

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JANUARY 6, 1934

No. 1

Benefits the Exhibitor Will Derive Under the Code—No. 5

As I stated in last week's instalment, the Code Authority will consist of Aylesworth, Kent, Schaefer, Nicholas Schenck and Harry Warner for the big companies, and Cochrane, Johnston, Kuykendall, Yamins and O'Reilly for the independents.

Many exhibitors have objected to the composition of this body on the ground that the balance of power is on the side of the big companies. They say, for instance, that Robert H. Cochrane, vice-president of Universal, cannot be classed as an independent by reason of the fact that Universal has always been a member of the Hays association, and that Ed. Kuykendall, president of the Motion Picture Theatre Owners of America, cannot be expected to support the independent exhibitors' cause by reason of the fact that his organization is supported by producer money; they bring forward the fact that, at the Code hearings in New York City, Kuykendall voted with the representatives of the major companies on every important question.

The Code Administrator has appointed on this body five members from the ranks of the major companies and five from those of the independent groups.

That the major company representatives will fight for the interests of their groups no one can have any doubt; the question now is whether Cochrane, Johnston, Kuykendall, Yamins and O'Reilly will fight with equal spirit for those whose interests they have been appointed to look after.

Though I fully agree with the exhibitors that Kuykendall, at the New York City Code conferences, voted with the majors on every important question, perhaps out of duty to the majors who support his organization, and that Cochrane's company has always been a member of the Hays association, still the conditions are now entirely different, for now they are, so to speak, judges. Every one of the five is, in fact, on trial, and their actions and votes as members of the Code Authority will tell whether they are for their groups or not. Their votes will be recorded. The minutes of the Code Authority sessions will be open to public inspection. And they have to justify their actions. If one of them does not do his duty, then it is up to the Code Administrator to take proper action. And I have no fear that he will do the right thing, for the President has repeatedly stated that he will not tolerate any efforts on the part of the big business men to crush the small business men.

Let us now proceed with the interpretation of the Code:

(ARTICLE VIII—Continued from last week)

PART FOUR: Each provision of this Code shall be considered apart from the other provisions.

Editor's Note: The thought is that, in case the courts should declare one of the provisions unconstitutional, the other provisions may not be affected.

ARTICLE IX—Mandatory and Amending Provisions

PART 1: The National Recovery Act provides that the President may, from time to time, modify, or even cancel, any order, approval, license, rule or regulation issued under Section (b), Title I. This Act provides also that in each code there shall be included a provision whereby those who sign it promise to accept the rights of the President in the event he took such action and to abide by such conditions as he may impose on them at the time he ratifies the code. Accordingly, those who have signed the moving picture Code must, in accordance with this provision, accept the Code as well as the conditions imposed on the industry by the Executive Order.

PART 2: The President may modify, and even eliminate, such of the approved provisions as do not appear in this Code, if experience or alteration in circumstances should

indicate that their modification or alteration is necessary for the good of the industry. The President may also, in order to prevent unfair competition or other destructive industry practices and policies, and in order for him to be enabled to put into effect such provisions of Title I of the National Recovery Act as are consistent with the provisions of this Code, approve from time to time supplementary provisions upon submission to him by the Code Authority with the approval of the Administrator.

The "approved provisions" that do not appear in this Code, as referred to in the opening sentence of this Clause, are such rules and regulations as the Code Authority may promulgate with the approval of the Code Administrator and the consent of the President.

ARTICLE III—General Provisions

Section 1. (a) Employees shall have the right to organize and an employer may not interfere with such right.

(b) No employer shall require an applicant for a position to join a company union first.

(c) Employers shall comply with the schedule of working hours and minimum pay rates and of other employment conditions prescribed or approved by the President.

Section 2: The moving picture industry Code, like all other codes, has not been designed to promote monopolies, or to harm small enterprises, and it shall not be applied against such enterprises, nor shall it permit the establishing of monopolies or even of monopolistic practices.

ARTICLE IV—Labor Provisions

Division "A" of this Article deals with labor matters in production and does not concern exhibitors.

Division "B" of this article deals with labor matters in distribution and does not concern exhibitors; but because its provisions are very few I am giving the facts of it for whatever help it may give the distributors.

Section 1. *Hours of Employment.*—(a) Excepting outside salesmen, no distributor employee shall work more than forty hours a week. This prohibition shall not apply (b) to professional persons working in their profession, to executives or to managers, working in an executive or a managerial capacity, or to persons engaged in positions of distinction or of sole responsibility when their salary is more than thirty-five dollars a week; nor to persons employed on emergency, or maintenance and repair work.

Section 2. *Minimum Wages.*—No distributor employee shall be paid: (a) in cities of more than 500,000 inhabitants or in the immediate trade area of such a city, less than fifteen dollars a week; (b) in cities of 250,000 up to 500,000 inhabitants, or in their immediate trade area, less than fourteen and one-half dollars a week; (c) in cities of 250,000 or fewer inhabitants, or in their immediate trade areas, less than fourteen dollars a week.

Section 3. After the date in which the Code goes into effect, no distributor shall employ a child under sixteen years old to work in the distribution of pictures. Where a State law provides for a higher minimum age, no distributor shall employ a child below that minimum age to work for such a purpose.

C—Labor Provisions on Exhibition

On and after the day this Code goes into effect, the following shall be the minimum working hours and the minimum wages:

PART 1. *Employees Other than Actors:*

Section 1. There shall not be employed any person under sixteen. Where a State law, in the case of minors, provides

(Continued on last page)

"Olsen's Big Moment" with El Brendel and Walter Catlett

(Fox, Nov. 17; running time, 66 min.)

Just a moderately amusing program slapstick comedy, that becomes quite silly at times. It is a mixed-up affair of drunks, desperate lovers, forced marriages, chasings up and down flights of stairs, and mistaken identity, in which El Brendel is the innocent victim, who becomes involved in several ways much against his own desires. At first he had just tried to help out John Arledge and Barbara Weeks, because he knew they loved each other, and that Barbara's mother was marrying her off to Walter Catlett, a drunken society man, for his money. But later, in his efforts to take Catlett home because of his drunken condition, he wanders into a speakeasy with Catlett and they both drink too much. A gangster mistakes Catlett for his sister's sweetheart and tells Brendel that unless he took care of Catlett and brought him to the marriage license bureau sober the next day that he would kill him. Brendel is worried because he finds it difficult to watch over Catlett who escapes every few minutes. He is also in a dilemma, for he knows Catlett is supposed to marry Barbara Weeks the next day. Everything turns out all right. The gangster's sister marries another gangster, Catlett comes too late for his wedding, Barbara and Arledge are united, and Brendel becomes the manager of the apartment house in which he had formerly been the janitor, because of his bravery in outwitting some crooks who had attempted to steal the gifts at the wedding.

The plot was adapted from a story by George Marshall. It was directed by Malcolm St. Clair. In the cast are Ed Pawley, Susan Fleming, and others.

Although the gangster element is burlesqued, exhibitors must use their own judgment as to whether it is suitable for children, adolescents, and Sundays.

"Myrt and Marge"

(Universal, Dec. 4; running time, 64½ min.)

No matter how popular Myrt and Marge may be over the radio, they do not click in this picture, which should prove poor entertainment even for their most ardent fans. Ted Healy and his stooges offer the only amusement, and since they have been seen in several pictures and their type of comedy is always the same, it is not much of novelty. The story is trite, the production ordinary, and the action slow. It is a back-stage story done in an amateurish fashion and boring most of the time. In addition, it is unsuitable for children who follow the radio story, because of one suggestive situation in which Thomas E. Jackson breaks into Marge's room at night:—

The story revolves around a theatrical troupe backed by Thomas E. Jackson, who promised to bring their show to New York. He is fascinated by Marge, one of the cast, but she is in love with Eddie Foy, Jr., a member of the cast, who loves her, too. One night Jackson breaks into Marge's room but she beats him off and rushes out to Eddie to tell him what had happened. Eddie has a fight with Jackson and Jackson is so badly beaten that he is taken to the hospital. Jackson withdraws his financial support and threatens to prosecute Eddie. But Myrt, manager of the show, threatens to tell Jackson's wife about his affairs and he withdraws the charges. Marge's mother hears about Jackson's behavior, sells her business and comes to New York. She finances the show and it is a success on Broadway.

The plot was adapted from a story by Beatrice Banyard. It was directed by Al Boasberg. In the cast are Myrtle Vail, Donna Damerel, Ray Hedge, Grace Hayes, Trixie Friganza, and others.

Not suitable for children, adolescents, or Sundays.

"Man's Castle" with Loretta Young and Spencer Tracy

(Columbia, Nov. 20; running time, 73½ min.)

"Man's Castle" has missed being a good entertainment, for the material promised a strong, emotional drama. As it stands, it is just fair entertainment, with a drab background, making it more suitable for large downtown theatres than for small towns. Some of the situations are forced and a great effort has been made to bring forth tears, but only on one occasion does it really affect the emotions. The situation in which the hero brings the heroine a new stove has been drawn out; her joy and tears leave the spectator cold. The one situation that is rather touching is where the heroine suddenly comes upon the hero, who she thought had left her, and realizes that he had come back to her. The hero, a rough but at the same time tender character, is

just fairly sympathetic. His constant harping on his freedom and what it means to him begins to wear on one's nerves. He even goes so far as to join in a robbery so as to give the heroine enough money, since she was going to have a baby, and thus win his freedom. This situation is demoralizing. The heroine is a sympathetic character throughout, because of her devotion to the hero. The only real comedy comes in the opening situation, and the story offers little suspense:—

The hero picks up a conversation with the heroine in the park and when he finds she is hungry he takes her to the best restaurant. Since he is wearing evening clothes she thinks he has enough money but finds at the end of the meal that he is broke, and that the evening clothes were part of a make-up he used in walking the streets, displaying an electric advertising sign on his chest. In order not to have a disturbance, the restaurant owner permits them to leave. The hero takes the heroine to his shanty town home and they soon become lovers. She realizes he is restless and is staying around only because of her. She eventually tells him she is going to have a baby; he marries her and then joins another one of the shanty town occupants in a plan to rob a safe so as to obtain enough money to give to the heroine and then leave her. The hero is caught and shot by the watchman, an old friend who finally releases him, and his pal escapes. This man wanted the heroine and planned to tip off the police about the hero. But before he can do this one of the shanty town women, who had been befriended by the hero and the heroine, kills him. The hero now realizes that he does not want to be without the heroine. They hop a freight train to go to some new town, to start all over again.

The plot was adapted from a story by Lawrence Hazard. It was directed by Frank Borzage. In the cast are Marjorie Rambeau, Glenda Farrell, Walter Connolly, Arthur Hohl, Dickie Moore and others.

Not suitable for children, adolescents, or Sundays.

"Sensation Hunters" with Arline Judge and Preston Foster

(Monogram, Sept. 10; running time, 73½ min.)

Ordinary program grade fare, and an unpleasant story. The only reason why the spectator's interest is held at all is because of the sympathy one feels for the heroine. The cause of the unpleasantness is the picture's suggestiveness. Particularly distasteful are the closing scenes in which the heroine, in order to earn enough money to take care of her friend who was in the hospital, is shown luring a man up to her room. The atmosphere is unwholesome, and the comedy, although it may arouse some laughter, is vulgar. One loses sympathy for the hero, because he is too quick to misjudge the heroine's actions.

The plot was adapted from a story by Whitman Chambers. It was directed by Charles Vidor. In the cast are Marion Burns, Kenneth MacKenna, Juanita Hansen, Creighton Hale, Cyril Chadwick, and others.

Not suitable for children, adolescents, or Sundays.

"Lady Killer" with James Cagney

(Warner Bros., Dec. 9; running time, 75 min.)

The first half of this picture is "terrible"; it is extremely demoralizing, for Cagney is shown working a cheap card racket, later becoming a crook, aiding his gang in getting information to help them rob wealthy women of their jewels. He and his gang are shown having much money and good clothes. It is not until the gang kills a man that he breaks with them. In one situation Cagney is shown in an intimate pose with Mae Clarke; this scene belongs in a cheap burlesque show. In another situation Cagney, dressed up as an Indian chief, makes a filthy remark when Margaret Lindsay asks him who he is. Although the expression is in Yiddish most audiences will understand it. The second half provides some real comedy, when it shows Cagney in the role of a moving picture actor. One of the funniest scenes is where he is to act with Miss Lindsay and because she is angry at him he eats some garlic before he starts the scene with her; her eyes water all during the scene. The whole picture is fast, racy, and vulgar, and is the type of entertainment for male audiences. The first half of the picture kills it for the family trade. The picture will, no doubt, draw large crowds, but it will prove a disgrace to the industry:—

Cagney, forced to leave New York with Mae Clarke, his mistress, to avoid police questioning, goes to California with her. The police department there had been wired to hold Cagney and as soon as he arrives he is taken into custody. He gives Mae Clarke all his money, \$5,500, and

tells her to register at a hotel. She meets one of the members of their former gang, and instead of turning over the money to Cagney for his bail, she leaves town with the other man, taking all the money. Cagney is eventually freed. He becomes a moving picture extra, and by writing fan mail to himself, is given better roles. Eventually he becomes a star. He is in love with Margaret Lindsay, an actress, and one night takes her to his apartment. To his amazement Mae Clarke is there and Margaret leaves in an angry temper. Cagney throws Mae out but she returns with the gang the next day. Cagney gives them money to leave town but instead they start robbing homes. Cagney is arrested because the police think he has something to do with the gang, and he is put in jail. Fearing he will talk the gang bail him out but Cagney, knowing that they intend to kill him, warns the police to follow him. They do and prevent the gang from carrying out their intention. The car with the gangsters leaps over a cliff and they are all killed. Cagney is cleared, again is a popular star, and marries Margaret.

The plot was adapted from a story by Rosalind K. Shaffer. It was directed by Roy Del Ruth. In the cast are Henry O'Neill, Leslie Fenton, Russell Hopton, Raymond Hatton, Douglas Dumbrille, and others.

Terrible for children, adolescents or Sundays.

"Going Hollywood" with Marion Davies and Bing Crosby

(MGM, Dec. 22; running time, 78 min.)

Just a fair musical, with some comedy. It is not a big picture but it should please Marion Davies fans, as well as those who enjoy listening to Bing Crosby's crooning, which he does here to some extent. The story is thin and the outcome obvious; at times it drags. There is only one lavish set—that of a dance number, which is used in the filming of a motion picture in which Marion Davies stars. Although some of her actions are rather foolish she is a sympathetic character; Crosby is too spineless a character to arouse any response from the audience. Miss Davies does the best she can with a weak story:—

Marion Davies, a teacher in a girl's school, longs to see the world and hates teaching. She is madly in love with Bing Crosby, a radio crooner, although she had never met him. She leaves the school after a quarrel with her superior and goes to see Crosby. He escapes from her but she follows him on the train bound for Hollywood, where he is to star in a picture, and she makes her presence known to him at each opportunity. He is infatuated with Fifi D'Orsay, leading lady in his picture, but she is a bad influence for him; she encourages him to drink and neglect his work. Once in Hollywood Marion gets a part as an extra in Crosby's picture. After a temperamental outburst by Fifi, who leaves the cast, Marion is chosen by Stuart Erwin, the producer, to take Fifi's part. She is a success. Crosby begins to take notice of Marion and soon falls in love with her. After a misunderstanding he leaves the picture before it is finished and goes off on a drunken party with Fifi. But he returns, realizing that he loves Marion. There is a happy reconciliation.

The plot was adapted from a story by Frances Marion. It was directed by Raoul Walsh. In the cast are Ned Sparks, Patsy Kelly and Bobby Watson.

Crosby is shown drinking too much; exhibitors will have to use their judgment about showing it to children, adolescents, or on Sundays.

"Queen Christina" with Greta Garbo and John Gilbert

(MGM, rel. date not yet set; running time, 98 min.)

Although the story seems suited for the classes more than for the masses, the popularity of the star, coupled with her fine acting, should put it over also among the masses, particularly because Miss Garbo has been absent from the screen for a long time. It is a tragedy, the heroine being shown failing to be united with her lover, in spite of the fact that she had given up her kingdom for him; for he, in a duel with a rival for her hand, is killed. The scenes where Miss Garbo, as Christina, Queen of Sweden, is shown making the supreme sacrifice by giving up her throne for the man she loved should touch the heartstrings of everybody. And so would those in the end, where Christina reaches the ship and finds her lover dead. She is a pathetic figure, and her grief is felt by the spectator in the same degree. There is glamour and in a large part of the film some joy and cheer. But a tragic tone pervades the picture.

The theme is purely sexy, for Christina is shown, while away from the cares of her kingdom for a few days, meeting

the Spanish Ambassador (John Gilbert), and spending a night with him. A great deal of the subsequent action revolves around the intense feeling her conduct in personal matters had created among the populace.

The story, though original, has been founded on a historical character. A Queen Christina has existed, she was Queen of Sweden, and gave up her throne, but not in the way depicted in the picture. Rouben Mamoulian directed it, under the supervision of Walter Wanger. Ian Keith, Elizabeth Young, C. Aubrey Smith, David Torrence, Gustav von Seyffertitz and others are in the supporting cast.

Not suitable for either children or adolescents, and not a good show for Sundays in small towns. It is mainly an adult picture.

"The Son of Kong" with Robert Armstrong and Helen Mack

(RKO, Rel. date not set; running time, 69 min.)

The success of "King Kong" no doubt prompted RKO to produce "The Son of Kong." But this version lacks all the entertainment qualities of "King Kong." For one thing, what was novel in the first picture was the extraordinary photography and the technical end of the production. The repetition in this picture of these technical scenes, as for instance the fights between the enormous prehistoric animals, do not seem remarkable any more; the novelty has worn off and they seem ludicrous. Then "King Kong" was exciting throughout, finishing with a smash. But here the action is slow and it is only mildly diverting entertainment. The only exciting feature comes in the closing scenes, where there is an earthquake and the entire island gradually becomes submerged. There are some excellent shots in these scenes.

Children will probably be amused by the antics of baby "Kong" for he has all the mannerisms of a spoiled child, and peculiar ways of making himself understood.

The first half is draggy. It shows Robert Armstrong fleeing from process servers who want to serve him in actions for damages that King Kong had done. He sails back to the island where he had found Kong and there comes upon a smaller edition of Kong, which he gathers is his son. He saves Kong's life and for this Kong is his faithful slave, battling the animals and helping him secure a secret diamond treasure that was on the island. Armstrong and his companions escape in their small boat during an earthquake and finally are picked up by a ship. Helen Mack, who had accompanied Armstrong on the trip, confesses her love for him and they are united.

The plot was adapted from a story by Ruth Rose. It was directed by Ernest B. Schoedsack. In the cast are Frank Reicher, John Marston, Ed Brady and others.

Suitable for children, adolescents and Sundays.

"Smoky" with Victor Jory

(Fox, Dec. 8; running time, 69 min.)

This is a picturization of Will James' popular novel "Smoky" and the story revolves around a horse by that name. Mr. James appears in the picture as a commentator, and it all makes for pleasant entertainment, of program grade, interesting in a way because it shows the life and development of a horse from the time it is born.

The story is not of the type of western usually shown, and aside from the breaking-in of wild horses, there are no real thrills. However, it manages to hold one's attention throughout, because of the sympathetic performance by Victor Jory, who shows great affection for Smoky, and also because of the horse's intelligent understanding. A stirring situation is the one in which Jory is injured; he ties himself to Smoky who drags him all the way back to the ranch, being careful throughout not to harm him. When he brings Jory back to the ranch it is with difficulty that two of the men take Jory from Smoky, because he felt they were enemies.

The closing scene is the most exciting; it shows Jory, his wife, and his pal racing to save Smoky from being slaughtered; the horse had been stolen a few years before and had fallen from the proud leader of the horses on the ranch to pulling a junk wagon. The junk dealer felt that the horse was of no use any further and so he was taking him to the slaughter house. He is recognized by Jory's pal and it is then that the race begins to save the horse. He is finally found and joyfully taken back to Jory's ranch.

There is a pleasant romance between Jory and Irene Bentley, but it is incidental.

Eugene Forde has directed it. In the cast are Frank Campeau, Hank Mann, LeRoy Mason and Leonid Enagoff.

Suitable for children, adolescents and Sundays.

for a higher minimum age, no one below that age shall be employed.

Section 2. With the exception of those employed in managerial, executive, or advisory capacity now receiving thirty-five or more dollars a week, no employee shall work more than forty hours, notwithstanding the provision in Section 6 (a), which stipulates that certain class of workers shall not work longer than the hours they worked as of August 23, 1933, and shall not receive smaller wages. Nor do the hour provisions apply to employees of general utilitarian character.

Section 3. Regular ticket-sellers, doormen, ushers, cleaners, matrons, watchmen, attendants, porters, and office help, employed in towns of fewer than fifteen thousand inhabitants, shall receive an increase over the wage paid to them as of August 1, 1933, not to be less than twenty percent, provided that this increase does not make their wage more than twenty-five cents an hour.

Section 4. Persons, as described in Section 3, employed in towns of more than fifteen thousand and of less than five hundred thousand inhabitants shall receive not less than thirty cents an hour, and, in cities of more than five hundred thousand, not less than thirty-five cents an hour.

Section 5. Regular ushers in places of more than fifteen thousand inhabitants shall receive not less than twenty-five cents an hour.

Section 6. (a) Bill-posters, carpenters, electrical workers, engineers, firemen, moving picture machine operators, oilers, theatrical stage employees, theatrical wardrobe attendants, or other employees either skilled mechanics or artisans, members of organizations that are affiliated with the American Federation of Labor, when employed by exhibitors directly and regularly, shall, if working in their particular type of work, receive not less than the minimum wage scale, and work no longer than the maximum hour schedule, adopted by their organization for a particular type of theatres, in particular locations, and in particular communities, provided such wage scale and hour schedule was in force on or prior to August 23, 1933. Such scale of wages and schedule of hours, with respect to such employees, and under the conditions just mentioned, become under the Code the minimum scale of wages and the maximum number of hours. (b) In the event that, under the circumstances described in (a) of this Section, no scale of wages and no schedule of maximum hours existed on or prior to August 23, 1933, any disputes that may arise as to what is a minimum scale of wages and a maximum number of working hours with respect to any such employees, for a particular class of theatres, and for particular types of communities, shall be adjusted as follows:

(1) If the question should arise between employers and members of an organization that is affiliated with the American Federation of Labor, then the representative of the national president of such organization, and a representative appointed by the exhibitors, shall together look into the facts and determine what shall be, for that particular locality, the scale for minimum wages, and the schedule for a maximum number of hours. In case they cannot agree, they shall elect a neutral person to sit with them, with authority to review the facts so as to determine such dispute. If they should be unable to agree upon such a person, the Code Administrator shall designate him; or

(2) If the dispute should be between either unorganized employees or with organized employees but whose organization is not affiliated with the American Federation of Labor, and if in such community there exist employees of an organization affiliated with the American Federation of Labor, then the dispute shall be examined by representatives of exhibitors sitting together with a representative either of the unorganized employees or of the unaffiliated organization appointed by its president, or of both, together with a representative appointed by the national president of the organization that is affiliated with the American Federation of Labor. These representatives shall look into the complaint and determine unanimously the existing scale of wages and the maximum number of labor hours for such class of theatres, in such particular community. In the event they cannot make a unanimous decision, all these representatives shall agree upon one neutral person who shall be empowered to sit with them, review the facts, and determine the dispute. If they cannot agree upon the neutral person, then the Code Administrator shall designate one; or

(3) If there should be no employees belonging to an organization that is affiliated with the American Federation

of Labor, then the dispute shall be determined by the representatives appointed as in (2), without an American Federation of Labor representative.

(c) Pending the determination of any such dispute, the prevailing rate of wages and maximum number of hours (if they are not more than the hours established by this Code) shall remain in force, and (d) the employees agree not to strike, and the exhibitor agrees not to lock out any of such employees.

Section 7. The exhibitors shall not increase the duties of such employees from what they were on or prior to August 23, 1933, with an intent to decrease the number of such employees in the theatre or theatres in any community, except by common consent.

Section 8. Exhibitors shall pay to employees whom this Code does not cover but whom they employ regularly not less than forty cents an hour.

Section 9. Exhibitors shall pay to employees performing the duties of musicians not less than the minimum wages and work them no longer than the maximum number of hours established by prevailing labor agreements, understanding, or practices.

Section 10. Exhibitors and employees in the motion picture industry pledge themselves to arbitrate all such disputes.

Section 11. The Administrator may, after a hearing prescribed by him, revise or modify the decision on any dispute rendered in accordance with all provisions prescribed in Section 6, Part 1, Division C, of this Article (IV).

PART 2. This part of the Code refers to Actors employed in Vaudeville and in Presentations in moving picture theatres, defining the conditions under which they shall be required to work, and the scale of wages they shall be paid.

Since the language of the provisions in this part is clear, no interpretation of them is made.

ARTICLE V—Unfair Practices

A. GENERAL

Parts 1, 2, and 3, are so clear that they need no interpretation, but because of their importance they are reproduced in this article verbatim.

PART 1. "The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations or by false disparagement of the grade or quality of their motion pictures or theatres, shall be deemed to be an unfair trade practice."

PART 2. "The publishing or circularizing of threats or suits or any other legal proceedings not in good faith, with the tendency or effect of harassing competitors or intimidating their customers, shall be deemed to be an unfair trade practice."

PART 3. "Securing confidential information concerning the business of a competitor by a false or misleading statement or representation, by a false impersonation of one in authority, by bribery, or by any other unfair method, shall be deemed to be an unfair trade practice."

(To be concluded next week)

NOTIFY DISTRIBUTORS THAT YOU ACCEPT ARBITRATION

In order for you to avoid any possible expense consequent to litigation on the assertion of a distributor with whom you have a contract that you have breached the terms of your contract with him, I suggest that you notify every distributor with whom you have a contract that you are offering him to arbitrate any dispute that may arise between you and him under the contract. You may frame your letter as follows:

"I hereby offer to settle all disputes that may arise between your company and me under our contract with you by arbitration, as provided for by the Optional Standard License Agreement, which has become part of the Code for the moving picture industry.

"This offer for arbitration is not to be withdrawn by me."

Send your letters by registered mail.

HARRISON'S REPORTS

Vol. XVI

NEW YORK, N. Y., SATURDAY, JANUARY 6, 1934

No. 1

(Semi-Annual Index—Second Half of 1933)

<i>Title of Picture</i>	<i>Reviewed on Page</i>	
Above the Clouds—Columbia (66½ min.)	186	Duck Soup—Paramount (70 min.)
Ace of Aces—RKO (76 min.)	183	Dude Bandit—Allied Pictures (65 min.)
Advice to the Lovelorn—United Artists (60½ min.)	202	Easy Millions—Monarch Productions (56 min.)
After the Ball—Fox-Gaumont (68 min.)	46	Emergency Call—RKO (60 min.)
After Tonight—RKO (71 min.)	178	Emperor Jones—United Artists (80 min.)
Aggie Appleby, Maker of Men—RKO (72 min.)	170	Enemies of Society—RKO (See "The Big Brain")
Alice in Wonderland—Paramount (75 min.)	207	Eskimo—MGM (117 min.)
Ann Vickers—RKO (76 min.)	158	Ever In My Heart—MGM (68 min.)
Another Language—MGM (75 min.)	126	Evidence in Camera—RKO (See "Headline Shooter")
Arizona to Broadway—Fox (66 min.)	107	Face in the Sky—Fox (71½ min.)
As The Devil Commands—Columbia (time 70m) Not re.		Faithful Heart, The—Phil E. Meyer (51 min.)
Avenger, The—Monogram (75 min.)	159	Fast Workers—MGM (66 min.)
Baby Face—Warner Bros (69½ min.)	103	Female—First National (59 min.)
Beauty—MGM (See "Beauty for Sale")	150	Fighting Champ—Mono. (their time 57½m) Not reviewed
Beauty for Sale—MGM (87 min.)	150	Flaming Gold—RKO (53 min.)
Bed of Roses—RKO (65 min.)	106	Flying Devils—RKO (61 min.)
Before Dawn—RKO (60 min.)	166	Flying Down to Rio—RKO (87½ min.)
Before Morning—Arthur Greenblatt (56 min.)	171	Football Coach—Warner (See "College Coach")
Be Mine Tonight—Universal-Gaumont (77 min.)	47	Footlight Parade—Warner Bros. (100½ min.)
Berkeley Square—Fox (88 min.)	151	Forty-second Street—Warner Bros. (89 min.)
Best of Enemies, The—Fox (71 min.)	114	F. P. 1—Fox-Gaumont (75 min.)
Between Fighting Men—Tiffany (time 59m) Not reviewed		From Headquarters—Warner Bros. (64 min.)
Big Chance, The—Eagle Pictures (62½ min.)	138	From Hell to Heaven—Paramount (66 min.)
Big Executive—Paramount (67 min.)	167	Fury of the Jungle—Columbia (67 min.)
Big Time or Bust—Tower Prod. (60 min.)	198	Gambling Ship—Paramount (70 min.)
Bitter Sweet—United Artists (89 min.)	139	Ghost Train, The—Gainsborough (67 min.)
Blarney Kiss, The—B & D Productions (70 min.)	134	Ghoul, The—Gaumont-British (78 min.)
Blind Adventure—RKO (62 min.)	158	Gigolettes of Paris—Equitable (61 min.)
Blondie Johnson—First Nat'l. (67 min.)	34	Girl Without a Room—Paramount (73 min.)
Blood Money—United Artists (65 min.)	187	Golden Harvest—Paramount (73 min.)
Bombshell—MGM (95 min.)	170	Gold Fever—Columbia (See "American Madness")
Bowery, The—United Artists (92 min.)	163	Goldie Gets Along—RKO (66 min.)
Brief Moment—Columbia (69 min.)	146	Goodbye Again—First National (65 min.)
Broadway Bad—Fox (58 min.)	30	Goodbye Love—RKO (65 min.)
Broadway Singer—Paramount (See "Torch Singer")	147	Good Companions, The—Fox (87 min.)
Broadway Through a Keyhole—United Artists (90 m.)	179	Grand Slam—First National (67 min.)
Broadway to Hollywood—MGM (88 min.)	142	Great Jasper, The—RKO (81 min.)
Broken Dreams—Monogram (70 min.)	179	Hallelujah, I'm a Bum—United Artists (82 min.)
Bureau of Missing Persons—First Nat'l (74 min.)	146	Havana Widows—First National (62 min.)
By Candlelight—Universal (68 min.)	206	Headline Shooter—RKO (60 min.)
Captured—Warner Bros. (71½ min.)	135	He Knew Too Much—Mono. (See "Devil's Mate")
Carnival Lady—Goldsmith Prod. (67 min.)	191	Hell and High Water—Paramount (69 min.)
Chance at Heaven—RKO (71 min.)	162	Her Bodyguard—Paramount (68 min.)
Charlie Chan's Greatest Case—Fox (71 min.)	163	Her First Mate—Universal (64 min.)
Charming Deceiver, The—Majestic Pict. (71 min.)	198	Her Forgotten Past—Mayfair Pict. (56 min.)
Chief, The—MGM (65 min.)	191	Heroes for Sale—First National (73 min.)
Child of Manhattan—Columbia (67½ min.)	27	Her Resale Value—Mayfair Pict. (62 min.)
Christopher Bean—MGM (88 min.)	190	Her Splendid Folly—Hollywood Pict. (58 min.)
Christopher Strong—RKO (77 min.)	47	Her Sweetheart Christopher Bean—MGM (See "Christopher Bean")
Clear All Wires—MGM (78 min.)	38	His Double Life—Paramount (67 min.)
Cohens and Kellys in Trouble—Universal (67 min.)	43	His Private Secretary—Hollywood (61 min.)
College Coach—Warner Bros. (74 min.)	182	Hold the Press—Columbia (59 min.)
College Humor—Paramount (80 min.)	106	Hold Your Man—MGM (84½ min.)
Constant Woman, The—KBS Tiffany (72 min.)	43	Hoopla—Fox (79½ min.)
Convention City—First National (68½ min.)	206	Horse Play—Universal (67½ min.)
Counsellor At Law—Universal (81 min.)	191	House on 56th Street, The—Warner Bros. (68 min.)
Cradle Song—Paramount (78 min.)	178	Humanity—Fox (70 min.)
Crashing Broadway—Mono. (their time 58m) Not re.		If I Were Free—RKO (66 min.)
Crime of the Century—Paramount (73 min.)	35	I Have Lived—Chesterfield (65 min.)
Criminal At Large—Helber Pictures (66 min.)	206	Illegal Divorce, The—Fox (See "Second Hand Wife")
Crooks in Clover—MGM (See "Penthouse")	146	I Loved a Woman—First National (90 min.)
Curtain at Eight—Majestic Pictures (69 min.)	159	Imaginary Sweetheart—RKO (See "Professional Sweetheart")
Dance Girl Dance—Invincible Pict. (70 min.)	162	I'm No Angel—Paramount (87 min.)
Dance Hall Hostess—Mayfair Pictures (66 min.)	135	Important Witness, The—Tower Prod. (60 min.)
Dancing Lady—MGM (92 min.)	194	Invisible Man—Universal (71 min.)
Dangerous Age—First National (See "Wild Boys of the Road")	154	Jimmy and Sally—Fox (68 min.)
Day of Reckoning—MGM (70 min.)	178	Kennel Murder Case, The—Warner Bros. (72 min.)
Deluge, The—RKO (67 min.)	162	Keyhole, The—Warner Bros. (68 min.)
Design for Living—Paramount (90 min.)	191	King For a Night—Universal (78 min.)
Devil's in Love, The—Fox (69 min.)	122	King Kong—RKO (98 min.)
Devil's Mate—Monogram (63 min.)	146	King of the Jungle—Paramount (72 min.)
Diamond Trail—Mono. (their time 58m.) Not reviewed		Ladies Must Love—Universal (73 min.)
Dinner At Eight—MGM (82 min.)	138	Ladies They Talk About—Warner Bros. (69 min.)
Disgraced—Paramount (63 min.)	111	Lady For a Day—Columbia (97 min.)
Doctor Bull—Fox (77 min.)	150	Lady's Profession, A—Paramount (70 min.)
Don't Bet on Love—Universal (60 min.)	110	Laughing at Life—Mascot Pict. (68 min.)
Double Harness—RKO (68 min.)	114	
Drum Taps—Tiffany (their time 57 m.) Not reviewed		

Little Women—RKO (114 min.)	178
Love Honor and Oh Baby—Universal (62 min.)	175
Love in Morocco—Gaumont (74½ min.)	47
Lucky Larrigan—Mono. (their time 57m) Not reviewed	
Mad Game, The—Fox (73 min.)	183
Mama Loves Papa—Paramount (69 min.)	118
Man From Arizona—Mono. (time 56½ m.) Not reviewed	
Man From Monterey, The—Warner Bros. (57 min.)	131
Man Who Dared, The—Fox (76 min.)	134
Man Who Won, The—Powers Pictures (71 min.)	38
Mary Stevens, M.D.—Warner Bros. (71½ min.)	127
Masquerader, The—United Artists (78 min.)	42
Master of Men—Columbia (74½ min.)	186
Meet the Baron—MGM (66 min.)	175
Men Must Fight—MGM (70½ min.)	43
Midnight Club—Paramount (66 min.)	122
Midnight Mary—MGM (73 min.)	114
Midshipman Jack—RKO (70 min.)	147
Mind Reader, The—First Nat'l. (69 min.)	39
Moonlight and Melody—Universal (See "Moonlight and Pretzels")	134
Moonlight and Pretzels—Universal (83 min.)	134
Morning Glory—RKO (73 min.)	134
Mr. Broadway—B'way-Hollywood Prod. (58½ min.)	150
Mr. Skitch—Fox (68 min.)	207
Mussolini Speaks—Columbia (73½ min.)	46
My Lips Betray—Fox (79 min.)	183
Mysterious Rider—Para. (their time 59m) Not reviewed	
Mystery of the Wax Museum—Warner Bros. (78m)	31
My Weakness—Fox (74½ min.)	155
My Woman—Columbia (73 min.)	167
Nagana—Universal (71 min.)	30
Narrow Corner—Warner Bros. (67½ min.)	115
Neighbors' Wives—Syndicate (58 min.)	151
Night Flight—MGM (85 min.)	163
No Marriage Ties—RKO (72 min.)	126
Notorious But Nice—Chesterfield (72 min.)	179
Obey the Law—Columbia (68 min.)	30
One Man's Journey—RKO (71 min.)	143
One Sunday Afternoon—Paramount (68 min.)	142
One Year Later—Allied Pictures (67 min.)	174
Only Yesterday—Universal (105 min.)	182
Our Betters—RKO (82 min.)	34
Paddy, The Next Best Thing—Fox (75½ min.)	139
Parole Girl—Columbia (67 min.)	35
Penthouse—MGM (88 min.)	146
Perfect Understanding—United Artists (83 min.)	34
Pilgrimage—Fox (95 min.)	114
Police Call—Hollywood Pict. (61 min.)	135
Police Car 17—Columbia (58 min.)	170
Power and the Glory, The—Fox (77 min.)	135
Private Detective 62—Warner Bros. (66 min.)	110
Private Jones—Universal (84 min.)	30
Private Life of Henry VIII—United Artists (95 min.)	154
Prizefighter and the Lady, The—MGM (101 min.)	182
Rafter Romance—RKO (74 min.)	151
Rainbow Over Broadway—Chesterfield (71½ min.)	207
Rebel, The—Universal (72 min.)	102
Reform Girl—Tower Productions (65 min.)	142
Return of Casey Jones, The—Monogram (66½ min.)	107
Right to Romance, The—RKO (66½ min.)	187
Ring Up the Curtain—MGM (See "Broadway to Hollywood")	142
Robber's Roost—Fox (their time 63 min.)	Not reviewed
Roman Scandals—United Artists (90 min.)	203
Sailor Be Good—RKO—Reviewed Page 11—running time—censored by U. S. Navy	
Sailor's Luck—Fox (78 min.)	43
Samarang—United Artists (60 min.)	103
Saturday's Millions—Universal (76 min.)	166
Scarlet River—RKO (53 min.)	34
Secret of the Blue Room—Universal (65 min.)	115
Secret Sinners—Mayfair Pictures (57 min.)	187
Secrets—United Artists (81 min.)	46
Secrets of Wu Sin, The—Invincible (64 min.)	38
Self Defense—Monogram (their time 70m) Not reviewed	
Shanghai Madness—Fox (63 min.)	155
She Had to Say Yes—First National (64 min.)	123
Should Ladies Behave—MGM (86 min.)	203
Show World—MGM (See "Broadway to Hollywood")	142
Sing Sinner Sing—Majestic Pictures (67 min.)	130
Sin of Nora Moran, The—Majestic (64 min.)	202
Sitting Pretty—Paramount (74 min.)	194
Skyway—Monogram (69½ min.)	171
Sleepless Nights—Remington Pict. (65½ min.)	123
Smoke Lightning—Fox (59½ min.)	31
Solitaire Man—MGM (67 min.)	154
Song of Songs—Paramount (89 min.)	118

Son of a Sailor—First National (72 min.)	194
SOS Iceberg—Universal (77 min.)	155
So This Is Africa—Columbia (65 min.)	31
Sphinx, The—Monogram (62 min.)	110
Stage Mother—MGM (85 min.)	158
State Trooper—Columbia (65 min.)	26
Storm at Daybreak—MGM (77 min.)	118
Strange Adventure—Monogram (60 min.)	26
Strange People—Chesterfield (64 min.)	102
Strangers Return—MGM (87 min.)	123
Strictly Personal—Paramount (69 min.)	38
Sweetheart of Sigma Chi—Monogram (73 min.)	171
Take a Chance—Paramount (81 min.)	187
Tarzan the Fearless—Principal (59 min.)	131
They Just Had to Get Married—Universal (68 min.)	26
This Day and Age—Paramount (82 min.)	138
This Is America—Fred. Ullman, Jr. (69 min.)	118
Three Cornered Moon—Paramount (77 min.)	130
Thrill Hunter—Columbia (61½ min.)	171
Thunder Over Mexico—Principal Dist. (68 min.)	159
Tillie and Gus—Paramount (57 min.)	183
Tombstone Canyon—Tif. (their time 60 m.) Not reviewed	
Tomorrow at Seven—RKO (60½ min.)	106
Too Much Harmony—Paramount (75 min.)	154
Topaze—RKO (77 min.)	27
To the Last Man—Paramount (68 min.)	175
Torch Singer—Paramount (70½ min.)	147
Train 2419—Monogram (See "The Return of Casey Jones")	107
Treason—Columbia (61½ min.)	46
Tugboat Annie—MGM (86 min.)	131
Turn Back the Clock—MGM (79 min.)	139
Two In a Million—Columbia (See "East of Fifth Avenue")	190
Vinegar Tree, The—MGM (See "Should Ladies Behave")	203
Voltaire—Warner Bros. (72 min.)	130
Walls of Gold—Fox (73 min.)	170
Wandering Jew, The—Herman Ross (70 min.)	175
Wanted—Hollywood (See "Police Call")	135
Way to Love, The—Paramount (83 min.)	182
What! No Beer?—MGM (65½ min.)	26
What Price Innocence?—Columbia (61½ min.)	102
When Ladies Meet—MGM (83 min.)	102
White Woman—Paramount (67 min.)	186
Wild Boys of the Road—First National (67 min.)	154
Winged Devils—Columbia (See "Above the Clouds")	186
Woman Accused, The—Paramount (72 min.)	42
Woman in His House—RKO (See "Animal Kingdom")	211
World Changes, The—First Nat'l. (91½ min.)	174
Worst Woman in Paris, The—Fox (76 min.)	191
Wrecker, The—Columbia (71 min.)	127
Young Blood—Monogram (their time 58m.) Not reviewed	

RELEASE SCHEDULES FOR FEATURES

Columbia Features

(729 Seventh Ave., New York, N. Y.)

3023 My Woman—Twelvetrees-Ford-Jory	Oct. 5
3026 East of Fifth Avenue—Ford-Tree	Oct. 20
3024 Master of Men (Man of Steel)—Jack Holt	Oct. 28
3025 Fury of the Jungle—Shannon-Cook	Oct. 30

(End of 1932-33 Season)

Beginning of 1933-34 Season

4001 Lady For A Day—Robson-William	Sept. 13
4201 Thrill Hunter—Buck Jones	Sept. 30
4211 Police Car No. 17—Tim McCoy	Sept. 30
4027 Above the Clouds—Judge-Crowell	Oct. 24
4212 Hold the Press—Tim McCoy (61½ min.)	Oct. 25
4033 King of the Wild Horses—Rex (68 min.)	Nov. 10
4002 Man's Castle—Young-Tracy	Nov. 20
4011 Fog—Mary Brian-Donald Cook	Nov. 22
4035 Before Midnight—Ralph Bellamy	Nov. 28
4032 Shadows of Sing Sing—Cabot-Brian	Dec. 3
4202 The Fighting Code—Buck Jones (65 min.)	Dec. 30

First National Features

(321 West 44th St., New York, N. Y.)

705 Female—Chatterton-Brent-Donnelly	Nov. 11
729 Son of a Sailor—Joe E. Brown	Dec. 23

(End of 1932-33 Season)

Beginning of 1933-34 Season

760 Bureau of Missing Persons—B. Davis	Sept. 16
775 Wild Boys of the Road—Darro-Hudson	Oct. 7
758 Havana Widows—Blondell-Farrell	Nov. 18
753 The World Changes—Muni-MacMahon-Astor	Nov. 25

772	Convention City—Blondell-Menjou-Astor	Dec. 30
776	Big Shakedown—Cortez-Davis-Farrell	Jan. 6
759	Massacre—Barthelmess-Dvorak	Jan. 20
769	Bedside—William-Muir-Jenkins (65 min.)	Jan. 27

Fox Features

(444 West 56th St., New York, N. Y.)

411	Smoky—Jory-Bentley	Dec. 8
418	I Was A Spy—Marshall-Veidt-Carroll	Dec. 15
419	Mr. Skitch—Will Rogers-Zasu Pitts	Dec. 22
420	As Husbands Go—Baxter-Vinson-Oland	Dec. 29
421	I Am Suzanne—Harvey-Raymond	Jan. 5
422	Orient Express—Angel-Foster-Morgan	Jan. 12
423	Frontier Marshal—Geo. O'Brien (66 min.)	Jan. 19
424	Sleepers East—Foster-Gibson	Jan. 26

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

-344	Broadway to Hollywood—Brady-Morgan	Sept. 15
-347	Solitaire Man—Marshall-Boland-Robson	Sept. 22
-317	Her Sweetheart (Christopher Bean)—Dressler-L. Barrymore	Nov. 17
-315	Going Hollywood—Davies-Crosby	Dec. 22
-331	Fugitive Lovers—Montgomery-Evans	Jan. 5
-333	The Cat and the Fiddle—Novarro (reset)	Jan. 19

(In the last Index "Dancing Lady" was listed as a 1932-33 release, number 313. It has now been changed to the 1933-34 season, release number 432 and is listed as such.)

Beginning of 1933-34 Season

-404	Penthouse—Baxter-Loy-Butterworth	Sept. 8
-440	Stage Mother—Brady-O'Sullivan-Tone	Sept. 29
-435	Night Flight—All Star Cast	Oct. 6
-416	Bombshell—Harlow-Tracy-Morgan	Oct. 13
-425	Meet the Baron—Pearl-Durante-Healy	Oct. 20
-441	Day of Reckoning—Dix-Evans-Tearle	Oct. 27
-430	The Chief—Ed Wynn-Chic Sales	Nov. 3
-442	The Prizefighter and the Lady—Baer-Loy-Huston	Nov. 10
-432	Dancing Lady—Crawford-Gable-Tone	Nov. 24
-402	Should Ladies Behave (The Vinegar Tree)—Brady-Barrymore	Dec. 1
-443	The Women in His Life—Kruger-Jewell	Dec. 8
-421	Sons of the Desert—Laurel-Hardy	Dec. 29
-447	Dinner at Eight—All Star Cast	Jan. 12

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

2042	Sagebrush Trail—John Wayne	Dec. 1
2022	Woman's Man—Halliday-Forde	Dec. 26
2023	Mystery Liner—Noah Beery-Allyn	Jan. 10
2047	The Lucky Texan—John Wayne	Jan. 15

Paramount Features

(Paramount Bldg., New York, N. Y.)

3320	Lone Cowboy—Cooper-Richards-Lee	Dec. 1
3321	Girl Without a Room—Farrell-Churchill	Dec. 8
3323	Alice in Wonderland—star cast	Dec. 22
3325	Design for Living—Hopkins-Cooper-March	Dec. 29
3322	Eight Girls in a Boat—Wilson (reset)	Jan. 5
3326	Miss Fane's Baby is Stolen—Wieck-Leroy-Brady-LaRue	Jan. 12
3327	His Double Life—Gish-Young	Jan. 12
3324	All of Me—Hopkins-Raft (reset)	Jan. 16
3328	Four Frightened People—Colbert	Jan. 26
3329	The Last Round-Up—Scott-Blue	Jan. 26

RKO Features

(1270 Sixth Ave., New York, N. Y.)

4102	Ann Vickers—Irene Dunne-W. Huston	Oct. 13
4120	Ace of Aces—Richard Dix	Oct. 20
4126	Chance at Heaven—Rogers-McCrea-Nixon	Oct. 27
4132	Aggie Appleby—Farrell-Gibson-Gargan	Nov. 3
4119	The Right to Romance—Ann Harding	Nov. 17
4107	Little Women—Hepburn-Dee-Bennett	Nov. 24
-4125	If I Were Free—Dunne-Brook	Dec. 1
-4104	Flying Down to Rio—Rogers-Raymond	Dec. 29

United Artists Features

(729 Seventh Ave., New York, N. Y.)

	Advice to the Lovelorn—L. Tracy-Blane	Dec. 1
	Roman Scandals—Eddie Cantor-Gloria Stuart	Dec. 29
	Gallant Lady—Ann Harding-Clive Brook	Jan. 5
	Moulin Rouge—Constance Bennett	Jan. 19
	Palooka—Jimmie Durante	Jan. 26

Universal Features

(730 Fifth Ave., New York, N. Y.)

A7008	Invisible Man—Rains-Stuart	Nov. 13
A7030	Horse Play—Summerville-Devine	Nov. 27
A7021	Myrt and Marge (65 min.) (reset)	Dec. 4
A7072	Gun Justice (Riders of Justice)—Ken Maynard (60 min.) (reset)	Dec. 11
A7020	By Candlelight—Landi-Lukas (reset)	Dec. 18
A7006	Counsellor at Law—Barrymore (reset)	Dec. 25
A7022	Bombay Mail—Lowe-Grey (reset)	Jan. 1
A7032	Madame Spy—Wray-Asther	Jan. 8
A7015	Cross Country Cruise—Ayres-Knight	Jan. 15
A7014	Beloved—Boles-Stuart	Jan. 22
A7027	Midnight—Fox-Hull	Jan. 29

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

405	Captured—Howard-Fairbanks, Jr.-Jukas	Aug. 19
427	Lady Killer (Finger Man)—Cagney-Clark	Dec. 9

(End of 1932-33 Season)

Beginning of 1933-34 Season

450	Gold Diggers of 1933—William-Blondell	Sept. 2
451	Footlight Parade—Cagney-Blondell	Oct. 21
457	Ever In My Heart—Stanwyck-Kruger	Oct. 28
468	Kennel Murder Case—Powell-Astor	Oct. 28
456	The College Coach—O'Brien-Dvorak	Nov. 4
473	From Headquarters—Brent-Lindsay	Dec. 2
269	Disraeli—Arliss (reissue)	Dec. 16
469	House on 56th Street—Francis-Cortez	Dec. 23
479	Easy to Love—Menjou-Astor-Tobin	Jan. 13
461	I've Got Your Number—Blondell-Farrell	Feb. 24

SHORT SUBJECT RELEASE SCHEDULE

Columbia—One Reel

4304	March of the Years No. 4 (10½ min.)	Nov. 3
4402	Fast Fingers—Minute mystery (10½ m.)	Nov. 3
4504	Stage Krazy—K. Kat (cart.) (6 min.)	Nov. 3
4803	We Want a Touchdown—World of Sport (9½ min.)	Nov. 3
4603	Hollywood Babies—Scrappys (c.) (6½ m.)	Nov. 10
4403	The Clown Dies—Minute mystery (11½ m.)	Nov. 24
4505	The Bill Poster—K. Kat (cart.) (6 m.)	Nov. 24
4701	Snapshots No. 1—(9 min.)	Nov. 24
4804	What Price Speed—World of Sport (9½ m.)	Dec. 2
4701	Snapshots No. 1—(9 min.)	Nov. 24
4404	When the Lights Went Out—Minute mys.	Dec. 8
4604	Auto Show—Scrappys (cart.) (6 min.)	Dec. 8
4506	The Curio Shop—K. Kat (cartoon)	Dec. 15
4903	Laughing with Medbury in So. America	Dec. 22
4805	It's Sport in Any Language—World of Sports	Dec. 30

Columbia—Two Reels

4120	Um-Pa—Musical (17 min.)	Nov. 24
4103	Mickey's Covered Wagon—McGuire (18½ m.)	Nov. 30
4108	Hold Your Temper—Smith & Dale com.	Dec. 15

Fox—One Reel

("Magic Carpet," "Tintype," and "Adventures of a News Cameraman" are Fox; all the others are Educational)

0701	Kid' In' Africa—Baby Burlesk (8½ min.)	Oct. 6
0504	A Gypsy Fiddler—Terrytoon (5½ min.)	Oct. 6
3406	Playground of Pan—Magic Carpet (9½ m.)	Oct. 13
1303	Scouring the Seven Seas—Adventures of a News Cameraman (9½ min.)	Oct. 13
0505	Beanstalk Jack—Terrytoon (6 min.)	Oct. 20
0802	Across the Sea—Romantic journey (10 m.)	Oct. 20
0405	The Great Train Robbery—Tintype (8½ m.)	Oct. 27
3407	Elephant Trails—Magic Carpet (10½ m.)	Oct. 27
1304	Filming the Fashions—Adventures of a News Cameraman (8½ min.)	Oct. 27
3408	The Island of Malta—Magic Carp. (9½ m.)	Nov. 3
0506	The Village Blacksmith—Terry. (5½ m.)	Nov. 3
0602	Song of Vienna—Treasure Chest (10 m.)	Nov. 3
0603	Shorts—Treasure Chest (10 min.)	Nov. 10
1305	The Conquest of the Air—Adventures of a News Cameraman (10 min.) (reset)	Nov. 10
3409	A Day in Tokyo—Magic Carpet (9½ m.)	Nov. 10
0406	A Moment of Madness—Tint. (7½ m.) (re)	Nov. 10
0507	Shipwrecked Brothers (Robinson Crusoe)—Terrytoon (6 min.)	Nov. 17
0902	The Last Dogie (Git Along Little Doggies)—Song Hit story (11 min.) (reset)	Nov. 17
0407	Helen of the Chorus—Tintype (8½ m.) (re)	Nov. 24
0903	Manhattan Lullaby—Song Hit story	Nov. 24
3410	Byways in Bangkok—Magic Carpet (9½ m.)	Nov. 24

0508 Little Boy Blue—Terrytoon (6 min.) Nov. 30
 1306 Answering the Riot Call—Adventures of a
 News Cameraman Nov. 30
 3411 Around the Acropolis—M. Carp. (9m) (re) . Nov. 30
 0604 Day Dreams—Treasure Chest (11½ min.) . Dec. 8
 0803 Canyon of Romance—Romantic journey Dec. 8
 0509 In Venice—Terrytoon (6 min.) Dec. 15
 0606 Air Maniacs—Treasure Chest Dec. 15
 3412 Gem of the Sea—Magic Carpet (9½ m.) Dec. 15
 0605 What Does 1934 Hold—Treasure Chest Dec. 22
 1307 Scraping the Sky—Adv. News Cameraman . Dec. 22
 3413 Rural England—Magic Carpet (9 min.) Dec. 22
 0510 The Sunny South—Terrytoon Dec. 29
 3414 London Medley—Magic Carpet (10½ m.) . . . Dec. 29

Fox—Two Reels

0101 Million Dollar Melody—Mus. c. (21½ m.) . Oct. 27
 0305 Git Along Little Wife (What a Wife)—
 Coronet comedy (19½ min.) Nov. 3
 0102 Mr. Adam—Star com. (20 min.) (reset) . Nov. 17
 0206 Frozen Assets—Andy Clyde com. (19½ m.) . Nov. 17
 0306 What's To Do—Frolic of Youth (19m) (re) Nov. 24
 0207 Divorce Sweets—Tom Howard (19 m.) (re) Nov. 30
 0307 The Good Bad Man—Mirthquake Dec. 8
 0103 Poppin' the Cork—Musical com. (re) Dec. 15
 0208 The Freeze Out—Moran and Mack Dec. 22
 0308 Pop's Gal—Mermaid comedy Dec. 29

**Metro-Goldwyn-Mayer—One Reel
 Beginning of 1933-34 Season**

M-941 Handlebars—Oddities (10 min.) Aug. 26
 T-901 Dutch Guiana, Land of the Djuka—
 Traveltalks (10 min.) (reset) Sept. 16
 W-921 Play Ball—Willie Whopper cart. (7 m.) . Sept. 16
 M-942 Menu—Oddities (10 min.) Sept. 23
 M-943 Happy Warriors—Oddities (9 min.) Oct. 21
 M-944 Fine Feathers—Oddities (9 min.) Nov. 18
 T-902 Scotland, the Bonnie—Travel (9m.) (re) . Nov. 25
 W-922 Spite Flight—Willie Whopper cartoon
 (8 min.) (reset) Dec. 2
 T-903 A Day in Venice—Traveltalk (9 m.) Dec. 2
 W-923 Stratos Fear—W. Whopper cart. (8 m.) . Dec. 16
 T-904 British Guiana—Traveltalks (9 min.) . . . Dec. 16
 A-961 Goofy Movies No. 1 (9 m.) (reset) Dec. 23
 W-924 Davy Jones Locker—W. Whopper cart. . Jan. 13
 T-905 Colorful Ports of Call—Traveltalks Jan. 13
(A-962 listed in the last Index as a Goofy Movie release for October 7, has been postponed)

Metro-Goldwyn-Mayer—Two Reels

C-821 Bedtime Worries—Our Gang (21 m) (re) . Sept. 9
 C-831 Beauty and the Bus—Todd-Kelly (18 m.) . Sept. 16
 C-841 Crook's Tour—All star com. (19 min.) . . . Sept. 23
 C-851 Rhapsody in Brew—Mus. com. (20 m.) . . . Sept. 30
 C-801 Busy Bodies—Laurel-Hardy (20 min.) . . . Oct. 7
 R-872 Plane Nuts—Musical revue (20 min.) . . . Oct. 14
 C-812 Midsummer Mush—C. Chase com. (21 m.) . Oct. 21
 C-822 Wild Poses—Our Gang com. (19 min.) . . . Oct. 28
 C-832 Backs to Nature—Todd-Kelly (20 m.) . . . Nov. 4
 C-802 Dirty Work—Laurel-Hardy (20 min.) . . . Nov. 25
 C-813 Luncheon at Twelve—C. Chase (21 min.) . Dec. 9
 C-842 Twin Screws—All star com. (19 m.) (re) . Dec. 23
 C-833 Air Fright—Todd-Kelly com. (19 min.) . . Dec. 23
 C-803 Not Yet Titled—Laurel-Hardy Jan. 13
 C-814 The Cracked Iceman—C. Chase (19 m.) . Jan. 27
(C-852 listed in the last Index as an untitled Musical Comedy to be released November 18 has been postponed)

Paramount—One Reel

Y3-4 Screen Souvenirs No. 4 (9 min.) Nov. 17
 A3-5 A Radio Roundup (Station T.O.T.)—
 Headliner (10 min.) Nov. 24
 R3-5 Kennel Kings—Sportlight (9½ min.) . . . Nov. 24
 T3-5 Parade of the Wooden Soldiers—
 Boop cartoon (8 min.) Dec. 1
 P3-5 Paramount Pictorial No. 5 (10 min.) . . . Dec. 1
 E3-4 Seasin's Greetinks—Popeye (5½ min.) . . . Dec. 8
 Z3-5 Hollywood on Parade No. 5 (10½ m.) . . . Dec. 8
 SC3-5 Sing, Babies, Sing—Screen song (8½ m.) . Dec. 15
 Y3-5 Screen Souvenirs No. 5 (8½ min.) Dec. 15
 A3-6 Where's That Tiger—Headliner (9½ m.) . . Dec. 22
 R3-6 Around the Calendar—Sportlight (10 m.) . Dec. 22
 E3-5 Wild Elephinks—Popeye the Sailor (6 m.) . Dec. 29

Paramount—Two Reels

BB3-2 Please—Bing Crosby (20½ min.) Dec. 15
 LL3-2 A Roaming Romeo—Langdon c. (20½ m.) . Dec. 29
 DD3-3 The Old Bugler—Chic Sale (19 m.) Jan. 5
 BB3-3 Just an Echo—Bing Crosby (19½ m.) . . . Jan. 19

RKO—One Reel

44402 Cuba—Vagabond No. 2 (10½ min.) Nov. 10
 44203 On the Pan—King Cartoon No. 3 (7 m.) . . Nov. 24
 44103 Gallopin Fanny—Fables cartoon (6½ m.) . Dec. 1
 44502 Pathe Review No. 2 Dec. 15

RKO—Two Reels

43301 Quiet Please—E. Kennedy com. (20½ m.) . Aug. 11
 43801 The Fireman—Chaplin No. 1 (21 min.) . . Aug. 25
 43101 Murder at Bridge Table—Culbertson No.
 1 (21 min.) Sept. 1
 43501 How Comedies Are Born—Sweet and Gribbon
 No. 1 (19 min.) Sept. 8
 43601 Flirting in the Park—Blondes and Redheads
 No. 1 (21 min.) (reset) Sept. 15
 43102 A Forced Response—Culbertson 2 (17m.) . Sept. 15
 43701 Knee Deep in Music—Etting 1 (21½ m.) . Sept. 22
 43103 Society Cheaters—Culbertson 3 (21 m.) . Sept. 29
 43401 A Preferred List—Headliner No. 1 Oct. 6
 43104 What Not To Do in Bridge—Culbertson
 No. 4 (14½ min.) Oct. 13
 43202 Fits in a Fiddle—Clark-McCullough
 No. 2 (14½ min.) Oct. 20
 43105 Transatlantic Bridge Tricks—Culbertson
 No. 5 (20½ min.) Oct. 27
 43302 What Fur—Kennedy No. 2 (21 min.) . . . Nov. 3
 43106 Three Knaves and a Queen—Culbertson
 No. 6 (19½ min.) Nov. 10
 43802 The County—Chaplin No. 2 (21 min.) . . . Nov. 17
 43203 Snug in a Jug—Clark-McCull'gh (19½m) . Nov. 24
 43502 Suits to Nuts—Sweet-Gribbon (19 m.) . . . Dec. 1
 43602 Walking Back Home—Blondes and Redheads
 (19 min.) Dec. 8
 43702 California Weather—Etting No. 2 (20 m.) . Dec. 15
 43402 Air Tonic—Headliner No. 2 (21 min.) . . Dec. 22
 43303 Grin and Bear It—E. Kennedy (20½ m.) . . Dec. 29

Universal—One Reel

A7242 Strange As It Seems No. 33 (9½ min.) . . . Oct. 9
 A7202 In the Zoo—Oswald cartoon (7 min.) Nov. 6
 A7243 Strange As It Seems No. 34 (8½ min.) . . . Nov. 20
 A7203 Merry Old Soul—Oswald cartoon (8 m.) . . Nov. 27
 A7204 Parking Space—Oswald cart. (6½m) (re) . Dec. 18
(A7242 listed in the last Index as "Goofytone News No. 4," December 11 release, has been temporarily postponed)

Universal—Two Reels

A7163 The Big Benefit—Mentone No. 3 (21 m.) . Oct. 11
 A7101 Stung Again—Doane No. 1 (18 in.) (reset) . Oct. 11
 A7100 Swimming the Torrent—Gordon No. 10
 (17½ min.) Oct. 16
 A7411 A Wild Ride—Gordon No. 11 (18½ m.) . . Oct. 23
 A7102 Open Sesame—Armetta com. (19½ min.) . . Oct. 25
 A7412 Mystery of Ghost City—Gordon 12 (18m) . Oct. 30
 A7801 The Guns of Doom—Perils of Pauline
 No. 1 (20 min.) Nov. 6
 A7103 Out of Gas—Fazenda com. (21 min) Nov. 8
 A7802 The Typhoon of Terror—Pauline No. 2
 (20½ min.) Nov. 13
 A7803 The Leopard Leaps—Pauline 3 (19½m) . Nov. 20
 A7104 Not the Marrying Kind—Doane com.
 (19½ min.) Nov. 22
 A7804 Trapped by the Enemy—Pauline 4 (20½m) . Nov. 27
 A7164 The Big Casino (Supper at Six)—
 Mentone comedy No. 4 (20½ min.) Nov. 29
 A7805 The Flaming Tomb—Pauline No. 5 (19m) . Dec. 4
 A7806 Pursued by Savages—Pauline 6 (16½m) . Dec. 11
 A7106 Pie for Two—Gleason com. (20½ min.) . . Dec. 13
 A7807 Tracked by the Enemy—Pauline 7 (19m) . Dec. 18
 A7107 Meeting Mazie—Doane com. (19 min.) . . Dec. 20
 A7808 Dangerous Depths—Pauline 8 (18½min.) . Dec. 25
 A7165 Supper at Six—Mentone com. (17½ m.) . Dec. 27

Vitaphone—One Reel

8307 Easy Aces—The Aces (10 min.) Dec. 2
 8204 Italy—The Old and the New—Musical journey
 (11 min.) Dec. 9
 8308 Little Miss Mischief—P. Pot (10½ m.) . . . Dec. 16
 8005 Harmonica Rascals—B. Minneveil (10 m.) . Dec. 23
 8309 Movie Memories—Old Time reel (9½ m.) . . Dec. 30
 8205 Cannibal Islands—Musical jour. (11 m.) . . Jan. 6
 8310 The Tune Detective—S. Spaeth (9½ m.) . . Jan. 13
 8006 Jack Denny and Band (10 min.) Jan. 20

Vitaphone—Two Reels

7509 Girl Trouble—Mitchell-Durant (20½ m.) . Dec. 2
 7606 Here Comes Flossie—Ben Blue (18½ m.) . Dec. 9
 7510 Around the Clock (Special musical, 3 reels) . Dec. 16
 7511 Plane Crazy—musical comedy (20 min.) . . Dec. 23
 7607 Tomalio—F. Arbuckle-Judels (22 min.) . . Dec. 30

**NEWSREEL
 NEW YORK
 RELEASE DATES**

Universal News

204 Saturday Dec. 9
 205 Wednesday Dec. 13
 206 Saturday Dec. 16
 207 Wednesday Dec. 20
 208 Saturday Dec. 23
 209 Wednesday Dec. 27
 210 Saturday Dec. 30
 211 Wednesday Jan. 3
 212 Saturday Jan. 6
 213 Wednesday Jan. 10
 214 Saturday Jan. 13
 215 Wednesday Jan. 17
 216 Saturday Jan. 20
 217 Wednesday Jan. 24
 218 Saturday Jan. 27
 219 Wednesday Jan. 31

Pathe News

45240 Wed. (E.) Dec. 13
 45141 Sat. (O.) Dec. 16
 45242 Wed. (E.) Dec. 20
 45143 Sat. (O.) Dec. 23
 45244 Wed. (E.) Dec. 27
 45145 Sat. (O.) Dec. 30
 45246 Wed. (E.) Jan. 3
 45147 Sat. (O.) Jan. 6
 45248 Wed. (E.) Jan. 10
 45149 Sat. (O.) Jan. 13
 45250 Wed. (E.) Jan. 17
 45151 Sat. (O.) Jan. 20
 45252 Wed. (E.) Jan. 24
 45153 Sat. (O.) Jan. 27
 45254 Wed. (E.) Jan. 31

Fox Movietone

26 Saturday Dec. 16
 27 Wednesday Dec. 20
 28 Saturday Dec. 23
 29 Wednesday Dec. 27
 30 Saturday Dec. 30
 31 Wednesday Jan. 3
 32 Saturday Jan. 6
 33 Wednesday Jan. 10
 34 Saturday Jan. 13
 35 Wednesday Jan. 17
 36 Saturday Jan. 20
 37 Wednesday Jan. 24
 38 Saturday Jan. 27
 39 Wednesday Jan. 31

Paramount News

38 Wednesday Dec. 13
 39 Saturday Dec. 16
 40 Wednesday Dec. 20
 41 Saturday Dec. 23
 42 Wednesday Dec. 27
 43 Saturday Dec. 30
 44 Wednesday Jan. 3
 45 Saturday Jan. 6
 46 Wednesday Jan. 10
 47 Saturday Jan. 13
 48 Wednesday Jan. 17
 49 Saturday Jan. 20
 50 Wednesday Jan. 24
 51 Saturday Jan. 27
 52 Wednesday Jan. 31

Metrotone News

223 Wednesday Dec. 13
 224 Saturday Dec. 16
 225 Wednesday Dec. 20
 226 Saturday Dec. 23
 227 Wednesday Dec. 27
 228 Saturday Dec. 30
 229 Wednesday Jan. 3
 230 Saturday Jan. 6
 231 Wednesday Jan. 10
 232 Saturday Jan. 13
 233 Wednesday Jan. 17
 234 Saturday Jan. 20
 235 Wednesday Jan. 24
 236 Saturday Jan. 27
 237 Wednesday Jan. 31

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 PENNSYLVANIA 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JANUARY 13, 1934

No. 2

Benefits the Exhibitor Will Derive Under the Code—No. 6

(Article V—Concluded from last week)

PART 4. This provision stipulates that the Code Authority shall have the power to investigate offers for personal services so as to prevent one employer from offering to a person an unreasonably excessive inducement to leave the services of another employer and to accept his offer for employment.

The operation of this **PART** has been suspended by the President by an article in his Executive Order, which reads as follows:

"(4) Because the President believes that further investigation with respect to problems of payment of excessive compensation to executives and other employees in this industry is required, the provisions of article V, division A, part 4, of this code are hereby suspended from operation and shall not become effective pending further report from the Administrator after investigation; . . ."

B. PRODUCERS

Since the provisions under this division refer to producer matters that do not interest exhibitors, no interpretation of them is made.

C. PRODUCER-DISTRIBUTORS

Since the provisions of this division do not affect exhibitors, no interpretation of them is made.

The entire Code has now been interpreted.

SUMMARY

As I stated in an earlier installment, many exhibitor leaders are dissatisfied with the Code on the ground that it does not give the independent exhibitors all the reforms they asked for, and that what reforms it gives them are not worth getting excited about.

That the Code does not give the independent exhibitors all the reforms they looked forward to getting is true; but are the reforms it gives them unimportant?

To answer this question accurately, it is necessary that we recapitulate whatever reforms the Code effects and then compare them with the reforms the exhibitor leaders were able to obtain from the producers by direct negotiation over a period of time extending more than thirteen years—from 1920, the year when the exhibitors formed Motion Picture Theatre Owners of America, at that time a genuinely independent exhibitor body, up to last year, when Allied States held the last round-table conference with the major producers, negotiating the Optional Standard License Agreement.

The following are the reforms the Code effects:

1. A distributor cannot frighten an exhibitor into paying him higher rentals than his films are in the exhibitor's opinion worth by threats of building a competitive theatre.
2. No employee of a distributor may use his position to prevent an independent exhibitor from getting his just share of films.
3. No distributor can coerce an exhibitor into accepting substitutions.
4. No distributor can coerce an exhibitor into paying him higher rentals than his films are worth by threatening to rent them, or even by renting them, to a non-theatrical institution except as the Local Grievance Board may rule.
5. No distributor may compel an exhibitor to buy more short subjects than he needs to complete the program on the days he shows that distributor's pictures.
6. No distributor may divulge an exhibitor's box office receipts to another distributor.
7. No distributor may transfer his assets to leave his deliveries to exhibitors incomplete.

8. A distributor must make a price adjustment if he should fail to deliver all the features he sold to an exhibitor.

9. No distributor may designate a flat rental picture to take the place of a percentage picture on days on which a picture is declared by the Grievance board, on a complaint by an exhibitor, unsuitable.

10. No distributor may refuse to deliver features because of a dispute on shorts.

11. A distributor must offer to his customers first an extra picture he may release in the middle of the season.

12. An influential exhibitor, when he makes a selective contract with a distributor, must make his selections within a definite period of time, so that the subsequent-run independent exhibitor may get the films when they are still fresh.

13. No exhibitor may contract for more pictures than he needs in order for him to create a shortage of pictures for his competitor.

14. No exhibitor may compete with another exhibitor by a cut-throat competition, such as giving rebates and other acts.

15. No exhibitor may grab a theatre from another exhibitor while the holder of the lease is negotiating for its renewal.

16. All distributors are compelled to accept the Optional Standard License Agreement that was adopted by the representatives of exhibitor organizations in agreement with representatives of distributors. The benefits the exhibitors will derive under such Agreement are the following: (a) In case a distributor breached the exhibitor's contract, he must pay definite damages to the exhibitor. (b) (1) Definite release dates are provided for, enabling the subsequent-run exhibitors to get their pictures when they are still "fresh"; (2) an exhibitor is enabled to play a picture out of its turn; (3) an injured exhibitor is made a party to any action a distributor may take against an exhibitor who failed to ship the print in time for the injured exhibitor's use. (c) It compels the distributor to furnish to the exhibitor play-date availability notices in accordance with a definite system. (d) It curbs a first-run exhibitor's habit of delaying the exhibition of pictures. (e) It puts the responsibility on the distributor to notify the exhibitor what pictures will not be "generally released," and grants certain rights to the exhibitors on such pictures.

17. Fair arbitration is provided for, the sort that was agreed upon in the Optional Standard License Agreement.

18. One exhibitor is prohibited from seeking to influence a distributor to break his contract with another exhibitor.

19. Either a distributor or an exhibitor is prohibited from offering bribes to the detriment of another exhibitor.

20. The exhibitor is granted the right to cancel ten percent of such of the contracted pictures as he thinks are objectionable to the people of his community.

21. There is established a Code Authority, or a national appeal board, to which body all aggrieved persons may appeal to for redress.

22. There are established Clearance and Zoning Boards for setting up fair clearance and zoning schedules, enabling the exhibitor to appeal to the Code Authority in case a schedule should be unfair to him.

23. A Grievance Board is established in each zone where an exhibitor may take his complaints, with a right to appeal to the Code Authority in case he cannot get justice from such a Board.

(Continued on last page)

"Sons of the Desert" with Laurel and Hardy (MGM, Dec. 29; running time, 66 min.)

Laurel and Hardy fans will be amused with this comedy. It is filled with funny gags and holds the audience in suspense. Most of the situations are rather silly but will arouse hearty laughter, as, for instance, when Hardy pretends that he is sick so as to win his wife's consent to a trip he wanted to take. The two get themselves into messes continually, such as falling into boiling water, finding themselves out in the rain in their nightshirts, encountering their wives when they are in angry moods, and the like.

The comedy is brought about by Laurel and Hardy's desire to go to Chicago, to attend the convention of their Lodge. Their wives forbid it. So Hardy pretends he is sick and Laurel bribes a doctor to say that Hardy is suffering from a nervous breakdown and must go to Honolulu. Laurel's wife gives her consent for him to accompany Hardy. Of course, they go to Chicago. On the day they are supposed to arrive home the newspapers publish a story about the Honolulu vessel sinking. The wives are miserable and go to the movies to quiet their nerves. In the newsreel, they see their husbands in the convention parade, and are furious. Laurel's wife forgives him because he confesses all to her. But Hardy's wife breaks all the dishes over his head.

The plot was adapted from a story by Frank Craven. It was directed by William A. Seiter. In the cast are Charley Chase, Mae Busch, Dorothy Christy and Lucien Littlefield.

Except for one cabaret scene in which girls dance in a scanty outfit, it is suitable for children, adolescents, and others.

"Madame Spy" with Fay Wray and Nils Asther

(Universal, Jan 8; running time, 71 min.)

A fairly good espionage melodrama. It holds the audience in suspense, because the heroine, a Russian spy, is married to the hero, an Austrian spy, without his knowing about her profession. It is difficult to sympathize with the heroine at first since she had married the hero just to be able to obtain secrets from him, to pass on to her country. Some pity is felt for her later when she realizes she loves him but is forced to continue with her work. The closing scenes are the most exciting; it is where the heroine seeks a way to help the hero escape from her country when it becomes known that he is a spy. The audience will be satisfied with the ending—the hero and the heroine are reconciled when the Germans take Warsaw and the hero finds the heroine there in a hospital recuperating from bullet wounds she had received when she had driven the hero to the borderline to help him escape.

The plot was adapted from a story by Max Kimmich. It was directed by Karl Freund. In the cast are Edward Arnold, John Miljan, David Torrence, Oscar Apfel, and others.

Because of a situation where the heroine, a spy, indicates that she was willing to go to the Russian general's room, for immoral purposes, even though she was merely trying to trick him, you have to determine yourself whether it is suitable for children, adolescents, or Sundays, or not.

"Gallant Lady" with Ann Harding and Clive Brook

(United Artists, Jan. 5; running time, 83 min.)

Deeply emotional, because it is founded on mother love. There are some situations that will bring tears to the eyes, particularly to those of women. One of such situations is where the mother meets her little son, reared by other people, because she had given him up while he was a baby. The situation on the ship where the heroine and her son become chummy and spend their time mostly together; the liking the little boy shows for the heroine later as well as on the boat, are situations of deep human appeal. The picture has been produced in lavish background. The opening scenes, where the man the heroine was to marry, is burned to death when the aeroplane with which he was starting for Bagdad was unable to rise because of excess weight and was wrecked and caught fire, have been taken from the actual scenes of the recent accident to an Italian flyer; but their effect is thrilling just the same:—

Ann Harding, after the death of the man she was in love with, walks absentmindedly to the park. The policeman thinks she was soliciting and was about to arrest her when Clive Brooks, a former famous surgeon, disgraced because

he had killed a man to save him from insufferable pains, but now a derelict, steps up and pretends to the policeman that she was an old friend, waiting for him. When Brooks finds out the cause of her grief, he obtains a position for her as an interior decorator with Janet Beecher and induces her to let Otto Kruger, newly married, adopt the child. Brokenheartedly she lets her baby go. Brooks loves her and wants to marry her, but because Janet, who had been so kind to her, loves Brooks, in order for her to be out of their way, Ann asks that she be sent to Europe on a business trip. While in Europe she accidentally meets Dickie Moore and realizes he is her child. She purposely takes the same boat back and on the boat Dickie and she become chummy. At the landing in New York she meets Kruger for the first time, and is invited by him to call on him often. Ann finds out that the woman Kruger, widowed, was to marry is mean and, knowing that she would make a bad stepmother to her child, determines to marry Kruger herself. By employing a woman's clever tactics she succeeds. Dickie is happy at the turn of events even though he is unaware of the fact that Ann is his mother.

The plot has been founded on a story by Gilbert L. Emery; it has been directed by Gregory LaCava with skill. Tullio Carminati, as the love-struck Italian Count, provokes considerable comedy; in addition he sings some fine Italian love songs.

Because of the fact that the heroine has a child with a man she was not married to, the picture belongs to the sex class; consequently many of you will not be able to show it on a Sunday. But the matter has been handled delicately; there is no vulgarity in it. As to your showing to adolescents you have to use your own judgment. It should not be harmful to children under twelve; they will not understand it.

"Bombay Mail" with Edmund Lowe and Shirley Grey

(Universal, Jan 1; running time, 67 min.)

This murder mystery melodrama, which takes place on a train bound from Calcutta to Bombay, is so involved, particularly in the first half, that it would take a master mind to unravel the different happenings. So many people appear, and so many different things happen that seem to have no connection, that it is difficult for the spectator to follow the action, for the characters are not "spotted." It clears up somewhat in the second half, when Edmund Lowe, a detective, enters the proceedings to investigate the murder of a prominent man. Another murder occurs, several people are suspected, and the investigation reveals intrigue and robbery. Suspense is fairly well sustained and the discovery of the murderer is rather logically worked out. A romance between Shirley Grey and Onslow Stevens is worked into the story, but it is incidental.

Among the passengers on the train are Ferdinand Gottschalk, his wife, and his two secretaries. Onslow Stevens attempts to have a talk with him but the secretaries keep him out. Stevens had some samples from the ruby field he had discovered and wanted to get a concession to work it from Gottschalk. But Ralph Forbes, one of the secretaries, was in league with John Davidson, to prevent Stevens from getting the concession so that Davidson might get it. Gottschalk is found murdered. When Lowe arrives at the next station to investigate the murder he is greeted by Walter Armitage, a Maharajah, who tells him he knows who the murderer is. But before he can mention the name, he is shot and killed. Several people are suspected. The rubies are stolen from Stevens, and he is held as the suspected murderer. It finally develops that the two murders had been committed by Forbes—the first one because Gottschalk had discovered his plans to keep Stevens away from him, and the second because the Maharajah had seen him kill Gottschalk. Stevens' rubies are found and returned to him. Shirley Grey, one of the passengers who had in some way become involved in the murders, promises to marry Stevens.

The plot was adapted from a story by L. G. Blachman. It was directed by Edwin L. Marin. In the cast are Hedda Hopper, Tom Moore, John Wray, Brandon Hurst, Jameston Thomas, and others.

It might frighten children; exhibitors will have to use their judgment about showing it to adolescents and Sundays because of the different murders.

The mentioning of Cyanide of Potassium as the poison with which some of the murders are committed incites to crime.

"Lone Cowboy" with Jackie Cooper*(Paramount, Dec. 1; running time, 70 min.)*

Jackie Cooper gives an excellent performance. He brings tears to the eyes. A heart-rending situation is the one in which Jackie learns that his father is dead; also where Allison Richards tries to comfort the boy. The friendship between Jackie and Richards is inspiring, particularly when Richards risks his life for Jackie's sake. For those who like their wild west show there are some excellent shots at a rodeo where men are shown thrillingly bucking wild steers:—

Jackie's father, knowing that he was to be arrested for a crime he had committed, sends Jackie to a friend out west. After the boy leaves he kills himself. When Addison Richards, as the friend, receives the letter, he is determined to send the boy back, because he wanted to be free to search for his wife, who had run away from him with his foreman. Just as he is to buy a ticket for Jackie's return he receives a telegram telling him about the father's death. He keeps the boy and at first is very cold towards him. But later he becomes attached to him; they are great pals. Jackie follows him one night when he left the hotel room suddenly, and finds him in the midst of a quarrel with his wife and her lover, whom he had tracked. Jackie watches outside and when Richards is forced to shoot in self-defense one of the bullets, fired at the foreman, strikes Jackie; the foreman is killed. The wife runs to town to tell the sheriff. Richards does not worry about himself but rushes with Jackie to a doctor. The operation saves his life. The wife, seeing the devotion between her husband and the boy, tells the truth about his having shot in self-defense. Jackie and Richards set off to discover new lands.

The story was written and directed by Paul Sloane. In the cast are Lila Lee, John Wray, Gavin Gordon, Barton MacLane, and others.

Except for the inference that the wife had left her husband to live with another man, it is suitable for children, adolescents, and Sundays.

"Cross Country Cruise" with Lew Ayers and June Knight*(Universal, Jan. 15; running time, 75 min.)*

A fair melodrama, with a sprinkling of comedy. Much of the action takes place on a bus bound from New York to California. It is not until the second half that it really becomes exciting; however, this excitement is brought about by a horrible murder that will sicken sensitive people—Dinehart shoots an arrow in to his wife's back, killing her, and then places her body in a show window in a department store to make it appear as if she were one of the dummies used in dressing the window. Suspense is sustained because June Knight is suspected of the murder and it seems almost impossible for her to prove her innocence. The closing scenes in which Dinehart kidnaps June are tensely exciting. Some of the comedy is brought about by Eugene Pallette, a talkative passenger on the bus, and some of it by Alice White. But her comedy is suggestive, particularly in her talk with the drivers of the bus, which leaves little to the imagination; she uses her charms to get free passage on the bus. The romance between June Knight and Lew Ayres is pleasant, and they are both sympathetic characters:—

June Knight was expecting to elope with Allan Dinehart. He tells her to board the bus and there she notices he is with another woman, and she learns he is married. She refuses to have anything to do with him. Lew Ayres, one of the passengers, bound for his father's western logging camp, is attracted to June and they soon fall in love. While they stop off at a town to do some shopping Dinehart follows June into a department store and tells her that unless she is friendly towards him he will tell Ayres all. The wife finds them there and June leaves. The whole conversation had taken place in a fitted tent and just as the wife is about to leave Dinehart kills her by shooting an arrow into her: He hides the body until closing time, and then arranges it in the window. He goes back to the bus and tells the other passengers his wife had stopped off to visit relatives. He then proceeds to tell Ayres about June, after which Ayres refuses to talk to her. The murder is discovered, and the bus stopped at the next city. Dinehart pins the blame on June. Ayres takes the matter into his hands and by clever questioning proves that Dinehart had committed the murder. Dinehart and June are ordered to get into the bus. Dinehart closes the door before the detective could enter, and at the point of a revolver orders the driver

to speed up. Ayres saves June but Dinehart is killed. She goes with Ayres to his father's camp.

The plot was adapted from a story by Stanley Ruth. It was directed by Edward Buzzell. In the cast are Minna Gombell, Arthur Vinton, Robert McWade, and others.

Not suitable for children, adolescents, or Sundays.

"Before Midnight" with Ralph Bellamy and June Collyer*(Columbia, Nov. 28; running time, 61 min.)*

A fair murder mystery melodrama of program grade. Since the identity of the murderer is not made known until the very end, the audience is held in suspense throughout. Several people are suspected of the murder and the solving of it is rather ingenious; also, the actual murderer is the one least suspected. All the action is centered around the solving of the murder and there is little romantic interest, except for one or two references to the love affair between June Collyer and Arthur Pierson. It has all the trimmings of the usual murder mystery—a stormy night, windows mysteriously opening, darkened rooms, and suspicious actions on the part of the different characters:—

Ralph Bellamy is called in to stay by a man who believes he is to be murdered. The man dies in his presence and the autopsy shows that he had died from poisoning. In looking for clues Bellamy discovers that the murdered man was not really the millionaire, as he was posing; the millionaire was really Claude Gillingwater, who had changed places with his secretary for superstitious reasons, and no one knew of the change. June Collyer, the murdered man's ward, is in love with Arthur Pierson, who is suspected of the murder. Bellamy finally solves it by proving that the murder was committed by Gillingwater himself because the secretary was threatening him with exposure and demanding large sums of money. Also he was afraid that the secretary would kill him and reveal the fact that June Collyer was Gillingwater's own daughter by a woman he had never married. Gillingwater kills himself rather than face arrest.

The plot was adapted from a story by Robert Quigley. It was directed by Lambert Hillyer. In the cast are Bradley Page, Betty Blythe, and others.

It will frighten children; and many adolescents. You have to use your own judgment about booking it for Sundays.

"Fog" with Mary Brian and Donald Cook*(Columbia, Nov. 22; running time, 68 min.)*

A fairly good program murder mystery melodrama. There is no human interest. Suspense is sustained, because the identity of the murderer is not made known until the very end. The first part is rather draggy, but once the different characters are established, the action is faster. The murders are somewhat gruesome. The usual tricks are employed to create an eerie atmosphere:—

Aboard a ship bound for Europe are Robert McQuade, a cranky millionaire, his assistants, Reginald Denny, his personal physician, and also Helen Freeman, a spiritualist, who was blackmailing McQuade for large sums of money. Other passengers are Mary Brian, and Donald Cook, a criminologist. McQuade suffers a heart attack when he finds that Helen Freeman is aboard the ship. Later he is found murdered. The ship's doctor demands an autopsy but he, too, is killed. Helen Freeman holds a seance at which she is to give the name of the murderer but she, too, is killed. It later develops that Donald Cook was McQuade's son and that the entire fortune had been willed to him. He is under suspicion, but he proves that Reginald Denny was the murderer. Denny thought that Helen Freeman was to inherit a million dollars and planned to kill McQuade and split the money with her. When she was about to confess he kills her. Mary Brian and Donald Cook had fallen in love with each other and are united.

The plot was adapted from the story by Valentine Williams and Dorothy Rice Sims. It was directed by Albert Rogell. Others in the cast are Samuel S. Hinds, G. Pat Collins, Edwin Maxwell, Maude Eburne, Marjorie Gatonson and Montague Shaw.

It might frighten children; otherwise suitable for all and Sundays.

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24. The producers pledge themselves to make cleaner pictures, thus delivering to the exhibitor pictures that do not offend the morals of the people of their communities.

25. The distributors pledge themselves to make clean advertising material.

26. The President's Executive Order grants the Code Administrator the right (a) to review, and if necessary to set aside, any decision of the Code Authority or of any alternate named by any member of it, or any member of any committee set up by the Code Authority, if in his opinion such person has failed to be fair, impartial and just, and (c) to add to the Code Authority any additional members he may see fit in order to enable a class he feels is not represented adequately to have adequate representation.

Against these benefits, what are the reforms the exhibitor leaders were able to obtain from the producers? Let us see:

In 1920, an agreement was signed between the executives of Motion Picture Theatre Owners of America, of which Sidney Cohen was president at that time, and Mr. Adolph Zukor, whereby Mr. Zukor pledged himself not to buy or build any more theatres without the approval of the national exhibitor organization. That agreement was not kept.

With Mr. Hays' entry into the industry, the exhibitor leaders began to agitate for a uniform contract. And rightly so; for at that time every distributor had a contract of a different form and it was impossible for the average exhibitor to protect his interests. After negotiations with the Hays forces, a uniform contract was granted to the exhibitors. But at what cost? At the cost of a one-sided arbitration system, a system which years later the Federal courts had to declare illegal, compelling the producers to scrap it.

Between 1923, the year when the first uniform contract was obtained, and 1926, conferences were held periodically between representatives of producers and distributors for better contract and arbitration terms, but no reform was obtained to ameliorate the condition of the independent exhibitor.

The abuses became, in fact, so many, and the outcry of the abused was so great, that at last the government at Washington had to pay some heed to them and on Oct. 10, 1927, a Trade Practice Conference was called by the Federal Trade Commission, under the Chairmanship of Mr. Abram F. Myers, at that time Chairman of the Federal Trade Commission, to compel the producers to abandon their unfair trade practices.

Many reforms were adopted at that Conference, but no sooner did the sessions end than the producers forgot their promises.

Some exhibitor leaders felt that their inability to compel the producers to acknowledge their obligations and to honor the promises made to them at different times was owed to the fact that control of M. P. T. O. A., the national exhibitor organization, was obtained, through unholy means, by the Hays organization. And so they formed what is now known as Allied States Association of Motion Picture Exhibitors, inviting Mr. Myers to head it.

The first move Mr. Myers made was to draft a bill effecting needed reforms and to introduce it in Congress through Senator Smith W. Brookhart. That was in the latter part of 1928. But our combined efforts, herculean, indeed, failed to induce Congress to make that bill a law.

In the fall of 1929, District Judge Thacher, of the Southern District of New York, declared the Credit Committee system of the Hays organization legal, but its arbitration system illegal. The producers appealed the arbitration decision, and the government the credit committees case, and shortly afterward the U. S. Supreme Court upheld Judge Thacher in the arbitration case, and reversed him in the credit committees case, declaring both systems illegal.

Allied States then began to agitate for such reforms as would be within the law. After much dickering, Will H. Hays invited the Allied leaders to a conference. But he had to tie that invitation with strings—he wanted at those conferences representatives of M. P. T. O. A. The Allied leaders, having no way out, agreed to meet under such terms, and from that conference, held at Atlantic City, in 1931, came what is known as the 5-5-5 contract; that is, a contract negotiated by a committee consisting of five producer-distributors, five representatives of Allied States, and five representatives of M. P. T. O. A.

There was some rejoicing because of the reforms the Allied leaders obtained at that conference; but that rejoicing

was short lived, for again the producers showed bad faith—they failed to adopt the 5-5-5 contract. In desperation, the Allied leaders again began to feel that nothing but a law could force the major producers to abandon their unfair practices. And so they prevailed upon Senator Brookhart to re-introduce his bill in Congress.

The second exhibitor effort was no more successful than the first. And so was the case with the third re-introduction of the same bill, rewritten to conform in some measure to the wishes of the representatives of M. P. T. O. A., who, for some unknown reason, agreed with Allied that nothing but legislation could give the exhibitors the reforms they were seeking. (The fraternization of Allied with M. P. T. O. A. did not last long.)

The last time an effort was made to bring the Allied leaders together with the producers was a year ago, when Sidney R. Kent, president of Fox Film Corporation, undertook to invite them to talk over matters. The Allied leaders were at first skeptical but when Kent made them understand that, although he was not officially representing the other major companies, these would adopt any fair contract that would come out of those conferences, decided to accept the invitation. And so the Allied leaders again spent valuable time and treasure conferring with the representatives of persons who have never meant to keep their promises. They did not see through the producer plan of attrition—of calling them into conferences, making them spend all the organization money, promising them everything including the moon, and giving them nothing so that they may become discredited in the eyes of the exhibitors. And yet when at last the government, in a general scheme of industrial reforms, comes along and offers a plan of immediate relief, asking us to try the plan for ninety days, promising us to remove all unfairness that might develop while the Code is in operation, these leaders, instead of showing gratitude and advising the exhibitors to go along with the government, begin shouting and pulling their hair, in an effort to lead you to believe that the Code offers nothing.

I do not mean to underestimate the efforts of these leaders, or to question their sincerity; I have merely presented these facts in a desire to prove to you that what the Code offers is so much more than the most optimistic exhibitor leader has ever dreamed of obtaining from the producers either by negotiation or by court action, that there should be rejoicing instead of complaining, particularly since the government has made it plain that the present Code is not the last word.

(To be concluded next week)

IMPORTANT!

(1) If you have notified a distributor that you desire to avail yourself of the ten percent cancellation provision in the Code so as to cancel some undesirable feature pictures you have bought from him, the percentage of such pictures to begin with the release of December 7, but the distributor asserts that the Code is not retroactive, and so you are not entitled to cancel any of his pictures, pay for those pictures but inform him that you are doing so under protest, and that you intend to lodge a complaint against him with the Grievance Board, as soon as one is set up for your exchange centre and begins functioning. The cancellation provision in the Code is retroactive, the assertion of the distributors to the contrary notwithstanding.

(2) Retroactive is, in my opinion, also the arbitration provision of the Code, as defined in the Optional Standard License Agreement, which is now part of the Code. You should, therefore, as suggested in last week's issue, notify all Distributors that you want all disputes that may arise under your contracts with them submitted to arbitration.

(3) The time the Code went into effect was December 7, the time for the signing of the Code has been extended to January 31.

(4) Beginning with next week's issue, the Question and Answer Department on Code matters, promised you recently, will begin functioning; therefore, if you are in doubt as to your rights under any provisions of the Code, or if there are any matters that you think are not covered by it, write me about it and an answer will be printed in that Department if the matter is of general interest.

(5) No attention will be paid by the Code Authority to any recommendations for appointments on either the Grievance boards or on the Clearance and Zoning boards, made by exhibitors, either leaders or members of the rank and file, unless they have signed the Code compliance.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions ..	16.50
Canada	16.50
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New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
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Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

PEnnsylvania 6-6379

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JANUARY 20, 1934

No. 3

Benefits the Exhibitor Will Derive Under the Code—No. 9

(Concluded from last week's issue)

In the first part of this summary, which appeared in last week's issue, I recapitulated twenty-six different reforms the independent exhibitor has been given by the present Code.

One of these reforms is the adoption of the full contract that was negotiated last year between representatives of Allied, M.P.T.O.A., and Sidney Kent on behalf of the producer-distributors, which most producers failed to adopt, and which those who have adopted it have mutilated almost beyond recognition. In other words, the Code is giving the exhibitors, not only everything their leaders asked for, but twenty-five other reforms besides.

One of these reforms towers above all others and is the sort that should have made every independent exhibitor celebrate as having won a great victory. This reform is embodied in Part 2, Division "E," of Article V: it prohibits an exhibitor from corraling all the product with a view to creating a shortage of pictures for his competitor, forcing such competitor either to shut his theatre down or to sell to the scheming exhibitor.

What this provision really means to you is hardly necessary for me or any one else to explain. The circuits—and I do not include in this category only producer-controlled circuits, but independent as well—have been enabled to increase the number of their theatres by use of this unholy method. Last week an exhibitor from Oklahoma visited my office and related to me the "atrocities" that were being committed by an independent circuit there. He recounted instances where exhibitors, who had invested in their theatres the savings of their life's work, were driven out of business because this circuit bought up all product even though it operated inferior houses. I know of cases in New York State where the same thing occurred. In one instance an exhibitor was forced to sell his theatre to a circuit for \$100,000, even though it cost him \$300,000.

With this provision in operation, injustices of this kind will be made impossible: a circuit cannot again buy out a delapidated theatre, shut off your product, and then force you to sell your business to it for a mess of potage.

And yet there are exhibitor leaders who are objecting to the Code, when their thirteen years of efforts were not able to obtain such a reform for you.

One of the other outstanding reforms is the setting up of Grievance boards. These will be a sort of lower court, where an exhibitor may take his complaint and get a hearing; and if he cannot get justice there he may appeal his case to the Code Authority.

The objection of many exhibitor leaders to these boards is their composition. They point to the fact that, since they will be composed of three representatives of producer-distributors and only of one independent exhibitor, the independent exhibitors will be always at a disadvantage; they express in fact, their doubt whether an independent exhibitor will ever get justice before these boards.

That the grievance boards are, like the Code Authority, lopsided I admit; but is this a permanent disadvantage? Let us examine the facts:

When arbitration was in vogue in this industry, the boards in the different zones were balanced; there were on each of these boards three distributor representatives as against three independent exhibitors. But did the independent exhibitor ever get justice from these boards on important questions? Weren't the producers always able, in questions of such importance, to get the best of it?

I should like to see these boards balanced; and they will, I am sure, be balanced after ninety days if they should prove

unjust and unfair to the small business man. At any rate this paper will join in any effort that may be directed with such an end in view. But personally I would rather have these boards unbalanced, rather than balanced and subject to control, provided the one member that represents the independent exhibitors on each of them is militant and honest. With such a person fighting every inch of his way it will be impossible for the producers to get away with anything when we bear in mind that the entire governmental system of industrial reform is directed toward protecting the small business man after getting concessions for labor. Remember, gentlemen, that on each of these boards there will be a representative of the Government, watching the doings of the members of his Board and reporting to the Code Authority, the acts of which also will be supervised again by Government representatives,—three of them. There is a different set-up now from the set-up in force when Will H. Hays had control of the arbitration boards.

The trouble with a few of the exhibitor leaders has been the fact that we have been fighting against "major" domination for so long that they have not realized that there is no longer a question of such domination. The government is now in, to see that an end is put to unethical practices. If the government should not be sincere in its assertions that its one aim is to protect the small business man, no amount of shouting will change things; but if it should be sincere, and we know it is, we need not worry how the boards and the Code Authority are composed.

Let us put our shoulder to the wheel and help the Government with its test of the picture Code for the next ninety days. If the present arrangement should prove unsatisfactory, we can point out its weaknesses to the government. We have a better opportunity of getting the additional reforms you need by cooperating with the government rather than by fighting it.

Let every exhibitor be assured that HARRISON'S REPORTS, although it has accepted the Code as it is, is going to carry on a fight for additional reforms until this business is made a free field for brains and knowledge.

(The End)

QUESTION AND ANSWER DEPARTMENT

With this issue, questions pertaining to the operation of the Code, or to the rights of the independent exhibitors under it, as well as questions of general interest to the industry, will be answered in this department.

The questions will often be rewritten so that they be made clearer and more brief.

The name of the questioner will be omitted in every case.

1. Question: Because of your interpretation of the cancellation provision in the Code I notified the distributors I am doing business with that I want to cancel some of their pictures but was told by them that the Code is not retroactive. What do you advise me to do?

Answer: As stated in several articles in HARRISON'S REPORTS, the cancellation provision of the Code is retroactive, just as are some of the other provisions. The failure of the distributors to recognize it does not change the facts. I suggest that you communicate at once with Mr. Charles L. O'Reilly, member of the Code Authority, in care of Room 908, Times Bldg., New York, N. Y.; or with Mr. Nathan Yamins, in care of Empire Theatre, Fall River, Mass. They both represent the independent exhibitors and will defend your rights.

(Continued on last page)

"Moulin Rouge" with Constance Bennett and Franchot Tone

(United Artists, Jan. 19; time, 71 min.)

"Moulin Rouge" belongs in the sophisticated class of entertainment, because of its rather risqué theme. There are several coarse suggestive situations and dialogue that has double meanings; but it undoubtedly will attract the masses because it has been produced lavishly, has musical numbers and back-stage atmosphere, and the stars are popular. In some ways the plot resembles that of "The Guardsman," except that in this case the wife poses as some one else and sets out to test her husband's fidelity. The sets and costumes are expensive, and the dance ensembles are clever. However, they have gone almost to the limit in nudity in one of the dance numbers where the girls wear practically nothing. Tullio Carminati brings about many laughs by his adoration of Constance Bennett. One of the funniest situations is where he sends Franchot Tone to plead his cause with Constance; instead, Tone falls under her spell and makes loves to her himself. The opening scenes, showing a tryout of new acts for a show, provoke hearty laughter:—

Constance Bennett, married to Franchot Tone, a playwright, wants to go back on the stage which she had given up when she married Tone. He forbids it because he thinks she has no talent and would make a fool of herself. When Carminati imports a famous Parisian music hall singer (also played by Constance Bennett), Constance is enraged for the girl is none other than her former partner in the act. After a quarrel with Tone, Constance leaves him. She goes to see the Parisian actress and tells her about her troubles. The Parisian has an idea—Constance shall take her place in the theatre and she will go off with her lover. She dies Constance's hair blonde, gives her several hints, and then off she goes. Constance affects a French accent, and not even her own husband or Carminati recognizes her. They both fall in love with her. She is enraged at Tone because she had always trusted him. She suggests that he go to Bermuda with her and he agrees. The French actress fails to return in time for the opening of the show, and Constance is forced to go on. She is a great success. The other actress arrives in time for the second act, but she receives a surprise visit from her husband who drags her out of the theatre. Tone and Carminati are heartbroken when they see her dragged out of the theatre, and then are amazed when they see some one else on the stage who looked exactly like their late star. It dawns on them that she is Tone's wife. They both apologize. Tone tries to tell Constance that he knew her all along. She does not believe him, but forgives him.

The plot was adapted from a story by Lajon Debré. It was directed by Sidney Lanfield. In the cast are Ivan Lebedoff, Helen Westley, Andrew Tombes, the Boswell Sisters, Russ Columbo, and others.

Not suitable for children, adolescents, or Sundays.

NOTE: There is an advertisement for the Postal Telegraph in one scene.

"Wine, Women and Song" with Lilyan Tashman and Lew Cody

(Chadwick Production; running time, 70 min.)

Just a moderately entertaining back-stage drama with music. The only really worthwhile feature of the picture is the love Lilyan Tashman shows for her daughter; this arouses human interest. Otherwise, parts of it are unpleasant, as for instance Lew Cody's attempts to seduce the young daughter. The closing scenes are demoralizing because Lilyan Tashman poisons Cody so as to prevent him from wrecking her daughter's life. The backstage scenes are not particularly exciting. The daughter is a sympathetic character and her romance with the dance director is pleasant. One unpleasant scene is where the young daughter arrives for her morning rehearsal; there are snickers and wisecracks all around because they all thought she had spent the night with Cody.

In the development of the plot Lilyan Tashman, a burlesque performer, is arrested. While she is in jail her friend takes care of her daughter and places her in a musical show. The dance director falls in love with her; she loves him, too. Her talent brings her to the fore, and Lew Cody, the producer, is infatuated with her. Lilyan Tashman is released from prison, and arrives in Cody's home in time to send her daughter home; Cody had purposely given the girl too much to drink so he could keep her in his home. Lilyan suffers a heart attack and is forced to stay at Cody's home. He warns her he will not stand for interference and that he will have the girl. She pretends to agree, and has him sign a contract to star the daughter; she tells him that after

the opening night she will permit the girl to go to his home. The girl is a great success. Lilyan puts poison in Cody's wine glass and he dies. She, too, dies after a heart attack. The daughter and the dance director are united.

The plot was adapted from a story by Leon D'Usseau. It was directed by Herbert Brenon. In the cast are Marjorie Moore, Matty Kemp, Paul Gregory, Gertrude Astor, Bobby Arnst, Esther Muir, Bobby Watson, and others.

Unsuitable for children, adolescents, or Sundays.

"Eight Girls in a Boat" with Dorothy Wilson and Douglas Montgomery

(Paramount, Jan. 5; running time, 83 min.)

This might do as entertainment for people that are morbidly inclined. But most people will find it extremely depressing, for several reasons—Dorothy Wilson, the heroine, goes through the whole picture distracted and moping; she is a pupil at a fashionable school for girls, and is presented as if in a distracted state, because she is going to have a baby and does not want to force Douglas Montgomery, the hero, to marry her since it might interfere with his career as a chemist. She fails to obey her swimming teacher's instructions and the teacher, in order to discipline her, forces her to dive into the cold water several times, finally forcing her to dive off from a height of twelve feet, unaware of her condition. This situation is really cruel. Of course, when the truth is discovered, this teacher and the girls rally around the heroine and give her their support, but this does not erase the memory of that diving scene. Walter Connolly, the girl's father, arouses anger by his thoughtless treatment of Dorothy, and Montgomery is something of a weakling. It is demoralizing, too. For one thing the heroine, although unmarried, has intimate relations with the hero. Another reason is that it shows the heroine planning to kill herself by taking poison.

In the development of the plot, the hero, having found out that the heroine had taken the bottle with the poison when she was at his apartment, rushes to the school to see her. The teacher refuses him admittance. When Dorothy confesses, the teacher and the girls plan to care for her, since her father had refused to do anything for her. But the hero, realizing that he loved the heroine dearly, calls at the school and induces her to go away with him so that they might marry. The girls and the teacher tearfully take leave of the heroine.

The plot was adapted from a story by Helmut Brandis. It was directed by Richard Wallace. In the cast are Kay Johnson, who gives an excellent performance, Barbara Baroness, Ferike Boros, James Bush, and others.

Unsuitable for children, adolescents and Sundays.

"Shadows of Sing Sing" with Mary Brian and Bruce Cabot

(Columbia, Dec., 3; running time, 63 min.)

Just a program gangster melodrama, amateurishly produced. It moves slowly and offers little excitement, except for the closing court-room scene in which, through an ingenious trick, the identity of the murderer is disclosed. There is some human interest in the affection Grant Mitchell shows for his son, Bruce Cabot, and both Cabot and Mary Brian are sympathetic characters. But that is not enough to hold the interest, for the story is trite:—

While at college, Cabot and Mary fall in love. She confesses to him that she is the sister of a notorious gangster but he tells her that does not matter to him. Back in New York, her brother tells her he refuses to permit her to marry Cabot, one of his reasons being that Cabot's father, Grant Mitchell, was a detective and he hated him. Mitchell, too, opposes the marriage. Cabot is put to work in the District Attorney's office. He tells the brother that he is going to marry Mary. Bradley Page, a gangster, wanted Mary. He has a henchman kill the brother and plants a gun belonging to Bruce, which he had stolen from his car, near the dead man. He also arranges matters so that Bruce arrives at the brother's office and then is found with the dead man. He is arrested and things look bad for him at the trial, until his father, through a clever trick, proves that some one else committed the murder. Bruce is freed and marries Mary.

The plot was adapted from a story by Katherine Scola and Doris Malloy. It was directed by Phil Rosen. In the cast are Harry Woods, Claire DuBrey, Irving Bacon, Dewey Robinson, and Fred Kelsey.

Because of the gangster element it is not suitable for children, adolescents or Sundays.

"Fugitive Lovers" with Robert Montgomery and Madge Evans

(MGM, Jan. 5; running time, 81 min.)

An exciting melodrama that holds one in suspense throughout. The one drawback is the fact that the hero is an escaped convict, and the heroine, without knowing anything about him, helps him to evade the police who were looking for him. At the jail break in the beginning, the warden remarks that the hero had always complained about being railroaded to jail, but nothing is shown definitely to prove he was innocent; therefore, it is difficult for the audience to sympathize with him. But because of the fast action the interest is held to the end. The closing scenes are the most thrilling, and win respect for the hero, for he risks his own life and liberty to save a busload of children who were stranded and suffering from the cold during a terrific snowstorm. It is one of the most realistic storms photographed, and the suffering and fear of the children will stir the emotions. Comedy is brought about by a talkative woman on the transcontinental bus, and by Ted Healy, as a drunken passenger who wisecracks all the time:—

Madge Evans (heroine) is forced to leave the show in which she was a chorus girl because Nat Pendleton, a racketeer, wants to take her to Atlantic City. She refuses to go with him and instead boards a transcontinental bus to go to California. Pendleton follows her. There is great excitement when they pass a prison town during a jail break. Montgomery, one of the escaped prisoners, hides on the bus and takes a suit of clothes out of Healy's suitcase and at the next stop enters the bus as a passenger. Madge and Montgomery become friends, and she asks him to help her ward off Pendleton's attentions. She soon finds out about him; Pendleton had suspected it and tells her about Montgomery. Montgomery leaves the bus at different stops and rides on freight trains. But he manages to follow the course of the bus and sees Madge at different stops. At one point, during a blizzard, he steals the bus and leaves with Madge. They come upon a busload of children; the bus had stalled and the children were freezing. Montgomery and Madge keep them warm in their bus and by morning when the police arrive Montgomery is arrested and the children given to their parents. Montgomery is given a pardon and he is united with Madge.

The plot was adapted from a story by Ferdinand Reyher and Frank Wead. It was directed by Richard Boleslavsky. In the cast are C. Henry Gordon, Ruth Selwyn, and others.

Not for children, adolescents or Sundays.

NOTE: This picture looks like an advertisement for the Greyhound Bus Lines, for the name is clearly displayed, and many references are made to the comforts the company supplies for its passengers.

"I Was a Spy"

(Fox-Gaumont, Dec. 15; running time, 84 min.)

This is a British made picture with an all foreign cast. Herbert Marshall is the only member of the cast who is well known to American audiences. It is a good espionage melodrama for those who like war pictures with their depressing and unhappy atmosphere. The heroine, a spy, works as a nurse in the hospital maintained for soldiers, and one is brought in contact with the suffering and horror of the wounded and dying. The ending is extremely depressing, for the lovers are parted—the hero is shot by the Germans as a spy. One of the most pitiful situations is where the heroine reclaims a watch that the German officers had advertised as having been found when a thief was arrested. She did not know that the watch had been found near the ammunition plant which she, together with the hero, had blown up. By claiming it, she is caught and confesses that she is a spy. Much sympathy is felt for the heroine throughout—she is forced to do menial work and even surrender to a German officer who desired her for the sake of procuring information that might help her country. Audiences who enjoy this type of melodrama will find the working of the spy system interesting.

In the development of the plot the heroine, when finally caught and tried as a spy, refuses to talk. But the hero, who loved her, did not want to see her killed and so he bargained with the Germans that if they would not kill her he would confess all. They accept the bargain, he confesses, and is shot. The heroine is imprisoned. When armistice is declared she is freed.

The plot was adapted from a story by Marthe McKenna. It was directed by Victor Saville. In the cast are Conrad Veidt, Madeleine Carroll, Nigel Bruce, and others.

Not suitable for children, adolescents, and Sundays.

"Man of Two Worlds" with Francis Lederer and Elissa Landi

(RKO, Rel. date not set; time, 90 min.)

Francis Lederer does some excellent acting, making of the Eskimo character he portrays a sympathetic person. But he cannot overcome the weakness of the story; it is not the type of story that should have been used to introduce him to the public; for most of the picture he is dressed in Eskimo clothes, his hair is long and untidy, his eyes are made to resemble that of an Eskimo's, and he speaks the Eskimo language. The American public is not intensely interested in the life of Eskimos, even when it is authentic, and "Man of Two Worlds" does not even strike a note of realism, for the Eskimo country is a series of crude studio sets which are readily noticeable to the audience. Some comedy is aroused by Lederer's peculiar ways when he comes in contact with white men, and by his childish surprise at the different things they display to him:—

Henry Stephenson, together with J. Farrell MacDonald and some other men, are on an arctic expedition to capture animals to bring back to England. They engage Lederer as their chief guide and hunter. He leaves his wife, an expectant mother, and goes on the expedition. They teach him English and white men's customs and he takes to it quickly. He falls in love with the photograph of Elissa, Stephenson's daughter. When he is injured in capturing a bear, and Stephenson wants to pay him, he asks to be taken to the white man's country. Stephenson takes him to his own home, and MacDonald watches over him. They ask Elissa to be kind to him. He becomes very ill, but leaves his bed, wanders downstairs, and finds Elissa in the arms of Walter Byron. He is shocked, but when he recuperates she is forced to tell him it was just a bad dream. He believes her; he has a coughing spell and she gives him whiskey. This inflames him and he attempts to make love to her. She is disgusted and tells him the truth. MacDonald takes him back to his own people. At first he is miserable, but when he sees his child, and the sorrow of his wife, he forgets about his dreams and joins his people once more as their leader.

The plot was adapted from a story by Ainsworth Morgan. It was directed by J. Walter Ruben. In the cast are Steffi Duna, Sarah Padden, Ivan Simpson, and others.

The love scenes have been handled discreetly; therefore, it is suitable for children, adolescents and Sundays.

"Easy To Love" with Adolphe Menjou and Genevieve Tobin

(Warner Bros., Jan. 13; running time, 60 min.)

A risqué sex comedy, offensive for the most part. The comedy is forced and seldom arouses hearty laughter. There are many suggestive situations, and much of the dialogue has double meanings, sometimes only one meaning—dirty. No interest is felt for any of the characters and at times the story moves slowly. The closing scenes, in which Patricia Ellis, the daughter, sets out to teach her parents a lesson, are silly in addition to being suggestive, for Patricia threatens to live with Paul Kaye, her sweetheart, without marriage, because her parents' marriage failed:—

Genevieve Tobin is married to Adolph Menjou and Patricia Ellis is their daughter. Menjou is carrying on an affair with Mary Astor and neglects his wife. She finds out about the affair and, on a visit to Mary, knowing that Menjou was hiding in the closet, she tells Mary that she and Edward Everett Horton were lovers and were taking an apartment in the same building. Horton was madly in love with Genevieve and is happy that at last she was to be his. When Menjou arrives home he cannot control himself, tells Genevieve she is doing a terrible thing and that he loves her. But she insists on a divorce. Patricia sets out to teach her folks a lesson: she tells them she is going away with Paul Kaye, but that they would not marry because her parents' marriage was a failure. Her parents are frantic and follow her to the hotel. They find her and Paul in one room, in twin beds. Patricia tells them she will marry Paul if they promise to live together again. Mary and Horton, fearing that something dreadful would happen, had followed them to the hotel. A preacher who had been called in to marry the young couple insults Mary and Horton and they leave together. They suddenly find each other interesting. Genevieve and Menjou are reconciled and the daughter surprises them by telling them she had been married that morning.

The plot was adapted from a story by Thompson Buchanan. It was directed by William Keighley. Guy Kibbee and Hugh Herbert are in the cast.

Unsuitable for children, adolescents, and Sundays.

2. *Question:* In your issue of December 30 you recommend to us to cancel such pictures as we are entitled to cancel under the Code from the last releases of the season, when the quality is at its worst. According to my interpretation, which is backed up by other exhibitor leaders, an exhibitor can cancel only one from each group of ten, and unless he exercises that privilege at once he loses the right to cancel them afterwards. This is greatly at variance with your interpretation. Can you tell me what is your authority for your interpretation?

Answer: On October 30, Sol A. Rosenblatt attended the convention of the independent exhibitors at Atlanta. During his speech interpreting the Code, he made the following statement while discussing the benefits of the cancellation provision:

"Assuming that the exhibitor has licensed the exhibition of 36 motion pictures, then he is entitled to cancel four pictures without payment. If the third motion picture of the first group of ten is canceled, payment is made for the same but the tenth picture actually exhibited need not be paid for. If none of the first ten is canceled by the exhibitor, he may cancel without charge any one in the second ten, and if he desires to cancel another in the second ten, he would pay the license fee for the second so canceled and receive credit for the amount of such payment upon the twentieth picture so exhibited. The privilege is cumulative so that if none are canceled up to the 32nd photoplay, the exhibitor would have the right to cancel the remaining four without any payment whatsoever."

Since Mr. Rosenblatt is the person who must finally give all interpretations relative to the provisions of the Code, the interpretation given to the cancellation provision in HARRISON'S REPORTS is accurate. All other interpretations are inaccurate.

3. *Question:* I bought from one distributor thirty pictures with the right to select them from his entire output. Does the Code allow me to reject ten per cent of these thirty?

Answer: The ten per cent cancellation provision was inserted into the Code for the purpose of enabling exhibitors to reject pictures that are offensive to the people of their communities. Since your contract permits you to select your pictures from the distributor's entire output, you are not entitled, under the provisions of the Code, to make further rejections.

But suppose the distributor's entire output was announced to be thirty-six pictures. We know that many distributors fail to deliver the entire number they announce and your distributor may this time fail likewise. In such an event, if he should deliver thirty-three pictures, you will not be entitled to make any other rejections, because you may reject the surplus three. But if he should deliver only thirty-two in all, then you will be entitled to reject one additional picture. If he should deliver thirty-one, you may reject two. If he should deliver only thirty, you will be entitled to reject three, leaving you only twenty-seven to pick up.

4. *Question:* I have in my booth one operator. Does the Code compel me to engage another? My town has thirty thousand inhabitants.

Answer: Section 2, Part 1, Subdivision "C," of Article IV, stipulates that no picture-theatre employee shall be required to work more than forty hours a week. Accordingly, if you can run your booth on a schedule of forty hours for the full week, you need not employ a second operator. To the operator's working time, however, you must add such time as he requires to prepare the machines and to inspect the films before starting the show each day, and the time for putting everything in order before leaving the booth at night. But no provision of the Code requires that you employ two men in a booth to work at the same time.

5. *Question:* In cancelling pictures under the Code, can I cancel percentage pictures?

Answer: You may cancel pictures of any classification, percentage or flat rental. But in deciding what pictures to cancel, you should be prompted to do so on grounds of either immorality of theme or of its demoralizing effect upon the youth, such as, for instance, showing how crime is committed. If you should cancel meritorious pictures out of a belief that you will lose money with them, when the ninety days of the trial are over, the Code Administrator may be told by the producers that the exhibitors abused the cancellation privilege by cancelling good pictures. In such an event, the cancellation provision may be repealed altogether. On the other hand, if you should avail yourself of this privilege to cancel whatever filthy or criminal-glori-

fyng pictures you can but still you show such pictures on account of the inadequacy of the clause, the government may see fit to eliminate block-booking and blind-selling entirely. Our efforts to eliminate block-booking and blind-selling will go to nothing unless you make your cancellations as suggested in this answer.

6. *Question:* I am in competition in one of my towns with an exhibitor who has practically a monopoly of all the film. Formerly he made three changes a week but because of the fact that he has bought so much film he is now making four changes. But he is still behind in his playing schedule. What can I do to get some film?

Answer: Part 2, Division E, Article V of the Code stipulates that no exhibitor shall contract for more pictures than he needs so as to create a shortage of pictures for his competitor. Accordingly this exhibitor is violating the Code. Increasing the number of weekly exhibitions so as to create such a shortage also is a violation of this provision. I suggest that you notify the exhibitor as well as all distributors who have sold him film that, unless a reasonable number of pictures are taken away from him and given to you, you will lodge a complaint against them with your Local Grievance Board. In case the number of pictures they may turn over to you are insufficient on account of the fact that he is now changing four times instead of three, you may lodge a complaint with your Local Grievance Board to compel him to go back to three changes a week so that a greater number of pictures may be released for your use. Since it will, however, be February before the Grievance Boards will be set up and able to function, I suggest that you send your complaint at once to Mr. Rosenblatt.

7. *Question:* Because of the fact that I have shown many NRA shorts I have been thrown behind in my play-dates for MGM shorts and MGM, in retaliation, cancelled my Christmas dates for "Christopher Bean" and my New Year dates for "Dancing Lady." Did they have the right to take such action? MGM has also stopped sending out play-date availability notices.

Answer: It is my definite opinion that Part 10, Division D, of Article V, which makes a distributor a violator of the Code if he should refuse to deliver shorts because of a dispute over a feature contract, or vice versa, is retroactive just as is the provision for the cancellation of ten per cent of the pictures of a contract (Part 6, Division D, Article V.) For this reason you should, in order to protect your interests, serve a notice on the distributor by registered mail that you intend to lodge a complaint with the Local Grievance Board. If you, complying with the suggestion made recently in HARRISON'S REPORTS, have already notified MGM that you agree to arbitrate any dispute that might arise under your contract with it, it may not be necessary for you to lodge a complaint with the Grievance Board at all, but proceed to act under the arbitration clause of the Optional Standard License Agreement. In case MGM has informed you that it does not consent to arbitrate with you such disputes as may arise under your existing contracts, denying to the Code retroactive powers, then I suggest that you take the matter up with Mr. Rosenblatt. But I am sure that MGM will not let the matter reach that point, particularly because the play-dates you have taken away from it you have used to assist the Government publicize the National Industrial Recovery Act.

As for MGM's having put an end to sending out play-date availability notices, allow me to call your attention to the fact that the Fourth Clause of the Optional Standard License Agreement, which became part of the Code on December 7, the day on which the President signed the Moving Picture Code, provides for a definite method of furnishing such notices. Read the interpretation of that Clause in the December 16 issue of HARRISON'S REPORTS. If MGM has violated that Clause, it can be held liable for any losses any exhibitor may have sustained as a result of its arbitrary attitude.

8. *Question:* Some exhibitors, before signing their 1933-34 contracts, inserted in them a clause making them subject to the provisions of the Code. Some of us were led by the salesmen to believe that, since the Code would be retroactive, the insertion of such a clause was altogether unnecessary and would serve only to "mess up" the contracts. And so we failed to insist upon the insertion of such a protective clause. And now the exchanges are refusing to acknowledge in the Code retroactive powers. Have we any recourse?

Answer: Follow the suggestions made in the answer of Question No. 1.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions	16.50
Canada	16.50
Mexico, Cuba, Spain.....	16.50
Great Britain	16.00
Australia, New Zealand, India	17.50
35c a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

PEnnsylvania 6-6379

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JANUARY 27, 1934

No. 4

HAYS MUST GO!

In the second section of this issue there is printed a list of names of secretaries of film boards of trade recommended to the Code Authority for the posts of secretaries of either the Grievance Boards or of the Clearance and Zoning Boards.

Section Eight of Article II of the Code empowers the Code Authority to utilize the facilities of national, regional, or local trade associations or groups if in its judgment such utilization would benefit the industry.

Will H. Hays, who ever since the Government ordered that a Code of Fair Competition for the Motion Picture Industry be framed, has not ceased to plan how he could either neutralize the provisions of the Code or, in case he cannot neutralize them, to use them to his own advantage, made the suggestion to the Code Administration that the film boards of trade be employed in accordance with the provisions of the Code, giving economy as the reason. There is no doubt in my mind that he has said that since the film boards are already set up and functioning they could be utilized without any cost to the Government or to the industry.

But the Code Administration declined this proffer of Mr. Hays, and decreed that under no circumstances will the film boards be used for such a purpose.

But Mr. Hays was not to be discouraged. Knowing well the motto, "If you don't succeed the first time try again," he has decided to use, like a good general of an army, a flanking movement. And so he has submitted, undoubtedly through individuals, in some cases perhaps independent exhibitors, the names of the secretaries of the various film boards with the hope that these will be appointed to the posts of secretaries of these important bodies, for he knows very well the value of such posts; all experienced politicians would rather know the secretary to a judge than the judge himself.

How successful Mr. Hays will be in his new effort it is difficult to tell just now. But what I want to call to your attention is the fact that as long as Will H. Hays remains in the motion picture industry political manipulation will be employed, not for the benefit of the industry, but in an effort to retain his position, which pays him a salary that he can never dream of getting through real work.

Will H. Hays has been the bane of the motion picture industry. Politically influential, he has used his influence not to better the moral quality of pictures, even though by training in his early youth and subsequent position in his community he was morally bound so to do, but to protect his employers in their determination to debauch the young men and women of the nation for profit. In the early years of his entry into this industry, he used his connections in Washington to prevent legislation that would bring about an improvement in the moral tone of pictures. When the outcry against filthy pictures became too strong, he framed and gave to the public a Morality Code, assuring the American people that thereafter the pictures would be snow-white. Personages such as Governor Dan Moody, of Texas, Professor Clyde L. King, of the University of Pennsylvania, Senator Arthur Capper, and others, and newspapers of the standing of *New York Times*, *Los Angeles Times*, *New York Sun*, *Milwaukee Journal*, *Grand Rapids Herald*, *St. Louis Globe-Democrat*, *Atlanta Constitution*, *Washington Post*, and many others as prominent, applauded his decision to cleanse the screen by compelling the members of his organization to conform to the standards set down by his Morality Code.

Under the heading, "Principles Underlying the Code," in a bulletin he issued at that time, Mr. Hays said: "Motion picture producers recognize the high trust and confidence which have been placed in them by the people of the world, and they recognize their responsibility to the public because

of this trust." . . . "No picture shall be produced which shall lower the moral standards of those who see it. Hence the sympathy of the audience should never be thrown to the side of crime, wrongdoings, evil or sin"; and "Correct standards of life shall be presented on the screen, subject only to necessary dramatic contrasts."

How ruthlessly he and the members of his organization have violated the thoughts that underlie these beautiful expressions it is hardly necessary for me to prove; what I have set out to do is to call to your attention the fact that in the last two months the pictures that have been produced by the members of Will H. Hays' association surpass in filth, demoralization and cruelty anything that had been produced before; and unless our President intervenes to put an end to this debauchery of the youth of the nation no one can foresee where they will stop.

Most of the pictures that are produced today are breaking down the home and destroying all the principles that fathers and mothers have been endeavoring to instill into their children. There is no vulgarity they do not teach them; they are insidious, wrecking whatever character home and school and church has been able to build in them. And Mr. Hays is responsible for this condition more than any other person in the business, for he has protected the producers of such pictures until now they are so cynical that they laugh at his edicts.

In advocating that Mr. Hays be asked to leave the industry I am not prompted by personal motives. I have nothing personal against him. He did a good job as head of the major producing-distributing companies. The only trouble is that in rendering a service to his employers, he has rendered a disservice to the American people, particularly to the youth of the nation. And as long as he remains head of the producer-distributor association he will always utilize his capability, energies and knowledge against the interests of the American people.

Hays must go!

THE CONTROVERSY ABOUT THE CANCELLATION PROVISION

The producers are refusing to recognize the retroactivity of the cancellation provision, which HARRISON'S REPORTS declared retroactive in the issues of December 23 and 30.

Last week's trade papers quote Mr. Sol A. Rosenblatt as having ruled that this provision of the Code is retroactive. But the producers are still balking, and they have decided to take up the question at the next meeting of the Code Authority (in its meeting of Tuesday, January 23).

