and titled "Ooh That Kiss" will be completed Thursday at the Vitaphone studio. Supporting Miss Aubert in the short are The Sizzlers, Ninon Bunyes and Dolores, Raymond Middleton, and Andre and Dimitri, dance team at the Palais Royale. Upon completion of "Ooh That Kiss," Miss Aubert leaves for Europe to star in a feature production in France.

Caravel Film Co., producers of industrial films, is completing a feature length picture for Gulf Refining Co. at its Hemstead studio, and will then begin work on a feature for Sonyo-Vacuum and Goodrich Rubber Co., according to Hobie McKern, sales manager. Studio units are in charge of Dave Pincus and Joe Rothman.

"No More West," featuring Bert Lahr and being produced by Meyer Davis-Val-Beuren for REO release, will be completed tomorrow at the Biograph studio. Supporting Lahr in the two-reeler, which is being directed by Nick Grinde, are Harry Shannon, Florence Auer, Dave Abrams and his orchestra from the Nut Club, and the Rhythm boys. Joe Ruttenberg is in charge of the cameras with Joe Nadel as Production Manager.

Puck Staging 12 Units

Production of 12 stage show units for picture and vaudeville houses is planned by Harry Puck, who has already turned out three of them. He left New York to set up a unit in Des- burgh, where his Pat Rooney unit is playing the Pitt.

Amity Opens Kansas City Office

Kansas City—Amity Pictures of New York has opened a branch here under the firm name of Consolidated Film Distributors, operated by W. L. Norris and W. P. Humston, with Russel C. Borg as general manager.

NEWS of the DAY

Kansas City—Guy Bradford has gone with United Artists and will cover the Kansas territory. He formerly was with Universal.

Cincinnati—J. J. Grady of Fox has moved his family from Chattanooga to Cheviot, Queen City suburb.

Lexington, Ky.—Annabelle Ward, managing director of Phoenix Amusement Co., is in Johns Hopkins Hospital, Baltimore, for observation and treatment.

Columbus, O.—A son was born last week to Mr. and Mrs. Virgil Jackson of Piccadilly and Gaiety theaters.

Cleveland—Fox's "David Harum" did about 60 per cent over average business at the Hippodrome, while Columbia's "Hated One Night" broke precedent at Keith's 105th St. by being held a second week.

4 W. B. Features Arrive from Coast


Gaumont-British Philly Office

Philadelphia—Sam Rosen has been appointed representative here for Gaumont-British pictures by Arthur Lee, executive vice-president. Rosen has established headquarters at 1221 Vine St.

Writing Stavinsky Screen Yarn

A screen play based on the notorious Stavinsky scandal is being prepared by Mo Wax and Ronald Bank. It will be titled "The Boulevard Swindler."

Opera at Broadway Theater

The Broadway, long dark, will reopen March 31 with popular-priced opera put on by the Chicago Opera Co., headed by Alfred Salmin. Tickets will be 99 cents. Ed Hurley is handling publicity.

SHOW MAN'S REMINDER

Make tuips on flowers show for Easter Week.
This BOOK Gives YOU
ALL THE ANSWERS
covering
the MOTION PICTURE INDUSTRY

The 1934 YEAR BOOK OF MOTION PICTURES will not only answer your every question on motion pictures but will be found invaluable every day of the year to EXHIBITORS, DISTRIBUTORS, PRODUCERS, LABORATORIES, EXCHANGES, EQUIPMENT DEALERS, MANUFACTURERS, EXPORTERS, etc.

This important volume of over 1,000 pages covering the industry in its entirety has been published annually for the past 15 years and is the recognized encyclopedia of the Motion Picture Industry and its Branches Throughout the World. The 16th edition is now off the press and is being distributed free to subscribers of the FILM DAILY. Fill in the coupon below and receive your copy of the book NOW along with THE FILM DAILY SERVICE which includes the paper daily six times a week, a Short Subject Quarterly, and all Special editions.

THE FILM DAILY
1650 Broadway
New York City

Gentlemen:
Please enter my subscription to the FILM DAILY, and The Film Daily Service.
I enclose $10.00 (foreign $15.00).

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Fear of ghosts handicaps progress more than realities.

Lay the ghost of prejudice. There's no need for fear of the double feature bogey in the house that plays short subjects with big box-office names... one and two-reel ticket-selling attractions such as Educational is furnishing in its new era featurettes of 1934.

Educational Pictures

have brought you such big hit names from the stage, the screen and radio as Ernest Truex, Helen Morgan, Stoopenagle and Budd, Bob Hope and many others that shine bright on the marquee. Now they bring the triumphant return of Buster Keaton in a two-reel comedy masterpiece, "The Gold Ghost."
Producers Omit I.A.T.S.E. from New Union Pact

FOX SHOWS $1,410,793 PROFIT UNDER NEW SETUP

Circuits See 25% Jump in Nut Under 30-Hr. Week

Heavy Additional Burden Foreseen Under Plan to Cut Hours

Several hundred thousand dollars will be added to operation costs of major circuits if the proposed 30-hour week is passed by Congress, a FILM DAILY survey shows. Circuit executives are now figuring on a 25 per cent boost in overhead based on the cut of 25 per cent in working hours from the present NRA maximum of 40 hours. According to one major circuit official, the average overhead in salaried staff runs about 25% per hour.

RELEASE DATES SET ON 13 WARNER FILMS

Release dates on 13 new Warners—First National features have been taken care of the releasing schedule to the first of June. The list includes: "Jimmy the Gent," March 17; "Wonder Bar" and "Gambling Lady," March 31; "Registered Nurse" and "Harold Teen," April 7.

Sam Kantor Takes Over 3 More L. I. Theaters

Sam Kantor, who is making a comeback in the exhibition field, has acquired three more Long Island houses, the Arion in Middle Village, the Newton in Middle Village, former Skouras house, in Elmhurst, and the Rex, former Warner house. Kantor also has the Queensboro Theater, where he makes his headquarters, and is out for additional houses. His organization is called Tanor Holding Corp.

Rowland and RKO Talking

West Coast Bar. THE FILM DAILY—Hollywood—Richard A. Rowland is discussing production plans with RKO studio executives. Rowland yesterday that he is joining the company in a production executive capacity.

Theater Guild' for Motion Pictures May Be Realized Through M. P. Council

Development of the Motion Picture Research Council into a national organization which, through local committees, might provide the financial backbone for production of exceptional films in the same way as the Theater Guild supports its organization, is seen by the present directors of the Council.

At a meeting this week, preliminary to the nationwide movement being launched by the Council at a conference luncheon on March 21 at the Hotel Roosevelt, 75 socially prominent people associated with the industry were present. The conference was addressed by Sidney Kent, M. P. council chairman.

Boom Year is Predicted by Budd Rogers After Trip

Predicting one of the industry's most profitable years in theater grosses and total sales of film, Budd Rogers, general sales manager for Amkino Pictures, told FILM DAILY yesterday that during his four-week tour of midwest and southeast cities, he saw "great progress in revitalizing the motion picture business in the American theater circuit and a most promising year for exhibitor and producer alike."

I. A. T. S. E. Not Included

Renew Studio Union Agreement

West Coast Bureau of THE FILM DAILY—Hollywood—Basic agreement between major producers and unions was renewed yesterday for two years with the I. A. T. S. E. omitted from the agreement. Producers signed with I. B. E. W. (electrical workers), American Fed.

Further Improvement is Predicted by Kent in Annual Report

In its first annual statement since reorganization, Fox Film Corp. reports net profit of $1,410,793 for the 39 weeks from April 1, 1933, effective date of the reorganization, to Dec. 31. This compares with a loss of $7,550,100 for the 40 weeks ended Dec. 31, 1932. In making the report yesterday, President Sidney R. Kent stated that the management feels the corporation "has successfully weathered a most critical period in its history and looks forward to further improvement."

Paramount to Exploit Dozen Potential Stars

Paramount will exploit 12 players as embryo stars with special trailers and other forms of publicity, during the next four months. The first trailer, "Stars of Tomorrow," is completed and will be sent to all Paramount houses this week. The

"Rothschild" Acclaimed

George Arliss in "The House of Rothschild," 20th Century production released by United Artists, was acclaimed by distinguished press audience at the Astor Theater last night. Reaction of the opening night attendance; substantial preview reports which characterized the picture as one of the outstanding productions of recent years. FILM DAILY reported and reviewed the picture on March 7 and 8.
Both NYC Exhib Units Favor Three-Board Plan

That both New York City exhibitors associations favor establishment of separate boards in three areas of the metropolitan territory was indicated yesterday when Charles L. O'Reilly, president of the T. O. C., expressed himself as viewing such a plan as a solution to the difficulties now confronting the Code authority. The T. O. C., previously registered favor of a three-board plan set up as follows: Brooklyn, Queens and Long Island; Manhattan and Westchester, and New Jersey.

Personnel of the New York local grievance and zoning boards, long a subject of much wrangling at Code Authority sessions, is as yet undetermined.

Roxy and Embassy Lower Prices

Admission prices at the Roxy for Saturday, Sunday and Holiday matinees will be reduced starting Saturday from 65 cents to 50 cents including tax. The Embassy newsreel theater has reduced its morning price from 25 cents to 15 cents up to 1 o'clock.

Mary to Address Foreign Press

A luncheon will be tendered Miss Pickford for the Sherry Netherland Hotel by the Association of Foreign Press Correspondents. Miss Pickford will speak on "The Future of the Motion Picture."

M-G-M Buys James Cain Book


Coming and Going

S. L. ROXBY ROTHAFEL left London yesterday for New York after discussing plans for a "Radio City" in the British capital.

CARL LESERMAN has left New York en route to Paris.

SOL WURTZEL is expected in New York next week from the coast.

C. R. COCHRAN, British theatrical producer and associated with Fox, is coming to New York late this month and will also visit Hollywood.

JOSEPH N. WEBER returns to New York March 20.

MR. and MRS. RICHARD ARLEN and RICHARD ARLEN, JR., arrived from the coast yesterday.

MRS. NORMAN McLEOD arrived from the coast yesterday.

LANNY ROSS arrives from the coast Thursdays.

GEORGE BROWN goes to Washington tomorrow in connection with a White House showing of "No Greater Glory." HELEN VINSON has arrived in New York from the coast for a vacation.

WHITFORD DRAKE, Epi vice-president, arrived in New York from the coast yesterday.

AUSTIN PARKER has gone to the coast from New York.

JACK ALICOATE left yesterday for Miami Beach, where he will spend a week before proceeding to Hollywood to look things over.

JIMMY DURANTE and POLLY MORAN, who arrive in New York today to appear for a week at the Capitol, will return to Hollywood in about two weeks to resume work at the M-G-M studios.

M. J. KANDEL sailed yesterday for Europe.

6 "Wonder Bar" Holdovers

"Wonder Bar" has been set for holdovers in six pre-release regions where it has opened to date. They include the Fox, Atlanta; Warner, Harris; Branford, Newark; Stanfield, Philadelphia, and Stanfield, Pitts- burgh, in addition to the Strand on Broadway. The Warner picture had a flash opening last night at the Hollywood theater, Los Angeles, with house sold out a week in advance.

COVERS EVERYTHING

Each year the Film Daily Year Book seems to improve. Congratulations on your very notable achievement in compiling such a valuable reference book.

Frederic J. Haskin

(America's foremost question and answer man.)

1,000 Pages—Free to Film Daily Subscribers.
**EXPLOITETTES**

Buffalo Merchants Tied Up with "Roman Scandals"

WINDOW tie-ups with the town's leading merchants, played an important part in the huge exploitation campaign put over by C. R. Taylor, manager of Shea's Great Lakes Theater here for the opening of "Roman Scandals." On the decorated shop windows of the merchants, effective tie-ups were put over with eight leading stores. Each store used an entire window display, with signs in three different news distributing agencies. Through Chase and Samborn agents 1,000 cards were displayed in all stores using their brand of coffee. The Kresge store built an entire window on the angle "Enjoy a Roman Holiday at Kresge's"—and then see Eddie Cantor in 'Roman Scandals' at the Great Lakes Theater. The Radio Stations WBEN and WGEN also played up the engagement. Other tie-ups put over in this outstanding campaign were with: Lever Bros., on Lux Soap, got out 1000 special window cards while Yascha Bunchik, formerly orch conductor at the Capitol, will be guest conductor in the Paramount pit... the screen offering will be "Good Dame," with Sylvia Sidney and Fredric March... the completed scores will be dispatched by theater managers to Hollywood... it's the Ole Boloney... but sliced with a Novel Flourish, as it were...
FOX NETS $1,410,793
BY REORGANIZATION

(Continued from Page 1)

with confidence to a gradual but steady improvement in its financial strength and earning power.

On the basis of the 2,436,409 shares of Class "A" and "B" stock outstanding, the 1933 earnings amounted to 88 cents a share, of which $1,980,016, or 44 cents a share, was earned during the last quarter of the year.

Cable revenues for the 39 weeks ended Dec. 30, amounted to $24,288,824 compared with $30,379,900 for the same period in 1932, an increase of 8.9%. During the first quarter of 1933, the period prior to reorganization, operations resulted in a loss of $557,122.

Fox's balance sheet shows current assets of $18,604,065, which includes cash of $5,031,912, receivables $1,691,082 and inventories $11,625,451. Current liabilities of $10,920,294. There are no bank loans.

Following the establishment of affiliated companies, perhaps the deduction for revaluation of $14,586,000 amount to $16,923,054.

Fixed assets, after deducting the usual reserve, stand at $10,632,000. Funded debt comprises: year five per cent convertible debentures, $1,746,606, and subsidiary realty companies' bonds of $2,178,075, a total of $4,124,681.

The net worth of the corporation as shown on the balance sheet as at December 30, 1933, was $31,180,429 including $1,674,354, and was represented by $2,419,359 shares of Class "A" and 16,650 shares of Class "B" capital stock, indicating a book value of $14.44 per share.

The figures exclude operations of Westco Corporation and its subsidiaries, operators of all of Fox Film's theater interests in the United States. Important subsidiaries of Westco are still in bankruptcy and under the jurisdiction of the courts. Fox Film's investment in Westco has been written down to $100 and its advances to Westco and its subsidiaries amounted to $37,108,759 including $1,674,354, and was represented by $2,419,359 shares of Class "A" and 16,650 shares of Class "B" capital stock, indicating a book value of $14.44 per share.

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Summarized interesting facts of the Fox's 

1) Earnings for the first quarter of 1933 amounted to $18,264,086, an increase of 13.9% over the same period in 1932, and $124,639,875 for the year, compared with $147,378,954 earnings of 1932.

2) Cash plus marketable securities, including $2,378,075, increased from $1,811,065 at December 30, 1932, to $2,378,075 for December 30, 1933.

3) Bank credit granted to the corporation was $2,378,075.

American Film

NRA APPEALS BOARD WILL CROSS-EXAMINE

(Continued from Page 1)

By WILLIAM SILBERBERG
FILM DAILY Staff Correspondent

Washington—Hearings before the NRA Appeals Board for small independent exhibitors will differ from those of the NRA, it was stated yesterday by John S. Tappermon, U. S. distributor of French films.

STUDIOS OMIT IATSE FROM NEW AGREEMENT

(Continued from Page 1)

Operation of Musicians and smaller unions, Camera men are covered by a separate agreement with the American Society of Cinematographers.

Boom Year Predicted
By Rogers After Trip

(Continued from Page 1)

leaves he faced definite proof of an upturn in business. The number of closed small theaters that will re-open this spring is unbelievably large," he said, "and because of that and the fact that the farmers are once again able to carry on, western and action films will again be in demand. Cities where liquor is legal are doing a flourishing business in their hotels and local industries. The business of certain merchants has improved 300 per cent over the same period last year."

During his trip Rogers closed deals with B. N. Judell of Chicago and Graphic Exchange in Detroit. Twelve other deals are pending. Rogers will sell direct to first run houses in key cities to be serviced by the state right exchanges. Ben Pollock Orchestra For Vita

Ben Pollock and His Orchestra have been signed by Sam Sax, production chief of the Brooklyn Vitaphone studio, for appearance in a Vitaphone short.

Doe Elliott to Canton

Canton, O.—Wallace "Doc" Elliott, for some time manager of the Ohio theater in Sandusky, will come to Canton as manager of Warner's Alhambra here.

Elmer Rogers at Casino

Elmer Rogers, formerly manager at the Rivoli, Palace, will occupy the same capacity at the Casino when it opens Easter Monday with a vaudeville policy.

Foreign-Policy Houses Hit by Drop in German Films

Reductions in the American market for German films is the result for all foreign pictures because numerous theaters which were devoted to showing foreign pictures have now switched to American films, it was stated yesterday by John S. Tappermon, U. S. distributor of French films.
TO OUR PATRONS!
Sign your name to this testimonial. It will be sent with your good wishes to Norma Shearer.

SHOWMEN! HERE’S A GREAT LOBBY IDEA!
And it’s FREE! Get this 3-sheet from your M-G-M Exchange today. Keep it in your lobby right up to opening of “RIPTIDE.” You can’t begin too early to get your patrons excited about this important film event!

DIRECTIONS:
Set up 3-sheet in lobby, with tack card as illustrated. Affix pencil on string from each side.
ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Thirty-Fourth Installment
ARTICLE IV—LABOR PROVISIONS—(Cont.)
C. EXHIBITION
Part. II. Actor Employees in Vaudeville and Presentation Motion Picture Theaters
Sec. 1. Definitions
(a) Presentation and Vaudeville
Presentation and vaudeville includes permanent and traveling companies of artists playing presentation and vaudeville theaters. It does not include:
1. "Amateur" shows.
2. "rep" shows.
3. "tab" shows.
4. "tent" shows.
5. "wagon" shows.
6. "truck" shows.
7. "medicine" shows.
8. "show-boat" shows.
(b) Traveling Companies
A traveling company means a company which moves from theater to theater irrespective of locality.
Sec. 2. Auditions
(a) Principal
It is an unfair trade practice for an Exhibitor or independent contractor to require a performer to work for less than the minimum salary of this Code by engaging his services under the guise of a public audition or try-out.
1. Benefit Performances
This does not prohibit, however, a performer from giving benefit performances approved by himself or by an organization representing the performer.
(b) Chorus
It is an unfair trade practice for any manager or independent contractor to engage a chorus to work for less than the minimum salary of this Code. It is also an unfair trade practice to give chorus work under the guise of a public audition, break-in or try-out.
1. Benefit Performances
This does not prohibit the chorus, however, from giving benefit performances approved by itself or any organization representing it.
Sec. 3. Rehearsals
(a) Principal
Rehearsal period for principals is limited to four weeks. Principal must be guaranteed two consecutive weeks' pay for work following the rehearsal period.
1. Rehearsals More Than Four Weeks
If the rehearsal period is more than four weeks, the principal must be guaranteed pay for an additional consecutive playing time for each extra week's rehearsal. This does not apply to principals owning their own acts.
(b) Chorus
If a chorus person is engaged for only one week the rehearsal period must not be more than five days. If a chorus person is engaged for two or more weeks the rehearsal period must not be more than two weeks. The employment must follow immediately the rehearsal period.
1. Hours of Rehearsal
The chorus shall not be required to rehearse for more than forty hours a week. The rehearsal shall be considered continuous from the time the chorus is called on the first day of rehearsal until the opening day.
2. Additional Employment
For each additional week of rehearsal there must be compensation for an additional week's consecutive employment.
Sec. 4. Maximum Hours and Minimum Wages
(a) Principals
No maximum hours per week are fixed for artists appearing in stage presentations and vaudeville shows. The reasons that no maximum hours are set up are:
(a) Variations in the operations of theaters.
(b) Changing nature of entertainment.
(c) Services are rendered by artists of unique ability who cannot be replaced.
This Code applies unique conditions in stage presentations and vaudeville business and it is recognized that it is impossible to fix the maximum hours for principals.
1. Minimum Wage—More Than Two Years Experience
For performers with more than two years' theatrical experience the minimum wage is $4.00 per week.
2. Minimum Wage—Less Than Two Years Experience
For performers with less than two years' theatrical experience the minimum wage is $2.50 per week.
3. Minimum Wages—Per Diem Basis
The minimum wages of performers employed on a per diem basis is $7.50 per day net.
(b) Chorus
(a) Maximum Hours
No singing or dancing chorus person shall work more than forty hours per week.
(b) One Day Out with Pay
No singing or dancing chorus person shall receive one day off out of every seven (7) with pay.
(c) Measuring Hours of Work
Working time includes the entire time of a performance or presentation even though the chorus appears in only one or more numbers as an integral part of the presentation. Working time also includes all rehearsal time except the time to dress and undress.
(d) Reporting Hour At Theater
No chorus person is required to report at a theater before 9 o'clock in the morning.
(e) No Rehearsal on Day Off
On the day a chorus person is released with pay he shall not rehearse or report to the theater or perform any service. This provision for a free day does not include or apply to travelling companies.
1. Minimum Wage—De Luxe Theater
The minimum wage for chorus persons in a De Luxe Theater is $30.00 per week.
The minimum wage of a chorus person in a travelling company is $35.00 per week.
3. Minimum Wage—Theaters Not De Luxe
The minimum wage of a chorus person in theaters other than De Luxe Theaters is $25.00 per week.
4. Rehearsal Time for Additional Chorus Persons
If a theater augments the chorus by employing additional chorus persons, such additional persons shall not rehearse more than five (5) days.
5. Evading Minimum Wages by Commissions or Fees
It is an unfair trade practice for an exhibitor or an independent contractor to engage a chorus person under an agreement which would reduce the net salary below the minimum wage through the payment of any fee or commission to any agency or by any other form of deduction. It does not matter whether the fee is paid by the exhibitor or by the independent contractor or by the chorus person.
6. Payments During Period of Lay-off
After the first two weeks of consecutive employment if a lay-off is necessary, the exhibitor or independent contractor shall pay each chorus person not less than $3.00 per day for each day of lay-off.
(a) Payments for Lay-Off of Travelling Co.
In connection with the travelling company, after the first two weeks of consecutive employment, if lay-off is caused on account of travelling, the exhibitor or independent contractor is allowed two days' travelling without pay for each four weeks of employment West of the Rockies and one day's travelling without pay for each four weeks of employment East of the Rockies.
7. Substituting Maximum Hours and Minimum Wages of Aug. 23, 1933
If on Aug. 23, 1933, any theater paid to chorus persons more than the minimum wage and employed them for less than the maximum hours, such more favorable terms are considered to be the maximum hours and minimum wages for such theaters under this Code.
(To be Continued)
A LITTLE from "LOTS"

By RALPH WILK

HOLLYWOOD

JOHN ROBERTSON, who recently
finished "Crime Doctor," has been
assigned by RKO to direct Richard
Dix in "Family Man." Lynn Riggs
adapted it from the Salisbury Field
play, and Myles Connelly is the pro-
ducer.

Educational has completed "No
Sleep on the Deep." Mermaid com-
edy, with Betty Compton, Robert
Warwick, Dorothy Sebastian and Don
Alvarado. Charles Lamont directed.

Busby Berkeley has started en-
semble rehearsals on Warner's "Dames." Archie Mayo will be di-
dialogue director. Al Dubin and Harry
Warren wrote the musical score.

Roger Pryor will be the leading
man opposite Mae West in "It Ain't
No Sin." He replaces George Raft.

"Goes Marching On," an original
story by Bartlett Cormack, based on
the life of the man who used a brazo-
metic "gun" to walk out of the Crown
Point, Ind., jail, is being pre-
pared for production by Paramount.

Kurt Kempler has been engaged by
Columbia Pictures to do the screen
adaptation of his own story, "Mud
Turtle" which will emerge as a
starring vehicle for Jack Holt.

Gayne Whiting, famous "Chan-
du" of the air is recording the narra-
tive for "Born To Die," Education-
al's next release in its Battle For
Life series.

Sam Wood will direct Jean Har-
low in "Age of Larceny" for M-G-M.

Paramount has bought "Prince of
Darkness," by Harry Hervey, for
Charles Laughton. Company also
has acquired "The Notorious Sophie
Lang" and other Sophie Lang stories
by Frederick Irving Anderson, who is
here as adaptation director. William Cam-
eron Menzies will direct.

Ruth Matteson, California girl
who appeared at the Capitol in New
York with Clark Gable in person, is
now under M-G-M contract.

Ethelreda Leopold, Chicago beauty,
recently signed by Warners will be seen
first in "Dames."

Adolphe Menjou and Miriam Hop-
kins are being sought by Charles R.
Rogers for the leads in "I Loved
an Actress," which Paramount will
release. Humphrey Pearce is do-
ing the screen play.

Lee Marcus completed three
shorts and started a fourth at the
RKO studios this week.

Ralph Murphy instead of Harry
Joe Brown will direct "Private Scan-
dall" Charles R. Rogers production
for Paramount. Lew Cody, Phillips
Holmes, Helen Mack, ZaSu Pitts and
Ned Sparks head the cast.

Irene Dunne's new starring vehi-
acle for RKO Radio Pictures will be
released under the title of "This
Man Is Mine." Formerly titled
"Transient Love," it is based on the
stage play, "Love Flies In The Win-
dow," by Anne Morrison Chapin.

Jess Shaw, strong—man, celebrated
college and professional football
player, spent his first three weeks as
property master at RKO Radio swan-
ting flies. Makeup worn by the ac-
tors seemed to attract the pests to
the ranch location of "Of Human
Bondage," and it was up to Shaw to
keep them from pestering the play-
ers during the making of scenes.

Vernon Steele will appear in
RKO's new Clive Brook picture, not
yet titled.

Last Spring, Benny Rubin, the
comedian, who is a baseball fan, was
a favorite with the rookies trying out
for the Los Angeles team. This
season Benny was sent a "contract"
calling for a salary of two ham
sandwiches, but evidently is holding
out for mustard, a Los Angeles
sport writer suggests.

Joe E. Brown is another enthusi-
astic follower of sports. He is the
sponsor of Mike Frankovich, U. C.
L. A. football player, who makes
home with the Browns. When the
comedian attended the Pitts-
burgh-Notre Dame game, he spent
the first half on the Notre Dame
bench and the second with the Pitts-
burgh sidelines.

"I took test after test," said Rich-
dard Dix recently, in commenting on
his efforts to break into pictures.
"More than one producer informed
me, sarcastically, that I was too
homely, too mannish. That was in
the dim days when movie idols had
to be beautiful—or else."

"I really believe that success in
the movies a matter of luck, good
pictures, fortunate breaks and be-
ing unble to enough to take advan-
tage of them," Dix added.

Porter Hall, Broadway player,
will appear in M-G-M's "The Thin
Man," with William Powell and
Myrna Loy.

Thursday, March 15, 1934

SHORT SHOTS from
EASTERN STUDIOS

by CHAS ALICOATE

PRODUCTION on the first of the
series of industrial shorts to be
produced by Mutual Film Corp.
headed by Joe Snitzer and Louis
Simon, starts today at the Hayes
& Renl Studio located in Oceanside,
Long Island. The shorts will fea-
ture fashions and it is understood
that they will be released to de-
partment stores and fashion shops
throughout the country.

"What A Mother-In-Law," all-
Jewish talking picture featuring
Ludwig Sietz and completed at the
Reyes Sound Recording studio un-
der the direction of H. S. Brown, is
being distributed through the Qual-
itv Film Corp.

Production on the short featuring
Ben Pollock and his orchestra sup-
ported by Deke Redding and Minor
and Root will get under way Friday
at the Vitaphone studio. Joe Hens-
bery will direct.

"Skooting on the new Educational-
Coronet comedy featuring the Ritz
Brothers and being directed by Al
Chawl at the Eastern Service stu-
dio in Astoria was completed yester-
day. Doris Hill, Eddie Accuff, Harry
Short and Edie Roberts support the
Ritz Brothers in the short."

Phil Brown will start production
next week on the third of his series
of three-reel travel films. The scene
will be Morocco.

Tribal Reviews of
FOREIGN FILMS

"LA FUSEE" ("The Rocket"), in French;
produced by Via Films, directed by Jacques
Natanson, starring Firmin Gerrier with
Marcel Geniat, Pasquali, Edith Mera,
Lucien Galas, Jeanine Crispin, William Haguet,
Simone Lencoret, Louis Gauthier, Michelene
Bernard, Régine Dancourt. Distributed by
John S. Tapernoux.

"LE SERMENT" ("The Pledge"), in French;
produced by ARCI; directed by
Abel Gance; with Lina Nore, Jean Galland,
Samson Fainsbier, Gaston Dubosc, Antoine
Artaud, Gaby Triquet. Distributed by Pro-
tex. At the Little Carnegie Playhouse.

Rather slow melodrama dealing with
a woman's tragic love complications will ap-
peal only to arty audiences that care for
pictorial psychological studies.
THE INDUSTRY'S DATE BOOK

Thursday, March 15, 1934

THE FILM DAILY

N-E-W-S O-F T-H-E D-A-Y

Salt Lake City Squibs
Salt Lake City—Mayor Louis Marcus, head of Marcus theaters, is due back from California in a few days with 15 extra pounds. He went West to recuperate after an operation.

C. W. Peck of the Universal exchange is back on the job after a siege of pneumonia.

U. A. is moving into handsome new surroundings on Film Row.

Norman H. Moray of the Vitascope home office is due here in a few days for a call on Branch Manager Bill Gordon.

Managers of four Logan theaters have protested to the city commission against a new ordinance, sponsored by the operators union, requiring examination of all projectionists and a $5 license fee.

Don Connley, U. A. salesman, was injured in an auto accident at Livingston, Mont., and will be in the hospital there for a couple of weeks.

Kansas City, Mo. — "It Happened One Night" broke all existing records at the RKO Mainstreet for straight picture and almost equaled the all-time record of picture plus stage show. The last day was better than the opening.

Chicago—The Dearborn theater, North Side neighborhood house, has been redecorated and refurnished completely and will reopen shortly.

Ocala, Fla.—Opening of the Dixie theater is set for March 17. Gordon Reap is manager.

New Orleans—Phil Sliman and Bob Kelly have taken over the Laurel here. Kelly, former exhibitor, films salesman and booker, will manage, while Sliman, a New Orleans representative of the Sliman New Iberia interests, will buy.

Boston—Jack Goldstein, publicist for RKO Theaters in New England, is back from Bermuda.

Fall River, Mass.—The Academy has been incorporated with Timothy J. Feeney as president and Esther C. Whalen, treasurer.

Milwaukee—An amicable settlement of the threatened strike of ushers and doormen was effected by Charles Conway, representing the employees, and Fred S. Meyer, Charles Washichek and John A. Ludwig, representing exhibitors.

Menasha, Wis.—The Orpheum has been closed indefinitely.

Milwaukee—H. E. Lotz, formerly with United Artists in New York, has been named manager of the local exchange. Eddie Krofta, U. A. office manager here for several years, has been named to the sales division.

Goldwyn Signs Scene Artist
Serge Soukieine, scenic artist of the Metropolitan Opera Co., has been signed by Samuel Goldwyn as technical art consultant on Tolstoy’s “Resurrection,” which goes in work on the coast April 15 as one of the four productions by Goldwyn for the new United Artists lineup. Robert Mamoulian will direct. Goldwyn left this week for the coast.

Civic Groups Plug "Earth Turn" Minneapolis—Warner’s "As the Earth Turns," which opens tomorrow at the Minnesota, is being plugged by various civic groups including the Commerce Ass’n, Parent-Teacher Ass’n, Better Drama League and others.

Birmingham—The Mickey Mouse Club promoted weekly at the Alabama by George Nealans, assistant manager, has grown to where it now has 5,000 average weekly attendance and is growing at the rate of 100 a week.

Barberton, O.—Plans are under way to reopen the Lyric about April 1.

Bluffton, O.—Lock Jennings and his father, J. R. Jennings, have leased the Star from James Sechler.

Holgate, O.—C. A. Ward has leased the Palace from B. Dieter.

Brownsville, Pa.—Theodore J. Laskey, has taken over operation of the Strand, until recently operated by George Laskey, deceased.

Mt. Gilead, O.—George B. Beeck has leased the Rex and is maintaining a seven-day schedule with three weekly changes.

Milwaukee, Wis.—Peerless Picture Co. will open an exchange here March 20 under the management of Fred Stein of New York.

New York

Sylvan Amusement Corp., Manhattan. Theatrical and motion pictures.

Harry H. Levine, Alice Levin and Jules Schlessinger, Attorney.


Mary C. Monahan, Lillian Corney and Edward J. Clarke, Attorneys.

O’Rine, Driscoll & Raftery.


Paul J. Fewer, Samuel Seaman and Edward Grob, Attorneys.

Henry Saks Mochheimer.

Rottenstein Amusement Corp., Kings County. All branches of motion picture business.

Samuel Rottenstein, Sam Rottenstein and Rose Holub, Attorneys.


Benjamin Friedman, Attorney.

Meyer Friedman, Harmon Yaffe, Inc., Manhattan. Theatricals, motion pictures and vaudeville.

Nathan E. Percy, Lawrence S. Temkin and Eugene Slomin, Attorneys.


Alber H. Green, Inc., Manhattan. Theatrical and motion pictures.

Henry Rosenfield and Fanny Skolnick, Attorney.

Marwil Theater Corp., Manhattan. Theatricals, motion picture and vaudeville.

Louis Friedman, Florence Rosefield and Estelle Rainer, Attorneys.

Pampano & Price.

Film Rawlack Corp., Manhattan. Motion pictures and vaudeville.

C. H. Cohn, Jonesville, and John K. Rothman, Attorney.

Stark, Rutter, Kenyon, Klups & Price.


Walter L. Keiley, L. Frank Baron and Herbert R. Berk, Attorneys.

A P R I L

10-12

L O W E S T

R A T E S

E V E R

O F F E R E D

F O R


M E M B E R S

F R I E N D S

A N D

G U E S T S !


C O N V E N T I O N

L O S A N G E L E S

V I S I T H O W L L O D G E A N D T H E S T U D I O S !

R e s e r v a t i o n s — I n f o r m a t i o n

M o t i o n P i c t u r e T h e a t r e O w n e r s o f A m e r i c a

N A T I O N A L H Q U A R T E R S

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N e w Y o r k C i t y

An Open Forum on Exhibition’s Problems

Most Important Exhibitor’s Convention Since 1925

Reservations—Information

NATIONAL HEADQUARTERS

1600 Broadway

New York City
Used in 7 out of 8 American Pictures in "1933's TEN BEST"

OF THE Ten Best Pictures of 1933 chosen in the Film Daily's poll, eight were American productions. Of those eight, seven were photographed on Eastman "Gray-Back." This is outstanding evidence of the acceptance enjoyed by Eastman Super-Sensitive Panchromatic Negative among cameramen and producers... and a signal tribute to the versatility and unfailingly high quality of the film itself. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative (Gray-Backed)
RKO to Establish Own Exchanges in Foreign Field

“CAVALCADE” PICKED BY ACADEMY AS BEST FILM

Collection of Wage-Hour Data Ordered by Johnson

Labor Statistics Bureau Making Survey Under All Codes

By WILLIAM SILBERBERG

Washington—Administrator Hugh S. Johnson, on authority of an executive order of Dec. 7, yesterday authorized the collection and compilation by the Bureau of Labor Statistics of payrolls, number of employed and man hours worked from all industry members operating under approved codes. Forms for the submission of the required data have been prepared and procedure for gathering the reports has already been determined by the bureau, which will use its own facilities as well as other federal and

COMPLAINTS ARRIVING AT NRA REVIEW BOARD

Washington Bureau of THE FILM DAILY

Washington — Several informal complaints have been received at NRA review board headquarters from the film industry, it became known yesterday. The complaints which so far number about 20, according to a board spokesman, are awaiting the formal filing by the

Jones, Linick & Schaefer Acquire Majestic, Chicago

Chicago—The Majestic, a long important Orpheum circuit house, lately playing films, has been acquired by Jones, Linick & Schaefer, who also have the State-Lake and Wards. It reopened April 1 with a new policy, probably vaude-vilms.

Not Unionizing Ushees

Local 118, service employees, is understood to have dropped its plan to organize usheres and will instead continue its activities to other house employees. The move has been planned nationally.

WINNERS OF ACADEMY AWARDS

West Coast Bureau of THE FILM DAILY

Hollywood—Winners of awards for 1933 conferred by the Academy of Motion Picture Arts and Sciences were announced last night as follows:

Best Performance, Actress .......... KATHARINE HEPBURN (Morning Glory)
Best Performance, Actor .......... CHARLES LAUGHTON (Henry VIII)
Best Direction .......... FRANK LLOYD (Cavalcade)
Best Original Story .......... ROBERT LORD (One Way Passage)
Best Adaptation SARAH Y. MASON and VICTOR HEERMAN (Little Women)
Best Photography .......... CHARLES LANG (Essence to Arms)
Best Art Direction .......... WM. DARLING (Cavalcade)
Best Sound Recording .......... HAROLD C. LEWIS (Essence to Arms)
Best Shorts .......... Three Little Pigs (Disney)

So this is Harris (RKO), Krakatoa (Educational)

Seek to Write NRA Penalties into State Law

Washington Bureau of THE FILM DAILY

Providence—An act introduced into the General Assembly would write all provisions and penalties of the NRA into the State law, making violations of the national act punishable by the State. It has been referred to the judiciary committee and leaders predict little opposition. If it goes through, violations of the theater rulings could be brought to task in the State irrespective of national procedure.

Cullman Complains On Courtesy Tickets

Complaint that the Mayfair is still using "courtesy" tickets, admitting persons on payment of a 15-cent service charge, was made yesterday by Howard S. Cullman of the Roxy in a letter to Sol A. Rosenberg. A previous complaint by Cullman to the Division Administrator a week ago brought the reply that the Mayfair had been instructed to stop the practice, which violates the code.

Own Exchanges in Foreign Field Likely for RKO, Says Reisman

RKO will likely change its entire foreign sales policy from state-right distributors to company-controlled exchanges during the next few months, Phil Reisman told FILM DAILY yesterday. The move is the result of Reisman's recent trip abroad during which he surveyed sales conditions and the advantage of direct supervision over all foreign sales. Latest move in the direction of company-controlled exchanges is the opening next week of an RKO exchange in Japan with S. F. Lindstrom in charge. The RKO product has heretofore been distributed there by the Chidori Company. The territory has 1,660 theaters, 450 of which are wired. It is possible that another RKO exchange will be opened shortly in France. Offices are already functioning in India, Australia, United Kingdom, Mexico and Panama.

Hepburn, Laughton, Lloyd Among Winners of Awards for '33

By RALPH WILK

West Coast Manager, THE FILM DAILY

Hollywood—Best production of 1933 was Fox's "Cavalcade," the best performances of the year were given by Katharine Hepburn in "Morning Glory" and Charles Laughton in "Private Life of Henry VIII," and the year's best job of direction was done by Frank Lloyd on "Cavalcade," according to the vote of the membership of the Academy of Motion Picture Arts and Sciences announced last night at the annual awards banquet at the Hotel Ambassador. Complete list of winners appears elsewhere on this page.

Selection of "Cavalcade" as the outstanding film is reflected in the re-

EASTMAN REPORTS

100% JUMP IN NET

Net of $11,119,044, equal to $4.76 a share, the common, is reported by Eastman Kodak Co. for 1933, against $4,058,748 or $2.52 a share the previous fiscal year, which covered 53 weeks. William G. Stuber, president, said that volume of business gained substantially the latter part of last year, while various economies were effected.

James Cherry Supervising Interstate Dallas House

Dallas—James Owen Cherry has been made city manager of all local Interstate theaters, it is announced.

Stands Fire Test

Birmingham — The $1,000,000 Alabama Theater went the other day when a $3,000,000 blaze destroyed nearly a block around it. Theater's damage was only a few holes in the roof. A well between the adjoining building was filled with water, and this is believed to have helped save the theater.
Saturday, March 17, 1934

**Comming and Going**

DOUGLAS FAIRBANKS and DOUG, JR., have left London for a trip to Rome and Algiers.

DAN GREENHOUSE, formerly on the staff of the Associated Press in COLUMBIA, sailed yesterday on the Santa Lucia to櫃格特塞, GOA.

WILLIAM C. ELLIOTT, president of the A. T. & S. E., returned to New York yesterday.

ED KUTKENDALL will be among those present in Washington next week to oppose the Patman bill when it comes up for hearing.

MILTON BEECHER of the M-G-M public relations department left New York yesterday for the Coast.

RUSSELL HOLMAN has arrived in New York from Hollywood.

HAMILTON MCFADDEN arrived in New York yesterday for a two weeks' vacation.

FRED WILCOX of the M-G-M coast production department returned to Hollywood yesterday.

ARTHUR KOBER lollt Hollywood this week for New York.

SAM SAX soils today on the Conte Savoia on the way from abroad.

EVELYN LAYE sailed on the Majestic yesterday for England.

LUSIS LEWIS of the William Morris Agency branch in Paris sails today on the Paris to the other side.

J. MUIR is coming east within the next three weeks to attend the Broadway opening of Warner's "As the Earth Turns."

**Complaints Arriving**

At NRA Review Board

(Continued from Page 1)

complainants of their grievances a "special form" drafted by the board, and until those are received it was stated, no hearing can be ordered. The complaints apparently refer to alleged monopolistic practices.

S. A. Lynch Back in Two Weeks

Setting at rest reports to the effect that he was leaving Paramount statement was made yesterday that Mr. Lynch will return to the company's home office in two weeks. It is now in Florida recovering from illness. Lynch is identified with the Public Enterprises advisory committee.

May Make "Juarez" in English

Columbia is considering an English version of "Juarez and Maximilian," which it recently produced in Spain in conjunction with Miguel C. Torres.

Teich Bros. Get Newark Office

Newark, N. J.—Teich Bros. have acquired the Congress here. They will take possession Monday, operating the house on a straight film policy.

**Expedition Returns**

The Lock-Roosevelt expedition, headed by Andre Birsek, well known to "Gourna-Goons" and Capt. Eric E. Loch, returns tomorrow. The voyage will be made by the E. W. F. Line, which has won the prize from Central America, where pictures were made of native ritual, etc., around the Aztec. The trip will stop at the Hotel Monteclair for a few days.

**Along the Rialto**

With PHIL M. DALY

- - -

A COMMITTEE for the Stage and Screen.

headed by Gladys Cooper and Walter Huston, met with the British Consul General, the Hon. Gerald Campbell, on Wednesday, to consider plans for a monster benefit under the direction of the Associated British Charities. . . . the performance will be given at the Metropolitan Opera House on Saturday, April 15. Many celebrities have volunteered to entertain.... including Dennis King, Ruth Etting, Millis Brothers, Boswell Sisters. Major Edward Bowes will be in charge of the ceremonies. Capt. Harold Acan is chairman of the entertainment committee.

- - -

NIFTY TIEUP staged by Harry Goldberg.

Warner's exploiters in the Philly territory has appointed a Bar at the Stanley... co-operating with WIP, which had five remote controls into local hotels. Goldberg contacted the orchestra in a nearby restaurant and on the music from the pix... the radio station hooked 'em in another in the same broadcast. . . . which also included preliminary announcements on the picture and on the stunt itself.

- - -

FIRST MAN ever to direct himself in a talking picture . . . that's what Al Beasch is claiming for his in a two reel comedy he wrote and directed for Radio he enacted a scene by a complicated system of mirrors he was able to watch himself work up a Goldberg concoction . . . and is trying to patent it. . . . Jimmie Fox, who appeared in Joe Cook's "Hold Your Horses," has been signed, through negotiations by Arthur Copeland, for "Hold Your Horses!" being completed abroad by Luis Tenker for Universal release. Radio's "Wild Cargo" will have its premiere at the Music Hall March 29.

**FINANCIAL**

**NEW YORK STOCK MARKET**

Net

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**NEW YORK BOND MARKET**

Trans-Lux 2% 2% 2% 2%

**SECURITIES**

Para | Public | 5% 5% 5% 5%

James Cherry Supervising Interstate Dallas House

(Continued from Page 1)

by R. J. O'Donnell, general manager of the circuit. Cherry will have his headquarters at the Palace, where he continues as manager, and will have jurisdiction over the Majestic, Melba, Old Mill, Capitol and Arcadia theaters, which are all employed by Interstate in other Texas cities, but has not been effected here before. Others holding similar posts include E. E. Collins of Houston; Raymond Willke, San Antonio; E. M. Levy, Fort Worth; J. P. Harrison, Waco; Louis Nover, Austin, and John Paxton, El Paso.

Payroll Data Report Ordered by Johnson

(Continued from Page 1)

state agencies where necessary. No publication of any reports in any manner which will result in the disclosure of the identity of information furnished will be made.

Detroit Exchanges Reorganized

Detroit—Charles A. Garner has recognized Foreign Film Distributors, which he formerly operated with Paul LeVeque, as Regal Film Attractions. The new office, in the Film Exchange Building, will handle foreign features.

New House for Ensley

Birmingham—N. H. Waters is to start the construction of a new theater at Ensley, while R. B. Wilby is planning to remodel the Franklin, which he acquired a number of years, and reopen it, giving downtown Ensley three houses.

**Happy Birthday**

Best wishes from THE FILM DAILY to the following on their birthday:

Edward Golden
Sonnys Mace
Betty Connors
Barlett Corcoran
Edward Everett Horton

2
Of course FOX WINS THE ACADEMY OF MOTION PICTURE ARTS AND SCIENCES AWARD FOR THE BEST PRODUCTION ("Cavalcade") OF 1932-33

Just as FOX won the nationwide Film Daily "Critics Poll" for the year's best picture... and won two out of the first three places in Motion Picture Herald's "Biggest Box Office Names" questionnaire. Every day brings added prestige and profit to exhibitors playing FOX pictures.
M. P. Academy Selects "Cavalcade" Best Film
(Continued from Page 1)

suits of the recent Film Daily nationwide critics' poll of the Ten Best Pictures in which this production took first place by a wide margin. Nominations on which the Academy voted were:


Best Direction—Franc Coppy, "Lady for a Day;" George Cukor, "Little Women;" Frank L.消防安全


Best Short—Cartoons—"Building a Building," (Director, Isor Terri Old Soul); "Valentine," "The Three Little Pigs" (Disney Co.); "The Three Little Pigs" (Disney Co.); "Ain't Dune Universal); "Preferred List," (Luis Brocco; "RKO: "Rowan and Bond;" "Brook-KKO; Novelties—"Krankel" (Educational); "Mme. Ham;" "Pete Smith, M-G-M, and; "The Sea" (Educational).

Flinn Not to Run Again for Ampro

John C. Flinn will not be a candidate for re-election as president of the A.M.P.A., partly owning to the press of his duties as executive secretary of the Code Authority. He is now completing his second term as head of the organization, having previously served in 1926. William Ferguson of M-G-M seems likely to be selected as president.

Rapf Renew M-G-M Contract

West Coast Review of THE FILM DAILY

Harry Rapf has signed a three-year renewal of his contract as M-G-M associate producer.

Indie Pix at Pier

Atlantic City—Million Dollar Pier is planning to play a string of independent pictures this summer.

THE FILM

DAILY

Saturday, March 17, 1934

1. A. Finds No Code 'Jokers'

"Indisputable proof of the folly of the belief that the Code has been successful in injecting certain jokes in the Code has been firmly established by practical application of the questionable plots by progressive local organizations says the current L.A.T.S.E. bulletin.

« REVIEWS of the NEW FEATURES »


M-G-M 79 mins. MUSICAL REVUE with GOOD GROUP OF MARQUEE NAMES AS ITS BEST.

George White's idea of making a screen melange of old-time songs, and picture of the stage stuff has resulted in just that, and while it is pleasing in its way it may suffer in the light of the zappy standards that have been established by film musical entertainment. The production is almost a continuous succession of song and dance specialties, with nothing much new, although the spots provided chiefly by Jimmy Durante, while a rather makeshift backyard story bobs up every now and then but hasn't enough guts to arouse much interest. Several of the musical numbers are amusing. Cast: Rudy Vallee, Jimmy Durante, Alice Faye, Gregory Ratoff, Adrienne Ames, Cliff Edwards, George White, Dixie Dunbar, Gertrude Michael, Richard Carle, Warren Hymer, Louis Calhern, Bobby Bailey, George Irving, Ed Le Saint, Meg'n Kiddies.

Directors, George White, Thornton Freeland, Harry Lachman; Story, George White; Additional Dialogue, Jack Yellen; Camera-men, Lee Garmes, George Schneiderman; Camera-Adaptor, A. L. Von Kibach; George Lavender; Music and Lyrics, Ray Henderson, Jack Yellen, Irving Caesar; Editor, Paul W. Hennessy; Direction, Good. Photography, Good.

"COMING OUT PARTY" with Frances Dee, Gene Raymond, Alison Skipworth.

Fox 79 mins. MILDLY ENTERTAINING ROMANCE OF SOCIETY DEB HAS POP APPEAL IN HER LOVE FOR A POOR BOY.

The story of a society deb falling in love with a man outside her social circle is just to be mild entertainment. Her love for a poor youth will not doubt catch the popular fancy, and Frances Dee is a competent star. It lacks considerable the popularizing and editing eliminated some scenes that would have served to make the film more coherent. Even so, the material does not permit the director or players to get over any effective message, and the result is that no particular sympathy is aroused for the poor little deb or the worthy though humble fiddler she wants to marry. Frances Dee is given her coming out party after she has seen her sweet heart dopart on his way to Europe to cover a concert tour that will keep him away a year. Meanwhile conditions demand an immediate marriage, but the youth departs ignorant of this fact. Then the party, the girl's desperation, and sudden impulse to elope with a drunks don of the slum to make rich, this muddled situation is worked out to a more or less satisfactory climax.

Cast: Frances Dee, Gene Raymond, Alison Skipworth, Nigel Bruce, Harry Green, Gilbert Emery, Marjorie Gateson, Clifford Johnson, Jessy Ralph, Germaine de Nollet, Lionel Atwill; Authors, Becky Gardiner, Gladys Unger; Adaptors, Gladys Unger, Jesse Lasky, Jr.; Recording Engin., George Lavender; Cameraman, John Selig.

Direction, Fair. Photography, Good.

Sylvia Sydney, Fredric March in "GOOD DAME" 74 mins.

Paramount .

SILDEY AND MARCH WASTED IN FRIDAY COMEDY-DRAMA OF CAREER LIFE.

The versatility of Fredric March is again tested, and once more he registers with a characterization differing greatly to a career that was by no means at its best, but is assigned, with all his fine work and the convincing performance of Sylvia Sidney this feature falls to click. March plays the part of an illiterate card sharp with a carnival. Sylvia Sidney portrays a character who, because she is broke and stranded, joins the carnival as a dancer. The couple are brought together continually and through a series of mishaps, they are continually in trouble. Sylvia gets discharged from the troupe and March follows her. They start selling a non-squeak oil and try to sell to the gallon. March is arrested in the wrong apartment house and March lands in jail with Sylvia coming to his rescue.


Director, Marian Goring; Author, William L. Lamon; Author, Beckey Gardiner, Gladys Unger; Recording Engin., George Lavender; Cameraman, John Selig.

Direction, Fair. Photography, Good.
Indie Producer Ass'n to Force Code Observance

MPTOA-STUDIO DEBATE PLANNED AT COAST MEET

Four Regional Vice-Presidents Are Named by Allied

Block Booking

By DON CARLE GILLETTE

IT IS a pity that so many film crusading groups, which are apparently sincere in intent and substantial in potentialities, have allowed themselves to be excluded from acceptance of "the block booking evil" as a battle cry. There are so many other angles and aims that would interest the public and gain its support in a far greater degree. Regardless of the bad points of block booking—and there probably are as many as a rose has thorns—the smarter exhibitors know that it is far better to the bedlam that would exist without this trade expedient.

Block booking has nothing whatever to do with film quality, all hollywood theories to the contrary notwithstanding. Producers are trying to make the best pictures possible because they know the best pictures make the most money whether block-booked or peddled from door to door. There has never been any block-booking problem, yet the ratio of outstanding stage hits for years has been far below the outstanding screen achievements, while the percentage of legitimate financial failures has topped the films by three to one—and all this despite the greater freedom enjoyed by the stage.

EGIT was at its best and most prolific when the Klaw & Erlanger empire of theaters assured sufficient playing time to encourage production of the most worthy attractions. Without block booking to assure them a regular supply of product, exhibitors would find themselves periodically obliged to close their theaters—a condition that would drive them willingly to the alternative of playing far worse pictures than they now get.

Without the block-booking system, nearly all of the country's magazines, not to mention newspapers, depending heavily on subscriptions paid in advance—though subscribe-

Code Violations to be Punished by Independent Producer Ass'n

by Jack Warner in Town

Jack L. Warner arrived in New York from the coast Saturday morning, in time to see Mary M. Warner off to Europe aboard the Conte de Savoia at noon Saturday.

Local Board Manuals Out

copies of the local boards' manuals, which are printed in full starting on page 6 in this issue, go into the mails today. They are copies of the Code's publications. They cover regulations governing actions of local grievance and zoning boards.

21 STARS ALREADY SET ON NEXT PARA. LINEUP

D. W. Griffith Joins Better Speech Move

D. W. Griffith is listed among the working staff of 80 at The Speech Center, which is embarked on a move to improve American speech. Among the two dozen divisions of the Center is a Screen School directed by J. Eric Cederberg. Formal opening (Continued on Page 2)

Tony Pastor's For B'way, With Old Silent Mellers

Joe Laurie, Jr., vaudeville actor-producer, is planning to bring Tony Pastor's to Broadway. In a theater bearing that name and with a front decorated like the famous old Bowery playhouse, Laurie proposes to present two-a-day vaudeville comedies. (Continued on Page 11)

Round - Table on Product to Be Held at Exhibitors Convention

A series of round-table conferences, at which exhibitors will give Main Street's reactions to pictures, while studio executives will tell what they think is the matter with exhibition from a producer's point of view, will be one of the highlights of the M. P. T. O. A. convention in Hollywood, April 9-12. The parlays is expected to help greatly in bringing better understanding of mutual problems and giving Hollywood a clearer idea of the likes and dislikes of movie patrons. Provocative results are expected from the session, as the exhibitor (Continued on Page 2)

ALL OF FOX PROGRAM UNDER WAY BY APRIL 15

West Coast Bureau of THE FILM DAILY Hollywood—Fox will have its entire 1933-34 line-up either completed or in work by April 15. Release dates have been set to July 27. Two films on the new program are now in production.

5 Houses Being Opened in Denver Territory

Denver—C. G. Diller of Denver is remodeling a building at Leadville and will open about May 1. He is also remodeling a building at Cripple Creek, and will open on Apr. 18.

The Union Theater, Home and the Grand theater at Littleton are installing Simplex sound and projection equipment. The Grand will be opened about May 1 by Fred Lind, (Continued on Page 2)

Soviet Plans 100

Soviet Russia plans to produce 100 features, including some silent, for the 1934-35 season, according to the Amkins office.

The Daily Newspaper Of Motion Pictures Now Sixteen Years Old

VOL. LXV. NO. 64
NEW YORK, MONDAY, MARCH 19, 1934
5 CENTS
**SOME DAY YOU'LL FALL FOR SOME BLONDE GIRL WITH A LOT OF PEP**

I DON'T LIKE BLONDES, AND WOMEN WITH PEP NAUSEATE ME


**Four Regional V. P.’s Appointed by Allied (Continued from Page 1)**

west and Coast will be filled upon completion of a further survey of these situations. Vice-presidents already appointed have started selection of chairman of public relations for their respective territories.

“Allied has received numerous requests from individuals and small groups of independent exhibitors in unorganized territories for Allied charters,” it was announced. “These are being referred to the regional vice-presidents for investigation and recommendation.”

**D. W. Griffith Joins Better Speech Move (Continued from Page 1)**

FILM DAILY

from the Center of 126 East 30th St. will take place March 22. Quarters include a talking picture studio, little theater, broadcasting room, etc. Sponsors include a host of notables of the theater, radio, arts and other fields.

5 Houses Being Opened In Denver Territory (Continued from Page 1)

who is now remodeling the building.

Wm. A. Robinson is reopening Breckinridge, Colo. He has taken over the theater, renamed it the Eclipse, and will reopen about Mar. 23.

**Fox Names Two Ad Sales Managers**

Fox has named two new ad sales managers. C. J. Rossiter has succeeded F. C. Bernard at San Francisco. Bernard has been boosted to a post in the Frisco branch’s booking department. W. C. Hall-wachs has become ad sales manager at Chicago, succeeding N. E. Kas-sell.

**MPTOA-Studio Debate Planned on the Coast**

(Continued from Page 1)

A group is inclined to the belief that Hollywood ignores audience problems and it is further felt that the production center should keep a more careful finger on the pulse of audiences through cooperation with a representative theater organization.

21 Stars Already Set On Next Para. Lineup (Continued from Page 1)

Burns and Gracie Allen, Claudette Colbert, Bing Crosby, Dorothy Dell, W. C. Fields, Marlene Dietrich, Cary Grant, Miriam Hopkins, Carole Lombard, Herbert Marshall, Adolphe Menjou, Jack Oakie, George Raft, Charles Ruggles, Sylvia Sidney and Mae West.

**Regge Doran Dies**

Regge Doran, wife of D. A. Doran, Jr., now identified with the Group Theater, died at the Chateau Elysée, Hollywood, Saturday, according to word received in New York. Her husband left New York immediately for the Coast.

Mrs. Doran was formerly with Pathe and Fox West Coast Theaters handling public relations work.

Columbia Signs Wm. K. Howard West Coast Branch of THE FILM DAILY

Hollywood—Columbia has signed William K. Howard for two pictures. The first will be “World’s Fair,” from a story by Robert Riskin.

Monogram Buys “Red Head” “Red Head,” by Vera Brown, has been bought by Monogram for production next month. Story was serialized and published in book form.

**Coming and Going**

S. R. (ROXY) ROTHAFEL and Mae Murray arrive in New York tomorrow on the Serm-eran.

MOLEY PICON is expected back in New York next week from the coast, where she has been doing some picture work.

HELEN KANE arrives tomorrow on the Santa Paula from the west coast.

NICHOLAS M. SCHENCK has returned east from Hollywood.

CHARLES PERRY, manager of the Aldino, United Artists’ house in Philadelphia, was in New York over the week-end.

J. K. HOFFBERG will call for Europe in two weeks for a tour of the continent.

AGNES DE MILLE left yesterday for Holly-wood to start work at Paramount in “Cloiptrata.”

HOWARD S. CULLMAN of the Roxy Theatre leaves today for Washington for a brief visit.

Two More Roadshows Set On “House of Rothschild”

Two more roadshows, making seven to date, have been set by United Artists on “House of Rothschild,” 20th Century picture starring George Arliss, according to announce-ment by Al Lichtman. New two-day openings are the Beaux Arts, Palm Beach, March 27, and the State, Miami, March 24.

60 Attending Mono. Meet

An attendance of about 60 is expected at Monogram’s convention April 4-7 in Atlantic City. Number of specials to be made by the company next season will be decided at the meeting. One of the lineups will be “Million Dollar Baby,” by Joseph Santley. Other stories will be picked with a view to tieups that will “pay-off” the exhibitor on the pictures.

**Hugh Weir Dies**

Hugh Weir, editorial director of Twentieth Century-Fox in New York, has been in the film industry for a number of years and is also known as film and magazine writer, died Saturday after a long illness.

**1934 YEAR BOOK of MOTION PICTURES**

Recognized Reference Guide of the Motion Picture Industry

NOW BEING DISTRIBUTED TO SUBSCRIBERS OF THE FILM DAILY

1650 Broadway New York
Compare

the negative and the positive of her photograph
and you'll have a graphic idea of the difference
between past successes of this famous star and
her latest show from Warner Bros.
Positively
the most exciting story and performance ever contributed to the screen for and by the exciting star of "Burlesque," "Illicit," and "Night Nurse".

WITH
JOEL M'CREA
PAT O'BRIEN
Claire Dodd, C. Aubrey Smith, Phillip Reed. Directed by Archie Mayo.
Vitagraph, Inc., Distributors.

BARBARA STANWYCK
in
"GAMBLING LADY"

Next sensation from the producers of "Wonder Bar," "As The Earth Turns," "Fashions of 1934" and "Mandalay"

WARNER BROS.
A Little from "Lots"

By RALPH WILK

HOLLYWOOD

CHIRLEY TEMPLE, four-year-old star who rose to attention in educational comedies and now blossoms forth in Fox's "Stand Up and Cheer," has been signed to a long-term contract by the latter company and will appear in "Always Honest," with James Dunn, Sally Eilers and Preston Foster.

Clarence Gehert, George Reed. Frank Marlow and James Burke are additions to the cast of Columbia's "Twentieth Century," starring John Barrymore.

Fox has assigned Charles Starrett to "Call It Luck," with "Pat" Patterson and Drue Eilers by Drue Eilers. "Twentieth Century," written by Frank Tillation, will be directed by Eddie Cline. "In Old New York," directed by Frank Borzage, has started in New York. "Honest," directed by Eddie Cline, has started in New York.

"The Merry Widow" is the twelfth picture at M-G-M for which the dances will be directed by Albertina Rasch.

Learn how to judge an audience by acting in or directing stage plays if you want to become a successful writer and director, the advice of Leon Gordon, who is now writing at M-G-M. Incidentally, Gordon is appearing nightly in "White Cargo" at the Hollywood Playhouse.

THE INDUSTRY'S DATE BOOK


March 21: Motion Picture Research Council's spring convention, Los Angeles.

March 22: Chicago Film Relief Dinner Dance.

March 26: Motion Picture Exhibitors Protective Ass'n of Texas annual meeting, Dallas.

March 28: Motion Picture Relief Fund's annual Legitimate Theater Code meeting, Washington.

April 1-2: Tri-State exhibitor convention, Hotel Chena, Memphis.

April 4-7: Monogram Pictures convention, Ambassador Hotel, Los Angeles.

April 10-11: Golf States Theater Owners Ass'n convention, Hotel Roosevelt, New Orleans.

April 10-12: M.F.T.O.A. annual convention, Hotel Ambassador, Los Angeles.

April 13: IndianaIndians of Photoplays annual state meeting, Hotel Cleopatra, Indianapolis.

April 14: Universal Club's Easter Ball, Hotel Lorraine, New York.

April 23-25: Spring convention of Society of Motion Picture Engineers, Hotel Monadnock, Atlantic City.

June 4-9: I.A.T.S.E. and M.P.D. convention, Louisville, Ky.

June 16-17: Satellite Motion Picture Week, Vienna.

June 18-23: American Federation of Musicians convention, Cleveland.

Aug. 1-12: Second Congress of Cinematography, Venice, Italy.

SARDIS, Miss.—M. D. Trotter and W. F. Carter have reopened the old Pastime after purchasing it.

St. Louis—Chesley Markort, who was assistant to Stuart Barrie when he presided over the organ at the Ambassador, has returned to the old home town with a band all his own and is angling for a local engagement. He recently concluded a tour with James Hall.

Dallas—Two more theaters of the Hobitelles-Poschall Circuit have been equipped with RCA Victor High Fidelity sound systems. They are the Pictorium, Vernon, managed by E. G. Leves, and the Queen, McKinney, managed by Shine Mason.

Denver—Betty Craig, motion picture editor of the Denver "Post," was paid $1,000, willed to her by F. G. Bonfils, late "Post" publisher. Several others on the "Post" also received various amounts.

Denver—a managers' meeting was held last week by Fox West Coast at the division headquarters here, Rick Ricketson presiding. Plans to increase business, along with other subjects, occupied their attention. Those present included: Frank Culp and Gerald Whitney, Denver; Fred Glass, Sterling; Geo. Paper, Longmont; Ray Davis, Boulder; Ed Murqaudt, Ft. Collins, and Chet Miller, Cheyenne, Wyo.

Oshkosh, Wis.—Articles of incorporation have been filed by Oshkosh Rex Theater Co. Incorporators are F. Turbush, H. P. Munns and E. Turbush.

Wheelright, Ky.—Inland Steel Co. has purchased Photophone High Fidelity sound apparatus for its theater in this mining town.

Chicago—Herman Applebaum has contracted for installation of RCA Victor High Fidelity sound in the Lincoln Webster.

Vol. 13 No. 10

NEWS OF THE DAY

Best wishes from THE FILM DAILY to the following on their birthdays:

Ethy Phillips
William Sistrum
MANUALS OF PROCEDURE FOR LOCAL BOARDS

GRIEVANCE BOARDS

APPOINTMENTS

Pursuant to the provisions of the Code of Fair Competition for the Motion Picture Industry, as amended by Article V, Part 1, Section 3, of the Code of the Code Authority, the Secretary of the Code Authority has appointed the following to act as members of the Local Grievance Board: the Local Representative of National Distributors with Theater Affiliation, the Local Representative of the Exchanges, the Local Representative of Display and Propaganda, the Local Representative of the Exhibitors, the Local Representatives of the Unattached, and the Secretary of the Code Authority.

The members of the Local Grievance Board shall hold their appointments by the Code Authority at such time and place as shall be determined by the Code Authority. All members shall be notified of their appointments in writing by the Code Authority, and each member shall sign an oath of office as provided by the Code Authority. All members shall be entitled to all the rights and privileges of the Code Authority.

Prior to such meeting, each member shall be notified in writing of the date, time, and place of the meeting and shall be given a complete and detailed description of the grievances to be heard at such meeting. All members shall be present at such meeting, and shall be prepared to receive and consider the grievances presented.

The members of the Local Grievance Board shall have the power to make any decision or order which is necessary to the proper conduct of the business of the Local Grievance Board, and such decision or order shall be final and binding upon all parties.

The jurisdiction and authority of the Local Grievance Board are as follows:
1. To hear and determine grievances arising from the Code of Fair Competition for the Motion Picture Industry, and in accordance with the provisions of such Code.
2. To hear and determine grievances arising from the Code of Fair Competition for the Motion Picture Industry, and in accordance with the provisions of such Code.
3. To hear and determine grievances arising from the Code of Fair Competition for the Motion Picture Industry, and in accordance with the provisions of such Code.
4. To hear and determine grievances arising from the Code of Fair Competition for the Motion Picture Industry, and in accordance with the provisions of such Code.
5. To hear and determine grievances arising from the Code of Fair Competition for the Motion Picture Industry, and in accordance with the provisions of such Code.
6. To hear and determine grievances arising from the Code of Fair Competition for the Motion Picture Industry, and in accordance with the provisions of such Code.

The members of the Local Grievance Board shall have the power to make any decision or order which is necessary to the proper conduct of the business of the Local Grievance Board, and such decision or order shall be final and binding upon all parties.

HEARINGS

Sec. 1. All parties concerned in any hearing shall appear in person or by attorney. They shall be notified of the time and place of hearing by the secretary as the same time the secretary notifies members of the Local Grievance Board.

The members of the Local Grievance Board to hear complaints, shall make any decision or order which is necessary to the proper conduct of the business of the Local Grievance Board, and such decision or order shall be final and binding upon all parties.

In arriving at a conclusion, each member shall be mindful that his responsibility is as great as that of a judge sitting in a court of law, and shall act in accordance with the principles of justice. Members of the Local Grievance Board shall be impartial.

The members of the Local Grievance Board shall make any decision or order which is necessary to the proper conduct of the business of the Local Grievance Board, and such decision or order shall be final and binding upon all parties.

The members of the Local Grievance Board shall make any decision or order which is necessary to the proper conduct of the business of the Local Grievance Board, and such decision or order shall be final and binding upon all parties.

DETERMINATION

Sec. 1. The determination must clearly reflect the decision of the majority of the members of the Local Grievance Board, and in accordance with the provisions of the Code of Fair Competition for the Motion Picture Industry, and in accordance with the provisions of such Code.

Sec. 2. The Local Grievance Board shall not prejudice to award damages.

Sec. 3. If the determination directs the directors not to enter into new contracts and/or to continue litigations under existing contracts (Article IV, Part 3, Section 6), the Local Grievance Board shall be final and binding upon all parties.

Sec. 4. All determinations must be in accordance with the provisions of the Code of Fair Competition for the Motion Picture Industry, and in accordance with the provisions of such Code.

In the event of appeal, such appeal may be presented to the Secretary of the Code Authority.

CLEANUP AND ZONING

I APPOINTMENTS

Pursuant to the provisions of the Code of Fair Competition for the Motion Picture Industry, approved by President Roosevelt, the Code Authority, as amended by Article V, Part 1, Section 3, of the Code of the Code Authority, has appointed the following to act as members of the Local Grievance Board for the...
Here comes... THE SHOW OF 1,001 SURPRISES
THE MASTER CREATION OF MASTER SHOWMEN

Conceived in daring... dedicated to box-office... a new show thrill is about to sweep across the nation's screens... as inspired FOX showmen blaze the way to an utterly new idea in entertainment. Dazzling, surprising, amazing... resplendent with beauties, song and spectacle... and it goes even beyond that... to excite every emotion the human heart has known!

STAND

1,000 PLAYERS!
VOCAL CHORUS OF 500!

WILD ANIMALS!

335 SCENES

THE SHOW OF 1,001 SURPRISES!

5 BANDS OF MUSIC
SONG & DANCE TUNES
of the world for 1934.
"Broadway's Gone Hill Billy"
"We're Out Of The Red"
"Stand Up And Cheer"
"This Is Our Last Night Together"
"I'm Laughing"
"Baby Take A Bow"

ITS MARVELS NEVER CEASE!

1,000 DAZZLING GIRLS!

4,891 COSTUMES!

and CHEER!
(Formerly "FOX FOLLIES")

WARNER BAXTER
MADGE EVANS • SYLVIA FROOS
JOHN BOLES • JAMES DUNN
"AUNT JEMIMA" • SHIRLEY TEMPLE
ARTHUR BYRON • RALPH MORGAN
NICK FORAN • NIGEL BRUCE
MITCHELL & DURANT
and STEPIN FETCHIT

Made for your amazement by these great showmen:

Produced by WINFIELD SHEEHAN

Associate Producer and Collaborator on Story and Dialogue: LEW BROWN. Director: HAMILTON MACFADDEN. Lyrics: LEW BROWN. Music: LEW BROWN and JAY GORNEY. Dances Staged by: SAMMY LEE. Dialogue: RALPH SPENCE. Story Idea Suggested by: WILL ROGERS and PHILIP KLEIN.
MANUALS OF PROCEDURE FOR LOCAL BOARDS

THE DAILY
Monday, March 19, 1934

10

MUNICIPAL

(Continued from Page 6)

Mr. ............. (City) (State)
Associated with

3. Representative of First Run Exhibitors

Mr. ............. (City) (State)
Associated with

4. Representative of First Run Exhibitors

Mr. ............. (City) (State)
Associated with

5. Representative of Subsequent Run Ex-

(a) Mr. ............. (City) (State)
(b) Mr. ............. (City) (State)
(c) Mr. ............. (City) (State)

7. Impartial Representative of the Authority.

3. The members of the Local Clearance and Zoning Board shall meet promptly after their appointment by the City Attorney, at the time and place as shall be fixed by them.

4. To order a meeting the City Attorney shall subscribe to the oath in the form attached to this Manual and transmit such oath for filing with the Administration to the Executive Secretary, Code Authority.

5. The Code Authority, as hereinafter defined, shall notify the members of the Local Clearance and Zoning Board, in writing, of the time and place at which meetings shall be held and designate the date of the next meeting.

The jurisdiction of the Code Authority to the Secretary a complete and certified copy of all changes in, and Exhibitors operating the procedure. The Exchange Territory, who have qualified to file protests with the Local Clearance and Zoning Board pursuant to Article VI, Part 2, Section 8.

The Secretary shall be helpful and sufficiently informed so as to answer correctly questions as to procedure. The Secretary shall be present at the printed text and to any instructions issued by the Code Authority will prevent mistakes and duplication of work.

Pursuant to a resolution adopted unanimously by the Code Authority on February 16, 1934, a copy of which is annexed here to the Local Clearance and Zoning Board shall immediately after organization be completed, perform and discharge its duty by receiving any and all protests from members of the industry against any existing clearance and zoning as to their respective theaters alleging that such clearance and zoning is unreasonable in length and/or area, and that the Local Clearance and Zoning Board shall decide the issues raised by such protests after notice and hearing to the parties affected.

Provisions of the Code shall govern with respect to appeals from the decision and the procedure thereafter. (Article VI, Part 1, Sec. 6).

The Secretary of the Local Clearance and Zoning Board shall be familiar with all the provisions contained in this Code which are particularly applicable to the jurisdiction of the Local Clearance and Zoning Board.

ORGANIZATION

Sec. 1. Meetings of the Local Clearance and Zoning Board shall be held at such time and place as shall be fixed by such Board. Notice of each meeting of the Local Clearance and Zoning Board shall be given to each member by the Secretary at least three (3) days before the time of such meeting.

Sec. 2. All meetings of the Local Clearance and Zoning Board shall be held at a convenient time and place as shall be fixed by the Secretary. Such notice shall be mailed to each member thirty (30) days before the date of such meeting, and shall be sufficiently given if mailed to the Secretary, who shall forthwith deliver a certified copy thereof to each member.

IV PROTESTS

(Article VI, Part 1, SECTION 7)

Sec. 1. All parties concerned in any protest shall be notified by the Secretary of the decision of the Board.

The following acts shall be deemed to be in the manner of the protest of any complainant:

(a) The Secretary shall transmit a certified copy of the protest to such person not a member of the Local Clearance and Zoning Board. The Secretary shall keep a record of the proceedings of all meetings of the Local Clearance and Zoning Board and of all other matters of which a record shall be required by the Code Authority. The Secretary shall make a record of all protest hearings in such form and to such extent as the Code Authority shall direct, and such minutes shall be the record. The Secretary of each Board shall make application to the proper State or Municipal Authority for appointment to act as chairman of the Board or as secretary of the Board and shall register the minister of the hearings to the witness and see that such time to be designated by the Code Authority.

Sec. 5. Neither the Local Clearance and Zoning Board nor any member thereof, or the Secretary shall make any commitment or decision except in writing, and no expense or railroad fare as provided for in Section 1 hereof without first obtaining the concurrence of the Code Authority thereon.

The said rules may be amended and added to at any time by the Code Authority. The Local Clearance and Zoning Board shall be limited to such jurisdiction as is described in Section 1 and such Board shall hear and question other than those pertaining strictly to clearance and zoning matters.

PROCEDURE

The Local Clearance and Zoning Board shall be a legislative body. All decisions are specified in a written protest sworn to be true and signed by no less than two members of the Local Clearance and Zoning Board and shall be delivered to the Secretary, who shall forthwith deliver a certified copy thereof to the Board.

IV PROTESTS

Sec. 1. All parties concerned in any protest shall be notified by the Secretary of the decision of the Board.

Sec. 2. All meetings of the Local Clearance and Zoning Board shall be held at a convenient time and place as shall be fixed by the Secretary. Such notice shall be mailed to each member thirty (30) days before the date of such meeting, and shall be sufficiently given if mailed to the Secretary, who shall forthwith deliver a certified copy thereof to each member.

Sec. 3. The decision shall be certain in its terms and simple in its language. It shall state in clear and simple language the decision of the Local Clearance and Zoning Board. Each decision shall be signed by at least two members of the Board.

Sec. 4. Members of the Local Clearance and Zoning Board shall be required to state the reasons for the conclusions reached, but may do so if they see fit. The members may incorporate their reasons in an opinion accompanying the decision if they or any of them so desire.

Sec. 5. A protest shall be signed and acknowledged before a competent stenographer, secretary, or local clearance and zoning board.

In the event of appeal, such transcript and findings shall be made and filed as correct by the Local Clearance and Zoning Board.

Sec. 6. Upon the filing of a notice of appeal from any decision of a Local Clearance and Zoning Board, the Secretary shall notify all affected parties.

RESOLUTION UNANIMOUSLY ADOPTED BY THE CODE AUTHORITY ON

FEBRUARY 16, 1934

Whereas, Article VI, Part 1 of the Code of Fair Competition for the Motion Picture Industry provided that Local Clearance and Zoning Boards shall be established prior to January 1, of each year to set up fair, just and equitable schedules of clearance and zoning against the members of the industry of unreasonable length and/or area, and

Whereas, for the year 1934, the date of January 1st was not reasonably possible because of the reason of unavoidable delay in establishing the Local Clearance and Zoning Boards;

Whereas, the selling season of the industry extends indefinitely and it is necessary to simplify and expedite the functions of the Local Clearance and Zoning Boards in order to qualify their procedure, now by motion on Mr. Bareford, seconded by Mr. Yammin, it is unanimously resolved:

RESOLVED: That Clearance and Zoning Boards shall perform and discharge their duties by receiving any and all protests from members of the industry against any existing clearance and zoning as to their respective theaters alleging that such clearance and zoning is unreasonable in length and/or area, and that such Boards shall decide the issues raised by such protests after notice and hearing to the parties affected; and that with respect to the time of making decisions and the procedure thereafter, the provisions of the Code shall govern with respect to appeals from the decision and the procedure thereafter.

OATH

The undersigned hereby accepts the appointment of the Code Authority of the Motion Picture Industry as a member of the Local Grievance Board for the...
**RULES OF PROCEDURE FOR LOCAL BOARDS**

(Continued from Page 11)

**INTERPRETATION OF FEB. 22**

Interpretation issued February 22, 1934 of the effect of assent to the motion picture code by Administrator General Hugh S. Johnson, signed by General Johnson and Donald R. Roebber, chief NRA counsel.

"For the information of members of the motion picture industry with respect to the issue of assent distributed by the Code Authority of the motion picture industry under the terms of Article VI, Part 2, Section 6 of the code:

"1.—It is not the intent or purpose of Article 6, Part 2, Section 6 of the code that any member of the industry assenting to the code on the form used by the code authority shall thereby waive or be estopped from setting up any right which such member of the industry may possess under general or statutory law against any arbitrary, oppressive, injurious and unreasonable action by any administrative official or agency under the motion picture industry code.

"2.—It is not the intent or purpose of such article, part or section of the code that any member so assenting shall be precluded or estopped from seeking amendment to or modifications of said code.

"3.—Members of the industry not assenting to the code on the forms above mentioned cannot be denied any of the rights and remedies afforded by the code save only they shall not enjoy the right to file complaints before the administrative agencies, provided for in the code.

"Upon acceptance of any of the benefits and advantages of the code, such members of the industry may be assessed a reasonable amount, subject to the approval of the administrator, to help defray the expenses of administering the code but not otherwise.

"4.—While assent on the form above mentioned is necessary to enable a member of the industry to lodge protests with clearance and grievance boards and to make use of the facilities of the local grievance boards, nevertheless such assent is not essential to enable any member of the industry to institute any defense before any such board if he so desires in any matter affecting his interests, and therefore to prosecute any and all appeals therefrom to the same extent and in the same manner as a member assenting on the form above mentioned.

"5.—The statements contained herein apply with respect to the execution, either herebefore or hereafter by any member of the form of assent above mentioned, and all such assents will be deemed to have been executed in the light of these statements."

**THE BROADWAY PARADE**

- **Picture**
  - Good Dame
  - The Show-Off
  - Wonder Bar (3rd week)
  - Coming Out Party
  - Geo. White's Soundie
  - The Quitter
  - Paloma (4th week)
  - No More Women
  - Selphine
  - Forgotten Men (7th week)
  - Arlene (2nd week)
  - Death Takes a Holiday
  - Fantomas (2nd week)

- **Distributor**
  - M-G-M
  - D. M.

- **Theater**
  - Paramount
  - Fox

- **Running**
  - Paramount
  - Fox

- **Two-Day Run**
  - House of Rothschild
  - United Artists
  - United Artists

- **FOREIGN DIALOGUE PICTURES**
  - Le Sermont
  - Rubin
  - Proton
  - Little Carnegie
  - Amkino

- **FUTURE OPENINGS**
  - Catherine the Great (Mar. 20)
  - Wine, Women and Song (Mar. 21)
  - Bottoms Up (Mar. 22)
  - Once to Every Woman (Mar. 22)
  - Come, On, Marines (Mar. 23)
  - Hold That Girl (Mar. 23)
  - Rip Tide (Mar. 23)
  - Broken Shoes (Mar. 28)

- **Subsequent run**
- **After Ass't two-a-day run**

**DARK HAZARD**

Shabby carpet is a hazard to box office profits. Your patrons appreciate a floor-covering that is soft underfoot and looks new even when it isn't. That's another way of saying Alexander Smith Carpet. Used in the majority of the country's most successful theatres.

**ALEXANDER SMITH CARPET**

**Indie Ass'n to Force Observance of Code**

(Continued from Page 1)

of the organization that the code deserves a fair trial, in spite of the increased cost of production entailed, and that the organization would not countenance any violation of the code on the part of its membership.

A delegation for members of the MPTOA at its convention next month will be held by the independent organization. A committee comprising Sam Wolf, Ken Goldsmith and I. E. Chadwick will make arrangements.

Governs on behalf of the Screen Writers Guild to negotiate a standard contract for free-lance writers was tabled by the organization for consideration at the next meeting.

**Tony Pastor's For B'way, With Old Silent Mellers**

(Continued from Page 1)

to the celebrated stars of yesteryear in conjunction with the old silent film mellers such as "The Great Train Robbery." Laurie intends to scale his house from 75 cents for evening performances, with top price of $1.50 for the gallery with the happy to make the most popular spot in the house by inducing Broadway celebrities and social swells to patronize it.
“KRAKATOA” Voted
Best Short Subject
Novelty of 1933
by Academy of Motion
Picture Arts and Sciences

Old
KRAKATOA
Rumbles
Again

First a great eruption, followed by a tidal wave of critics' praise
such as no other short subject novelty has ever won... then a
year of stealing first honors on thousands of programs... now the
Academy Award for the best novelty of the year. Three-reel
KRAKATOA" is proving again each day that it is one of the
greatest novelty featurettes of all time.

If you have not played "KRAKATOA", book it now. If
you have played it, now is the ideal time for a return run.

A fine feature, "KRAKATOA" and one of Educational's big star
comedies, with a marquee name such as Buster Keaton, Ernest Truex,
Bette Cooper, Andy Clyde, Bob Hope, and Leop Ray or the
Three Ritz Brothers... here is a de luxe program that no double fea-
ture bill can approach for entertainment value or box-office power.

Distributed in U.S.A. by FOX Film Corporation.
**Chicago Taxes Exhbits $40,000 Above Censor Cost**

**PATMAN BILL REJECTED AFTER BRIEF HEARING**

Circuits Fighting Boost in Newspaper Advertising Rates

Resistance Campaigns Are Under Way in Several Big Cities

Major circuits and independent operators of large theaters in Boston, Washington and Chicago are conducting a "resistance campaign" against increases in newspaper lineage charges which threaten to be taken up by important papers in other key cities, the FILM DAILY learns.

One of the first papers to raise rates for theatrical advertising was the Boston "Herald-Traveler," which boosted rates last September with yesterday's Flinn. (Continued on Page 3)

**DRINKS AND DANCING IN NEW CASINO SETUP**

Haring & Blumenthal and Jack Shapiro, who will operate the Casino starting April 2, propose to open a Theater with two-day vaudeville cabaret underneath the playhouse which will feature bargain prices in cocktails and dancing during intermissions with hostesses provided. If the liquor license is obtained in time, the cabaret, to be known as (Continued on Page 3)

**RKO Staff Tendering Dinner to Jos. Nolan**

About a hundred RKO executives and other members of the home office personnel will give a farewell dinner at the Park Central tonight in honor of Joseph Nolan, assistant secretary of RKO Distributing Corp, who leaves Thursday for (Continued on Page 3)

**Kansas Picking Up**

Kansas City—Business is picking up in Western Kansas, according to Henry Taylor, Columbia branch manager, on his return from a sales of preview of the operators in the territory. Things are good, and the year should witness improved conditions, he says.

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**Connely Likens Censorship to 18th Amendment**

Washington—Speaking on censorship at yesterday's hearing on the Patman bill, Rep. William Connery of Massachusetts, chairman of the House Labor Committee, allegedly opposed the measure and compared it to the 18th Amendment. He cited his former work experience and said there is already too much censorship and that the states have their own methods of censorship and will take care of the problem of what picture to permit.

**Gulf States Convention Changes Dates To Get Coast-Bound MPTOA Crowd**

Krellberg to Finance 10 Features, 2 Serials

Samuel Krellberg, president of Amusement Securities Corp., said yesterday that he had arranged to finance the production of six melodramas, two serials and four features with Lightning, the dog, while in Hollywood.

(Continued on Page 3)

Interstate to Give More Attention to Shorts

Dallas—Bena Belk Short, who has been publicity director of the Majestic, has been appointed short subject booker for Interstate Theaters, inaugurating an office said to be unique in the history of circuits. Mrs. Short, who is the wife of Paul Short, manager of the Majestic, and has been connected with leading (Continued on Page 4)

Educational Costs Up 15% Under Code—Hammons

Burdens imposed by the code are increasing Educational's production costs approximately 15 per cent, declared President E. W. Hammons yesterday, following his return to New York from a sales contact trip.

(Continued on Page 4)

**Overtaxing For Censor Cost Stirs Up Chicago Exhibitors**

Feist Finds Exhibitors Amenable Toward Code

Exhibitors generally do not view the code with suspicion but view it as an "honest try" at the solution of the industry's problems, declared Felix F. Feist yesterday. The M-G-M distribution chief is based this opinion not only on personal contact with some 300 theater men.

(Continued on Page 3)

**Commerce Committee is Unsympathetic Toward Federal Control**

Washington—Congressman Patman's bill seeking to create a federal motion picture commission suffered a quick defeat yesterday in a brief session before a Foreign and Interstate Commerce committee that did not appear to be in sympathy with federal supervision. Full hearings were concluded within a two-hour space, and it is not likely that further hearings will be called.

(Continued on Page 11)

**LOCAL BOARDS MEET FOR STUDY OF MANUAL**

Instructions to local board members to immediately hold joint meetings for purpose of studying the manual prepared by the Code Authority to cover their procedure and to draft tentative budgets went out yesterday from Executive Secretary John C. Flinn. Meetings will be (Continued on Page 5)

**Paramount Sales Meeting Is Scheduled for June**

Paramount's annual sales meeting will take place the first part of June, George J. Schaefer, general manager, said yesterday in New York. Place has not as yet been (Continued on Page 5)

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**Fishing**

New Orleans—Though a long distance call to the home of S. V. Richards on Bay St. Louis brought the information that Richards, Bob Wilby and J. J. Spark from Hialeah, Florida, report that the fish met in Bay St. Louis over the week-end to discuss the rumor that a rumor deal to take over Sugar Steak in a new southern circuit combination.
NRA Planning Shorts To Publicize Codes

With purpose of publicizing all codes, the NRA is understood planning to arrange for production of a series of 12 two-reel shorts. The matter is being handled by the NRA publicity department in Washington, it is reported. Work will soon be done in the East.

T. K. Glennon to Handle Productions on Coast

T. Keith Glennon, vice-president of Eastern Service Studios, leaves today for the coast, where he will take charge of the General Service Studio and arrange for the production of several picture, on which deals has already been completed. S. E. Hawkins will be in charge of the company's Astoria plant under the direction of Capt. George Mcl. Baynes, during Glennon's absence of about two months.

I.A.T.S.E. Is Appealing Ruling Favoring I.B.E.W.

William C. Elliott, president of the I.A.T.S.E., said yesterday that he had not been "authentically informed" that the major producers had signed with the I.B.E.W. (electrical workers) and not with the I.A.T.S.E. In renewing agreements with studio unions for a two-year period last week.

At the same time Elliott revealed that he had been notified by the National Labor Board to reverse its recent ruling under which the Board washed its hands of the dispute between I.B.E.W. and the studios and the I.A.T.S.E.

In a letter to the Board, Elliott characterized this ruling as "flagrant judicial" and demanded that the Board be given a chance to state its case.

Hopeful of Ending N. Y. Censorship

Film executives close to the legislative situation feel that chances of elimination of the New York censorship board through the Brownell bill, on which a hearing was held at Albany Wednesday, is the best in years. A number of New York officials will go to Albany to represent the industry at the hearing, which begins at 2:30 P. M.

"Rasputin" Revived by Loew

"Rasputin and the Empress" is being revived at Loew's Ziegfeld Theater today and also will be shown again at other houses in the Loew circuit.

Services for Hugh Weir

Funeral services for Hugh C. Weir, editorial director of tower magazines who died Saturday, will be held at 2:30 this afternoon in the Funeral Church at Broadway and 66th St. The body will be sent to his home in Illinois for burial.

New Firm Called Showcraft

Showcraft Pictures has been selected as the name of the new franchise organization which Adolph Pollak and Emil K. Eills are forming.

"Journal of a Crime" Set at Roxy

Ruth Chatterton in "Journal of a Crime" has been set for showing at the Roxy next month under a booking negotiated by Howard S. Cullman with Warners.

Reliable Film Export

Reliable Film Export Co. has moved from 630 Ninth Ave. to larger quarters at the Leavitt Building, 130 West 46th St.

Mr. and Mrs. Jean Hersholt, Gregory La Cava and Florence and Almar Lake arrive at the coast for the arrival at the Home Wararks.

Lilyan Tashman and Edmund Lowe have left for a two-week holiday in the Adirondacks.

Rufus LeMaire, manager for George Arliss, is scheduled to sail this week for England or business.

Maryjoe Gates is scheduled to sail the Paris for a vacation abroad.

Herbert Miller has returned from Palm Beach.

Constance Cummings and her husband Ben H. Levy, left the coast last week for New York, on route to England.

E. W. Hammond has returned to New York after a trip to Boston, Buffalo and other key cities, accompanied by Jack Skirball and Harvey Day.

Arthur Loew, who is now on a trip to Europe, plans to return to New York May 10.

Sol M. Wurtzel, Fox producer, is due in New York on Wednesday to survey the theater and story market. He will return to Hollywood on March 30 with Hamilton MacArdle, who is now here.

Richard Bartheswell is completing "Old Doll's House" for First National, will come to New York for a brief stay before going to Switzerland.

Joseph Bernhard, managing director of Warner Theaters, returned yesterday from a trip to the West Coast Theaters.

Alice Reinhardt leaves New York tomorrow for Cleveland to play in "Men in White" and "The Pursuit of Happiness" in stock.

Grover Jones sails tomorrow for London on the President Harding.

Ruth Chatterton arrives today at the Gotham.

Miriamb Hopkins will return to the coast Friday.

A. Lynch returned from Florida yesterday.

Court Orders Theater Sale

Mansfield, O.—A court order has been issued for the sale of the Madison theater for $40,000 to satisfy a $48,000 note held by Guardian Trust Co. of Cleveland. Searcl Abamerston Co. is the signee of the note.

Fourth Week for "Wonder Bar"

"Wonder Bar" will start a fourth week at the New York Strand tomorrow.

(From Showman's Round Table Feb. 21st.)

14th Week

ON BROADWAY AT CRITERION THEATRE

"Forgotten Men"
NOW IN CLASS WITH "LITTLE PIGS" AND "MAD WEST"

* JEWEL PRODUCTIONS, INC.

273 Seventh Ave., New York City
RFKO Staff Tendering
Dinner to Jos. Nolan

Hollywood to be opened up its new post as assistant to B. B. Kahane, president of RKO Studios.

Heading the list of executives who are to attend the dinner will be J. R. McDonough, Ned E. Depinet, Major L. E. Thompson, Herman Zohabei, Nate Blumberg, Frank Snell, Phil Rolsman, Robert F. Stik, William C. Clark and William Malard.


Paramount Sales Meeting
Is Scheduled for June

The meeting will be held at the Biltmore Hotel. It will be attended by representatives of all territories.