Division Administrator Rosenblatt is now on the Coast, and the Code Authority cannot rule against his ruling.

If you desire to cancel a picture that was released in your zone fourteen days previously to the day on which you make your decision, send a telegram to that effect to the distributor. When it is due you, pay for it, but under protest. If by the time this picture becomes available to you you will have shown nine other pictures you are entitled to pass this picture up without payment; if not, pay for it and the money will be applied on the tenth picture.

Begin counting from the release of December 7. If the company whose picture you desire to cancel did not release a picture on that date you will be compelled to take the first picture released after December 7.

If the exchange still refuses to acknowledge retroactive powers in the Code, you will have to submit the matter to your Local Grievance Board. But I believe that the Administrator will, by that time, make an open ruling to protect your rights in the cancellation provision.

"Sixteen Fathoms Deep" with Creighton Chaney and Sally O'Neil

(Monogram, Nov. 27; running time, 60 min.)

A very good action melodrama. It has human interest and the audience is held in suspense to the very end. The suspense is brought about by the machinations of the villain, who wanted to ruin the hero financially so as to marry the heroine himself. There are some colorful undersea shots showing how sponge fishing is done by divers. These should awaken great interest. One thrilling situation, is where the hero, without protection of any kind, and weighed down by an anchor, dives sixteen fathoms deep so as to rescue a diver when the rope by which he was lowered became foul. In addition to being exciting this act arouses much sympathy for the hero, because he risked his life for a man who betrayed him. The outdoor shots are good:—

The hero borrows money from the villain so as to buy a boat of his own and join some other men in sponge fishing. The villain puts one of his henchmen on the boat so as to prevent the hero from making a successful haul. His desire is to ruin the hero financially and so to make it impossible for him to marry the heroine, for he wanted her himself. Many things happen on the boat that mystify the hero and some of the crew. It is only after the hero saves the life of one of the divers that he obtains a confession from him that he was the villain's accomplice. The diver expresses sorrow for the part he had played and determines to help the hero. After several other mishaps, engineered by the villain, the hero is informed by the heroine who was back of it all. He rushes to the sponge auction and gets there just in time to sell his cargo, which brings a good price. The diver tells the people how the villain had cheated them on numerous occasions, and they go after him. The villain kills himself. Hero and heroine marry.

The plot was adapted from a story by Eustace L. Adams. It was directed by Armand Schaefer. In the cast are George Regas, Maurice Black, Jack Kennedy, Si Jenks, and others.

Suitable for children, adolescents, and Sundays.

"Massacre" with Richard Barthelmess and Ann Dvorak

(First Nat'l., Jan. 20; running time, 68½ min.)

The suffering of the American Indian at the hands of unscrupulous agents is vigorously told in this fast-moving melodrama. Much sympathy is felt for them, particularly for the hero, an Indian, who cannot bear to see his people cruelly mistreated and who, because of his fearlessness in fighting for them, is made to suffer thereby. It has its unpleasant moments, as for instance, when the fifteen year old sister of the hero is raped by a white agent. With the exception of this incident, and of the opening sequence which shows the hero in an intimate relationship with a white woman, the story revolves around the attempts of the hero, an Indian, college graduate, to get justice for his people. The closing scenes are exciting—the Indian people, realizing that the hero would not be given a fair trial, decide to take matters into their own hands and free him. The picture ends on an optimistic note, with the hope that Washington officials will mete out justice for the redman.

In the development of the plot the hero, son of an Indian chief, and college bred, earns much money by riding at the Chicago fair as an Indian chief. He receives word that his father is dying and sets out to visit him. Once he arrives there he realizes how cruelly the Indians are being treated and decides to help them. After many unhappy incidents, one of which is his punishing a white man who had raped his young sister, this man later dying, the hero finally gets to Washington and exposes the crookedness of the Government agents at a Senate Investigation Committee. He is tried for the murder but freed because of the circumstances. The Government offers him a post as the Indian representative and he decides to remain with his people. The heroine, a college bred Indian girl who had helped him in his worth-while efforts to free his people, accepts his proposal of marriage.

The plot was adapted from a story by Robert Gessner. It was directed by Alan Crosland. In the cast are Dudley Digges, Henry O'Neill, Wallis Clark, Claire Dodd, George Blackwood, Clarence Muse, Robert Barrat, William V. Mong, and others.

Not suitable for children, adolescents, or Sundays.

"I Am Suzanne" with Lilian Harvey and Gene Raymond

(Fox, Jan. 5; running time, 100 min.)

Because of its pleasant romantic quality, its excellent production, and of the introduction of a novelty in the form of the Piccoli Marionettes, "I Am Suzanne" is fairly good entertainment for class audiences. Its chief drawback is the fact that it is too draggy in some spots, particularly in the first half; it takes too much time in establishing the story. But it becomes more interesting as the story develops, and much sympathy is felt for both the hero and the heroine. The marionette scenes are splendid and are worked into the story in a clever way so as to be part of the action. The dolls used are quite large and are so well manipulated that they almost seem to be alive. Suspense is sustained fairly well throughout since one does not know whether the heroine, who had had an accident, would dance again, or whether her romance with the hero would be interfered with by the villain.

In the development of the plot the heroine, a popular dancer, is completely dominated by her manager and his mistress, both of them cheating the heroine of most of her earnings. The hero, a member of a troupe that worked marionettes, meets the heroine at a performance she gives and not being able to get past her manager, he sneaks into her room at night; she consents to pose for him so that he might make a marionette to resemble her. At another performance the heroine falls and is injured. Deserted by her manager, she goes to live with the hero and his company and they take care of her. The hero induces a famous surgeon to see her and she soon is able to walk around with crutches. She and the hero fall in love but she feels he is more interested in his dolls than he is in her. With the patient care given her by the hero she is entirely cured and able to dance again. After a quarrel with the hero she goes back to her old manager and is engaged for a show in which the hero and his company are to work. At the end of the performance they realize their misunderstanding was a foolish one and the hero tells her she means more to him than anything in the world. There is a happy reconciliation.

The plot was adapted from a story by Rowland V. Lee and E. J. Mayer. It was directed by Rowland V. Lee. In the cast are Georgia Caine, Gilbert Wilson, Leslie Banks, Halliwell Hobbes, and others.

Suitable for children, adolescents, and Sundays.

"Miss Fane's Baby Is Stolen" with Dorothea Wieck and Alice Brady

(Paramount, Jan. 12; running time, 67 min.)

The entire action revolves around the kidnapping of a child, and it is too harrowing for the average audience; it cannot be classified as entertainment. True, the spectator is held in suspense throughout, due to anxiety over the child's welfare, and his emotions are stirred. But it puts one under such a nervous strain that, when it is all over and the baby is rescued, one feels shaken, having felt a thumping sensation in the heart, and extreme pity for the suffering mother. Mothers will feel frightened and even have nightmares over the possibility of such a thing happening to them. The closing scenes, in which Alice Brady rescues the baby from the kidnapers, racing in her old Ford to escape from them, are exciting and thrilling. There are many laughs by Baby LeRoy's often appearing without his trousers:—

Dorothea Wieck, a motion picture star, whose husband was dead, is extremely devoted to her child, Baby LeRoy. One night the child is kidnaped; she refuses to notify the police in the hope that the kidnapers would get in touch with her. Desperate, she finally tells the police. The kidnapers warn her to get rid of them, which she does, and she arranges to meet them and give them money for the return of the child. They are suddenly frightened by an approaching motorcycle and rush away. They hide out in a cabin next to Alice Brady's farm, and although snubbed, Alice visits them. She is suspicious about their actions and when a broadcast is made about the kidnaped child she investigates and is assured that the next door baby is the stolen child. She endangers her own life by rescuing the baby and with the help of motorcycle police who escort her to the city she returns the baby. For this Dorothea rewards her generously. The kidnapers are caught and sentenced to life imprisonment.

The plot was adapted from a story by Rupert Hughes. It was directed by Alexander Hall. In the cast are William Frawley, Jack LaRue, Alan Hale, Dorothy Burgess, and others.

Not a picture for children, adolescents, or Sundays.

"Hips Hips Hooray" with Wheeler and Woolsey

(RKO, Feb. 2; running time, 66½ min.)

For Wheeler and Woolsey fans this is a good slapstick comedy. It is silly, but one may enjoy it if one does not take it seriously. It arouses hearty laughter in situations that would ordinarily seem ridiculous. One of the funniest situations is where Wheeler and Woolsey, in order to make an impression on Thelma Todd and Dorothy Lee, use the office of a man whom they had scared away by telling him his house was on fire. The place is almost wrecked when they finish dancing around it. The closing scenes are fast and funny. Wheeler and Woolsey, in trying to escape from detectives who were trying to arrest them for stealing bonds, enter into an automobile race and win it. The mishaps they encounter and the manner in which they win is very comical:—

Thelma Todd runs a beauty salon, but because of the crooked manipulations of her manager, George Meeker, she is losing money. Dorothy Lee, one of her salesgirls meets Wheeler and Woolsey when they are selling flavored lipsticks on a street corner. They make her believe they are important men and she introduces them to Thelma Todd, who engages them as her managers to boost business. But their plans are upset when they realize that they had picked up by mistake another man's bag containing valuable securities and left their own bag, containing lipsticks with this man. Detectives are out to arrest them and so they leave town. During an automobile race in which Thelma's car is entered as an advertising stunt, her racers leave the car stranded. They had been bought off by her manager who was in league with Thelma Todd's rival. Wheeler and Woolsey are on the road trying to get hitches to California, when they come upon the abandoned automobile. They get into it and enter into the race; they win it. The boys are made happy when they learn that the crooked manager, who had stolen the bonds from the bag, had been arrested. They are even happier when Dorothy accepts Wheeler and Thelma accepts Woolsey as their husbands to be.

The plot was adapted from a story by Bert Kalmar and Harry Ruby. It was directed by Mark Sandrich. Ruth Etting and others are in the cast.

During some of the dance numbers the girls wear abbreviated costumes. Exhibitors will have to use their own judgment about showing it to children, adolescents, or on Sundays.

"Fashions of 1934" with William Powell and Bette Davis

(First Nat'l., Feb. 17; running time, 77 min.)

The lavishness of the second half of this production makes up for the defects and slow pace of the first half. The fashion shows displaying gorgeous gowns and equally attractive sets will thrill women. In addition, the stage settings and the dance ensembles are very good. There are many laughs in the closing scenes, particularly when Reginald Owen finds out that the woman he had married was not a titled lady but an American chorus girl. But there is no human interest in the story because the characters are unsympathetic, earning their money by racketeering. Powell, the brains of the racketeers, plainly suggests that they forge the names of famous French dressmakers to sketches that Bette Davis makes. This they do, and later they sell the designs to American dress manufacturers as authentic. Such an act is demoralizing, particularly when it is shown that he is able to get away with such things. Other schemes he enters into are equally unsavory. Another bad feature is that Bette Davis joins him in these rackets knowing fully well that they are dishonest. Of course, in the end they give up these practices to enter legitimate business, but the harm has already been done:—

Powell is introduced to Bette, a clever designer. He bribes the driver of a truck to bring his firm's newest French creations to Powell's office direct from the boat. In this way Powell photographs the dresses, and then Bette makes the sketches which they sell to cheap dress houses. Then the expensive model is not exclusive any more. The driver is caught and discharged. Powell goes to three expensive dress firms and tells them he was the head of the racket. Each firm, without the knowledge of the other, employs Powell to go to France and "steal" styles for them. In Paris Powell meets Hugh Herbert, owner of an enor-

mous quantity of ostrich feathers, and Powell, for a good sum, promises to put him across. To do this he becomes acquainted with Reginald Owen, the most famous dressmaker in Paris, through his mistress, Verree Teasdale, who was posing as a titled lady but who was an old pal of Powell's from Hoboken. Powell produces a lavish revue, Owen designs the costumes, and it is a tremendous success. Powell overhears Owen trying to double-cross him with Herbert. In order to get even with Owen he announces to the audience that he will open a new dressmaking establishment. In this way he takes away all of Owen's business. Owen brings charges against Powell. But Powell, by threatening to expose Verree, which would make Owen the laughing stock of Paris, induces Owen to withdraw the charges; Owen even buys Powell's business. Powell and Bette, in love with each other, leave for the United States to enter into legitimate business.

The plot was adapted from a story by Harry Collins and Warren Duff. It was directed by William Dieterle. In the cast are Frank McHugh, Philip Reed, Dorothy Burgess, and others.

Unsuitable for children, adolescents, and Sundays.

"Let's Fall In Love" with Edmund Lowe

(Columbia, Dec. 26; running time, 66½ min.)

A fairly entertaining comedy with music. Although there is nothing novel in the story, it holds the interest well because of the good acting, catchy tunes, and fairly good production. It is not an elaborate musical—instead the music is made part of the action. Gregory Ratoff provides good comedy moments, particularly in the situation where he entertains Ann Sothern, thinking her to be a great Swedish actress, and actually pleading with her to sign a contract with him. Ann Sothern, a likeable and attractive person, wins the sympathy of the audience, particularly in the situation where Miriam Jordan exposes her as a chorus girl:—

Edmund Lowe, motion picture director, is disheartened when the Swedish star of the picture walks out in a temperamental fit. Gregory Ratoff, the producer, insists that Lowe start working on another picture but Lowe refuses, saying he must find another Swedish girl to take the star's place. In the meantime salaries are continued and Ratoff is frantic. Lowe, in company with Miriam Jordan, his fiancée, goes to a circus and there notices Ann Sothern, a beautiful young girl who speaks with a delightful accent. He talks to her and finds that the accent is not genuine. He induces her to leave the circus and live with a Swedish family who coach her in the Swedish language and customs. She learns quickly and soon Lowe introduces her to Ratoff as a wealthy Swedish girl who is not interested in pictures. Ratoff pleads with her to take a screen test and this is so good that he pleads again for her to sign a contract; she does. She is a sensation, but is unhappy because she is in love with Lowe. Miriam Jordan, jealous of Ann, and feeling that she had seen her some place, suddenly realizes she is the girl from the circus. At a party given by Ratoff for Ann, Miriam exposes her. Ann leaves in shame and Ratoff discharges Lowe. But the publicity is all favorable to Ann; they say she was clever to have fooled everyone. By this time Lowe realizes he loves Ann but she cannot be found. He goes to the circus and there she is at her old job. He tells her he loves her and induces her to go back into pictures because Ratoff had relented.

The plot was adapted from a story by Herbert Fields. It was directed by David Burton. In the cast are Greta Meyer, Betty Furness, Tala Birell, Anderson Lawler, Ruth Warren, and others.

Suitable for children, adolescents, and Sundays.

HOW EXHIBITORS FEEL TOWARD THIS PAPER

An exhibitor friend of mine, from Cleveland, Ohio, has written me as follows:

"You have gained the confidence of the independent exhibitors so much that almost anything you say a good many of them would believe, and I can truthfully tell you that at the last meeting any number of them wanted to know why does Pete Harrison take the attitude he does. They felt if Pete said it was okay, it must be so; and it took a good many arguments from the officers of the Association to get them to change their minds."

TIME FOR VIGILANCE

The submission of the names of the film board secretaries with a recommendation that they be appointed secretaries of either the Grievance boards, or of the Clearance and Zoning boards, posts of great influence in the administration of the code, brings us face to face with the realization of the vigilance we must exercise in the setting up of these bodies, for upon such vigilance will depend the protection of the interests of the independent exhibitors.

HARRISON'S REPORTS has no personal quarrel with any of these secretaries; most of them are, no doubt, sincere and conscientious in so far as they were called upon to protect the interests of those who employed them. The reason for objecting to their appointment to such posts is the fact that they belong to a system that the New Deal has condemned. As secretaries of the producer-controlled arbitration boards they were asked by their employers to take part in a system that was condemned by the courts afterwards. The Hays association worked through them. It was they who ruled arbitration. Being the representatives of a system that the American conscience has condemned, they have no place in any set-up under the New Deal, the object of which is to drive monopoly and monopolistic practices away from industry.

It will, indeed, prove unfortunate if it should come to light that exhibitors, it makes no difference whether they are members of the rank and file or leaders, have submitted these names to the Code Authority.

One way to exercise vigilance is to sign the compliance certificate. By so doing you will be enabled to voice your objections not only to the secretaries of the film boards of trade, but to any exhibitor whose name appears on the list of recommendations, printed in the second section of this issue.

The greatest service an independent exhibitor could render to the Hays forces, and by the same token, the greatest disservice he could render to the independent exhibitors as well as to himself, is by refusing to sign the Code. Will H. Hays does not want the Code, because a new power is set up, a power which he will not be able to control—the government will see to it. There is no doubt in my mind that he and those whom he represents wish that every one of the independent exhibitors will refuse to sign it; there would, then, be fewer complaints before the Grievance boards; and with fewer complaints they would try to prove to the government that they are pure at heart, and so no reforms are needed.

Sign the Code, scrutinize the list of names recommended for membership on either the Grievance or the Clearance and Zoning Boards, and send your objections to any of them if you feel they will not serve the interests of the independent exhibitors conscientiously. The government wants the best men that can be found for these boards and it will not know who the best ones are unless you tell it. It is your responsibility now.

THE TRI-ERGO ANNOYANCE

The AMERICAN TRI-ERGO CORPORATION, of 10 West 47th Street, New York City, has sent to many exhibitors the following circular:

"This letter is to give you further notice of United States Letters Patent No. 1,713,726, granted May 21, 1929, and owned by us, which we claim is being infringed by machines you have been and are now using in your theatre to reproduce sound on film sound pictures.

"In two suits recently decided in the United States District Court for the Middle District of Pennsylvania (Equity Nos. 971 and 972) involving two different types of machine, this patent was held valid and infringed as to all of the claims that were sued on—seven in number.

"We intend to take all necessary steps to protect our rights under this patent and to prevent the further infringement thereof."

A circular letter sent out by the Photophone Division of the RCA Victor Company, under date of January 18, reads partly as follows:

"All proceeding in the District, including injunctions, have been stayed. An appeal from the lower court's decision has been taken to United States Circuit Court of Appeals and is being promptly prosecuted by RCA Photophone, Inc., on behalf of the Defendants. We have been advised by counsel that the decision of the lower court is, in their opinion,

unsound, that the patent involved is invalid upon several grounds, and that the Court of Appeals should so 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-Ergo Corporation with reference to such matters. We will protect customers and lessees in accordance with the obligations assumed under any contracts involved."

Although I have not received a similar circular from the Western Electric group, I believe that this company also is taking the same action as RCA Victor Company because their contract also contains a guarantee clause.

When you receive a notice from the American Tri-Ergo Corporation informing you that you are infringing on their patents, send a copy of that circular to either RCA Photophone, or to ERPI, depending on whose instrument you have leased, calling their attention to the guarantee clause in your contract, and asking them to attend to this matter for you.

Those who have a bootleg equipment will just have to ignore the circular and trust to the outcome of the case.

QUESTION AND ANSWER DEPARTMENT

9. *Question*: Our theatre and many other theatres in this region have been reducing the price of admission to boys of the Conservation Cantonment Camp. I am practically letting them in at half the regular admission price. Are we violating the provisions of the Code by so doing? I took the matter up at a recent gathering of theatre owners here but I did not get a satisfactory answer. We are all still in the dark and should like to be enlightened.

Answer: This matter will have to be handled by your local Grievance Board when a complaint is filed against you by either an exhibitor who is affected by your practice of admitting persons at one-half the announced price, or by a distributor whose contract stipulates a minimum admission price for his pictures when they are shown in your theatre, higher than the half-price you charge to the Cantonment boys. Since all the other exhibitors resort to the same practice, the Grievance Board may, in view of the fact that your act is semi-charitable, rule that you may continue the practice. It should so rule unless some other exhibitors are affected adversely by your lowering your prices.

10. *Question*: There are three theatres in our town, which has 35,000 inhabitants. One is owned by Warner Bros., one by Sam Katz, and the third by us. We have been operating for eight years and for that length of time we have exhibited Metro pictures. On the 1933-34 block we lost half of this program to the Warner Theatre. The Warner, in the 1932 set-up, had the following products: Warner Bros., RKO, half of Columbia, and half of Universal with some from United Artists. They exhibited approximately 120 pictures. This year they have their own product, RKO, Universal, half of Metro. They are now running three changes a week, and have been doing so for the past six months. Previously they were showing, as records will prove, two features a week, and some of the times only one feature.

The only major company product we have been able to buy this season has been Fox and half of Metro. Can we, under the Code, demand our other half of the Metro we have lost? Could the Warner theatre be made to give up part of the product of the lesser companies? In the last two years we have never shown more than ninety-seven pictures a year.

Answer: Since it is apparent that the Warner theatre increased the number of its weekly changes in order to create a shortage of product for your theatre, a Grievance Board should rule that that theatre go back to two-a-week changes so as to allow you to have a sufficient number of pictures for your use. Under Section 1, paragraphs (a.) (b.) (c.) and (d.) of Part 2, of Article VI, it is a violation of the provisions of the Code for any theatre, affiliated or unaffiliated, to increase the number of its weekly changes in order to create a shortage of pictures for its competitor. I suggest that you make a demand on the Warner management that they restore the status quo, informing them of the fact that you will submit a complaint against them with your Local Grievance Board as soon as it is set up and begins functioning. You should submit your complaint even to the Code Authority, before the Grievance Boards are established. It is abuses of this kind that made codes of fair competition necessary.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 PENNSYLVANIA 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, FEBRUARY 3, 1934

No. 5

LET US BE PRACTICAL!

I fear that Mr. Abram F. Myers, in acquiescing in the Newark exhibitor's suit against the Code Administrator to prevent him and the Code Authority from rejecting qualified compliance of exhibitors on the Code, has unwittingly played into the hands of the major companies.

Will H. Hays and those he represents do not want the Code. The fight they are now waging against Division Administrator Rosenblatt's ruling on the effectiveness of the ten per cent cancellation provision as of December 7, the day on which the Code became effective, is one proof of it. So, by fighting the Code, Mr. Myers is unwittingly aiding the cause of Mr. Hays and of the major companies.

In view of the President's pronouncement of January 20, by which the American people are assured that the codes of fair competition shall not be used to effect monopolies or to establish monopolistic practices to the detriment of the small business man, it is doubtful if Mr. Myers will go very far with the suit; the courts may determine that the plaintiff has not been deprived of his constitutional rights and the injunction may therefore be denied.

Assuming that Mr. Myers succeeds in stopping the operation of the Code entirely; will he benefit the exhibitors thereby? It will require the carrying on of another long drawn-out battle to obtain the reforms the exhibitor has already obtained, and the methods that will be used will again be legislation. And legislation is a hopeless affair, for this is the weapon we have used incessantly for six years without any results, as Mr. Myers well knows—better than any one else. For example—

The Brookhart Bill, of which Mr. Myers was the sponsor, and which was introduced in Congress at three different times, failed to get to first base, even though we all worked like beavers for its passage. The Brookhart resolution for the investigation of the motion picture industry, of which, too, Mr. Myers was the sponsor, failed to cause even a ripple. The fate of the Sirovich Resolution, which we all supported vigorously, is too well known to every one of you to necessitate the giving of details: It was hopelessly defeated. The victory in the Youngclaus suit succeeded in affecting a territory within a radius of only about fifty miles: it would require the winning of at least one hundred similar suits to bring relief to all the exhibitors.

Considering these facts, you will agree with me that Mr. Myers' antagonism to the Code can be of no benefit to the hard-pressed exhibitor. When an exhibitor is being strangled by the affiliated circuits by means of withholding product from him, a promise to break up that stranglehold at some indefinite time in the future is of little consolation to him. When salacious or gangster pictures are delivered to an exhibitor, the showing of which ruins his business, and he is given an opportunity to get rid of some of them, it is no encouragement to assure him that block-booking and blind-selling will be eliminated at some time in the future if he should stand pat. The same is true of many other abuses. The Code is present; it is a reality; it is in force.

It is true that it does not give the exhibitors all the reforms they sought. But what will prevent you, after accepting the reforms that it grants now, from fighting for more? The President asks you to try the Code for ninety days, and promises to correct whatever abuses there might develop during the test period. Is that unfair?

One fault that I find in the attitude that has been assumed by Mr. Myers is the fact that he seems to have allowed his personal feelings to color his judgment. For instance, in his analysis of the Code, which he made recently, he says the following about the Optional Standard License Agreement:

"This form of contract, while not perfect, is the best that has been evolved so far, and the optional arbitration clause is the fairest that the exhibitors were able to negotiate. If you want to arbitrate differences with distributors under the contract, the fairness of such arbitration is assured. There are no standing boards, no unfair rules, no tricky procedure. The exhibitor and the distributor each name their representatives; if such representatives cannot agree, they may choose an umpire."

I agree fully with what Mr. Myers says: the Optional Standard License Agreement is the best that his intelligence, experience and knowledge could have exacted from the unwilling producers.

But of what use was that fine contract until it was inducted into the Code? The producers treated it just like so much scrap paper.

I regret deeply the fact that Mr. Myers should have assumed an intransigent attitude toward the Code. Such an attitude, in my opinion, ill serves the interests of the independent exhibitors.

Let us be practical! Let us not, like the dog of Aesop's fable, drop the meat to go after its shadow!

PICTURES YOU MAY CANCEL

The major companies are not satisfied with Mr. Rosenblatt's ruling on the cancellation provision of the Code and ask from the NRA a "definite ruling."

Motion Picture Daily, in a dispatch from Hollywood, quotes Mr. Rosenblatt as having made the following statement to its correspondent there:

"It makes no difference when an exhibitor signed a contract or when it was approved. If he has signed the code and fully complies with the provisions governing cancellations, he is entitled to 10 per cent eliminations after December 7.

"If the distributors want to bring suit, that is their privilege. But I haven't heard of any."

This ruling is definite enough for exhibitors to understand. If the major company executives do not understand it, it is too bad.

Strictly speaking, it is not retroactivity in the Code that gives you the right to cancel ten per cent of all the pictures released after December 7, but the fact that the Optional Standard License Agreement became part of the Code on December 7, the day on which the Code became the law of the land; and since the cancellation provision in that Agreement conflicts with the cancellation provision of the Code, the Code provision prevails.

In order that you may receive information that will enable you to take better advantage of the cancellation privilege, I have arranged with an exhibitor on the Coast to send me as much of such information as he can get. It will be printed immediately after it is received.

From the information that I have so far received the following pictures seem to be cancellable:

FIRST NATIONAL: This company sold you 30 pictures. Up to December 8, it released only 4. Out of the remaining 26, you will be entitled to cancel 3 pictures. If this company should refrain from producing all the thirty, reducing the number to 29, it will owe you only 25. In such a case, your cancellation privilege will be reduced to two pictures. If it should attempt to practice such a trick, the Administrator should rule that the number of pictures you will be entitled to cancel will still be 3.

(Continued on last page)

"The Big Shakedown" with Charles Farrell, Bette Davis and Ricardo Cortez

(First Nat'l, Jan. 6; time, 60 min.)

Terrible! The worst conceivable traits in man are brought out in this story—a mixture of brutality, corrupt practices, murder and rackets. It is a terrible example of what overpowering brutality can do, and even though the villain meets with a horrible death there is no moral gained by this, because it is only through an accident that he dies. Not even the hero wins any sympathy for he willingly becomes a member of the gang by preparing the faked merchandise they sell so as to obtain money. Of course, later he, when he does want to leave because of the heroine's objections to his work, is forced by the racketeer to remain, and is brutally beaten by him. The worst feature of this picture is the fact that it will make people feel uneasy, for it shows the villain, with the aid of the hero, a chemist, manufacture inferior brands of tooth-pastes, medicines, lotions, perfumes, and so forth, labeling them with the names of well-known products, and forcing drug store owners to buy these products. The heroine tries to convince the hero of the wrong he was doing, but he felt that, since his own drug store was not paying him well, this presented to him an excellent chance to make enough money with which to furnish a home so that they might be married. Besides, he felt that he was doing no wrong, since he was not selling the stuff. It is not until after their marriage and his wife is in the hospital, about to give birth to a baby, and one of the villain's crooked brands of medicine is given to her, causing the death of the baby, that the hero realizes how wrong he had been to continue in that work.

In the development of the plot the hero is framed in a murder committed by the villain's gang. They murdered Glenda Farrell because she was giving the facts to the police because the villain had thrown her over. They purposely frame the hero so as to force him to continue working for them. But when his baby dies he rushes to the villain to have it out with him. He arrives in time to see the villain shot by a former manufacturer of a product the villain had duplicated, causing this man's ruin. The villain tumbles into a large vat which contained a chemical that consumed anything that was thrown into it. The hero aids the manufacturer by throwing into the vat the gun he had used and all other evidence to the killing. The gang is rounded up by the police, but the hero is cleared. He goes back to the drug store business, to conduct it legitimately.

The plot was adapted from a story by S. Engels and Niven Busch. It was directed by John F. Dillon. In the cast are Glenda Farrell, Allen Jenkins, Henry O'Neill, Dewey Robinson, and others.

Too horrible for children, adolescents, and Sundays.

"Once to Every Woman" with Fay Wray and Ralph Bellamy

(Columbia, released Jan. 15; time, 67½ min.)

Physicians, surgeons, patients, operating rooms and operations parade in this picture against a hospital background. Some persons might find it entertaining, but the majority of people should revolt against seeing such things and doings, for to such people matters of these kinds are not entertaining; if anything, one associates them with pain and misery. The first three-quarters are slow, being padded to the limit. For instance, characters are shown walking from one end of the hospital corridor to the other, the camera following them every inch of the way. Such a thing does not accelerate the action. Padding occurs also in the last quarter, but because there is considerable human interest in that part one does not notice the padding so much.

The story revolves around a heroine, head nurse, who is bent upon doing her work conscientiously; a head surgeon, who is getting so old that he loses his grip; a second surgeon who has advanced ideas about operations which conflict with the ideas of the head surgeon; and a staff physician with whom the heroine is in love, but who occupies most of his time chasing nurses to make love to them. The second surgeon pleads without success with the head surgeon to let him perform a delicate brain operation. During the operation, however, the head surgeon breaks down and the assistant carries it to a successful conclusion. Several days later one of the patients takes some iodine, left near her by a careless nurse, and drinks it. As the staff physician could not be found, since he happened to be making love to a flapperish nurse, the second surgeon renders first aid and saves her life. The heroine now realizes what a cad the staff physician was and accepts the proposals of the assistant surgeon, who loved her with all his heart.

The plot has been founded on the *Cosmopolitan Magazine* story "Kaleidoscope in 'K,'" by A. J. Cronin; it was directed by Lambert Hillyer. Walter Connolly, Marie Carlisle, Walter Byron and others are in the cast.

The sex element is subdued; yet the picture is too morbid for children or adolescents, and too unhappy a picture for Sunday showing.

"Four Frightened People" with Claudette Colbert, Herbert Marshall, Mary Boland and Wm. Gargan

(Paramount, Jan. 26; running time, 77 min.)

The world's worst! It is incomprehensible how any producer even of ordinary experience, let alone a person of Cecil B. DeMille's experience, would so heartlessly throw so many tens of thousands of dollars away on story material of this kind. The action takes place supposedly in the Malayan jungles, and presents four people lost in the jungle and trying to find their way out. In one scene, a cobra sticks out its head and is about to strike one of the characters on the leg, hanging down the platform where they were playing cards. This scene should prove too horrible for the stomachs of all, particularly of women. The chief pastime in the picture is the shooting of poisoned arrows at the four frightened people by the natives. The scene where a native shoots at Leo Carillo and strikes him in the throat will prove too much; it is a sickening sight.

With all the hardships the four frightened people had to undergo, Mary Boland never loses sight of her pekinese dog; she carries him in her arms all the time, even when she is captured by the natives and she forces them to release her by playing upon the emotions of the native women. And Claudette Colbert—oh! that Claudette; she is an innocent little thing, who eventually shows the stuff that she had been made of. She should have asserted herself on DeMille.

The whole thing can be summarized in one word—the word a little boy had given in answer, after the four characters had reached civilization, to the question as to what Malay was producing. The word was "Nuts." It is the cleverest thing DeMille did in the picture.

The plot has been founded on the novel by E. Arnot-Robertson.

There is nothing morally wrong in the picture; it is simply not an entertainment for any one except children, who may enjoy the animals. But the gruesome scenes spoil it even for these.

"He Couldn't Take It" with Ray Walker and Virginia Cherrill

(Monogram, Dec. 11; running time, 67½ min.)

A moderately entertaining program comedy of the wise-cracking variety. Ray Walker plays his usual role—a hot tempered person, who cannot resist punching somebody in the eye. He gets himself into many predicaments because of this and is never able to hold a position for more than a week, to the disgust of his mother and of his sweetheart, Virginia Cherrill, who breaks their engagement each time he loses his position. Comedy is aroused in some of the situations because of his "smart-aleck" attitude, particularly in one situation where he thinks he is a great prize-fighter, only to be knocked out in the first round. The closing scenes are exciting; they hold the audience in suspense. This is brought about by Walker's attempts to serve a subpoena on a racketeer, without having this man suspect his purpose.

In the development of the plot, Virginia, secretary to Donald Douglas, a lawyer, attempts to make a lawyer of Walker, with the help of Douglas, but they fail. He then becomes employed as a process server, and is called in by the District Attorney to serve subpoenas in an investigation on certain racketeers. He serves one on the leader and then learns that the unidentified man wanted by the District Attorney is Douglas. He receives a telephone call from his mother telling him that Virginia was leaving for Canada with Douglas, presumably on a business trip. With his assistant, George E. Stone, he rushes to the train, knocks out Douglas, orders his arrest, and then leaves. He refuses to talk to Virginia, but there is a reconciliation later and they are married.

The plot was adapted from a story by Dore Schary. It was directed by William Nigh. In the cast are Stanley Fields, Dorothy Granger, Jane Darwell, Paul Porcasi, Donald Douglas, Astrid Allwyn, and others.

Because of one situation in which Douglas makes it clear to Virginia why he was taking her on the trip, exhibitors will have to use their judgment about showing it to children, adolescents, or on Sundays.

"Beloved" with John Boles and Gloria Stuart

(*Universal, Jan. 22; running time, 78 min.*)

Discriminating audiences will find "Beloved" entertaining. It has been produced very well, there is deep human interest, and good music is interpolated into the story in such a way that it does not retard the action. Nothing exciting ever happens, and there is not much novelty in the story. But there is a distinct charm to the picture because of the romantic atmosphere, the pleasant manner in which the story unfolds, and the old-fashioned background. One situation that will arouse the emotions is where Boles, in that part an old man, hears his symphony played for the first time and then dies:—

Boles, when a young boy, and his mother, had left their country during a revolution when his father was killed, and lived in the South. His mother gives music lessons and he helps her. He meets and marries Gloria Stuart and she willingly shares his poverty, egging him on with his music and composing. He gives music lessons until a friend introduces him to an enterprising concert manager. He builds up a romantic background for him and Boles is a sensation. But Boles and Gloria hate the life for he is a freak and has no time left for his composing. They give up the life and go back to simple living and again he gives music lessons. All the time he works on his symphony. A son is born to them but he grows up to be a disappointment to his parents. He is forced to marry a young girl he had compromised and then leaves for the Spanish American war. His wife dies at childbirth, and he is killed in the war. The grandson grows into a fine young man and Boles realizes that he has talents as a musician. The boy develops into a famous young man and becomes wealthy as a composer of popular songs. He marries and his grandparents live with him. Gloria dies. Boles accuses his grandson of having stolen his music for his popular songs and leaves the house. The grandson, by donating a large sum of money, induces a well-known orchestra to play his grandfathers' symphony. It proves to be a masterpiece. Reconciled with his grandson, Boles listens to his symphony being played, and with the spirit of Gloria hovering about him, he dies happy.

The plot was adapted from a story by Paul Gangelin. It was directed by Victor Schertzinger. In the cast are Morgan Farley, Ruth Hall, and others.

Because of the one situation in which it is intimated that Boles' son had improper relations with a young girl, exhibitors will have to use their own judgment about showing it to children, adolescents, or on Sundays.

"The Song of Youth"

(*Astor Pictures; running time, 75 min.*)

A pleasing program picture. It was produced in Germany, and has been fitted with English dialogue in this country. The "dubbing," however, has been done so successfully that the English talk fits almost perfectly to the lip movements of German talk. The characters that have been used are not Teutonic; one would, in fact, take them for English more than for German. The tone quality of the different voices is pleasant. The heroine's part is taken by Anny Ondre, a Czechoslovakian girl. She is petite, is a fine little actress, with a magnetic personality. As to the story, it is thin, but what is done by the characters is not only not offensive but pleasing.

The story revolves around a young woman, who had been reared by a Scottish Regiment when she was found as a baby. There is considerable comedy in almost every situation, some pathos, and a charming love affair.

Suitable for children, adolescents and Sunday showing.

"As Husbands Go" with Warner Baxter and Helen Vinson

(*Fox, Dec. 29; running time, 80½ min.*)

The idea and story underlying "As Husbands Go" is good but it has been spoiled in the picture version of what was a very good play. It is too draggy. Some of this can be blamed on the direction, and some on the acting. The very best performance is given by Warner Baxter, who makes the character he portrays a real and understandable man, the type that arouses much sympathy. But aside from Baxter, Helen Vinson, and Warner Oland, the players are not well known and their acting will not help them to become popular. It is only because of the deep sympathy one feels for Baxter that the interest is held fairly well throughout. This sympathy is brought about by Baxter's devotion to his wife and by his kindness to his nephew. Helen Vinson, although she is in love with another man, is in a way

sympathetic because of her romantic nature. The best situation is the one in which Baxter, the husband, goes on a fishing trip with the Englishman his wife loves, and the two men get drunk. Their conversation and actions are very human and funny:—

Helen Vinson and her friend, a middle-aged wealthy widow, are in Paris on a vacation trip. Helen is in love with an English poet, and the widow with Warner Oland, a cosmopolitan Frenchman. Helen promises to tell her husband all when she returns home and Oland promises to follow his wealthy widow to America. Once back in America, Helen finds it difficult to tell Baxter anything for she realizes how much he loves her and how very kind he is to her. But after a while he knows something is wrong, and when the Frenchman and the Englishman arrive, he realizes that it is the Englishman his wife loves. He becomes good friends with the Englishman and they go off on a fishing trip. They become intoxicated, have a heart-to-heart talk, and the following day the Englishman, realizing that Baxter is a much finer man than he could ever hope to be, leaves to go back to Europe. He sends Helen a note telling her of his decision. At first Helen is disappointed but later she is glad to be with Baxter and have his comforting type of love.

The plot was adapted from the play by Rachel Crothers. It was directed by Hamilton MacFadden. In the cast are Catharine Doucet, G. P. Huntley, Jr., Frank O'Connor, Eleanor Lynn, and others.

Suitable for children, adolescents, and Sundays.

"Women In His Life" with Otto Kruger

(*MGM, Dec. 8; running time, 74 min.*)

Good entertainment for some, fair for others. It is a far-fetched melodrama, that fails to strike a realistic note, and is unpleasant in spots. The first half is slow, and it takes some time to establish its story; the second half picks up some speed. This is brought about when the gangster element is introduced. The closing scenes are the most exciting; they show Kruger trapping the gangster leader, forcing him to confess to a murder he had committed, thus saving the life of an innocent man, who had been convicted of the murder. But it is all too melodramatic; the accused man is saved just as he was strapped to the electric chair. At first Kruger is not a sympathetic character, for he is shown to be callous and drinks too much; but later when one is made to understand why he is unhappy, some sympathy is felt for him:—

Kruger, a famous criminal lawyer, is known to have had many affairs with women. A young girl goes to his office and begs him to defend her father who had been accused of murdering his second wife. Kruger uses this girl to help him in another case and promises her his support, but when the case is finished he goes off on a pleasure trip with his mistress, leaving the girl's case to his assistant, Ben Lyon. The case is tried, and the father is convicted and sentenced to die. Kruger returns, and remorseful, asks for the facts. He is shocked to find that the woman who had been killed was his former wife. He had never stopped loving her even though she had been unfaithful to him. He rushes to her grave in the pouring rain without a coat or hat, and becomes very ill. As soon as he recovers, he works out a plan to save the convicted man. With the help of his mistress he traps the chief gangster who he knows is guilty and forces him to confess. The accused man is freed. Kruger marries his mistress, and Ben Lyon, the freed man's daughter.

The plot was adapted from a story by F. Hugh Herbert. It was directed by George B. Seitz. In the cast are Una Merkel, Isabel Jewel, Roscoe Karns, Irene Hewey, C. Henry Gordon, and others.

Unsuitable for children, adolescents, or Sundays.

THE FINAL LIST OF NAMES IN SECOND SECTION

In Section Two of this issue you will find the final list of names recommended to the Code Authority for either secretaries or members of either the Grievance or the Clearance and Zoning Boards. It has been corrected, and the last names sent out by John C. Flinn, Executive Secretary of the Code Authority, have been added to it.

The boards have already been made up for most zones, and the others will soon be made up; these will be submitted to the Code Authority for approval at its next meeting, which will be on February 9. So you have until that time to protest against any person who, to your knowledge, will be prejudiced against the interests of the independent exhibitors.

"The Big Shakedown": This picture deals with the drug racket. It is demoralizing and gruesome. In the closing scenes the villain, after being shot, falls into a vat containing a chemical that consumed anything that fell in; his body goes up in fumes.

This picture was released nationally on January 6. Since you are required to notify the distributor that you want to eliminate a particular picture "within fourteen (14) days after the general release date thereof in the exchange territory out of which the Exhibitor is served," you have lost the right to cancel it now. This would be true, however, if the national release date of a distributor's picture is the "general release date" in the exchange territory from which you are served. But such is not always the case, for often the records of a distributor indicate that a picture was released nationally on a given date but it was not shown in a zone for one, two, or even more months. A "general release date" in "the exchange territory from which you are served" means the date on which the picture was shown for the first time, in the case of national releasing companies, after a national release for that picture was set, and in the case of regional, or "State Right," distributors, after a definite release was set. Accordingly, if "The Big Shakedown" was released in your zone late enough to come within the 14 days of notice required by the provision of the Code, you are entitled to cancel it.

In case this picture has already been released enough in advance to nullify your fourteen days time, you may cancel any of the following First National pictures:

"Bedside" (National release date, January 27. Your fourteen days time expires Saturday, February 10, or any date fourteen days after the picture is shown in a first run-theatre in your zone): The hero (Warren Williams), who had studied medicine for three years, but who had not finished his course, is shown practicing medicine under an assumed name. At one time he performs a throat operation. The stitches break and the patient bleeds almost to death.

"Mandalay" (Released nationally February 10): The heroine (Kay Francis) is a prostitute; the villain (Ricardo Cortez) a gun runner. They live as man and wife. Later she meets the hero and falls in love with him. She murders the villain by poison when he insists that she give up the hero to follow him.

Fox: This company sold a maximum of 65. Up to December 8 it released 16, leaving 49 to deliver. Of the 49 you will be entitled to cancel 5 pictures.

"Sleepers East": A melodrama—a mixture of crooked politics, and gangster warfare. Gangsters intimidate the only witness to a murder of a night-club owner by the Mayor's son.

Fox will make worse pictures than this towards the tail-end of the season. So it might be wiser to wait.

METRO-GOLDWYN-MAYER: This company sold 46. Up to December 8 it released 10, leaving 36 to deliver. On 36 pictures you are entitled to cancel 4.

"Women in His Life" (Released nationally December 8. Cancellation privilege expired December 22. Shown in New York City for the first time January 26. Cancellation privilege for the New York City Zone expires February 8. In other zones it expires fourteen days after it is shown in a regular theatre): The hero is a famous lawyer, but he spends most of his time with either women or drink. There will be no doubt worse pictures than this to cancel later on.

MONOGRAM: Sold 30. Six released before December 8; 24 remain to be delivered. You may cancel 2 pictures.

No recommendation for cancellations can be made just now.

PARAMOUNT: This company sold a maximum of 65. Number of pictures released before December 8 is 19; number to be delivered, 46. On this number you are entitled to cancel 5.

"Eight Girls in a Boat" (National release date January 5; time cancellation right expires, January 19, or fourteen days after its release in a downtown theatre in your zone, where you will have the opportunity to see it and determine whether you shall cancel it or not): Many of you who are in small towns will not be able to show this picture because it shows the heroine pregnant all the way through, the result of a love union with the young hero. It is also cruel, in that the heroine, though pregnant, is made by the school teacher, who is ignorant of the fact, to go through severe exercises as a punishment for what she had thought was disobedience on the part of the young heroine.

"All of Me" (National release date January 16. Time cancellation right expires, January 30, or 14 days after it is released in your zone. It has not yet been shown in New York City. For this reason New York City zone exhibitors may cancel it immediately): The heroine, an unmarried young woman, lives with the hero. She helps a gangster escape from prison. The gangster, while escaping, kills a guard. The heroine helps the gangster free his sweetheart, also a prisoner. The heroine and the gangster live together. Both young girls soon find out that they are pregnant. In the end the gangster jumps from the window and kills himself. His sweetheart kills herself in a similar manner. Cancel it by all means.

RKO: This company sold 51 pictures. Up to December 7 it released 11, leaving 50 to deliver. Out of the 50 you are entitled to cancel 5.

No recommendation for cancellations can be made just now.

UNITED ARTISTS: The status of this company is peculiar; it sells its pictures individually.

Although it sells its pictures individually, an exhibitor can, in my opinion, cancel all salacious or otherwise demoralizing pictures just the same. All he has to do is to take the following steps: Demand arbitration of the dispute; submit a complaint to the Local Grievance Board, appealing to the Code Authority in case of an adverse ruling. The Code Administrator may eventually intervene in such cases. The theory is that some sort of relief must be offered to the exhibitor in case he is offered a filthy picture by any distributor.

UNIVERSAL: This company sold 36 pictures. Up to December 8 it released 9. This leaves 27 to deliver. On 27, you are entitled to cancel 3 pictures.

No recommendation for cancellations can be made just now.

WARNER BROS.: This company sold 30. ("Disraeli" is not counted in.) Up to December 8 it released 6. This leaves 24 to deliver. On 24, you are entitled to cancel 2 pictures.

"Easy to Love" (Released nationally January 13. Cancellation right expired January 27, except in zones where it was shown in a first-run down-town house later.) It is a continental theme, mainly sex.

INSUFFICIENT ILLUMINATION OF THEATRES DURING PROJECTION

Last Sunday I went to the Capitol, an MGM house, to review "Women in His Life."

The theatre was so dark during projection that people could not find a seat unaided.

There might have been some excuse if the day had been bright, for on a sunny day the pupil of the eyes shrink and it requires a considerable time before they become adjusted to the surroundings. But such an excuse did not exist, for the day was dark.

One would think that the heads of the major companies would be more informed on such matters than the independent exhibitors, for they have millions of other people's money at their disposal and are better able to hire knowledge in case they do not possess it on a particular subject. But such does not seem to be the case, if one is to judge by the degree of illumination used in all Broadway theatres during projection. The Paramount is just as bad as the Capitol. And so are the Strand (Warner), and the others.

The illumination during the showing of the picture should be of sufficient degree to enable one almost to read a newspaper.

The practice of having none but the slightest illumination during the projection of a picture is the result of a belief that such illumination diminishes the brightness of the picture. Such a belief, however, is erroneous, for with the screens in use nowadays it is possible to have sufficient illumination to enable people to find their seats unaided without hurting the picture.

The right degree of illumination is extremely important; for people not only find their seats without any trouble, but also enjoy the picture better, for their optic nerves are not subjected to great strain.

The independent exhibitors should show a more progressive spirit than the affiliated exhibitors by employing the proper illumination in their theatres during the projection of the picture. Such a policy will help their box offices and in addition offer their patrons greater comfort.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 PENNSYLVANIA 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, FEBRUARY 10, 1934

No. 6

SAM GOLDWYN, ANNA STEN AND "NANA"

It is difficult to comprehend the motives that prompt American producers to seek screen talent in countries where English is not understood. The efforts that are required to teach such talent the English language and to have them assimilate the ways of the American people and to understand American psychology so as to make them dramatically effective are so great that one would think they would rather exert such efforts on American young women, who would prove a safer investment.

One of the latest importations is Anna Sten, on whom Sam Goldwyn has spent a fortune for the purpose of introducing her to the American public. She has been described as "mysterious," a "captivating," a "fascinating, alluring and worldly beauty" from the Ukraine.

I watched Anna Sten in "Nana" carefully so as to report to you whether the raid United Artists is about to make on your pocketbooks is justified or not, but all I can say is that there are hundreds of American young girls who possess immeasurably greater charm than this Goldwyn importation, and greater acting ability.

How can she attain dramatic heights when she says: "Tek yr monee and ghet hout!" or "sbring" instead of "bring"?

Artistic geniuses should be welcomed in any country. But the matter differs when a person's only claim to art is good looks. Anna Sten is beautiful, of a kind; her high cheekbones give her a peasant-like appearance. She cannot enunciate properly, and her acting is not better than that of any ordinary actress.

You would think that Sam Goldwyn would at least select strong story material to introduce her with. But such is not the case, for "Nana" is the worst material any producer could have picked out. There is not a trace of sympathy for the heroine at any time.

In the situation where Anna Sten is supposed to make a hit with the patrons of the theatre where she made her first appearance she sings a song that if a fifth-rate actress would have sung it in real life she would undoubtedly be hissed off the stage.

The following are extracts from the review of Richard Watts, Jr., of the *Herald Tribune*, one of the foremost critics in the United States and the best in New York City:

"It is my suspicion that Mr. Goldwyn, who has spent two years of his valuable time, several million dollars and a number of sleepless nights in a fine, grim determination to establish Miss Sten as a distinctive Hollywood personage, was slightly, if understandably, inaccurate when he attempted to describe his carefully nurtured star as one of those lyric, enigmatic, slightly fabulous heroines, of the neo-Garbo school. As a matter of fact, his engaging the Ukrainian star is chiefly of interest as a splendid example of the strikingly vigorous peasant type that, in its lusty beauty, may end by being superior to the effete Glamour Girl of the current school of picture-going in dramatic qualities."

"The picture, in which Miss Sten begins to celebrate the emergence of the gorgeous peasant type as screen heroine, is hardly worthy of her. Mr. Goldwyn *** has forgotten to provide an honestly dramatic story for her."

"The film is quite handsomely produced, but I fear that pictorial lavishness cannot disguise the fact that the story is done amid so much artificiality that it never succeeds in being real or touching."

This criticism will not, of course, discourage Mr. Goldwyn from proceeding with his plans of putting her over with the American public, but it might at least wake him up to the realization of the necessity of giving her decent

story material. As for "Nana," he must continue the high exploitation pressure he has begun if he should want to keep up its drawing powers. But even if he should continue such exploitation pressure it is hardly likely that the picture can be put over in smaller cities and in towns since its quality is mediocre.

I repeat that the producers should confine themselves to discovering talent in the United States, among the thousands of capable young American women. They owe it to the young men and women of this country.

THE HAYS ASSOCIATION'S MANUAL ON THE CODE

Several weeks ago the Hays association put out a Manual giving an interpretation of the Code.

Copies of this Manual were sent to all the film salesmen. There is nothing to indicate who the author of this Manual is.

The feeling that has frequently been revealed towards the exhibitors by many of those who are connected with the Hays association is revealed also in this Manual. For example, the interpretation opens with the subheading: "Contracts with Exhibitor who Violates Rebate Provision," and follows with the remark: "A. No distributor may enter into a contract with any exhibitor if the Local Grievance Board in any exchange territory has found that an exhibitor has violated the provisions of the Code against the giving of rebates or the lowering of contract minimum admission prices, and has on that account directed that the distributors shall refuse to enter into contracts with such exhibitor." Though there are many other provisions in the Code, the author of this Manual did not find a more grace-appealing for his interpretation.

Through the entire Manual the violations that concern the exhibitors are accentuated.

Even the sub-headings are composed in a way to throw the reader on a false scent. For instance, the sub-heading over the interpretation of that provision of the Code which forbids a distributor from suspending service on features when an exhibitor is in default on shorts, and vice versa, reads as follows: "Suspension of Feature Contracts . . ."; it should have properly read: "No suspension . . ."

The interpretation of Part 5, Division D, Article V, which deals with the shorts that should go with features, is erroneous. The explanatory note reads as follows: "For example: If the exhibitor's requirements for the year are 156 feature pictures and 322 short subjects, the distributor may require as a condition of its contracting with the exhibitor for 40 features, that the exhibitor contract also for 80 shorts . . ." A distributor who sells an exhibitor 40 features cannot under the circumstances described force the exhibitor to buy 80 shorts, but only the number of shorts such exhibitor requires to complete the bill on the days he shows that distributor's pictures. For example, if MGM features happen to be long and only one short subject will complete the bill, that is all the exhibitor is required to purchase from MGM. Otherwise the exhibitor would be compelled to buy shorts he could not use.

Another provision that is given a wrong interpretation is that about substitutions. The interpretation reads as follows:

"A distributor may substitute any story, book or play unless the picture is marked 'NO SUBSTITUTION' or unless it is described in the contract as based upon a name well-known story, book or play, or upon a story, book or play by a named well-known author; but in case the distributor does so substitute, it must give notice thereof

(Continued on last page)

"Nana" with Anna Sten, Lionel Atwill and Richard Bennett

(United Artists, Feb. 1; running time, 88 min.)

Because of the great amount of publicity both this picture and Anna Sten have received, and the lavish production given it, "Nana" may draw large audiences in downtown theatres, but it is unsuitable for small towns because of the sordid theme, in which a woman of the streets is glorified. She is an unsympathetic type because she sets out with one purpose in mind—to get what she can no matter how many men she must live with. Her affairs with men are lucrative to her. This is demoralizing. One of her acts is disgusting. In order for her to reestablish herself as a star in the theatre, she consents to live with the married brother of the man she truly loved. This brings enmity between the brothers, and social ruin to the married brother. Her final act is a decent one; and it is logical—she kills herself in order to bring about peace between the two brothers. Anna Sten, the new star, photographs well and is attractive, but she is no Garbo or Dietrich, despite the money Sam Goldwyn has spent to make people believe she is.

In the development of the plot, Richard Bennett, the producer, who had taken Anna from the streets and had made a star of her, throws her out when he discovers that she had been intimate with Phillips Holmes, her soldier lover; she was supposed to be his mistress. Lionel Atwill, Holmes' respectfully married brother, has Holmes transferred so as to separate the lovers. The letters Anna writes to Holmes are torn up by her friends, who want her to forget him; and so are his letters to her. Thinking he had forgotten her, she accepts the offer of Atwill, who had fallen for her charms, to live with him. With his wealth, he is able to make a star of her again. Holmes returns and soon he discovers the truth. There is a dramatic meeting between the brothers, and Anna, knowing that she could not bring happiness to either one of them, kills herself. This brings the brothers together again.

The plot was adapted from the novel by Emile Zola. It has been modified considerably. It was directed by Dorothy Arzner. In the cast are Mae Clarke, Muriel Kirkland, Reginald Owen, Lawrence Grant, Helen Freeman, and others.

Unsuitable for children, adolescents, or Sundays.

"Midnight" with Sidney Fox

(Universal, Jan. 29; running time, 78 min.)

Excellent production. But what a gruesome picture! There is hardly any action; it is a character study, of the foreman of a jury, who, by his persistency on account of his belief that the law must be carried out, had brought about the conviction to the chair of a woman, who had murdered her husband. The action unfolds at the foreman's home on the night of the execution. Every one at his home is jumpy and nervous, and none can refrain from mentioning the convicted woman. This irritates the foreman to a point where he can find no peace. His repeated protests to every one that he merely did his duty as a law-abiding citizen does not help bring him peace.

As if to fill the cup of unhappiness to overflowing, his daughter kills her sweetheart, a gangster parading as an honest man. The murder took place about midnight, the time set for the execution of the woman. The father insists that his daughter must suffer the consequences of her act. But a young reporter, who, by bribing the foreman's son-in-law, had secretly set up a broadcasting outfit for his paper and carried to the world whatever was said at the house, in order to purge his conscience for the trick he had played on the foreman, takes matters in his own hands. He had the foreman send for the district attorney. The reporter, by making the district attorney realize that his chances for the governorship, which he aspired, would be ruined if it became known that the daughter of the foreman who had convicted the woman had killed her sweetheart at the moment when the electric chair was taking the life of the convicted woman, induces him to conceal the crime by making the heroine believe that she had not committed it, and that she had been merely the victim of her own imagination.

The plot has been founded on the play by Claire and Paul Sifton; it was directed by Chester Erskin. Sidney Fox, O. P. Heggie, Henry Hull, and others are in the cast.

Hardly a Sunday picture—too gruesome. Too strong for children and for adolescents. From among the adults, those who liked Tiffany's "The Last Mile" should enjoy this one, even better. (Not a substitution.)

"I've Got Your Number" with Joan Blondell and Pat O'Brien

(Warner Bros., Feb. 24; running time, 68 min.)

A fairly entertaining program grade comedy melodrama, the dialogue of which occasionally becomes a bit rough, once or twice decidedly so. It holds the interest fairly well throughout, and during the second half, where the heroine innocently becomes involved with a gang of crooks, one is kept in suspense. In one situation the heroine, while working as a telephone operator in a hotel, had joined in what seemed to her a good joke—she connected a certain call with another man's extension, but it turned into a serious affair and she was discharged. This same man, who had requested the "favor" of her, turns up in a broker's office, where she had been working as telephone operator, and engages her in conversation while his henchmen steal bonds brought in by a messenger boy. When the heroine realizes what had happened she leaves the office, fearing that she would be accused of being one of the gang.

In the development of the plot the hero, employed by the telephone company, is questioned because it was through his recommendation that the heroine had been employed by the broker. He knows that the heroine is innocent. She telephones him and the police trail him to her hideout and arrest her. From what the heroine tells the hero he knows that she had been framed. By following certain clues he taps wires of a telephone belonging to a lawyer who had been engaged to defend the heroine, and in that way finds out where the gang is hiding out. He goes there unarmed and is caught. He is held prisoner and the telephone is ripped out. When they are not looking he connects his own work telephone to the plug and talks into it. His helper, Allen Jenkins, hears that he is in trouble, for he had been listening in at the central station, and rushes there with a gang of men from the telephone office. They capture the crooks and recover the bonds. The hero receives \$1000 as a reward. He marries the heroine.

The plot was adapted from a story by William Rankin. It was directed by Ray Enright. In the cast are Glenda Farrell, Eugene Pallette, Gordon Westcott, Henry O'Neill, Hobart Cavanaugh, and others.

Because of the suggestive dialogue it is unsuitable for children, adolescents and Sundays.

"You Can't Buy Everything" with May Robson

(MGM, Jan. 26; running time, 83½ min.)

Pleasant entertainment, with a good character portrayal by May Robson. The story is thin but it has much human interest, and the closing scenes showing the reunion of Robson and her son who had left her will bring tears to the eyes. Although the character May Robson portrays would ordinarily have been an extremely unsympathetic one, because of her miserly habits, one cannot help feeling pity for her since all her stinginess was for the sake of her son; she wanted him to be a rich and powerful man. The pity one feels for her is brought about by the fact that she cannot understand why her son does not worship the dollar as does she. This brings about their separation for a time.

In the development of the plot, May Robson lives in a miserly fashion, thereby accumulating an immense fortune. She withdraws her account from a bank when Lewis Stone becomes connected with it, because of her hatred towards him. He had jilted her the day before their wedding and she had never forgiven him. She had married a fortune hunter, after whose death she lived only for her son, William Bakewell. The years pass and he is graduated from college. She forces him to do bank work when he wants to be an artist. At a week-end party he meets Jean Parker, Stone's daughter, and they fall in love. His mother will not hear of the match but he disobeys her and marries Jean. When they return from their honeymoon he finds that his mother had ruined Stone by buying out his holdings in important companies. He goes to his mother and accuses her of being inhuman, telling her he knows why Lewis had jilted her. What he tells her—that her father had asked Stone to sign papers not to touch her money—was news to her. She tells him she had never known it but the son leaves in a temper. She becomes very ill, but recovers. Her happiness is complete when she is reunited with her son and his wife, and with Stone, whom she had put back in his former position as head of the bank.

The plot was adapted from a story by Dudley Nichols and Lamar Trotti. It was directed by Charles E. Riesner. In the cast are Mary Forbes, Reginald Mason, Tad Alexander, and others.

Suitable for children, adolescents, and Sundays.

"All Of Me" with Miriam Hopkins, Fredric March, George Raft and Helen Mack

(Paramount, Jan. 16; running time, 70 min.)

An unpleasant, demoralizing story, with a depressing ending, makes "All Of Me" poor entertainment for the masses, even though the second half is quite dramatic and holds one in suspense. It might do for sophisticated persons, interested in the modern views of Miriam Hopkins. The first half is draggy and consists chiefly of talk—Miriam's reasons for not wanting to marry, preferring to live with Fredric March without marriage. It is demoralizing because she helps George Raft, a gangster, escape from prison so as to unite him with his sweetheart, Helen Mack. In his escape he kills a guard. Again she helps him to plan an escape for Helen, Raft's sweetheart, who was in a reformatory. Even though one pities Raft and Helen their acts are not edifying. Demoralizing is also the fact that the two are shown as living with their sweethearts without marriage, and that both become pregnant. This lack of restraint, shown so often on the screen, is not the healthiest sort of entertainment for young people:—

Miriam Hopkins lives with Fredric March, an instructor in her college. He receives an offer to work on the Boulder Dam project and asks Miriam to marry him. She refuses. In a speakeasy they become acquainted with Raft, an ex-convict, and his sweetheart, Helen Mack. Knowing that Helen is going to have a baby he steals Miriam's purse. He is found with this purse by a probation officer, who had been hounding him for money, and is sent back to prison. In the meantime Miriam had tried to keep March from leaving by telling him she was going to have a baby, but when she later confesses this was a lie he leaves in disgust. She receives a letter from Helen Mack and goes to visit her. She helps Raft escape. This he accomplishes by killing a guard. Then they free Helen from the reformatory. She hides out with them in New York City and when the police find them, the two lovers kill themselves by jumping out of the window. Miriam is held for trial as an accomplice. The District Attorney is willing to release her if she would say that Raft had forced her to do those things, but she refuses. March, who had come to her help, tells her she is right and that he will stand by her. She then tells him she is really going to have a baby, and will marry him when she is released.

The plot was adapted from the play "Chrysalis" by Rose Porter. It was directed by James Flood. Nella Walker, Wm. Collier, Sr., Gilbert Emery, and others are in the cast. Unsuitable for children, adolescents, or Sundays.

"Carolina" with Janet Gaynor and Lionel Barrymore

(Fox, Feb. 2; running time, 82 min.)

A deeply-moving drama of the South, with much human interest. Much of the bitterness of the play has been removed and the ending has been changed to that of a happier one in which the heroine's worth is recognized. The story has been cleansed of the sex situations; this makes it a fine romance, with good character studies. The performances by Janet Gaynor and Lionel Barrymore are excellent. He is a sympathetic character; he arouses pity because of his helplessness in that he cannot adjust himself, always dreaming of past glories before the Civil War, and of his frustrated romance. The romance between Janet Gaynor and Robert Young is particularly engaging; it makes a man of him and gets him out the slovenly ways he had fallen into due to the atmosphere of his home life. There are many situations that will stir the emotions, particularly those which show Janet endeavoring to make Young's mother, Henrietta Crossman, see her viewpoint. It is a drama of courage and faith:—

Janet, her father, and two small brothers, former North-erners, are tenants on Young's mother's estate in the South. Her father dies and Janet remains to do his work of tobacco growing. Young's family is in a bad financial state and his mother invites a wealthy young girl to visit them, hoping that her visit would culminate in marriage between Young and this girl. But Young had fallen in love with Janet. When Janet approaches Young's mother with her ideas about tobacco planting, the mother, thinking only of her pride, refuses to listen. Lionel Barrymore, Young's uncle, lives with the family and talks only about the old glorious days. While Young is away negotiating for a loan his mother orders Janet and her brothers off the estate. Janet goes to her to plead with her to allow them to stay, and Young returns just as she is talking with his mother. Janet tells them what she thinks of them all. Barrymore, whose name had been dragged into the conversation as a dreamer

whose ideas had meant nothing to the family, goes out into the garden and kills himself. Janet rushes away. She prepares to leave the estate, Young calls to see her and begs her to stay. His mother follows him there. Janet, in defense or herself, paints a glowing picture of what tobacco raising might do for the estate. The mother finally begs Janet to stay and time proves how sensible Janet's ideas were. She is married to Young, they have two children, Young's mother is completely happy in the wealth and happiness that come to her family.

The plot was adapted from the play "The House of Connelly," by Paul Green. It was directed by Henry King. In the cast are Richard Cromwell, Mona Barrie, Stepin Fetchit, Russell Simpson, and others.

Suitable for children, adolescents, and Sundays.

"Hi Nellie" with Paul Muni

(Warner Bros., Jan. 20; running time, 75 min.)

Very good mass entertainment. It is a fast-moving, exciting newspaper melodrama, that holds the audience in suspense from the beginning to the very end. The gangster element is mixed in the story but it is not demoralizing because Paul Muni, the hero, is not one of them; he fights them. It has a good amount of comedy, too, due to the "kidding" of the hero by the newspaper staff when he is demoted to the position of running a lovelorn column which carries a woman's name. There are many exciting situations, particularly in the second half, when the hero tries to run down the story on a murder mystery, and becomes involved with criminals, thus endangering his life. There is no love angle, except that it is hinted that Muni and Glenda Farrell are fond of each other.

In the development of the plot Muni, managing editor of a newspaper, is discharged because he had refused to print in a glaring manner a story of the failure of a certain bank and of the disappearance of a public figure connected with it. But because of his contract he is forced to remain with the newspaper, and is assigned the lovelorn column. At first he resents this and makes a miserable failure of it, but when he is "kidded" about it his ire is aroused and, getting to work, makes the column an entertaining one, increasing the circulation of the paper. But he has theories about the disappearance of the man connected with the bank and is determined to uncover the case. With the assistance of Ned Sparks, who goes after new clues, Muni traces the crime to a notorious racketeer and his assistants. He proves that they had murdered the man because the latter was about to investigate the city affairs. This would involve them. They had then buried him under a fictitious name, and had robbed the bank of a large amount of money, making it appear as if the murdered man had absconded with the money. They are all arrested and the hero's paper carries the scoop about the story. He is put back in the job of managing editor, and his enemy, the man who had taken his place, is given the assignment of running the lovelorn column.

The plot was adapted from a story by Roy Chanslor. It was directed by Mervyn LeRoy. In the cast are Doug Dumbrille, Robert Barrat, Hobart Cavanaugh, Pat Wing, Edward Ellis, George Meeker, Berton Churchill, Kathryn Sergava, and others.

Because of the gangster element exhibitors will have to use their own judgment about showing it to children, adolescents, or on Sundays.

"Sleepers East" with Wynne Gibson and Preston Foster

(Fox, Jan. 26; running time, 69 min.)

Just a fair murder melodrama, with a mixture of crooked politics, gangster warfares, and some far-fetched situations. Parts of it are demoralizing; as, for instance, the courtroom scene, in which the heroine is intimidated by several gangsters, who warn her not to give the true testimony. She had been the only witness of the murder of a night club owner by the Mayor's son, and the crooked politicians, who wanted to re-elect the Mayor, tried to prevent her from giving the testimony. Sympathy is felt for the heroine, who is the innocent victim, and who dared not tell the truth, even though another man was being held for the murder. The closing scenes are the most exciting, for the heroine is being taken back to testify, guarded by the lawyer for the accused man; this lawyer knew that the murder had been committed by the Mayor's son.

The plot was adapted from a story by Frederick Nebel. It was directed by Kenneth MacKenna. In the cast are Mona Barrie, Hervey Stephens, Roger Imhof, J. Carol Naish, and others.

by means of a paid advertisement of not less than one-quarter page in a national trade publication before the release date of the picture."

According to this interpretation the distributor may change any story, book, or play, no matter how well known the author may be, as long as he takes a quarter-page advertisement in one national trade publication informing the exhibitors that he intends to deliver a given picture with a different story, book or play.

In this provision interpretation that was printed in the December 9 issue of HARRISON'S REPORTS, the following was said:

"... Paragraph (c) provides that, when the producer finds it necessary to substitute a story, author, director or star in the middle of the season, he must make the fact known to the exhibitors by an advertisement, inserted at least in one national trade journal. Such a notice, however, shall not affect the rights of those who have already signed a contract; these contract holders may reject, if they so wish, the picture in which a substitution of one or more of the factors was made."

The interpretation the author of the Hays Manual gives to this provision is just as wrong as was the interpretation he gave to the ten percent cancellation provision. HARRISON'S REPORTS stated that the cancellation provision of the Code was effective as of December 7, the day on which the Code became effective. The Hays association informed the different film board secretaries, who in turn so informed the members, that the cancellation provision was not retroactive. But subsequent events have proved that the interpretation given in HARRISON'S REPORTS was correct.

PATRON-CHASING FADS

The producers on the Coast pay great attention to every thing except the right thing. For instance, they devote a great deal of their attention to employing artistic background in titles, fine lettering, dashes instead of commas or exclamation marks, and many other such devices except good material.

Their crave for novelty often leads them to such byways that they adopt fads that drive people away from the theatres instead of attracting them.

One of such fads is the so-called "panoramic shots." Such shots consist in the camera's following the characters while they move around. The directors—for it is not the cameramen who decide how the cameras should be used—think, no doubt, that it is very clever and artistic to have the camera lense focused on the players while they move around. But they least realize how offensive such a fad is; it gives most people a headache, for the retina of the eye can hardly adjust itself to the picture before a new picture is superimposed on it.

The latest offender of this sort of fad is the director of the Warner Bros. picture, "Massacre," with Dick Barthelmess. The photography is one bewildering motion of trying to follow Dick Barthelmess.

While we are talking about the Dick Barthelmess picture, it might not be a bad idea for us to talk about Barthelmess himself. Mr. Barthelmess made his fame in "To'able David" as a modest American boy, the kind every American would be proud of. Does he show any of that spirit in "Masacre"? He hugs the camera to such an extent that no other actor has a chance. By the way he acts in that picture one gathers the impression that he is vainglorious, egotistical, and the only screen actor in existence, as if the screen could not get along without him.

Since Mr. Barthelmess is still popular among a great many youngsters, one wonders whether he realizes how bad an example he sets for them by acting before the camera in that manner.

Every actor who has a following among the young folk owes these youngsters something else besides offering them amusement for the nickels and the dimes they pay at the box office. He should set an example to them by his conduct. Mr. Barthelmess does not do that in "Massacre."

THE CATHOLIC CHURCH'S ACTIVITY AGAINST MOTION PICTURES

This paper has frequently called your attention to the fact that the Catholic Church, having despaired of inducing the producers to give up the production of demoralizing pictures, has abandoned its policy of tolerance and is now actively engaged in stigmatizing such pictures whenever it detects them, and in advising all Catholics to refrain from attending the theatres that show them.

A few weeks ago Mr. Joseph J. Baron, of the Grand Theatre, West Warren, Massachusetts, called my attention to the fact that Father Hurley, Priest of the Catholic Church in that town, warned his congregation to refrain from attending the performances of certain pictures and asked me to do whatever I could to help him out. Thereupon I wrote to Father Hurley calling his attention to the fact that Mr. Baron was in no way responsible for the production of demoralizing pictures, and that because of the block-booking and blind-selling system adopted by the producers he is compelled to buy all the pictures of a producer-distributor regardless of their suitability to his clientele.

Mr. Baron has informed me that Father Hurley read my letter from the pulpit; also the fact that, while he was showing "Little Women," Father Hurley failed to urge his congregation to attend its performances so as to offset, in a measure, the harm he did when he recommended to them to keep away from the other pictures.

The action of Father Hurley is merely the beginning; it is apparent that the Catholic Church, feeling indignant at its inability of the picture producers to change tactics, has taken the bull by the horns. We may expect that other priests are doing what the Warren priest has done.

That the Catholic Church has determined to fight salacious pictures is evidenced by the many articles that have been written in the Catholic Press against them. One of such articles, by Mary Hawks, has appeared in the December *Catholic Action*, the official organ of National Catholic Welfare Conference. Part of it reads as follows:

"If Catholic women, alone even, were to combine to stay away from the movies and to *keep their children away* until their demands were heeded, the exhibitors would soon be 'on the side of the angels' and the producers could be brought to terms. So long as we talk and do nothing, nothing will be done by the producers either."

In one part of the article the author quotes the following from the Dubuque Archdiocesan Council of Catholic Women:

"We find the average film reeking with vulgarity, crammed with lewd dialogue, disguised under the term of 'wisecracking.' We find immorality exalted; gross spectacle presented in the form of realism. Divorce is upheld as an ideal condition; faithfulness between husband and wife is looked upon as something unusual.

"Films deal with the loves of morons, rather than of decent men and women. The gangster and horror pictures have given place to the production of the most immoral films of all time."

And who dares assert that these statements are in any way exaggerated?

In another part, the article states:

"That the movies are an unrivaled field for popular education and recreation, is universally conceded. It is the perversion of their potentialities that is stirring public concern and public outcry. *America* says truly: 'Deep interest, keen intelligence and sincere cooperation of producers, parents, and public, are needed to discover how to use motion pictures to the best advantage in the development of children.'"

Unfortunately, the moving picture producers have not only not shown an inclination to co-operate with that end in view, but have resented suggestions from outside.

It is a question as to how long the producers will continue in their present erroneous policy.

PICTURES YOU MAY CANCEL

Columbia: This company sold forty-seven feature pictures. Up to December 8 it released ten, leaving thirty-seven to deliver. On thirty-seven pictures you are entitled to cancel four. One of the pictures you may wish to cancel is:

"Once to Every Woman" (Released January 15. Your rights to cancel it expired January 29, provided it was shown in your zone on that date or prior to fourteen days counting from the day you will read this comment. Since it has not yet been shown in this zone, all exhibitors in it may cancel it at once.) You will find a review of this picture in the February 3 issue.

Fox: In last week's issue I stated that Fox has sold you a maximum of sixty-five features, and that you will be entitled to cancel six pictures. A Fox executive has informed me that his company has sold only fifty-three features. On fifty-three, you will be entitled to cancel only five.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions.	16.50
Canada	16.50
Mexico, Cuba, Spain.....	16.50
Great Britain	16.00
Australia, New Zealand,	
India	17.50
35c a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
PENNSYLVANIA 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, FEBRUARY 17, 1934

No. 7

MOTIVE RIGHT—METHOD WRONG

I want every independent exhibitor to know that Mr. Abram F. Myers has not a better friend than me in the motion picture industry. He and I fought side by side for many years. Many is the confab that we have had, planning how best to handle the problems that confronted the independent exhibitor; what line of attack to follow.

If he and I are differing today it is because each of us feels that his policy is the better; but we both are trying to attain the same end—to serve the interests of the independent theatre owners. Only each one of us has selected a different route.

Mr. Myers has chosen the court route; I have chosen the Code route.

Mr. Myers advocates that the NRA should accept exhibitor compliances with qualifications, so that the court route may not be closed to an exhibitor who may feel that he has not received a square deal from either the Grievance or the Clearance and Zoning boards, or even the Code Authority; and in order to carry his theories to a conclusion, he has brought suit against the Code Administrator and the Code Authority to compel them to accept the certificates with reservations.

I advocate that the exhibitors sign the compliance certificates without any reservations so that they may be accepted by the Code Authority forthwith, to enable those who have grievances to get immediate relief. In advocating that the independent exhibitor take such a step, I am convinced that he foregoes no rights if he should decide to take up the Myers route, that is, the court route, in case he should find that he is not getting a square deal.

The Myers route is a long one, as every one very well knows, for it takes approximately anywhere from one to three years to get a decision from the courts; and this, only if the defendants do not appeal the case. The exhibitor who is being strangled by the circuits for lack of product cannot wait three years; he must have immediate relief or he will be out of business before he gets a decision from the courts. Even then, he cannot be sure that the decision will be favorable; for the other side, with a fat treasury at its disposal, can keep on interposing difficulties in the adjudication of the dispute.

My route is a short one; it takes fifteen days to get a decision through it.

The Myers route is an expensive one—it takes money to fight a lawsuit. My route is an inexpensive one—it does not cost an exhibitor a dollar beyond what he is supposed to contribute for the entire machinery, a nominal sum, which he will have to pay any way, irrespective of whether he signs the Code or not, if he should accept the Code benefits.

Our difference of opinion is fundamental.

Not that Mr. Myers is not intelligent to know that. When it comes to giving an opinion on industry matters involving law, he is as smart and as experienced as any other lawyer in the business. If anything, he has had more experience in exhibitor matters than any other lawyer in the United States. Why, then, has he chosen the legal route instead of the Code route, advocated by the Government?

I fear that the answer is "environment." Having been a lawyer for several years, and having settled almost every dispute by legal action, he is, I believe, unconsciously influenced by that environment.

It is my opinion that the course he is following is going to do irreparable harm to the exhibitor cause, for it may retard the final formation of the different Code committees that will bring relief to the hard-pressed exhibitor.

That Mr. Myers has chosen the wrong route may be evidenced by the following facts:

Who is going to defend the Code Administrator and the Code Authority?

The United States Government. This puts the Government in a position where it has to fight us.

Whom is he, then, fighting?

The United States Government.

Mr. Myers feels that, no matter what the price, we must preserve the constitutional rights of the exhibitors.

But the exhibitors' constitutional rights are not in jeopardy. Didn't the President of the United States say on January 20 that if a Code complier finds that he cannot get a square deal from a Code Authority he may appeal either to the Federal Trade Commission or to the Department of Justice? He did! Remember that the Federal Trade Commission is the governmental body Mr. Myers had chosen to administer the Brookhart Bill, so that the independent exhibitor might get justice from the producers under it, if it should have become a law. Mr. Rosenblatt, too, has often stated that the court route is not barred to any exhibitor who will sign the Code.

I say to Mr. Myers, just as I have said to every exhibitor, that we went into this Code proposition without a shirt and came out of it with something—with twenty-five reforms. One of the reforms is costing the producers millions of dollars—the ten per cent cancellation provision; and correspondingly it saves the exhibitors millions of dollars. This is the reason that has prompted me to advise you to sign the compliance certificates without any reservations, for I wanted you to be in a position to file complaints at once, to get relief. After all, the government of the United States has asked you to try the Code for only ninety days. Division Administrator Rosenblatt has repeatedly stated, at exhibitor gatherings as well as in private correspondence with exhibitors, that if at the end of that period of time it shall have been found that the abuses against the independent theatre owners have not been stopped and he was so told by the exhibitors, he would call another hearing and so modify the Code that such abuses will be stopped. Remember also that our President has assured us that he will not permit any Code to establish monopolies or to foster monopolistic practices.

I wish I had the power to make Mr. Myers realize fully the dangerousness of the course he is pursuing.

To tell you the truth, I have not yet lost faith in the common sense of Mr. Myers; I firmly believe that he will soon recognize the erroneousness of the course he is pursuing and will fall in line with the rest of us, particularly since he cannot stop the exhibitors from signing the Code. So far, eight thousand signatures have been received, and by the 28th of this month, the last day of grace, it is hoped that almost every exhibitor will have signed the Code. The weakness of his position is further emphasized by the fact that only about two hundred blanks with reservations have been received by the Code Authority as a result of his policy; these were turned back.

We want Mr. Myers with us. He can be of greater service to the cause now than before, for with his knowledge of the exhibitor problems the exhibitor could not find a better advocate before the Code bodies. By insisting upon his present course, he is impairing his usefulness to the exhibitors, whereas if he should cooperate with the Government he would be able to study the operation of the Code from close

(Continued on last page)

"Frontier Marshal" with George O'Brien*(Fox, January 19; running time, 66 min.)*

A good western; it has action and comedy. The audience is held in suspense throughout due to the villain's tricks in which he tries to implicate the hero. Much of the comedy is brought about by George E. Stone, as a Jewish shopkeeper in a western town. The closing scenes are exciting because of the danger to the hero, whose actions were misunderstood by the townspeople who threatened to lynch him for they thought he had kidnapped the heroine. There are some wisecracks in the cafe scenes made by the owner of the cafe who does an "imitation" of Mae West, but it is doubtful if children will understand the double meaning. The romance between the hero and the heroine is pleasant:—

The hero and the heroine, passengers on the same stage coach, become friends. He stops off at her town just for one night, but when he hears that her father had been murdered and sees the lawlessness of the town, he decides to stay. When he captures a notorious bandit, the Mayor, who is really the villain, is forced to appoint him a marshal. The hero is suspicious of the Mayor. Eventually he proves the Mayor's guilt.

The plot was adapted from a story by Stuart M. Lake. It was directed by Lew Seiler. In the cast are Irene Bentley, Alan Edwards, Ruth Gillette, Berton Churchill, Frank Conroy, and others.

Because there are some remarks with double meanings the exhibitor will have to use his own judgment about showing it to children, adolescents or on Sundays.

SUBSTITUTION FACTS: Read the editorial in this issue.

"Devil Tiger"*(Fox, February 16; running time, 59½ min.)*

There are very few scenes of wide open spaces. Most of it is confined to pictures of different animals fighting in small enclosures. Many scenes show monkeys swinging from tree to tree. One amusing situation shows a monkey toying with a crab. He does not know what it is, but finally he gets a grip on it and tears claws off it.

The first fight shown is between a leopard and a thirty foot python. This ends in a draw. The next is a fight between a tiger and a crocodile; but this takes place under the water mostly, and the audience cannot see what is going on. There is a fight between a tiger and a leopard, and although both fight ferociously, they soon tire and leave off fighting. An interesting fight is one between a hyena and a bear. Then another fight between a lion and a tiger. One horrible scene is that of a fight between a buffalo and a python that twists itself around the buffalo's body. But the buffalo finally shakes off the python. The closing scenes show a stampede of elephants.

Although the picture is titled "Devil Tiger," the only glimpse one gets of this tiger is in the closing scenes when he approaches a village and is shot.

The story is incidental. It shows Marion Burns going on a trip with two men into the jungle to kill the tiger. She falls in love with the younger man; the other is killed in the stampede of the elephants.

Kane Richmond and Harry Wood are in the cast. It was directed by Clyde Elliott, from a story by Jane O. Sparring.

NOTE: The Fox organization could not keep sex even out of a jungle picture. The head of the expedition is shown in one scene attempting to force his attentions on Marion Burns, the only woman with the expedition. Later on his subordinate finds this man peeping through the foliage and watching Marion, who was taking a swim in the nude. There is a fight between two men. Several closeups of Miss Burns in the nude are shown, although of short duration. These incidents make the picture unsuitable for children, adolescents, or for Sunday showing.

"The Lost Patrol" with Victor McLaglen, Wallace Ford and Reginald Denny*(RKO, Feb. 16; running time, 73 min.)*

An excellent drama worthy of attention, even though it may not prove a box-office success, for it is chiefly a man's picture. There are no women in the cast. The production end is excellent; this, coupled with fine performances by the entire cast, strikes a realistic note, making one feel intensely the men's suffering. The breakdown of the men, who know they are doomed to die, is pitiful. The situations that show the death of some of them will stir the emotions. The theme is somewhat similar to that of "Beau Geste"; the action unfolds in a desert.

The story is supposed to have been taken from an actual occurrence during the World War. A platoon of British soldiers, sent out to patrol the Mesopotamia desert, are lost when the soldier, carrying instructions, is shot down by

Arab snipers. They find an oasis and camp there. The next morning the guard is found murdered and the horses gone. The men are at the mercy of the Arabs, who are hidden so cleverly that they cannot be detected. One by one the men are killed by the snipers until only Victor McLaglen, Wallace Ford, and Boris Karloff are left. Karloff goes mad and in a fit of religious frenzy sets out across the desert bearing a cross. He is killed by the snipers; and so is Wallace Ford, who rushes out to help him. The Arabs thinking no one was left, make an appearance and MacLaglen, happy to revenge the death of all his men, kills all of them with a machine gun. He is saved when another detachment of soldiers patrolling the desert find him.

The plot was adapted from a story by Philip MacDonald. It was directed by John Ford. In the cast are J. M. Kerrigan, Billy Bevan, Alan Hale and others.

Suitable for children, adolescents and Sundays.

"The Dark Hazard" with Edward G. Robinson*(First National, Feb. 3; running time, 71½ min.)*

Just fair entertainment. The story is not particularly exciting and the talents of Edward G. Robinson are more or less wasted on a weak characterization—that of a man who cannot resist gambling. Genevieve Tobin at first wins one's sympathy, but when she leaves Robinson stranded, taking all his money with her, one loses all kindly feeling for her. The scenes that show the dog races will amuse audiences that enjoy this sort of entertainment. There is nothing in the story to hold one in suspense; it shows the rise and fall, and the rise again of Robinson, as a gambler.

In the development of the plot, Robinson leaves his position as a clerk in a hotel to become associated with a gambler. Robinson, together with his wife, Genevieve Tobin, leaves for California where he is to look after his employer's interests in a dog track. He gambles on his own and loses all his money. In the company of Glenda Farrell, a former sweetheart, he goes to a gambling resort and wins \$20,000. He brings this home and during the night Genevieve takes the money and leaves him a note that she had gone home to her mother. Two years later Robinson, broken, goes to his wife. She is not in love with him any longer, but consents to have him live with her in her mother's home. He works as cashier in a barber shop, and derives his only enjoyment from his love for a dog, a former famous racer. He finds out that his wife loves George Meeker, and so he leaves her, taking his dog with him. He brings the dog back to health, and enters it in races again. He wins much money with it and is happy in the company of Glenda, who was now living with him.

The plot was adapted from the story by W. R. Burnett. It was directed by Alfred E. Green. In the cast are Robert Barrat, Gordon Westcott, Hobart Cavanaugh, Sidney Toler, Emma Dunn, and others.

Not suitable for children, adolescents, or Sundays.

"This Side of Heaven" with Lionel Barrymore*(MGM, Feb. 2; running time, 76 min.)*

A fairly good human interest story. It takes two days in the life of a family, Barrymore, his wife Fay Bainter, their two daughters and one son, and shows what happens to them—it is almost tragic, but has its lighter side, too. It is a simple story, but it manages to hold one in suspense throughout due to the plight Barrymore finds himself in—he had innocently signed his name to a check for \$40,000 drawn by the general manager, and had not entered it, thinking it would help his firm, and that the manager would return it in a few days. The accountants were due and when this omission would be found it would mean Barrymore's arrest on a charge of embezzlement. Taking each member of the family it shows how they are all brought together by their individual disappointments.

In the development of the plot Barrymore takes an overdose of a drug, hoping it would kill him. He is awakened by a policeman who takes him to the hospital to see his son, and when he collapses there the doctors work over him and revive him. Through the quick work of Eddie Nugent, the general manager is caught just as he was trying to leave the country with the money. He is arrested and Barrymore's name is cleared. Mae Clarke decides to marry Nugent. The whole family is reunited when Barrymore and Tom Brown return from the hospital.

The plot was adapted from a novel, "It Happened One Day," by Marjorie Bartholomew. It was directed by William K. Howard well. Una Merkel is in the cast.

Suitable for children, adolescents, and Sundays.

"Search For Beauty"*(Paramount, Feb. 2; running time, 76½ min.)*

Pretty good program entertainment; it will be enjoyed more by the younger element. The theme is rather novel; although racketeering is involved, it has been treated in a comedy manner, and is not as demoralizing as it ordinarily is. The spirit of youth pervades the picture, which tries to show that clean living, and participation in outdoor sports, builds one up both physically and mentally. A colorful display of fine looking young men and women comes in the closing scene in which there is held a pageant of healthful exercises, done rhythmically to music. One of the funniest situations is where Buster Crabbe orders his physical instructors to rout all the guests out of bed at six in the morning, putting them through morning exercises. There is fast action and suspense throughout, brought about by the schemes of Robert Armstrong and James Gleason, who attempt to run things their own way—

Armstrong and Gertrude Michael, both out of prison, procure the backing of James Gleason to run a health magazine. They pick out two contest winners, Buster Crabbe and Ida Lupino, to edit the magazine so as to give it a good name. They soon find out they cannot fool with Crabbe and Lupino, who refuse to allow anything suggestive to be put in the magazine. Crabbe and Lupino are bought off with \$10,000 and a fifty-one percent interest in a run down health farm. Crabbe and Lupino plan to turn it into a health resort and attract people there by having as instructors young men and women who had won prizes for beauty and health. This interests Gleason and Armstrong. They pass the word around that it would be a fine place for daring parties and fill the place with undesirables. But Crabbe teaches them a lesson. He forces them all to go to bed at ten o'clock at night and to arise at six in the morning to go through exercises; both Armstrong and Gleason violently object to this procedure. They thought they had an upper hand because Gertrude had wheedled ten per cent of the farm out of Crabbe. But they soon find out they had made a mistake, for Ida Lupino had cleverly worded the agreement so that it was invalid. At the suggestion of a secret service operative who had been watching them, Gleason and Armstrong agree to sell their forty-nine per cent of the farm and leave the two young people alone. This pleases Crabbe and Lupino and they plan to marry.

The plot was adapted from a story by David Boehm and Maurine Watkins. It was directed by Erle Kenton. In the cast are Roscoe Karns, Toby Wing, Verna Hillie, Frank McGlynn, Sr., Bradley Page, and others.

Unsuitable for children, adolescents, and Sundays.

"Palooka" with Jimmi Durante, Lupe Velez and Stuart Erwin*(United Artists, January 26; time, 85 min.)*

A good slapstick comedy. The theme is not popular, particularly with women, for it revolves around prizefighting. "The Prizefighter and the Lady" proves it. But the stars should draw people to the theatres. There are several situations that arouse hearty laughter by Durante's excitable nature. One is held in suspense during the bouts in which Stuart Erwin participates and the fight scenes will be enjoyed by men, particularly the one in the closing scenes which has a novel twist, in that Erwin loses. The comedy situations in which Lupe Velez attracts Stuart Erwin, are a little suggestive:—

Durante, a fight manager, is impressed with Erwin's strength, and when he learns that he is the son of a former champion he insists that Erwin leave his mother and the farm and follow him to the city. Marjorie Rambeau, Erwin's mother, objects to this because her husband, Robert Armstrong, had been a fighter whose head had been turned and who had years previously left her to live a free life. However, Erwin goes, and through a stroke of good luck, his opponent being drunk, he wins the championship bout. Durante makes it his business to see that Erwin remains champion by fixing the fights. Lupe Velez deserts her former lover, William Cagney, the ex-champion, and becomes friendly with Erwin. Her influence is a bad one, because he becomes swell-headed and forgets all that Durante had done for him. Cagney picks a fight with Erwin and they arrange to meet in the ring. Durante is frantic but Armstrong, who had returned to see his boy, trains Erwin. However, Erwin loses the fight, and at the same time finds out how little Lupe's love meant; she was already making overtures to somebody else. Erwin goes back to the farm and marries his old sweetheart, Mary Carlisle. He receives a visit from Durante, who had married Lupe himself.

The plot was suggested by the comic strip by Ham

Fisher. It was directed by Benjamin Stoloff. In the cast are Thelma Todd, Tom Dugan, and others.

Not suitable for children, adolescents or Sundays.

There is a display for the Western Union Telegraph Company.

"Cheaters" with Bill Boyd and June Collyer*(Liberty Pictures; running time, 65 min.)*

This crook melodrama has been produced artistically and it holds the interest to the end; but the theme is somewhat demoralizing, since both the hero and the heroine work a crooked game to dupe an innocent and decent man of much money. The unpleasantness, however, is softened by the fact that in the end they become regenerated. Comedy is brought about by the rough manners of William Collier, Sr., as a member of the gang, who tries to act as if he were accustomed to high society. The second half holds one in suspense—one fears that the heroine will suffer because she had joined up with the hero and his pals in their scheme. As far as direction and acting is concerned, they entitle it to a release through any major company—

The hero and the heroine are released from prison at the same time and become friendly while crossing in a ferry boat away from the prison. She tells him she was an innocent victim, and had gone to prison to save her brother. The hero confesses that he had been sent to jail for cheating an old woman out of her fortune. He joins his pals who are setting plans to marry off one of their gang, a young woman, to a wealthy bachelor and then have her seek a divorce with a generous settlement. The young woman double-crosses them and runs off and marries another man. The hero persuades the heroine, who had been unable to secure a position, to take the other girl's place. She does so and wins the love of the wealthy man, who proposes to her; she accepts. But the hero is unhappy because he had fallen in love with her. His pal attempts to steal jewels belonging to the wealthy man but the hero wrests them from him and returns them to the owner, to whom he confesses. Realizing that the hero and the heroine loved each other he refuses to press charges against them. The hero and the heroine are united and plan to live a decent life.

The plot was adapted from a story by Adele Buffington. It was directed by Phil Rosen. In the cast are Dorothy Mackaill, Alan Mowbray, Guinn Williams, and others.

Unsuitable for children, adolescents and Sundays.

"I Like It That Way" with Gloria Stuart and Roger Pryor*(Universal, Feb. 12; running time, 66 min.)*

Just a fair comedy-drama with music. The theme is not novel, and the dance numbers, which take place in a night club, show little originality. One part of it is unpleasant; it is where Marian Marsh, in a drunken condition, visits the private room of the club owner, Noel Madison. Gloria Stuart, by her good acting, makes a sympathetic character of the heroine, and her actions in rescuing Marian Marsh from Madison, and her subsequent actions in refraining from telling Roger Pryor, Marian's brother, about this incident, even though it meant heartbreak for her, wins the spectator's admiration. The outcome is obvious, and there is little to hold the audience in suspense because of the somewhat slow pace. There is suggestive dialogue in the meetings between Shirley Grey and Roger Pryor; the meaning is quite obvious.

In the development of the plot Pryor, an insurance agent, meets Gloria Stuart and prevails upon her to see him again. They fall in love and plan to marry. He does not know that she is a night club entertainer. Marian Marsh, Pryor's sister, tired of working nights in the telephone company, procures a position as hostess in the same club where Gloria works, through the recommendation of Shirley Grey, a sweetheart of Pryor's. Gloria is interested in the girl because of her innocence, not knowing she is Pryor's sister. When she sees Marian go to Madison's room she follows her there and pretends that she is Madison's sweetheart and is in a rage because Marian came there. This drives Marian away. Pryor brings Gloria to his home to meet his mother and sister and when Marian sees her she tells Roger that Gloria is Madison's girl friend. Gloria, not wanting to give Marian away, refuses to defend herself, and she leaves. Eventually, Roger learns the truth and there is a reconciliation; they marry.

The plot was adapted from a story by Harvey Sauber. It was directed by Harry Lachman. In the cast are Onslow Stevens, Lucille Gleason, Mickey Rooney, and others.

Unsuitable for children, adolescents, or Sundays.

It is a story substitution. Read comment in editorial, in this issue.

quarters; he would then be in a position to point out to Division Administrator Rosenblatt its weak spots, and Mr. Rosenblatt would heed whatever recommendations Mr. Myers would make with the view of removing the kinks.

Is there a better proof of Mr. Rosenblatt's paternal interest for the independent exhibitor than his stand on the ten per cent cancellation clause?

If you have any influence over Mr. Myers, now is the time to exercise it so that he may be induced to abandon the course he is pursuing. I shall do the best I can with him. In the meantime, sign the Code, if you have not already signed it, and place yourself in line to receive the benefits it promises. Remember that in so doing you forego none of your constitutional rights.

THE TENTH PICTURE OF EVERY MAJOR COMPANY

The Code specifies that you may cancel one picture out of each ten pictures; that if the picture you wish to cancel is not the tenth but the first, second, third or any other, you will have to pay for it and the payment shall be applied on the tenth picture.

In order to save you the trouble of looking up the tenth pictures, here is a list of them:

Columbia: Not yet set for release; it will be released about April 1.

First National: Not yet set for release; it will be released about the middle of March.

Fox: "Hold That Girl," released February 16.

MGM: "Louisiana," set for release March 2.

Paramount: "Search for Beauty," released February 2.

RKO: Not yet set; it will be released about the first week in March.

Universal: "Wheels of Destiny," set for release February 19.

Warner Bros.: "As the Earth Turns," set for release April 14.

If you have failed to notify a distributor up to fourteen days after the release of the tenth picture that you wish to cancel one, you do not lose your right to cancel two in the second group of ten, or to wait until the tail end of the season to cancel your entire quota. The interpretation given in the Allied bulletin to the contrary is erroneous.

Suppose, as in the case of Paramount, you cancelled "All of Me," which is the seventh picture (counting from "Girl Without a Room," which is the first picture in the first group of ten by virtue of the fact that it was released December 8, the day after the Code became operative), and still desire to cancel, for the sake of illustration, "Search For Beauty," which is the tenth picture. Because of the fact that you have already paid for "All of Me," you will have the exchange apply your payment on "Search for Beauty." You then notify the distributor that you do not wish to play the "Search For Beauty," and when the tenth picture of the second group arrives, you play it but you don't pay for it. In this manner you will have played only eight pictures from the first group, but the entire number from the second group; and you will have paid for nine pictures in the first group and for nine in the second.

I suggest that, every time you pay for a picture you cancel, you demand a credit slip.

PICTURES YOU SHOULD CANCEL

As I informed you in the issue of February 3, I have made arrangements with an exhibitor on the Coast to send me as much advance information about pictures as he can get hold of so that I may pass it to you as early as possible and enable you to cancel such pictures as will hurt your business.

I can make a recommendation this week only on one picture:

"Good Dame," Paramount: Released nationally February 16. Your right to cancel it will expire March 2. The atmosphere of this picture is sordid. The two principals, Sylvia Sidney and Frederic March, are tough. March works a crooked game in a carnival and Sylvia works in the "dame" tent, which is a side-show of girls half-dressed, dancing in a vulgar fashion. Many dirty remarks are made by Jack LaRue to Sylvia, implying that she would have things "easy" if she would only consent to stay in his room. March spends nights with Noel Francis drinking and having sexual relationship.

Lest you exhaust your quota of Paramount pictures you are entitled to cancel, I suggest that you play "Eight Girls In a Boat" and cancel "Good Dame" as well as "All of Me." This will leave three more for you to cancel.

The January 24 issue of the Buffalo *Evening News* said the following about "All of Me" editorially:

"Just as the movie industry is letting loose a barrage of good intentions, promising the production of 'moral, clean, uplifting talkies, along comes 'All of Me' from the West coast laboratories that Buffalo got to see it before New York did.

"In 'All of Me' the following breaches of convention as understood by most persons are glorified, or at least condoned:

"Extra-marital relations between young couples, with time-honored results in both cases.

"Theft by a young convict of a purse from a rich young woman who has befriended him and his ailing girl friend. The explanation that he 'did it for her' seems to make it all right.

"Felonious assault on a prison guard so that a young convict can escape. The guard dies and the assault charge becomes murder.

"Aiding and abetting felony. The rich girl helps the young convict make his getaway from the prison and takes his girl friend from another institution.

"Double suicide. The hard pressed young lawbreakers leap together from a 15th story window rather than face the consequences of their crimes.

"Obstructing justice and perjury. The rich girl is urged by her friends and an acquiescent prosecutor to swear falsely that she was forced by the young convict to aid in his escape, so she can avoid trial for her part in the affair.

"These several 'moral, clean and uplifting' episodes occur in 'All of Me,' which has been and will be advertised far and wide as a 'smash hit.'"

Where is Hays? Perhaps he is framing another morality code.

SUBSTITUTIONS IN THE 1933-34 SEASON

First National

"Mandalay": In the contract Ruth Chatterton is given as the star, but Kay Francis appears in the picture. It is a star substitution, and since the Code prohibits a producer-distributor from compelling you to accept a picture in which he made a substitution of the star you are not obligated to accept it.

In the issue of February 3, I gave "Mandalay" as one of the pictures that deserve cancelling under the Code. Since it is a substitution you are not under any obligation to count it as among the cancellable pictures of your quota. This leaves two cancellable for the present—"The Big Shake-down," and "Bedside."

Fox

"Frontier Marshal": Warner Baxter is listed in the worksheet as the star, but George O'Brien appears in the picture. It is a star substitution and since Warner Baxter is by far more popular than George O'Brien you are not compelled to accept it.

Metro-Goldwyn-Mayer

"The Show-Off": No. 427 the contract gives Lee Tracy as the star, and since Spencer Tracy will appear in the finished product it is a star substitution and you are not compelled to accept it.

RKO

"Long Lost Father": In the contract, John Barrymore and Katharine Hepburn are listed as the stars, and since Helen Chandler is taking the part of Katharine Hepburn in the finished product it is a star substitution and you are under no obligation to accept it.

Universal

"I Like It That Way": This picture is replacing "Rigadoon," an unproduced play of high merit by Charles Knox Robinson (it was forecast in the 1933-34 Forecaster); the finished product has been founded on a story by Harvey Sauber. The picture is reviewed in this week's issue. It is of program grade, not of the same magnitude as the picture that would have been founded on "Rigadoon" would be.

Warner Bros.

"House On 56th Street" Warren William was promised, but Ricardo Cortez appears in the finished product. If Ricardo Cortez is not as big a drawing card as Warren William you are under no obligation to play it in that it is a star substitution.

Some of you have, no doubt, played it; but those of you who have not yet played it may reject it.

HARRISON'S REPORTS

Vol. XVI

NEW YORK, N. Y., SATURDAY, FEBRUARY 17, 1934

No. 7

(Partial Index No. 1—Pages 2 to 24 inclusive)

<i>Title of Picture</i>	<i>Reviewed on Page</i>		<i>Reviewed on Page</i>	
All of Me—Paramount (70 min.)	23	4017	Let's Fall In Love—Lowe-Sothorn	Dec. 26
As Husbands Go—Fox (80½ min.)	19	4213	Straightaway—Tim McCoy (61½ min.)	Dec. 26
Before Midnight—Columbia (61 min.)	7	4202	The Fighting Code—Buck Jones (65 min.)	Dec. 30
Beloved—Universal (78 min.)	19	4015	Once To Every Woman—Brian-Bellamy	Jan. 15
Big Shakedown, The—First National (60 min.)	18	4014	The Ninth Guest—Cook-Tobin	Jan. 31
Bombay Mail—Universal (67 min.)	6	4214	Speed Wings—Tim McCoy (62 min.)	Feb. 5
Carolina—Fox (82 min.)	23	4203	Fighting Ranger—Buck Jones	Mar. 8
Come-Back, The—MGM (See "Women In His Life")	19	4204	Man Trailer—Buck Jones	Mar. 15
Cross Country Cruise—Universal (75 min.)	7	First National Features (321 W. 44th St., New York, N. Y.)		
Easy to Love—Warner Bros. (60 min.)	11	773	Dark Hazard—Robinson-Tobin (72 min.)	Feb. 3
Everywoman's Man—MGM (See "Prizefighter and the Lady")	182	755	Mandalay (Ruth Chatterton)—Francis-Talbot-Cortez (65 min.)	Feb. 10
Fashions of 1934—First National (77 min.)	15	762	Fashions of 1934—Powell-Davis	Feb. 17
Fog—Columbia (68 min.)	7	765	Journal of a Crime—Chatterton-Menjou	Mar. 10
Four Frightened People—Paramount (77 min.)	18	750	Wonder Bar—All Star—For special Easter Week engagements	
Fraternally Yours—MGM (See "Sons of the Desert")	6	Fox Features (444 W. 56th St., New York, N. Y.)		
Fugitive Lovers—MGM (81 min.)	11	425	Carolina—Gaynor-Young-L. Barrymore	Feb. 2
Gallant Lady—United Artists (83 min.)	6	426	Ever Since Eve—O'Brien-Brian	Feb. 9
Girl of My Dreams—Monogram (See "Sweetheart of Sigma Chi")	171	427	Hold That Girl—Dunn-Trevor	Feb. 16
Going Hollywood—MGM (78 min.)	3	429	Devil Tiger—Marion Burns	Feb. 16
He Couldn't Take It—Monogram (67½ min.)	18	428	I Believed in You—Ames-Jory-Boles	Feb. 23
Hi Nellie—Warner Bros. (75 min.)	23	430	Coming Out Party—Dee-Raymond	Mar. 2
Hips Hips Hooray—RKO (66½ min.)	15	431	David Harum—Rogers-Dresser	Mar. 9
I Am Suzanne—Fox (100 min.)	14	433	3 On a Honeymoon—Eilers-Pitts	Mar. 16
I've Got Your Number—Warner Bros. (68 min.)	22	432	Murder in Trinidad—Foster-Angel	Mar. 23
I Was A Spy—Fox (84 min.)	11	434	The Constant Nymph—English cast	Mar. 23
Lady Killer—Warner Bros. (75 min.)	2	435	Fox Follies—All Star Cast	Mar. 30
Let's Fall In Love—Columbia (66½ min.)	15	Invincible Features (1540 Broadway, New York, N. Y.)		
Lone Cowboy—Paramount (70 min.)	7	Beginning of 1933-34 Season		
Madame Spy—Universal (71 min.)	6		By Appointment Only—Cody-O'Neill	July 7
Mala the Magnificent—MGM (See "Eskimo")	195		Dance Girl Dance—Dinehart-Knapp	Sept. 1
Man of Two Worlds—RKO (90 min.)	11		In the Money—Gallagher-Wilson-Hymer	Nov. 7
Man's Castle—Columbia (73½ min.)	2		Cross Streets—Brown-Windsor	Jan. 22
Massacre—First National (68½ min.)	14	Majestic Features (1270 Sixth Ave., New York, N. Y.)		
Midnight—Universal (78 min.)	22		Sing Sinner Sing—Lukas-Knapp	Aug. 15
Miss Fane's Baby Is Stolen—Paramount (67 min.)	14		Curtain At Eight—Dorothy Mackaill	Oct. 15
Moulin Rouge—United Artists (71 min.)	10		You Made Me Love You—Thelma Todd	Nov. 15
Myrt and Marge—Universal (64½ min.)	2		The Charming Deceiver—Constance Cummings	Dec. 1
Nana—United Artists (88 min.)	22		Sin of Nora Moran—Johann-Cavanaugh	Dec. 15
Olsen's Big Moment—Fox (66 min.)	2		The Morning After—Eilers-Lyon	Jan. 1
Once To Every Woman—Columbia (67½ min.)	18	Metro-Goldwyn-Mayer Features (1540 Broadway, New York, N. Y.)		
Queen Christina—MGM (98 min.)	3	431	Fugitive Lovers—Montgomery-Evans	Jan. 5
Sealed Lips—RKO (See "After Tonight")	178	433	The Cat and The Fiddle—Novarro (reset)	Feb. 16
Sensation Hunters—Monogram (73½ min.)	2	435	Viva Villa—Beery-Wray-Carrillo	Mar. 9
Shadows of Sing Sing—Columbia (63 min.)	10	434	Rip Tide—Shearer-Montgomery-Marshall	Mar. 16
Sixteen Fathoms Deep—Monogram (60 min.)	14	Beginning of 1933-34 Season		
Sleepers East—Fox (69 min.)	23	404	Penthouse—Baxter-Loy-Butterworth	Sept. 8
Smoky—Fox (69 min.)	3	440	Stage Mother—Brady-O'Sullivan-Tone	Sept. 29
Song of Youth, The—Astor Pictures (75 min.)	19	435	Night Flight—All Star Cast	Oct. 6
Son of Kong, The—RKO (69 min.)	3	416	Bombshell—Harlow-Tracy-Morgan	Oct. 13
Sons of the Desert—MGM (66 min.)	6	425	Meet the Baron—Pearl-Durante-Healy	Oct. 20
Wine, Women and Song—Chadwick Prod. (70 min.)	10	441	Day of Reckoning—Dix-Evans-Tearle	Oct. 27
Women In His Life—MGM (74 min.)	19	430	The Chief—Ed Wynn-Chic Sales	Nov. 3
You Can't Buy Everything—MGM (83½ min.)	22	442	The Prizefighter and the Lady—Loy	Nov. 10
		432	Dancing Lady—Crawford-Gable-Tone	Nov. 24
		402	Should Ladies Behave (The Vinegar Tree)	Dec. 1
		443	The Women In His Life—Kruger-Jewell	Dec. 8
			No release scheduled for	Dec. 15
		421	Sons of the Desert—Laurel-Hardy	Dec. 29
		447	Dinner At Eight—All Star Cast	Jan. 12
		448	Eskimo—All Native Cast	Jan. 19
		405	You Can't Buy Everything—Robson-Parker	Jan. 26
		445	This Side of Heaven—Barrymore-Clarke	Feb. 2
		414	Queen Christina—Garbo-Gilbert-Stone	Feb. 9
		423	Mystery of the Dead Police—Montgomery	Feb. 23
		444	Louisiana—Parker-Young-Healy	Mar. 2
		427	The Show-Off—S. Tracy-Evans-Wilson	Mar. 23

RELEASE SCHEDULES FOR FEATURES

Astor Pictures Features

(630 Ninth Avenue, New York, N. Y.)

Song of Youth—Anny Ondra (68 min.).....Mar. 10

Chesterfield Features

(1540 Broadway, New York, N. Y.)

Beginning of 1933-34 Season

I Have Lived—Anita Page-Alan Dinehart..... June 10
 Notorious But Nice—Marsh-Compson.....Aug. 5
 A Man of Sentiment—Marsh-Moore.....Sept. 15
 Rainbow Over Broadway—Marsh-Hayes.....Dec. 1
 Murder on the Campus—Starrett-Grey.....Dec. 27
 The Quitter—Dunn-Grapewin.....Feb. 5

Columbia Features

(729 Seventh Ave., New York, N. Y.)

4035 Before Midnight—Ralph Bellamy.....Nov. 28
 4028 (4032) Shadows of Sing Sing—Cabot-Brian Dec. 3

Monarch Features

(c/o Freuler Film Associates, 1270 Sixth Ave., New York)

Marriage on Approval—Kent-Dilloway Nov. 22
Love Past Thirty—Pringle-Von Eltz Jan. 27

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

2013 Beggars in Ermine—Furness-Atwill Jan. 18
2001 Manhattan Love Song Jan. 30
The Ape—Ed Lowry-Verna Hillie Feb. 5
2048 West of the Divide—John Wayne Feb. 10

Paramount Features

(Paramount Bldg., New York, N. Y.)

3322 Eight Girls in a Boat—Wilson Jan. 5
3326 Miss Fane's Baby Is Stolen—Wieck Jan. 12
3327 His Double Life—Gish-Young Jan. 12
3324 All Of Me—Hopkins-March-Raft-Mack Jan. 16
3328 Four Frightened People—Colbert-Gargan... Jan. 26
3329 The Last Round-up—Scott-Blue (61 min.).. Jan. 26
-3330 Search For Beauty—Crabbe-Lupino Feb. 2
-3331 Six of a Kind—Boland-Ruggles Feb. 9
3332 Good Dame—Sidney-March-Francis Feb. 16
3333 Bolero—Raft-Lombard-Frawley Feb. 23
3334 No More Women—McLaglen-Lowe-Blane .. Feb. 23
No release set for Mar. 2

RKO Features

(1270 Sixth Ave., New York, N. Y.)

4130 Meanest Gal In Town—Kelton-Pitts..... Jan. 12
4116 Long Lost Father—J. Barrymore-Chandler .. Jan. 19
4122 Two Alone—Parker-Brown Jan. 26
4111 Hips Hips Hooray—Wheeler-Woolsey-Lee. Feb. 2
4114 Man of Two Worlds—Lederer-Landi Feb. 9
4131 Lost Patrol—McLaglen-Ford-Denny Feb. 16

Showmen Pictures Features

(723 Seventh Ave., New York, N. Y.)

Beginning of 1933-34 Season

Public Stenographer—Lane-Collier Nov. 15
The Big Race—Boots Mallory Dec. 15
The Moth—Sally O'Neill-Paul Page Jan. 15

United Artists Features

(729 Seventh Ave., New York, N. Y.)

Looking For Trouble—S. Tracy-J. Oakie Feb. 9
Nana—Anna Sten-Lionel Atwill Feb. 16
Sorrell and Son—H. B. Warner Mar. 2
Catherine the Great—Fairbanks, Jr.—Bergner Mar. 16

Universal Features

(730 Fifth Ave., New York, N. Y.)

A7021 Myrt and Marge—Foy, Jr. Dec. 4
A7072 Gun Justice—Ken Maynard (60 min.).... Dec. 11
A7020 By Candlelight—Landi-Lukas Dec. 18
A7006 Counsellor At Law—Barrymore Dec. 25
A7022 Bombay Mail—Lowe-Grey Jan. 1
A7032 Madame Spy—Wray-Asther Jan. 8
A7015 Cross Country Cruise—Ayres-Knight Jan. 15
A7014 Beloved—Boles-Stuart Jan. 22
A7027 Midnight—Fox-Hull Jan. 29
A7017 I Like It That Way (Rigadoon)—Roger Pryor-
Gloria Stuart Feb. 12
A7073 Wheels of Destiny—Ken Maynard (64 m.) Feb. 19
A7024 The Poor Rich—Oliver-Horton (76½ m.) Feb. 26
A7025 The Crosby Case—Gibson-Stevens (59½m.) Mar. 5
A7034 Love Birds—Pitts-Summerville Mar. 12
A7018 Countess of Monte Cristo—Wray-Lukas .. Mar. 19
A7016 Let's Be Ritzy—Lew Ayres Mar. 26

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

479 Easy to Love—Menjou-Astor-Tobin Jan. 13
458 Hi Nellie—Muni-Farrell-Sergava Jan. 20
461 I've Got Your Number—Blondell-O'Brien... Feb. 24
463 Heat Lightning—MacMahon-Dvorak-Foster . Mar. 3
466 The Heir Chaser—Cagney-Davis Mar. 17
467 Gambling Lady—Stanwyck-McCrea Mar. 31
471 Harold Teen—LeRoy-Hudson-Ellis Apr. 7
454 As The Earth Turns—Muir-Woods-Peterson Apr. 14

SHORT SUBJECT RELEASE SCHEDULE

Astor—One Reel

Two Hard Workers—musical (10 min.) Jan. 10
Motives—Alan Mowbray-E. E. Clive (10 min.).... Feb. 10

Astor—Two Reels

Killers of the Chaparral (17 min.) Dec. 10
Death Fangs—Flash wonder dog (17 min.)..... Jan. 10

Astor—Three Reels

Girl Trouble—Bud 'N Ben (31 min.) Dec. 15
Arizona Nights—Bud 'N Ben (30 min.) Jan. 15
Ridin' Gents—Bud 'N Ben (30 min.) Feb. 15
Rainbow Riders—Bud 'N Ben (30 min.) Mar. 15

Columbia—One Reel

4304 March of the Years No. 4 (10½ min.).... Nov. 3
4402 Fast Fingers—Minute mystery (10½ m.).. Nov. 3
4504 Stage Crazy—K. Kat (cart.) (6 min.).... Nov. 3
4803 We Want a Touchdown—World of Sport
(9½ min.) Nov. 3
4603 Hollywood Babies—Scrappys (c.) (6½ m.).. Nov. 10
4403 The Clown Dies—Minute mystery (11½m).. Nov. 24
4505 The Bill Poster—K. Kat (cart) (6 min.).... Nov. 24
4701 Snapshots No. 1—(9 min.)..... Nov. 24
4804 What Price Speed—World of Sport (9½ m.) Dec. 2
4404 When the Lights Went Out—Minute mystery
(11½ min.) Dec. 8
4604 Auto Show—Scrappys (cart) (6 min.).... Dec. 8
4702 Snapshots No. 2—(9 min.)..... Dec. 14
4506 The Curio Shop—K. Kat (cart) (6½ min.) Dec. 15
4903 Laughing with Medbury in So. America 9½ Dec. 22
4805 It's Sport in Any Language—World of Sports
(10½ min.) Dec. 30
4703 Snapshots No. 3—(10 min.) Jan. 10
4605 Scrappy's Art Gallery—Scrappys (6½m)... Jan. 12
4507 The Autograph Hunter—K. Kat (cart) (6m) Jan. 15
4405 Missing Clue—Minute mystery (10½m.) Jan. 25
4508 Southern Exposure—K. Kat (cart) (7m.) .. Jan. 26
4806 Winter Thrills—World of Sports Jan. 26
4606 Scrappy's Television—Scrappys (6½m.) Feb. 9
4704 Snapshots No. 4—(9 min.) Feb. 10
4305 March of the Years No. 5—(10 min.) Feb. 10
4705 Snapshots No. 5— Feb. 16
4306 March of the Years No. 6—(10 min.) Feb. 17
4904 Laughing with Medbury Among the Nordics Feb. 20
4307 March of the Years No. 7 Feb. 28

Columbia—Two Reels

4120 Um-Pa—Musical (17 min.) Nov. 24
4103 Mickey's Covered Wagon—McGuire
(18½ m.) Nov. 30
4108 Hold Your Temper—Smith & Dale (20 min.) Dec. 15
4104 Mickey's Minstrels—McGuire (20 min.) Jan. 11
4114 Ten Baby Fingers—Sidney-Murray (19m.) .. Jan. 26
4121 School For Romance—Lou Holtz (20½m.) .. Jan. 31
4113 Radio Dough—Sidney-Murray (18 min.) Feb. 20

Fox—One Reel

("Magic Carpet," "Tintype," and "Adventures of a News
Cameraman" are Fox; all the others are Educational)

("Magic Carpet," "Tintype," and "Adventures of a News
Cameraman" are Fox; all the others are Educational)

0701 Kid' In' Africa—Baby Burlesk (8½ min.).. Oct. 6
0504 A Gypsy Fiddler—Terrytoon (5½ min.).... Oct. 6
3406 Playground of Pan—Magic Carpet (9½ m.) Oct. 13
1303 Scouring the Seven Seas—Adventures of a
News Cameraman (9½ min.) Oct. 13
0505 Beanstalk Jack—Terrytoon (6 min.) Oct. 20
0802 Across the Sea—Romantic journey (10 m.).. Oct. 20
0405 The Great Train Robbery—Tintype (8½m).. Oct. 27
3407 Elephant Trails—Magic Carpet (10½ m.).. Oct. 27
1304 Filming the Fashions—Adventures of a
News Cameraman (8½ min.) Oct. 27
3408 The Island of Malta—Magic Carp. (9½ m.).. Nov. 3
0506 The Village Blacksmith—Terry. (5½ m.).. Nov. 3
0602 Song of Vienna—Treasure Chest (10 m.).... Nov. 3
0603 Shorts—Treasure Chest (10 min.) Nov. 10
1305 The Conquest of the Air—Adventures of a News
Cameraman (10 min.) Nov. 10

3409	A Day in Tokyo—Magic Carpet (9½m.)	Nov. 10
0406	A Moment of Madness—Tintype (7½m.)	Nov. 10
0507	Shipwrecked Brothers—Terrytoon (6m.)	Nov. 17
0902	The Last Dogie—Song Hit Story (11m.)	Nov. 17
0407	Helen of the Chorus—Tintype (8½m.)	Nov. 24
0903	Manhattan Lullaby—Song Hit (9½ min.)	Nov. 24
3410	Byways in Bangkok—Magic Carpet (9½m.)	Nov. 24
0508	Little Boy Blue—Terrytoon (6 min.)	Nov. 30
1306	Answering the Riot Call—Adventures of a News Camerman (10 min.)	Nov. 30
3411	Around the Acropolis—M. Carpet (9m.)	Nov. 30
0604	Day Dreams—Treasure Chest (11½ min.)	Dec. 8
0803	Canyon of Romance—Rom. journey (10½m.)	Dec. 8
0509	In Venice—Terrytoon (6 min.)	Dec. 15
0606	Air Maniacs—Treasure Chest (11 min.)	Dec. 15
3412	Gem of the Sea—Magic Carpet (9½m.)	Dec. 15
0605	What Does 1934 Hold—Trea. Chest (10½m.)	Dec. 22
1307	Scraping the Sky—Adv. News Camerman	Dec. 22
3413	Rural England—Magic Carpet (9 min.)	Dec. 22
0510	The Sunny South—Terrytoon (6 min.)	Dec. 29
3414	London Medley—Magic Carpet (10½ min.)	Dec. 29
0408	The Extravagant Wife—Tintype (8 min.)	Jan. 5
3419	Flemish Folks—Magic Carpet (9 min.)	Jan. 5
0511	Holland Days—Terrytoon (5½ min.)	Jan. 12
0409	The Girl From the Country—Tintype (6½m.)	Jan. 12
3416	Tunisian Travels—Magic Carpet (9m.)	Jan. 19
0702	Gimme My Quarterback—Burlsk (9m.)	Jan. 26
0512	The Three Bears—Terrytoon (6 min.)	Jan. 26
3417	Sentinels of the Sea—M. Carpet (9m.)	Jan. 26
0410	Emma's Dilemma—Tintype (8 min.)	Feb. 2
3418	Roaming the Netherlands—M. Carpet (9½)	Feb. 2
0513	Rip Van Winkle—Terrytoon (6 min.)	Feb. 9
0904	Trav'ling the Road—Song Hit Story	Feb. 9
1001	City of Wax—Battle for Life (9 min.)	Feb. 9
0411	Love's Old Sweet Song—Tintype (8½ m.)	Feb. 16
1308	When Disaster Strikes—Adventures of a News Camerman (9 min.)	Feb. 16
3420	Under Moroccan Skies—Magic Carpet	Feb. 16

Fox—Two Reels

0101	Million Dollar Melody—Mus. c. (21½ m.)	Oct. 27
0305	Git Along Little Wife (What a Wife)—Coronet comedy (19½ min.)	Nov. 3
0102	Mr. Adam—Star com. (20 min.)	Nov. 17
0206	Frozen Assets—Andy Clyde com. (19½m)	Nov. 17
0306	What's To Do—Frolic of Youth (19m.)	Nov. 24
0207	Divorce Sweets—Tom Howard (19m.)	Nov. 30
0307	The Good Bad Man—Mirthquake (22½m.)	Dec. 8
0103	Poppin' The Cork—Musical co. (25½m.)	Dec. 15
0208	The Freeze Out—Moran and Mack (20m.)	Dec. 22
0308	Pop's Pal (Pop's Gal)—Mermaid c. (18½m.)	Dec. 29
0311	Trimmed in Furs—Mermaid com. (18½m.)	Jan. 5
0209	An Old Gypsy Custom—Clyde com. (19m.)	Jan. 12
0312	North of Zero—Coronet com. (18m.)	Jan. 19
0310	Parden My Pups—Frolic of Youth (19m.)	Jan. 26
0309	The Inventors—Coronet com. (20½m.)	Feb. 2
0210	The Super Snooper—Clyde com. (20½m.)	Feb. 9
0104	The Expectant Father—Truex comedy	Feb. 16

Mascot Serials—1933-34 Season

(All the serials are in twelve episodes—the first episode is in three reels, and the balance in two reels)

Three Musketeers—John Wayne-Jack Mulhall-Raymond Hatton
Fighting With Carson—Johnny Mack Brown-Noah Beery, Jr.
The Wolf Dog—Rin Tin Tin, Jr.-Frankie Darrow-Fred Kohler
The Mystery Squadron—Bob Steele-Big Boy Williams-Lucille Brown

Master Art Products—One Reel

(630 Ninth Ave., New York, N. Y.)