The meeting will open with a luncheon at the Biltmore, where it will be announced that the company will be represented in all territories by representatives who are experienced in the business.

Also to be announced will be the policies to be followed in the future.

The meeting will be of great importance to the company and its representatives.

CIRCUITS FIGHTING
NEWSPAPER AD Boost

The result that Loew's and RKO cut advertising in that paper to a minimum. Three weeks ago the Washington "Star" and "Post" announced increases in theatrical ads. The two circuits immediately cut their advertising space in half as a protest. In Chicago, theatrical rates for loop theaters were raised from 70 to 75 cents a line and for neighborhood theaters from 60 to 65 cents. Balaban and Katz, Warner and RKO continued to spend the same amount of money for their ads but did not maintain lineages.

"The newspapers did not reduce rates during the depression," a major circuit director of advertising stated to Film Daily yesterday. "In all cities ad rates for amusement have been raised to wide variance with the rates extended other businesses and industries. Certain cities have reasonable rates but many, like the Baltimore "Sun" have always maintained high rates and have refused to lower them regardless of economic conditions."

Krellberg to Finance
10 Features, 2 Serials

Krellberg, of New York, is planning to finance 10 feature films and 2 serials. He has already secured a $500,000 line of credit from a New York bank.

He is planning to produce films in a variety of genres, including Westerns, comedies, dramas, and musicals. He is also planning to produce a series of films in Latin America and Asia.

Krellberg's company, Krellberg Productions, is expected to begin production within the next few months.

SUNSHINE
IN THE DAY'S NEWS

Fox film reports $1,410,793 profit in 29 weeks under new setup, compared with loss of $750,400 in same period of year before.

THE OFFICERS and Directors of the I.T.O.A. will be formally installed by no less than his honor Mayor LaGuardia... on the occasion of the joint Testimonial Dinner to be tendered them by the Jewish Theatrical Guild of America... Sunday evening, Apr. 8... in the grand ballroom of the Astor...
GULF STATES ASS’N IS MEETING EARLIER

(Continued from Page 1)
Kuykendall and other leaders will attend and speak. An “educational” session, with a prominent production executive, a sound expert and a theater operator from New York, also will be part of the convention.

Educational Costs Up 15% Under Code—Hammons
(Continued from Page 1)
to Boston,Buffalo,Cleveland and Cincinnati. Business pickup is proving “very encouraging,” said Hammons.

Educational’s 1934-35 program will offer 52 two-reelers and probably 76 single reel subjects. This schedule provides the same number of two-reelers as currently distributed but a slight reduction in the total number of single reels.

J. Knox Strachan Transferred
Canton, O. — J. Knox Strachan, manager of Warner’s Alhambra, has been transferred to Portsmouth, where he will have charge of the two W. B. houses, LeRoy and Columbus. He has been succeeded here by Wallace (Doc) Elliot, until recently manager of the Ohio at Sandusky.

 Paramount Status Greatly Improved
Although actual re-organization plans for Paramount’s emergence from bankruptcy are still largely shrouded in mystery, insiders in the organization are reported delighted with the progress that has been made in the company’s business as conducted by the subsidiaries and in the rebuilding of the company’s morale during the trying bankruptcy period.

At the time of Paramount’s voluntary plunge into bankruptcy the morale of the organization, always hitherto a matter of great pride to the company, had reached a low ebb. Rapid shifts in executive personnel coupled with the decline in value of company securities held by the employees had combined to undermine the morale almost to the breaking point.

During the past year Paramount is reported to have made big recovery strides. Production shows a marked improvement and distribution, both domestic and foreign, has benefited accordingly. In the exhibition end, substantial progress has been made in decentralizing the company’s theater holdings by means of locally-operated partnerships.

Of even greater importance to the personnel of Paramount has been the return of confidence and the development of a revived sense of security and loyalty. Credit for these internal changes is being given to Adolph Zukor, observers pointing out that the president of the company has devoted much of his time during the past twelve months to personal conferences with individuals in the organization with a view to re-establishing the former “one big family” atmosphere which characterized Paramount in the old days.

Zukor himself repeatedly has praised the work of the group of executives heading the production, distribution, theater and foreign departments—Emmanuel Cohen, George J. Schaefer, Ralph A. Kohn and John W. Hicks, Jr., respectively. All four are comparatively new in their posts but the results achieved under their leadership have been such as to indicate that Paramount will eventually emerge with an organization comparable to that in existence prior to the bankruptcy action and with its financial house in excellent order.

INTERSTATE PAYING MORE HEED TO SHORTS
(Continued from Page 1)
Elm Street theaters since 1928, will view all features and shorts and see that suitable short subjects are spotted with each feature. In establishing the new office, R. J. O’Donnell, Interstate general manager, said:

“A perfect motion picture program should be made up of balances and contrasts. Unfortunately, in the emphasis on feature pictures, most theaters have booked comedies and cartoons as fillers without paying significant attention to them. Recently I saw a short subject of the Mills Brothers as a feature picture. This was overdoing the negro theme. Often one finds a two-reel musical rescue booked with a full-length musical picture giving an audience two hours of screened vaudeville. I have seen a full-length melodrama followed by a two-reel thriller. This is the sort of thing Mrs. Short’s department will try to correct. The perfect picture program should be taken as a unit with the short subjects correlated to the feature picture, thereby making a satisfying program.”

...EXHIBITORS, Spring in the air!

if you’re playing...
LOCAL BOARDS MEET FOR STUDY OF MANUAL

(Continued from Page 1)
called by the affiliated distributor members of the grievance boards and the independent first run members of the zoning boards.

The boards are also asked to immediately recommend two or more persons, men or women, as paid secretaries.

Says the letter in part: "It is the intention and practiced policy of the Code Authority to perform its functions of administration as economically as complete efficiency permits and, therefore, the Code Authority is desirous of obtaining forthwith from the aforementioned joint meeting a memorandum of the anticipated maximum monthly financial budget required by the local boards, in addition to the salary of the paid secretary. No commitment for expenditures shall be permitted without first obtaining written approval therefor from the Code Authority."

Duals at Mainstreet
Kansas City—The Mainstreet goes double feature this week, making two downtown first-runs on this policy. Other is the Newman. Mainstreet's dueling is for one week only.

Labor Board Orders Employees Reinstated
Akron, O.—Found guilty of "violating the letter and spirit of Section 1 (a) of the Recovery Act," the Cleveland Regional Labor Board has recommended that Lowe's here take back two discharged employees and five sympathy strikers. Both Ernest Austgen, manager, and W. H. Wilson, representative of the Building Service Employees Union, were censured for their attitude. The theater discharged three usherettes and five others were called out on strike by Wilson. Austgen maintained the theater was switching from stage shows to films and did not need the workers.

Operator, License Bills Filed in Rhode Island
Providence—A bill introduced in the State Senate by Senator Troy would prohibit projectionists from operating more than one machine during a performance and would forbid the operator leaving the operating side of a motor-driven machine or to engage in any other work in a booth.

Another measure would require persons providing entertainment in other than buildings used exclusively used for theater purposes to secure an annual state license costing $25, with applicant required to post a $5,000 bond.

Flinn Broadcasts
Information regarding the preliminary operations of the motion picture code was broadcast by Executive Secretary John C. Flinn of the Code Authority yesterday afternoon from WINS. He took the air at the request of the NRA Administration, using material afforded by his recent report to Washington.

Para. Theater Council To Have Say on Pictures
The theater management council recently formed for Famous Theaters Corp. is understood slated to have an important say in Paramount production plans for 1934-35. Members of the group are seasoned showmen who are familiar with audience demands in all sections of the country.

Merritt Takes Wilby House
Birmingham—The Galax, former Wilby house, is now under the operation of Frank Merritt who also operates the Empire, Royal and Capitol. A first run policy has been instituted at the Galax.

Raft, Crosby in Person at Para.
George Raft and Bing Crosby, in addition to Gloria Swanson, are among names scheduled for personal appearances soon at the New York Paramount. Rubinoff returns to the Times Square house this Fri.

DRINKS AND DANCING IN NEW CASINO SETUP

(Continued from Page 1)
the Cafe Varieties, will open simultaneously with the theater.

Shows at the Casino will run for four weeks. Opening bill includes George Jessel, Walter O'Keefe, Gertrude Jesen, Rich Bros., Lucille Page, the DeMarcos and 40 girls. Five production numbers are to be staged by Bobby Connolly. Scale will run from 40 to 75 cents for matinees and 50 to $1.50 evenings. There will be a midnight show Saturday night and three shows on Sunday.

Feist Finds Exhibitors Amenable Toward Code
(Continued from Page 1)
during a recent trip to the field but also on reports reaching his desk. Exhibitors particularly look to the local grievance boards as an instrument to aid in the adjusting of their difficulties, said Feist.

Business is approximately 15 per cent better than four years ago, asserted the M-G-M sales head. He finds business East of the Rockies somewhat more improved than in the coast region.

Anna Steen
in the SAMUEL GOLDWYN Production of "NANA"
with
Lionel Atwill • Richard Bennett
Mae Clarke • Phillips Holmes
Muriel Kirkland
Directed by Dorothy Arzner

Boston Happy; 'Nana' 16G's

'Nana' $11,500 in Cincy

'Nana' Sweet $12,500

'Tops in Kansas City

Orpheum (Locust) $2,000; 39-40-50

'Nana' (UA) and vaudeville. Figures likely to cash in on big ballet sweep a year ago, which is being encored. Looks good, though a little bland.

VARIETY
WINNER OF FILMDOM'S HIGH
OF THE ACADEMY OF MOTION

Enthroned by the love of
reigns over Stardom, queen

RKO RADIO
PICTURE

EASTER WEEK THRUOUT THE NATION!
BACKED BY ANOTHER GREAT NATIONAL
NEWSPAPER ADVERTISING CAMPAIGN
HONOR . . . THE AWARD
PICTURE ARTS AND SCIENCES

hundred million, today she
by right of her blazing genius!

SPITFIRE

DIRECTED BY JOHN CROMWELL
FROM THE PLAY "TRIGGER" BY
LULA VOLLMER . . . A PANDRO S.
BERMAN PRODUCTION . . . .
MERIAN C. COOPER, Exec. Producer

ROBERT YOUNG
RALPH BELLAMY
MARTHA SLEEPER
A "LITTLE" from HOLLYWOOD "LOTS"

By RALPH WILK
JUNIOR DURKIN, who played in "Growing Pains," in the west and in New York, will play the leading role in "Thirty Thousand to Go," a comedy by Leon Waycoff, which will open at Leila E. Rogers Hollywood theater March 29. Young Durkin will be seen as a Hollywood lad who takes some movie ideas back to Koko.

Francis Lederer is so anxious to speak on World Peace over the International Easter broadcast that he is planning to have the broadcast, which originates from Hollywood, pick him up in San Francisco, where he is going to play in "Autumn Crocus."

Edmund Grainger is busy at Universal. He is supervising "Alias the Deacon," which Kurt Neumann is directing, and "Affairs of a Gentleman," which Edwin L. Marin is giving directorial guidance.


Frank Borzage is mourning the loss of his father, Louis Borzage, killed in an auto accident. He was 74 years old.

Ann Ronnell, sister of Sol Rosenblatt, who is writing the score, words and music for "Down to Their Last Yacht," admits that when she was a little girl back in Omaha, her mother had a terrible time making her keep up her piano practice. Now look at her!

Charles Lamont has completed the direction of "No Sleep in the Deep," a Mermaid comedy for Educational. Betty Compton, Robert Warwick, Dorothy Sebastian and Don Alvaredo played the leads. The comedy was written by Ernest Pagan and Ewart Adamson.

"Before speaking, think first whether what you are going to say is True, Kind and Helpful; if it has not these three qualities, DO NOT SAY IT." Believe it or not, this bit of philosophy was coined by a film executive 20 years ago.

James Ellison, who has been signed by M-G-M, played opposite Billie Burke in "The Vinegar Tree." He also appeared in several plays at the Pasadena Community Playhouse.

Here and There: Ben Bernie and Al Lewis chatting at Paramount; Billie Burke, widow of Flo Ziegfeld, having lunch at RKO with Earl Carroll, the revue producer; Vernon Dent and Gary Cooper's father watching the Chicago White Sox nose out an exhibition game from the Los Angeles Club.

"The Last Gentleman" will be the definite title of the picture hereafter known as "Head of the Family," which George Arliss is now making for 20th Century Pictures.

Norman McLeod, who is still editing "Melody in Spring," which he directed for Paramount, is scheduled to start tomorrow with George Burns and Gracie Allen on their new picture "Often a Bridegroom."

Mary Brian, who plays the feminine lead in "Numbers of Monte Carlo," has been signed to play in Paramount's "Private Scandals" upon completion of her Monogram role.

Sally Blane, who plays the featured feminine lead in Monogram's "City Limits," co-starring Frank Craven and Ray Walker, will appear opposite Joel McCrea in Universal's "Alias the Deacon."

Joe E. Brown, First National star who recently completed "The Circus Clown," will be starred in a six-day bicycle race story, as yet untitled, on his return from the three-month vacation he is taking in the Orient with Mrs. Brown. Earl Baldwin wrote the original story and screen play about the bike rider.

Carl Erickson has completed the script of "Self-Portrait," which will be produced with Warren William and an all-star cast by Warner Bros.

Kay Francis, having completed her starring role in "Doctor Monica" at the First National studios, has left for Lake La Quinta in the Southern California hills for a week's vacation before starting her next picture, "Firebird."

... and looking for Trouble

A DARRYL F. ZANUCK production
STARRING
Spencer TRACY
Jack OAKIE

Presented by JOSEPH M. SCHENCK

"Trouble" $10,500, presented by Metro, March 12.

First engagement of Boston clicks big! Now watch for reports from St. Louis and Toledo!
Detroit—Net profit of $1,068.38 was made by the Detroit Variety Club at the annual banquet two weeks ago, according to final statement by Treasurer Carl H. Shaltit.

Carson City, Mich.—F. S. Caswell has bought the Dreamland from L. C. Whitney.

New Bedford, Mass.—Melvin F. Morrison, for the past four years manager of the Rialto, Publix house, has been transferred to Portland, Me., where he will be manager of the Maine Theater for the same firm.

Detroit—Two theater deals have been closed by Olchefska & St. George, theater brokers. The Art, formerly the Ritz, was sold to Arthur D. Baehr, owner of the Colley, by A. J. Norris and M. Sorin. The Wolverine, west side, was taken over by Edward Pasco of the Campau from Frank Krueger.

Detroit—E. S. Kinney, assistant to H. M. Richey, general manager of Allied Theaters of Michigan, has left town on a vacation for several weeks.

Groverville, Ala.—Everett Tompkins will open a theater here soon.

Louisville—Sam Switlow has returned from an extended Florida vacation.

St. Petersburg, Fla.—Laura B. Sprague, manager of the Alcazar, filled a $5,000 damage suit against United Artists for alleged breach of contract, charging that pictures upon which the Alcazar had option for second-run had been released to a circuit of Florida theaters.

Lynn, Mass.—Uptown Theater Lynn, Inc, has been incorporated with Frank E. Prioli as president and George Swartz as treasurer.

Waltham, Mass.—The Waltham Amusement Corp. has been incorporated with Melvin J. Druker as president and Joseph M. Druker, treasurer.

Greenfield, Mass.—Claude E. Frederick, theater manager, has filed voluntary petition in bankruptcy, giving liabilities as $5,761 with no assets.

Pennsylvania Censor to Give Lecture Series
Philadelphia—Samuel D. Schwartz, chairman of the Pennsylvania Board of Censorship, has been appointed by Dr. Marvin Northam, Dean of the High School Evening Extension High School, to give a series of lectures on present day talkies at the Five-simmons Junior High School.

Cleveland—The baby daughter of Myer Fine, of Associated Theaters, died three days after birth.

Cleveland—E. A. Aaron, assistant to M-G-M eastern sales manager W. W. Rodgers, was here for a day and made a good will tour through the territory with branch manager Frank Drew.

Cleveland—Jack Skirball, Educational sales manager, has been in town in conference with George Roberts, Fox district manager; I. J. Schmertz, Fox branch manager, and Harry Skirball, Educational representative.

Akron, O.—Dick Wright, Strand manager, is recovering after an eye operation in Cleveland.

Memphis—Membership of the NRA board for this region includes Frank Sturm, banker; Max Bresler, attorney, and Hoyt Kirkpatrick, owner of the Hoyt theater, Fort Smith, Ark. The first two named will act as impartial members.

...and

PALOOKA

by HAM FISHER with

JIMMY DURANTE

LUPE VELEZ

STUART ERWIN

PRODUCED BY EDWARD SMALL

Presented by United Artists

Released thru UNIFIED ARTISTS

Cincinnati, March 5. (REO) (160 ft. 35-45) — Palooka’ 7G’s

Cincinnati, March 8. (REO) (125 ft. 35-45) — Palooka’ Heavy $43,000

Only B’way Standout

(Palooka” 7G’s)

(Palooka, $11,000, Strong in Boston

Keith’s (REO) (400 ft. 35-45) — Palooka, $11,000, Strong in Boston

“Palooka” (160 ft. 35-45) — Palooka’s new show... $11,000 with the fans

VARIETY

THE FILM DAILY Tuesday, March 20, 1934
ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

Thirty-Fifth Installment
ARTICLE IV—LABOR PROVISIONS—(Concluded)

Sec. 6. Chorus Transportation
(a) Payment For Transportation Whenever the chorus is required to travel, the transportation shall be provided by the employer who may be an exhibitor or an independent contractor.

(b) Payment For Transportation Where Individual Is Discharged
If notice of contract termination is given the chorus shall be paid in cash the cost of transportation and sleeper and baggage, back to the point of origin.

Sec. 7. Wardrobe
3. Prizes
The exhibitor or independent contractor must furnish every artist in a presentation unit or traveling company who receives less than $50.00 per week, all hats, costumes, wigs, shoes, tights and stockings, and other necessary stage wardrobe. This obligation to furnish wardrobe does not apply to what is commonly known as a vaudeville act. In those cases where it does apply, it must be provided without cost. In no event must street clothes be supplied.

DETROIT BANS SEX FILMS

Detroit. — "Damaged Lives," sex films, and originally admitted and played at the Madison, was banned this week when a display for the film was raided by Censor Lester Potter at the Blackstone. "Road to Ruin," another sex pix, and "Drums of Voodoo" also have been rejected.

Garrison Releasing Soviet "1905"
The Soviet film, "1905," based on Gorki's novel, "Mother," will be released in America soon by Garrison Film Distributors. The feature will have super-imposed English titles.

(b) Chorus
The exhibitor or independent contractor must furnish the chorus, without charge, with all hats, costumes, wigs, shoes, tights, and stockings and other necessary stage wardrobe.

Sec. 8. Arbitration
Arbitration of all disputes under this article of the Code shall be in accordance with the arbitration provisions generally outlined under the Code.

Sec. 9. Child Labor
(a) Child Labor In Connection With Exhibition
No person under 16 years of age shall be employed as a principal or chorus person in connection with exhibition of motion pictures.

(b) Special State Laws
If a state law has a higher minimum age, no person shall be employed in that state contrary to state law.

(c) Special Roles For Children
Where a role is to be filled or an appearance made by a child, an exhibitor or independent contractor may use the services of such child upon his compliance with the provisions of the state law.

Sec. 10. Complaints To Code Authority
(a) Violations By Independent Contractor
If an independent contractor violates any of the provisions under Part II which refers to actors, employees in vaudeville and presentation motion picture theaters, complaints may be referred to the Code Authority.

(b) Code Authority Prescribes Rules
The Code Authority may, after notice and hearing and with the approval of the Administrator, prescribe rules and regulations governing the relationship between exhibitors and independent contractors, guilt of any violations.

(The Code is Continued)

and

ALEXANDER Korda's
PRODUCTION OF

CATHHERINE
THE GREAT

WITH

DOUGLAS FAIRBANKS, Jr.

AND

ELIZABETH BERGNER

Directed by PAUL CZINN

Released thru UNITED ARTISTS

Cath’ Fine $7.200
York, March 12. Fulton (Road) 1,750.

Critical "Catherine the Great" (UA). Highest gross so far this year in the

Kath’ Sees $7,000
Hartford, March 12. Keith’s (Siemens) 3,000. 25-

Catherine the Great" (UA). Opened

‘CATHERINE,’ $4,200, BIG IN NEW HAVEN

College (Poli) 3,000. 25-40.

(Playhouse) 3,000. 25-

Variety
was heard along with it, will come up for hearing at a later date. This measure is almost identical with the old Brookhart bill. Patman contends that introduction of the two bills is merely a project for opening the entire problem to Congressional consideration.

Among those who appeared yesterday in support of the federal regulation bill were Canon Chase, Mrs. Robinson Gilman and numerous other reformers including Mrs. Ida Wise and Chairman B. Smith of the W.C.T.U.

C. C. Pettijohn, counsel for the Motion Picture Producers & Distributors of America, was the sole spokesman for the industry. He recalled to the committee his efforts some years ago to enact legislation, such as is now law, to prevent shipment in interstate commerce of low and salacious material under I.C.C. supervision and enforcement. The penal provisions of this law, now in force, are the best methods of censorship, he said.

Attacking state and city censorship, Pettijohn cited Chicago as a place with city censorship. He also assailed Patman’s block booking bill, considering at the same hearing, by stating he was filing a brief to prove that not more than 20 per cent of pictures are sold in block. The so-called “good” films, he pointed out, are in reality “bad” for exhibitors due to their lack of box-office value, hence theatermen more often exercise their cancellation privilege on worthy pictures and grab up those that are good box-office though rated bad by reformers.

Rep. William Connery of Massachusetts was another who spoke against the bills. The Civil Liberties Union also expressed opposition to the censorship proposal.

Abram F. Myers of Allied, called upon shortly after Pettijohn concluded, said he was filing a brief on behalf of the block booking bill itself. A heated argument ensued as one of the committee members questioned him about allegedly sending a letter to Allied members telling them not to comply with the NRA code. Myers apparently became incensed at the question and at Congressman Chapman, the interrogator, and order had to be called. Myers denied sending the letter.

Several times during the hearing doubt seemed to be expressed among several committee members as to whether Congress itself had the power to do what the bill itself intended to carry out, namely prevent certain people from entering theaters.
Producers Omit I.A.T.S. Union Pact

FOX SHOWS $1,410,792

Circuits See 25% Jump

Heavy Additional Burden Foreseen Under Plan to Cut Hours

Several hundred thousand dollars will be added to operation costs of major circuits if the proposed 30-hour week is passed by Congress, a FILM DAILY survey shows. Circuit executives are now figuring on a 25 per cent boost in overhead, based on the cut of 25 per cent in working hours from the present NRA maximum of 40 hours. According to one major circuit official, the average overhead in salaried executive positions will be increased an average of 20 per cent on the cut. (Continued on Page 4)

RELEASE DATES SET ON 13 WARNER FILMS


Sam Kantor

3 More

Sam Kantor's comeback includes three more producers' houses, the Newton; the Newtonian, and the Elmwood, all in Elmhurst, Queensboro Theater, his headquarters, and his additional houses. His organization is called Tanor Holding Corp.

Rowland and RKO Talking

"Rothschild" Acclaimed

George Arata in "The House of Rothschild," 20th Century production released by United Artists, was acclaimed by a distinguished audience at the Astor Theater last night. Reaction of the evening was all enthusiastic. (Continued on Page 12)
Ruling on Shorts Tie-In Clause Asked by Allied

PARTS OF MOTION PICTURE CODE BEING REOPENED

Jesse Lasky to Make 8 for 1934-35 Fox Program

Fables

... of Filmland

BY JACK ALICOATE

THERE once was a time when people went to picture theaters for no other reason than the news-reel. Competition was keen and the news of the day, on the screen, was crisp and timely. Marquee lights blazed the advent of a news-reel scoop and critics and patrons everywhere heralded the news-reel as probably the most valuable spoke in the cinema entertainment wheel. That was long ago. Now and seldom hours of the news-reel. It is neither featured nor advertised. Papers take little cognizance of it and exhibitors generally take it in regular stride. A mighty giant has become a puffy because of too much friendly and understanding cooperation. Moral: Competition is the life of trade even with news-reels.

THERE was once a director of advertising and exploitation who was well liked by his fellow patriots, understanding in the ways of mankind and wise to the habits of the world. His success seemed assured until he thought of the unhygienic idea of inviting the critics, one by one, to his projection room to see the "Greatest picture ever produced." After seeing the "Greatest picture ever produced" six or seven times under different titles, the critics, male and female and one by one, slowly came to the conclusion that perhaps they were being spooned and thereby became acquisitive, vexed and mortified to the complete disappointment of the director of advertising and exploitation and his company. Moral: The greatest of commercial sins is overweening.

NOT so many moons ago there was a minor executive who was efficient, tolerant and popular in industry circles. It came to pass that during an office shake-up he was made a vice-president and given a department and power. To and behold, he immediately became smug, had to buy a complete new set of headphones, became intolerant of his former fellow workers and a pain in the neck to his old buddies. When the next shake-up came along he was out, rejected, because he could not take it. He lost not only his job but most of his friends. Moral: Treat the office boy with consideration. He may be your boss some day.

One Production on New Schedule Already Completed

Production of eight features for Fox release during 1934-35 is planned by Jesse L. Lasky, Jr., in New York last night. He leaves today on his return to the Coast following a two-day visit during which he considered story material and saw a few shows.

First picture on the Lasky new year program is "Springtime for Henry," which has been finished. Next will be "Grand Canary," with Warner Baxter; and a Casanova will follow.

VAUDE OUSTING DUALS IN MICHIGAN HOUSES

Detroit—A decided trend toward vaudeville, mostly part-time, in place of double features is taking place here and elsewhere in the state. Local houses that have gone in for vaude include the Publix Eastown, Senate, Rex, Adams and Madison. Burt Silver's Family Theatres in Greenville and several Butterfield circuit houses in Michigan also have put in flesh recently.

MAJESTIC IS JUMPING TO 1934-35 PROGRAM

Majestic Pictures will not complete its 1934-35 schedule of 12 pictures but will concentrate instead on starting production shortly on a 1934-35 schedule of 12. One more feature and perhaps two will be made of the 1934-35 lineup. Majestic has already produced five pictures this season.

MAJESTIC FRANCHISE HOLDERS MET YESTERDAY AT THE PARK

Allied Asks NRA for a Ruling

If Tie-In Clause is Retroactive

Warner Circuit Business

Up 10%, Says Bernhard

Improvement in box-office business approaching 10 per cent as compared with a year ago is indicated by reports reaching the Warner theater department, said Joseph Bernhard yesterday, following his return (Continued on Page 8)

NEW Hearings to be Held Monday by Recovery Review Board

By WILLIAM SILBERBERG

FILM DAILY Staff Correspondent

WASHINGTON—The Recovery Board may be considering certain provisions of the motion picture code, with hearings scheduled for next Monday, by the National Recovery Review Board headed by Clarence Darrow, was announced last night. Notices have been sent to the Code Authority and all parties concerned, it was stated, and hearings are to be held in the Willard Hotel here. The specific complaints it was understood to be one (Continued on Page 8)

TIGHTENING ON LABOR IN LEGITIMATE CODE

Washington Bureau of THE FILM DAILY

WASHINGTON—A considerable tightening of the labor and trade practice provisions, as well as a change in the makeup of the Code Authority which would include several labor representatives as permanent members, is embraced in the proposed revised code for the legitimate code (Continued on Page 10)

Pictures on Dillinger

Banned by Hays Group

Will H. Hays yesterday announced a decision, supported by all companies which are members of the Hays association, banning the production, distribution and exhibition (Continued on Page 10)

Walter Reade Wins 'Em

Warner's first series of free showings is being given in the lobby of Warner Reade's Mayfair Theater is a top with a wine company whereby the first thousand women attending "Wine, Women and Song" are given a free bottle of wine—worth more than twice the price of admissions. Any guy intending to buy a bottle of wine could take a trip to the Mayfair, get his bottle, and still be some cents to the good.

20 Writers at Columbia

West Coast Bar, THE FILM DAILY

Hollywood—Columbia has boosted its active writing staff to 20 with the addition of Herbert Abbey, Joseph Muncur March, Becky Gardiner and Joel Sayre.

Completed" 1931

To 1934-35 Program

Majestic Pictures will not complete its 1934-35 schedule of 12 pictures but will concentrate instead on starting production shortly on a 1934-35 schedule of 12. One more feature and perhaps two will be made of the 1934-35 lineup. Majestic has already produced five pictures this season.

Majestic Pictures holds at the Park yesterday afternoon (Continued on Page 11)
Sidney Lanfield to Direct
"Sons of Guns" in England

West Coast Bureau of THE FILM DAILY

Sidney Lanfield—London—Sidney Lanfield, who is now directing George Arliss in "The Last Gentleman" for 20th Century, has signed contracts to go to London and direct "Sons of Guns," British & Dominion musical based on the New York stage hit, for United Artists release. Leonard Praskins, 20th Century scenarist, will make the trip with Lanfield. Jack Buchanan and Lili Damita will be starred in the production.

Edward Esmond Acquires
All Barry Conners Plays

Under an arrangement with the administrator of the estate of the late Barry Conners, playwright and scenarist, Edward Esmond has acquired complete rights to all the plays, books, scenarios and other literary works left by Conners and is now considering offers from stage and screen producing sources. There are about three dozen plays in the group. Eight were produced on Broadway, and only one, "The Patsy," has been filmed, while "Strange Bedfellows" was acquired by M-G-M and "Applesauce" is owned by Warners. Others include "Mad Honeymoon," "Hell's Belts," "Girl Trouble," "The Desperado" and "Unexpected Husband." When Conners was an $8-a-week hotel clerk, Esmond made him his proxy and financed him while he wrote himself to success.

3 Universal Films Set at Roxy

Three Universal pictures have been set for the Roxy following Easter. First will be "Let's Be Ritzey," with Lew Ayres, followed by Lee Tracy in "I'll Tell the World" and Constance Cummings and Paul Lukas in "Glamour."
FOX springs another pleasant surprise on the trade . . . as three releases marked for big money leap into the great money class! Varied in appeal, vigorous in action . . . loaded with down-to-earth entertainment, laden with box-office draw . . . movies like these make picture business an unmixed pleasure.
Set them in for preferred playing time

- Rafter-shaking laughter and high-tension thrills... when a newlywed wife who has buried her past discovers she forgot to burn those letters.

3 ON A HONEYMOON

SALLY EILERS
ZASU PITTS
HENRIETTA CROSMAN
CHARLES STARRETT
IRENE HERVEY

From the novel "Promenade Deck" by Ishbel Ross.
Screen play: Edward T. Lowe and Raymond Van Sickle
Directed by James Tinling
Deserted mining towns boom again... beautiful chorines turn gold-diggers, the pick-and-shovel way... in the ruthless scramble, the frenzied gamble of the 1934 gold stampede.

**WILD GOLD**

John Boles
Claire Trevor
Harry Green
Roger Imhof
Ruth Gillette
Monroe Owsley

Story by Dudley Nichols and Lamar Trott. Screen play: Lester Cole and Henry Johnson.

Directed by George Marshall

Scotland Yard follows a trail of blood into the sinister shadows of Trinidad's Caroni swamp... where few dare venture... and none return.

**MURDER IN TRINIDAD**

Nigel Bruce
Heather Angel
Victor Jory

From the novel by John W. Vandercook
Screen play by Seton I. Miller

Directed by Louis King
SMASH!!!
The Spring drive is on...

In BOSTON: Out-grossing every Fox picture this season at the Metropolitan ... almost twice as big as "Carolina" and "Mr. Skitch."

In BALTIMORE: Sensational opening at New Theatre classed with "David Harum" and "Carolina." Hold-over regarded as sure thing.

In ALBANY: Tremendous opening with patrons applauding. R-K-O Palace manager considers it "one of the biggest musical box office successes of the year."

In CINCINNATI: Opened bigger than "David Harum" which held over at the Palace. Already planning second week on basis of present tremendous business.

In NEW BEDFORD: Marvelous comment and biggest business in weeks for the State Theatre.

In CLEVELAND: Terrific opening topped "Carolina" for both gross and attendance at the Hippodrome.

In SYRACUSE: S. R. O. at Eckel opening show. Enthusiastic audience reaction indicates easy hold-over.

In NEW HAVEN: "Took the city by storm" reports manager of the Poli Palace.

In HARTFORD: Over with a bang ... opening tops "David Harum" ... audience applause. Looks like sure-fire S. R. O. week.
PARTS OF FILM CODE ARE BEING REOPENED

(Continued from Page 1)

Alexander Bisno of Chicago, whose grievance is said to concern provisions of the code concerning theater leases involved in receiverships. This could not be verified, however, and neither will the hearings continue to this phase, it was stated, as other grievances have also been filed alleging monopolistic practices, the single phase of which this board concerns itself.

The full board will sit at the hearings, it was stated, and if in its opinion changes are not necessary, it will recommend such changes to President Roosevelt direct.

Burton King Considering Production in the East

(Continued from Page 1)

come east again with a view to making some production here. During his New York stay King looked over the situation here and said pictures could be made here just as economically as on the coast.

French and German Films Are Gaining in Uruguay

Although American films predominate in Uruguay, German and French product is making steady progress in that market, according to a report from Vice Counsel A. W. Lippincott, Montevideo, to the Commerce Department. American pictures which made the greatest successes during 1933 were all features which achieved note in the U. S. Uruguayans are especially partial to animated cartoons. Newsreels are always well received.

Montevideo, the capital of Uruguay with a population of 500,000, has some of moving picture theaters, all wired.

Henry Hull Signed by Universal

Henry Hull, currently appearing on the stage in "Tobacco Road," has been signed by Universal under a five-year contract calling for two or three pictures a year, with time off for stage engagements in between. He starts work on the coast in May.

Mark Twain's "Pudd'nhead Wilson" under consideration for his first vehicle.

THE POOR l'il Outcasts of the Movies... the Pressageys... are suddenly finding themselves an Important Hog in the scheme of things filmatic of course they always were... but the trick was to make their Bosses realize it... of course the Bosses really should have realized it all along... for after all is said and done... it's the Pressageway who puts over the Blurbs that put over the Fix that gets the Dough at the ole Bee-Oh that makes it possible for the Boss to continue bein' a Boss... instead of one of the nation's Forgotten Men... and how easy folks forget ya when you are no longer in the Dough!

IT SEEMS that the Pressageys have been ballyhoo'n' everything and everybody in the biz... except Themselves... then they woke one day... sat back and put their noodles together over an AMPA private meeting and hit on a Bright Idea... "Let's ballyhoo Ourselves!"

so ever since they have been working together the Good of All Pressageys and letting the industry know they are Alive first thing ya know the Bosses will take notice of 'em and get an Idea... "Let's get acquainted with these pressagey mugs. We've had 'em on our payrolls and on off (ha... 'on and off' is correct!) on and off for years, and we really should know somethin' about 'em"... this is all by way of a Plug for the Big Shindig of the AMPA at the Astor hotel on April 21... when the Pressageys prove that they have been changed into Press Sageyes... they've got Wise... and are Ballyhooing Themselves

FINAL CURTAIN for one of the most loveable and widely known men in the motion picture world Hugh Weir... Editorial Director of the Tower Magazines with the public services at the Funeral Parlors at 66th St. and Broadway yesterday... the industry has lost a sincere friend and a business man who always built and never tore down... the entire editorial and business staff of the six Tower publications were there with the immediate family and scores of prominent people in all walks of life... the honorary pallbearers were George Jean Nathan, Sherwood Anderson, James Branch Cabell, Eugene O'Neill, Will Irwin, George Crampton, Samuel Goldwyn, Samuel Goldwyn, R. H. Cochrane, P. D. Cochrane, Howard Dietz, William Orr, Frederick Arnold Kummer, Theodore Dreiser, Edwin C. Hill, Robert H. Davis, Verne Porter, Homer Croy, Ernest Boyd...

DATE OF the Installation Dinner of the I.T.O.A. was changed to tomite... moved forward from last Monday night at the request of Mayor La Guardia who will install the new officers and directors... Julius Tannen will be master of the revels... Pepper & Haines, Billie Joy and Miriam March are among the variety acts added to the new show at the Roxy which opens Friday... the revel will be headed by the Three Scamps, Nita Oliver and Wesley Eddy...

OUT IN Little Rock, Arkansas... Jimmie Thames... advertising manager of the Pulaski-Royal-Capitol-theaters... is billin' Mister Laughton's pix thus... "The Very Private Life of Henry VIII"... the ad has in it... incidentally Jimmie is ravin' over those swell stills turned out by Columbia on "It Happened One Night"... arty pictures of Gable and Colbert on rough photo paper mounted on large cream mats... with only a lil' card down the side... the billin' about the neatest and classiest accessory material to be found anywhere at the current writing... says Mister Thames...

Show Man's Reminder

Are your fronts and posters lively and colorful enough to halt printers?

ALLIED ASKS NRA FOR SHORTS RULING

(Continued from Page 1)

visions apply to shorts bought prior to Dec. 7, the code's effective date, when this product is generally released after that date.

A recent NRA interpretation, involving a principle somewhat similar in nature, may retroactively make the code's 10 per cent elimination clause. Major companies have generally registered objections to the ruling.

Detroit Price Plan Starts in Sections

(Continued from Page 1)

the first group embracing 40 houses in the northwest part of the city. This group involves every house in the territory, considered the city's best neighborhood district. The move in the northwest is to serve as a model and incentive for the few remaining houses to sign, according to E. S. Kinney of Allied. Downtown houses probably will be last to fall in line.

Warner Circuit Business Up 10%, Says Bernhard

(Continued from Page 1)

to New York from the Coast, where he attended to matters in connection with the 14 Warner theaters and also took a vacation.

Universal Buys Two Stories West Coast Bureau of THE FILM DAILY Hollywood — Carl Laemmle, Jr., has bought "Long Live the Queen," novel by Saga Landin, a 1934-35 vehicle for Gloria Stuart, and "Transient Lady," Liberty serial by Octavus Roy Cohen, to be placed in work immediately with Eddie Buzell directing. Latter story is being started at once. Place of "Human Side," delayed until Lowell Sherman recovers his voice.

"Ever Since Eve" for Mayfair George O'Brien in "Ever Since Eve," Fox production, opens with a preview next Monday night at the Mayfair.

BEST WISHES

THE FILM DAILY

Wednesday, March 21, 1934
TO ALL FILM DAILY SUBSCRIBERS

IN


YOUR

1934 FILM DAILY YEAR BOOK IS ON ITS WAY TO YOU!
**ALLIED ASS’N PUSHING BLOCK BOOKING BILL**

The following article was published in the *Washington Daily* on March 21, 1934.

Washington—A concerted drive is being launched by Allied to prevent the renewal of Patman’s anti-block booking bill, now pending, from being killed at this session. The measure, introduced in Committee on Monday along with Patman’s censorship bill, which was shelved, is to come up for another hearing. Abram F. Myers, Allied counsel, who is understood to have figured in drafting the measure, obtained permission to file a brief on it.

100% Exhibitor Support

For Triple N. Y. Boards

Allied Theaters of New York is putting its stamp of approval on a three zone plan for the New York metropolitan territory for the purpose of local zoning and grievance machinery provided under the code. With the T. O. C. C. and T. O. A. taking a similar attitude, exhibitor units in the area are 100 per cent for the system, under which one set of boards would handle New Jersey, another New Haven, New London, Wester- ter and a third Island, Brook- lyn and Queens.

Jesse Crawfords for Vita, Short

Mr. and Mrs. Jesse Crawford, organ- izers, have been signed by Vita- phone for a one-reel short which goes in work today at the Brooklyn studio with Joseph Henabery directing.

“Wonder Bar” Holds in 2 Spots

Opening to record business last week at the Knickerbocker, Nash- ville, and Astor, Reading, Warner’s “Wonder Bar” has been set to hold in both spots.

**LIFE IN THE WILD HORSES**

Columbia

COLORFUL WESTERN OF WILD HORSES AND INDIANS WILL GO BIG WITH THE KIDS.

This one gets away from the formula western by devoting most of the footage to the adventures of Rex, the wild horse, and a lot of colorful action on an Indian reservation. The work of Rex has been very well handled, and he is the real hero of the film. An outlaw with his gang lays plans to steal the wild Navajo horses. He has forged documents that give him permission from the government to round up the animals in order to kill off those that are diseased. But Rex, the leader of the herd, together with locals, prevents the forls of his henchmen to capture them. Meanwhile William Janney playing the role of Red Wolf, young Navajo chiefman, is commanded by his father to capture Rex and break him in order to celebrate his 18th year of age. He captures the horse, and from that moment it is a battle between the young chief and the white renegade both in the animal which other methods and the love of an Indian girl. Highspot thrill with a horse race, a stampede of horses, and the death of the outlaw under the hoofs of the enraged wild stallion. Indian stuff is well handled and colorful.

CAST: William Janney, Dorothy Appleby, Wallace MacDonald, Harry Semels, Ford West, Art Mix, Earl Haley, Author, same, Adaptor, Fred Myton, Editor, Clarence Sokler, Recording Engineer, Dean Daily, Cameraman, Ben King.

Direction, Color, Photography, Okay.

**FOREIGN FILMS**

"LIEBE MUSS VERSTANDEN SEIN" ("Love Must Be Understood"), in German; produced by UFA; directed by Hans Stein- hoff; with Rose Barnson, George Alexander, et al. At the 79th St. Theater.

Fairly interesting comedy, drama with some agreeable music. Plot revolves around an inventor, and his two loves, one a me- chanical doll and the other a real girl.

SOBBRE LAS OLAS" ("Over the Waves"), in Spanish with English titles; produced by Latino Films; directed by Ra- mon Peon and Rafael Sevilla; with Carmen Guerrero, Adolfo Giron, Rene Cardona, Joaquim Coss. At the Teatro Variadades.

A generally enjoyable Mexican made historic romance with music, dealing with the love story of Juventino Rosas, Mexican composer, who turned out many popular native songs.

Raft to M. C. for Showmen’s Ball Chicago — George Raft, screen star, has been named master of ceremonies for the first annual Spring Benefit, Frolic and Supper to be staged by the Showmen’s League of America at Rainbo Gardens the night of May 24.

Gretha Nissen on London Stage Reopening—Gretha Nissen, who has been making pictures for B.I.P., will appear in a musical revue, "Why Not Tonight?" opening next month at the Gaiety, West End house.

**FEATURE and SHORT REVIEWS**

"Daredevils" (Adventures of Newsreel Camera- man)

Fox

Good Action Stuff

In this collection showing some of the more thrilling s.d. of the newsreel, real cameramen’s work is shown of a brave lad wrestling a lion, an encounter between a lion and a bull, a tip of airplane stuntting, g.h. div- ing, sharpshooting with targets held by live subjects, knife and axe-throwing, roller skating atop the edge of a skyscraper, walking a g-rantce between two skyscrapers, and a few other exploits. Plenty of real stuff to give audiences a few kicks.

"Funny Little Bunnie" (Silly Symphony)

United Artists

Great

This is a likely entry for the best short of 1934 and while it might appear that its vogue would be more or less limited to the Easter season because its purely imaginative sub- stance deals with the manufacture and decoration of Easter eggs and bunnies by a colorful rabbit crew, the humor and variety of the color- ing, and the highly diverting action lift it far above any seasonal appeal. Musical accompaniment is pleasing.

Bud N’ben in "Arizona Nights"

Astor Pictures

Good

Well-acted, this three-reeal West- ern unfolds a story of smuggling of humans across the Mexican bor- der by a supposed archaeologist (called the professor) who trans- ported his prizes in mummy wrap- pings. Bud N’ben are government agents assigned to halt the contra- band traffic. Though the smugglers is related with a variety of interesting action to a stock cli- max. Romantic interest is nicely intertwined.

"Rip Van Winkle" (Terry-Tosn)

Educational-Fox

Good Animated

Taking the fable of Rip Van Winkle, the Terry-Moser animating studio has concocted a generally di- verting cartoon comedy. Rip and his dog take it on the run when Rip’s wife abuses him. In the woods they come across a horde of dwarfs, who put on a lively show, winding up with Rip being awakened by raps from his wife’s rolling pin, who then bounces back on her for a knockout.

Paul Ash Comes Back Strong

Chicago—First three days of Paul Ash engagement at the State-Lake theater proved such a big draw that the extended Ash’s con- tract two weeks and boosted his sal- ary $250 a week.

Para. Signs Pauline Lord

Pauline Lord, star of two Pulitzer prize plays and one of the few remaining legitimate stage actresses who have put out a call for Hollywood, signed a 10- term contract with Paramount yester- day. She leaves for the Coast in about three weeks.

**TIGHTENING ON LABOR IN LEGITIMATE CODE**

(Continued from Page 1)

mate theater, public hearings of which are to be held here March 28.

For an employer to aid in "throw away" and "two-for-one" or any ticket system under which admiss- ion is obtained by presentation of a ticket slip good for any number on payment of a charge below the box-office price is termed an unfair practice. Aiding an actor to leave a cast in order to enter films is likewise deemed unfair. Conversely, the National Screen Institute, etc., where they are employed is films.

Pictures on Dilinger

Banned by Hays Group

(Continued from Page 1)

of any picture concerning John Dilinger, escaped bandit, and his ex- ploits. Action was motivated by the belief that such films would be "detrimental to the best public in- terests," he stated.

**Idaho Exhibitors to Meet**

Pocatello, Idaho—Idaho exhibitors, who are members of the Inter- national Theater Owners’ Assn., will meet here March 27 to discuss current problems, according to an announcement from Beverly S. Clen- dinnam, secretary, following a meeting last week at Salt Lake City.

Voting on Sunday Movies March 26

Manhattan, Kansas — Prospect of another referendum on the Sunday show question at the primary election March 26 has aroused keen inter- est and one of the highest vote in years is expected.