Edwin C. Hill Series

1	The Story of the Roosevelt Family (6½m.)	Nov. 11
2	A Visit to West Point (10 min.)	Dec. 1
3	Carrie Jacobs Bond (9 min.)	Dec. 15

Pet Superstition Series

1	Spilled Salt—Barry-Lewis-Naish (10 min.)	Oct. 1
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Metro-Goldwyn-Mayer—One Reel

(There has been added to the 1932-33 Season another one reel subject—"Inflation," Oddities, (11 min.), released July 15, 1933)

Beginning of 1933-34 Season

M-941	Handlebars—Oddities (10 min.)	Aug. 26
T-901	Dutch Guina, Land of the Djuka—Traveltalks (10 min.)	Sept. 16
M-942	Menu—Oddities (10 min.)	Sept. 23
M-943	Happy Warriors—Oddities (9 min.)	Oct. 21
W-921	Play Ball—Willie Whopper cart (7m) (re)	Oct. 28
M-944	Fine Feathers—Oddities (9 min.)	Nov. 18
T-902	Scotland, the Bonnie—Travel. (9 min.)	Nov. 25
W-922	Spite Flight—W. Whopper cart. (8m.)	Dec. 2
T-903	A Day in Venice—Traveltalk (9m.)	Dec. 2
W-923	Stratos Fear—W. Whopper cart. (8m.)	Dec. 16
T-904	British Guiana—Traveltalk (9 min.)	Dec. 16
A-961	Goofy Movies No. 1 (9 min.)	Dec. 23
W-924	Davy Jones Locker—W. Whopper c. (7m)	Jan. 13
T-905	Colorful Ports of Call—Travel. (9m)	Jan. 13
M-945	Roping Wild Bears—Oddities (9 min.)	Feb. 10
W-925	Hells Fire—W. Whopper cartoon	Feb. 17

Metro-Goldwyn-Mayer—Two Reels

C-821	Bedtime Worries—Our Gang (21 min.)	Sept. 9
C-831	Beauty and the Bus—Todd-Kelly (18m.)	Sept. 16
C-841	Crook's Tour—All Star com. (19 min.)	Sept. 23
C-851	Rhapsody in Brew—Mus. com. (20 min.)	Sept. 30
C-801	Busy Bodies—Laurel-Hardy (20 min.)	Oct. 7
R-872	Plane Nuts—Musical revue (20 min.)	Oct. 14
C-812	Midsummer Mush—C. Chase com. (21m.)	Oct. 21
C-822	Wild Poses—Our Gang com. (19 min.)	Oct. 28
C-832	Backs to Nature—Todd-Kelly (20 min.)	Nov. 4
C-802	Dirty Work—Laurel-Hardy (20 min.)	Nov. 25
C-813	Luncheon at Twelve—C. Chase (21 min.)	Dec. 9
C-842	Twin Screws—All Star com. (19 min.)	Dec. 23
C-833	Air Fright—Todd-Kelly com. (19 min.)	Dec. 23
C-803	Oliver the Eighth—Laurel-Hardy	Jan. 13
C-814	The Cracked Iceman—C. Chase (19 min.)	Jan. 27
C-834	Babes in the Goods—Todd-Kelly (19m.)	Feb. 10
C-843	Mixed Nuts—All Star com. (19 min.)	Feb. 17

Paramount—One Reel

Y3-4	Screen Souvenirs No. 4 (9 min.)	Nov. 17
A3-5	A Radio Roundup (Station T.O.T.)—Headliner (10 min.)	Nov. 24
R3-5	Kennel Kings—Spotlight (9½ min.)	Nov. 24
T3-5	Parade of the Wooden Soldiers—Boop cartoon (8 min.)	Dec. 1
P3-5	Paramount Pictorial No. 5 (10 min.)	Dec. 1
E3-4	Seasin's Greetinks—Popeye (5½ min.)	Dec. 8
Z3-5	Hollywood on Parade No. 5 (10½ m.)	Dec. 8
SC3-5	Sing, Babies, Sing—Screen song (8½ m.)	Dec. 15
Y3-5	Screen Souvenirs No. 5 (8½ min.)	Dec. 15
A3-6	Where's That Tiger—Headliner (9½ m.)	Dec. 22
R3-6	Around the Calendar—Spotlight (10 m.)	Dec. 22
E3-5	Wild Elephinks—Popeye the Sailor (6 m.)	Dec. 29
P3-6	Paramount Pictorial No. 6 (9½m.)	Dec. 29
T3-6	She Wronged Him Right—Boop c. (6½m.)	Jan. 5
Z3-6	Hollywood on Parade No. 6 (10m.)	Jan. 5
SC3-6	Keeps Rainin' All the Time—Screen song (8½ min.)	Jan. 12
Y3-6	Screen Souvenirs No. 6—(8½ min.)	Jan. 12
E3-6	Sock-A-Bye Baby—Popeye (6 min.)	Jan. 19
A3-7	Station T.O.T.—Headliner (9 min.)	Jan. 19
P3-7	Paramount Pictorial No. 7—(9½ min.)	Jan. 26
R3-7	Jumping Giants—Spotlights (10 min.)	Jan. 26
T3-7	Red Hot Mamma—Boop cart. (6½ min.)	Feb. 2
Z3-7	Hollywood on Parade No. 7—(10½ min.)	Feb. 2
Sc3-7	Let's All Sing Like the Birdies Sing—Screen Song (7½ min.)	Feb. 9
Y3-7	Screen Souvenirs No. 7—(9 min.)	Feb. 9
E3-7	Let's You and Him Fight—Popeye (6m.)	Feb. 16
R3-8	Horsepower—Spotlight (10 min.)	Feb. 16
A3-8	Cab Calloway's Hi-De-Ho	Feb. 23
P3-8	Paramount Pictorial No. 8—(10 min.)	Feb. 23
T3-8	Ha! Ha! Ha!—Boop cartoon (10½ min.)	Mar. 2
Z3-8	Hollywood on Parade No. 8	Mar. 2
SC3-8	Tune Up and Sing—Screen song	Mar. 9
Y3-8	Screen Souvenirs No. 8—(9½ min.)	Mar. 9
A3-9	Crazy College—Headliner	Mar. 16

Paramount—Two Reels

BB3-2 Please—Bing Crosby (20½ min.).....Dec. 15
LL3-2 A Roaming Romeo—Langdon c. (20½m.)..Dec. 29
DD3-3 The Old Bugler—Chic Sale (19 m.).....Jan. 5
BB3-3 Just an Echo—Bing Crosby (19½ m.)....Jan. 19
DD3-4 Gold Nuggets—Catlett com. (18 min.)Feb. 2
LL3-4 A Circus Hoodoo—Langdon com. (20½m.) Feb. 16
DD3-5 Up and Down—Pangborn com. (20 min.) Mar. 2
BB3-4 No More Bridge—Errol com. (21 min.) ..Mar. 16

RKO—One Reel

44402 Cuba—Vagabond No. 2 (10½ min.).....Nov. 10
44203 On the Pan—King Cartoon No. 3 (7 m.)..Nov. 24
44103 Gallop Fanny—Fables cartoon (6½ m.)..Dec. 1
44502 Pathe Review No. 2—(10½ min.)Dec. 15
44204 Pals—King cartoon No. 4 (6½ min.)Dec. 22
44104 Croon Crazy—Fable cart. (6½ min.)Dec. 29
44301 The Rasslin Match—Amos & Andy (cartoon)
(11 min.)Jan. 5
44403 Moorish Spain—Vagabond No. 3 (9½m.) ..Jan. 12
44205 Jest of Honor—King cart. No. 5 (7½m.) ..Jan. 19
44105 Sinister Stuff—Fable cart. (6½ min.)Jan. 26
44302 The Lion Tamer—Amos & Andy cart. (9m.) Feb. 2
44503 Pathe Review No. 3—(8½ min.)Feb. 9
44404 Holy Land—Vagabond No. 4 (10 min.)Feb. 16
44206 Jolly Good Felons—King cart. No. 6.....Feb. 16
44106 Goode Knight—Fable cart. (7 min.)Feb. 23

RKO—Two Reels

43301 Quiet Please—E. Kennedy com. (20½ m.) ..Aug. 11
43801 The Fireman—Chaplin No. 1 (21 min.)....Aug. 25
43101 Murder at Bridge Table—Culbertson No.
1 (21 min.)Sept. 1
43501 How Comedies Are Born—Sweet and Gribbon
No. 1 (19 min.)Sept. 8
43601 Flirting in the Park—Blondes and Redheads
No. 1 (21 min.) (reset)Sept. 15
43102 A Forced Response—Culbertson 2 (17m.)..Sept. 15
43701 Knee Deep in Music—Etting 1 (21½ m.)..Sept. 22
43103 Society Cheaters—Culbertson 3 (21 m.)..Sept. 29
43401 A Preferred List—Headliner No. 1.....Oct. 6
43104 What Not To Do in Bridge—Culbertson
No. 4 (14½ min.)Oct. 13
43202 Fits in a Fiddle—Clark-McCullough
No. 2 (14½ min.)Oct. 20
43105 Transatlantic Bridge Tricks—Culbertson
No. 5 (20½ min.)Oct. 27
43302 What Fur—Kennedy No. 2 (21 min.).....Nov. 3
43106 Three Knaves and a Queen—Culbertson
No. 6 (19½ min.)Nov. 10
43802 The Count—Chaplin No. 2 (21 min.)Nov. 17
43901 Hizzoner—Van Buren mus. com. (21m.) ..Nov. 17
43203 Snug in a Jug—Clark-McCullough (19½m) Nov. 24
43502 Suits to Nuts—Sweet-Gribbon (19m.)Dec. 1
43602 Walking Back Home—Blondes and Redheads
(19 min.)Dec. 8
43902 Strange Case of Hennessey—Van Buren mus.
comedy (21½ min.)Dec. 8
43702 California Weather—Etting No. 2 (20m.) ..Dec. 15
43402 Air Tonic—Headliner No. 2 (21 min.)Dec. 22
43303 Grin and Bear It—E. Kennedy (20½m.) ..Dec. 29
43903 Bubbling Over—Van Buren mus. (19½m.) ..Jan. 5
43403 On Approval—Headliner No. 3 (17m.)Jan. 5
43204 Hey Nanny Nanny—Clark-McCullough 21m Jan. 12
43803 The Immigrant—Chaplin No. 3 (20 min.) ..Jan. 19
43904 Van Buren musical number 4Jan. 26
43205 In the Devil Dog House—Clark-McCullough
No. 5 (20½ min.)Feb. 2
43603 Bridal Bail—Blondes-Redheads (21m.)Feb. 9
43905 Knife of the Party—Van Buren mus.Feb. 16
43703 Torch Tangle—Etting No. 3 (20½ min.) ..Feb. 23
43304 Love On a Ladder—Kennedy No. 4 (18m.) Mar. 2

United Artists—One Reel

-19 Giantland—Mickey Mouse (cart.) (8 min.) ...Dec. 1
-14 The Night Before Christmas—Silly Symphony
(cartoon) (8½ min.)Dec. 12
-20 Mickey Shanghaied—M. Mouse (7 min.)Jan. 15
-15 The China Shop—S. Symphony (cart) (8m.) ..Jan. 15
21 Camping Out—Mickey Mouse (cartoon)Feb. 15

Universal—One Reel

A7242 Strange As It Seems No. 33 (9½ min.)Oct. 9
A7202 In the Zoo—Oswald cartoon (7 min.).....Nov. 6

A7243 Strange As It Seems No. 34 (8½ min.)...Nov. 20
A7203 Merry Old Soul—Oswald cartoon (8 m.)..Nov. 27
A7204 Parking Space—Oswald cart. (6½m.)Dec. 18
A7244 Strange As It Seems No. 35 (9½ min.) ..Dec. 18
A7263 Goofytone News No. 3 (8½ min.) (reset) .Dec. 25
A7205 Chicken Reel—Oswald cartoon (8½ min.) .Jan. 1
A7206 The Candy House—Oswald cart. (8½m.) ..Jan. 15
A7245 Strange As It Seems No. 36 (10 min.)Jan. 22
A7264 Goofytone News No. 4 (9 min.)Jan. 29
A7207 County Fair—Oswald cartoon (6 min.) ...Feb. 5
A7208 The Toy Shoppe—Oswald cartoonFeb. 19
A7246 Strange As It Seems No. 37Feb. 26
A7265 Goofytone News No. 5 (8 min.)Mar. 5
A7209 Gingerbread Boy—Oswald cartoonMar. 12

Universal—Two Reels

A7411 A Wild Ride—Gordon No. 11 (18½ m.)..Oct. 23
A7102 Open Sesame—Armetta com. (19½ min.)..Oct. 25
A7412 Mystery of Ghost City—Gordon 12 (18m).Oct. 30
A7801 The Guns of Doom—Perils of Pauline
No. 1 (20 min.)Nov. 6
A7103 Out of Gas—Fazenda com. (21 min.)....Nov. 8
A7802 The Typhoon of Terror—Pauline No. 2
(20½ min.)Nov. 13
A7803 The Leopard Leaps—Pauline 3 (19½m).Nov. 20
A7104 Not the Marrying Kind—Doane com.
(19½ min.)Nov. 22
A7804 Trapped by the Enemy—Pauline 4 (20½m).Nov. 27
A7164 The Big Casino (Supper at Six)—
Mentone comedy No. 4 (20½ min.)....Nov. 29
A7805 The Flaming Tomb—Pauline No. 5 (19m).Dec. 4
A7806 Pursued by Savages—Pauline 6 (16½m).Dec. 11
A7106 Pie for Two—Gleason com. (20½ min.)...Dec. 13
A7807 Tracked by the Enemy—Pauline 7 (19m)..Dec. 18
A7107 Meeting Mazie—Doane com. (19 min.)...Dec. 20
A7808 Dangerous Depths—Pauline 8 (18½min.)..Dec. 25
A7165 Supper at Six—Mentone com. (17½ m.)..Dec. 27
A7809 The Mummy Walks—Pauline No. 9 (20m.) Jan. 1
A7108 Mountain Music—Doane com. (17½ min.) .Jan. 4
A7810 The Night Attack—Pauline No. 10 (18½m) Jan. 8
A7811 In the Flames—Pauline No. 11 (17½m.) ..Jan. 15
A7109 A Trifle Backward—Doane c. (19½m.) ..Jan. 17
A7812 Con Fu's Secret—Pauline No. 12 (18m.) ..Jan. 22
A7166 Vaudeville on Parade—Mentome (20m.) ..Jan. 24
A7501 Stolen Treasure—Pirate Trea. No. 1 (21m.) Jan. 29
A7110 Palsie Walsie—comedy (20½ min.)Jan. 31
A7502 The Death Plunge—Pirate No. 2 (16½m.) .Feb. 5
A7111 Where's Elmer—Vince Barnett (19½m.) .Feb. 7
A7503 The Wheels of Fate—Pirate No. 3 (20m.) .Feb. 12
A7167 Broadway Varieties—(20 min.)Feb. 14
A7504 The Sea Chase—Pirate No. 4 (15½ min.) ..Feb. 19
A7505 Into the Depths—Pirate No. 5 (17 min.) ..Feb. 26
A7112 Full Coverage—Henry ArmettaFeb. 28
A7506 The Death Chase—Pirate No. 6 (17m.) ..Mar. 5
A7507 Crashing Doom—Pirate No. 7 (18m.)Mar. 12
A7113 Born April First—Halloway comedyMar. 14

Vitaphone—One Reel

8307 Easy Aces—The Aces (10 min.).....Dec. 2
8204 Italy—The Old and the New—Musical journey
(11 min.)Dec. 9
8308 Little Miss Mischief—P. Pot (10½ m.)Dec. 16
8005 Harmonica Rascals—B. Minnevitich (10 m.)..Dec. 23
8309 Movie Memories—Old Time reel (9½ m.) ..Dec. 30
8205 Cannibal Islands—Musical jour. (11 m.)...Jan. 6
8310 The Tune Detective—S. Spaeth (9½ m.)..Jan. 13
8006 Jack Denny and Band (10 min.)Jan. 20
8311 Mississippi Suite—P. Pot special (10m.) ..Jan. 27
8206 Newman No. 6—Musical journeyFeb. 3
8312 The Wrong Wrong Trail—Block-Sully (10) Feb. 10

Vitaphone—Two Reels

7509 Girl Trouble—Mitchell-Durant (20½ m.)...Dec. 2
7606 Here Comes Flossie—Ben Blue (18½ m.)..Dec. 9
7510 Around the Clock (Special musical, 3 reels) ..Dec. 16
7511 Plane Crazy—musical comedy (20 min.)...Dec. 23
7607 Tomalio—F. Arbuckle-Judels (22 min.)Dec. 30
7512 Kissing Time—Musical (22 min.)Jan. 6
7608 How'd You Like That—Judels (18 min.)Jan. 13
7513 A Little Girl With Big Ideas—Molly Picon
(Special 3 reels) (30 min.)Jan. 20
7514 Not Tonight Josephine—McHugh (21m.)Jan. 27
7609 Ben Blue No. 2—comedyFeb. 3
7515 Picture Palace—Hal Leroy com. (20m.)Feb. 10

NEWSWEEKLY NEW YORK RELEASE DATES

Universal News

216 SaturdayJan. 20
217 Wednesday ..Jan. 24
218 SaturdayJan. 27
219 Wednesday ..Jan. 31
220 SaturdayFeb. 3
221 Wednesday ..Feb. 7
222 SaturdayFeb. 10
223 Wednesday ..Feb. 14
224 SaturdayFeb. 17
225 Wednesday ..Feb. 21
226 SaturdayFeb. 24
227 Wednesday ..Feb. 28
228 SaturdayMar. 3
229 Wednesday ..Mar. 7
230 SaturdayMar. 10
231 Wednesday ..Mar. 14

Pathe News

45151 Sat. (O.) ..Jan. 20
45252 Wed. (E.) .Jan. 24
45153 Sat. (O.) ..Jan. 27
45254 Wed. (E.) .Jan. 31
45155 Sat. (O.) ..Feb. 3
45256 Wed. (E.) .Feb. 7
45157 Sat. (O.) ..Feb. 10
45258 Wed. (E.) .Feb. 14
45159 Sat. (O.) ..Feb. 17
45260 Wed. (E.) .Feb. 21
45161 Sat. (O.) ..Feb. 24
45262 Wed. (E.) .Feb. 28
45163 Sat. (O.) ..Mar. 3
45264 Wed. (E.) .Mar. 7
45165 Sat. (O.) ..Mar. 10
45266 Wed. (E.) .Mar. 14

Fox Movietone

37 Wednesday ...Jan. 24
38 SaturdayJan. 27
39 Wednesday ...Jan. 31
40 SaturdayFeb. 3
41 Wednesday ...Feb. 7
42 SaturdayFeb. 10
43 Wednesday ...Feb. 14
44 SaturdayFeb. 17
45 Wednesday ...Feb. 21
46 SaturdayFeb. 24
47 Wednesday ...Feb. 28
48 SaturdayMar. 3
49 Wednesday ...Mar. 7
50 SaturdayMar. 10
51 Wednesday ...Mar. 14

Paramount News

51 SaturdayJan. 27
52 Wednesday ...Jan. 31
53 SaturdayFeb. 3
54 Wednesday ...Feb. 7
55 SaturdayFeb. 10
56 Wednesday ...Feb. 14
57 SaturdayFeb. 17
58 Wednesday ...Feb. 21
59 SaturdayFeb. 24
60 Wednesday ...Feb. 28
61 SaturdayMar. 3
62 Wednesday ...Mar. 7
63 SaturdayMar. 10
64 Wednesday ...Mar. 14

Metrotone News

237 Wednesday ..Jan. 31
238 SaturdayFeb. 3
239 Wednesday ..Feb. 7
240 SaturdayFeb. 10
241 Wednesday ..Feb. 14
242 SaturdayFeb. 17
243 Wednesday ..Feb. 21
244 SaturdayFeb. 24
245 Wednesday ..Feb. 28
246 SaturdayMar. 3
247 Wednesday ..Mar. 7
248 SaturdayMar. 10
249 Wednesday ..Mar. 14

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, FEBRUARY 24, 1934

No. 8

NO CONFIDENCE: THEREFORE NO COOPERATION!

When Will Hays came into the industry he tried to win the confidence of the independent exhibitors with slogans.

One of such slogans was "Confidence and Cooperation."

For several years the exhibitors did place confidence in what he said, and gave him full cooperation.

How unfair an advantage he took of that confidence, and how selfishly he employed that cooperation of theirs, I need not recount here, for every independent exhibitor is familiar with the details.

One of the bugaboos that Mr. Hays employed to induce the independent exhibitors to give him their whole-hearted cooperation was legislation. He told them that, unless they worked together with him on legislative matters, legislation would be enacted that would crush them. And the independent exhibitors, frightened, rushed to place their services and their political connections at his disposal.

What did the independent exhibitors get out of such cooperation?

Nothing! If anything, the worst of it.

Need I remind you of the case in Connecticut, as one example? Some legislator who had a score to even up with the producers for something they had done to him succeeded in putting through the legislature of that state a bill taxing the distributors heavily—by the reel. The producers threatened to pull their exchanges out of New Haven, but nothing came of it. They then worked a sliding scale of charges passing the tax to the exhibitors.

But even this system of recovering the monies they paid for tax did not satisfy them and they began a campaign to have the tax repealed. To this, the exhibitors of Connecticut gave them one hundred per cent cooperation.

But what happened? The law was repealed, well enough, but in its place one was voted taxing the gross receipts of the theatres and the theatres have been paying ever since. Remember that at that time the affiliated theatres were very few.

For years you gave the producers your whole-hearted cooperation but when you went to them for some concession they turned a deaf ear.

The time is here when cooperation should end, for the producers will never give up their unfair advantages. The scandalous conduct of some members of the Code Authority is the best proof that all cooperation should end.

HARRISON'S REPORTS admonishes every exhibitor to give up fraternizing with the other side. This is war, and it is only by fighting that you can win victories.

QUESTION AND ANSWER DEPARTMENT

(Questions regarding the rights of exhibitors under the Code, if of interest to other exhibitors, will be answered in this Department.)

11. Question: The branch manager of one of the major companies with whom I argued the interpretation you gave to Part 5, Division D, Article 5, dealing with the shorts an exhibitor must buy from a distributor from whom he buys features, which interpretation you printed in your HARRISON'S REPORTS of February 10, disagreed with you. He said to me that the language of the Code does not bear you out. Have you any authority for giving this provision the interpretation you did?

Answer: Hon. Sol A. Rosenblatt, Division Administrator, in a speech he made on October 30, in Atlanta, before a gathering of southern exhibitors, stated the following on this subject:

"... It further prohibits a distributor from exacting, as a condition of the licensing of feature pictures, that the exhibitor contract also for short subjects of the distributor in excess of the exact proportional ratio of the exhibitor's full program that is supplied by the distributor."

Notice what the Administrator said: "in excess of the exact proportional ratio of the exhibitor's full program that is supplied by the distributor." In other words, the distributor cannot compel the exhibitor to buy from him more shorts than he needs for the feature pictures that are supplied to such exhibitor by him. If the interpretation of the Hays Manual, as well as that of Louis Nizer, were correct, then the United States Government would have been guilty of helping the major companies to effect a monopoly, and to foster monopolistic practices, for three short-subject selling distributors, supplying an exhibitor with 156 feature pictures, would be able to fill all such exhibitor's short-subject play-dates. In such an event, dealers in short subjects exclusively would not be able to sell such exhibitor a single short subject, even though such dealers' goods might be of far better quality than those of the three distributors. The Code was not framed to help the major companies sell their short subjects but to prevent them from compelling an exhibitor to buy more shorts than he needs in case he wanted such distributor's features. In other words, the Code sought to remove an unfair practice of competition and not to create one.

12. Question: A salesman argued with me that I cannot cancel all high-priced feature pictures but only pictures the price of which do not exceed ten per cent of the price of all the pictures added. Is he right?

Answer: The cancellation provision of the Code (Part 6, Division F, Article V) is specific on this subject; it reads as follows:

"If in any license agreement for the exhibition of feature motion pictures the Exhibitor has contracted to exhibit all of the motion pictures offered at one time by the Distributor to the exhibitor and the license fees of all thereof average not more than \$250.00, the Exhibitor shall have the privilege to exclude from such license agreement not to exceed ten per cent (10%) of the total number of motion pictures so licensed; provided the Exhibitor

"(1) is not in default under such license agreement, and
 "(2) shall have complied with all the provisions thereof, if any, for the exhibition of such motion pictures at specified intervals. . . ."

Nowhere is there anything said, or even implied, about what price pictures you may cancel.

You should understand clearly also that you are not prohibited from cancelling an \$800 picture from your group, as long as the average price of all the pictures of the group is not more than \$250. But I hope that you shall exercise this valuable right to cancel only salacious or other types of demoralizing pictures, such as, for instance, pictures that deal with gangsters and other crooks.

13. Question: On thirty-six feature pictures, the Code gives me the right to cancel four. But suppose the distributor delivers only thirty-five. Am I still entitled to cancel four or do I lose my right on one, leaving me three to cancel, because on thirty-five the Code gives me the right to cancel three?

Answer: The Code is specific on this point. Read it carefully in the answer to the 12th Question. You will notice that it does not mention anything about the number that will be delivered; it states that the cancellation privilege shall apply to the "feature motion pictures the Exhibitor has contracted to exhibit." Accordingly, if you have purchased thirty-six feature motion pictures at one time, you will be entitled to cancel four pictures even if the distributor will have delivered twenty-five.

(Continued on last page)

"Two Alone" with Jean Parker and Tom Brown

(RKO, Jan. 26; running time, 75 min.)

Just a fair program picture, and at that rather depressing because of the extreme cruelty of Arthur Byron towards Jean Parker and Tom Brown, two assistants on his farm. There are several other unpleasant angles; for instance, Arthur Byron, a lustful elderly man with a grown daughter, attempts to make love to Jean, who is supposed to be about seventeen years old. Another bad feature is the fact that Jean Parker and Tom Brown, two youngsters, have intimate relations, although unmarried, and she soon realizes that she is going to have a baby. Such lack of restraint in young people is a dangerous thing to show on the screen. The picture is made up of scenes of cruelty and unhappiness; at one point Jean, fearing that she would be separated from Tom, jumps into a well. The comedy, what there is of it, is provided by a half-wit. Although Zasu Pitts is in the cast she has just one small scene in the beginning and then does not appear again. This is disappointing to an audience that enjoys her type of comedy:—

Jean Parker, taken from an orphans' home by Arthur Byron, is treated like a slave in his home. A farmhand who had befriended her is forced to leave and Jean is heart-broken when he goes because he had been kind to her. Tom Brown, who had escaped from a reformatory school where he had been sent because he had struck his father for mistreating his mother, is befriended by Jean and taken to the house. Byron decides not to turn him over to the officials, but to hold it over his head and force him to work very hard. Jean and Tom fall in love with each other. Jean realizes one day that Byron's attentions to her are not fatherly and she begs Tom to run away with her. They escape and go in search of the kind farmhand. Alone together they become intimate. They are caught by Byron and taken to the farm; he treats them even more cruelly than before. The farmhand eventually returns to prove that he was Jean's father; he had traced the records with the orphanage. Since Jean is going to have a baby she is married to Tom, and then Tom is sent to finish his term in the reformatory school, leaving with Jean's promises that she will wait for him.

The plot was adapted from the story "Wild Birds" by Don Tothoroh. It was directed by Elliott Nugent. Others in the cast are Nydia Westman, Charles Grapewin and Beulah Bondi.

Unsuitable for children, adolescents or Sundays.

"Mandalay" with Kay Francis and Ricardo Cortez

(First Nat'l., Feb. 10; time, 64 min.)

The lavish production and good acting are wasted on a story that is sordid, unpleasant, and demoralizing. The actions of the different characters are base. For instance, Ricardo Cortez deserts Kay Francis, who had been living with him, when he is threatened with ruin by a man who desired Kay. And worst of all, he leaves her alone in this man's resort, a place of ill repute, where she is forced to become a hostess. At first some sympathy is felt for her because of her unhappiness, but all this sympathy vanishes in the closing scenes when she murders Cortez so as to free herself of him. The demoralizing effect is caused by the fact that she does not pay for this deed; her act leaves the way clear for her to marry Lyle Talbot, a young doctor who loved her. Such an act cannot be condoned even though Cortez is portrayed as a villain. The situation in the first half that shows the intimacy between Cortez and Kay is worthy of a burlesque show. There is some suspense in the closing scenes when Cortez disappears and Kay is accused of murdering him.

Cortez, a gun runner, is threatened by Warner Oland, who runs a resort in Burma, with ruin unless he gives up Kay, who was living with him. Cortez agrees to this and leaves her stranded in Oland's place. At first she refuses to see Oland but eventually she decides to get all she can out of him and then leave him. Because of complaints from white people, she is compelled to leave for Mandalay. On the boat she meets Lyle Talbot, a doctor who had lost his nerve because he had killed a patient by an operation he had performed when intoxicated. They fall in love. At one of the port towns Cortez boards the ship and when he sees Kay he tries to renew their intimate relationship. She refuses. He receives word that the police are after him and hides, leaving things in his cabin in such a way as to lead the police to believe he had committed suicide. Kay is accused of being complicated with him but is released. When the police are gone, he returns. Realizing that his presence meant her ruination she gives him poison in a drink of

liquor. He is seized with convulsions and falls from the cabin into the ocean. Kay is now free to marry Talbot and help him in his work.

The plot was adapted from a story by Paul Hervey Fox. It was directed by Michael Curtiz. In the cast are Ruth Donnelly, Reginald Owen, Hobart Cavanaugh, Rafaela Ottiano, David Torrence, and others.

Unsuitable for children, adolescents, and Sundays.

Substitution Facts: According to the worksheet Ruth Chatterton was to be the star. It is a star substitution.

"Good Dame" with Sylvia Sidney and Fredric March

(Paramount, Feb. 16; running time, 72 min.)

Poor. The atmosphere is rather cheap, the story trite, and both March and Sidney are wasted on program grade material. March, in order to be as tough as the role calls for, is made to use poor diction and slangy remarks; it is unpleasant to listen to it. Much of the picture is vulgar in its sex implications. One such situation is where Jack LaRue offers Sylvia Sidney protection if she will remain in his room with him. Also vulgar is the situation in the hotel where Sylvia is annoyed first by one strange man, and then by March himself, both of them offering to enter her room. March is not a sympathetic character; at first he is shown working a crooked game at a carnival; later he is only concerned with women and drink. Some sympathy is felt for Sylvia when she finds herself stranded, and also when she attempts to make a man of March. But this is not enough to hold the interest:—

Sylvia, whose purse had been snatched at a carnival, is forced to accept work at the carnival to get together enough money to go to Chicago, where she had been bound for. At the carnival she meets March and when he finds she is not the type of girl he thought she was they become friends. Sylvia and two other girls are arrested for indecent dancing. When March learns that LaRue will not bail the girls out, he has his pal steal \$50 from LaRue and with this he bails Sylvia out and they return to the carnival. But LaRue is enraged; he kills March's pal, and throws both March and Sidney off the train. Neither knew what had happened to the other. They meet in a hotel when March makes an attempt to enter her room without knowing it is Sylvia's. He neglects her to go out with Noel Francis and she is lonesome. March decides to go to work and gets a position as a house-to-house canvasser of furniture polish. Sylvia goes along with him. They are both arrested when they enter a high class apartment house forcibly. They plead with the judge for leniency because March had just received an offer to join a carnival and Sylvia wants to go with him. They suddenly realize that they love each other and tell the judge they will marry. He pardons them and they leave to be married and to join the carnival.

The plot was adapted from a story by William R. Lipman. It was directed by Marion Gering.

Not suitable for children, adolescents, or Sundays.

"Long Lost Father" with John Barrymore

(RKO, Jan. 19; running time, 62 min.)

The talents of John Barrymore are wasted in this picture, for not even his competent performance can overcome the triteness of the story. It is slow and draggy, it never strikes a note of realism, and the characters do little to arouse any sympathy. It is demoralizing, too, for when Barrymore finds himself in need of money to help his daughter, Helen Chandler, who had become involved in a situation that might ruin her career, he uses a trick by which he cheats a man out of a large sum of money, thus making it possible for him to help her and at the same time help himself. Since the story is weak, the action is padded to some extent, as for instance where Helen Chandler and Donald Cook go off on a treasure hunt in which they are to pick up different objects to bring back to a party. Probably it was thought that this might amuse an audience, but it falls flat and just adds to the general tiresomeness of the picture. The laughs are few and far between, and come only at such times when Barrymore makes some smart retort to a question. The locale is England.

The plot was adapted from the novel by G. B. Stern. It was directed by Ernest B. Shoedsack. In the cast are Alan Mowbray, Claude King, E. E. Clive, and others.

Not suitable for children, adolescents, or Sundays.

Substitution Facts: In the contract John Barrymore and Katharine Hepburn are listed as the stars. Katharine Hepburn is not in the finished product; it is a star substitution even though Barrymore is in the cast because of the tremendous drawing power of Miss Hepburn.

"Orient Express" with Norman Foster*(Fox, Jan. 12; running time, 72 min.)*

Just fair. Most of the action unfolds aboard a train. There is a love affair, and some espionage stuff. But there is no outstanding situation in the story:—

On the Orient express leaving Ostend for Constantinople, the heroine (Heather Angel), a penniless dancer, faints from hunger. The hero (Norman Foster) gives up his compartment to her and sees that she is fed. Their acquaintance develops into love, and she eventually accepts his marriage proposal. Aboard the train is Ralph Morgan, a communist leader, sought by the police. Another passenger is Roy D'Arcy, a crook sought by the police for robbery and murder. On the Jugo-Slav border Morgan is recognized. Before his arrest he hands over to Heather some papers. The discovery of the papers on her implicates her, too. D'Arcy is arrested as a suspicious character. When Foster discovers Heather's absence, he goes in search of her. He finds her just as Morgan and Heather had escaped from the prison. Morgan refuses to go with them, because he must go on with his work. Foster speeds away in his automobile with Heather.

The plot was taken from the novel by Graham Greene. It was directed by Paul Martin. Herbert Mundin, Dorothy Burgess and others are in the cast.

Not suitable for children, young folk; not for Sundays.

"The Meanest Gal in Town" with Zazu Pitts*(RKO, Jan. 12; running time, 61 min.)*

This is a program grade comedy, with a thin story. There are several laughs in it, but most of them are based on vulgar situations and dialogue. Some of these doings and sayings are extremely suggestive, particularly the wisecracks by Pert Kelton, who lures men on by her funny walk and by her promises of intimacy. One bold situation is where Kelton takes James Gleason up to her hotel room and then leaves him stranded. The situation where Gleason attempts to kidnap Kelton, only to be knocked out by her, is laugh provoking. Zazu Pitts and El Brendel, too, arouse laughter by their many mishaps and misunderstandings:—

Brendel and Zasu had been engaged for ten years but he will not marry her until he can afford a second chair in his barber shop. Pert Kelton, a stranded show-girl, induces him to engage her as a manicurist and soon he is doing a flourishing business for the men all come to see Pert. Gleason wants to marry her, but she refuses. Skeets Gallagher, a talkative representative of a chain store, induces Zasu to sign away her business to his company. She does not know what she is doing but she signs to spite Brendel; she was jealous of Pert and ordered Brendel to discharge her, which he would not do. Gallagher becomes friendly with Pert, to Gleason's annoyance. Brendel feels sorry for Zasu. He sells his shop to Gleason and with the money goes to New York to engage a lawyer to win back Zasu's business. Gleason makes Pert a partner but when he tries to kidnap her and marry her she revolts and leaves him; she goes away with Gallagher. Gleason's business dwindles. He is complaining to Brendel, upon the latter's return from New York, when he suddenly spies Pert riding back to town on a handcar operated by one of the railroad men. Brendel tells Zasu the good news—his lawyer won back her business from the chain people. And now they can be married.

The plot was adapted from a story by Arthur Horman. It was directed by Russell Mack.

It is too vulgar for children, adolescents, or Sundays.

A distinct reference is made to the Stetson Hat at one time.

"Six of a Kind" with Mary Boland and Charles Ruggles*(Paramount, Feb. 9; time, 61 min.)*

Audiences will enjoy many hearty laughs in this comedy. The theme itself is comical, and many of the situations are side-splitting. There is one situation in which W. C. Fields plays a game of pool and tells a story at the same time; it is a long time since anything so funny has been shown on the screen. Another such situation is where Mary Boland, while taking a picture, steps back too far and falls from a cliff, landing on a tree. Ruggles, in trying to rescue her, has little chance of doing much, with Burns and Allen around trying to help him. A good deal of the comedy is silly, but this does not seem to matter; the audience is busy laughing. The closing scenes are exciting and at the same time funny because of W. C. Fields' actions as a Sheriff who goes after the wrong man. The part that shows Boland and Ruggles together, is a little suggestive and quite unnecessary.

The plot revolves around Ruggles' and Boland's plans to drive to California on a second honeymoon trip—they had been married for twenty years. Ruggles is employed in a bank and another teller takes \$50,000 from the bank and puts it in Ruggles' suitcase; but Ruggles leaves before the teller could exchange suitcases, and so he unknowingly carries the \$50,000 around with him. The trip is spoiled for Ruggles; his wife had inserted an ad for another couple to take the trip with them to share expenses. Burns and Allen answer the ad and take with them an enormous dog who takes up most of the room in the car. They never leave Ruggles and Boland alone and make life miserable for them. They land in a small town and register at a hotel run by Alison Skipworth; W. C. Fields is the Sheriff of the town. The bank in the meantime discovers the loss and detectives are sent after Ruggles. But the crooked teller is eventually caught and Ruggles is cleared. His joy is complete when Burns and Allen leave them, taking a litch with another couple.

The plot was adapted from a story by Keene Thompson and Douglas MacLean. It was directed by Leo McCarey. Because of certain suggestive talk it is unsuitable for children, adolescents, or Sundays.

There is a display for the United Air Lines.

"Bedside" with Warren William*(First Nat'l., Jan. 27; running time, 65 min.)*

Poor! The theme is unpleasant and the characters are unsympathetic, leaving one in an uneasy frame of mind. For instance, Warren William, who had studied medicine for three years, but who had not finished his course, practices as a physician under an assumed name, using the diploma of a doctor, who was a dope fiend, with the understanding that William would keep him supplied with drugs. One terrible situation is where William is shown performing a serious throat operation, without knowing the first thing about surgery. When the stitches break and the woman starts bleeding to death, it is only through a miracle that she is saved; William's assistant, a real doctor, injects a drug that brings her back to life. But even this does not change his mind; he goes on practicing and taking credit for cures that he was not responsible for. It is depressing, too, to watch David Landau, the doctor, constantly in need of drugs. Jean Muir, the heroine, wins sympathy because of her faith in William and of her desire to help him, although her actions might seem to an intelligent audience rather silly.

In the development of the plot Jean gives William, an x-ray technician, fifteen hundred dollars she had saved, to help him finish his year in medical college and get his diploma. William gambles the money away. He becomes acquainted with a broken-down doctor, a drug addict, and by promising to supply him with drugs the doctor gives him his diploma and permits him to use his name. William engages a press agent, becomes well known, and is sensible enough to engage a good doctor as his assistant. Jean arrives in New York and is proud of him because, from the looks of his expensive office, it seemed as if he had made a great success. He explains that he changed his name because his own was not dignified enough. When he attempts to operate she realizes he is a fake and leaves him; she promises not to expose him. She meets with an automobile accident and William is called on to operate. He realizes how much he loves her and begs the other doctor to do the operation; he confesses about himself. She is saved. William is warned by the hospital authorities to leave the city and promise not to pose as a doctor again, otherwise they would put him in prison. He is reconciled with the heroine, and they marry.

The plot was adapted from a story by Manuel Seff and Harvey Thew. It was directed by Robert Florey. In the cast are Allen Jenkins, Henry O'Neill, Donald Meek, Kathryn Sergava, and others.

Unsuitable for children, adolescents, and Sundays.

ADVANCE INFORMATION ON FORTHCOMING RELEASES

"The Cat and the Fiddle," MGM; an entertaining operetta. "Bolero," Paramount; a good musical entertainment. "I Believed in You," Fox; mediocre. "No More Women," Paramount; parts funny, parts dull, but the picture is vulgar. "Catherine the Great," United Artists; good, though not as good as "Henry the VII." "Hold That Girl," Fox; fair program comedy-melodrama, with the gaunter element mixed in it. "Looking for Trouble," United Artists, excellent melodrama. Reviews next week.

A case in point is that of First National: Up to December 7 it delivered only four pictures of the thirty it sold, leaving twenty-six to deliver. On twenty-six pictures, which, since they are to be released after December 7, are subject to the cancellation provision of the Code, you are entitled to cancel three. You are entitled to cancel three even if First National should deliver only twenty other pictures.

14. *Question:* I have bought the Warner-First National product this season. My contract has the following provision: "Distributor may in its discretion by giving Exhibitor notice in writing on or before 'the available date' of the particular photoplay interchange the film rental and terms . . . of any one or more of the photoplays with the film rental and terms of any other photoplay or photoplays licensed hereunder." I played "World Changes" November 26 and 27. The first part of January I received from the Warner branch manager a letter requesting permission to interchange the price and terms of that picture with "Fashions of 1934." I refused to grant such a request. Then they wrote me that, since I refused to interchange prices and terms of those two pictures, I must accept the interchange of "British Agent" with "Fashions," informing me that this is the only basis on which they will deliver "Fashions." I had already booked "Fashions" for Sunday, Monday, and Tuesday, March 25, 26 and 27. When I received their letter I reduced the number of days to two, and took off Sunday. My contract does not give them preferred playing time. Have they the right to refuse the delivery of this picture on those days?

Answer: It is unheard of for any company to attempt to induce an Exhibitor to interchange prices and terms between two pictures after one of the pictures had played. They have no right to make such a request. In reference to interchanging "Fashions" with "British Agent," you cannot refuse their request provided they interchange these two pictures with every other theatre in your zone that has a similar contract, including affiliated theatres. If they were to make such interchange only in your case, it would be a discrimination, entitling you to submit the case to your Local Grievance Board. In regard to refusing to deliver "Fashions" on March 26 and 27, they have no right to do that since your contract does not give them preferred playing time. Notify the branch manager that you will hold him responsible in case he should fail to deliver that picture on the two days in question.

15. *Question:* My town has three thousand inhabitants. Shall I be able to continue my two-for-one nights now that the Code is in effect?

Answer: The provision dealing with premiums and other gifts as well as two tickets for one price has been inserted into the Code for the protection, not of the distributor, as some representatives of the Hays organization have asserted, but of the independent exhibitor. The Code does not care what an exhibitor does to draw patronage when he has no competitor; but when he has a competitor and such competitor lodges a complaint with the Grievance Board, then action must be taken by the Board; a test vote must be ordered to ascertain whether seventy-five per cent of the independent theatres, in operation for a reasonable length of time, and seventy-five per cent of the affiliated theatres, likewise in operation for some time, vote to exclude such patronage-attracting devices or not. If the vote is for exclusion, then these devices must be discontinued within ninety days from the day the vote was taken. This method of handling the subject prevents cut-throat competition. You realize, of course, that the affiliated theatres are in a better position to offer premiums and other such gifts than the unaffiliated. That is why I stated that this provision of the Code works for the protection of the unaffiliated exhibitor.

17. *Question:* Our theatre seats about 450. 150 seats being in the balcony. This makes it necessary for us to employ four ushers, two hours a night. We have always considered the pass to the show as part of the compensation paid to the ushers and paid them 25c besides. As we understand, the Code requires that we pay ushers 25c an hour. Are we permitted to consider the pass as part of the compensation?

Answer: You cannot figure a pass as compensation; it is against the labor provisions of the Code.

THE PRESIDENT'S REASSURANCE TO THOSE WHO MAY SIGN THE CODE

According to the daily press, the President of the United States, in signing the newspaper code, stated that "nobody assenting to a code waived any constitutional rights" (New York Times, February 20.) The President made this dec-

laration because the newspaper people insisted upon the inclusion in the code of a provision guaranteeing the freedom of the press.

In view of the President's definite statement on a question that has created some disagreement among independent exhibitor leaders out of fear lest the independent exhibitors, by signing the code without reservations, forego their constitutional rights, losing the right to apply to the courts for relief in the event an injustice should be perpetrated against them, the continuance of the suit which has been brought by the Congress Theatre of Newark, and which is being supported by Mr. Myers, can no longer be justified.

Unless Mr. Myers drops the suit in question, he will bear full responsibility if the Code should fail to function fully before the new selling season begins, for if he should be able to obtain an injunction, the Government will naturally appeal the case to the higher courts. And it is unthinkable that the higher courts will eventually make the injunction permanent. If they did, they would endanger the entire industrial recovery program of the President.

I hope that cooler counsel will prevail among the Allied leaders so that the formation of the code bodies and their function may proceed without hindrance to the end that the independent exhibitor may obtain the relief he so much needs. The right to cancel ten per cent of the pictures he has bought is one of the measures that have been designed to give him relief. Preventing the affiliated theatres from corraling all the product, leaving none for the independent exhibitor competitor, is another measure.

And this is only the beginning; it is my belief that, if the producers continue employing the old tactics, by the end of the ninety days the Government may take harsh measures to put racketeering in this industry to an end.

If you have not yet signed the Code do so by all means and place yourself in line to receive the benefit the Code has promised you. The President of the United States has stated unequivocally that no one who signs a code foregoes any of his constitutional rights.

THE CODE BOARDS

Below is a list of names decided upon for members of most of either the Clearing and Zoning boards or of the Grievance boards.

It is your duty to scan them carefully and if you find any exhibitor on the unaffiliated denomination who is not, in your opinion, fit to serve on such a post, enter a protest with the Chairman of the Clearing and Zoning Committee, Code Authority of the M. P. Industry, 1270 Sixth Ave., New York, N. Y., sending a copy of your letter to Hon. Sol. A. Rosenblatt, Division Administrator, 4217 Commerce Bldg., Washington, D. C.

Your objection should be founded not on your personal like or dislikes, but on the character of the individual concerned.

As far as the members of the other branches of the industry are concerned, you may enter a protest only if you know that the person in question has been dishonest in his dealings, submitting your proof along with your protest. Otherwise it would not be advisable for you to enter a protest for the following reason:

Your representatives on the Code Authority are endeavoring to establish the principle that no distributor has the right to object to any exhibitor, unless he has proof of dishonesty against him, and that, by the same token, no exhibitor has the right to object against a distributor or affiliated exhibitor, unless he has proof of, like in the case of the exhibitor, dishonesty.

There are times when an exhibitor may not have proof of dishonesty against an independent exhibitor member and yet he may be perfectly justified in entering a protest against him on the ground of bias. For instance, Charlie Williams has been placed on the Omaha Zoning Board. Any independent exhibitor is justified in protesting against him on the ground that a Federal judge has declared him to be a paid employee of the Hays organization. Such an opinion was expressed in the Youngclaus case.

I don't know who recommended him; we may soon know. But to think that a person would, after the opinion of a federal judge, have the brass to recommend this man as the representative of independent exhibitors should make you realize how desperate the producers are. But that is nothing as compared with the conduct of some members of the Code Authority; it has been scandalous. Such conduct will be discussed in these pages in due time. In the meantime, study the names and act accordingly.

HARRISON'S REPORTS

Vol. XVI

NEW YORK, SATURDAY, FEBRUARY 24, 1934

No. 8

ROSENBLATT TO MAKE ALL RULINGS OF THE M. P. I. CODE

The following correspondence should prove of interest to every independent theatre owner:

"NATIONAL RECOVERY ADMINISTRATION
WASHINGTON, D. C.

February 6, 1934

"Mr. John C. Flinn, Secretary,
Motion Picture Industry Code Authority,
1501 Broadway,
Room 1204, New York, N. Y.

"Dear Mr. Flinn:

"The Code Authority for the Motion Picture Industry asked who is to have the final authority on interpretations of the Code. The question is covered by recent Office Order No. 60, the pertinent provisions of which follow:

"Procedure to be Followed by All Divisions in Ruling on Interpretations, Exceptions and Exemptions or Modifications to Approved Codes.

I. Definitions.

'A. Interpretations.

'This term includes all rulings on the meaning of the language of a code where the intent of that language is in doubt; i.e., where a knowledge of the surrounding circumstances and of the general policies of N. R. A. on the part of the person making the rulings fails to remove the necessity for a decision on which reasonable men, equally well informed, might differ. Where no decision is required on which reasonable men, equally well informed, might differ, the ruling is not an interpretation but merely an explanation.

'II. The promulgation of a final ruling on any of the above matters has the same effect as the promulgation of an approved code, and, therefore, it should be given the same balanced consideration which was given to the promulgation of the code. No final rulings on these matters may be made except by the division administrators, subject to the disapproval of the Administrator; and, in the case of modifications, they must be signed by the Administrator.

'In order to preserve uniformity in the rulings made in the various divisions the following procedure will be followed.

'1: All requests for rulings will be referred to the Administration member of the Code authority for the findings and recommendations of the Code Authority.

'2: The Administration member will forward the findings and recommendations of the Code Authority (with appropriate comments) to the Deputy Administrator. (In the case of the Motion Picture Code the Div. Administrator is the Administration Member).

'3: The Deputy Administrator will obtain the recommendations of his legal advisor and of his labor, industrial and consumer advisers to the extent that the subject matter is within their purview of interest.

'4: The Deputy will submit the file including all recommendations to the Division Administrator who will approve, disapprove or modify the ruling.

'5: The Division Administrator's ruling will be final, subject only to the ultimate disapproval of the Administrator provided, however, that no modification shall be effective without the signature of the Administrator.

'By direction of the Administrator:

'ALVIN BROWN.'

"In the case of the Motion Picture Code the Division Administrator is the Administration Member of the Code Authority, therefore, the intervening steps between the Administration Member and the Division Administrator are eliminated.

"Very truly yours,

"WILLIAM P. FARNSWORTH (Sgd.)
Deputy Administrator
Amusement Section"

BUFFALO

Grievance Board

Representative National Distributor, Affiliated: Sidney Sampson, Fox.

Representative Distributor, Unaffiliated: Jack L. Berkowitz, Monogram.

Exhibitor, Affiliated: William H. Cadoret, Rochester.

Exhibitor, Unaffiliated: J. H. Michaels, Buffalo.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Ted O'Shea, Metro-Goldwyn-Mayer.

Representative Distributor, Unaffiliated: Dave Miller, Universal.

First Run Exhibitor, Affiliated: Vincent J. McFaul, Shear-Paramount.

First Run Exhibitor, Unaffiliated: Charles Hayman, Buffalo.

Subsequent Run Exhibitors, Unaffiliated: Sol Raives, Rochester; Irving L. Price, E. Aurora.

CHARLOTTE

Grievance Board

Representative National Distributor, Affiliated: Frank Bryan, Warner.

Representative Distributor, Unaffiliated: H. H. Everett, Monogram.

Exhibitor, Affiliated: H. F. Kincey, Paramount.

Exhibitor, Unaffiliated: Chas. W. Picquet, Pinehurst.

Impartial Member: Paul Rousseau, Secretary Merchants' Association.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Ira Furman, Metro-Goldwyn-Mayer.

Representative Distributor, Unaffiliated: R. J. Ingram, Columbia.

First Run Exhibitor, Affiliated: Montgomery Hill, Greensboro.

First Run Exhibitor, Unaffiliated: Albert Sotille, Charleston, S. C.

Subsequent Run Exhibitors, Unaffiliated: J. M. Cregg, Charlotte, N. C.; W. H. Hendricks, Reedville, N. C.

Impartial Member: C. O. Kuester, Secretary Charlotte Chamber of Commerce.

CINCINNATI

Grievance Board

Representative National Distributor, Affiliated: George Smith, Paramount.

Representative Distributor, Affiliated: Paul Krieger, Universal.

Exhibitor, Affiliated: W. A. Finney, Loew's, Inc.

Exhibitor, Unaffiliated: John Elliott, Lexington, Ky.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Maurice White, Warner.

Representative Distributor, Unaffiliated: Allan Moritz, Columbia.

First Run Exhibitor, Affiliated: Ike Libson, R. K. O.

First Run Exhibitor, Unaffiliated: J. Real Neth, Columbus.

Subsequent Run Exhibitors, Unaffiliated: Frank W. Huss, Jr., Cincinnati; W. A. Keyes, Dayton, Ohio.

DALLAS

Grievance Board

Representative National Distributor, Affiliated: L. R. Bickell, Metro.

Representative Distributor, Unaffiliated: Claude Ezell, Monogram.

Exhibitor, Affiliated: Karl Hoblitzelle, Interstate-Paramount.

Exhibitor, Unaffiliated: Roy L. Walker, Lampassus, Tex.

Clearance and Zoning Board

Representative National Distributor, Affiliated: C. E. Hilgers, Fox.

Representative Distributor, Unaffiliated: E. S. Olsmith, Universal.

First Run Exhibitor, Affiliated: R. J. O'Donnell, Interstate-Paramount.

First Run Exhibitor, Unaffiliated: Harold Robb, Dallas.

Subsequent Run Exhibitor, Unaffiliated: Paul Scott, Dallas; L. C. Tidbel, Ft. Worth.

DENVER

Grievance Board

Representative National Distributor, Affiliated: Earl Bell, Warner.

Representative Distributor, Unaffiliated: Jack Langan, Universal.

Exhibitor, Affiliated: L. J. Finske, Paramount.

Exhibitor, Unaffiliated: Burns Ellison, Denver.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Joe F. Ashby, R. K. O.

Representative Distributor, Unaffiliated: Wayne Ball, Columbia.

First Run Exhibitor, Affiliated: Rick Ricketson, Fox Rocky Mountain.

First Run Exhibitor, Unaffiliated: H. E. Huffman, Denver (Gen. Theatres, Inc.).

Subsequent Run Exhibitors, Unaffiliated: Harry A. Goodridge, Denver; Ed J. Schulte, Casper, Wyo.

DES MOINES

Grievance Board

Representative National Distributor, Affiliated: E. J. Tilton, Warner.

Representative Distributor, Unaffiliated: Louis Patz, Universal.

Exhibitor, Affiliated: H. J. Cavanaugh, R. K. O. Theatres.

Exhibitor, Unaffiliated: Clif L. Niles, Anamosa, Iowa.

Clearance and Zoning Board

Representative National Distributor, Affiliated: B. J. McCarthy, R. K. O.

Representative Distributor, Unaffiliated: Joseph Levy, Columbia.

First Run Exhibitor, Affiliated: A. H. Blank, Tri-State-Paramount.

First Run Exhibitor, Unaffiliated: Ed Ellsworth, Iowa Falls.

Subsequent Run Exhibitors, Unaffiliated: Julius Geertz, Davenport; Abe Frankel, Des Moines.

DETROIT

Grievance Board

Representative National Distributor, Affiliated: Fred North, Warner.

Representative Distributor, Unaffiliated: Sam Seplowin, Monogram.

Exhibitor, Affiliated: Ed C. Beatty, Butterfield.

Exhibitor, Unaffiliated: Ed E. Kirshner, Detroit.

Impartial Member: Kenneth C. Weber, Attorney.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Nat Levy, R. K. O.

Representative Distributor, Unaffiliated: Carl H. Shalit, Columbia.

First Run Exhibitor, Affiliated: Geo. W. Trendle, Paramount.

First Run Exhibitor, Unaffiliated: James Minter, Owasso, Mich.

Subsequent Run Exhibitors, Unaffiliated: James C. Ritter, Detroit; Allan Johnson, Grand Rapids, Mich.

Impartial Member: H. A. Harrington, Secretary, Arbitration Committee Detroit Board of Commerce.

INDIANAPOLIS

Grievance Board

Representative National Distributor, Affiliated: J. Harold Stevens, Paramount.

Representative Distributor, Unaffiliated: Floyd Brown, Universal.

Exhibitor, Affiliated: I. M. Halperin.

Exhibitor, Unaffiliated: Chas. Olson.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Geo. Landis, Fox.

Representative Distributor, Unaffiliated: Marty Solomon, Columbia.

First Run Exhibitor, Affiliated: Jack Flex, Loew's.

First Run Exhibitor, Unaffiliated: Kenneth Collins.

Subsequent Run Exhibitors, Unaffiliated: M. Marcus, Ft. Wayne; A. C. Zaring, Indianapolis.

KANSAS CITY

Grievance Board

Representative National Distributor, Affiliated: Ward Scott, Fox.

Representative Distributor, Unaffiliated: Bennie Benjamin, Universal.

Exhibitor, Affiliated: Lawrence Lehman, R. K. O.

Exhibitor, Unaffiliated: Jay Means, Kansas City.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Ralph Libeau, Paramount.

Representative Distributor, Unaffiliated: Harry Taylor, Columbia.

First Run Exhibitor, Affiliated: Elmer Rhoden, Fox Midwest.

First Run Exhibitor, Unaffiliated: Peck Baker, Kansas City, Kans.

Subsequent Run Exhibitors, Unaffiliated: Fred Meyn, Kansas City; E. E. Webber, Kansas City.

LOS ANGELES

Grievance Board

Representative National Distributor, Affiliated: Jake Milstein, Metro.

Representative Distributor, Unaffiliated: Howard Stubbins, Monogram.

Exhibitor, Affiliated: Lou Halper, Warner.

Exhibitor, Unaffiliated: Ben Berinstein, Pasadena.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Carroll Peacock, Paramount.

Representative Distributor, Unaffiliated: Wm. C. Ritter, Columbia.

First Run Exhibitor, Affiliated: Jack Sullivan, Fox West Coast.

First Run Exhibitor, Unaffiliated: Russell Rogers, Los Angeles.

Subsequent Run Exhibitors, Unaffiliated: Harry Hicks; Geo. Hanes, Los Angeles.

MEMPHIS

Grievance Board

Representative National Distributor, Affiliated: T. W. Young, Fox.

Representative Distributor, Unaffiliated: James Rogers, Columbia.

Exhibitor, Affiliated: M. A. Lightman, Paramount.

Exhibitor, Unaffiliated: Wm. Ruffin, Covington, Tenn.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Frank Willingham, Metro.

Representative Distributor, Unaffiliated: W. E. Sipe, Universal.

First Run Exhibitor, Affiliated: Howard Waugh, Warner.

First Run Exhibitor, Unaffiliated: Sidney Nutt, Hot Springs.

Subsequent Run Exhibitors, Unaffiliated: T. W. Sharp, Little Rock; A. J. Suzore, Memphis.

MINNEAPOLIS

Grievance Board

Representative National Distributor, Affiliated: Moe Levy, Fox.

Representative Distributor, Unaffiliated: Max Stahl, United Artists.

Exhibitor, Affiliated: Emil Frank, R. K. O.

Exhibitor, Unaffiliated: Jos. Friedman, St. Paul.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Leo Blank, Warner.

Representative Distributor, Unaffiliated: B. C. Marcus, Columbia.

First Run Exhibitor, Affiliated: Jno. J. Friedl, Paramount.

First Run Exhibitor, Unaffiliated: Jack Haywood, No. Richmond, Wisc.

Subsequent Run Exhibitors, Unaffiliated: O. A. Lee, Minneapolis; Fred V. Holzapfel, Minneapolis.

NEW HAVEN

Grievance Board

Representative National Distributor, Affiliated: Nathan Furst, Warner.

Representative Distributor, Unaffiliated: E. Rogovin, Columbia.

Exhibitor, Affiliated: Geo. Cruzen, Paramount.

Exhibitor, Unaffiliated: J. B. Fishman, New Haven.

Clearance and Zoning Board

Representative National Distributor, Affiliated: A. M. Kane, Paramount.

Representative Distributor, Unaffiliated: Morris Joseph, Universal.

First Run Exhibitor, Affiliated: I. J. Hoffman, Warner.

First Run Exhibitor, Unaffiliated: Arthur Lockwood, Middletown.

Subsequent Run Exhibitors, Unaffiliated: Adolph Johnson, N. H.; Martin Kelleher, Hartford.

NEW ORLEANS

Grievance Board

Representative National Distributor, Affiliated: Guy Brown, R. K. O.

Representative Distributor, Unaffiliated: Houston Duvall, Columbia.

Exhibitor, Affiliated: Norman Carter, Saenger.

Exhibitor, Unaffiliated: Bert Kiern, New Orleans.

Impartial Member: Herbert J. Schwartz, President, Maison Blanche.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Luke S. Connor, Warner.

Representative Distributor, Unaffiliated: Paul Tessier, Universal.

First Run Exhibitor, Affiliated: Rodney Toups, Loew's.

First Run Exhibitor, Unaffiliated: Harry McLeod, New Orleans.

Subsequent Run Exhibitors, Unaffiliated: Joseph Alsina, New Orleans; Joseph Barcelona, Baton Rouge.

Impartial Member: W. H. Alexander, President, L. Fiebleman Co.

OKLAHOMA CITY

Grievance Board

Representative National Distributor, Affiliated: Otto Rode, Warner.

Representative Distributor, Unaffiliated: Sol Davis, Monogram.

Exhibitor, Affiliated: R. M. Clark, Oklahoma City.

Exhibitor, Unaffiliated: Fred Pickrel, Ponca City.

Impartial Member: Judge Albert C. Hunt, former Chief Justice Oklahoma Supreme Court.

Clearance and Zoning Board

Representative National Distributor, Affiliated: F. A. Higdon, Fox.

Representative Distributor, Unaffiliated: L. F. Stocker, Columbia.

First Run Exhibitor, Affiliated: Pat McGee, Paramount.

First Run Exhibitor, Unaffiliated: Ralph Talbot, Tulsa.

Subsequent Run Exhibitors, Unaffiliated: M. Lowenstein, Oklahoma City; W. P. Morgan, Tulsa.

Impartial Member: F. C. Morey, Vice-President, Tradesman National Bank, Oklahoma City.

OMAHA

Grievance Board

Representative National Distributor, Affiliated: A. Mendenhall, Paramount.

Representative Distributor, Unaffiliated: Jerry Spandean, Universal.

Exhibitor, Affiliated: Will Singer, R. K. O.

Exhibitor, Unaffiliated: Walter Creal, Omaha.

Clearance and Zoning Board

Representative National Distributor, Affiliated: A. M. Avery, R. K. O.

Representative Distributor, Unaffiliated: D. V. McLucas, United Artists.

First Run Exhibitor, Affiliated: Ralph Branton, Tri-State-Paramount.

First Run Exhibitor, Unaffiliated: H. F. Kennedy, Broken Bow, Neb.

Subsequent Run Exhibitors, Unaffiliated: C. E. Williams, Omaha; Sam Epstein, Omaha.

PITTSBURGH

Grievance Board

Representative National Distributor, Affiliated: Ben Kalminson, Warners.

Representative Distributor, Unaffiliated: B. M. Stearn, United Artists.

Exhibitor, Affiliated: M. J. Cullen, Loew's.

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. Kalmine, Warner's.

First Run Exhibitor, Unaffiliated: Frank Harris, Pittsburgh.

Subsequent Run Exhibitors, Unaffiliated: Alex S. Moore, Pittsburgh; Jos. Weiss, McKeesport, Pa.

PORTLAND, OREGON

Grievance Board

Representative National Distributor, Affiliated: C. F. Powers, Fox.

Representative Distributor, Unaffiliated: Howard Mapes, Star Film.

Exhibitor, Affiliated: J. J. Parker, United Artists.

Exhibitor, Unaffiliated: Guy Matthews, The Dalles, Ore.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Louis Amacher, Metro.

Representative Distributor, Unaffiliated: James G. Beals, Columbia.

First Run Exhibitor, Affiliated: Al Finkelstein, Evergreen Theatres.

First Run Exhibitor, Unaffiliated: Andrew Sasso, Portland, Ore.

Subsequent Run Exhibitors, Unaffiliated: Geo. Jackson, Portland, Ore.; Wm. Cutts, Portland, Ore.

ST. LOUIS

Grievance Board

Representative National Distributor, Affiliated: B. B. Reingold, Fox.

Representative Distributor, Unaffiliated: Barney Rosenthal, Premiere Pictures.

Exhibitor, Affiliated: Leto Hill, St. Louis Amusement Co., Warner.

Exhibitor, Unaffiliated: Louis Ansell, St. Louis.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Maurice Schweitzer, Paramount.

Representative Distributor, Unaffiliated: Clarence D. Hill, Columbia.

First Run Exhibitor, Affiliated: Harold W. Evans, Loew's.

First Run Exhibitor, Unaffiliated: Clarence Turley, St. Louis.

Subsequent Run Exhibitors, Unaffiliated: Fred Wehrenberg, St. Louis; C. H. Kaiman, St. Louis.

SALT LAKE CITY

Grievance Board

Representative National Distributor, Affiliated: T. J. Walsh, R. K. O.

Representative Distributor, Unaffiliated: Irving Schlank, United Artists.

Exhibitor, Affiliated: Harry David, Louis Marcus-Paramount.

Exhibitor, Unaffiliated: C. E. Huish, Eureka, Utah.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Chas. L. Walker, Fox.

Representative Distributor, Unaffiliated: Jack Rue, Universal.

First Run Exhibitor, Affiliated: Lou Marcus, Paramount.

First Run Exhibitor, Unaffiliated: B. F. Thatcher, Logan.

Subsequent Run Exhibitors, Unaffiliated: Jos. Lawrence, Salt Lake; John Gillette, Toole, Utah.

SEATTLE

Grievance Board

Representative National Distributor, Affiliated: Neal East, Paramount.

Representative Distributor, Unaffiliated: L. N. Walton, Columbia.

Exhibitor, Affiliated: Al Rosenberg, Evergreen Circuit.

Exhibitor, Unaffiliated: John Hamrick, Seattle.

Clearance and Zoning Board

Representative National Distributor, Affiliated: Ed. Lamb, R. K. O.

Representative Distributor, Unaffiliated: L. J. McGinley, Universal.

First Run Exhibitor, Affiliated: Frank Newman, Fox West Coast-Evergreen.

First Run Exhibitor, Unaffiliated: J. G. Von Herberg, Seattle.

Subsequent Run Exhibitors, Unaffiliated: Geo. Endert, Seattle; John Danz, Seattle.

(The Boards for the remaining Zones will be given next week)

"A Woman's Man" with John Halliday, Marguerite De La Motte and Wallace Ford

(Monogram, Dec. 26; running time, 69 min.)

A fairly good drama. The masses should be interested in the backstage scenes showing how motion pictures are made, and how the singing voice of another person is used to make it appear as if the leading person is singing. There is human interest in the story because of the unhappiness caused to several people by the heroine's selfishness and conceit. The other characters arouse sympathy, particularly John Halliday, as the disappointed director who loved Marguerite but whose love was not reciprocated. Wallace Ford wins sympathy; he loves Marguerite and is led to believe that she, too, loves him. Because of her treatment of him he throws away his one chance of becoming the middle-weight champion of the world. The tactics of the heroine are such as to arouse antagonism; not even her final act of marrying Ford changes this feeling, because her actions before that had been so callous.

In the development of the plot Marguerite, a temperamental motion picture star, makes life miserable for John Halliday, her director, and for her friend, Kitty Kelly, by her outbursts and acts of selfishness. Halliday tolerates her because he loves her, even though she does not return this love. She meets Wallace Ford, a prizefighter, and decides he will be a novelty in her life. She leads him to believe she loves him and even follows him to his training quarters, making him break training rules. She reads of a former wealthy suitor returning to New York and leaves suddenly, sending Halliday around to Ford to make excuses. On his return to New York Ford calls at her apartment and overhears her telling her wealthy fiance that she had just played around with Ford for the publicity it would bring her, particularly if he should win the fight. The night of the fight Ford purposely throws it away and loses his chances of becoming champion. Marguerite realizes at last how selfish she had been, and that she really loves Ford. She goes to see him and tells him how sorry she is and that she wants to marry him. They are reconciled.

The plot was adapted from a story by Adela Rogers St. John. It was directed by Edward Ludwig. In the cast are Jameson Thomas, Tommy Dugan, Wallis Clark, Leigh Allen, and others.

Its suitability for children, adolescents, and Sundays, is questionable. It all depends on how liberal or how strict is an exhibitor in the selection of his material for these purposes. But there is nothing vulgar about any of the situations.

"The Ninth Guest" with Genevieve Tobin and Donald Cook

(Columbia, Jan. 31; running time, 67 min.)

This murder melodrama holds one in suspense, because it has been produced well; but it is too gruesome for the average picture-goer. Seven people are killed—two by poison, two by touching electrically charged doors, two by gun shots, and one in a manner not shown. It is all too harrowing and leaves the spectator with a sick feeling. However, followers of this type of melodrama will find it exciting enough, because the murders, and the planning of them, are ingenious. Several people are suspected but it is not until the very end that the identity of the murderer is made known; it comes as a surprise. The scenes leading up to the different murders will hold one tense. There is some comedy relief by Vince Barnett, as a drunken butler.

The action unfolds on a penthouse on the fiftieth floor of an office building, where eight persons, all enemies had been invited to a party. Tragedy befalls most of them.

The plot was adapted from the play by Owen Davis. It was directed by R. William Neill. In the cast are Edward Ellis, Edwin Maxwell, Helen Flint, Samuel S. Hinds, Nella Walker and Sidney Bracey.

Too gruesome for children, adolescents, or Sundays.

There is a prominent display for the Postal Telegraph Company.

HARRISON'S REPORTS

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 United States\$15.00
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 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 PENNSYLVANIA 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, MARCH 3, 1934

No. 9

The Unexplainable Conduct of the Code Authority

The following letter has been sent for publication by Mr. John Flinn, Executive Secretary of the Code Authority:

"NATIONAL RECOVERY ADMINISTRATION
 "Washington, D. C.

"February 6, 1934

"Mr. John C. Flinn, Exec. Sec'y,
 "Code Authority Motion Picture Industry,
 "1501 Broadway—Room 1204,
 "New York, N. Y.

"Dear Sir:

"Article V, Division F, Part 6, of the Code of Fair Competition for the Motion Picture Industry, approved November 27th, 1933, by President Roosevelt, provides in part as follows:

"Part 6. If in any license agreement for the exhibition of feature motion pictures the Exhibitor has contracted to exhibit all of the motion pictures offered at one time by the Distributor to the Exhibitor and the license fees of all thereof average not more than \$250.00, the Exhibitor shall have the privilege to exclude from such license agreement not to exceed ten per cent (10%) of the total number of the motion pictures so licensed; provided the Exhibitor

"(1) is not in default under such license agreement, and

"(2) shall have complied with all of the provisions thereof, if any, for the exhibition of such motion pictures at specific intervals."

"This cancellation privilege is freely granted under the Code to Exhibitors who have complied with the provisions set forth in such Part, and applies to any license agreement for the exhibition of feature motion pictures.

"The Code having become effective on December 7th, 1933, such Part of the Code was therefore in effect as of that date and the privilege of exclusion granted to Exhibitors became effective as of such date and applies with respect to all feature product generally released after December 7th, 1933.

"The provisions of subsection (h) of such Part, amending the Optional Standard License Agreement referred to in Part I of Division F of Article V, is for the purpose of uniformity in such Optional Standard License Agreement, but the provisions of Part 6 granting rights of exclusion to Exhibitors who have qualified thereunder would prevail where the parties have mutually agreed that a different form than the Optional Standard License Agreement be used. In other words, even though the parties may use a different agreement, nevertheless if the agreement comes within the purview of the license agreement referred to in Part 6 and the Exhibitor has fulfilled the requirements thereunder, the provision of Part 6, granting the right of exclusion, would nevertheless apply in favor of the Exhibitor.

"Yours very truly,

"SOL A. ROSENBLATT (Signed)

"Division Administrator.

"APPROVED:

"L. M. C. Smith (Signed)

"Legal Division

"National Recovery Administration."

The copy was accompanied with the information that the Code Authority, at its meeting on Monday, February 26, authorized publication of this letter, and that some members that represent distributors have dissented from Division Administrator Rosenblatt's ruling.

What I desire to call your attention to is this: The letter of Mr. Rosenblatt was written in Washington on February 6, and was received by Mr. Flinn on February 7. On February 9, there was a meeting of the Code Authority and the letter was no doubt read and discussed by the members. There was a meeting also on February 16. And yet publication of it was withheld and not authorized until the meeting of February 26.

Is this a sample of how the Code Authority is going to treat the rulings of the government? Undoubtedly the majors did not like the Administrator's ruling. But is that an excuse for withholding it from publication, when it means so much to a great part of the industry?

I have no doubt as to how the Code Authority members that represent major company interests voted when the Administrator's letter was discussed whether to give it publicity or not; but what I am not familiar with is how the independent members voted. And in order for me to ascertain it, I am sending a letter to each such member, asking him to state whether he voted for immediate publication or not, and if he was not for, to give his reason. Their replies will be published in these columns.

THE GOVERNMENT AGAIN UPHOLDS ADMINISTRATOR ROSENBLATT

On February 21, Administrator Hugh S. Johnson, under the heading "Interpretations," issued the following statement:

"For the information of members of the Motion Picture Industry with respect to the form of assent distributed by the Code Authority of the Motion Picture Industry under the terms of Article VI, Part 2, Section 8, of the Code:

"1. It is not the intent or purpose of Article VI, Part 2, Section 8 of the Code that any member of the Industry assenting to the Code on the forms 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 amendments 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 that they will 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 Zoning 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 interpose his defense before any such board if he so desires in any matter affecting his interests, and thereafter 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.

(Continued on last page)

"It Happened One Night" with Claudette Colbert and Clark Gable

(Columbia, Feb. 23; running time, 103 min.)

Excellent mass entertainment. The story is thin, but Frank Capra's excellent direction and the fine acting of both Claudette Colbert and Clark Gable make it highly entertaining. It holds the attention throughout, arouses laughs, has good dialogue, beautiful photography, holds one in suspense and ends on a note of high comedy. Although part of the action takes place on a cross-country bus, it is entirely different from the other bus pictures shown. Never once does it let up in its entertainment values; one becomes interested in everything that happens to both Colbert and Gable. One extremely funny situation is where Gable, in his desire to help Colbert, frightens Roscoe Karns, who had recognized her as the society girl whose father was offering \$10,000 for information as to her whereabouts, and who wants Gable to share the reward with him, by telling him that he, Gable, was a gangster and was kidnaping Colbert. A few situations are a bit suggestive for the younger element, but they are handled cleanly and delicately:—

Claudette Colbert, daughter of wealthy Walter Connolly, in a rash moment had married Jameson Thomas, a famous aviator, so as to get away from the watchful eye of her father, who had never permitted her to live her own life. Immediately after the ceremony she was found by her father's detectives and taken back home. Her father disliked the man she married and locks her up in his yacht. But she escapes and swims ashore, buys a bus ticket to New York to get to her husband, and evades detectives. On the bus she meets Clark Gable, a newspaper reporter, and they become friends.

It is this incident that causes all the laughs and arouses all the interest, eventually leading to the annulment of her marriage to marry Gable.

The plot was adapted from the story "Night Bus," by Samuel Hopkins Adams. In the cast are Alan Hale, Arthur Hoyt, and others.

Since some of the comedy is a bit risqué, even though it has been handled, as said, delicately, exhibitors will have to use their own judgment about showing it on Sundays. Children will not understand it. Young folk will be interested in the comedy.

"No More Women" with Victor MacLaglen and Edmund Lowe

(Paramount, Feb. 23; running time, 77 min.)

Edmund Lowe and Victor MacLaglen are again united to continue, in their vulgar fashion, their petty quarrelling over women and jobs. Part of the picture is funny, part dull, and on the whole it is just ordinary entertainment, with better photography than story. The most thrilling part comes in the closing scenes during an undersca battle in which Harold Huber attempts to kill both MacLaglen and Lowe by cutting their air tubes, after he had killed one diver that way. These scenes will hold the audience in tense suspense. There are laughs in the situation where MacLaglen, together with Sally Blane, visit an amusement park. Each time they enter a dark place he gets a punch in the jay, not knowing that Lowe was following them and doing this; he is furious. But neither of them is a sympathetic character—MacLaglen is the worse, for he thinks it is funny to allow the police to think that Lowe had killed him so that they might hang Lowe. There is no real romantic interest in the story; both characters quarrel over Sally Blane, who loves neither.

This picture shows both Lowe and MacLaglen working as divers for rival salvage boats.

The plot was adapted from a story by Delmar Daves and Grant Leenhouts. It was directed by Albert Rogell. In the cast are Christian Rub, Alphonse Etheir, Minna Gombell, and others.

Not suitable for children, adolescents, or Sundays.

"The Cat and the Fiddle" with Ramon Novarro and Jeannette MacDonald

(MGM, Feb. 16; running time, 87 min.)

An entertaining operetta, well acted, with charming music and some good comedy situations. The music does not impede the action because it is made part of the story. Although the theme is familiar, it has been handled so well that it holds the interest. Whenever there is a lapse in the story the music makes up for it. The situation in which Novarro parts from Jeanette because he does not want her to struggle in poverty with him wins sympathy for them both. The closing scenes are fairly exciting even though the

outcome is obvious. These scenes, which show the performance of Novarro's operetta, are done in technicolor:—

Novarro and Jeanette are both composers and singers living in Brussels. He meets her and falls in love with her at first sight. They decide to live together and go to Paris where Frank Morgan, an admirer of Jeanette's, publishes her songs which become extremely popular; she becomes wealthy. Novarro feels he is a failure and cannot work on his operetta. Morgan tells him he should go back to Brussels and work but not to take Jeanette with him because it would be unfair to her. Pretending he does not love her any more, Novarro bids Jeanette goodbye. She is heartbroken. The operetta is finished and for the leading part Novarro procures Vivienne Segal, whose wealthy husband agrees to back the show. When the husband finds Vivienne making love to Novarro, he insists that she leave the show and withdraws his backing. Novarro signs a check for the theatre rental, knowing that he did not have the money in the bank to cover it. The musicians and the leading man leave. He gets his friends to play in the orchestra and the rest of the cast agree to remain with him. Butterworth, Novarro's assistant, rushes to Jeanette and pleads with her to save Novarro from jail. She arrives at the last minute, and Novarro, hearing that she had planned to marry Frank Morgan the following day, makes her understand why he had left her. The operetta is successful and there is a happy reconciliation between the lovers.

The plot was adapted from the play by Jerome Kern and Otto Harboch. It was directed by William K. Howard. In the cast are Jean Hersholt, Frank Conroy, Henry Armetta and Joseph Cawthorne.

Because of the fact that the hero and the heroine live together without being married it is unsuitable for children, adolescents, or Sundays.

"Looking for Trouble" with Spencer Tracy, Jack Oakie and Constance Cummings

(United Artists, March 9; time, 77 min.)

An excellent comedy-melodrama; it is fast-moving, has uproarious situations, and holds one in suspense throughout. The closing scenes, which are supposed to occur during an earthquake, are extremely exciting; they are so realistic, that the audience is held tense. They are put in that state of mind out of fear lest Tracy and Oakie be injured by falling bricks and wires while fighting their way out of the falling walls. Exciting also is the situation in which Tracy and Oakie, held prisoners by a gang of crooks, purposely set fire to the place to attract the attention of the firemen, so as to prevent the gang from leaving with the stolen bonds. Most of the comedy is brought about by Oakie's dumbness and wise-cracking. He pulls practical jokes on Tracy and cannot understand why Tracy does not like that. Nevertheless he is a sympathetic character because of his loyalty to Tracy. Tracy, too, is a sympathetic character; he risks his life to help Constance Cummings, with whom he is in love:—

Tracy, repair man for the telephone company, is in love with Constance Cummings. But she is unhappy because he does not care to go out much. She accepts the attentions of Tracy's assistant; Tracy is enraged because he knows this man is no good. The assistant is fired when the foreman discovers that he had been disloyal to the company. Constance thinks Tracy had been responsible for it and refuses to see him. She goes to work as secretary for the assistant who had opened a real estate office. What she does not know is that he and his gang were engaging in wire tapping, and were making money on market tips given over the telephone. Tracy gets an order to investigate the wire tapping and together with Oakie sneak into the room. They are caught by the gang. Tied up and helpless to do anything, they see the gang breaking the wall through to the bank to steal valuable bonds. Unseen by their captors, they complete the circuit of the fire alarm wire with the blade of a sharp knife. This brings the engines. To attract attention, they overturn the gasoline torches and set fire to the building. Oakie is severely injured but the crooks are caught. The assistant is found murdered and Constance is held because she had been found in his apartment. She had gone there to marry the assistant, when she thought Tracy had left her to go to China. But Tracy, feeling that she is innocent, sets out to detect the murderer. He succeeds. Constance is freed and marries Tracy. Oakie marries her room-mate, Arline Judge.

The plot was adapted from a story by J. R. Bren. It was directed by William Wellman. In the cast are Morgan Conway, Judith Wood, Paul Harvey, and others.

Because of the gangster element, some exhibitors might feel it is not suitable for children, adolescents, or Sundays.

"Bolero" with George Raft and Carole Lombard

(Paramount, Feb. 23; running time, 83 min.)

Pretty good entertainment. The interest is held better in the first half than in the second; the second half, however, has its lavish atmosphere which should make up for the slower pace. George Raft suits the role,—that of a dancer,—to perfection; in addition, he is presented as a sympathetic character whose one fault is his conceit, caused by faith in himself as a great dancer. The music during most of the story is good, and the famous "Bolero" composed by Ravel has been effectively set to a dance performed by Raft and Carole Lombard. The closing scenes are pitiful—Raft does the dance he had been dreaming of with the girl he loves and then he dies. The settings and costumes of the days before the war are excellent.

The story revolves around Raft and his ambitions to become a great dancer. Financed by his brother, who becomes his manager, he becomes a favorite in a Hoboken beer garden. But because he refuses to mix business with pleasure he feels it necessary to leave his dancing partner who loved him. Again financed by his brother he goes to Paris and, to get a start, becomes a gigolo in a cafe. His brother arrives in Paris to manage him. Raft picks Frances Drake, who had visited the cafe often, as his partner. They become a sensation. Again Raft is annoyed because Frances wants him to make love to her. He receives a visit from Carole Lombard, a dancer, who had great faith in herself. He gives up his old partner and engages Carole. They go to London and are soon the rage. Raft tells Carole that if he should ever try to make love to her, she should stop him. Raymond Milland, an English lord, falls in love with Carole, and asks her to marry him. She goes off with Raft on a trip for a rest and while they are away he tells her he loves her and they become lovers. They go back to Paris to open their own night club. The night of the opening at which Raft and Lombard were to do their new dance war is declared. Raft enlists, thinking the war would last only two weeks, so as to get much publicity from it. This disgusts Carole, who had thought he was going for a cause. While he is away she marries Milland. When armistice is declared Raft returns and sets about making plans to reopen his club and dance, even though the doctor had told him his heart and lungs could not stand it, for he had been gassed. On the opening night his partner becomes drunk and Carole, one of the patrons, goes to see Raft and begs him to allow her to dance with him. They are successful and Raft is overjoyed. But he, having overtaxed himself, dies.

The plot was adapted from a story by Carey Wilson and Kubeck Glasmon. It was directed by Wesley Ruggles. In the cast are Sally Rand, who performs her famous fan dance, Gloria Shea, Gertrude Michael, Del Henderson, and others. Not for children, adolescents, or Sundays.

"Catherine the Great" with Elizabeth Bergner and Douglas Fairbanks, Jr.

(United Artists, March 16; running time, 92 min.)

This British production is comparable to "The Private Life of Henry the Eighth" in its artistic production, lavish settings, fine acting and excellent direction; but not in story material. The chief character is unpleasant. The best feature of it is Elizabeth Bergner; she is superb and is destined to become popular with Americans. She makes of the character of Catherine a regal and human Empress, holding the sympathy of the audience from the beginning to the end. There are several deeply stirring situations, particularly the one in which Fairbanks, as the Emperor, humiliates her in the presence of his mistress and his officials. Even though she does not say a word, she makes one feel the intense agony she is going through, just by the expression in her eyes. The action frequently lags, and there is little comedy relief; it is mostly all tragedy.

The action revolves around the unhappy marriage of the young princess, Elizabeth Bergner, to Fairbanks, Jr., the headstrong and slightly mad prince Peter, who eventually becomes Emperor of Russia. She loves him dearly but he had so suspicious a mind that he does not trust her; he feared that she was always plotting against him. The people hated him and loved her. When they think her life is in danger they revolt, arrest Fairbanks, Jr., and proclaim her their Empress. She orders that no harm come to Fairbanks, Jr., but the frenzied mob kill him. She bitterly proclaims that his death had spoiled the delight of her victory.

The plot was adapted from a story by Lajos Biro. Arthur Wimperis and Melchior Lengyel. It was directed by Paul Czinner. In the cast are Gerald Du Maurier, Flora Robson, and others.

Not suitable for children, adolescents, or Sundays.

"Mystery of Mr. X" with Robert Montgomery

(MGM, Feb. 23; running time, 80½ min.)

A fast-moving and exciting murder mystery melodrama; it holds the audience in tense suspense throughout. It is gruesome, because eight murders are committed, but there is plentiful comedy relief. Though the hero is first shown as a crook, later he becomes a sympathetic character, because of his pleasant manner, and of his eventual regeneration. The closing scenes are the most exciting shown in a long time; the hero fights against the maniac murderer, chasing him up flights of stairs, finally landing in an elevator shaft with him. The romance between the hero and the heroine is pleasant. The locale is England:—

A series of police murders had been baffling Scotland Yard. A policeman is murdered on the premises where the hero, a crook, steals a valuable diamond. Naturally this robbery is linked with the murder. The hero has a theory about how to catch the maniac murderer and by a clever trick gets to know the Scotland Yard inspector and his daughter, the heroine. Since the hero and the heroine had fallen in love with each other, her fiance is forced to break his engagement with her. One of the chiefs of Scotland Yard suspects the hero of being the diamond thief as well as the murderer. Knowing that he will be trapped, the hero sets out to find the murderer himself. He succeeds, becoming famous because of his work in the case. He and the heroine are united.

The plot was adapted from the novel "The Mystery of the Dead Police," by Philip MacDonald. It was directed by Edgar Selwyn. In the cast are Elizabeth Allan, Lewis Stone, Ralph Forbes, Henry Stephenson, and others.

Because of the fact that the hero is first shown as a crook it is unsuitable for children, adolescents, or Sundays.

"Mystery Liner" with Noah Beery

(Monogram, Jan. 10; running time, 62½ min.)

A good murder mystery melodrama with a scientific angle to it. The action unfolds aboard a liner, which is used by an inventor, with the cooperation of the United States Government, to conduct experiments with, on wireless control of ships. Many murders occur aboard the ship before and after the test is made, because a foreign government wanted to get hold of the tube that had been invented by the scientist for his experiments, and although innocent persons are suspected the guilty person is detected and arrested in the closing scenes.

The picture has been produced creditably and holds the interest pretty tense all the way through. Director William R. Neil handled his actors well. In addition to Noah Beery, the following are some of the other players: Astrid Allyn, Cornelius Keefe, Gustave von Seyffertitz, Edwin Maxwell, Ralph Lewis, Howard Hickman.

Because of the greswomeness of the murders, I doubt if this picture is good for children and young folk to see. As for showing it on Sunday, you will have to use your own judgment. There are no sex implications in it.

"I Believed in You" with John Boles, Victor Jory and Rosemary Ames

(Fox, Feb. 23; running time, 67 min.)

Mediocre. It is a Greenwich Village theme, in which the characters act exotically. Victor Jory is a parlor socialist; Rosemary Ames, a believer in his dreams; John Boles a wealthy man who sets out to prove to Rosemary that Victor and her other friends are fakers. Nothing worth-while happens in the story, which, though it may appeal to a select audience, will lull to sleep rank-and-file picture-goers:—

Victor Jory, a labor agitator, after addressing coalminers, is driven out by them. To escape the police, he enters a strange house. There he meets Rosemary Ames, an orphan. Rosemary becomes fascinated with his views and she follows him to New York City. They live in Greenwich Village where she meets other queer people, so-called artists. They all profess that if they could only have a chance they would make good. John Boles, extremely wealthy and liberal, meets Rosemary accidentally. He becomes attracted to her and wants to disillusion her. He assures her that her friends are fakers and offers to prove his assertions. She finally accepts his offer. He supplies her with the necessary money for their expenses for six months, at the end of which time she comes to realize that Boles was right. He offers to marry her because he loved her, and she accepts.

The story was written by William Conselman; it was directed by Irving Cummings. Leslie Fenton, Jed Prouty, Morgan Wallace, Joyzelle, and others are in the cast.

Because of the fact that Rosemary is shown living with Victor, it is not suitable for young folks. Children will not understand it but they will not enjoy it. Not for Sunday.

"5. The statements contained herein apply with respect to the execution, either heretofore 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."

In view of the fact that Deputy Administrator William P. Farnsworth has told the producers that the final authority on interpretations of the Code is Division Administrator Rosenblatt, it is manifest that this statement was prepared by Mr. Rosenblatt himself. It was issued by Mr. Johnson to quiet the fears of Mr. Abram F. Myers, general counsel of Allied States, who was apprehensive lest those exhibitors who sign the Code without any reservations waive their constitutional rights and thus lose the right to resort to the courts for redress in case any action of the Code Authority should prove injurious to their interests.

HARRISON'S REPORTS has repeatedly published the assurances of Division Administrator Rosenblatt, given publicly at exhibitor meetings, that no exhibitor loses any of his constitutional rights by signing the Code. The President of the United States, on February 20, stated the same thing—"nobody assenting to the Code waived any constitutional rights." But since Mr. Johnson's reassurances to Mr. Myers have brought harmony in the ranks of the independent exhibitors, no such exhibitor should have any objections to a document which the President of the United States, in a similar matter in the case of the Newspaper Code, called "surplusage."

Mr. Johnson's interpretation of the rights of the exhibitors has a great significance in another respect: it is the second time that the United States Government stands back of Division Administrator Rosenblatt one hundred per cent. The first time it was in his ruling on the ten per cent cancellation provision. The producers did not like his ruling and appealed to the NRA for a ruling to determine who is to have the final authority on interpretations of the Code. And Deputy Administrator Farnsworth told the Code Authority, as you no doubt have already read his letter in last week's HARRISON'S REPORTS, that Division Administrator Rosenblatt is the man they must look to for all rulings.

HARRISON'S REPORTS rejoices more than anyone else that harmony once again prevails in the ranks of the independent exhibitors. It was a distasteful thing for me to criticize old friends for the wrong course that they pursued. But it had to be done. Now we can all devote our energies to seeing that the major companies are exposed any time they seek to take unfair advantage of the code provisions, and to inducing the Code Administration that changes be made in the Code to balance the boards and the Code Authority so as to prevent abuses.

Let us only hope that this document will not act as a boomerang, hurting the exhibitors instead of helping them.

"FAIR ENOUGH, GENERAL!"

"General Johnson invites the country to the first round-up in Washington next week for hard riding of the NRA and all its works. He wants criticism. He will get it. And, on that basis, he promises to make any reasonable revisions in the codes covering 500 industries at the technical hearings which are to follow the public free-for-all.

"It is a novel idea. No other governmental agency has ever quite equalled this gesture. And it strikes us as very effective just because it is more than a gesture. It is sincere. No man would be fool enough to invite such criticism in such a forum if he were insincerely trying to trick the public. For obviously an official open forum of this kind cannot be kept in a straitjacket.

"We are among those who have been critical at times of the General and of the NRA. But we have not been deeply disturbed, largely because the NRA was operating frankly as an experiment in which the General and others openly admitted their mistakes and tried to learn by experience. That is the only method by which NRA or any other form of national planning can possibly succeed.

"So the General says again: 'There are things in some codes that ought not to be there and things are out of some codes that ought to be there. Some of the codes do not gee with other codes and there are many discrepancies, mistakes and outright blunders to be corrected.'

"He wants now, with the advice of the public, to correct those blunders, with this as the NRA goal:—

"It is to see that industry does not hornswoogle labor; that labor does not bullyrag industry; that neither, separately, nor both in concert, shall exploit the consuming public.'

"As long as that is the goal, and as long as the administration moves toward the goal by the intelligent trial-and-error method, the NRA will hold the overwhelming public support which it has earned to date."—*New York World Telegram*, February 21.

RIGHT MR. MYERS!

In a lengthy statement Mr. Abram F. Myers, counsel for Allied States Association, issued last week on the occasion of the withdrawal of the suit against the Code Administrator and the Code Authority and the reasons for it, he said also the following:

"And while considering the Code Authority it might be worth-while to point out that this body of the generals of the industry has degenerated into a detachment of corporals and privates, virtually all of the producer-members having designated sales managers and attorneys to serve as alternates. This has been reflected on the acts and policies of the Code Authority which are in no sense characteristic of big men. These acts and policies are defeating the supposed purpose of the Code that the representatives of the several branches of the industry on the local boards shall be truly representative. The minority report filed by Mr. Yamins is conclusive that the producer-alternates are insisting on the right to appoint not only the representatives of their own branch but also the representatives of the exhibitors."

HARRISON'S REPORTS is in full accord with the sentiments Mr. Myers expresses except in one particular—in his implication that the representatives of these big companies could be, what he calls, "big men." Theirs are the littlest minds one could have ever encountered. They are trying to use their authority as members of this body to serve their own selfish interests instead of trying to help the industry extricate itself from the mire their own follies have thrown it in. The arguments they are using in their efforts to keep worthy independent exhibitors out of the Grievance as well as the Clearance and Zoning boards are laughable.

Another point of information Mr. Myers has missed is the fact that the alternates of the major companies are insisting upon the right to appoint their own alternates. It is really a farce.

Personally I would want nothing better than to see the "majority" of the Code Authority employ, in the next ninety days, the most ruthless tactics. It is the surest way for the Government to become convinced that old horses cannot be taught new tricks, for when it is so convinced it will take the voluntary Code and throw it out of the window, and adopt instead a Code that will make these fellows either be good or take the consequences as prescribed by the law. Personally I am waiting for that day. I am as sure that it will come as I am that there will be day after night. Remember Pope's: "Whom the gods would destroy they first make mad."

BEWARE OF A DISTRIBUTOR BRINGING GIFTS

MGM has sent to its independent exhibitor customers a Rider asking them to release it from delivering John Barrymore No. 1 (401), Lee Tracy No. 1 (427), Lee Tracy No. 2 (428), Lee Tracy No. 3 (429), and Wallace Beery-Clark Gable No. 1 (431), and to accept in their places the following pictures: Jeannette MacDonald No. 1 (X401), Spencer Tracy No. 1 (X427), Marquee No. 8 (X428), Marquee No. 9 (Z429), and a picture that will be produced either with Wallace Beery and Clark Gable or with Wallace Beery and Robert Montgomery (X431).

Since the pictures that are being offered to take the place of those that are being canceled have not yet been produced, and since no stories are given to enable one to read them, I cannot say what their quality will be. The only suggestion that I can make to those who want to accept the substitutions is to insert into the Rider the following provision:

"It is understood and agreed that the Exhibitor, in accepting the substitute pictures, does not forego his right to cancel ten percent of all the pictures that have been or are to be released after December 7, 1933, including the substitutes." In this manner you are protected in case MGM should insist that your accepting the substitutes makes your contract a selective contract and thereby you lose the right of cancellation the Code grants you.

If you want protection against loss of product to a competitive theatre, either old or new, sign the Code. March 10 is the last day.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States \$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, MARCH 10, 1934

No. 10

THE INDEPENDENT CODE AUTHORITY MEMBERS' VOTE ON THE TEN PER CENT CANCELLATION PROVISION

As I informed you last week, I sent a letter to Messrs. O'Reilly, Yamins, Kuykendall, Johnston, and Cochrane, Code Authority members that represent the independents asking them to tell you through these columns whether they voted for or against giving immediate publicity to the ruling of Division Administrator Rosenblatt on the ten per cent cancellation provision of the Code, and if they recommended the suppression of it to give their reasons.

Mr. Charles L. O'Reilly replied as follows:

"Dear Pete:

"I have your letter of March first with its inquiry as to what action was taken by me as a member of the Code Authority when the ruling was received from Washington on the ten per cent cancellation provision of the Code.

"At the meeting of the Code Authority on February 9th, the ruling was read and, after discussion, the motion to table and not to publicize it was made and carried by a vote of seven to three, Mr. Johnston, Mr. Yamins and myself voting to publicize it immediately."

Mr. W. Ray Johnston, President of Monogram Pictures, replied that he voted in favor of giving it immediate publicity.

Mr. Nathan Yamins was not in the city and the letter was sent to him at Fall River, Mass.; but since he is going to Washington to attend the Code hearings called by General Johnson, his reply will not be received in time to be included in this article. His reply, however, is not essential since Mr. O'Reilly states that he voted in favor of giving the ruling immediate publicity.

Mr. R. H. Cochrane is kept home because of illness and we cannot know his reasons for voting to suppress the Administrator's ruling until it is too late for this issue.

Ed. Kuykendall, President of M. P. T. O. A., replied as follows on March 1:

"Dear Mr. Harrison:

"I have your letter of March 1st., in reference to certain action taken by the Code Authority in regard to a letter transmitting the opinion of the Administrator, Mr. Sol A. Rosenblatt, in regard to the ten per cent cancellation clause.

"When this letter was first received it was strenuously objected to by the Major Producers on the basis that it was merely an opinion and that they wanted to go into it more fully before it was given publication. Hence on that occasion, in order to avoid sending out something for publication that might not apply eventually, thereby confusing the Exhibitors, I felt that we should delay publication until the next meeting of the Authority, by which time I felt sure I could get sufficient personal information to ascertain whether this ruling would stick. Information I received convinced me that it would stick, therefore I voted for publication of the letter and again voted for publication at the last meeting.

"I feel that the Exhibitors are entitled to this information and I am most hopeful that we will be able to make the ten per cent cancellation clause stick as of December 7th., the effective date of the Code.

"Trusting this is the information you want and with all good wishes for the continued success of your publication, I am

"Sincerely,

"Ed Kuykendall."

On March 2 I replied to Mr. Kuykendall as follows:

"Dear Mr. Kuykendall:

"Let me thank you for your letter of March 1 which is in answer to my letter of the same date.

"You say: 'when this letter,' meaning the letter sent to the Code Authority by Mr. Sol A. Rosenblatt, handing down a ruling on so important a question as the ten per cent cancellation clause, 'was first received it was strenuously objected to by the major producers on the basis that it was merely an opinion and that they wanted to go into it more fully before it was given publication,' and that you, 'in order to avoid sending out something for publication that might not apply eventually, thereby confusing the Exhibitors,' felt that you should delay the publication until the next meeting of the Authority, by which time you felt sure that you could get sufficient personal information to ascertain whether this ruling would stick or not.

"I desire to call your attention to a letter sent by William P. Farnsworth, Deputy Administrator Amusement Section, to the Code Authority of the Motion Picture Industry, bearing the date of February 6, that is, the same date borne by the letter of Mr. Rosenblatt, handing down that ruling. By that letter, Mr. Farnsworth made it plain that the person the Code Authority must look to for a final ruling on any question that might arise is Division Administrator Rosenblatt. That letter is so plain that a child nine years old cannot help understand it. But still you say that you did not feel sure that this ruling would stick and you wanted to withhold it from publication for a later date.

"At the meeting you held in Chicago last summer to frame the (M. P. T. O. A.) Code for submission to the Administrator you put a clause in it demanding a cancellation of fifteen percent of all the pictures purchased by an exhibitor from a distributor on the same day. The final code granted the exhibitors a ten per cent cancellation, and when the ruling was handed down by the Administrator upholding such right on the part of the exhibitor you voted to withhold publication of it. And yet you have been appointed on the Code Authority to represent independent interests!

"The exhibitors of the United States are entitled to know from you whether or not you, on February 9, when the first meeting of the Code Authority was held immediately after the receipt of that ruling, believed that the ruling was just and fair, that it was beneficial to the exhibitors, and that it should be publicized immediately. They should want to know also what was the additional information you wanted to obtain so as to ascertain whether the ruling would stick or not."

To this letter Mr. Kuykendall replied as follows on March 3:

"Dear Mr. Harrison:

"I am in receipt of your letter under date of March 2nd. "As a courtesy and being hopeful that you were really sincere, I answered your letter of March 1st. Your answer proves that no matter what my actions might be in any matter, you are not inclined to be with me. Not in one single issue of your publication at any time have you been able to find a single commendable thing that I have done. Therefore, what's the use of our writing each other or discussing with each other, matters pertaining to the Motion Picture Code or anything else, when you insist upon putting the wrong construction on absolutely everything I do. What I do is, in my own mind, the right and proper thing in accordance with my best judgment, for the interest of the Independent Theatre owner and I am not answerable to any one but the Exhibitors of this organization for my decisions in these matters and from now on I don't care what construction you place on my actions.

"Regretfully,

"Ed Kuykendall."

(Continued on last page)

"Heat Lightning" with Aline MacMahon and Ann Dvorak

(Warner Bros., March 3; running time, 62 min.)

A tiresome melodrama! The action is slow, much of it is unpleasant, and the background and atmosphere are conducive to sleep; it takes place on desert land out west where Aline MacMahon, with her sister Ann Dvorak, run a gasoline station with a refreshment stand. Every character complains about the oppressive heat, putting the spectator in an uncomfortable state. The unpleasantness is brought about by the fact that the two sisters are seduced by worthless men, and the other characters in the story, such as the two divorcees who are usually drunk, do nothing to win the sympathy or arouse any interest in them. The closing scenes are likewise unpleasant; Aline MacMahon kills the man she loved when she learns that he had tricked her and was planning to loot her safe of jewels belonging to the two divorcees. The only comedy is that in which these two women are involved—it refers to their intimacy with their chauffeur; it is more vulgar than funny.

In the development of the plot Preston Foster and his pal, Lyle Talbot, seek shelter in the gasoline station, in a desert, which was run by Aline MacMahon; they had robbed a bank, killed the bank president and were evading the sheriff. Foster and Aline had been lovers years before when she was a cabaret entertainer. Thinking that he could protect himself by playing up to Aline, he recalls their former love life and she succumbs; she spends the night with him. Her young sister, Ann Dvorak, taking advantage of this, goes out with a worthless boy from the town, who seduces her. When she returns home she upbraids her sister and tells her she is the cause of her downfall because she, being so busy with an affair of her own, had neglected to watch over her. Aline is heartbroken. She overhears Preston ordering Talbot to open the safe so that he could steal the jewels left there by two women who had stopped at Aline's place overnight. Aline gets her gun, shoots and kills Foster, and when Talbot tells her about the bank incident she orders him to leave. The next morning she calls the sheriff and tells him she had killed the bank robber.

The plot was adapted from the play by George Abbott and Leon Abrams. It was directed by Mervyn LeRoy. In the cast are Glenda Farrell, Frank McHugh, Ruth Donnelly, Theodore Newton, and others.

Unsuitable for children, adolescents, or Sundays.

"The Poor Rich" with Edna May Oliver and Edward Everett Horton

(Universal, Feb. 26; running time, 75½ min.)

The masses should enjoy this comedy, even though the story is silly and far-fetched. There are several situations that provoke hearty laughter, and one is held in fair suspense throughout. Much of the enjoyment is derived from the good performances by Oliver and Horton, as a pair of impoverished society cousins, who attempt to cover up from each other their financial condition. Most spectators will laugh at the dinner given by Oliver and Horton to an English titled family, and at the slapstick that follows when an irate tradesman rushes in and takes away the chicken just as it was to be served, because it had not been paid for. There is a pleasant romance between Hyams and Horton.

Oliver and Horton meet at Horton's estate which is in a dilapidated condition. They confess to each other that they are broke. Oliver had invited an English lord, his wife, and their daughter to spend some time with them. She tells Horton he must marry the daughter because of her family's wealth. With the help of Grant Mitchell, the town Sheriff and a former admirer of Oliver's, Leila Hyams, who had come to sell them pets and pans, but had remained as a maid to help them make an impression, and Andy Devine, a handy man who knew how to cook, they get the house in order and receive the guests. Horton dislikes the English girl because he had fallen in love with Leila. To Oliver's annoyance she receives a visit from a fake Prince she had known and to whom she had given most of her fortune. He threatens to expose her association with him unless she permits him to remain at her home. He is found there by a detective and arrested much to Oliver's relief. After an exceedingly hectic time the English people confess that they, too, are broke and leave the house. Leila confesses that she is a buyer for an antique firm and the furniture in Horton's home is worth much money. She and Horton are united.

The plot was adapted from a story by Ebba Harvey and Dale Van Every. It was directed by Edward Sedgwick. In the cast are John Miljan, Una O'Connor, Thelma Todd, E. E. Clive, and others.

Suitable for children, adolescents, and Sundays.

"Gambling Lady" with Barbara Stanwyck

(Warner Bros., March 31; running time, 66 min.)

Just fair entertainment. Barbara Stanwyck's ability should merit her better roles than the one in this picture, but she does the best she can with the character. The audience sympathizes with her throughout, and the emotions are stirred when she willingly gives up Joel McCrea, her husband, to Claire Dodd, her rival, whose testimony could save McCrea from a murder charge. The closing scenes are fast and hold one in suspense. Most of the action revolves around Barbara's profession and ability as a gambler. Although she plays an honest game, ways are shown of gambling in a crooked fashion which add a demoralizing tone to the picture. The love affair between Barbara and Joel McCrea is pleasant:—

When Barbara's father, an honest gambler who owed money but did not want to be forced into playing a crooked game, kills himself, Barbara takes his place and works for the syndicate. She insists on playing honestly and is extremely lucky. At one of her games she meets McCrea, son of a wealthy society man, and they become friendly, eventually falling in love. His father at first objects to the marriage, but gives in. She marries McCrea. Barbara gives a party and one of her guests is Claire Dodd an old flame of McCrea's. She insults Barbara about her former profession and when Barbara dares her to gamble with her she accepts losing all her jewels. These Barbara refuses to return. When O'Brien, an old friend of Barbara's, is framed and sent to jail, she pawns the jewels to bail him out. She then gives him the pawn ticket to get the jewels back. McCrea is furious and goes after O'Brien. The next morning O'Brien is found dead and since McCrea had the ticket he is arrested for the murder. Barbara finds out that O'Brien had given McCrea the ticket, and that McCrea had then gone to Claire's home and spent the night with her. She makes a bargain with Claire to give McCrea a divorce if Claire would testify. Claire does and McCrea is released, but Barbara's actions had made him think she was just after alimony. His father knows differently and forces McCrea to see Claire. She confesses and McCrea rushes to Barbara and begs for forgiveness. They are reconciled.

The plot was adapted from a story by Doris Malloy. It was directed by Archie Mayo. In the cast are C. Aubrey Smith, Arthur Vinton, Robert Barrat, and others.

Unsuitable for children adolescents or Sundays.

"Wonder Bar" All Star Cast

(First National, March 24; running time, 84 min.)

This has been given as lavish a production as the other Warner Bros. musicals, but the story is demoralizing, for Dolores Del Rio is made to commit a murder, which is covered up by her friends. Although Ricardo Cortez was vicious enough to deserve this treatment, yet such an act cannot be condoned. It is unpleasant, too, for Kay Francis, as the wife of a wealthy and distinguished husband, is willing to throw everything over to go away with Cortez, who was entirely unworthy of her. The most sympathetic character is Al Jolson. He carries the picture: when he sings and acts it is entertaining, but whenever he is out of the picture the action is tiresome.

All the action takes place in the Wonder Bar, a cafe run by Jolson, on one night. Dolores Del Rio and Ricardo Cortez are the leading dancers. Cortez is ready to forsake Del Rio and she is heartbroken; she loved him intensely. Dick Powell, the orchestra leader loves her and so does Jolson. Jolson tolerates Cortez only because he does not want to hurt Del Rio. Kay Francis, wife of a distinguished and wealthy man, had been having an affair with Cortez. She had given him a valuable necklace and when her husband noticed that it was missing she begged Cortez to return it to her; he refused. During their dance Cortez tells Del Rio that he is leaving her. She loses her head and stabs Cortez with a knife she had concealed in her dress. He asks her to help him reach their dressing room. Cortez is very weak. Jolson sends Del Rio away and Cortez dies. Jolson and his assistant put the body in the car belonging to Robert Barrat, who was planning to kill himself by driving the car over a cliff. Al Jolson, who had bought the necklace from Cortez, gives it back to Kay Francis; she is grateful to him for having saved her reputation. Jolson now wants to propose to Del Rio but again he is thwarted, for he learns that Del Rio had decided to accept Dick Powell.

The plot was adapted from a story by Karl Farkas and Geza Herczog. It was directed by Lloyd Bacon. Others in the cast are Hal LeRoy, Guy Kibbee, Ruth Donnelly, Hugh Herbert, Louise Fazenda, Fifi O'Orsay, Merna Kennedy, Henry O'Neill and Henry Kolker.

Not suitable for children, adolescents, or Sundays.

"Death Takes a Holiday" with Fredric March

(Paramount, Mar. 30; running time, 78 min.)

This is an artistic triumph from every point of view. The settings are magnificent, the direction is intelligent, and the performances, particularly that of Fredric March, are excellent. But because of its theme it is mostly class entertainment. It deals with a fantastic theme: Death, played by March, decides to leave his supernal surroundings for three days and, taking on mortal shape, taste of life, so as to find out for himself why people fear him. So well has this been brought forth that it seems natural and realistic. He is first shown to the audience in an eerie fashion, as a shadow. This brings chills down the spine. In spite of the fact that one knows what he is and the natural repugnance that follows, the audience sympathize with him because of his suffering which is brought about by his contact with mortals. The love affair between March and Evelyn Venable is romantic, but heartbreaking. One knows that loving him means death, and since she is young and loved so dearly by her fiance and her friends, the romance is tinged with tragedy. The action is slow, but the interest is held because one does not know how March's visit to earth will end.

The plot was adapted from the stage play by Alberto Casella. It was directed by Mitchell Leisen. In the cast are Helen Westley, Henry Travers, Gail Patrick, and others.

The theme has been handled delicately and there is nothing objectionable shown in the picture; yet it is hardly entertainment for children or adolescents.

Note: It is proving considerably popular in cities, but it is doubtful if it will so prove in the small cities and in towns.

"David Harum" with Will Rogers

(Fox, Mar. 9; running time, 83 min.)

A pleasant homely type of comedy. The story is very thin and the action slow, but Rogers excels in his quips, making up for the other defects. Most of the picture is taken up with the horse-trading done by Rogers and Charles Middleton, each one trying to put something over on the other. The situations in which these two meet and do their trading should provoke hearty laughter. The closing scenes are laugh-provoking as well as exciting: Rogers was driving Evelyn Venable's horse in the race; it was a balky horse and would run only when sung to, and Rogers forgot how the song went. He brings the horse in a winner, though, when he suddenly remembers the tune, sings it, and the spectators join in with him. The romance between Kent Taylor and Evelyn Venable is pleasant.

Since the action takes place in a small town, comedy is aroused by some of the country characters. The scenes in which Stepin Fetchit, as the caretaker of the race horse, appears are comical.

The plot was adapted from a story by Edward N. Westcott. It was directed by James Cruze. In the cast are Irene Bentley, Louise Dresser, Ralph Morgan, Eddie Gargan, Noah Berry, and others.

Suitable for children, adolescents, and Sundays.

"Beggars in Ermine" with Lionel Atwill

(Monogram, January 18; time, 70 min.)

An unusual story. And it has made an entertaining picture. Its unusualness lies in the fact that the hero, who formerly had been a big business man, but who had been crippled by the villain and had lost his entire fortune thereby, organizes all the beggars in a certain city, offers them legitimate police protection, founds a home for them, makes them respectable, earns money for them by investing their savings in profit making enterprises, and by their financial assistance he is enabled to regain his steel mills, to the joy of the employees, who had been mistreated by those who had taken possession of his mills. Mr. Atwill looks the part of a big business man and he acts it so well that one becomes interested in his fate. There is a charming love affair, too. The meeting of the hero with his daughter, who had thought him dead, is somewhat moving. The loyal friendship that develops between Atwill and Henry Walthall wins them the good will of the audience.

The plot has been taken from the novel by Esther Lynd Day. It was directed by Phil Rosen with skill. In the cast are Betty Furness, Jameson Thomas, Myrtle Stedman.

Because of the showing of the hero's wife as being unfaithful to the hero it may not prove suitable for a Sunday showing in towns where no such themes are tolerated. Children will not understand it and young folk may not be affected adversely because of the human interest.

"Journal of a Crime" with Ruth Chatterton and Adolphe Menjou

(First National, March 10; running time, 64 min.)

Psychologists and intellectuals, interested in the mental and moral collapse of a murderess, should find this picture an intelligent record of such a case. But it is much too morbid for the masses, with its funereal atmosphere, and its display of cruelty; there is no comedy relief. The morbidly inclined may be held in suspense by the fact that they will find that the interest is held throughout, not knowing just what will happen to Ruth Chatterton, who had committed the murder, but had not confessed. During most of the action Menjou, as her husband, is an extremely unsympathetic character. He drives her to the murder by having an affair with Claire Dodd when his wife loved him intensely.

In the development of the plot Ruth learns of Menjou's affair with Claire Dodd and fearing that he will ask her to give him a divorce she goes to the theatre where Claire was rehearsing and kills her. She is not suspected; instead, a criminal who had robbed a bank and killed the teller had run into the theatre to hide. He is found and accused. Menjou finds his wife's gun backstage and realizes that it had been she who had killed Claire. He goes home and accuses her; she admits it but refuses to give herself up to the police. He tells her that he will not give her away but that her guilty conscience will kill her. She becomes moody and morose, Menjou hardly ever speaks to her, and she never goes out. When the criminal is hanged for the murder she had committed Ruth collapses and becomes very ill. One day she realizes she must give herself up. On the way to the Inspector's office, she is struck by a truck when she rushes to save the life of a child who was in its path. She recovers but the shock had caused a complete loss of memory of her past life. Menjou is reconciled to her.

The plot was adapted from a story by Jacques Deval. It was directed by William Keighley. In the cast are George Barbier, Douglas Dumbrille, Henry O'Neill, Henry Kolker.

Not suitable for children, adolescents, or Sundays.

"Keep 'Em Rollng" with Walter Huston

(RKO, March 2; running time, 67½ min.)

Just a fair program picture, more suitable for such male audiences as appreciate a story that revolves mainly around a horse, and a man's devotion to the animal. The picture, which has been made with the cooperation of the United States artillery men stationed at Fort Meyer, has been produced well, but the story is too thin for the average audience. There is little romantic interest, except towards the end, when Frances Dee and Robert Shayne are introduced. Huston is a sympathetic character, and one pities him, particularly in the situation where he hears that his horse had been condemned which meant that he would be separated from him. The closing scenes in which there is a review of the soldiers are colorful.

The plot was adapted from the story "Rodney," by Leonard Mason. It was directed by George Archinbaud. In the cast are Frank Conroy, Ralph Remley, and others.

Because of the intimation that Huston was living with Minna Gombell, it is unsuitable for children, adolescents, or Sundays.

"Spitfire" with Katharine Hepburn

(RKO, March 30; running time, 86 min.)

Because of the religious theme of "Spitfire" its appeal will be limited. Katharine Hepburn's popularity, however, and her excellent performance, should please every one. As for its entertainment values it is not an outstanding picture; it is a simple story of a mountain girl who had great faith, and with this faith, and by means of prayers, which she read from cards stolen from a Sunday School, she was able to bring about near-miracles in curing sick people. Miss Hepburn gives what realism she can to a role of that type, but the situations are too far-fetched to be taken seriously. For instance, at one time, an old woman is just about to die when Katharine says a prayer and brings her back to health. At another time Katharine, in an outburst of temper, strikes a man with a stone knocking him unconscious: She says her prayer and in a few minutes he rises quite well. She is a sympathetic character and one pities her because she is misunderstood. The romantic interest is subdued, the real love interest not being brought out until the end.

The plot was adapted from the play "Trigger" by Lula Vollmer. It was directed by John Cromwell. In the cast are Martha Sleeper, Sidney Toler, Sarah Hadden, Louis Mason, Virginia Howell, and others.

Suitable for children, adolescents and Sundays.

The following is the reply that I sent him on March 6:
"Dear Mr. Kuykendall:

"In acknowledging receipt of your letter of March 3, I desire to state that you have failed to reply to the questions I have submitted to you for the enlightenment of the exhibitors of this country.

"It is manifest that you do not wish to reply to them and in order to justify your unjustifiable position you are attempting to make this matter a personal issue. But I am not going to let you do it.

"You know better than any one else that there are no personal differences between you and me. There could not be any, for you and I have never had any personal dealings. My criticism of your actions ever since you became president of Motion Picture Theatre Owners of America have been founded not on your personal affairs but on the position you have taken on issues as head of your organization.

"I insist upon your answering my three questions: On February 9,—

"(1) Did you believe that the Deputy Administrator's ruling on the ten per cent cancellation provision was fair to the independent exhibitors?

"(2) Would that ruling benefit them?

"(3) What was the additional information you wanted to obtain so that you might be enabled to determine whether the ruling would 'stick' or not?

"In demanding that you answer these questions my desire is to determine whether you, as a member of the Code Authority, represent the interests of any unaffiliated exhibitors or merely those of affiliated exhibitors who are subsidiaries of producers that are members of the Hays organization.

"I have often stated in these columns that the money that goes to keep your organization going comes mostly from producer-exhibitor sources. Since there have been some persons who doubted this statement, I am going to present proof:

"Mr. M. J. O'Toole, former secretary of your organization and at one time its president, when he was cross-examined by counsel for Mr. Edward Quittner, of Middletown, N. Y., in the case of Mr. Quittner against the Hays organization and others, stated under oath that in 1928, the following sums of money were paid to the treasury of your organization: Publix, \$5,000; Loew's, \$3,000; Fox, approximately \$4,000; Warners, approximately \$3,500; and RKO, approximately \$3,500. No question was submitted to him whether any money came directly from the Hays organization. The same year, the exhibitor state organizations that are affiliated with your organization paid only about \$4,000. This shows that more than eighty per cent of the total money paid in dues came from producer sources.

"How can the head of an organization that is supported almost entirely by producer money fight for the rights of other than producers and their affiliates? The fact that you have failed to reply to my questions straightforwardly but are attempting to hide behind a change of bias proves to me that your vote on questions that arise in the Code Authority is influenced by the interests of the major producer-distributors.

"I agree with you that no good can result in exchanging letters between us. You have a peculiar way of arriving at decisions on matters that affect independent exhibitor interests. You always favor the major companies with your vote while asserting that you are doing it to help the independent theatre owners. You acted the same way at the preliminary Code meetings at the Bar Association in New York.

"You say that when the ruling was first discussed, you voted to suppress publication of it until you satisfied yourself that it would 'stick.' What additional information can any fairminded person want when his Government issues a ruling? Three other members of the Code Authority—O'Reilly, Yamins and Johnston—representing the independent groups were satisfied that the Government ruling would 'stick'; but you were not satisfied—you wanted additional information.

"Was that information to come from the Hays lawyers?

"It is my opinion that at the February 16 meeting you voted to publicize the ruling only because you knew that your vote was not needed to table the resolution for another week, for the majors had six votes without your vote.

"Had the ruling been adverse to the exhibitors, I am sure that you would not want to obtain any additional information, from any source.

"It is too bad that you should have so failed of your duty towards the independents when W. Ray Johnston, a producer-distributor, stood up like a man.

"You are right: there is no use discussing Code matters

between us any longer; it will be a waste of time, for I have been convinced that the independent exhibitors cannot hope for a square deal from you on the Code Authority."

THE MOST SERIOUS ATTACK ON FILTHY PICTURES

Calling moving pictures the school of immodesty, the college of impurity and the university of sexual licentiousness, The Most Reverend James E. Cassidy, D.D., LL.D., apostolic administrator of the diocese of Fall River, Mass., delivered one of the strongest attacks on motion pictures that have been made by any one in America, layman or churchman.

The condemnation of motion pictures was made by a letter of his, which was read in all the Catholic churches in that city.

Part of the letter reads as follows:

"One of the momentous questions that confront God's church and children at this Lenten time is: 'How shall we put an end to the production and portraying of the filthy pictures that are today literally debauching the old and the young of our country?'

"The old non-talking motion picture sinned chiefly because of its vulgarity; frequently it offended by suggestiveness; some few were plainly vile.

"But now comes the 'talkie' influencing the onlooker—not only by sight but by animated sound. As a result, in the hands of immoral producers and writers, the cinema has been made the instrument for the telling of tales, the portraying of scenes previously heard or seen only in barnyard, barroom or brothel. . . .

"Ninety per cent of all motion pictures made in the United States are made in Hollywood. And the most competent authority in Hollywood today is responsible for the statement that many of the talking pictures made there 'teach the philosophy that marriage, the purity of women, and the sanctity of the home, are old-fashioned sentimentalities, unworthy of serious consideration by intelligent "Americans".' These 'talkies' discuss morals, divorce, free-love, race-suicide, unborn children, sexual relations outside marriage, the relation of sex to religion, marriage and its effect upon 'the freedom of women.' Sin is condoned, virtue sneered and scoffed at; immorality is preached by photography and dialogue and salacious details; smutty talk, obscene wit and suggestion, offensive situations, are the order of the day and of the night. Judge America's life from these American screen presentations and one would be obliged to believe that uncleanness is a common custom, that seduction, rape, prostitution, fornication, adultery, are the common furnishings of American homes; that a large part of American woman is 'on sale'—'on call'—'fancy women,' whenever or wherever lust replaces love.

"Twenty-five per cent of all pictures made in Hollywood, when they are not glorifying the harlot, are heroizing her gangster 'boy friend' or bringing them both on the screen at once in unholy union. Out of this infamous junction comes lecherousness, licentiousness, violence and crime. The female libertine, the public prostitute, the lounge-lizard, the panderer, the gangster, and the gunman,—such are the heroes of the cinema 'Hall of fame.'

"In this Lenten time of introspection let us ask, and try to answer the question:—'Who is responsible for this murky torment of vileness, this portrayal of mental and moral and social and civic depravity, that in its wholesale debauchery is slushed, like the lava stream of an erupting volcano, daily and nightly, over the souls of the youthful and aged of the land? . . .

"If these doors of degradation [meaning the doors of theatres] are to be shut then, hear ye well and heed! They must be shut from the outside, they never will be locked from the inside while the nickels and the dimes and the quarters and the halves continue to roll in from the outside. Don't depend on the 'Hays Morality Code.' It is as dead as the morality of the movie. . . .

"Don't depend on the aroused conscience of the producer—you cannot expect men who have within themselves no appreciation of decency or cleanliness or decency or wholesomeness of what they produce for others, provided it be profitable. . . ."

The systematic attacks of the Catholic Church against the moving pictures is owed primarily to the immorality of most pictures that are produced; but also to a stupid remark Joe Schenck made a few months ago at a meeting of producers in Hollywood when Dr. Giannini, the well known banker, transmitted to them a message from a high church personage about the immorality of the pictures. That stupid remark of his going to cost the industry millions.

Joe Schenck should quit the industry to save the rest of us from paying for his blunder.

HARRISON'S REPORTS

Yearly Subscription Rates:
United States\$15.00
U. S. Insular Possessions. 16.50
Canada 16.50
Mexico, Cuba, Spain..... 16.50
Great Britain 16.00
Australia, New Zealand,
India 17.50
35c a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
PENNSYLVANIA 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, MARCH 17, 1934

No. 11

ANOTHER SCORCHING OF DIRTY PICTURES

Archbishop John T. McNicholas, Catholic prelate of the archdiocese of Cincinnati, sent last week the following letter to the 204 churches and the 24 missions under his jurisdiction, which embrace approximately 30 counties in the state of Ohio:

"All should unite in a holy crusade with other groups which are convinced that the American public does not demand filthy pictures.

"The Holy Name Society, the Parent-Teacher Associations, the National Council of Catholic Men, the National Council of Catholic Women, the Catholic Women's Association, the Knights of Columbus, the Knights of St. John, the Catholic Order of Foresters and all other societies of the archdiocese are asked to interest their members and to exercise as much influence as possible in curbing the evils of the moving picture.

"I shall address all the teachers of our schools, instructing them to give this message to their pupils.

"Parents should be reminded of the great dangers to which their children are exposed by allowing them to attend, indiscriminately, moving pictures. They should be made to realize that many of the motion pictures are debauching the youth of our country.

"Parents cannot ignore their serious obligation to safeguard their children.

"These degrading pictures, especially such as deal with sex, are counteracting the influence of the home, undoing the work of our schools and undermining the very foundations of religion.

"Considering the great evils that exist in many motion pictures, all parents, all adult members and all children of the parishes should be asked to remain away from all moving pictures except those which do not offend decency and Christian morality. Parents should be reliably informed about pictures before permitting their children to see them."

The archbishop's letter followed the action last week of the Rt. Rev. Joseph F. Rummel, bishop of Omaha, who ordered all Catholics to stay away from a certain picture under pain of mortal sin; and more recently of a similar action by Bishop James E. Cassidy, as explained in last week's HARRISON'S REPORTS, and of an article by Bishop Cantwell, of the San Diego, California, diocese, published in the current *Ecclesiastical Review*, as well as numerous other severe criticisms of the moral tone of moving pictures the morons of Hollywood have been forcing upon unwilling people.

In view of all this systematic condemnation of moving pictures by the Catholic hierarchy as well as the numerous protestant church and civic organizations, the American producers are continuing to allow the sewers of Hollywood to pour forth filth, and to prepare for the manufacture of more filth.

The latest notice of the preparation for the manufacture of such filth has come from the Paramount organization, which has informed the trade that it is going to produce "The Great Magoo," a play that lasted only one week here, and was shut down because of lack of support. It is one of the filthiest plays that have ever been bought for pictures. The title itself, if the police authorities should know its meaning, might cause trouble to Paramount officials.

When Paramount announced the acquisition of "Sanctuary" for production last year. I wrote to Adolph Zukor, president of Paramount, and pleaded with him not to produce that book in that it was too vile. Mr. Zukor answered through one of his hirelings, who seems not to have any conception whatever of what drama is, that I did not know what I was talking about. And to prove his contention, he called my attention to the fact that the script had been approved by Dr. Wingate, former censor of New York State, at that time and now representative of Will H. Hays on the Coast. I replied to Mr. Zukor that Dr. Wingate's

approval meant nothing, as my experience had taught me, for when he was censor of this state he passed pictures that were too filthy for words.

Paramount went ahead and produced that book, naming it "Temple Drake." The picture proved, as almost every one of you knows, a failure as an entertainment, and a flop at the box office. And the harm that it has done to this industry cannot be figured out in dollars and cents.

I am again writing to Mr. Zukor with the hope that he will stop this play from being put into pictures, sending a copy of my letter to Will H. Hays to see if he will do something this time.

The exhibitor who sent me the clipping of the Cincinnati Post, which contained Archbishop McNicholas' letter, wrote: "You said that they would do it with their filthy pictures. They may pull the whole house down." And it looks as if they are pulling it down.

I suggest to every one of you, when you are about to receive a salacious picture, to call into consultation the Catholic priest of your neighborhood as well as the Protestant ministers and let them decide whether you should show it or not. If they should decree that you should not show it, notify the distributor to that effect, demanding that he take it off your contract and deduct the rental price of it from your account. I am positive that if you should refuse to pay for such picture or pictures, there is no jury in the United States that would render a verdict against you if the distributor should be foolish enough to drag you to the courts.

The only time these fellows will learn something is when you hit their pocketbooks.

CLEARANCE AND ZONING BOARDS TO RECEIVE IMMEDIATE COMPLAINTS FROM EXHIBITORS

The Code of Fair Competition for the Motion Picture Industry provided that the Clearance and Zoning boards should be established prior to the first day of January.

It was, of course, impossible to get the boards ready by that date. They have not, in fact, been completed yet.