Wilby Reopens Gardens

Birmingham — The Temple, ac- quired sometime ago by Wilby, has been reopened with pictures and vaudeville at 25 and 35 cents.

**FACTS ABOUT FILMS**

French film company failures in the last two years amounted to only 1.5 per cent of the total firms in business.
By RALPH WILK

PROBABLY the heaviest schedule on the Monogram lot is that of Paul Malvern, supervisor, who completes “Numbers of Monte Carlo” today and starts the first of two John Wayne westerns for Lone Star Productions on Monday and will follow the second Western by swinging back to Monogram to make “Happy Landing” from Stuart Anthony’s air service story late in April.

Diana Wynyard and Clive Brook who scored in Fox’s “Cavalcade” and recently made “The Rover Road” for RKO, have been assigned to co-star in another RKO production, “Sour Grapes,” from the Vincent Lawrence stage play. Ernest Pascall is doing the script, with Worthington Minor and George Nicholas Jr. slated to co-direct.


Monogram has signed Polly Ann Young for the lead opposite John Wayne in his two next westerns, “Blue Steel,” by Robert N. Bradbury, and “The Man From Utah” by Lindsley Parsons. Robert N. Bradbury will direct his original, “Blue Steel,” which will go into production next week.

Harry Mayo, a childhood pal of Gary Cooper in Helena, Mo., and former star athlete, has a small bit part in Paramount’s “Murder at the Vanities,” featuring Carl Brisson, Jack Oakie and Kitty Carlisle.

RKO has assigned Frances Dee, Reginald Owen and Holmes Herbert to “Of Human Bondage,” and Mary Boland to “Down to Their Last Yacht.”

“Derby Day,” Monogram feature which goes into production in April, will be a general historical narrative covering the progress of American and English tracks from the late Victorian era up to the present time, but will not be founded on the life of any one figure, according to Tristram Tupper, author.

Jo Matthews, new Columbia discovery, has arrived to appear in “Twentieth Century.” The company also has signed Arline Judge and Henry Travers for “The Party’s Over.”

Leo Carroll, Broadway actor, Isabel Jewell and Muriel Evans are additions to M-G-M’s “Manhattan Melodrama.”

Jack Mulhall is appearing in Paramount’s Mae West film “It Ain’t No Sin.” Harry Woods and Stuart Holmes are other new members of the cast. Tammany Young and Warren Hymen have been signed for “Little Miss Marker” at the same studios.

Majestic is Jumping To 1934-35 Program

(Continued From Page 1)

Central to select a new producer. Appointment is expected to be announced in a few days, with production slated to start soon thereafter. The Majestic board of directors is assembling here and will convene in a few days when all directors are present.

It was learned that John N. Weber, Majestic sales manager, and Thomas A. Kilfoil, comptroller and assistant treasurer, had resigned.

Franchise-holders who met yesterday included: Jack Berkowitz, Buffalo; Bernard Mills, Albany; William Shapiro, Boston; Ben Julill, Chicago; Tony Lucchesi, Philadelphia; Herman Gluckman and E. H. Goldstein. Majestic directors expected to town within the next day or so are Morris Segal of Cincinnati and Thomas A. Branon of Atlanta.

Protest 4-Feature Bills in Jersey

Complaint has been made to Allied Theaters of New Jersey to the effect that three houses in Plainfield, N. J., are occasionally offering as many as four features on one evening’s bill. The theaters, which are double-feature, also stage reviews of new bills, thus providing four features as one program.

Permit demands were discussed by the unit at a regular meeting yesterday at which Julius Charner, vice-president, presided in the absence of President Sidney E. Samuelson.

Third Week for “Ariane”

“Ariane,” with Elizabeth Bergner, is being held for a third week at the 55th St. Playhouse.
THE GREATEST PICTURE OF ITS KIND . . . BOOKED INTO THE GREATEST THEATRE ON EARTH

FRANK BUCK'S "WILD CARGO"
OPENS RADIO CITY MUSIC HALL THURSDAY, MARCH 29

VAN BEUREN PRODUCTION DIRECTED BY ARMAND DENIS RKO RADIO PICTURE
M. P. Council Seeks $200,000 for Movie Campaign

10% CANCELLATIONS APPLY ON FILMS SOLD SINGLY

Five RKO Promotions Are Announced by Ned Depinet

Elevations Result from New Post Assigned to Jos. Nolan

Five promotions in the RKO Distributing Corp. organization were announced yesterday by Ned E. Depinet, president of the unit. George Muchnic has been appointed assistant secretary of the company to succeed Joseph Nolan, who leaves today for the coast to become assistant to B. B. Kahane, president of RKO studios. Muchnic will assume the major part of Nolan’s former duties, while Thomas Quinn has been made head of the claim, department, established as a separate

TENTATIVE PROGRAM SET BY M. P. T. O. A.

General plan for the M.P.T.O.A. annual convention in Los Angeles, April 9-12, is to hold business sessions in the forenoon, trips through the studios in the afternoon and social affairs and entertainment at

Lining Up Equipment

For Toronto Film Studio

J. R. Booth, Canadian lumber magnate who is erecting a film studio in Toronto, has arrived in New York from the coast, where he made a three-week survey of production, and is now working out several deals for recording equipment. The Toronto studio is expected to open

Fox Player Roster at Peak

West Coast Dtor., THE FILM DAILY

Hollywood—Fox currently has 90 players under contract, the largest roster ever employed at the studio. Of the group, 35 are in permanent scenes being groomed for the future. Production activity includes six pictures a week, four in the cutting rooms and five being prepared.

DELIVERING FULL 60, SAYS JACK WARNER

Appoint U. S. Delegation To Film Congress in Rome

Official U. S. delegation to the International Congress on Educational and Instructional Cinematography to be held April 19-25 in Rome, Italy, includes Dr. Cline M. Keon of the Division of Education of the

ALEX AARONS, BROADWAY

Producer, Joins Goldwyn

New Type Operatic Short Acquired by Educational

“Pagliacci,” a short made by Audio Productions, Inc., under a new technique for offering opera on the screen, has been acquired by Educational for release through Fox in the Treasure Chest series. Directed in the east by William C. DeMille, with English libretto by John Erskine

COUNCILS IN ALL CITIES PLANNED;

75% Films O.K.—Mrs. Belmont

Television Advanced By New Development

London—By using ultra-short wave lengths and cathode ray oscillograph at the receiving station, Baird Television this week sent a broadcast over a distance of seven miles. The cathode ray up to now was considered most suitable for transmitting film subjects, but in this week’s demonstration living figures were televised.

About 500 men and women prominent in the city's social and educational activities attended the first national conference and luncheon of the Motion Picture Research Council yesterday at the Hotel Roosevelt at which the plans and purposes of the organization were made known by Mrs. August Belmont, president, and other speakers, and a drive launched for $200,000 to run the Council for two years.

Mrs. Belmont said the objectives

U.A. PRODUCT COMES UNDER CANCELLATION CLAUSE, ROSENBLATT RULES

An attack on the code’s 10 per cent cancellation clause, described as “inadequate,” is contained in a brief filed by Abram F. Myers, Allied board chairman and general counsel, with the House Committee on Foreign and Domestic Commerce in support of the Patman bill to abolish compulsory block booking. The elimination provisions fail to aid “an overwhelmingly majority of the

TECHNICAL AWARDS MADE BY ACADEMY

West Coast Bureau of THE FILM DAILY

Hollywood—Board of Judges for Scientific or Technical Award by the Academy of Motion Picture Arts and Sciences, in recognition of achievements in 1932-33, announces certificates of Honorable Mention to RCA Victor for High Fidelity Recording and Reproducing System and to Electrical Research Products

J. R. GRAINGER SKEPTICAL ON COSTUME FILM OUTLOOK

New Orleans—Some skepticism over the financial success of the costume film cycle was expressed by James R. Grainger, Universal sales chief, while here on a trip around

LILYAN TASHMAN DIES

Lilyan Tashman died yesterday in the Doctors’ Hospital at the result of an illness that had afflicted her since she underwent an operation last year. The star, who was the wife of Edmund Lowe, only recently had finished work in “Frankie and Johnny” in the cast. She began her theatrical career in the Ciegfeld Folies and later entered films in Paramount’s “Garden of Allah” in 1924.
No Agreement Reached On N.Y. and Philly Boards

[Article discussing the lack of an agreement on the boards for New York and Philadelphia.]

Indies Oppose Goldsmith As Impartial Man on Board

[Article about the independent exhibitor objecting to the proposed nomination of Divison Administrator Sol A. Rosenblatt for A. N. Goldsmith as impartial member of the New York local zoning and clearance board.]

Drafting State Measure On Admitting Juveniles

[Article about working in conjunction with the I. T. O. A., State Senator Quinn of New York City and his partner, C. Milton Weisman, counsel for the exhibitor unit, are drafting a bill which Quinn will introduce in the State Legislature seeking to allow children under 16 years of age to attend picture shows without adults.]

Short on Maryland at Roxy

[Article about John Hamrick's protests.]
NEWS of the DAY

San Andreas, Cal.—The San Andreas theater has reopened.

Modesto, Cal.—Valley Amusement Co. has taken over the Modesto theater and will make extensive alterations.

Folsom, Cal.—G. W. Taylor is opening a theater here.

Stockton, Cal.—Blumenfield Theater Circuit will erect a theater at 218 E. Main St. The contractor is G. B. Pasqualetti.

Madera, Cal.—Harvey Amusement Co. is opening a theater in the D. R. Hoffman Bldg.

New Orleans—Mona O'Rourke, J. D. Duffy and Mrs. Max Heine are candidates for the code board's secretaryship here.

Roseville, Cal.—About $18,000 worth of alterations are going on at the New Roseville theater, owned and operated by J. B. Lima and John Peters.

Palo Alto, Cal.—Palo Alto Community Players, Inc., plan to erect a theater.

San Francisco—Victoria Theater Co., Inc., has been incorporated by M. Naify. The corporation attorney is L. S. Hamm.

Grass Valley, Cal.—Strand theater plans another theater, to be erected on Main Street and to be named the Montez.

Richmond—Dominion Theaters, Inc., Delaware corporation, has been domesticated in Virginia, with principal office in Charlottesville and Hunter Perry in charge.

Canton, O.—Max Young is reopening the State.

Tifton, O.—Louis Isreal, owner of both local houses, has opened the Grand for Saturday and Sunday performances only. The Ritz operates full time.

Canton, O.—Joe Gossett has been named manager of the Lyceum, recently acquired by Young & Rinehart.

Lisbon, O.—M. J. Glick, film salesman, has leased the Grand and expects to reopen it within a week.

Cleveland—Sam Stecker of Associated Theaters, and Mrs. Stecker are back from an extended visit in Florida.

Paramount Filming "Rip"


A LITTLE from "Lots"

By RALPH WILK

HOLLYWOOD

PRODUCTION on "The Firebrand," starring Constance Bennett and Freddie March, has been completed by 20th Century. United Artists will release it late this spring.

Polly Moran will appear in two pictures for RKO, the first to be "Down to Their Last Yacht."

Lyle Talbot has been given a new long-term contract by First National.

William Wellman and John Robe etson have been signed to make another picture each for RKO. Robe etson will handle "Family Man," with Richard Dix. Wellman is now busy on "Stingaree," with his next assignment not yet set.

Alfred E. Green will direct Kay Francis in "Fire Bird" for Warners. Ralph Block and Doris Malloy are doing the screen version of the Lajos Zizlay play.

Russ Brown has been given a long-term contract by Universal. The company also has assigned Renee Gadd in "The Humbug" to replace Erin O'Brien Moore, who was taken ill.

Ray Enright will direct dialogue for Warner's "Dames."

Jacqueline Wells has been signed to a new seven-year contract with B. P. Schulberg, independent producer at Paramount.

June Brewster has been signed by Charles H. Rogers for "Private Scandal," which he is making for Paramount.

Jo Swerling has a new contract as Columbia's ace scenarist.

"Many Happy Returns" is the new title of Paramount's former "Often a Bridgegroom," with George Burns, Gracie Allen, George Barbier, Joan Marsh and Joe Morrison.

Best wishes from THE FILM DAILY to the following on their birthday:

Joseph Schildkraut
Henry Hobart
Carmelita Geraghty
Bernice Claire

Wishing a Happy Birthday to the above names from THE FILM DAILY.
CANCELLATIONS APPLY ON FILMS SOLD SINGLELY

(Continued from Page 1)
neighborhood and small town theaters, according to Myers, who contends that elimination of block booking will result in extending playing time for whatever pictures producers turn out.

Appoint U. S. Delegation to Film Congress in Rome

(Continued from Page 1)
Department of the Interior, chairman; Paul B. Mann, chairman of the biology department, Chids High School, New York City; Carl E. Miliken of the Hays Office; Col. Fred P. Devereaux, vice-president of Erpi; C. P. Hoban, director of visual education, Pennsylvania State Dept of Public Instruction, and W. C. Weekly, charter of the Bureau of Educational Research, Ohio State University. The delegation has been approved by President Roosevelt.

The Congress is being held under the auspices of the International Institute of Educational and Instructional Cinematography. About 600 delegates from 40 countries are expected to attend.

Technical Awards Made by Academy

(Continued from Page 1) for Wide Range Recording and Re-producing, also Honorable Mention to Fox, Fred Jakeman and Warner Bros., and Sidney Sanders of the RKO studios for development and effective use of the translucent cellulose screen in composite photography.

J. R. Grainger Skeptical On Costume Film Outlook

(Continued from Page 1) the contention. Grainger said he personally didn’t favor costume pictures and that he believed their appeal in small communities is too limited. He added that business conditions generally were steadily improving.

Charles A. Somma in Politics

Richmond—Charles A. Somma, theater operator, is conducting a campaign as candidate for the City Council.

Fred M. Mayer Dies on Coast

West Coast Bureau of The Film Daily

Fred M. Mayer, actor and theatrical manager, died here this week at the age of 72.

New Majestic Studio Setup

One of the Majestic home office executives will leave shortly for the coast to organize the Majestic coast production department, it is learned in connection with the Majestic studio. Company franchise holders held yesterday. It is expected that supervision of production by a home office official.

Tentative M. P. T. O. A. Convention Program

Ambassador Hotel, Los Angeles, April 9-12

Monday, April 9

10:00 A.M. Registration of members, delegates and guests. Registration and Information on Mezzanine, Ambassador Hotel.

No convention session this day to afford arriving exhibitors an opportunity to register, ask questions and see the city. Important that all exhibitors and guests register, receive the Official Convention Badge, which identifies those attending the Convention for admission to the studios on studio day, admits learner to local theaters, convention sessions, luncheons, parties and all convention affairs.

4:00 P.M. Annual meeting of the Board of Directors for the election of Officers and other business. This is an executive session for Directors and Officers only.

Tuesday, April 10

10:00 A.M. Registration of members, delegates and guests.

10:30 A.M. Sharp. Convention called to order by R. N. Benkstein, Chairman of Committee and President of the Independent Theater Owners of California. Opening address by President, Benkstein. (Continued Page 2)

Wednesday, April 11

10:00 A.M. Sharp. Session called to order by Pres. Kuykendall. “The Theater’s Liability Exemption” by a representative exhibitor of long experience in theater management.

1:00 P.M. Address by Edward G. Levy, New Haven, Conn.

“On the Motion Picture, from the Point of View of an Exhibitor” — by a prominent production executive.

Thursday, April 12


1:00 P.M. Address by Salvador S. Marinetti, Executive Secretary of the Motion Picture Producers of New York City.

DEPEN'T ANNOUNCES FIVE RKO PROMOTIONS

(Continued from Page 1)
post; Frank Alford steps from the unit; E. J. Smith, former assistant to the producer, has been offered a department, succeeds him in that statistical office to the RKO theater department to become Smith’s assistant, and Joseph Skelly, manager of branch operations, will add the handling of exchange leases to his duties.

New Type Operatic Short Acquired by Educational

(Continued from Page 1)
and several groups. Bosco Beranger, the subject blends music and drama by employing outstanding exponent of each, with Ben Hur building the pantomime as Canio, the tragic clown, while prominent operatic artists supply the vocal work and a famous symphony orchestra supplies the musical accompaniment. Recording was done with Western Electric Wide Range system.

Raft Set for 7 Years at Para. ...tion Committee of the Motion Picture Research Council of New York was discussed at a meeting presided over by Mrs. Channing Ward, theater and music critic.

Services for Richard F. Sullivan

Funeral services for Richard F. Sullivan, 80, stage and screen actor, who died this week, will be held this morning at St. Malachy’s Church.

Easter Bookings at Carnegie

As Easter attractions, the Little Carnegie Playhouse has booked “Little Women” starting today, followed by “I Am Suzanne” and “Alice in Wonderland,” along with a repertoire of Disney shorts.

Dulles Sees Union Test

Union labor leaders consuming disrupted industries is likely to be: a wholesale exodus of members from labor unions because members will not feel any obligation to pay dues when the case of the particular individual gives all they can expect from their membership. Paul Dulle’s executive secretary of the Equity Association, an A.L. union.
And your profits will MULTIPLY too!

EASTER HOLIDAY!

SHEARER and MONTGOMERY in "RIPTIDE"

is the talk of every theatre lobby!

Another advance promotion idea on the next page—
$1000 for your patrons in the SHEARER "RIPTIDE" SLOGAN CONTEST

LEO'S A SHOWMAN! FOLLOW IN HIS STEPS!

GET THIS BOOK FROM YOUR M-G-M EXCHANGE!

Free 1-Sheets! Free Mats!

A marvelous contest idea that will get you six days of newspaper publicity. The Contest Campaign Book explains everything. This contest is easy to conduct and it's a clean-up! Just ONE of the MANY M-G-M SHOWMANSHIP STUNTS FOR NORMA SHEARER'S GREATEST!

DETAILS OF CONTEST:
PRIZES: 1st—$500; 2nd—$250; 3rd—$150; 4th—$100. Contest for best "Riptide" slogans closes July 4th. All entries for National Prizes must be at M-G-M Studios by July 11th. In case of ties, each tying contestant will receive the full amount of the prize tied for.
THEATER CHANGES REPORTED BY FILM BOARDS OF TRADE

ARIZONA

Changes in Ownership
PHOENIX—Rex, transferred to R. I. Kil- len by E. M. Kallery—State, transferred to C. Harkis by Davies & Harkis.

Openings
FIMA—Fima (Portable Equipment), by L. F. Long.

Closings
TOMBRIDGE—Temporary.

ARKANSAS

Changes in Ownership
LITTLE ROCK—Transferred to Roxy and New, transferred to Sanders-Wheeler Co. by T. W. Sherrod.

Openings

Closings
HOT SPRINGS—Best (damaged by fire).

CALIFORNIA

Changes in Ownership
BELVEDERE GARDEN—Garden, transferred to H. B. Colley by Fletcher, Smith and Stewart.

Openings
CARLSBAD—Carlsbad, by Madame La Rue.

LOS ANGELES—The Colosseum, by W. D. Fishner; Major (formerly Figueras), by J. L. Crown.

Closings
BREA—Brea, CHINO—CHINO—Colosseum.

COLORADO

Changes in Ownership
EADS—Eads transferred to William Beuer by Ray G. Lovett.

Openings
KREMMLING—Victory, by W. E. M Amuse- ment Co.

BARTHOUD—Moon, EATON—Eaton.

CONNECTICUT

Changes in Ownership
BALTIC—Jodine, transferred to M. Pouros by A. Fox. DEVON—Devon, transferred to A. Teleckman by J. Cowen. HARTFORD—State, transferred to Davis & Goldsmith by Warner Bros. THEATRE, WALNUT REACH—Colonial, transferred to J. Kuta by Mrs. M. Gill, WILLIMANTIC—Strand, transferred to M. Pouros by J. Railinowitz.

Closings
EASTHAMPTON—Strand (damaged by fire).

IDAHO

Openings
COUNCIL—Council transferred to Clarence LaFay, NEW MEADOWS—LaFay, by Clarence LaFay.

ILLINOIS

Changes in Ownership
ANTIQUO—Antiq, transferred to Fred Swannom. ART, by Paul Templeton, CARO- NOL—Caro, transferred to E. W. Parker by George Jackson. CHICAGO—Chicago, transferred to C. J. Riener. HARVARD—Harvard, transferred to A. Schoen by Charles House.

Openings
NASHVILLE—Miami, transferred to T. Dickson by E. R. Hisy, PLEASANT HILL—Pleasant Hill, transferred to H. F. Wall.

MICHIGAN

Changes in Ownership
BELLEVILLE—Martin, transferred to Mrs. J. B. Jodine, transferred to L. C. Treutel. DETROIT—Wolverse, transferred to Edward Pasco by Frank Kugler.

Openings
DEARBORN—Midway (new theater), by E. O. Hunt.

DETROIT—Blackstone No. 2; Cory, Holbrook, BRIGHTON—Washington, PE- TERSBURG—Garden.

MINNESOTA

Changes in Ownership
ST. PAUL—DeLuxe, transferred to H. M. Foss, transferred to M. Fogg. WAT- TER—Andorin, transferred to E. W. Linke by E. R. Eshleman.

Openings
CLEARBROOK—Community, CLAYTON—CLAYTON—RT. 2, by Henry Bons- thold. HANCOCK—Hancock (new the- ateter), by Henry Bon- sthold.

MISSISSIPPI

Changes in Ownership
NATCHES—Star (formerly Hamilton), transferred to Charles Minor by Singer Theater.

Openings
CLARKSDALE—Saloon, by C. J. Collier.

LAUREL—Arabian.

MISSOURI

Changes in Ownership
CAMDEN—Stiles, transferred to Mrs. Blanche King by J. L. Armstrong.

Openings
FETTAN—Maple, by W. L. Maple.

JOPLIN—Star, transferred to C. B. Jones.

KANSAS

Changes in Ownership
DAYTON—Dayton, transferred to Wayne Cozy by O. A. Scholl.

Openings
BUFFALO—Center, IOWA—Iowa.

LOUISIANA

Changes in Ownership
L‘LINI—Liniano, transferred to M. W. Cobb by G. L. Menpet.

Openings
Marlette—Primestad, by M. & P. Theaters.

Closings
BOSTON—Astor (damaged by fire).

HOLYOKE—Holroy, FAIRHAVEN—American, LAWRENCE—Colonial (dam- aged by fire).

NEW JERSEY

Changes in Ownership
AURUBON—Haddon, transferred to Hadd- on Amusement Co., Inc.

Openings
BUFFALO—Star, LACKAWANNA—Park.

NEW MEXICO

Changes in Ownership
BARTON—Shuler Auditorium.

Closings
DETAUTON—New Mexico.

LOVINGTON—Palace.
M. P. COUNCIL SEEKS $200,000 IN CAMPAIGN

(Continued from Page 1)

of the Council were three-fold. First, to "eliminate the definitely objectionable pictures from the movie"; second, to further the development of films for children; and third, to encourage production of educational films for use in public and private schools and institutions.

To achieve these ends the Council will seek to form a national membership organization with separate Councils in cities throughout the nation. Mrs. Calvin Coolidge, honorary vice-president of the Council, is "drawing in the Junior Leagues, the women's clubs, and other groups and thousands of little groups interested in better movies will be brought into the movement," Mrs. Belmont said. Mrs. Elizabeth Parson, Jr., has been appointed chairman of the New York Council.

Mrs. Belmont, who is president of the National Consumers Council, has traveled all over the country, addressing women's groups in Buffalo and Boston to promote organization of Councils in those cities.

The Council is now forming a national executive board, and the City Council will have its executive board. In her talk, which was broadcast over WJZ and a nationwide hook-up, Mrs. Belmont said that 75 per cent of current movie product was approved by the Council but that a percentage which she estimated at 25 per cent, more or less, was "absolutely unworthy from any point of view." The Council proposed to address itself to cutting the objectionable percentage to nothing, she declared, and would seek the aid of the film industry in so doing. While declaring that the Council had any idea of censorship, Mrs. Belmont said that restraint must be imposed on those who abuse their liberty.

Mrs. Belmont focused her fire principally on the alleged effect that some motion pictures have on children. She declared that the Council represented every class and group in the country, not just the privileged or highbrow, and that all groups and religions had a common interest to maintain a standard of morals.

At no time did Mrs. Belmont or the other speakers mention block booking. Questioned about this after the meeting, Mrs. Belmont declared that the Council had not decided whether it was for or against block booking.

Mrs. Belmont pointed out that producers might find a large and profitable field in the production of films designed solely for children, in the same way as book publishers had developed a lucrative part of their business by concentrating on juvenile books. The Council will endeavor to convince producers of the wisdom of making movies for children, she said. Educational films have been made by the Educational Film Council, she said. She said that such films might be made profitable if Hollywood joined with the makers of educational pictures.

Mrs. Belmont and the other speakers emphasized the tremendous importance of the movies in the life of this and other countries. Particularly, Mrs. Belmont praised the movies and movie makers. She said "tremendous strides" had been made, that the movies were "drawing in men of great ability," but added, the "good work is not going on fast enough."

Mrs. James Roosevelt, mother of President Roosevelt, was present at the luncheon but left to fill another engagement after saying that she "had thought a great deal about these problems and the movement has my utmost approval."

Dr. Frederick Peterson, former president of the New York Neurological Society and the State Commission on Mental hygiene, said "the motion picture is too great a force in education not to be used wholesly for the good and welfare of the world."

Herbert S. Houston, former publisher of "World's Work" and chairman of the Council's research council, said on information, said: "We must make our opinion of the movies felt by the producers. Clearly, if it must be left entirely to the motion picture industry."

William H. Short, director of the Motion Picture Research Council, said: "It matters profoundly what a child sees in the movies. Many pictures are of the right kind, but many are the wrong kind."

Besides the speakers those present on the dais included Mrs. Nor- man, Mrs. Ralph Brady, Mrs. Daniel Guggenheim, Mrs. F. Trubee Davison, Angelo Patri, Cline S. Koon of the U. S. Bureau of Education, Frederick M. W. Page of New York University and Mrs. William Barclay Par. sons, Jr.

ITOA Proposes Sliding Scale for Operators

Having received notice on Division Administrator Sol A. Rosenblatt that they will not center with his proposed legislation based on the matter of an operator's scale for New York it booth costs are made for the plan, the L. T. O. A. and other interested exhibitors have proposed as a counter-plan a sliding wage scale. They urge that the arrangement be figured on an individual operator basis and that the shippers of operators take into consideration on the basis of a house, its capacity and other facts. So far Rosenblatt has not announced personnel of the arbitration board, plans for formation of which he made public on Monday of last week.

Lining Up Equipment
For Toronto Film Studio

About May 20, with production of features and shorts scheduled to get under way about June 1, while here Booth is making his headquarters with Arthur Gottlieb at the Do-Art Lab.

Tentative Program
Set by M. P. T. O. A.

(Continued from Page 1)

night, according to the tentative program completed yesterday. The convention banquet takes place the night of April 12 at the Ambassador Hotel.

First day's sessions will be devoted to organization affairs featuring the annual reports of officers of the M.P.T.O.A. and a discussion of improved methods in theater management, construction and equipment. Second day's session will be devoted to a round table discussion between production executives, cabinet members and ex-hibitors operating representative theaters cartridge. There will also be a motion picture production and marketing methods. Third day's session will be devoted principally to the Code, how it can be used to improve trade practices and what exhibitors can expect from the Code's operation on their own business.

Frank Sherman Dies

Frank Sherman one of the head animators of Van Beuren cartoons died Tuesday at his home 101 Harrison St., East Orange, N. J., from complications which set in following an injury to his knee. Funeral arrangements will be announced today.

DEALING FULL 60, SAYS JACK L. WARNER

Paramount Meeting Postponed

Refore Henry K. Davis yesterday postponed April 3's Paramount Publix creditors meeting dealing with examinations of officials of the bankruptcy company.

Showing "Little Women" in Rome

EKO's "Little Women" will be shown at the International Non- tional Convention in Rome, April 19-21.

Above the 8th Floor $8.00 and up

Enjoy the comforts of a parlor and bedroom suite...

All rooms equipped with combination tub and shower bath and running ice water. Ideal location—adjacent to shopping, business and the- atrs.

SWIMMING POOL AND GYMNASIUM FREE TO GUESTS
The 1934 Film Year Book is now being distributed to all subscribers of the FILM DAILY.

The 1934 Edition eclipses all others in size, appearance and contents. It is invaluable to everyone, in any way connected with the motion picture industry. It is the Recognized Standard Reference Book of the Motion Picture Industry covering thoroughly, Production, Distribution and Exhibition.
6 RKO Theater Divisions Re-Aligned by Thompson

CODE AUTHORITY WILL TAKE OVER ENFORCEMENT

Anti-Triple Feature Clause May Be Put in Contracts

Columbia Delivering Three Above Schedule
Columbia is delivering three more pictures this year than its announced program. Total of 52 features will be placed in distribution, although the original number was 49. Company will offer between 48 and 52 features for 1934-35.

Outlook is 'Exceedingly Favorable', Says Yates at Consolidated Meeting
H. T. Cowling Heads New Gov't Film Bureau
Washington Bureau of THE FILM DAILY
Washington — H. T. Cowling, treasurer of the S.M.P.E., has been appointed to head a new Government film department which will organize and install a production unit and processing laboratory for the Philadelphia Authority.

Prospects for the coming year are "exceedingly favorable" said H. J. Yates, president of Consolidated Film Industries, in his report at yesterday's annual stockholders meeting. In addition to approving the report, stockholders re-elected the following directors for three years: H. J. Yates, R. I. Poucher, W. W. Vincent, A. D. Farwell and W. F. Stevens.

Administration of Code to be Handled by C. A. Through Boards
Enforcement of the provisions of the motion picture code will be taken over by the Code Authority functioning through the local grievance boards, it was stated following a meeting of the Code Authority yesterday, after receipt of instructions from NRA administration at Washington. At present enforcement is left to local NRA compliance boards throughout the country.

The new arrangement, it is believed, will be a decided move against bigger programs.

DISQUALIFICATIONS REOPEN LOCAL BOARDS
Owing to several disqualifications, the number of local boards to be decided upon by the Code Authority yesterday jumped back to embrace five key cities which are New York, Philadelphia, Boston, Minneapolis and Portland, Ore. Indications the previous day had been that boards for only three situations, New York, Philadelphia and Minneapolis remained to be determined. The Code Authority's nominations committee will meet again today to further consider the matter.

Denver Giveaway War Reaches a New Peak
Denver — As the latest move in the giveaway war between Harry Huffman and 13 other houses here, no sooner had the latter group announced they would give away $600 every week instead of a car than

Sol Wurtzel May Produce 32 for Fox Next Year
Sol Wurtzel's program for Fox in 1934-35 will comprise between 18 and 20 features for the general market and between 10 and 32 features in Spanish, the producer told the FILM DAILY last night in New York. Wurtzel product will be given the same type of production as that at the major Fox plant. He begins work May 1 after having completed his current season list.

$10,000 Radio Offer For M. P. Club Forums
An offer of $10,000 for privilege to broadcast Motion Picture Club forums is being considered by the club's board of directors, which is expected to accept. Membership roster now shows 220 members. The committee handling the party planned in connection with the inaugural, will meet this afternoon.

Theaters in Six RKO Divisions Re-Aligned by Maj. Thompson

In order to "establish and preserve the corporate individuality" of theaters within the RKO circuit, Major Leslie E. Thompson yesterday announced a realignment of houses in six of the 18 RKO theaters. All theaters of the Keith-Albee-Orpheum group are divided into divisions. C. B. McDonald will head the N. Y. Sen.

Downtown Buffalo All Dual
Buffalo — All downtown theaters, with exception of the Buffalo, now are running double features, the Hippodrome being the latest to come back to an all-picture policy.
E.W. Hammons Sees Shorts
As Chief Musical Medium

That the short subject will definitely be the medium for musical entertainment in the future is the opinion gleaned from a number of exhibitors in various cities with whom he spoke on his recent tour, says E. W. Hammons, president of Educational Pictures. "One wide awake showman," Hammons declares, "expressed the opinion that the entire world is more than ever music-conscious, and today and tomorrow picture program can be entirely satisfactory without some music. There is no doubt that the feature musical extravaganzas during the past year have represented remarkable achievement in motionpicture entertainment. However, exhibitors see that, as with all vogue, the elaborate musical feature will perhaps after a time diminish in appeal, and then the musical element of the program will have to be almost entirely supplied by the one and two-reelers."

"This, coupled with the fact that Educational's musical series has been extremely successful this season, has resulted in our planning to have a representative number of musical shorts subjects on the new season's program."

Burlesque Code Approved

Washington—Code for the burlesque industry was approved yesterday by General Johnson, to become effective April 2. Maximum work week of 40 hours is set for all recent executive, press agents, actors and chorus members, with minimum of $15 weekly for office staff and $25 for company and personalorroers, $35 for wardrobe heads, $25 of chorines and $35 for actors with extra for overtime.

Mike Simmons in Town with Play

Michael L. Simmons, who has been on the coast filling writing assignment with M-G-M Pictures, arrived in New York yesterday to arrange for production of his play, "The Second Mrs. Tudor." He will return to the coast soon to resume writing contracts.

M-G-M Buys Two Novels

"Mating on the Bounty" and "Men Against the Sea" both novels by Charles Nordhoff and James Norman Hall, have been acquired by M-G-M.

Son to Maurice Oster

London — Maurice Oster, president of Gaumont-British Picture Corp. of America and director of G-B Ltd., London, became the father of a eight-pound son yesterday.

Lasky, Jr., Rian James Doing Book

Jesse L. Lasky, Jr., and Rian James are collaborating on "Young Ladies in White," a novel about nurses in training. It is expected to be published in June.

Famous Theaters Holding Five More Regional Meets

Five more regional meetings are planned by Famous Theaters with its operating partners. Additional sessions will be held in Chicago, Boston, Salt Lake City, Phoenix and Minneapolis. Louis Marcus is expected to be named a member of its theater management council from Salt Lake City, while Barney Balaban will probably represent the Chicago zone.

Majestic Drops Sales Manager Post

Majestic Pictures will henceforth operate without a sales manager, it was said yesterday by E. H. Goldstein, executive vice-president. Goldstein said also that he expected an announcement would be made today of Majestic's new producer and when production would be resumed.

French Film Preview on Ship

A preview of a French feature, "Craquelette," and a short, "De Wilson a Roosevelt," will be held tonight aboard the Ile de France. It is one of the trade shows arranged by John S. Tarnopoux.

Hal Horne Returns Monday

Hal Horne, director of advertising and publicity for United Artists, who has been ill for the past few weeks and recuperating in Miami Beach, is scheduled to return to the office home on Monday.

Coming and Going

HOWARD S. CULLMAN is in Washington today to appear at a Ways and Means committee hearing on behalf of the Wagner-Lewis Bill for unemployment insurance.

PAUL DE KRIEUF, author of the book on which the play "Yellow Jack" is based, begins filming the St. Moritz.

MICHAEL L. SIMMONS has arrived in New York from the Coast.

IRVING STROUSE leaves New York Sunday for Hollywood.

JACK COHEN returns to New York Monday from Florida.

RUFUS LE MAIRE sails on the Beorgenia today from New York.

RIAN JAMES left New York yesterday for the Coast.

ROBERT HARRIS, eastern production manager for Universal, left New York yesterday by plane for the coast with a number of excerpts of books and plays. He will return by Monday or Tuesday.

Otto Pomerom Javes Costame

Otto Pomerom, for the past 31 years connected with the costume business, and brother of Erich Pomerom, Fox European representative, has joined the Estates Costume Co., and will handle the picture production business here.

Appeal Virginia Ban

Richmond—Appeal has been filed in the Circuit Court from the censorship ban on "Road to Ruin," First Division release.

STUDIO FLOOR and PENTHOUSE

Now occupied by RCA Photophone and RCA Victor Companies

PERMANENT FIXTURES—

1. SOUND PROOF STUDIOS AND AUDITORIUM.

2. PROJECTION AND CONTROL ROOMS.

3. FILM VAULT (Passed by Fire Prevention Bureau and Board of Underwriters)

4. ALL CURRENTS.

5. VENTILATING SYSTEM. Unobstructed light 16 foot ceiling, space for 8 Private offices

—

VAN ARENS & CO.

(Rental Agent on Premises)

411 FIFTH AVE. NEW YORK

Telephone Caledonia 5-1640
NEWS OF THE WEEK IN PHOTO-REVIEW

100% HOLDOVER STANDARD maintained by 'Wonder Bar' with this spectacular coast premiere, following record openings this week at the Warner Theatre, Memphis and the Astor, Reading.

MINNEAPOLIS GOES TO TOWN with 'As the Earth Turns,'' cheers Variety (left), reporting latest key spot to top all with first Jean Muir starring film.

NEW FEATHER IN HIS CAP is 'A Very Honorable Guy,' which Wednesday's M. P. Daily says is 'packed with amusing and novel situations ... sweet meat for Joe E. Brown.'

THIRD PICTURE to be completed in past week at Warner studio is Kay Francis' 'Doctor Monica,' which follows 'The Key' and 'Happy Family' to cutting-room

LATEST BUY for Warners' best-seller list is 'Story of a Country Boy,' snatched for screen on first day of publication.

BUZ BERKELEY STARTS rehearsal for novelty numbers in 'Dames,' next in royal family of Warner musical specials scheduled for release this summer.

* A Warner Bros. Picture  °A First National Picture Vitagraph, Inc., Distributors
TIMELY TOPICS

Mayer Says Box-Office Is Producer’s Guide

THE average exhibitor has about as much control over the type and quality of pictures produced as any other retailer has on the manufacture of the commodity he handles. Necessarily, he is the eyes and ears of the business. He comes into close daily contact with many ultimate consumers in a way that no motion picture producer or director exiled in Hollywood can. He stands in his lobby to hear, or hides in his office to avoid, the comments of his patrons. He checks up his daily receipts and is intently aware what sort of pictures his customers patronize and which they honor with their absence. This information he can send to Hollywood, if he so desires, through the indirect and unreliable medium of a film salesman who calls upon him a few times a year. He also sends it to Hollywood unwillingly but necessarily through the accurate and sensitive barometer of a box-office report. No Hollywood studio need wait for Mr. Exhibitor to unburden himself relative to which pictures should be emasculated and which should take thyroid for greater virility. The weekly intake on every production in current release gives the distributor and studio executives an infallible guide to the public reaction.

—Arthur L. Mayer

Another House for Richmond

Richmond—Work is to start soon on remodeling of a building at Nineteenth and Hull St., South Richmond, for conversion into a movie house to be operated by J. A. Arcaro and F. Stormo, who also have a house in Fulton.

Apollo Theater Corp. of Washington, D.C., also is reported to have applied for authority to repair the old Strand and reopen it as a Negro house.

FACTS ABOUT FILMS

Bing Crosby receives an average of 260 fan letters a day. —PARAMOUNT.

ON \Aging THE KIALTO

WITH PHIL M. DALY

- - - A VERY colorful presentation of Radio’s “Wild Cargo” in their campaign book just issued ... playing on the title ... with a die-cut jacket in colors in the form of an ocean freighter loaded with cages of wild animals and Frank Buck not that Frank is in a cage ... he’s standin’ on top of the cages hobbobing with a rhino and a couple monkeys ... very dehonair and casual like inside the modern Noah’s Ark are to be found all sorts of printed literature ... with the campaign book in two sections

- - - IF THE main idea in this eye-catching campaign book is to make the exhib pause and consider ... it will probably serve the purpose ... it may even Revolutionize the biz ... so that Picture Titles will be picked henceforth because of their campaign book possibilities ... which suggests some startling ideas in advertising covers ... for instance ... what Fox could do with their coming feature, “Bottoms Up”

- - - WHAT LOOKS like an innovation ... is to be found in “Pagliacci” ... a short feature produced by William De Mille for Audio Productions ... in which Henry Hull appears as the tragic clown of the famous opera ... with a new technique in which scenes from the opera are sung by world-famous singers while leading stage players like Hull portray the action in pantomime ... a sort of blending of the two arts of Music and Drama ... opera singers bein’ the lousy actors that they are ... not a bad idea, say we

- - - A MANUAL has been prepared by Emenee’s publicity dept. ... giving all necessary info on the national “Riptide” Title Slogan Contest ... with a grand in prizes offered to the public through the theaters ... “it’s the kind of gag with a money lure that old and young, male and female, will go for ... four cash prizes give the contestants that many chances for any slogan they submit

- - - TWO ANNOUNCEMENTS from Warners ... same mail ... one states that the studio has changed the title of “Rhythm In The Air” to “Twenty Million Sweethearts” ... the other advises that title has been changed to “On The Air” ... well, how about a li’l rhythm in selectin’ titles between the home ossif and the stude ... or is that askin’ too much

- - - AT THE I.T.O.A. banquet the other nite ... Louis Nizer compared Mayor La Guardia’s problems to those of an exhibit ... Louis said hiszoner is worried over receipts working day and nite in the double feature manner ... battling for clearance against a hostile Legislature “which wants first-run ahead of the public”

- - - THE STARS of Warners’ “Wonder Bar” with the exception of Al Jolson and Kay Francis will go on the air at Hollywood Sunday nite ... Joel McCrea and Frances Dee, recently married, make their first public appearance together Monday eve over WEAF on the “Hollywood On The Air” program ... On Monday at the Book Cadillac Hotel in Detroit ... Governor Comstock of Michigan will present the Martin Quigley award to Howard G. Sweet of the State Theater, East Lansing, for his presentation and promotion campaign on “Queen Christina”

EXPLOITETTES

Newspapers and Radio Plugged “Blood Money”

IN ushering in the opening of “Blood Money,” H. Suits, manager of Loew’s Colonial, a few days in advance, lined up local newspapers with the result that the “Eagle” devoted space to a number of special stories, while the “Times” gave prominence to the special cartoon gotten out on Banercost, and also used the cross-word puzzle, suggested in the press sheet, with free tickets awarded the winners. Radio Station WEUI plugged the music from the picture and station WRAW put over a best-letter stunt which kept the title of the picture before their air-listeners for days during the engagement. The stunt consisted of offering free tickets for the best 100 word letter of “The Best Way To Wipe Out Racketeers.” Each night the winners were mentioned over the air and requested to go to the box office of the theater where two tickets would be waiting for them. There were very few merchants in town who didn’t tape with Suits’ wonderful campaign. The Crystal billiard parlor used 22 x 28 cards; Dulaney’s offered a window on Banercost shirts; Reading’s lent a splendid window on women’s ware with Frances Dee as the center character; Wiener’s Clothes shop displayed men’s apparel; both the Grand Store and McCrory’s displayed counters with sheet music from the picture; the Reading bus depot also used special cards announcng the engagement; Pomroy’s store devoted generous space to window display with glassware featuring both Bancroft and Dee and the Crystal restaurant got out 500 menu cards with the center of the card carrying an ad on “Blood Money” at Loew’s Colonial Theater. Two thousand letter-box inserts in all the leading hotels in the city.

—Loew’s Colonial, Reading, Pa.
Viva Villa!

Shout it from the house tops!
C. A. TO HANDLE CODE ENFORCEMENT

(Continued from Page 1)

A LITTLE FROM "LOTS"

By RALPH WILK

HOLLYWOOD

IRVING THALBERG is lining up a supporting cast and director for his Will Rogers film, in which Constance Bennett will be starred under the M-G-M banner.

"Reunion" is the release title of the next Invincible picture featuring Osnoslov Stevens, Lila Lee, Dickie Moore and Claudia Gillingwater. It replaces "Together Again," which was formerly known as "Matinee Women." Frank Strayer is directing with Mack Sennett Studios.

Harry Rap's first production under his new long-term contract with M-G-M will be "Any Port in the Storm," starring Patrice Wymore and Claudette Colbert. Howard Sogall and Richard Schayer will adapt these Guy Gilpatric "The Winning Post" stories for the screen.

Although scheduled previously for production in March, "British Agent," in which First National will star Leslie Howard, will begin next month. Mr. Howard's engagement in "Of Human Bondage" prevents the earlier starting.

Farina, who won popularity as one of the original Our Gang Comedy kids, has been added to the cast of Warner's "The Littlest Outlaw." Ada Cavell, New York stage actress, recently signed by RKO radio, has been given two assignments. She will play in "Sour Grapes," which will co-star Oliva DeRo and Joanna Wray, and in "Murder on the Blackboard," which will have James Gleason and Edna May Oliver in the leading roles.

Cast of Richard Barthelemy's "The Old Doll's House," which First National is producing this week, has been extended. Arthur Rubert, Edward McWade and Henry O'Neill play supporting roles.

Ann Sothern and Robert Armstrong will be teamed by Columbia in "The Gay Cat," directed by Adele Buf- fington and Fred Niblo, Jr. Albert Rogell is to direct.

Charlie Murray and George Sid- dons, the cartoon Shirley in "Holly Mackerel," are shown two-reelers for Columbia. Jules White will direct. Cast also includes Billy Dooley, Bob McKenzie, Charles J. Clark, Esther Howard and An Brody.

Robert Greig, Franklyn Ard and Eliafie Ruby have been added to "The Hound," and Lois Hyam, Patricia Ellis, Joyce Compton, Dorothea Burgess, Dorothy LeBaron, Sarah Padden, Osnoslov Stevens, Phillip Reef, Murray Kinroll, Richard Carle, and Wilfred Harris to "Af- phil of a Gentlemen," both Uni- versal pictures.

Soft Ball Competition

Worries St. Louis Field

St. Louis—Competition from softball games threatens to be a serious problem for exhibitors in this territory. Starting at George Siler's Northside Park, the spot has become so popular that Siler is building additional parks in South St. Louis and Maplewood, while George Louer is erecting one on Kings- highway Boulevard. The game also has spread to East St. Louis, Collinsville and Edwardsville, Ill. Games are held day and night. Admission 10 and 15 cents.

Record Booking for Cartoon

San Francisco — Having closed practically all circuits in this area, with more than 125 bookings before the subject played its first run, "Jack the Beanstalk," Powers Westerns, has pilled over to the following towns: Clyde, Naples, Attica, Silver Creek, Nunda, Mt. Morris, Albion and Davenport.