Because of the fact that the new selling season is approaching fast, the Code Authority, at its February 16 meeting, passed a resolution to the effect that the "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 theatres 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 effected [affected?]; and that with respect to the time of making of decisions and the procedure thereafter, the provisions of the Code shall govern."

What are the provisions of the Code in regard to clearance and zoning?

Article VI, Part 1, Section 4, provides that a Local Clearance and Zoning board shall, when making a classification of theatres, or when establishing a maximum period or area of clearance for a theatre, take into consideration, among other things, that clearance determines the value of a picture considerably, and that unreasonable clearance of time affects the value of a picture for subsequent-run theatres by causing such pictures to become "stale."

Section 7 (a) of the same Article specifies that when an exhibitor finds that the schedule the Board has formulated for him is unreasonable he shall have the right to file a protest, not later than thirty days after the schedule is published; that the Board, after giving the necessary notice

(Continued on last page)

"The House of Rothschild" with George Arliss

(United Artists, April 6; running time, 86 min.)

Excellent entertainment for all types of audiences. The production, direction, and acting is of the highest order. It is the history of the famous Rothschild family, from the time they were poor people living in the Frankfort ghetto, up to the point where they became wealthy bankers and attained great influence in political and international affairs. It is interesting, not only because of its historical value, but because of its deep human interest. Considering that it is a delicate question—that of the racial issue—it has been handled with such restraint and good taste that no one can raise objections to it. George Arliss, because of his artistry, makes of the character of the eldest Rothschild a proud man, at times cunning, but always sympathetic. His schemes and manner of behavior provoke laughter at times. The love affair between Loretta Young and Robert Young is romantic and touching because of the unhappiness the lovers suffer on account of the difference in their religions. The closing scenes, which show Rothschild made an English Baron, are beautiful; they are in technicolor.

The five Rothschild brothers are first shown in their poor home in the ghetto. They receive advice from their dying father to form banking houses in different countries but always to work as one, and above all to always do good for their Jewish people. Years later the Rothschilds are the most prominent bankers in Europe. They finance their different countries to help them fight Napoleon and so bring peace to Europe. When Napoleon is exiled the different war lords are feted, but no attention is paid to the Rothschilds whose money and courage had helped them win the war; they are neglected because they are Jews. Arliss realizes that the only weapon the Jew has is money, with which to buy protection and influence. An impending loan of great significance is to be made to the Allies and Arliss feels sure his banking house will be honored. But to his chagrin he finds that his bid had not been taken into consideration because of the pressure brought against him by Boris Karloff, a Prussian lord, who hated Jews. Arliss, however, outwits them by clever stock manipulations and forces them to sell out to him. Because of this, Karloff incites the populace to start pogroms against the Jews. Arliss, with his brothers, rushes to their mother's home in Frankfort to protect her. He receives word that Napoleon had escaped. It was to be war again, and money was to be needed. Arliss consents to make the loans to the Allies fighting Napoleon on one condition—that Karloff call off his agitators against the Jews. Karloff reluctantly agrees to this and Arliss makes the loans. But things look bad; Napoleon was making one victory after another. Arliss, in order to prevent England from becoming bankrupt, keeps on buying stocks in an effort to check them from falling. He faces ruin. Suddenly he receives a message from the battlefield that Napoleon had been beaten at Waterloo. England is saved, and so is he; and for his courage he is made a Baron. He feels that his daughter can now marry the man she loves.

The plot was adapted from the play by George Hembert Westley. It was directed by Alfred Werker. In the cast are C. Aubrey Smith, Arthur Byron, Helen Westley, Reginald Owen, Florence Arliss, Alan Mowbray, Holmes Herbert, Paul Harvey, Ivan Simpson, Noel Madison, and others.

Suitable for children, adolescents, and Sundays.

"Harold Teen" with Hal LeRoy

(Warner Bros., April 7; running time, 65 min.)

This is fairly good entertainment for the younger element, but it will bore adults. It has been produced well and has some comedy, but the story, which has been taken from the comic strip called "Harold Teen," is rather thin and presents just juveniles, in their petty affairs and social activity. The best part of the picture comes in the closing scenes when Hal LeRoy, who takes the part of Harold, is called upon to dance at a play given by the younger set; he is an unusually good dancer. Some human interest is felt for the hero and the heroine, but not enough to hold the interest throughout:—

LeRoy, employed in a newspaper office in his home town, is in love with Rochelle Hudson, who is just graduating from high school. He is awkward and is always doing the wrong thing, driving his editor frantic. He decides to become a social light by taking up dancing lessons by correspondence, and almost loses his position when the editor finds him practicing dance steps. The town bank is taken over by Douglas Dumbrille, a middle-aged man from the city, who meets Rochelle and becomes infatuated with her. This enrages LeRoy and he parts with Rochelle.

Patricia Ellis, Dumbrille's daughter, arrives in town and objects to her father's attentions to Rochelle. Patricia forms a junior league, and engages the services of a well known dance instructor from New York to help them put on a play. Rochelle is given the leading part and this makes Patricia furious, particularly when she finds that her father had sent Rochelle an expensive dress to wear in the play. She refuses to go on with her part, and LeRoy finds himself on the stage, forced to do something. He dances and is a sensation. LeRoy and Rochelle are reconciled and marry. Dumbrille gives them his blessings.

The plot was adapted from the comic strip by Carl Ed. It was directed by Murray Roth. Others in the cast are Guy Kibbee, Hugh Herbert, Hobart Cavanaugh, Chic Chandler, Clara Blandick, and others.

Suitable for children, adolescents, and Sundays.

"Speed Wings" with Tim McCoy and Evalyn Knapp

(Columbia, Feb. 5; running time, 59½ min.)

A fairly good program action melodrama. It holds the interest throughout, and the closing scenes are exciting. For audiences who have not tired of pictures dealing with aviation, they will find some of the trick riding entertaining. Several of the situations hold one in tense suspense. One is where Tim McCoy is up in a plane that had been tampered with, and Evalyn Knapp, in order to warn him, goes up in a plane that is also in a damaged condition. He lands safely but she is forced to jump off in her parachute.

In the development of the plot McCoy with his partner, William Bakewell, are working on a new speed engine which they hope to use in their plane entered in a race. The plans are stolen by a rival concern, and when McCoy goes to the rival's office to take the matter up with the owner, he notices a picture of Evalyn Knapp in this man's office and he immediately suspects her of giving their secrets away since she was working as secretary in McCoy's office. But when she saves his life he knows that she is innocent, particularly when she explains that his rival was her uncle with whom she was not on speaking terms. Bakewell, in the meantime, had lost his nerve when he saw a pal crash to earth. This worries Evalyn, who loves Bakewell, and she and McCoy plan to cure Bakewell of theirs. McCoy forces him into their plane the day of the race by knocking him out. When Bakewell regains consciousness at first he is scared but later comes to his senses and takes the radio control. He gets a message that Evalyn had been kidnapped. McCoy orders Bakewell to carry on in the race and he uses his parachute to jump. He takes another plane and heads off the train in which Evalyn was held a prisoner. He rescues her, Bakewell wins the race and there is a happy reconciliation between the lovers.

The plot was adapted from a story by Horace McCoy. It was directed by Otto Brower. In the cast are Vincent Sherman, Hooper Atchley, and others.

Suitable for children, adolescents and Sundays.

"As The Earth Turns" with Jean Muir

(Warner Bros., April 14; running time, 73 min.)

Fair entertainment; it is slow moving because of the lack of action. However, it is an honest portrayal of life on a farm and audiences that like that sort of homespun background should enjoy it. The deep sympathy one feels for Jean Muir, a kind soul who carries the burdens of her family, holds the interest to a fair degree. There is little to the story; it is taken up mostly with the reactions of the different characters to life on a farm. Some, like Jean Muir and Donald Woods, love it, and others hate it. It concerns the struggles of three different families to keep things going. One family consists of Jean, her father, sisters, brothers, step-mother and step-sister. Another family is that of her father's lazy brother who refuses to work but enjoys eating to an excess. His wife, Dorothy Peterson, is tired of bearing children and hates the miserable existence and responsibilities she is forced to shoulder. The third family is that of Donald Woods, a college boy who had given up a career as a violinist to live on a farm; he brought with him his father, a former tailor, his mother, brothers and sisters. His folks hate it and soon go back to the city, preferring to live in an uncomfortable apartment.

The plot was adapted from the novel by Gladys H. Carroll. It was directed by Alfred E. Green. In the cast are Emily Lowry, William Janney, David Landan, Dorothy Appleby, Sarah Padden, Clara Blandick, and others.

Because of the risqué situation in which William Janney makes love to his step-sister, exhibitors will have to use their judgment about showing it to children, adolescents, or on Sundays.

"This Man Is Mine" with Irene Dunne*(RKO, April 13; running time, 75 min.)*

A powerful drama. It is somewhat sophisticated, but it has enough human appeal to interest also the masses. The dialogue is extremely clever. The performances all around are unusually good. Although it revolves around a risqué theme—that of a married man carrying on an affair with a former sweetheart—it has been handled with care. Irene Dunne is an extremely sympathetic character, winning the admiration of the audiences by her sensible behavior. Ralph Bellamy is more or less of a weakling, yet one pities him because of his inability to resist the charms of Constance Cummings. Comedy is aroused in some of the situations by the amusing dialogue and behavior of Kay Johnson, as a friend of Irene's; also by the extremely frank expressions of Sidney Blackmer when he talks to Constance Cummings. One situation may be objected to by women, but men may enjoy it heartily; it is where Ralph Bellamy, realizing that Constance had made a fool of him, knocks her out, blackening both her eyes:—

Irene Dunne and Ralph Bellamy are married. Their next-door neighbors and friends are Kay Johnson and her husband Charles Starrett. Bellamy is a little nervous when he hears that his former sweetheart, Constance Cummings, Starrett's sister, had been divorced and was arriving at her brother's home. He tells Irene about it and asks her not to worry because he had forgotten all about Constance. Kay Johnson, Constance's sister-in-law, warns Irene, telling her that Constance is ruthless. Constance arrives and brings with her Sidney Blackmer, whom she had picked up on the train. As soon as she sees Bellamy she plays upon his sympathy and before long he is seriously engrossed in an affair with her. He asks Irene for a divorce, which she at first refuses, but later decides to give him, intending to teach Constance a lesson. She tells Constance that she is going to sue her for alienation of affections, naming her as correspondent. Constance is enraged; she tells Bellamy that he is a fool and had no right to tell his wife anything. When he hears her talking that way he strikes her. The next morning Constance, with two black eyes, goes to see Irene and begs her to take Bellamy back. She informs her that she had married Blackmer that morning, and that she had found out that he came from a wealthy and fine family; she did not want him to know of her affair with Bellamy. After a bitter quarrel Irene and Bellamy become reconciled.

The plot was adapted from a story by Anne M. Chapin. It was directed by John Cromwell. Vivian Tobin and others are in the cast.

Unsuitable for children, adolescents, or Sundays.

"The Crime Doctor" with Otto Kruger, Karen Morley and Nils Asther*(RKO, Rel. date not yet set; running time, 74 min.)*

A good murder melodrama that is rather novel; it holds the interest throughout. The audience knows who the murderer is but watches the police build up their case against another man because of damaging evidence they had found against him; it had been placed there by the murderer. Whatever demoralizing effect such a story may have is offset by the novelty of the ending, which shows that the murder had not been committed at all but that the whole thing was just the enactment of a story written by Otto Kruger, a crime expert. The situation in which Kruger kills the woman, then placing damaging evidence around her apartment against Asther, will hold the spectator breathless. The settings are magnificent, the acting is fine, and the picture has been directed with skill:—

Kruger, a famous detective, is married to Karen Morley. He is jealous of the attentions Nils Asther pays to her and is desperate when she tells him she loves Asther and wants a divorce. He loves her so much that he cannot bear to lose her. He kills Judith Wood, a spy he had planted in the apartment next to Asther's to watch what Asther was doing, and then arranges things so as to point to Asther as the murderer. Asther is convicted and sentenced to hang. Karen is frantic. She insists on leaving Kruger to go live near the prison but he warns her that he will kill her if she does so. She tells him that life without Arthur does not mean anything to her and asks him to kill her. The strength of Karen's love for Asther so moves Kruger that he decides to confess all to the police. After the confession he kills himself. Suddenly one sees Kruger with Karen again, and the audience learns that the action was just a story Karen had been reading; it had been written by Kruger.

The plot was adapted from the story by Israel Zangwill. It was directed by John Robertson. In the cast are William Frawley, Donald Crisp, J. Farrell MacDonald, and others.

Unsuitable for children, adolescents, or Sundays.

"Hold That Girl" with James Dunn and Claire Trevor*(Fox, Feb. 16; running time, 65 min.)*

A pretty good comedy-melodrama of program grade; it holds the interest to some degree and the second half keeps one in suspense because of the danger to the heroine, a newspaper reporter, who, in her efforts to get a story, becomes involved with gangsters. There is one bad feature, however, in that it glorifies a gangster; he is shown giving his own life to save the heroine from being killed by his henchmen. The closing scenes are exciting; they show the heroine, who was speeding in her car, followed by the gangsters in another car. Just as they neared her car with the intention of shooting her, the chief gangster, who had befriended her, forces his car between them, receives the shots, and dies. Some of the situations are silly, one in particular being that in which the heroine, partly undressed, is forced to do a fan dance in court; this was a practical joke on the part of the hero.

The plot was adapted from a story by Dudley Nichols and Lamar Trotti. It was directed by Hamilton MacFadden. In the cast are Alan Edwards, Gertrude Michael, John Davidson, Robert McWade, Effie Ellsler, and others.

Because of the gangster element it is unsuitable for children, adolescents, or Sundays.

"The Crosby Case" with Wynne Gibson*(Universal, March 5; running time, 59 min.)*

A fair murder mystery melodrama of program grade. No spooky or eerie atmosphere is used, the entire action being given over to the solving of the murder and to the examining of the suspected persons. Since the identity of the murderer is not made known until the very end, the interest is held throughout and the solution is worked out logically. Comedy is provoked by the dumb manner of Warren Hymer, a frightened witness, whose worst fault is the fact that he does not drive his taxicab carefully. The romance between Wynne Gibson and Onslow Stevens, although incidental, is pleasant, and her efforts to save him win sympathy for her. It should please the followers of this type of melodrama.

The plot was adapted from a story by Warren B. Duff and Gordon Kahn. It was directed by Edwin L. Markin. In the cast are John Wray, Skeets Gallagher, J. Farrell MacDonald, Wm. Collier, Sr. and others.

Although the affair between Wynne Gibson and the doctor has been handled discreetly, exhibitors will have to use their own judgment about showing it to children, adolescents, or Sundays.

"The Line Up" with William Gargan and Marion Nixon*(Columbia, Feb. 28; running time, 64 min.)*

A good action melodrama. However, the theme is demoralizing; it shows how a gang of crooks worked a racket in which they stole expensive fur coats. Since the hero and the heroine are not of the gang, the harm is offset to some degree. When the gang is rounded up by the police in the closing scenes, the picture becomes more exciting because of the danger to the heroine, who had been placed in a cold storage vault where a pipe containing ammonia fumes had been opened. Sympathy is felt for the heroine who was an innocent victim of the gang. Comedy is aroused by the dumb tactics of Paul Hurst, as a detective.

In the development of the plot the heroine is discharged from a hotel where she had been working as a hat check girl because through some mix-up, deliberately planned by a crook, an expensive fur coat had been given to the crook. Paul Hurst, a detective, thinks she is one of the gang, but William Gargan, another detective working on the case, disagrees with him; he falls in love with Marion and she consents to marry him after a short acquaintance. Remembering an offer once made to her by John Miljan to work in his fur store, she goes to see him and employs her. Harold Huber, a gambler, is attracted to Marion but she repulses him. She is sent on an errand with a stolen fur coat and is caught by Paul Hurst. She is arrested and Gargan pleads with the district attorney to release her on bail so that he might try to trail the crooks through her. He orders her to accept the attentions of Huber. She does this and Huber offers to take her away on a trip and buy her a fur coat. He takes her to Miljan's place to select one and Gargan traps the crooks in their hideout. Marion is cleared of the charge against her and she marries Gargan.

The plot was adapted from a story by George Waggoner. It was directed by Howard Higgin. In the cast are Noel Francis, Joseph Crehan, and others.

Not suitable for children, adolescents, or Sundays.

to those concerned by the complaint, shall convene promptly and shall decide the issue not later than fifteen days after the day the protest had been filed or after three days after the parties shall have been heard. Any one not satisfied with the decision of the Board may appeal to the Code Authority by registered mail, or by delivering his written complain in person, within five days after the Board shall have made its decision. The Code Authority shall render a decision within fifteen days after the hearing upon appeal.

Persons interested in the decision may appear before the Code Authority either in person or by representative, presenting additional evidence.

Although the Code does not provide for an appeal from the decision of the Code Authority, an aggrieved person may take his complaint, as the President of the United States stated recently, either to the Department of Justice or to the Federal Trade Commission; or he may, according to General Johnson, as well as to the President, resort to the courts for relief.

Since the resolution of the Code Authority provides that the Clearance and Zoning Boards shall receive protests against existing clearance and zoning schedules at once, if you have any complaint of this nature file it immediately.

If the Board of your zone has not yet begun functioning, send such complaints to John C. Flinn, Executive Secretary of the Code Authority for the Motion Picture Industry, 1270 Sixth Avenue, New York, N. Y. Mr. Flinn will refer your complaint to your local Board's Secretary in due time.

AN IMPORTANT EXHIBITOR VICTORY

Many of you know, I am sure, that about three years ago E. M. Loew, an independent exhibitor of Boston, operating a chain of theatres, sued Paramount-Publix for violating the Anti-Trust laws by preventing him from getting the run of pictures he wanted.

On February 8, this year, the Auditor filed his report in the United States District Court for the District of Massachusetts, finding that the defendant had violated the anti-trust laws of the United States, and awarding damages totaling \$45,000, with findings of further damages which, if allowed by the court, will reach the total of \$73,000. The total sum of the defendant will be required to pay will, then, be more than \$200,000, for the amount of damages will be trebled. To this amount will be added the attorney's fees.

The suits were tried before the Auditor, Elias Field, of Boston, from September 26, 1932, to January 3, 1933. George S. Ryan, a noted attorney of Boston, was counsel for the plaintiff.

According to the Massachusetts practice, an auditor's report is not a final decision, but is evidence of the truth of the facts and findings in it and, if not contradicted by other evidence, it requires that a judgment be entered in accordance with the findings.

The case will probably be tried before a jury in the spring, when at the trial the plaintiff will, as it is understood, offer additional evidence of damages in an effort to increase the amounts awarded.

In the majority of the actions the plaintiff asserted that the defendant by acquiring the stock of competing corporations engaged in interstate commerce, violated the Clayton Anti-Trust Act, for the effect of such acquisition was to lessen substantially competition between the defendant and those other corporations, thus restraining interstate commerce and tending to create a monopoly.

The plaintiff charged that the defendant violated also the Sherman Anti-Trust Act by (1) monopolizing, or attempting to monopolize, a part of the interstate trade or commerce in feature films, particularly of first-run grade, in localities where the defendant controlled theatres; (2) over-buying pictures with the purpose of depriving competing exhibitors of pictures they needed; (3) either threatening to build or actually building competitive theatres in pursuance of a definite policy of coercing independent exhibitors into buying Paramount pictures at extortionate prices; (4) entering into combinations and conspiracies with other producer-distributors to restrain interstate commerce by reserving and selling first-run films in localities where the defendant had theatres, and by giving these theatres unreasonable protection in period of time and in area; (5) combining with other producer-distributors to adopt a uniform contract that contained oppressive provisions in regard to prices and payments to be exacted from the independent exhibitors, to arbitration of disputes, and to adoption of credit provisions; (6) combining with other producer-distributors to force the independent exhibitors to purchase pictures from them in blocks

and blindly; and (7) fixing prices at which pictures should be shown at theatres, refusing to sell their pictures to those exhibitors who did not subscribe to the schedules of minimum admission prices determined by the defendant.

All these charges were, of course, denied by the defendant.

The outcome of this case should prove of great interest to almost every independent exhibitor, for abuses of this kind have been practiced over almost every one of them.

A SMALL EDITION OF THE HAYS ORGANIZATION

The February 28 issue of *The Christian Century* asks, "Who Supports the National Board of Review? What is this National Board anyway? What does the legend mean that we see on practically every motion picture—'Passed by the National Board of Review'? Who pays the bills of this organization?"

The article then proceeds as follows: "More than 90 percent of the income of the board comes from the producers who pay the board's services in thus 'passing' their [the producers'] films. The *Christian Century* does not imply that there is any moral turpitude on the part of the officers who obtain the funds for their organization in this way. . . ."; and makes it clear that the National Board of Review is a producer organization the business of which is to classify pictures and not to approve the content or the quality.

That the National Board of Review is a producer organization one may gather by the sort of pictures its reviewers often recommend for family circulation. "Eskimo," is one of them; although one of the filthiest pictures that have been produced for sometime, the Bulletin of the National Board of Review said that it was suitable for the family circle.

The name of this body was adopted by the producers long ago because it easily leads the public to believe that it is some sort of governmental agency with the right given to it by law to say what pictures are and what are not suitable for the family. It is merely a small edition of the Hays organization.

THE WORKINGS OF SOME PRODUCERS' MINDS

What prompts the producers to make the same mistake several times? What is the psychology that moves them to that?

In 1926, Paramount made "The Show-Off," with Ford Sterling. It was a pretty good picture, but it made a box office failure because the chief character was very unsympathetic—he was of the braggadocio type, who is incapable of making any success in life, and whose blunders bring misery upon others.

Paramount made the same picture in 1930, with Hal Skelly, under the title, "Men Are Like That," with worse results.

When a story makes a failure twice, you would think that the producers would learn their lesson and leave such story alone. But, no! It won't do! There must be a third attempt! So MGM grabs it and makes a picture out of it. With what results? The picture has not yet played in many spots, but I venture to say that its failure will be the worst of the three. Advices from the Coast state that it is a poor picture.

Can any rational human being explain the workings of the minds of the producers in Hollywood? I doubt it.

NEW LYCEUM THEATRE
Chestertown, Maryland

February 13, 1934.

Mr. P. S. Harrison,
HARRISON'S REPORTS,
New York, N. Y.

Dear Mr. Harrison:

You might be interested to know that in the past year I have kept a record of your reviews in regards to "type" of feature, and suitability for various audiences. Your reviews were compared with the reactions of our patrons and with the box-office results, and as far as our theatre is concerned—and ours is an average small town (small college town)—you were 98% correct.

"In this way, by following your paper, we know pretty well just what we were getting. Unfortunately we were forced to play the features regardless of whether they were suited to our needs or not.

Very truly yours,

Emerson Russell.

HARRISON'S REPORTS

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 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, MARCH 24, 1934

No. 12

WHAT IF THE DEMORALIZING PICTURES ARE MORE THAN TEN PER CENT OF THE TOTAL NUMBER?

With the determined effort of the Catholic Church and of the Church of almost every other denomination to drive unworthy pictures out of business, the question that has been asked by many exhibitors is: "What shall I do with the sex or generally demoralizing pictures that are left after I cancel ten per cent of them?"

It is my opinion that no exhibitor is compelled to show in his theatre any pictures that are offensive to the people of his community, provided the first ten per cent he cancels are taken from among such pictures. In other words, if the motive that prompts an exhibitor to cancel the ten per cent quota under the cancellation provision of the Code is not to save money but to conform to the wishes of the people of his community, he may cancel every demoralizing picture a distributor delivers to him, no matter if the total number of such pictures is even fifty per cent.

I base my opinion on the provision of the Code covered by Part I, Article VII. This provision reads as follows:

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

Since you have nothing whatever to do with the production of pictures, the expression, "the industry pledges itself" means, "the producers pledge themselves." Accordingly, if a producer-distributor should attempt to compel you to accept a picture that offends the moral sentiments of the people of your community, or is demoralizing to young folk or to children, he has violated that pledge and puts you in a position where you may refuse to accept that picture.

The question now is: Who is going to determine that a particular picture is or is not offensive to the people of your community?

In the cancellation of the first ten per cent, none but you are the judge—but your case will be strong if you cancel them on the ground of being demoralizing; on the others, representatives of the people of your community. For instance, the priest, the minister or the Rabbi of your town, or locality. If the information you have received about a picture leads you to believe that it is going to prove offensive to your people, present the evidence to them and request them that they determine whether you should play it or not. They may deem it expedient in some cases to have a showing of the picture before being able to determine whether it is or it is not suitable for that locality. If they should order a showing and the exchange should refuse to furnish the print, then you may refuse to show the picture or to pay for it.

Since the Code provides for arbitration, the next step the exchange will take will be to demand arbitration of the dispute. You should welcome it, for you will then have the priest, minister or rabbi to appear as a witness for you.

I doubt if the case will go any further and you will be freed from the obligation of playing the objectionable picture.

You may fear that the exchange will work reprisals on you when you go to buy its pictures next season. But do not fear of such an act, for we are now having the Government looking after the conduct of every one of us. An exchange-man will have to justify his action in case he should refuse to sell you film, or in case he should demand more money than you can pay. Besides, the exchanges have to try to get even with almost every exhibitor, for every exhibitor can

find pictures to cancel to a number exceeding the ten per cent granted him by the Code.

You had better make up your mind to fight on this point. The determined attitude of the Catholic Church, which will undoubtedly be supported by all other churches, makes a procedure of this kind absolutely necessary on your part. Remember that there are more than one fifth Catholics in this country and they are extremely disciplined. When their clergymen tell them to keep away from certain pictures, they keep away from them. Take the case, for example, of "Roman Scandals": According to information sent in by many exhibitors, this picture died at their box offices because of some dirty expressions made by the characters that are altogether uncalled for. Mr. Cantor pronounces the word Toga in a way that it has a different meaning in Jewish altogether. So when you will play such pictures you will play them to empty houses.

ANOTHER VICTORY FOR THE CODE

This office was asked by many exhibitors whether they have the right under the Code to cancel ten per cent of the United Artists pictures when they bought them on one deal.

Because of the fact that this question presented a problem that required a ruling by the Code Administration, I submitted the following question to Division Administrator Rosenblatt:

"Suppose an exhibitor bought from United Artists eight-een pictures on one worksheet and on one deal. Does this entitle the exhibitor to a ten per cent cancellation?"

"As you know, United Artists are using separate contracts for each picture, even though they sell them at one time."

The following is the Administrator's reply under date of March 17:

"In answer to your letter of March 1st, I beg to advise that if an exhibitor bought from United Artists a number of pictures on one worksheet, on one deal and at one time, the exhibitor is entitled to the 10% cancellation, even though separate contracts for each picture may be used. The exercise of the right of cancellation is predicated on the code provisions.

"Sincerely yours,
 (Signed) "SOL A. ROSENBLATT
 "Division Administrator."

The ruling of the Administrator in this case is of great importance to the independent exhibitors as well as to the proper functioning of the Code in that, if United Artists were exempted from the ten per cent cancellation provision because of the fact that they sold their pictures in separate contracts, the other distributors would sell their pictures likewise, even though the deal would be made at the same time and the pictures would be described on the same worksheet. In this manner this provision of the Code would be nullified.

The ten per cent cancellation provision was inserted into the Code as a result of public outcry: there are so many salacious pictures produced that the exhibitor had to be given the right to cancel at least some of them to satisfy the public to a certain extent. The fact that a distributor sells his pictures in separate contracts does not remove the need for the elimination of such pictures.

If you should need Mr. Rosenblatt's letter to prove your case in the event the United Artists branch manager of your territory should question your right, send thirty cents in stamps so that I may send you a photostatic copy of it. Remember that the Division Administrator's letter is now a ruling, to which United Artists must conform.

"Countess of Monte Cristo" with Fay Wray and Paul Lukas

(Universal, March 19; running time, 79 min.)

Lavishly produced, but only moderately entertaining; the story is far-fetched and implausible. However, it holds one in fair suspense because of Fay Wray's impersonation of a Countess, and the fear lest she be discovered. But it is in a way demoralizing, since she lives under false pretenses, in an expensive hotel, even taking an automobile, an expensive fur coat, and later clothes and money that do not belong to her. It also shows two of the characters living in luxury by their wits, and an attempt is made to arouse sympathy for Paul Lukas, one of the crooks:—

When Paul Page, a newspaper reporter, tells Fay that he had been fired and wants to free her from their engagement; she is unhappy. Fay, who is a motion picture extra, is ordered to drive an automobile while wearing an expensive fur coat. In the car with her is Patsy Kelly, who is acting as her maid. Instead of riding where she is told, she drives away and reaches an expensive hotel. The tags on the trunks read "Countess of Monte Cristo" and she is given the royal suite. Since she is without any money she is compelled to pose as a Countess.

From this point on the action becomes interesting and intriguing. It all ends with Fay's being offered a contract as a motion picture star, for she had proved that she could act. She is then reconciled with her sweetheart.

The plot was adapted from a story by Walter Fleisch. It was directed by Karl Freund. In the cast are John Sheehan, Carmel Myers, Richard Tucker, and others.

Although there are no sex implications in the picture, exhibitors will have to use their own judgment about showing it to children, adolescents, or Sundays, because of the crook theme.

Substitution Facts: This is replacing "The Left Bank," which was to have been based on the play by Elmer Rice. It is a story substitution.

"Wharf Angel" with Victor McLaglen, Preston Foster and Dorothy Dell

(Paramount, March 16; running time, 62 min.)

Because of the fact that the picture's background is the waterfront of a big city with its squalor and filth, and with its saloons and its painted women, "Wharf Angel" is unsuitable for the better theatres, and only ordinarily suitable for those that cater to the roughnecks. It leaves an unpleasant taste. Nor is the romance lightening to the atmosphere's unpleasantness, for it is, what one might call it, a gutter romance. The hero is running away from the police, who seek to arrest him for a murder he had not committed, and enters the room of the heroine, a woman who had been making a living by selling her body. The romance develops when she, unable to induce him to surrender to her usual wiles, is impressed and, when he tells her that he is hunted by the police, she induces him to stay in her room.

In the development of the plot the hero escapes by shipping as a fireman on a merchant ship headed for Shanghai. Once there, his heart aches for the heroine and, risking arrest, returns to San Francisco. He finds the heroine. The hero's pal also, however, was in love with the heroine and when he finds out that the girl the hero talked to him so much about was the heroine he gives him away to the police and earns a reward. The pal regrets his act and, paying the reward to a lawyer, obtains the hero's freedom. Hero and heroine marry.

The plot has been founded on a story by Frederick Schlick; it was directed by Wm. Cameron Menzies and George Somnes. In the cast are Alison Skipworth, David Landau, John Rogers and others.

Demoralizing to children, adolescents, and unsuitable for Sundays.

"Success At Any Price" with Douglas Fairbanks, Jr. and Colleen Moore

(RKO, March 16; running time, 76½ min.)

Acted and produced well, this is a fairly good drama for adults. The religious angle that appeared in the stage play has been omitted from the picture, to advantage. Although Douglas Fairbanks, Jr. is in some ways a sympathetic character, because of his restless search for power, imagining it would bring him happiness, his actions are so ruthless and brutal that he is at times repulsive. He lets nothing stand in his way, deserting people who had been loyal and kind to him, and even double-crossing the man who had given him his first chance. The closing scenes, which show him friendless, are pitiful. Colleen Moore is the most sympathetic

character because of her loyalty and suffering. The romantic interest is not pleasant; it is sordid—Fairbanks deserts Colleen to marry Genevieve Tobin, the mistress of his employer:—

In the development of the plot, Frank Morgan, owner of an advertising agency, at first resents and then is struck by the impudence of Fairbanks, who thinks he has ability. For the sake of Colleen, Fairbanks' sweetheart and Morgan's secretary, he sets Fairbanks to work in the copy department, where he makes good. Fairbanks becomes infatuated with Genevieve, Morgan's mistress, but at first she will have nothing to do with him. When Fairbanks becomes a power in the concern, however, earning much money, she agrees to marry him. Colleen is miserable; Morgan loves her and proposes, but she refuses, because she loves Fairbanks. By double-crossing Morgan, Fairbanks eventually becomes the owner, and throws Morgan out. His marriage does not bring him happiness because he is jealous and eventually finds out that his wife is unfaithful. She blames him for it telling him he never paid her any attention, his mind always being on business matters. Late one night at the office, Fairbanks talks to Colleen, begging her to take him back, but she refuses. He shoots himself and it is only through Colleen's quick action that he is saved. She promises never to leave him again.

The plot was adapted from the play by John Howard Lawson. It was directed by J. Walter Ruben. In the cast are Edward Everett Horton, Nydia Westman, Allen Vincent, Henry Kolker, and others.

Unsuitable for children, adolescents, or Sundays

"No Greater Glory"

(Columbia, March 24; running time, 76 min.)

The Home Office executives of Columbia are elated with this picture; they think that they have a great piece of property. I have seen it and disagree with them, because the characters are precocious "kids," with the exception of George Breakston, who does great work. The last reel or so tears the heart-strings out, on account of the death of little Breakston, but I cannot see why a producer should attribute greatness to a picture that brings tears by the death of any one, when such death is not justified by the acts of him who dies. Certainly this youngster did not deserve death.

Because of the novelty of the picture, however, HARRISON'S REPORTS will give the Columbia executives an opportunity to prove that they have a great picture. If they should prove it, an appropriate review will be given in these pages.

"The Quitter" with Emma Dunn

(Chesterfield; running time, 68 min.)

Pleasant program entertainment, with deep human interest. It is slow, however, given to long speeches and too much dialogue instead of action. But because of the sympathy one feels for Emma Dunn, as the self-sacrificing mother who treats her sons in an intelligent manner, one's interest is held throughout. As a matter of fact, most of the characters are sympathetic, even William Bakewell, as the older son, for one feels that his behavior is due to inexperience. The locale is that of a small town, and the atmosphere is pleasant and homey. The direction and acting is intelligent, and the settings are good.

Emma Dunn, after many years of struggle, had worked her newspaper up to a position where she derived a fine living from it for herself and her two sons. When William Bakewell graduates from college he insists on installing a new system and putting new ideas into the paper and even though the mother knows it will ruin them she does not want to stand in her boy's way and permits him to go ahead with his ideas. Charley Grapewin arrives in the town and Emma Dunn is shocked to see him; he was her husband who had deserted her and their two children. He is genuinely sorry and wants to help. Bakewell is engaged to Barbara Weeks, but is ashamed to have Barbara meet his mother. For this she breaks their engagement, also because Bakewell was neglecting his mother. As the mother foresaw the paper is in bankruptcy. Grapewin comes to their rescue when he buys it with money he had inherited. He tells Bakewell he is his father and puts him on the right road of thinking. They go back to their small shop and start printing the paper again in its old style, which was the way the townspeople wanted it. Bakewell and Barbara are reconciled and married. Emma Dunn is happy that her whole family is together again.

The plot was adapted from a story by Robert Ellis. It was directed by Richard Thorpe. In the cast are Hale Hamilton, Glen Boles, Mary Kornman, and others.

Suitable for children, adolescents, and Sundays.

"The Show-Off" with Spencer Tracy and Madge Evans

(MGM, March 9; running time, 77 min.)

Though the acting is good and the attention is held fairly well, it is not a pleasant entertainment because the chief character is unsympathetic. He is a braggard, always talking big, but never doing anything either for himself or for anybody else, least of all for his wife. He blunders into success toward the end, but not to the spectator's good will; he still remains what he was—a worthless fellow, who thinks very highly of himself.

The plot was adapted from George Kelly's play, which was produced twice before, by Paramount, once under the same title, as a silent, and once under the title, "Men Are Like That," as a talker. The direction is by Charles F. Riesner. In the cast are Lois Wilson, Henry Wadsworth, Grant Mitchell and others.

Though there is nothing morally wrong with the picture, it is not edifying to young folk and to children. As for Sundays, you will have to use your own judgment.

Note: No. 427 was listed in the contract as a Lee Tracy No. 1. It is, therefore, a star substitution and you don't have to accept it.

"Love Birds" with Slim Summerville and Zasu Pitts

(Universal, March 12; running time, 62 min.)

A program comedy that is just moderately entertaining; it is rather slow in getting started, but the second half moves at a faster pace. The comedy is slapstick, occasionally becoming silly. One situation that will amuse youngsters is where Zasu Pitts and Slim Summerville, both occupying the same house in the desert, without being aware of each other's presence, are frightened when they hear each other making noises; both thought it was a ghost. Another amusing situation is where Zasu and Slim drink liquor without realizing what it is and become a little tipsy. Comedy is contributed by Mickey Rooney, as a sissified boy, who eventually becomes a roughneck:—

Zasu Pitts, a school teacher, is discharged when the principal finds her class in an uproar chasing two chickens that had come in through the window; they belonged to Summerville. She buys a ranch out West and leaves for it with her nephew, Mickey Rooney. To the same ranch comes Slim Summerville and he produces a deed. The ranch had been sold to them both by a crooked real estate dealer. An old prospector passes the place and Mickey tells him that Slim had been mean to his aunt. The prospector punches Slim in the jaw and this causes a gold filling from his tooth to fall out. The prospector finds it and thinks he had struck gold. He passes the word around and soon a gold rush starts. The crooked real estate dealers buy back the ranch by paying to both Slim and Zasu \$10,000 each for their deeds. It eventually is discovered that the "gold" was nothing more than Slim's inlay. Since Slim and Zasu had fallen in love with each other, they marry and go back to the city.

The plot was adapted from a story by Clarence Marks and Dale Van Every. It was directed by William Seiter. In the cast are Frederick Burton, Emmet Vogan, Dorothy Christy, Maude Eburne, Hugh Enfield, and others.

Suitable for children, adolescents and Sundays.

"She Made Her Bed" with Sally Eilers, Richard Arlen and Robert Armstrong

(Paramount, March 9; running time, 70 min.)

Only moderately entertaining. For the first fifty minutes it is just an ordinary drama, which holds the interest only because of the sympathy one feels for Sally Eilers, who suffers because of her husband's infidelities. All the action is crowded into the last twenty minutes, but most of it is unpleasant, because of the horror attached to it. For one thing, a baby's life is endangered when a tiger escapes from its cage. Then Armstrong is killed in an encounter with the tiger. Unpleasant, too, is the anguish suffered by Sally Eilers, as the mother, who thinks her baby is dead. The sex implications and the behavior of Robert Armstrong, as the husband, fill one with disgust. The conversation between Armstrong and Grace Bradley leaves little to the imagination. There is some comedy relief, but not of the type to provoke hearty laughter.

The plot was adapted from the story "The Baby In The Ice-Box," by James M. Cain, (reviewed in the Forecaster as "The Handsome Brute.") It was directed by Ralph Murphy. Others in the cast are Roscoe Ates, Charley Grapevin, and Richard Arlen, Jr.

Unsuitable for children, adolescents, or Sundays.

"Coming Out Party" with Frances Dee and Gene Raymond

(Fox, April 27; running time, 77½ min.)

Lavishly produced, but only fair entertainment, without much human interest. It may please audiences that like to see the extravagant life of society people, who think nothing of spending \$50,000 on one party to introduce their daughter to society; but in communities where things have been hard it might be resented. With the exception of the display of luxury and the preparations for the party, the story hangs on a thin thread. It has a fair amount of suspense, mostly in the situation where Frances Dee, realizing that she is going to have a baby, is forced to greet her guests at the party, knowing that her sweetheart, Gene Raymond, was leaving her. Some comedy is aroused by Harry Green, but not of the kind to provoke hearty laughter. None of the characters do anything to arouse much sympathy.

Most of the story revolves around the fact that Frances Dee, daughter of wealthy society parents, had had a love union with Gene Raymond, an impoverished musician, when Dee's parents wanted her to marry a characterless young man in her set who was almost constantly drunk. It is made clear to the spectator that she is pregnant. The remainder of the action is of not much consequence.

The plot was adapted from a story by Becky Gardiner and Gladys Unger. It was directed by John Blystone. In the cast are Alison Skipworth, Nigel Bruce, Gilbert Emery, Marjorie Gateson, Clifford Jones, Jessie Ralph, and others.

Unsuitable for children, adolescents, or Sundays.

"Social Register" with Colleen Moore and Alexander Kirkland

(Columbia, March 10; running time, 72 min.)

Poor! The story is trite and the action slow. Although the heroine is a sympathetic character it is not enough to hold the interest, since most of the other characters and their doings arouse an apathetic feeling in the spectator. Nothing novel is presented in the story, which is poorly directed, and the performances are ordinary. Colleen Moore struggles with a part that is wholly unsuited to her.

Colleen Moore, a chorus girl, becomes acquainted with Alexander Kirkland, a young society man, and they fall in love with each other. He proposes to her but before she accepts she tells him that there had been another man in her life. He forgives her. But his mother, Pauline Frederick, is determined to break up the affair. Since her trick to shame Colleen before society people does not work, she bribes Ross Alexander, a friend of Colleen's to compromise Colleen. Alexander sends her a telegram that he was ill. Colleen rushes to his apartment and stays over night to take care of him. Kirkland finds out where she is and goes there and accuses her of infidelity. In disgust, she marries Alexander. When she finds out about the plot, she threatens Kirkland's mother that she will give the whole story to the newspapers. The mother breaks down and begs Colleen not to disgrace her. Colleen promises. Kirkland finds out about the whole affair and begs Colleen for forgiveness. They plan to annul her marriage to Alexander so that they might marry.

The plot was adapted from a story by John Emerson and Anita Loos. It was directed by Marshall Neilan. In the cast are Charles Winninger, Robert Benchley, Margaret Livingston, and others. (Coast review.)

Unsuitable for children, adolescents, or Sundays.

"George White's Scandals" with Jimmy Durante and Rudy Vallee

(Fox, April 27; running time, 77 min.)

A lavishly produced back-stage musical comedy; however, because of many dull spots, it is only fair entertainment. Except for the comedy antics of Jimmy Durante, and some of the song and dance numbers, there is nothing novel in the treatment, and the story is particularly trite. Some of the comedy is offensive and the dialogue risqué. The picture may, however, draw, because of Vallee and Durante. Alice Faye, a newcomer to the screen, is an effective performer, and makes a sympathetic character of the heroine.

The story takes place during one performance of the "Scandals," produced by George White.

The plot was conceived, created, and directed by George White. The story direction is by Thornton Freeland. In the cast are Gregory Ratoff, Cliff Edwards, Dixie Dunbar, Gertrude Michael, Richard Carle, Warren Hymer, and others.

There are many dirty remarks. However, children will not understand, but young people will. It is, therefore, unsuitable for Sundays.

RIGHT INTO THE GUTTER

According to Cinema Hall-Marks, of Hollywood, Paramount has announced to the Hollywood trade that it has already set to work preparing a story to be based on the Dillinger case. This announcement was issued as a warning to other Hollywood producers not to "plagiarize" on that story.

Thus the Paramount organization, once the pride of the moving picture business, has descended right into the gutter.

HARRISON'S REPORTS hopes that this incident will convince Division Administrator Rosenblatt that some provision must be inserted into the Code, when it is reopened, to protect the innocent exhibitors from the stupidities of studio executives. There is no question in any sane person's mind that the exhibition of a picture of this kind will cause resentment among most people.

The decision of Paramount to produce a picture with a notorious criminal as the protagonist, coming immediately after its announcement about producing "The Great Magoo," should convince the exhibitors that Paramount, though it may set its financial affairs in order, will not be able to set its production mechanism in order. No production mechanism can be set in order with newsreel cutters as the mechanics.

"TENTH" PICTURES

In the February 17 issue of HARRISON'S REPORTS I gave you the tenth picture of each of the following companies: Fox, MGM, Paramount, Universal and Warner Bros. The following are the tenth pictures of the remaining companies:

Columbia: "Voice in the Night," released March 24; First National: "Wonder Bar," released Easter week; RKO: "Spitfire," released March 30.

According to the ruling of the code administration, you are entitled to cancel ten per cent of all the feature pictures you have under contract if they have been released after December 7, the day on which the Code became effective, regardless of when you signed the contract—before or after December 7.

If you have notified a distributor that you desire to cancel a picture of his and you have already paid for such picture, you are entitled to apply the payment on the tenth picture of that distributor. If the price of the picture you have cancelled is smaller than the price of the tenth picture, you will have to make up the difference; but if it is bigger you will have coming credit for the difference, which you may apply on the eleventh or twelfth picture—on enough pictures beginning with the tenth picture to exhaust your credit.

If you failed to notify the distributor during the release of the first group of ten pictures that you wish to cancel one, you may cancel two of the second group; or you may wait to cancel your quota from the last group.

If a distributor refuses to acknowledge the administration's ruling, you may notify Division Administrator Sol A. Rosenblatt to that effect immediately. His address is Room 4221 Commerce Bldg., Washington, D. C.

BISHOP CANTWELL'S ARTICLE

Part of the article of Bishop Cantwell that appeared in the *Ecclesiastical Review*, an organ of the Catholic Clergy, reads as follows:

"Twenty-five per cent of all pictures made in Hollywood in the course of a year are definitely bad.

"Some of the pictures suggest that the motion picture industry has set itself the task of seeing which company can produce the most vicious films. The subject matter of most of these offensive films deals with sex relations of every conceivable kind. When the pictures are not vile in toto, the films are crowded with salacious details, smutty talk, obscene wit, offensive situations. If one were to glean one's knowledge of family life in America from the American screen presentations, one would, unerringly, come to believe that adultery is but a slight adventure in romance that any understanding wife should easily forgive."

Bishop Cantwell states that of twenty-six oversexed pictures only two were outstanding financial successes. It is just what this paper has asserted in the answer it made last year to the Milliken article about block-booking—that for every successful sex picture Mr. Hays can show to us, we can show to him ten failures.

HARRISON'S REPORTS blames no one else but Will H. Hays for this condition, for Mr. Hays instead of taking a determined stand with them, temporized. When they were inclined to disregard his suggestions against producing dirty books or plays, he accepted some minor changes in the material and then he let it go through.

The first mistake he made was in the case of the late Arbuckle. Joe Schenck and Adolph Zukor, who had investments in Arbuckle in the form of produced or unproduced but sold pictures and in the contract of Mr. Arbuckle as a star, brought so much pressure on him that he weakened and tried to bring Arbuckle back, with unsuccessful results. That mistake was followed by others until the day came when he meant nothing to them when picture material was concerned.

The one sensible thing Hays has done in his entire career was to appoint J. J. McCarthy to censor publicity material in New York, and Joe Breen to censor story material in Los Angeles. Mr. McCarthy has been successful in cleaning up the advertising and publicity material; the heads of the publicity departments have accepted his decisions, even though at first reluctantly. But I doubt whether the producers on the Coast will accept the wise counsel of Mr. Breen, even though their only salvation lies in blindly obeying Mr. Breen's orders.

I fear, however, that, even if the producers were to follow the lead of Mr. Breen, the step has been taken somewhat too late; the damage has been done—the people of America have no longer faith in the promises of the present makers of films.

Unless the producers clean up house in Hollywood, the industry will collapse, for it is unlikely that thirty million parents will allow a few producers to pollute the minds of their children, making criminals of their sons, and prostitutes of their daughters.

AGAIN ABOUT "THE GREAT MAGOO"

The following is a copy of a letter I sent to Mr. Adolph Zukor, of Paramount, on March 14:

"Dear Mr. Zukor:

"Your publicity department has notified the trade that your company is going to produce 'The Great Magoo,' the stage play by Ben Hecht and Gene Fowler.

"On the face of the active campaign of the Catholic Church against filthy and other type of demoralizing pictures, the decision of your company to make one of the dirtiest, filthiest, most vulgar and demoralizing plays into a picture is, in my opinion, the height of un wisdom. It will convince the decent people in the United States that they should have no hope that the American producers will make moving pictures of higher moral tone.

"Last year I pleaded with you to use your influence with your production department to prevent the production of 'Sanctuary.' Your production department misinformed you and led you to believe that 'Sanctuary' would make a very good picture. The facts proved different, for 'Temple Drake,' not only did not, as you very well know, prove entertaining, but also turned out a failure at the box office. In addition, it has done great harm to the industry.

"Unless you prevail upon your production heads to abandon production of this filthy book, I fear that what the industry has lost as a result of the production of 'Sanctuary' will be peanuts as compared to what it will lose from 'The Great Magoo.'"

Unless Mr. Zukor or, if he has no power, any other responsible executive of the Paramount organization, gives orders that production of this filthy play be abandoned, this paper will undertake a campaign against Paramount the like of which neither Paramount nor any other film company has seen or dreamed of. My theory is that the time for temporizing has passed; the time for action is here. If these fellows with their warped minds are going to wreck this industry, we might try to save the industry by wrecking them.

A copy of my letter to Mr. Zukor went to Mr. Hays; but no action seems to have been taken by him yet.

THE CODE AUTHORITY MANUAL ON THE OPERATION OF THE GRIEVANCE AND CLEARANCE BOARDS

Mr. John C. Flinn, Executive Secretary of the Code Authority for this industry, has put out a manual outlining the procedure the members of the Grievance and of the Clearance and Zoning boards as well as the exhibitors must follow. It is clear and comprehensive and will facilitate greatly the work of these boards.

The exhibitors must follow the instructions of this manual carefully when submitting a complaint to their Local Grievance Board, or when they desire to lodge a protest with their Clearance and Zoning Board in case they felt that the schedule adopted in their locality is injurious to their interests.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions	16.50
Canada	16.50
Mexico, Cuba, Spain.....	16.50
Great Britain	16.00
Australia, New Zealand,	
India	17.50
35c a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
Pennsylvania 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, MARCH 31, 1934

No. 13

PICTURES YOU MAY CANCEL

According to the Code, when you wish to cancel a picture you must notify a distributor within fourteen days of its release date in your zone.

As said before in these columns, a release in a particular zone is bona fide when the picture is shown at a downtown key-city theatre that uses the newspapers to advertise the picture in, or when the distributor holds a tradeshow and broadcasts the fact pretty generally so as to enable the exhibitors to attend it with the view of determining whether the picture should or should not be cancelled in accordance with the cancellation provision of the Code. If the distributor were to hold the showing at a neighborhood or at a small town theatre, the intent of the Code would be circumvented, for few exhibitors would know about it.

There may be some pictures you wish to cancel but cannot do so now by reason of the fact that your fourteen-day grace has expired. If so, I believe that the circumstances that surround the Administrator's ruling still give you the right to cancel such pictures. For instance, the Code Authority withheld the ruling from publication for three weeks. This made it impossible for you to know what your rights in the matter were; and since the withholding was done by the representatives of the major companies, including an independent, Universal, the fault is their own.

Remember that a picture may be released in one zone on the day of its national release date, but you are under no obligation to count your fourteen-day grace from that date; you should count it from the day on which the picture was released or tradeshow in your own zone.

The following are the first ten of each major company and the cancellable picture of each such company.

Columbia

The first picture Columbia released after December 7 is "Let's Fall in Love"; the tenth, "Voice in the Night."

In the February 24 issue, I recommended that you cancel "Once to Every Woman," the fourth in the order of release. If you have failed to notify Columbia of the fact, then you may cancel "Social Register," the eighth on the order of release, released March 10, as the next bad one.

If you feel that you may find worse pictures yet, you may play them and cancel two in the second group of ten. "Man's Castle" should be one of those you should cancel in the second group; its theme is such that many of you will not be able to show it.

First National

As stated in the February 3 issue, you are entitled to cancel three pictures of this company under the Code.

The first picture this company released after December 7, the day on which the Code went into effect, is "Convention City," which was released December 8; the tenth, "Registered Nurse," which will be released April 7. (In last week's issue I stated that "Wonder Bar" was the tenth picture; but the schedule has been changed by First National since.)

"Mandalay" is, as stated in the February 3 issue, a star substitution, and since the distributor cannot force an exhibitor under either the contract or the Code to accept a picture in which the substitution of a star was made you don't have to count this in your quota of cancellable pictures.

In the February 3 issue I pointed out two other pictures that you should cancel—"The Big Shakedown," released January 6, and "Bedside," released January 27. I suggest another—"Journal of a Crime," released March 10, on the ground that the heroine commits a murder and does not pay for it; and even "Wonder Bar," on the ground that it is immoral as well as that a murder is committed and the murderer does not pay for the crime.

Under the cancellation provision of the Code, you would exhaust your quota of cancellable pictures were the Administrator to rule that an exhibitor may cancel his entire quota in any of the groups of ten, by paying for all the pictures and applying the payment on the tenth picture of each group of ten pictures, and were you to cancel all three on the first group. Later on, there will be no doubt others that need cancelling. For this reason I suggest that you again study the observations in last week's issue with the view to invoking Part I, of Article VIII of the Code. With the Catholic Church and the Protestant churches of all denominations fighting demoralizing pictures, your showing of them will bankrupt you, for millions of people will be advised to keep away from the theatres on the days they are to be shown, and perhaps for all time.

Fox

As said on February 10, Fox sold you a maximum of fifty-five feature pictures; therefore you are entitled to cancel five.

The first picture Fox released after December 7 was "Smoky," which was released December 8; the tenth, "Ever Since Eve," (Not "Hold That Girl," as stated in the February 17 issue; changes were made in the schedule since.)

In the February 3 issue I made a tentative recommendation for you to cancel "Sleepers East," released January 26, the eighth picture in order of release, stating that there will perhaps be worse Fox pictures later on. If you took my suggestion and played that picture, then you may cancel two on the second group of ten. One of the two should be "George White's Scandals," on the ground that there are so many dirty wise-cracks in it that you will incur the ill will of all parents and of the churches of all denominations were you to show it. This picture was produced by Robert Kane, a "crony" of Sidney Kent. His other crony, Jessie L. Lasky, made eight pictures for Fox, but most of them were not good entertainment, and almost all of them were box office failures. Sidney Kent deserves credit for taking care of his old friends, but that does not help the exhibitors very much.

Metro-Goldwyn-Mayer

You have the right to cancel four pictures of this company.

The first picture this company released after December 7 was "The Women in His Life," released December 8; the tenth, "Lazy River" ("Louisiana"), released March 2.

In the February 3 issue I suggested that you cancel "Women in His Life." If you did not cancel that one, "Lazy River," according to my information from the Coast, seems to be the next worst, on the ground that it deals with crooks who, after serving their terms in prison, set out deliberately to rob a woman, who they thought was rich. The fact that they become regenerated does not make matters much better. But perhaps there will be much worse pictures to cancel later on. So you had better wait, unless you determine to refuse all demoralizing pictures as I suggested last week.

Paramount

You are entitled to cancel six of this company's pictures.

The first picture of the first group of ten is "Girl Without a Room," released December 8; the tenth, "Search for Beauty," released February 2.

In the February 3 issue I suggested that you cancel "All of Me."

In the same issue I suggested that you cancel also "The Good Dame." But "The Good Dame" was released February 16; therefore, it belongs to the second group of ten. It is so poor that you should not play it.

(Continued on last page)

"Let's Be Ritzy" with Lew Ayres and Patricia Ellis

(Universal, March 26; running time, 71 min.)

Just moderately entertaining. The story is trite and in a way demoralizing because the hero and the heroine attempt to get along by bluffing their way through life. The dialogue is ordinary, and some of the situations are so far-fetched that they will provoke laughs. There is some suspense in the closing scenes because of the hero's posing as the son of a wealthy man when he was not such a person. Little sympathy is felt for either the hero or the heroine, both of whom are selfish, thinking only of their own needs:—

The hero, a clerk, and the heroine, a secretary, marry. They find themselves in financial difficulties because of their extravagance. The heroine suggests that the hero fool the public and in that way get along better. With the help of his pal he impresses his landlord, to whom he owes several months back rent, by permitting him to believe he is a millionaire's son. He is invited out to the landlord's home for the week-end because the landlord was on the verge of bankruptcy and thought he could entice the hero to invest a considerable sum of money. The hero is surprised when his wife arrives with her employer, but she explains it satisfactorily to him. Detectives interrupt the party to question the guests about a mysterious robbery. A diamond bracelet worn by the heroine, which had been given to her by her employer, is found to be a stolen article. After an inquiry the employer is arrested. The hero is exposed by his own employer, who had come to the landlord's home, as nothing but a clerk. He is ordered to leave. Back home, the hero tells his wife he is going to leave her because she had told him the bracelet was worthless when it was a genuine. However, a surprise visit from his employer, who tells the hero he will help him, though he does not deserve it, brings about a reconciliation between the hero and the heroine.

The plot was adapted from a story by Wm. Anthony McGuire. It was directed by Edward Ludwig. In the cast are Frank McHugh, Isabel Jewell, Burton Churchill, Robert McWade, Hedda Hopper, Betty Lawford.

Because of the demoralizing tone of the picture the exhibitor will have to use his own judgment about showing it to children, adolescents, or on Sundays. (Coast review.)

"The Constant Nymph"

(Fox-Gaumont, March 23; running time, 92 min.)

This is an English production with an all English cast. The only name known to Americans is that of Brian Aherne who appeared in one picture—"Song of Songs." It follows the book closely; although it has been done well, with individually good performances, and excellent photography, particularly that of the countryside, it is a picture only for class audiences; it is much too slow for the masses. Besides, the English accents, coupled with occasional bad sound, makes it difficult at times for the average audience to understand what is being said. It is more of the type of entertainment enjoyed by intellectuals because of the bohemian atmosphere, the good music, and the artistic temperaments of the different characters. For emotional appeal it is a long time since anything has been seen as touching as that in the closing scene, where the heroine dies in the arms of the hero. She is so sympathetic a character, and the love the hero and the heroine have for each other is so real, that the audience is moved deeply. This sad ending leaves one with a depressed feeling. The cruelty the heroine suffers at the hands of the hero's wife and her occasional heart attacks are pitiful.

The plot has been adapted from the novel by Margaret Kennedy. It was directed by Basil Dean. In the cast are Victoria Hopper, Jan Baxter, Peggy Blythe, Jane Cornell, Lyn Harding, Mary Clare, Leonora Corbett, and others.

Not for children, adolescents, or Sundays.

"Three On A Honeymoon" with Sally Eilers and Charles Starrett

(Fox, March 16; running time, 65 min.)

Fair program entertainment. The story is trite, and lacks novelty. It has a fair amount of comedy injected by Zasu Pitts, a small-town old maid, who finds romance on board a ship bound for Europe. The outcome is quite obvious. Sally Eilers, as the heroine, is a sympathetic character because of her unhappy home life, and later because of her courage in outwitting a blackmailer who had been trying to force Irene Bentley to give him a large amount of money, threatening to show her husband, Johnny Mack Brown, certain letters she had written to him. Sally led the blackmailer

on until he invited her to his stateroom, which she searched and succeeded in finding the letters and destroying them.

The plot was adapted from a story by Ishbel Ross. It was directed by James Tinling. In the cast are Henrietta Crossman, Howard Lally, Cornelius Keefe, and others.

Because of the blackmailing threat, exhibitors will have to use their own judgment about showing it to children, adolescents, or on Sundays. (Coast review.)

"Wild Cargo"

(RKO, April 6; running time, 95 min.)

One of the best of the animal pictures. It is even more interesting than "Bring 'Em Back Alive"; it has some more highly exciting situations. The most interesting part of the picture is the method used by Frank Buck to capture the wild animals so as to bring them back alive.

At first it is shown how he builds his camp, most of the work being done by the intelligent elephants, who break down trees, carry them, and even set them in the right place.

His first job is to get two wild elephants. He accomplishes this with the help of his own elephants, using them as decoys; the wild elephants follow them.

The next capture is a white water buffalo—a rare specimen. Since these animals are tricky, Buck had to use ingenuity to capture them. He built a stockade and the trick was to get the buffalos to go into it. It seemed at first as if they could accomplish this easily when suddenly the buffalos turned and charged the village. Buck rushed to the village in time to warn the natives to run away. But the white buffalo was finally captured.

Buck and his assistant come upon an enormous python and a black panther, battling for their lives. It isn't long before the python winds itself around the panther and breaks its back, killing it. But this gives Buck an opportunity to capture the python.

The most exciting capture is that of the man-eating tiger. Buck had his men dig a deep pit, cover it up with green branches, and the tiger falls into it. They rope him and eventually Buck goes down and forces the tiger into a cage.

Buck gloats over the capture of a pig. He looks forward to having pork chops, after a diet of rice. But the next morning he finds the pig in the stomach of an enormous python.

The next capture is that of an orang-utang, with an eight foot stretch of his arms.

A leopard is caught by setting a chicken bait; there is also caught a rare type of armor-plated rhinoceros, who is difficult to capture at first, for he charges blindly and endangers the lives of the men.

One thrilling sight is where a python escapes from its box and corners Buck at a time when he is without a gun. Buck subdues the snake by covering its head with a gunny sack.

An interesting scene of the jungle is shown at night, with all its frightening noises.

In between there are interludes of comedy furnished by the wrestling bout staged by a honey bear cub and monkey.

The picture was directed by Armand Denis, from the book by Frank Buck and Earle S. Anthony.

Suitable for children, adolescents, and Sundays.

"One Is Guilty" with Ralph Bellamy and Shirley Grey

(Columbia, March 31; running time, 62 min.)

A fairly good program murder mystery melodrama. Without resorting to eerie effects it holds the interest because it is not until the end that the murderer is apprehended. It is worked out logically and the identity of the murderer comes as a surprise. The romance between Ralph Bellamy and Shirley Grey is incidental:—

A well known prizefighter is found murdered, and Ralph Bellamy, a detective, takes charge of the case. He finds Shirley Grey trying to get out of the building where the man had been murdered and at first she is suspected, because a woman's glove had been found in the room; but she is cleared and becomes friendly with Bellamy, telling him that she was broke and had sneaked into an empty apartment to sleep. Bellamy finds a theatre ticket stub in the chair in which the dead man had been found. With this as a clue, he works out the case and finds that the owner of the house was the murderer. He had killed the fighter because he had found out that his wife had been having an affair with him, and had been planning to leave the country with him. Bellamy and Shirley are united.

The plot was adapted from a story by Harold Shumate. It was directed by Lambert Hillyer. In the cast are Warren Hymer, Rita LaRoy, J. Carrol Naish, Wheeler Oakman.

Not suitable for children, adolescents, or Sundays.

"Voice In The Night" with Tim McCoy*(Columbia, March 24; running time, 58 min.)*

A good program action melodrama. It is filled with fast action and human interest, and holds the audience in suspense from the beginning to the end. It has many thrilling moments, in particular the one in which the hero and the villain, while riding across a canyon in a cable car, fight, the villain attempting to throw the hero to his death. Thrilling are also the closing scenes, in which the villain dynamites a dam causing the river to overflow and break down telephone poles. The romantic interest is pleasant, and both the hero and the heroine win the audience's sympathy:—

The hero resigns from his father's telephone company when there is a question as to the sense of his having cut a main cable to save a workman's life. While playing polo at a country club he becomes acquainted with the heroine and her father, owner of the telephone company in that town. The heroine's father complains to him about the trouble he had been having in his company, and tells him he thinks that the company owned by the hero's father is responsible for that. The hero tells him that is not so and offers to work for him and discover the ones who were responsible for the things that were happening. He finds out that the foreman was working for a syndicate that wanted to buy out the heroine's father's company, by forcing him to lose his franchise, so that they might sell it out for a high price to the hero's father's company. After many heartaches, during which the heroine is kidnapped by the villain, the hero finally rounds up the gang, proves their guilt, and saves the telephone lines. His father and the heroine's father merge their companies. The hero and the heroine are united.

The plot was adapted from a story by Harold Shumate. It was directed by Chas. C. Coleman. In the cast are Billie Seward, Joseph Crehan, Ward Bond, Kane Richmond, Frank Layton, Guy Usher, and others. (Coast review.)

Suitable for children, adolescents, and Sundays.

"Ever Since Eve" with Mary Brian and George O'Brien*(Fox, Feb. 9; running time, 72 min.)*

The theme, that of marital difficulty, is so ordinary that this is just program grade entertainment, with little to hold one's interest. There are some comedy moments provoked by Herbert Mundin, as a bachelor, who finally falls for a woman's charms. Both Mary Brian and George O'Brien arouse some sympathy because of their misunderstandings, but this is not enough to hold the interest, since the outcome is so obvious:—

O'Brien had been reared by three old goldminers, who had struck it rich and were women haters. New machinery is needed for their business. At first they are afraid to allow O'Brien to go to the city but finally they give their consent and he leaves with one of them, Herbert Mundin. He meets Mary Brian and after a short courtship they marry. On the way back to his ranch he resents something that Mary says and feels she married him only for his money. His three guardians fall for Mary's charms and cannot understand why he is cold to her. When she leaves O'Brien and goes back home, the three friends force him to go after her, telling him she really loves him. He goes back to the city and finds her, but in order to teach him a lesson she purposely flirts with another man. He resents this, and leaves for China without telling her anything. She goes back to his ranch and his friends are elated when she tells them she is going to have a baby. O'Brien finally returns from his wanderings, unaware of the fact that he is a father. But the friends soon bring this to his attention. This effects a reconciliation between Mary and O'Brien.

The plot was adapted from a story by Paul Armstrong. It was directed by George Marshall. In the cast are Betty Blythe, Roger Imhof, Russell Simpson, George Meeker.

Suitable for children, adolescents, and Sundays.

"Come On Marines" with Richard Arlen, Ida Lupino and Roscoe Karns*(Paramount, March 23; running time, 64 min.)*

This comedy is fast-moving and fairly entertaining; however, much of the comedy is rowdyish. It has some exciting moments, and holds one in suspense, particularly during the second half when Arlen, a Marine sergeant, and a small contingent of Marines, are sent to the Phillipine jungles to rescue a group of "children" who were stranded due to a shipwreck and were at the mercy of a bandit and his gang. Laughter is provoked when the marines learn, to their surprise and joy, that the children were none other than grown-

up ladies who were looking for romance. Exciting is the situation in which Arlen and Karns find that they are lost in the jungle and stumble upon the bandit chief without knowing his identity. In the first half of the picture a vulgar dance is performed by Grace Bradley, as a cabaret girl—it is extremely suggestive. The scene that shows the girls bathing in flimsy undergarments was dragged in by the ear; it is very vulgar. Some of the girls appear as if being nude.

The plot was adapted from the novel by Philip Wylie. It was directed by Henry Hathaway. In the cast are Virginia Hammond, Toby Wing, Lona Andre, Fuzzy Knight, Julian Madison, Monte Blue, and others.

Children will not understand some of the vulgar talk; however, adolescents will. For this reason is unsuitable for them, or for Sunday showing.

"Jimmy The Gent" with James Cagney and Bette Davis*(Warner Bros., March 17; running time, 66½ min.)*

A fast-moving but demoralizing melodrama. The story borders on the ridiculous, forcing laughs at times because of its silliness. Cagney is in his glory, smacking people, and playing tricks on them. For no reason at all his makeup is so peculiar that he looks ugly and almost repulsive. Cagney's manner of doing business is what makes the picture demoralizing. To get what he wants, he stops at nothing, even to devising a scheme to save Arthur Hohl, a murderer, from being prosecuted by marrying him off to the chief witness; by doing this he also had Hohl commit bigamy, because he had first married him to one woman so that the second woman, who wanted money, might not get any of Hohl's money. This disregard for law and order is not elevating type of entertainment for young people. There is an air of cheapness about the whole thing—both in the different characterizations and the story. Cagney talks so fast that his speech becomes very unpleasant. There are some dirty wise-cracks in it.

The plot was adapted from a story by Laird Doyle and Ray Nazarro. It was directed by Michael Curtiz. In the cast are Alice White, Mayo Methot, and others.

Unsuitable for children, adolescents, or Sundays.

"Bottoms Up" with Spencer Tracy and Pat Paterson*(Fox, April 13; running time, 85 min.)*

An excellent comedy with music. The songs and dances are worked into the plot in such a way as not to retard the action. The picture has been produced well, has human interest, fast action, and good performances. The story, although not particularly novel, is clean and is full of human interest. Most of the comedy is aroused by the manner in which Spencer Tracy, a promoter, bluffs his way into the moving picture business, forcing Harry Green, an excitable producer, to engage not only Tracy as a publicity agent, but Pat Paterson and Sid Silvers as performers. In a gentle way it spoofs Hollywood and shows how the people there can be fooled. Tracy makes a likeable person of the character he portrays, and one feels sympathy for him because of his love for Pat Paterson, which is not returned. Paterson, a newcomer from England, is charming and should become a favorite.

The plot was adapted from a story by B. G. DeSylva, David Butler, and Sid Silvers. It was directed by David Butler and B. G. DeSylva. In the cast are Suzanne Kaaren, Robert Emmett O'Connor, and others.

Suitable for all—children, adolescents, and adults; excellent for Sundays.

"Dinner at Eight"

In the review of this picture, which appeared in the Sept. 2, 1933, issue, on page 138, the running time was given as 82 minutes. This was a typographical error. The correct running time is 112 minutes.

"A Woman's Man"*(Monogram, Dec. 26; running time, 69 min.)*

This picture was reviewed in the Second Section of the February 24 issue. It is a fairly good drama.

"The Ninth Guest"*(Columbia, Jan. 31; running time, 67 min.)*

This picture was reviewed in Section Two of the February 24 issue. It is a gruesome murder melodrama, though it holds one in pretty tense suspense.

"Wharf Angel," released March 16, is another picture that should be cancelled. But since your quota for the second group of ten is to be taken care of by the cancellation of "The Good Dame," you may refuse to play "Wharf Angel" only if you intend to follow the suggestions that I made last week.

RKO

Five is the number you may cancel of this company's pictures.

The first picture of the first group of ten is "Flying Down to Rio," released December 29; the tenth, "Spitfire," released March 10.

So far, I haven't found a picture of this company bad enough to recommend for cancellation. You had better wait for the second or the third group.

United Artists

As I informed you last week, Division Administrator Rosenblatt has handed down a ruling enabling those of you who have United Artists product under contract to cancel one out of each ten, even though this company sells its pictures individually, provided you bought them in one deal, and on the same day.

The first picture this company released after December 7 is "Roman Scandals," released December 29; the tenth has not yet been set. But I suggest that you cancel "Nana," on the ground that the picture glorifies a prostitute. Even though your time limit of fourteen days has expired, I believe you can cancel it on the ground that it is an immoral picture.

Universal

You are entitled to cancel 3 of this company's pictures.

The first picture of the first group of ten is "Gun Justice," which was released December 11; the tenth, "Wheels of Destiny," released February 19.

I cannot recommend the cancellation of any of this company's pictures so far on grounds of immorality of theme. You had better wait.

Warner Bros. Pictures

Two pictures is all you may cancel.

The first picture of the first group is "Disraeli," released December 16, if you bought it at the same time as the other thirty pictures, or "House on 56th Street," released December 23, if you did not.

If "House on 56th Street" is the first, then the tenth is "Modern Hero," to be released April 21.

In the February 3 issue I suggested that you cancel "Easy to Love," released January 13.

Another picture that deserves cancelling is "Heat Lightning," released March 3. But unless you determine to take a stand against all demoralizing pictures, as I suggested in last week's issue, you may wait for some worse ones later on, since your cancellable quota is so small.

CAN A DISTRIBUTOR REFUSE TO FURNISH FEATURES BECAUSE OF A DISPUTE ON SHORTS?

In the last few weeks this office has received several letters from exhibitors asking me whether a distributor has the right to refuse delivery of feature pictures just because they are behind in their bookings for shorts.

Part 10, Division D, Article V, reads as follows:

"No Distributor shall refuse to deliver to any Exhibitor any feature motion picture, licensed under an exhibition contract therefor because of such Exhibitor's default in the performance of any exhibition contract licensing the exhibition of short subjects of such Distributor, or *vice versa*, provided such Exhibitor has agreed to arbitrate all claims and controversies arising under all existing Optional Standard License Agreements between them."

The language of the Code is clear: if you have signed an agreement with a distributor to arbitrate all disputes arising under any of your contracts with him, such distributor cannot refuse to deliver feature pictures because you are in default on shorts, or refuse to deliver shorts, because you are in default on features; but if you have not signed such agreement, then the distributor may refuse to do so.

The intent of this provision is obvious: in order to prevent a distributor from taking an arbitrary attitude because of either a real or a fancied violation of the terms of a contract by the exhibitor, the Code Administrator has provided that the dispute shall be arbitrated, for when it is arbitrated, in accordance with the system the exhibitors themselves have evolved, it will be settled fairly and without the cost that accompanies litigation.

Several weeks ago I suggested to you to write to the

distributors you are doing business with offering to arbitrate all disputes that may arise between you under your existing contracts. If you have done so, a distributor cannot take an arbitrary attitude on any dispute under your contract with him. The fact that he has not accepted or has even declined your offer makes no difference; your offer binds him.

If you have not yet made such an offer, make one immediately; once you make it, every distributor must submit to arbitration his grievances against you.

The need for making such an offer is of great importance to you because, when the season ends and you find on your hands shorts you are unable to use, you will be able, I believe, to dump them back into the laps of the distributors, on these grounds: The terms of all the contracts now in existence have been superseded by the Optional Standard License Agreement, in accordance with Part 1, Division F, of Article V; and where the provisions of this contract conflict with the provisions of the Code, the Code provisions govern.

Now, Part 5, Division D, of Article V, stipulates that no distributor shall require, as a condition of selling you his features, that you purchase from him more shorts than you require to complete the program on the days you show his feature pictures. Since the Code provisions now prevail, if at the end of the season you find in your hands shorts you cannot use, and you have used enough of a distributor's shorts to equal the number of shorts you would require on the days you showed that distributor's pictures, it follows that the surplus of shorts was forced on you in violation of the aforementioned provision of the Code. Consequently, the distributor must take them back.

The only thing you must be careful about should be to give a distributor whose feature pictures you are using a "break" on his shorts. If you do that, you are, in my opinion, safe.

THE UNITED ARTISTS EXCHANGES ATTEMPTING TO NULLIFY THE ADMINISTRATOR'S 10% CANCELLATION RULING

United Artists is trying to nullify the ruling Division Administrator Rosenblatt made about the exhibitors' right to cancel ten per cent of the United Artists pictures they had bought in one deal, and on the same day. It asserts to its accounts that this ruling applies only when an exhibitor has bought all the United Artists feature pictures.

Since United Artists sells its pictures individually, on separate contracts, the purchase of even one picture constitutes the purchase of the entire product. In its case, there is no "entire" product; any part of it is "entire," so long as the exchange allows the exhibitor to have that and nothing else, or as long as the exhibitor cannot purchase any more.

"THE GREAT MAGOO" ABANDONED

The following letter is self-explanatory:

"PARAMOUNT PRODUCTIONS, Inc.

"5451 Marathon Street

"Hollywood, Calif.

"March 19, 1934.

"Mr. P. S. Harrison

"1440 Broadway

"New York, N. Y.

"Dear Sir:

"Mr. Zukor has forwarded your letter relative to THE GREAT MAGOO to the studio.

"Please be assured that this picture will not be entitled THE GREAT MAGOO and that it has no relationship whatever to any of the salacious or censorable elements connected with the play as produced in New York.

"You will find in this picture a romantic comedy show with Jack Oakie, Roscoe Karns, Ben Bernie, Alison Skipworth and others, that has nothing vulgar or demoralizing whatever in it.

"With kindest regards,

"Yours very truly,

(Signed) "A. M. BOTSFORD."

Mr. Zukor should be congratulated for putting thumbs down on this dirty play.

If you should find a copy missing from your file of Harrison's Reports, write about it to this office; a duplicate copy will be sent to you by return mail without any charge.

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United States	\$15.00
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1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

PEnnsylvania 6-6379

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, APRIL 7, 1934

No. 14

A Victory for the Independent Exhibitors

On Thursday, March 29, the Code Authority, by a vote of eight to two, went on record as approving Division Administrator Rosenblatt's ruling on the ten per cent cancellation provision of the Code, with instructions to the executive secretary to notify the Grievance boards of such approval.

The two Code Authority members that voted against the resolution are: George Schaefer, of Paramount, and Harold S. Bareford, of Warner-First National. The eight members that voted for it are: Charles L. O'Reilly, Nathan Yamins, W. Ray Johnston, R. H. Cochrane, Sidney R. Kent, L. E. Thomson (RKO), J. Robert Rubin (MGM), and Walter Vincent, acting as an alternate for Ed. Kuykendall.

Although the Paramount and the Warner-First National representatives voted against the resolution, they will undoubtedly instruct their sales forces to grant to the exhibitors the right to cancel ten per cent of their product. If they should choose to fight the matter in the Federal courts, then their representatives on the Grievance and on the Clearance and Zoning Boards will have to resign at once; otherwise these will find themselves in the awkward position of having either to accept the edict of the majority members of the Code Authority or to abide by the instructions of their home offices. And the Code Administration will not permit, I am sure, these men to remain on the boards if those who employ them should insist upon denying to the independent exhibitors the right to cancel ten per cent of the pictures.

Thus ends a controversy that might have prompted the Government, if it had not been settled satisfactorily to it, to adopt stern measures to enforce its will.

The disposing of this controversy by vote instead of by court action possesses special significance for you, the independent exhibitors. Up to within recently the fear was planted into your minds that the Code Authority, because its membership is predominantly "major," would use its power to crush the independents, producer-distributors and exhibitors. But the action of the same Code Authority has dispelled such fears, not because the "majority" on the Code Authority would have hesitated, in ordinary circumstances, to use its power against you, but because the Government is ever watchful for your interests. HARRISON'S REPORTS has stated repeatedly in these columns that a majority vote does not make a wrong issue right, and if the majority of the Code Authority had stood to the end against the Code Administration's ruling on the ten per cent cancellation provision we might have seen the Government take such measures as would have been to the disliking of the major companies. So the representatives of the major companies will, of necessity, do the right thing, I believe, on all issues, whether they like it or not. If they deviate from the straight and narrow path, there is no doubt in my mind that the big stick of the Government will descend where it is least liked.

The enforcement of Division Administrator Rosenblatt's ruling in this controversy is really a victory for you, whose interests he was protecting. When the exhibitor members on the Code Authority along with one independent distributor member—W. Ray Johnston—were insisting that the old contracts had been superseded by the provisions of the Code, the major companies' members on the Code Authority refused to give in; and when the three independent members were disinclined to recede from their position, the major companies' representatives put the question to Division Administrator Rosenblatt. And Mr. Rosenblatt decreed that the contention of the three independents was justified, standing by that ruling steadfastly until the Code Authority was compelled to ratify his ruling.

This victory is merely the beginning of other victories for you. All you need to have is patience. Remember that, when Mr. Rosenblatt widened the influence of his ruling so as to

take in also United Artists, the executives of which company thought that his ruling did not cover them in that they sold their pictures on separate contracts, he offered the best proof that there are other victories in store for you.

I hope that hereafter every one of you will give the Government your fullest cooperation to the end that the different code boards may begin functioning as soon as possible, for in the proper functioning of these boards lies, in my opinion, the hope of establishing fair trade practices and, by the same token, of getting a square deal for the independents—producers, distributors, exhibitors. If there are any defects in the mechanism of the Code, I am sure that these will be removed, as time and experience indicate. The Government now has its eye on this industry, just as it has on every other industry, and it is safe to assume that it will not permit the producers to continue their monopolistic practices, to the injury of the small business men in it.

Mr. Rosenblatt deserves the thanks of every independent for having stuck by his guns in the protection of the small business men of this industry. If you should happen to find a little spare time, write him a few words, in care of Room 4221 Commerce Bldg., Washington, D. C., thanking him for it. It is the least you can do to show your gratitude.

ANOTHER MISLEADING STATEMENT FROM THE HAYS ASSOCIATION

On March 19 the Committee on Interstate and Foreign Commerce of the House of Representatives held a hearing on the Patman bills HR 6097 and HR 8686, the one seeking to establish a commission to pass upon the suitability of story material for pictures as well as to make the Hays morality code a law; and the other, to declare block-booking and blind-selling of motion pictures unlawful.

A representative of the Hays association, speaking before the Committee against the bills, said also the following:

"Less than 20% of the contracts written today in the motion picture business between distributors and exhibitors call for the entire product of any motion picture company to be purchased by the exhibitor."

It is a sad commentary that, among those who were present when the representative of Mr. Hays was making such a statement, none demanded that he produce proof; if some one had, this man would certainly have been confounded, for there is not even a basis of truth in such an assertion.

Representatives of the Hays Association at different times have made wild statements about block-booking and blind-selling as well as about other subjects over which the American public is concerned, and they always succeeded in getting away with it, first, because their statements were not specific—they always dealt with percentages instead of with facts, and secondly because no one of those who were fighting for the issues thought of challenging the veracity of such statements. They were thus allowed to convey the impression that they were in the right.

That the statement "less than 20% of the contracts written today in the motion picture business between distributors and exhibitors call for the entire product" is absolutely false is too well known to you to need a denial; but I am denying it just the same because, among the subscribers of HARRISON'S REPORTS, there are a number of good people who are not exhibitors but who are in sympathy with our efforts to have block-booking and blind-selling outlawed and the separation of the picture theatres from production-distribution brought about. These must not be left under the impression that there is even a vestige of truth in the assertion the representative of Will H. Hays made to the House Committee. When an exhibitor can step into Paramount,

(Continued on last page)

"City Limits" with Frank Craven and Sally Blane

(Monogram, April 16; running time, 67 min.)

A charming, clean program picture. It offers light but pleasing entertainment.

The story revolves around a railroad magnate, and a newspaper reporter, who had fallen in love with the magnate's daughter. Because of the oversolicitousness of his sister, the railroad magnate had been stuffed by his doctor with pills, to aid his digestion, but the more pills he swallowed the worse his digestion became. The hero is bent upon obtaining an interview with him about a railroad merger, and in order for him to gain admission to the house, poses as the assistant of the magnate's personal physician. But the magnate's daughter recognizes the hero and signals the information to her father. The magnate is about to take a trip and, to escape from the persistent hero, gives him the wrong time of his train's departure. But the hero overtakes the train just the same. The engineer stops the train on the way and when he starts it again the magnate is thrown off; he rolls down the incline and sprains his foot. He meets two hoboes and is invited by them to partake of their meal. The magnate likes the food, and since he notices that his digestion was not hurt he throws the pills away. His health improves, and he decides to rough it with them for a while. The hero and the magnate's daughter are frantic trying to find the magnate to inform him that rivals are pounding the stock of his railroad down so as to squeeze him out. They discover him in time to enable him to save his railroad. The magnate now gives his consent to his daughter's marrying the hero.

The story was written by George Waggner; It was directed by William Nigh. In the cast are Ray Walker, Claude Gillingwater, James Burke, James Conlin and others.

Good for every member of the family.

"Melody in Spring" with Lanny Ross, Charlie Ruggles and Ann Sothern

(Paramount, April 20; running time, 76 min.)

Just a moderately entertaining comedy with music. The action is slow and the story rather silly. Its chief box-office asset is the first appearance on the screen of Lanny Ross, a radio favorite, who has a fine voice. The best ten minutes are in one scene where Ross sings accompanied by a chorus; the country setting and the song are both charming. A few laughs are provoked by the uncontrollable desire of Ruggles to collect souvenirs, from bed-post knobs of beds that have historical value, to tombstones of famous people. But it will be disappointing to audiences who will expect this picture to be as funny as the others in which Ruggles and Mary Boland have appeared together. The romance between Ross and Ann Sothern is pleasant, and the characters are all sympathetic; but because of the slowness of the action the interest lags:—

Ross meets and falls in love with Ann Sothern without at first suspecting that she is Ruggles' daughter. Ruggles is a manufacturer of dog biscuits and Ross had been endeavoring to sing on his radio hour. Ruggles takes a dislike to Ross, particularly when he learns that Ross loves Ann, and will not listen to his plea to engage him as the singer for the broadcast. In order to rid himself of the presence of Ross and to prevent Ann from marrying him, he takes his family to Europe but Mary Boland, thinking that if Ann saw enough of Ross she would hate him, tells Ross where they are going and he follows them. He follows them to Switzerland when they leave Paris. Ruggles finally convinces Ann that Ross was trying to marry her only to get a chance to sing on the radio hour, and so she breaks her engagement with Ross. Ruggles gets into trouble trying to collect souvenirs and is sent to prison. In an attempt to have him released, Ross insults a policeman and when Ruggles is released Ross is cast into prison. Ruggles sees an opportunity to leave without being followed by Ross. But Ann surprises her family by remaining on with Ross, and they are forced to leave without her.

The plot was adapted from a story by Frank L. Smith. It was directed by Norman McLeod. In the cast are George Meeker, Herman Bing, Norma Mitchell, Helen Lynd; Joan, Jane and June Gale, and others.

Suitable for children, adolescents, and Sundays.

"Registered Nurse" with Bebe Daniels, Lyle Talbot and John Halliday

(First Nat'l, April 7; running time, 62 min.)

There is little in this to classify it as entertainment. Most of the action takes place in a hospital, and shows suffering and death, and the unhappiness caused to people. There are some comedy moments but not enough to save the picture. The story is exceedingly thin and the theme is unpleasant. It shows the heroine unhappily married to a man who eventually becomes insane. The situation in which a patient urges the husband, who was confined in the same hospital, to kill himself by jumping from the window so as to free the heroine, is terrible. Some of the dialogue is risqué, particularly in one scene where a nurse questions Irene Franklin about her business. All the answers Irene gives have a double meaning, for she presumably ran a house of ill repute:—

The heroine is unhappily married. The night she tells her husband she is going to divorce him they meet with an accident, which eventually causes him to become insane. He is committed to an asylum and she goes back to work as a registered nurse in a City hospital. There she meets the head doctor and an interne, both of whom fall in love with her. She favors the interne but tells him she cannot marry him because of her husband. The husband, during one of his lucid spells, calls to see the head doctor who had a reputation for successful brain operations. The husband is shocked to find the heroine there. She promises to stand by him. One of the patients, who felt that the heroine loved the interne, goes to the husband and without inferring that he knew who he was, suggests that the husband ought to kill himself. As soon as he leaves the room the husband throws himself from the window to his death. His death makes the heroine feel differently about the interne, who was flighty and had had many affairs. Instead, she realizes she loves the head doctor, who was dependable, and she marries him.

The plot was adapted from a story by Florence Johns and Wilton Lackaye, Jr. It was directed by Robert Florey. In the cast are Irene Franklin, Sidney Toler, Minna Gombell, Gordon Westcott, Vince Barnett, Beulah Bondi, Mayo Methot, and others.

Unsuitable for children, adolescents, or Sundays. (Coast review.)

SUBSTITUTION FACTS: According to the worksheet Kay Francis and Warren William were to be the stars. It is a star substitution, and you don't have to accept it.

"Unknown Blonde"

(Majestic Pictures, Apr. 14; running time, 69 min.)

Theodore D. Irwin's book "Collusion," upon which this picture has been founded, (reviewed in FORECASTER as "Age of Indiscretion") is extremely demoralizing in that it shows the chief character making a living out of collecting evidence for married persons who wanted to cut loose from their other half. Some of the evidence this man used was, of course, manufactured. He is a repulsive character in the book.

In the picture, this character has been given some decent traits. The producers desired to arouse some sympathy for him and to make him appear as justified for what he was doing. But though the motive was noble, the effort has missed the mark, for it is impossible to justify a man who will consent to make a living that way. The fact that in the closing scenes he, like the character of the book, frames his own daughter makes the picture anything but pleasant, even though he did not know it was his daughter he was framing. Here again the producers tried to awaken sympathy for him by having him, during the trial, reveal to the court the despicable part he had played, his desire being to save his daughter from the machinations of her young husband's wealthy mother, as well as to atone for the wrongs he had caused to people. But even such a sacrifice, as noble as it is, is impotent to turn this cad into a loveable character.

One thing that can be said in favor of the picture is that it has been produced skillfully enough to deserve release by any of the major companies. And, of course, though the story is unpleasant, it is not more unpleasant than five out of ten released by the major companies.

Hobart Henley, the director, did an excellent job out of sordid material. In the cast are Edward Arnold, Arletta Duncan, Barry Norton, Helen Jerome Eddy, Dorothy Revier, John Miljan and others.

Unsuitable for children, adolescents, or Sundays.

"Riptide" with Norma Shearer
(MGM, March 30; running time, 91 min.)

If this picture is going to draw people to the theatres, it will do it, not because of the story, but because of the popularity of Miss Shearer, of her powerfully dramatic acting, and of the catchiness of the title; for as far as the story is concerned there is no part of it that has not been put into pictures a thousand times. It is the old triangle story without many variations. In some spots it reminds one of "The Divorcee." It is a "smart," sophisticated production, with lavish settings. The closing scenes, where hero and heroine, after agreeing to divorce themselves, become reconciled, are moving. Comedy is provoked by Robert Montgomery, as the wealthy but spoiled man-about-town:—

Norma, after having had an affair with Marshall, an English lord, accepts his proposal of marriage, first telling him all about her past which he forgives. After five happy years of marriage, during which a child had been born, Marshall is forced to go to America but cannot take Norma with him. While he is away she goes to a house party and there meets Montgomery, an old friend from New York. He makes love to her but she resists him. Montgomery, drunk, tries to get into her room by way of a balcony, falls to the ground, is injured and taken to the hospital. The newspapers create a scandal and when Marshall returns he accuses Norma of having been unfaithful. He tells her it is best that they part. After they part, Norma, feeling that nothing matters, does have an affair with Montgomery. Marshall, realizing he had been wrong, begs for a reconciliation. For a time Norma tells him nothing about her subsequent affair with Montgomery, but eventually she is forced to. A divorce is arranged and Norma calls at Marshall's home to make final adjustments. Seeing her there again makes him realize how much he loves her and there is a tearful reconciliation.

The plot was adapted from a story by Edmund Goulding and also directed by him. In the cast are Mrs. Patrick Campbell, Skeets Gallagher, Ralph Forbes, Lilyan Tashman, Arthur Jarrett, Helen Jerome Eddy, and others.

Unsuitable for children, adolescents, or Sundays.

"Glamour" with Constance Cummings and Paul Lukas

(Universal, April 9; running time, 73½ min.)

Good adult entertainment. Rather slow at first, it becomes more interesting as it goes on. It has much human interest, and the characters, because of their honesty towards each other, arouse sympathy, the most sympathetic being Paul Lukas, as the husband who willingly gives up his wife, although he loves her, because she loves some one else. The closing scenes, where Constance, realizing that Lukas needed her, gives up the man she loved so as the help Lukas, will bring tears to the eyes. Moving is also the situation in which Constance is shown returning to her home, only to find her baby dying:—

Constance, a chorus girl with faith in herself, annoys Lukas by following him wherever he goes, begging him to write music for her. He eventually becomes interested in her, and they marry. Under his tutelage, and with the music that he writes for her, she becomes a noted star. A child is born and although Constance loves the baby her career demands so much of her time that she has little left for her child. She and Lukas discover a young singer, Phillip Reed, in a small restaurant, and engage him as her leading man. Constance and Reed fall in love but because of their loyalty to Lukas do not speak of themselves. Lukas, realizing how unhappy Constance was, lies to her by telling her that he no longer cares for her; he consents to a divorce. She marries Reed and goes to Europe with him where he becomes a sensational success. She is extremely happy, except that she misses her baby. One day she finds Reed making love to another woman and leaves him; she goes back to New York. She arrives just as her baby dies and she tries to comfort Lukas. She realizes that he never stopped loving her and that her absence ruined his career. She receives a cable from Reed, telling her how sorry he was, begging her to return to him. But she refuses to return, deciding to remain with Lukas to inspire him so that he might regain his prestige in the theatre.

The plot was adapted from the story by Edna Ferber. (It has been changed almost completely.) It was directed well by William Wyler. In the cast are Doris Lloyd, Joseph Cawthorn, Alice Lake, Leonore Kingston, and others.

Not for children, adolescents, or Sundays.

"Lazy River" with Jean Parker and Robert Young

(MGM, March 16; running time, 75 min.)

A moderately entertaining picture of program grade. It harks back to the old-fashioned melodrama, with the Chinese villain and the hero who saves the mortgage on the heroine's mother's home at the last minute. It is demoralizing, too, for in order to buy back the home, the hero's two pals steal the money with which to do it. The background is not particularly pleasant—it is the shrimp fishing section of Louisiana, with all its dirt and unattractiveness. The action is slow until the closing scenes; these hold one in suspense, particularly when the hero is kidnapped by the villain, who later attempts to kill him. Laughter is provoked by the dumbness of Ted Healy and Nat Pendleton, the hero's two ex-jail pals:—

The main action unfolds in a small Louisiana town by the water, where the hero, an ex-convict, paroled because he had refused to join a jail-break, goes to rob a supposedly rich woman, mother of a dead convict. When he reaches the town, however, he finds that the woman is not rich. At first he is disappointed, but his feeling changes when he meets and falls in love with the woman's daughter. The hero learns that the heroine's mother is about to lose her store to the villain, a smuggler of Chinese. His pals rob the villain's safe and with the money they pay off the mortgage. The hero's wife arrives and the hero feels miserable. The hero and his pals help the Coastguards arrest the villain and his accomplices. The arrival of his father's lawyers brings him the information that his marriage had been annulled. This leaves him free to marry the heroine.

The story is by Lea D. Freeman; the direction, by George B. Seitz. Ted Healy, Nat Pendleton, Raymond Hatton, Joseph Cawthorn and others are in the cast.

Not good for children, adolescents, and for Sundays. Good chiefly for adults.

"Murder in Trinidad" with Victor Jory and Heather Angel

(Fox, March 23; running time, 75 min.)

A fairly good murder mystery melodrama; it holds one in suspense, even though the action is somewhat slow. The second half, in which the mystery thickens, is the most exciting, particularly in the closing scenes, where Nigel Bruce, the detective, through a clever ruse, catches the murderer. Exciting, too, are the situations in which the detective and his assistant wade through the treacherous swamps to find the criminals they were looking for. The romantic interest is pleasant, and the action arouses sympathy for the hero and the heroine because of the unhappiness caused them by their separation. The acting is good, and the picture has been produced well:—

Nigel Bruce goes from England to Trinidad to take charge of an investigation of diamond smuggling that had been puzzling the Chief Inspector and his assistants. The Chief Inspector is found murdered and clues seem to point to the heroine's father as the murderer. The heroine knows her father is too ill to stand an investigation and so she leaves secretly with him. Bruce, together with the heroine's sweetheart, goes into the swamp country to follow some clues and there comes to the hiding place of the smuggler. They pose as escaped criminals and are warned not to leave the place. To their surprise they find the heroine and her father there. They pretend that they do not know her. The next day they make their escape in a boat and round up their force. While on their way in a government boat to get the smuggler they find him trying to escape in a motor boat. Bruce warns his men not to shoot but Jory shoots asserting that he just wanted to wound the man. The man is rushed to a hospital. Bruce arranges for everyone to be present at a certain time that night, when the injured man would supposedly give the name of the man he was working for. A few minutes before the meeting time a knife is thrown through the window at the supposedly injured man. They surround the knife thrower and discover that it is Victor Jory, one of the assistant Inspectors. Jory learns, to his anger, that the smuggler had been dead and that his body had been used as a decoy to catch him. Bruce knew that whoever was guilty would attempt to kill him. The heroine's father is cleared and she and her sweetheart are married.

The plot was adapted, from a story by John W. Vandercook. It was directed by Louis King.

Children may be frightened; otherwise suitable; also for Sundays. (Coast review.)

into First National, into Metro-Goldwyn-Mayer, or in fact into the branch office of any of the other large producing-distributing companies and say to the head of the sales department: "Mr. Jones, you are offering for sale this season fifty pictures. But I can use only twenty-five; can I have them?" and the manager replies: "You surely may have the twenty-five pictures you want, Mr. Patrick!" then Mr. Hays and any of his representatives will be justified in asserting that there is no block-booking or blind-selling. But not until then.

Not only is the exhibitor impotent to buy part of a major company's product, but in many instances he cannot buy such company's product at all, and, in many other instances, though allowed to buy the entire product, he is not permitted to show it until many days, and, in some cases, many weeks and even months, after such product had been shown by the producer-controlled theatres.

This representative of Mr. Hays has told the truth in one respect—that there is no block-booking so far as the producer-controlled theatres are concerned. The heads of these theatres make private agreements, as it was disclosed in Washington during the Code deliberations, whereby none of them is obligated to show the other fellow's animal, western, and foreign pictures. But that is exactly what the independent theatre owners have been complaining against—this discrimination, of permitting the affiliated exhibitors to reject whatever pictures they do not want, but of compelling the independent exhibitors to buy every picture on the program in order for them to get what pictures they want.

Incidentally, let those who are in sympathy with the exhibitor cause note that the affiliated theatres, although they are in a position to reject demoralizing pictures, play them just the same, the only ones that they usually reject being animal, western, and foreign pictures. The independent exhibitors demand the abolition of block-booking and blind-selling so that they might be enabled to reject the demoralizing pictures against which their customers have been complaining, but which they have to play now because of the prevailing selling system. The independent exhibitors object particularly to the system of blind-selling because, when they buy a "pig in a poke," they often receive pictures founded on such stories as "The Postman Always Rings Twice," "Miss Lonelyhearts," "Barbary Coast," "Sanctuary," "The Great Magoo," and other stories of similar nature, stories which only diseased minds could have conceived that they are just the kind the American people enjoy.

No one can blame Mr. Hays and his representatives for fighting to protect the interests of their side. What we object to is the means they adopt to attain their purpose.

ANOTHER DEMORALIZING BOOK TO BE PRODUCED

Metro-Goldwyn-Mayer has purchased James M. Cain's novel, "The Postman Always Rings Twice," to make a picture out of it.

Just to give you an idea what the material is, I am printing here a "thumb-nail" sketch of the plot:

"Nick and his wife Cora had been conducting a road-side stand—lunch counter with a filling station.

"Nick was happy but his wife was sullen. So when Frank, a young hobo, comes along, he has no difficulty in establishing an illicit relationship. Their love is "violent and exhaustive," as the book describes it.

"During Nick's absence to the city, Cora suggests to Frank that they run away together. But Frank, enjoying an easy life without worries, does not take to the plan. Then she suggests that they murder Nick.

"They work up an elaborate plan—to slug Nick on the head with a blackjack and then make it appear as if he had fallen in the bath tub and had knocked himself unconscious, drowning himself.

"Their plan slips up on account of a cat; she was prowling around and by the time Frank chased it away a state trooper had come along. So Frank and Cora do not drown Nick.

"Nick, who had become unconscious from the blow, did not know what had happened to him when he regained consciousness. He was made to believe that it was an accident.

"Nick leaves the hospital and Frank and Cora again plot to get rid of him. They plan a celebration at Santa Barbara and on the way to wreck the car.

"The plan succeeds; the car turns somersault and Nick is killed.

"Because Nick had just taken an accident insurance, the insurance company, suspecting foul play, puts investigators on the job.

"Frank, hoping to escape prosecution, confesses.

"The insurance company drops prosecution of the case, and Cora, through the help of a clever lawyer, who had withdrawn her plea of guilty, gets off with a suspended sentence.

"During Cora's absence to her sick mother, Frank takes another woman.

"An assistant to Cora's lawyer, who had stolen Cora's written confession from his employer's files, comes to blackmail Frank and Cora. Frank beats him unmercifully and eventually succeeds in getting hold of the document.

"Frank's woman comes and Cora becomes furious when she finds out that he had been unfaithful to her. Cora threatens Frank, but the two patch up things and decide to marry and live together. Cora tells him that, if he wants to, he may drown her after their marriage.

"They marry and, according to their plan, they go swimming. Cora strains herself and tells Frank she fears miscarriage. Frank carries her ashore and, bundling her up, carries her to his car to take her to the hospital.

"On the way the speeding car is wrecked and Cora is killed.

"Frank is arrested and accused of having murdered Cora for the insurance. He is tried, convicted, and sentenced to die."

I have written to Louis B. Mayer, production head of MGM, at Culver City, California, the following letter under date March 30:

"On behalf of the independent theatre owners I want to enter a protest at your company's decision to produce James C. Cain's novel, 'The Postman Always Rings Twice.'

"During my career as a publisher of HARRISON'S REPORTS, I have read many demoralizing books, but none of the lowness of this book. It practically advocates murder for the attainment of sexual desires.

"Your intention to produce this book, coming at this time when the Catholic Church, supported by the churches of all other denominations, is campaigning against the demoralizing pictures Hollywood has been producing for years, particularly lately, will cause the industry irreparable harm.

"The picture theatres are starving for lack of patronage on account of the filthy pictures. Already more than seven thousand theatres have closed down, and unless you, the producers, desist putting into pictures such books, more of them will be compelled to shut down.

"I have been informed that in a certain town a clergyman stood at the door of a theatre and prevented children from entering that theatre to see a picture which his church had banned. With pictures such as 'The Postman Always Rings Twice,' I would not be surprised if a clergyman stood outside the theatre of every town and locality in the United States to warn those who would be about to purchase a ticket not to go in.

"You may say that you will alter the material so as to remove every objectionable feature in it. That would not be sufficient; the retention of the title, or even the mere reference in the picture's introductory title to the book, would be enough to do harm, for production of it would advertise the book and the industry would then be accused of promoting the reading of filthy literature."

This matter once again proves that blind-selling, strengthened by block-booking, is a vicious system of contracting for pictures. The Hays association tells you that block-booking and blind-selling, when done by a reputable film concern, is the best method for exhibitors of obtaining pictures. Isn't MGM a reputable concern? And yet the exhibitor is required to play a picture founded on such a book!

Perhaps the Code is the only way out of such pictures. Read my comment in the issue of March 24, and act accordingly.

"THE FAIRFAX THEATRE

"Kilmarnock, Virginia

"March 10, 1934.

"P. S. Harrison, Editor

"HARRISON'S REPORTS

"New York, N. Y.

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HARRISON'S REPORTS

(Partial Index No. 2—Pages 25 to 52 inclusive)

<i>Title of Picture</i>	<i>Reviewed on Page</i>
As The Earth Turns—Warner Bros. (73 min.)	42
Bedside—First National (65 min.)	31
Beggars In Ermine—Monogram (70 min.)	39
Bolero—Paramount (83 min.)	35
Bottoms Up—Fox (85 min.)	51
Cat and the Fiddle, The—MGM (87 min.)	34
Catherine the Great—United Artists (92 min.)	35
Cheaters—Liberty Pictures (65 min.)	27
Come On Marines—Paramount (64 min.)	51
Coming Out Party—Fox (77½ min.)	47
Constant Nymph, The—Fox (92 min.)	50
Countess of Monte Cristo—Universal (79 min.)	46
Crime Doctor, The—RKO (74 min.)	43
Crosby Case, The—Universal (59 min.)	43
Cupid in the Rough—RKO (See "Aggie Appleby")	170
Dark Hazard, The—First National (71½ min.)	26
David Harum—Fox (83 min.)	39
Death Takes A Holiday—Paramount (78 min.)	39
Devil Tiger—Fox (59½ min.)	26
Dinner At Eight—MGM (112 min.)	51
Eight Girls In A Boat—Paramount (83 min.)	10
Ever Since Eve—Fox (72 min.)	51
Fashion Follies of 1934—First National (See "Fashions of 1934")	15
Frontier Marshal—Fox (66 min.)	26
Gambling Lady—Warner Bros. (66 min.)	38
George White's Scandals—Fox (77 min.)	47
Good Dame—Paramount (72 min.)	30
Harold Teen—Warner Bros. (65 min.)	42
Heat Lightning—Warner Bros. (62 min.)	38
Hold That Girl—Fox (65 min.)	43
House of Connelly—Fox (See "Carolina")	23
House of Rothschild, The—United Artists (86 min.)	42
I Believed In You—Fox (67 min.)	35
Identity Parade—Columbia (See "The Line Up")	43
I Like It That Way—Universal (66 min.)	27
It Happened One Night—Columbia (103 min.)	34
Jimmy The Gent—Warner Bros. (66½ min.)	51
Journal of a Crime—First National (64 min.)	39
Keep 'Em Rolling—RKO (67½ min.)	39
Let's Be Ritzy—Universal (71 min.)	50
Line Up, The—Columbia (64 min.)	43
Long Lost Father—RKO (62 min.)	30
Looking For Trouble—United Artists (77 min.)	34
Lost Patrol, The—RKO (73 min.)	26
Love Birds—Universal (62 min.)	47
Mandalay—First National (64 min.)	30
Meanest Gal In Town, The—RKO (61 min.)	31
Mystery Liner—Monogram (62½ min.)	35
Mystery of Mr. X—MGM (80½ min.)	35
Mystery of the Dead Police—MGM (See "Mystery of Mr. X")	35
Ninth Guest, The—Columbia (67 min.)	51
No Greater Glory—Columbia (76 min.)	46
No More Women—Paramount (77 min.)	34
One Is Guilty—Columbia (62 min.)	50
One of the Many—Monogram (See "He Couldn't Take It")	18
Orient Express—Fox (72 min.)	31
Palooka—United Artists (85 min.)	27
Poor Rich, The—Universal (75½ min.)	38
Quitter, The—Chesterfield (68 min.)	46
Search For Beauty—Paramount (76½ min.)	27
She Made Her Bed—Paramount (70 min.)	47
Show-Off, The—MGM (77 min.)	47
Six of a Kind—Paramount (61 min.)	31
Social Register—Columbia (72 min.)	47
Speed Wings—Columbia (59½ min.)	42
Spitfire—RKO (86 min.)	39
Success At Any Price—RKO (76½ min.)	46
This Man Is Mine—RKO (75 min.)	43
This Side of Heaven—MGM (76 min.)	26
Three On A Honeymoon—Fox (65 min.)	50
Two Alone—RKO (75 min.)	30
Voice In The Night—Columbia (58 min.)	51
Wharf Angel—Paramount (62 min.)	46

Wild Cargo—RKO (95 min.)	50
Woman's Man, A—Monogram (69 min.)	51
Wonder Bar—First National (84 min.)	38

RELEASE SCHEDULES FOR FEATURES

Chesterfield Features

(1540 Broadway, New York, N. Y.)

The Quitter—Dunn-Grapewin	Feb. 5
Stolen Sweets—Sally Blane-Charles Starrett	Mar. 1

Columbia Features

(729 Seventh Ave., New York, N. Y.)

4214 Speed Wings—Tim McCoy (62 min.)	Feb. 5
4004 It Happened One Night—Colbert-Gable	Feb. 23
4203 Fighting Ranger—Buck Jones (64½ min.)	Mar. 8
4026 Social Register—Moore-Kirkland	Mar. 10
4204 Main Trailer—Buck Jones (59½ min.)	Mar. 15
4030 The Line Up—Nixon-Gargan	Mar. 17
4215 Voice in the Night—Tim McCoy	Mar. 17
4036 One Is Guilty—Bellamy-Grey	Mar. 31

First National Features

(321 W. 44th St., New York, N. Y.)

765 Journal of a Crime—Chatterton-Menjou	Mar. 10
750 Wonder Bar—All Star cast	Mar. 31
768 Registered Nurse—Daniels-Talbot	Apr. 7
761 A Very Honorable Guy—Joe E. Brown (62m.)	May 5

Fox Features

(444 W. 56th St., New York, N. Y.)

428 I Believed In You—Ames-Jory-Boles	Feb. 23
431 David Harum—Rogers-Dresser (reset)	Mar. 2
430 Coming Out Party—Dee-Raymond (reset)	Mar. 9
438 George White's Scandals—Vallee-Faye	Mar. 16
433 Three On a Honeymoon—Eilers-Pitts (reset)	Mar. 23
434 The Constant Nymph—English cast	Mar. 23
437 Bottoms Up—Tracy-Paterson-Boles	Mar. 30
432 Murder In Trinidad—Bruce-Angel (reset)	Apr. 6
No release set for	Apr. 13
436 All Men Are Enemies—Williams-Twelvetrees	Apr. 20
444 The Only Girl—Harvey-Veidt	Apr. 27
442 Too Many Women—Baxter-Ames-Hudson	May 4
(435, listed in the last Index as "Fox Follies" and now titled "Stand Up And Cheer," set for March 30 release; release date has been postponed.)	

Invincible Features

(1540 Broadway, New York, N. Y.)

Cross Streets—Brown-Windsor	Jan. 22
Twin Husbands—John Miljan-Shirley Grey	Feb. 25
Reunion—Lila Lee-Dickie Moore	Apr. 1

Majestic Features

(1270 Sixth Ave., New York, N. Y.)

The Morning After—Eilers-Lyon	Jan. 1
Unknown Blonde—Dorothy Revier-Ed. Arnold	Apr. 14

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

331 Fugitive Lovers—Montgomery-Evans	Jan. 5
333 The Cat and the Fiddle—Novarro	Feb. 16
334 Rip Tide—Shearer-Montgomery (reset)	Mar. 30
313 Sadie McKee—Crawford-Tone	May 4
(The release date of "Viva Villa" (305) listed in the last Index as March 9 has been postponed.)	
(More to come on 1932-33 Season)	
445 This Side of Heaven—Barrymore-Clarke	Feb. 2
414 Queen Christina—Garbo-Gilbert-Stone	Feb. 9
423 Mystery of Mr. X (Mystery of the Dead Police)—Montgomery-Stone-Allen	Feb. 23
No release set for	Mar. 2
427 The Show-Off—Spencer Tracy (reset)	Mar. 9
444 Lazy River (Louisiana)—Parker (reset)	Mar. 16
No release set for	Mar. 23
413 Men In White—Gable-Loy-Hersholt	Apr. 6
438 Tarzan and His Mate—Weissmuller	Apr. 13
424 Laughing Boy—Novarro-Velez	Apr. 20
436 The Hollywood Party—Durante-Velez	Apr. 27

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

- 2025 Sixteen Fathoms Deep—Chaney (reset) ... Jan. 1
- 2047 Lucky Texan—John Wayne (reset) Jan. 22
- 2022 Woman's Man—Halliday-Motte (reset) Feb. 7
- 2048 West of the Divide—Wayne-Faire Feb. 15
- 2013 Beggars In Ermine—Furness-Atwill (re) .. Feb. 22
- 2023 Mystery Liner—Beery-Allyn (reset) Mar. 15
- 2030 House of Mystery (The Ape)—Lowry (re) Mar. 30
- 2033 City Limits—Walker-Blane Apr. 15
- 2001 Manhattan Love Song—Lee-Armstrong Apr. 30

(Some of the above titles appeared in *Indexes of November 18, January 6, and February 17, but are re-listed because of changes in release dates.*)

Paramount Features

(1501 Broadway, New York, N. Y.)

- 3334 No More Women—Lowe-McLaglen Feb. 23
- No release set for Mar. 2
- 3335 She Made Her Bed—Eilers-Arlen Mar. 9
- 3336 Wharf Angel—Dell-Foster-McLaglen Mar. 16
- 3337 Come On Marines—Arlen-Lupino-Karns Mar. 23
- 3339 Death Takes a Holiday—March-Venable... Mar. 30
- 3340 You're Telling Me—Fields-Crabbe-Marsh. Apr. 6
- 3341 Trumpet Blows—Raft-Menjou-Drake Apr. 13
- 3344 Double Door—Venable-Standing-Morris ... Apr. 20
- 3338 Melody In Spring—Ross-Ruggles-Boland .. Apr. 20
- 3343 We're Not Dressing—Crosby-Lombard Apr. 27

RKO Features

(1270 Sixth Ave., New York, N. Y.)

- 4131 Lost Patrol—McLaglen-Ford-Denny Feb. 16
- 4135 Keep 'Em Rolling—Huston-Dee Mar. 2
- 4133 Success At Any Price—Fairbanks, Jr. Mar. 16
- 4136 Spitfire—Hepburn-Young-Bellamy Mar. 30
- 4103 Wild Cargo—Frank Buck Apr. 6
- 4118 This Man Is Mine (Lady Sal)—Irene Dunne Apr. 13
- 4139 Sing and Like It—Pitts-Kelton Apr. 20
- 4137 Crime Doctor—Kruger-Morley-Asther Apr. 27

Showmens Pictures Features

(723 Seventh Ave., New York, N. Y.)

- The Moth—Sally O'Neill-Paul Page Jan. 15
- St. Louis Woman—J. Loff-J. Mack Brown Apr. 1

United Artists Features

(729 Seventh Ave., New York, N. Y.)

- Nana—Anna Sten-Lionel Atwill Feb. 16
- Looking For Trouble—S. Tracy-J. Oakie (reset) . Mar. 9
- The House of Rothschild—George Arliss Apr. 6
- Catherine the Great—Fairbanks, Jr. (reset) Apr. 13
- Sorrell and Son—H. B. Warner (reset) Apr. 20

Universal Features

(730 Fifth Ave., New York, N. Y.)

- A7016 Let's Be Ritz—Lew Ayres Mar. 26
- A7009 Glamour—Cummings-Lukas Apr. 9
- A7012 I'll Tell the World (When the Time Comes)—
 Tracy-Stuart Apr. 16
- A7074 Honor of the Range—Maynard (61½ min.) Apr. 16
- A7013 Uncertain Lady—Tobin-Horton Apr. 23
- A7010 The Black Cat (Man who Reclaimed His
 Head)—Karloff-Lugosi Apr. 30
- A7035 Half a Sinner (Alias the Deacon) (Hill Billies)—
 McCrea-Ellis May 7
- A7007 Little Man What Now?—Sullavan May 14

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

- 463 Heat Lightning—MacMahon-Dvorak-Foster . Mar. 3
- 466 Jimmy The Gent (The Heir Chaser)—Cagney Mar. 17
- 467 Gambling Lady—Stanwyck-McCrea Mar. 31
- 471 Harold Teen—LeRoy-Hudson-Ellis Apr. 7
- 454 As The Earth Turns—Muir-Woods Apr. 14
- 460 A Modern Hero—Barthelmess (71 min.) .. Apr. 21
- 474 Upperworld—William-Astor-Rogers (72m.) . Apr. 28
- 470 Merry Wives of Reno (Barbara Stanwyck Production)—
 Lindsay-Farrell May 12
- 477 Smarty—Blondell-William-Horton-Dodd May 26

SHORT SUBJECT RELEASE SCHEDULE

Astor—One Reel

- Motives—Alan Mowbray-E. E. Clive (10 min.) .. Feb. 10
- Air Minded—C. Windsor-J. Finlayson (10 min.) . Feb. 15
- Air Capers—Ned Sparks (10½ min.) Feb. 22
- Dixie Paradise—Southern musical (10½ min.) .. Feb. 29
- Dr. Jekyll and Mr. Hyde—Shelton Lewis (10½m) Mar. 8

Astor—Two Reels

- Death Fangs—Flash wonder dog (17 min.) Jan. 10

Astor—Three Reels

- Rainbow Riders—Bud 'N Ben (30 min.) Mar. 15
- Pot Luck Pards—Bud 'N Ben (30 min.) May 1

Columbia—One Reel

- 4806 Winter Thrills—World of Sports (10m) .. Jan. 26
- 4606 Scrappy's Television—Scrappys (6½m) Feb. 9
- 4704 Snapshots No. 4—(9 min.) Feb. 10
- 4305 March of the Years No. 5—(10 min.) Feb. 10
- 4509 Tom Thumb—K. Kat (cartoon) (6½ min.) . Feb. 12
- 4705 Snapshots No. 5—(8½ min.) Feb. 16
- 4306 March of the Years No. 6—(10 min.) Feb. 17
- 4904 Laughing with Medbury Among the Nordics—
 (9½ min.) Feb. 20
- 4307 March of the Years No. 7—(9 min.) Feb. 28
- 4510 Cinder Alley—K. Kat (cartoon) (6½ min.) Mar. 9
- 4607 Aw, Nurse—Scrappys (cartoon) (7 min.) .. Mar. 9
- 4706 Snapshots No. 6—(9 min.) Mar. 10
- 4308 March of the Years No. 8 Mar. 22
- 4511 Bowery Daze—K. Kat (cartoon) Mar. 26

Columbia—Two Reels

- 4113 Radio Dough—Sidney-Murray (18 min.) .. Feb. 20
- 4109 Elmer Steps Out—Catlett (19 min.) Feb. 28
- 4122 Love Detectives—musical (19½ min.) Mar. 6
- 4105 Mickey's Rescue—McGuire (19½ min.) Mar. 16
- 4110 When Do We Eat—Holtz (18 min.) Mar. 19
- 4115 Stable Mates—Sidney-Murray (19½ min.) . Apr. 6

Fox—One Reel

- 0513 Rip Van Winkle—Terrytoon (6 min.) Feb. 9
- 0904 Trav'ling the Road—Song Hit (9½ min.) .. Feb. 9
- 1001 City of Wax—Battle for Life (9 min.) Feb. 9
- 0411 Love's Old Sweet Song—Tintype (8½ min.) Feb. 16
- 1308 When Disaster Strikes—Adventures of a News
 Cameraman (9 min.) Feb. 16
- 3420 Under Moroccan Skies—Magic Carpet Feb. 16
- 0514 The Last Straw—Terrytoon (6 min.) Feb. 23
- 0804 Mediterranean Blues—Rom. Journey (9 m.) Feb. 23
- 0905 The Doctor—Song Hit story (8½ min.) .. Feb. 23
- 3421 A Journey In Flanders—Magic Carpet Feb. 23
- 0607 Hula Honeymoon—Treasure Chest (7½ m.) Mar. 2
- 1309 Outdoing the Daredevils—Adv. of a News
 Cameraman (9½ min.) Mar. 2
- 0412 Heart of Valeska—Tintype (8 min.) Mar. 9
- 0515 The Owl and the Pussycat—Terrytoon (6m) Mar. 9
- 0516 A Mad House—Terrytoon (6 min.) Mar. 16
- 1310 With the Navies of the World—Adventures of a
 News Cameraman (9½ min.) Mar. 23
- 1002 Born to Die—Battle for Life Mar. 30
- 0517 Joe's Lunch Wagon—Terrytoon Apr. 6
- 0609 Pagliacci—Treasure Chest Apr. 6

Fox—Two Reels

- 0104 The Expectant Father—Truex com. (21½m) Feb. 16
- 0313 Managed Money—Mirthquake (20 min.) Feb. 23
- 0106 Going Spanish—Musical com. (21½m) Mar. 2
- 0211 The Big Meow—Tom Howard com. (19m.) Mar. 9
- 0105 The Gold Ghost—Keaton com. (21½m.) ... Mar. 16
- 0315 Hotel Alimony—Coronet comedy Apr. 6

Metro-Goldwyn-Mayer—One Reel

- W-921 Play Ball—Willie Whopper cart. (7m.) .. Oct. 28
- M-944 Fine Feathers—Oddities (9 min.) Nov. 18
- T-902 Scotland, the Bonnie—Traveltalk (9m.) .. Nov. 25
- W-922 Spite Flight—W. Whopper cart. (8m.) ... Dec. 2
- T-903 A Day In Venice—Traveltalk (9 min.) .. Dec. 2
- W-923 Stratos Gear—W. Whopper cart. (8m.) .. Dec. 16
- T-904 British Guiana—Traveltalk (9 min.) Dec. 16
- A-961 Goofy Movies No. 1—(9 min.) Dec. 23
- W-924 Davy Jones Locker—W. Whopper c. (7m) Jan. 13
- T-905 Colorful Ports of Call—Travel. (9m) Jan. 13
- M-945 Roping Wild Bears—Oddities (9 min.) .. Feb. 10

- W-925 Hells Fire—W. Whopper cart. (7 min.) ..Feb. 17
- A-962 Goofy Movies No. 2—(10 min.)Feb. 24
- T-906 Italy, Land of Inspiration—Traveltalks
(9 min.)Feb. 24
- M-946 Vital Victuals—Oddities (10 min.)Mar. 3
- W-926 Robin Hood, Jr.—W. Whopper cart. (8m) Mar. 10
- T-907 Tibet, Land of Isolation—TraveltalksMar. 17
- M-947 Trick Golf—Oddities (8 min.)Mar. 24
- A-963 Goofy Movies No. 3Mar. 24
- W-927 Insultin' The Sultan—Whopper cart.Apr. 14

Metro-Goldwyn-Mayer—Two Reels

- C-803 Oliver the Eighth—Laurel-Hardy (28m.) ..Jan. 13
- C-814 The Cracked Iceman—C. Chase (19 min.) ..Jan. 27
- C-834 Babes in the Goods—Todd-Kelly (19m) ..Feb. 10
- C-843 Mixed Nuts—All Star comedy (19 min.) ..Feb. 17
- C-844 Next Week-End—All Star com. (16 min.) ..Feb. 24
- C-823 Hi'-Neighbor!—Our Gang comedy (18m.) Mar. 3
- C-804 Not Yet Titled—Laurel-HardyMar. 3
- R-873 Jail Birds of Paradise—Musical RevueMar. 10
- C-845 The Caretaker's Daughter—All StarMar. 10
- C-815 Four Parts—C. Chase comedy (19 min.) ..Mar. 17
- C-835 Soup and Fish—Todd-Kelly (18 min.)Mar. 31
- C-852 Apples To You—Musical comedyApr. 7
- C-824 For Pete's Sake—Our Gang comedyApr. 14
- C-805 Not Yet Titled—Laurel-Hardy comedy ...Apr. 21
- C-816 I'll Take Vanilla—C. Chase com. (19m.) ..May 5
- C-836 Maid in Hollywood—Todd-Kelly comedy ..May 19

Paramount—One Reel

- E3-7 Let's You and Him Fight—Popeye (6m) ..Feb. 16
- R3-8 Horsepower—Sportlight (10 min.)Feb. 16
- A3-8 Broadway Knights (Cab Calloway's Hi-De-Ho)—
Headliner (10 min.)Feb. 23
- P3-8 Paramount Pictorial No. 8—(10 min.)Feb. 23
- T3-8 Ha! Ha! Ha!—Boop cartoon (10½ min.) ..Mar. 2
- Z3-8 Hollywood on Parade No. 8—(10½ min.) ..Mar. 2
- SC3-8 Tune Up and Sing—Screen song (7 min.) ..Mar. 9
- Y3-8 Screen Souvenirs No. 8—(9½ min.)Mar. 9
- P3-9 Paramount Pictorial No. 9—(9½ min.)Mar. 23
- R3-9 Flying Bodies—Sportlight (9½ min.)Mar. 23
- Z3-9 Hollywood on Parade No. 9—(10 min.)Mar. 30
- E3-8 The Man On The Flying Trapeze—Popeye
(6½ min.)Mar. 30
- A3-9 All On Deck (Crazy College)—Headliner
(8½ min.) (reset)Mar. 30
- T3-9 Betty in Blunderland—Boop cart. (6½m.) ..Apr. 6
- Y3-9 Screen Souvenirs No. 9—(9½ min.)Apr. 6
- Sc3-9 Lazybones—Screen Song (8½ min.)Apr. 13
- A3-10 New Deal Rhythm—Headliner (7½ min.) Apr. 13
- R3-10 Animal Antics—Sportlight (9½ min.)Apr. 13
- P3-10 Paramount Pictorial No. 10—(9½ min.) ..Apr. 20
- Z3-10 Hollywood on Parade No. 10Apr. 27
- E3-9 Can You Take It—Popeye (cartoon)Apr. 27

Paramount—Two Reels

- BB3-4 No More Bridge—Errol com. (21 min.) ..Mar. 16
- QQ3-4 The New Dealers—Palette com. (19m.) Apr. 6
- LL3-5 Petting Preferred—Langdon com. (18½m) Apr. 27
- DD3-6 Oil's Well—Chic Sale com. (21 min.)May 4

RKO—One Reel

- 44106 Goode Knight—Fable cart. (7 min.)Feb. 23
- 44207 Sultan Pepper—King cartoon No. 7Mar. 16
- 44107 Hows Crops—Fable cartoon (7½ min.)Mar. 23
- 44405 Maderia—Vagabond No. 5 (9 min.)Mar. 30
- 44504 Pathe Review No. 4Apr. 6
- 44208 Not Yet Titled—King cartoon No. 8.....Apr. 13
- 44108 Cubby's Stratosphere Flight—King cart. ..Apr. 20
- 44406 Gibraltar—Vagabond No. 6May 4

RKO—Two Reels

- 43304 Love On a Ladder—Kennedy No. 4 (18m.) Mar. 2
- 43906 Everybody Likes Music—Novis (19½ m.) Mar. 9
- 43404 Autobiography—Leon Errol (20 min.)Mar. 16
- 43804 One A.M.—Charlie Chaplin (18 min.)Mar. 23
- 43907 No More West—Van Buren musicalMar. 30

United Artists—One Reel

- 21 Camping Out—Mickey Mouse (cartoon) (7m.) Feb. 15
- 16 Grasshopper and the Ants—Silly Symphony
(cartoon) (8 min.)Feb. 23
- 22 Playful Pluto—Mickey Mouse (cart) (7½m.) Mar. 16
- 17 Funny Little Bunnies—S. Sym. (cart.) (7m.) Mar. 30

Universal—One Reel

- A7208 The Toy Shoppe—Oswald cart. (7m.)Feb. 19
- A7246 Strange As It Seems No. 37—(9½ min.) ..Feb. 26
- A7265 Goofytone News No. 5—(8 min.)Mar. 5
- A7209 Kings Up (Gingerbread Boy)—Oswald cartoon
(7 min.)Mar. 12
- A7266 Goofytone News No. 6—(9 min.)Mar. 19
- A7210 Wolf Wolf—Oswald cartoon (8 min.)Apr. 2
- A7211 Gingerbread Boy—Oswald cartoonApr. 16
- A7247 Strange As It Seems No. 38—(9 min.)Apr. 23
- A7212 Annie Moved Away—Oswald cartoonApr. 30

Universal—Two Reels

- A7504 The Sea Chase—Pirate No. 4 (15½ min.) ..Feb. 19
- A7505 Into the Depths—Pirate No. 5 (17 min.) ..Feb. 26
- A7112 Full Coverage—Henry Armetta (21 min.) Feb. 28
- A7506 The Death Chase—Pirate No. 6 (17m.) ..Mar. 5
- A7507 Crashing Doom—Pirate No. 7 (18 min.) ..Mar. 12
- A7113 Born April First—Halloway com. (21m.) Mar. 14
- A7508 Mutiny—Pirate No. 8 (18½ min.)Mar. 19
- A7168 Vaudeville Days—Mentone No. 8 (21m.) ..Mar. 21
- A7509 Hidden Gold—Pirate No. 9 (18½ min.) ..Mar. 26
- A7114 Ceiling Whacks—Armetta com. (20 min.) Mar. 28
- A7510 The Fight For Treasure—Pirate No. 10
(19½ min.)Apr. 2
- A7511 The Fatal Plunge—Pirate No. 11 (16½m.) Apr. 9
- A7115 Heart Burn—Halloway (20½ min.)Apr. 11
- A7512 Captured—Pirate No. 12 (20½ min.)Apr. 16
- A7169 The Pest—Mentone No. 9 (19½ min.)Apr. 18
- A7701 Accused of Murder—Vanishing Shadow No. 1
(20½ min.)Apr. 23
- A7702 The Destroying Ray—Shadow No. 2 (20m) Apr. 30
- A7170 Ed Sullivan's Headliners—(19½ min.) ...May 2

Vitaphone—One Reel

- 8307 Easy Aces—The Aces (10 min.)Dec. 2
- 8103 Buddy's Show Boat—Looney Tunes (7m.) ..Dec. 9
- 8204 Italy—The Old and the New—Musical journey
(11 min.)Dec. 9
- 8308 Little Miss Mischief—P. Pot (10 min.)Dec. 16
- 8115 Sittin' On a Back Yard Fence—Merrie Melodies
(7 min.)Dec. 16
- 8005 Harmonica Rascals—B. Minnevitch (10m.) Dec. 23
- 8309 Movie Memories—Old Time reel (9½ min.) Dec. 30
- 8205 Cannibal Islands—Musical jour. (11m.) ...Jan. 6
- 8310 The Tune Detective—S. Spaeth (9½ min.) ..Jan. 13
- 8104 Buddy The Gob—L. Tunes (7 min.)Jan. 13
- 8006 Jack Denny and Band—(10 min.)Jan. 20
- 8311 Mississippi Suite—P. Pot spec. (10m.)Jan. 27
- 8116 Pettin' In the Park—M. Melodies (7m.)Jan. 27
- 8206 Spanish America—Musical journey (10m.) Feb. 3
- 8312 The Wrong Wrong Trail—Block-Sully 10m Feb. 10
- 8007 Mills Blue Rhythm Band—(10 min.)Feb. 17
- 8117 Honeymoon Hotel—M. Melodies (7 min.) ..Feb. 17
- 8313 Song Hits By Roy Turk—(11 min.)Feb. 24
- 8105 Buddy and Towser—L. Tunes (7 min.)Feb. 24
- 8207 Jerusalem, The Holy City—Mus. jour. 10m Mar. 3
- 8314 Isn't That Awful—Pepper Pot (10 min.) ..Mar. 10
- 8010 Vincent Lopez and Orchestra—(10 min.) ..Mar. 17
- 8321 Hollywood News Reel—(9 min.)Mar. 24
- 8208 Picturesque Siam—Musical journey (10m) Mar. 31
- 8316 A Cabinet Meeting—P. Pot (10 min.)Apr. 7
- 8009 Big City Fantasy—Melody Masters (9m.) ..Apr. 14
- 8315 Pure Feud-Edgar Bergen—P. Pot (10 min.) Apr. 21
- 8209 Slackers of the Jungle—Mus. jour. (10m.) ..Apr. 28
- 8318 Those Were the Days—P. Pot (10 min.) ..May 5

Vitaphone—Two Reels

- 7514 Not Tonight Josephine—McHugh (21 min.) Jan. 27
- 7609 Nervous Hands—Ben Blue com. (21 min.) ..Feb. 3
- 7515 Picture Palace—Hal LeRoy (20 min.)Feb. 10
- 7611 Mushrooms—Big V Comedy (20 min.)Feb. 17
- 7516 Come To Dinner—Brevities (20 min.)Feb. 24
- 7517 Business Is A Pleasure—B'way. Brev. (17m) Mar. 3
- 7610 Pugs and Kisses—Big V Comedy (21 min.) ..Mar. 10
- 7518 Look For the Silver Lining—3 Reel Special
(30 min.)Mar. 17
- 7612 Foiled Again—Big V comedy (20 min.)Mar. 24
- 7519 Let's Play Post Office—Brevities (21m.) ..Mar. 31
- 7520 Story Conference—Lillian Roth (20m.)Apr. 7
- 7613 Mush—Ben Blue (20 min.)Apr. 14
- 7521 Morocco Nights—Fuzzy Knight (18 min.) Apr. 21
- 7614 Corn on the Cop—Harry Gribbon (20m.) ..Apr. 28
- 7522 Private Lessons—Hal LeRoy (22 min.)May 5

RELEASE DAY CHART FOR ALL NEWS WEEKLIES

	Pathe News		Universal News		Fox News		Paramount News		Metrotone News	
	Sat. (Odd) Rel.	Wed. (Even) Rel.	Sat. (Even) Rel.	Wed. (Odd) Rel.	Sat. (Even) Rel.	Wed. (Odd) Rel.	Sat. (Odd) Rel.	Wed. (Even) Rel.	Sat. (Even) Rel.	Wed. (Odd) Rel.
Albany	Fri. 0	Tues. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Atlanta	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Mon. 2	Thur. 1
Boston	Fri. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Wed. 0
Buffalo	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Butte	—	—	Tues. 3	Sat. 3	—	—	—	—	Wed. 4	Sat. 3
Charleston	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Charlotte	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Chicago	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Cincinnati	Sat. 0	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Cleveland	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Fri. 0	Wed. 0	Sat. 0	Wed. 0
Columbus	—	—	—	—	—	—	Sun. 1	Wed. 0	Sat. 0	Wed. 0
Dallas	Sun. 1	Fri. 2	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3
Denver	Thur. 5	Fri. 2	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Sun. 1	Fri. 2	Wed. 4	Sat. 3
Des Moines	Sat. 0	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Detroit	Fri. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
El Paso	—	—	—	—	—	—	—	—	—	—
Indianapolis	Sun. 1	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Jacksonville	Mon. 2	Thur. 1	—	—	—	—	Sun. 1	Thur. 1	Mon. 2	Thur. 1
Kansas City	Sun. 1	Thur. 1	Mon. 2	Fri. 2	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Los Angeles	Fri. 6	Tues. 6	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Memphis	Sat. 0	Thur. 1	Mon. 2	Fri. 2	Sat. 0	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Milwaukee	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Thur. 1	Sat. 0	Wed. 0
Minneapolis	Sat. 0	Thur. 1	Mon. 2	Fri. 2	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sun. 1	Thur. 1
New Haven	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
New Orleans	Mon. 2	Fri. 2	Mon. 2	Thur. 1	Tues. 3	Sat. 3	Sun. 1	Thur. 1	Sun. 1	Thur. 1
New York	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Oklahoma City	Wed. 4	Sun. 4	Sun. 1	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sun. 1	Thur. 1
Omaha	Sun. 1	Thur. 1	Mon. 2	Fri. 2	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sun. 1	Thur. 1
Peoria	—	—	—	—	—	—	—	—	—	—
Philadelphia	Fri. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Fri. 0	Wed. 0	Sat. 0	Wed. 0
Pittsburgh	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Fri. 0	Wed. 0	Sat. 0	Wed. 0
Portland, Ore.	Mon. 2	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Wed. 4	Sat. 3
Portland, Me.	—	—	—	—	—	—	Mon. 2	Thur. 1	Mon. 2	Thur. 1
St. Louis	Sun. 1	Fri. 2	Sun. 1	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Wed. 0
Salt Lake City	Wed. 4	Sun. 4	Thur. 5	Sat. 3	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Wed. 4	Sat. 3
San Antonio	—	—	Wed. 4	Sat. 3	—	—	Sun. 1	Thur. 1	Wed. 4	Sat. 3
San Francisco	Tues. 3	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Wed. 4	Sat. 3
Seattle	Mon. 2	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Mon. 2	Fri. 2	Wed. 4	Sat. 3
Sioux Falls	Sun. 1	Wed. 0	Wed. 4	Sun. 4	—	—	Sun. 1	Fri. 2	—	—
Washington	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Wichita, Kans.	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Wilkes-Barre	—	—	—	—	—	—	—	—	Mon. 2	Thur. 1
Calgary	—	—	—	—	Fri. 6	Tues. 6	<i>A combination of both issues is sent on Tuesdays to Toronto to which distributes it to the other Canadian exchanges.</i>		—	—
Montreal	—	—	Sun. 1	—	Mon. 2	Fri. 2			—	—
St. John	—	—	—	—	Mon. 2	Fri. 2	—	—	—	—
Toronto	—	—	—	—	Mon. 2	Fri. 2	—	—	—	—
Vancouver	—	—	—	—	Thur. 5	Tues. 6	—	—	—	—
Winnipeg	—	—	Thur. 5	Mon. 5	Tues. 3	Sun. 4	—	—	—	—

NEWSWEEKLY NEW YORK RELEASE DATES

Universal News

229	Wednesday	..Mar. 7
230	Saturday	....Mar. 10
231	Wednesday	....Mar. 14
232	Saturday	....Mar. 17
233	Wednesday	..Mar. 21
234	Saturday	....Mar. 24
235	Wednesday	..Mar. 28
236	Saturday	....Mar. 31
237	Wednesday	....Apr. 4
238	Saturday	....Apr. 7
239	Wednesday	..Apr. 11
240	Saturday	....Apr. 14
241	Wednesday	....Apr. 18
242	Saturday	....Apr. 21
243	Wednesday	..Apr. 25
244	Saturday	....Apr. 28

Pathe News

45264	Wed. (E.)	..Mar. 7
45165	Sat. (O.)	..Mar. 10
45266	Wed. (E.)	..Mar. 14
45167	Sat. (O.)	..Mar. 17
45268	Wed. (E.)	..Mar. 21
45169	Sat. (O.)	..Mar. 24
45270	Wed. (E.)	..Mar. 28
45171	Sat. (O.)	..Mar. 31
45272	Wed. (E.)	..Apr. 4
45173	Sat. (O.)	..Apr. 7
45274	Wed. (E.)	..Apr. 11
45175	Sat. (O.)	..Apr. 14
45276	Wed. (E.)	..Apr. 18
45177	Sat. (O.)	..Apr. 21
45278	Wed. (E.)	..Apr. 25
45179	Sat. (O.)	..Apr. 28

Fox Movietone

51	Wednesday	....Mar. 14
52	Saturday	....Mar. 17
53	Wednesday	....Mar. 21
54	Saturday	....Mar. 24
55	Wednesday	....Mar. 28
56	Saturday	....Mar. 31
57	Wednesday	....Apr. 4
58	Saturday	....Apr. 7
59	Wednesday	....Apr. 11
60	Saturday	....Apr. 14
61	Wednesday	....Apr. 18
62	Saturday	....Apr. 21
63	Wednesday	....Apr. 25
64	Saturday	....Apr. 28

Paramount News

65	Saturday	....Mar. 17
66	Wednesday	....Mar. 21
67	Saturday	....Mar. 24
68	Wednesday	....Mar. 28
69	Saturday	....Mar. 31
70	Wednesday	....Apr. 4
71	Saturday	....Apr. 7
72	Wednesday	....Apr. 11
73	Saturday	....Apr. 14
74	Wednesday	....Apr. 18
75	Saturday	....Apr. 21
76	Wednesday	....Apr. 25
77	Saturday	....Apr. 28

Metrotone News

250	Saturday	....Mar. 17
251	Wednesday	....Mar. 21
252	Saturday	....Mar. 24
253	Wednesday	....Mar. 28
254	Saturday	....Mar. 31
255	Wednesday	....Apr. 4
256	Saturday	....Apr. 7
257	Wednesday	....Apr. 11
258	Saturday	....Apr. 14
259	Wednesday	....Apr. 18
260	Saturday	....Apr. 21
261	Wednesday	....Apr. 25
262	Saturday	....Apr. 28

HOW THE AGE OF A PARTICULAR NEWSWEEKLY ISSUE MAY BE COMPUTED

Suppose you desire to find out whether the exchange delivers your newsweeklies at the age you contracted for!

First look at the Release Day Chart under the column of the company whose weeklies you show. You will notice that there are little numbers by the side of the days. The meaning of these numbers is as follows:

Newsweeklies are released by all the companies in New York on Saturdays and on Wednesdays. The issue of any company is one day old in New York on the day of its release, whether such day is Saturday or Wednesday.

But it takes time for a print to reach another zone. To reach Dallas, for example, it takes 4 or 3 days by train. Naturally you cannot consider a Newsweekly one day old on the day of its release in New York when it reaches that zone four days later. The practice of each company has been to consider a Newsweekly one day old on the day of its arrival and release in a particular zone. The little number by the side of each day in the Chart indicates how many days later than the New York Release Date a particular issue may be considered one-day old in a particular zone.

Suppose you desire to find out how old is a Saturday release of the Universal News in Portland, Oregon. Look in the Saturday Column of the Universal News in the Release Day Chart; run down the column until you reach the

line opposite Portland. The day given is Wednesday, and the figure is "4." Accordingly, the Saturday issue of the Universal News, which is one day old in the New York zone on that day, is one day old in Portland on Wednesday; that is, four days later.

Universal News No. 244 will be released in the New York zone Saturday, April 28, and in the Atlanta, Charlotte, Kansas City, Memphis, Minneapolis, New Orleans, Omaha, and Pittsburgh zones two days later; that is, on Monday, April 30, on which day it will be one-day old.

Pathe News No. 45278, which is an Even issue will be released in the New York zone on Wednesday, April 25, and in Dallas, Denver, New Orleans, and the St. Louis zones two days later, that is, on Friday, April 27, on which day it will be one-day old.

Fox Movietone News No. 62 will be released in the New York zone Saturday, April 21, and in the Dallas, Denver, New Orleans, and Winnipeg zones three days later, that is, on Tuesday, April 24, on which day it will be one-day old.

Paramount News No. 74 will be released in the New York zone Wednesday, April 18, and in the Denver, Seattle, and Sioux Falls zones two days later; that is, on Friday, April 20, on which day it will be one-day old.

Metrotone News No. 258 will be released in the New York zone Saturday, April 14, and in the Butte, Dallas, Denver, Los Angeles, Salt Lake City, San Antonio, San Francisco, and Seattle zones four days later; that is, on Wednesday, April 18, on which day it will be one-day old.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions.	16.50
Canada	16.50
Mexico, Cuba, Spain.....	16.50
Great Britain	16.00
Australia, New Zealand,	
India	17.50
35c a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
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Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
Pennsylvania 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, APRIL 14, 1934

No. 15

PICTURES YOU MAY CANCEL—Article No. 2

In the editorial "Pictures You May Cancel," which appeared in the March 31 issue of HARRISON'S REPORTS, I stated that the number of pictures you are entitled to cancel in the Fox group is five, in the Paramount group six, and in the RKO group five. This was an error, caused by my failure to deduct the number of pictures each of these companies released prior to December 8, the day after the Code went into effect. The correct number is as follows: Fox, four; Paramount, four; RKO, four.

The following is a recapitulation of the cancellation facts, with the errors corrected, with new facts added, and with the changes in the releasing schedules of some of the companies affecting the Tenth picture noted:

Columbia: The total number this company sold, including westerns, is forty-nine. The number released prior to December 8 was ten. The number that is deliverable after December 7 is thirty-nine. The cancellable number is four. Since the releasing schedule has been altered by this company, the Tenth picture of the first group of ten now is, "Man Trailer," released March 15. If you have already canceled one of the pictures in this group, you may apply the money you paid for it on "Man Trailer." If the price you paid for the canceled picture is bigger than the price your contract calls for "Man Trailer," you are entitled to a credit, to be applied on the eleventh, and even the twelfth picture—on enough pictures to enable your credit to be exhausted. If the price is smaller, then you have to make up the difference.

If you did not buy the westerns, or, as Columbia designated them, "Outdoor" melodramas, then the following are the applicable facts for you: Number of pictures sold, including the six specials, thirty-seven; number of pictures released prior to December 8, seven; number deliverable after December 7, thirty; number cancellable, three. The Tenth picture for you and such other exhibitors as did not contract for Columbia's westerns (or outdoor melodramas) has not yet been set for release, the number of pictures that have so far been released being seven: "Let's Fall in Love," "Once to Every Woman," "The Ninth Guest," "It Happened One Night," "Social Register," "The Lineup," and "One Is Guilty."

This company produced two pictures in England, "The Song You Gave Me," and "The Lady Is Willing." "The Song You Gave Me" is not a contract picture; it has been sold individually. It is a poor picture, but if you have bought it on an individual contract you cannot cancel it under the Code. "The Lady Is Willing" is a contract picture but its release date has not yet been set.

First National: Number of pictures sold, thirty; number released prior to December 8, four; number deliverable after December 7, twenty-six; number cancellable, three.

The Code forbids the substitution of one star for another, and since in "Mandalay" Ruth Chatterton was promised but Kay Francis appeared you are under no obligation to accept this picture. Nor are you compelled to accept "Registered Nurse," for also this is a substitution by reason of the fact that Kay Francis and Warren William were to be stars but Bebe Daniels, Lyle Talbot, and John Halliday appear in the picture.

The rejection of a substitution does not diminish the number of pictures you are entitled to cancel under the Code. Accordingly, if you have rejected "Mandalay" and intend to reject "Registered Nurse," you may still cancel three pictures.

If you have rejected "Mandalay" and "Registered Nurse," the Tenth picture has not yet been set for you; but if you have not rejected them, then the Tenth is "Registered Nurse." If you have played the one but intend

to reject the other, then the Tenth is the picture that will be released immediately after "Registered Nurse." (Although the Index shows "A Very Honorable Guy" as the one that will be released after "Registered Nurse," the schedule will no doubt be altered.)

As in the case of Columbia, or of any other company for that matter, if the price you paid for the canceled picture is bigger than the price of your Tenth picture, you are entitled to apply the difference on the eleventh, and even on the twelfth, picture.

Fox: Number of pictures sold, maximum fifty-five; number released prior to December 8, sixteen; number deliverable after December 7, thirty-nine; number cancellable, four.

The Tenth picture of the first group of ten is "Ever Since Eve." Whatever money you have paid for any picture you have canceled may be applied on this picture.

Unless Fox alters its schedule, the Tenth picture of the second group of ten is "Murder in Trinidad." In this group, I suggest that you cancel "Coming Out Party," on the ground that it is a poor sex picture and it is not entertaining at all. But if you have failed to take advantage of the fourteen-day grace from the release date in your zone, granted you by the Code, then I suggest that you cancel "George White's Scandals"; it is not only a poor entertainment but there are so many dirty wisecracks in it that most of you will not be able to play it.

I see that "All Men Are Enemies" has fallen into the third group of ten. It deserves cancellation on the ground that the book upon which it has been founded is very dirty. According to my information from the Coast, the picture has been cleansed, but it deserves cancellation just the same, for in addition to being inane it will advertise the book, a fact which will stand against you with many of your patrons.

Metro-Goldwyn-Mayer: Forty-six were sold; ten delivered prior to December 8; thirty-six to be delivered after December 7; four is the number of pictures you are entitled to cancel.

In previous issues I recommended that you cancel either "The Women in His Life" or "Lazy River."

"The Show-Off" deserves cancellation, but not on immorality grounds; it is merely an inane picture. Besides, it has been produced, as stated in the review, twice before—once as a silent and once as a talker. If you should cancel it, however, you need not deduct it from the number of your quota of cancellable pictures under the Code, by reason of the fact that it is a star substitution and you are not compelled, as said, to accept such substitutions. It was sold as a Lee Tracy No. 1 (427), but the star that appears in the picture is Spencer Tracy. (Nos. 401, 428, 429, and 431, too, are to be substitutions, in that the stars that were originally announced will not appear in the pictures that will be delivered.)

If you have rejected "The Show-Off" as a substitution, or if you have played it before you knew it was a substitution but want to figure it as a picture outside the contract, then "Men in White," released April 6, is the Tenth picture, except for the New York Zone, where it will not be released until June 1, because the play is still on the board in New York City and the picture, because of an agreement with the producers of the play, cannot be shown until that date. Under these circumstances, the Tenth picture for the New York City Zone exhibitors is "Tarzan and His Mate," released April 13. If you have not rejected it and intend to class it as a contract picture, then "Lazy River" is the Tenth picture.

(Continued on last page)

"When Strangers Meet" with Arline Judge and Richard Cromwell

(Liberty Pictures; running time, 69 min.)

A good picture, produced skilfully, with some human interest and comedy. Sympathy is felt for the heroine who is forced to earn a living for herself and her drunken father, only to have him dissipate most of the money. Comedy is brought about by the actions of the tenants who lived in the bungalow court, at times helping and at other times annoying each other. The hero, too, is a sympathetic character because of his devotion to his mother.

In the development of the plot a married couple, friends of the heroine's father, rent a bungalow in the court. The wife is nervous and asks her husband not to go through with a "scheme" (bank robbery) he had in mind. The hero's father, a tyrannical old man, becomes infatuated with the new tenant's wife and forces his attentions on her. In the meantime, the hero receives an offer of a position out of town and his mother withdraws what savings she had so as to help him get away and take the heroine with him as his wife. The hero's father goes to the tenant's bungalow. His wife, who had watched him unseen, sees him grab the woman in his arms. The woman screams and rushes to her husband. The hero's father finds the husband in a tunnel he had dug leading to the bank vault next door and grabs a gun from him. He kills both the husband and the wife. Just as he is leaving the bungalow he meets the heroine's father, drunk as usual, and puts the gun in his pocket, first wiping away all traces of his own fingerprints. The bank robbery and the murder are discovered the next morning, and the heroine's father is accused of the murder. But the hero's mother tells the police the true story, which is corroborated by the shoemaker, who had recognized the imprint of the murderer's shoe in the earth. The murderer is arrested and the hero and the heroine decide to remain with his mother.

The plot was adapted from a story by Zona Gale. It was directed by William Christy Cabanne. In the cast are Lucien Littlefield, Sarah Padden, Charles Middleton, Hale Hamilton, Maude Eburne, Barbara Weeks, and others.

Because of the bank robbery and the murder as well as the lecherousness of the hero's father, it is hardly suitable for children, adolescents, or for a Sunday showing. It should entertain adults.

"Men In White" with Clark Gable

(MGM, April 6; running time, 73 min.)

This is one of the best in the cycle of hospital pictures, but it is strictly adult entertainment. The interest is held throughout more because of the acting than of the story. Credit is due for the direction and the delicate handling of a situation that might have been extremely objectionable. Only adults will understand the significance of the operation performed on Elizabeth Allan—she was dying due to poisoning after a doctor had performed an illegal operation on her. The situation in which she gives herself to Gable has also been handled delicately. But despite all this discretion, the theme is drab and unsuitable for family trade. Sympathy is felt for the characters—for Gable, because he is torn between his love for Myrna and his profession; for Myrna, because she cannot grasp the significance of devoting time and labor to medicine; for Elizabeth, because of her loveliness and unrequited love for Gable; for Hersholt, who sacrificed everything to devote all his time to research work to help mankind. Several situations are quite moving, as for instance the one in which Otto Kruger, a doctor, learns that his wife is suffering from tuberculosis. The situation in which Elizabeth Allan dies is heartrending. There is some wisecracking comedy contributed by the internes.

In the development of the plot Gable and Myrna are about to be married; Gable had decided to give up work with Hersholt in order to open an office for himself, much to Hersholt's sorrow. But when Gable learns that Elizabeth Allan, a nurse in the hospital, was to be operated on because of poisoning due to an abortion operation, he is determined to marry the girl to atone for the suffering he had caused her. Myrna finds out about this and is heartbroken. Elizabeth dies. Gable realizes how much medicine means to him, and he decides not to marry Myrna but to continue studying. They take leave of each other, with the hope that they might meet in Vienna where Gable was going to continue studying. (Coast review.)

The plot was adapted from the play by Sidney Bingsley. It was directed by Richard Boleslavsky. In the cast are C. Henry Gordon, Russell Hardie, Wallace Ford, Russell Hopton, Henry B. Walthall, and others.

Unsuitable for children, adolescents, or Sundays.

"I'll Tell The World" with Lee Tracy and Gloria Stuart

(Universal, April 16; running time, 75 min.)

For audiences who enjoy action more than story material this is a fair comedy-melodrama. Lee Tracy predominates in a role which the public has become accustomed to see him in—that of a wisecracking newspaper reporter. The way he goes after his news and gets it causes the comedy. The first half is slow in spots; most of the action is concentrated in the second half. The story becomes rather silly, but since it is fast, and one is held in suspense because of the danger to Gloria Stuart, the interest is held. The romance between Tracy and Gloria is pleasant but unreal:—

Tracy, special reporter for the United Press service, is sent to Europe to find out why attempts had been made to assassinate Alec B. Francis, Archduke of a mythical kingdom. He is annoyed to find Roger Pryor, reporter for a different press service, working on the same case. While following certain clues, Tracy meets Gloria Stuart, supposedly an American girl, and falls in love with her, as she does with him. He does not realize that the Archduke is her uncle, and that Gloria is the heir to the throne of their country. Pryor does find out about it and beats him to the scoop. But Tracy, because of his friendship with Gloria, is out to get the real story. He finds her in hiding at the home of the Prime Minister and urges her to return to her kingdom as arranged by the Prime Minister. It is not until he finds Onslow Stevens, Gloria's royal cousin, whom she was supposed to marry, wounded, that he realizes it was a plot on the Prime Minister's part to get Gloria back to her country, have her killed, arouse the people because of this and, by overthrowing the Government, become the ruler. Tracy sends a warning to the chief of Gloria's country, and by calling out the Army they are able to save Gloria's life. The Prime Minister is arrested and charged with treason. Tracy convinces the chief that the best thing for him would be to permit Gloria and her uncle to leave the country quietly. This he does, and Gloria is happy because she really did not want to be a queen. She wanted to go back to America and she does this as Tracy's wife.

The plot was adapted from a story by Lincoln Quarberg and Frank Wead. It was directed by Edward Sedgwick. In the cast are Onslow Stevens, Willard Robertson, Leon Waycoff, Lawrence Grant, and others.

Suitable for children, adolescents and Sundays.

Substitution Facts: This is replacing "When The Time Comes," which was to have been based on a story by William Anthony McGuire. It is a story substitution and, if you should decide to reject it, you don't have to count it as a contract picture in figuring your second Ten group, to which it belongs.

"You're Telling Me" with W. C. Fields and Adrienne Ames

(Paramount, April 6; running time, 65 min.)

This is all W. C. Fields and, as usual, he can be depended upon to squeeze the most laughs out of a situation. But it is just program entertainment, amusing while Fields performs some of his tricks, but letting down when it tries to tell a story. One of the funniest situations is where Fields is honored by being permitted to be the first one to tee off on the new country golf course. Everything happens to him—the clubs are bad, gets all mixed up with a sticky pie, has many other mishaps and never gets around to hitting the ball. Although this situation is rather long drawn out and has been done by Mr. Fields in an old picture, it will provoke hearty laughter. One funny situation is where Fields sits down in his own invention of a trap-chair for robbers and is knocked unconscious by a hard ball he had attached to it; his friends thought he had fallen asleep:—

Louise Carter, Fields' wife, is disgusted with him because he gets drunk too often and wastes his time in silly inventions. His daughter, Joan Marsh, is in love with Buster Crabbe, but Crabbe's mother refuses to consent to a marriage because Joan's family is not in society. Fields goes to the city to demonstrate to a group of financiers his newest invention—a puncture-proof tire. Not realizing that he was demonstrating on another car that looked just like his own, he shoots into the tires and they all go flat. He is laughed at and takes the train for home, leaving his own car. On the train, he meets Adrienne Ames, a princess, and confides all his troubles to her. She decides to help him. The next day she honors the town by visiting them and tells Crabbe's mother, who was head of the welcoming committee, that she came to see her old friend Fields. This makes Fields and his family the most sought-after people in town, and Crabbe's mother is now glad to announce the engagement.

Fields does not know that Adrienne is a real princess; he thinks she was merely posing, just to help him along. To everyone's pleasure the financiers, who had found Fields' car and had tested the tires, pay Fields one million dollars and royalties for his invention. Adrienne goes on her way, happy that she had done something for Fields.

The plot was adapted from a story by Julian Street. It was directed by Erle C. Kenton. In the cast are Kathleen Howard, James B. Kenton, Robert McKenzie, George Irving, and others.

Suitable for children, adolescents, and Sundays.

IF YOUR EXCHANGE SHOULD REFUSE TO RECOGNIZE THE CANCELLATION RULING

Several exhibitors have sent to this office copies of letters sent to them by one exchange or other refusing to recognize the Code Administrator's ruling on the ten per cent cancellation provision of the Code.

The Code Authority went on record as ratifying that ruling by a vote of eight to two on March 29; these letters bear the date of not later than April 5.

Since the interval between the date on which the ruling was ratified by the Code Authority and the date born by these letters is so short, it is manifest that the branch managers of these exchanges had not yet received instructions from their home offices. There will be no excuse, however, if they should refuse to recognize that ruling after sufficient time has elapsed for them to receive such instructions.

If you should receive from an exchange manager a letter informing you that his company refuses to recognize that ruling, I suggest that you inform the Code Administrator about it at once.

Since you have to pay for the picture you cancel and apply the payment on the Tenth picture, I suggest that, when you are about to receive the Tenth picture, you notify the exchange to apply the payment of the cancelled picture on the Tenth picture. The exchange manager will not, I am certain, dare hold back your show just because his Home Office has not sent him instructions to recognize the ruling. You should want nothing better than to have the branch manager hold back your show, for the ruling of Administrator Rosenblatt on the ten per cent cancellation provision is now part of the Code, and the Code is a Federal law. If any one should refuse to recognize that ruling and defies it, he then defies the law and must stand the consequences.

It is manifest that indictments have to be brought against some of these fellows before they are made to realize that they cannot trifle with the United States Government.

A DISGRACEFUL PICTURE

An advertisement of a moving picture called "Guilty Parents," which appeared in an out-of-town paper, contains the following lines:—

"Did You Ever See a Strip Poker Party? What Goes on in Parked Cars? . . . Exposing the Los Angeles Love Mart. . . Beautiful girls bartered like cattle and sacrificed on the altar of lust. . . GUILTY PARENTS Exposes the Crime Horror of Illicit Love. . . Due to the unusual nature of this production, no mixed audiences will be permitted. . ."

Here is what the substance of the picture is:—

"The heroine, ignorant of sex matters, has an affair with a young school chum of hers.

"When he discovers that she is pregnant, he offers to elope with her to New York and there to marry her.

"On the way to New York the young man, being without funds, holds up a gas station and both the proprietor and he are killed.

"The heroine escapes the scene of crime and goes to New York, where in a hospital her baby is born dead.

"She is so grief-stricken that she attempts to take her life by drowning. But she is saved by a young man with whom afterwards she lives.

The heroine obtains a position at a cafe. Her face is familiar to the cafe manager but he cannot place her. When, however, a detective calls at the cafe in an effort to solve the gas station murder, the cafe manager suddenly recollects having seen her waiting in an automobile near the scene of crime and makes insulting proposals to her as a price of his silence. But she rebuffs him and leaves him.

"The heroine obtains a position as instructor and hostess in a dancing school for young girls. The cafe manager, who

was really a procurer of young girls for rich men, discovers her hideaway and forces her to take some of the young girls to his establishment, where they are forced to consort with his patrons.

"But the cafe manager makes the mistake of betraying her landlady's daughter, whom she was fond of, and when the girl, after an illegal operation, dies, the heroine shoots and kills him. She then takes her own life."

It is a horrible story, and will have horrible results for you and the entire motion picture industry if you should show it, particularly now, when the industry is on trial.

I am making a personal appeal to every decent exhibitor in the land to help me keep this picture off the screens of the country. The mission of the moving picture theatre is not to conduct propaganda among the amusement seekers as to whose fault it is why so many girls go wrong; it is a place where people go to find relaxation and entertainment. Pictures such as "Guilty Parents," however, give him neither; they are a disgrace to every man, woman and child engaged in one occupation or other in our industry.

PICTURES YOU MAY CANCEL

(Concluded from back page)

picture was set in your zone. That statement of mine was founded merely on logic, for unless it is either shown in a down-town theatre or trade-shown in a place where the trade is invited to review it, how is an exhibitor going to see the picture so as to be able to tell whether he should or should not cancel it? You can see for yourself that the spirit of the Code would be violated unless the distributor gave the exhibitor or his representative an opportunity to review it. It will be necessary for the Administrator or the Code Authority to make a ruling on this point.

When you buy a distributor's entire output with the exception of pictures of a certain style, such as, for example, westerns or foreign-made, you do not lose your right to eliminate ten per cent under the Code, for this reason: The cancellation provision was put into the Code for the purpose, not of offering the exhibitor financial relief, but of enabling him to reject some of the type of pictures his patrons have been objecting to. When his contract excludes westerns, or foreign-made, or both, he has no chance of excluding demoralizing pictures. Consequently, he retains the right to exclude ten per cent of the pictures he has bought. The matter differs when he buys the entire product with the right to eliminate a certain number. In such a case the contract becomes a selective contract and he loses his right to make further eliminations. A ruling on this question will, no doubt, have to be made soon by the Code Administration.

Only exhibitors in good standing may avail themselves of the cancellation privilege of the Code.

If the exhibitor is in arrears on his short subjects and has offered the distributor to arbitrate all disputes that may arise between them, the distributor cannot declare the exhibitor in bad standing and refuse to accept his cancellation of features; an arbitration board, as provided for by the Code, must settle the breach of the short subject contract. Only if the exhibitor should refuse to abide by the decision of the arbitration board may he be declared in bad standing.

You are within your rights to postpone the cancellation of your quota of pictures until the tail end of the season. But when you desire to take advantage of the cancellation provision promptly by cancelling one picture out of each ten, then you must pay for the canceled picture, if it is not the tenth in the series, and apply the money that you have so paid on the tenth picture of the group within which the cancellation was made.

The number of pictures you are entitled to cancel is based, not on the number of pictures a distributor will deliver, but on the number he has sold you. The Code provision is specific on this point.

Although I have based my facts on the supposition that you have no other right to cancel pictures than that granted you by the cancellation provision of the Code, I still believe that, in case you establish the policy of cancelling your pictures on sex or other demoralizing grounds, you may cancel every sex or other demoralizing picture, even if the number reaches as high as fifty per cent, or even higher. This matter I discussed in detail in the issue of March 24, under the heading, "If the Demoralizing Pictures Are More Than Ten Per Cent of the Total Number!" Read that editorial carefully and act accordingly.

"Laughing Boy," which belongs to the second group of ten, is another picture you should keep your eye on. It is to be founded on the Oliver Lafarge novel. This novel was originally bought by Universal; it was forecast in the 1932-33 season's *Forecaster* and pronounced poor sexy material for a picture—the heroine, a Navajo Indian, is a prostitute, and carries on an affair even after she had married. She is shot and killed by one of the men she had had illicit relations with. MGM bought it from Universal for Ramon Navarro. I don't know how much cleansing MGM has done to the book plot, but I doubt whether anything can be done to such material.

Paramount: Number of pictures sold, maximum sixty-five; number delivered prior to December 8, twenty; number deliverable after December 7, maximum forty-five; number cancellable under the Code, four. The Tenth picture of the first group of ten is "Search for Beauty." The Tenth of the second group is "Trumpet Blows," to be released on April 14.

In an editorial printed in a previous issue I recommended that you cancel "Wharf Angel."

RKO: Number of pictures sold by this company, fifty-one; number delivered prior to December 8, eleven; number to be delivered after December 7, forty; cancellable number under the Code, four.

"Long Lost Father," as stated in the review, which was printed in the February 24 issue, is a star substitution in that Katherine Hepburn was promised with John Barrymore, but only Mr. Barrymore appears in the picture. Since the Code forbids star substitutions, if you have already rejected it, you should not count it in your quota of cancellable pictures. In other words, if you have rejected this picture on the ground that it is a star substitution, you may still cancel four pictures under the cancellation provision of the Code.

For those of you who have accepted "Long Lost Father" on your contracts, the Tenth picture is "Spitfire"; for those who have not, it is "Wild Cargo." Accordingly, those of you who have rejected it may apply the money you have paid for any picture you have canceled under the cancellation provision of the Code on "Wild Cargo," but those who have played it may apply such money on "Spitfire."

United Artists: In the issue of March 24 of HARRISON'S REPORTS, I printed a ruling which I was able to obtain from Division Administrator Sol A. Rosenblatt to the effect that the cancellation provision of the Code applies also to this company, even though it sells its pictures on separate contracts. Accordingly, if you have bought from this company twelve pictures, signing your contract prior to December 7, you are not entitled to cancel any picture by reason of the fact that there were released prior to December 8, seven pictures. This leaves five pictures to come under the Code provisions; and on five you are not entitled to cancel any one; the number must be six to entitle you to cancel one. If you, however, bought anywhere from thirteen to twenty-two, you are entitled to cancel one because, after deducting seven (the number of pictures delivered prior to December 8) from twenty-two, there are left fifteen pictures. And on fifteen you are entitled to cancel only one. (The number that gives you the right to cancel two begins at sixteen and ends at twenty-five.) If you bought twenty-three and as high as thirty, the highest number this company is supposed to have sold to any exhibitor, then you are entitled to cancel two pictures, for when you deduct seven from thirty the number of pictures left is twenty-three. And on twenty-three you may cancel two.

If you, however, signed your contract on or after December 7, you are entitled to cancel one out of each ten, regardless of the release of seven pictures prior to December 8. This matter is treated in more detail towards the close of this editorial.

For those who signed the contract prior to December 7, the first picture in the first group of ten pictures is "Roman Scandals," released December 29; the Tenth picture has not yet been set for release—it will no doubt be released after the date on which "Sorrell and Son" has been released, which date is April 20.

In a previous article I recommended that you cancel "Nana." If you have failed to take advantage of the cancellation rights given you under the Code to cancel this picture perhaps because you were unaware of the fact that the cancellation provision applied to the product also of this company, then you may cancel a different picture, "Catherine the Great," for example, which has been set for release

April 13. If you should decide to cancel "Catherine the Great," your last day of grace to send in your cancellation notice will be April 27.

Universal: Number of pictures sold, thirty-six, including the westerns; number delivered prior to December 8, nine; number to be delivered, twenty-seven; number cancellable under the Code, three.

If your contract calls for "I Like It That Way," then the Tenth picture is "Wheels of Destiny"; but if it calls for "Rigadoon," then it is "The Poor Rich," by reason of the fact that "I Like It That Way" is a substitution, for reasons given in the review; and substitutions do not, as said, count if you want to reject them.

If your contract calls for "Rigadoon" as the picture and you have already played "I Like It That Way," and you do not want to consider it as an "extra" picture, then you may apply the payment you have made for the cancelled picture, if you have cancelled one, on "Wheels of Destiny"; but if you have not yet played it and you want to reject it, or if you have already rejected it, then you may apply such payment on "Poor Rich."

Warner Bros.: Thirty sold; six delivered prior to December 8; twenty-four to be delivered after December 7; on twenty-four, you may cancel two. The Tenth picture is "Modern Hero." (I am not counting "Disraeli.")

If you have not yet canceled any Warner Bros. picture, you may consider cancelling "A Modern Hero," for according to my advices from the Coast it is a poor picture and very much demoralizing. The book upon which this picture has been founded is demoralizing, and it was so forecast in the 1933-34 season's *Forecaster*.

In previous articles I recommended the cancellation of either "Easy to Love," or "Heat Lightning."

Facts You Must Remember

There are a few things you must always keep in mind if you want to take full advantage of the benefits granted you by the Code. These are the following:

Your right to cancel ten per cent of the pictures you bought on one deal begins with the release of December 8 only in case you signed your contract prior to December 7, 1933; if you signed it on or after December 7, then you are entitled to cancel one out of every ten feature pictures you have contracted in one deal. Although this matter is not covered by the Code's language, it is covered by its spirit, for the cancellation provision was inserted into the Code to enable the exhibitor to reject some of the demoralizing pictures Hollywood makes, regardless of other considerations. A ruling will, no doubt, have to be made on this question by the Code Administrator.

The release date in your zone is not necessarily the national release date set by a distributor. The Code specifies the following: "The Exhibitor shall give to the Distributor written notice of each motion picture to be excluded within fourteen (14) days after the general release date thereof in the exchange territory out of which the Exhibitor is served." In other words, it must be a general release date in your own zone, no matter what may happen in other zones. It is important for you to remember this, by reason of the fact that there are times when pictures are held back from release by the affiliated exhibitors and not released until weeks and at times months after the national release date. In such cases, your right to cancel such picture is not based upon how much earlier that picture was released in other zones; the release in your exchange territory is what counts.

The Code specifies, as said, that you must notify the distributor of your intention to cancel a picture within fourteen days after the general release date in your exchange territory.

What is the "general release" in your territory?

Suppose a picture was released nationally on February 10, but it was not shown in a first-run theatre in your exchange city until May 10. In such a case, your right to cancel that picture does not end until May 24.

But suppose that a picture is not shown in any first-run down-town theatre in your exchange city at all! What will be the general release date then?

In a previous issue I stated that a picture, unless shown in a key-city theatre, must be trade-shown by the distributor before it may be said that a general release date for that

(Continued on inside page)

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
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 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, APRIL 21, 1934

No. 16

QUESTION AND ANSWER DEPARTMENT

18. *Question:* Trade publications are somewhat at variance regarding the closing day of code assents. One such paper stated that April 15 would be the last day available to file unqualified assents. Now we are informed that March 10 was the deadline. (a) Please give me the correct date. (b) If the closing date was March 10, is the privilege of assenting to the code withdrawn for all time?

If the official statements concerning these matters were issued by the Code Authority through the industry press, the hesitancy of many exhibitors to take action, caused by conflicting reports, would be immediately eliminated.

Answer: (a) The last day on which an exhibitor could sign the compliance certificate was March 10. (b) Assent to the Code has been withdrawn for all time for those who failed to sign it on or before that date.

There should have been no confusion in the minds of any exhibitor because the Code made the trade press the medium through which official statements and rulings are issued, and the Code Authority issued its official statements and rulings through it.

Personally I feel sorry for those exhibitors who have allowed themselves to be misled, and failed to sign the Code, losing for all time the right to file complaints with the Grievance boards. Personally I did all I could to induce the exhibitors to sign a compliance certificate. My position in the matter was so clear that no one could have misunderstood it. I even risked old friendships so as to guide exhibitors right. I stated repeatedly that though the Code did not give the exhibitors every reform they asked for, it gave them many reforms; and since no exhibitor would be barred from fighting for additional reforms were he to sign the Code just as it was, there was no reason why any exhibitor should have failed to sign the compliance certificate.

19. *Question:* I am still unable to induce the exchanges to accept my cancellations of ten per cent of my feature pictures. What shall I do?

Answer: John C. Flinn, Executive Secretary of the Code Authority, sent the following letter to all distributing companies:

"Attached herewith is a copy of a resolution (the resolution ratifying the Administrator's ruling on cancellations) passed by the Code Authority at its ninth meeting, held in New York City on March 29th, 1934.

"You are instructed to send to the Executive Secretary of the Code Authority of the Motion Picture Industry, RKO Building, Rockefeller Center, New York City, notice upon receipt of any request by you of any application of any exhibitor desiring the privileges of the ten per cent cancellation under the Code. Such cancellation shall be granted by a distributor only when notified by the Code Authority that the exhibitor-applicant has fully complied with the provisions of Paragraph Ten of Article II of the Code of Fair Competition for the Motion Picture Industry.

"In a communication addressed to the Code Authority, dated Washington, D. C., January 8th, 1934, Division Administrator ruled as follows:

"Exhibitors not signing the assent are entitled to the benefits of the 10% elimination clause and any other benefits derived from the work of the Code Authority; but by not signing the assent, they are not entitled to file complaints (Article VI, Part 2, Section 8). On the other hand, by accepting the benefits they become liable to assessment."

"The foregoing procedure is mandatory."

So from now on no exhibitor should have any trouble in having his cancellation rights recognized.

The assessment that must be paid by each exhibitor who has signed the Code, and each of those who have not signed it but intend to take advantage of the cancellation provision, was determined last week by the exhibitor members of the Code Authority (Messrs. O'Reilly and Yamins) and was ratified by the entire body. The plan is now awaiting ratification by the Division Administrator before it is given out by the Executive Secretary of the Code Authority. I may assure every exhibitor, however, that the assessment is so reasonable that no exhibitor will, I am sure, object to paying it. It will, no doubt, be announced this week.

GRANDIOSE VIEWS CAUSING NONSENSICAL TALK

Louis B. Mayer, producer of Metro-Goldwyn-Mayer pictures, speaking at the Convention of Motion Picture Theatre Owners of America (really the Hays Sales Convention), in Los Angeles, said that the producer who makes pictures that cost \$25,000 should be driven out of business.

W. Ray Johnston, President of Monogram, became incensed and informed the trade that, since Mayer's speech violates Part I, Subdivision A, of Article V, of the Code of Fair Competition for this industry, he intends to bring the matter before the Code Authority at the next meeting of that body. This Part reads as follows:

"The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations or by the false disparagement of the grade or quality of their pictures or theatres, shall be deemed to be an unfair trade practice."

The meaning of this article is plain; it gives the right to Mr. Johnston to bring a complaint before the Code Authority and to demand that Louis B. Mayer be penalized for having "disparaged" the product of a competitor.

I hope that Mr. Johnston, although fully justified, will not take the matter to the Code Authority, for Louis B. Mayer's statement itself, if he has not been misquoted, is the worst penalty that could have been imposed upon him. It is so foolish that for any one to take Mr. Mayer seriously would be equal to losing his sense of humor.

Louis B. Mayer, having acquired the habit of spending for pictures anywhere from \$400,000 and up, cannot see how any producer could make a good picture for \$25,000 or \$50,000. Well, I do not know how much "Manhattan Love Song" has cost Monogram—perhaps \$50,000, or even \$60,000; but I venture to say that Louis B. Mayer could not have produced it for less than \$300,000 with the utmost economy, and if he could he would not have presented so much entertainment value.

If there is any class of people who should be driven out of business it is the producer, not of the \$50,000 pictures, but of the sort of pictures Louis B. Mayer and some other major company producers have been putting out for years—filthy and vile. It is the Mayer sort of pictures that have made millions of people join hands for the purpose of boycotting the picture theatres. Mayer's latest effort is "The Postman Always Rings Twice," synopsis of which was printed in HARRISON'S REPORTS two weeks ago. If he should continue this sort of pictures, it will not be the \$25,000 or the \$50,000 producer who will go out of business; every one of us will.

"Whirlpool" with Jack Holt*(Columbia, April 10; running time, 73 min.)*

Just a fair melodrama with some human interest. The interest is held because Holt, supposed to be dead, eventually comes to a town where his wife and daughter are living and one feels they will meet in some way. The scenes showing the friendship and devotion of Holt and his daughter, Jean Arthur, are touching, and the situation showing them meeting for the first time will stir the emotions. But the closing scenes are demoralizing because Holt kills a man in order to stop him from involving Lila Lee, his former wife, and Jean, in a scandal. The fact that Holt kills himself, too, does not justify the murder. The romantic interest between Jean and Donald Cook is incidental. Laughs are provoked by Allen Jenkins, who constantly complains about having stomach trouble:—

Holt, owner of a small town carnival, meets and marries Lila Lee, a small town girl. He negotiates to sell his carnival and goes back to see his assistant Allen Jenkins. Some of the customers start a fight, Holt hits one of them, who falls, strikes his head on a piece of lead, and is killed. Holt is arrested and sent to prison for twenty years. He is heartbroken when he learns that Lila is to have a baby. After a few years in prison he sends a false letter to Lila to which he forges the warden's signature, telling her that he, Holt, had tried to escape and had been killed. After his term he is released and met by his old pal, Jenkins. They start out together and soon become wealthy racketeers. Jean Arthur, Holt's grown daughter, a newspaper reporter, is sent to get a story from him about a criminal case in which he was to testify. When she sees him she recognizes him, from a picture her mother had, as her father. She tells him who she is and he tearfully takes her in his arms. Knowing that he would involve her and her mother if he went to testify in the criminal case he refuses to go. The lawyer for the indicted criminal warns him, and one day goes to see Holt and tells him that unless he testifies he will publish information concerning Lila Lee, who was now married to a respectable judge. This would disgrace both her and Jean. He sends Jean and Donald Cook away, for both had been at his apartment, and then kills the lawyer. He burns the evidence and then kills himself. Jean is heartbroken but tells her mother nothing about the affair.

The plot was adapted from a story by Howard E. Rogers. It was directed by Roy W. Neill. In the cast are Rita LaRoy, John Miljan, Oscar Apfel, Willard Robertson, and others.

Not suitable for children, adolescents, or Sundays.

"Manhattan Love Song" with Robert Armstrong and Dixie Lee*(Monogram, April 30; running time, 70 min.)*

Very good entertainment. It is cheerful, has many situations of comedy and of human interest. In addition, it has a logical plot, and holds the interest throughout. The comedy is brought about by the state of affairs existing in the apartment in which Dixie Lee and her sister, Helen Flint, live. Since they had lost all their money and could not pay their two servants, Robert Armstrong and Nydia Westman, they are forced to accept them as tenants in their apartment, the rent for which was paid up for a few months. The fun begins when Armstrong forces them to work for their food, which he supplies, and which Nydia cooks. It is comical, too, when Nydia begins to take on airs, imagining herself a lady. The situation in which they entertain Cecile Cunningham, a mine owner from the West, who was willing to pay one thousand dollars to Robert Armstrong to have her silly son, Harold Waldrige, meet society people, is laugh-provoking, for many reasons: One is that the electricity and the gas are turned off and they are forced to boil tea in the living room fireplace; the other is that Nydia sets out to charm Harold with her assumed manners.

In the development of the plot Armstrong meets with an accident and Dixie, in order to earn some money to buy food, takes a position in a burlesque show which is raided. She is arrested and later bailed out by her brother-in-law, who had just married her sister, and had returned from their honeymoon. Armstrong decides to accept a position offered him by Cecile Cunningham, and is overjoyed when Dixie expresses a desire to go with him as his wife.

The plot was adapted from a story by Cornell Woolrich. It was directed by Leonard Fields. In the cast are Herman Bing, Harrison Green, Edward Dean, and others.

Suitable for children, adolescents, and Sundays.

"Finishing School" with Frances Dee, Bruce Cabot and Billie Burke*(RKO, May 4, running time, 72 min.)*

This is a delightful picture, so far as acting is concerned. Ginger Rogers keeps one laughing all the time with her wisecracks. The acting of Billie Burke, who takes the part of a rich middle-aged woman to whom beauty is her God, is extremely amusing. There is considerable human appeal, too. The story belongs to the sex genus, but it has been handled delicately. Yet there may be objections to it because it is implied that the young heroine has sexual relationship with the man she loves.

The story unfolds in a school where wealthy parents send their daughters to get finishing touches in culture. Beulah Bondi, head of the school, is a hypocritical spinster, who demands of her proteges blind obedience. Frances Dee obeys blindly at first but soon she rebels because she is not allowed any privileges. She is induced by a schoolmate to go to a week-end party with her; but instead of finding herself in her schoolmate's home she finds herself in a hotel apartment. One of the young men of the party tries to make advances to her and she, resenting it, attempts to leave. The young man interferes but she is rescued by Bruce Cabot, a young interne, who had been working at the hotel as a waiter to earn some money for his education. They soon fall in love with each other. At Christmas she learns that her parents were not to be home and she is forbidden from spending the holidays elsewhere. Bruce Cabot sneaks in the grounds at night, signals her, she comes out and they go to the gate-keeper's vacant cottage to be together for a few hours. The two forget themselves and she surrenders to him. A few months later the secret comes out and Dee is horrified. But Cabot offers to marry her. While the mother offers objection the father gladly acquiesces. They marry.

The story is by David Hempstead; the direction, by Wanda Tuchock and George Nichols, Jr. John Halliday, Sara Hadden, Marjorie Lytell and others are in the cast.

It is a picture for adults. Children under twelve may not understand the sex relationship; all adolescents will. Not for a Sunday show in towns where people are particular.

"Take The Stand" with Thelma Todd and Jack LaRue*(Liberty Pictures; running time, 77 min.)*

A pretty good murder mystery melodrama; it holds one in suspense because the mystery is not solved until the end. The solution is worked out logically, even though the plot is a bit far-fetched. Several people are suspected of the murder because they each had a grudge against Jack LaRue, a newspaper columnist who was printing slanderous items about them. The romantic interest is incidental.

In the development of the plot Jack LaRue is threatened by several people unless he stopped publishing items about them. He pays little attention to them, and promises his radio audience to give them some interesting news. The night of the broadcast all his enemies are gathered in an outer office, vainly trying to see him. The broadcast is started; just as he is to divulge the name of the person and his story about him, a shot is heard and a cry. When the door is opened LaRue is found dead. The puzzling thing about the case is the fact that although a shot had been heard, the coroner diagnosed it as death from a stab wound. Gail Patrick's father is arrested and charged with the crime. Russell Hopton, a detective, is dissatisfied with the arrest and resigns. He promises Gail to help clear her father. He works on the case alone and eventually proves that Thelma Todd, LaRue's secretary, and Leslie Fenton, her sweetheart and a reporter on the same paper who was promised promotion if LaRue left, were the murderers. Hopton shows that Thelma had left one of the doors open, that Fenton had entered and stabbed LaRue, and then started the broadcast by using a phonograph record Fenton had prepared for the purpose. Thelma and Fenton are arrested. Hopton is congratulated and as a reward wins Gail Patrick as his bride.

The plot was adapted from a story by Earl Derr Biggers. It was directed by Phil Rosen. In the cast are Burton Churchill, Vince Barnett, Sheila Terry, Paul Hurst, DeWitt Jennings, Richard Tucker, and others.

Because of the murder committed exhibitors will have to use their own judgment about showing to children, adolescents, or on Sundays.

"Viva Villa," MGM Special. Thrilling adult picture but too cruel for women and sensitive children. Review next week.

"The Trumpet Blows" with Adolphe Menjou, George Raft and Frances Drake

(Paramount, April 13; running time, 68 min.)

Terrible! The story is trite, the dialogue poor, and the theme demoralizing. It attempts to glorify a bandit and arouse sympathy for him; in addition, it was certainly a piece of miscasting to put Adolphe Menjou in the role of a dashing and brave bandit—he does not look the part. Raft is miscast, too; he is ill at ease in his role. An attempt is made to arouse sympathy by the love the brothers have for each other, but this falls rather flat. The love affair between George Raft and Frances Drake is rather sordid.

In the development of the plot, Raft returns to Mexico to live with his brother, Menjou, supposedly a wealthy rancher and gentleman, but in reality a notorious bandit. Menjou wants Raft to marry the daughter of a wealthy neighbor, but when Raft sees Frances Drake, a dancer and friend of his brother's, he falls in love with her. That night they become intimate and Raft is heartbroken when he later learns that Menjou loves her and wants to marry her. He leaves his brother's home without speaking to Frances and goes to live with an old friend who trains him to become a matador. Some time later he again meets Frances, and realizing they love each other, live together. Menjou finds them together and tells Raft he never wants to see him again. Raft takes to drink and shows signs of nervousness. Before an important bullfight Frances goes to Menjou and begs him to see Raft. Menjou knows that in going to Mexico City he runs the risk of being recognized by the police; but he goes. Raft is in danger of being gored when Menjou jumps into the arena and distracts the bull so as to give Raft time to recover himself and kill the bull. The police do recognize Menjou but through a clever ruse by his servant, he is released. The brothers are now friends again and Menjou consents to Raft's alliance with Frances.

The plot was adapted from a story by Porter Emerson Browne and J. Parker Read, Jr. It was directed by Stephen Roberts. In the cast are Edward Ellis, Sidney Toler, Nydia Westman, Douglas Wood, Katherine DeMille, and others.

Unsuitable for children, adolescents, or Sundays.

It should be marked for cancellation under the Code.

"Sing and Like It" with Zasu Pitts, Nat Pendleton and Edward Everett Horton

(RKO, April 20; running time, 71 min.)

Although vulgar in spots this program comedy is very funny. It revolves around a sentimental gangster who, when he heard a song about a mother, became soft. Even though he and his gang are burlesqued and made to look ridiculous it has a demoralizing effect because they use strong-arm methods to get what they want. One of the funniest situations is where Pendleton, the gangster, stops in the middle of a robbery when he hears Zasu Pitts sing a song about a mother. He is so overcome that tears roll down his cheeks; he thinks Zasu has a golden voice, in spite of the fact that everybody else thinks just the opposite. But other situations are equally comical. Ned Sprks, as a sour-faced assistant gangster, adds to the gaiety by his wise-cracks.

In the development of the plot Pendleton decides to take Zasu out of the Little Theatre group she was connected with, to star her in a Broadway show. By threats he forces Edward Everett Horton, a famous producer, to assemble the show and star Zasu. Horton is frantic. Pert Kelton, Pendleton's mistress, who wanted to go back on the stage, is furious when Pitts is given the chance. She becomes her understudy and tries to get her sick by feeding her with pickles and ice cream, but nothing works. Zasu is kidnaped just before the opening night and Pendleton is furious. Kelton confesses she had done it but it develops that some one had double-crossed her, turning the pretense into a reality. Pendleton is forced to pay \$15,000 for her release. At the opening night of the play the gansters surround the most famous critic and at the point of guns force him to laugh at Zasu's terrible jokes and to applaud her. His evident enjoyment sways the whole audience and Zasu is a sensation. Now that she is famous she imagines Pendleton will demand that she give herself to him; but he sends her home and tells her he is not interested in her. He was going to a party being given by his mother who was just released from prison. Zasu now feels that since she had her moment of glory, she is ready to leave the stage and marry her sweetheart. It develops that he had played the little kidnaping trick on Pendleton and that he now was \$15,000 the richer for it.

The plot was adopted from a story by Aben Kandel. It was directed by Wm. A. Seiter. In the cast are Richard Carle, Stanley Fields, and others.

Unsuitable for children, adolescents, or Sundays.

"Man Trailer" with Buck Jones

(Columbia, March 15; 59½ min.)

Of the same caliber as other Buck Jones pictures. There are the usual thrills, caused by dangerous situations the hero finds himself in.

This time the hero is sought in Texas for a crime he had committed in self-defense. He refuses to take part in a hold-up, proposed by the leader of the outlaw gang he had joined, and then, when he was headed for a certain spot from which a stage carrying gold was to pass, so as to hold it up, he finds the stage held up by the outlaws. He puts them to flight by shooting, and when he approaches the stage coach he finds the heroine in it. Fearing the return of the outlaws he takes the safe and the heroine and hides behinds rocks. The outlaws return and shoot it out with them. The hero, knowing that they had to give up because of lack of ammunition, is about to hoist the white flag when the heroine's father, sheriff, arrives with a posse and rescues them. The hero is made deputy sheriff and determines to run the outlaws out of that region. The outlaws frame him and when circumstantial evidence points to the hero as having betrayed the law he turns up and by a clever ruse leads the posse to the hiding place of the outlaws, whom they surround and exterminate. The hero is exonerated and he and the heroine marry.

The story is by Lambert Hillyer; the direction, by the author himself. Celia Parker, Arthur Vinton, Charles West and others are in the cast.

Because of the fact that the hero becomes an outlaw for a while and even goes to hold up a stage, the picture may be considered somewhat demoralizing even though he does not do anything wrong and even helps law and order.

It is up to each small-town exhibitor to decide whether it is good for a Sunday showing, or suitable for children.

"Twenty Million Sweethearts" with Dick Powell, Ginger Rogers and Pat O'Brien

(First Nat'l, May 26; running time, 88½ min.)

Good light entertainment. It has comedy, some tunes that will undoubtedly become quite popular, a pleasant romance, several radio stars who are well known to most audiences, moves at a fast pace, and has some human interest; it should please all types of audiences. Some of the situations will provoke hearty laughter; as for instance the one in which Pat O'Brien tricks Grant Mitchell and Joseph Cawthorne in going to an inn to hear Dick Powell sing. Comedy is brought about by the complaints of Cawthorne, who claims he is a sick man, and by Allen Jenkins, who hates children and is forced to conduct the children's hour on the radio. Both Ginger Rogers and Dick Powell are sympathetic characters, particularly Ginger who gives up her own position so as to further Powell's career. Pat O'Brien, as a high pressure manager, provokes laughs.

In the development of the plot, O'Brien, a talent scout for a broadcasting company, finds Dick Powell singing in a beer garden in California. He brings him to New York and at his audition, instead of permitting him to sing the type of song he wanted to, he forces him to sing a novelty song, to a failure. Ginger, a singer on a program sponsored by Cawthorne, a soap manufacturer, is in love with Powell. O'Brien hits upon a plan—just before she is to sing Ginger will "faint," and then Dick will step in and sing his song. It works out as they planned and Dick is a sensation. Ginger is glad to give up her contract, which is given to Powell, even though he objects to doing such a thing. They plan to marry but Cawthorne fears that it will kill Powell's appeal with women. O'Brien separates the lovers by building up a false romance for Powell with another woman. It works, but Powell is so disgusted that he walks out on his contract and refuses to sing. Eventually everything is cleared up; the lovers are reunited, and Powell is taken back on Cawthorne's radio hour through a clever plan worked out by O'Brien who was remorseful for having caused the lovers unhappiness.

The plot was adapted from a story by Paul F. Moss and Jerry Wald. It was directed by Ray Enright. In the cast are The Four Mills Brothers, Ted Fiorita and his band, Joan Wheeler, Henry O'Neill, Johnny Arthur, and others.

Suitable for children, adolescents and Sundays.

Substitution Facts: In the contract 756 is listed as "Leslie Howard production." It is a star substitution.

CIRCUIT THEATRE OPERATION BY REMOTE CONTROL UNPROFITABLE

The March 20 issue of Motion Picture Daily contained a statement by David J. Chatkin condemning circuit theatre operation by remote control as unsound.

"Circuit operation of theatres by remote New York control as it exists today," said part of the statement, "cannot, in my opinion, continue very much longer. It is slowly but surely becoming apparent that these theatres are only rising and falling with the tide of general conditions and under the present setups can never return anything regularly on their investments.

"... Conservatively I can say New York is wrong 70 per cent of the time. In New York you will hear... four men in the field are operating the theatres' but I know now that it is not so... Only a circuit-owned theatre can withstand or has up to this time withstood the tremendous losses due to mistakes that have been made and are being made. By this I do not mean original mistake of impossible rentals or fixed charges, but the errors in judgment of operating policy.

"... *First-run circuit operation* is undoubtedly the most ruthless as it pertains to cutting and changing prices. This is one of the decisions that New York rarely permits the boys (in the field) to make, all statements to the contrary notwithstanding. Without any regard for any other theatre in town, without any consideration for existing conditions, without any thought in any direction, prices are changed overnight. I know of instances where the boys in the field fought as hard as they dared with the home office to avoid a price change, but to no avail, and a few weeks later the prices were changed back to meet the recommendations of the boys in the field. New York will never understand that it knows nothing about local conditions and is in no position to quickly make decisions of this kind.

"The entire structure will have to be changed so as to be entirely divorced from New York before any progress can be made... Each group of theatres in a given territory will have to be organized as a separate and distinct company with a real business man at the head of it... This local corporation must have the sole right to manage its business, including the purchasing of pictures other than the company's own pictures for which they will no doubt have a long-term franchise..."

Since Mr. Chatkin was the lieutenant of Sam Katz when he was head of Publix Theatres, and is now connected with him in the operation of a small chain of theatres, his sentiments represent the views of Sam Katz. These views corroborate the belief I expressed frequently in HARRISON'S REPORTS that theatres in Florida, in California, or in Washington, cannot be operated by a general manager from a desk in a building on Broadway, New York City.

But the change of front by Sam Katz comes too late: the industry has been bankrupted because of the false ideas of his own theatre chain operation, for if it weren't for his ambition to build the biggest theatre chain in the world, the other producers would not have become frightened and embarked upon theatre acquisition themselves, on as large a scale as that of Sam Katz, and when the depression came neither Paramount nor any other of the theatre owning producer-distributors would have found themselves with hundreds of theatres on their hands losing in the aggregate more than two million dollars a week.

Exhibition must be divorced from production before the industry will be righted. The producer-distributor is a detriment to the business; he does not choose the pictures with a view to conforming with the wishes of his patrons; he chooses them with the thought in mind of either making the most money or of suffering the fewest losses. He does not reject a picture even though it may prove most distasteful to his customers; he shows it because he produced it, and to shelve it would cost him too much.

A PROTEST BY THE NATIONAL BOARD OF REVIEW

A representative of the National Board of Review protested to this office over the article "A Small Edition of the Hays Organization," published in the issue of March 17. He stated that the concluding sentence of that article is not a fact. "The National Board of Review of Motion Pictures," he said, "was established in 1909 by the People's Institute at which time the Motion Picture Industry had never heard of Hays; and it has never been controlled, directed or influ-

enced by the Motion Picture Industry or by any agent of the Motion Picture Industry. It is a group of volunteer citizens endeavoring to develop the social usefulness of the motion picture as entertainment, culture and education through affiliation with other volunteer citizen groups in different parts of the country."

A CLERGYMAN VIEWING CENSORSHIP MOST INTELLIGENTLY

A bill to abolish censorship in the State of New York was introduced recently in the Legislature.

The bill naturally drew persons who are for abolishing censorship and persons who are against abolishing it. Many spoke for and many against the bill.

Among those who believe that censorship is ineffective is Bishop Francis J. McConnell, of the Methodist Episcopal Church. Bishop McConnell made the most intelligent statement why censorship is ineffective. He said:

"The trouble I have with the idea of censorship is that formal censorship puts the seal of approval on what is left after the censor has done his work. Any one who reads the excisions made by the censors feels that the cutting is wholly on superficials. The fundamental conception of the theme may be wrong. To say of a bad play that it is passed by the Board of Censors after deletions puts sanction on what remains. The good done by the excision does not outweigh the evil done by what at least appears to be found approved."

Bishop McConnell is right: censorship takes care of superficialities, leaving the substance remain. For instance, when a theme and its development violates every law of drama and decency, elimination of scenes will not remove its demoralizing effect.

Friends of the Patman bill HR6097 who may read these lines may ask: "Why are you, then, opposed to that bill which seeks to correct the evil by having a commission pass upon the story material before it is produced?"

The trouble lies not so much on the material employed but on how it is employed. In "It Happened One Night," the Columbia picture with Clark Gable and Claudette Colbert, there is sex. But I have not yet heard any one who has taken any objection to the picture; director Frank Capra handled the material with a clean mind and with intelligence. In the hands of a dirty-minded person, the same material would have made a picture that would insult people. How can the member of a Federal Commission foresee how that material is going to be handled?

Even if it were possible for a fine dramatist to tell by intuition how a given material is going to be handled, membership on such a commission does not endow a person with dramatic intuition. Dramatists are not made by law; and if among the appointees to such a commission one should happen to discover that he has such an intuition, he will not remain on such a commission working for \$9,000; he will go where he can earn tens of thousands of dollars a year.

In addition to all these reasons, a law creating such a commission will open the way for the worst graft that has been heard of, for the temptations are many.

The observation Bishop McConnell has made is not the only thing wrong with censorship. A censor is a political appointee and censorship becomes a matter of politics.

Even if it were not a matter of politics, censorship is wrong because it seeks to bring every citizen to the level of intelligence of the censor, no matter how far superior in intelligence most citizens may be.

There is something wrong with a system that authorizes one person to impose his views of morality upon millions of his fellow-citizens.

And yet something must be done to prevent the warped minds of Hollywood from pouring out the filth they have been pouring out for several years. When a person of power and influence, such as Joseph Schenck, can challenge high churchmen to stop him from producing the pictures he wants, using language that is unprintable, what is the substitute?

In the March 24 issue of HARRISON'S REPORTS, I stated that, in accordance with the provisions of the Code, the exhibitor is under no obligation to show sex and other types of demoralizing pictures. You should study those observations carefully with a view to acting upon them. Perhaps they offer the only way of escape from "rotten" pictures.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions	16.50
Canada	16.50
Mexico, Cuba, Spain.....	16.50
Great Britain	16.00
Australia, New Zealand, India	17.50
35c a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

PEnnsylvania 6-6379

Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, APRIL 28, 1934

No. 17

PICTURES YOU SHOULD CANCEL—# 3

(No. 1 appeared in the issue of March 31; No. 2, in the issue of April 14)

COLUMBIA: "Sisters Under The Skin" should be canceled; it belongs to the second group of ten. If you cater to young women and children, you should notify Columbia that you wish to cancel it, for although it is pretty appealing and has been produced with delicacy it shows an elderly man living with a young unmarried woman. It is a good picture for mature audiences.

Your right to cancel this picture expires April 29, unless it will be released in your territory later than April 15, the national release date. But if you intend to cancel it you might just as well send your written cancellation notice immediately.

FOX: If you have already canceled "All Men Are Enemies" I wish you would recall your cancellation and cancel "Such Women Are Dangerous," for, according to reliable information received by this office from the Coast, it is sexier and equally lacking in entertainment values. If you have not yet notified Fox that you wish to cancel "All Men Are Enemies," you may use your own judgment as to which of the two you wish to cancel.

Since "Such Women Are Dangerous" has been announced for national release May 4, your right to cancel it does not expire until May 18, unless it will be released in your territory still later, in which case your right expires fourteen days after its release.

MGM: "Laughing Boy" is, according to private information, the most putrid picture Metro-Goldwyn-Mayer has produced for sometime. It is so putrid, in fact, that the New York censor has rejected it as a whole.

I don't know whether the New York censor will stand by his guns to the end. Whether he does or does not, however, his decision is not binding upon the censors in the few other states where censorship exists, and it may be released in states where there is no censorship. If so, you should send your cancellation notice at once.

The picture was released nationally April 20, and if it was released in your territory on that date your right to cancel it does not expire until May 4.

PARAMOUNT: "The Trumpet Blows" is along the line of many putrid pictures Paramount has produced this season. And the worst of it is the fact that the picture lacks entertaining values entirely. You should cancel it at once; it belongs to the second group of ten—it is the tenth picture.

If you have already notified Paramount that you wish to cancel "Wharf Angel," I suggest that you recall that cancellation and cancel this picture instead, unless you are determined to reject every off-color picture, taking advantage of Part I, Article VII, of the Code, irrespective whether the percentage of such pictures is ten or fifty.

This picture was released nationally April 13; your right to cancel it under the Code expires April 27, too late for some of you to send in your cancellation in accordance with the provisions of the cancellation provision of the Code, unless it was released in your territory later than April 13, in which case your right expires fourteen days after its release. But whether your right has expired or not, I suggest that you cancel it, for I doubt whether Paramount would dare compel you to play so vile a picture.

UNIVERSAL: According to advance information from the Coast "Uncertain Lady" is so imbecilic and so sexy that it should be canceled.

Since this picture has been released nationally on April 23, your right to cancel it under the provisions of the Code expires May 7, unless it will be released in your exchange territory later, in which case also your right to cancel it expires later.

QUESTION AND ANSWER DEPARTMENT

(Questions from 1 to 8 were answered in the Issue of January 20; Questions 9 and 10 were answered in that of January 27; from 11 to 17, in the issue of February 24; 18 and 19, in the issue of April 21.)

20. Question: I have a selective contract with a distributor and they set a play-date for a picture which I intended cancelling but overlooked notifying them not to ship it. When the picture arrived I refused it and sent it back. But I paid the rental. However, I did not pay for the score. Now the branch manager of this company is asking me to pay for the score. Please let me know if they are entitled to this money.

Answer: The charge by the distributor for score is made to reimburse the producer whatever money he pays to the American Society of Composers, Authors and Publishers for the right to record on the film the copyrighted music that belongs to the members of this association. When a film is not shown by an exhibitor the producer-distributor has no right to collect anything from such exhibitor. This matter was definitely determined by the arbitration boards when compulsory arbitration was in vogue in this industry (before it was declared illegal by Judge Thacher in 1929), and an attempt on the part of any distributor to collect score charges under such circumstances is equal to obtaining money without returning a value for the money received.

The score charge should have been eliminated long ago; the money the producers pay to the Society is so small and the amount of money they collect from such a source so great that it is profiteering. The score should be incorporated with the film rentals. Some companies refrain from making a charge for score.

21. Question: In your issue of April 14, second paragraph under the caption "Facts You Must Remember," you state that your right to cancel ten per cent of the pictures is covered by the code's spirit. This is at variance with the Code itself, which gives the exhibitor the right to cancel ten per cent of all the pictures. Please let me know what you had in mind when you were making that statement. I read your editorials carefully for my guidance and I want to be up to everything you say.

Answer: The statement in question had reference to the pictures that were released prior to December 7 when the contract was signed on or after that date. The Code specifies the following regarding the pictures the exhibitor contemplates cancelling: "The Exhibitor shall give to the Distributor written notice of each motion picture to be excluded within fourteen (14) days after the general release date thereof in the exchange territory out of which the Exhibitor is served"—Page 249 of the Code, Part 6, (b), (1). When the exhibitor signed a contract on December 7, he finds that a number of pictures are out of his cancellation jurisdiction by reason of the fact that they were released long before his fourteen day grace, granted him by the Code, had expired. But the number of pictures he is entitled to cancel is not diminished thereby: if he has bought fifty pictures he is entitled to cancel five just the same. Now, since the number of pictures he is entitled to cancel remains the same, why should the distributor object to an exhibitor's cancelling one or more pictures from among those that were released prior to the time he signed the contract? What difference does it make whether the exhibitor cancels old pictures or new pictures if such exhibitor considers some of the old pictures so unsuitable for showing that it would hurt his business if he were to show them? It would be madness on the part of the distributor to offer any objections when he does not lose anything thereby and the exhibitor gains the good will of the people of his community.

"When Sinners Meet" with Clive Brook, Diana Wynyard and Billie Burke

(RKO, Tentative rel. date, May 18; running time, 72 min.)

A drawing room comedy, very English in atmosphere. Although it may entertain fairly well high class audiences, it is of doubtful value for the masses. Owing more to the excellent performances than the story, the interest is held. There is too much talk and very little action, and it all takes place in two rooms of one house—that is the one setting throughout. Much of the comedy is brought about by the manner in which Billie Burke fusses about her husband, her lover, or any one who will permit her to fuss. Laughs are also provoked by the way in which Clive Brook treats Reginald Owen and embarrasses him. There is little human interest in the story, and the characters are not of the type to arouse sympathy; it depends entirely for its entertainment on the comedy situations:—

Clive Brook, an eccentric millionaire, had made it his hobby to stop runaway couples, travelling by way of the Dover Road, forcing them to live at his home for a week to reconsider what they were about to do. Two such couples are Billie Burke and Alan Mowbray, and Diana Wynyard and Reginald Owen. It develops that Billie Burke and Reginald Owen are husband and wife and each one is shocked to find out that the other contemplated running away. Brook soon falls in love with Diana and feels she is too fine a person to waste herself on Owen. He shows up Owen with all his worst faults and this makes Diana realize how silly she was to have wanted to run away with Owen. Finally both Mowbray, who was supposed to run away with Billie Burke, and Owen, her husband, are fed up with her, and they run away from her together. But this does not worry Billie Burke, who had found another man to fuss over—a servant in Brook's home. Diana asks to be taken to the station and Brook suggests she use his car. She does this and finds that Brook himself is driving and going by way of the Dover Road. She is happy because she, too, had fallen in love with him.

The plot was adapted from the play "The Dover Road," by A. A. Milne. It was directed by J. Walter Ruben. Gilbert Emery, Phyllis Barry, Walter Armitage, Katherine Williams, and others are in the cast.

The theme is not suitable for children, adolescents, or Sunday showing.

"Sisters Under the Skin" with Elissa Landi and Frank Morgan

(Columbia, April 15; running time, 72 min.)

This human interest story is fairly good adult entertainment. It shows in a sympathetic way the desire of a man, reaching his fiftieth year, to recapture some of the joys of his youth and spend his millions in a way to please his artistic sense. Although the theme is demoralizing, in that Frank Morgan, the man in question, runs away from his wife with another woman, yet he is pictured in such a sympathetic way that one can understand his reasons for doing so. In addition, his association with Elissa Landi, the woman with whom he goes away, has been handled with such delicacy that it does not offend. The closing scenes, which show Morgan giving up Elissa so that she might marry a younger man with whom she was in love, are somewhat sad. Elissa arouses sympathy because of her loyalty to Morgan. Doris Lloyd, who takes the part of Morgan's wife, is sympathetic, too, for although she loved her husband she could not see things in the same romantic manner that he did. Joseph Schildkraut is miscast and hurts the picture.

In the development of the plot Morgan takes Elissa to Paris and he is extremely happy to buy her beautiful things and lead a happy-go-lucky life. There they meet Joseph Schildkraut, a composer who had formerly tried to teach Morgan how to play the piano. Schildkraut and Elissa fall in love but because of her loyalty to Morgan she refuses to allow the affair to become serious. Morgan and Elissa return to America and Elissa goes to see his wife. Elissa tells the wife that as long as Morgan needs her she will remain with him. The wife refuses to divorce Morgan for she feels that he is making a fool of himself; at any rate she knows that Elissa loves Schildkraut. Morgan resents this statement but later learns that it is true. Wanting Elissa to be happy he releases her and she goes back to Paris with Schildkraut. Finally realizing that a man of his age cannot hold the love of a young woman, he goes back to his wife.

The plot was adapted from a story by Jo Swerling. It was directed by David Burton. In the cast are Shirley Grey, Clara Blandick, and others.

Unsuitable for children, adolescents, or Sundays.

"Viva Villa" with Wallace Beery

(MGM, April 27; running time, 111 min.)

This is a genuine thriller, and it holds one in suspense almost every foot of the film. But some of the scenes are so cruel that women will shun the picture. That this is so may be attested by the fact that at the Criterion, this city, where it is now playing, it is not drawing the house a picture of its magnitude should be drawing. Absence of many women is the cause. Wallace Beery does excellent work as Villa, the ignorant and at the same time highly patriotic Mexican bandit. The scenes where he voluntarily submits to the rule of Madero, who had set out to depose Diaz, are tenderly pathetic; the wild Villa, unaccustomed to taking orders from others, rebels at first, but his love for Madero and for his people, whom he was trying to liberate, make him change his mind and acknowledge Madero as his chief. The scenes that show Villa in exile are pathetic. The part of the film where Villa is shown learning of the death of Madero and his resolve to avenge it, too, are highly emotional. The scenes of carnage are too cruel for women and children, and even many adults. The sight of people being shot down, three in a row being shown falling at a shot (to spare bullets), is more than many people can stand. There are other scenes of such cruelty.

The story opens showing the father of Villa, cold-bloodedly shot down and killed by one of the ruling class of Mexico, because he protested against the seizure of his land. Villa, then merely a lad, vows to avenge his father's death. When he grows up he becomes a bandit, raiding towns and shooting down the aristocrats as cruelly as they had shot down his father. His people, the peons, love him. Later he joins Madero and they overthrow Diaz. Madero sends Villa back to the farm. Villa robs a bank and through the intrigue of his enemies is exiled by Madero to Texas. When he learns that Madero had been assassinated he enters Mexico again, gathers an army and in a short time overthrows the Government. He kills the assassins of Madero. He becomes President for a short time. He then decides to go back to the farm, feeling that that is what Madero would want him to do were he alive. He is assassinated by a man whose sister one of Villa's men had killed.

The plot was taken from the book by Edgcomb Pinchon and O. B. Stade. Jack Conway directed it.

Because of the sex element in it, it is unsuitable for Sunday showing. Children may not understand the sex part of it but adolescents will. But because of the virility of the picture the sex angle of it may not prove as injurious to young people as it would ordinarily do. Use your own judgment.

"Stand Up and Cheer" with Warner Baxter and Madge Evans

(Fox, May 4; running time, 80 min.)

Good cheery entertainment. Although it has very little plot, it is made up of skits that are gay, somewhat unusual, and for the most part entertaining. In the cast is Shirley Temple, a most loveable child; she should win the heart of every spectator. One of the best skits is where Mitchell and Durant, slap-stick comedians, supposedly Senators in Washington, talk to each other very seriously about non-sensical matters, every once in a while smacking each other, throwing one another around the room, but never once stopping in their conversation; this should arouse hearty laughter. Another excellent skit is where a small animal, resembling a penguin, dressed in a jacket and a soft hat, enters a room in which Stepin Fetchit was doing some work; the animal talks like Jimmy Durante, telling of his humiliation at being brought down to such a state; the antics of this trained animal are very amusing. Enjoyable is also the scene in which Shirley Temple appears with James Dunn in a song and dance number. The song is good and the acting of this child remarkable. The closing scenes are impressive; they show the country out of its depression, with all types of workers marching to gay music and singing. It ends with this keynote of optimism.

The story revolves around the efforts of Warner Baxter, appointed by the President of the United States, Secretary of Amusement, to cheer the country up. He is hampered by dissenting interests who want to keep the people in a depressed state because it meant more money for them. But Baxter, with the help of Madge Evans, one of his assistants, eventually sees his work bear fruit and the country rise out of its depressed state. He marries Madge.

The plot was suggested by a story idea by Will Rogers and Philip Klein. It was directed by Hamilton MacFadden. In the cast are Sylvia Froos, John Boles, Arthur Byron, Ralph Morgan, Nigel Bruce, and others.

Suitable for children, adolescents, and Sundays.

"We're Not Dressing" with Carole Lombard, Bing Crosby and Burns and Allen

(Paramount, April 27; running time, 73½ min.)

"We're Not Dressing" depends for its success on the popularity and singing of Bing Crosby and on some of the comedy antics of Burns and Allen. The story is thin, but this will probably not even be noticed by the Crosby fans, since he sings throughout the picture, and the songs are of the type that may soon become popular. There are several laugh-provoking situations, such as the one in which Leon Errol puts roller skates on a bear, which goes racing around the deck of Errol's yacht. The comedy of Burns and Allen is well known; people will laugh heartily at the things they do, particularly in the scene where Miss Allen sets a trap for wild animals and catches Burns instead. The romance between Crosby and Carole is pleasant.

In the development of the plot Carole, aboard her uncle's (Leon Errol's) yacht, together with two fortune-seeking suitors, and her friend, Ethel Merman, is fascinated by Bing Crosby, one of the sailors, and his delightful voice. They are shipwrecked and all land on what is presumably an uninhabited island. Bing forces them all to work for their food, and although Carole at first objects her hunger forces her to accept his terms. One night Bing and Carole confess their love for each other, but he tells her he is not her type, that he intends studying architecture and has no money. Carole discovers they have neighbors in the persons of Burns and Allen, collectors of flora and fauna. They help Carole and her party with clothes. Rescue ships find them and Bing tells Carole to go back with her own people. He boards a freighter, but she receives permission to transfer to his ship. When they meet she tells him she loves him and is willing to live his sort of life. They are united.

The plot was adapted from a story by Benjamin Glazer. It was directed by Norman Taurog. In the cast are Jay Henry, Ray Milland, John Irwin, Charles Morris.

Except for one suggestive situation in which Bing carries Carole towards his hut, it is suitable for adolescents and Sundays; children may not understand the meaning of this.

"No Greater Glory"

(Columbia, April 20; running time, 76 min.)

This picture has been produced well, with excellent direction and acting. But it is not adult entertainment; it is more suitable for special matinee performances for the younger element. It is a simple story, of young boys at play, with their petty squabbles, joys, and heartaches. It does not present any personal problems of youth; instead it shows them with all the characteristics and traits of grown-up men, hating and fighting as adults would do. As a matter of fact this is disturbing. Several of the situations will bring hearty laughs, and some will stir the emotions, particularly the scenes showing George Breakston ill. This boy's performance is so good that his death is heartrending.

The plot was adapted from a story by Ferenc Molnar. It was directed by Frank Borzage. In the cast are Lois Wilson, Ralph Morgan, and others.

Good for children and adolescents; also suitable for Sundays. (See editorial about this picture in this issue.)

"A Modern Hero" with Richard Barthelmess

(Warner Bros., April 21; running time, 70 min.)

Terrible! The whole picture is made up of the cold and ruthless actions of the hero, who exhibits not one decent trait. Somehow, not even the love he shows for his son arouses any sympathy for him, particularly since he is indirectly the cause of the boy's death. Few of the characters win sympathy, except Jean Muir, and even her actions at first, in permitting the hero to stay with her, make one lose respect for her. But the fact that she later lives a decent life, spurning the hero's offers to provide her with money, and that she grieves at the eventual death of her son, will arouse one's sympathy. How can a producer expect an audience to sympathize with a man who has many illicit love affairs, who betrays his own father-in-law in the hope of ridding himself of him, and who descends so low as to marry a woman for whom he felt aversion, because such a marriage would further his business interests? Almost everyone he comes in contact with shows no respectable traits. In addition to all this the action is slow and is similar to many other pictures showing the rise and fall of big business men.

The plot was adapted from the novel by Louis Bromfield. It was directed by George W. Pabst. In the cast are Marjorie Rambeau, Verree Teasdale, Dorothy Burgess, Arthur Hohl, Theodore Newton, Florence Eldridge, and others.

Not suitable for children, adolescents or Sundays.

"Tarzan and His Mate" with Johnny Weismuller and Maureen O'Sullivan

(MGM, April 13; running time, 105 min.)

For the most part this is thrilling entertainment; it holds one in tense suspense and has some excellent comedy situations brought about by the antics of the monkeys. But the last twenty minutes are brutal. Never have scenes of such brutality and horror been seen on the screen—men are presumably thrown to hungry lions and devoured by them, their heart-rending screams piercing the air. Added to this is the brutality of a tribe of cannibals, with their particular ways of torturing men. These scenes are so terrible that children, and even adults, will have nightmares for a week and women will leave the theatre with a sick feeling. Only people with strong stomachs will be able to watch this and not be affected. There are some scenes that are breathtaking. For instance, the one in which Tarzan, leading a herd of elephants, prevents Neil Hamilton and his partner from taking the ivory from the burial grounds of the elephants. One of the most exceptional scenes is that in which Tarzan, having been wounded, is nursed by the monkeys and warned by them of danger. They care for him tenderly and with unbelievable intelligence. Sex has been brought into the story in a suggestive way, such as the efforts of Paul Cavanaugh to win over Maureen O'Sullivan and his remarks about her scanty costumes and his pleasure at seeing her exposed. Incidentally, the costume she wears almost throughout is so scanty that she is practically nude.

In the development of the plot Hamilton and Cavanaugh set out to get ivory. They encounter difficulties with hostile tribes of cannibals but eventually are rescued by Tarzan who calls to his aid a herd of elephants. However, Tarzan refuses to permit them to take the ivory from the elephants' burial ground and Cavanaugh, intent on taking this fortune back with him, shoots Tarzan. Maureen, not being able to find Tarzan, who had been rescued by his monkey friends and was being nursed by them, thinks he is dead and prepares to go away with Hamilton and Cavanaugh. But the monkeys warn Tarzan of her leaving and he gets to her in time to save her from the tribe of cannibals and from the lions who had been called together by the cannibals so that they might devour Hamilton and his men. Hamilton, Cavanaugh and the entire safari are killed. Maureen goes back to her jungle home with Tarzan.

The plot was adapted from a story by Edgar Rice Burroughs. It was directed by Cedric Gibbons. In the cast are Forrester Harvey, William Stack, and others.

Because of the brutal scenes described this is unsuitable for children, adolescents or Sundays. The picture, however, will no doubt draw large crowds because of the many and unusual thrills it offers.

"Upper World" with Warren William, Ginger Rogers and Mary Astor

(Warner Bros., April 28; running time, 72 min.)

For adults this is a fairly good marital drama, with human interest; but the theme is demoralizing. Warren William enters into an intimate relationship with Ginger Rogers because he had been neglected by his wife Mary Astor, and felt lonesome; Mary Astor followed the social whirl and neglected William, not because she had stopped loving him, but because she felt that a woman in her position should live like that; and Ginger Rogers, having been in association with cheap people all her life, really loved William and appreciated the way he treated her without making any demands on him. It becomes particularly sordid towards the end where J. Carroll Naish wants Ginger to blackmail William. Murders follow the blackmail attempts.

In the development of the plot William encounters Naish at Ginger's apartment and Naish demands blackmail for letters that William had written to Ginger and which Naish had stolen. A quarrel follows and Naish draws a gun. Ginger tries to shield William and is killed, and William is forced to kill Naish in self defense. Sidney Toler, a policeman who had a grudge against William for having had him transferred when he had given William a ticket for speeding, sees him at the house the night of the murder and, following a hunch, sets out to prove that William was implicated in the murders. He gets his clues, William is arrested and confesses. This is a great shock to his wife but he tells her he never stopped loving her. He is tried and acquitted. He is reconciled with his wife, who vows never to neglect him again for the social whirl.

The plot was adapted from a story by Ben Hecht. It was directed by Roy Del Ruth. In the cast are Andy Devine, Dickie Moore, Henry O'Neill, Theodore Newton, Robert Barrat, and others. (Coast review.)

Unsuitable for children, adolescents, or Sundays.

EXHIBITOR ASSESSMENTS FOR THE ADMINISTRATION OF THE INDUSTRY'S CODE

The amount of dues the different classes of theatres will pay to the Code Authority for the administration of the Code has been determined as follows:

In towns up to 25,000 inhabitants: Under 500 seats: \$12; more than 500 seats, \$18.

In towns of more than 25,000 and up to 100,000: First-run, \$24; other runs, \$18.

In towns of more than 100,000 and up to 300,000: First-run, \$36; other runs, \$24.

In towns of more than 300,000 and up to 500,000: First-run, \$42; other runs, \$30.

In towns of more than 500,000 and up to 700,000: First-run, \$48; other runs, \$36.

In towns of more than 700,000 and up to 1,000,000: First-run, \$72; other runs, \$42.

In towns of more than 1,000,000 inhabitants: First-run, \$96; second-run, \$48; other runs, \$36.

The estimated amount the Code Authority will collect from the exhibitors as dues will be about \$180,000. A like amount will be collected from the distributors.

As said before, those who have not signed the Code will not be assessed; but if they should take advantage of any of the benefits conferred by the Code, particularly of the ten per cent eliminations, they will have to pay. But the benefit such exhibitors will derive from the right to cancel poor pictures is so far greater than what they are required to contribute for the administration of the Code that it is assumed that they will all pay the dues.

Information sent out by the Executive Secretary of the Code Authority again has it that the exhibitor, whether he has signed the code or not, is not required to pay the dues first before he may enjoy the cancellation privilege. As far as those who have signed the Code are concerned, bills for their respective dues have already been mailed to them and they are given thirty days in which to pay; as far as those who have not signed the Code, when they avail themselves of the cancellation privilege the exchange will notify the Code Authority to that effect. A bill will be mailed to them immediately and they will be given thirty days in which to remit. If they should fail to remit, the exchange will notify them that they cannot enjoy the privilege any longer. Their failure to pay, however, will be considered a breach of the Code and they will be penalized accordingly.

MAJOR PRODUCER-EXHIBITOR CATERING TO DIRT

The Loew set-up, not only is making salacious pictures, but never lets an opportunity go by to show such pictures, no matter who produces them.

Loew's Valencia, at Baltimore, began showing "Damaged Love" on April 24.

"Damaged Love" is of the Hygenic picture species. There are some situations in it that are so gruesome that in some places where this picture has been shown women fainted.

But what is a faint or two to the Loew executives, so long as their coffers fill up with money?

CONSISTENCY! WHERE ART THOU?

A representative of the Hays association, speaking before the House Committee at the hearing of the Patman bills, stated, as I informed you in the issue of HARRISON'S REPORTS of April 7, that "less than 20% of the contracts written today in the motion picture business between distributors and exhibitors call for the entire product of any motion picture company to be purchased by the exhibitor."

At a luncheon held on April 17 at the Town Club, this city, the same Hays representative, answering a speaker who assailed block-booking and blind-selling, defended the system, asserting that "it was the only practical method yet devised for protecting the small town exhibitor."

In the one instance, this person said that there was no block-booking and blind-selling, by that assertion meaning that the complaints of the exhibitors and of the public have no justification; in the other, that block-booking and blind-selling is practiced, but that it is the most beneficial system for the small town exhibitor to buy films under.

When was he right? Was he when testifying before the House Committee or when speaking at the Town Club?

That is exactly what happens to those who attempt to defend an indefensible system; they fall into such inconsistencies that they make themselves look ridiculous.

"THE POSTMAN ALWAYS RINGS TWICE" ABANDONED

According to information sent out by the Hays office, MGM has abandoned production of James M. Cain's novel, "The Postman Always Rings Twice." It is evident that Will H. Hays, who is now on the Coast, brought great pressure on MGM to have them abandon it.

You will remember that this paper sent a letter to Louis B. Mayer, protesting against its production.

"NO GREATER GLORY" NO SHOWMAN'S GLORY

In the issue of March 24, I gave "No Greater Glory," the Columbia picture, a sort of editorial review, stating that the Columbia executives felt that they had a great piece of property in this picture, but that, although I disagreed with them, I would give them a chance to prove it and if their contention was right I would give them an appropriate review.

I gave them that chance but they have not proved their contention right; a test of this picture revealed that it is exactly what I felt it would prove to be—a good picture for children's matinee on Saturday mornings but nothing else. The most decided proof was offered by the showing of it at Shea's Theatre, at Bradford, Pennsylvania; it opened Friday, April 20, a four-day engagement and the receipts were eighteen per cent of the usual Friday receipts.

You will find a regular review in the inside pages in this issue.

SUPPORT THE PATMAN ANTI-BLOCK BOOKING BILL

In last week's issue I stated that this paper does not support H. R. 6097, which was introduced in the House of Representatives by Representative Patman, of Texas.

Let some exhibitors confuse the position of HARRISON'S REPORTS as a result of misunderstanding, let me make certain things clear:

Representative Patman has introduced in the House two bills—H. R. 6097, and H. R. 8686.

The first makes the Hays morality Code a law. But along with this Mr. Patman incorporated a provision to establish a commission to pass upon all story material. Since I feel that no law can give the members of a commission the ability to distinguish what is drama and what is not drama, I feel that to subject picture production to a group of men whose only qualification may be political influence is sheer folly. Besides HARRISON'S REPORTS is opposed to censorship, not only because it is contrary to the American ideals, but also because it cannot correct the evil of salacious pictures, as experience has proved. Besides this, the Hays Morality Code he seeks to make a law is like a corporation counsel's opinion—it may be interpreted any way.

H. R. 8686 is intended to compel the distributor (1) to furnish a synopsis before the sale of a picture giving the main outlines; (2) to prevent discrimination in prices by amending the Clayton Act, and (3) vesting in the Federal Trade Commission the supervision of this Act.

HARRISON'S REPORTS is in favor of this bill and urges every exhibitor to communicate with his Representative, urging him to work and vote for H. R. 8686.

THE ACCURACY OF THE 1933-34 FORECASTS

In the second section of this issue there is printed a comparison of the forecasts (views expressed) of the books, plays or magazine stories that last summer were announced by the major producers for production for the 1933-34 season.

You will notice that the accuracy this year has been ninety per cent.

In other words, out of each ten books, plays or magazine stories forecast, nine turned out as predicted.

Notice also that what was forecast is, not the finished script, but the raw material.

Since the accuracy of this service has been consistent for the three years of its existence, you may now take the forecasts as representing exactly the value of the finished pictures.

Those who were subscribers to the *Forecaster* last year should send their order with a check at once, for the forecasting will soon begin again, and it will be to their profit to receive the forecasts as early as possible; the charge is the same. Those who were not subscribers will receive a letter soon, with a subscription blank giving the subscription terms.

An Analysis of the 1933-34 Season's Forecasts

Since the *Forecaster* service for the 1934-35 season is about to begin, I felt that I should give an accounting of the 1933-34 season's *Forecaster* accomplishments, not only to the subscribers of the *Forecaster*, but also to those of HARRISON'S REPORTS, as well as to the entire industry.

Some of those who will read this analysis may feel that the percentage of accuracy is too high to be true. But what the *Forecaster* said about the possibilities of a particular book, play or magazine story is a matter of printed record, which may be easily compared with the results attained in the finished picture.

As far as appraisal of the finished pictures is concerned, he who desires to make a comparison is not under any obligation to accept the views of HARRISON'S REPORTS; he can certainly see the pictures for himself. But for the purpose of convenience, the extract from the forecast of each picture is printed along with either the extract from the review or, when the quality of a picture is too well known to every one in the industry, with an opinion of the picture's quality.

Among the pictures that have been forecast, I have been able to review sixty. Of these, 50 were forecast with an accuracy of 100%; 5 with an accuracy ranging anywhere from 60% to 80%, and only 5 were wrong. The total average accuracy thus obtained has been 90%.

In reference to Universal's "The Man Who Reclaimed His Head," I claim accuracy for this material by virtue of abandonment; experience leads me to believe that Universal has saved considerable money by abandoning this play.

In the case of "Laughing Boy" which has not yet been released, but which I am classifying, just the same, let me give you a little history: About one and one-half years ago I met a Universal studio executive and, the conversation having turned to pictures, I pleaded with him not to produce this book. The discussion on this particular subject lasted for more than one-half hour. Universal had by that time spent considerable money in preparation work. Shortly afterward I was informed that Universal sold the book to Metro-Goldwyn-Mayer, at a profit. The picture has been finished and the New York Censor has, according to the trade press, rejected it. No doubt it will be finally passed; I have yet to see the New York Censors reject for good a picture that belongs to one of the major companies. But I am merely trying to call your attention to the fact that the *Forecaster* service is trying to be, not merely passive, but aggressive in its efforts to prevent the production of filthy stories.

It is hardly necessary for me to call your attention to the fact that last year I pleaded with Paramount not to produce William Faulkner's novel "Sanctuary": Paramount produced it, but the picture turned out just as it was predicted—putrid; it did harm to the business. This year I have had better luck with this company; they have heeded the protests of this office and have decided not to produce "The Great Magoo."

The history of "Miss Lonelyhearts" is too well known to most of you; but because of the fact that lately many outsiders, including prominent churchmen, have subscribed, let me say that Mr. Zanuck was at first adverse to giving up production of this book; but I enlisted the aid of the daily press of the nation and Mr. Zanuck received so many protests from newspaper publishers that he eventually felt it wise to abandon it. He changed the title, and took nothing out of the book, except the profession of the columnist used in the picture as the hero. No "dirt" was left in the picture plot.

I am now battling, as you know, to have MGM abandon production of "The Postman Always Rings Twice." I have no doubt as to the outcome.

"Wife to Hugo" is another book that I may conscientiously assert was scrapped because of the efforts of the *Forecaster* service. I called the attention of Mr. Hays to the vileness of the book and I believe he took immediate steps to stop it. The book dealt with sex relations between three brothers and their wives or sweethearts.

Most of you know the purpose behind this service; but because many new subscribers have been added to HARRISON'S REPORTS since last October, the time the mailing out of the forecasts ceased, it would not prove unprofitable if I restated its mission.

The *Forecaster* service has been founded for the purpose of placing into the picture theatre owner's hands information that will enable him to disprove the assertions of a salesman that his company's pictures would be of extraordinary value. Up to the time I founded this service, the exhibitor had no way of combating the salesman's notions about high film rentals on unproduced pictures: they were supplied with information by their Home Offices, and the exhibitor was helpless.

The exhibitor who subscribes to *Harrison's Forecaster* is no longer helpless; he has in his possession facts, which he uses effectively.

An exhibitor may say: "What is the use of subscribing when I have to buy every picture the producers make?"

This may be true; but he is not compelled to agree with the salesman that a picture such as, for example, "An American Tragedy," or "Miss Lonelyhearts," or "The Great Magoo," or "Sanctuary," is going to turn out so great that it is worth big film rentals; with the information supplied by the *Forecaster* he knows that such pictures are not worth even showing.

Though the *Forecaster* service has been founded primarily for the exhibitors, it is proving invaluable also for producers. They can save themselves from producing failures if they will only heed its advice.

Directors and stars, too, could profit from it, for when one remembers how many of them have lost their reputations because of poor material given them to work with, the *Forecaster* can serve as a check for them.

The *Forecaster* service is needed by the exhibitor more now than ever, because of the demand for high percentage terms and high flat-rental prices. The fact that the average accuracy of the forecasts has been between 85% and 90% for three consecutive seasons—ever since it was founded—is the best proof that the *Forecaster* is no longer an experiment; it is a fully established institution.

Columbia

Of the books, plays or magazine stories announced for production, six have been produced. All six were judged accurately—Average accuracy 96%.

MAN'S CASTLE: The forecast said: "'A Man's Castle,' which has not yet been produced on the stage, is a strong play, and if cast well there is no reason why it should not prove successful. But as material for a talking picture, the matter differs somewhat. To begin with, the background is drab and sordid—a shanty town. Following this, Iran and Trina live as husband and wife without being married. On top of all this, Iran joins Brag to crack a safe. . . . The material is strong and should make a powerful picture; but even though it should go well in big cities its reception in small towns is problematical. In all likelihood, changes will be made, for Frank Borzage, who is a fine director, specializes more in the appeal to the emotions than in that of the sexual passions. One is justified, therefore, in taking a chance at it." Columbia did not make any changes in it; it followed the play pretty faithfully. The picture, therefore, turned out a poor entertainment and made a failure at the box office of even big city theatres. Accuracy of forecast 100%.

LADY FOR A DAY: The forecast said: "There is plentiful comedy all the way through, and with some tenderly pathetic moments. The material is full of action and a picture based on it should keep the interest alive. . . . Columbia has a good piece of property in this and . . . even if the director should bungle it he certainly cannot 'kill' this fine material." The picture turned out exactly as predicted. Accuracy of forecast 100%.

THE NINTH GUEST: The forecast said: "No one can have any doubt that this material will hold the spectator interested and in tense suspense. But the material in the second half, where the murders occur, may prove too strong for sensitive natures, and too demoralizing for weak natures. The sight of people dropping dead one after another certainly is not a very pleasant sight. Perhaps Columbia intends to make it a horror melodrama, with the horror served by the bushel. . . . It will not make a good picture for children or for adolescents, and it will not be a good Sunday picture." The picture turned out exactly as predicted. Accuracy 100%.

FOG: The forecast said: "This material is just like the material of similar murder-mystery melodramas. There is no appeal to the emotions; success depends on its ability to hold the spectator in suspense. . . . You may take it for granted that it will turn out to be a good program mystery melodrama." The picture turned out as predicted. Accuracy 100%.

ONCE TO EVERY WOMAN: The forecast said: "The kind of picture this will turn out to be will depend entirely on handling. Although the material is thin there is an opportunity to work in comedy with the patients. But the best one can hope for is a good picture of the program grade; and with inartistic treatment of the material, the picture may turn out only fair. But there is no danger of making out of it a picture that cannot be shown. . . ." The review of the picture said: "Some persons might find it entertaining, but the majority of people should revolt against seeing such things and doings (surgeons, patients, operating rooms, and operations); one associates them with pain and misery." Accuracy 80%.

IT HAPPENED ONE NIGHT (forecast as "Night Bus"): The forecast said: "There is considerable material in this story of the kind that will make an entertaining picture of the program grade. There is romance and comedy. A great deal of the comedy is excited by the rough treatment Peter (the hero) gives Elspeth (the heroine)." The picture turned out one of the successes of the year. But at the time this forecast was written the announcement that Frank Capra, Columbia's best director, would direct it and that two first-rate stars would appear in it, had not yet been made. Had the announcement been made then, naturally a classification higher than "program" would have been given to this material. Accuracy 100%.

Warner-First National

Of the books, plays or magazine stories forecast, four have been produced. All were forecast accurately. Average accuracy 90%.

THE KENNEL MURDER CASE: The forecast said: "The material of this murder melodrama is not different from dozens of others of this kind but if directed and acted well the picture should hold one in tense suspense. It is worth booking." The review of the picture said: "It is a good murder mystery melodrama, holding one in suspense throughout." Accuracy 100%.

A MODERN HERO: The forecast said: "This is the worst novel Bromfield has so far written. Radier, the principal character, has not a single decent trait. He is cold, disloyal to his friends or benefactors, immoral and unmoral. . . . The material, as it stands, seems hopeless." The picture has turned out as predicted, despite its lavish production. Accuracy of forecast 100%.

AS THE EARTH TURNS: The forecast said: "Warner Bros. are selling this as a special. But the material is not good enough even for a program picture. . . . The lives of the two families are humdrum. . . . The love affair between Jen (heroine) and Stan (hero) is sweet, but that is not sufficient to put the picture over. It is a risk." The review said: "Fair entertainment. It is slow moving. . . . There is little to the story; it is taken up mostly with reactions of the different characters to life on a farm. . . ." The picture failed to create any impression on New Yorkers when it played at the Strand. The accuracy of the forecast has, therefore, been 100%.

DARK HAZARD: The forecast said: "This material should make an excellent Robinson picture." The picture turned out fair. Accuracy 60%.

Fox Film Corporation

Of the books, plays or magazine stories forecast, fifteen have so far been produced. Of these, thirteen were forecast right and two wrong. Total average accuracy 86%.

THE LAST TRAIL: The forecast said: "Just take it as a thrilling western melodrama." The picture turned out just that. Accuracy 100%.

PADDY THE NEXT BEST THING: The forecast said: "If Fox should carry out its original idea of putting Janet Gaynor in the leading role, the picture ought to turn out one of the best produced by this company with Janet Gaynor, for the material suits her extremely well." The picture turned out exactly as predicted. Accuracy 100%.

WALLS OF GOLD: The forecast said: "Though there is considerable activity on the part of the different characters and the plot is fairly complex, none of the characters wins the reader's good will. . . . Unless radical alterations are made in the plot as well as in the characterizations, a picture made out of this material is, one dares say, doomed to failure. Norman Foster is not so popular with picture-goers to offset part of the story's shortcomings." The review of the picture said: "'Walls of Gold' will probably entertain fairly well women audiences because of the sympathy they will feel for Sally Eilers who is unhappy in her marriage and thwarted in her desire to have a child. . . . But it is not pleasant entertainment since the characters in the story are unsympathetic and worthless. Ralph Morgan, Sally's husband, is cruel in his treatment to her, and heartless in his relationship with other women. Norman Foster is spineless." Accuracy of forecast 100%.

MR. SKITCH (forecast as "There is Always Tomorrow"): The forecast said: "The material is light but it affords an opportunity for semi-slapstick comedy. . . . (It) will make a good low comedy of the program grade." The review said: "A good comedy of program grade." Accuracy 100%.

I WAS A SPY: The forecast said: "The book . . . offers material for a good espionage melodrama." The review said: "It is a good espionage melodrama for those who like war pictures with their depressing and unhappy atmosphere." Accuracy 100%.

ORIENT EXPRESS: The forecast said: "There is no real substance to the material. Here and there there is a situation that might interest and even hold one in suspense, but on the whole the material is lacking in genuine melodramatic values." The review said: "Just fair! There is no outstanding situation." Accuracy 100%.

DR. BULL: The forecast went wrong in this case 100%.

DAVID HARUM: The forecast said: "The material is suitable for a sentimental picture. . . . Parts of the picture should be extremely comical." The picture turned out exactly as predicted. Accuracy 100%.

ALL MEN ARE ENEMIES: The forecast said: "With due respect to the dignity of this paper, . . . 'All Men are Enemies' is the world's lousiest. . . . There is not even a nucleus for a picture in this material. The only thing Fox is offering is sex, of the most sordid kind." About eighty per cent of the sex was removed from the plot, but the picture has failed to turn out entertaining. Accuracy 100%.

THE CONSTANT NYMPH: The forecast said: "The material is exceedingly sexy. And most of the characters are unsympathetic. Robert (the hero) is presented as a pretty good fellow but he takes a minor part. . . . A great deal of the action will be accompanied by music and the aid such music will give to the picture will depend on how charming (it) is. The facts in the possession of the writer at this moment do not give him any hope that (it) will turn out more than a fair picture, with glamour surrounding it." The picture has turned out suitable for the classes but poor for the masses. Accuracy 100%.

CAROLINA (forecast as "The House of Connelly"): The forecast said: "There is considerable pathos in many of the situations. . . . One may be sure that (it) will turn out a dramatic entertainment of high value." The picture has turned out that. Accuracy 100%.

BERKELEY SQUARE: The forecast said: "The picture . . . will prove suitable only for the better class of picture-goers; it is unlikely that it will appeal to the masses. . . . It is doubtful if it will attract much money to the box office." The picture turned out exactly as predicted. Accuracy 100%.

SMOKY: The forecast said: "The material reads well in the book but it is too weak for a picture. A horse cannot be made to act like a human being. Just take it for a mediocre picture in which a horse is the chief character." The plot was altered radically; the story is practically new. A woman has been introduced in the plot; also a young boy. The picture turned out appealing. The complete alteration of the story upholds the forecast. Accuracy 100%.

SLEEPERS EAST: The forecast said: "The material is pretty dirty. And there is hardly much human interest in it. . . . With proper alterations of plot and characterizations, Fox may make a fairly good melodrama out of it." The review of the picture said: "Just a fair melodrama, with a mixture of crooked politics, gangster warfares, and some pretty far-fetched situations." Accuracy 100%.

AS HUSBANDS GO: This play was forecast in the 1931-32 Forecaster as a Paramount picture. The forecast said: "'As Husbands Go' should make an excellent film. The dialogue (of the play) often sparkled but it was always sound and true stuff, (it was) written by one of our best playwrights and worked around a story which was good in itself . . . should arouse some emotional reaction . . . and it will get plentiful laughs." Because of mishandling, the picture turned out just fair, of the program grade. Nevertheless it is marked down as wrong 100%.

Monogram Pictures

Only one story has been produced. Accuracy 100%.

SIXTEEN FATHOMS DEEP (forecast as "Sixteen Fathoms Under"): The forecast said: "There is considerable human appeal in the true love between Angela and George. . . . The sponge-fishing scenes should prove interesting if done well. 'Sixteen Fathoms Deep' should make a very good program picture." The picture has turned out exactly as forecast. The sponge-fishing scenes were done well and proved extremely interesting. Accuracy 100%.

Majestic Pictures

Only one story has been produced. Accuracy 100%.

UNKNOWN BLONDE (forecast as "Age of Indiscretion"): The forecast said: "In line with many other books chosen for pictures this season, 'Collusion' is one of the dirtiest, filthiest, vilest of the lot. The book is a character study of a black-hearted scoundrel, to whom nothing is too low to stoop to as long as he can get what he wants. It is a disgrace to the business." The plot was altered considerably, the producer attempting to arouse sympathy for the hero by making him human and loving his wife and daughter. But he remains a scoundrel, just the same, for he makes his living by getting evidence for divorces for those who pay him, resorting even to framing. In the closing scenes he frames his own daughter. The picture has been produced most lavishly. With better material it would be worthy of a release by a major company. Accuracy of forecast 100%.

Metro-Goldwyn-Mayer

Of those forecast, seven have so far been produced; all seven were forecast accurately. Average accuracy 100%.

CHRISTOPHER BEAN (forecast as "The Late Christopher Bean"): The forecast, under "The Editor's Opinion," said: "A picture made out of it will not . . . go over so well (as the stage play), by reason of the fact that the material is not strong enough for a picture. . . . The best you should expect is a program comedy." The picture turned out a pretty good comedy but failed to attract patrons to the box offices. Accuracy 100%.

THIS SIDE OF HEAVEN (forecast as "It Happened One Day"): The forecast said: "It (the material) is ordinary as it stands. It is possible for the producer, however, to pick the best situations out of it and alter some and inject new ones. The character of Jane and even of Peggy can be made interesting and even sympathy arousing. . . . The outcome will depend on who will handle this material." The material was handled by one of the first-rank directors—Will K. Howard, and so the picture has turned out good, of program grade. Accuracy 100%.

MYSTERY OF MR. X (forecast as "Mystery of the Dead Police"): The forecast said: "There is no question in my mind that, out of this material, MGM will make a melodrama that will hold the spectator in suspense, at times breathless." The review said: "A fast-moving and exciting murder mystery melodrama; it holds the spectator in tense suspense throughout." Accuracy of forecast, 100%.

SHOULD LADIES BEHAVE? (forecast as "The Vinegar Tree"): The forecast said: "Though the play was successful the material in it is hardly good enough for a picture of more than program grade, appealing to cultured picture-goers; the masses should be bored with it." The review said: "(It) is one of those smart comedies that is primarily entertainment for sophisticated audiences." Accuracy 100%.

NIGHT FLIGHT: The forecast (1932-33 season Forecaster, Section 12) said: "Whatever thrill will be offered . . . will come from the dangerous flying of the pilots. But this will not be enough to put the picture over. . . . Unless a new story is written, introducing a love story, it will be a disappointment." The review said: "A sad disappointment. There is hardly any story material; it merely shows the difficulties of night flying, and the efforts of the head of the airport to give real service, regardless of how much the lives of the pilots are endangered." Accuracy 100%.

ESKIMO: The forecast (published in the 1932-33 Forecaster, in Section 9) said: "Evidently MGM got tired unfolding their sex problems among whites and felt that they ought to find new hunting grounds. The material is putrid, and hardly many American picture-goers will become interested in it; it is too far removed from our lives. If any exhibitor wants a picture of this kind he can get it from Universal for a song—Igloo." The review said: "Bore-some for picture-goers of the rank and file." MGM spent more than a million dollars to produce it but it made a box office failure; besides, it was pretty dirty. Accuracy 100%.

LAUGHING BOY: The forecast (printed in the 1932-33 Forecaster, in Section 2), said: "A sordid sex drama. And the plot is too thin for a picture. . . . There seems to be no hope of making this an acceptable screen entertainment, not only because of its sex theme, but also because the Americans are not interested in love affairs of redskins." The New York Censorship Commission has rejected it; it is the filthiest picture MGM has released for years. And it has no box office values whatever. Accuracy of the forecast, 100%.

Paramount

Of the books, plays or magazine stories forecast, eleven have been produced. Of these, nine were guessed right and two wrong. Total average accuracy 74%.

SHE MADE HER BED (forecast as "The Handsome Brute"): The forecast said: "Much of the material in this book is thrilling. But I doubt if the picture-going public will accept as entertainment the scenes in which a baby is in danger of death." The review says: "All the action is crowded into the last twenty minutes, but most of it is unpleasant because of the horror attached to it. For one thing, a baby's life is endangered when a tiger escapes from its cage. Then Armstrong is killed in an encounter with the tiger. . . . The sex implications . . . fill one with disgust." Accuracy 100%.

COME ON MARINES: The forecast said: "With a good cast and a skillful director to produce it, the picture should be anywhere from good to excellent." The review says: "This comedy is fast-moving and fairly entertaining." Accuracy 100%.

TO THE LAST MAN: The forecast went wrong 100%.

DESIGN FOR LIVING: The forecast said: "There is no material in the play for a moving picture." The picture has been given a fine production, but it turned out a high comedy, for sophisticated patrons. The masses were bored. The picture flopped at the box office. Accuracy 100%.

LONE COWBOY: The forecast said: "The best one can . . . hope for this material is a good program picture, unless some genius among the Paramount writers takes hold of it and interweaves a highly interesting love affair in it, provided, of course, that the hero's characterization is so altered as to avoid presenting him as a villain." The story of the picture has nothing in common with the material of the book. By altering the material all around Paramount has proved the accuracy of the forecast 100%.

ALL OF ME (forecast as "Chrysalis"): The forecast said: "There is fast action in it and there are several thrilling situations, but the make-up of the characters is unpleasant. Eve is immoral; Honey is a vicious gangster. The atmosphere is sordid. . . . A picture made out of it (the material) should turn out thrilling, but not edifying. It should prove unsuitable for the family circle." The picture has turned out exactly as predicted. Accuracy 100%.

CRADLE SONG: The forecast said: "The material is fine and sweet and a tenderly pathetic picture should result." As far as appealing values are concerned, the picture has turned out exactly as predicted, with a full 100% accuracy; but because it has failed at the box office I am giving the forecast an accuracy of only 60%.

ALICE IN WONDERLAND: The forecast said that the material is not suitable for a picture for adults. The picture has turned out exactly as predicted and it flopped at the box office. Accuracy 100%.

ONE SUNDAY AFTERNOON: The forecast said that the material was excellent for a picture. The picture turned out only fair. Accuracy 60%.

DOUBLE DOOR: The forecast said: "It is an unhappy play, the cruelty of Victoria Van Bret being the thing that stands out. . . . The material is strong enough to enable Paramount to make a 'shudder' picture out of it. . . . But it will not be a happy picture. . . ." The picture has just been finished and advance information indicates that the forecast is accurate to the last detail. Accuracy 100%.

DEATH TAKES A HOLIDAY: The forecast said: "The play is fantastic and eerie. Its appeal . . . is doubtful if one is to judge by the fact that pictures dealing with death or with after life have so far proved unsuccessful. 'Outward Bound,' 'Earthbound' (produced by Goldwyn in silent form several years ago), 'Lilliom' and other pictures similar to them have proved commercial failures even though they were good pictures." "Death Takes a Holiday" has been produced most artistically. It has taken well in large cities but it is dying in small cities. And yet I class the forecast as wrong 100%.

RKO

Of this company's books, plays or magazine stories forecast, ten have so far been produced. Of these, nine were forecast right and one wrong. Average accuracy: 88%.

SUCCESS AT ANY PRICE (forecast as "Success Story"): The forecast said: "The material is virile. . . . The central character is not sympathetic, in that the means he employs to attain success are not according to Hoyle. Consequently, a great picture cannot be expected out of it." RKO has given a fine production to the material; but the picture has turned out exactly as predicted. Accuracy 100%.

WILD CARGO: The forecast said: "There is no reason why (it) should not make a hit." The picture has just been released and it is making a hit. It is an entertaining picture. Accuracy 100%.

IF I WERE FREE (forecast as "Behold We Live"): The forecast said: "If the sex element were kept subdued, (it) should make an appealing picture suitable particularly for sophisticated audiences." The review said: "This might do as a passable entertainment for class audiences." Accuracy 100%.

LITTLE WOMEN: The forecast said: "The material is creaky with age. . . . If a small independent company had decided to produce this book, spending about twenty-five thousand dollars in producing it, the picture might have a chance to make some money from small-town theatres; for a company such as RKO, which will, no doubt, spend around \$250,000 on it with so many capable players to take the different parts, it is different; the cost will be out of proportion to the value of the material." The forecast proved altogether wrong in this case. But in order for me to offset whatever harm that might have been done to this fine picture I gave it an editorial notice in HARRISON'S REPORTS, urging every exhibitor to play it as creating good will among the picture-going public. Wrong 100%.

ONE MAN'S JOURNEY: The forecast said: "The material is pleasingly sentimental and with Mr. (Lionel) Barrymore in the part of Dr. Watt it should make a deeply appealing picture." The picture turned out just as predicted. Accuracy 100%.

ANN VICKERS: The forecast said: "It is difficult to see how a producer could put this material into a picture. . . . There is hardly any foundation for a writer to build on. It has to be altered radically." The plot was altered radically. Two scripts were rejected before one was accepted as suitable. Built on the third script, the picture turned out fairly good but, despite the fame of the author and the publicity given to the book, which was released in seventeen different countries at the same time, it made only a fair success at the box office. Accuracy, at least 80%.

MAN OF TWO WORLDS: The forecast said: "It is a risk." The picture has not turned out good. Accuracy of forecast 100%.

LONG LOST FATHER: The forecast said: "There is nothing to the material. . . . The doings of the characters are either uninteresting or insignificant, and all are commonplace. None of the characters possess any decent traits. . . . As the material now stands, there is no hope. . . ." The picture turned out poor and it failed at the box office. Accuracy 100%.

RODNEY: The forecast said: "The material is too thin for a picture of feature length. But it is human, and with proper alterations and additions it should make a human interest picture." The alterations and the additions made a fairly good picture out of it. Accuracy of forecast 100%.

CHANCE AT HEAVEN: The forecast (printed in the 1932-33 season, under Paramount trademark) said: "There is good material for a talking picture in this story. There is human interest and the love affair is charming." The picture has turned out as predicted. Accuracy 100%.

United Artists-20th Century

Of this company's books, plays or magazine stories forecast, three have been produced so far. All three were forecast accurately. Average accuracy 100%.

NANA: The forecast said: "The material is too dirty for a talking picture. For big towns it might prove a big drawing card because of the fame of the book. . . . It will prove unsuitable for small towns. The best that can be hoped for is a lavish picture, suitable for sophisticated picture-goers." The picture was given a lavish production but the character of the heroine was made unsympathetic; and despite the expenditure of hundreds of thousands of dollars to advertise Anna Sten, the star, the picture has behaved at the box offices just as predicted in the forecast. Accuracy 100%.

ADVICE TO LOVELORN (forecast as "Miss Lonelyhearts"): The forecast turned down this material flat and the writer brought pressure on Darryl Zanuck, the producer, to abandon it, enlisting the aid of many newspaper people to attain his object. The material was altered completely and the title "Miss Lonelyhearts" was abandoned. Yet the picture turned out only fair. Accuracy 100%.

SORRELL AND SON: The forecaster praised the material but cautioned the exhibitors on its box office possibilities because of the fact that it was produced as a silent and made a hit, and because H. B. Warner has been given the same part; many picture-goers might think that it is the old picture, or they may know that it is new but may not care to see it a "second" time. According to reliable advices the picture has turned out exactly as predicted in the forecast; but since it has not yet been released to the theatres for showing its performance at the box office is not yet known. Accuracy on the quality of the material 100%.

Universal

Of this company's books, plays or magazine stories forecast, only two have been produced. Both were forecast accurately. Average accuracy 100%.

BY CANDLELIGHT: The forecast said: "The material is light comedy. . . . It should prove entertaining to high-brow audiences but not to the masses." The picture has turned out exactly as predicted. Accuracy 100%.

LOVE, HONOR AND OH BABY! (forecast under the title "Oh, Promise Me!"): The forecast said: "(The) material is not very pleasant for a picture, even for a farce-comedy. No one can feel sympathetic towards a hero who resorts to blackmail, nor for a heroine who acquiesces in such an act. The tenor of the characters' acts is demoralizing. . . . The fact that Slim Summerville and Zasu Pitts will take the leading parts somewhat softens the unpleasantness of the story. But even then the best one may expect of the material is a fair comedy, in bad taste." The picture has turned out exactly as predicted. Accuracy 100%.

THE MAN WHO RECLAIMED HIS HEAD: The forecast said: "There seems to be no hope that the material of this play will make a successful horror picture. Having one character cut off the head of another is not a pleasant incident in an entertainment, particularly when the other material . . . deals with a wife's infidelities." Universal has abandoned production of it (it gives "The Black Cat" in its place), thereby admitting by implication that the forecast was accurate 100%.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, MAY 5, 1934

No. 18

A WRONG FILM RENTAL RELIEF PLAN AND A RIGHT!

George Aarons, secretary of the exhibitor organization of the Philadelphia territory, has broadcast a memorandum calling the attention of the independent exhibitors to the fact that the big film companies are soon to hold their sales conventions with the "avowed intent," as he puts it, "of passing the whole N.R.A. costs to the independent exhibitors in the form of increased film rentals," pointing out the necessity of holding a national buyers' convention to resist higher percentages, a greater number of percentage pictures, stiff guarantees with overages, preferred playing time, the right to interchange playing terms, score charges and other similar conditions the effect of which is to make it difficult for the independent exhibitor to conduct his theatre at a fair profit.

Mr. Aarons suggests that, within the next three weeks, three sectional conventions, non-political in character, be held, one in New York, one in Chicago, and one on the Coast, each organization to be represented by two delegates, who will be equipped with the necessary facts and figures for presentation to the entire body.

HARRISON'S REPORTS does not wish to throw any cold water on the back of Mr. Aarons or on that of any other exhibitor leader who wants to see the lot of the independent exhibitor improved, but the relief method he suggests will not, in the opinion of this publication, bring any practical results. Meetings such as he suggests were held repeatedly in former years, but they accomplished nothing beyond passing resolutions which not only the producers but also the independent exhibitors themselves ignored. Need I remind Mr. Aarons that, at the initiative of his organization, a meeting of this kind was held in this city about two years ago to protest against the unreasonable terms Metro-Goldwyn-Mayer was imposing upon the independent exhibitors, and the discriminatory tactics it employed? But no sooner did the meeting adjourn than the exhibitors forgot the spirited resolutions.

We all know that the terms the producer-distributors demand each new season are burdensome. But what is the cause?

Ownership of theatres! By such ownership, they have placed competition, not among the sellers, where it should by nature be, but among the buyers. The theatre owning producer-distributors make deals with one another and, having assured themselves of a definite income, wait for the independent exhibitor to go to them for his film. And you know what happens when the buyer calls on the seller for a deal.

Take the theatres away from these producer-distributors and they will not be so exacting; they will seek the buyer.

If Mr. Aarons or any other exhibitor leader, for that matter, is in earnest about bringing relief to the independent exhibitors, he will call the exhibitors of his zone to a meeting and advocate to them not to buy pictures from their competitors.