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Bomb Hurled at Berlin Exhib

Berlin—David Oliver, manager of the Capitol, where "Catherine the Great" had to close because of demonstra- tions after one performance, narrowly escaped death this week when a bomb was hurled at his auto and severely injured the driver.

DENVER GIVEAWAY WAR

Reaches a New Peak

(Continued from Page 1)

Huffman decided to give a car every week instead of every other week. In addition, the winner now has the choice of any model, whereas previously the choices were limited to four models. On the first week of the $600 giveaway, 131 houses reported an attendance spurt, in some cases as much as 45 per cent, while the Huffman group suffered. The giveaway situation is causing much alarm here, with no one know- ing where it will stop, and the matter is expected to be one of the first to be put to the local code board when it starts.

File Appeal in Operator Case

Appeal from decision of the Appellate Division of the N. Y. State Supreme Court ordering members of the I.T.O.A. to re-employ Local 306 operators which they discharged last Fall has been filed by the exhibi- tor unit in the Court of Ap- peals. The action, which will be defended by NRA administration counsel, attacks constitutionality of the motion picture code, particularly in its labor provisions.

Yiddish Policy for St. Louis House

St. Louis—Jewish Art Theater, headed by Sol Goldman, has leased the World Theater and will reopen April 1 with stage attractions and films in Yiddish.

10% Cancellations Rule

Ruling of Division Administrator Sol A. Epstein is an application of the can- cellation clause to product bought indi- vidually.

"If an exhibitor bought from a company a number of pictures on one work- sheet, he must comply with the cancellation rules. If the exhibitor is entitled to the 10 per cent cancellation, even though some of the contracts for each picture may be used".
By wire from California! Put a flash Preview poster in your lobby today!

Variety says: “Irving Thalberg puts over smash hit in his comeback production. A superb picture from every angle for Norma Shearer. It is a triumph of the first water in emotional requirements and in physical charm. Placing Herbert Marshall opposite as a jealous husband was inspired. Robert Montgomery completes trio—giving no less an account of his intelligent and ingratiating qualities as the incorrigible playboy who intrudes on the wedded life of Shearer and Marshall. Edmund Goulding having written and directed the piece earns double ration of praise.

Hollywood Reporter says: “‘Riptide,’ Thalberg’s first since his return, a hit. A distinct innovation which marks Norma Shearer’s return after long absence, during which lady seems to have added even more to her physical and histrionic charms. With the flawless performances of Herbert Marshall and Robert Montgomery added to the vivid and impressive moods as portrayed by its star, Norma Shearer, with its great appeal for any type of audience, particularly the feminine contingent and the penetrating guidance of Edmund Goulding, ‘Riptide’ stands to make its producers and exhibitors a barrel of money.”
M-G-M's "RIPTIDE"

A FEW OF THE RAVES SENT BY THE PRESS ALL OVER AMERICA TO HERALD THE BIGGEST BOX-OFFICE ATTRACTION OF OUR TIME!

Harrison Carroll, dramatic editor, L. A. Herald Express and King Features Syndicate writer says: "Norma Shearer more brilliant than ever."

Mayme Ober Peake, Boston Globe, says: "It is a profoundly moving picture. Great triumph for Norma Shearer and remarkable cast."

Rob Wagner, Saturday Evening Post contributor, former critic Liberty Magazine, editor Beverly Hills Script, says: "Irving Thalberg production 'Riptide' is one of the handsomest productions of the season. Norma Shearer, Robert Montgomery, Herbert Marshall turn in performances that should be tonic to any theatre."


Ivan St. Johns, Photoplay Magazine, says: "One of Norma Shearer's greatest performances. It is great entertainment for men and women."

John Mitchell, Tower Publications, says: "'Riptide' will appeal to intelligent audiences everywhere. Irving Thalberg continues to set the pace for fine pictures."

Doug Churchill, New York Times, says: "'Riptide' will be most welcome to all Norma Shearer fans."

Welford Beaton, Hollywood Spectator, says: "Norma Shearer comes back to us in the most brilliant performance of her career."

Walter Ramsey, Modern Screen, says: "Norma Shearer in 'Riptide' will remind women of the country of 'Divorcee,' 'Free Soul,' 'Strangers May Kiss.' It is great entertainment."

Edwin Schallert, Los Angeles Times, says: "'Riptide' will exert a great moving effect upon audiences because of the emotional performance of Norma Shearer."

Louella Parsons says: "'Riptide' will thrill every woman. It is just the kind of picture we need to bring back S. R. O. signs. It is a magnificent triumph for Irving Thalberg, Norma Shearer and all those associated with it."

Ralph Wilk, Film Daily, says: "'Riptide' is a red letter event for Thalberg, Shearer, Goulding and entire cast."

Elizabeth Wilson, Silver Screen, says: "This is the picture for which women have been waiting."

Ruth Waterbury, Movie Mirror, says: "Shearer and Montgomery make the screen's most satisfactory co-stars. Their scenes in 'Riptide' are compounded of that gay romance which spells box-office the world over."

Alice Tildsley, Philadelphia Public Ledger, says: "One of the best performances Norma Shearer has ever given and one of the best ever given by anyone."

Jimmy Fiddler, Screenland, says: "Always a Norma Shearer fan and even more so after seeing 'Riptide.' She is a great artist and it is a great picture."

Telegraph wires are sizzling with "Riptide" adjectives! Greatest nationwide advance ballyhoo in history!
BEN BERNIE, the Old Maestro, himself, and All his Merry Lads will appear in "THE GREAT MAGOO", in which the Old Maestro, again himself, will play a role of some importance.... yowzah!
GUY LOMBARDO and His Royal Canadians—the sweetest band this side of heaven, and Radio’s most popular music, will attend their old pals GEORGE BURNS & GRACIE ALLEN in “MANY HAPPY RETURNS”.... and may they all be yours!

GUY LOMBARDO

AND— the world’s hottest music has the box-office in its stage appearances. It will be heard and seen in EARL AT THE VANITIES” and will play for MAE WEST in “IT AIN’T NO SIN.”
THEATER CHANGES REPORTED BY FILM BOARDS OF TRADE

NORTH CAROLINA
Changes in Ownership
CHARLOTTE—Lincoln, transferred to Regal Holding Co. by Ideal Amusement Co.; Royal, transferred to Regal Holding Co. by Royal Amusement Co. WAKE FOREST—Cary, transferred to C. R. Whitaker by John M. Brewer. WARSW—Dolphin, transferred to H. C. Cooke by C. G. Vann-Lingham.

Openings
GREENSBORO—Rialto (new theater), by M. C. Morris. HILLSBORO—Cates (new theater) by Moon Theater, Inc. SMITHFIELD—Victory, by H. P. Howell.

Closings
SMITHFIELD—Sander’s (damaged by fire).

NORTH DAKOTA
Changes in Ownership
DE SMET—Ritz, transferred to F. Foy by G. E. Christians. FLAXTON—Lyceum, transferred to M. Pierce. KULM—Auditorium, transferred to Brown & Schermann. McHENRY—Orpheum, transferred to M. F. Foyte. MILBANK—Chateau, transferred to Mike DeFea by B. Benfield. MILNOR—Iris, transferred to Arnold Layton by J. W. Jensen.

Openings

Closings
HARROLD—Playhouse. ISABEL—Strand. MAXBASS—Aloma.

OREGON
Changes in Ownership
LA GRANDE—Liberty and Granada, transferred to La Grande Theaters, Inc. by Inland Theaters, Inc. MEDFORD—Holly, transferred to Tri-State Theaters, Inc. by Evergreen State Amusement Corp. MYRTLE POINT—Hiland, transferred to Austin G. Dodge by Dodge & Baker.

FORTLAND—Pantages, transferred to Martin & Stille by Alex Pantages; Paramount, transferred to Fox West Coast by Evergreen State Amusement Co.; Nob Hill, transferred to Homer Lessard by Newton & McKee.

Openings

Openings

Closings

RHODE ISLAND
Closings
PEACEF—Peaceful.

SOUTH CAROLINA
Openings
BUFFALO—Buffalo, by Mrs. L. D. Ever. CHESTERTOWN—Strand (new theater), by E. R. Ross, Jr.

SOUTH DAKOTA
Openings
FAIRFAX—Fairfax.

TENNESSEE
Openings
GREENFIELD—Strand (new theater), by G. W. Haynes. HUNTERVILLE—Strand (new theater), by Russell Crawford.

ORION—Strand, by G. W. Haynes.

TEXAS
Changes in Ownership
DALLAS—Bishop Ave, transferred to Charles Heley. JOHNSTOWN—Blue Bonnet. JONESVILLE—Dodge. LORAINE—Best, transferred to J. E. Conover. MONTAINA—Marseau, transferred to Ted Nixon. LONE OAK—Lone Oak (formerly Palace), transferred to Door Roberts.

FAYETTEVILLE—Dawson, transferred to S. S. Duke. SAN AUGUSTINE—August, transferred to W. M. Wade. MILLS—Miles (formerly Aztec), transferred to A. M. Morgan.

Openings

Closings
DALLAS—Bishop Ave. WEINERT—Ex. ROCKWELL—Wood (damaged by fire). WHITNEY—Opera House.

VIRGINIA
Openings
MARION—Regina (formerly Marion), by Regent Theater Co. WASHINGTON
Changes in Ownership
ODESSA—Empress, transferred to Sam Sut by John Haynes. WASHINGTON
Openings

Closings
KENNEWICK—Liberty. SEATTLE—New Roxy.

WEST VIRGINIA
Changes in Ownership

Closings
KENNEWICK—Liberty. SEATTLE—New Roxy.

WISCONSIN
Changes in Ownership
ARCADIA—Arcade, transferred to Frank Slay by Leo Johnson. AUGUSTA—Dallas, transferred to E. E. Warner by Conrad Mohr. OSSEO—Fox, transferred to E. Glenn by Johnson & Anderson. WHITEHALL—Legion, transferred to American Legion by Earl Larson.

Closings
JANEVILLE—Beverly, by Beverly Thea- ter Co.

Closings

WYOMING
Changes in Ownership
GLENROCK—Empire, transferred to Ross Labart by Glenrock Inv. Co. PINE- BLUFFS—Bluffs, (new theater), transferred to C. M. Enloe by Joe Gurts.

Openings
GLENROCK—Empire, by Ross Labart.
"BOTTOMS UP" with Spencer Tracy, John Boles, "Pat" Patterson, Herbert Mundin, Sid Silvers, Harry Green, Thelma Todd, Fox 84 mins.

DE Li~TH HOLLYWOOD CINDERELLA STORY WITH GREAT ROMANCE, AMUSE COMEDY, MUSICAL NUMBERS, DANDY CAST.

Standing out in several respects, chiefly its appealing story and its swell cast that includes at least half a dozen new faces. Performance, this Hollywood romance of the Cinderella type makes very pleasing entertainment for any audience. It's not exactly a musical, but a few song numbers are spotted in it, and one of them in particular will be highly relished. The story revolves around "Pat" Patterson, likeable miss, stranded in Hollywood. A promoter, Spencer Tracy, and his pals, Herbert Mundin and Sid Silvers, take her in hand, crash and drive her off as English nobility, see her skyrocket into a success, and then make their exit when they find that she has love in her favorite screen star, John Boles. Harry Green, as the producer, and Sid Silvers, the stooge of the promoter trio, do fine work in the comedy end.

Cast: Spencer Tracy, John Boles, "Pat" Patterson, Herbert Mundin, Sid Silvers, Harry Green, Thelma Todd, Robert Emmett O'Connor, Dell Henderson, Suzanne Kaaren, Douglas Wood

Director, David Butler; Authors, B. F. De Sylva, David Butler, Sid Silvers; Music and Lyrics, Harold Ardon, Benjamin Lane, Richard A. Whiting, Gus Kahn; Camera man, Arthur Miller; Recording Engineer, Joseph Aiken; Editor, Irene Marr

Direction, Smooth. Photography, Fine.

"THE VANISHING SHADOW" with Onslow Stevens, Ada Ince, William Desmond and Walter Miller (Serial)

Universal 16 mins.

First three episodes of this new Universal serial unreel with much action and intrigue and considerable novelty in the form of a death ray gun and a steel belt which gives its wearer invisibility but causes him to cast a shadow. They will like. Plot concerns attempt of Walter Miller to control the newspaper which exposed his crooked deeds. Onslow Stevens, son of the publisher whom Miller drove to suicide, is the inventor of an invisible ray apparatus. After Stevens saves the life of Ada Ince, Barnet's daughter, she becomes engaged to him against her father's wishes. A frameup forces Stevens to flee the city after he escapes his pursuers by means of the invisible belt. Episode ends on crash of Steven's car into train as pursuers follow.

"THE VANISHING SHADOW" (Serial)

Universal 20 mins.

Just before his car hit the train Stevens jumped up but fled as a motorcycle cop draws near. Stevens is picked up by the car of the Very Man, who helped him perfect the invisible ray apparatus and is himself the inventor of the death ray gun. From Ada Ince, Stevens learns that the frame up against him has fizzled and that he is free to return to the city. He goes to meet her accompanied by them. They encounter Miller's gang and there is a battle. Windup shows Stevens in danger of extinction from the death ray gun.

"KINGS UP" (Oswald Cartoon)

Universal 7 mins.

(Teacher) Tuneful and excellent vocalization combined with diverting action makes this cartoon animated. Subject is done in costume with Oswald a troubadour who seeks to sing for the queen. In the windup he carries her after riding the queen to get rid of the Black Duke who coveted her cash and was a villain in general.

"THE CROSBY CASE" with Wynne Gibson and Onslow Stevens Universal 62 mins.

FAIRLY ENGROSSING MURDER MYSTERY OKA~ TKE FANS WHO LIKE THESE GUESSING CONTESTS.

While this yarn contains nothing to mark it with any special distinction, the production is generally well handled and the story provides a fair quantity of diversion for those who take pleasure in trying to figure out who committed the murder. Plot is familiar in formula, with action divided chiefly to interrogation of suspects, while the identity of the guilty person is very well covered up until the .join. Romance has a little hand in the proceedings, a love affair existing between Onslow Stevens, a suspect, and Wynne Gibson, who puts up a fight for him. End comedy relief, these are the antics of Warren Hymer, in another of his typical dumb roles. Remains of the cast represents a good array of able players.


Director, Edwin L. Marin; Authors, Warren B. Duff, Gordon Kahn, Adaptors, same; Dialoguers, same, Cameraman, Norbert Brodine; Recording Engineer, Gilbert Kurland; Editor, Robert Carlisle

Direction, Good. Photography, Good.

"GOOFYNOTE News Reel Universal 9 mins.

This subject was not well-handled. The ideas were there but the humor was not drawn out properly. Best clip is of the winner of the manhole endurance contest. Other items include biologist lecturing on ant habits, two awful-looking gal cross country hikers describing the perks of the road and an interview with the founders of a nudist colony.

James Barton in "The Pest"

Universal 20 mins.

Fair

By having Barton do his drunk act and being shown re-entering a cabaret, opportunity is furnished to England that standard makes jive ville turns in between Barton's foolery. Those who appear include Adolph Green, inagilist wearing Gary and Dickson, eccentric dancer and Ted Mack, singer and m.c. Barton's tune consists principally in annoying a couple at an adjoining table. This is not very funny and Barton's disheveled appearance and general demeanor is not such as to recommend him to future audiences. But this is the producer's fault and not Barton's.

New York Paramount Booking Announcement Advance Booking for New York Paramount, to follow "Come On Marines," which opens today, include Lanny Ross in "Melody of Spring." George Raft in "The Trumpet Blows," Bing Crosby in "We're Not Dressing," and W. C. Fields in "You're Telling Me." Raft and Crosby also are slated to appear in person in April following Roxy and His Gang, who will play the house April 6 after a week at the Metropolitan, Boston. Gloria Swan son also is to appear the next month, with Marlene Dietrich a possibility.

Getting Proxies in Erpi Suit Philadelphia—Forms authorizing the M. P. T. O. of Eastern Pennsylvania to act for them in the planned suit against Electrical Research Products to recover service charges have been sent out to exhibitors.

N. E. Managers' Get-Together Boston—A get-together of New England theater managers will be held next Tuesday evening at the Brunswick Hotel under leadership of James J. McGuy and Harry Brown of the North End box office. Joe DiPesa and Harry Brown, Jr.

"TAUBER'S BLOOMING TIME" London—"Blossom Time" is the title of the Schubert story in which Edward Tauber means, having a dropping, Gene Fox, Jack Goldstein, Joe DiPesa and Harry Brown, Jr.

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"TAUBER'S BLOOMING TIME" London—"Blossom Time" is the title of the Schubert story in which Edward Tauber means, having a dropping, Gene Fox, Jack Goldstein, Joe DiPesa and Harry Brown, Jr.
Alliance, O.—W. J. Cuthbert has taken over the old Ideal, closed all branches, and will reopen it as the Rex.

Kinsman, O.—Earl J. Smith, who operates the Andover in Andover, is reopening the Kinsman here.

Holgate, O.—C. W. Ward has sold the Palace to Harold Rush.

Buffalo—Elmer Lux has been made manager of the first Division exchange here to succeed John W. Holden, resigned.

Buffalo—Edward Berkowitz, second son of Jack Berkowitz, Standard manager, has made his debut in the industry in the publicity department of that exchange.

East Liverpool, O.—Ralph Kemp, manager of the State, has resigned. George Ellis, city manager for the A. G. Constant houses here, is serving as manager until a successor has been named.

Buffalo—Harry Stewart now is covering the Rochester territory for Hollywood Pictures.

Buffalo—Harry Seed, Warner branch manager, is taking a vacation in Florida.

Sandusky, O. — Dick Crusiger, manager of Warner's Plaza, has been shifted to the Ohio, replacing Wallace (Doc) Elliott, transferred to the Alhambra, Canton.

Donora, Pa. — The new Princess has been opened by T. R. Shahan, newcomer to the exhibiting field.

Wheeling, W. Va.—Capitol, Warner house, is switching from straight films to unit shows and films.

**Salt Lake City Notes**

Salt Lake City—Prices at the Stadium have been cut from 15 and 25 to 10 and 15.

Joe Lawrence is making improvements at the Rialto and State theaters.

N. H. Brower, Vitagraph division manager, visited Manager Bill Gordon last week before proceeding to Denver.

O. J. Hazen, in charge of National Theater Supply Co. office here, on his return from a trip, reports improved conditions with a pickup in remodeling and restating. Hazen recently closed deals to resell the Gayety, Idaho;使影, Nampa, Ida.; State Livingston, Mont., and Thorley, Cedar City, Utah.

Mary Pickford Resumes Tour

Mary Pickford will resume her personal appearances on March 25, opening at the Michigan Theater, Detroit, in "The Church Mouse." She will play the Eagle Theater, Philadelphia, April 13.

Tower Completes Series

"Marrying Widows," last of this season's program by Tower Productions, has been completed. Cast is headed by Judith Allen, Johnny Mack Brown, Minna Gombell and Lucien Littlefield. Joseph Simmons, president of Tower, will shortly announce the new schedule.

First Division Title Change

"Twin Husbands," is the new title of the film originally called "Birds of a Feather," soon to be released by First Division Exchanges. Cast is headed by John Miljan and Shirley Grey.

Butterfield Reopening in Pontiac

Pontiac, Mich.—Butterfield circuit is opening the Strand with straight films. James Helsdon will manage it.

**Wurtzel May Produce 32 for Fox in '34-35**

which consists of 21 features for the general market and six Spanish features, on April 15. Wurtzel's new schedule will include four with Lue, Rachel among other star names. With Hamilton MacFadden, director, he sails on the Santa Paula March 30 for the Coast.

H. T. Cowling Heads

New Gas 'U Film Bureau

National Park Service, Interior Department. He is now mapping out the new programs under the direction of Dr. Earl S. Trager, chief of the Naturalist Division, branch of Education and Research of the Interior Department. Besides making films for educational work among its units, the department will furnish programs of an educational nature to C.C.C. camps and make a film record of President Roosevelt's Emergency Conservation Program.

Cowling was selected for the job because of his experience. Besides being a leading cinematographer, he was technical director in charge of production for Eastman Kodak's educational film program for six years, and for years photographed and edited Paramount-Burton Holmes travel films.

$10,000 Radio Offer

For M. P. Club Forums

(Continued from Page 1)

ural of a new 300-foot color film which will be ready early next month, met yesterday. It consists of Boris Morros, Louis K. Sidney, Phil Reiss, Jack Cohn, Al Lichtman, Leon Blumenthal, St. Seadler, Howard Deits, Charles Rosenzweig and Ed- deceit. Baltimore, city manager for the club will be given membership "keys" or emblems on which their names are engraved.

Evelyn Laye's Next for G-B

Evelyn Laye, who sailed yesterday on the Berengaria for England, will start work immediately on arrival in her next Paramount-British picture, "Evensong."
The team that made "Sunny Side Up" great makes "Bottoms Up" Greater
Bottoms Up

B. G. De Sylva production for Fox
release. Story and screen play by B.
G. De Sylva, David Butler, Sid Silvers.
Directed by David Butler, Cameron
Adamson, Richard Whiting, Gus Kahn.
Music and lyrics by Bert Loane, Harold
Miller. Art director: Gordon Harris.
Dance director: Harold Hecht.
Costumes and dance sets: Russell
Tracy. Cast: Spencer Tracy, Pat
Munden, Sonny Pat Patterson, Herbert
Boles, Sid Silvers, Harry Green. Previewed
at Grand Lake Theatre, Oakland, Calif.

Oakland, Feb. 19.—Bottoms
Up is smart comedy and produc
tion plus, revealing a comer in Pat
Patterson, who clicks classily in her
first American pic. Film is a triple
headed job, being written by Da
Buddy De Sylva, who penned sev
eral swell tunes, and Sid Silvers.

Its another of those behind-scenes
stories, but lavish production is
minimized. Line routines are not
lavish but neatly done with the pic
and excellent songs.

Miss Patterson is bright and pert.
She looks cute and sings two num
bers, 'I'm Throwin' My Love
Away,' and 'Bottoms Up.' Former

John Boles does romantic lead
impressingly in 'Little Did I Dream,' and his first comedy song, 'Waiting
at the Gate.'

Spencer Tracy is a standout with
his fast talking promoter role. Sil
vers gets most of the laughs with
the bright gags; many obviously
his, and a few dated from vaude.

Harry Green, as a picture producer,
is a sure-fire laugh-getter as is Her
bert Munden, in his usual cockney
role. Thelma Todd's work as the
femme fatale is standout.

Story is that of four down-and
outs, namely, Tracy, Miss Pat
Munden and Silvers, with
Miss Patterson building up front for the
Tracy building up the English arist
who take to Hollywood
tocracy. They sell Girl
and by general fascination. Tracy sells
everyone to Boles. Fake nobility is
falls for Tracy does the ploy of Boles
are walkout in favor of Boles
ana walkout in favor of Boles

Picture running 56 mins is drag
in spots on first cut preview.

Picture generally good. Picture gener
ally stacks up as a smart produc
with Miss Patterson and Silvers
commanding greatest attention.

It is cleverly produced with some
sequences that lend novelty and tie in

view from "Variety Daily"
Even without a single song...“Bottoms Up” would be grand entertainment. A story loaded with emotional punch...a million laughs...a picture that will make every patron your friend. A cast bright with appealing personalities...and watch "Pat" Paterson! The tunes are extra...and extra catchy. B. G. DeSylva and David Butler add another hit to their long list!

BOTTOMS UP

SPENCER TRACY
"PAT" PATERSON
JOHN BOLES

HERBERT MUNDIN • SID SILVERS
HARRY GREEN • THELMA TODD

Story and screen play: B. G. DeSylva, David Butler and Sid Silvers. Songs by Harold Adamson and Burton Lane, also Richard A. Whiting and Gus Kahn

Made by the makers of "Sunny Side Up"
Directed by David Butler
Produced by B. G. DeSylva
ANALYSIS OF MOTION PICTURE CODE

By LOUIS NIZER

ARTICLE VIII—MISCELLANEOUS PROVISIONS

Part I. Exhibitor film Distributor's Agent When Fee Forwards Print to Another Exhibitor

When a distributor requests an exhibitor to forward or deliver a print to another exhibitor instead of returning it to the distributor's exchange, the exhibitor forwarding the print is for that purpose only considered the agent of the distributor.

Part II. Arbitration Under the Code

When arbitration is referred to any provisions of the Code other than arbitration under the Optional Standard License Agreement, the matter shall be submitted to an Arbitration Board.

(a) Composition of Arbitration Board

Each Arbitration Board shall consist of four members. Each of the contesting parties shall appoint two members.

(b) Notice of Arbitration

The party requesting arbitration shall give written notice and shall name two arbitrators appointed by it, stating business address and business connection of each. The notice shall also designate the date, time and place of the hearing.

(c) Time of Hearing

The date of hearing shall be earlier than seven days after the sending of notice unless the notice claims that irreparable injury will result unless there is a speedy determination. In any such case the hearing may be held earlier than the said seven days.

(d) Time Within Which Other Party Must Appoint Arbitrator

Within five days after the mailing of the request for arbitration the other party shall send written notice naming its two arbitrators, stating the business address and business connection of each arbitrator.

(e) Failure to Name Arbitrators

If either of the parties fails or refuses to name arbitrators or if an arbitrator named fails or refuses to act or is unable to serve or is challenged, and others are not appointed the other party may appoint several arbitrators.

(f) Qualifications of Arbitrator

No member of an Arbitration Board shall hear any controversy in which he has an interest, direct or indirect.

(g) Deadlock

If a majority of the arbitrators are unable to reach a decision they shall select an umpire who shall not be engaged in the motion picture industry.

(h) Hearing Before Umpire

In the case of a deadlock where an umpire has been appointed, the hearing shall take place before the umpire at such time and place as he designates. The hearing shall be before the umpire alone and the other arbitrators shall not attend the hearing.

(i) Selection of Umpire By Administrator

If a majority of the arbitrators are unable to select an umpire in the event of a deadlock, the Administrator shall, upon request, make such selection.

Part III. Non-theatrical and Sub-Standard Films

(a) Film Excluded From This Code

Nothing in this Code applies to the following kinds of film:

1. Film of sub-standard width.
2. Slide films.
3. Non-theatrical films made primarily for educational, scientific, industrial, commercial, advertising, selling and other non-theatrical purpose.

4. Television of motion pictures.

(b) Investigation By Code Authority

Of Non-theatrical or Sub-Standard Films

The Code Authority shall investigate such films in order to determine whether or not they are unfair competition to established motion picture theaters. If it is found that they are, the Code Authority shall promulgate rules and regulations governing such unfair competition.

Part IV. Provisions of Code Separable

The provisions of the Code are separable. This means that regardless of the validity or enforceability of any section of the Code, the remainder of it remains valid.

ARTICLE IX—MANDATORY AND AMENDING PROVISIONS

Part I. Rights of President

The President has the right, in accordance with Clause 10 of the National Industrial Recovery Act, to modify or eliminate if the Code Authority requests it and such request is approved by the Administrator and the President.

(b) Supplementing the Code

It is contemplated that supplementary Code and other additional Codes will be submitted to the approval of the President to prevent unfair competition and to carry out the purposes of the National Industrial Recovery Act.

Billy House for Play

Billy House, stage and screen comedian will have the star role in one of the productions planned by Frederick Herendeen for next season. Herendeen, author of "The King's Horses," current musical production, also will do "Taxi Fare" by Dave Slaper, with Alexander Leftwich directing, and a second play and comedy by Harry L. Cort and Charles H. Abramson tentatively titled "Sunny Days!"

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PROVING CODE VIOLATIONS

Immediate investigation will be made of charges preferred by Local 118, screen club, against several hundred second and third run theaters of non-compliance with the Film Code. The Code, which deals with hours of em- ployees and personal conduct of employees, is now in effect and has to make a prompt restitution of back pay to employees who were wrongly paid. The Code was stated to FILM DAILY yesterday by heads of the former Blue eagles, assistant secretary Golden Strauss, Jr., state NRA com- mission director.

Words and Wisdom

"In the dark days of depression, the motion picture has been a great release for humanitry." — WILL H. HAYS.

"The public cares nothing for good acting, good scenery or good dialogue. The theme is everything to the story." —WALTER CONNOLLY.

"We believe here in Hollywood that the players are more important than either the star or director, because the story is the whole foundation of the film; a weak story with the greatest cast ever assembled cannot produce a great picture." — HARRY COHN.

"I believe that a great deal of the alarmist attitude toward the运动 film business is the result of anachronistic thinking of the last year is on the whole quite unjustified." — GRET A PALMER, New York "World-Telegram."
"Roxy" To Alternate Between N. Y. and London

CIRCUITS SEE DANGER IN INCREASED UNIONISM

12 of Universal's 40 for 1934-35 Are Already Set

J. R. Grainger Going West
Tomorrow for Confabs at the Studios

Of the 40 features, exclusive of a series of westerns, planned by Universal for 1934-35, 12 have been definitely chosen, and Robert Harris, eastern production manager, who flew to the coast this week, took with him manuscripts of plays and books for additional selections. James R. Grainger, distribution head, leaves tomorrow for production conferences at the studios with Carl Laemmle and Carl Laemmle, Jr. He will stop in Chicago and San Francisco, returning in about six weeks.

LABOR BOARD HAS NO LEGAL STANDING

Washington Bureau of THE FILM DAILY

Washington—The National Labor Board has no legal standing and cannot take up a dispute for arbitration unless both sides agree to abide by the decision, says General Johnson. His remarks, made in connection with the National Recovery Review Board in Washington, it was stated at the headquarters of the code's administrative body yesterday. No official invitation to attend has been extended to the Authority.

R. E. Peckham Takes Over Three Southern Exchanges

Headed by Ralph E. Peckham, Mayfair Distributor Corp., new firm, has taken over Mayfair exchanges in Atlanta, Charlotte and New Orleans, and is selling product in 11 southern states. Physical distribution in Oklahoma has been arranged from the Square Deal Exchange, it was stated by Peckham in New York yesterday. He has acquired about 52 features for release this season. Product includes:

(Continued on Page 4)

R. T. M. A. STILL IN DARK ON WASH’N MEETING

Members of the Code Authority will not be present when certain sections of the code go under fire Monday at hearings to be held by the National Recovery Review Board in Washington, it was stated at the headquarters of the code's administrative body yesterday. No official invitation to attend has been extended to the Authority.

MAJESTIC TO FORM OWN PRODUCING UNIT

Herman Glueckman, president of Majestic Pictures, will leave shortly for the coast to organize Majestic's own producing company. Glueckman will select a coast producer and install a complete studio staff. He said that Majestic now plans to complete its 1933-34 schedule. Majestic intends to go after "names" for its future productions. Walter Huston is being sought for "Wild Goose." Initial venture of Majestic's producing unit.

Chi Exhibs Lose Fight On Extra Censor Fees

Chicago—Notwithstanding a protest from the Chicago Civil Liberties Committee that "censorship of newsmen in the city council's endeavors to have the city council authorize Mayor Kelly's $40,000 increase for censorship by a vote of 37 to 4." (Continued on Page 4)

“Roxy” Set As Impresario Of New English Music Hall

Business in the South
10% Ahead of Year Ago

Atlanta—Reports reaching Film Row indicate that theater business in the south is generally 10 per cent better than at this time last year. The Florida boom has considerably helped trade in the southeast. With cotton prices as it is further improvement is anticipated by exhibitors.

Before many months it will be "Roxy" of New York and London," Samuel L. Rothafel, stated to Film Daily yesterday upon his return from England on the Manhattan. It is definitely set that the impresario will supervise the construction of a huge theater in London but he refused to divulge the names of the backers of the enterprise. Two sites

(Continued on Page 4)

Impairment of Service Fears at Labor Gets Full Control

Threat of widespread unionism in theaters is at present causing the most concern among circuit executives. The Film Daily learns that labor disputes have decided to remain quiet on the matter for the present. Eyes are focused on the present labor crisis in the auto industry, with theater men believing that the manufacturers will hold their ground. "Suppose all branches of our trade..." (Continued on Page 4)

12 FAMOUS AMERICANS IN SERIES OF SHORTS

West Coast Bureau of THE FILM DAILY

Hollywood—Twelve noted American figures will be filmed in "Flaming Americans," two-reelers being made by Hal Lyons, Inc. First of the subjects, titled "Soldier and Statesman" and dealing with the life of

Prudential to Build Theater in Bayshore

Prudential, headed by Joe Seltzer, is rebuilding the Regent at Bayshore, L. J. John Ebersen, architect, drew the plans. Actual work of reconstruction starts within two weeks.

5 for Fox on Main Stem

Fox open up the new week by topping all distributors for representation on the Main Stem. It will have four features on view, two in Radio City, "Burtonville at the Music Hall" and "David Horum" at the Center, and "Hold That Girl" at the Roxy and "George White's Scandals" at the Palace, plus "Ever Since Eve" coming into the Mayfair with a Monday night preview.

2 New Houses for R. I.

Providence—Sidney and Charles Makowsky will build a theater in Bristol as a memorial to their late father, Max Makowsky. Howe & Church of this city are the architects. The Warren Atlantic has about completed plans for a new house.
**The Film Daily**

Saturday, March 24, 1934

Vol. LXX, No. 69

SATURDAY, FRANK 93 — March first, local...

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**FINANCIAL**

**NEW YORK STOCK MARKET**

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**NEW YORK CURE MARKET**

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**NEW YORK BOND MARKET**

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**PORTA EXCHANGE SECURITIES**

| Para. Public    | 43   |

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Business Filmmers Meet Eastern Association of Non-Theatrical Film Producers held a meeting at the Advertising Club this week to consider an advertising and publicity campaign on business films, and also to organize their support for the Non-Theatrical Film Code which will be shortly presented to Washington. President of the association is William J. Ganz.

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**BOARDS IN FIVE CITIES REMAIN TO BE SETTLED**

Another effort to iron out differences among personnel of local zoning and grievance boards in five key cities was made by the Code Authority’s committee on nominations yesterday when the matter was given further consideration. Boards figuring in the jam are in New York, Boston, Philadelphia, Portland, Ore., and Minneapolis.

At yesterday’s committee meeting were: Ed Kuykendall, Charles L. O’Reilly, Edward Grainger, representing Sidney R. Kent; Edward Golden, alternate for W. Ray Johnston; Max L. Levenson,21 for Nathan Yamins, in addition to Executive Secretary John C. Finn, Charles Moscowitz of Loew’s and Major L. E. Thompson also attended. A meeting of the Code Authority committee on finance, assigned to the job of framing a budget covering operating of the code machinery, will be held Wednesday. The meeting had been originally planned for Monday.

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**KUYKENDALL TO SPEAK AT THREE CONVENTIONS**

(Continued from Page 1)

Mr. Kuykendall will address the Executive Ass’n of Texas in Dallas Monday. Next Kuykendall is due at the Tri-State meet April 1-2 in Memphis and April 3-4 at the New Orleans session of the Gulf States exhibitor association. He leaves for the Coast with the Memphis contingent.

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**FINISH 7-REEL INDUSTRIAL**

A seven-reel industrial picture for E. R. Snubb & Sons has been completed by Audio Productions, of which W. A. Bach is president. The feature employed a cast of prominent stage actors including Fuller Mellish, C. Anthony Hughes, John Carmody and E. J. Gallaher, and the production is recognized as fine in point of story and treatment.

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**ROSENZWEIG DEAL NOT SET**

No deal has as yet been closed for Charles Rosenzweig to join First Division Pictures in a sales executive post. He was formerly general sales manager for Columbia.

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**DISPUTE BLOCKS SUNDAY VOTE**

Manhattan, Kan.—Because of a dispute, centering chiefly around the registration of Kansas College students, the referendum on Sunday movies scheduled for March 26 has been called off.
"COME ON MARINES" with Richard Arlen, Ida Lupino, Roscoe Karns, Grace Bradley, Monte Blue, Toby Wing

Paramount 70 mins. GOOD ENTERTAINMENT FILLED WITH COMEDY, ROMANCE AND ADVENTURE, FINE CAST, COLORFUL BACKGROUNDS. This one will be okay on any bill. In addition to the laughs and suspenseful situations, there is a boy of beautiful girls. Story concerns Richard Arlen, who, as "Lucky" Davis, a Marine sergeant, returns from eight months in the Philippines and is notified that he has been accepted for entrance in the Officers' Training School. While celebrating his return and good fortune, he gets into one of his usual jams with a girl and is returned to the Orient where he is put in charge of a detail of men and sent out to protect some "children" who are being held for torture by Celano, a bandit. "The children" turn out to be voluptuous young society girls in a fashion. Richard Arlen has plenty of trouble keeping the Marines and the girls apart. Has suspenseful thrills.

Cast: Richard Arlen, Ida Lupino, Roscoe Karns, Grace Bradley, Virginia Hammon, Gwennil Gill, Clara Lou Sheridan, Toby Wing, Lona Andre, Leo Chalzel, Pat Flaherty, Threl Elston Knight, Julian Madison, Edmund Bruce, Monte Blue, Jean Chabrun, Jennifer Gray, Kay McCoy, Mary Blackwood

Director: Henry Hathaway; Author, Philip Wylie; Adaptors, Joel Sayre, Bryon Morgan; Editor, James Smith; Cameraman, Ben Reynolds; Recording Engineer, Jack Goodrich

Direction, Okay. Photography, Fine.

"Harold Teen" Displays In All Liggett Stores

A national tie-up has just been concluded between Warner Bros. and the Liggett Stores, whereby the latter will place displays of "Harold Teen" in every one of its 500 stores in 200 key cities. The tie-up will be directly available to "Harold Teen" exhibitors.

Warner Title Change

Warner's "One-Man Woman," recently completed, has been renamed "The Personality Kid." Cast includes Pat O'Brian, Glenda Farrell, Claire Dodd and Henry O'Neill.

Two Roles for Anita Louise With Cost Bureau of THE FILM DAILY Hollywood—Anita Louise has been signed by Warners for "Madame DuBarry" and by Columbia for "Most Precious Thing in Life."

"Why We Go Goffo" When First National's "20 Million Sweathearts" was just the original story by Paul Fender and Victor Heerman in 1918, it was called "Radio Romance." After being adapted by Warren Duff and Harry Sauber, the title became "Hot Air. Later, it was changed again for John in the Air." In 1920, it was called "On the Air," and finally wound up as "20 Million Sweathearts."

"REVIEW OF THE NEW FEATURES ON BROADWAY" "ONCE TO EVERY WOMAN" with Ralph Bellamy, Fay Wray, Walter Connolly, Mary Carlisle

Columbia 70 mins. FAIR HOSPITAL DRAMA WITH GOOD CAST AND DIRECTION HELD DOWN BY BRITTLE STORY. This mixture of sick cases, operations and romancing, all taking place in a hospital background, is just fairly entertaining because the story lacks something big in the way of theme or punch. Action revolves around Ralph Bellamy, a very able young surgeon with a good future. Fay Wray, a head nurse whose first interest is her work and who is in love with Walter Byron, the hospital Romeo; Mary Carlisle, a young nurse who offers his attentions; and Walter Connolly, a veteran medico who eventually turns over his post as chief to the new modern Boyt. The usual assortment of varied characters is seen in the sickbed and operating table scenes, and for the most part, the action is very flat. Fay and Byron meet its inevitable crash. Bellamy becomes the nurse's new and more dependable heart interest. The performances of Connolly, Miss Wray and Bellamy are among the chief merits of the production.

Cast: Ralph Bellamy, Fay Wray, Walter Connolly, Mary Carlisle, Walter Byron, J. Farrell MacDonald, Billie Seward, Georgia Cole, Kathrin Clare Ward, Mary Fay, Ben Alexander, Rebecca Wassam, Leila Bennett, Jane Darwell, Nora Ceci, Ed Lo Saint, Director, Lambert Hillyer; Author, A. J. Cronin; Adaptor, Joy Swering; Cameraman, John Stimson; Recording Engineer, Vernon Ashdown; Editor, Richard Chipman; Direction, Good. Photography, Good.

"Taxi Strike Not Affecting Movie Houses" Business at Broadway box-offices has not been perceptibly affected by the taxi strike which has virtually cleaned the cabs off New York streets, according to house managers yesterday. Most of the trade reaches these theaters by subway or hoof.

bruner on Pickford Assignment

Frank Bruner, who has been doing publicity for the Rivoli, has been given a leave of absence to act as Mary Pickford's personal representative on her coming stage engagements. Bruner's work at the Rivoli will be absorbed by the United Artists home office staff.

Installing New Seats

Loe Marks, factory representative for Ideal Seating Co., is now installing new chairs in the Platbush, Brandt house in Brooklyn and Plaza, Mt. Vernon. Recent installations include the Lane, Stoddard and Carlton, Springer & Cogicis houses.

Cameo Bill Holds Third Week "Fantomas" and "Brides of Satan" will continue for a third week at the Cameo. "Broken Shoes," Amkino picture, opens next Thursday.

Brooklyn House Closes

The Sun Theater, Brooklyn, operated by Irving Renner, has closed.
CIRCUITS SEE DANGER IN UNIONISM INCREASE

(Continued from Page 1)

ater operation organize," said a the-
ater executive yesterday to Film
Daily. "The danger will be prevented
from firing a discontented usher un-
given permission by the Local with
which he has his card and his for-
mal job." 

Suppose we discovered collusion and dishonesty between a cashier and doorman, we would have to leave them at their posts until
the local gave us permission to dis-
charge them, and it is doubtful that
our testimony would be considered.
The fact that a doorman had not
torn an admission ticket would not
be any proof that he did not turn
it to the cashier for resale. He
could say he found it, or give any
other excuse. We have not decided
on action, but we are studying the
situation closely."

Installs High Fidelity
Davenport, Ia.—The Capitol, for-
er RKO 2,500-seater which re-
torted to former operator, A. H. Blank, has contracted for installa-
tion of Photophone High Fidelity
sound equipment.

New Orleans—Mort Singer has
arranged for the immediate instal-
lations of Photophone High Fidelity
sound in the Orpheum, former RKO
house.

Coming and Going

HOWARD S. CULLMAN of the Roxy returns
today from Washington.
RALPH E. PECKHAM leaves New York today
on his return to Atlanta.
MR. and MRS. J. H. WILKAND, MR. and
MRS. S. J. PERELMAN and ARTHUR KOBER
sail today on the Roma for a Mediterranean
journey.
CONSTANCE CUMMINGS, BENN W. LEVY,
and SALLY RATTES, English actresses, sail
now on the Ile de France for England.
HELEN KANE, back from the coast, has taken
quarters at the St. Moritz.
J. E. OTTEN and WATTERSON ROTH-HACKER
have left New York for the coast.

VIRGINIA PINE, Chicago heiress who has
adopted a film career, has left the Windy City
for the coast to start work in Paramount’s
"Dances."

ERNEST NASTY CARROLL, author of "As the
Earth Turns," will come to New York for
the premiere of the Warner picture next month.

ED KUYKENDELL leaves New York today
returning to Columbus, Miss.
NATHAN YAMINS of Fall River has gone
to Phoenix for a vacation.

JAMES R. GRAINGER leaves tomorrow
for the coast.
BILL PINE leaves for the coast today.
MIKIM HOPKINS leaves today for the coast
via airplane.
LANNY ROSS leaves Monday for Boston.
EMANUEL COHEN is expected from the coast
next week.

JOHN B. NATHAN, recently promoted to
the post of managing director of Paramount’s or-
ganization in Argentina, sails for Buenos Aires
today on the Eastern Prince.


danger in Unionism Increase

(Continued from Page 1)

HOLLYWOOD

WILLIAM BEAUDINE is return-
ing to Paramount to direct W.
C. Fields in "Grease Paint," an orig-
inal story by the actor, who has
also directed "Her Bodyguard" and
"Make Me a Star," at Paramount.

** ** **

Smile—As impossible to find as a
screen night club not owned by a
gangster.

Sig Herzig came to Universal
to enjoy a vacation, but found his holi-
day short-lived. He joined Univer-
sal and wrote "Here's to Love," in
cooperation with Jay Gorney. He
and Gorney had written "Moonlight
and Pretzels." Now Herzig is writ-
ting the adaptation for Earl Car-
roll's "Beaux Art's Ball," which
will be made by Paramount.

Lou Brock is all smiles these
days. He talked to Rio de Janeiro
via wireless and learned that offi-
cials of the South American city
will name a city after him. He is
the producer of "Flying Down to
Rio."

Liberty Productions will make
"The Mad Honeymoon," with Will-
iam Nigh directing, George Wag-
ner wrote the situation.

Cecil B. De Mille made the bath-
tub famous and the bathtub made
Earl Carroll famous. De Mille and
Carroll have become good friends
and we are wondering whether the
De Mille "Cleopatra" will be found
using a bathtub.

The Cingelese system is being
used for the sound work on "Fight-
ing for Life," which is being made
by Sol Lesser, with Eddie Cline di-
recting.

"She Learned About Sailors" is
announced by Fox as the final title
for "On the High Seas," which
Louis King will direct. Mitchell and
Durant are featured in it.

R. E. Peckham Takes Over
Three Southern Exchanges

(Continued From Page 1)

12 westerns from Louis Weiss di-
vided in series starring Buddy Roose-
evelt and Buffalo Bill; 12 from
Mayfair, "Damaged Lives" from
Weldon and some Progressive pro-
duct. Peckham has also bought 15
Showmen's Pictures features for
1945-46.

More Paramount Meetings

Several additional special meet-
ings of Paramount's Publicity execu-
tives will be called within a few weeks
and will act on other reorganization plans
involving theater partnerships. New
deals being worked out are now
being made with Famous Theaters
Corp., which acquired assets of Pub-
lit Theaters. Approval of Referee
Henry K. Davis is necessary to com-
plete agreements.