In the Philadelphia zone, Warner Bros. is the stiffest competitor—it owns approximately two hundred and forty theatres; let Mr. Aarons tell the exhibitor there that as long as they deal with their competitor they cannot hope that they will get relief.

In the Boston territory, it is Paramount that is the stiffest competitor; let the exhibitors of that zone buy Warner Bros. and First National pictures, and in fact the pictures of every other producer-distributor but Paramount.

In New York City (Manhattan), Loew, subsidiary of Metro-Goldwyn Mayer, is the worst competitor; let the exhibitors here buy the pictures of Paramount, Warner-First National and, in fact, the pictures of every other

distributor but MGM. In Brooklyn, it is Fox (Skouras) and RKO; let every exhibitor there buy the pictures of every other distributor but Fox and RKO.

On the Coast, it is Fox (Skouras) that is the stiffest competitor; let every exhibitor in that part of the country buy the pictures of every other distributor but Fox.

In the South, it is Paramount; let every exhibitor buy pictures from other distributors than Paramount.

When a producer-distributor finds out that he loses two million dollars in a given exchange territory but makes only one million dollars from his theatres, he will think the matter over several times before deciding to enlarge his theatre holdings. The chances are that he will begin unloading his theatres.

The plan Mr. Aarons proposes is injurious to the interests of the independent exhibitors by its very nature: it exaggerates matters and makes the sales forces of the film companies stiffen their demands. Besides, he is not exactly accurate when he says that the big producers are determined to make the independent exhibitor bear the entire N.R.A. cost by asking for more burdensome terms. As a matter of fact, I have been informed reliably that at least two major distributors have sent to their sales forces instructions to begin selling their coming season's products on the same terms as last year if they can get them, or at more reasonable terms if they find too much resistance. They want contracts, and they want them now! From all appearances, competition will not be confined altogether among the buyers, as heretofore, but also among the sellers, for this reason: The finances of the major companies are not, as every one of you know very well, in the healthiest of conditions; some of them are living from hand to mouth. If they were to start out with exorbitant demands in prices and terms, their sales forces would naturally encounter stiff resistance from the exhibitors. Such resistance will make the salesmen too slow in turning in contracts. And slowness in making sales may prove fatal for some of them, because debts cannot wait. The executives naturally do not want to see the financial standing of their companies impaired, for that will mean reduction of their salaries. That is why these two companies have set out to get contracts; they want to do it while the others are asleep. This naturally will react to the advantage of the exhibitors; they have a chance to buy their pictures, if not cheaper, at least on the same terms as last year. Besides, they can fall back on independent product; such product is of far higher quality this year than at any other time in the industry's history.

If Mr. Aarons and all other exhibitor leaders want to help the independent exhibitor this year, they will adopt the slogans: "Be Slow to Buy This Season!" and; "Do Not Buy Pictures From Your Competitor!" It is the only way by which they may render real service to the independent exhibitors.

YOUR RIGHTS IN THE INTERCHANGE OF PICTURES AND TERMS BY WARNER-FIRST NATIONAL

I have been asked by many exhibitors whether Warner-First National have the right to interchange "Twenty Million Sweethearts" with "Broadway and Back" and "Merry Widows of Reno" with Barbara Stanwyck No. 467.

The Warner-First National contracts contain the following provision in the Schedule:

"Distributor may in its discretion, by giving Exhibitor notice in writing on or before 'the available date' of the particular photoplays, interchange the film rental and terms (including the theatre, if more than one theatre is men-

(Continued on last page)

"All Men Are Enemies" with Helen Twelvetrees and Hugh Williams

(Fox, April 20; running time, 79 min.)

Only a moderately entertaining drama. The story has been cleansed of most of its filth, but the plot is trite; it has little to offer in the way of entertainment. Hugh Williams, Fox's new importation from England, means nothing at the box-office and will mean even less to American audiences after they see him in it. He does not seem to be the type American audiences care for. In addition, he speaks with a broad English accent and part of what he says is unintelligible. Helen Twelvetrees is charming in her role and wins one's sympathy, but that is not enough to save the picture. Parts of it are unpleasant, particularly the situation in which Mona Barrie pretends to be Williams' wife, when in reality she was not, her purpose being to induce Helen to leave. The plot offers little that is novel, and the ending is obvious:—

Williams, having left his home in England and his job as architect as well, arrives at a small inn at Capri, there to really study architecture. He meets Helen, a young Viennese singer, and they fall in love. They arrange to marry but Williams receives a letter to return to England; war had been declared. Helen returns to Vienna and all her letters to Williams are intercepted by the Government. Nor does she receive his letters. Her poverty-stricken father is arrested on suspicion of being a spy. When armistice is declared she goes to England to see Williams. At the same time he goes to Vienna to find her. Thus they miss each other. When Helen arrives in England, Mona tells her that she and Williams are married. This was untrue. After a time Williams does marry Mona but is very unhappy. She is a social climber, and urges him on to do work that he finds hateful. When he finds that she is unfaithful, and also that she had tricked Helen, he leaves her and goes to the inn at Capri. There, to his joy, he finds Helen and the lovers are reunited.

The plot was adapted from the novel by Richard Aldington. It was directed by George Fitzmaurice. In the cast are Herbert Mundin, Una O'Connor, Henry Stephenson, Halliwell Hobbes, Matt Moore, and others.

Unsuitable for children, adolescents, or Sundays. (Coast review).

"House of Mystery"

(Monogram, March 30; running time, 60½ min.)

A poor program murder mystery melodrama; it does not make any sense. Murders are committed by an ape, who manages to hide himself so cleverly that no one can find him. At each murder the different characters, including the detectives, behave so stupidly that the spectator does not know whether to take the picture seriously or as a burlesque. The love interest is ineffective, and there is no human interest since none of the characters are presented in an appealing manner. The comedy is too silly to be appreciated, and the ending leaves one bewildered.

In the development of the plot a number of people are called to the home of an invalid millionaire, there to collect their share of a fortune the millionaire had made while out on an expedition these different people had financed. Two of the guests are killed and detectives are called in. Finally the millionaire himself is killed. The mystery is solved by a secret operative of Scotland Yard who tells them that the millionaire was not an invalid at all, but was just acting as such; that he did not want to part with his fortune and so planned to kill off his guests one by one with the help of a trained ape. But finally his Hindu mistress turned the ape against the millionaire himself and he was killed. A romance had developed between one of the heirs and the nurse attending the millionaire.

The plot was adapted from a story by Adam H. Shirk. It was directed by William Nigh. In the cast are Ed Lowry, Vernon Hillie, John Sheehan, Brandon Hurst, Laya Joy, George Hayes, and others.

Not suitable for children, adolescents, or Sundays.

"Double Door" with Evelyn Venable

(Paramount, April 20; running time, 75 min.)

This melodrama has been excellently produced and the performances of the different players are superb, but even though it may appeal to class audiences it is too morbid for the masses, since there is no comedy to relieve the tension. The most horrible, and at the same time the most sickening situation is that in which Mary Morris, the tyrannical, embittered head of the wealthy family, attempts to kill Evelyn Venable, the wife of her half-brother. She despised the girl because she did not come from a wealthy family and felt she could get rid of her by imprisoning her into a secret

vault, there to die by suffocation. The scenes that follow, which show her cold-bloodedly denying any knowledge as to the girl's whereabouts will send chills down the spine. Seldom has there been shown on the screen a character that arouses as much hatred as does this one. Human interest is aroused by the fact that one feels intense sympathy for the characters this woman dominates. The outstanding characteristic is the faith Kent Taylor has in his wife, Evelyn. The fact that he stands up for her even after Mary offers what appears to be indisputable evidence of infidelity on the part of his wife wins much sympathy for him. The closing scenes are horrible, they leave the audience shuddering. They show Mary inadvertently locking herself in the vault. Just as the door closes, one hears her horrified shriek.

The plot was adapted from the play by Elizabeth McFadden. It was directed by Charles Vidor. In the cast are Anne Revere, Colin Tapley, Virginia Howell, Halliwell Hobbs, and others.

It is too terrifying for children, adolescents, or for Sunday showing.

"Monte Carlo Nights" with Mary Brian and John Darrow

(Monogram, May 15; running time, 61 min.)

A good program picture. Although the "joints" in some situations appear unnatural, there is enough action and human interest to hold one's attention constantly and to make him be in sympathy with the principal characters.

The story concerns a young man, hero, who is accused of having committed a murder, is convicted and sentenced to ten years imprisonment. On the way to the penitentiary, he is forced to escape by his companion, a criminal, to whom he was handcuffed. His companion is injured when they jump into the river over which the train was passing and when the crippled man is arrested he tells the authorities that the hero had drowned. The hero goes to Monte Carlo, there to seek the real murderer. His sweetheart, along with a detective, who still believed in the hero's innocence, are lead by a clue to France. There they come upon the hero. The detective is shot by the murderer and, handing his badge and his pistol over to the hero, orders him to go after the criminal. The hero eventually succeeds in trapping the real murderer. He thus establishes his innocence.

The story is by E. Phillips Oppenheim; the direction, by William Nigh.

Not suitable for children, adolescents, and for Sunday showings.

"Twentieth Century" with John Barrymore and Carole Lombard

(Columbia, May 11; running time, 90 min.)

A very good comedy! John Barrymore is at his best. As a matter of fact the whole cast is excellent. The dialogue is clever, the action fast, and although there is little to the story, which revolves around Barrymore, a temperamental play producer, and Carole Lombard, an equally temperamental actress, there are so many uproariously funny situations that the lack of plot will not matter to the average spectator. Although the theme is of the type more suitable for class audiences, the masses will enjoy it, too, because of the comedy. The sex situations are a bit risqué in that it is made quite obvious to the audience that Barrymore and Carole are living together.

In the development of the plot Barrymore, an eccentric play producer, takes Carole, a clerk in a department store, and by hard work and coaching makes an actress of her. At the opening night of her first play she is acclaimed as a great artist. Barrymore becomes her lover and with the years they both prosper through their business association. But Carole tires of his petty jealousies and temperamental outbursts and leaves him to go to Hollywood as a star. He raves at her desertion and predicts that without him she will soon fall. But things develop differently; she becomes even more famous and he produces one flop after another, eventually being forced to evade the sheriff. Barrymore and Carole meet on the "20th Century" bound for New York, and Barrymore, who still loves her, realizes that if he can get her signature to a contract success will be his again. By raving, promising, fighting, and even feigning death when slightly wounded by a gun shot from a madman, he eventually induces her to sign the contract. This brings them together again.

The plot was adapted from the stage play by Charles MacArthur and Ben Hecht. It was directed by Howard Hawks. In the cast are Walter Connolly, Roscoe Karns, Ralph Forbes, Charles Levinson, Etienne Girardot, and others.

Unsuitable for children, adolescents, or Sundays.

"Beyond Bengal"*(Showmen's Pictures; running time, 71 min.)*

I have seen almost every animal picture that has been released in the United States, but never have I seen one that is as fascinating and thrilling as "Beyond Bengal." The fascination is, I believe, caused by the fact that what is shown was photographed in its natural state; nothing was acted or prepared. The thrills are caused by the fact that human lives are placed in danger repeatedly and members of the party risk their lives on every occasion to save the lives of their comrades. There is a sort of camaraderie that is frequently absent even in regular dramatic productions. The effect of this spirit is felt most pronouncedly when a young native, member of the party, is rescued from the jaws of a crocodile (no fake either), and his sweetheart, a young woman, with whom he had fallen in love during the expedition, while leaning over his body grief-stricken, bursts out praying, tears rolling down her cheeks. The spectator is moved by this display of faith and loyalty. Harry Schenck, the producer, head of the expedition, told me that every bit of this scene is genuine.

In photographing the wild animals, the cameraman and the native members of the expedition showed great bravery. One of the natives is the finest shot in that part of the country. His fine marksmanship frequently saved the lives of others as well as his own life.

The scenes where Mr. Schenck and his outfit are shown attempting to cross the river is the most exciting ever seen in pictures. Although the river at that point was about three hundred feet wide, every one of them endangers his life, because of the crocodile-infested waters. Previously to crossing the river, Mr. Schenck instructed his natives to kill as many crocodiles as they could to feed them to the other crocodiles so as to divert their attention; but it was of no use, for there were too many of them. Crocodiles are seen attacking the caravan and the elephants themselves.

Another exciting situation is where the cameramen, assisted by natives, make an effort to photograph a herd of wild elephants. A number of the natives drive the elephants towards the camera. All goes well until the elephants get angry; they then upset the canoes, throwing cameramen and natives into the river, who have to scamper for their lives.

The situation that shows a python coiling itself around the body of a monkey is exciting as well as pity arousing. Another situation shows a leopard charging and wounding seriously a cameraman. These are no made-up affairs; one can see plainly that it is a matter of life or death.

Mr. Schenck shows pictures of *sladang*, called the king of the jungle, because these animals are most ferocious; they look like water buffalo. Their dangerousness comes from the fact that they are very intelligent and know how to take advantage of their adversaries. This is supposed to be the first time that this animal has been photographed.

During the expedition, Mr. Schenck received the cooperation of the Sultan of Perak, graduate of Oxford.

Although the picture may prove a little too strong for schoolboys and schoolgirls, if you were to show this picture, you should make an appeal to them, for the educational value it possesses more than outweighs the nervousness that it may cause some of them.

"Beyond Bengal" should be shown everywhere.

"The Crime of Helen Stanley" with Ralph Bellamy and Shirley Grey*(Columbia, April 20; running time, 57 min.)*

Ordinary! And it is almost a remake, for Tiffany's "Death Kiss," produced in 1932, had a similar plot. Those who saw "The Death Kiss" will feel as if they had seen this picture before. It is a program murder melodrama, and audiences that have not seen the other picture will be held in fair suspense throughout, since the murder is committed in an ingenious manner and the murderer is the one least suspected—his identity is not made known until the very end. The love affair between Shirley and Kane Richmond, although pleasant, is incidental.

In the development of the plot, Gail Patrick, a motion picture star, who had many enemies, is shot during the filming of a picture in which she was acting. Many people are suspected but Ralph Bellamy, the inspector, is at a loss; he cannot discover the manner in which the murder was committed. The mystery is solved in the end.

The plot was adapted from a story by Charles R. Condon. It was directed by D. Ross Lederman. In the cast are Bradley Page, Vincent Sherman, Arthur Rankin, Lucien Prival, and others.

Because of the fact that the plot is based on a murder exhibitors will have to use their judgment about showing it to children, adolescents, or on Sundays. (Coast review.)

"Sorrell and Son" With H. B. Warner*(United Artists, April 20; running time, 85 min.)*

In November, 1927, United Artists released an American silent version of "Sorrell and Son," with H. B. Warner, which was a deeply pathetic human interest story. This version has been made in England, with H. B. Warner in the leading role again, but the rest of the cast are all English and unknown to American audiences.

Although the story still arouses the emotions because of the theme—that of the sacrifices made by a father for the love of his son and the desire to see the boy succeed, it is not as moving as the silent version was. For one thing, remakes usually lessen the degree of suspense and interest; another thing is that the young boy is not as appealing as was the actor in the silent picture.

The action here is rather slow. The interest is held mostly because of the deep sympathy one feels for H. B. Warner. Several of the situations will arouse the emotions. One such scene is where the father, an ex-officer of the British Army, willingly works as a porter, even scrubbing floors, so as to make enough money to sustain himself and his boy. The most pathetic is the one in which the father watches his son, now grown and a surgeon, perform his first major operation and do it successfully. The son, too, is a sympathetic character; he never once forgets all that his father had done for him and he is extremely devoted to him, always confiding in him and asking for his judgment. The closing scenes will bring tears to the eyes—it is where the father is dying of heart disease and the son, heartbroken and helpless, gives him an overdose of morphine so as to have him die peacefully and without pain. This scene has been handled with care and is not objectionable.

A pleasant love affair between the son and a young neighbor is worked into the picture which eventually culminates in marriage.

The plot has been adapted from the story by Warwick Deeping. It was directed by Jack Raymond. In the cast are Margot Grahme, Peter Penrose, Hugh Williams, Evelyn Roberts, Donald Calthrop, and others.

There is one situation in which a woman tries to involve Warner in an affair with her which might make it objectionable for children and adolescents; otherwise, it is suitable for Sundays. (Out-of-town review.)

"The Witching Hour" with Tom Brown, Judith Allen, John Halliday and Sir Guy Standing*(Paramount, April 27; running time 64 min.)*

To many picture-goers, "The Witching Hour" will prove an emotional treat. Although the theme deals with superstitious fear and hypnotism, the direction and acting are so good that the action is always convincing. John Halliday is presented as possessing the uncanny ability to read thoughts of people, at times far away from him; and the way he does it one believes him. There is considerable emotional appeal. The efforts of John Halliday, for example, to save the life of young Tom Brown, who, while under a hypnotic spell, had killed a man and then did not remember anything about it, are moving. And so are those of Sir Guy Standing, who left his twenty-five year retirement as a lawyer to save the life of the boy. The court-room scenes are done extremely well. The scene in which Halliday puts a disbelieving juror under his hypnotic spell and directs him, by the power of his mind, to shoot at the District attorney (with a gun loaded with blank cartridges,) in an effort to prove to the jury that it is possible for a man to transfer his thoughts to another man and for this other man to be influenced by such thoughts, is so well done that it is highly convincing. All the players do excellent work, particularly Sir Guy Standing, as the attorney for the defense. The love affair between Tom Brown and Judith Allen is charming.

The plot has been founded on the play by Augustus Thomas. It was put into pictures twice before, by the Frohman Amusement Company in 1916, and by Paramount in 1921. But this version surpasses the previous versions in everything.

Even though John Halliday, who takes the part of the father of the young heroine, conducts a gambling establishment, his personal behavior is so honorable, and the few scenes showing gambling have been handled so well, that I doubt if any harm will be done to children or to adolescents who will see the picture. I even think that it is suitable for Sunday showing. But you must after all use your own judgment.

Note: If you are in a town where there are theosophists, spiritualists, hypnotists and members of similar associations, including even Christian Scientists, you should try to attract them.

tioned above) of any or more of the photoplays with the film rental and terms of any other photoplay or photoplays licensed hereunder."

According to this provision, Warner-First National have the right to give you one picture from the group sold to you and described in the contract for any other picture from the same contract group.

But there are some rights vested in you by the contract which these two companies must observe. For instance, they have a contractual right to substitute "Twenty Million Sweethearts" for "Broadway and Back," making a higher classification picture out of it, but they must deliver a Barbara Stanwyck picture in the lower classification; that is, they must deliver a Stanwyck picture at all times.

In the case of "Merry Widows of Reno," the matter differs; since Barbara Stanwyck does not appear in "Merry Widows of Reno," you are under no obligation to accept it. The Code specifies, just as does the contract, that the distributor cannot substitute a star picture; and Warner Bros., by substituting a non-Stanwyck picture for a Stanwyck, they are not only breaching the contract, but also violating a provision of the Code.

I suggest that you, before accepting "Twenty Million Sweethearts" in the place of "Broadway and Back" (which has been sold to you, as said, with Barbara Stanwyck, as a higher classification picture), you inform Warner Bros. that you are willing to agree to the interchange, only on condition that they guarantee you the delivery of a Stanwyck picture on the lower classification. If they should refuse to offer you that guarantee, take the matter to your Local Grievance Board.

In the case of "Merry Widows of Reno," since this is not a breach of the contract but a violation of the Code, in that the distributor is attempting to substitute a star picture, you should enter a complaint with the Grievance Board at once.

By the way, reliable information from the Coast has it that "Merry Widows of Reno" is so demoralizing that most of you will not be able to show it.

In rejecting "Merry Widows of Reno," you are under no obligation to count it in the number the Code gives you the right to cancel.

CODE MACHINERY FUNCTIONING FULLY

By the time you receive a copy of this week's paper, the Clearance and Zoning as well as the Grievance boards will be functioning fully in every exchange centre.

There will be plentiful work for the Grievance boards, because a large number of complaints was received before any of them was ready to function.

It is to the Clearance and Zoning boards, however, that I desire to call the particular attention of every exhibitor.

These boards will, as every one of you know, readjust the clearance or "protection" schedules with a view to affording relief to many exhibitors who are now prevented from receiving their film within a reasonable time after its release, or after it had played in a previous-run theatre.

The Code specifies that the Clearance and Zoning boards, in rearranging or reconstructing "protection" schedules, must bear in mind that (Section 4, Part 1, Article VI):

(1) Clearance determines the value of pictures to a considerable extent;

(2) Unreasonable clearance in time and area (a) affects adversely the value of a picture for subsequent-run theatres, reducing their receipts; and (b) diminishes the possible revenue to the distributor; the boards must, therefore, arrange these schedules with the following thought: to enable the subsequent-run theatres to draw a greater number of picture-patrons without injuring the business of the previous-run theatres, for by so doing they enable the subsequent-run theatre to pay bigger film rentals to the distributor, and the distributor thus to receive more money for his film in addition to enabling him to turn over his goods more speedily.

What is the present situation?

The affiliated circuits have employed their buying power to enlarge the area, and to extend the time, of clearance, thus injuring, not only the subsequent-run exhibitors, but also the distributors, as well as bringing discomfort to the public.

The belief of almost every one of the affiliated exhibitors is that when a subsequent-run theatre shows the film too soon after the previous down-town large city theatre had shown it the receipts of the first-run theatre fall off. There is at least one affiliated exhibitor who does not believe so, as he knows from practical experience: He operated several

theatres in the neighborhoods of a large city and a few first-run in the down-town section of the same city. The protection between the two groups of theatres was fourteen days. Change in the complexion of this company forced this operator to increase the protection to one month. With the change, the business of the neighborhood theatres dropped thirty-three per cent without adding anything to the receipts of the down-town theatres.

When he found out that his down-town theatres did not benefit at all by the extended protection, he insisted that the old conditions be reestablished. After many arguments he succeeded in inducing the other executives to let him reduce the protection to the former status. As soon as this was done, the receipts of the neighborhood theatres went back to normal without taking even a dollar from the receipts of the down-town theatres.

This proves one thing—that the picture-goers will not subject themselves to the inconvenience of going to see a picture they like to see in a down-town theatre, and that when too long a time elapses between its showing in a down-town theatre and the neighborhood theatre, they lose interest and do not go to see it at all. Hence the necessity of readjusting the clearance schedules to conform to the wishes of the picture-going public.

The shortening of the length of time of clearance and the bringing of the area of such clearance to within reasonable limits will benefit both, producer-distributors and exhibitors; and when these two groups benefit the entire industry benefits.

I suggest that you watch the deliberations of your Local Clearance and Zoning Board carefully and if the schedule it may adopt for your locality is unfair or unreasonable enter an immediate protest. This is the time for you to make your rights respected and not after the schedule is put into effect.

A DISTRIBUTOR'S "NATIONAL POLICY" MUST BE REALLY NATIONAL

Frequently a film salesman, in order to put over on an exhibitor a smart deal, asserts to such exhibitor that the terms he is asking from him are terms he is asking from all other exhibitors, and the exhibitor, unaware of the fact that such is not the case, signs a contract on such terms, and when he comes to play them he finds out that he cannot make both ends meet, and later on he finds out that other exhibitors obtain the same films at different terms—much more reasonable.

Tactics such as these are, of course, unfair; they are discriminatory.

The Code of fair competition for the motion picture industry has been adopted to prevent just such practices as these; a misleading statement is an unfair trade practice forbidden by the spirit of the Code and an exhibitor has the right to make a complaint against such a salesman or against his employer with his Local Grievance Board. It is, in fact, my belief that a distributor may be ordered by a Grievance Board to grant to the independent exhibitors the same terms as he has granted to affiliated exhibitors. For instance, if a distributor permits an affiliated exhibitor to show a given percentage picture on week days instead of the week-end, the independent exhibitors can compel such distributor, through the Grievance Board or, if such board fails to render a fair and impartial decision, through the Code Authority, the matter eventually reaching Division Administrator Rosenblatt, to permit all other exhibitors to show the same picture on week days.

To keep exhibitors informed as to the terms the distributors grant to some exhibitors, an exhibitor-subscriber has suggested that HARRISON'S REPORTS act as a sort of clearing house for such information. In other words, if exhibitors in different zones should inform me of the terms they were able to obtain from some distributors I could print such terms in HARRISON'S REPORTS without disclosing the name of the exhibitor or the town.

You may send me such information, if you so desire, and rest assured that I shall keep it confidential.

CODE ASSESSMENT SCALE ONLY TEMPORARY

Some complaints have been heard from exhibitors against the scale of theatre dues adopted by the Code Authority.

I have been informed reliably that the present scale is only temporary, adopted as an emergency to start the Code machinery functioning. It will be modified before six months are over, and if an exhibitor's dues will be lowered credit will be given him for whatever amount he has been overcharged. This is the reason why bills for only six months have been sent out.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States \$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 PENNSYLVANIA 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, MAY 12, 1934

No. 19

CATHOLIC CHURCH PROCEEDING SYSTEMATICALLY AGAINST ALL INDECENT PICTURES

The following is part of an article that has appeared in *The Queen's Work*, the official organ of the Catholic Sodality. It was evidently written by the Reverend Daniel A. Lord, the moving spirit of this organization:

"For a long time I believed that the motion picture industry would clean itself. I believed in the self-regulation of the industry. I also thought that it was the wisest policy to stress good pictures and remain silent about bad ones. I honestly thought that we need not despair of the situation, but could hope that the Code of Morals drawn up and solemnly signed five years ago would be the solution of the moral difficulties that made us all regard the motion pictures as a real menace.

"But I no longer believe any of that. The solemn pact which was signed by the heads of the industry five years ago, that much-publicized code in which they agreed to keep indecency and immorality out of the films and to uphold in their productions the moral law, correct attitudes toward life, and the ordinary decencies, has been flouted again and again by every one of the companies. It has meant nothing whatsoever where the box office was concerned . . . it was a dead letter. . . .

"Immorality is now the rule and not the exception. It is a rare film that has not the 'punch' scene, its element of illicit love, its nudity, its glamorous crime, seduction, open vice. We have seen prostitutes glorified. Love outside of marriage has taken precedence over the pure love of a good man and woman. The screen lives of actors and actresses specializing in sinful parts have, if we may trust the newspapers, been a sad reflection of too much personal looseness. Though the worst of the gangster orgy is over, we are still treated to a high-school and college course in crime from murder to kidnapping, with free-and-easy use of guns and a complete contempt for the sacredness of human life. No one can attend the films without taking a course in the paraphernalia of crime and lust.

"We appealed for a long time to the better side of the producers. They answered, with the coldest cynicism, that their own test of a film was its box-office success. If the picture was good and made money, that was fine. But if, to make money, it had to be rotten, then it would be rotten. Their excuse was precisely the excuse of men who sold rotten beef to the soldiers during the Spanish-American War; or of the manufacturers who sell poisonous canned goods to the public in defiance of the Pure Food Act; or of the man who sells dope because selling dope is highly profitable.

"The Catholics of America have been highly tolerant and patient. But their patience has limits, and their tolerance can stand no more. The bishops of the country are fully aware that one important motion-picture producer defied their plea for clean pictures and announced that as far as he is concerned he took no standards from any Catholic bishops and did what he liked no matter what they thought. [N. B. The writer is manifestly referring to Joe Schenck, who made a "terrible" remark at a recent conference of producers on the Coast, where representatives of the bishop in question pleaded with them to clean up the screen. It is my belief, in fact, that the present Catholic action, although expected as a result of the filthy pictures Hollywood has continued pouring out without abatement, has been precipitated by that stupid remark of Joe Schenck's. The independent exhibitors had better look out in contracting for Joe Schenck's pictures.]

"Sodalists will be quick to answer this call of the bishops and join this campaign against the motion pictures which

can undo and are often undoing the whole work of Catholic education and Catholic Action.

"What is more, Sodalists can assure themselves that they have the power to reform the whole motion-picture industry. . . . They can get from the motion picture producers what they want and whenever they want it. . . ."

In the same issue of *The Queen's Work*, the following suggestions are made under the heading, "Clean the Movies":

"SODALISTS CAN CLEAN THE MOVIES:

"1. They depend upon Sodalists for patronage.

"2. We are numerous enough to turn any picture into a failure.

"SODALISTS WILL DO THE FOLLOWING:

"1. Stay away from indecent and perverse pictures.

"2. Protest individually to the producing companies.

"3. Protest individually to the offending stars.

"4. Enlist others in this campaign.

"THE CENTRAL OFFICE PROMISES TO:

"1. Serve notice on the Hays office and the individual producing companies that this campaign has begun.

"2. List each month in *The Queen's Work* and the Monthly Service the most offensive pictures of the month.

"3. Keep Sodalists informed of the progress of the campaign.

"4. Enlists the interest of the Advisory Board members.

"5. Suggest this to local conventions, individual Sodality meetings, as a subject for discussion and direct action.

"6. Discuss the campaign and plan further developments at the national Sodality convention this summer.

"This Campaign has just begun."

ATTACHING C. O. D. ON FILM SHIPMENTS

An exhibitor has brought to my attention a case where the exchange attached a C. O. D. for shorts on a shipment of a feature, even though the feature was paid for in advance, and asked me whether it had the right to do so.

As said before in these columns, attaching a C. O. D. on features for an amount owed on shorts and vice versa is a violation of the Code; but it is so only in case the exhibitor has made to the distributor an offer to arbitrate any differences that might arise between them under the contract.

The part of the Code that covers this point is No. 10, Division "D," (Distributors), of Article V. This provision reads as follows:

"No Distributor shall refuse to deliver to any Exhibitor any feature motion picture licensed under an exhibition contract therefor because of such Exhibitor's default in the performance of any exhibition contract licensing the exhibition of short subjects of such Distributor, or vice versa, provided such Exhibitor has agreed to arbitrate all claims and controversies arising under all Optional Standard License Agreements between them."

Please notice the stipulation: *Provided such Exhibitor has agreed to arbitrate all claims and controversies arising under all Optional Standard License agreements.*

If you have not yet offered to the distributors you are dealing with to arbitrate any and all disputes that might arise under your existing contracts, which by the provisions of the Code have been superseded by the Optional Standard License Agreement form, you should make such offer at once, by registered mail. Once you make such an offer, a distributor will have no right to attach a C. O. D. to the shipment of a feature picture for a debt on shorts, or vice versa. To do so would be to violate this provision of the Code, and may have serious consequences for the violator. The fact that he may not have accepted your offer will make

(Continued on last page)

"A Very Honorable Guy" with Joe E. Brown*(First National, May 5; running time, 61 min.)*

Just a fair comedy. The story is rather silly, and the first half is slow. The part given Brown, that of a big-time gambler, is quite different from the "dumb" parts his followers are accustomed to see him enact; in some way, he seems a little out of place. There are a few good comedy moments, and the closing scenes hold one in suspense, particularly where Brown's life is endangered; but there is nothing that Brown does to win any sympathy; he is shown depending for his income on gambling; this is demoralizing, particularly in view of the fact that he has a big following among children. Alice White, as the heroine, is an unsympathetic character because she is a gold-digger, feeling friendly towards Brown only when he has enough money to buy her gifts:—

Brown, a gambler, having had a streak of bad luck, and being unable to pay back a debt of \$500 to a racketeer, decides to sell his body to a doctor for scientific research for \$1,000, pay his debts, and then take his life. The racketeer gives his word to the doctor that Brown will live up to the agreement. Brown gets the \$1,000 and promises to have his body delivered to the doctor within thirty days. After paying back the \$500, he gambles with the balance and luck is with him. He wins a large sum of money also on a sweepstakes ticket. He sets a date with Alice White for their wedding, forgetting the fact that the day set is the day on which he must turn his body over to the doctor. He suddenly remembers it and bargains with the doctor to free him, but the doctor refuses. The racketeer, learning that Brown was going to run away with Alice, has his men kidnap them. He then meets the doctor and, finding out that the man is insane, decides to save Brown. After a hectic chase, in which the racketeer is injured, Brown and Alice are saved. They eventually buy a chicken farm and live in peace.

The plot was adapted from a story by Damon Runyon. It was directed by Lloyd Bacon. In the cast are Robert Barrat, Alan Dinehart, Irene Franklin, Arthur Vinton, and others. (Coast Review.)

Except for the gambling it is suitable for children, adolescents and Sundays.

"Half a Sinner" with Berton Churchill, Joel McCrea and Sally Blane*(Universal, May 7; running time, 78 min.)*

A good program comedy. Most of the laughs are provoked by the fine acting of Berton Churchill, a professional card player, who poses as a deacon. The situations in which he hesitatingly sits down to play at a game of cards, making believe he does not know one card from the other, are very funny. Mixed with the comedy is human interest, brought about by the manner in which the different small town characters are presented. Sympathy is aroused for both Joel McCrea and Sally Blane who wanted people to think well of them and not to find out about their past. The closing scenes, in which McCrea is charged with robbery and in which he, with the help of Churchill, proves his innocence, are exciting.

In the development of the plot Churchill wanders into the small town in which Sally Blane and McCrea are working. They recognize him as one of the men who had occupied a freight car with them when they were hoboes. But he pretends not to recognize them. Posing as a deacon, he wins the respect of the people of the town and the hotel owner, a widow, falls in love with him. He makes his living by clever card playing, no one suspecting that he was a professional. Eventually the sheriff, who had been warned that a professional card player had been posing as a deacon, suggests to Churchill that he leave the town quietly. But first Churchill, by playing with the town banker, wins back a mortgage the banker held against the widow's hotel; he also helps Sally Blane prove McCrea's innocence in a robbery charge brought against him. The widow does not want him to leave but he tells her it is for the best. McCrea and Sally Blane marry.

The plot was adapted from the play "Alias the Deacon," by John B. Hymer and Leroy Clemens. It was directed by Kurt Neumann. In the cast are Gay Seabrook, Mickey Rooney, Alexandria Carlisle, Theresa Conover, Spencer Charters, and others.

Because of the fact that the leading character is a professional gambler, you will have to use your own judgment about its suitability for children, adolescents and Sundays.

"The Affairs of Cellini" with Constance Bennett, Fredric March and Frank Morgan*(United Artists, Fall release; running time, 80 min.)*

Lavishly produced, and well acted, this costume picture has turned out an excellent entertainment for class audiences; it is too slow for the masses. Frank Morgan runs away with the acting honors. The comedy situations in which he appears are hilariously funny. When he is off the screen, the action lags. It is the type of romantic comedy that is risqué in theme but so expertly handled that it does not offend. The audience is held in fair suspense owing to the danger to Fredric March's life. Laughs are provoked by his boastful manner; also when by his attempts to make love to Constance Bennett. But without Frank Morgan the picture would fall flat.

The story revolves around Fredric March (Benvenuto Cellini,) a master goldsmith, whose escapades had reached the ears of Frank Morgan, the ruling Duke. Morgan, a harmless half-wit, feels that March should be hung; but because he is so good a goldsmith and makes so many pretty trinkets for him, he decides to spare his life. In addition, he had noticed Fay Wray, March's model, and was struck by her beauty, and since he felt that March could help him win Fay he pardons him. March receives a visit from Constance Bennett (Duchess), and she plainly indicates that she wants him to become her lover. March thinks Fay is the great love in his life and bemoans his fate, for he must take Fay to the Duke. But this does not prevent him from going to the rooms of the Duchess. Through a mixup in which both the Duke and Duchess attempt to hide from each other the fact that each one of them was carrying on an affair, March leaves the palace with Fay. But he soon finds out that she is too stupid to be romantic and takes her to the palace. Eventually the Duke finds out about the Duchess' love for March and threatens them both with death. But the Duchess had discovered the Duke's affair with Fay and so warns him to be tactful. She goes off to one of the palaces with March, while the Duke remains at another palace with Fay.

The plot was taken from the play "The Firebrand," by Edwin Justus Mayer. It was directed by Gregory La Cava. In the cast are Vince Barnett, Jessie Ralph, Louis Calhern, Jay Eaton, Paul Harvey and John Rutherford.

In theatres that cater to religious people, it is unsuitable for children, adolescents, or Sundays; in theatres that cater to a liberal element, each exhibitor must use his own judgment.

"Strictly Dynamite" with Jimmy Durante, Lupe Velez, Marian Nixon and Norman Foster*(RKO, Rel. date not set; running time, 66 min.)*

A fairly good comedy, in spite of the fact that the story offers no new angles. As is usually the case, Durante provokes comedy by clowning his way through. One situation is particularly comical; it shows him in his bedroom surrounded by secretaries, with him raving at each one of them. The masses will probably enjoy the scenes showing the inside workings of radio broadcasting; also some of the music sung by both Durante and the Four Mills Brothers, radio favorites. The story itself is not new; it shows the downfall of Norman Foster, who had risen from the ranks of a starving author to a position of prominence as a radio writer and had then let success go to his head. Sympathy is felt for Marian Nixon, as Foster's devoted wife.

In the development of the plot William Gargan, a book-agent, because of his interest in Marian, convinces Durante that he should engage Foster as the writer of his gags to be used during his broadcasts. By making Durante believe that Foster was wanted by many people, Durante signs a contract. For a time everything goes well and Foster becomes famous. But he begins associating with Lupe Velez, Durante's partner, and he very often gets drunk. His work is bad, Durante discharges him, and Marian leaves him. Later there is a reconciliation between Foster and Marian and Durante signs him up again to write poetry for him, which goes over very well as comedy. Foster is somewhat heartbroken about this because he had taken his poetry seriously.

The plot was adapted from a story by Robert T. Colwell and Robert A. Simon. It was directed by Elliott Nugent. In the cast are Eugene Pallette, Minna Gombell, Sterling Holloway, Leila Bennett, Stanley Fields, and others.

Because of one situation in which it is suggested that Foster had spent the night with Lupe Velez, it is unsuitable for children, adolescents, or Sundays.

"Uncertain Lady" with Edward Everett Horton, Genevieve Tobin and Paul Cavanagh

(Universal, April 23; running time, 64 min.)

A mediocre sex comedy. The story is silly, the theme demoralizing, and the characters are not of the type to arouse any sympathy. Some of the situations are so suggestive and in so bad a taste that they are disgusting. One of such situations is where the husband attempts to convince his wife's lover that he, the husband, had spent the night with his wife. He did this to discourage the lover from paying any more attention to his wife. The dialogue, too, is quite suggestive. It is all in bad taste and offers little entertainment:—

Edward Everett Horton and Genevieve Tobin are married. He is in love with another woman and wants Genevieve to divorce him. But she tells him that first he must find another man for her. So Horton and his mistress attempt to furnish Genevieve with a suitor. Disliking all the men they suggest, she calls in a friend of hers, Paul Cavanaugh, and tells him to act like a suitor. When Horton's mistress learns that Cavanaugh is a very wealthy man, she decides to drop Horton and go after Cavanaugh. By this time Cavanaugh and Genevieve are in love with each other. The mistress plays a trick on Genevieve by making Cavanaugh believe that she had not taken him seriously. He leaves the next morning without first seeing Genevieve and takes Horton's mistress with him. He puts her aboard his yacht and then gets off himself. Horton, glad to be rid of his mistress, is angered when he learns that Genevieve had rushed down to the yacht to see Cavanaugh. He boards the yacht, which sets sail, and is left alone with his former mistress. Genevieve and Cavanaugh meet and are happy to be alone with each other.

The plot was adapted from a story by Harry Segal. It was directed very well by Karl Freund. In the cast are Mary Nash, Renee Gadd, Donald Reed, Dorothy Peterson, George Meeker and others. (Coast Review.)

Unsuitable for children, adolescents, or Sundays. Suitable for mature high class audiences.

"Merry Wives of Reno" with Glenda Farrell, Margaret Lindsay and Donald Woods

(Warner Bros., May 12; running time, 64 min.)

An offensive, trite, and at the same time dull comedy. The story is so mediocre, and the dialogue and situations that arise so suggestive, that it is sickening. It is supposedly a naughty tale of philandering wives and husbands, but it will amuse neither the intellectuals nor the masses. One offensive scene is where Glenda Farrell, in very plain language, suggests to Donald Woods that intimacy with him would not be distasteful to her. Other offensive scenes take place in a hotel in Reno, where Frank McHugh is the most sought-after man by women who are there to obtain divorces. Some comedy is provoked by Hugh Herbert, who shows a preference for sheep to people, but it is silly. The whole thing leaves one with a very bad taste.

In the development of the plot Margaret Lindsay, married to Donald Woods, is disappointed when he is forced to keep a business engagement on their first anniversary night. Because of an amusing story she hears in a beauty parlor the next morning, which story she knows concerns her husband, she leaves for Reno without waiting for any explanations. Her companion is her next door neighbor, Ruth Donnelly, who had decided to go to Reno to rid herself of her drunken husband, Guy Kibbee. Woods and Kibbee follow them to Reno and it looks as if Margaret and Woods will become reconciled. But they are invited to a party in Glenda Farrell's suite, and there they find their husbands' overcoats, which they asserted had been lost in a brawl. Woods, although innocent, cannot explain, for Margaret will not listen to explanations. By bribing Frank McHugh, a bellhop in the hotel, they involve both Margaret and Ruth in a compromising position and show them how innocent people could be involved in a scandal. All is forgiven and the four set out for New York.

The plot was adapted from a story by Robert Lord. It was directed by H. Bruce Humberstone. In the cast are Roscoe Ates, Hobart Cavanaugh, and others. Almost the identical plot has been put into pictures before. (Coast Review.)

"Terrible" for children, adolescents, or Sundays.

Substitution Facts: In the contract 470 is listed as "Barbara Stanwyck Production." It is a star substitution and you are not compelled to accept it.

"Manhattan Melodrama" with Clark Gable, William Powell and Myrna Loy

(MGM, May 4; running time, 92 min.)

With a combination of stars such as Clark Gable, William Powell and Myrna Loy, "Manhattan Melodrama" is sure to bring the masses to the theatres, and they will probably enjoy it because of the many emotional situations. But it is extremely demoralizing because of the fact that Gable is portrayed as a cold-blooded killer who, although he eventually pays for his crimes in the chair, is cynical to the end, expressing no regrets for his actions and going to his death laughingly. The producers have attempted to build up sympathy for him by justifying one of his murders—he killed the man to prevent him from spreading scandalous stories about Powell, who was running for Governor of New York State; but murder cannot be condoned. The inspiring part of the picture is the friendship that existed between Gable and Powell, and the desire of each to sacrifice himself for the other. Powell is portrayed as such a decent character, that sympathy is felt for him throughout, and pity in the situations where he is torn between his affection for Gable and his duty to his office. Several of these situations will stir the emotions, particularly at the trial, where William Powell asks for a death verdict against Gable, his bosom friend. The love affair and eventual marriage of Powell and Myrna is rather sordid since it is shown at first that she is Gable's mistress: A mistress becomes the First Lady of the State of New York.

In the development of the plot Myrna leaves Gable, a big-time gambler, with whom she had been living, because he would not marry her; he was not in sympathy with her views about marriage and children. A short friendship with Powell, whom she had met through Gable, culminates in marriage. Powell, a competent District Attorney, is nominated for Governor of New York. His former assistant, a crooked politician, threatens to issue slanderous stories about him in connection with a murder case in which Gable had been involved but not prosecuted. Myrna meets Gable by accident and tells him about these threats. Gable kills the man, is arrested and, prosecuted by Powell, is sentenced to the electric chair. The night of the electrocution Myrna tells Powell why Gable had killed the man and pleads with him to save Gable. Powell rushes to the death house and offers to commute Gable's sentence to imprisonment for life but Gable refuses and goes to his death. Powell, feeling that he had been unfaithful to his oath as Governor, tenders his resignation. But he is happy in the fact that he still has Myrna.

The plot was adapted from a story by Arthur Caesar. It was directed by W. S. Van Dyke. Nat Pendleton, Isabel Jewell, Leo Carrillo, and others are in the cast.

Unsuitable for children, adolescents, or Sundays.

HIGHLY IMPORTANT!

Paragraph (b), Part 9, Division D, of Article V, specifies that an exhibitor, if he should feel that the subject and the character of a percentage picture, designated for exhibition on certain days of the week, is in his opinion unsuitable for exhibition on those days, may ask his Local Grievance Board to relieve him of the obligation of playing such picture. If the Board should decide that the exhibitor's request is justified, the distributor shall take the picture in question out of those days and put another in its place. But such other picture must be taken from the percentage class. In other words, he cannot take a flat-rental picture and make a percentage out of it.

If the distributor could not find another percentage picture to take its place, he will just be out of luck; the exhibitor may proceed to book the picture of any other distributor; he may even book a flat-rental picture from among those he has bought from the same distributor, and it will not cost him any more money for the picture.

It is very important for you to remember this and to act accordingly for this reason: The churches, both Catholic and Protestant, are organizing to fight salacious pictures. Because of the belief on the part of the distributors that only sex pictures bring money to your box office, they base most of their high-percentage pictures on a sex theme and demand that such pictures be shown on your best days of the week. And Sunday is the best of all days from the box office point of view. You cannot afford to show a picture of this kind on a Sunday; in fact, you cannot afford to show it on any day of the week in view, as said, of the activities of the churches. But you have no way out. The least you can do, then, is to demand of the distributor to take such a picture out of your Sunday date.

no difference whatever so far as the Code is concerned; he is bound by your offer.

I hope that this matter is now thoroughly clear to every one of you.

I have been informed by some exhibitors that one of the large distributors will not give his exhibitor-customers playdates on a big picture unless they pay for all the short subjects they are in arrears on. This statement was not made by the distributor in question in writing; merely his representatives have passed the word around.

If this distributor should carry out his threat on exhibitors who have made an arbitration offer to him, he may find himself in trouble, for it will be a violation of the Code. The fact that he has not made this threat in writing will not save him; his failure to deliver the picture, coupled with the affidavits of the exhibitors stating in which manner the information reached them, will be enough evidence.

It is manifest that the distributors have not yet realized that there is a new deal on; having been accustomed to ruling the industry with an iron hand, it is very difficult for them to get out of the habit. One or two indictments will, I am sure, make them realize it quicker than anything else.

Let every exhibitor have faith in the New Deal; the Government will not let any one, be he a distributor or an exhibitor, pervert the meaning of any of the provisions of the Code so as to injure the small exhibitor.

FOX METROPOLITAN THEATRES IN BROOKLYN NOT FOX THEATRES NOW

I have been informed reliably that the Fox Metropolitan Theatres in Brooklyn do not belong to Fox Film Corporation any longer. Consequently, if any independent exhibitors in that city plans to refrain from dealing with his competitors he should have this fact in mind.

Incidentally, allow me to say that the suggestions that I made in the editorial "A Wrong Rental Relief Plan—And a Right," which appeared in last week's issue, was commented upon favorably by more exhibitors than any other editorial in many a month. All the commentators agreed with me that the suggestions I made to the effect that relief can be obtained from the high film rentals and other terms, not by resolutions in conventions; but by direct action; it is the only practical plan, they say.

Every one of you should discuss the plan with your neighbors and with the officers of your organization. If any of such officers should find any fault with those suggestions ask him to state what his objections are and let me have them, so that I may communicate with him and endeavor to enlighten him.

The time for resolutions is now gone; the time for action has arrived. You should not let any exhibitor leader temporize any longer. The shouting has led you nowhere except to the road leading to the poorhouse. There is a better road that you can take—the road to better times. And you can reach that road only if you should stop buying pictures from your competitor.

THE QUESTION OF "GENERAL RELEASE" DATE

There seems to be considerable anxiety on the part of many independent exhibitors as to the exact meaning of Paragraph 1, Part 6, Division F, Article V of the Code, referring to the "general release" in an exhibitor's particular exchange territory. This provision, as explained in the third paragraph of the editorial "Pictures You May Cancel—Article No. 2," under the heading "Facts You Must Remember," which was printed in the April 14 issue of HARRISON'S REPORTS, specifies that an exhibitor, when he wishes to cancel a picture, must give to the distributor a written notice to that effect within fourteen days after the general release date in the exchange territory from which an exhibitor receives the films of that particular company. This provision, these exhibitors state, is ambiguous and may leave the interpretation of it to the exchanges, which will no doubt interpret it to suit themselves.

For instance, an exchange can show a picture in a small town, for three days, without letting any exhibitor know about it, and then take the position that the picture was released in that territory, feeling sorry for any exhibitor who might complain that he was not aware of the fact.

It is to be regretted that any exhibitor would have ever conceived the idea that the United States Government would allow any producer-distributor to interpret the law to suit himself.

That the Code provision referred to is ambiguous no one will or can deny; but whenever there is any ambiguity in

the Code, the interpretation is made, not by any of the interested parties, but by the United States Government. And the Government will give the ambiguous provision such interpretation as will be intended to serve the interests of the American public.

What kind of interpretation will Division Administrator Rosenblatt, who is carrying out the wishes of the President of the United States, give to this provision in case the Code Authority fails to give it the right kind of interpretation?

To answer this question right we must seek the underlying motive for the incorporation of this provision in the Code: The purpose of it was to protect the American public from some of the salacious pictures Hollywood has been producing for years, and against which such public has been protesting, by making it possible for the exhibitor to reject ten per cent of such pictures. In order for an exhibitor to know whether a picture deserves or does not deserve cancellation, he or his representative must first see it. When an exchange hides that picture by showing it in some small town, it does not give such exhibitor the facilities the law intended that the distributor shall give him for inspection. Consequently, the distributor must and shall provide such a release system as will make it possible for the exhibitor to enjoy the full privileges of the cancellation provision.

This matter was discussed, as I have been able to learn, at the last meeting of the Code Authority. The producer-members recognized the right of the exhibitors to know when a picture is "generally released" in a particular exchange territory and appointed a committee to determine the matter; it will report its decision at the next meeting of this body, which will take place May 11. In the meantime, let no exhibitor worry that the exchange will prostitute any of the provisions of the Code; he must realize that a new day has dawned for the independent exhibitor.

SUBSCRIBE TO THE FORECASTER IMMEDIATELY

The accuracy of the *Forecaster* predictions about the story material (novels, stage plays, magazine stories) the producers announce for production in the beginning of each season makes this service assume unusual importance in the motion picture industry, particularly among the independent exhibitors.

What can be of more value to a buyer, in any business, than to have accurate information of the goods he is about to buy? He places himself at least on an equal footing with the salesman, for the buyer will know as much about the goods as the salesman himself.

In the motion picture industry, the exhibitor who subscribes to the *Forecaster* puts himself to a greater advantage than the salesman, because the salesman does not possess the information such exhibitor possesses; whatever information the salesman possesses is supplied to him by his Home Office; it is naturally highly exaggerated and in many instances inaccurate.

Paramount said that "Design For Living" would make a great picture. Need I tell you what a "flop" it has proved at the box office? The *Forecaster* so said before the picture was made. The same is true of "Alice in Wonderland," on which Paramount placed so much faith.

Fox stated that "Berkeley Square" would burst the box offices of the theatres; it starved to death. The *Forecaster* said so before the picture was made.

Metro-Goldwyn-Mayer felt that, with Marie Dressler and Lionel Barrymore in the leading parts, "The Late Christopher Bean" would make your box offices bulge; it made such a dismal failure that MGM, thinking that it was due to the poor title, changed the title; but to no avail. The *Forecaster* said so before the picture was made. The story of "Laughing Boy" is too tragic to repeat: the *Forecaster* induced one producer to get rid of it; MGM bought it and produced it. The New York censor will not allow it to be shown. The *Forecaster* predicted the failure of any picture that would be founded on this book. MGM thought that, because the novel won the Pulitzer prize, the picture would send patrons away from your theatres for inability to handle the crowds.

Sam Goldwyn thought that "Nana" would form lines in front of your box offices. You know what happened. The *Forecaster* said so.

The accuracy of the *Forecaster* was 90%; the accuracy of the story departments of the producers are seldom more than 35% right. Do you want a more powerful argument to convince you that the *Forecaster* will save you money when you make up your mind how much the product of a particular producer is worth to you?

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions ..	16.50
Canada	16.50
Mexico, Cuba, Spain.....	16.50
Great Britain	16.00
Australia, New Zealand,	
India	17.50

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1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if it is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
PENNSYLVANIA 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, MAY 19, 1934

No. 20

Stop Buying Pictures from Your Direct Competitor!

This is the second week since I proposed that the exhibitor leaders, instead of calling the old-fashioned conventions in which meaningless resolutions against high film rentals are passed, call conventions to impress every independent exhibitor with the fact that his ills are the result chiefly of theatre ownership by the producers, but not a single leader has yet expressed an approval of the only plan that will bring you relief.

Since your leaders will not move in the right direction, it is up to you to do so. Moreover, you need no exhibitor leader to tell you who your competitor is, and how much harm he is doing to you.

When you buy pictures from your competitor you render him aid that enables him either to build a theatre in opposition to you or to buy out an existing theatre in your locality. Whichever the case, this means the loss of your investment either in part or in whole.

Section 5, Part 2, of Article VI of the Code specifies that a theatre-owning producer-distributor may run his own pictures in his own theatres and no Grievance Board may accept a complaint from an independent exhibitor in an effort to get a share of his pictures. Such being the case, why not let him have his pictures altogether? Let him enjoy them to his heart's content.

You may be unwilling to give up buying his pictures on the ground that you need them, and that if you do not buy them your competitor will.

My answer to you is that such pictures are not of much value to you anyway, because the theatre-owning producer milks them dry. As far as your competitor is concerned, let him buy them; if he should buy them, he will leave the pictures of some other distributor to enable you to take care of your needs. Besides, when the movement in your particular locality is concerted, even your competitor will fall in line with you and the other exhibitors.

The principle of dealing with one's competitor is unsound; and when it is disregarded, it doesn't work out well for him who disregards it. So make up your mind now to stop dealing with him. The new selling season is but a few weeks off and it is necessary for you and the other exhibitors of your territory to make up your minds now. If you will make them up now, you will have an opportunity to carry on an educational campaign among the other exhibitors. Do not wait for the other exhibitor to take the initiative; take it yourself—call as many of the other exhibitors as you can into a consultation, discuss the subject with them, and propose that you and they then and there decide to refrain from buying the pictures of your direct competitor. A determined stand on this question in your territory will arouse, I am sure, every other territory.

You cannot fight the world, as you are asked to do when you are called to a convention and are urged to fight against the exorbitant terms of all the distributors; but you can fight the company that is competing with you for theatre business. You are destined to be more successful, for in your fight you will have the support of at least half of the film companies. Distributing concerns such as Universal, for example, and Columbia, and United Artists, will give you their support, if not actively, at least passively. Even RKO will, I am sure, give you its passive support, for the number of theatres it controls is so small that, whatever loss it may sustain in the territories where it has theatres, it will more than make up in the other territories. As far as the independent producer-distributors are concerned, I venture to say that every one of them will give you his support in the open.

Make a start now! If the leaders of your organization

desire to fall in line, well and good; if not, proceed without them.

Once again let me make the plan clear to you: If Warner Bros., for example, has theatres in your own locality, Warner-First National is your direct competitors and you have the right to stop dealing with them. That leaves all the other distributors for you to buy films from. If it is Paramount (Publix) that has theatres in your locality, then your direct competitor is Paramount. In such a case, buy pictures from First National, Warnes Bros. and from all other producer-distributors, but not from Paramount. If the producer-distributor who operates theatres in your locality is Loew, then buy pictures from Warner Bros., First National, Paramount, and from all other producer-distributors except from Metro-Goldwyn-Mayer, whose subsidiary is Loews, Inc. If your direct competitor is Fox, then stop buying pictures from Fox in that particular locality. This sort of procedure robs the movement of the tinge of boycott, which it is not intended to be.

In a movement of this kind, companies such as Columbia, Universal, United Artists, and all the independent producer-distributors, and even RKO, because, as said, of the small number of theatres it owns, will benefit greatly. But it is no more than right that they should benefit; they are not in competition with you. Besides, you will encourage them to make still better pictures.

Just to prove to you that these companies will give you their moral support, either in the open or quietly, next time you are in the exchange of any one of these companies, talk the matter over confidentially with the branch manager; I am pretty sure what the sentiments he will express will be.

WARNERS BECOMING EXPERT "FINAGLERS"

You remember, I am sure, the editorial, "Your Rights in the Interchange of Pictures and Terms by Warner-First National," which appeared in the May 5 issue of HARRISON'S REPORTS.

In that editorial I stated that, because of the "Interchange" provision in the First National and in the Warner Bros. contracts, the executives of these two companies are within their rights in requesting that you interchange "Twenty Million Sweethearts," a picture of the lower classification, with "Broadway and Back," with Barbara Stanwyck, a picture of the higher classification. Part 1, Division F, of Article V, which makes the Optional Standard License Agreement, negotiated between producers and exhibitors in 1933, supersede the contract forms in use prior to December 7, stipulates that a company may insert in the Schedule of its contracts individual sales policy provisions as long as they are not in conflict with the provisions of the contract, and naturally of the Code itself. And this "Interchange" provision of the Warner-First National contracts is not in conflict with either.

But, although the executives of these two companies have the right to request you to make this interchange, I stated that they must deliver to you a Barbara Stanwyck picture in the lower classification, and that, if they should fail to do so, they would violate the substitution provision of the Code, (Part 3 a, D, V), which forbids the substitution of star pictures. And unless First National delivered to you a Barbara Stanwyck picture in the lower classification, it would be offering to you a star substitution, in violation of the Code.

Evidently the Warner Bros. executives recognized the soundness of that opinion and, in order to avoid the obligation
(Continued on last page)

"Stingaree" with Irene Dunne and Richard Dix

(RKO, May 25; running time, 76 min.)

A fair entertainment for the masses, and fairly good for the classes, particularly for those who enjoy good music. Irene Dunne sings songs of the operatic as well as of the ballad type, and she does so well; and since the music is made part of the plot the action does not slow up at any time. Mary Boland provokes, as she usually does, laughter; this time she is an ambitious matron who imagines that she has a beautiful voice when in fact it is "terrible." Conway Tearle, as a great musician and Irene's manager, is sympathetic; one feels that it should be he and not Dix to receive Irene's attentions, for Dix is a highwayman, even though of the romantic type, and it seems too bad that she should want to waste her time living a hunted life with him, even though Dix had been the cause of her success as an operatic singer. The picture's main drawback is, in reality, the fact that Dix is a highwayman; normal persons cannot feel sympathy with a man of such pursuit:—

Irene Dunne, a housemaid in the home of Mary Boland and Henry Stephenson, somewhere in Australia, dreams of becoming a great singer, and hopes that her chance will come when Conway Tearle, a composer of renown, would arrive at the home of the Stephensons to test Mary Boland's voice. Richard Dix, a highwayman, kidnaps Tearle from an inn where he was lodging for the night and then calls at the Stephenson's and poses as Tearle. At the time he arrived, only Irene was there and he is charmed by her voice; she is joyful when he promises to see that she gets a chance. When his identity is discovered he kidnaps Irene and takes her to his hideout where he thinks Tearle is still being kept. But he arrives there to find that his stupid aide had permitted Tearle to escape. He tells Irene she shall have her chance. Dressing her up in clothes he had stolen he takes her to the party given in Tearle's honor and at gun point forces Tearle to listen to Irene sing. This disgusts Mary Boland who had hoped to make an impression with her voice. Tearle tells Irene she has a great future and offers to take her to London to train her. Dix is shot and imprisoned, and at first Irene is reluctant to leave him. But Dix insists that she go. In time she becomes a famous singer, but she is unhappy; she cannot forget Dix. She goes back to her home town to give a concert and there learns that Dix, who had escaped from prison, is wanted by the police. He calls to see her and she tells him her career means nothing to her. They go away together.

The plot was adapted from a story by E. W. Hornung. It was directed by William A. Wellman. In the cast are Andy Devine, Una O'Connor, George Barrard, and others.

Because of the fact that Dix is a bandit, the picture may not be suitable for children, adolescents, and Sundays. The sex relationship between hero and heroine is handled delicately.

"Change of Heart" with Janet Gaynor and Charles Farrell

(Fox, May 18; running time, 77 min.)

Good performances by the four leading players saves "Change of Heart" from being just ordinary entertainment, since the story is inane, and the action slow—it is draggy for the entire first half. As usual, it is pleasant to watch Janet Gaynor and Charles Farrell, for there is about them a certain romantic quality that appeals to the masses. Ginger Rogers and James Dunn provide the comedy relief and do the best they can with inadequate material. Human interest is aroused by the efforts of the four young people to get a start in life, the most sympathetic being Janet Gaynor, who tries to keep them all together. This may do for Gaynor-Farrell fans who are content to see them, regardless of the story value. There is little suspense and the outcome is obvious:—

When Janet, Ginger, Dunn and Farrell graduate from college they decide to go to New York together to make their way in life. Farrell is in love with Ginger, and this makes Janet unhappy for she loved Farrell. Ginger is flighty and cannot make up her mind; at times she thinks she is in love with Dunn. Dunn loves Janet and begs her to marry him but she refuses. Eventually they all obtain positions, but Ginger decides to go to California with Kenneth Thomson, a wealthy play producer. This makes Farrell ill and Janet nurses him back to health. He then realizes he loves Janet and they marry. They are happy until Ginger returns from California, and decides she wants Farrell back. But Farrell is completely over having been in love with Ginger,

and makes Janet happy by telling her he wants only her. They are both delighted when his law firm offers him a junior partnership. Eventually Ginger transfers her affections to Dunn.

The plot was adapted from a story by Kathleen Norris. It was directed by John G. Blystone. In the cast are Beryl Mercer, Gustav Von Seyffertitz, Mary Carr, and others.

Except for the suggestion that Ginger goes away with Thomson, it is suitable for children, adolescents, and Sundays.

"Thirty Day Princess" with Sylvia Sidney and Cary Grant

(Paramount, May 18; running time, 73 min.)

Good entertainment. The theme is not novel, but it has been produced so well, with performances so good, that it holds the interest. Sylvia Sidney plays effectively a dual role, that of a princess and of an actress. The romantic angle should appeal to the masses. Human interest is aroused because of the sympathy one feels for Sylvia when she realizes she loves Cary Grant, but cannot tell him the truth about her impersonation of the princess. There are some good comedy situations, and the spectator is held in suspense throughout for fear lest the impersonation be discovered. The closing scenes, in which the real princess saves the actress from disclosure, are exciting and laugh-provoking:—

Sylvia, princess of a mythical kingdom, arrives in America on a good will tour, the purpose being to float a loan for her country. Just as she arrives she develops mumps, and Edward Arnold, the American banker, who was to float the bond issue, realizes that without her people will not buy the bonds for the loan. He sends out detectives to find a girl to look like the princess, and they find Sylvia, an impoverished actress. When Sylvia is dressed up and coached, she fools everybody, including Cary Grant, a newspaper publisher, who had started out insulting her and her country, but ended up loving her. Her good will tour is a success and the bond issue is over-subscribed. But certain circumstances develop, and Cary Grant finds out about the impersonation. However, to prove her love for Cary, Sylvia, the actress, tears up the check for the fee she had received for impersonating the princess. There is a happy reunion.

The plot was adapted from a story by Clarence Budington Kelland. It was directed by Marion Gering. In the cast are Henry Stephenson, Vince Barnett, Edgar Norton, Ray Walker, Lucien Littlefield, and others.

Suitable for children, adolescents, and Sundays.

"Such Women Are Dangerous" with Warner Baxter

(Fox, May 4; running time, 81½ min.)

It is too bad that the Fox Film Corporation should have put Warner Baxter, one of the most wholesome actors on the screen, in material of this type; it doesn't do him any good, nor does it do so to the Fox Company. Mr. Baxter, a writer of best sellers, is presented having an affair with a married woman and, while in that state of affairs, a young country girl, the hero-worshipping kind, manages to have an interview with him and then he cannot get rid of her; she is in love with him. Mr. Baxter treats the girl, of course, as a mere child, and tries to bring her back to her senses, but his talk brings no results, until finally the foolish girl takes poison and dies. Because of some letters, innocent Mr. Baxter is accused of murder and he would have certainly been convicted were it not for a last minute discovery of a note from the dead girl indicating that she was about to take her life. During all these times the married woman dreads discovery by her husband of the fact that she was intimate once with Baxter; but the discovery of the note makes this unnecessary.

The subject matter is not pleasant at the best, and since not one of the characters does anything that is worth-while the picture leaves one cold, despite Mr. Baxter's fine performance. Rochelle Hudson does good work as the love-struck girl, but her part is unpleasant.

The plot has been founded on Vera Caspary's story "Odd Thursday;" it was directed by James Flood. Rosemary Ames, Herbert Mundin, Henrietta Crossman, Irving Pichel and others are in the cast (Coast Review).

Children under twelve will not understand it but there is nothing in it to give them enjoyment. Not particularly edifying for adolescents; not suitable for Sunday showing.

"The Loudspeaker" with Ray Walker and Jacqueline Wells

(Monogram, June 1; 67 min.)

Fair! Pictures in which the hero talks about himself with the hope of impressing others with his own ability, a man who is always cocksure of himself, who brags about his accomplishments, has been put into pictures innumerable times—Metro, Paramount, First National and others have made them; but not once has a picture gone over well with the public because no one likes a bragging fellow in life and it is no different on the screen.

In this instance, Ray Walker, who hasn't a good voice, wants to become the world's greatest radio entertainer and strange to say the story makes him one; he has attached himself to a wealthy man who was making and selling pancakes, which the hero had to eat even though they gave him indigestion. He presses his attentions on a girl he had met but though he likes the girl and wants to marry her his attentions are not accepted by the girl. Eventually she gets a job at the same radio station and she, having ability, makes a real hit. The girl, who by this time had learned to love him, plots to bring him back; she succeeds. Marriage between the two is the result.

The story is by Ralph Spence; the direction, by Joseph Santley.

Not harmful to children and adolescents; and not objectionable for Sunday showing, except that it would be well if heroes of this type were kept off the screen.

"Laughing Boy" with Lupe Velez and Ramon Novarro

(MGM, April 13; running time, 78½ min.)

Putrid! It is about the vilest theme ever shown on the screen. It is sex in its most sordid state, and presented in such an obvious way that it is shocking. For instance, in one situation Lupe Velez spends the night with Ramon Novarro and in order to make this quite clear to the audience one is shown a closeup of the money he left her the next morning. From that point on it goes from bad to worse—Lupe, in order to help Ramon along financially, tells him she will go to the city and do some trading. What she really does is to stay with her former white sweetheart and for this privilege he pays her much money. This does not happen just once; she spends many nights with that man. Does the fact that she is prompted to do this for Ramon make it any more moral? No! It is indecent, immoral, and entirely distasteful. Added to all this is the fact that the leading characters are Indians, a fact which makes it of very little appeal to American audiences. There is nothing in it to make it entertaining. It is slow, dull, stupid, and putrid.

The story revolves around the marriage of Lupe and Ramon, Navajo Indians. Ramon's people warned him against marrying a girl of her type, since she was known to be "bad" (she was a prostitute). But after he once stays with her he cannot forget her and so he insists on marrying her. His people find fault with her and Lupe is unhappy. She realizes that she and Ramon must live by themselves, but since they needed money to do this she persuades Ramon to allow her to go to town to do trading. Her real purpose was to pick up her affair with her former white lover and in that way make money. She does this and Ramon prospers from the money she brings home. Eventually he finds her with this man and aims his arrow at the man; but Lupe interposes and is struck. Before she dies she convinces Ramon that she had done everything for his sake; he forgives her. He sings his mournful love song over her grave.

The plot was adapted from the novel by Oliver La Farge. It was directed by W. S. VanDyke. In the cast are William Davidson, Chief Thunderbold, and others.

Unsuitable for any type of audience.

"Money Means Nothing" with Wallace Ford and Gloria Shea

(Monogram, June 15; running time, 63½ min.)

Nice little program picture, with a few tears, and a melodramatic twist in the end. The theme is that of a young wealthy girl's loyalty to the man she loved and married, willing to suffer poverty rather than give him up, disregarding the pressure her family was bringing to bear upon her to give up her poor husband. The loyalty of this young woman, impersonated by Gloria Shea, is inspiring. The situation where she, having learned that she is to be a mother, rushes home and finds her husband packing to go, with her sister pleading with her to leave her poverty-

stricken husband and go with the family to Europe, is touching, particularly in the scenes where she tells her husband the happy news. Maidel Turner, the next-door snooping neighbor, a meddler of the first order, is amusing and at the same time irritating for not leaving the unfortunate couple alone. The character of Betty Blythe, mother of the girl, is well drawn out; she is made to appear as if she were the dumbest kind of wealthy woman in existence.

In the development of the plot, Wallace Ford, the hero, vainly tries to find a position, after losing the position he had. Finally he accepts an offer from a man who worked in the same concern with which he once worked, and by which he had been discharged unjustly. But he does not know that his friend is a racketeer, his business being to high-jack automobile tires from the freight cars at the freight yards. When Ford found it out it was too late, for a gun stuck into his ribs forced him to drive the truck. The police are notified of the robbery and are after the high-jackers. When the hero hears the sirens and judges that the police are about to approach them, he ditches the truck, strikes his guard in the head and tries to escape. He is, however, shot in the arm by another of the high-jackers. But the high-jackers are arrested. Ford is given his old position back, because the high-jacked tires belong to the company he once worked for. Gloria is, of course, happy.

The plot was taken from the stage play "Cost of Living," by Wm. Anthony McGuire. Christie Cabanne directed it. Vivian Oakland, Richard Tucker, Tenen Holtz and others are in the supporting cast.

Suitable for the family; and for Sunday showing.

"Hell Bent for Love" with Tim McCoy and Lillian Bond

(Columbia, May 20; running time, 57 min.)

A good program action melodrama, combining human interest with thrills. It offers enough excitement to satisfy any audience. There is a motorcycle race, displays of daring riding on motorcycles by policemen, a horserace, and other such events. It holds the audience in suspense, too, because of the danger to McCoy, who bucks up against a gang of crooks; but he eventually outwits them. Human interest is aroused for McCoy when he is framed by the crooks and discharged from the force. The romantic interest is pleasant.

McCoy arrests Lillian Bond for speeding, thus making an enemy of Bradley Page, a racketeer in whose club Lillian was a singer. Lillian is set free and she becomes friendly with McCoy, who is happy to hear that Page means nothing to Lillian. Page, because of jealousy, frames McCoy in a planned holdup, and McCoy is discharged from the police force. He knows that Page had framed him and, with the aid of several former crooks, whom he had helped to get a start in life, sets about ruining Page. He eventually traps Page with stolen jewels; he does it by sending one of his men to Page to buy the diamonds. Page and his gang are arrested. McCoy is put back on the force, decorated for bravery, and wins Lillian as his wife.

The plot was adapted from a story by Harold Shumate. It was directed by D. Ross Lederman. In the cast are Vincent Sherman, Lufe McKee, Harry C. Bradley, Wedgewood Newell, Eddie Sturgis, and others. (Coast review.)

Suitable for children, adolescents, and Sundays.

PICTURES BANNED BY THE CATHOLIC CHURCH

The following are some of the later pictures that have been banned by the Catholic organizations:

Released in February: "Bolero," "Dark Hazard," "Fashions of 1934," "Good Dame," "Mandalay," "Nana," "No More Women," and "Search for Beauty."

Released in March: "Come On Marines," "Coming Out Party," "Gambling Lady," "George White's Scandals," "Heat Lightning," "Jimmy the Gent," "Journal of a Crime," "Lazy River," "Let's Be Ritz," "Love Birds," "Riptide," "Success at Any Price," "Wharf Angel," and "Wonder Bar."

Released in April: "Catherine the Great," "Glamour," "Men in White," "Manhattan Love Song," "Sing and Like It," "The Trumpet Blows," "This Man Is Mine," and "Whirlpool."

Released in May: "Finishing School."

Independent releases: "Marriage on Approval," "Unknown Blonde," "West of the Divide," and "When Strangers Meet."

tion of delivering a Stanwyck picture in the lower classification, they have changed the contract number of "Twenty Million Sweethearts," from No. 756, which they designated originally, to No. 754, which is the contract number of the Stanwyck picture. But in so doing they have made matters worse, for, by delivering "Twenty Million Sweethearts," in which picture Barbara Stanwyck does not appear, for "Broadway and Back," they are violating, as said, Paragraph (a), Part 3, Division D-Distributors, of Article V, which stipulates that "no Distributor shall substitute for any feature motion picture described in the contract as that of a named star or stars, . . . ; and no Exhibitor shall be required to accept any such substitute motion picture."

Those contract-holders to whom "Twenty Million Sweethearts" will be delivered with the contract number 754 are under no obligation to accept it, for it is, as said, a star substitution.

Some of you might accept "Twenty Million Sweethearts" as No. 754, just to show a spirit of cooperation with the exchange, but in such an event you should demand that First National, too, show a spirit of cooperation by removing the "minimum guarantee," so that in case the picture did not take in as much as the Barbara Stanwyck picture would, and the receipts do not reach the minimum guarantee, you may not be compelled to make up the loss out of your own purse. After all, if a picture does not earn what the producer thought it would, it is not your own fault; consequently, you should not be penalized.

"The Merry Frinks," which is to be delivered as No. 767, is another star substitution, for in the contract 767 was described as a Richard Barthelmess production, whereas in "The Merry Frinks" Mr. Barthelmess does not appear. Consequently you are under no obligation to accept it.

In reference to this picture, allow me to call your attention to the fact that, in the studio news of the Hollywood papers, it is stated that a Barthelmess picture, "Old Doll's House," was completed on March 31, which date is after "A Modern Hero" was finished. Why, then, is First National holding back this picture, which it owes to you, offering "The Merry Frinks" in its place? Is it trying to do with this picture what it did with "Gold-Diggers of 1933"? If so, its executives will find that times have changed.

I am watching out for this and will let you know what your rights are so that you may drag this company before your local Grievance Board. In the meantime I suggest to every one of you to demand of First National an assurance that it will deliver a Stanwyck picture in the lower classification before you accept "Twenty Million Sweethearts" as a higher classification picture. If it should fail to render you such an assurance, take your First National exchange before your Local Grievance Board.

THOSE WHO DID NOT SIGN THE CODE

The impartial functioning of the Grievance boards by which independent exhibitors who signed the Code have obtained prompt relief has caused some of those exhibitors who did not sign it to express their regrets to me and to ask me what can be done to bring themselves under the Code.

Even though I warned every exhibitor that I could reach not to be blinded by momentary emotional intoxication, but to sign the Code, there was so much confusion at that time, so much recrimination, dragging a principle down to the level of personalities, that I cannot find fault with any of such exhibitors for having been carried away with their passion. Nor do I accuse any exhibitor leader of willfully trying to mislead the members of his organization; I merely attribute it to bad leadership.

During those hectic days, I asked every one of those leaders who questioned the wisdom of my stand toward the Code what he would have done if he were in my place—what he would have suggested to the exhibitors to do, but not one of them was able to give me a rational answer. Some of them refrained from answering my query at all; evidently they were stuck for an answer. One of them, whom I pressed for an answer, accusing him of being afraid to express his opinion, even though the question called decidedly for the expression of an opinion, pleaded to be excused from giving me an answer. Only one leader gave me a straightforward answer, but it was not a logical answer because he stated that I should have advised the exhibitors to sign the Code with reservations; I replied that I could not have given them such advice because the Administrator would refuse to accept signatures with reservations.

The fear planted into your minds by some exhibitor

leaders to the effect that the Grievance boards would be unfair to the independent exhibitor is not borne out by the facts. The first decision of importance came from Milwaukee; the local Grievance Board took first-run pictures away from a Fox affiliate and gave them to an independent exhibitor. The unanimous decision of the Board was appealed to the Code Authority and was upheld unanimously by it. The Code Authority members that represent Fox and Warner Bros., were barred from voting, because these two companies were interested in the case directly and not as a class.

But there is no use crying over spilt milk now; the best thing for us to do is to find a way out.

In my opinion, there is only one person that can offer such exhibitors relief—Division Administrator Rosenblatt. If they should write to Mr. Rosenblatt, giving him the causes that made them refrain from signing the Code, I am sure that he will do something. After all, Mr. Rosenblatt was the one who postponed the time limit for signatures three times with the hope that cooler counsel would prevail and every exhibitor would sign the Code. His address is 4221 Commerce Bldg., Washington, D. C.

When one bears in mind that no exhibitor can bring a complaint before a Grievance board unless he has signed the Code, I cannot blame very much those who now find themselves outside the Code for wanting to come under it.

"TENTH" PICTURES

Columbia: For those who bought this company's westerns, "Man Trailer" is, as said, the Tenth picture of the First group; but for those who did not buy them, it is "Crime of Helen Stanley," the national release date of which is April 20.

For those who bought the westerns, "The Most Precious Thing in Life," released May 19, is the Tenth picture of the Second group.

United Artists: "Sorrel and Son," released nationally April 20, is the Tenth picture of the First group of ten.

Universal: For those who bought this company's westerns, "Half a Sinner," released nationally April 30, is the Tenth picture of the Second group. For those who did not buy the westerns, if they do not reject the substitutions, the Tenth picture of the Second group of ten is "The Black Cat," released nationally May 7; but if they reject the substitutions, then the Tenth picture is "Affairs of a Gentleman," released nationally May 14.

The national release date of a picture is not necessarily the release date of that picture in your exchange territory, as required by the cancellation provision of the Code.

In exercising your cancellation privilege, you may cancel any picture of a group; but you must pay for it when it becomes available for showing and then apply the payment on the Tenth picture of that particular group of ten. If the price of the picture you may cancel is bigger than the price of the Tenth picture, you are entitled to a credit for the difference, which you may apply on the subsequent picture; if it is smaller, you will have to make up the difference.

Exhibitors who have not signed the Code are entitled to exercise the cancellation privilege; but in such a case they must pay the assessment.

Whether you have signed the Code or not, you may exercise the cancellation privilege even if you have not paid the assessment; but you must pay the assessment within thirty days after you have received the bill; otherwise you will have violated the Code.

If you have any doubt as to your rights, ask this paper.

HARRISON'S REPORTS TO INDIA BY AIR MAIL

Messrs. Kooka, Sidhwa & Co., managing agents of the Globe Theatre, Calcutta, India, has ordered that the weekly copy of HARRISON'S REPORTS be sent to it by air mail, manifestly to enable this firm to receive it as quickly as possible.

Not all subscribers are, I believe, aware of the fact that HARRISON'S REPORTS has a big foreign circulation. It has approximately one hundred and fifty subscribers in Great Britain, more than thirty in Australia and New Zealand, ten in France. Copies are sent to Mexico, to Central and South American countries, Egypt, Holland, Hungary, Italy, Malay Peninsula, Philippine Islands, Costa Rica, Porto Rico, South Africa, Spain, Sweden and to other parts of the world.

HARRISON'S REPORTS

Vol. XVI

NEW YORK, N. Y., SATURDAY, MAY 19, 1934

No. 20

(Partial Index No. 3—Pages 53 to 76 inclusive)

<i>Title of Picture</i>	<i>Reviewed on Page</i>	
Affairs of Cellini, The—United Artists (80 min.)	.....74	4007 Twentieth Century—Barrymore-Lombard ... May 11
All Men Are Enemies—Fox (79 min.)	.....70	4008 The Party's Over—Erwin-Sothorn May 15
A Very Honorable Guy—First National (61 min.)	.....74	4018 The Most Precious Thing In Life—Arthur-Cook-Cromwell May 19
Beyond Bengal—Showmens Pictures (71 min.)	.....71	4216 Hell Bent For Love—McCoy (58½ min.) .. May 20
City Limits—Monogram (67 min.)	.....54	
Crime of Helen Stanley, The—Columbia (57 min.)	.....71	
Dancing Fool, The—Warner Bros. See "Harold Teen"	.....42	
Double Door—Paramount (75 min.)	.....70	
Finishing School—RKO (72 min.)	.....62	
Ghost of John Holing, The—Monogram (See "Mystery Liner")	.....35	
Glamour—Universal (73½ min.)	.....55	
Good Girl—Paramount (See "Good Dame")	.....30	
Half A Sinner—Universal (78 min.)	.....74	
House of Mystery—Monogram (60½ min.)	.....70	
I'll Tell the World—Universal (75 min.)	.....58	
Lady of the Boulevards—United Artists (See "Nana")	.....22	
Lazy River—MGM (75 min.)	.....55	
Manhattan Love Song—Monogram (70 min.)	.....62	
Manhattan Melodrama—MGM (92 min.)	.....75	
Man Trailer—Columbia (59½ min.)	.....63	
Melody In Spring—Paramount (76 min.)	.....54	
Men In White—MGM (73 min.)	.....58	
Merry Wives of Reno—Warner Bros. (64 min.)	.....75	
Millionaire For A Day—Universal (See "Let's Be Ritzy")	.....50	
Modern Hero, A—Warner Bros. (70 min.)	.....67	
Monte Carlo Nights—Monogram (61 min.)	.....70	
Murder In Trinidad—Fox (75 min.)	.....55	
No Greater Glory—Columbia (76 min.)	.....67	
Registered Nurse—First National (62 min.)	.....54	
Rhythm In The Air—First National (See "Twenty Million Sweethearts")	.....63	
Riptide—MGM (91 min.)	.....55	
Sing and Like It—RKO (71 min.)	.....63	
Sisters Under the Skin—Columbia (72 min.)	.....66	
Sorrell and Son—United Artists (85 min.)	.....71	
Stand Up And Cheer—Fox (80 min.)	.....66	
Strictly Dynamite—RKO (66 min.)	.....74	
Take The Stand—Liberty Pict. (77 min.)	.....62	
Tarzan and His Mate—MGM (105 min.)	.....67	
Trumpet Brows, The—Paramount (68 min.)	.....63	
Twentieth Century—Columbia (90 min.)	.....70	
Twenty Million Sweethearts—First Nat'l (88½ min.)	.....63	
Uncertain Lady—Universal (64 min.)	.....75	
Unknown Blonde—Majestic Pictures (69 min.)	.....54	
Upper World—Warner Bros. (72 min.)	.....67	
Viva Villa—MGM (111 min.)	.....66	
We're Not Dressing—Paramount (73½ min.)	.....67	
When Sinners Meet—RKO (72 min.)	.....66	
When Strangers Meet—Liberty Pict. (69 min.)	.....58	
Whirlpool—Columbia (73 min.)	.....62	
Witching Hour, The—Paramount (64 min.)	.....71	
You're Telling Me—Paramount (65 min.)	.....58	

RELEASE SCHEDULES FOR FEATURES

Chesterfield Features

(1540 Broadway, New York, N. Y.)

Stolen Sweets—Sally Blane-Charles Starrett	..... Mar. 1
City Park—Sally Blane-Henry B. Walthall	..... May 1
Green Eyes—Charles Starrett-Shirley Grey	..... June 1

Columbia Features

(729 Seventh Ave., New York, N. Y.)

4026 Social Register—Moore-Kirkland	..... Mar. 10
4204 Man Trailer—Buck Jones (59½ min.)	..... Mar. 15
4030 The Line Up—Nixon-Gargan	..... Mar. 17
4036 One is Guilty—Bellamy-Grey	..... Mar. 31
4215 Voice in the Night—Tim McCoy (reset)	..... Apr. 6
4021 Whirlpool—Jack Holt-Jean Arthur	..... Apr. 10
4024 Sisters Under the Skin—Landi-Morgan	..... Apr. 15
4034 Crime of Helen Stanley—Bellamy	..... Apr. 20
4005 No Greater Glory—Breakston	..... Apr. 20

First National Features

(321 W. 44th St., New York, N. Y.)

771 (761) A Very Honorable Guy—Joe E. Brown	..... May 5
754 Twenty Million Sweethearts (Broadway and Back)—Powell-Rogers	..... May 26
767 The Merry Frinks (Richard Barthelmess Production)—MacMahon-Kibbee-Jenkins	..... May 26
778 Fog Over Frisco (Aline MacMahon-Alan Jenkins comedy)—Davis-Lindsay-Woods	..... June 2
777 Side Streets (Diamond Dan)—MacMahon-Kelly-Dvorak	..... June 30
761 Circus Clown—Joe E. Brown	..... June 30
770 Return of the Terror—Astor-Talbot	..... July 7

Fox Features

(444 W. 56th St., New York, N. Y.)

428 I Believed in You—Ames-Jory-Boles	..... Feb. 23
431 David Harum—Rogers-Dresser	..... Mar. 2
430 Coming Out Party—Dee-Raymond	..... Mar. 9
438 George White's Scandals—Vallee-Faye	..... Mar. 16
433 Three on a Honey-moon—Eilers-Pitts	..... Mar. 23
434 The Constant Nymph—English cast	..... Mar. 23
437 Bottoms Up—Tracy-Paterson-Boles	..... Mar. 30
432 Murder in Trinidad—Bruce-Angel	..... Apr. 6
No release set for	..... Apr. 13
436 All Men Are Enemies—Williams-Twelve-trees	..... Apr. 20
444 Heart Song (The Only Girl)—Harvey	..... Apr. 27
435 Stand Up And Cheer—All Star Cast	..... May 4
442 Such Women Are Dangerous (Too Many Women)—Baxter-Ames-Hudson	..... May 4
447 Now I'll Tell—Tracy-Twelve-trees	..... May 11
441 Change of Heart—Gaynor-Farrell-Dunn	..... May 18
445 Springtime for Henry—Kruger-Carroll	..... May 25
446 Call It Luck—Paterson-Mundin-Starrett	..... June 1
440 Wild Gold—Boles-Trevor-Green	..... June 8
439 Baby Take A Bow—Dunn-Temple-Trevor	..... June 15
448 She Learned About Sailors—Faye	..... June 22
443 Charlie Chan's Courage—Oland-Layton	..... June 29
449 Wanted—Ames-Green	..... July 6

Invincible Features

(1540 Broadway, New York, N. Y.)

Twin Husbands—John Miljan-Shirley Grey	..... Feb. 25
In Love With Life (Reunion)—Lila Lee	..... Apr. 1
Fifteen Wives—Tearle-Francis	..... May 15

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

-331 Fugitive Lovers—Montgomery-Evans	..... Jan. 5
-333 The Cat and the Fiddle—Novarro	..... Feb. 16
-334 Riptide—Shearer-Montgomery	..... Mar. 30
-305 Viva Villa!—Beery-Wray-Carrillo	..... Apr. 27
-313 Sadie McKee—Crawford-Tone (reset)	..... May 11

(More to come for the 1932-33 Season)

(1933-34 season)

-427 The Show Off (Lee Tracy No. 1)—Spencer Tracy	..... Mar. 9
-444 Lazy River—Parker-Young	..... Mar. 16
No release set for	..... Mar. 23
-413 Men In White—Gable-Loy-Hersholt	..... Apr. 6
-424 Laughing Boy—Novarro-Velez (reset)	..... Apr. 13
-438 Tarzan and His Mate—Weissmuller (reset)	..... Apr. 20
-406 Manhattan Melodrama—Gable-Powell-Loy	..... May 4
No release set for	..... May 18
-407 The Thin Man—Powell-Loy-O'Sullivan	..... May 25
-436 The Hollywood Party—Durante (reset)	..... June 1
-410 Operator 13—Davies-Cooper-Healy	..... June 8
No release set for	..... June 15
-446 Rear Car—Butterworth-Merkel-Carlisle	..... June 22
No release set for	..... June 29
-428 Stamboul Quest (Lee Tracy No. 2)—Myrna Loy	..... July 6
-417 100% Pure—Harlow-Tone-Barrymore	..... July 13

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

2025	Sixteen Fathoms Deep—Chaney	Jan. 1
2047	Lucky Texan—John Wayne	Jan. 22
2022	Woman's Man—Halliday-Motte	Feb. 7
2048	West of the Divide—Wayne-Faire	Feb. 15
2013	Beggars in Ermine—Furness-Atwill	Feb. 22
2023	Mystery Liner—Beery-Allyn	Mar. 15
2030	House of Mystery—Lowry	Mar. 30
2001	Manhattan Love Song—Lee-Armstrong	Apr. 30
2033	City Limits—Walker-Blane (reset)	May 1
2046	Blue Steel—John Wayne (54 min.)	May 10
2024	Monte Carlo Nights—Brian-Darrow	May 20
2026	The Loudspeaker—Walker-Wells	June 1
2027	Money Means Nothing—Shea-Ford (70m.)	June 15

Paramount Features

(1540 Broadway, New York, N. Y.)

-3341	Trumpet Blows—Raft-Menjou-Drake	Apr. 13
-3338	Melody In Spring—Ross-Ruggles-Boland	Apr. 20
-3343	We're Not Dressing—Crosby-Lombard	Apr. 27
-3344	Double Door—Venable-Morris (reset)	May 4
-3348	Private Scandal—Brian-Pitts-Sparks	May 11
-3346	Thirty Day Princess—Sidney-Grant	May 18
-3342	Murder at the Vanities—Oakie-McLaglen	May 25
-3347	Little Miss Marker—Menjou-Temple	June 1
	Many Happy Returns—Burns-Allen-Marsh	June 8
	The Great Flirtation—Menjou-Landi	June 15
	Here Comes the Groom—Haley-Boland	June 22

RKO Features

(1270 Sixth Ave., New York, N. Y.)

-4137	Crime Doctor—Kruger-Morley-Asther	Apr. 27
-4134	Finishing School—Dee-Cabot-Rogers	May 4
-4149	Where Sinners Meet—Wynyard-Brook	May 18
-4143	Stingaree—Dunne-Dix	May 25

Showmens Pictures Features

(723 Seventh Ave., New York, N. Y.)

St. Louis Woman—J. Loff-J. Mack Brown	Apr. 1
Beyond Bengal—animal picture	May 15

United Artists Features

(729 Seventh Ave., New York, N. Y.)

Palooka—Jimmy Durante	Jan. 26
Nana—Anna Sten-Lionel Atwill (reset)	Mar. 2
Looking for Trouble—S. Tracy-J. Oakie	Mar. 9
The House of Rothschild—George Arliss	Apr. 6
Catherine the Great—Fairbanks, Jr.	Apr. 13
Sorrell and Son—H. B. Warner	Apr. 20
Born To Be Bad—Young-Grant	May 18

Universal Features

(1250 Sixth Ave., New York, N. Y.)

A7013	Uncertain Lady—Tobin-Horton	Apr. 23
A7035	Half a Sinner (Hillbillies)—McCrea-Ellis (reset)	Apr. 30
A7010	The Black Cat (Man Who Reclaimed His Head)—Karloff-Lugosi (reset)	May 7
A7019	Affairs of a Gentleman (One Glamorous Night)—Lukas-Hyams	May 14
A7031	The Love Captive—Asther-Stuart	May 21
A7007	Little Man, What Now?—Sullivan	May 28
A7036	Funny Thing Called Love (Summerville-Pitts Prod.)—Morris-Clarke	June 4
A7004	I Give My Love—Gibson-Lukas	June 11
A7023	Embarrassing Moments (Edmund Lowe Prod.)—Morris-Nixon	June 25

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

470	Merry Wives of Reno (Barbara Stanwyck Production)—Lindsay-Farrell-Woods	May 12
477	Smarty—Blondell-William-Horton (reset)	May 19
462	Isle of Fury (The Gentleman from San Francisco)—Powell-Best-Clive	June 9
465	He Was Her Man—Cagney-Blondell	June 16
459	When Tomorrow Comes (Seven Wives)—Francis-William	June 23
475	Friends of Mr. Sweeney (Country Club)—Ruggles-Dvorak	July 7

SHORT SUBJECT RELEASE SCHEDULE

Astor—One Reel

Motives—Alan Mowbray-E. Clive (10 min.)	Feb. 10
Air Minded—C. Windsor-J. Finlayson (10 min.)	Feb. 15
Air Capers—Ned Sparks (10½ min.)	Feb. 22
Dixie Paradise—Southern musical (10½ min.)	Feb. 29
Dr. Jekyll and Mr. Hyde—Shelton Lewis (10½m)	Mar. 8

Astor—Two Reels

Death Fangs—Flash wonder dog (17 min.)	Jan. 10
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Astor—Three Reels

Rainbow Riders—Bud 'N Ben (30 min.)	Mar. 15
Pot Luck Pard—Bud 'N Ben (30 min.)	May 1

Columbia—One Reel

4510	Cinder Alley—K. Kat (cartoon) (6½ min.)	Mar. 9
4607	Aw, Nurse—Scrappys (cartoon) (7 min.)	Mar. 9
4706	Snapshots No. 6—(9 min.)	Mar. 10
4308	March of the Years No. 8—(10 min.)	Mar. 22
4511	Bowery Daze—K. Kat (cartoon) (7 min.)	Mar. 26
4608	Scrappy's Toy Shop—Scrappys (7 min.)	Apr. 13
4512	Busy Bus—K. Kat (cartoon) (7 min.)	Apr. 20
4807	Dumb Champs—World of Sports (9½ min.)	Apr. 20
4905	Laughing with Medbury in India—(9½ m.)	Apr. 20
4707	Snapshots No. 7—(9½ min.)	Apr. 24
4513	Masquerade Party—K. Kat (cartoon)	May 11
4309	March of the Years No. 9	May 15
4808	Harnessed Lightning—World of Sport	May 17
4708	Snapshots No. 8—(9½ min.)	May 18
4609	Scrappy's Dog Show—Scrappys	May 18

Columbia—Two Reels

4122	Love Detectives—musical (19½ min.)	Mar. 6
4105	Mickey's Rescue—McGuire (19½ min.)	Mar. 16
4110	When Do We Eat—Holtz (18 min.)	Mar. 19
4115	Stable Mates—Sidney-Murray (19½ min.)	Apr. 6
4116	Fishing For Trouble—comedy (17½ min.)	May 4
4123	Woman Haters—musical (19½ min.)	May 5
4106	Mickey's Medicine Man—M. McG. (19 m.)	May 18

Fox—One Reel

1001	City of Wax—Battle for Life (9 min.)	Feb. 9
0411	Love's Old Sweet Song—Tintype (8½ min.)	Feb. 16
1308	When Disaster Strikes—Adventures of a News Cameraman (9 min.)	Feb. 16
3420	Under Moroccan Skies—M. Carpet (10 m.)	Feb. 16
0514	The Last Straw—Terrytoon (6 min.)	Feb. 23
0804	Mediterranean Blues—Rom. Journey (9 m.)	Feb. 23
0905	The Doctor—Song Hit story (8½ min.)	Feb. 23
3421	A Journey in Flanders—Magic Car. (8½ m.)	Feb. 23
0607	Hula Honeymoon—Treasure Chest (7½ m.)	Mar. 2
1309	Outdoing the Daredevils—Adventures of a News Cameraman (9½ min.)	Mar. 2
0412	Heart of Valeska—Tintype (8 min.)	Mar. 9
0515	The Owl and the Pussycat—Terry. (6 m.)	Mar. 9
0516	A Mad House—Terrytoon (6 min.)	Mar. 16
1310	With the Navies of the World—Adventures of a News Cameraman (9½ min.)	Mar. 23
1002	Born to Die—Battle for Life (9 min.)	Mar. 30
0517	Joe's Lunch Wagon—Terrytoon (6 min.)	Apr. 6
0609	Pagliacci—Treasure Chest (10½ min.)	Apr. 6
0805	The Lost Race—Romantic journey (9½ m.)	Apr. 13
1311	On Western Trails—Adv. N. Cam. (9 m.)	Apr. 13
3423	Fortunate Isles—Magic Carpet (9 min.)	Apr. 13
0518	Just a Clown—Terrytoon (6 min.)	Apr. 20
0608	Bosom Friends—Treasure Chest (8½ m.)	Apr. 27
3415	In Java Sea—Magic Carpet (9½ min.)	Apr. 27
0519	The King's Daughter—Terrytoon (6 min.)	May 4
1003	Not Yet Titled—Battle for Life	May 11
3424	Land of Bengal—Magic Carpet (9½ min.)	May 11

Fox—Two Reels

0104	The Expectant Father—Truex com. (21½m)	Feb. 16
0313	Managed Money—Mirthquake (20 min.)	Feb. 23
0106	Going Spanish—Musical com. (21½m)	Mar. 2
0211	The Big Meow—Tom Howard com. (19m.)	Mar. 9
0105	The Gold Ghost—Keaton com. (21½ min.)	Mar. 16
0314	No Sleep on the Deep—Compson (21½ m.)	Apr. 6
0315	Hotel Anchovy (Hotel Alimony)—Ritz Brothers (19 min.) (re.)	Apr. 13
0212	Hello Prosperity—Clyde comedy (19 min.)	Apr. 20
0213	A Good Scout—Howard comedy (18 min.)	Apr. 27
0316	Educating Papa—Mirthquake	May 4
0107	Love and Babies—Truex comedy	May 11

Metro-Goldwyn-Mayer—One Reel

- W-926 Robin Hood, Jr.—W. Whopper cart. (8m) Mar. 10
- T-907 Tibet, Land of Isolation—Travel. (9 m.)...Mar. 17
- M-947 Trick Golf—Oddities (8 min.)Mar. 24
- A-963 Goofy Movies No. 3—(10 min.)Mar. 24
- W-927 Insultin' The Sultan—Whopper c. (8 m.) Apr. 14
- M-948 Nipups—Oddities (9 min.)Apr. 28
- A-964 Goofy Movies No. 4—(9 min.)May 5
- M-949 Flying Hunters—Oddities (7 min.)May 12
- W-928 Reducing Creme—Whopper cartoon.....May 19
- T-908 Egypt—Kingdom of the Nile—Traveltalk. May 19
- M-950 Little Feller—Oddities (8 min.)May 26
- M-951 Attention, Suckers!—Oddities (10 min.)...June 9

Metro-Goldwyn-Mayer—Two Reels

- C-844 Next Week-End—All Star com. (16 min.) Feb. 24
- C-823 Hi'-Neighbor!—Our Gang com. (18 min.) Mar. 3
- R-873 Jail Birds of Paradise—Mus. rev. (18 m.) Mar. 10
- C-845 Caretaker's Daughter—All star (20 m.) Mar. 10
- C-815 Four Parts—C. Chase com. (19 min.)...Mar. 17
- C-835 Soup and Fish—Todd-Kelly (18 min.)...Mar. 31
- C-852 Apples To You—Musical com. (20 min.) Apr. 7
- C-824 For Pete's Sake—Our Gang com. (18 m.) Apr. 14
- C-846 Mrs. Barnacle Bill—All star com. (20 m.) Apr. 21
- C-853 Roamin' Vandals—Musical com. (19 min.) Apr. 28
- C-825 The First Round-Up—Our gang (19 min.) May 5
- C-816 I'll Take Vanilla—C. Chase com. (19 min.) May 5
- R-874 The Big Idea—Musical revue (20 min.)...May 12
- C-854 A Duke for a Day—Musical com. (20 min.) May 12
- C-836 Maid in Hollywood—Todd-K. com. (20 m.) May 19
- C-855 Benny From Panama—Music. c. (19 m.) May 26
- C-856 Music in Your Hair—Mus. com. (17 m.) June 2
- C-826 Honky-Donkey—Our gang com. (17 m.) June 2
- C-817 Another Wild Idea—C. Chase com. (19 m.) June 16

(C-804 listed in the last Index as a Laurel Hardy release for Mar. 3 and C-805 listed as a Laurel-Hardy release for April 21, have been temporarily postponed.)

Paramount—One Reel

- Z3-10 Hollywood on Parade No. 10—(10 m.)...Apr. 27
- E3-9 Can You Take It—Popeye cart. (6 min.)...Apr. 27
- Y3-10 Screen Souvenirs No. 10—(10 min.)...May 4
- A3-11 The Little Jack Little Revue—Headliner (9 min.)May 11
- R3-11 Marine Marvels—Rice Sport. (10 min.)...May 11
- T3-10 Betty Boop's Rise to Fame—Boop cartoon (9½ min.)May 18
- P3-11 Paramount Pictorial No. 11—(10 min.)...May 18
- SC3-10 This Little Piggie Went to Market—Screen Song (8 min.)May 25
- Z3-11 Hollywood on Parade No. 11—(10 min.)...May 25
- E3-10 Shoein' Horses—Popeye cartoonJune 1
- Y3-11 Screen Souvenirs No. 11—(9 min.).....June 1
- A3-12 Mr. W.'s Little Game—Headliner (10 m.) June 8
- R3-12 Lucky Anglers—Spotlight (10 min.)...June 8
- T3-11 Betty Boop Arrested—Boop cartoon.....June 15
- P3-12 Paramount Pictorial No. 12—(9½ min.)...June 15
- SC3-11 Not Yet Titled—Screen song.....June 22

Paramount—Two Reels

- DD3-6 Oil's Well—Chic Sale com. (21 min.)...May 4
- QQ3-5 News Hounds—Palette-Catlett (19½ m.) June 1

RKO—One Reel

- 44405 Maderia—Vagabond No. 5 (9 min.)Mar. 30
- 44504 Pathe Review No. 4 (10½ min.).....Apr. 6
- 44208 A Royal Good Time—King cartoon (7 m.) Apr. 13
- 44108 Cubby's Stratosphere Flight—King cartoon (7 min.)Apr. 20
- 44406 Gibraltar—Vagabond No. 6 (8 min.).....May 4
- 44209 Art For Art's Sake—King cartoon.....May 11
- 44109 Not Yet Titled—Fable No. 9May 18

RKO—Two Reels

- 43804 One A.M.—Charlie Chaplin (18 min.)Mar. 23
- 43907 No More West—VanBuren mus. (19 m.) Mar. 30
- 43503 Strictly Fresh Yeggs—Tom Kennedy comedy (21½ min.)Apr. 6
- 43206 Bedlam of Beards—Clark-McCul. (21 m.) Apr. 13
- 43908 Sea Sore—musical (17½ min.).....Apr. 20
- 43604 Rough Necking—Brewster com. (20 min.) Apr. 27
- 43504 Cracked Shots—comedyMay 4
- 43405—Old Maid's Mistake—Catlett com. (20 m.) May 11
- 43305 Wrong Direction—E. Kennedy c. (20½ m.) May 18
- 43805 Behind the Screen—Chaplin comedy.....May 25

United Artists—One Reel

- 17 Funny Little Bunnies—S. Sym. (cart.) (7m.)...Mar. 30
- 18 The Big Bad Wolf—S. Sym. (cart.) (9 m.)...Apr. 13

Universal—One Reel

- A7266 Goofytone News No. 6—(9 min.)Mar. 19
- A7210 Wolf Wolf—Oswald cartoon (8 min.)Apr. 2
- A7211 Gingerbread Boy—Oswald cart. (6 min.) Apr. 16
- A7247 Strange As It Seems No. 38—(9 min.)...Apr. 23
- A7267 Goofytone News No. 7—(9½ min.).....Apr. 30
- A7212 Annie Moved Away—Oswald c. (reset) May 14
- A7248 Strange As It Seems No. 39—(10 min.)...May 21
- A7213 Goldilocks and the Three Bears—Oswald cartoon (7½ min.)May 28

Universal—Two Reels

- A7506 The Death Chase—Pirate No. 6 (17m.) ..Mar. 5
- A7507 Crashing Doom—Pirate No. 7 (18 min.) ..Mar. 12
- A7113 Born April First—Halloway com. (21m.) Mar. 14
- A7508 Mutiny—Pirate No. 8 (18½ min.)Mar. 19
- A7168 Vaudeville Days—Mentone No. 8 (21m.) ..Mar. 21
- A7509 Hidden Gold—Pirate No. 9 (18½ min.) ..Mar. 26
- A7114 Ceiling Whacks—Armetta com. (20 min.) Mar. 28
- A7510 The Fight For Treasure—Pirate No. 10 (19½ min.)Apr. 2
- A7511 The Fatal Plunge—Pirate No. 11 (16½m.) Apr. 9
- A7115 Heart Burn—Halloway (20½ min.)Apr. 11
- A7512 Captured—Pirate No. 12 (20½ min.) ...Apr. 16
- A7169 The Pest—Mentone No. 9 (19½ min.)Apr. 18
- A7701 Accused of Murder—Vanishing Shadow No. 1 (20½ min.)Apr. 23
- A7702 The Destroying Ray—Shadow No. 2 (20m) Apr. 30
- A7170 Ed Sullivan's Headliners—(19½ min.)...May 2
- A7703 The Avalanche—Shadow No. 3 (20½ m.) May 7
- A7116 Good Time Henry—Armetta c. (20½ m.) May 9
- A7704 Trapped—Shadow No. 4 (20 min.).....May 14
- A7705 Hurlled from the Sky—Shadow No. 5 (18½ min.)May 21
- A7117 There Ain't No Justice—com. (19 m.)...May 23
- A7706 Chain Lightning—Shadow No. 6 (20½ m.) May 28
- A7707 The Tragic Crash—Shadow No. 7 (19½ min.)June 4
- A7118 Beau Bashful—Corthell com. (20 min.)...June 6

Vitaphone—One Reel

- 8010 Vincent Lopez and Orchestra—(10 min.) ..Mar. 17
- 8321 Hollywood News Reel—(9 min.)Mar. 24
- 8208 Picturesque Siam—Musical journey (10m) Mar. 31
- 8316 A Cabinet Meeting—P. Pot (10 min.)Apr. 7
- 8009 Big City Fantasy—Melody Masters (9m.) ..Apr. 14
- 8315 Pure Feud—Edgar Bergen—P. Pot (10 min.) Apr. 21
- 8209 Slackers of the Jungle—Mus. jour. (10m.) ..Apr. 28
- 8318 Those Were the Days—P. Pot (10 min.)...May 5
- 8008 Isham Jones & Orch.—Mel. Mas. (10 m.) May 12
- 8319 Radio Reel—Pepper Pot (10 min.)May 19
- 8120 Going to Heaven on a Mule—M. Mel. (7 m.) May 19
- 8108 Buddy of the Apes—Looney Tunes (7 m.)...May 19
- 8210 East Indies—Mus. journey (10 min.).....May 26
- 8317 Just Concentrate—Pepper Pot (9 min.)...June 2
- 8011 Tin Hat Harmony—Abe Lyman (10 min.)...June 9
- 8322 Rambling Round Radio Row No. 2—(10 m.) June 16
- 8211 Central America—Mus. journey (10 min.) June 23
- 8320 Penny a Peep—Pepper Pot (10 min.).....June 30

Vitaphone—Two Reels

- 7516 Come To Dinner—Brevities (20 min.)Feb. 24
- 7517 Business Is A Pleasure—B'way. Brev. (17m) Mar. 3
- 7610 Pugs and Kisses—Big V Comedy (21 min.) ..Mar. 10
- 7518 Look For the Silver Lining—3 Reel Special (30 min.)Mar. 17
- 7612 Foiled Again—Big V comedy (20 min.)Mar. 24
- 7519 Let's Play Post Office—Brevities (21m.) ..Mar. 31
- 7520 Story Conference—Lillian Roth (20m.) ...Apr. 7
- 7613 Mush—Ben Blue (20 min.)Apr. 14
- 7521 Morocco Nights—Fuzzy Knight (18 min.) ..Apr. 21
- 7614 Corn on the Cop—Harry Gribbon (20m.) ..Apr. 28
- 7522 Private Lessons—Hal LeRoy (22 min.).....May 5
- 7523 Out of the Past—3 reel special (30 min.)...May 12
- 7615 I Scream—Big V comedy (20 min.).....May 19
- 7524 Broadway Brevity—(20 min.)May 26
- 7616 Salted Seanuts—Big V comedy (19 min.)...June 2
- 7526 Darling Enemy—Gertrude Niessen (20 m.) June 9
- 7527 Who Is That Girl—Bernice Claire (20 m.) June 16
- 7617 The Prize Sap—Big V comedy (19 min.)...June 23
- 7528 King For a Day—Bill Robinson (19 min.)...June 30

RELEASE DAY CHART FOR ALL NEWS WEEKLIES

	Pathe News		Universal News		Fox News		Paramount News		Metrotone News	
	Sat. (Odd) Rel.	Wed. (Even) Rel.	Sat. (Even) Rel.	Wed. (Odd) Rel.	Sat. (Even) Rel.	Wed. (Odd) Rel.	Sat. (Odd) Rel.	Wed. (Even) Rel.	Sat. (Even) Rel.	Wed. (Odd) Rel.
Albany	Fri. 0	Tues. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0
Atlanta	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Mon. 2	Thur. 1
Boston	Fri. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Wed. 0
Buffalo	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Butte			Tues. 3	Sat. 3					Wed. 4	Sat. 3
Charleston									Mon. 2	Thur. 1
Charlotte	Mon. 2	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Chicago	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Cincinnati	Sat. 0	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Cleveland	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Fri. 0	Wed. 0	Sat. 0	Wed. 0
Columbus							Sun. 1	Wed. 0	Sat. 0	Wed. 0
Dallas	Sun. 1	Fri. 2	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3
Denver	Thur. 5	Fri. 2	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Sun. 1	Fri. 2	Wed. 4	Sat. 3
Des Moines	Sat. 0	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Wed. 0	Sun. 1	Thur. 1
Detroit	Fri. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
El Paso										
Indianapolis	Sun. 1	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Jacksonville	Mon. 2	Thur. 1					Sun. 1	Thur. 1	Mon. 2	Thur. 1
Kansas City	Sun. 1	Thur. 1	Mon. 2	Fri. 2	Sun. 1	Thur. 1	Sun. 1	Thur. 1	Sat. 0	Wed. 0
Los Angeles	Fri. 6	Tues. 6	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Tues. 3	Sat. 3	Wed. 4	Sat. 3
Memphis	Sat. 0	Thur. 1	Mon. 2	Fri. 2	Sat. 0	Thur. 1	Mon. 2	Thur. 1	Mon. 2	Thur. 1
Milwaukee	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Thur. 1	Sat. 0	Wed. 0
Minneapolis	Sat. 0	Thur. 1	Mon. 2	Fri. 2	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sun. 1	Thur. 1
New Haven	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
New Orleans	Mon. 2	Fri. 2	Mon. 2	Thur. 1	Tues. 3	Sat. 3	Sun. 1	Thur. 1	Sun. 1	Thur. 1
New York	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Oklahoma City	Wed. 4	Sun. 4	Sun. 1	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sun. 1	Thur. 1
Omaha	Sun. 1	Thur. 1	Mon. 2	Fri. 2	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sun. 1	Thur. 1
Peoria										
Philadelphia	Fri. 0	Wed. 0	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Fri. 0	Wed. 0	Sat. 0	Wed. 0
Pittsburgh	Sun. 1	Thur. 1	Mon. 2	Thur. 1	Sat. 0	Wed. 0	Fri. 0	Wed. 0	Sat. 0	Wed. 0
Portland, Ore.	Mon. 2	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Wed. 4	Sat. 3
Portland, Me.							Mon. 2	Thur. 1	Mon. 2	Thur. 1
St. Louis	Sun. 1	Fri. 2	Sun. 1	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Thur. 1	Sat. 0	Wed. 0
Salt Lake City	Wed. 4	Sun. 4	Thur. 5	Sat. 3	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Wed. 4	Sat. 3
San Antonio			Wed. 4	Sat. 3			Sun. 1	Thur. 1	Wed. 4	Sat. 3
San Francisco	Tues. 3	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Mon. 2	Sat. 3	Wed. 4	Sat. 3
Seattle	Mon. 2	Sat. 3	Wed. 4	Sun. 4	Wed. 4	Sat. 3	Mon. 2	Fri. 2	Wed. 4	Sat. 3
Sioux Falls	Sun. 1	Wed. 0	Wed. 4	Sun. 4			Sun. 1	Fri. 2		
Washington	Sat. 0	Wed. 0	Sun. 1	Thur. 1	Sat. 0	Wed. 0	Sat. 0	Wed. 0	Sat. 0	Wed. 0
Wichita, Kans.									Mon. 2	Thur. 1
Wilkes-Barre									Mon. 2	Thur. 1
Calgary					Fri. 6	Tues. 6	<i>A combination of both issues is sent on Tuesdays to Toronto to which distributes it to the other Canadian exchanges.</i>			
Montreal			Sun. 1		Mon. 2	Fri. 2				
St. John					Mon. 2	Fri. 2				
Toronto					Mon. 2	Fri. 2				
Vancouver					Thur. 5	Tues. 6				
Winnipeg			Thur. 5	Mon. 5	Tues. 3	Sun. 4				

NEWSWEEKLY NEW YORK RELEASE DATES

Universal News

245	Wednesday	..	May 2
246	Saturday	...	May 5
247	Wednesday	..	May 9
248	Saturday	...	May 12
249	Wednesday	..	May 16
250	Saturday	...	May 19
251	Wednesday	..	May 23
252	Saturday	...	May 26
253	Wednesday	..	May 30
254	Saturday	...	June 2
255	Wednesday	..	June 6
256	Saturday	...	June 9
257	Wednesday	..	June 13
258	Saturday	...	June 16
244	Saturday	...	Apr. 28

Pathe News

45280	Wed. (E.)	..	May 2
45181	Sat. (O.)	..	May 5
45282	Wed. (E.)	..	May 9
45183	Sat. (O.)	..	May 12
45284	Wed. (E.)	..	May 16
45185	Sat. (O.)	..	May 19
45286	Wed. (E.)	..	May 23
45187	Sat. (O.)	..	May 26
45288	Wed. (E.)	..	May 30
45189	Sat. (O.)	..	June 2
45290	Wed. (E.)	..	June 6
45191	Sat. (O.)	..	June 9
45292	Wed. (E.)	..	June 13
45193	Sat. (O.)	..	June 16
45179	Sat. (O.)	..	Apr. 28

Fox Movietone

65	Wednesday	...	May 2
66	Saturday	....	May 5
67	Wednesday	...	May 9
68	Saturday	....	May 12
69	Wednesday	...	May 16
70	Saturday	....	May 19
72	Saturday	....	May 26
73	Wednesday	...	May 30
74	Saturday	....	June 2
71	Wednesday	...	May 23
75	Wednesday	...	June 6
76	Saturday	....	June 9
77	Wednesday	...	June 13
78	Saturday	....	June 16

Paramount News

78	Wednesday	...	May 2
79	Saturday	....	May 5
80	Wednesday	...	May 9
81	Saturday	....	May 12
82	Wednesday	...	May 16
83	Saturday	....	May 19
84	Wednesday	...	May 23
85	Saturday	....	May 26
86	Wednesday	...	May 30
87	Saturday	....	June 2
88	Wednesday	...	June 6
89	Saturday	....	June 9
90	Wednesday	...	June 13
91	Saturday	....	June 16

Metrotone News

262	Saturday	....	Apr. 28
263	Wednesday	..	May 2
264	Saturday	....	May 5
265	Wednesday	..	May 9
266	Saturday	....	May 12
267	Wednesday	..	May 16
268	Saturday	....	May 19
269	Wednesday	..	May 23
270	Saturday	....	May 26
271	Wednesday	..	May 30
272	Saturday	....	June 2
273	Wednesday	..	June 6
274	Saturday	....	June 9
275	Wednesday	..	June 13
276	Saturday	....	June 16

HOW THE AGE OF A PARTICULAR NEWSWEEKLY ISSUE MAY BE COMPUTED

Suppose you desire to find out whether the exchange delivers your newsweeklies at the age you contracted for!

First look at the Release Day Chart under the column of the company whose weeklies you show. You will notice that there are little numbers by the side of the days. The meaning of these numbers is as follows:

Newsweeklies are released by all the companies in New York on Saturdays and on Wednesdays. The issue of any company is one day old in New York on the day of its release, whether such day is Saturday or Wednesday.

But it takes time for a print to reach another zone. To reach Dallas, for example, it takes 4 or 3 days by train. Naturally you cannot consider a Newsweekly one day old on the day of its release in New York when it reaches that zone four days later. The practice of each company has been to consider a Newsweekly one day old on the day of its arrival and release in a particular zone. The little number by the side of each day in the Chart indicates how many days later than the New York Release Date a particular issue may be considered one-day old in a particular zone.

Suppose you desire to find out how old is a Saturday release of the Universal News in Portland, Oregon. Look in the Saturday Column of the Universal News in the Release Day Chart; run down the column until you reach the line opposite Portland. The day given is Wednesday, and the

figure is "4." Accordingly, the Saturday issue of the Universal News, which is one day old in the New York zone on that day, is one day old in Portland on Wednesday; that is, four days later.

Universal News No. 254 will be released in the New York City zone Saturday, June 2, and in the Atlanta, Charlotte, Kansas City, Memphis, Minneapolis, New Orleans, Omaha, and Pittsburgh zones two days later; that is, on Monday, June 4, on which day it will be one day old.

Pathe News No. 45292, which is the Even Issue, will be released in the New York City zone on Wednesday, June 13, and in the Dallas, Denver, New Orleans, and the St. Louis zones two days later; that is, on Friday, June 15, on which day it will be one day old.

Fox Movietone No. 76 will be released in the New York City zone on Saturday, June 9, and in the Dallas, Denver, New Orleans and Winnipeg zones three days later; that is, on Tuesday, June 12, on which day it will be one day old.

Paramount News No. 88 will be released in the New York City zone on Wednesday, June 6, and in the Denver, Seattle, and Sioux Falls zones two days later; that is, on Friday, June 8, on which day it will be one day old.

Metrotone News 272 will be released in the New York City zone Saturday, June 2, and in the Butte, Dallas, Denver, Los Angeles, Salt Lake City, San Antonio, San Francisco and Seattle zones four days later; that is, on Wednesday, June 6, on which day it will be one day old.

HARRISON'S REPORTS

Yearly Subscription Rates:
United States \$15.00
U. S. Insular Possessions. 16.50
Canada 16.50
Mexico, Cuba, Spain..... 16.50
Great Britain 16.00
Australia, New Zealand,
India 17.50
 35c a Copy

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreposts
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, MAY 26, 1934

No. 21

THE WRONG ROOSTER CROWS

Rubin Frels, an independent exhibitor of Texas, has two theatres at Victoria, a town which, according to the 1930 Federal Census, has 7241 inhabitants. He has been in that town for several years.

About three years ago the Jefferson Amusement Company, a pretty powerful Southern circuit, went into that town and built a theatre and, as is usually the case, took almost the entire product away from Frels. Frels was thus compelled to shut down one of his two theatres.

The first case that was heard by the Grievance Board of Dallas was that of Frels against the Jefferson Amusement Company and on May 11 that Board decreed that Frels shall have an equal share of all products, the pictures from each distributor to be alternated between the two competitors.

On this occasion my friend Col. A. H. Cole, President of Allied Theatre Owners of Texas, tossed his hat in the air and screeched for joy.

The following are extracts from a circular headed, "HEY FELLOWS, LISTEN TO THIS!" which he sent to every exhibitor in Texas:

"Here is the first piece of really good news the independent exhibitor has heard in many years!

"Rubin Frels . . . was given a decision yesterday against the Jefferson Amusement Company . . .

"Frels' case was the first one heard before the Dallas Grievance Board, and the decision handed down yesterday was that all product, both national and states rights, should be divided between the two, alternate pictures from each company going to each exhibitor.

"Do you know what that means to YOU? If that principle is accepted in the business, it means that you can go home and sleep at night without the nightmare that a chain can come into your own town and take it away from you! It means that they will not even TRY to take it hereafter, because they will not dream of making the investment when they know you can get at least a fifty-fifty break with them on product.

"This is the first ray of sunshine in ten years of battle for the independents. This is the first time the industry has recognized that the independents have any rights whatsoever. The Association has spent thousands of dollars and months of time in this fight, and this is our first toehold toward real independence. Boy, does it feel good!"

Mr. Cole then goes on to congratulate the Grievance Board for their fairmindedness and to thank the chairman for his "fair and efficient handling of a complicated controversy," closing that paragraph with the phrase, "Altogether, it was quite a day!"

Congratulating the Grievance Board of Dallas for having rendered a just decision is like congratulating an honest man for being honest.

It is not the Grievance Board Col. Cole should congratulate but him whose vision made such a decision possible—Mr. Sol A. Rosenblatt, Division Administrator. Yes, and he should do more than congratulate him; he should send him a letter asking his forgiveness for all the uncharitable and unkind statements, for all the unjustified insinuations and remarks, he made against him in Chicago as well as in Washington.

In Washington he told the Darrow Board that Mr. Rosenblatt was biased against everything that is independent. In Chicago he stated that a lawyer, with whom he was once associated, and who is handling law cases for the majors, is influencing his actions. I happen to know Mr. Rosenblatt somewhat well; I knew him before he became

connected with the Code Administration and I am in a position to assure you that both these statements are inaccurate. Certainly a person who lives close to Mr. Rosenblatt should know about him better than persons who live hundreds of miles away from him.

Col. Cole says: "The Association has spent thousands of dollars and months of time in this fight, and this is our first toehold toward real independence." Let me see if I understand him right: If the Association of which he is president had not spent that money, the Grievance Board, according to his theory, would not have rendered a just and fair decision. I am sure he did not wish to convey such a meaning.

How little he, or the exhibitor leader of any other state, for that matter, has had to do with that decision, I shall prove to you by citing a decision the Grievance Board of the New York Zone rendered last week in the case of Herbert Rogowsky, of Port Chester, N. Y. vs. the Skouras circuit. The Board, consisting of representatives of Paramount, RKO, First Division and Louis J. Geller, the independent exhibitor, decreed unanimously that the powerful Skouras circuit shall give to Herbert Rogowsky, an independent exhibitor, twenty-two pictures. The importance of this decision lies in the fact that the Board took away from Skouras even Fox pictures, which it has tied up on a long-term franchise.

Just by what stretch of imagination can my friend claim credit for this decision is beyond my understanding; and it will be beyond yours, too, when you bear in mind that Col. Cole has been one of the leaders who tried to wreck the Grievance Boards, leaving no stone unturned to attain his objective. He reminds me of one of Aesop's fables, which relates that two friends went out to the fields in search of food. Before departing they made an agreement to share equally whatever they found. One of them came upon some delicious dates and exclaiming "Eureka" (I have found), began to consume them without giving his friend a share. Later in the afternoon they came upon a vicious bear and the same friend began yelling: "We are lost!" Had the decision been adverse to the exhibitor, you know, I am sure, what kind of circular my friend Col. Cole would have sent out; but since it was favorable he sought to appropriate the credit for it. The circular states that the Jefferson Amusement Company had been depriving Frels of product for three years, and for three years Col. Cole and his association had been battling to get a share of the product for him unsuccessfully. But Mr. Frels did not get it until the Code came along.

When I bring back to mind the frantic efforts he and some other exhibitor leaders made to prevent the members of their organizations from signing the Code, the only instrument that could ever bring them relief, and when I recall to my mind the efforts some leaders exerted to have Mr. Rosenblatt discredited, going so far as to give the Darrow Committee inaccurate information or information based merely on assumption, it makes me wonder that any such leader has the nerve to claim credit for any relief independent exhibitors may get under the Code. Where would Mr. Frels have been had he not signed the Code? And how are they going to help those whom they have influenced not to sign it, making them lose their rights to file complaints against distributors? These will have to use the courts, waiting three years for results, at best doubtful, and spending fortunes.

There is just one person who deserves credit for whatever relief the independent exhibitors have begun getting and will get in the future—Division Administrator Sol. A. Rosenblatt. It was due to his perseverance that the Code

(Continued on last page)

"Twin Husbands" with John Miljan and Shirley Grey

(*Invincible Pict.*, Feb. 25; running time, 67 min.)

A good melodrama, with a novel twist; the settings, sound and photography are excellent, and the acting and direction intelligent. The audience is held in suspense throughout, and some of the situations provide good comedy, particularly where Miljan outwits the crooked secretary, Monroe Owsley, on different occasions. In spite of the fact that Miljan is a crook, he does win some sympathy because he attempts to save \$300,000 worth of bonds, belonging to Shirley Grey's husband, from the unscrupulous Owsley, and because he is regenerated in the end:—

Miljan awakes to find himself in a fine home and addressed by the butler as the master of the house. At first he is puzzled but then realizes that some trick had been played on him. He finally discovers that Owsley, with the consent of Shirley Grey, who owned the house, had drugged him and taken him to the house to impersonate Shirley's husband, with whom he looked exactly alike, and who was away. The purpose was to have Miljan receive \$300,000 worth of bonds, which were to be brought to the house, and then turn them over to Owsley. But Miljan, a crook himself, decides to outwit them and keep the bonds himself. Complications arise and an attempt is made by other crooks to steal the bonds. Miljan learns from Shirley that she had purposely joined with Owsley to get the bonds, but she really wanted to put them in a trust fund for her husband who had squandered the rest of his fortune. Miljan breaks into Owsley's office and, searching his records, finds a cablegram stating that Shirley's husband was dead. Miljan shows the cablegram to Shirley and she realizes that Owsley had intended to steal the bonds from her. Miljan forces Owsley to leave the country. But since Miljan and Shirley had fallen in love with each other, Shirley tells the police that Miljan is her husband. Miljan decides to live an honest life.

The plot was adapted from a story by Robert Ellis and Anthony Coldevey. It was directed by Frank R. Strayer. In the cast are Hale Hamilton, Robert Elliott, Maurice Black, William Franklin, and others.

Because of the theme, it is unsuitable for children, adolescents, or Sundays.

"Murder At the Vanities" with Jack Oakie and Victor McLaglen

(*Paramount*, May 25; running time, 88½ min.)

A fairly good combination murder mystery melodrama and musical comedy; it should satisfy the masses. It has been produced very well, although not in as spectacular a fashion as some of the late musical pictures. All the action takes place during the opening night of a musical play, and the murders occur backstage. In that way the picture holds the audience in suspense, offers music and dancing, and some comedy situations. Parts of it are vulgar—the chorus numbers in which the girls are practically nude are more so than in any other picture of this type; also there is some suggestive dialogue. One feels some sympathy for Kitty Carlisle because of the danger to her life. The romantic interest is fairly appealing. The action is at times very slow.

In the development of the plot, it is shown that, just before the opening of the play, several attempts are made to kill Kitty Carlisle, the leading lady. Her sweetheart, Carl Brisson, the leading man, suspects Gertrude Michael who was furious because Brisson had thrown her over for Kitty. Jack Oakie, the stage manager, calls in Victor McLaglen, a detective, to protect Kitty. While there the body of Gail Patrick is discovered, and the wardrobe woman, who later turns out to be Brisson's mother, is suspected. In the closing number of the play Gertrude Michael is killed, and this time McLaglen is sure that Brisson is the murderer because he felt that Brisson wanted to keep Gertrude from telling something that she knew about Brisson's mother. But Gertrude's maid confesses: she had seen Gertrude kill Gail because Gail had tried to stop her from throwing acid at Kitty. Since Gertrude had mistreated her maid, the girl had killed her. Thus Brisson and his mother are freed of suspicion and the lovers are united.

The plot was adapted from the play by Earl Carroll and Rufus King. It was directed by Mitchell Leisen. In the cast are Dorothy Stickney, Toby Wing, Jessie Ralph, Charles B. Middleton, Donald Meek, and others.

Not suitable for children, adolescents, or Sundays.

"In Love With Life" with Lila Lee and Dickie Moore

(*Invincible Pictures*, April 1; time, 67 min.)

A wholesome entertainment for the family circle. Based on the theme of mother love, it has situations that will stir the emotions. Some of these are so pathetic that they will bring tears to the eyes. One of such situations is where Lila Lee is forced to part from her son, Dickie Moore, because of the tyrannical attitude assumed by her father, who refused to forgive her for having run away from home and married. Another pathetic situation is where Dickie, while in a children's cabaret, which had a wishing well, where the children telephoned their good-will messages, speaks into the telephone not knowing that the clerk at the other end who took the messages was his mother. When she hears Dickie's voice and his message of love that he wanted sent to her, she is overcome by emotion. The performances are all good, particularly that of Onslow Stevens, as Dickie's tutor. The picture should do credit to the program of any major company.

In the development of the plot Stevens keeps Lila Lee informed as to her child's activities; he eventually falls in love with her. Claude Gillingwater, Lila's father, refuses to forgive his daughter Lila, but is willing to provide a home and comfort for Dickie on condition that she never see him. Gillingwater invests heavily in stocks so as to build up a fortune for his grandson. The stock market crash ruins him, particularly since he had guaranteed the deposits in his bank and was forced to give up his fortune to make good. But this brings about a reconciliation with his daughter. The end sees Lila and Stevens married, and Dickie living once more with his mother. Lila's father, too, is happy to live with them.

The plot was adapted from a story by Robert Ellis. It was directed by Frank Strayer. In the cast are Rosita Marstin, James T. Mark, the Meglin Kiddies, and others.

Excellent for children, good for the entire family, on any day of the week.

"Sadie McKee" with Joan Crawford, Edward Arnold and Franchot Tone

(*MGM*, May 11; running time, 92 min.)

Good acting, a lavish production, and the popularity of Joan Crawford should bring the masses in to see "Sadie McKee." Although the story may not appeal to intelligent people, it is made up of the ingredients that entertain particularly the younger element. It is the story of the poor girl who makes good. The first half is vulgar and some of the situations are suggestive; as, for instance, the situation where Joan and Gene Raymond occupy one room in a boarding house before they are married. There the conversation is risqué. Another such situation is where Esther Ralston inveigles Gene Raymond to leave Joan and join her act. But the second half is more entertaining for it is then that human interest is aroused, the different characters becoming more sympathetic. Joan sacrifices her happiness and the man she loves to help Edward Arnold, the millionaire drunkard she had married, to regain his health. Arnold, who gives an excellent performance, is the most sympathetic character; one feels sorry for him when he loses Joan.

In the development of the plot, Joan is heartbroken when Raymond, with whom she had run away from home, leaves her to join Esther Ralston in an act. She becomes a dancer in a night club where she meets Edward Arnold, a good-natured millionaire drunkard, who takes a fancy to her. Arnold's friend, Franchot Tone, in whose home Joan's mother had worked as a cook, begs Joan to leave Arnold alone, but Joan, who hated Tone because of his cruelty to Raymond when he was in trouble, purposely goes to Arnold's home and later she marries him. Raymond returns to town and tries to see Joan but she refuses because Arnold is seriously ill from over-drinking; she feels she should stand by him. She gives all her time to Arnold and he regains his health. He falls deeply in love with her. Eventually Joan tells him about Raymond and he agrees to divorce her. She finds Raymond, but too late. He was suffering from tuberculosis and dies shortly after being put in a hospital. Joan and Tone, who had become good friends, fall in love and marry.

The plot was adapted from a story by Vina Delmar. It was directed by Clarence Brown. In the cast are Jean Dixon, Akim Tamiroff, Gene Austin, and others.

Unsuitable for children, adolescents, or Sundays.

"Little Miss Marker" with Shirley Temple, Adolphe Menjou and Dorothy Dell

(Paramount, June 1; running time, 79 min.)

Shirley Temple, the child actress, is so completely charming and acts with such ease in this picture that, despite the shortcomings of the story, the audience is kept entertained. The objectionable feature is that she is surrounded by racketeers and crooked bookmakers, who are shown fixing horseraces and cheating people of their money. However, some sympathy is felt for Menjou, one of these bookmakers, who becomes regenerated in the end, and treats Shirley with kindness. Some of the situations will bring tears to the eyes, particularly to those of women; one is where Shirley speaks of her mother, who was dead, and mentions the fact that her mother always read stories to her; another is where the child cries for her father who, too, was dead. There is much comedy in the situation where the "hard-boiled" bookmakers and their friends dress up in costumes and pretend to be Knights of King Arthur's court, so as to bring back Shirley's belief in the old legends which she had begun to doubt due to her association with these "hard-boiled" people:—

Shirley is left by her father as a "marker" (I.O.U.) for a bet on a horse. When he loses he kills himself and Adolphe Menjou, the bookmaker with whom Shirley had been left, decides to keep the child. He is rather hard, but the child wins his heart and he cannot part with her. Dorothy Dell, mistress of Charles Bickford, a racketeer, also loves Shirley and because of this Menjou and Dorothy become friends. At a costume party given for Shirley she is permitted to ride a horse which she calls her "charger." Bickford, who owned the horse, enters and insists she dismount. He so frightens the horse that it jumps and throws Shirley over. The child is injured and rushed to the hospital where a transfusion is necessary. Bickford's blood is the only kind found suitable for Shirley and he offers it. Bickford agrees to give up Dorothy so that she might marry Menjou and give Shirley a home.

The plot was adapted from a story by Damon Runyon. It was directed by Alexander Hall. In the cast are Lynne Overman, Frank McGlynn, Sr., Jack Sheehan, Sam Hardy, Warren Hymer, and others.

Because of the theme, it is unsuitable for children, adolescents, or Sundays.

"The Black Cat" with Boris Karloff and Bela Lugosi

(Universal, May 7; running time, 65 min.)

The value of this picture to you depends on whether your customers like horror pictures or not, for this is a horror picture, with the horror served by the carload. Mr. Karloff this time takes the part of the head of a cult of sadists, who believe in evil. This cult kill people by slow torture. The scenes of torture may thrill morbidly inclined picture-goers but the rational picture-goers will, no doubt, be filled with disgust. One feels sympathy for Jacquelyn Wells and David Manners, who are prisoners of Karloff, intended to be his victims for his rituals.

In the development of the plot Jacquelyn and Manners, on their honeymoon in Europe, become acquainted with Bela Lugosi, a fellow-passenger on their train. They all alight at the same station and board a bus. There is an accident and Lugosi persuades Manners to carry his wife to the home where Lugosi was bound for; it is Karloff's home. Lugosi had called on Karloff to kill him—Karloff had stolen and then killed Lugosi's wife. Karloff shows Lugosi how he had preserved the wife's body, and Lugosi is horrified. Karloff then tells him that the young bride will be his next victim. Lugosi pleads with Karloff not to do this but Karloff refuses to listen, and when the couple, who had become aware of their danger, attempt to leave they are stopped. Lugosi helps Manners and Jacquelyn to escape the night set for her murder. He then pulls a switch that dynamites the house killing everyone in it, including himself.

The plot was adapted from a story by Edgar Allen Poe. It was directed by Edgar Ulmer. In the cast are Lucille Lund, Egon Brecher, Anna Duncan, and others.

Unsuitable for children, adolescents, or Sundays.

Substitution Facts: This is replacing "Man who Reclaimed His Head," which was to have been based on the play by Jean Bart. It is a story substitution and you are not obligated to accept it.

"The Party's Over" with Stuart Erwin and Ann Sothern

(Columbia, May 15; running time, 68 min.)

Only fair entertainment. The story is thin, the action somewhat slow, and the different characters, with the exception of Stuart Erwin and Ann Sothern, unsympathetic. It is one of those domestic comedy-dramas in which a whole family "sponges" on Erwin, selfishly taking everything and never giving anything in return. Because of this Erwin is forced to do accounting work, which he detested, and to keep his nose to the grindstone in order to maintain the family, consisting of his mother, father, sister, brother-in-law, and brother, in luxury. It is not until he is about to lose Ann Sothern, the girl he loved, that he realizes how ruthless his family had been. When Ann broke their engagement, telling Erwin he had no backbone to stand up against his family, he did not appreciate what she meant. But when his father becomes involved in a cheap affair with a former servant-girl, who calls at the apartment with her husband to attempt to blackmail Erwin for \$5,000, and when his younger brother leaves college to marry a waitress, Erwin's eyes are opened. He leaves his mother and father comfortably provided for and marries Ann. They go to Paris where Erwin would study painting, the thing he wanted most to do.

The plot has been adapted from the play by Daniel Kusell. It was directed by Walter Lang. In the cast are Arline Judge, Chick Chandler, Patsy Kelly, Catherine Doucet, Marjorie Lytell, Henry Travers, William Bakewell.

Unsuitable for children, adolescents or Sundays.

"He Was Her Man" with James Cagney and Joan Blondell

(Warner Bros., June 16; running time, 69½ min.)

The only people who will be entertained by this picture will be the Cagney fans, for as far as the story is concerned it is mediocre. In addition to being gangster melodrama, it has unpleasant sex situations; they rob the characters of any sympathy. For instance, Joan Blondell, a street-walker, is on her way to be married to a decent man, Victor Jory, who had forgiven her for her past deeds. She meets Cagney and is weak enough to succumb to his suggestion that she spend the night with him. The worst part of it is that they both go to her fiance's home where Joan is cordially received and loved by Jory and his mother. Again, the first night that Jory is away, Joan and Cagney have intimate relations. The story conveys no moral, since the death of Cagney in the end is not brought about by means of law and order, but by other gangsters, whom he had double-crossed.

The plot was adapted from a story by Robert Lord. It was directed by Lloyd Bacon. In the cast are Frank Craven, Harold Huber, Russell Hopton, Sarah Padden, and others.

"Terrible" for children and adolescents; not for Sundays.

THE CONTROVERSY ABOUT "GENERAL RELEASE" SETTLED BY THE CODE AUTHORITY

In availing himself of the cancellation privilege under the Code, an exhibitor is required to send a notice of cancellation within fourteen days of the picture's release date in the exchange territory from which he is served.

The exhibitor has no difficulty in knowing what the release date of such pictures as move along in all exchange centres in accordance with the national release schedule; the difficulty comes when certain pictures are kept back for a few weeks and even months either because of the circuits' requirements or because the distributor is unable to obtain a first-run down-town run, or when pictures are not big enough for a first-run and are not given a definite release.

The Code Authority at its last meeting decreed that the exchanges must post in the exchange quarters the release date of a picture in that zone, at the same time sending to the secretaries of the Grievance and the Clearance and Zoning boards such release date. These secretaries will, in turn, notify to that effect the trade journals, from which the exhibitors will receive their information.

7 m. Sat
5 to 6.

machinery began functioning so early, and it is he who should "crow." Next to Mr. Rosenblatt should be Mr. Charles L. O'Reilly, who gave him his whole-hearted support ever since the Code deliberations began, and next to Mr. O'Reilly, Mr. Nathan Yamins, who, ever since the Code Authority meetings began, gave Mr. Rosenblatt the same kind of support as Mr. O'Reilly gave him all along.

ARE YOUR INTERESTS LOOKED AFTER WELL ON THE CODE AUTHORITY?

You have been told repeatedly that the membership of the Code Authority is so constituted that the independent exhibitors will not get a fair break. The fact that the majority on this body is predominantly "major" has been pointed out to you.

That the majority of the Code Authority represents predominantly the big companies there is no doubt; but the statement that because of it the independent exhibitors will not get a "break" is erroneous. There are two men on the Code Authority who are looking after your interests as earnestly and as conscientiously as if they were their own—Charles L. O'Reilly and Nathan Yamins.

Mr. Yamins I have known for a long time but only as a loyal subscriber, and from whatever part he had taken in organization affairs. And I always held him in high regard. The first time that I had an opportunity to get close to him was when he became a member of the Code Authority. All I can say is that your interests could not have been entrusted in better hands. He is fair, cool headed, intelligent and a hard worker.

As far as Mr. Charles L. O'Reilly is concerned, I have known him intimately for sixteen years and I am able to speak with authority as to what he has done for the cause of the exhibitors. He is responsible for the New York Optional Sunday Opening Bill, which made Sunday opening in this state possible, bringing unaccountable millions to the pockets, not only of the exhibitors of this state, but also of the producers and the distributors. You can figure it out yourself what it would have cost the industry had there been no Sunday opening in this state. Three years ago he, as a prominent member of the Committee, framed the Fire Laws of New York City, which became the model for the nation. They were passed by the Board of Aldermen during the Walker administration. How he fought for your interests at that time you will never know. But every exhibitor of New York City knows it, or at least ought to know it, for a shutting down of their theatres was threatened because of some antiquated fire ordinance that prevented the keeping in the booth more than five reels of films at a time. Three years ago he prevented the imposing of a ten percent tax on the amusements of this state to take care of the unemployed. I know the details of that campaign because I helped Mr. O'Reilly in it. The producer forces had given up hope of preventing that taxation; they were fully discouraged when Mr. O'Reilly asked that he be given a free hand in the matter. In three days thirty-seven thousand telegrams reached the legislators at Albany. The tax was killed.

These are only three of the things he did for the exhibitors and the industry; I can mention at least twenty other major accomplishments of similar nature. Time after time he saved the exhibitors of this city and state not only from adverse legislation, but also from annoyance from grafters, who used to prey upon the exhibitors.

In 1929 he lost two of the most beautiful theatres in New York City, each costing more than a million dollars, for inability to get first-run product, no matter what price he offered. For one of these theatres, the Park-Plaza, he was paying \$41,500 a year rent and was losing anywhere from \$2,000 to \$5,000 a week; but today that same theatre, in the hands of a circuit, is making anywhere from \$3,000 to \$8,000 a week, even though the rent is \$110,000 a year, because it has first-run product. That is why he feels your hurts so deeply.

Mr. O'Reilly is very modest when it comes to having his efforts on behalf of the exhibitors acknowledged. He shies at seeing his name in print. And I have no doubt that he will be highly displeased when he reads these lines. But because of some false and misleading statements made about him before the Darrow Board, I felt that it was my duty to present him to you as he really is. That Board was told that Mr. O'Reilly is no longer an exhibitor. Such a statement is unqualifiedly false and malicious. And certainly

I ought to know whether he is an exhibitor or not better than people who live miles away from New York, or even in New York itself.

During his connection with exhibitor organization affairs, he has never received a dime for salary, and has never collected even one penny of the money he spent either in railroad fare, or in hotel bills, or in any of the one hundred and one other items that call for spending money by an exhibitor leader traveling for the cause. I know that previously to 1929 he used to spend approximately ten thousand dollars a year of his own money for the affairs of the organization.

In 1929, Will H. Hays, feeling that he could serve the interests of the industry better if the independent exhibitors belonged to the same organization with the producers, offered Mr. O'Reilly twenty-five thousand dollars a year salary and office space in his quarters to bring the independent exhibitors into the Hays association, to form a separate branch, to be headed by him, that is, Mr. O'Reilly, but he, as much as he needed the money at the time, declined the offer, out of fear of being misunderstood by you, for he values independent-exhibitor good will more than money. And I don't mind telling you a little secret: it was he who, in 1931, prevented the amalgamation of Allied States with Motion Picture Theatre Owners of America, which was to be subsidized by the Hays association with \$100,000 a year, because he felt that such an amalgamation was not for your best interests.

Mr. O'Reilly has done, as I have said, many things for exhibitors. But one of the greatest things he has done for them is to save them more than once from spurious exhibitor leadership. And he has never hesitated to support aggressive and sound leaders.

There are today hundreds of exhibitors who wish that Mr. Sydney R. Cohen, president of Motion Picture Theatre Owners of America, at one time a real independent exhibitor organization, did not have so many outside interests to claim his time so that he and Mr. O'Reilly once again may join hands to battle for the cause of the independent exhibitors, just as they used to battle in the good old days, before the producers broke up that powerful combination. Mr. O'Reilly foresaw the break-up. Three weeks before the Washington convention in 1922, he and I were having dinner with Mrs. O'Reilly at the Knickerbocker Grill one evening and he told me that Washington would be the grave of the organization: "I see the break-up coming," he said to me, "but I can't stop it; they will not listen to me!" And his prophecy came true to the last detail—Jimmy Walker, counsel for the organization, was discredited in his attempt to oppose Sydney R. Cohen.

What surprises me is that some film concern has not offered to engage him long before this time at fifty thousand dollars at year salary to do nothing else but to act in an advisory capacity part time; he is fully worth that. Had he been engaged by one of the concerns that went bankrupt, he would undoubtedly have saved it from making the mistakes that brought such a bankruptcy fate upon it.

My suggestion to you is not to believe the statement that your interests are not receiving adequate protection on the Code Authority just because its membership does not include professional exhibitor leaders.

IF YOUR CLEARANCE AND ZONING SCHEDULE SHOULD BE UNSATISFACTORY TO YOU

Sometime ago, the Code Authority, at the suggestion of the Warner Bros. representative, passed a resolution to keep the present clearance and zoning schedules as they now are and to instruct the Clearance and Zoning Boards to work out the new schedules to be adopted for the coming selling season.

The introduction of this resolution on the part of Warner Bros. was not for your best interests, for the new schedules, by the time they are deliberated upon and the protests on them noted, will not be ready for adoption until the season will be too far gone for them to be of any use.

Clearance and zoning schedules should be adjusted to the New Deal now and not next year.

If the schedule for your zone is unsatisfactory to you, demand that a new schedule be worked out immediately. If your Local Board will not heed your request, telegraph to Mr. Sol A. Rosenblatt, Room 4221 Commerce Bldg., Washington, D.C., requesting him to see to it that a new schedule is set up for your locality.

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United States	\$15.00
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Mexico, Cuba, Spain.....	16.50
Great Britain	16.00
Australia, New Zealand, India	17.50
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**1440 BROADWAY
New York, N. Y.**

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
PENnsylvania 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JUNE 2, 1934

No. 22

Substitutions, Tenth Pictures, and Indecent Pictures

In this article there are printed a recapitulation of substitutions of all companies, new substitutions, the Tenth picture of every group of ten so far completed, and recommendations as to what pictures you should cancel as well as refuse to accept on the ground of indecency.

Before entering into the subject, allow me to make certain pertinent remarks about the war the Catholic church, helped by the Protestant churches and by the Congress of Rabbis, is waging against indecent pictures. This war is assuming so serious proportions that you must know what to do to protect your interests, which are being slaughtered even though you have nothing to do with the production of these pictures.

When you buy from your butcher a piece of beef that is decayed on his representations that it is fresh, you return it to him and insist that he either take it back or else give you another that will not poison your customers. If he should refuse to take it back, you go to the district attorney of your town and enter a complaint against him on the ground of misrepresentation as well as of violation of the pure food law.

The principle that governs unclean or demoralizing pictures is not, in my opinion, any different: the producer promised to give you pictures that will not poison the minds and morals of the people of your community, particularly of the adolescents, destroying your business if you should show them; therefore, you must go to the U. S. District Attorney of your district and enter a complaint against the producer who is attempting to foist upon your public "decayed" pictures, on the ground that he is violating the law.

What is the law that covers this point?

Part 1, of Article VII, of the Code, which reads as follows:

"The industry pledges its combined strength to maintain right moral standards in the production of motion pictures as a form of entertainment. To that end, the industry pledges itself to and shall adhere to the regulations promulgated by and within the industry to assure the attainment of such purposes." ("Regulations promulgated by and within the industry" means the Hays Code of Ethics.)

If the U. S. District Attorney should refuse to take action against the distributor, arrange that your local priest, or minister, or rabbi, or all three see the picture and ask their opinion if they consider it safe for you to show. If they should advise you not to show it, then take the distributor before your Local Grievance Board, demanding that you be relieved of your contractual obligation to play it. If your Local Board should refuse to free you from that indecent picture, appeal from the decision of the Board to the Code Authority in New York.

There is no question in my mind as to what action the Code Authority will take; they will not dare uphold the Grievance Board; if they should do so, then it will be up to the President of the United States to protect the morals of the people.

I have been informed reliably from Detroit that, since the Catholic church in that city took up the fight against indecent pictures, enrolling hundreds of thousands of men, women and children in the League of Decency, not only among Catholics but also Protestants as well as people of the Jewish faith, the attendance at the picture theatres has disappeared; and since a similar campaign is being waged in every worth-while city in the United States, it is necessary that you take a definite stand in the matter of unclean or demoralizing pictures, contract or no contract. In other words, you should refuse to play all such pictures, no matter whether they come within the ten per cent cancellation provision of the Code or outside it.

This paper will continue publishing the titles of the pictures that come under the ban of the churches, so that you may inform the producers that you do not want to play

them and that you will not pay for them, on the ground that they are in violation of Part 1, Article VII, of the Code, which stipulates that the producers pledge themselves to deliver pictures that adhere to the Hays Morality Code, which Mr. Hays broadcast in April, 1930, through the newspapers, and the provisions of which the members of the Hays association have been violating ever since.

Frequently in the past Mr. Hays, in order to justify the indecent pictures the members of his association had been producing, blamed you for them, asserting that you would not buy clean pictures if they had made them, attempting by such arguments to retain the block-booking and blind-selling systems, the cause of all the trouble. I have always asserted that statements of this kind did not represent the facts—that you did not want to show indecent pictures. It is up to you now to prove that I was correct in my assertions. And you can prove it in no better way than by refusing to play all pictures that have been banned by the churches. Demonstrate by deeds that Mr. Hays, who has been boosting such pictures as "Little Women," and justifiably so, but who has remained silent when pictures such as "Laughing Boy," "Temple Drake," and innumerable others, were to be shown,—Mr. Hays who has placed the seal of his organization, that seal of "purity," upon every picture, clean, immoral, unclean, vulgar or demoralizing, or no matter in how much bad taste, can no longer justify block-booking and blind-selling.

The time is here for us to have a show-down with him and with all those whom he has been protecting for years by his political influence. Refuse to play the demoralizing pictures the members of his organization are producing. Tell your bishop, your elder, your priest, minister, or rabbi that Mr. Hays' seal of purity does not make a picture pure just because it appears on its title, asking their help to be relieved of your contractual obligation to play such pictures. Inform them that Mr. Hays is able to put through the censors, in states where censorship exists, any kind of picture, as I disclosed a few years ago when I reprinted extracts from a confidential report of a trip to the country's censors one of his lieutenants, head of his Public Relations Committee, had made. (One of the censors is now under employment to him.)

Do not temporize any longer! Refuse to "feed" the public with the Hollywood filth! Save your investment!

Columbia

Columbia is late in bringing its national release schedule up to date. For this reason I cannot give you information about its late releases.

The Tenth picture of the Second group is "The Most Precious Thing in Life." If you have canceled a picture in this group you should have applied or may apply the payment on this picture; but if you have not canceled any, you may cancel two in the third group.

The total number you are entitled to cancel under the Code is: 4 if you bought the Westerns, and 3 if you did not buy them.

Substitutions: There have been no substitutions in this company's pictures yet.

First National

Three is the number of pictures you are entitled to cancel.

For those who are not accepting the substitutions, the Tenth picture of the first group has not yet been set for release for sure: the Index indicates that "Side Streets," set for release June 30, is the Tenth, but changes may be made in the schedule.

For those who accept the substitutions, "Registered Nurse" is the Tenth.

(Continued on last page)

**"Born to Be Bad" with Loretta Young,
Cary Grant and Jackie Kelk**

(United Artists, May 18; running time, 61 min.)

Immoral, demoralizing, vulgar and in poor taste. Whoever told Mr. Zanuck that the story would make a good picture either "kidded" him or did not know what good picture material it. Because of the fact that a prominent part is given to a child actor, many children may be attracted wherever it is shown. This will be unfortunate because the part of this boy is so tough that it will teach them a bad lesson. This boy is shown even stealing; and because of the fact that he is presented as doing it to please his mother the showing of it to children will prove more demoralizing than ordinarily. The mother (heroine) is a prostitute, and so lacking in character that she should never have been made the mother of a child. It is inconsistent that a woman of this type should have any love for her child. She is treacherous—the hero takes her into his home so as to allow her to be near her child, whom he had adopted, and she sets her mind to take him away from his wife; she succeeds in making him fail, even in his own house, under the very roof of a loving wife.

The main part of the story has its beginning when the heroine's seven year old son, an illegitimate child, is run down by the hero, a dairy owner, with his truck. It was the fault of the child. Although the child is not injured seriously, the heroine takes the hero to court, demanding big damages. The child is taught by his mother to testify falsely. But the defense, by producing moving pictures, proves that the child is healthy. The judge is so incensed that he sends the child to a reformatory. The heroine calls on the hero and pleads with him to give her her child. But he is powerless. He eventually adopts the child. The heroine calls on the hero to see her son and then she induces him to run away. But the guard catches the boy, with many toilet articles he had stolen to take to his mother. The boy promises on his word of honor not to run away again. The hero consents to permit his mother (heroine) to stay near her boy for a few days. During this time she vamps the hero and he becomes infatuated with her. But decency eventually awakens in the heroine and she departs. She obtains a position in a library, abandoning her life of sin.

The story is by Ralph Graves. The direction, by Lowell Sherman. That Mr. Sherman knew he had a lemon is evidenced by the fact that all through the picture he did not order Jackie Kelk to have a hair cut.

This picture should not be shown anywhere.

**"Hollywood Party" with Jimmy Durante,
Lupe Velez and Laurel and Hardy**

(MGM, June 1; running time, 68 min.)

A cast of well known comedians and a lavish production are offered in "Hollywood Party," but the picture is only a comedy of fair merit. There is no plot; parts of it drag, and other parts are tiresome, the worst one being where Jimmy Durante and Polly Moran become amorous. The picture depends for its entertainment on a few comedy sequences. The opening situation, introducing Jimmy Durante as "Scharzan," which is a burlesque on the "Tarzan" pictures, is really funny and will put the audience in a good mood. The funniest situation of all is the one in which Laurel and Hardy appear. They are standing at a bar when Lupe Velez appears demanding a drink. She becomes angry and starts picking on Laurel and Hardy. Before long all three are opening raw eggs and putting them in each other's shoe and pockets. It may be silly but it will bring hearty laughter from the audience. Incidentally, Lupe Velez wears a dress that leaves her practically nude. It is vulgar and suggestive. The ending is rather abrupt.

Charles Butterworth, Jack Pearl, June Clyde, Eddie Quillan and others are in the cast and do the best they can with the material offered.

The plot was adapted from a story by Howard Dietz and Arthur Kober. It was directed by Alan Divan.

Not quite suitable for adolescents, or for Sunday showing. Children under twelve may enjoy it; they will not understand the few wisecracks.

**"Little Man, What Now?" with Margaret
Sullivan and Douglass Montgomery**

(Universal, June 4; running time, 97 min.)

The production, acting, and direction of "Little Man, What Now?" are all excellent. Although it is a powerful drama, it is too morbid to be classified as entertainment. The most depressing part of it all is the sight of the gradual

decline of a young man of spirit; he meets with so many "knocks" that he loses all joy of life. Because of the suffering by the young couple, Margaret Sullivan and Douglass Montgomery, the spectator feels as if his heart were being torn out. It is the sort of story that leaves one with the feeling that everything is futile, even though the picture ends with a ray of hope. Some of the men characters exhibit worst characteristics—heartlessness and brutality. The picture, no doubt, depicts true conditions; but when the masses go to picture shows they want to be entertained and not faced with facts and reality such as they in their own lives might be fighting against. The locale is Germany:—

Montgomery and Margaret are lovers. When she learns that she is to have a child they decide to marry even though Montgomery is just a clerk and makes a small salary. When his employer finds out that Montgomery is married he discharges him because he hoped that he might be a good prospect for a son-in-law, and the hero's marriage blasted that hope. The young couple go to Berlin to live with Montgomery's mother, but when they realize that his mother's home is used as a meeting place for elderly men and young girls they leave. They live in an attic and things go very bad with them when Montgomery loses his position as a salesman. Their baby is born and the sight of the child gives them new hope. And they are not disappointed, for Montgomery, former manager of the store in which Montgomery worked, and a good friend to him, being now an employer himself, offers him a position.

The plot was adapted from a novel by Hans Fallada. It was directed by Frank Borzage. In the cast are Alan Hale, DeWitt Jennings, Catharine Doucet, Muriel Kirkland, Fred Kohler, and others.

Not suitable for children, adolescents, or Sundays. It is a picture for mature people

**"Bulldog Drummond Strikes Back" with
Ronald Colman, Loretta Young, and
Warner Oland**

(United Artists, Rel. date not set; time, 80 min.)

An old-fashioned, wild melodrama, the kind that should make the picture-goers of the rank and file gasp for breath, and those of the better classes laugh at the fantastic situations. Ronald Colman, for example, the Bulldog Drummond of the picture, cannot help making intelligent picture-goers laugh at the ease with which he enters and exits from the rooms of houses guarded either by the police authorities or by the henchmen of the villain. Several times his life is put in great danger but he seems to have no difficulty whatever in coming out unhurt. Mysterious things happen, and these keep the spectator, who enjoys this sort of melodrama, in suspense. There are the usual trap and sliding doors and panels, where Warner Oland, the archvillain, keeps his victims. Virtue, however, triumphs in the end.

In the books that have Captain Drummond as the chief character, the Captain is presented as an adventure-loving person. This time he returns from a hunting trip in South Africa to attend the wedding of a friend, and determines not to follow his adventure-loving propensities; he makes up his mind to lead a quiet life. But strange things happen to him and he throws his good resolutions to the wind. For instance, during a fog, he enters a deserted house to seek succor for someone, and comes upon the lifeless body of a middle-aged man. He rushes out to inform the policeman on duty in the neighborhood, but when he returns to the house there is no body—all is serene, and the occupants appear perplexed. The tenant, Warner Oland, supposedly a foreign prince, warns the good Captain to mind his own business, but the Captain has different views about the matter. Later Captain Drummond receives a visitor, the heroine, and he learns about her troubles. Still later, she is abducted by the villain's henchmen and the Captain sets out to find her. He seeks the aid of his friend, Aubrey Smith, Scotland Yard Inspector, but the inspector refuses to bother with him because he knows him from former days to be a pest. In the end, however, Captain Drummond has his own way—he brings to light the machination of the villain and compels him to take his life.

The plot has been founded on the novel by H. C. McNeile; it was directed by Roy Del Ruth. Charles Butterworth contributes the comedy. George Regas, Una Merkel, Douglass Gerard, and others are in the cast.

Children and adolescents should enjoy it. Not harmful for a Sunday showing unless you do not book murder melodramas on Sundays.

"Affairs of a Gentleman" with Paul Lukas*(Universal, May 14; running time, 66 min.)*

Just program grade entertainment, that for the most part will bore the masses. Although it is in the class of murder mystery melodrama, it lacks the usual quality of suspense that goes with such stories. For one thing, there is too much talk and too little action. In addition, Paul Lukas, the leading character, who is eventually killed, is an unsympathetic one—a philanderer who has affairs with various women, married and otherwise, and is completely callous about it all. The story presents one novel idea: the audience eventually learns who the murderer is, but one is left in doubt whether the inspector will unravel the mystery or not. The different parts are well acted, but that is not enough to hold the interest of an audience.

The picture begins by showing Lukas dead from a bullet wound. It first appears as if he had committed suicide. But then there is a flashback which shows the events leading up to his death. Lukas had carried on affairs with many women, dismissing each one by telling them that they had served as an inspiration for his latest novel, but that he did not love them any longer. A newspaper item appears which tells of the suicide of a young and beautiful girl in Paris. She had been Lukas' mistress for a short time and when he had thrown her over she left her husband and went to Paris. Her husband is Lukas' butler, a fact which Lukas did not know. The butler had been giving Lukas suggestions about finishing his book and told him that a suicide would be the logical conclusion. Lukas, in order to get the feeling of a man who contemplated suicide, arranged matters so as to make it appear as if he were to commit suicide. When all the details are arranged, the butler kills him.

A love affair between Patricia Ellis and Phillip Reed is interwoven in the plot. This becomes complicated when Patricia is fascinated by Lukas.

The plot was adapted from a play "Women in His Life," by Edith and Edward Ellis. It was directed by Edwin L. Marin. In the cast are Leila Hyams, Onslow Stevens, Dorothy Burgess, Lillian Bond and others. (Coast review.) Unsuitable for children, adolescents, or Sundays.

SUBSTITUTION FACTS: This is replacing "One Glamorous Night," which was to have been founded on a story "Bagdad on the Hudson," by Ward Morehouse. It is a story substitution.

"Friday the 13th"*(Gaumont Pictures; running time, 72½ min.)*

For exhibitors who can use English pictures, with an all British cast, this is good entertainment. The direction and performances are excellent, and the interest is held throughout. Done in the episodic style of "Grand Hotel," it relates events in the lives of different people, the victims of a bus accident. Some of these events are tragic and some comical.

The picture opens showing the different passengers on a bus. It was storming, and as the bus approached some construction work lightning strikes the crane. The driver, in order to avoid being struck by the falling crane, swerves the bus and crashes into a window. Then there is a flashback in the lives of the different people, two of whom are killed and the others injured. It shows the events leading up to each one's boarding the bus.

Emlyn Williams, a former convict, had blackmailed Frank Lawton, a young bank clerk, who was trying to live down the fact that he had once been to prison. He was about to be married and Williams forced him to give him a check for one hundred pounds, telling him he would call for more. Williams was killed in the crash.

Sonnie Hale, the conductor, and Cyril Smith, the driver, had won money at a horserace and considered the 13th their lucky day. They were injured.

Jessie Matthews had quarreled with her sweetheart and was on her way to have supper with a wealthy man-about-town who desired her. She was injured, but this brought about a reconciliation between the sweethearts.

Eliot Makeham had been detained at the office and was on his way home with a surprise for his wife on their fifth wedding anniversary. He did not know she had left him to run away with another man. Makeham was killed.

There are two comical situations: one involves a crooked auctioneer who was always able to elude the police; the other is about a henpecked husband who carried on an innocent flirtation and had his pocket picked.

The plot was adapted from a story by Sidney Gilliat and G. H. Moresby-White. It was directed by Victor Saville.

Not for children, adolescents, or Sundays.

"Smarty" with Joan Blondell and Warren William*(Warner Bros., May 19; running time, 64 min.)*

Poor! The story is trite, the characters are unsympathetic, and the theme, for the most part, is objectionable since it deals with suggestive sex situations, divorces, and indiscretions. The dialogue is risqué, and some of the situations are in so bad a taste that they will disgust most audiences. Particularly distasteful are the closing scenes, in which Joan Blondell goes, from the arms of her second husband, back to the arms of her first husband. Although the treatment has been done in a comedy rather than a serious vein it still is objectionable. It is pictures of this type that keep patrons away from your box-office:—

Joan Blondell is married to Warren William. At a bridge game, he smacks her in the presence of guests, because she teases him. He is sorry, because he really loves her, but she decides to get a divorce. She is flattered that Edward Everett Horton, her lawyer, loves her and when the divorce is granted she marries him. For a year things are serene, until one day Joan decides to invite William to dinner. She wears a gown that is extremely immodest and Horton demands that she change her gown for something more decent. She refuses, a quarrel follows, and Horton hits her. She refuses to accept his apologies, and will not go down to greet her guests. William leaves with the lady he had brought. Joan soon leaves, too, and goes to William's apartment, where she waits for him to return. He does return, but with him is his friend, who incidentally is married. Joan makes her presence known, and soon Horton, suspecting that she had gone there, arrives. He finds Joan in William's bedroom in pajamas and she calmly tells him that she is through with him, and that she is going back to William. She does not find it difficult to win William over to her way of thinking.

The plot was adapted from a story by F. Hugh Herbert. It was directed by Robert Florey. In the cast are Frank McHugh, Claire Dodd, Joan Wheeler, Virginia Sale, and others. (Coast review.)

Unsuitable for children, adolescents, or Sundays.

"Now I'll Tell" with Spencer Tracy and Helen Twelvetrees*(Fox, May 11; running time, 87 min.)*

The fact that "Now I'll Tell" has turned out an interesting adult entertainment is owed more to the good production and fine acting than to the story itself. The picture consists of a series of events in the life of a gambler (Arnold Rothstein—portrayed by Spencer Tracy) some of which are interesting and some otherwise. But the character is unsympathetic—Tracy's only work is that of gambling; this is demoralizing, particularly because he is unfaithful to his wife, who loved him dearly. The only sympathetic character is Helen Twelvetrees, the wife. The most dramatic situation comes in the closing scenes where Tracy dies. But it is demoralizing, for it attempts to glorify a gambler.

In the development of the plot Helen begs Tracy to give up his gambling activities since he had accumulated a fortune. But the lure is too great for him and he carries on. He meets Alice Faye, a night club singer, and even though he still loves his wife he becomes infatuated with her and has an affair with her. When Helen learns about it he denies it and she believes him. But he continues the affair and when Alice is killed in an automobile accident while out riding with Tracy, Helen leaves him. She goes to Europe, obtains a divorce and there meets another man with whom she falls in love. While she is away Tracy runs into bad luck and loses his fortune. Helen returns to America and asks Tracy to return her jewels. He cannot do so because he had them pawned, and, in order for him to keep his promise to return them to her, he leads some enemies of his into killing him. With the insurance money, the jewels are retrieved.

The plot was adapted from the story by Mrs. Arnold Rothstein. It was directed by Edwin Burke. In the cast are Robert Gleckler, Henry O'Neill, Hobart Cavanaugh, G. P. Huntley, Jr., Ronnie Brosbey, Ray Cooke, Shirley Temple, and others.

Unsuitable for children, adolescents, or Sundays.

"Private Scandal," Paramount: A fair murder melodrama, unsuitable for children and adolescents. Review next week.

The following are substitutions: "Mandalay," in that Kay Francis was substituted for Ruth Chatterton; "Registered Nurse," in that Kay Francis with Warren William were promised and Bebe Daniels with John Halliday were delivered; "Twenty Million Sweethearts" (No. 754), in that Barbara Stanwyck was promised and she does not appear in it; "The Merry Frinks," in that Barthelmess, promised in the contract, does not appear in it; and "Fog Over Frisco," in that Aline MacMahon and Allen Jenkins, two well known comedians, were promised, and Bette Davis with Donald Woods and Margaret Lindsay are being delivered.

Fox

Because of the fact that "Frontier Marshal" is a star substitution, as stated in the issue of February 17, in that Warner Baxter was promised and George O'Brien was delivered, I am making a slight rearrangement in the Tenth pictures of this company for those who have not accepted this picture.

For those who have accepted it, the Tenth Picture of the First group is, as said, "Ever Since Eve"; the Tenth of the Second, "Murder in Trinidad," and the Tenth of the Third, "Baby Take a Bow," which is set for release June 15, unless the Fox schedule is again rearranged by the Home Office.

For those, however, who did not accept this picture, the facts are as follows: The Tenth picture of the First group is "Hold That Girl"; the Tenth picture of the Second group, "All Men Are Enemies"; and the Tenth picture of the Third group, "She Learned About Sailors," set for release June 22, unless the Fox Home Office rearranges its schedule.

You are entitled to cancel 4 pictures from this company's product.

Either "Springtime for Henry" or "Wild Gold" are good "candidates" for cancellation: the first for its sexiness, and the second for its boresomeness, according to advance information from the Coast.

There have been no substitutions in this company's product so far other than "Frontier Marshal."

Metro-Goldwyn-Mayer

You are entitled to cancel 4 pictures.

This company has had one substitution in the First group—"The Show Off."

The Tenth picture of the First group was, as said, "Men in White," for those who did not accept the substitution, and "Lazy River," for those who accepted it.

The Tenth picture of the Second group has not yet been set for release.

There will be a substitution in this group—"Stamboul," No. 428, in that Lee Tracy was to be the star, and Myrna Loy appears in the leading part.

"Laughing Boy" was the worst picture in this group and if you have not yet canceled it you should cancel it, even if you have not complied with the letter of the provision of the Code, which requires that you give a fourteen-day notice. The picture is so "putrid" that you cannot show it without outraging the people of your community.

Paramount

You are entitled to cancel 4 pictures.

There are no substitutions in this company's product.

The Tenth picture of the First group was, as said, "Search for Beauty," and the Second "Trumpet Blows." The Tenth of the Third group has not yet been set for release.

"Murder at the Vanities" seems to be the worst one in the lot from the moral point of view in the Third group, but it is not complete yet; your right to cancel it expires June 7, unless it is released in your territory later than May 25. But if you do not want to cancel it you may wait for the Fourth group, in which you may cancel two.

Radio Pictures (RKO)

Four is the number you are entitled to cancel.

There was one substitution in the First group—"Long Lost Father." For those who accepted it as a contract picture, the Tenth picture was, as said, "Spitfire" but for those who did not accept it, the Tenth was "Wild Cargo."

The Second group has not yet been completed.

"Where Sinners Meet" might have been a good candidate for cancellation; it is a sophisticated, inane picture; but if its release date has already been set in your territory then you may wait for another picture to cancel.

United Artists

In a former issue I said that "Sorrell and Son" is the Tenth picture in this company's product. This was an error, for the Tenth picture is "Born to Be Bad." You should send your notice of cancellation for this picture at once. You should not show it under any circumstances. Although its national release date is supposed to be May 18, I am sure it has not been released in any territory yet.

Universal

Universal has had many substitutions this season. They are the following:

In the First group: "I Like It That Way," on the ground that it replaced, as said, "Rigadoon," an unproduced play by Charles Knox Robinson.

In the Second group: "Countess of Monte Cristo" is a substitution because it replaces "The Left Bank," the play by Elmer Rice; "The Black Cat," because it replaces "The Man Who Reclaimed His Head," the play by Jean Bart; "Affairs of a Gentleman," because the plot is from the play "Women in His Life," by Edith and Edward Ellis, whereas "One Glamorous Night," which it replaces, was to be founded on the story "Bagdad on the Hudson," by Ward Morehouse.

In reference to "Let Us Talk It Over," some contracts have it as a Summerville-Pitts production, but some have it as an "Untitled Production." If your contract calls for Slim Summerville and Zasu Pitts as the stars, it is a star substitution and you are under no obligation to accept it; if not, you will have to accept it.

"Embarrassing Moments," to be released July 9, is a star substitution, in that Edmund Lowe was promised but not delivered.

The Tenth picture of the First group was as follows: For those who bought the westerns and accepted the substitution ("I Like It That Way"), the Tenth picture was "Wheels of Destiny"; for those who bought the westerns but did not accept the substitution, the Tenth was "Poor Rich." For those who did not accept the westerns and did not accept the substitution, the Tenth was "Love Birds."

The Tenth picture of the Second group is as follows: For those who bought the westerns and accepted the substitutions, it is "Half a Sinner"; for those who bought the westerns but rejected the substitutions, the Tenth will be "The Love Captive." For those who did not buy the westerns, it has not yet been set for release.

If you have not yet canceled any picture in the Second group of 10 you may consider cancelling "The Love Captive"; according to my information from the Coast it is not a good picture.

Number to be canceled: You are entitled to cancel 3 if you bought also the westerns, because Universal sold 42 and delivered 9 before the Code went into effect. This leaves 33 to deliver. If you did not buy the westerns, you are entitled to cancel the same number—3, because the number of pictures sold was 36, and 8 were delivered before the Code. This leaves 28 to be delivered. And on 28 you are entitled to cancel 3 pictures.

It seems as if I have to engage a bookkeeper to disentangle the Tenth pictures out of the substitution mess this company's general manager has made of the Universal release schedule. Evidently he is following the same system he employed while general manager of Fox. Nothing would, of course, be said if he could show improvement in the program by these substitutions; but so far I have not noticed such improvement. He had better leave things well enough alone for the sake of Universal, for the exhibitor is not injured by the substitutions; he merely refuses to accept them and lets Universal's general manager whistle; but it does not aid Universal to put out reasonably-priced pictures.

Warner Bros.

You are entitled to cancel 2.

The Tenth picture of the First group of ten was, as said, "A Modern Hero." The Tenth of the Second group has not yet been set for release.

"Smarty" should be canceled, for it is an immoral picture.

"Merry Wives of Reno" is a substitution; Barthelmess, promised with the picture, is not in it. And it is, according to information from the Coast, a picture without any merit.

PICTURES BANNED BY THE CATHOLIC CHURCH

In the issue of May 19, Page 79, I gave you a number of pictures that have been banned by the Catholic Church. Here are some other pictures that have been banned; they are older releases:

"A Man's Castle," "Blood Money," "Bombay Mail," "Convention City," "Cross Country Cruise," "Day of Reckoning," "East of Fifth Avenue," "Female," "Good-Bye Love," "Guilty Parents," "Hips, Hips Hooray," "Hold the Press," "Marriage on Approval," "Power and Glory," "Roman Scandals," "Temple Drake," "Unknown Blonde," "West of the Divide," "Women in His Life," and "When Strangers Meet."

HARRISON'S REPORTS

Vol. XVI

NEW YORK, N. Y., SATURDAY, JUNE 2, 1934

No. 22

Box-Office Performances of the 1933-34 Pictures

The following is a digest of the box-office performances of such of the 1933-34 feature pictures as have played in theatres long enough to demonstrate their value at the box office.

Western melodramas have been omitted from this digest.

Columbia

LADY FOR A DAY, with May Robson and Warren William: Excellent.

ABOVE THE CLOUDS, with Arline Judge and Richard Cromwell: Fair to Poor.

KING OF WILD HORSES: Fair.

MAN'S CASTLE, with Loretta Young and Spencer Tracy: Poor.

FOG, with Mary Brian and Donald Cook: Poor.

BEFORE MIDNIGHT, with Ralph Bellamy: Fair to Poor.

SHADOWS OF SING SING, with Mary Brian and Bruce Cabot: Poor.

LET'S FALL IN LOVE, with Edmund Lowe and Ann Sothern: Good to Fair.

ONCE TO EVERY WOMAN, with Fay Wray and Ralph Bellamy: Fair to Poor.

THE NINTH GUEST, with Donald Cook and Genevieve Tobin: Fair.

IT HAPPENED ONE NIGHT, with Clark Gable and Claudette Colbert: Excellent.

SOCIAL REGISTER, with Colleen Moore and Jack Kirkland: Poor.

THE LINEUP, with Marian Nixon and William Gar- gan: Fair.

ONE IS GUILTY, with Ralph Bellamy and Shirley Grey: Poor.

First National

BUREAU OF MISSING PERSONS, with Bette Davis: Good to Fair, mostly Fair.

WILD BOYS OF THE ROAD, with Frankie Darro and Rochelle Hudson: Good.

HAVANA WIDOWS, with Joan Blondell and Glenda Farrell: Good to Fair, mostly Good.

THE WORLD CHANGES, with Paul Muni: Poor (in a few spots it did a little better).

CONVENTION CITY, with Joan Blondell, Adolphe Menjou and Mary Astor: Very Good to Good.

BIG SHAKEDOWN, with Ricardo Cortez, Bette Davis and Glenda Farrell: Poor.

MASSACRE, with Richard Barthelmess: Fair to Poor, mostly Poor.

BEDSIDE, with Warren William: Poor.

DARK HAZARD, with Edward Robinson: Fair to Poor.

MANDALAY, with Ricardo Cortez and Kay Francis: Fair to Poor.

FASHIONS OF 1934, with William Powell and Bette Davis: Fair to Poor, mostly Fair.

JOURNAL OF A CRIME, with Ruth Chatterton and Adolphe Menjou: Poor.

WONDER BAR, with Al Jolson, Ricardo Cortez, Kay Francis, and Dolores Del Rio: Very Good to Good (Some exhibitors did only fair business with it).

REGISTERED NURSE, with Bebe Daniels: Poor.

Fox

PILGRIMAGE, with Henrietta Crossman and Marian Nixon: Fair.

PADDY, THE NEXT BEST THING, with Janet Gaynor: Very Good.

THE GOOD COMPANIONS, with an English Cast: Poor.

CHARLIE CHAN'S GREATEST CASE, with Warner Oland: From Fair to Poor.

DR. BULL, with Will Rogers: Very Good.

MY WEAKNESS, with Lilian Harvey, and Lew Ayres: From Fair to Poor.

THE POWER AND THE GLORY, with Spencer Tracy and Colleen Moore: From Fair to Poor.

WALLS OF GOLD, with Sally Eilers and Norman Foster: Fair.

THE WORST WOMAN IN PARIS, with Benita Hume and Adolphe Menjou: From Fair to Poor.

THE MAD GAME, with Spencer Tracy and Ralph Morgan: From Fair to Poor.

BERKELEY SQUARE, with Leslie Howard and Heather Angel: Good.

MY LIPS BETRAY, with Lilian Harvey, John Boles and El Brendel: From Good to Fair.

OLSEN'S BIG MOMENT, with El Brendel: From Fair to Poor.

JIMMY AND SALLY, with James Dunn and Claire Trevor: Fair.

HOOP-LA, with Clara Bow: Good.

SMOKY, with Victor Jory and Irene Bentley: Good.

I WAS A SPY, with Herbert Marshall and a Foreign Cast: Poor.

MR. SKITCH, with Will Rogers: Excellent.

AS HUSBANDS GO, with Warner Baxter: Fair to Poor.

I AM SUZANNE, with Lilian Harvey and Gene Raymond: Fair to Poor, mostly Poor. In a few spots it did well.

ORIENT EXPRESS, with Heather Angel, Norman Foster and Ralph Morgan: Fair to Poor, (reports divided evenly).

FRONTIER MARSHAL, with George O'Brien (Period Western): Reports varied from Good to Poor. Manifestly the report depended on how westerns took in the locality. Marking Fair.

SLEEPERS EAST, with Preston Foster and Wynne Gibson: Fair to Poor, mostly Poor.

CAROLINA, with Janet Gaynor and Lionel Barrymore: Very Good.

EVER SINCE EVE, with George O'Brien: Poor.

HOLD THAT GIRL, with James Dunn and Claire Trevor: Fair to Poor.

DEVIL TIGER (Jungle): Poor.

I BELIEVED IN YOU, with Rosemary Ames, Victor Jory and John Boles: Fair to Poor.

DAVID HARUM, with Will Rogers: Excellent.

COMING OUT PARTY, with Frances Dee and Gene Raymond: Fair to Poor, mostly Poor.

GEORGE WHITE'S SCANDALS, with Rudy Vallee and Jimmy Durante: The reports on this picture varied from Very Good to Poor. Marking Fair it is taking differently in different spots. Will watch it further.

THREE ON A HONEYMOON, with Sally Eilers and Zasu Pitts: Fair.

THE CONSTANT NYMPH, with an English Cast: Poor.

BOTTOMS UP, with Spencer Tracy, Pat Paterson and John Boles: (Fair to Poor, in small towns, Good—marking) Good to Fair.

MURDER IN TRINIDAD, with Victor Jory and Heather Angel: Fair.

ALL MEN ARE ENEMIES, with Helen Twelvetrees: Poor.

HEART SONG with Lilian Harvey: Poor.

Metro-Goldwyn-Mayer

PENTHOUSE, with Warner Baxter: Good.

STAGE MOTHER, with Alice Brady and Maureen O'Sullivan: Fair.

NIGHT FLIGHT, with John Barrymore, Lionel Barrymore, Helen Hayes, Clark Gable, Robert Montgomery and Myrna Loy: Fair.

BOMBSHELL, with Jean Harlow and Lee Tracy: Very Good.

MEET THE BARON, with Jimmy Durante and Ted Healy: Poor.

DAY OF RECKONING, with Richard Dix and Conway Tearle: Poor.

THE CHIEF, with Ed Wynne: Extremely Poor.

THE PRIZEFIGHTER AND THE LADY, with Max Baer and Myrna Loy: (From Very Good to Fair; Marking) Fair.

DANCING LADY, with Joan Crawford and Clark Gable: Very Good.

SHOULD LADIES BEHAVE, with Alice Brady and Lionel Barrymore: Fair.

THE WOMEN IN HIS LIFE, with Otto Kruger: Poor.

SONS OF THE DESERT, with Laurel and Hardy: (From Good to Poor: marked) Fair.

DINNER AT EIGHT, with an all-star cast: (From Excellent to Good: marked) Very Good.

ESKIMO, with native cast: Poor.

YOU CAN'T BUY EVERYTHING, with May Robson: Poor.

THIS SIDE OF HEAVEN, with Lionel Barrymore: Poor.

QUEEN CHRISTINA, with Greta Garbo: Good to Fair.

MYSTERY OF MR. X, with Robert Montgomery: Good.

THE SHOW-OFF, with Spencer Tracy: Fair to Poor.

LAZY RIVER, with Robert Young and Jean Parker: Poor.

MEN IN WHITE, with Clark Gable: Very Good.

TARZAN AND HIS MATE: (From Excellent to Poor: marked) Good.

LAUGHING BOY, with Ramon Novarro: Poor.

THE HOLLYWOOD PARTY: Poor.

Paramount

THREE CORNERED MOON, with Claudette Colbert and Mary Boland: Fair.

SONG OF SONGS, with Marlene Dietrich: From Good to Fair.

THE BIG EXECUTIVE, with Ricardo Cortez: Poor.

THIS DAY AND AGE, with Charles Bickford and Richard Cromwell: (From Good to Poor: marked) Fair.

ONE SUNDAY AFTERNOON, with Gary Cooper and Fay Wray: From Good to Fair.

TORCH SINGER, with Claudette Colbert and Ricardo Cortez: From Very Good to Good.

GOLDEN HARVEST, with Richard Arlen: From Fair to Poor.

TOO MUCH HARMONY, with Bing Crosby and Jack Oakie: Very Good.

I'M NO ANGEL, with Mae West: Excellent.

TILLIE AND GUS, with W. C. Fields and Alison Skipworth: (From Good to Poor: marked) Fair.

THE WAY TO LOVE, with Maurice Chevalier: From Fair to Poor.

TAKE A CHANCE, with James Dunn: From Good to Fair.

HELL AND HIGH WATER, with Richard Arlen: From Fair to Poor.

WHITE WOMAN, with Charles Laughton and Carole Lombard: From Fair to Poor.

CRADLE SONG, with Dorothea Wieck: From Fair to Poor.

DUCK SOUP, with the Four Marx Brothers: Poor.

SITTING PRETTY, with Jack Oakie: Fair.

GIRL WITHOUT A ROOM, with Charles Farrell and Charles Ruggles: Fair.

ALICE IN WONDERLAND: Extremely Poor.

DESIGN FOR LIVING, with Miriam Hopkins, Gary Cooper and Fredric March: Good.

EIGHT GIRLS IN A BOAT, with Dorothy Wilson and Douglass Montgomery: (From Good to Poor: marked) Fair.

MISS FANE'S BABY IS STOLEN, with Dorothea Wieck and Baby LaRue: Fair.

HIS DOUBLE LIFE, with Lillian Gish: Very Poor.

ALL OF ME, with George Raft and Miriam Hopkins: Fair.

FOUR FRIGHTENED PEOPLE, with Claudette Colbert, Herbert Marshall and Mary Boland: From Fair to Poor.

SEARCH FOR BEAUTY: Fair.

SIX OF A KIND, with Charles Ruggles and Mary Boland: Good.

GOOD DAME, with Fredric March and Sylvia Sidney: Fair.

BOLERO, with George Raft and Carole Lombard: From Good to Fair.

NO MORE WOMEN, with Victor McLaglen, Edmund Lowe and Sally Blane: Fair.

SHE MADE HER BED, with Sally Eilers, Richard Arlen and Robert Armstrong: Fair.

WHARF ANGEL, with Victor McLaglen: From Fair to Poor.

COME ON MARINES, with Richard Arlen: From Good to Fair.

DEATH TAKES A HOLIDAY, with Fredric March: Good.

YOU'RE TELLING ME, with W. C. Fields: From Good to Fair (In a few spots Very Good).

THE TRUMPET BLOWS, with George Raft and Adolphe Menjou: Fair.

DOUBLE DOOR: Poor.

MELODY IN SPRING, with Lanny Ross, Charles Ruggles, Mary Boland and Ann Sothorn: Fair.

WE'RE NOT DRESSING, with Bing Crosby and Carole Lombard: (From Excellent to Good) Very Good.

RKO

MORNING GLORY, with Katherine Hepburn: Good.

RAFTER ROMANCE, with Norman Foster and Ginger Rogers: From Good to Fair.

ONE MAN'S JOURNEY, with Lionel Barrymore and May Robson: From Good to Fair.

MIDSHIPMAN JACK, with Bruce Cabot: Fair.

ANN VICKERS, with Irene Dunne, and Walter Huston: From Good to Fair, mostly Good.

ACE OF ACES, with Richard Dix: From Good to Fair.

CHANCE AT HEAVEN, with Joel McCrea and Ginger Rogers: Fair.

AGGIE APPLEBY, with Wynne Gibson and Charles Farrell: From Fair to Poor.

THE RIGHT TO ROMANCE, with Ann Harding: Fair.

LITTLE WOMEN, with Katherine Hepburn: Excellent.

IF I WERE FREE, with Irene Dunne and Clive Brook: Fair.

FLYING DOWN TO RIO: Excellent.

MEANEST GAL IN TOWN, with Zasu Pitts: From Good to Fair.

LONG LOST FATHER, with John Barrymore: Poor.

TWO ALONE, with Jean Parker and Tom Brown: From Fair to Poor.

HIPS HIPS HOORAY, with Wheeler and Woolsey: From Fair to Poor.

MAN OF TWO WORLDS, with Francis Lederer and Elissa Landi: From Fair to Poor.

LOST PATROL, with Victor McLaglen and Reginald Denny. (The reports for this picture have been the most varied that I have received of any other picture in the last three seasons: they range anywhere from Excellent to Fair. It is an excellent production, but its drawing powers seem to be different in different localities. I am marking it)

Very Good-Good, (which is a classification lower than "Very Good," but higher than "Good").

KEEP 'EM ROLLING, with Walter Huston and Frances Dee: Fair.

SUCCESS AT ANY PRICE, with Douglas Fairbanks, Jr.: Poor.

SPITFIRE, with Katherine Hepburn: (From Very Good to Fair. I am marking it) Good.

WILD CARGO: (Here is another picture that has received a variety of reports ranging anywhere from Excellent to Fair. I am marking it) Good.

THIS MAN IS MINE, with Irene Dunne and Ralph Bellamy: Good.

SING AND LIKE IT, with Zasu Pitts: (From Very Good to Fair. I am marking it) Good.

CRIME DOCTOR, with Otto Kruger: From Good to Fair.

United Artists

THE MASQUERADER, with Ronald Colman: From Good to Fair.

EMPEROR JONES, with Paul Robeson: Poor. (Because of its all-negro cast it is good only for high-class custom.)

BITTER SWEET, with an all-English cast: Poor.

THE BOWERY, with Wallace Beery and George Raft: (From Excellent to Good: marked) Very Good.

BROADWAY THROUGH A KEYHOLE: From Good to Fair.

BLOOD MONEY, with George Bancroft: From Fair to Poor.

ROMAN SCANDALS, with Eddie Cantor: (From Very Good to Fair: marked) Good.

ADVICE TO LOVELORN, with Lee Tracy: From Fair to Poor.

GALLANT LADY, with Ann Harding: (From Excellent to Fair, mostly Fair: marked) Good.

MOULIN ROUGE, with Constance Bennett: From Good to Fair.

PALOOKA, with Jimmy Durante: (From Very Good to Poor: marked) Good.

NANA, with Anna Sten: (From Good to Poor: marked) Fair.

LOOKING FOR TROUBLE, with Spencer Tracy and Jack Oakie: (From Very Good to Fair: marked) Good.

THE HOUSE OF ROTHSCHILD, with George Arliss: Excellent.

CATHERINE THE GREAT, with Douglas Fairbanks, Jr.: (From Excellent to Fair: marked) Good.

SORRELL AND SON, with H. B. Warner: From Fair to Poor.

Universal

SATURDAY'S MILLIONS: From Good to Fair.

LOVE, HONOR AND OH BABY!, with Slim Summerville and Zasu Pitts: From Good to Fair.

S O S ICEBERG: Poor.

KING FOR A NIGHT, with Helen Twelvetrees and Chester Morris: Poor.

ONLY YESTERDAY, with Margaret Sullavan and John Boles: Very Good.

THE INVISIBLE MAN: From Very Good to Good.

HORSE PLAY, with Slim Summerville: Poor.

MYRT AND MARGE, with Eddie Foy, Jr.: Poor.

BY CANDLELIGHT, with Paul Lukas and Elissa Landi: (From Good to Poor: marked) Fair.

COUNSELOR AT LAW, with John Barrymore: (From Very Good to Fair: marked) Good.

BOMBAY MAIL, with Edmund Lowe: (From Good to Poor: marked) Fair.

MADAME SPY, with Nils Asther and Fay Wray: (From Good to Poor: marked) Fair.

CROSS COUNTRY CRUISE, with Lew Ayres: Fair.

BELOVED, with John Boles: Fair.

MIDNIGHT, with Sidney Fox: Poor.

I LIKE IT THAT WAY, with Gloria Stuart: From Fair to Poor.

THE POOR RICH, with Edna May Oliver and Edward Everett Horton: (One report Good, one Poor, all others Fair: marked) Fair.

THE CROSBY CASE, with Wynne Gibson: From Fair to Poor (mostly Poor).

LOVE BIRDS, with Slim Summerville and Zasu Pitts: From Fair to Poor.

COUNTESS OF MONTE CRISTO, with Paul Lukas and Fay Wray: Fair.

LET'S BE RITZY, with Lew Ayres: From Fair to Poor.

GLAMOUR, with Paul Lukas and Constance Cummings: From Good to Fair.

I'LL TELL THE WORLD, with Lee Tracy and Gloria Stuart: Fair.

UNCERTAIN LADY, with Genevieve Tobin and Edward Everett Horton: From Fair to Poor.

HALF A SINNER, with Joel McCrea: From Good to Fair.

THE BLACK CAT, with Boris Karloff and Bela Lugosi: Good.

Warner Bros.

GOLD-DIGGERS OF 1933, with Warren William and Joan Blondell: (From Excellent to Good: marked) Very Good.

FOOTLIGHT PARADE, with James Cagney and Joan Blondell: Excellent.

EVER IN MY HEART, with Barbara Stanwyck and Otto Kruger: From Fair to Poor.

THE KENNEL MURDER CASE, with William Powell: From Good to Fair.

THE COLLEGE COACH, with Pat O'Brien and Ann Dvorak: From Good to Fair.

FROM HEADQUARTERS, with George Brent: From Fair to Poor.

HOUSE ON 56th STREET, with Kay Francis and Ricardo Cortez: Good.

EASY TO LOVE, with Genevieve Tobin, Mary Astor and Adolphe Menjou: Poor.

HI NELLIE, with Paul Muni: Good.

I'VE GOT YOUR NUMBER, with Pat O'Brien and Joan Blondell: From Good to Fair.

HEAT LIGHTNING, with Ann Dvorak: From Fair to Poor.

JIMMY THE GENT, with James Cagney: From Good to Fair.

GAMBLING LADY, with Barbara Stanwyck: From Good to Fair.

HAROLD TEEN: Fair.

AS THE EARTH TURNS: From Fair to Poor.

A MODERN HERO, with Richard Barthelmess: Poor.

UPPERWORLD, with Warren William and Mary Astor: Fair.

MERRY WIVES OF RENO, with Margaret Lindsay and Donald Woods: Fair.

Columbia

Number of pictures reported, 14, classified as follows:

Excellent	2, or	14.30%
Very Good	None	
Very Good-Good	None	
Good	None	
Good-Fair	1, or	7.20%
Fair	3, or	21.40%
Fair-Poor	3, or	21.40%
Poor	5, or	35.70%
	<hr/>	
	14	100.00%

First National

Number of pictures reported, 14:

Excellent	None	
Very Good	None	
Very Good-Good	2, or	14.30%
Good	1, or	7.20%
Good-Fair	2, or	14.30%
Fair	None	
Fair-Poor	4, or	28.50%
Poor	5, or	35.70%
	<hr/>	
	14	100.00%

Fox

Number of pictures reported, 37:

Excellent	2, or	5.40%
Very Good	3, or	8.10%
Very Good-Good	None	
Good	3, or	8.10%
Good-Fair	2, or	5.40%
Fair	7, or	19.00%
Fair-Poor	13, or	35.00%
Poor	7, or	19.00%
	<hr/>	
	37	100.00%

Metro-Goldwyn-Mayer

Number of pictures reported, 24:

Excellent	None	
Very Good	4, or	16.65%
Very Good-Good	None	
Good	3, or	12.50%
Good-Fair	1, or	4.15%
Fair	5, or	20.80%
Fair-Poor	1, or	4.15%
Poor	10, or	41.75%
	<hr/>	
	24	100.00%

Paramount

Number of pictures reported, 39:

Excellent	1, or	2.55%
Very Good	2, or	5.15%
Very Good-Good	1, or	2.55%
Good	3, or	7.75%
Good-Fair	6, or	15.50%
Fair	14, or	35.85%
Fair-Poor	7, or	17.95%
Poor	5, or	12.70%
	<hr/>	
	39	100.00%

RKO

Number of pictures reported, 25:

Excellent	2, or	8.00%
Very Good	None	
Very Good-Good	1, or	4.00%
Good	5, or	20.00%
Good-Fair	6, or	24.00%
Fair	5, or	20.00%
Fair-Poor	4, or	16.00%
Poor	2, or	8.00%
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	25	100.00%

United Artists

Number of pictures reported, 16:

Excellent	1, or	6.25%
Very Good	1, or	6.25%
Very Good-Good	None	
Good	5, or	31.25%
Good-Fair	3, or	18.75%
Fair	1, or	6.25%
Fair-Poor	3, or	18.75%
Poor	2, or	12.50%
	16	100.00%

The following table shows the pictures of the different producers grouped in accordance with their classifications. In this manner the number of pictures of a given class, produced by them all, may be seen at a glance:

	E	VG	VG-G	GF	F	FP	P
Columbia	2	0	0	0	1	3	3
First National	0	0	2	1	2	0	4
Fox	2	3	0	3	2	7	13
Metro-Goldwyn-Mayer	0	4	0	3	1	5	1
Paramount	1	2	1	3	6	14	7
RKO	2	0	1	5	6	5	4
United Artists	1	1	0	5	3	1	3
Universal	0	1	1	2	4	8	5
Warner Bros.	1	1	0	2	5	3	4

The table that follows is the same as the foregoing table except that the number of pictures of the different classes are given in terms of percentage. In this manner it is possible for an exhibitor to know what the percentage of quality of the pictures of each producer is:

	Ex.	VG	VG-G	G	G-F	F	F-P	P
Columbia	14.30	00.00	00.00	00.00	7.20	21.40	21.40	35.70
First National	00.00	00.00	14.30	7.20	14.30	00.00	28.50	35.70
Fox	5.40	8.10	00.00	8.10	5.40	19.00	35.00	19.00
Metro-Goldwyn-Mayer	00.00	16.65	00.00	12.50	4.15	20.80	4.15	41.75
Paramount	2.55	5.15	2.55	7.75	15.50	35.85	17.95	12.70
RKO	8.00	00.00	4.00	20.00	24.00	20.00	16.00	8.00
United Artists	6.25	6.25	00.00	31.25	18.75	6.25	18.75	12.50
Universal	00.00	3.85	3.85	7.70	15.40	30.00	19.60	19.60
Warner Bros.	5.55	5.55	00.00	11.10	27.75	16.70	22.25	11.10

Putting the pictures of Good-Fair and better quality in one group, and those of the inferior classes in another, we get the following results:

	Good Group	Poor Group
Columbia	21.50	78.50
First National	35.80	64.20
Fox	27.00	73.00
Metro-Goldwyn-Mayer	33.30	66.70
Paramount	33.50	66.50
RKO	56.00	44.00
United Artists	62.50	37.50
Universal	30.80	69.20
Warner Bros.	49.95	50.05

Arranged in accordance with the percentages of the good groups, the order of the importance of the nine companies is as follows:

	Good Group	Poor Group
United Artists	62.50	37.50
RKO	56.00	44.00
Warner Bros.	49.95	50.05
First National	35.80	64.20
Paramount	33.50	66.50
Metro-Goldwyn-Mayer	33.30	66.70
Universal	30.80	69.20
Fox	27.00	73.00
Columbia	21.50	78.50

The high percentage of the box office performances of a company's pictures does not mean you made the most money with them, and that the low percentages of some companies' made you the least money. United Artists' pictures, for example, shows the highest percentage, and Columbia the lowest. But it is possible that you have paid so much money for the United Artists pictures that you may have made no profit at all; on the other hand, you may have paid for Columbia pictures so reasonable rentals that you made a good profit. The same is true of the Universal pictures, which make a much better showing than those of Columbia; you may have made more money with Universal pictures in the long run than, for example, with First National, which show a higher percentage.

A similar remark, however, cannot be made with Fox pictures, which show next to the lowest box office performances. Because of the great reputation Sidney Kent has had as a "doer," and as a great organizing genius, most exhibitors paid, I believe, big prices for Fox pictures, Kent's sales forces in the field taking full advantage of the name Kent made with Paramount. But the quality of the pictures

Universal

Number of pictures reported, 26:

Excellent	None	
Very Good	1, or	3.85%
Very Good-Good	1, or	3.85%
Good	2, or	7.70%
Good-Fair	4, or	15.40%
Fair	8, or	30.00%
Fair-Poor	5, or	19.60%
Poor	5, or	19.60%
	26	100.00%

Warner Bros.

Number of pictures reported, 18:

Excellent	1, or	5.55%
Very Good	1, or	5.55%
Very Good-Good	None	
Good	2, or	11.10%
Good-Fair	5, or	27.75%
Fair	3, or	16.70%
Fair-Poor	4, or	22.25%
Poor	2, or	11.10%
	18	100.00%

he has delivered to them is shown to be so low that I doubt whether many exhibitors made a profit with them. Winnie Sheehan has made satisfactory deliveries; but not Jessie L. Lasky, whom Sidney Kent engaged to produce such pictures as he has been reputed to have delivered to Paramount while he was in charge of production during the silent-picture days. So far, every one of Lasky's pictures have proved a box office flop.

Warner Bros. has made a good showing. It would not have been so good had its executives not taken "Gold-Diggers of 1933" away from the holders of 1932-33 contracts and sold it in the 1933-34 season. But even so, the showing is poorer than that it made in the 1931-32 and the 1932-33 seasons.

First National, too, has made a poor showing as compared to other seasons—much poorer than Warner Bros. And most of its pictures have been quite indecent; Harry Warner has been talking clean pictures all along but has been making them unclean.

The MGM salesforces will not be as boastful when they see these figures, which show that Paramount has a shade the best of it. Dave Selznick, who is Louis B. Mayer's son-in-law, will not be able to brag about delivering good pictures; his record does not seem to be much better than it was when he was head of the RKO production forces two years ago.

As far as Paramount is concerned, if George Shaefer were to be given good pictures, there is no question in my mind what he could do with them. I am sure he could make a better showing than any other general manager of distribution the Paramount organization has ever had. He did wonders with poor material and at a time when no one knew whether Paramount could survive or not. That is a good record. Unfortunately, Adolph Zukor does peculiar thinking. For instance, there has been severe criticism against Emanuel Cohen, the chief executive of the Paramount production forces, for the poor pictures he has been producing, but Mr. Zukor has come to his defense by stating that it takes five years for a man to become thoroughly "acclimated" to production, and Mr. Cohen has been producing, Mr. Zukor said, only two years. What will happen to you if you have to wait three years more for Mr. Cohen to make better pictures?

RKO seems to have made the best showing towards quality pictures. The improvement started ever since Dave Selznick left that company. Let us hope they will better that record the coming season, for their own benefit as well as for that of the exhibitors.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States \$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

**1440 BROADWAY
 New York, N. Y.**

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JUNE 9, 1934

No. 23

DOES SEX IN PICTURES PAY?

Frequently in the past representatives of Mr. Hays, in order to justify the production of sex pictures by the members of their association, asserted that the picture-going public do not want clean pictures, citing the box office failure of many such pictures, and the box office success of the Mae West pictures.

The pictures of Mae West cannot be taken as a criterion of the taste of the picture-going public, for to begin with Miss West treated sex matters in a facetious spirit; on top of this, Miss West possesses a fascinating screen personality and people went to see not the pictures so much as Miss Mae West herself.

If what the producers and their representatives have asserted all along were true, then every sex picture would have made money and most clean pictures lost money.

That such is not the case may be evidenced by examining the box-office performances of all pictures, as analyzed in the digest, published in the second section of last week's issue. Let us see what would be disclosed by an examination, taking the pictures of one company at a time:

COLUMBIA: "Man's Castle" reeks with sex—the hero is shown living with the heroine without first having been married; it made a miserable failure. On the other hand, "It Happened One Night," although there is no "dirt" in it, made a howling success. "Shadows of Sing Sing" is a gangster melodrama; it made a box office failure because the acts of the characters are unpleasant. On the other hand, "Lady for a Day," although it has a touch of racketeering in it, made a great box-office success because the acts of the characters were human.

FIRST NATIONAL: "Big Shakedown," "Bedside," "Mandalay," "Fashions of 1934," "Journal of a Crime" (with Ruth Chatterton), and "Registered Nurse," which have been founded on a sex theme either with or without a gangster-racketeer twist, have all been miserable failures.

FOX: "The Power and the Glory" made a miserable failure for no other reason, I believe, than that the son is shown as having had illicit relations with his step-mother; on the other hand, "Paddy, the Next Best Thing," which is a sweet picture, made a great success. "The Worst Woman in Paris," "Sleepers East," "I Believed in You," "Coming Out Party," "All Men are Enemies," founded on either a sex or a gangster theme, have made a miserable failure, whereas "David Harum," "Carolina," "Dr. Bull" (the book was cleansed), and "Mr. Skitch" have all made a box-office success. The theory that it is not the cleanliness of the stories but the popularity of these stars that drew does not hold good; just put either of them in a sex-story and you will know quickly whether the story's cleanliness is a drawback or an advantage.

The best proof that sex, improperly introduced, may hurt a picture is, I believe, the case of "Devil Tiger": To my knowledge, every animal picture shown on the screen to this day has made more or less a success if it possessed any values, either educational or entertainment, but "Devil Tiger" has made a miserable failure, even though the picture is thrilling, because the producer, following his mistagen notions, introduced sex in it although sex is altogether out of place in a picture of this kind.

MGM: "Eskimo" for the production of which MGM spent nearly one and one-half millions of dollars, should have made a "howling" success by all the rules of the Hollywood producers' game, because it reeks with sex—the producer gave to the natives of the arctic circle customs and habits they do not possess so as to make the pictures as sexy as possible, out of a belief that it would help its drawing powers; he had the natives turn their wives over to the whites as a token of hospitality. What a miserable failure it has made every one of you knows very well.

"Day of Reckoning," too, has made a miserable failure, even though it reeks with sex. "Queen Christina" should have formed lines before the theatres that played it; it made a box-office failure as judged by "Garbo" standards, even though it reeked with sex. "Laughing Boy" reeks with sex, and yet neither the Capitol nor the State nor the New York theatre, Loew's houses in this city, has shown it. It was first shown in this territory at a Loew theatre in Brooklyn, to poor business. I predict a miserable failure for it; those who may happen to see it will revolt against it.

PARAMOUNT: "Song of Songs" should have caused your box-office to bulge with dollars, because there is shown in it the statue of a nude woman that is not much different from life. According to last week's digest, it made a "Good to Fair" success, even though a popular star appeared in it; this means that it failed. "All of Me," a gangster-sex picture, should have turned people away from your box-offices, because the theme was helped also by a popular star, George Raft; it has made a miserable failure. "Good Dame," with two popular stars, Frederic March and Sylvia Sydney, has made a miserable failure—sex is the cause. "Wharf Angel" has a heroine that makes her living by selling her body; according to the Hollywood theory, it should have made a "howling" success; it has made a "howling" failure. "The Trumpet Blows," with a popular star and with a sex theme, should have formed lines in front of your box offices; if you should dare show it you will show it to empty seats; such has been the experience of those who have so far shown it.

RKO: "Little Women" and "Spitfire," have made an unprecedented success; they were founded on clean stories. If you think that it was Miss Hepburn alone that drew the crowds, just put her in an unclean story now and watch the "dip" the box-office will take. "Long Lost Father," a sex picture, failed, despite Mr. John Barrymore's popularity.

UNITED ARTISTS: With hundreds of thousands of dollars spent by Sam Goldwyn to advertise Anna Sten, backed up by the immense circulation the book has had, "Nana" should have drawn more money than any other big picture that has been released during the history of the motion picture industry; it has made a miserable failure because of sex, and because the heroine is a woman without character. On the other hand, "The House of Rothschild," which is a clean picture, is making an unprecedented success; the human characterization of George Arliss is the cause.

UNIVERSAL: "Only Yesterday" had sex in it; but it was not the sex that made it draw—it was the deep appeal brought about by a woman's sufferings because of her love for the man who had betrayed her, and because of the fine character of her son. People felt sorry that so fine a woman should have been in so great love with a scoundrel.

WARNER BROS.: "Easy to Love" should have made a good success, because of the sex element in it; it has made a failure. And so has "Heat Lightning," "Upperworld," "Merry Wives of Reno," for the same reasons. "A Modern Hero," with Richard Barthelmess, should have made more money for you than any other picture of this star, because of the sex element in it; it has made a miserable failure because the hero is a man without any decent traits. (In the Forecaster, I predicted that such would be the fate of this picture, despite Mr. Barthelmess' popularity.)

These are the facts about sex in pictures. But the warped Hollywood minds cannot understand them. And that is why their sewers (studios) continue pouring out filth.

(Continued on last page)

"Private Scandal" with Mary Brian, Zasu Pitts and Phillips Holmes

(Paramount, May 11; running time, 63 min.)

Just a fair murder mystery melodrama of program grade, with comedy. It depends for its entertainment value more on the comedy situations than on the mystery, but some persons may feel that the comedy is occasionally out of place. One is held in suspense since the identity of the murderer is not made known until the very end, and its comes as a surprise. One feels sympathy for Mary Brian, the dead man's daughter, and for Phillips Holmes, but Holmes' actions are demoralizing. He thought that Lew Cody had committed suicide, but in order to collect his insurance policies to help the business along (the policies had a clause to the effect that no money would be paid if the insured committed suicide) he arranged things to make it appear as if Cody had been murdered, not realizing that Cody had actually been murdered. The first half is more dramatic, the comedy starting in the second half when Ned Sparks, a wise-cracking detective, starts the investigation. There is a good comedy bit by Olin Howland, as the corner. The love interest is incidental.

The plot was adapted from a story by Vera Caspary and Bruce Manning. It was directed by Ralph Murphy. In the cast are June Brewster, Harold Waldridge, Jed Prouty, Charles Sellon, Rollo Lloyd and others.

Not suitable for children, adolescents, or Sundays.

"The Woman in Command"

(Gaumont British; running time, 70 min.)

This back-stage comedy is distinctly British, and with the exception of Edward Everett Horton and Anthony Bushell the cast is unknown here. It is just moderately entertaining, with a few situations that provide hearty laughter. One of the funniest situations is where Cicely Courtneidge, head of a theatrical troupe, is forced to do an adagio dance when the young dancer, whose place she takes, fails to show up. Her facial expressions and gestures make it funny. Another comical scene is where Cicely and Edward Everett Horton, her stage manager, attempt to rid themselves of two drunken men who, in a rainstorm, had followed them from the theatre to Cicely's home. The romantic interest is pleasant.

The story revolves around the troupe "The Marvellos," known for generations, the children following in the footsteps of their parents. Cicely is elected the new Queen upon the retirement of her mother. To this group is added Dorothy Hyson, but she is soon distracted because her love affair with Anthony Bushell, a wealthy young man, made her an outsider to the members of the troupe. Eventually Dorothy and Bushell marry through the efforts of Cicely who does not want to interfere in the young couple's happiness. And Cicely finds romance, too, when she suddenly realizes she loves Edward Everett Horton, her stage manager who had loved her for years.

The plot was adapted from a story by Douglas Furber. It was directed by Maurice Elvey. In the cast are Frank Cellier, Rebla, Bransby Williams, and others.

Suitable for children, adolescents, and Sundays.

"The Merry Frinks" with Aline MacMahon

(First National, May 26; running time, 67½ min.)

Ordinary program fare. Some of the situations are quite funny, but for the greater part the story is so silly that it becomes tiresome. The characters are the most obnoxious that have appeared in a picture for a long time.—selfish, ill-mannered and stupid. One feels sympathy for Aline MacMahon, the much-abused head of the family consisting of her drunken husband, her three children, and her mother-in-law. They are all selfish, forcing her to bear the burden of keeping peace and watching the family funds, besides doing all the work. Her son, Allen Jenkins, is a raving Communist, who brings his mad friends to the house. The daughter imagines herself a singer, and goes out with a married man despite her mother's pleas for her to pay attention to James Bush, a young boy who loved her. The younger boy, Frankie Darrow, is mean and ill-tempered, insulting even his grandmother, at times telling her to shut up. The grandmother is a nagging old woman, who likes to drink; and Hugh Herbert, the husband, is always losing his job because he gets drunk. The comedy is aroused by the crazy behavior of the family when they are all together, particularly when they are joined by Guy Kibbee, and uncle of Herbert's who decides to live with the family.

In the development of the plot Guy Kibbee, shortly after making his home with the family, dies from over-eating and leaves his entire fortune to Aline MacMahon on con-

dition that she forsake her family. Tired of catering to her unappreciative family, Aline accepts the terms of the will and goes to live by herself. But with all the luxury she is lonesome for her family. She picks up an acquaintance with Ivan Lebedoff, a gigolo, and is about to leave town with him when her family find her and tearfully beg her to return; they had all realized what she meant to them and how selfish they had been.

The plot was adapted from a story by Gene Markey and Kathryn Scola. It was directed by Alfred E. Green. In the cast are Helen Lowell, Joan Wheeler, Harold Huber, Maudel Turner, Harry Beresford, and others.

Because of the suggestion that Aline MacMahon was going off on a trip with Lebedoff, exhibitors will have to use their own judgment about showing it to children, adolescents, or on Sundays. (Coast review.)

Substitution Facts: This is replacing 767 listed on the worksheet as a "Richard Barthelmess production". It is a star substitution.

"The Hell Cat" with Ann Sothorn and Robert Armstrong

(Columbia, June 16; running time, 68 min.)

A fairly good comedy-melodrama. The plot is far-fetched, but the action is fast and the comedy situations amusing; it should please the masses who are not too critical about the story. The closing scenes are the most exciting, for it is then that Ann Sothorn and Robert Armstrong unwittingly walk into the hands of smugglers who had been using Ann's yacht without her knowing about it. The comedy is brought about by the deception played by Ann, who poses as a naive Southern girl, when in reality she is a tempestuous society girl who was out to get even with Armstrong for having insulted her. The plot's far-fetchedness comes from the fact that Ann, by putting a blonde wig over her dark hair, and acquiring a Southern accent, is able to fool Armstrong. This does not seem plausible.

The plot was adapted from a story by Adele Buffington. It was directed by Albert Rogell. In the cast are Benny Baker, Charles Wilson, J. Carroll Naish, Irving Bacon, Henry Kolker, and others.

Except for the gangster element, it is suitable for children, adolescents and Sundays.

"Many Happy Returns" with George Burns, Gracie Allen and Joan Marsh

(Paramount, June 8; running time, 66½ min.)

"Many Happy Returns" struts off by being very comical, but peters out when it is half over. Some spots are exceedingly draggy. Even with this defect, however, it should amuse the masses because of the familiar type of comedy, provoked by the nonsensical behavior of Burns and Allen; also because of the presence in the cast of Guy Lombardo and his orchestra, well-known radio performers. The hearty laughs are provoked in the beginning when Gracie Allen, daughter of a department store owner, runs the store in her own way, while her father is in Europe. He returns to find men tearing down the store because Gracie felt it would be nice to build a bird sanctuary there; the father gets nervous prostration when he notices the sale that was conducted in the store—Gracie was giving away an overcoat with each purchase of a hat because she thought the people would like it. Another very funny situation is where Gracie is substituted for her sister, Joan Marsh, who had won a beauty contest. Joan and her sweetheart had been kidnapped on her father's orders to prevent her from becoming a motion picture actress. The publicity agents, fearing that they would lose their jobs if they did not bring Joan to the studio, substitute Gracie for Joan. She causes so much trouble at the studio that they are forced to rewrite the script so as to have Gracie's part smaller. Some of the situations in the second half are quite vulgar and suggestive, particularly when they refer to Gracie's marriage to George.

In the development of the plot Gracie traps her sister's abductors and when she gets through talking to them they are glad to leave without demanding any money. They felt Gracie was insane. George Barbier, the father, consents to Joan's marriage with Ray Milland, her sweetheart. He offers to pay George thirty dollars a mile to take Gracie as far away as possible and George takes her to China.

The plot was adapted from a story by Lady Mary Cameron. It was directed by Norman McLeod. In the cast are Franklin Pangborn, Egon Brecher, Stanley Fields, William Demarest, Kenneth Thompson, and others.

Because of the vulgar talk it is unsuitable for children, adolescents or Sundays.

"The Love Captive" with Gloria Stuart and Nils Asther

(Universal, May 21; running time, 62½ min.)

Just one of those things! Hypnotism is the means by which the producers sought to interest the picture-goer, and I have not yet seen a picture based on display of hypnotic powers to make any kind of sensation on the screen. Even "Trilby," produced with Clara Kimball Young in the old days, and later by First National, failed to arouse much interest among the picture-goers. There is a murder, and, whatever the provocation, one cannot escape the feeling that it is cold-blooded.

In this story, Nils Asther, a physician, employs his extraordinary hypnotic powers for the benefit of his patients, but now and then he employs it to charm some woman. The heroine becomes his nurse and, though engaged to the hero, she falls in love with him and cuts off her fiancé. Her brother suspects that the hero had succeeded in putting his sister under his power by means of hypnotism and he brings charges against him as practicing unethically. The hero, who by this time had worked up a big practice, fighting for his reputation, calls on the brother to convince him that he had done nothing wrong, first taking care to release the heroine from his hypnotic powers. But because he could not convince him he puts the brother's wife under his powers. At the trial before the committee, the hero offers to prove the genuineness of his hypnotic powers by hypnotizing any one who would promise not to resist, and the brother offers himself as a subject. He pretends that he had been hypnotized and when he is ordered by the hero to shoot a loaded gun, expecting to show the committee that the subject could not even do that, he shoots and kills the hero. The committee finds that he had committed the murder while under the hero's hypnotic power, and he is not prosecuted.

The plot was taken from the play "Humbug," by Max Marcin; it was directed by the author himself. In the cast are Paul Kelly, Alan Dinehart and others.

Not particularly edifying for adolescents. Children under twelve may not understand it but they will not enjoy it, and there is no good lesson that they can learn from it. Not suitable for Sunday showing. It is a picture for mature audiences, if they can stand it. (Coast review.)

"The Key" with William Powell

(Warner Bros., June 9; running time, 70½ min.)

Just a fair entertainment for adults. It starts out by being an interesting account of the Sinn Fein uprising, and develops into the ordinary love triangle. Because of the excellence of the different performances the interest is held, even though one loses respect for both the hero and the heroine. The closing scenes are the most exciting: the Sinn Feiners hold Colin Clive as hostage for the release of their leader, who had been sentenced to death, and only through the courage of William Powell, who forges the Commander's name to a release of the Irish leader, is he released. Powell realized that this meant disgrace to him but he felt it was the only way to show Clive how sorry he was for having abused his friendship. The eventual sorrow of Edna Best, Clive's wife, for the wrong she had done to Clive wins some sympathy for her.

In the development of the plot Powell, a British army captain, with a bad reputation for affairs with women, is assigned to Dublin to assist in quelling the Sinn Fein uprising. There he meets Colin Clive, an intelligence service agent, and an old friend. He is amazed to find that Clive is married to Edna Best, the one woman Powell had loved, and with whom he had had an affair. The night that Clive is out capturing the Sinn Fein leader, Powell and Edna become intimate, and upon Clive's return they confess and tell him about their past. Clive leaves and walks the streets in a daze. The Sinn Feiners capture him and tell the Commander that when their leader is killed so will be Clive. Edna realizes that it is Clive she really loves, and that Powell had just been a romantic dream. Realizing this, Powell procures Clive's freedom by forging the Commander's name to a release for the Sinn Fein leader, and tells Clive that Edna loves him. This brings about a reconciliation between husband and wife. But Powell is sentenced to prison for having forged the release.

The plot was adapted from a story by R. Gore-Brown and J. L. Hardy. It was directed by Michael Curtiz. In the cast are Hobart Cavanaugh, Halliwell Hobbes, Henry O'Neill, Phil Regan, Donald Crisp, J. M. Kerrigan, and others.

Unsuitable for children, adolescents, or Sundays.

"Most Precious Thing in Life" with Jean Arthur, Donald Cook and Richard Cromwell

(Columbia, May 19; running time, 68 min.)

A human interest drama of mother love. Jean Arthur, in the role of the mother, gives a good performance and at all times the audience feels sympathy and respect for her. Many of the situations will stir the emotions, particularly the one in which Jean, for the first time in twenty years, sees her son at college, without letting him know she is his mother. Another very touching situation is the one in which she pleads with her former husband, Donald Cook, not to stand in the way of the boy's happiness and warns him that she will tell all. Because of the wholesomeness of the picture, the story provides good entertainment for the younger element, who should be inspired by the development of the son's character. The audience is held in suspense because of their knowledge about mother and son:—

While a student at Eastmore College, Donald Cook meets and falls in love with Jean Arthur, a college waitress. They marry and a son is born to them. But the plotting of Cook's mother and father to separate the young people eventually works out and Jean agrees to give Cook a divorce. She tearfully parts from her child, realizing Cook, whose parents were wealthy, could do more for the boy. Twenty years later finds her a "biddy" in Eastmore College, that is, a woman who has charge of the rooms of the students, keeping them clean. To her joy she is assigned to a room in which her son, Richard Cromwell, is to live. Without telling him who she is she exerts a great influence over him in forming his character and he learns to love her as a mother. Cromwell meets Anita Louse, the daughter of another "biddy," and they fall in love. Jean, fearing lest Anita might meet with the same fate as she met, begs Cromwell not to lead the girl on. But he tells her he loves Anita. The day of the big football game brings Cook to the college. He plans to separate Cromwell and Anita. Jean, finding out the cause of Anita's unhappiness, goes to see Cook and warns him to leave the young folk alone. By speaking to Cromwell and showing him the right way, the boy opposes his father's will, marries Anita and plans to take a position in Chicago, away from his father. Jean tearfully parts from the young couple.

The plot was adapted from a story by Travis Ingham. It was directed by Lambert Hillyer. In the cast are Mary Forbes, Jane Darwell, Ben Alexander, John Wray, Dutch Hendrian, and others. (Coast review.)

Good for children, adolescents, and for Sunday showing.

"Springtime for Henry" with Otto Kruger, Nancy Carroll and Heather Angel

(Fox-Lasky, released May 25; running time, 73 min.)

Lasky has come forward with another bore. It is a sophisticated comedy, with the hero who is a "ladykiller," and who cannot get rid of the woman visiting him fast enough to prevent the other woman from finding her there. There is hardly any worth-while action; on the contrary, one is bored by what Mr. Kruger, as the hero of the piece, does, regardless of the fact that he is a fine actor and can be depended upon to get all the values out of a given situation. The picture is immoral in its implications as well as unmoral. Only about ten or fifteen per cent of the picture-goers, the sophisticated ones, may find some entertainment values in it; the picture-goers of the rank-and-file will, I am sure, have a good sleep while it is projected on the screen.

The plot has been founded on the stage play by Benn W. Levy. It was directed by Frank Tuttle. Herbert Munday, Arthur Hoyt, Nigel Bruce, Geneva Mitchell are some of the members of the supporting cast.

Not for the family circle, or for Sundays. (Coast review.)

A CORRECTION

"Son of Kong," the RKO feature picture which was released December 22, was for some unaccountable reason omitted from the RKO release schedule.

Though no inconvenience has been caused to any exhibitor, a rearrangement of the Tenth picture of each group in this company's program, as given in last week's issue, is necessary.

For those who rejected "Long Lost Father" on account of its being a star substitution, "Success at Any Price" was the Tenth picture of the First group of ten; for those who accepted it as a contract picture, the Tenth was "Spitfire."

But the day of reckoning that I spoke so often about in the past is here. Millions of people, of all denominations and faiths, are joining the League of Decency, first proposed by Catholic organizations, and the box offices of the theatres are already feeling the effect. And this is only the beginning. The efforts of some producers to discount this campaign by making statements to the effect that wherever pictures were denounced they made more money than pictures that were recommended reminds me of the boy who, while passing by a graveyard, whistles so as to keep up his courage.

The unfortunate part about this is the fact that you, the independent theatre owners, are suffering more in proportion than the producer-distributors, even though you are not in any way responsible for the production of the indecent, unclean, vulgar and demoralizing pictures the members of the Hays organization have been producing for years. But I am submitting certain recommendations to influential Catholics, which may bring you some relief. In the meantime, I suggest that you go over the suggestions I made in last week's editorial about rejecting all indecent pictures. Read them carefully and act accordingly.

FOX "ERRANT"

Last week, the Fox Film Corporation held its annual convention in New York to formulate its sales policy for the 1934-35 season, and to announce the sort of pictures that it will produce and deliver to the exhibitors.

A preliminary list of many of the novels, stage plays and magazine stories was given to the trade papers, which published them on May 31.

Among the titles given was "Nymph Errant," the novel by James Laver.

I read it so as to advise the subscribers of the FORECASTER, when the time comes, whether the material of this book will or will not make an entertaining picture.

Because the material the Fox Film Corporation has announced is a true indication of the sort of pictures it will deliver, and because I consider that the theme of "Nymph Errant" has so great a bearing upon the campaign against indecent pictures the churches are waging, I have felt it my duty to treat this matter in these columns.

Here is a thumb-nail synopsis of the story:

"Evangeline, an English girl, student at a fashionable girls' school at Lauzanne, leaves for home to spend her vacation. In her rush to make the train, she forgets her purse.

"On the train a French theatrical producer puts her out of her embarrassing position by paying for her fare, and, having made up his mind to possess her, makes her believe that she has acting talent, and persuades her to let him star her.

"The producer does not find her so 'charming' as a mistress, so when she drops him and follows Alexei, a lazy Russian violinist, he doesn't care.

"When their little money gives out Alexei suggests that she go to work for a Spanish artist as a model, but when the artist strips her and she becomes convinced that he cannot paint, she departs at once.

"Alexei suggests that she become a woman of the streets, but she refuses.

"Evangeline meets one of the girls of the school and finds out that she is not the daughter of an aristocrat, as she was made to believe, but a kept woman. She then follows a German, who takes her to a nudist colony in Germany.

"Evangeline does not like the colony so they leave, and go to an inn where they spend the night together.

"The German proves a 'pain in the neck' to her and she follows an Austrian Count, and after the two spend a few weeks at his castle they go to Venice.

"In Venice, Evangeline leaves the Count and follows a friend of his, a Greek merchant, who takes her to Smyrna.

"During the sacking of Smyrna, the Greek merchant is killed and Evangeline is taken by a Turkish Prince to his harem, where he divests her of her clothes and has her photographed in the nude, until an American, who had by chance learned of her predicament, rescues her and sends her to Paris. She eventually reaches home."

Comment on this material is hardly necessary as far as you, the exhibitors, are concerned; you know that material of this kind, not only cannot make an entertaining picture, but will drive away whatever little patronage you have left. What I want to do, is to call the attention of the church people, Catholic, Protestant and Hebrews, to this: We have all been assailing the studios for producing indecent and demoralizing pictures. There is no question in my mind that the studios bear a great share of the responsibility.

But they are not altogether to blame: The material may be most of it is, chosen by the studios—a great deal of it is chosen by the home offices. But it is the home office executives who have to pass on all the material ultimately, because it is these executives who have to sell the pictures that will be produced.

In the case of Fox Film Corporation, who are the executives who are authorized to pass on material? Either Sidney R. Kent, the president, or John D. Clark, the General Sales Manager. But in the name of all common sense, what does either of these two executives know about story material? They may be able to sell film; they may be able even to take junk and make the exhibitors pay big prices for it by leading them to believe that it is first class product. But what do they know about drama? And just because of that lack of knowledge, the exhibitors today are made to suffer.

I suggest to all influential church people to get to the bankers; it is my belief that only the bankers can plug the sewers of Hollywood as well as of New York.

WILL THIS BE ANOTHER RACKET?

Metro-Goldwyn-Mayer is going to put out its own trailers, cancelling next January the agreement that exists between it and National Screen Service, so that those who use MGM pictures will have to buy trailers from MGM. This company has, in fact, gone so far as to inform the exhibitors that those who will refuse to sign a contract for its trailers will not be given a chance to buy its features.

Its sales forces are already obtaining signatures on trailer contracts.

The news that MGM is going to produce its own trailers has frightened many exhibitors, who fear lest other companies follow the MGM example, in which event the trailer business may, they say, become another score-charge racket.

That the fears of these exhibitors are not unfounded no one will or can deny: whereas at present an exhibitor makes one contract for trailers and ceases to think about them, when the trailer business reverts to the producer-distributors, the exhibitors will have to sign a separate contract with each one of them. And he will be required to pay, without any doubt, twice or even three times as much as he is paying for the service now.

In addition to costing more, the trailer service, if it ever reverted back to the individual companies, will be poorer, for National Screen Service has perfected an organization which devotes its entire attention to making trailers, whereas trailer-making will be a side issue with the producer-distributors. In all eventualities these companies will, in the main, entrust the production of the trailers to a relative of one of the executives—some one who perhaps has never seen a camera, but whom the boss wants to give a job so as to take him off his hands.

I don't know whether MGM will eventually go through with its intention of producing and distributing its own trailers; in all probabilities the announcement is a sort of trial balloon, the purpose of which is two-fold: to find out whether it can get contracts enough to make the taking over of the trailer business profitable, and to obtain great publicity for its pictures at no cost. The psychology of the latter act is this: through the resistance MGM will create among the exhibitors, the impression will be created that MGM has a superb program, and only those who will rush to contract for it will be lucky, for it is a well known fact that people seek to obtain what they think they cannot obtain easily; the more resistance MGM creates among the exhibitors, therefore, the greater will, the MGM executives think, be the rush for MGM pictures.

It is good understanding of psychology; but sometimes it does not work.

The decision of the MGM executives whether they shall go into the trailer business or not, will, of course, depend on how gullible the independent exhibitors will prove to be: if they rush to sign a trailer contract with MGM, the MGM executives will see no reason why they should not take that additional profit: if the exhibitors will tell them to stick to their last, there is a likelihood that MGM will leave the trailer business alone. In other words, it will be up to the exhibitors themselves whether they will have another "score-charge" affair or not.

To me, the best thing the MGM executives could do for themselves is to try to improve the quality of their product as well as to stop producing pictures such as "Eskimo," "Night Flight," "Laughing Boy," "Day of Reckoning," "The Hollywood Party," and the like; they will make greater profits in the end.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

**1440 BROADWAY
 New York, N. Y.**

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JUNE 16, 1934

No. 24

When Your Competitor Takes Product Away From You!

Heretofore a theatre circuit owner, by employing his buying power against a distributor as a club, was able to take first-run pictures away from you, even though you were able and willing to pay as much money as he, and even more than he. In some cases he bought the pictures for more runs than he needed, and you were not able to buy them for any run, no matter how much more than the pictures were worth you offered. The circuit operator would threaten not to buy that distributor's pictures for his circuit if he should sell you any product, and the distributor would surrender out of fear of loss of his business.

In many cases the distributors aided and abetted the circuit owner in his unlawful act, because they found it more convenient and least expensive to deal with one person owning many theatres than with many persons owning either one theatre or a small number of theatres each.

The Code has altered these conditions, for one of its provisions makes it a violation of the Code should one exhibitor threaten a distributor with reprisals in the form of loss of business if such distributor should sell his pictures to such exhibitors' competitor. Yet this condition still exists.

It is evident that not all exhibitors are acquainted with this provision of the Code; or else I would not be receiving daily letters from many exhibitors asking my advice what they should do. A clarification of this part of the Code should, therefore, set the matter straight for all exhibitors.

Section 1, Part 2, of Article VI (Page 253) of the Code stipulates that, if an exhibitor has complained to a Grievance Board that a competing exhibitor has:

- (a) Licensed more pictures than he reasonably requires;
- (b) Rearranged his policy so as to use more feature pictures per show than he used before, or to make more frequent changes of program per week;
- (c) Forced a distributor to refrain from selling pictures to his competing exhibitor as a condition for buying his pictures, threatening not to buy his pictures if he did otherwise; or
- (d) Committed any other similar act with the same intent; that is, to deprive his competitor of a sufficient number of desirable pictures to operate his theatre with, then the Grievance Board shall hear the issue and determine the complaint, sending for all the parties involved in the controversy to present their side; and the Grievance Board, if it should satisfy itself that the complaint of the exhibitor is justified, and that the exhibitor is able and willing to comply with the terms it will set down as a condition for making the award, (which conditions shall in no event be less favorable to the Distributor so that such distributor may not lose any revenue), shall grant whatever relief it may deem appropriate.

To get the meaning of this part of the Code clear in your mind, let me use a concrete illustration:

Suppose your competitor, circuit theatre owner, affiliated or not affiliated, threatened some distributors that if they should sell you films he will not buy their products for his theatres, such competitor has violated the Code and, under the terms of the NRA Act, makes himself subject to criminal prosecution, the punishment being, either a fine, or imprisonment, or both.

And not only does the Code forbid an exhibitor from threatening a distributor, as commented upon in the foregoing paragraph; it forbids him also from offering a gratuity (bribe) with the same purpose in view, or even from merely pleading with such distributor. Part 4, Division F, Article V (Page 249) covers this point; it reads as follows:

"No Exhibitor . . . shall give . . . a gratuity . . . to influence a Distributor . . . not to deal with any competing . . .

Exhibitors . . ." (I have deleted some of the words so as to make the meaning of the provision clear.)

In some cases the complaints I have received state that their competitors have, in some instances, bought even "runs" they cannot use, for the purpose of depriving them of product. The Code is so specific in this matter that the exhibitors should not wait, but enter an immediate complaint with their Grievance boards, demanding that their competitors be refrained from carrying on their unfair competing policies.

Part 3, of the same Division and Article, too, has some bearing upon this subject; it reads as follows:

"No Exhibitor . . . shall induce . . . or seek to induce the breach of any subsisting contract licensing the exhibition of motion pictures."

In reference to this last provision, let me use a definite example:

Mrs. Jessie Mae Browne, of Palmetto, Florida, bought from the Fox Film Corporation three pictures, "Sunny Side Up," "Cavalcade," and "State Fair"; they were the only pictures she could buy from Fox as against the Sparks theatre, her opposition house.

She played "Sunny Side Up," but she could not get any playdates for "Cavalcade," the information sent to her by the Atlanta Exchange being, "No print available."

Shortly afterwards "Cavalcade" was shown at the opposition house.

When Mrs. Browne complained to Harry Balance, the Fox District manager of that territory, she was told by him: "You have that picture in your town second-run."

The town consists of 3,000 inhabitants, and even though the contract reads "Second Run after Bradentown," who has ever heard of an exhibitor buying a picture second-run in a town of 3,000 inhabitants?

This case, and cases of this kind, do come, in my opinion, under the jurisdiction of the Grievance Boards and exhibitors who find themselves under similar circumstances as Mrs. Browne should not hesitate to enter a complaint with their local Grievance boards.

Since the Grievance Boards are barred by Section 3, Part 2, Article VI from making an award of damages, if an exhibitor should get a favorable decision from his Board, he can, in my opinion, complain to the U. S. District Attorney against both, exhibitor and distributor, for breach of the Code, and the District Attorney may bring criminal proceedings against them. The exhibitor may, at the same time, bring suit for damages against both distributor and exhibitor.

Go over this part of the Code with your attorney and get his opinion.

ONE MAJOR PRODUCER IN FAVOR OF CLEAN PICTURES UNQUALIFIEDLY

Mr. B. B. Kahane, in charge of production at the RKO studios in Hollywood, has written me as follows:

"I have much admired the uncompromising attitude you have taken in reviewing stories and product. You have the courage to express the convictions you feel, regardless of who is helped or hurt.

"I also take my hat off to you for the stand you have always taken for the elimination of indecency and immorality in picture product. You may not know it, but ever since I have been in Hollywood I have done everything I consistently can to elevate the moral standards of pictures. I have not only cooperated 100% with Mr. Breen . . ., of the Hays association here, but have . . . turned down the purchase of a number of properties which have passed the

(Continued on last page)

"Fog Over Frisco" with Bette Davis, Donald Woods and Margaret Lindsay

(First National, June 2; running time, 68 min.)

An exciting melodrama; it holds the audience in suspense throughout. The story is rather novel, and some of the situations are thrilling. The fact that Bette Davis, a young girl, is involved in a crime with a gang of crooks, just for the thrill of it, is demoralizing, but the spectator is given to understand that she is a pathological case. Margaret Lindsay, as Bette's sister, arouses sympathy by her efforts to help Bette. The closing scenes, in which Margaret is kidnapped and her life endangered, are thrilling and hold one in tense suspense. There is a pleasant romance between Margaret and Donald Woods; he too, wins sympathy by his exhibition of courage in attempting to rescue Margaret:—

Bette is engaged to Lyle Talbot, who works for her father's investment concern. Her purpose is only to use him in helping her get rid of stolen bonds of her gang. She is overjoyed when she receives a cablegram about the arrival of her father's manager from Honolulu. She sends the engagement ring back to Talbot, who eventually kills himself when his crooked activities are discovered. But the manager disappoints Bette by telling her he no longer loves her and asks her to give him back some incriminating letters he had written her; he was the leader of the gang. She refuses to give them to him and he goes home with her. He kills her and puts her body in the rumble seat of her automobile and then closes it. Irving Pichel, who had followed them and was a witness to the murder, is promised a share in the proceeds of the stolen bonds. The manager orders Pichel to kidnap Margaret; he lures her by writing her a letter signed with Bette's name asking her to bring the letters which Bette had entrusted to her. Donald Woods, a newspaper reporter, in love with Margaret, having found Bette's body, realizes that Margaret is in danger. He arrives too late, but he helps the police in locating her. When Bette's will is read they find out she had been married to the manager. The letters involve him and he is arrested. Margaret escapes and arrives home. She tells them how she had overheard the story of Bette's activities and how Bette had been murdered. Margaret and Donald are united.

The plot was adapted from a story by George Dyer. It was directed by William Dieterle. In the cast are Hugh Herbert, Arthur Byron, Robert Barrat, Henry O'Neill, Douglass Dumbrille, Alan Hale, and others.

Demoralizing to children and to adolescents; not suitable for Sundays.

Substitution Facts: This is replacing No. 778 listed on the worksheet as "Aline MacMahon, Allen Jenkins comedy." It is a star substitution. You don't have to take it.

"Murder On the Blackboard" with Edna May Oliver and James Gleason

(RKO, June 15; running time, 70½ min.)

Just a fair murder mystery melodrama. The action is somewhat slow, and if it were not for some of the comedy situations in which Edna May Oliver snoops around it would be very tiresome. In addition, the story is far-fetched and becomes a burlesque, because it shows the detectives as being completely stupid and all the unraveling of the mystery worked out by Edna May Oliver, an outsider. As is usually the case with themes of this kind, the audience is held in suspense because several persons are suspected; the usual eerie effects are employed, such as dark cellars, opening and shutting of doors and windows, and sudden screams. In this case the revelation of the identity of the murderer comes as a surprise—an unpleasant surprise, because of the love affair in which he had been involved.

The plot was adapted from a story by Stuart Palmer. It was directed by George Archainbaud. In the cast are Tully Marshall, Edgar Kennedy, Jackie Searle, Frederic Vogeding, and others.

Because of the murder theme it is unsuitable for children, adolescents, or Sundays.

"Channel Crossing" with Constance Cummings and Matheson Lang

(Gaumont-British; running time, 66 min.)

Just fair. The production and the acting are better than the story. The action takes place aboard a ship during the six hours of the channel crossing from England to France, and it has been done realistically, giving the spectator the feeling that it was photographed actually during the crossing. But it is very slow in getting started; it uses up too much footage to introduce the characters. The most excit-

ing situation is the one in which the rescue boat, during a dense fog, goes off in search of Anthony Bushell, who had fallen overboard. The fact that Matheson Lang, the financier, tried to kill Bushell in so brutal a way, makes one lose all sympathy for him. The love interest is fairly pleasant:—

Constance Cummings sails with her employer, Matheson Lang, and Anthony Bushell, her sweetheart, follows her aboard ship. He overhears Lang telling Constance that he is bankrupt and that, unless he puts through a merger, thousands of small investors will be ruined. Bushell, insanely jealous, bursts into the room and threatens to expose him. Constance pleads with him not to do so. In a quarrel that follows later, Lang pushes Bushell overboard, and since the fog is dense it takes the rescuers a long time to save him. With the help of Lang, who had regretted what he had done, Bushell is resuscitated. Lang, rather than face disgrace, kills himself. Constance and Bushell are united.

The plot was adapted from a story by Angus Macphail and W. P. Lipscomb. It was directed by Milton Rosmer. In the cast are Nigel Bruce, Dorothy Dickson, Edmund Gwenn, Douglas Jefferies, and others.

Because of the fact that Lang attempts to kill Bushell in so brutal a manner, exhibitors will have to use their own judgment about showing it to children or adolescents, or on Sundays.

"Let's Try Again" with Diana Wynyard and Clive Brook

(RKO, Rel. date not set; running time, 67 min.)

A poor marital drama. Sophisticated mature picturegoers may enjoy it, but the masses will be bored. For one thing, it is all talk and no action. The characters are unsympathetic—they do nothing to win the good will of the audience. The theme, too, is unpleasant and even depressing since it attempts to show that after ten years of married life couples no longer feel much love for each other. No one enjoys watching and listening to constant wrangling between husband and wife. And such a theme is not edifying for young folk, nor is it entertainment.

The story revolves around Diana Wynyard and her husband Clive Brook, a doctor, who had been married for ten years and who, although they respected each other, did not feel love for each other. They are both impatient and quarrel. Diana has an affair with a young man, Theodore Newton, her niece's fiance, but feels that this should not disrupt her marriage. But when Brook tells her he does not care she tells him she wants a divorce. In the meantime Brook, feeling he was free, has an affair with Helen Vinson, a patient who had fallen in love with him. Newton is forced to end his affair with Diana and marry the niece who is in "trouble." And Brook gives up Helen and becomes reconciled with Diana. They both promise that they will make every effort to recapture their old love.

The plot was adapted from the stage play "Sour Grapes" by Vincent Lawrence. It was directed by Worthington Miner. In the cast are Irene Hervey and Arthur Hoyt.

Unsuitable for children, adolescents, or Sundays.

"Call It Luck" with Herbert Mundin and Pat Paterson

(Fox, June 1; running time, 64 min.)

This program comedy, although far-fetched, should amuse the masses fairly well. It depends for its heartiest laugh on a situation similar to that in "David Harum" in which a certain tune urges a horse on to win a race. This time it is an old retired cavalry horse that responds to Herbert Mundin's playing. The gangster element is mixed in the story, and although it is done in a comedy vein, it has some demoralizing effect. Mundin gives a good performance and wins sympathy even though he appears as rather stupid in permitting himself to be hoodwinked out of his fortune. A gang of crooks, knowing that Mundin had won £25,000 on a sweepstakes ticket, meet him at the dock when he arrives from England with niece. They tell him they are the Mayor and the welcoming committee for the city and then take him to an apartment where they frame him in a faked murder, offering to cover it up if he would contribute \$100,000 as a bribe. He turns over his entire letter of credit to them.

The plot was adapted from a story by Dudley Nichols and George Marshall. It was directed by James Tinling. In the cast are Gordon Westcott, Theodore Von Eltz, Ernest Wood, Susan Fleming, and others.

Because of the gangster element it is unsuitable for children, adolescents or Sundays. (Coast review.)

"I Can't Escape" with Lila Lee and Onslow Stevens

(Beacon Productions; running time, 57 min.)

Good entertainment. The production end—sound, photography, and settings are all excellent, as are the direction and acting. There is human interest in the story and the characters arouse sympathy. The interest is held throughout and one is kept in suspense because of the efforts of Onslow Stevens, the hero, to fight down his prison record and live a decent life. One feels sympathy for him, particularly because he had been the innocent victim of a gang and had been framed and sent to prison. Lila Lee arouses sympathy by her faith in Stevens and by her willingness to stand by him and help him. The closing scenes are fairly exciting:—

Stevens and Lila meet at a night club. He confesses about his past and she tells him about her life, as a party girl. They confess that they want to live decent lives and so decide to live together and help each other to live honorably. After many disappointments Stevens procures a position as a bond salesman, not knowing that his employers planned to rob the company and place the blame on him. Russell Gleason, son of a man who had killed himself because he had been robbed in a fraudulent stock deal, procures Stevens' address from the parole board and calls to see Stevens. Not knowing Stevens, he tells him he is out to get him because of his father's death, for which he blames Stevens. Feeling sorry for the boy Lila and Stevens take him in to live with them, and Stevens gets him a position in his firm. Eventually Stevens proves his honesty by preventing his employers from escaping with money which he had procured from a customer for a trust fund. This puts him in good standing with the parole board and he and Lila are happy. Gleason begs for forgiveness for having doubted him.

The plot was adapted from a story by Jerry Sackheim and Nathan Asch. It was directed by Otto Brower. In the cast are Otis Harlan, Hooper Atchley, Kane Richmond, William Desmond, and others.

Not suitable for children, adolescents, or Sundays.

"No Ransom"

(Liberty Pictures; running time, 77 min.)

Just ordinary program fare. The first half is slow—there is too much talk about psychology, which will bore the masses. The story is trite and the characters, with the exception of the father, Robert McWade, are unsympathetic. It is also demoralizing in that a gangster is glorified. He is shown being engaged by McWade, who was tired of living because of the loose behavior of his wife, daughter and son, to kill McWade who was too cowardly to commit suicide. He grows so fond of McWade that he sets out to help him regain his love of life, and furthermore by making the family appreciate McWade. The gangster is even shown as being noble by giving up the daughter, Leila Hyams, who loved him, and making her believe that he was a rotter. In that way she transfers her affections to Phillips Holmes, a man of her own set.

The plot was adapted from a story by Albert DeMond. It was directed by Fred Newmeyer. In the cast are Hedda Hopper, Vince Barnett, and others.

Because of the gangster element it is unsuitable for children, adolescents, or Sundays.

"I Hate Women" with Wallace Ford and June Clyde

(Goldsmith Productions; running time, 71½ min.)

A fair programmer. It is a murder mystery melodrama with a newspaper background, and it holds the interest fairly well since June Clyde, the heroine, is involved in the murder and is innocent. The fact that the manner in which the mystery is solved is a little far-fetched does not matter much, since the audience is more interested in the clearing of the heroine's name. One is held in suspense when a rival newspaper reporter, Bradley Page, tries to trick Wallace Ford and get a scoop on the murder story. The love interest is pleasant, and comedy is aroused when Ford and his newspaper pal lead Page to wrong clues.

Ford loses his position on the newspaper when he permits a girl to cry him out of printing a certain story. For that reason he hates all women but finds himself involved in a murder affair with June Clyde, who had accidentally jumped into the taxicab in which he was riding. He takes her to his apartment, realizing that through her he could get the best scoop of the year and win back his position. But

he finds himself falling in love with her, and believes her story that she is innocent. He sets out to get the real murderer and finds her in the person of a dancer who had been intimate with June's husband, the murdered man. When June is cleared she and Ford marry, and he is gladly welcomed back to the paper because of the scoop.

The plot was adapted from a story by Mary E. McCarthy. It was directed by Aubrey H. Scott. In the cast are Barbara Rogers, Alexander Carr, Bobby Watson, Fuzzy Knight, and others.

Because of the murder theme it is unsuitable for children, adolescents or Sundays.

"Heart Song" with Lillian Harvey

(Fox, April 27; running time, 81 min.)

"Heart Song" was made by Fox in Europe, and, with the exception of Lillian Harvey, the cast is all foreign. It is fairly pleasant entertainment for audiences who enjoy the continental type of operetta—the music is charming, the romantic interest pleasant, and the comedy situations amusing. The locale is that of a mythical kingdom, and the settings are lavish, particularly those in the situations that occur in the palace. There is some suspense in the closing scenes where Charles Boyer, the hero, mistakes the Empress for his mysterious romantic visitor when he was ill. The usual complications set in because of this mistake:—

Charles Boyer, a Duke, while hunting, picks up a silk garter and rushes off in search of the owner, not knowing it is Lillian Harvey, hairdresser to the Empress. He meets with an accident, is temporarily blinded, and taken to the soldiers' barracks. Lillian sneaks in to reclaim her garter, which she had seen Boyer holding when he was carried in. While there Boyer is delirious; Lillian, thinking he was dying, sings to him, pretending that she is the sweetheart he had sent for. When he recovers he finds out it was not his old sweetheart at all, and his search leads him to the palace. Lillian is in love with him by this time and is worried when she realizes that he thinks the Empress was his mysterious visitor. Eventually Boyer, by tracing the song through her former sweetheart, a composer, finds out it is Lillian. Lillian and Boyer are united.

The plot was adapted from a story by Walter Reisch. It was directed by Friedrich Hollaender. In the cast are Mady Christians, Maurice Evans, and others.

Some exhibitors might find it unsuitable for children because of references to the Duke's past life; otherwise suitable, and also for Sundays.

"Dr. Monica" with Kay Francis, Jean Muir, and Warren William

(Warner Bros., June 23; running time, 52 min.)

Mediocre! The talents of the stars are wasted on a trite theme, which does not even have a pleasant ending. No reason is given for the actions of Warren William, for instance, for having an affair with Jean Muir when he is happily married to Kay Francis, and loves his wife. It is demoralizing, too, in that he is in no way made to suffer for his misdeeds, even though Jean dies in the end, to insure his happiness. Everything is done to spare his feelings both by Kay Francis, his wife, and Jean Muir, his mistress. One feels sympathy for Kay, who is shocked when she learns that her husband had had an affair with Jean. Jean, too, is sympathetic because of her helplessness:—

Kay Francis, a successful doctor, married to Warren William, an author, is unhappy because she cannot have a child. When Jean Muir, a friend, is in trouble, Kay, without realizing that her own husband is the man involved, takes Jean under her wing. The night of the delivery she learns that her husband is the man; nevertheless she takes care of Jean. Kay decides to divorce William because she thinks he ought to marry Jean, even though she knew he did not love the girl. Verree Teasdale, Kay's friend, goes to Jean and tells her about Kay's plans. Jean feels that Kay's happiness should not be ruined, and so she sends the baby to Kay's home with a letter telling her she was going away. She goes out in her aeroplane, with insufficient fuel, feeling that it was best for her to die. Kay finds out about Jean and tells William she had adopted the baby, without telling him who the parents are. Kay is happy, too, that she had not told William anything about her plans to divorce him.

The plot was adapted from a story by Marja Morozowicz Szczepkowska. It was directed by William Keighley. In the cast are Philip Reed, Emma Dunn, Herbert Bunston, Ann Shoemaker, Virginia Hammond, and others.

Unsuitable for children, adolescents, or Sundays. Pictures such as this should not be produced. (Coast review.)

production code but which I did not want our Company to produce.

"I do not believe that the treatment of sex questions and problems can be completely eliminated from the story plots in pictures . . . However, I believe that these subjects can be treated in good taste, that where adultery or crimes are shown they should not be justified or presented attractively, and that the sanctity of marriage and high moral standards should be upheld rather than broken down."

HARRISON'S REPORTS is happy to note that Mr. Kahane holds sane views as to morals in pictures. It is manifest that he has not allowed his ideas to become contaminated by the ideas and theories of other producers. And this cannot help reacting favorably, not only upon the box offices of the theatres, but also upon the receipts of RKO itself.

This paper will be glad to record the sentiments of other producers on this subject.

THE MAILING OF THE FORECASTER BEGINS THIS WEEK

By the time you will receive your copy of this issue, copies of the first Section of the FORECASTER either will have been mailed, or will be mailed in a day or so.

In view of the persistent war the churches are carrying on against demoralizing pictures, it is absolutely necessary for every exhibitor to know the sort of material a producer will put into pictures the coming season. Such knowledge will put him into a position where, if he cannot refrain from buying the pictures, he can at least bring pressure on the producer to abandon such material as appears too sexy, or at least force him into altering it with a view to removing the "dirt" from it.

My last week's comment on "Nymph Errant," announced for production by Fox, should prove to you how necessary it is for every one of you to know the sort of material the producers will put into pictures the coming season.

The first readings convey to me the impression that there will be very little improvement the coming season.

The churches are admonishing their congregations not to attend the motion picture theatres. In consequence, you are suffering from this war even though you have nothing to do with the production of the indecent pictures. By subscribing to the FORECASTER you will be in a position to seek the moral support of your local minister, priest or rabbi in trying to induce the producer to abandon the unclean material.

If you have not yet received a subscription blank so that you may know what the subscription rate is for you, ask for one. But do so at once so that you may benefit from the information of the early mailed forecasts.

UNITED ARTISTS AND THE TEN PER CENT CANCELLATION PROVISION IN THE CODE

By the time you receive your copy of this issue, the Code Authority will have determined whether or not the ruling of Division Administrator Sol A. Rosenblatt to the effect that the United Artists product comes under the ten per cent cancellation provision of the Code, will be upheld, for a case involving this matter has reached the Code Authority on an appeal.

You will know what the Code Authority's decision will be from this paper, if you will not have learned it from other sources. All I can say at this time is that it is inconceivable that the Code Authority will ignore Mr. Rosenblatt's ruling and decide contrary to it.

If you remember, this ruling was given to HARRISON'S REPORTS in answer to a question put to the Division Administrator by this office.

THE BONDHOLDERS ALWAYS PAY

On June 20 the former Fox Metropolitan Theatres, some of them owned by the Firsh & Rinzler circuit, some by Skouras Bros., will be sold by auction since they have been thrown into receivership.

It has been reported that Harry Warner has tried to convince the bondholders that these theatres will fare better under his management, and that they will, therefore, have a chance to take more of their money out of them than under any other management.

It is too bad that these bondholders are not familiar with the ways of the moving picture industry; if they were, they would have known that a man who, like the jockey who pulled his own horse, sold stock of his own company short, as he admitted to the Banking and Currency Committee of the Senate, cannot be expected to conduct these theatres

for their benefit. What Harry Warner really wants these theatres for is to enable him to force the Loew interests to pay to him as much for Warner and First National pictures as he is compelled to pay to the Loew interests for MGM pictures, which he is showing in the Warner Bros. theatres throughout the country.

What does Harry Warner care for the bondholders? He wants profits for his own company, because he owns a substantial block of stock.

Though Harry Warner wants these theatres, Nick Schenck has decided not to be caught napping; he knows that if Harry gets hold of these theatres he will exact from the Loew theatres bigger film rentals than he is exacting now, and feels that an investment of a few millions of dollars will be worth it. So he has sent word to Harry Warner that, if he bids for these theatres, he, too, will bid to buy them for the Loew interests.

Now, Harry Warner is very shrewd; he has figured out that, if Nick should put in a bid, the price of these theatres will be run so high that he will be forced to pay a bigger price than he originally intended to pay. So he is trying, as I have been informed, to come to an understanding with Nick.

Whether an understanding has or has not yet been effected, I am not in a position to say; all I can say is that an understanding of this kind will not be for the best interests either of the bondholders or of the independent theatre owners of this territory. The independent theatre owners do not want either the Warners to come into this territory, or the Loew circuit to become stronger, for in either event it means greater hardships for them—higher film rentals and more burdensome conditions.

The bondholders of Metropolitan Theatres should not be in sympathy with either Schenck or Warner; on the contrary, they should do everything to maintain the present management who, through their ability and hard work, made the reorganization possible.

WARNER BROS. "FINAGLING" AGAIN

Warner Bros. are delivering "Madame DuBarry" as No. 452 on the contract.

On the contract and Worksheet, production No. 452 is "Massacre," with Paul Muni; the plot was supposed to have been taken from the novel by Robert Gessner. It is, therefore, a star and story substitution, and none of those of you who have bought this company's product is under any obligation to accept "Madame DuBarry."