"Forgotten Men" Closing

"Forgotten Men" closes tomorrow
night at the Criterion after eight
weeks. It is undecided as yet whether
the film will move to another
Broadway theater.

Dietrich Film at Paramount
Parameter's "Scarlet Empress," star-
marring Marlene Dietrich, will go
into the Paramount theater some
time in May instead of opening at
the Criterion at advanced prices,
as first planned.

William Wellman Marries

Las Vegas, Nev. — William A.
Wellman, director, and Dorothy Coon-
an, young actress, were married
eyesterday.

Installs RCA High Fidelity

Commericv, Ind. — RCA Victor
High Fidelity sound apparatus is
being installed in the Lyric, oper-
ated by Amsted and Pearson.

12 Famous Americans

In Series of Shorts

(Continued from Page 1)

of Theodore Roosevelt, has been fin-
ished. Others will show Col. Wil-
liam F. Cody (Buffalo Bill), Sitting
Bull, Benjamin Franklin, Wright
Brothers, Thomas A. Edison, Mark
Twain, Andrew Jackson, Ulisses S.
Grant John Paul Jones, Andrew
Carnegie and P. T. Barnum. Tab-
leaf, allegory and music will be em-
ployed in the productions, which are
being handled by Alex Hall.

File Wheeling Security Issue

Washington—Among issues filed
for registration with the Federal Secu-
ritics Commission this week under
the Securities Act was one by Cap-
itol Theater Co. Bondholders' Pro-
tective Committee, Cleveland, call-
for deposits of $400,000 first mort-
gage bonds of Capitol Theater
Co., Wheeling, W. Va. Committee
consists of James A. Farrell, M. W.
Haber and Carlson Schultz, all of
Cleveland.

Service Union Hearing Put Off

Hearing on complaints made to
the NRA Regional Labor Board by
Local 118, service union, against
major circuits, has been postponed
to Tuesday because of the press
of work put on Ben Golden, secret-
y of the NRA Board, by the taxi
strike.

I'TO-A Union Hearing Delayed

A hearing before the NRA local
committee board in connection with
action of Local 306 seeking to com-
pel reinstatement of operators dis-
charged by theaters affiliated with the
I.T. O. A. has been postponed until
Tuesday. It had been sched-
uled for Thursday night.

"ROXY" FOR BOTH
HERE AND LONDON

(Continued from Page 1)

are under consideration. Subsequent
to the opening of the London house,
Roxy will plan the staging pre-
parations, and at the same time have
a similar arrangement with a New
York movie theater for the stag-
ing of its shows. It is likely that nego-
tiations now under way that will return
him to the original Roxy on Seventh
Ave., by the beginning of the next
season, will be completed in three
weeks. Roxy with his gang opens a
Paramount theater tour in Boston
March 30. "I do not know just how
many weeks I will tour," he stated
last night. "It all depends on other
circumstances. I'll keep going and
play as many dates as I can." Roxy
and his gang open in New York at
the Paramount April 6.

Equipment Code in Four Weeks

Expectations are that a code cov-
ing theater equipment and supply
dealers will go into effect within
four weeks. It is now embraced in
the wholesale code.

Hays Annual Meeting on Monday

The Hays association board of di-
rectors holds its annual meeting
Monday.

HOLLYWOOD PLAZA

MOST CONVENIENT
Hotel in Hollywood
$2.50 up, Single
$3.00 up, Double
Special weekly and monthly rates
The Plaza is near every-
thing to see and do in
Hollywood. Ideal for bus-
iness or pleasure.
Every room has private
dressing room, bath and
shower. Beds "built for rest."
Stunning with modern con-
venience. Fine foods at
reasonable prices, Conven-
ient parking, for your car.
Chess, Darts, Mgr.
Eugene Stern, Pres.
The "Den of Hospitality"
Vine at Hollywood Blvd.
HOLLYWOOD
**Code Hearing By Review Board Called Premature**

400 LITERARY MASTERPIECES FILMED IN 18 YEARS

Exhibition-Production Divorce Seen as Parley Topic

**Fox to the Fore**

... industry recuperating fast

By DON CARLE GILLETTE

NOTWITHSTANDING the insistent outbursts of the professional calumny howlers who for years have been trying to make the world believe that the motion picture business was on the brink of bankruptcy, evidence all around proves that there's plenty of stamina and recuperative power still left in this little old industry.

Even compared with the oldest, biggest and most essential basic industries, the records show that casualties in the film business during the past few years were fewer and less serious than the general average.

But the courageous manner in which the industry as a whole carried on despite all the depressing influences will go down on the books as something even more noteworthy.

The signal action of the Warner brothers in steering their ship through the storm without the aid of banker piloting or banker fueling is now a matter of history.

Paramount's current progress in rehabilitation under the leadership of Adolph Zukor should make additional pleasant reading in the months ahead.

And the way Sidney R. Kent diverted the Fox company from imminent disaster to clear sailing is the outstanding salutary achievement of the past year.

**NO company is more in the limelight at this moment than the reorganized and revamped Fox Films.**

The entire industry today is more Fox-conscious than it has been at any time in the last several years.

Such a thing does not happen as a matter of accident. It is needless to tell you. Fox is going places again, and this is being reflected all around—throughout the trade, in the trade papers, in turn among the general public—and in the fact that on this day of this week five Main Stem houses simultaneously are playing Fox features.

**The signal action of the Warner brothers in steering their ship through the storm without the aid of banker piloting or banker fueling is now a matter of history.**

Reservations for MPTOA Convention Start to Pour In

Divorce of theater holdings by major producer-distributor firms is certain to figure importantly in the open forum which will be a highlight of the M. P. T. O. A. convention in Los Angeles April 10-12. A number of exhibitor leaders have indicated that they intend to talk on this subject.

Other industry issues bound to

(Continued on Page 2)

**Find American Films Better**

Port of Spain, Trinidad—That American films are much improved and that Hollywood product does not harm children is the verdict contained in the Trinidad censor's report for 1933. "If the movies demand control, crime will increase," says the report. "The cinema gives to the boy something to think about."

**SELWYN BECOMES "THEATER OF AIR"**

Selected amateur radio talent surrounded by several radio names will be offered to the public at admissions ranging from 25 to 40 cents at the Selwyn Theater, beginning late next month by a group composed of Crosby Gaige, owner of the Selwyn, Arthur G. Montagne

Reorganization Plans Set For St. Louis Theaters

St. Louis—Under reorganization plans for the Ambassador, Missouri and Grand Central theaters, expected to be approved by the U. S. District Court so that the properties can be taken out of receivership, Allen L. Snyder, former vice-president of Stone & Webster Engineering Corp. and now head of a local storage battery firm, will be principal stockholder in two new

(Continued on Page 3)

Educator Finds 22 Works of Literary Merit Made Into Films Annually

More than 400 works of literary merit, chiefly novels, dramatic hits and some operas, have been made available to the masses through the medium of the screen in the past 18 years, according to data compiled by Robert B. Nixon, instructor in the Radnor High School, Wayne, Pa. The word is taken from Shakespeare.

(Continued on Page 3)

**FIVE M-G-M PICTURES MAY BE ROADSHOW**

Anticipating the possibility of roadshowing its next five releases, M-G-M is testing the country with special newspaper material similar to that used for all two-day attractions. The features receiving the special plug are "Men in

(Continued on Page 2)

Replogle Now Full Owner Of Palm Beach Paramount

Palm Beach, Fla.—J. Leonard Replogle has become sole owner of the Paramount Theater building and grounds through purchase of two-thirds interest in the property held by Edward F. Hutton and Anthony J. Drexel Biddle. Value of the property is set at $750,000. The theater is famous for its diamond circle of privately owned boxes.

**Libel Suit Is Upheld**

Albany—Appellate Division has refused to dismiss the $150,000 libel action brought by Mrs. Minerva Brown of Norwich against Paramount alleging that her daughter's character was damaged by "An American Tragedy." In a majority opinion, Justice Bliss discussed sound pictures as a possible new form of libel, saying, "If such production may be libelous, it is not in the hands of a wrongdoer these devices have unforeseen possibilities toward producing an effective libel."
Copyrighted Material

Reorganization Plans Set
For St. Louis Theaters

Three of the St. Louis theaters, the Marco, are tied in with Snyder. One of the new corporations will take up the securities of Central Properties Corp., which originally floated a $1,500,000 bond issue for the Ambassador and Grand Central, while the other will exchange bonds and stocks for those of the St. Louis Properties Corp., which floated an issue of $20,000,000 for the Missouri building. The Skouras brothers, who guaranteed payment of some of the former mortgage bonds, will also guarantee the principal of the new bonds in an equal amount.

City Fusion Party Backs
Fight on State Censors

Support for the Brownell and Neustein bills at Albany to repeal the state censorship law has been extended by the City Fusion party through its committee on legislation headed by Jesse S. Raphael. In a letter to the Ways and Means Committee, Raphael says censorship has utterly failed to establish any standards of obscenity upon which sober-minded, serious persons can agree, and at great expense to the state it has set up an inefficient bureaucracy which is not only unable to cope with the evil, if any, but actually operates to put the seal of governmental approval on many pictures which otherwise might have been condemned by public opinion.

Closes Two Story Deals

Deals for the sale of "Moonlight Lodge," by Vida Hurst, and "Redhead," by Vera Brown, to Monogram Pictures were negotiated by the office of Michael S. Mill.

Five M-G-M Pictures

Roadshow Candidates

Whiteoak, "Wise Guy" and "I'll Mate," "Rip Tide," "Hollywood Party" and "Viva Villa." Decision as to roadshowing the first four has not as yet been reached although complete campaigns will be sent out for them. "Viva Villa" has been set for the two-a-days and will open a New York run April 6 at the Criterion.

Eric Europeans Grateful
At Few Board Objections

Expressing some surprise and gratification at the few objections raised against appointees to local boards, President Ed Kuykendall of the M. P. T. O. A., and a member of the Code Authority on Saturday pointed out that in event any board member acts improperly, he can be removed by the code's administrative body.

"Dismissal from a local board would carry the same stigma as a dishonorable discharge from the army," said Kuykendall "and certainly is not the sort of a penalty the industry wishes this status.

The exhibitor leader described some attacks on board selections as unjustifiable.

Nominations Committee
Meets Again Wednesday

The Code Authority's committee on nominations will meet again Wednesday to tussle with the problem of setting up local boards for New York, Philadelphia, Boston, Portland, Ore., and Minneapolis. Walter Vincent will serve as alternate for Ed Kuykendall. Vincent is vice-president and treasurer of the M. P. T. O. A., which Kuykendall heads.

May Lose Blue Eagle

For Labor Violation

Nathan Straus, Jr., state NRA compliance director, has under advisement a request from the NRA Regional Labor Board that the blue eagle be removed from a group of independent houses because they twice disregarded a board in failing to reinstate two ushers, members of Local 118, service union. At Straus's request it was agreed that no further hearings would be given the circuit but that General Johnson, NRA head, would first have to approve any recommendation for removal of a blue eagle.

First Classic Picture Offering

As part of a program for better pictures, a dramatic reading of "A Christmas Carol" was given yesterday by De Wolf Hopper at the National theater under the auspices of Classic Pictures, Inc., which will produce the Dickens story as its first picture. Tomorrow night, at the Bronxville High School, Robert Lowaine will give a reading from "A Tale of Two Cities."
Selwyn, N. Y., Becomes
"Theater of the Air"
(Continued from Page 1)
and Harry Levey. The idea is to develop new radio talent. All com-
ers will get auditions. If selected for the shows, which will be used as
radio stations, performers will thus have an opportunity to display their
radio talent and develop a following, ac-
cording to Montagne. The sponsors
will also manage likely talent.
A school for acting and writing will be run in conjunction with the theater.
The project will be known as "Theater of the Air" and is expected to extend to other cities. A further
function will be the recording of
radio transcriptions and sound films
and programs which will be avail-
able to other stations. Other spon-
sors of the movement include Gus
Edwards, Channing Pollock and Moe.
Irma Swift of Hunter College.

No Cuts in Product
Planned for 1934-1935
(Continued from Page 1)
ized, a survey of early-season plans
indicates. Tentative schedules so
far reveals that no list of films will be
the total output as compared with the
current lists. On the con-
trary, preliminary arrangements
suggest the total number of fea-
tures, both from male and in-
dependent producers, is likely to be
increased.

THE INDUSTRY'S
DATE BOOK

Today: Theater Owners Protective Ass'n of Texas annual meeting, Baker Hotel, Dallas.
March 27: Idaho exhibitors meet to discuss current problems, Pocatello, 1da.

DIVORCE OF EXHIBITION
SEEN AS MPTOA TOPIC
(Continued from Page 1)
enter the proceedings include: right
to buy, percentage booking, unfair
competition from radio, service
charges, overestimating and picture
morals. Particular attention will be
given matters of clarifying work-
ings of the code's 10 per cent can-
celation clause.
Among reservations pouring in
for the convention are 100 from the
Southwestern T. O. E., 15 from the
M. P. T. O. of North Carolina, 18 from Milwaukee and
25 from the I. T. O. of Northern California, which has
a resolution urging all members to at-
tend. Conventioneers must obtain
the special convention certificate in
order to secure the reduced railroad
tables, it was pointed out at the
M. P. T. O. A. headquarters yester-
day.

400 MASTERPIECES
FILMED IN 18 YEARS
(Continued from Page 1)
pears, eight of whose plays have been screened to "East Lynne," which has been filmed no less than
five times. Twelve of Mark Twain's
works were made into pictures and
six by Charles Dickens.
Nixon, who gleaned his data from
the titles list contained in The Film
Daily Year Book, compiled the list
for the benefit of teachers and others
desiring the information for ed-
cational activities or otherwise.
He found that the peak year for
production of literary works was
1923, when a total of 10 were made.
The average for the entire period
covered in the survey was 2.5 a year,
which he considers a generous quota.
Paramount led the list in number,
with about 75 to its credit, followed
by Fox with about 50, M-G-M, 25,
and United Artists, 22.
Nixon believes that producers
have barely scratched the possibi-
ilities of making box-office hits from
classics reposing on library shelves.
Some day a very sagacious pro-
ducer will admit his "20-odd years' 
experience in the industry has net-
ted him very little information con-
cerning the non-changing likes and
dislikes of old and young audiences," he
says. "This man will also learn
upon conducting his business like a
circus. He will have sworn to adopt
a policy of well patronized commen-
table product. His first step in
doing this will be to consult the
teachers in classes room contact
with pupils—his audience—and stroll
through a library to find shelves
easily bulging with sure-fire box-
office hits which to date have es-
caped the attention of many
high-salaried literary scouts.

Sees Majors to Blame
If Theatre Bills Surrender
(Continued from Page 1)
three houses in Chicago and one in
New England were using triple bills,
according to Golden. On the coast,
the practice of adding a preview to
a double feature program is respon-
sible for so much tripling, he says.
MARCHES ON!

This industry long accustomed to great achievements of M-G-M will now see an even greater page in the history of this company. Sweeping everything before them come these giant attractions: NORMA SHEARER, ROBERT MONTGOMERY in “Riptide”—TARZAN AND HIS MATE” starring Johnny Weissmuller. “VIVA VILLA!” starring WALLACE BEERY. “HOLLYWOOD PARTY” grandest of all musical comedies of the screen. CLARK GABLE in “Men in White”. MARION DAVIES in “Operator 13” JOAN CRAWFORD in “Sadie McKee”. And other Big Ones to follow. Leo marches on!
NEWS OF THE DAY

Menominee, Mich. — Tom Reilly, formerly manager of Warner’s Grandna, Milwaukee, has been named manager of the circuit’s Lloyd theater here, succeeding Cyrus Lloyd. He has been succeeded at the Grandna by Mickey Kippel, formerly of Hollywood.

New Orleans — Elizabeth Baker has been promoted to shorts booker at Fox. G. Broggi remains head booker in charge of the entire department.

New Orleans — Houston Duvall, Columbia exchange manager, won the southern division bonus in his company’s contest for the manager who showed the most sales, collections, etc., within the first 10 weeks of a 17-week period.

Washington Hearing
Is Called Premature
(Continued from Page 1)

Although the list of persons to appear at today’s hearing had not been announced up to Saturday, expectations were that it would include Abram F. Myers, Allied leader.

WASHINGTON

FREE DRINKS
AND LUNCH

"WONDER BAR"

"WONDER-FUL" is what users everywhere say about Alexander Smith Carpet. One user writes, "It is unbelievable that in eleven years no carpet replacement has been made." Long wear—good looks—moderate prices—these are the reasons why Alexander Smith Carpet is used by the majority of the country’s most successful theatres.

ALEXANDER SMITH CARPET

FEATURE AND SHORT REVIEWS

Borrah Minnivitch and His Harmonica Rascals in "Lazy Bones" (Screen Song)

Paramount 10 mins. Enjoyable

The harmonica melodies of Borrah Minnivitch and his gang, plus some vocalizing by Reis and Dunn, serve very nicely to augment this screen song cartoon based on the popular song, "Lazy Bones." Animated action deals with an old plug racing horse with a yen for lying in bed. The critter wins a race when its owner puts the nag’s bed in the middle of the track where the horse can see it as the runners are coming down the home stretch.

"Screen Souvenirs" (No. 3-9)

Paramount 10 mins. Chuckles

After some views of Mary Pickford, Douglas Fairbanks, Charlie Chaplin, D. W. Griffith and Lionel Barrymore in their early days, this dip into the old files brings forth a bit showing an old-fashioned honey-moon, another presenting Theodore Roosevelt speaking at Wilkes-Barre, and then one of those old-time comedy dramas, “Bessie the Needle-woman,” the romance of a seamstress and a flightly Romeo.

FRIDAYS

A Little from "Lots"

GRACE GOODALE, whose film career dates back to the Edison days, has been signed by Fox for a role in "Merry Andrew," with Will Rogers and Peggy Wood.

Lyle Talbot will have one of the leads in Columbia’s "One Night of Love," Grace Moore picture, while William Bakewell, Patsy Kelly and Gale Chandler are additions to "The Party's Over" at the same studio.

Dorothy Tree has joined the cast of "Dark Tower" and Paul Hurst and Eric Wilson are among latest additions to "The Old Doll's House," both First National productions.

Georgia Caine will appear in Fox's "Call It Luck," with Herbert Mundin, Pat Patterson and Charles Starrett.

Charles Wilson and Virginia Sale have joined the cast of Universal's "The Practical Joker.”

"Wonder Bar" Holds Over In 12 Pre-Release Dates

Pre-released in 12 situations to date, Warner's "Wonder Bar" has played holdover engagements in every one of them. The picture will open simultaneously in over 200 key city theaters over the country during Easter Week, according to an announcement from the company's home office.

11 "Harold Teen" Pre-Releases

Warner's "Harold Teen" will be pre-released simultaneously the week of March 31 in 11 key city spots over the country. The dates include the Erie, Philadelphia; Warner, Pittsburgh; Music Box, Tacoma; Palace, Lawrence; Strand, New Britain; Palace, Norwich; Strand, Hartford; Cameo, Bristol; Capitol, Willimantic; Newman, Kansas City and the Curran, Boulder. National release date is April 7.

Named St. Louis Rialto Manager

St. Louis — Byron F. (Dinty) Moore has been named manager for the Shubert-Rialto, which reopens to the Export to the Export.

Greater N. Y. Export House, Inc. Distributors of ALEXANDER SMITH CRESTWOOD & PREMIER CARPET

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It's Great

The 1934 Film Year Book just off the press and now being distributed to all Film Daily Subscribers is acclaimed by the industry as "GREAT".

From all over words of praise for this important volume are flowing in to Film Daily offices. A full year in the making and worth its weight in gold. Contains 1056 pages. Covers everything pertaining to production, distribution and exhibition. It is a book everyone in any way connected with the motion picture business should have. And, it is given free with one year's subscription to THE FILM DAILY SERVICE.

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SILLY SYMPHONY
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BUNNIES

Book it now
at your nearest
UNITED ARTISTS EXCHANGE

OF COURSE
Walt Disney's
"3 LITTLE PIGS"
WON THE
ACADEMY AWARD
FOR THE BEST
CARTOON OF
THE YEAR.
Classics Become Definite Part of Screen, Says Hays

PROVER OF CODE WAS IMPARTIAL NOMINEE FROM CHICAGO

Lowell Mason, Counsel of Review Board, Served Industry in Past

Washington Bureau of THE FILM DAILY

Washington, March 27—An interesting highlight of yesterday's hearings before the National Recovery Review Board was the fact that Lowell Mason, general counsel of the Board from Chicago, was nominated as an impartial member of the Grievance Board of the Code in that territory. Interestingly, the Code Authority meeting Thursday will be to consider a successor to Mason, who notified NRA of his resignation fol-

Code Authority and Major Company Sales Managers Summoned to Appear at Washington Hearing

Thursday Before Recovery Review Board

WASHINGTON—Charges of discrimination in the selling of pictures, restraint of trade and alleged monopolistic tendencies of the motion picture code, coupled with testimony of Russell Hardy, Department of Justice special assistant to the Attorney General, and the hesitancy of Division Administrator Sol A. Rosenblatt to appear as a witness without first consulting with Administrator Hugh S. Johnson, which he was unable to do during the day's hearings, featured hearings before the National Recovery Review Board yesterday.

Hearings were adjourned until Thursday morning, during which interval members of the Code Authority including all major company sales managers, are to be summoned to appear together with Rosenblatt. Objection was made to settling the hearings for Thursday as the convening date due to a New York Code Authority meeting on that date, but Chairman Brower, at the insistence of General Counsel Lowell Mason would not consent to any longer continuance. Failure of the subpoenaed members to appear will not affect the Board's

Fox Film to Expand British Production

London—Complete removal of the Fox production staff from Berners St. to much larger quarters in Newman St. is interpreted as indication that there will be an expansion in the company's British production activities. More ambitious pictures are understood to be contemplated.

20 Million Weekly in Eng. London—Weekly film attendance in England and Ireland is approximately 20,000,000. It was stated by Simon Rowson in an address before the British branch of the Royal Empire Society, in England alone it is 18,500,000 weekly, he said. Average admission price is equal to 18 cents in American money.
ALONG THE RIALTO

WITH PHIL M. DAILY

**SOME INTERESTING** statistics on stage names in pix have been compiled by M-G-M . . . . on the current roster of this company's leading players, more than half are graduates of the New York stage . . . . 25 big stage names are now on its payroll . . . . 12 of the Under-Five low contracts, other studios account for 62 more and there are at least additional stage "names" in Hollywood waiting for recognition from some studio.

**ALL THE gang** will be glad to know that Hal Horne is back . . . . hitting in all 10 cylinders of yore, the lad looks great after his layoff in Florida . . . . Famous Theater Corp. execs yesterday were trying to figure out why workers of the American Display Corp. now on strike should start to picket the Paramount theater . . . . since that house is not using signs made by this company.

**THE OPTION** on Dorothy Dell has been exercised by Paramount on her performance in "Wharf Angel" . . . . Dorothy is one of Martin Stern's International Beauty Pageant girls, she being "Miss Universe 1930" . . . . Len Daly has taken up his new duties in the foreign publicity dept. at United Artists . . . . he was formerly with Paramount . . . . Louis Heeltzinger, of the Fox studios, won the 25 berries for his suggested title of "Wild Gold" for "Gold Diggers of 1934" . . . . Claudette Colbert is using a whiskey distiller for a picture in a newspaper ad . . . . Butler Keaton in an Educational short, will have its Eastern premiere at the Roxy on Friday . . . . Lunching at the Empy Club yesterday were Felix Feist, Howard Dietz, Leopold Friedman, Harry Buxbaum, Edward Grainger, Hal Hodes.

Rosenzweig Starts April 2

Charles Rosenzweig will take up his new duties as sales manager for First Division on April 2, President Harry Thomas said yesterday.

Dembow Books Frank Buck

Typifying one phase of the cooperation existing between Famous Theaters Corp. and its partners, Sam Dembow has arranged three personal appearances of Frank Buck coincidental with the showing of his picture, "Wild Cargo," in Texas, his native state. Buck opens at the Melba, Dallas, April 10, for a week. The tour winds up at the Hollywood, Fort Worth, where Buck plays four days.

Harlow, Erwin Get New Contracts

'The Story of *Darryl* '

Hollywood—M-G-M has given new contracts to Jean Harlow, whose next will be "Age of Larceny," and Stuart Erwin.

Harris in Cleveland

Cleveland — Milton Harris has been appointed publicity and advertising manager for Loew theaters. He succeeds Ralph Ravenscroft, who has gone to the coast to enter production.

"All Quiet" Revival in Akron

Akron—"All Quiet on the Western Front" will play its initial engagement in this territory at Warner's Strand the week of April 20.

**FINANCIAL**

**NEW YORK STOCK MARKET**

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<th>Stock</th>
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**NEW YORK CURRE MARKET**

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**NEW YORK BOND MARKET**

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**N. Y. PRODUCE EXCHANGE SECURITIES**

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**Comming and Going**

FRED ASTAIRE will return from Europe in time to be in Hollywood for the start of his next M-G-M picture May 2nd.

IRENE DUNNE will return from the coast Wednesday.

FRANK BUCK, NED DEPINT and BOB SISK returned from Washington yesterday.

MORT BLUMENSTOCK, director of advertising and publicity for Warner Theaters, left Saturday for St. Louis to open Shubert's Rialto there the end of the week. From there Blumenstock goes to Memphis for conferences with Howard Waugh, zone manager.

JIM LOUGHBOROUGH, United Artists executive, is in Cleveland working on the roadshow campaign for "House of Rothschild," which opens March 31 at the Ohio Theater.

ALBERT PAYSON TERHUNE, author, sails April 3 on the Marquand of Bermuda for a week's stay in Bermuda.

FRANCES WILLIAMS returns from abroad today on the Chambury.

IRVING WINDISCH of Warner's Metropolitan Theaters exploitation department, left Sunday night for Buffalo to meet the campaign for "Wonder Bar" at Mike Shatz's Hippodrome.

JACK COHN returned to New York yesterday from the Coast.

LOU DIAMOND of Paramount returns to New York late this week from the Coast.

EMANUEL COHEN arrived in New York yesterday from the Coast.

Circuit May Lose Blue Eagle Recommendation that the blue eagle be removed from a local circuit has been forwarded to National at the Criterion, another M-G-M picture, now being played by the local Compliance Board, it was stated to Film Daily yesterday by Mrs. Anna M. Rosenberg, assistant to Nathan S. Atlas, Jr., state NRA compliance director.

2 M-G-M Broadways Bookings Set

In addition to "Viva Villa," which opens April 6 for a two-a-day run at the Criterion, another M-G-M picture will play an outside Broadway house when "Lazy River" opens April 9 at the Mayfair.

On April 10 the Mayfair is slated to get Monogram's "Beggars in Ermine."

Rosenzweig, of RM, takes up his new duties as sales manager for First Division on April 2, President Harry Thomas said yesterday.

As a result of the size of the week-end business, Warner's "Jimmy the Gent," starring James Cagney, has been set to hold over at the Strand. "Gambling Lady," with Barbara Stanwyck, will follow it.

The Film Daily

Box 962
1650 Broadway
New York City
At Consolidated the old order of "try, try again" has given way to scientific methods that guarantee the right results the first time and uniformity all the time. All our "trial and error" is confined to completely equipped research laboratories where skilled chemical and mechanical engineers constantly draw on the wonders of modern chemistry and machinery to improve the already fine quality of "Certified Prints".

Guess-work and chance results have been entirely eliminated. Elaborate machinery, Consolidated designed and built, and used exclusively at Consolidated Park, has been set up to control quality. Operating conditions are always technically perfect, regulated by a costly air-conditioning plant. Negatives are carefully vacuum and dry cleaned after each print is made. That is why the last print is as good as the first and the negative in perfect condition when returned to the producer.

Only at Consolidated Park can be found the miraculous machines that take negatives and raw stock at one end and at the other deliver the completed print—untouched by human hands throughout the entire operation.

SAFEGUARD YOUR INVESTMENT

Cut-price prints mean cut-price quality—inferior materials carelessly processed on obsolete equipment—poor screen results.

It doesn't pay to jeopardize your entire investment for the few pennies saved on cut-price prints. Make sure of good results. Send your productions to the screen on "Certified Prints." They're made by science to provide the finest possible expression of the sound and action in your negative. Twenty-one years' experience and a loyal devotion to the highest ideals of service are always evident in every frame of "Certified Prints."
"Minneapolis Goes to Town for 'As The Earth Turns'

'—Variety, Mar. 20

"The Warners have again demonstrated their courageousness in producing 'As The Earth Turns,' a motion picture which is...different from anything you have ever seen...It has power and drama like nature itself...Jean Muir reveals...poignant acting ability."

—Lawrence Reid, Editor of "M.P. Magazine" and "Classic"
"Barbara Stanwyck in Gambling Lady
is swell drama... Has plenty of twists to maintain steady interest... Intriguing entertainment."
—Film Daily, Mar. 7

"Ace product... Gives Barbara Stanwyck the richest opportunity she has yet had... Smart direction and superb performances."
—Variety Daily, Mar. 2

"James Cagney in Jimmy The Gent
gives something new and original... Novel situations evolve a bang-up, fast-moving comedy, general in appeal to evoke laughter from almost any type of audience."
—Motion Picture Daily, Mar. 2

"Harold Teen—featuring Hal LeRoy
is played, directed, and presented in all its elements to capture the charm of adolescence... Holds to the universal appeal of the comic strip... It appeals to the eye, touches the heart and evokes laughs in well balance proportions."—Variety Daily, Feb. 15

"Joe E. Brown in A Very Honorable Guy
is a swell comedy idea... Grand slam entertainment... Situations and gags are made to order for Brown and he handles them at his top notch. A fine piece of theatre merchandise."
—Variety Daily, Mar. 17

"WARNERS LEAD FILM MANUFACTURERS
in sure fire but artless wares... They have the secret... Careful selection of ingredients turns the trick... Increasingly frequent success of the Warner Brothers... makes inevitable multiplied imitation."
—Buffalo Times, Feb. 18
Every day, new bunches of rave reviews pour into headquarters singing the highest praises of the season’s outstanding hit! CLARK GABLE and CLAUDETTE COLBERT in Frank Capra’s “It Happened One Night.”

Cleveland—Louis Astor, Columbia home office representative spent a day here last week as the guest of local branch manager Holbrook C. Bissell.

Cleveland—The local Variety Club has arranged to present a cabaret show in its club rooms every Saturday night.

Denver—Oscar Oldknow, district manager for the National Theater Supply, spent a few days in Denver inspecting the local branch.

Denver—J. J. Goodstein, owner of three theaters in the state, has bought a home at Loveland, where he will manage his Rialto. This move displaces Ed Schoelkopf as manager.

Denver—Wayne Ball, Columbia manager, is back to work after a minor operation.

Denver—Barney Shooker pulled down the $50 price offered for the best two-week record by any Columbia salesman in the western division.

Cody, Wyo.—Anna May, 17-year-old daughter of Mr. and Mrs. J. W. Corder, owners of the Cody theater, died suddenly last week.

Cincinnati—J. E. Fontaine, Paramount district manager, reports exceptional business increase in Ohio.

Cincinnati—Peter A. Klein, Cincinnati and Cleveland film attorney, has been commissioned a Kentucky Colonel.

Cincinnati—Mayfair Theater, now dark, reopens Easter Week.

Carr, Ostrow Coming East For Monogram Convention

Trem Carr, Monogram studio head, is expected Saturday from the coast to attend the Monogram convention at Atlantic City, Apr. 4-7. Lou Ostrow will follow a few days later. Ed Finney, Monogram publicity chief, and John Harrington, production manager, leave New York on Saturday for Atlantic City to complete arrangements for the convention. The main body of those who will attend plan to leave New York April 2.

Denver—H. H. Holben of the Erpi office and Clyde Weeks, secretary of the R. E. Griffith Theaters, Inc., were married recently but kept it a secret.

Denver—Gerald Whitney, manager of the Mayan, has been sent to Sheridan, Wyo., by Foc, where he will relieve Fred Bezdorf, who is seriously ill. Dan McAuliffe, recently manager of the Isis here, will manage the Mayan during Whitney’s absence.

Code Authority Answers Kick Over Board Delays

(Continued from Page 1)
that the work, immense in scope, is going along as quickly as possible. Procedure to be followed is outlined in the code itself and there-fore there is a matter of law, it was stressed. Only several boards remain to be definitely decided upon.

Ricketon on New York Visit

Denver—Rick Ricketon, division manager for Fox West Coast, has gone to New York for a couple of weeks. Harry Ashton, district manager, is staying in Denver subbing for Rick.
Tuesday, March 27, 1934

REVIEW BOARD ORDERS SWEEPING CODE PROBE

(Continued from Page 1)

proceedure, the counsel stated, but it was simply held by Darrow in his report to the President.

Rosenblatt was the first witness called to testify. He participated in the cross-examination before the board. Rosenblatt asked to make a brief statement, claiming that he was not a member of the capacity of Government member of the Code Authority. Objection was made to his making a preliminary statement, which Rosenblatt claimed violated the spirit of the Board and its procedure. Not being permitted to testify, the statement was overruled to testify at the morning session.

Russel Hardy, special assistant to the Attorney General in the anti-trust division of the Department of Justice, was the second witness called. He has gathered all his investigations of the motion picture industry during his affiliation with that Department since 1934. He was subsequently questioned along the line of the increase in numbers of producer-owners of theaters. Following this he testified to send a confidential report on the N.R.A.

This memo outlined on which basis the arrangement was made, the comments, which he outlined as: (1) refusal of producers to contract with exhibitors for pictures; (2) refusal of a number, (3) refusal to for first showing, (4) refusal second or subsequent runs until after a certain lapse of time, and (5) refusal to contract for pictures unless admission prices specified by the producers were maintained. He testified to test this refusal to sell except in groups, refusal to sell except on a distribution plan on a percentage of the gross, anything on the part of the majors. He claimed, after questioning, that the most valuable property right of an exhibitor was the right to "first-run" a picture, which power, he averred, rested with the producers. The Guarantors and Zoning Boards set up by the code authority. Hardy referred next to questioning, to the provision whereby producers could refuse to sell to exhibitors who would not put a standard distribution of the films and rented this a "boycott." The Fox West Coast decree, to which was alluded, removed the restraint by elimination in that situation, the said, assuming that the Code Authority is controlled by the major producers, and assuming that that body permits the practices to continue outlawed in the consent decree, it would be subject to attack by the Federal Government.

Following Hardy to the stand, Abram F. Myers, Allied counsel, was called. His more or less testimony concerned principally the procedure leading up to the drafting and presentation of the code to the industry, the methods by which it was submitted as blazon and giving the independents no say in writing the code. Under questioning reference was made to Rosenblatt's former concealment before becoming an N.R.A. administrator. His association with Myers was said to be destroyed in testimony that the latter was an attorney for major producers. Myers claimed that no independent exhibitor participated in the final code and that the more independent producers were present when the code was presented to the independent producers. Referring to the producers already knew the code.

The question of naming of the code authority was next validated, bringing from Myers the reply to this his knowledge of no other N.R.A. code-named Authority members in the code itself.

The question of the code's definition of an authorized producer, distributor and exhibitor was next attacked by Counsel and Myers in this category, Ed Kinyan, M.T.P.A. stock, and Robert Cochrane of Universal, together with Charles Orff, were made the guest in their qualification as authorized producers and exhibitors. Method of choosing code alternates was also attacked. Myers averred, that the code's definition of an affiliated member was especially designed to Nicolau, Kinyan, Cochrane and Orff. Block booking was the next subject of attack under a line of questioning by Mason. The usual arguments were brought to line.

At this point hearings adjourned to the afternoon session, which resumed with Myers still on the stand. Testimony concerning steps leading up to the sign of the code and to the executive order, and its subsequent interpretation by Gen. Johnson.

Myers claimed that the interpretation was validated an executive order which while it was not entirely adequate, was very close and welcome.

At this time a letter was introduced into the record from John Filian, secretary of the Code Authority, containing receipt of the hearings under date of March 22.

From this point Myers claimed the code producer local price to fix admission prices in theaters they sold pictures to, and it was also meant to fix the picture prices. Further attacks on block booking and the claim that the producers as they had to do pictures each year which they did not use, plus stopping the picture's cancellation without his testimony under questioning.

The next witness was F. Thornton Kellogg, owner of the Grant Lee Theater, Palm Safari Park, N.J., who offered testimony to the effect that since Fox's League Theater was built in competition to him he was unable to get pictures. Lengthy testimony was offered to this point by Kellogg.

Following Kellogg, William Biggio of Strattonville, O., offered similar testimony in the morning session in the afternoon session was then called as the final witness of today's session. He interposed remarks explaining that he could not read

ROOSEVELT CLARIFIES N.R.A. LABOR CLAUSE

Washington Bureau of THE FILM DAILY

Washington — Section 7A, the N.R.A. labor section, which has been the subject of controversy for eight months, is clarified by President Roosevelt in the following statement:

(A) Employees have the right to organize into a group or groups.

(B) When such group or groups are organized they can choose representatives by free choice and such representatives must be received collectively and thereby seek to straighten out disputes and improve conditions of employment.

"(C) Discrimination against employees because of their labor affiliations, or for any other unfair or unjust reason, is barred."
YEAR'S FILM PROGRESS CITED BY WILL HAYS

(Continued from Page 1)

one of the works of Dickens and said that among the classic adaptations planned are "David Copperfield," "Pride and Prejudice," "She Stoops to Conquer," "The Rivals," "Les Miserables," "Jane Eyre," "Gulliver's Travels," "Rip Van Winkle," "Kim," "Last Days of Pompéi," "Cyrano de Bergerac," "Count of Monte Cristo" and historical romances based on the lives of Pasteur, Marie Antoinette, Joan of Arc, Napoleon, Cellini and others. Musicals, too, will have a new look, he said.

Reviewing operations of the industry for the year, Hays declared that sound recording has progressed both in the field of equipment and in the improvement of operating technique. Success of the modern production picture is no longer dependent solely upon visual effect, he said. He also cited progress in color photography, in silent operation of cameras of improved design and in raw stock.

On the social side, Hays stated that the industry had been rendered responsible for aiding the industry by constructive criticism and by helping to raise the level of public taste and appreciation, with schools also taking a hand in the work. Pictures endorsed by previewing groups as suitable for kids from 8 to 12 years old totaled 72 last year, against 51 the year before, Hays stated. Number of meritorious pictures, as voted upon by critics, likewise was greater than ever, he said.

Work of the Advertising Advisory Council in eliminating objectionable matter from movie ads has been showing good results, Hays declared.

Progress of the industry, he emphasized, rests upon public interest as well as upon private enterprise, and the evidence all around shows that motion pictures are getting better all the time.

Deny Radio Show Admission Charge

In denying a report that the Federal Radio Commission had ruled that radio stations must charge an admission fee to studio audiences, a Columbia Broadcasting System official said yesterday that he did not believe any such ruling would be made without giving first the chance of a hearing, because such a regulation would require a new deal with studio unions.

RKO April Releases


HOLLYWOOD

PARAMOUNT will put "The Great Magoo," Ben Hecht-Gene Fowler stage play, into production under the working title of "Thank Your Stars," the studio announced. Ben Bernie will direct. Joyce Ackie, Dorothy Dore, Rose Karson and Allison Skitch are in the cast. Wesley Ruggles is slated to direct.

Al Santell will direct Ann Harding in her next production for RKO, "The Life of Virgin Winters."

William Beaudine will direct Paramount's "Grease Paint," W. C. Fields story, and Al Werker will direct "Fifty-two Weeks for Florrette."

Director William A. Seiter has returned to the RKO studios to complete preparations for the launching in production of his next picture, "The Great American Dream," Seiter has been in bed for the last week fighting the flu.

Paramount will release Damo Runyon's "Little Miss Marker" as "Halfway Decent." Cast includes Alphonse Menjou, Dorothy Dell, Lynn Overman, Charles Bickford, Sam Hardy and Shirley Temple.

Shooting is about to start on "Hello Prosperity," new Educational-Andy Clyde comedy, and preparations are underway for the production of a new Educational-Star comedy special which will star Buster Keaton. An unusual feature of the Clyde comedy will be a new kind of musical presentation. Original music by Alfonse Corelli will be sung by a chorus of 36 voices, and played by a 22-piece orchestra. An original story is being written by Ernest Pagan and Ewart Adamson for Keaton's second comedy for Educational.

Two playwrights were assigned duties at Universal last week. Preston Sturges will do the screen play for "Fanny," Austin Parker will adapt "Transient Lady."

Aline MacMahon's recently completed starring vehicle for Warner's has been changed from "The Happy Family" to "The Merry Frinks."

Major Productions will make "Broadway Virgin," the novel by Lois Bull, as the first of a series of six pictures to be made at the General Service studios. Bernard Grossman and Ollie Wallace have written the music and lyrics for the picture.

Walter Donaldson and Gus Kahn are writing several songs for M-G-M's "Berliner 13," starring Marion Davies.

Charles R. Rogers has decided upon "Many Happy Returns" as a title for the forthcoming Burns & Allen production he will make for Paramount release. The picture has been in preparation as "Here Comes the Groom," starred Joe Morrison, Joan Marsh, Guy Lombardo and his orchestra and George Barbier are in featured roles under Ralph Murphy's direction.

Paramount has purchased "Bustadante," an original story by Ralph Spence. DeShon and Naylor represented Spence.

CAST ASSIGNMENTS


WOR SUPPLIES ROXY SUSTAINING PROGRAM

(Continued from Page 1)

from the Roxy stage instead of the WOR studios on April 3. "Footlight Echoes," as the sustaining program is known, has been heard regularly over WOR for two years and comprises in its cast Jack Arthur, Veronica Wiggins, Al and Lee Reier, Crusaders Quartette and a woman song trio.

According to Jack Partington of Fanchon & Marco, operators of the Roxy, WOR will benefit from the opportunity to obtain the reactions of a huge audience to its program and the aid this may lend in obtaining a sponsor. Partington hailed this innovation as a new link between stage and radio. The "Footlight Echoes" program is the first to be furnished without charge to a theater by a large radio station.

 Paramount Branch Changes

H. E. Stuckley, who has been connected with the Paramount exchange in Toledo, has been appointed booking manager at the company's Detroit branch. Letcher C. Colman, assistant head shipper at the Paramount Detroit exchange, has been promoted to head shipper.
Detroit Attendance Holds as 55 Houses Lift Scale

C. A. DECIDES TODAY ABOUT GOING TO WASHINGTON

7 Standing Committees Named for M.P.T.O.A. Meet

Groups Are Appointed to Function at Annual Convention

Seven standing committees, including Grievances, NRA Code-Trade Practices, NRA-Labor Provisions, Resolutions, Legislation and Taxes, Public Relations and Community Affairs, and Credentials and Rules, were announced yesterday to function during the M.P.T.O.A. annual convention in Hollywood on April 9-12. The grievance committee will undertake to deal with individual difficulties of exhibitors, while the

BANKRUPTCY'S END
ASKED BY PARAMOUNT

Though reorganization plans have not been completed, a petition asking that Paramount-Publix be discharged from bankruptcy has been filed in Federal Court by Rosenberg, Goldman & Coln, counsel for the corporation. This is in the nature of a technicality, since under the law a bankrupt corporation must file a petition for discharge within a year after the petition in bankruptcy. Date for hearing has not been set.

2 Loew Cleveland Houses
Go on Double Features

Cleveland—Following a conference here between Joel Levy, Loew head booker in the U. S. and Canada, and Division Manager H. M. Addison, a double feature policy has been

Laughton, Chevalier, Fairbanks for U. A. British Film

London—Charles Laughton, Maurice Chevalier, Douglas Fairbanks, Jr. and Merle Oberon will appear in "Field of the Cloth of Gold," which Alexander Korda is to produce as a million-dollar special for United Artists release. Laughton will again be seen in the character of Henry VIII. Frederick Lonsdale is starring the story. Another pretentious picture planned by Korda under the London Films banner is H. G. Wells' "Shape of Things to Come," on which the producer intends to spend eight months.

Para. Completing Its 60 Pictures
By May 15, Says Emanuel Cohen

Preventing Interpretation Of Theater Leasing Clause

The code provision prohibiting an exhibitor from interfering in a theater leasing deal being negotiated by an exhibitor with his current landlord is being studied by a Code Authority committee preliminary to preparing an interpretation of the clause. The committee consists of Austin C. Keough, Leopold Friedman and H. S. Bareford.

Wilmington, Del.—A replication holding that the allegations in its bill of complaint are true and that allegations in a plea filed by the defendant corporation are not true, and further declaring that it is ready to submit proof, has been filed.

Vitaphone-Erpi Suit Goes Back to Lower Court

Seating Capacity Tax
Substituted in S. C.

Columbia, S. C.—The lower house of the South Carolina General Assembly by an overwhelming majority voted to substitute for the old

Price Boost in Detroit Houses
Has No Effect on Attendance

Admission Prices Cut
By J. Real Neth Circuit

Columbus—As a spring move, J. Real Neth, head of the Neth Theater Enterprises controlling a circuit of neighborhood houses, is reducing admission from 28 cents to 20 cents including amusement tax. At the same time the admission for children is reduced to 10 cents.

More Details Asked on Requests to Appear
Before Darrow

Decision as to whether or not the Code Authority will attend the Washington hearing called by the National Recovery Review Board for tomorrow will be reached today, following a special meeting called yesterday afternoon at which consensus of opinion was that "requests" to attend from Clarence Darrow, board chairman, lacked sufficient details to permit action. The Code Authority last night communed.

WASHINGTON BOARDS
LOOKED TO AS MODELS

By WILLIAM SILBERBERG
FILM DAILY Staff Correspondent

Washington—Endeavoring to act as a model board for all clearance and swarming boards throughout the country, Herman Blum of Baltimore told the first.

Col. Cooper Again Heads
Canadian Association

Toronto — Col. John A. Cooper was re-elected president and secretary of the Motion Picture Distributors Association of Canada at a meeting of the organization's new directorate yesterday. G. O. Burnett was re-elected treasurer. Directors named again are N. L. Nethamson, M. A. Milligan, M. H. Masters, Leo Devaney, Clair Hague, J. P. O'Laughlin, Harry Paynter and A. W. Perry.

24-Hour Vaudefilm Grind

Detroit—Jack Schreiber's Colonial is going to a 24-hour policy, putting on an extra shift of stage bands and opera- tion. House has been playing 12 hours and is the only theater here with stage show using the continuous policy.
P. A. Powers to Release Shorts Independently

Claiming that the N.R.A. code restrictions so limit the number of shorts that major companies can arbitarily sell with their features that a considerable reduction in shorts sales by major companies will result, P. A. Powers told Film Daily yesterday that for the 1934-35 season he will release 24 color cartoons entirely through the independent market. Powers’ company, Celebrity Pictures, is now releasing the “Whilie Whopper” cartoon series through M-G-M.

Next season Powers will produce 12 ComiColor Fairy Story cartoons, six musical cartoons, and six cartoon thrillers.

Strouse to Handle Film Publicity

Irving S. Strouse and Associates will enter the field of motion picture relations work, it is announced. Strause has left for the coast to sound out propositions. David Schaffer is in charge of movie accounts in the east. He is assisted by Albert Gabin, now with Producers Laboratories.

2 Steel Pier Movie Houses Are Opening Easter Week

Atlantic City—Steel Pier will open two ficker houses for Easter holidays, playing “Flesh” in one, and will continue policy this summer of three houses, with one a first run for Paramount, says Manager Richard Endicott. There will be three other first run houses on ‘walk,’ Apollo, Warner and Stanley. Million Dollar Pier may try newsreel theater.

Chesterfield Buys Novel

“Murder of Stephen Kester,” by Harrietie Ashbrook, published by both Coward-McCann and Tudor Publishing Co., has been bought by Chesterfield. Title will be changed to “Green Eyes.”

Showing Charles Laughton Short

“Daydreams,” an English film with Charles Laughton in a leading role, will be on the program of shorts to be shown by the Film & Photo League on Saturday at the New School for Social Research.

Gillmore Again Nominated

Frank Gillmore again heads the slate of officers nominated by the Actors’ Equity nominating committee for presentation to the annual meeting of the first week of June. Paul Dullzall is also down for treasurer.

Edward Rowland Dies

West Coast Bureau of THE FILM DAILY Los Angeles — Edward Rowland, theatrical producer, who headed the Chicago firm of Rowland & Clifford, died here last week at the age of 67.

Fourth Week for “Ariane”

“Ariane,” starring Elizabeth Bergner, is being held for a fourth week at the 55th St. Playhouse.
"Bottoms Up!" to
BOTTOMS UP
For Its
Box Office

SPENCER TRACY
"PAT" PATTERSON
JOHN BOLES
HERBERT MUNDIN • S ID SILVERS
HARRY GREEN • THELMA TODD

Story and screen play: B. G. DeSylva, David Butler and Sid Silvers. Songs by Harold Adamson and Burton Lane, also Richard A. Whiting and Gus Kahn.

Directed by David Butler
PRODUCED BY B. G. DESYLVA

Packing them in and keeping them happy at RADIO CITY MUSIC HALL

—and the critics—

"Much better entertainment than nine-tenths of the screen musicals in the past year." —Thornton Delehanty, N.Y. Post

"Packed with laughs. Gay spirited comedy... a great comedy cast." —Bland Johaneson, N.Y. Mirror

"Decidely heart-warming to local audiences." —Richard Watts, Jr., N.Y. Herald-Tribune

"Has its full share of honest humor, tuneful songs... thoroughly entertaining." —Mordaunt Hall, N.Y. Times

"One of the special cinema delights of recent weeks... thoroughly tuneful and amusing." —William Boehnel, N.Y. World-Telegram

"Thoroughly entertaining... presented in a most amusing manner." —Kate Cameron, N.Y. Daily News
SEVEN COMMITTEES NAMED BY M.P.T.O.A.

(Continued from Page 1) code-trade practices group will handle personal problems of exhibitors in connection with the code. Others will handle duties as indicated by their classification. Membership of the committees follows:

Grievances—Leon Pizor, chairman, Pictorial; Nat M. Williams, Thomaston, Conn.; J. H. Michael, Buffalo; H. W. Harvey, San Francisco; Sidney Lyon, Washington.

N.R.A. Code-Trade Practices—Fred S. Meyer, chairman, Milwaukee; R. C. Whitton, Oklahoma City; R. B. Willy, Atlanta; Ed-

win Siverson, secretary; George F. Arens, Philadelphia; Morgan A. Walsh, San Francisco.


or; R. H. Willy, Atlanta; W. H. Leder, Los Angeles.


Public Relations and Community Affairs—Fred Wehrenberg, chairman, St. Louis; Nat M. Williams, Thomaston; W. L. Anderson, Fund du Lac; W. S. Butterfield, Detroit; John A. Loy, Washington.

Credentals and Rules—E. M. Conover, chairman, Chicago; W. M. Mccormick, Bos-ton; Benjamin Pitts, Richmond, Charles E. Williams, Omaha; A. F. Biehl, Kansas City.

2 Loew Cleveland Houses Go on Double Features
(Continued from Page 1) adopted for the Alhambra and Alhambra theathers, effective April 6. The Granada, first-run West Side house, will play duals the long week-end from Thursday to Tuesday, presenting two first-run features. From Tuesday to Thursday, inclusive, a single feature, followed second week-end and immediately following the State, will be shown. The Alhambra will show duals all the time with three complete changes of program a week.

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ALL EARS!

150,000,000 of Them! America's Largest Ready-Made Audience Waiting for Radio's two most Popular Male Singers, Appearing in Paramount Pictures.
Two recent radio polls—one by the Scripps-Howard newspapers and one by Radio Stars Magazine—revealed that Bing Crosby is the favorite troubador of the air. His next picture will be "WE'RE NOT DRESSING" with Carole Lombard, George Burns and Gracie Allen, Ethel Merman and Leon Errol; directed by Norman Taurog, music by Gordon & Revel and released April 27th.
Second to Bing Crosby in the Scripps-Howard and Radio Stars Magazine radio polls, Lanny Ross's enormous air following was revealed when he received 40,000 requests for photographs from two broadcasts on Maxwell House Hour. Ross's first picture will be

"MELODY IN SPRING"

with Charlie Ruggles, Mary Boland and Ann Sothern, directed by Norman McLeod and released April 20th.
April 2—Bing Crosby will broadcast the entire score of "We're Not Dressing" on the Woodbury Hour, at 8:30 P.M. Eastern Standard Time, over the Columbia network, from the Atlantic Seaboard to Denver. He will be assisted by Carole Lombard.

March 29—Lanny Ross will broadcast music from "Melody in Spring" on the Maxwell House Showboat Hour at 9 P.M. Eastern Standard Time over NBC red network.

March 31—A preview of "Melody in Spring" will be broadcast on the Borden Hour, "45 Minutes in Hollywood," at 8:00 P.M. Eastern Standard Time, over the Columbia System on a coast-to-coast hook-up.
**REVIEWS OF FEATURES AND SHORTS**

Clark Gable and Myrna Loy in "MEN IN WHITE" with Jean Hersholt, Elizabeth Allan, Orto Kruger. M-G-M. 80 mins. TENSE, EXPERTLY DONE DRAMA GLORIFYING MEDICAL PROFESSION WITH STRONG CONFLICT OF DUTY & LOVE.

What lifts this production into the definitely exceptional class is the direct and uncompromising manner in which a worthy dramatic idea has been from inception to conclusion. Besides supplying a good dose of emotional entertainment, the story arouses a good deal of sympathy for those hard-working servants of humanity, the doctors. Clark Gable is seen as a young doctor with a bright future under the wing of a noted medical genius, Dr. James Waggner; played by Jean Hersholt. Dr. Hersholt, Myrna Loy, resents his preoccupation with work, allowing him to go off alone. So there is a spark, Clark is accidentally thrown into a scrape with a lonesome and admiring nurse, effectively portrayed by Elizabeth Allan. Sidney Taternoux in a realization of how much Clark's work means to him and to humanity, and a reconciliation follows.

**CAST:**

**Director:** Richard Boleslawski; Author, Sidney Kingsley; Adapt: Waldemar Young; Cameraman, George Folsey; Editor, Frank Sullivan.

**Direction:** Aces Photography, Fine.

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**CITY LIMITS**

with Frank Craven, Sally Blane and Ray Walker. Monogram. 67 mins. FARCICALLY TREATED STORY OF NEWSPAPERMAN AND FINANCIAL INTRIGUE WITH MANY HUMOROUS MOMENTS.

Defy directed with a light farcical touch by William Nigh and smoothly acted, this emerges as an entertaining comedy with a good deal of action that should satisfy in the popular-priced houses. Ray Walker, a reporter, is assigned to get the story of a failed bank, by which Frank Craven, railroad president, acquired control of a line. Masquerading as the assistant of Craven's doctor, the writer is invited to join Craven on a vacation in his private railroad car. On the trip Craven falls off the train and is befriended by some tramps. Learning of Craven's disappearance, his competitors proceed to ruin him financially, but are stopped when Craven reappears after a suspenseful period.

**CAST:**
Frank Craven; Ray Walker, Claude Gillingwater, James Burke, James Conlin, Jane Keckley, Henry Roquemaure, Harry Rains, George Hays, George Cleveland, George Nash, Fern Emmett.

**Director:** William Nigh; Author, George Wagner; Cameraman, Jerry Agar; Recording Engineer, John A. Strand; Jr.; Film Editor, Jack Ogilvie.

**Direction:** Fine. Photography, Okay.

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Ken Maynard in "WHEELS OF DESTINY"

Universal 63 mins. GOOD OLD-FASHIONED TALE OF WESTWARD MIGRATION ENLIVENED BY BANDIT GANG AND INDIAN ATTACK.

Plenty of action including an old-style wagon train fight with the Indians combined with an interesting romantic interest make this one of the better westerns.

Ken Maynard arrives on the scene in time to prevent a bandit gang from stealing the mail of a California gold claim. The train is led by Jay Wilshire, Ken's pal on a previous California jaunt, in whose sister Ken is interested. Ken joins the party as does the remnants of the bandit gang. When one of the bandit gang renews on a bet, the entire crew is chased out of town by the vigilantes led by Ken, who attack the wagon train. After beating off the redskins, Ken and his men set fire to the prairie to halt pursuit and then effect a perilous flight of a stream. Just as everything appears quiet the sole surviving bandit appears and has to be disposed of before Ken and Dorothy Dix embrace.

**CAST:**

**Director:** Allan James; Author, Nate Gatzer; Cameraman, Ted McCord; Recording Engineer, Earl Gran; Film Editor, Charles H. Harris.

**Direction:** Good Photography, Good

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**FOREIGN FILMS**

"EINES PRINZEN JUNGE LIEBE" ("A Prince's Young Love"), in German; produced by UFA; directed by Arthur Robison; with Willy Fritsch, Trude Marlen, Gustav Waldau, Ida Wuest, Jakob Tiedtke, Alice Fredler, Alexander Engel, Paul Hoberg. At the 79th St. theater. Enjoyable romantic comedy in military background with good work by Willy and able support by Willy. Production qualities are above average.

**MELODIA PROMIBIDA** ("Forbidden Paradise") in Spanish; produced byFox, directed by Frank Strayer; with Jose Mijica, Conchita Montenegro; Mona Maris, Romualdo Tirado, Carmen Rodriguez. At the Teatro Variedades.

Entertaining fantasy, something in the nature of a modern Garden of Eden, with some enjoyable singing by Jose Mejica. Background is colorful and production is of good quality.

**CRAINEQUaille** in French; Based on the story by Antonie France; Directed by J. deBaroncelli; Distributed by John S. Tannen.

Remarkable English titles added, this capably acted and well-produced version of the famed Antoinie France story should appeal to art house audiences. Story concerns a young woman who means misunderstanding results in his imprisonment, loss of a livelihood and friends and leads him almost to suicide.

---

The Three Ritz Brothers in "Hotel Anchovy" (Coronet Comedy)

Educational 19 mins. A Wow.

A gooby riot of laughs that will spill 'em anywhere. The Ritz Brothers take over a run-down hotel, which the proprietress, Doris Hill, is about to sell. She has a couple of buyers coming in, so she hires the Ritz boys to keep the guests from leaving and making everything look prosperous. And how they do it! It is one continuous series of howls as these boys go through their booney antics with the guests. It's pretty well filled with the ruinous situations. Can't miss. Produced by Al Christie.

**Tom Howard and George Shelton in "The Big Meow"**

Educational 19 mins. Fast Comedy.

Carries plenty of laughs in the business of Tom Howard and George Shelton who are hired by a judge to trace a gangster who is threatening to do him bodily injury for sending him to jail. By mistake, the two sleuths follow the judge's wife instead of the gangster's moll, with very disastrous results to all hands. Moves fast, and the comics have an original line of humor.

"Hula Honeymoon" (Treasure Chest Series)

Educational 8 mins. Beautiful.

A very delightful and atmospheric short of Hawaii, showing the natives in one of their ceremonial dances to celebrate the coming to maturity of one of the lovely maidens of the Island. It is very artistically done with beautiful photography and the haunting Hawaiian melodies.


A finely executed short comedy starring Buster Keaton in the style of material that he can handle to perfection. When his risty girl gives him the air until he proves himself a man and not just an idol of a rich man, Buster starts out in his car, and breaks down eventually in a ghost mining town on the Nevada desert. A new gold strike is discovered by a couple of old prospectors, and Buster finds himself running the town as sheriff, by having grabbed himself the badge from the sheriff's office. Filled with the delightful Keaton touches, it will go over big with all his many admirers. Directed by Charles Lamont.

"Born to Die" (Battle for Life Series)

Educational 9 mins. Unusual.

Very entertaining and absorbing presentation of miniature life, showing a series of odd and little known inhabitants of the bottom of the ocean. The photography is exceptionally fine and the narration tells the story of the different species in a terse and graphic manner. Unusual subject that will have a wide appeal.

"Jungle Bound" (Port O'Call Series)

Monogram 10 mins. Good

This journey is to the recently excavated city of Angkor in the Aciatic country of Cambodia. Beautiful temples and rare sculpture comprise most of the shots with a Siamese dance interpolated at the end of the reel. Subject will go better in better-class neighborhoods. Deans' Dickson's narration is interesting.

Aloha Wanderwell in "River of Death" Ideal 28 mins. Good Adventure.

A pictorial record of Mrs. Wanderwell's trip to the Brazilian jungles and two sons who were lost in the wilds in 1925. With her husband, Capt. Wanderwell, Aloha flies over the barren country, finally making a forced landing near a native village. There the natives stage dances and feasts for the couple. There are some excellent human interest sequences and some fine color. Picture is interesting throughout.

"Maryland" (Seeing America Series)

Amity 12 mins. Fine

Produced by the Metropolis Classics, this subject embraces a very interesting journey to the highspots in Maryland. City and country, historic landmarks and the simple beauties of nature, all are combined into a trip that is made doubly enjoyable by some intelligent narration and appropriate musical accompaniment. In short, it's a decidedly worth while subject.

Farewell Party to Hazel Flynn Chicago—Hazel Flynn, for many years motion picture critic on the Chicago American under the nom de plume of Rob Roel, was tendered a farewell party Saturday night at her Missouri Hotel on the eve of her departure for New York. Miss Flynn, who resigned from the American last week, had accepted a position under W. O. Van Schmus at Radio City.

Chi. Relief Party Nets $4,000 Chicago—The Film Relief Dinner-Dance, given Friday night by the motion picture interests of Chicago netted more than $4,000, which will be used to alleviate distress among film people.
VITAPHONE-ERPI SUIT BACK TO LOWER COURT

(Continued from Page 1) in Chancery Court here by Vitaphone in its royalty action against Electrical Research Products. The replication brings the suit back to Chancery Court the suit which has been pending about 18 months and which has twice been before the State Supreme Court. Date for hearing is to be fixed later.

After Vitaphone filed its suit, said to involve about $40,000,000, Erpi filed a plea holding the Delaware courts are barred from assuming jurisdiction because arbitration covenants between the two companies provide that all disputes shall be submitted to arbitration in New York. Chancery Court overruled the plea and assumed jurisdiction. Erpi appealed to the Supreme Court, which reversed the court below and held the plea waived and sufficient in law, if proved. Modification of the court's opinion later was refused Vitaphone.

Vitaphone states it is now ready to prove the allegations in its bill and to prove that the arbitration proceedings had been down after having been in progress for four years and that therefore its only remedy is to sue.

HOLLYWOOD

THREE Paramount players have drawn option renewals on hold contracts. They are Gail Patrick, Grace Bradley and Frances Drake.

First National has started a direction school for younger players.

Will Stanton, celebrated English comedian and pantomimist, makes his bow as an RKO comedy star in an untitled two-reel tax just completed. He is teamed with Tom Kennedy. In the supporting cast are Bud Jamieson, Virginia Howard, Frey Kelsey and Louise Beavers. George Stevens directed and collaborated on the story with Jack Townley and F.D. Gillool.


Edwin Stanley, stage and screen character actor, has been cast in "Thirty Thousand to Go," a comedy by Leon Waycoff, which will open March 29 at Leela E. Rogers’ Hollywood theater. Stanley will enact the role of a father who sells his hard-earned savings to Hollywood to make it big.

Mark Sandrich will direct "Down to Their Last Yacht," a feature which Louis B. Mayer and supervised for RKO. The cast will include Polly Moran, Sidney Fox and Sidney Blackmer in the leading roles.

5 Warner April Releases

Warner-First National will release five features in April, as follows: Bebe Daniels in “Registered Mail,” and Ralston H. Lee in "Teen," April 7; “As the Earth Turns" and Richard Barthelmess in "A Modern Hero," April 14, and Warren William, Mary Astor and Ginger Rogers in “Upperworld,” April 28.

Norwegian Production Increases

Production in Norway is making headway, according to Acting Commercial Attache Douglas Miller, Berlin, to the Department of Commerce. Five Norwegian films have been produced in the past few months. These have been introduced to the public by the Societe Com- mune, which owns all the cinemas in Oslo.

Film Bank for Vienna

Vienna—the question of founding a film bank here has been favorably discussed and Edward Hemi, president of the Chamber of Commerce and formerly Minister of Commerce, has been asked to become the first active director. The Austrian film industry expects to receive an impetus by the creation of this bank.

New Fox British Picture London — “Passing Shadows," which Fox will release, has been finished by British Lion. Edmund Gwenn and Alene Marion have the leads. Leslie Hiscott directed. "Worn London," by Denison Clift, is now in work at the British Lion studios with T. Hayes Hunter directing.

Paris Music Hall Goes Movie Paris—the famous Empire Music Hall, closed since the Stavisky scandal, will reopen as a movie house opening with Fox’s “I Am Suzanne.”

Herman Timberg for Roxy

Herman Timberg’s “Temptations” will open Friday at the Roxy as the stage feature.

WASHINGTON BOARDS LOOKED TO AS MODELS

Joint meeting of the newly appointed board here yesterday that the Code Authority felt the Washington boards were among the most important boards in the country and that their decisions would be watched and used as a model by all the rest of the boards. The preliminary meetings held here at the Warner club rooms in the Earle Building were presided over by Blum, who accepted appointment as temporary chairman. Nat Browne of Warners acted as secretary. Next meeting was scheduled for April 9, for the grievance board. Clearance and zoning board will meet April 10, to be presided over by Rudolph Berger.

The boards voted a resolution of thanks to J. J. Payette, Warner regional manager, for permission to use the Earle club rooms for the time being.

Seating Capacity Tax

Percentage tax on admissions a new tax based upon the seating capacity of the theaters. This would impose a tax of $1 a seat in towns of 1,500 population. Another tax of $2 a seat has been suggested for theaters in towns of 30,000 or more. Present law imposes a tax of 1 cent for each film or fraction of that amount charged as admission.

Reopening Canton Lyceum

Canton, O.—Old Lyceum theater, dark for several years, will reopen March 1 under the name of the State. It will be operated by Max Young and H. H. Reinhart, who for several years have operated the Mozart and McKinley. For the present policy will be straight films.

3 Warner Holdovers

Warner’s “Glamorous Ruby” has been held for a second week at the Mary Anderson Theater, Louisville, while “Jimmy the Gent" is holding over with Electric, Seattle, and "As the Earth Turns" at the Boyd, Philadelphia.

WARNERS ADD 4 WRITERS

West Coast Bar, THE FILM DAILY

Hollywood, March 9—Warner-First National was increased to 29 this week with the addition of Tom Sot- tham, Frank McDonald, Joe Poland and Tom Reed.

ATTENDANCE NOT HIT IN DETRIT SCALE BOOST

(Continued from Page 1)

smaller districts joined the original group this week. All houses will close in during April, Richey predicted. About 25 in the city have so far failed to sign the agreement, with 130 signed.
EVERYTHING—

pertaining to the motion picture industry can be found in—

The 1934 FILM DAILY YEAR BOOK now being distributed to all subscribers to THE FILM DAILY

Here is a volume which has no equal. Everything pertaining to the motion picture industry can be found within its covers. This important volume which runs well over 1,000 pages each year contains a complete showman's manual of ideas which are practical. The ideas are not just theory, they are ideas which have been used to satisfaction. They are so grouped and arranged so that no matter what type of picture an exhibitor is playing, he can find stunts which will help him sell his picture to the public. The Year Book contains a complete list of theatres throughout the country, circuit or individually owned. Wired, silent, open and closed are indicated. A list of more than thirteen thousand features released since 1915 together with review dates and distributors' names. A complete list of all features released during the year with all data, such as players' names, directors, etc. A buying guide that is unsurpassed, giving names and addresses of all important equipment vendors listed under products handled by them. Personnel of all major producing and distributing companies. Addresses and officers of important societies. Full texts of the NRA Codes of Fair Competition for the Motion Picture, Laboratory, Legitimate Stage and Radio Broadcasting industries. The ten best pictures of the year. A financial section showing the financial structure of the major companies. A foreign section which gives you a survey of the foreign field. These are only a few of the many subjects of interest found within its covers. THE FILM DAILY YEAR BOOK is given free with a year's subscription to THE FILM DAILY.

The Recognized Standard Reference Book of the Motion Picture Industry

THE FILM DAILY, 1650 Broadway, New York City.

Gentlemen: Please enter my subscription to THE FILM DAILY. I enclose check for $10.00. Foreign $15.00.

Name

Address

City State
"HE COULDN'T TAKE IT"

"Excellent entertainment"—Variety
"Should be a strong money-maker"—Hollywood Reporter

"16 FATHOMS DEEP"

Record business
New York Mayfair
(Held Over)

"WOMAN'S MAN"

"Sure to please"—Hollywood Reporter
"Real entertainment for any exhibitor's audience"—Motion Picture Herald
British Circuit of 100 Houses Nets $2,300,000

CODE AUTHORITY EXCUSED FROM WASH'N HEARING

Franklin and Selwyn Going to London on Show Deals

MIAMI....and points west

W ere traveling. No particular reason except that it seemed a good idea. Besides, Spring is in the air. So here goes, Col. Alocate, "With Gun and Camera," through Florida, the Southland and California.

I t WHAT goes on in Florida in general and Miami in particular can be taken face value, speaking strictly of course, from the standpoint of the screen, then pictures and the art-industry they represent are in for a grand and glorious comeback. Here in Miami, with the social season already closed for oh so many days, one must stand in line for a half hour to get into even a shooting gallery. In spite of all other competition, pictures here are a panic. Yes, weal, it looks like the talkies are here to stay.

A ND what is it all about? To this weakened old big game hunter this condition has significance far and away from local conditions. It means a universal reaction back to the screen for all this time of the year one meets people from everywhere in the world except Miami, here in Miami. It means that America and Americans are far from broke. It means that after a few years of depression-forced hibernation they are again demanding and paying for class in recreation and entertainment. Foremost, it means that no competition on earth will hurt pictures provided pictures keep to a high standard. Witness. Tropical Miami and all the resort attractions it has to offer and picture houses still playing to SQO constantly.

W E have not had a minute to be lone- some in Miami for in less than a sailor's week-end we swam, cock-tailed or horse-raced with Nate Burkan, Tommy Meighan, Estelle Taylor, Hal Horne, Amos 'n Andy, Jack Cohn, Dave Loew, Norma Talmade, Ben Hicks, Fanny Ward, Earl Gulick, Harry Richman, Billy Gaxton, Georgie Jessel and others of the Broad way Grenadiers. We hear there are no picture houses in Nassau, so we are flying over tomorrow to investigate them for FILM DAILY readers. Next stop New Orleans. The town made famous by good food and E. V. Richards.

Will Confer on Bringing British Stage Hits to Broadway

H. B. Franklin, due back in New York from the coast on Saturday, is scheduled to sail April 4 for England on the Berengaria with Arch Selwyn, theatrical producer affiliated with Fox, to confer with C. B. Cochran, also a Fox associate, in the Broadway presentations of "Escape Me Never" and Noel Coward.

M. P. T. O. A. TO GET BORDER RECEPTION

When the special M.P.T.O.A. Hollywood convention trains reach El Paso the morning of April 8 a local reception committee headed by John Paxton, manager of Plaza, will meet the delegates and treat

All Milwaukee Theaters

Using Union Operators

Milwaukee — All local theaters are now employing operators affiliated with the Motion Picture Projectionists' Union of the American Federation of Labor. It is first time in local show business that all houses have been unionized.

$2,300,000 Profit in Year

By Provincial Cinema Group

Rosenblatt to Attend

C. A. Session Today

(Washington Bureau of THE FILM DAILY)

Washington—The Code Authority is expected to go ahead with its regular Thursday meeting which Division Administrator Sol A. Rosenblatt said he would attend as usual, despite further hearings which are scheduled today before the Nation.

Toepitz on His Own

London—Ludovic Toepitz, D.C. Grand Ry., who recently concluded his year's contract as joint managing director with Alexander Korda in London, Film Productions, is planning to form his own independent production unit. Toepitz has had extensive film experience, especially on the Continent.

1000 MORE ACCOUNTS FOR ROACH SHORTS

(West Coast Bureau of THE FILM DAILY)

Hollywood—Refuting stories that the market for shorts has been affected, Henry Ginsberg, vice-president of the Hal Roach studios announced that M-G-M had 1,000 more accounts for his company's entire output of socials than it had last year.

New Orleans Code Boards Start Operating April 9

New Orleans — Local grievance and zoning boards will be ready to operate April 9 unless the Code Authority decrees otherwise, it was announced by both boards after a joint session in the Paramount screening room. Because the entire membership was not present, the oath was deferred until April 3 at 9 P. M., at which time both boards were ready.

RESEARCH COUNCIL LAYS OFF ADULT FILMS

The Motion Picture Research Council intends to concentrate on eliminating what it considers objectionable in films designed for adult audiences, and does not "at the present time propose to lay its

Operator Scale Reduced

In St. Louis Compromise

St. Louis—Under the compromise settlement between independent theaters and the operators' union, base wage of men in 22 small houses seating less than 700 will be cut from $15 to $10. Revision starts March 26 and will continue while the code is in effect.

Wampas Winners

West Coast Br., THE FILM DAILY

Hollywood—The Wampa Baby Stars winners are Judith Arlen, Betty Brown, Jean Carmen, Halene Cohan, Dorothy Drake, Jean Gale, Hazel Hayes, Ann Heyer, Lucille Lund, Lily Menden, Gigi Parrish, Jacqueline Wells, Katherine Williams. The alternates selected are Jean Chatterton, Dorothy Granger, Neoma Judge, Leone Keeffe, Mary Komaroff, Nellie Waring, Phyllis Girdorff was elected president of the Wampa over Sam W. B. Cohn.
I'M GOING RIGHT OVER TO SEE HAROLD—AND TELL HIM NEVER WANT TO SEE HIM AGAIN!... 

**THE FEMAL DAILY**

**Thursday, March 29, 1934**

RUTH CHATTERTON, now in New York, plans to return to the coast in about three weeks.

MR. and MRS. JEAN HERSHOLT and their son, after a stay at the Hotel Warwick, leave today on their return to Hollywood.

TALLULAH BANKHEAD sails Saturday for London.

FRANK MORGAN, after a vacation in New York, has gone back to the coast.

CLAYTON SHEEHAN sailed yesterday on the Manhattan for Europe.

CHARLES F. INGOLD arrived from the Middle East.

JAMES STEINER, pianist, has returned from Italy.

HERBERT ASHKENS, official Union representative in Europe, was in New York yesterday.

**COMING AND GOING**

Ruth Chatterton, now in New York, plans to return to the coast in about three weeks.

Mr. and Mrs. Jean Hersholt and their son, after a stay at the Hotel Warwick, leave today on their return to Hollywood.

Tallulah Bankhead sails Saturday for London.

Frank Morgan, after a vacation in New York, has gone back to the coast.

Clayton Sheehan sailed yesterday on the Manhattan for Europe.

Harold P. Franklin and Arch Selwyn sail April 5 for London.

Bebe Daniels and Ben Lyon have arrived at the Hotel Lenox. They will make personal appearances in and around New York.

Louise Latimer, Broadway player signed by Universal, left for California yesterday.

LeW Brown, Fox producer, will arrive from the coast today.

Sol Wurtzel and Hamilton MacFadden leave for the coast via boat.

Irene Dunne arrived yesterday from the coast.

Beatrice Lillie is in route from London to Hollywood where she will make a short for RKO under the supervision of Leo Marduk.

James R. Grainger arrived in San Francisco to attend the opening of their new theatre.

Charles Einfeld, Warner advertising and publicity director, leaves tomorrow for the coast.

Louis K. Sidney, who is now in Florida, returns to New York in about 10 days.

**STRONGER STORIES NEEDED IN MUSICALS, SAYS DESYLVIA**

Musicals of the future, if they are to prove successful, must pay more attention to story and away from the policy of allowing long stretches of time to interrupt movement of the story, declared Buddy DeSylva in New York yesterday. He plans to produce a show on Broadway.

Clemente Closes Deal

Frank Z. Clemente, indue Spanish picture producer who recently arrived from the coast, closed a deal yesterday with Inter-Oceanic Export Co. for distribution of "Amor Que Vuelve," the first of a series of six features. Associated with Clemente is J. Pappas Pantages, who accompanied him from Hollywood.

In addition to the Spanish program, Clemente plans six American features with Spanish versions of each. Production will be opened shortly.

**NEW YORK STOCK MARKET**

New Low Close Chg.

Am. Stock. 5

Columbia Pictures 26 1/4 26 3/4 + 1/4

Con. Fm. Inc. 4 1/4 4 1/4 + 1/4

Cen. Fm. Inc. prd. 15 1/4 15 3/4 1/4

East. Kodak 9 1/4 9 1/4 + 1/4

Fed. Fm. 14 14 14 + 1/4

Loew's, Inc. 31 31 31 + 1/4

Paramount cfs. 4 4 4 + 1/4

Path. Exch. 3 3 3 + 1/4

d‘a “A” 17 17 17 + 1/4

RKO 3 3 3 + 1/4

Warner Bros. 6 1/4 6 1/4 + 1/4

NEW YORK CURB MARKET

Technicolor 4 4 4 + 1/4

NEW YORK BOND MARKET

Gen. Th. Eq. 640. 9 85 9

Keith A-O 646. 646 646 646 + 1/4

Low 6s 911 938 938 + 1/4

Paramount 6s cfs. 6 47 1 47 1 + 1/4

Par. By. 5915 337 337 + 1/4

Pat. 5 5 5 1/2 5 1/2 1/2 + 1/4

Path. 7437 91 91 91 + 1/4

S. N. Prod. Sec. 47 47 47 + 1/4

N. Y. PRODUCE EXCHANGE SECURITIES

Par. Publix 4 4 4 + 1/4

100-page program for Ampa party

A 100-page program will be issued by the A. M. P. A. in connection with its Naked Truth Dinner and Ball at the Hotel Astor April 21. Members of the New York Film Board of Trade have reserved 200 tables for the party.

**Plan Art Cinema Move**

To provide funds for development of a movie group after the failure of the Little Theater program from which salaried Billboard Insiders will be given Sunday evening at the New School for Social Research Bill includes Murza's "Tebu"; Disney's "The Silly Symphony," "Stilton Dance," Steinman's water fantasy, "H-O-D," and "Boop." Mickey Mouse is director of the Film Project Group.

**Paramount Not Resuming Production in France**

Paramount will continue operating its Joinville studio as a plant open to independents and will not resume production on its own there until it was indicated yesterday, following return of John Hicks, foreign department executive, from abroad.

He visited England, France, Germany and Czechoslovakia, surveying conditions in those countries and contacting Paramount branch managers.

**New Firm Plans 8 Films**

Famous Authors Pictures Corp., which was incorporated in Education, psychology and art, by a group of Yankee writers, it was reported yesterday, has returned from an important trip to France with Maurice Dufresne, producer, who has returned from an inspection of the Joinville studio and was accompanied by studio manager, Louis Dufresne.

**Al Friedlander Promoted**

With the entrance of Charles Rosenzweig into First Division as general sales manager, Al Friedlander has been promoted to assistant to President Harry H. Thomas.

**Vagabonds to Discuss Movies**

"The Effect of the Movies on Family Life" will be the subject of a talk by Dr. Ira S. Wise, former commissioner of Education, psychology and art, at a meeting of the Vagabonds next Sunday night in the Vagabonds Inn, 88 South Seventh Ave.

"Trouble" at Rivoli April 4

"Looking for Trouble," 20th Century production starring Spencer Tracy and Jack Oakie released by United Artists, will have its Broadway premiere at the Rivoli on April 4.
UP goes the temperature of millions of gals, when they glimpse you as the handsome young medico whose specialty is heart complaints. “MEN IN WHITE” this year’s biggest stage sensation, is still packing ’em in on Broadway, 8th big month, and what a picture M-G-M has made of it, starring CLARK GABLE with MYRNA LOY and this cast: JEAN HERSHOLT, ELIZABETH ALLAN, OTTO KRUGER. Directed by Richard Boleslavsky.

LEO MARCHES ON!
FILMDOM'S GREATEST BOOK OF REFERENCE . . . for 16 years the Standard . . . Is highly commended by Industry Leaders.

WILL H. HAYS
"I just have the new copy of the Year Book and appreciate it. It's always good; it's better this year than ever. It's splendid."

ADOLPH ZUKOR
"Your Year Book is a grand piece of work and I congratulate you upon it. I cannot imagine a single suggestion to improve or change it. It's an unabridged encyclopedia without a doubt and you do a wonderful work in compiling and publishing it."

SIDNEY R. KENT
"It's a marvelous piece of work and a great credit to your organization."

MAJOR ALBERT WARNER
"The information contained in this volume is always of great value to us during the year."

DAVID SARNOFF
"It is indeed a handsome volume, and I am sure the information which it contains will prove very useful."

HAROLD B. FRANKLIN
"The Film Daily Year Book is a reminder of the magnitude of the motion picture industry. A more faithful record does not exist anywhere.
"Altogether I find the Film Daily has become the authoritative record of the industry. In many respects it is indispensable."
What the Year Book Contains

PRODUCTION—Complete credits on 1933 releases; list of 13,905 titles released since 1915; serial releases since 1920; imported features; releases by companies; original titles of books and plays made into pictures under different titles; latest work of players, directors, writers, cameramen, recording engineers, editors.

CODES—Full texts of NRA Codes of fair competition for the moving picture, laboratory, legitimate stage and radio broadcasting industries.

BIRTHDAYS—Names, birthdays and birthplaces of important motion picture personalities.

PERSONNEL—Officers and boards of directors of leading companies, studios, associations, and exhibitor groups.

THEATERS—A complete list of motion picture theaters in the U. S. and Canada indicating which are wired, silent, and closed and which are operated by major circuits. An additional list of 412 circuits which operate four or more theaters with names of the theaters.

LEGAL—Court decisions of 1933 of general interest to the industry compiled by a legal authority. Complete text of the Erpi-Wilmington decision regarding the open market on sound parts.

EXPLOITATION—A showman’s guide to tried and proven exploitation and publicity ideas.

FINANCIAL—Concise information on the organization, financial setup, annual earnings and latest balance sheet of companies with listed securities.

BUYING GUIDE—A comprehensive section listing everything a theater or studio could need and the manufacturers.

LISTS—Names and addresses of producers, distributors, exchanges, supply dealers, color processes, photographers, trailer distributors, managers and agents, vaudeville bookers, newsreels and many others.

INDEX—In spite of the multifarious data included in the book, information is readily available through the medium of a cross-index. Herein the contents are listed many times so that anything desired may be found instantly.

FOREIGN—An international survey of film markets compiled with the cooperation of the Dept. of Commerce, Motion Picture Division.

And these are only a few of the many items to be found in this, the Recognized Standard Reference Book of the Motion Picture Industry.
CODE AUTH. EXCUSED FROM WASH’N HEARING

(Continued from Page 1)

the Review Board to be present were also understood to have postponed their appearance until the adjourned hearing is held at a later date.

A number of independent exhibitors went to Washington last night, however, to file protests against some of the code’s provisions at the hearing today. An I.T.O.A. party including President Harry Brandt, Louis Blumenthal, Attorney Milton C. Wiseman and Charles Lewis made the trip from New York.

No date has yet set for final adjourned hearing. A spokesman for the Review Board notified Harold B. Bareford, chairman of the ninth Code Authority meeting, that the postponement has been granted.

An explanation why the Code Authority failed to reply to the Review Board notification of the Washington hearing held last Monday was sent yesterday by John C. film, executive secretary, to Samuel H. Henry, secretary of that body.

It states that the communication was delayed at the Code Authority office at 9:30 a.m., March 26, the day of the hearing, due to typographical error in addressing the envelope.

M. P. Research Council
Lays Off Adult Films

(Continued from Page 1)

hands on pictures for adults;” it was indicated yesterday by William H. Short, director of the Council.

The research work of the Council is to be continued, Short said. He declared that this work would probably be carried on about five years longer.

“Imitation of Life” Postponed

West Coast Bureau of THE Film Daily

Hollywood—“Imitation of Life’’ has been postponed until next season by Universal, and John M. Stahl will next direct Margaret Sullivan in “Little Man, What Now?”

“20 Million Sweethearts’’ Pre-Release

Warner’s “20 Million Sweethearts,’’ though not set for a special pre-release opening until May 26, is to have a special pre-release opening at a Broadway house shortly.

Columbia Gets Wallace Smith Novel

West Coast Bureau of THE Film Daily

Hollywood—Columbia has acquired Wallace Smith’s novel, “The Captain Hates the Sea.” Lewis Milestone has been assigned to direct.

Writer-Supervisor Deal On

Paramount is understood to be negotiating with Ben Hecht and Charles Mclnnerny to write original and supervise their production on a profit-sharing basis.

FRANKLIN AND SELWYN ON LONDON SHOW DEAL

(Continued from Page 1)

lard’s “Conversation Piece,” both now running in London, Franklin also will arrange details in connection with Elizabeth Bergner’s film appearances over here. While on the north, Franklin discussed with Fox the possible Broadway staging of “White Horse Inn.”

MPTOA Delegates to Get
Reception at the Border

(Continued from Page 1)

them to a border show. In the two-hour stopover there will be a visit to Juarez in Old Mexico. MPTOA A. headquarters yesterday called attention again to the fact that in order to get the reduced rate railroad tickets an identification certificate might be obtained from the national organization.

31 Midwest Theaters
Install High Fidelity

Kansas City—Installation of RCA Victor Photophone sound equipment in 31 houses in this area is reported by L. B. Mac, photophone representative at St. Louis. Houses are:

Beards Satisfy St. Louis MPTO

St. Louis—A meeting of the M. P. T. O. will be held this afternoon in the Fox screening room to discuss the mechanics of the local grievance and clearance and zoning boards, personnel of which is reported to be entirely satisfactory to exhibitors here. Fred Wehrenberg will preside.
Rosenblatt to Attend
C. A. Session Today

Continued from Page 1

al Recovery Review Board on monopolistic complaints.
Who will be here today could not be learned from the Board although it became known it was in receipt of numerous other requests for hearing, some of which are believed to be from New York City exhibitors.
The Board stated it was in receipt of a telegram from Ed Kuykendall advising that due to pressure of previous business in Oklahoma he was unable to appear.
Rosenblatt declined to make any statement regarding Judge Ben Lindsay and studio squabble in Hollywood, last night, before leaving for New York to attend the Code Authority session on Thursday.

Universal Buys Fantasy Novel
West Coast Bureau of THE FILM DAILY

Hollywood—"Night Life of the Gods," best-selling fantasy, has been bought by Carl Laemmle, Jr., for Universal's 1934-35 program.

New Zurich Producing Company
Zurich—A new production concern has been formed here under the name of Martana Film.

26 Weeks for "Henry" in Paris
Paris — After 17 weeks at the Lord Byron Theater, "Private Life of Henry VIII," the London Film production starring Charles Laugh-ton and released by United Artists, is now in its ninth week at the Cameo.

"Gambling Lady" Opens Tuesday
Opening of "Gambling Lady" at the Strand has been set back to Tuesday evening.

New Orleans Code Boards
Start Operating April 9

Continued from Page 1

meet together again to recommend appointment of a secretary, consider leases for office space and bids for office equipment. Present at the March 26 meet were: H. S. McLeod, chairman; Guy Brown, Norman Carter, Paul Teaster, Bert Kiern. Joe Alsina, Rodney Toups, Joe Barcelona, and W. H. Alexander, impartial member.

"Alice" at Little Carnegie
Next of the Easter season offerings at the Little Carnegie will be "Alice in Wonderland," booked for a week starting Saturday.

Code Finance Plan Awaits
Budgets of Local Boards

Pending receipt of budget estimates from local boards, matter of preparing a financing plan for the code machinery will not receive important impetus at today's meeting of the Code Authority. Its committee in charge of work will meet tomorrow.

Local board personnel for New York, Boston, Philadelphia and Minneapolis again were given consideration at a meeting of the committee on nominations yesterday. Present were: Charles L. O'Reilly, Neil Agnew for George J. Schaefer, John D. Clark for Sidney R. Kent; Ed Golden for W. Ray Johnston; Walter Vincent for Ed Kuykendall; and Max Levinson for Nathan Yamin.

Held For Violating Electric Code
White Plains, N. Y.—On report of Medical Examiner A. O. Squire that he was criminally negligent in permitting use of electrical control equipment for ventilators in a place and manner forbidden by the electrical code, Manager S. J. Klein of the Plaza, Mt. Vernon, where several persons were hurt in a fire last December, has been held for the Grand Jury.

R. C. Variety Club Quarters Set
Kansas City — Clubrooms of the local Variety Club will be opened April 2 in the Meuhlebach Hotel. The club's most successful meeting to date was held this week with George S. Baker and Irvin Dodson as directors for a Day. Lowell Lawrence, dramatic critic of the "Journal Post," was elected associate member.

Interim Dividend for G-B
London—Gaumont-British, which has already made dividend payments at the end of the year's operations only, has declared its first interim dividend of 3 per cent for the half-year.
THE BIG SHOW IS HERE!

FRANK BUCK'S "WILD CARGO"

OPENS TODAY AT RADIO CITY

Starting the Spring Event That Will Turn All America Into One Gigantic Circus Tent!

VAN BEUREN PRODUCTION
DIRECTED BY ARMAND DENIS
RKO-RADIO PICTURE
15 Exhibitors Testify at Hearing in Washington

CANCELLATION RULING STANDS AS RETROACTIVE

Legal Matters to be Handled by NRA Under New Setup

Johnson Orders Change to Administrative Body

Washington Bureau of THE FILM DAILY—Creation of a department to handle court cases in the name of the Department of Justice, with a view to more speedy disposition of litigation that would be possible under the limited staff of the Justice Department, is part of a reorganization of the NRA planned by General Hugh S. John.

(Continued on Page 10)

7 APPOINTMENTS MADE BY CODE AUTHORITY

Seven appointments, including replacements, to local boards were decided upon by the Code Authority at meeting yesterday.

Selections as follows: Minneapolis, Ed Dilley succeeds Ed Ruben on grievance board; Emmerson L. Ables, attorney, named impartial member of grievance board; Andrew Ruhn made impartial member of zoning board.

Atlanta—Frank Miller of Au.

(Continued on Page 6)

Higher Import Tax Spurs First Film Lab for India

Doubling of the film import tax by India will result shortly in the establishment in Calcutta of the first film laboratory in that country, according to word received by M.

(Continued on Page 10)

Competing Headaches

Frank Buck's new animal picture, "Wild Cargo," which opened yesterday at the Music Hall, is worried that its business may be hurt by the Ringling Bros. Barnum circus opening tomorrow at the Madison Square Garden. Circus in turn is wondering if its attendance will be nicked by the Buck film.

Paramount Studio Nut Up $750,000 Under Code

Paramount's studio overhead is being boosted $750,000 a year by requirements of the motion picture code, Emanuel Cohen told The Film Daily yesterday in New York. In preparation for the company's 1934-35 program, consisting of between 60 and 65 features, two-thirds of the stories have already been acquired, Cohen said. He intends to remain in New York about three weeks.

Shearer Film at Capitol

For an Indefinite Run

Norma Shearer in "Riptide," opening today at the Capitol, will be held at this Broadway house for an indefinite run. In its Wednesday opening at the Boyd, Philadelphia, the M-G-M picture did the biggest business for the house in three years. In addition to the Capitol, "Riptide" opens simultaneously today in 29 cities.

$1,000,000 BUDGET IS SET BY MAJESTIC

Majestic has set its 1934-35 production budget at $1,000,000. E. H. Goldstein, executive vice-president, told Film Daily yesterday. Average cost of making the majority of the 12 feature line-up will be $60,000 each with "specials" taking on the added expense. Star names will be a feature in the new schedule of films.


Omaha—Evert R. Cummings has rejoined A. H. Blank's Tri-State Theaters Corp., as division manager for Nebraska, and Joe Rosenfield has been named to succeed Ralph D. Goldberg as city manager for the company, it is announced by Ralph Brantoon, general manager. Rosenfield's successor as manager of the Orpheum has not yet been named.

Hearing Before Review Board Will Be Resumed Next Monday

Kansas-Missouri Unit In Membership Drive

Kansas City—Approval of the grievance and zoning and clearance boards by Washington has revived interest in the Kansas-Missouri Theater Assn., and the group just has instituted a campaign for new members. Comment has been invited.

(Continued on Page 9)

A MORAL ON GIVE-AWAYS

Denver—Exhibs here who have been competing on give-aways until one contingent had been boosted up into handling $500 a week didn't figure on anything like this.

A lady called the Ogden theater by phone the other day and asked, "How much are you giving away tonight?"

"Fifty dollars," came the reply.

"Is that all?" retorted the lady. "It's not even worth coming down for."

By WILLIAM SILBERBERG

FILM DAILY Staff Correspondent

Washington—Echoes of the familiar "right to buy" and trade practices aired at the NRA code sessions in August resounded before the National Recovery Review Board hearing complaints against the present code yesterday. About 15 exhibitors witness from New York and elsewhere testified. The only

(Continued on Page 10)

Code Authority Votes to Have Boards Comply on Cancellation Edict

Despite protests recently filed by virtually all major distributors against the interpretation, the Code Authority yesterday unanimously voted to instruct local grievance boards to comply with the ruling finding the 10 per cent cancellation clause retroactive to apply to film contracts before Dec. 7, the code's effective date, for product

(Continued on Page 6)
Bank Nights" Are Hit In Two Court Rulings

Denver—A decision by a judge and an opinion by a county attorney in the Denver territory will have a widespread effect on the movie operators who are "banking nights" and cash giveaways. County Judge E. F. Carter of Scottsbluff, Neb., issued a permanent injunction against Midwest Amusement Co., restraining it from operating bank nights. A former judge was petitioned by the public to buy tickets. The plans under which bank night usually operates merely calls for the signing of a register book. It was brought out that for the first four weeks the buying of a ticket was not "required." The judge ruled that "a purely mental change of the rules is not sufficient," and issued the preliminary injunction.

In an opinion by County Attorney Frank Moorhead of Boulder, Colo., no lottery exists as long as there is a single holder of a ticket. It is required that the tickets of Boulder had been using the bank night idea for some time, and numerous parties had protested it was a lottery.

Klarsfeld in Para. French Post

In addition to Fred Lang, who is now in charge of Paramount's sales on the Continent, Henry Klarsfeld has been made director-general of the company's French subsidiary, it was stated yesterday by John W. Hicks, Jr., vice-president of Paramount International Corporation, following his return from Europe.

Business in France is generally showing improvement, said Hicks. He will go abroad again next summer.

"Roxy" Back at Old Stand by June

Although no deal is understood to have been definitely closed as yet, S. L. Rothafel anticipates that he will be operating the Roxy by June 1, taking over the big Seventh Avenue house from its present tenant. He has been made some preliminary moves toward assembling a staff. In event the deal is culminated, he will carry on the Roxy's old methods, and perhaps bring in the 

Arrangements Completed For Mono. Budget Increase

Monogram has completed the arrangement whereby the company will have at its disposal for 1934-35, a production budget 30 per cent greater than that of the current season. Four Monogram specials for next season are slated to cost $100,000 each.

Federation to Meet in A. C.

Federation of the M. P. Industry will meet April 7 in Atlantic City at which time announcement of the choice for executive secretary will be made, it was said yesterday by President Harry Thomas. Selection of a secretary had been held up, pending approval by some federation directors who will be here next week to attend the Monogram convention, Thomas said.

Protests Again on Cut-Rate Tickets

Claiming that the distribution of managerial courtesy passes upon which a charge of 15 cents is levied is a "simon小店" for the purpose of indiscriminate circulation of cut rate admissions in violation of the NRA Act, Howard S. Callahan, counsel for the Roxy yesterday sent another letter to Sol A. Rosenblatt denouncing the practice. "If the motion picture code is to mean anything, it would be advisable for all theaters to file with the regional board a record of passes distributed in payment of advertising space," he wrote.

Rosenblatt SMPF Talk on Air

A national hookup over NBC has been arranged for the S. M. P., to broadcast the address which Division Administrator Sol A. Rosenblatt will deliver at its semi-annual banquet April 25 at the Hotel Halfond-Haddon Hall, Atlantic City.

Youngstown Houses Reopen

Youngstown—Reopening on Sunday of the Hippodrome, dark several months, and Samples, No. 2, which closed for Holy Week, marks the first time in a year that all downtown houses will be open.

"Cargo" Breaks Record in Frisco

San Francisco — RKO's "Wild Cargo," starring Frank Buck, in its world premiere at the Golden Gate theater here Wednesday, broke all records by the technical sum of $3.

"Wonder Bar" Big in Indianapolis

Indianapolis—Biggest opening in five years, with one exception, was scored by Warner's "Wonder Bar" at the Circle despite the fact that it opened on Ash Wednesday.

Cleveland Boards Meet Monday

Cleveland—Newly-elected grievance and clearance boards will hold a joint meeting Monday at 2 P.M.
NATIONAL PRE-RELEASE of '20 Million Sweethearts,' Powell-Rogers-O'Brien radio musical formerly titled 'Rhythm in the Air,' set for April 21st°

ANOTHER 'DAME' for cast of 'Dames,' is 'exotic' Zasu Pitts, added this week to array of stellar names in Warners' next musical show.

DOLORES DEL RIO FACES CAMERA in first starring role for Warners as shooting starts on initial scenes of fabulous 'Du Barry', Verree Teasdale and Osgood Perkins are also cast.

CAGNEY HELD OVER in 'Jimmy the Gent' at N. Y. Strand after first week-end gross rivals 'Wonder Bar' figures and critics hail it 'a tornado of mirth.'*

DEAL CLOSED this week for 50,000 window displays like this to plug 'Harold Teen,' Warners' Hal LeRay comedy based on famous comic strip. Seven leading manufacturers will provide day-and-date merchandise tieups with all showings.

'WONDER BAR' HITS 5-YEAR RECORD at Circle, Indianapolis, topping every opening but one in that period. This is the sixth consecutive record scored by latest Warner Bros. musical which stars Kay Francis, Al Jolson, Dick Powell—and those Buz Berkeley beauties.

*A Warner Bros. Picture
*A First National Picture Vitaphone, Inc., Distributors
HERE HE IS, MEN!
The star every showman in the country has been clamoring to play! We don’t have to sell you... You know he’s the ace rage of radio today! As usual Warner Bros. scooped all others in introducing this new star months ago—and the draw of his Vitaphone Shorts has grown to panic proportions in recent test engagements. Therefore...

In response to unanimous exhibitor demand Warner Bros. will reissue

JOE
VITAPHONE
Four 2-Reelers—Three 1-Reelers.

To Be Released Week-After-Week Starting April 14th.

Apr. 14—(2 Reels)—JOE PENNER in "GANGWAY"

Apr. 21—(1 Reel)—JOE PENNER in "MAKING GOOD"

Apr. 28—(2 Reels)—JOE PENNER in "YOU NASTY MAN"
(Formerly "Here Prince")

May 5—(1 Reel)—JOE PENNER in "SERVICE STRIPES"

May 12—(2 Reels)—JOE PENNER in "WHERE MEN ARE MEN"

May 19—(1 Reel)—JOE PENNER in "A STUTTERING ROMANCE"

May 26—(1 Reel)—JOE PENNER in "TOREADOR"

Ask any exhibitor who's played Penner... He'll tell you the only way to bill him is equally with or above the feature!

Special new paper ready soon at your exchange!
CANCELLATION RULING STANDS RETROACTIVE

(Continued from Page 1)

to be released generally after that date.

The Authority also unanimously interpreted the code clause prohibiting advertising the product through rebates in the form of loter-
ties, etc., as applying to so-called “bank nights” and “race nights.”

Eight local boards have already met and drafted budgets and nomi-
nated secretaries, it was announced.

They are located in Buffalo, Chicago, Cincinnati, Los Angeles, Milwau-
kee, New Haven, San Francisco and Washington.

Executive Secretary Joe Flinn was authorized to formally appoint secretaries in in-
stances where the boards unanimously agreed on a selection.

Appointment was made of Fred Schussler, RKO casting director, as a member of the standing commit-
ttee on extrashow at the Coast. He suc-
cedes B. B. Kahane.

The standing committee on extras has asked the Code Authority for approval of a number of interpreta-
tions on code provisions affecting players, including definition of a $180,000 payroll and stipulation that money be furnished players in connection with location trips. Sid-
ney R. Kent and J. Robert Rubin comprise the committee assigned to the matter.

Attending yesterday’s session were Sol A. Rosenblatt, Major L. E. Thompson, Nathan Yamin's, Charles L. O'Reilly, Kent, George J. Schafer, W. Ray Robinson, Walter Vincent for Ed Kuykendall and Harold S. Bareford.

Next meeting will take place April 6 with Bare-
ford presiding.

Executive Secretary Flinn is im-
mediately mailing out 18,000 applica-
tion blanks so exhibitors may ob-
tain copies of the code’s labor provi-
sions which they must post in their theaters. The budget commit-
tee meets today.

7 Appointments Made

By Code Authority

(Continued from Page 1)

Augusta succeeds Robert Wilby on clearance board; Wilby succeeds Arthur Lucas on grievance board.

Portland, Ore. Phillip Blumauer replaces Jackson on zoning board.

The nominations committee meets Wednesday to further consider per-
spectives of New York and Phila-
delphia boards.

Urge Copyright Bill

Washington — Automatic copyright protection in 53 countries for authors and screenwriters, as set forth in the Rome treaty of 1928, is provided for in a bill passed by the Senate Foreign Relations Committee. The measure would make the U.S. a member of the International Copyright Union.

Copyright law in New York was among those who appeared in support of the bill.

3 FOX ’35 FEATURES READY BY APRIL 30

West Coast Bureau of THE FILM DAILY

Hollywood—Three features for the Fox 1934-35 line-up will be com-
pleted by April 30 in time to be shown at the annual sales conven-
tion which is now being held here.

“The World Moves On,” first in the new schedule, is in work, with “By Royal Command” and “Marie Ga-
lante” ready for April 1 produc-
tion. May 1 will see the completion of the present production line-up. The Fox will then be ready for the release of any or ready for the cameras are “Al-
ways Honest,” “She Learned About Sailors,” “Go to Canada,” “Lot-
tery Lover” and “She Was a Lady.”

Kansas-Missouri Unit

In Membership Drive

(Continued from Page 1)

from all exhibitors in the territory on the subjects of percentage sales, scoop charges, censorship, free shows, merchants’ shows, privilege of elimination, forcing of shorts with features, so-called “drives” by film exchanges, double bills, premi-
uns, block-booking and competition of municipal auditors. These latter the same in the case of those excluded at the association's forthcoming convention.

In the smaller towns throughout Kansas and Missouri, according to R. R. Bichele, director of the asso-
ciation, and recently elected secre-
tary-treasurer of the group, the problem of merchants sponsoring free shows is becoming a definite one, peculiar in the case of traveling circuit shows that have moved into several towns one night a week.

Wheeling Managerial Changes

Wheeling, W. Va.—S. S. Soloman,

city manager, announces several shifts in the management of the Warn-
ner theaters. Francis X. Linn, assistant manager of the Capitol, has been promoted to manager of the Liberty. He will be assisted by Russell Rich-
ards, transferred from the Court. Tony Stern and Irvin Oschenbein, manager and assistant manager of the Liberty, have been moved to the Court in the same capacity. George Bronson, who was manager of the Court, has been given an as-
signment in Hartford, Conn. P. J. Gillian is the new assistant man-
ger of the Capitol. Soloman still retains the managerial post of the Capitol in addition to being in charge of all Warner theaters here. The Virginia management remains the same, with Earl Oschenbein, formerly of the Liberty, in charge.

Board Meetings to be Open

New Orleans—Attempts to get both the grievance and zoning boards even before they meet this week to consider their plans, board meetings will be open very much in the same manner as in a court room and decisions will be pub-
licized.

< < < < > >
EVERYBODY LOVES A CIRCUS AND FRANK BUCK GIVES 'EM HIPPODROME, MENAGERIE AND SIDE SHOW IN "WILD CARGO".

And at the Golden Gate in San Francisco, "Wild Cargo" topped the "Little Women" record, previous all time high, by 207 admissions. 

VAN BEUREN PRODUCTION DIRECTED BY ARMAND DENIS RKO RADIO PICTURE
Clark & McCullough in "Bedlam of Beards"

RKO Radio ..... Very Entertaining

Plenty of laughs and action in this subject. A bewhiskered old gent who is hard of hearing is kidnapped. Clark decides to have McCullough make up like the missing gent and walk around on the theory that the kidnappers will see him, seize him again and then Clark will learn of their hideout. Meanwhile the real kidnapper, after getting rid of his victim's wife, also puts on whiskers and departs to rifle the safe in his victim's home. Then the kidnapped gent escapes and returns home, as does his wife, picks up McCullough on the street. With all three beards and Clark in the house a bellman of laughs results.

"How's Chops" (Cubby the Bear Cartoon)
RKO Radio ..... Good

A bright idea, cleverly worked out, makes this animated cartoon good entertainment. Cubby and Cuddles, reading of mysterious holocaust that has swept the earth bare of crops, descend underground thru a tree trunk and proceed to make watermelons, corn, peanuts and other vegetables and force them above ground. Possum, who had been gathering in the produce as fast as it appeared, is hit by a "pineapple" as he flees in a truck, the vegetables fly in the air, then root in the ground and once again the earth is blooming.

"Pathé Review" (No. 14)
RKO Radio ..... Good

This interesting subject has Sigmund Spaeth explaining the art of enjoying music, describes the multi-lensed eye of a bee, shows the buckaroos singing a song and depicts with many illustrations the poetry of action in slow motion.

"Heartburn" with Sterling Holloway
Universal ..... Good

Very slapstick in character, this short holds considerable entertainment value. When Sterling's employer has a spat with his wife and she departs in a huff saying she is unloved, the idea is conceived that Sterling shall make love to the wife and that then the husband shall break in and prove his devotion. This produces complications because Sterling is engaged to theoland. Since he and his sister get on the game and there is a merry mixup to the finish.

"Wolf! Wolf!" (Oswald Cartoon)
Universal ..... Good

Occupied with woodchopping in the forest, Oswald responds several times to the call of "Wolf!" shouted by two little lambs he is guarding. Then Oswald does not respond until the wolf has lured the lambs into his hut and is about to make stew of them. Oswald effects a rescue. Pleasant vocalization and amusing lyrics are featured.

Detroit Notes

Detroit—Jack Moss appointed local sales manager for Weldon Pictures, handling "Damaged Lives." Office opened in Film Exchange.

William E. Flemion, sales manager of Excellent Pictures, back on job after illness.

Joe Baringhaus, Warner exchange shipper, announces his marriage to March Miller.

Embassy Talking Picture Service, operated by R. E. Codd and A. M. Werner, takes over roadshow license for Western Electric equipment.

William A. London is remodeling the former Trans-Lux for reopenning as a regular movie.

Anna Kennedy, wife of Roger Kennedy, business agent of operators local, died recently. She was formerly a theater cashier here and in Indianapolis.

Worried Over Delaware Film Bill

A favorable committee reported to the Delaware House of Representatives on the bill seeking to bar pictures in which divorced persons appear is causing exhibitors throughout the state considerable worry. The measure originated in the House.

Cagney-Blondell Film Renamed

Warners have changed the title of the James Cagney-Joan Blondell co-starring vehicle from "Without Honor" to "He Was Her Man."

Henry Armetta in "Ceiling Whacks"

Universal ..... Good Comedy

Armetta, Herbert Corthell, their two wives and mother-in-law are having their weekly family reunion and brawl. Upstairs a hushing gent is battling with his wife. Both complain of noise each other is making. Three women go out for the evening as does the hubby upstairs, who locks his wife on the fire escape. She gets downstairs in a state of undress. Then the women come home and there is a time concealing the intruder until the wind-up when the other husband also walks in, to add to the confusion.

"Betty In Blunderland" (Betty Boop Cartoon)
Paramount ..... 7 mins.

Good Animated

Betty Boop, occupied in working out a jigsaw puzzle, wanders off into a tangent along the lines of Alice in Wonderland. She encounters grotesque counterparts of the familiar story and then is carried off by a dragon, with a friendly animal on her rescue. This leads to a lively finale, ending in Betty waking up at her jigsaw puzzle.

Table of Reviews of FOREIGN FILMS

"EL PRISIONERO 13" ("Prisoner No. 13"), in Spanish; produced in Mexico; directed by Fernando de Fuentes; with Alfredo del Diestro, Adela Siqueiros, Luis G. Barreto, Armando Campoamor, Antonio R. Framo, Alicia Balanzar; running time, 90 minutes; distributed by Cinexpro Distributing Corp.

Well acted drama of an army officer who accepts a bribe to release a political prisoner and unknowingly substitutes his lost son for the firing-squad.

"SU ULTIMA CANCION" ("His Last Song"), in Spanish; produced in Mexico; directed by John H. Auer; with Alfonso Ortiz, Facundo, Maria Luisa Zsa, Rodolfo Calvo, Victor M. Urruchua, Luis Sanchez Tello; running time 68 minutes; distributed by Cinexpro Distributing Corp.

Story of an opera singer who saves a girl from committing suicide only to have her fall in love and marry someone else just as he gets his big opportunity in opera.

"CROWN OF THORNS," German production with synchronized English comment; produced by Neuman; directed by Robert Wiene; with Werner Krauss, Greta Chmara, Heinz Porten, Asta Nielsen, Emanuel Reicher, Alexander Gramach. At the Yondale Theater.

Interesting and impressive Biblical drama, employing excellent cast of German and Russian players, with many of the scenes taken in Palestine.
Friday the postman breathed a sigh of relief. The Film Daily Year Book of Motion Pictures had arrived. For a week I have been pestering him after every mail to find out if my copy had arrived. Now it is here and that is a load off the mailman’s shoulders.

This year book is a mighty handy thing to have on a motion picture reviewer’s desk. It certainly should be as handy for others having to do with any department of the motion picture industry. Between its two attractive tooled leather covers are well over a thousand pages of authentic information about motion pictures and motion picture people and companies. Statistics and all kinds of information are to be found in this volume, and there is scarcely a day that I do not refer to it for some fact or figure.

This year it is more complete than ever, with a new department listing the names of hundreds of motion picture people and their birthdates and birthplaces. Of course some of these people have failed to give the year of their birth, but that is to be ex-

A COLUMNIST REVIEWS A BOOK
(The Columnist: Ken Berry of the Portland (Me.) Evening Express — The Book: The 1934 Film Daily Year Book)

have failed to give the year of their birth, but that is to be ex-
pected. The list of 10 best for the year, and the critics voting in the Film Daily poll is given. The choice of the 10 best for several years past is included. All pictures released during 1933 are given with complete information as to cast and production crew. Over 13,000 pictures produced since 1915 are listed with the date of release and the name of the company which made each. The work of actors, directors, dialoguers, authors, adapters and recording engineers for 1932 and 1933, is given. Theaters of the Country are listed with their seating capacity, set up of motion picture companies and organizations, lists of books and trade publications, complete texts of motion picture and allied codes, and a hundred and one other departments are included in this exhaustive and dependable volume. Which explains the run on the postoffice.
15 EXHITS TESTIFY AT WASH N' HEARING

(Continued from Page 1)

non-exhibitor appearing was Alida C. Boler of the Department of Labor who protested against block booking to protect children's morals. It was apparent however that chairman Clarence Darrow was not in accord with his views of the leisure time for children.

A board that seemed desirous of getting a first hand knowledge of the business was comprised of, under the guidance of Lowell Mason, its general counsel, heard in the main testimony. Next witness was Luton, exhibitor manager of the I.T.O.A.

Harry Brandt, president of J.T.O.A., was in the audience with this board in the morning of the hearings.

Prior to this, Lowell Mason, general counsel for the Board, asked and received permission to insert in this day, a copy of Nathan Yamina's code covering "rurality report." Permission was also given to include copy of the Merchant's report before the Committee on Interstate and Foreign Commerce at the request of the board from the board.

Brandt opened his testimony by alleging that during the code conferences last summer division administrator Sol A. Rosenblatt threatened to adjourn a certain hearing at which he found Attorney Jacob Schachner taking shorthand notes. From this he was led to a review of the appearance and testimony at the public hearings here during the summer and today.

He was followed by the stand by Julius Chapman, operating the T.A. Frieberger's Falls Park, Palisades Park, which entered into the hearing by a statement on the code. He has testimony that his "own" was set back after Fox had turned the house back to him and that he couldn't picture scenes enough to make the theater pay due to circuit theater competition next by.

Following Jim Ervin Groder, another exhibitor, offered testimony relative to "forcing short," which he claimed the code did not remedy. Next witness was Lute Bocker, who attempted to show that the T.O.A. had committed an "unfair" in reality composed mainly of attorneys houses but that O'Reilly was an "unbiased" exhibitor in the code. He alluded to O'Reilly's sale of candy machines to circuit theaters.

He was followed by Edward Fricheberger, exhibitor of Elkhorn, who claimed, a Warner Theater competitor of his "own," which in order to have his product. He claimed that due to increased labor costs under the code the giving "credibility to bloc" book and "several shorts" plus the admission prices by distributors, condition were "unsaleable" for the independent.

Next witness was Bernard S. Barr, who attempted to show a differentiation in percentage demands between affiliates, members, and independents. He, too, went into the increased labor cost phases of the code. At this point center was recalled to the stand and offered testimony alleging that by error he received a copy of the bill intended to an exhibitor competitor of his claiming that rentals for affiliates were under those charged independents, regardless of the priority of the "own." Testimony of the next witness, Albert Cooper, was along the same lines.

Next witness was the T.A. Frieberger, exhibitor, next attempted to prove that he, too, had been "forced" by the union, exhibitors after affiliated competitors in the county. A board member had asked him to leave the market in advance, he built the theater.

Chicago Stopover Host

Chicago—Jack Miller, local exhibitor leader, will hold open house for delegates passing through on their way to the M.T.O.A. convention in Hollywood. Miller is to leave his office as headquarters for the boys from the east.

Hollywood

THE title of W. C. Fields' "Greed Paint," in which he will star as the heavy lover, has been changed to "The Old Fashioned Way." Paramount has assigned William Beaumont to direct, and Joe Morrison is included in the cast.

Eve Little, who has worked for M-G-M, is appearing in "The Wrong Side of the Railroad Tracks," a comedy at a local theater.

Arthur Bloch and George Seaton have completed the screen play for "Student Tour," which Monta Bell will produce for M-G-M.

The second annual Paramount tennis tournament will be held at the Los Angeles Club Aug 8 to 15. Valuable prizes will be given for the players in the finals in the singles and doubles, Sam Frey will be in charge of the tournament.

Emund Grainger, who is the associate producer on "The Man Who Shot Gentleman" and "Alias the Deacon," for Universal, is making preparations for his next picture, which will be a starring vehicle for Edwin Lowe.

Harry Segall, whose contract was recently renewed at M-G-M, is collaborating with Richard Scherer on "Red Marin" on the screen play and dialogue for "Any Port in a Storm," which will star Wallace Beery.

Harry Hallenberger, veteran character actor, has attracter 15 years of continuous service at Paramount. He has more than 200 pictures to his credit.

Lois January's contract has been approved by Carl Laemmle, Jr.

Universal is taking up its option on "One More River," John Gaisford worthy novel. James Whale will direct, with screenplay by R. C. Sheehy, and Margaret Sullivan or Jane Wyatt will be in it.

Mack Gordon and Harry Reuel have been assigned to write the music for "She Loves Me Not," Bing Crosby's next Paramount film.

Columbia's production which bore the working title "Murder in the Studio" has been definitely named "The Crime of Helen Stanley." It features Ralph Bellamy.

"Embarrassing Moments" will be the release title of "My Practical Joker," Universal picture starring Chester Morris.

Rose Vesper, a beautiful Italian girl, is one of the candidates for Wampus Baby starbord. She started her career by singing and dancing in cabaret. In the past six days she has appeared in "Hollywood Party," "Flying Down to Rio," "Meet the Baron," "Sitting Pretty" and is soon to start work in "Down to His Last Yacht.""""Buster Keaton says that aviation will really have arrived when two
two-passenger plane goes by with eight high-school students in the front seat.

William Nigh is directing "The Mad Honeymoon," for Liberty Prods. The cast is headed by Marian Nixon and Neil Hamilton, with filming now under way. William Austin, Raymond Hatton, Bradley Page and Don Alvarado in supporting roles.

William Wyler will direct "Fanny" for Universal, which has given him a new contract.

Title of "Alias the Deacon" will be changed to "Half a Sinner" when Universal releases it.

NRA BEING TURNED INTO LEGAL MACHINE

(Continued from Page 1)

son. The shake will transform the NRA into an administrative machine. W. Averell Harriman is in charge of making the changeover.

The new labor division will be under Donald R. Richberg, NRA general counsel.

Higher Import Tax Spurs First Film Lab for India

Kleinerman, U. S. representative of the largest importer of American films. This will enable both majors and independents to ship negatives and print in India. The tax was recently raised from $20 to $40 a reel, leaving the levy on shorts and an increase on features is being considered, says Kleinerman.

8 Vitaphone April Releases

Eight Vitaphone short will be nationally released in April, according to Norman H. Moray, Vitaphone head. The two leading stars include Lilian Roth in "Story Conference;" "Morocco Nights," a Technicolor special with Fuzzy Knight; Ben Blue in "Very Close Veins," and Harry Gibbon and Sherman Howard in "Cern On The Cop." The other reels include Phil Silpatly in "A Big City Fantasy;" "Slackers and Workers of The Jungle," an E. M. Newman subject; Edgar Bergen in "Pure Feud," and The Radio Ramblers in "A Cabinet Meeting."

"Cheaters" for Broadway in April

"Cheaters," M. H. Hoffman-Liberty production, is slated to open on Broadway late in April, according to Jack Bellman. The two leading stars include Dorothy Mackaill and June Collyer are featured.

Paramount Meeting Adjourned

A meeting of Paramount Publix creditors originally scheduled for today at the offices of Henry K. Davis, referee, has been adjourned until April 13. Business concerns Fox West Coast claims.

Remodel Milwaukee Houses

Milwaukee—Several local neighborhood houses have closed down during Holy Week for remodeling. Among the former are the city's main house, operated by Harry Hart, which will be remodeled. The second was the Franklin, and the Parkway, operated by Harry Perlewhit, which reopens the same day. The Radio, another neighborhood theater operated by Herb Perlewhit, recently reopened after being remodeled.

Movie on Soviet Plane

Moscow—A movie theater is part of the United Nations permanent peace plane just launched. The ship has been christened the Maxim Gorky.
Used in 7 out of 8 American Pictures in “1933’s TEN BEST”

Of the Ten Best Pictures of 1933 chosen in the Film Daily’s poll, eight were American productions. Of those eight, seven were photographed on Eastman “Gray-Back.” This is outstanding evidence of the acceptance enjoyed by Eastman Super-Sensitive Panchromatic Negative among cameramen and producers...and a signal tribute to the versatility and unfailingly high quality of the film itself. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN Super-Sensitive Panchromatic Negative (Gray-Backed)
AS PREDICTED—
"RIPTIDE" BIGGEST MID-WEEK OPENING IN 3 YEARS!
The first engagement of M-G-M's history-making hit began Wednesday at the Boyd Theatre, Philadelphia. Watch the happy headlines in the trade press as "Riptide" crashes across the nation!

NORMA SHEARER
ROBERT MONTGOMERY
in "RIPTIDE"
with Herbert Marshall
Mrs. Patrick Campbell
Written and Directed by
EDMUND GOULDING
Congratulations
IRVING G. THALBERG!
you've delivered the
Big Picture of the Year!

LEO MARCHES ON!
PARA, WARNERS ABIDING BY CANCELLATION EDICT

British Films Ousting U. S. Indies in 413 G-B Houses

Move Follows Improvement in Quality of English Productions

American made independent films on the programs of the 413 Gaumont-British theaters in the United Kingdom will be a thing of the past by the time the new season starts, Arthur Lee stated to FILM DAILY yesterday. Heretofore it has been possible for independents to realize from $5,000 to $10,000 on each feature booked over the G-B circuit. “The elimination of American independent films will be gradual but nevertheless certain,” said Lee. “Gaumont-British films will hereafter (Continued on Page 3)

Code Financing Plan Ready in Week

Classification of Films Planned in Grand Rapids

Grand Rapids—As a move to offset censorship, Grand Rapids M. P. Council has been formed with plans including a system of letters classifying films in all newspaper ads. The council will work with local organizations and sponsor approved films.

Monogram 1933-34 Lineup Being Completed in June

Hollywood—Fifteen dramas and six westerns, a total of 21 pictures, have been completed by Monogram out of its schedule of 28 for 1933-34. Final production will get under way in June, with 1934-35 program starting in May.

Music in Newsreel Ruled No Copyright Violation

Recording of musical compositions along with other background sounds in a newsreel does not constitute violation of a music copyright, according to a far-reaching decision by the Chancery Division of the High Court of Justice in London. The opinion was in the case of Hawkes & Son, Ltd., music publishers, against Paramount Service, Ltd.

Spurt in Movie Incorporations Reflects Optimistic Outlook

Code Authority to Seek Data on Wash’n Hearing

Information concerning purposes of the National Recovery Review Board hearing which has been indefinitely adjourned pending availability of the Code Authority will be sought by Harold S. Bareford, chairman of the Authority's ninth meeting, when he confers with the board's counsel in Washington on Monday. Bareford will inquire just what subjects are coming up at the hearing. New date has not as yet been fixed.

In the states of New York and Delaware alone, about 100 new firms intending to engage directly or incidentally in motion picture activities of one kind or another have been formed in the first three months of 1934. This represents something of a high mark, and is taken as an indication of wider optimism on the outlook. Practically all units which in former years intended for theatrical or vaudeville purposes are now including “and motion pictures” in their

Ohio I. T. O. Holding

3 REGIONAL MEETINGS

Columbus—Three more regional meetings of the new Independent Theatres Owners of Ohio are announced by P. J. Wood, secretary. They will be held April 3 at the Statler, Cleveland; April 4, Deshler Wallick, Columbus, and April 9, Netherland-Plaza, Cincinnati. The association is waging a fight on percentage demands and also on the move of distributors to force independent poster exchanges out of business.

Paramount Sales Meeting Scheduled for West Coast

Paramount will hold its annual sales meeting at the Coast this year, sometime between June 15 and July 1, George J. Schaefer, general manager, said yesterday. Instead of regional gatherings, one convention will be conducted.

Capitol’s Good Friday Record

M-G-M’s “Riptide,” with Norma Shearer and Robert Montgomery, passed the largest receipts for Good Friday matinee in the history of the Capitol, Columbus, yesterday. By Major Edward Bowers. An extra show is being added today.
Para. Ad Sales Shifts

James Dillie, assistant ad sales manager for Paramount in Cincinnati, has been promoted to ad sales manager, succeeding Eugene Fogarty, resigned. Morris Gluck, special salesman working out of the New York branch, has been appointed ad sales manager for this branch. He succeeds Clayton Hendrickson, who has been switched to the home office ad sales department.

2 New Theaters for Minneapolis

Minneapolis—A 1,500-seat house is to be built immediately by Norvic's Nameco Co. at 50th St. and France Ave. S. Ben Friedman will manage it. Another new theater is reported planned on Lowry Ave. N. between Dupont and Emerson. The Nile is planning to reopen and the old newsreel theater at Eighth and Hennepin is seeking a license.

Reserve Decision on Plagiarism

Judge Woolsey in the U. S. District Court yesterday reserved decision on a motion to dismiss filed by Paramount and James Hagan in a plagiarism suit brought by Richard Washburn Child in connection with the picture, "One Sunday Afternoon." The decision is expected to be handed down in June. The charges "One Sunday Afternoon" is a plagiarism of his story, "The Avenger," Louis Phillips represented Paramount and Harry Weinberger was counsel for Hagan.

Federation to Discuss Ad Matter

Method of handling advertising accessories to conform with the morality clauses of the Code is slated to be discussed at the Aug. 7 meeting of the Federation of the M. P. Industry in Atlantic City.

234 "Wonder Bar" Openings

National release of Warner's "Wonder Bar" takes place today, with 234 special engagements set for the week, the company announces.

Omaha Secretary Selected

Omaha Regina Moldose, secretary of the Film Board of Trade, was unanimously recommended as secretary of the grievance, zoning and planning boards at the first joint meeting yesterday.

Monogram Delegates Arriving

Among those expected to arrive in New York today en route to the Monogram convention in Atlantic City are: Fred Ellis, Joelle Ford, Louis Bailey, Ted Haas, Martin, Bessie Ruffin, Sadie Lee, and William J. Carpenter.

Monogram Signs Wampas Baby

Hollywood—Gigi Parrish, Wampas baby star, has been signed by Monogram and will appear first in "Jane Eyre."

NEW—President Hotel

Atlantic City's newest Boardwalk Hotel

SEA WATER SWIMMING POOL
MARINE SUN DECK
TURKISH BATHS

Complete—

in every detail, pertaining to production, distribution and exhibition.
A LITTLE FROM "LOTS"  
By RALPH WILK

HOLLYWOOD

PARAMOUNT'S next all-star comedy feature, "Three Pair," utilizing the same cast as "Six of a Kind," will go in work in May, J. P. Wycoy in writing it specifically for W. C. Fields, Alison Skipworth, George Burns, Gracie Allen, Charlie Ruggles and Mary Boland.

Lou Ostrow has bought "Ten Minute Eggs," original by N. Brewster Morse, for Monogram's 1934-35 program.

Next of Educational's Frolicks of Youth series, tentatively called "The Coupon Clipper," has been written by Ewart Adamson and Ernest Pagano.

Ralph Forbes will be starred by Monogram in "Shock," by Roy Pomeroy.

"Jane Eyre" is being placed in work by Monogram about the middle of April.

Francis Lederer will next appear for RKO in the role of Joaquin Murietta, colorful California bandit. Albert Shelby Levino is author of the original.

Laurence Weingarten has signed a new contract as M-G-M associate producer. He has just finished "Sadie McKee."

"I'll Sell Anything," original by Albert J. Cohen and Robert T. Shannon, has been bought by Warners. Joan Blondell and Pat O'Brien are being considered for the leads.

Use of the title, "The Mad Honeymoon," by Liberty Productions on a forthcoming picture is being protested by Edward Esmonde, owner of the copyrights to all works of the late Barry Conners, whose play by the same title was produced in New York in 1923.

CAST ASSIGNMENTS
RKO—Steffy Duna, now contract player, for "Kiss Me Deadly," Edward Everett Horton for "Sing and Like It!"; Sketch Gallaher for "Down to Their Last Yacht."
UNIVERSAL—George E. Stone and Lois Janby for "Embracing Moments."


Wilmington, N. C.—The Howard, owned and operated by Howard Theatre, Inc., will open in Thalh Hall April 2.

Asheville, N. C.—C. R. Bamford is opening a new theater here.

Mebane, N. C.—A. L. Purnell is now operating the Carolina, formerly operated by M. V. Whitesell.

Gibsonville, N. C.—The Gibsonville theater has been taken over by C. W. Overman from R. E. Gibb.

Benson, N. C.—The Princess has been reopened under the management of J. B. Benton.

Smithfield, N. C.—The Sanders has been reopened as the Victory under the management of H. F. Howell.

Wheeling, W. Va.—Projection booth and equipment in the State theater were destroyed by recent fire. House is being remodeled and Jim Veas, operator, is purchasing new equipment for an early reopening.

Memphis—Glenn Calvert, former projectionist, has been promoted to ad sales manager. He succeeds W. R. Scruggs, resigned.

Bellwood, Pa.—J. A. Gribble and N. A. Notopoulos, operators of several theaters in this territory, have acquired the State theater, here, for several years operated by L. C. Menchion.

Donora, Pa.—New Princess has been opened under management of T. R. Shahanam.

Milan, Mich.—Richard Spangle has bought the Garrick from Edwin E. Brown. Deal was put through by Olescheksky & St. Onge of Detroit.

Jefferson, O.—The Ames is now operating under three changes instead of two.

Minneapolis—Bennie Berger now

G-B HOUSES DROP U. S. INDIE PRODUCT

(Continued from Page 1)

prising a committee to pass on interpretations made by the standing committee on extras, also met yesterday. They will file a report with the Authority Friday.

Sets April 6 for Hearing
On St. Louis Properties
St. Louis—Federal Judge Davis yesterday set April 6 for hearing plans on reorganization of the St. Louis Properties. House being built by the Ambassador, Grand Central and Missouri theaters, suggesting that meanwhile the various parties interested agree to accept a mutually satisfactory plan. He intimated he was doubtful that they would be successful.

has the Paramount and is after still more houses.

Chapel Hill, N. C.—The Standard is open under the management of J. W. Thompson.

Hillsboro, N. C.—S. S. Stevenson has taken over the Gates, formerly owned by Moon Theater, Inc.

Fennimore, Wis.—Damage estimated at between $3,000 and $4,000 was suffered when fire razed the Fenway, operated by E. H. Brehl.

Kansas City—Burstein-Applebee have been appointed parts distributors for RCA Victor.

Camden, Mo.—The Stiles, recently transferred to Mrs. Blanche King by J. L. Creason, has reopened.

Cabin, Mo.—The Cozy has been sold by J. C. Masshiey to J. B. Covell. It was formerly known as the Lyrinc.

Steelville, Mo.—The Melba has been closed indefinitely.

Colchester, Ill.—Erwin J. Savage has taken over the Princess from T. H. Smith.

TOWN DARK ON GOOD FRIDAY

Fall River, Mass.—Fall River is believed to be the only town in the state in which there is no closing on Good Friday. All five local houses are dark on that one and a year, at the request of the Mayor.

(Continued from Page 1)
"MELODY IN SPRING" with Lanny Ross, Charlie Ruggles, Mary Boland, Ann Sothern
Paramount 75 mins.
FAIR LIGHT MUSICAL FARCE WITH COMEDY BY RUGGLES AND BOLAND AS CHIEF ASSET.
There is no question about Lanny Ross’ fine tenor voice nor his good looks and appearance, but as an actor he fails to
cluck. He is introduced to the screen as a romantic young singer who charms
the females with lilting melodies. Lanny and Ann Sothern fall in love at first sight but
they find a strong barrier in Charlie Ruggles. Ann’s father, who besides being a maker
d of dog biscuits, has a hobby of collect- ing bed-posts and other curios.
Lanny’s chase for Ann takes them all to Switzer-
land where Lanny continues to sing and
yodel much to the disgust of Ruggles
and his wife, Mary Boland. There are plenty of mix-ups and much swell comedy
by Ruggles. All ends well with Lanny and Ann in jail as the only escape from parents is No Ann’s former fiancée.


Director: Norman McLeod; Author, Frank Leon Smith; Adaptor, Ben W. Levy; Editor, Richard Currier; Cameraman, Henry Sharp; Recording Engineer, Harry Lindgren.

Direction: Satisfaction, Photography, Okay.

FOREIGN FILMS
"BROKEN SHOES," in Russian, with English titles; produced in Russia by Mosfilm; directed by Margarita Barkova; with M. Klimer, K. Polovnikova, Alchma. Distributed by Amkino at the Cameo.

Interesting principally for the capable portrayals of its child actors, this prog-
andola film depicting a struggle between Communism and Fascism among Russian youth falls short on the entertainment side.

More Seats for Ensley
Birmingham — A building permit has been issued to N. H. Waters to
remodel a location at Ensley for a new theater. Waters operates the
Fairfield and North Birmingham theaters. It is under his son, B. B. Wilby, as well as planning to reopen the
Franklin in Ensley.

Detroit Boards Meet Wednesday
Detroit — First meeting of the zoning and grievance boards is set
for Wednesday at Variety Club
headquarters in the Book-Cadillac Hotel. Allied directors will hold a
meeting on Tuesday.

St. Louis House Lowers Scale
St. Louis — The St. Louis theater, having eliminated stage shows, has
also slashed admission scale. The rate to 6 P. M. will be 25 cents and
40 cents at night.

NATIONAL LEADERS
13.6 mm x 22 inch High
Intensity Carbons
9 mm x 20 inch
High-Low Carbons
Copper Coated High
Intensity A.C. Carbons

These carbons provide a snow-white light and a brilliance of screen illumination that satisfies the most critical patronage.

Their steady burning quality and economical operation are equally satisfying to the projectionist.

HIGH INTENSITY PROJECTION FOR EVERY THEATRE
LARGE OR SMALL
NATIONAL CARBON COMPANY, INC.
Carbon Sales Division, Cleveland, Ohio
Unit of Union Carbide Corporation
Branch Sales Offices: New York Pittsburgh Chicago San Francisco

THE FILM DAILY
Saturday, March 31, 1934

"REVIEWS OF THE NEW FEATURES ON BROADWAY"

Norma Shearer and Robert Montgomery in "RIFTIDE" with Herbert Marshall, Mrs. Patrick Camp-
bell, Skelton Gallager and Ralph Forbes M-G-M, 95 mins.
SMART ROMANTIC COMEDY-DRAMA ON SOPHISTICATED THEME BUT SHREWDLY GEARED TO BIG BOX-
OFFICE.

A natural for the female trade in par-
ticular, with a mass of 'em hungry to see
Norma Shearer again, to say nothing of
Bob Montgomery and a topnotch surround-
ing cast, this Irving Thalberg production
ought to be pretty much of a pushover. A
bow is due also to Edmund Goulding, sole
author and director, for visualizing a good
idea and making it work out consistently to
a satisfying finish. Herbert Marshall, a British lord, under
romantic circumstances, has a glorious but
unsanctified interlude with him. Then he
merges her and when, at his absence abroad, she gets into a scrape with Bob, a
vastrel, Herbert flauts her past in her face,facebook, Which she
causes the faithful
wife to actually make a misstep. Learn-
ing he was wrong the other time, Herbert
wants Norma back, and for his shake he
tries to conceal her new escapade. But he
finds out and definitely calls everything
off, only to have a change of heart for a
faddish reconciliation.

CAST: Norma Shearer, Robert Montgomery,
Herbert Marshall, Mrs. Patrick Camp-
bell, Skelton Gallager, Ralph Forbes,
Robert Tashman, Arthur Jarrett, Pearl
Oxford, Helen Jerome Eddy, George K. Arthur,
Brets Larson, Mary Spinart, Phyllis
Cochrane, Halliwell Hobbes, Lawrence
Grant, Howard Clalldcott.

Director: Author and Adaptor, Edmund
Goulding; Cameraman, Ray June; Editor;
Margaret Booth.

Direction: Deft, Photography, Fine.

"THUNDERING HERD" with Randolph Scott, Judith Allen, Buster
Crabbe and Noah Beery
Paramount 57 mins.
GOOD WESTERN WITH ABLE CAST ENACTING ZANE GREY STORY OF RO-
MANCE AND A BAD MAN'S UNDOING.

Handsomely photographed and well-
acted, this Zane Grey story has lots of
entertainment for kids especially. Noah
Beery is the leader of a band of hide
thieves whose attentions to Judith Allen,
his ward, inflame his wife, Buster Crabbe,
who wants to marry Judith and take her
with him on a buffalo hunt, is left wound-
ed by Beery. Crabbe sets out to find
Beery after a passing traveler declares he
is in the vicinity, but warns the outfit
that the Indians are on the warpath.
Beery is shot by his wife when he tries
to send her away and Judith then escapes.
She falls from her horse in the path of the
thundering buffalo herd, and is saved by
Crabbe, who then helps ward off an
Indian attack.

CAST: Randolph Scott, Judith Allen, Noah
Beery, Raymond Harton, Blanche Frederic,
Henry Carey, Monte Blue, Barton McLane,
Al Bridge, Dick Rush, Frank Rice, Buck
Connors, Charles McMurphy.

Director, Herbert Hallaway; Author, Zane
Grey; Adaptors, Jack Cunningham, Mary
Flannery; Cameraman, Ben Reynolds.

Direction: Good, Photography, Good.

"THE COUNTESS OF MONTE
CRISTO" Universal 76 mins.
VARIATION ON CINDERELLA THEME HAS THE STUFF THE FEMMES WILL
LIKE WITH PLENTY OF ROMANCE.

It may be slightly fantastic, but never-
theless it is good entertaining cinema, and has a quality of holding the interest
through plenty of suspense. Fay Wray has the part of an extra who through
circumstances comes to love the part she
is supposed to play in the picture—the
Countess of Monte Cristo. She drives off
the set in a daze after her sweetheart
has lost his job and broken their engage-
ment, and starts out to live the part of the
Countess in her reckless mood. With
the labels on the baggage she fools the
hotel management, is put in a royal suite,
and encounters two gentlemen of fortune
whom the police are after. Paul Lukas, one of them, saves the "Countess" from
the schemes of his rival, they have a pretty romance together, and he sacrifices
his liberty in the end to save her from
disgrace. Winds up with a good twist
as she returns to the studio, her old
sweetie making the entire adventure ap-
pear a publicity stunt.

CAST: Fay Wray, Paul Lukas, Reginald
Owen, Patsy Kelly, Paul Page, John Shes-
man, Carmel Myers, Robert McKee, F.
Reicher, Richard Tucker, Mathew Betz,
Bobby Watson, D. Robinson, A. S. Byron,
Harry Clark.

Director, Karl Freund; Author, Walter
Fleisch; Adaptor, Karen de Wolff; Dialog-
ger, Gladys Unger; Cameraman, Charles
Stephenson.

Direction, Good, Photography, A-I.