An additional reason why you should not accept "Madame DuBarry" is the fact that, according to my information from the Coast, it is an indecent picture. It is the life of a courtesan who, by using her beauty and charms, ruled Louis the XV and France. It lacks entertainment values, the only excuse for its having been produced being the fact that Harry and Jack Warner believed that the sex element in it would draw. But I venture to say that it will die at the box offices in the small towns, and it will do only fair business even in sophisticated New York and other big cities. Many of you who are in small towns would bring the wrath of the people of your community down upon you were you to show it.

Incidentally, allow me to call your attention to the fact that "Massacre," by the same author, was delivered as a Barthelme picture, No. 759. This fact is the best evidence that you can offer to the Grievance Board, in case Warner Bros. should force you to take your complaint there, to prove that the picture is a story substitution, in addition to its being a star substitution.

A FUND TO MAINTAIN ALIENISTS

It has come to light that Irving Thalberg, the producer for MGM, has proposed that a two million dollar defense fund be raised to offset the efforts of the Catholic church against indecent pictures.

In the opinion of this paper, a fund is necessary, but not to offset the efforts of the churches against indecent pictures; it should be collected to pay for alienists to examine the sanity of those who propose such a thing.

Irving Thalberg is angry, no doubt, because his picture "Riptide" was placed by many Catholic organizations on the "Non-recommended" list. Mr. Thalberg should not have taken offense at it; on the contrary he should be thankful for it, for he should have been ashamed to offer such a trite subject as his first "come-back" picture; he has been painted such a genius as a producer that he should have either written or have had written a story that would come up as near the reputation he has established as possible. Any hack-writer could have written the story of "Riptide."

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JUNE 23, 1934

No. 25

Substitutions, Tenth, and Indecent Pictures—No. 2

The cancellation provision of the Code is not working out satisfactorily for the independent exhibitors. Although the intention of the Code was to give the exhibitors an opportunity to cancel some of the pictures that offend the morals of the people of their communities, the producers are taking advantage of a technicality in the Code to deprive them of this right. For instance, the Code specifies that the exhibitor must give notice of his intention to cancel a picture within fourteen days of its release date in the "Exchange territory from which the Exhibitor is served."

The question now is, how is the exhibitor to know what the release date for his exchange territory is so that he might take advantage of his cancellation privilege?

An attempt to define the matter was made at a recent meeting of the Code Authority but the method determined is worse than if the national release date were to be the standard. For instance, the Code Authority determined that the distributor must post the release date in the exchange, and then notify the secretary of the Grievance Board. This secretary will then notify the trade papers which, being the official medium through which all Code Authority decisions are made known to the industry, will print the facts and the exhibitor must read the notice and then send in his cancellation.

The method is altogether unsatisfactory, chiefly because the exhibitor is not given reasonably sufficient time. By the time the exchange writes to the Grievance Board, and its secretary notifies the trade papers, at least three days elapse. If that week's issue of the trade paper happened to have been printed, a week must elapse before the next issue will be out. At least ten days will be lost from the day the trade paper editor receives the notice and the paper is in the mails—or at least twelve days from the day the exchange manager dictates the letter to the Board secretary.

Then it takes anywhere from a day to three or four days before the exhibitor receives his trade paper copy; since the trade papers are sent by second-class mail, the delivery of such mail is naturally slower than the delivery of first-class mail. How is the exhibitor going to receive the information within the fourteen-day limit when more than fourteen days are required for him to receive the information?

The fair and honest thing to do is for the distributors to notify the exhibitors of all release dates by letter at the time they mail the play-date availability notices. Unless this is done, the cancellation provision of the Code will be made a joke of for all exhibitors that live away from a distributing center.

Columbia

This company is still insisting upon considering an exhibitor who has not bought its westerns as not having bought the entire product within the meaning of the cancellation provision of the Code.

Columbia's position is untenable: In framing the cancellation provision, the Administrator intended to prevent those who have a selective contract from enjoying a further cancellation right. The contracts of the exhibitors who bought all the Columbia pictures except its westerns did not become selective; the exhibitor must be given the right to eliminate some of the indecent pictures Columbia makes, and denying him that right just because he did not buy the westerns, which he can under not circumstances use, is blocking the operation of the Code.

A ruling by the Administrator on this point is necessary.

The Tenth picture of the second group of ten for those who bought the westerns is "The Most Precious Thing in Life"; but for those who did not buy the westerns, it has not yet been determined; it will be released sometime in the latter part of July.

In the Second group of Ten there is a picture the nature of which you should know about at once; it is "Black Moon," set for release June 25. Subscribers to the 1933-34 Season's FORECASTER know that this is a horror picture, with the horror served with vengeance. It is something on the order of "White Zombie." If you cannot show pictures of this kind you may consider cancelling it; your right expires July 9 if we were to take the picture's national release date as a basis.

First National

First National is threatening to pull out the play-dates of "20 Million Sweethearts," "Dr. Monica," and "Circus Clown," as well as the bookings for all other pictures, unless the contract holders accept "Registered Nurse," "Merry Wives of Reno," "Merry Frinks," and "Fog Over Frisco," which they have rejected as being substitutions.

Let me make your rights clear on this question:

Part 3 (a), Division D, of Article V (Page 243) of the Code provides as follows:

"No Distributor shall substitute for any motion picture described in the contract therefor as that of a named star or stars, . . . or a named . . . well known author, book, or play, one of any other star or stars, . . . author, book or play, . . . ; and no Exhibitor shall be required to accept any such substitute motion pictures." (N.B. I have omitted the unnecessary words so as to make the meaning clear.)

As you see, the language of the Code is specific; it forbids the distributor from compelling the exhibitor to accept a picture with other than the star he originally contracted for, or another well known book, play or author. Consequently, the attempt of the Warner Bros. executives, or the executives of any other film company, for that matter, to compel you to accept pictures that violate the aforementioned provision by withholding pictures you are rightfully entitled to receive is a violation of the Code and entitles you to take either of the two following actions: hale the exchange before your local Grievance Board, or put in a complaint with the U. S. District Attorney of your district on the ground of violation of the N. I. R. A. Act.

It is necessary for you to know, however, that "Twenty Million Sweethearts" as No. 754, is a substitution, and First National is not obligated to deliver it to you if it does not want to do so. But if it should refuse to deliver it, you are entitled to a Barbara Stanwyck picture, "Dr. Monica" and "Circus Clown" are not substitutions; they are your pictures. But of the three pictures, "Twenty Million Sweethearts" is the only picture that is worth anything; as far as the other two are concerned, you should be glad if they did not deliver them to you.

For those who have not accepted the substitutions, the Tenth picture of the First group is "Side Streets." For those who accept them it is "Registered Nurse"; the Tenth for the second group, for either class, has not yet been set—in all probability it will be set the first part of August.

As stated before, the number of pictures you are entitled to cancel is not one out of each ten delivered but out of each ten contracted for. Accordingly, you are entitled to cancel three of this company's pictures, as stated in the issue of April 14, even though the number this company will deliver will be reduced considerably on account of your refusal to accept the substitutions.

Because of the fact that the season is getting pretty close to the end, it is necessary for you to cancel your quota pretty soon. You no doubt cancelled one in the First group of Ten and the Second group will not be completed until perhaps August. So you had better figure out now what pictures you should cancel.

(Continued on last page)

"The Thin Man" with William Powell and Myrna Loy

(MGM, May 25; running time, 90 min.)

Excellent adult entertainment. It is different from the usual type of murder mystery melodrama in that it has so much comedy that the audience is kept laughing almost throughout. And it holds one in suspense, for it is a good mystery yarn, cleverly handled, exciting, and with a logical ending. Added to all this is the pleasure of watching the grand companionship that exists between William Powell, the detective, and his wife, Myrna Loy, both of whom give fine performances. Myrna's curiosity and desire to watch Powell "detect" is what forces him into the case. Some of the comedy is brought about by "wisecracks" that are risqué, but it is done in such a manner that few will be offended. Some hearty laughs are provoked by the pranks of a dog owned by Powell and Myrna.

In the development of the plot Maureen O'Sullivan pleads with Powell to help her find her father, an inventor, who was missing for three months. Powell vows that he is through with detective work but he is actually forced into the case by a peculiar chain of circumstances. The inventor's secretary is found murdered. Evidence points to the inventor as her murderer, particularly since he was her lover, having been divorced from his wife. But Powell doubts that the inventor is the murderer, even after a gunman, who had valuable information, is killed. Powell, with his dog, goes to the inventor's shop. Through the insistence of his dog, he finds a body. Although it was unrecognizable, an ex-ray shows a shrapnel wound; this convinces Powell that the body was that of the inventor. But he does not tell this to any one. He orders the police to have all the suspects at his home at a dinner party, and through a series of questionings and accusations he uncovers the fact that the inventor's lawyer was the murderer. The lawyer, together with the unfaithful secretary, were robbing the inventor. When the inventor found this out the lawyer killed him, hid the body, and later killed the secretary because she knew too much. He then killed the gunman, because he had seen him murder the secretary. Maureen, although unhappy that her father was dead, is glad to have his name cleared. She marries and leaves her neurotic mother. Powell and Myrna go to California, glad that the case is over.

The plot was adapted from the novel by Dashiell Hammett. It was directed skillfully by W. S. Van Dyke. Others in the cast are Nat Pendleton, Minna Gombell, Porter Hall, Henry Wadsworth, Harold Huber, Natalie Moorhead and Caesar Romero. (Out-of-town review.)

Not for children, adolescents, or Sundays.

"The Circus Clown" with Joe E. Brown

(First National, June 30; running time, 64 min.)

Joe E. Brown fans, particularly the younger element, will probably find enough excitement and comedy in this picture to entertain them fairly well; for others it is just an ordinary program comedy, with some human interest. All the excitement is packed into the closing scenes. These scenes are the best thing in the picture because of the thrilling aerial act in which Brown is supposed to be one of the performers. He is a sympathetic character, being the target, as is usually the case, for everyone's practical jokes. Parts of it are quite silly, Brown's supposedly falling in love with a woman who in reality was a man posing as a woman because of the circus act, being one of them:—

Brown's father (played also by Brown) had been a circus performer in his youth and does not want Brown to enter the profession. But Brown dreams of joining a circus and when one comes to town he joins it as a porter. There he meets and falls in love with Patricia Ellis, an aerial performer, and his joy is complete when he is offered a contract as a performer. In order to save Patricia from finding out that her brother, a member of her aerial troupe, had been drinking, he pretends that he had been doing the drinking; to prove it, he drinks some of the liquor in her brother's bottle and actually becomes drunk. His contract is revoked and he is thrown out of the circus. Eventually he proves his innocence. He marries Patricia and his father is happy.

The plot was adapted from a story by Bert Kalmar and Harry Ruby. It was directed by Ray Enright. In the cast are Dorothy Burgess, Donald Dillaway, Gordon Westcott, Charles Wilson, Spencer Charters, and others.

Because of one situation in which it is intimated that a married woman was having an affair with another man, exhibitors will have to use their judgment about showing it to children, adolescents, or on Sundays. (Coast review.)

"Let's Talk It Over" with Chester Morris and Mae Clarke

(Universal, June 11; running time 68 min.)

Just moderately entertaining. The plot is quite familiar and although it offers no new angles, it holds the interest somewhat because of the sympathy one feels for Chester Morris—he is made the butt of all jokes. Little sympathy is felt for Mae Clarke, the heroine, who leads Morris on just to win a wager she had made with her fiance that she could make a polished man of Morris, a roughneck sailor. The plot however is so familiar, and the outcome so obvious, that spectators do not take great interest in the proceedings.

In the development of the plot Morris, a roughneck sailor, saves Mae Clarke from a pretended drowning. He presses his presence on her, going to her home uninvited. Mae wages her fiance that she could make somebody of Morris, but in the process of doing so Morris falls in love with her. He is extremely disappointed when he finds out about the bet. He drinks a little too much and dries up to the country where Mae was vacationing to tell her what he thought of her. He then leaves and crashes his car into a tree. This brings Mae to her senses and makes her realize that she loves Morris. They are united.

The plot was adapted from a story by Dore Schary and Lewis Foster. It was directed by Kurt Neumann. In the cast are Frank Craven, John Warburton, Irene Ware, Andy Devine, Russ Brown, and others.

There is some suggestive talk; otherwise suitable for children, adolescents and Sundays.

Substitution Facts: This is replacing a Summerville-Pitts Production; therefore, it is a star substitution.

"It's A Boy" with Edward Everett Horton

(Gaumont British; running time, 73 min.)

This is a typical British farce, the kind that will appeal only to a limited American audience because of the silly theme, and also because of the distinctly British atmosphere and accents of the performers. There are several funny situations but this is not enough to hold the interest throughout—it is all very hectic. Since it is a farce there is no human interest and the characters do nothing to arouse sympathy. The audience is held in fair suspense due to predicament Edward Everett Horton finds himself in when, on the day of his marriage, he is confronted by a young man who claimed to be his son, his mother having been a woman with whom Horton had had an affair many years previously.

In the development of the plot Horton starts out by being late for his wedding and then being confronted by the young blackmailer who follows him to the bride's house. The bride's father suspects Horton and refuses to permit the wedding to continue. The day is saved for Horton when the police identify the boy as a blackmailer, who employed the "son" gag with many others. It develops that the boy's real father is none other than the bride's father, and he hastily consents to the marriage of his daughter and Horton.

The plot was adapted from a story by Austin Melford. It was directed by Tim Whelan. In the cast are Leslie Hensen, Albert Burdon, Heather Thatcher, Alfred Drayton, Wendy Barrie, and others.

Unsuitable for children, adolescents, or Sundays.

"The Fighting Rookie" with Jack LaRue

(Mayfair Pictures; running time, 65 min.)

Just ordinary program fare. The story has been done many times and offers no new angles. It is a rehash of the old gangster theme, in which a policeman, this time played by Jack LaRue, is framed, only to trap the gangsters later. The closing scenes hold one only in fair suspense, since the outcome is quite obvious; it is where LaRue, with the help of his sweetheart, Ada Ince, traps the head of the gang.

In the development of the plot, the Chief of Police suggests to LaRue that the best way to trap the gang that had framed him is to make believe that he had been expelled from the force, so as to be enabled to join the gang. LaRue does this and tells Ada she must have faith in him since he cannot tell her what it is all about. She trusts him. He needs evidence to convict the head of the gang and one night gets it. The gang chief shows LaRue a book in which he kept a record of all his deals. LaRue rounds up the gang, calls the police, and turns over the evidence. He is decorated and reinstated on the force.

The plot was adapted from a story by Homer K. Gordon. It was directed by S. G. Bennet. In the cast are DeWitt Jennings, Matthew Betz, and others.

Not for children, adolescents, or Sundays.

"Wild Gold" with John Boles and Claire Trevor

(Fox, June 8; running time, 78 min.)

Dull and slow! It is a mixture of comedy and melodrama, but the story is so trite, and most of the characters so unsympathetic, that it is difficult for the spectator to remain interested in what is going on. The first half is boring, and the second half is unpleasant. The producers attempt to arouse laughs, for instance, by Harry Green's attempt to play poker and cheat. He keeps aces up his sleeve and loses because he cannot shake them to a position where he could take them out. They try to justify this by showing that the money was needed to bury a good friend of Green's. In an effort to become friendly with Claire Trevor, Boles, as the hero, makes himself so unpleasant that the audience becomes annoyed at his actions. Later he wins some sympathy. There is not one outstanding situation in the picture.

Claire Trevor is married to Monroe Owsley, a profligate. She supports him by singing in a cabaret in Reno. When he attempts to extort money from a wealthy woman the police warn both Owsley and Claire to leave town. She tells him she is through with him. She takes their automobile and drives towards California. On the road she meets John Boles and recognizes him as a man who had annoyed her at the cabaret. Her car breaks down and she accepts the kind invitation of Roger Imhof, a prospector, to lodge with him. Boles, too, is invited by Imhof to his hut when he loses his position as engineer. Boles presses his presence on Claire but she gives him the "air." He falls and is injured. She nurses him back to health and they fall in love with each other. She tells him she will marry him after she divorces Owsley. Owsley arrives at the town looking for her. He goes to Imhof's hut and steals some gold he finds there. In a fight with Imhof, who had caught him, Imhof is killed. Eventually the murder is traced to Owsley and Boles is so frantic that he seeks to kill him. A terrific storm causes the dam to give way and the town is flooded. Owsley drowns. Boles and Claire are united.

The plot was adapted from a story by Dudley Nichols and Lamar Trotti. It was directed by George Marshall. In the cast are Ruth Gillette, Edward Gargan, and others. (Coast review.)

Not for children, adolescents, or Sundays.

"The Great Flirtation" with Adolphe Menjou, Elissa Landi and David Manners

(Paramount, June 15; running time, 73 min.)

This will amuse sophisticated persons, but the masses will be bored. It is all talk, no action, and Elissa Landi, the heroine, is an extremely unsympathetic character—vain and selfish, thinking only of her career without any thought for Adolphe Menjou, her husband. It is only because of the sympathy one feels for Menjou that one takes some interest in the proceedings; but even he at times becomes annoying because of his egotism. For no good reason both Landi and Menjou, supposedly Europeans, are forced to assume foreign accents, which are tiring to listen to, presumably in order to impress the spectator with the fact that they are Europeans. The illusion could have been created without accents. In the closing scenes, the spectator feels pity for Menjou who sacrifices career and wife for her sake; one feels that she is not worthy of such a sacrifice.

The plot was adapted from a story by Gregory Ratoff. It was directed by Ralph Murphy. In the cast are Lynne Overman, Raymond Walburn, Adrian Rosley, Paul Porcasi.

Not for children, adolescents, or Sundays.

"The World In Revolt"

(Mentone Production; running time, 69½ min.)

In a compilation of newsreel shots, "The World In Revolt" shows the restlessness of the people of many countries—Russia, Austria, Cuba, Italy, India, Ireland, Germany, China and France. Many of the shots have already been seen in newsreels, but they have been cleverly put together here, making the compilation an interesting account of what is happening at present in different countries. For the most part it is taken up with the misery and suffering of the masses and their unhappiness in their present conditions. For that reason it is rather depressing.

Starting with Russia, the first shots shown are those of the Czar reviewing his troops and directing them during the war. Then scenes of the revolt of the army in which the people joined follow, and finally the great revolution. Pictures of famous men such as Lenin, Trotsky and Stalin are

shown as are scenes of activity in Russia. The commentator ends with a note of hope, tinted by uncertainty, as to how the great experiment will finally end.

The scenes in Austria are mostly military. The different factions—Nazis, Socialists, the Heimwehr, are constantly battling against one another, ending with the havoc caused by battle between Socialists and Chancellor Dollfuss' army.

The scenes in Cuba are of constant rioting between the different factions.

In Italy scenes of activity dominate. Under the commands of Mussolini, swamp land is reclaimed and liveable quarters are built on it. The people worship him, and seem happy to serve under his command. The boys are trained in military tactics.

India is a pitiful sight. Millions of emaciated persons are shown begging for a few pennies. They had been listening to the speeches of Gandhi but now the younger generation are waking up to present conditions and are demanding more drastic measures than those demanded by Gandhi.

Ireland is split by two factions: the one demands freedom, and the other believes in being united with England. Riots and bloodshed are not uncommon here.

Germany under Hitler's regime: Hatred is manifested in every form. There is shown the complete domination of Hitler over the people, his building up of an army and his desire to conquer the world.

In China more suffering, and in France a restlessness and disbelief in the present form of Government.

Emil Lengyel has edited the picture and Graham McNamee is the narrator.

Suitable for children, adolescents and Sundays.

"The Life of Vergie Winters" with Ann Harding and John Boles

(RKO, June 22, running time, 81½ min.)

A powerful emotional drama, which is excellent for adults. Although based on a theme similar to "Back Street," it is even more powerful, since it directs a deeper appeal to the sympathetic emotions, because a child too, is involved. The audience will be so aroused emotionally during some of the situations that they will be unable to suppress the tears. One of such situations is where Helen Vinson, Boles' wife, tells their daughter that she is not their child but had been adopted by them. The most pathetic situation, however is in the end, where mother and daughter meet and restrain themselves from falling upon each other's shoulders in tears. A scene of beauty is the one in which Ann Harding, the real mother, sitting at home while her daughter is being married, pictures the whole ceremony vividly. Her eventual anguish at the death of Boles will tear at the heartstrings. Although the theme deals with the sex question, it has been handled with so much restraint and good taste that it does not become offensive. One thing that might be objected to, is the presence in some comedy situations of a woman who runs a bawdy house, but even this woman is shown as having decent traits.

Ann Harding and John Boles, in love with each other, are separated through a trick of her father's. He marries Helen Vinson and upon his return to his home town from his honeymoon he goes to see Ann. They are both miserable when they check stories and find out that her father had received \$10,000 from Helen's father to prevent their marriage. Ann and Boles realize how great their love is and decide to live together. When it becomes a town scandal the righteous women refuse to patronize her hat shop and she is kept alive by the patronage of the "bad" women of the town, who are kind to her. When she realizes she is going to have a child, she leaves town. Boles adopts her child, telling his wife it is the child of a dear friend. Years roll by and Boles rises to political heights, but he always loves Ann. She watches the growth of her child but is ever restrained. The daughter now grown, is told by Helen Vinson maliciously that she is an adopted child. This makes her unhappy but it does not make any difference to Frank Albertson; he wants her and they marry. After the girl's marriage Boles tells Helen he is going to divorce her to marry Ann. She follows him to Ann's home and attempts to kill Ann, but Boles steps in front of Ann and he gets the bullet. Helen rushes away and Ann is held for the murder. She is sent to prison. A year later Helen Vinson, just before her death, confesses all. Ann is pardoned and goes to live with her daughter.

The plot was adapted from a story by Louis Bromfield. It was directed by Alfred Santell. In the cast are Betty Furness, Molly O'Day, Sarah Hadden, Dorothy Sebastian, Wesley Barry, Ben Alexander, and others.

Unsuitable for children, adolescents, or Sundays.

Fox

I have no suggestions to make at this time.

Metro-Goldwyn-Mayer

Like Warner-First National, MGM is refusing to accept a cancellation of "The Show Off," even though it is a star substitution. Read what I said in my comment on First National, in this issue; it applies also to MGM.

For those who have not accepted "The Show Off," the Tenth picture of the Second group is "Student Tour," set for release July 27, unless the schedule is changed before that time; for those who have accepted it, it is "Born to Be Kissed," set for release July 13.

This company is attempting to convince the exhibitors that they are wrong in considering "Laughing Boy" an indecent picture. Ask its executives to tell you why, if it is so good, they did not show it at the Capitol, in New York, which is their first-run house, or at the State, which is their second-run house that shows also vaudeville. A Novarro picture did not play even the State and then they have the nerve to tell you that your information about its being indecent is wrong!

Paramount

The Tenth picture of the Third group is "Here Comes the Groom," set for release June 22.

I can make no recommendations for the cancellation of a picture at this time. If you did not cancel one in this, the Third group, you may cancel two in the Fourth group.

You are entitled to cancel four altogether.

RKO (Radio) Pictures

As said in the editorial headed "A Correction," published in the June 9 issue, the RKO release schedule was rearranged by reason of the fact that the title "Son of Kong" had been inadvertently omitted from the RKO release schedule. The following are the facts:

RKO sold 51 pictures. Eleven of them were released prior to December 7, the day the Code went into effect. This left 40 pictures to deliver. On 40, you are entitled to cancel four.

The First picture released under the Code was "Son of Kong"; the Tenth, "Success at Any Price."

The Tenth picture of the Second group of Ten is "Murder on the Blackboard," released June 15.

Universal

I have no recommendations to make at this time.

Warner Bros.

Warner Bros. are making to many exhibitors the same kind of threats with the Warner Bros. pictures as they are with the First National pictures—to pull off all play-dated pictures unless the exhibitors play "Merry Wives of Reno," which is a star substitution.

What I said in the comment of the First National product holds good also of Warner Bros. Read it carefully.

For those who have accepted the substitution "Merry Wives of Reno" the Tenth picture of the Second group is "Friends of Mr. Sweeney," set for release July 28. For those who have not, it has not yet been set.

STALLING?

The Code Authority seems to be stalling. Although the determination whether United Artists comes or does not come under the influence of the cancellation provision of the Code is important, at the last meeting it did not take up the appeal brought before it by an exhibitor.

There is nothing "tough" about deciding this question; the underlying principle of the cancellation provision should determine that: it was adopted, not to offer the exhibitors financial relief or to cause the distributors any losses, but to enable the exhibitors to comply with the wishes of the picture-going public by getting rid of some of the "filth" for the production of which they are not responsible.

For instance, no exhibitor requested, or even intimated, to Darryl Zanuck to produce "Born to Be Bad." If exhibitors who, relying on the judgment of the producer that he will produce nothing objectionable, signed the contract for this picture, were to show it, they will do themselves irreparable harm; their customers, not knowing that they are compelled to buy most pictures blindly, will blame them for showing it. They want to get rid of it: the Code says they shall, but the Code Authority, or, to be exact, the majority, is stalling, afraid to "tackle" the problem, evidently out of fear lest it establish a precedent that will work against the interests of the majors.

The Government should take the whip in hand so as to protect the interests of the public.

NOT SEX THE CAUSE OF "VERGIE WINTERS" BOX OFFICE SUCCESS

I have a feeling that "Vergie Winters" will make a great success at the box office. The producers of sex pictures will, then, point it out to those who are fighting for clean pictures and say: "Didn't we tell you? The public will not patronize clean pictures; they want pictures with 'spice.'"

If this picture should make a success, it will make it, not because of the sex element in it, but because of the powerful appeal it directs to the emotions of tender pathos. It causes tears; and the tears will bring them in, sometimes twice or even more times. In the closing scenes, the young daughter, accompanied by her young husband, is shown going to jail to inform her mother that the Governor had pardoned her because the real murderess had confessed before her death, and to take her home. The mother expressed a thankful surprise that she should have taken so much interest in her, and excused herself so as to go to get her things. While the mother is absent, the daughter says to her husband: "She is still trying to protect me! She doesn't want me to know that she is my mother!" There will not be a dry eye in this scene. It is this powerful emotional appeal that will attract people to the box office, and not the sex.

PROTESTANT MINISTERS COOPERATING WITH CATHOLICS AGAINST INDECENT FILMS

A representative group of Lancaster, Pennsylvania, ministers and church leaders, presenting an open letter to the church members of that city, are seeking to intensify the crusade for the purification of motion pictures which has been launched by the Catholic Church.

The campaign is based on an appeal to parents to stay away from indecent films, or from films indecently advertised, and to keep their children away also.

The letter, which was published in both Lancaster papers, is too long for reproduction here, but you may take my word that it is a powerful indictment of the industry and unless the industry's leaders take decided action to keep filth from the screen, this movement, which has been started in Lancaster, will spread throughout the nation and the attendance to the picture theatres will vanish completely.

The letter, which carries at the bottom the pledge of the League of Decency, which every reader is urged to sign, cites the action different Catholic bishops have taken, the statement of the Apostolic Delegate made last October, discusses Bishop Cantwell's article in the Ecclesiastical Review and then says: "Before we can go on to state what the Roman Catholic Church has planned, and begun to do in this emergency, let us ask, 'Are the Bishop's statements justified? Does the moving picture situation warrant such charges—such charges in regard to the pictures' philosophy of marriage, for example?' And proceeds, to prove that Bishop Cantwell's charges are justified.

After discussing the great extent the Catholic movement has taken, the letter asks: "Will the Protestant Churches take similar action?" and pleads as follows:

"This activity on the part of the Roman Catholic Church merits similar action, we believe, on the part of the Protestant Churches of America—and of Lancaster. And we trust that our church people here will be moved to support this campaign, as we most earnestly urge them to do so, by staying away from all indecent films, and from all indecently advertised films, which is quite as important, and so to make a beginning here which perhaps may be followed by Protestant Churches and people in other cities near-by."

The Reverend Clifford G. Twombly informed me by letter that last Sunday the ministers were to read extracts from this letter in their sermons.

In Cleveland 50,000 Catholics from fourteen Northern Ohio counties raised their hands and in the presence of the Apostolic delegate took a pledge not to attend indecent and immoral pictures.

The Presbyterians of Philadelphia have endorsed Cardinal Dougherty's stand against such pictures.

Cardinal Mundelein has joined the bishops in the movement against debasing pictures.

On the face of such action on the part of representatives of millions of law-abiding American citizens, what are the major producers doing? Through their representatives on the Code Authority, which they control, they are doing everything they can to put obstacles on the way of exhibitors in their effort to cancel the debasing, demoralizing, low taste pictures the Hollywood sewers are pouring out.

It is now the Moving Pictures Producers vs. the American People. Who is going to win out in the end?

HARRISON'S REPORTS

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1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
Pennsylvania 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JUNE 30, 1934

No. 26

THE PRODUCERS DOING EVERYTHING TO NULLIFY THE CANCELLATION CLAUSE

Some distributors are refusing to accept cancellations from those exhibitors who did not buy the full number of their feature pictures on the ground that they did not buy "all of the (feature) motion pictures offered at one time by the Distributor," and I have been asked whether the position of such distributors is tenable.

To answer this question correctly, it is again necessary for us to hunt up the motive that prompted the Code Administrator to insert into the Code the 10% cancellation provision.

As said repeatedly in these columns, the Code Administrator included in the Code the cancellation provision to enable the exhibitors to cancel at least some of the indecent pictures against which there was a public outcry, and for the production of which the exhibitors were not responsible, and not to offer the exhibitors any financial relief.

When an exhibitor buys thirty feature pictures, for example, to be selected from the total number of a producer's output of, say, forty, such exhibitor has not bought "all the motion pictures offered at one time by the Distributor"; therefore, he has no right to make any other eliminations under the Code; but when he buys thirty definite pictures out of the total number, with no right to eliminate any, he has bought "all of the motion pictures offered at one time" and he has the right to eliminate ten per cent of them under the cancellation provision of the Code (Part 6) Division F, Article V). To deny such exhibitor the right to eliminate the indecent pictures the Code has given him is to defeat the purpose of the Code; and that means to deny the picture-going public the relief they are entitled to receive. In other words, unless an exhibitor has a "selective contract" he has the right to reject ten per cent of the indecent pictures the Code has given him the right to eliminate.

Let the distributors understand the cancellation clause well: the clause does not say that the exhibitor must buy *all* the feature pictures a producer-distributor will make in a season, but "all of the (feature) motion pictures offered at one time." Consequently, if the distributor allowed the exhibitor to buy only ten out of thirty, without any right to selection, the exhibitor has bought *all* the feature pictures offered him at one time, and he has the right to eliminate one.

But why should these exhibitors ask me whether they have the right to eliminate ten per cent of the indecent pictures from a contract signed under the term just mentioned when I proved to them that they have the right to eliminate all the indecent pictures a producer delivers to them? They should read carefully the detailed discussion of this question in the June 2 issue.

Let me again say that Part 1 of Article VII gives the right to an exhibitor to cancel all indecent pictures. In case the distributor should refuse to accept the cancellation of such pictures, the exhibitor should enter an immediate complaint with his local Grievance Board. If the Board should decide against him, he should appeal from the decision of such Board to the Code Authority at once, within five days, as required by the Code (Section 7, a, Part 2, Article VI). The appeal must be sent to Mr. John C. Flinn, Executive Secretary of the Code Authority for the Motion Picture Industry, at 1270 Sixth Avenue, New York, N. Y., either by person, by registered mail, or by telegraph. It is proper to file the appeal to the Code Authority also through the local Grievance Board, which will forward it to the Code Authority.

In case the Code Authority should uphold the Grievance Board, then there is only one thing left for the exhibitor to

do—complain to his local U. S. District Attorney and let him take the necessary action, under Part 1, Article 7, to relieve such exhibitor from the indecent pictures.

Another practice to which the producers are resorting to deprive the exhibitors of their cancellation rights is their demand that the exhibitor send in his cancellation notice fourteen days beginning with the third day of the first-run showing.

Evidently the producers are trying to rewrite the Code without the participation of the Government and of the minorities, for I fail to find any provision in the Code that gives the distributors the right to make such a ruling.

Since there is so much friction as well as misunderstanding about when an exhibitor should send in his cancellation notice, I suggest that you send it in even before the picture has been released in your territory, wording your letter to the distributor as follows:

"Accept this letter as a notice of cancellation of (for example) 'Side Streets.'

"You may consider this letter as sent within the time limit specified by Part 6, Division F, of Article V, of the Code.

"In case this notice is not sent in a way to satisfy you that I have complied with the letter and spirit of said clause in the Code, please let me know immediately when I may send such cancellation notice, and I shall send it as you require.

"I am enclosing sufficient stamps to enable you to send me a reply by registered mail."

Register your letter with "Return Receipt Requested," and preserve the receipt along with the copy of your letter to use as evidence with your Grievance Board in case the Distributor questions your right to resort to such a procedure.

It seems as if the producers will never learn. Today they are suffering from their short-sightedness: they did not want voluntarily to clean up the pictures and are now made to clean them up, whether they want to or not. This will cost them millions upon millions of dollars. If they had done it voluntarily they could have prevented the losses. The same thing is going to happen to them with the operation of the Code: because they have the power, they are putting all kinds of obstacles in the Code's way. Some of these days they will pay for it, just as they are paying for the production of unclean pictures. But it will be too late for regrets then.

THE VALUE OF THE FORECASTER

If there was ever any time when you had to know what kind of material the producers are offering you it is now. Because of the campaign against indecent pictures the churches are carrying on, the bottom of the exhibition business has dropped off.

And this is only a sample of what is going to happen in the future, for this war will not be ended until the producers give up the sort of material they have been using for several years.

What will be the use for you to buy pictures such as "Nymph Errant," "The State vs. Elinor Norton," "Casanova, the Great Lover," "Bordertown," "The Lost Lady" and others when they will be proscribed by the churches and the millions who have signed the League of Decency Pledge will keep away from your theatre on the days you show these pictures?

You may say to yourself that, since there is scarcity of product, you have no way out but to buy them and trust to luck. It is better than you do not buy them and shut down your theatre on such days as you are unable to show pictures that will have the approval of the people of your community, than to buy them and not be able to show them

(Continued on last page)

"Here Comes the Groom" with Jack Haley, Mary Boland and Patricia Ellis

(Paramount, June 22; running time, 66 min.)

A fairly good comedy; it is nonsensical and occasionally quite suggestive, particularly when Mary Boland refers to the romance of the young people. But because of several really funny situations it should amuse the masses. The comedy is brought about by Jack Haley's posing as a crooner, husband of Patricia Ellis, when in reality he is a piccolo player, who had been trying to be a crook to please his sweetheart, Isabel Jewel. One of the funniest situations is where Isabel, employed as a maid in Patricia's home, and angry at Haley for having married Patricia (not knowing he really was not married), turns on the radio to the station where the real crooner is singing. When Mary Boland, Patricia's aunt, rushes into the room gushing, Haley sits at the piano and he moves his lips as if he were singing and manipulates his fingers as if he were playing on the piano. The manner in which Haley is forced to pose as Patricia's husband is quite comical—he was running away from the police in just his b.v.d.'s, his suit having been stolen by crooks. Patricia, whose real husband had deserted her on their marriage night because he thought her father had lost his money, forces Haley to pose as her husband, threatening to turn him over to the police if he disobeyed.

In the development of the plot Haley finally explains the matter to Isabel. But they are in a real predicament because Isabel had stolen a pearl necklace from Mary and hid it in the radio. But Haley, in order to avoid being caught by the crooner singing again, had put the radio on a truck of a company that sold radios. Since Isabel now wanted to go straight, a wild chase follows in which the radio is found, and the jewels recovered and returned to Mary. Mary, in turn, having heard the whole story, thinks it is romantic since Patricia had married just to make Neil Hamilton, whom she loved, jealous; so she does not press charges against Haley or Isabel. Hamilton is happy when Patricia says she will get an annulment of her marriage.

The plot was adapted from a story by Richard Flournoy. It was directed by Edward Sedgwick. In the cast are Lawrence Gray, Sidney Toler, E. H. Calvert, and others.

Because of the suggestive situations and talk it is unsuitable for children, adolescents or Sundays.

"Madame DuBarry" with Dolores Del Rio and Reginald Owen

(Warner Bros., July 14; running time, 78 min.)

The extremely lavish production, settings, and costumes of "Madame DuBarry" puts it in the category of a class-audience picture. For the masses, it is only fair entertainment, dull in spots, and extremely suggestive in its sex implications in other spots. It may do well in down-town theatres, but in small towns it will die. There is some comedy, but not enough, and there is no human interest, since the characters are not of the type to arouse sympathy. Dolores Del Rio, too, is unsympathetic, for she is shown as being an impetuous and frivolous woman of the streets, who makes an imbecile of the King once she gets him under her control. One of the most suggestive situations is the wedding night of the King's grandson to a princess, when the King desires to acquaint his grandson with the facts of life.

The story revolves around the affair of Dolores Del Rio with the King. She had been a woman of the streets and Osgood Perkins, one of her admirers, in order to further his career at court, introduces her to the King. Charmed by her beauty and appeal, the King establishes her as his mistress and she rules over him completely. Dolores' worst enemies are Verree Teasdale and her brother Henry O'Neill; but Dolores soon puts them in their place by compromising O'Neill. When the King eventually dies from some disease, and his grandson becomes King, Dolores is imprisoned and ordered to be killed. She bravely goes to her death.

The plot was adapted from a story by Edward Chodorov. It was directed by William Dieterle. In the cast are Helen Lowell, Victor Jory, Ferdinand Gottschalk, Virginia Sale, Anita Louise, and others.

Unsuitable for children, adolescents, or Sundays.

Substitution Facts: This is replacing 452 listed on the contract as "Massacre," from the novel by Robert Gessner, with Paul Muni as star. It is a star and story substitution. You should not show it. You don't have to. (Coast Review.)

"Operator 13" with Marion Davies and Gary Cooper

(MGM, June 15; running time, 84 min.)

Pretty good mass entertainment. It is an espionage picture, and the background is that of the civil war days, with its elaborate costuming. Produced somewhat in the form of an operetta, the musical interludes are good, particularly the singing by the Four Mills Brothers, who are radio favorites. The romantic interest is appealing, and the attention is held throughout due to the fact that both Marion Davies and Gary Cooper are spies, though in opposite camps. The actions of the chief characters, being those of spies, is distasteful; Marion Davies accepts the hospitality of a Southern family, and then gives away war secrets causing the death of the young fiance of the daughter of the house. The fact that she is heartbroken at the outcome tends to make the audience sympathize with her. There are some comedy situations provoked by the disguise of Marion Davies as a colored girl, who acts the part with artistry hard to surpass. These scenes, however, will be resented by Southerners, because white men are shown flirting with Marion who, though she poses as a colored woman, in white. It was poor judgment to make Miss Davies impersonate a mulatto.

In the development of the plot, Marion, an entertainer, joins Katherine Alexander as her co-worker in spy work. Marion poses as a colored girl and overhears conversations around camp which she relays to other spies. When Katherine is caught Marion effects her release and they both escape North. Marion is ordered to go back South again, this time posing as the daughter of a Southerner. She meets Gary Cooper, a confederate soldier, and they fall in love. When Gary eventually finds out about Marion he is stunned. He pursues and just as he captures her the Union soldiers arrive; but Marion, loving him, helps him to escape. After the war they are united.

The plot was adapted from a story by Robert W. Chambers. It was directed by Richard Boleslavsky. In the cast are Douglas Dumbrille, Ted Healy, Russell Hardie, Willard Robertson, Fuzzy Knight, Sidney Toler, Jean Parker, and others.

Suitable for children, adolescents, and Sundays.

"Embarrassing Moments" with Chester Morris and Marian Nixon

(Universal, June 25; running time, 69 min.)

A fairly good comedy. It is rather slow in getting started, but picks up speed as it goes along. It has several novel twists and holds the interest throughout. There is little human interest since the character of the hero, impersonated by Chester Morris, is an unpleasant one. He is a practical joker who plays his jokes at the expense of other people. The actions of such people become tiresome. But the comedy is good, particularly one situation where Morris fights a duel with Henry Armetta, hot-blooded Mexican general. This sequence is a little long drawn out, but will provoke laughs. Another laugh-provoking situation, although cruel, is that in which Morris leads Walter Woolf to believe that he was broadcasting when he was just singing into the telephone.

The excitement starts when Morris, thinking he had been the cause of Woolf's "death," (Woolf had pretended that he had killed himself because of humiliation), and fearing least he be accused of murder, runs away without realizing that it was a practical joke, played on him by Woolf with the assistance of Marian Nixon, Morris' sweetheart, for the purpose of curing him of his practical joking. Morris becomes involved with a gang of crooks, without realizing who they were. Not until he is caught in a gambling house passing out counterfeit money without knowing what he was doing does he realize that he had been made the goat. They are all arrested, and sent back in a plane, handcuffed, to the United States Police. The leader of the gang forces the pilot at the point of a gun to drive away from the States. But Morris knocks out the pilot and knowing how to handle the plane takes them back to the States and to the police. He proves to the police his innocence and is happy to be back again with his sweetheart.

The plot was adapted from a story by William Anthony McGuire. It was directed by Edward Laemmle. In the cast are Huntley Gordon, Alan Mowbray (who gives a fine performance), John Wray, George E. Stone, Herman Bing, and others.

Because of the gangster theme, it is unsuitable for children, adolescents or Sundays.

Substitution Facts: This is replacing 7023 listed as a "2nd Edmund Lowe Production." It is a star substitution.

"Return of the Terror" with Mary Astor, Lyle Talbot and John Halliday

(*First Nat'l., July 7; running time, 66 min.*)

Exhibitors who cater to audiences that like murder melodramas will find that "Return of the Terror" will satisfy the most rabid followers of such pictures. It is exciting and eerie and holds the spectator in suspense throughout. Parts of it are somewhat unpleasant, such as watching the antics of mentally unbalanced people, and some of the situations will hold the spectator breathless. Comedy, too, is provoked by the efforts of Frank McHugh, a newspaper reporter, to solve the mystery. The closing scenes will hold one in tense suspense. The identity of the murderer does not come as a surprise, since he was one of the people suspected; yet it is logically worked out, and for this reason it holds one's attention.

In the development of the plot, Halliday, manager of a sanitarium owned by Mary Astor, is tried for murdering three patients. He is innocent but things look bad and following the advice of Lyle Talbot, one of the attending physicians, and his lawyer, Irving Pichel, he pleads insanity and is sent to an asylum. After six months he realizes that, since Pichel could not obtain a rehearing of his case, something must be wrong and so he escapes. He returns to the sanitarium on a stormy night and a series of murders follow. Everyone thinks that Halliday must be the murderer. It finally develops that Lyle Talbot, who had been connected with the crooked lawyer, had planned and committed all the murders, in an attempt to take the sanitarium away and use it for a hideout for criminals, his last murder being that of one of the doctors. Halliday is cleared and he and Mary Astor are happily united.

The plot was adapted from a story by Edgar Wallace. It was directed by Howard Bretherton. In the cast are Robert Barrat, George E. Stone, J. Carroll Naish, Frank Reicher, and others. (Coast review.)

Not suitable for children, adolescents, or Sundays.

"Of Human Bondage" with Leslie Howard, Bette Davis and Frances Dee

(*RKO, rel. date not set, running time, 82 min.*)

Poor! It is slow moving and tiresome. The intellectuals who are interested in character studies may find it to their liking mildly, but the masses will be painfully bored and disgusted. The first half is extremely depressing and offending for many reasons: First, Leslie Howard is shown having a clubfoot, which immediately gives the spectator a feeling of revulsion; secondly, Bette Davis is presented as such a vicious, bitter, irresponsible and immoral woman, that the spectator cannot sympathize either with her or with Howard in his unrequited love for her. One feels he is a jellyfish for loving a woman who is of so low a character, and who treats him so shabbily. One cannot feel any sympathy for Bette either, even though she gives a remarkably good performance. One feels some sympathy for Howard because of his sensitiveness about his deformity, but a picture cannot be built around so slight an advantage. The fact is that there is no human interest, since the characters do not reveal any decent traits. The most sympathetic character is Frances Dee, and she does not appear until more than half the picture is over. The comedy, which also comes in the late scenes, is a pleasant relief, for Howard is shown throughout moping and being unhappy:—

Howard, a medical student, meets and falls in love with Bette Davis, a common waitress. He fails in his examination because he cannot get her out of his mind. She uses him to supply her with luxuries but soon she leaves and goes off with a married man. Howard, to ease his pain, has an affair with Kay Johnson, a fine woman who loves him. Bette's lover soon tires of her and she comes back to Howard; he takes care of her and her baby when it is born and breaks off his affair with Kay. As if to repay him for his kindness, Bette runs off with another man and when again she is deserted she begs Howard to take care of her. He does so. By this time she realizes she ought to be pleasant to Howard and offers herself to him. He tells her she disgusts him! A change had taken place in Howard since he had met and fallen in love with Frances Dee, a fine girl. Bette is enraged and leaves him, first destroying all his belongings, including some bonds that would help him pay his way through school. He is forced to leave college and take a position, but before doing so he has an operation which cures his club foot. He hears from Bette again; she is very ill and he gives her money. Howard's uncle dies and leaves him some money. This enables him to go

back to college and graduate. A patient is brought to the hospital—it is Bette, emaciated from tuberculosis, and she soon dies. Howard feels like a free man now. He marries Frances.

The plot was adapted from the novel by Somerset Maugham. It was directed by John Cromwell. In the cast are Reginald Denny, Alan Hale, Reginald Owen, Reginald Sheffield and others.

Unsuitable for children, adolescents, or Sundays.

"She Learned About Sailors" with Lew Ayres and Alice Faye

(*Fox, June 29; running time, 77 min.*)

A pretty good comedy for the masses; it is comical without being vulgar. The slapstick antics of Mitchell and Durant will provoke hearty laughter, even though what they do is nonsensical. The romantic interest is pleasant and human interest is aroused when Alice and Ayres are separated and kept apart due to a misunderstanding. The closing scenes, in addition to being very funny because of the manner in which Mitchell and Durant bring about the reconciliation of the lovers, will hold the audience in fair suspense. There is some music which is woven into the plot and it does not retard the action:—

Lew Ayres, a sailor, on shore leave in Shanghai, meets and falls in love with Alice, a cabaret singer. She teaches him to respect her and when he leaves he promises to arrange for their meeting so that they might marry. Ayres has a conversation about marriage with his superior officer who tells him a sailor cannot afford a wife. Ayres writes a letter to Alice breaking their engagement, but Mitchell and Durant, his pals, feel it is a "dirty trick" to play on Alice. They write a different letter and she answers lovingly telling Ayres she would soon arrive in Honolulu where he was stationed. But the boys fear to show him the letter. He thinks Alice does not care and goes out with other girls. But when she arrives Mitchell and Durant take her to a cabaret where she sees Ayres dancing with another girl. When Ayres suddenly sees her she pretends she does not know who he is. But Mitchell and Durant finally fix matters by making both Alice and Ayres feel that the other was in trouble and only marriage could help. In this way everything is finally explained and the couple are married.

The plot was adapted from a story by Randall H. Faye. It was directed by George Marshall. Harry Green and others are in the cast. (Coast Review.)

Suitable for children, adolescents, and Sundays.

"Are We Civilized?" with William Farnum

(*Raspin Productions; running time, 70 min.*)

Although mention is never made of the name of the country, it is quite evident to the spectator that this is a preaching against the present form of government in Germany; therefore, it should be placed in the category of propaganda rather than that of entertainment. The producers have interpolated films of old historical pictures in order to bring out the fact that suppression and cruelty always existed but because of it the downfall of the oppressors was brought about; in some way this is all ineffective. Sympathy is felt for Farnum and his son because of their sufferings at the hands of the cruel officials, but this is not enough to raise this from just ordinary program fare. The love interest is pleasant but incidental.

The story revolves around William Farnum, a newspaper publisher, who visits his son, Leroy Mason, editing a paper in a foreign country. A new regime takes hold of the government and all the news that Mason attempts to send to his paper is suppressed. Farnum, at a public dinner, pleads for tolerance and for this he is ostracized. When the officials call at his home for his apology he pleads with them again for tolerance and relates, in a preaching manner, that cruelty never pays. One of the officials, father of Anita Louise, to whom Farnum's son is engaged, is just as unyielding as the others. Soldiers are sent to ransack Farnum's apartment and his library is dismantled. His books are taken to the public square and burned. When he rushes out to object to this procedure he is attacked by some ruffians and is injured. Brought back to the house dying the officials realize how ridiculous their actions had been and repent. Farnum dies in his son's arms.

The plot was adapted from a story by Harold Sherman. It was directed by Edwin Carewe. In the cast are Frank McGlynn, Oscar Apfel, Stuart Holmes, Alin Cavin, Conrad Siderman, and others.

Suitable for children, adolescents, and Sundays.

at all. It will be more profitable to you, for the people of your community will be in sympathy with you and will give you their whole-hearted support on the days you show good pictures. This is a question that must be faced bravely and frankly. The producers can no longer use politics to suppress the movement against indecent pictures.

Harrison's Forecaster is the only service that acquaints you with the sort of material the producers contemplate putting into the pictures they are offering to you for purchase. You should subscribe at once for your own protection, for when you satisfy yourself that the material of certain of the books, plays, or magazine stories is indecent, you may ask the moral support of the people of your community to induce the producers to abandon it by protesting to them. You may well realize what the effect upon the producer will be when the congregations of the churches, Protestant, Catholic, or Hebrew, send them millions of letters in protest.

The subscription rates are printed on the blanks that have been sent to all the subscribers. If you have not received yours, ask for another.

The Fox, Warner Bros., Universal, RKO and Monogram sections have already been mailed; the others will be mailed as they are printed.

PRODUCER PROMISES VS. PERFORMANCES

At the convention of the Fox sales forces, held at the Waldorf-Astoria last month, Sidney R. Kent, president of Fox Film Corporation, made a statement to the effect that he is for clean pictures.

On the same day, Kent announced to the trade the pictures that he is offering to the exhibitors for sale.

Among the pictures are "Nymph Errant," "The State vs. Elinor Norton," "Casanova" and others.

What sort of material "Nymph Errant" is was discussed in the June 9 issue, under the heading, "Fox Errant"; it is one of the filthiest books that have ever been chosen. It is, in fact, so filthy, that if the title "An International Prostitute" were used, it would fit the picture like a glove.

"The State vs. Elinor Norton" is another sex-ridden story, with a murder for good measure.

As far as "Casanova, The Great Lover," is concerned, it is so plain that this autobiography of one of the most notorious libertines in the world's history was selected for its sex values that there can be no argument. Casanova had had more than one hundred and sixty love affairs during his life, beginning at the age of twelve. Among his great accomplishments were the seduction of a twelve-year-old girl, of a nun, and of a convent girl.

Sidney Kent has told you that his pictures will be clean: I wonder what his "dirty" pictures will be like!

We now come to Harry Warner: Harry Warner, too, made a statement that he is against unclean pictures. Let us see how much his professions represent the facts:

Among the books, plays or magazine stories he has announced for production is "Bordertown," the novel by Carroll Graham; Paul Muni has been assigned for the leading part in it. How clean this book is you may judge for yourself by reading the following synopsis:

"Johnny Ramirez, a Mexican, naturalized in the United States, murders the owner and the foreman of a truck farm in Imperial Valley, California, because they refused to give him his pay for the day's work when he, tired of it all, wanted to quit. He then goes across the line to Calexico, and then to Mexicali, and becomes the most notorious gambler, dive keeper, opium smuggler, and eventually bootlegger, in that region. He also double-crosses his partner in the opium smuggling game.

"One of his dives, the 'swellest' joint in Mexicali, he named The Paris Bar, in honor of his mistress, a French woman, who hailed from Paris."

It is hardly necessary to go into details as to any more action; suffice it to say that Johnny gets killed when his automobile is wrecked while being pursued by the sheriff who had been tipped off that he is the man wanted for the murder of the two people.

How any rational human being could have ever conceived that material of this kind will make an interesting, or an appealing picture is impossible to understand; only a moving picture producer could have conceived such a notion.

This is only one of the materials offered by Harry Warner in the 1934-35 season.

Now Kent and Warner told you that they believe in clean pictures, and that they are going to deliver to you

clean pictures. They either know what is clean or unclean in picture material or they do not. If they do, they have misled you when they offer you material so putrid; if they do not, then why pay any attention to the statements of their film salesmen?

They may tell you that the stories will be cleansed before being put into final form. That does not improve matters much, because, to begin with, they do not tell the truth to the public; following this, they make the screen promote the reading of obscene literature. And that should not be the mission of the screen.

In view of the campaign of the churches, Protestant, Catholic, and Hebrew, what will become of your theatres when they produce these pictures and compel you, because of your contract, to show them?

UNITED ARTISTS TRYING TO REWRITE THE CODE

United Artists seems to be trying to rewrite the Code; in its contracts it has now incorporated the following provision:

"The Exhibitor is cognizant that the United Artists Corporation sells pictures individually and on merit and does not sell in block. Pursuant to this policy this contract is for one single feature motion picture and wherever in the body of the contract the words 'motion pictures' appear such words shall read 'motion picture' in the singular. Clause Fourth (c), Eighth (b) and Fifteenth (a), (b), (c), (e), (f), and (g) of the contract therefore have no application and are eliminated . . ."

"The Exhibitor is further cognizant that there is no provision in the Code for a National Appeal Board, nor has such a board been created. Therefore any reference thereto, particularly in Clause TWENTY-FIRST hereof, is of no effect until such board shall be created . . ."

The ruling of the Division Administrator is part of the Code if he should overrule the Code Authority in case this body tried to nullify it. The only way for United Artists to escape its application, then, is to bring a suit in the courts.

It is doubtful, however, if the Government would allow United Artists to nullify this ruling; if it did, what will prevent every distributor from selling his pictures on individual contracts? The Code then would be nothing but a scrap of paper.

FOR THE BENEFIT OF THE SHORT-SUBJECT PRODUCERS

The following letter is full of sense. It is too bad that the exhibitor who sent it to me does not want his name made known.

"It isn't often that I am bent to letter-writing. It keeps my nose so close to the grindstone that I don't care to take the time; but surely someone, sometime soon, should let the producers of two-reel comedies hear something on the question, even though when I see or hear the name 'two-reel comedies' I see Red.

"With the street cars gone and a lot of other antiques, it seems to me that the people who actually put up the cash for what is known as comedies, but which nearly in every instance are tragedies, would welcome some idea to enable them to get out of this rut.

"During the past season I looked at at least fifty two-reel comedies and with the exception of the 'Our Gang' and the Laurel and Hardy comedies I don't believe there was half a dozen laughs in the remainder.

"It seems to me that, with all the available material and the fine players each company has under contract, they would start something new.

"The first thing that would be necessary would be to have real writers on these, real directors, and with such people as Burns and Allen, Crosby, Ruggles, Una Merkel, Ginger Rogers, and many others; they thus could build attractions every exhibitor would want. What they must keep away from in these attractions is silly stuff such as Charlie Chase does, who combines silliness of material with the character of an effeminate person, making himself disgusting. Yet he has talent, particularly voice and musical education, which could be used to fine advantage. Let them give him a real script, impress him with the necessity of taking it seriously, and I am sure he would be an asset to any box office.

"Such attractions must be clean—no filth, no gangsters, no undressed women.

"Of course I realize how little attention the producers pay to us 'hams'; they go on year after year and produce their junk until the end comes, just as I have seen it come to the vaudeville and the stage."

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions	16.50
Canada	16.50
Mexico, Cuba, Spain.....	16.50
Great Britain	16.00
Australia, New Zealand, India	17.50
35c a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

PEnnsylvania 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JULY 7, 1934

No. 27

THE PRODUCERS ARE PANICKY AS A RESULT OF THE CHURCH WAR

The producers are in a panic as a result of the war of the churches against indecent pictures. At first they had not taken it seriously; most of them felt that the box offices would be helped rather than hurt, for they believed that the indecent pictures would be advertised and people would flock to the theatres that showed them. But when business in the theatres began to fall, they came face to face with a different situation.

Warner Bros. seemed the most unconcerned producer in this war. The proof of it is the fact that, even though Harry Warner gave out a statement to the effect that he was for clean pictures, never has he announced the production of so much unclean and demoralizing material. It is evident that he meant to defy the sentiment of millions of parents who demand that the screen be cleansed.

But now he is pleading for help, for since the day Cardinal Dougherty, of the Philadelphia diocese, joined the war against demoralizing pictures, the receipts of his theatres in Philadelphia have vanished. The sad part about it is the fact that this war is hurting not only the guilty but also the innocent: for the independent exhibitors, who have nothing whatever to do with the production of demoralizing pictures, and who would gladly be rid of them if they could, are suffering to an equal degree in proportion.

In order to bring about the offsetting, in a measure, of the losses the independent exhibitors are suffering as a result of this war, on June 14, I sent the following letter to some prominent Catholics who are in the front ranks of this war:

"Reliable information reaching me indicates that the campaign of the Catholic organizations against indecent pictures is having its effect upon the box-offices of the motion picture theatres. But the greatest sufferers from it are the small business men—the independent exhibitors, and not the producers of motion pictures.

"Because of the system that requires these exhibitors to buy pictures blindly, that is, before nine out of each ten of them are produced, and before the producers themselves know what the stories of half of these pictures will be; also of the system that requires them to buy in bulk (block-book) all the pictures one producer-distributor sells, they are compelled to show indecent pictures.

"They cannot show the good ones, and then pay for but not show the indecent ones, because this would bankrupt them. Besides, there are contractual obligations that frequently make it impossible for them to do so.

"For instance, a substantial portion of these pictures is sold on a percentage basis with a guarantee. The distributors who have sold them pictures on such a basis demand that they show them.

"Yet your campaign cannot make any distinction between those who are innocent and those who are responsible for the production of indecent pictures; when a picture is indecent, the harm that it does to those who see them, particularly to the adolescents, is just as great when it is shown in an 'Innocent' theatre as it is when it is shown in a 'guilty' theatre.

"In my opinion there is a way by which you are not required to relax your efforts against the objectionable type of pictures but at the same time minimize the losses of the independent exhibitors.

"Before going into the subject, however, allow me to make certain observations; these will, I believe, prove to you the absolute necessity for you to render some aid to the independent exhibitors.

"In my opinion, the cause of the 'disease' lies in the ownership of theatres by motion picture producers and distributors. Because these theatres are located mostly in the down-town sections of large cities, the population of which is cosmopolitan, the producers, who control them, make the pictures to suit the requirements of these theatres. And those who frequent such theatres do not offer the same objections to pictures that are founded on a sex theme as do those who frequent the theatres in the smaller cities, towns and villages.

"Those of the major producers who do not own theatres cannot make pictures unless they conform to the ideas of those of the major producers who do own theatres; they obtain their biggest revenue from the theatre owning producers, and must fit the types of their pictures to such requirements.

"Pictures are sold to the independent exhibitors, as said, on a percentage basis with a guarantee. This guarantee is most of the times so high that the independent exhibitor, in order that he may not fall under that guarantee and thus suffer losses, is compelled to put all his energies back of these pictures. The producers furnish him with all sorts of alluring advertising and exploitation aids.

"As long as the moving picture producers are able to earn large profits from their theatres, that long the production of salacious pictures will, in my opinion, continue.

"And here is where your organizations come in: If when you endorse a picture you should urge all your members to attend its performances when it is shown in neighborhood theatres—in theatres that are not owned by the moving picture producers, the independent theatre owners would be enabled to offset some of the losses sustained by them as a result of your campaign, and at the same time you would reduce the profits of the producer-controlled theatres, thus forcing them to give up producing indecent pictures.

"I submit these observations to you for your serious consideration."

Show this letter to your local minister, priest, or rabbi and ask his moral support to enable you to offset some of your losses. Impress him with the fact that as long as the producers own theatres that long the production of demoralizing pictures will continue.

HARRY WARNER'S ARROGANCE

According to *Motion Picture Daily* of June 29, Harry Warner, while passing through Albuquerque on his way to the Coast, issued a statement touching upon the war that the churches are carrying on against indecent pictures. Among other things he said:

"The present objections are coming from five per cent, which is a small but militant vocal minority.

"If this minority is sincere and broadminded and wants to cooperate with company heads, the problem can be solved, but if its motives are selfish and ulterior and designed to destroy the theatre because it competes with the church for the public's attention, then the crusade will fail."

Immediately after the convention of the Warner Bros. sales forces at Atlantic City last month, I received word that Harry Warner, speaking at one of the meetings, said that the competition given by the picture theatres to the churches is the motive back of the church war against moving pictures. I tried to verify it and being unable I dropped the matter. This statement of his now proves my information correct.

To many of you this statement may sound as coming

(Continued on last page)

"Side Streets" with Aline MacMahon and Paul Kelly

(First National, June 30; time, 63 min.)

Terrible! And coming at this time, it will do you much harm if you were to show it, for some of the things shown or implied are neither wholesome nor entertaining. For instance, Aline meets Paul and eventually marries him. Paul, although a rough sailor, seems at first to be a regular fellow. But although married he carries on an affair with another woman. The worst of it, however, is the fact that he establishes relationship with the niece of his own wife, living under their own roof. A man who is so faithless is bereft of decent traits and has no claim either on our sympathy or interest. The picture is too somber, and leaves one in an unhappy frame of mind. The unnecessary death of the heroine's baby is heart-rending:—

Paul, a sailor, out of a job and hungry, meets Aline in the park where she was feeding the monkeys bananas. When she finds out that he is hungry she invites him home; and when she realizes that he has no place to sleep she offers him a room in her own combination home and place of business; she conducted a store selling furs. Soon she proposes to him and they marry. Paul carries on an affair with another woman but when Aline tells him that she is about to become a mother he shows penitence, confesses to her, and is forgiven; he promises not to deviate from the straight and narrow path again. Their baby is born and they are happy. But the baby soon dies. This brings about a change in Paul's life and he establishes relations with Aline's niece, whom Aline had taken under her roof. While the two are planning to elope, the girl with whom Paul had had relations, brings her baby over to Aline, with whom she had become acquainted accidentally, and pleads with her to keep and rear her baby. Aline takes the baby; she knows that the baby is Paul's. Paul overhears the conversation and the joy of being a parent makes him change his mind about eloping with Aline's niece. Aline is happy when Paul broke with her niece and decided to remain with her.

The plot has been founded on a story by Ann Garrick and Ethel Hill; it was directed by Alfred E. Green. (Coast review.)

Unsuitable for the family circle or for Sunday showing. I am positive that the church organizations will "ban" it. Do not show it.

"Baby Take a Bow" with Shirley Temple, James Dunn and Claire Trevor

(Fox, June 22; running time, 74 min.)

Only fair. The first half starts off as good entertainment—it has human interest, comedy, and the engaging personality of Shirley Temple. But the second half runs wild, and closes with a melodramatic situation that will sicken most people—a gangster uses Shirley Temple as a shield in his efforts to escape from the police who were shooting at him; he climbs over rooftops with her, and most spectators will shudder at such a sight and at the screams of the frightened child. It is a pity that the producers put this charming child in gangster melodramas; she belongs in a more wholesome type of story. As it is she carries the burden of entertaining and covers up the mediocrity of the story. The action is fairly fast and aside from its unpleasantness the closing scenes hold the audience tense—one fears for the safety of the child and at the same time hopes for the vindication of James Dunn, who was being hounded by a crooked detective:—

When Dunn is released from prison he marries Clair Trevor and goes straight. Six years later finds them happy with their child, Shirley Temple, and Dunn holding a position as chauffeur in a wealthy family. A diamond necklace is stolen from his employer's home and Dunn knows it is Ralf Harolde, an ex-convict, who is the thief because he had tried to inveigle Dunn into joining him. It is disclosed that Dunn is an ex-convict and he is discharged. He is hounded by Alan Dinehart, a crooked detective working for the insurance company, who is desirous of pinning the charge on Dunn. Harolde, knowing that the police are after him, gives the necklace to Shirley telling her it is a gift from him for her birthday. She shows it to Dunn and he is so scared that he hides it. Harolde, who had returned the following day to take back the pearls, finds Shirley holding them and he grabs her taking her to the roof tops with him. The police follow and Shirley's life is endangered but eventually the police are able to shoot Harolde without injuring the child. Dunn is cleared and the police tell him he has nothing to worry about in the future.

The plot was adapted from a story by Philip Klein and E. E. Paramore. It was directed by Harry Lachman. In the cast are Ray Walker, Dorothy Libaire, and others.

Except for the stealing episode it is suitable for children, adolescents, and Sundays.

"I Give My Love" with Paul Lukas and Wynne Gibson

(Universal, June 25; running time, 68 min.)

Powerful! The picture presents another variation on the another love theme, and because of several powerfully emotional scenes the masses, particularly the women, will enjoy it. It is a little far-fetched in some of its situations but these are covered up by a coating of sentiment and in that way this defect will pass unnoticed by most spectators. The first half is unpleasant because of the disagreeable character of Wynne Gibson's husband, played by John Darrow; he is presented as an inhuman and cruel egoist. The situations that will bring tears to the eyes are those in which Wynne is forced to part from her child. One of such situations is where she goes to prison clutching in her hands a toy her child had played with; another such pathetic situation is where she leaves her child for the second time without his knowing who she is. The closing scenes in which mother and child are reunited are stirring, too. The musical accompaniment throughout is excellent:—

Wynne, an artist's model, is deserted by Darrow just when she realizes she is going to have a baby. Paul Lukas, an art instructor who had always loved her, takes her into his home where she lives with her child. The husband returns and attempts to destroy a valuable piece of sculpture. Wynne, in an attempt to stop him, kills him. She is sent to prison for life and begs Lukas to tell her child she is dead. She is paroled after ten years and Lukas takes her to his home. But her son, who does not know who she is, is antagonistic, and just before she is to be married to Lukas she leaves so as not to make the child unhappy. Ten years later finds her son, Eric Linden, an art student in Paris. She is a drunken flower woman and her face, with its expression of despair, fascinates Eric who begs her to pose for him. She does so, and finds out he is her son. Lukas finds her there one day and is overjoyed. There is a happy reconciliation and mother and son tearfully embrace.

The plot was adapted from a story by Vicky Baum; it was directed by Karl Freund. In the cast are Anita Louise, Dorothy Appleby, Tad Alexander, Sam Hardy, Kenneth Howell, and others.

Because of the suggestion that the husband is unfaithful it is unsuitable for children or adolescents; suitable for adults. As for Sunday showing, use your own judgment.

"Stolen Sweets" with Sally Blane and Charles Starrett

(Chesterfield, March 1; running time, 72 min.)

Fairly good entertainment. It holds the interest throughout, and offers some excellent comedy moments. Both the hero and the heroine arouse the sympathy of the audience because of the efforts of the heroine's father to separate them; he wanted his daughter to marry a wealthy man in keeping with her station in life. The comedy is the best part of the picture. One scene that should amuse most audiences is where the heroine invites the hero and his friends to a party. Knowing that they liked to act rather silly, she joins in the spirit of the fun and gives orders to the servants to act ridiculous; her plan works. The closing scenes are a little far-fetched, but because of the earnest acting of the cast it takes on a semblance of reality.

In the development of the plot the hero tells the heroine that since her parents object to him she is going to marry the man they have picked for her. She tries to leave home but when her mother weeps she gives in to their pleas. On the eve of her wedding the hero breaks into her room to plead with her to elope with him. She screams and her parents and fiance enter the room. The fiance, enraged, beats the hero and then the father has him arrested for breaking into their home. But this opens the heroine's eyes. She realizes that she loves the hero too much to give him up and so she marries him in jail. Eventually he is freed and they start off on their honeymoon, but this time with the blessing of her parents.

The plot was adapted from a story by Karl Brown. It was directed by Richard Thorpe. Others in the cast are Jameson Thomas, Claude King, Ethel Griffies, Phillip Smalley, Maude T. Gordon and Jane Keckley.

Suitable for children, adolescents and Sundays.

**"Kiss and Make-Up" with Cary Grant,
Genevieve Tobin and Edward
Everett Horton**

(Paramount, July 6; running time, 69½ min.)

This supposedly sophisticated comedy might amuse class audiences, but the masses will be bored. There is no human interest, and the characters are not of the type to arouse any sympathy. The first half is slow and the second half silly. It is supposedly a burlesque on the art of make-up, but it is not funny enough at any time to arouse hearty laughs. Not even the good acting on the part of the entire cast can save it from being just ordinary entertainment, frequently boring:—

Cary Grant runs a beauty establishment and along with catering to customers occasionally has affairs with some of them. His most beautiful creation is Genevieve Tobin, whom, from a plain woman, he had made into an entrancing looking person. Her husband, Edward Everett Horton, is fed up with her beauty cares and divorces her. Cary Grant marries her but he, too, is sadly disillusioned when he finds out how unromantic beauty care can be. His secretary, Helen Mack, who had been in love with him for a long time, is heartbroken. She becomes acquainted with Horton and decides to marry him. But Grant realizes he loves Helen and eventually everything is straightened out, making the way clear for a marriage between Grant and Helen.

The plot was adapted from a story by Stephen Berkeff. It was directed by Harlan Thompson. In the cast are Lucien Littlefield, Mona Maris, Katherine Williams, Lucille Lund, and others.

Not for children, adolescents, or Sundays.

**"Cockeyed Cavaliers" with Bert Wheeler
and Robert Woolsey**

(RKO, June 29; running time, 72 min.)

As is usually the case with Wheeler and Woolsey comedies, the story is extremely silly but there are enough laughs in this one to amuse the masses. Some of the comedy, however, is quite suggestive. It becomes rather a little slow when it is about half way through but the closing scenes make up for it; they are fast and funny and hold one in tense suspense since Wheeler and Woolsey capture a wild boar, without realizing that they were doing so, the boar having followed them around. Many of the laughs are provoked by kleptomania, Wheeler's weakness, which causes him to steal anything from a coach and horses to a purse. The setting is that of the old days in England with the lavish costuming of that period.

In the development of the plot Wheeler and Woolsey, in order to escape punishment because of Wheeler's weakness for stealing, run away from an inn where they had been drinking, dressed in the costumes of the King's doctors, both of whom were drunk, and continue on in the doctor's coach to the home of a Duke, their supposed patient. With them is Dorothy Lee, disguised as a young man, which disguise she had taken so as to escape from the Duke she was supposed to marry. But she is forced to tell Wheeler she is a girl and soon they are in love. Woolsey becomes too friendly with Thelma Todd, the Duke's niece, who is married to Noah Beery, but Beery is forced to restrain himself because he thinks Wheeler and Woolsey were sent by the King. Beery, however, soon finds out about the trick and Wheeler and Woolsey, in trying to escape from Beery, join him in a wild boar hunt for the capture of which the Duke offers a large sum of money. The boar follows Wheeler and Woolsey and without realizing it they bring him back in their coach. They win the money and with it Wheeler pays off the debt that Dorothy's father owed the Duke, leaving Dorothy free to marry Wheeler.

The plot was adapted from a story by Edward Kaufmann and Ben Holmes. It was directed by Mark Sandrich. In the cast are Robert Greig, Henry Sedley, Franklin Pangborn, and others.

Because of some suggestive remarks exhibitors will have to use their own judgment about showing it to children, adolescents, or on Sundays.

**"Midnight Alibi" with Richard Barthelmess
and Ann Dvorak**

(First National, July 14; running time, 57½ min.)

This gangster melodrama is wild and improbable and is only moderately entertaining. It has for its closing scenes a most illogical and far-fetched situation in which Barthelmess is freed from a charge of murder after an old woman of some social distinction testifies that he had been in her

home; this, in spite of the fact that many witnesses had testified that they had seen him at the scene of the murder. Because of the fact that Barthelmess is a gangster, one does not feel much sympathy for him when Robert Barrat attempts to break up the love affair between his sister, Ann Dvorak, and Barthelmess. As a matter of fact one feels that the brother is doing the right thing:—

On his way back from Europe, Barthelmess, a gambler, meets and falls in love with Ann Dvorak, one of the passengers. While visiting the night club of a rival gangster, he again meets Ann and learns she is his rival's sister. The brother's henchmen attempt to kill Barthelmess when he leaves and he climbs over a wall to a private garden for protection. He goes into the house and meets an old woman, who was known for her wealth and for the fact that she had not left her home for many years. They talk and she tells him about her girlhood romance and encourages Barthelmess to fight for Ann. He goes back to see the brother and the brother attempts to kill him. Barthelmess' pal shoots first and kills the brother. Barthelmess is arrested and things look bad for him until the old woman comes to his rescue. She tells the court he was with her, at her home. Barthelmess is freed and the lovers are united.

The plot was adapted from a story by Damon Runyon. It was directed by Alan Crosland. In the cast are Helen Chandler, Helen Lowell, Henry O'Neill, Robert McWade, and others.

Because of the gangster element it is unsuitable for children, adolescents and Sundays.

**"Black Moon" with Jack Holt, Fay Wray
and Dorothy Burgess**

(Columbia, June 25; running time, 68 min.)

Terrible! It deals with voodooism and its effects on a white woman who had been raised on an island near Haiti. The most unbelievable and at the same time horrible situation comes in the closing scenes where Dorothy Burgess, the white woman involved, is willing to sacrifice her own child for the blood sacrifice of the frenzied tribe. It does, however, hold the spectator in some suspense. Throughout the drums of the natives beat, and this, coupled with the slow action, becomes boring. The spectator feels some sympathy for Jack Holt, the husband, who is helpless to combat the fascination that voodooism had for his wife, and who is suffering on that account:—

The plot was adapted from a story by Clements Ripley. It was directed by Roy William Neill. In the cast are Cora Sue Collins, Arnold Korff, Clarence Muse, and others.

Although there is nothing immoral in the picture, it is not for children or most adolescents; it will frighten them. As for Sundays, use your own judgment.

**"Murder in the Private Car" with
Charles Ruggles and Una Merkel**

(MGM, June 29; running time, 62 min.)

This harks back to the old days of railroad melodramas. The most thrilling part is in the end; it shows a runaway car, loaded with explosives, racing down steep inclines, and just missing striking other cars by the quick work of the railroad men in switching it from track to track. This part is breath-taking. The rescue of the seven people from the car is thrilling, too. As for the story itself it is a muddled affair, with no logical beginning or ending, and leaves the spectator completely mystified as to what it is all about. There are no explanations, and aside from a few eerie moments in which lights are turned out and hands appear from sliding panels, it is quite silly. But because of the exciting closing scenes many spectators will probably forget that the whole story was a mass of nonsense.

In the development of the plot Mary Carlisle, a telephone operator, is found to be the daughter of a millionaire; she had been kidnapped when a child. She leaves with her friend, Una Merkel, on a private car to meet her father. Many exciting things happen on the trip and an attempt is made several times to kill Mary. Charles Ruggles, an amateur detective, who forced himself into the case, saves her on different occasions. She finally meets her father, the would-be-murderer is caught, and romance follows. Mary marries Russell Hardie, a young clerk who had worked in the same office she worked in, and Charles Ruggles and Una Merkel, having fallen in love with each other, marry.

The plot was adapted from a story by Edward E. Rose. It was directed by Harry Beaumont. In the cast are Porter Hall, Willard Robertson, Berton Churchill, and others.

Suitable for children (but not for sensitive ones), adolescents, and Sundays.

from a person who is not in his right senses. But that is Harry Warner—arrogant and defiant. Success seems to have gone to his head.

Success! But at what price? Let us see:

In another part of his statement Harry Warner implied that, since Warner Bros. went through the depression without bankruptcy or even receivership and even showed a profit, the pictures the Warners produced must have met with the approval of the public. But he failed to say that, in order for him to avoid bankruptcy or even receivership, he resorted to means that, in my opinion, are the lowest and most contemptible he could have employed, even though there was no law against them: he sold the stock of his own company short, thus profiting at the expense of thousands of stockholders. Being an officer of the company, he knew the state of its finances. So when he was selling short he possessed information the innocent investors did not possess, with the consequence that they were "trimmed." It was just as if Harry played poker while his opponent was seated with his back against a mirror. He admitted this about a year ago while testifying before the Banking and Currency Committee of the Senate.

"If the public wants clean entertainment," he said, "we can turn it out, but we can't do it at a loss." . . . And, "Conceptions of morality, what is clean and unclean, are mental and we can't make pictures to suit everybody's taste. Regardless of any measures we take to satisfy reformers, we will still be censured by some."

Comment on this is hardly necessary. It is the mirror of Harry Warner's heart and mind.

There are certain decencies in life to which people must comply, regardless of their philosophies of life. Harry Warner seems to have neither a philosophy nor any scruples. This ought to prove to the President that until block-booking and blind-selling are outlawed, the morality of the people of the United States, particularly of the youth, will be molded by persons without any conception whatever as to their moral obligations to the nation that has given them an opportunity to attain financial success.

At its June 28 meeting, the Code Authority upheld the Dallas Grievance Board on the Frels case. More will be said in a forthcoming issue.

VIOLATING THE SPIRIT OF THE TEN PER CENT CANCELLATION CLAUSE OF THE CODE

Those producer-distributors who have a provision in their contracts by which they reserve the right to interchange high and low allocation pictures at their discretion are resorting to what one might be tempted to call "sharp practice" in order to defeat the spirit of the cancellation provision of the Code: at the time they send out a play-date availability notice they do not specify whether the picture is of the high or of the low allocation, so that, when the exhibitor takes advantage of his Code cancellation privilege, and cancels a picture that by all indications is of the high-allocation, the distributor puts that picture in the low allocation and puts another picture in the high allocation. In this way the exhibitor is prevented from cancelling a high-allocation picture.

Since the high allocation pictures are sold on a minimum guarantee with a high percentage, the exhibitor loses, as a rule, considerable money, for such pictures do not, as a rule, take into the box office the amount of the guarantee and he is compelled to make up the difference out of his own pocket.

In view of the fact that this practice on the part of the distributors is an attempt to defeat the cancellation provision of the Code, it comes, I believe, under Section 4, Part 2, of Article VI, better known as the "Catch-All Clause." It reads as follows:

"All complaints and grievances of Exhibitors . . . concerning provisions of this Code *or otherwise* and not specifically designated to be heard or passed upon in the first instance by the Code Authority or by arbitration . . . shall be heard by the Local Grievance Board, and if such Local Board by a majority vote of the representatives thereon shall deem that any such complaint or grievance shall be certified to the Code Authority for determination, it shall be so certified, and the Code Authority shall consider and determine the same; otherwise such complaint or grievance shall be dismissed with a right of appeal from such dismissal to the Code Authority. . . ."

I have italicized the word "otherwise" so as to call your attention to the fact that a complaint or grievance can be heard by a Local Grievance Board even if it is not covered by the Code itself directly. The attempt of the producers to nullify the cancellation provision of the Code by the aforementioned method is not covered by the Code directly; but it is, in my opinion, one of those that are covered by the "Catch-All-Clause," and comes under the jurisdiction of the Grievance boards. If your local board should refuse to entertain it, you have the right to appeal to the Code Authority within the time limit prescribed by Sections 6 and 7 of Part 2, Article VI.

If you are one of those who have suffered by such an unethical practice on the part of some producer, you should take immediate steps to bring the matter before your Local Grievance Board, carrying it as far as the Code Authority if necessary.

PICTURES THAT HAVE EITHER BEEN RECOMMENDED OR NOT RECOMMENDED BY SOME CATHOLIC ORGANIZATIONS

The following lists of recommended or non-recommended pictures to date have been prepared for *The Michigan Catholic*, of Detroit, by a committee of the Detroit Council of Catholic Organizations; they are reprinted by permission of *The Michigan Catholic*:

RECOMMENDED

Operator 13, The Last Gentleman, Thirty Day Princess, Little Miss Marker.

Beyond Bengal, Bottoms Up, Cavalcade, Chance at Heaven, The Countess of Monte Cristo, The Crown of Thorns, City Limits.

The Double Door, David Harum, Devil Tiger, Harold Teen, Hi Nellie, Hell Bent for Love, The House of Rothschild, Horseplay, It Happened One Night, I Am Suzanne, Invisible Man, In Love with Life, Keep 'Em Rolling.

The Loudspeaker, The Man Trailer, Man of Two Worlds, Murder in Trinidad, Money Means Nothing, No Greater Glory, Once to Every Woman, The Showoff, Six of a Kind, Smoking Guns, Speed Wings, Stand Up and Cheer, Son of Kong, Twenty Million Sweethearts, Wild Cargo, You Can't Buy Everything, You're Telling Me.

FOR ADULTS

As the Earth Turns, Bulldog Drummond Strikes Back, Beggars in Ermine, Change of Heart, The Cat and the Fiddle, The Crime Doctor, The Crime of Helen Stanley, Death Takes a Holiday, Fugitive Lovers, The Hell Cat, The Line-Up, The Lost Patrol, Melody in Spring, Let's Fall in Love, Friday the 13th, The Ninth Guest, Orders Is Orders, One Is Guilty, Rhythm in the Air, Spitfire, Stingaree, Take the Stand, Three on a Honeymoon, This Side of Heaven, A Very Honorable Guy, The Witching Hour, The Woman in Command.

NOT RECOMMENDED

The Great Flirtation, Born to Be Bad, Dr. Monica, The Thin Man, Fog Over Frisco, Let's Try Again, Strictly Dynamite.

Affairs of a Gentleman, All Men Are Enemies, All of Me, Bride of Samoa, Blood Money, Cross Country Cruise, Design for Living, Dark Hazard, Eight Girls in a Boat, Ever Since Eve, Eskimo, Finishing School, Four Frightened People.

Glamour, Girl Without a Room, The Ghoul, George White's Scandals, Good Dame, Gambling Lady, Guilty Parents, He Was Her Man, House of Mystery, Hips, Hips Hooray, I've Got Your Number, I Was a Spy, Jimmy the Gent, The Key, Lazy River, The Love Captive, Laughing Boy, Love Birds, Looking for Trouble, Let's Be Ritzy, Little Man, What Now? Kiss and Make Up.

Manhattan Melodrama, Marriage on Approval, Mandalay, Many Happy Returns, Monte Carlo Nights, Murder at the Vanities, Men in White, The Merry Frinks, Merry Wives of Reno, The Most Precious Thing in Life, The Meanest Gal in Town, Nana, Now I'll Tell.

Palooka, Queen Christina, Registered Nurse, Riptide, Roman Scandals, Sadie McKee, Sisters Under the Skin, Springtime for Henry, Streets of Sorrow, Smarty, Such Women Are Dangerous, Sing and Like It, She Made Her Bed, Search for Beauty, Sleepers East, The Trumpet Blows, Twentieth Century, This Man Is Mine, Uncertain Lady, Vergie Winters, Wharf Angel, Wonder Bar, We're Not Dressing.

HARRISON'S REPORTS

Vol. XVI

NEW YORK, N. Y., SATURDAY, JULY 7, 1934

No. 27

(Semi-Annual Index—First Half of 1934)

<i>Title of Picture</i>	<i>Reviewed on Page</i>	
Affairs of a Gentleman—Universal (66 min.)	87	Half A Sinner—Universal (78 min.)
Affairs of Cellini, The—United Artists (80 min.)	74	Happy Family, The—First National (See "The Merry Frinks")
All Men Are Enemies—Fox (79 min.)	70	Harold Teen—Warner Bros. (65 min.)
All of Me—Paramount (70 min.)	23	Heart Song—Fox (81 min.)
Are We Civilized?—Raspin Prod. (70 min.)	103	Heat Lightning—Warner Bros. (62 min.)
As Husbands Go—Fox (80½ min.)	19	He Couldn't Take It—Monogram (67½ min.)
As The Earth Turns—Warner Bros. (73 min.)	42	Hell Bent for Love—Columbia (57 min.)
A Very Honorable Guy—First National (61 min.)	74	Hell Cat, The—Columbia (68 min.)
Bedside—First National (65 min.)	31	Here Comes the Groom—Paramount (66 min.)
Before Midnight—Columbia (61 min.)	7	He Was Her Man—Warner Bros. (69½ min.)
Beggars In Ermine—Monogram (70 min.)	39	Hi Nellie—Warner Bros. (75 min.)
Beloved—Universal (78 min.)	19	Hips Hips Hooray—RKO (66½ min.)
Beyond Bengal—Showmens Pictures (71 min.)	71	Hold That Girl—Fox (65 min.)
Big Shakedown, The—First National (60 min.)	18	Hollywood Party—MGM (68 min.)
Black Cat, The—Universal (65 min.)	83	House of Connelly—Fox (See "Carolina")
Bolero—Paramount (83 min.)	35	House of Mystery—Monogram (60½ min.)
Bombay Mail—Universal (67 min.)	6	House of Rothschild, The—United Artists (86 min.)
Born to Be Bad—United Artists (61 min.)	86	I Am Suzanne—Fox (100 min.)
Bottoms Up—Fox (85 min.)	51	I Believed in You—Fox (67 min.)
Bulldog Drummond Strikes Back—U. A. (80 min.)	86	I Can't Escape—Beacon Productions (57 min.)
Call It Luck—Fox (64 min.)	94	Identity Parade—Columbia (See "The Line Up")
Carolina—Fox (82 min.)	23	I Hate Women—Goldsmith Productions (71½ min.)
Cat and the Fiddle, The—MGM (87 min.)	34	I Like It That Way—Universal (66 min.)
Catherine the Great—United Artists (92 min.)	35	I'll Tell the World—Universal (75 min.)
Change of Heart—Fox (77 min.)	78	In Love with Life—Invincible Pict. (67 min.)
Channel Crossing—Gaumont British (66 min.)	94	It Happened One Night—Columbia (103 min.)
Cheaters—Liberty Pictures (65 min.)	27	It's A Boy—Gaumont British (73 min.)
Circus Clown, The—First National (64 min.)	98	I've Got Your Number—Warner Bros. (68 min.)
City Limits—Monogram (67 min.)	54	I Was A Spy—Fox (84 min.)
Come-Back, The—MGM (See "Women In His Life")	19	Jimmy The Gent—Warner Bros. (66½ min.)
Come On Marines—Paramount (64 min.)	51	Journal of a Crime—First National (64 min.)
Coming Out Party—Fox (77½ min.)	47	Keep 'Em Rolling—RKO (67½ min.)
Constant Nymph, The—Fox (92 min.)	50	Key, The—Warner Bros. (70½ min.)
Countess of Monte Cristo—Universal (79 min.)	46	Lady Killer—Warner Bros. (75 min.)
Crime Doctor, The—RKO (74 min.)	43	Lady of the Boulevards—United Artists (See "Nana")
Crime of Helen Stanley, The—Columbia (57 min.)	71	Laughing Boy—MGM (78½ min.)
Crosby Case, The—Universal (59 min.)	43	Lazy River—MGM (75 min.)
Cross Country Cruise—Universal (75 min.)	7	Let's Be Ritzy—Universal (71 min.)
Cupid in the Rough—RKO (See "Aggie Appleby")	170	Let's Fall In Love—Columbia (66½ min.)
Dancing Fool, The—Warner Bros. (See "Harold Teen")	42	Let's Talk It Over—Universal (68 min.)
Dark Hazard, The—First National (71½ min.)	26	Let's Try Again—RKO (67 min.)
David Harum—Fox (83 min.)	39	Life of Vergie Winters, The—RKO (81½ min.)
Death Takes A Holiday—Paramount (78 min.)	39	Line Up, The—Columbia (64 min.)
Devil Tiger—Fox (59½ min.)	26	Little Man, What Now?—Universal (97 min.)
Dinner At Eight—MGM (112 min.)	51	Little Miss Marker—Paramount (79 min.)
Double Door—Paramount (75 min.)	70	Lone Cowboy—Paramount (70 min.)
Dr. Monica—Warner Bros. (52 min.)	95	Long Lost Father—RKO (62 min.)
Easy to Love—Warner Bros. (60 min.)	11	Looking For Trouble—United Artists (77 min.)
Eight Girls In A Boat—Paramount (83 min.)	10	Lost Patrol, The—RKO (73 min.)
Embarrassing Moments—Universal (69 min.)	102	Loudspeaker, The—Monogram (67 min.)
Ever Since Eve—Fox (72 min.)	51	Love Birds—Universal (62 min.)
Everywoman's Man—MGM (See "Prizefighter and the Lady")	182	Love Captive, The—Universal (62½ min.)
Fashion Follies of 1934—First National (See "Fashions of 1934")	15	Madame DuBarry—Warner Bros. (78 min.)
Fashions of 1934—First National (77 min.)	15	Madame Spy—Universal (71 min.)
Fighting Rookie, The—Mayfair Pictures (65 min.)	98	Mala the Magnificent—MGM (See "Eskimo")
Finishing School—RKO (72 min.)	62	Mandalay—First National (64 min.)
Fog—Columbia (68 min.)	7	Manhattan Love Song—Monogram (70 min.)
Fog Over Frisco—First National (68 min.)	94	Manhattan Melodrama—MGM (92 min.)
Four Frightened People—Paramount (77 min.)	18	Man of Two Worlds—RKO (90 min.)
Fraternally Yours—MGM (See "Sons of the Desert")	6	Man Trailer—Columbia (59½ min.)
Friday the 13th—Gaumont Pictures (72½ min.)	87	Man's Castle—Columbia (73½ min.)
Frontier Marshal—Fox (66 min.)	26	Many Happy Returns—Paramount (66½ min.)
Fugitive Lovers—MGM (81 min.)	11	Massacre—First National (68½ min.)
Gallant Lady—United Artists (83 min.)	6	Meanest Gal In Town, The—RKO (61 min.)
Gambling Lady—Warner Bros. (66 min.)	38	Merry Frinks, The—First National (67½ min.)
George White's Scandals—Fox (77 min.)	47	Melody In Spring—Paramount (76 min.)
Ghost of John Holing, The—Monogram (See "Mystery Liner")	35	Men In White—MGM (73 min.)
Girl of My Dreams—Monogram (See "Sweetheart of Sigma Chi")	171	Merry Wives of Reno—Warner Bros. (64 min.)
Glamour—Universal (73½ min.)	55	Midnight—Universal (78 min.)
Going Hollywood—MGM (78 min.)	3	Millionaire For A Day—Universal (See "Let's Be Ritzy")
Good Dame—Paramount (72 min.)	30	Miss Fane's Baby Is Stolen—Paramount (67 min.)
Good Girl—Paramount (See "Good Dame")	30	Modern Hero, A—Warner Bros. (70 min.)
Great Flirtation, The—Paramount (73 min.)	99	Money Means Nothing—Monogram (63½ min.)
		Monte Carlo Nights—Monogram (61 min.)
		Most Precious Thing in Life—Columbia (68 min.)
		Moulin Rouge—United Artists (71 min.)
		Murder at the Vanities—Paramount (88½ min.)
		Murder In Trinidad—Fox (75 min.)

<i>Title of Picture</i>	<i>Reviewed on Page</i>
Murder on the Blackboard—RKO (70½ min.)	94
Myrt and Marge—Universal (64½ min.)	2
Mystery Liner—Monogram (62½ min.)	35
Mystery of Mr. X—MGM (80½ min.)	35
Mystery of the Dead Police—MGM (See "Mystery of Mr. X")	35
Nana—United Artists (88 min.)	22
Ninth Guest, The—Columbia (67 min.)	51
No Greater Glory—Columbia (76 min.)	46
No Greater Glory—Columbia (76 min.)	67
No More Women—Paramount (77 min.)	34
No Ransom—Liberty Pictures (77 min.)	95
Now I'll Tell—Fox (87 min.)	87
O! Human Bondage—RKO (82 min.)	103
Olsen's Big Moment—Fox (66 min.)	2
Once To Every Woman—Columbia (67½ min.)	18
One Is Guilty—Columbia (62 min.)	50
One of the Many—Monogram (See "He Couldn't Take It")	18
Operator 13—MGM (84 min.)	102
Orient Express—Fox (72 min.)	31
Palooka—United Artists (85 min.)	27
Party's Over, The—Columbia (68 min.)	83
Poor Rich, The—Universal (75½ min.)	38
Private Scandal—Paramount (63 min.)	90
Queen Christina—MGM (98 min.)	3
Quitter, The—Chesterfield (68 min.)	46
Registered Nurse—First National (62 min.)	54
Return of the Terror—First Nat'l (66 min.)	103
Rhythm In The Air—First National (See "Twenty Million Sweethearts")	63
Riptide—MGM (91 min.)	55
Romantic Age, The—Columbia (See "Sisters Under the Skin")	66
Sadie McKee—MGM (92 min.)	82
Sealed Lips—RKO (See "After Tonight")	178
Search For Beauty—Paramount (76½ min.)	27
Sensation Hunters—Monogram (73½ min.)	2
Shadows of Sing Sing—Columbia (63 min.)	10
She Learned About Sailors—Fox (77 min.)	103
She Made Her Bed—Paramount (70 min.)	47
Show-Off, The—MGM (77 min.)	47
Sing and Like It—RKO (71 min.)	63
Sisters Under the Skin—Columbia (72 min.)	66
Six of a Kind—Paramount (61 min.)	31
Sixteen Fathoms Deep—Monogram (60 min.)	14
Sleepers East—Fox (69 min.)	23
Smarty—Warner Bros. (64 min.)	87
Smoky—Fox (69 min.)	3
Social Register—Columbia (72 min.)	47
Song of Youth, The—Astor Pictures (75 min.)	19
Son of Kong, The—RKO (69 min.)	3
Sons of the Desert—MGM (66 min.)	6
Sorrell and Son—United Artists (85 min.)	71
Speed Wings—Columbia (59½ min.)	42
Spitfire—RKO (86 min.)	39
Springtime for Henry—Fox (73 min.)	91
Stand Up And Cheer—Fox (80 min.)	66
Stingaree—RKO (76 min.)	78
Strictly Dynamite—RKO (66 min.)	74
Success At Any Price—RKO (76½ min.)	46
Such Women Are Dangerous—Fox (81½ min.)	78
Take The Stand—Liberty Pict. (77 min.)	62
Tarzan and His Mate—MGM (105 min.)	67
Thin Man, The—MGM (90 min.)	98
Thirty Day Princess—Paramount (73 min.)	78
This Man Is Mine—RKO (75 min.)	43
This Side of Heaven—MGM (76 min.)	26
Three On A Honey-moon—Fox (65 min.)	50
Trumpet Brows, The—Paramount (68 min.)	63
Twentieth Century—Columbia (90 min.)	70
Twenty Million Sweethearts—First Nat'l (88½ min.)	63
Twin Husbands—Invincible Pict. (67 min.)	82
Two Alone—RKO (75 min.)	30
Uncertain Lady—Universal (64 min.)	75
Unknown Blonde—Majestic Pictures (69 min.)	54
Upper World—Warner Bros. (72 min.)	67
Viva Villa—MGM (111 min.)	66
Voice In The Night—Columbia (58 min.)	51
We're Not Dressing—Paramount (73½ min.)	67
Wharf Angel—Paramount (62 min.)	67
When New York Sleeps—Fox (See "Now I'll Tell")	87
When Sinners Meet—RKO (72 min.)	66
When Strangers Meet—Liberty Pict. (69 min.)	58

Whirlpool—Columbia (73 min.)	62
Wild Cargo—RKO (93 min.)	50
Wild Gold—Fox (78 min.)	99
Wine, Women and Song—Chadwick Prod. (70 min.)	10
Witching Hour, The—Paramount (64 min.)	71
Woman in Command, The—Gaumont British (70 min.)	90
Woman's Man, A—Monogram (69 min.)	51
Women In His Life—MGM (74 min.)	19
Wonder Bar—First National (84 min.)	38
World in Revolt, The—Mentone (69½ min.)	99
You Can't Buy Everything—MGM (83½ min.)	22
You're Telling Me—Paramount (65 min.)	58

RELEASE SCHEDULES FOR FEATURES

Chesterfield Features

(1540 Broadway, New York, N. Y.)

City Park—Sally Blane-Henry B. Walthall	May 1
Green Eyes—Charles Starrett-Shirley Grey	June 1

Columbia Features

(729 Seventh Ave., New York, N. Y.)

4215 Voice in the Night—Tim McCoy	Apr. 6
4021 Whirlpool—Jack Holt-Jean Arthur	Apr. 10
4024 Sisters Under the Skin—Landi-Morgan	Apr. 15
4034 Crime of Helen Stanley—Bellamy	Apr. 20
4005 No Greater Glory—Breakston	Apr. 20
4007 Twentieth Century—Barrymore-Lombard	May 11
4008 The Party's Over—Erwin-Sothorn	May 15
4216 Hell Bent for Love—Tim McCoy	May 20
4018 The Most Precious Thing in Life—Arthur-Cook-Cromwell (reset)	June 5
4031 Hell Cat—Sothorn-Armstrong	June 16
4217 Man's Game—Tim McCoy (58 min.)	June 16
4020 Black Moon—Holt-Wray	June 25
4012 Whom the Gods Destroy—Connolly	July 5
4022 Defense Rests—Jack Holt	July 15
4025 Blind Date—Ann Sothorn	July 20
4218 Beyond the Law—Tim McCoy	July 20
4032 What Price Scandal—Cromwell-Judge	July 25
4009 Lady Is Willing—Leslie Howard	July 30

First National Features

(321 W. 44th St., New York, N. Y.)

770 Return of the Terror—Astor-Talbot	July 7
779 Midnight Alibi—Barthelmess-Dvorak (59m)	July 14

Fox Features

(444 W. 56th St., New York, N. Y.)

440 Wild Gold—Boles-Trevor-Green	June 8
No release for	June 15
439 Baby Take A Bow—Dunn-Temple (reset)	June 22
443 Charlie Chan's Courage—Oland	June 29
448 She Learned About Sailors—Faye (reset)	July 6
450 Grand Canary—Baxter-Evans	July 13
451 She Was A Lady—Twelvetrees-Young	July 20
452 Handy Andy—Rogers-Wood (81 min.)	July 27
(In the last Index "Wanted" (No. 449) was given as the July 6 release. It has been withdrawn.)	

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

313 Sadie McKee—Crawford-Tone	May 11
(There may be more to come on the 1932-33 Season) (1933-34 season)	
413 Men in White—Gable-Loy-Hersholt	Apr. 6
424 Laughing Boy—Novarro-Velez	Apr. 13
438 Tarzan and His Mate—Weissmuller	Apr. 20
406 Manhattan Melodrama—Gable-Loy-Powell	May 4
No release set for	May 18
407 The Thin Man—Powell-Loy-O'Sullivan	May 25
436 The Hollywood Party—Durante	June 1
No release set for	June 8
410 Operator 13—Davies-Cooper-Healy (re)	June 15
No release set for	June 22
446 Murder in the Private Car (Rear Car)—Ruggles-Merkel (reset)	June 29
428x Stamboul Quest—Myrna Loy	July 6
417 Born to Be Kissed (100% Pure)—Harlow	July 13
429x Paris Interlude—Young-Kruger	July 20
411 Student Tour—Durante-Butterworth	July 27
No release set for	Aug. 8
403 Treasure Island—Beery-Cooper	Aug. 10

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

2027	Money Means Nothing—Shea-Ford.....	June 15
2014	Jane Eyre—Clive-Bruce	July 15
2034	Shock—Forbes-Gill	July 20
2029	Happy Landing—Farnum-Walker-Wells	July 30
2030	The Moonstone—Manners-Barry	Aug. 15

Paramount Features

(1501 Broadway, New York, N. Y.)

-3344	Double Door—Venable-Morris	May 4
-3348	Private Scandal—Brian-Pitts-Sparks	May 11
-3346	Thirty Day Princess—Sidney-Grant.....	May 18
-3342	Murder at the Vanities—Oakie-McLaglen..	May 25
-3347	Little Miss Marker—Menjou-Temple.....	June 1
-3349	Many Happy Returns—Burns-Allen-Marsh..	June 8
-3350	The Great Flirtation—Menjou-Landi.....	June 15
-3351	Here Comes the Groom—Haley-Boland.....	June 22
-3352	Shoot the Works—Oakie-Dell-Bernie.....	June 29
-3353	It Ain't No Sin—West-Pryor-Brown.....	June 29
-3354	Kiss and Make-Up—Grant-Tobin-Mack....	July 6
	The Old-Fashioned Way—W. C. Fields....	July 13
	Notorious Sophie Lang—Michael-Cavanagh..	July 20
	Elmer and Elise—Bancroft-Fuller.....	July 27
	You Belong to Me—Mack-L. Tracy.....	July 27

RKO Features

(1270 Sixth Ave., New York, N. Y.)

(Because of the fact that "Son of Kong" was omitted from the last Index, all pictures starting December 1 are listed again. This takes in listings beginning with the January 6, 1934 Index.)

4125	If I Were Free—Dunne-Brook.....	Dec. 1
4106	Son of Kong—Armstrong-Mack.....	Dec. 22
4104	Flying Down to Rio—Rogers-Raymond....	Dec. 29
4130	Meanest Gal in Town—Kelton-Pitts.....	Jan. 12
4116	Long Lost Father—Barrymore-Chandler....	Jan. 19
4122	Two Alone—Jean Parker-Tom Brown.....	Jan. 26
4111	Hips Hips Hooray—Wheeler-Woolsey....	Feb. 2
4114	Man of Two Worlds—Lederer-Landi.....	Feb. 9
4131	Lost Patrol—McLaglen-Ford-Denny.....	Feb. 16
4135	Keep 'Em Rolling—Huston-Dee.....	Mar. 2
4133	Success At Any Price—Fairbanks, Jr.....	Mar. 16
4136	Spitfire—Hepburn-Young-Bellamy	Mar. 30
4103	Wild Cargo—Frank Buck.....	Apr. 6
4118	This Man Is Mine (Lady Sal)—I. Dunne....	Apr. 13
4139	Sing and Like It—Pitts-Kelton.....	Apr. 20
4137	Crime Doctor—Kruger-Morley-Asther	Apr. 27
4134	Finishing School—Dee-Cabot-Rogers	May 4
4142	Strictly Dynamite—Durante-Velez	May 11
4149	Where Sinners Meet—Wynward-Brook....	May 18
4143	Stingaree—Dix-Dunne	May 25
4147	Murder on the Blackboard—Oliver.....	June 15
-4140	Life of Vergie Winters—Ann Harding.....	June 22
-4112	Cock-Eyed Cavaliers—Wheeler-Woolsey	June 29
-4144	Let's Try Again—Wynward-Brook.....	July 6
-4145	We're Rich Again—Edna May Oliver.....	July 13
-4141	Bachelor Bait—Denny-Burke-Nixon	July 20
-4105	Of Human Bondage—Howard-Davis-Dee....	July 27

United Artists Features

(729 Seventh Ave., New York, N. Y.)

Born to Be Bad—Young-Grant.....	May 18
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(End of 1933-34 Season)

Beginning of 1934-35 Season

Bulldog Drummond Strikes Back—Colman.....	July 20
Affairs of Cellini—March-Bennett-Morgan.....	Aug. 3

Universal Features

(1250 Sixth Ave., New York, N. Y.)

A7013	Uncertain Lady—Tobin-Horton	Apr. 23
A7035	Half a Sinner (Hillbillies)—McCrea.....	Apr. 30
A7010	The Black Cat (Man Who Reclaimed His Head)—Karloff-Lugosi	May 7
A7019	Affairs of a Gentleman (One Glamorous Night)—Lukas-Hyams	May 14
A7031	The Love Captive—Asther-Stuart.....	May 21
A7007	Little Man, What Now?—Sullivan(reset)	June 4
A7036	Let's Talk It Over (Funny Thing Called Love) (Summerville-Pitts Prod.) (re)	June 11
A7075	Smoking Guns—Ken Maynard (61½m)	June 11
A7004	I Give My Love—Gibson-Lukas (reset)	June 25
A7023	Embarrassing Moments (Edmund Prod.) —Morris-Nixon (reset)	July 9

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

470	Merry Wives of Reno (Barbara Stanwyck Produc- tion)—Lindsay-Farrell-Woods	May 12
477	Smarty—Blondell-William-Horton	May 19
462	The Key (Isle of Fury) (The Gentleman from San Francisco)—Powell-Best-Clive	June 9
465	He Was Her Man—Cagney-Blondell.....	June 16
459	Dr. Monica (When Tomorrow Comes) (Seven Wives)—Francis-Muir-William	June 23
476	Personality Kid—O'Brien-Farrell (68m).....	July 7
452	Madame DuBarry (Massacre)—Del Rio- Owen	July 14
464	Here Comes the Navy—Cagney-O'Brien.....	July 21
475	Friends of Mr. Sweeney (Country Club)— Ruggles-Dvorak (68 min.) (reset).....	July 28

SHORT SUBJECT RELEASE SCHEDULE

Astor—One Reel

Dr. Jekyll and Mr. Hyde—Shelton Lewis (10½m)	Mar. 8
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Astor—Two Reels

Death Fangs—Flash wonder dog (17 min.)	Jan. 10
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Astor—Three Reels

Pot Luck Pard—Bud 'N Ben (30 min.) (re)....	July 1
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Columbia—One Reel

4513	Masquerade Party—K. Kat (cart) (6½m) ..	May 11
4309	March of the Years No. 9—(10½m).....	May 15
4808	Harnessed Lightning—World of Sport (10½ min.)	May 17
4708	Snapshots No. 8—(9½ min.).....	May 18
4609	Scrappy's Dog Show—Scrappys cart (6½m) ..	May 18
4809	Cyclomania—World of Sport (9½ min.)....	May 30
4406	Hidden Evidence—Minute mystery (9½m) ..	May 30
4709	Snapshots No. 9—(9½ min.).....	June 8
4407	One Way Out—Minute mystery (7½ min.) ..	June 15
4906	Laughing with Medbury in Ethiopia (9m) ..	June 15
4610	Theme Song—Scrappys cartoon (6½m)	June 15
4810	Heigh-Ho The Fox—World of Sport (9m) ..	June 20
4710	Snapshots No. 10—(9½ min.).....	June 29
4611	Relay Race—Scrappys (cartoon).....	July 6

Columbia—Two Reels

4106—Mickey's Medicine Man—M. McGuire (19 min.)	May 18	
4124	Susie's Affairs—musical (18 min.).....	June 1
4111	Get Along Little Hubby—comedy (18½m) ..	June 15
4117	Plumbing for Gold—Sidney-Murray (18m) ..	June 29
4112	Punch Drunks—comedy	July 13
4118	Back to the Soil—Sidney-Murray—comedy ..	Aug. 10

Fox—One Reel

0519	The King's Daughter—Terrytoon (6m)....	May 4
3424	Land of Bengal—Magic Carpet (9½ min.) ..	May 11
0520	The Lion's Friend—Terrytoon (5½ min.) ..	May 18
1312	Chasing the Champions—Adv. News C. (10½ min.)	May 18
3422	Rock of Gibraltar—Magic Carpet (10½m) ..	May 25
0521	Pandora—Terrytoon	June 1
0806	Paradise of the Pacific—Rom. Journey....	June 1
1003	Spotted Wings—Battle for Life (reset) ..	June 8
3425	City of the Golden Gate—Magic Car. (9m) ..	June 8
0522	Slow But Sure—Terrytoon.....	June 15
1004	Nature's Gangster—Battle for Life.....	June 15
3426	In Old Guatemala—Magic Carpet (10½m) ..	June 22
0523	See the World—Terrytoon.....	June 29
0524	My Lady's Garden—Terrytoon.....	July 13
1005	Not Yet Titled—Battle for Life.....	July 13
0525	Irish Sweepstakes—Terrytoon	July 27

Fox—Two Reels

0213	A Good Scout—Howard comedy (18 min.) ..	Apr. 27
0110	Allez Oop—Keaton comedy (21½ min.)....	May 25
0214	Half Baked Relations—Andy Clyde (19½m)	June 1
0107	Love and Babies—Truex com. (reset).....	June 29
0108	Elopement—Musical comedy	June 29
0316	Educating Papa—Mirthquake (reset).....	July 6
0215	Not Yet Titled—Tom Howard comedy.....	July 13
0217	Not Yet Titled—Andy Clyde comedy.....	July 20
0109	Not Yet Titled—musical comedy.....	July 27

Metro-Goldwyn-Mayer—One Reel

- W-928 Reducing Creme—Whopper cart. (8 m.)... May 19
- T-908 Egypt—Kingdom of the Nile—(Travel) (10 min.) May 19
- M-950 Little Feller—Oddities (8 min.) May 26
- M-951 Attention, Suckers!—Oddities (10 m.)... June 9
- W-929 Rassin' Round—Whopper cart. (8 min.)... June 9
- T-909 Glimpses of Erin—Traveltalks (9 m.)... June 9
- A-965 Goofy Movies No. 5..... June 16
- M-952 Old Shep—Oddities (9 min.)..... June 23
- T-910 Cruising in the South Seas—Travel..... June 30
- T-911 Citadels of the Mediterranean—Trav..... July 7
- W-930 The Cave Man—Whopper (cart.) July 14
- T-912 Africa—Land of Contract—Traveltalks..... July 21

Metro-Goldwyn-Mayer—Two Reels

- C-836 Maid in Hollywood—Todd-K. com. (20 m.) May 19
- C-875 Benny from Panama—Music com. (19 m.)... May 26
- C-847 Movie Daze—All star comedy..... May 26
- R-875 What Price Jazz—Mus. revue (18 m.)... June 2
- C-875 Music in Your Hair—Mus. com. (17 m.)... June 2
- C-826 Honky-Donkey—Our Gang com. (17 m.)... June 2
- C-817 Another Wild Idea—Chase com. (19 m.)... June 16
- R-876 Gentlemen of Polish—Musical revue..... June 16
- C-804 Going Bye Bye—Laurel-Hardy comedy..... June 23
- C-837 I'll Be Singing You—Todd-Kelly (19 m.)... June 23
- C-818 It Happened One Day—C. Chase (19 m.)... July 7
- C-848 Speaking of Relations—All Star..... July 7
- C-838 Three Chumps Ahead—Todd-Kelly com... July 14

Paramount—One Reel

- E3-10 Shooin' Horses—Popeye cart. (6 m.)..... June 1
- Y3-11 Screen Souvenirs No. 11 (9 m.)..... June 1
- A3-12 Mr. W.'s Little Game—Headliner (10 m.)... June 8
- R3-12 Lucky Anglers—Sportlight (10 min.)... June 8
- T3-11 Betty Boop's Trial (Betty Boop Arrested)—Boop cartoon (6½ min.) June 15
- P3-12 Paramount Pictorial No. 12—(9½ m.)... June 15
- SC3-11 She Reminds Me of You—Screen song (6½ min.) June 22
- Z3-12 Hollywood on Parade No. 12—(9½ m.)... June 22
- E3-11 Strong to the Finish—Popeye (6½ m.)... June 29
- A3-13 Underneath the Broadway Moon—Headliner (10 min.) June 29
- Y3-12 Screen Souvenirs No. 12—(9 min.) June 29
- R3-13 Good Shape—Sportlight (10 min.)..... July 6
- T3-12 Betty Boop's Life Guard—Boop cart..... July 13
- P3-13 Paramount Pictorial No. 13—(9½ min.)... July 13
- SC3-12 Love Thy Neighbor—Screen song..... July 20
- Z3-13 Hollywood on Parade No. 13—(10 min.)... July 20
- E3-12 Shiver Me Timbers—Popeye cartoon July 27
- Y3-13 Screen Souvenirs No. 13..... July 27

Paramount—Two Reels

- QQ3-5 News Hounds—Palette-Catlett (19½ m.)... June 1
- QQ3-6 Making the Rounds—Palette (20½ m.)... July 6

RKO—One Reel

- 44209 Art for Art's Sake—King cart. (6 m.)..... May 11
- 44109 Mild Cargo—Fable No. 9 (7½ min.)..... May 18
- 44505 Pathe Review No. 5—(10½ min.)..... June 1
- 44210 The Cactus King—King cart. (7 min.)... June 8
- 44407 Damascus—Vagabond (9 min.)..... June 8
- 44110 Fiddlin' Fun—Fable (cartoon) June 15

RKO—Two Reels

- 43504 Cracked Shots—comedy (19½ min.)..... May 4
- 43405 Old Maid's Mistake—Catlett com. (20 m.)... May 11
- 43305 Wrong Direction—E. Kennedy c. (20½ m.)... May 18
- 43805 Behind the Screen—Chaplin com. (21 m.)... May 25
- 43505 Trailing Along—Stanton com. (21 m.)... June 1
- 43207 Love and Hisses—Clark-McCullough (17½ m.) June 8
- 43605 The Undie World—Brewster com. (21 m.)... June 15
- 43406 Well Cured Ham—Headliner (20 min.)... June 22
- 43306 In Laws Are Out—E. Kennedy (19 m.)... June 29
- 43806 The Adventurer—Chaplin comedy July 5
- 43704 The Derby Decade—Etting (21½ min.)... July 12

United Artists—One Reel

- 18 The Big Bad Wolf—S. Sym. (cart.) (9 m.)... Apr. 13
- 23 Gulliver Mickey—Mickey Mouse (8½ min.)... May 19
- 19 Wise Little Hen—S. Sym. (7½ min.)..... June 7
- 24 Mickey's Steam Roller—M. Mouse (6½ m.)... June 15

Universal—One Reel

- A7247 Strang As It Seems No. 38—(9 min.)... Apr. 23
- A7267 Goofytone News No. 7—(9½ min.)... Apr. 30
- A7212(7213) Goldilocks and the Three Bears—Oswald cart. (7½ min.) (reset) ... May 14
- A7248 Strange As It Seems No. 39—(10 min.)... May 21
- A7213(7212) Annie Moved Away—Oswald cart. (6½ min.) (reset)..... May 28
- A7214 The Wax Works—Oswald cart. (8½ m.)... June 25
- A7215 William Tell—Oswald cartoon July 9
- A7216 Chris Columbo, Jr.—Oswald cartoon..... July 23

Universal—Two Reels

- A7707 The Tragic Crash—Shadow No. 7 (19½ min.) June 4
- A7118 Beau Bashful—Corthell com. (20 m.)... June 6
- A7708 The Shadow of Death—Shadow #8 (19½ m.) June 11
- A7709 Blazing Buckheads—Shadow #9 (20½ m.)... June 18
- A7119 Pleasing Grandpa—Halloway c. (20 m.)... June 20
- A7710 The Iron Death—Shadow #10 (19½ m.)... June 25
- A7171 Soup for Nuts—Mentone #11 (20 min.)... June 27
- A7711 The Juggernaut—Shadow #11 (18½ m.)... July 2
- A7120 Financial Jitters—Doane com. (20½ m.)... July 4
- A7712 Retribution—Shadow #12 (20 min.)... July 9
- A7121 Picnic Perils—Halloway com. (20½ m.)... Aug. 8
- (End of 1933-34 season)
- Beginning of 1934-35 season
- A8401 Sentenced to Die—Red Rider #1 (20½ m.)... July 16
- A8402 A Leap for Life—Rider #2 (20½ min.)... July 23
- A8403 The Night Attack—Rider #3..... July 30

Vitaphone—One Reel

- 8009 Big City Fantasy—Melody Masters (9 m.)... Apr. 14
- 8106 Buddy's Garage—Looney Tunes (7 m.)... Apr. 14
- 8118 Beauty and the Beast—M. Melodies (7 m.)... Apr. 14
- 8315 Pure Feud—E. Bergen—P. Pot (10 m.)... Apr. 21
- 8119 Those Were Wonderful Days—M. Mel. (7m).... Apr. 28
- 8209 Slackers of the Jungle—Mus. jour. (10 m.)... Apr. 28
- 8107 Buddy's Trolley Troubles—L. Tunes (7 m.)... May 5
- 8318 Those Were the Days—P. Pot (10 m.)... May 5
- 8008 Isham Jones & Orch.—Mel. Mas. (10 m.)... May 12
- 8319 Radio Reel—Pepper Pot (10 min.)..... May 19
- 8120 Going to Heaven on a Mule—M. Mel. (7 m.)... May 19
- 8108 Buddy of the Apes—Looney Tunes (7 m.)... May 19
- 8210 East Indies—Mus. journey (10 min.)..... May 26
- 8317 Just Concentrate—Pepper Pot (9 min.)... June 2
- 8011 Tin Hat Harmony—Abe Lyman (10 min.)... June 9
- 8121 How Do I Know It's Sunday—M. Mel (7m.)... June 9
- 8322 Rambling Round Radio Row #2—(10 m.)... June 16
- 8211 Central America—Mus. journey (10 m.)... June 23
- 8109 Buddy's Bearcats—Looney Tunes (7 m.)... June 23
- 8122 Why Do I Dream Dreams—M. Mel. (7 m.)... June 30
- 8320 Penny a Peep—Pepper Pot (10 min.)..... June 30
- 8012 Jolly Good Fellow—Mel. Masters (10 m.)... July 7
- 8323 Dad Minds the Baby—P. Pot (9 min.)..... July 14
- 8212 Visit to South Seas—Mus. jour. (10 m.)... July 21
- 8324 At the Races—Pepper Pot (10 min.)..... July 21
- 8325 Stolen Money—Pepper Pot (10 min.)..... July 28
- 8013 Ben Pollack & Orch.—Mel. Mas. (10 m.)... Aug. 4
- 8326 Camera Speaks—Pepper Pot (9 min.)..... Aug. 11
- 8213 Dark Africa—Mus. journey (10 min.)..... Aug. 11

Vitaphone—Two Reels

- 7520 Story Conference—Lillian Roth (20 min.)... Apr. 7
- 7613 Very Close Veins (Mush)—B. Blue (20 m.)... Apr. 14
- 7521 Morocco Nights—Fuzzy Nights (18 m.)... Apr. 21
- 7614 Corn on the Cop—Harry Gribbon (20 m.)... Apr. 28
- 7522 Private Lessons—Hal LeRoy (22 min.)... May 5
- 7523 Out of the Past—3 reel special (30 m.)... May 12
- 7615 I Scream—Big V Comedy (20 min.)... May 19
- 7524 Murder In Your Eyes—Bway. Brev. (18 m.)... May 26
- 7617 Salted Seanuts—Big V Comedy (19 min.)... June 2
- 7526 Darling Enemy—Gertrude Niessen (20 m.)... June 9
- 7527 Who Is That Girl?—Bernice Claire (20 m.)... June 16
- 7618 Art Trouble—Big V Comedy (20 min.)... June 23
- 7528 King for a Day—Bill Robinson (19 m.)... June 30
- 7529 The Song of Fame—Bway. Brev. (19 m.)... July 7
- 7617 The Prize Sap—Big V Comedy (19 m. (re).... July 14
- 7530 The Winnah—Bway. Brevities (20 min.)... July 21
- 7525 Tech #6—Leon Errol—Bway. Brev. (21 m.)... July 28
- 7619 My Mummies Arms—B. V. comedy (19 m.)... July 28
- 7531 The Mysterious Kiss—Bway. Brev. (19 m.)... Aug. 4
- 7532 M. Mayfair—R. Ails—Bway. Brev. (20 m.)... Aug. 11
- 7620 Dare Devil O'Dare—B. V. comedy (19 m.)... Aug. 11

NEWSWEEKLY NEW YORK RELEASE DATES

Universal News

- 258 Saturday June 16
- 259 Wednesday .. June 20
- 260 Saturday June 23
- 261 Wednesday .. June 27
- 262 Saturday June 30
- 263 Wednesday .. July 4
- 264 Saturday July 7
- 265 Wednesday .. July 11
- 266 Saturday July 14
- 267 Wednesday .. July 18
- 268 Saturday July 21
- 269 Wednesday .. July 25
- 270 Saturday July 28

Fox Movietone

- 78 Saturday June 16
- 79 Wednesday .. June 20
- 80 Saturday June 23
- 81 Wednesday .. June 27
- 82 Saturday June 30
- 83 Wednesday .. July 4
- 84 Saturday July 7
- 85 Wednesday .. July 11
- 86 Saturday July 14
- 87 Wednesday .. July 18
- 88 Saturday July 21
- 89 Wednesday .. July 25
- 90 Saturday July 28

Paramount News

- 91 Saturday June 16
- 92 Wednesday .. June 20
- 93 Saturday June 23
- 94 Wednesday .. June 27
- 95 Saturday June 30
- 96 Wednesday .. July 4
- 97 Saturday July 7
- 98 Wednesday .. July 11
- 99 Saturday July 14
- 100 Wednesday .. July 18
- 101 Saturday July 21
- 102 Wednesday .. July 25
- 103 Saturday July 28
- (End of 1933-34 Season)

Pathe News

- 45193 Sat. (O.)... June 16
- 45294 Wed. (E.)... June 20
- 45195 Sat. (O.)... June 23
- 45296 Wed. (E.)... June 27
- 45197 Sat. (O.)... June 30
- 45298 Wed. (E.)... July 4
- 45199 Sat. (O.)... July 7
- 452100 Wed. (E.)... July 11
- 451101 Sat. (O.)... July 14
- 452102 Wed. (E.)... July 18
- 451103 Sat. (O.)... July 21
- 452104 Wed. (E.)... July 25
- (End of 1933-34 Season)

Metrotone News

- 271 Wednesday .. May 30
- 272 Saturday June 2
- 273 Wednesday .. June 6
- 274 Saturday June 9
- 275 Wednesday .. June 13
- 276 Saturday June 16
- 277 Wednesday .. June 20
- 278 Saturday June 23
- 279 Wednesday .. June 27
- 280 Saturday June 30
- 281 Wednesday .. July 4
- 282 Saturday July 7
- 283 Wednesday .. July 11
- 284 Saturday July 14
- 285 Wednesday .. July 18
- 286 Saturday July 21
- 287 Wednesday .. July 25
- 288 Saturday July 28

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions.	16.50
Canada	16.50
Mexico, Cuba, Spain.....	16.50
Great Britain	16.00
Australia, New Zealand,	
India	17.50
35c a Copy	

1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
PENNSYLVANIA 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JULY 14, 1934

No. 28

A NEW ONE—BY FOX

The following is part of a letter that I have received last week from an Ohio exhibitor:

"On Wednesday of this week a Mr. V——, of the Fox Film Corporation, not the regular salesman in this district, called at my office in the interest of his company asking if I was ready to dicker for the 1934-35 product. I advised him that I was not at the present time. He then informed me that he had called upon the owners of this theatre the previous morning and that he asked if they were willing to either sell or lease this theatre to the Fox people. He found out from them that if the money consideration was big enough to suit them they of course would consider a deal.

"Then when he came in to see me and I told him I was not ready at this time to talk new product he advised me that it would be absolutely necessary for me to sign a contract for the new service as it was impossible for him to recommend the purchase of this theatre unless the new service contracts were signed before said recommendation was sent to New York. I asked him what this had to do with it and his reply was that if Fox did buy this theatre they certainly would want to be sure that their new product would be played in this house.

"Then I made him this proposition: If he would insert in the contracts a clause reading: 'That in the event Fox does not buy this theatre then these contracts are null and void,' I would sign the contracts. This he refused to do, stating that the contracts must be made out without this clause.

"To try him out again, I agreed to give him a written agreement guaranteeing that I would hold sufficient playing time to take care of his entire product if Fox would buy the theatre. This also he refused.

"I then asked him what assurance we had that Fox would buy the theatre and he advised none except that they were getting out of receivership and were taking back something like 300 or 400 of their houses and that they now intend going into the smaller towns of 3000 and up, and they were considering about 1000 houses in such small towns. . . .

"Can't you easily see the gimic in this? It is nothing but a proposition to get the fellows in the small towns signed up for their service and then of course they will be advised that Fox cannot take, or had decided not to take, over the theatre but in the meantime they would have the contract in the bag.

"This is sure a new one on me in selling product."

I am sure that Sidney Kent is unaware that this sort of selling tactics are employed by this special salesman in question; but if he wants to know his name, I shall be glad to give it to him. In the meantime, I advise every small exhibitor upon whom these tactics are employed not to become frightened; Fox hasn't enough money to buy an abandoned California shack let alone one thousand theatres.

And isn't this a violation of Part 6, Division E, of Article V of the Code? It reads as follows:

"To prevent disturbance of the continual possession of a theatre by an Exhibitor, it shall be an unfair trade practice for any person engaged in the motion picture industry knowingly and intentionally, directly or indirectly, to interfere with pending negotiations between such Exhibitor and any other party pertaining to or affecting the possession, operation or occupancy of any such theatre then actually operated by such Exhibitor, or in respect of any modification, renewal, or extension of any agreement affecting the same, for the purpose of preventing the consummation of such negotiations so as to deprive such Exhibitor of the continued operation, possession, or occupancy of such theatre."

If a Fox or any other salesman has employed such tactics on you, you should enter a complaint with your Local Grievance Board at once.

THE ACTION OF THE CATHOLIC BISHOPS

The Committee of the Catholic Bishops on Motion Pictures, under the chairmanship of Archbishop John T. McNicholas, held its meeting in Cincinnati on June 21 to consider further measures against indecent pictures.

Messrs. Joseph Breen, who represents Mr. Will H. Hays on the Coast, and Martin Quigley, Publisher of *Motion Picture Herald* and *Motion Picture Daily*, went to Cincinnati to speak for the motion picture industry.

Because of their fine standing in the Catholic Church, the Bishops listened attentively to the proposals they carried on behalf of the motion picture industry. These proposals were to the effect that the powers of Mr. Breen would be enlarged so that he might be able to ban all the objectionable material the producers might contemplate putting into pictures.

The Bishops indicated that the proposals were acceptable to them, but stated that, in view of the fact that the moving picture producers broke their promises so often, the war against indecent pictures will continue.

It is now up to the industry to keep faith with the church people.

I say "with the church people" because, though the war against indecent pictures was started by the Catholic Church, it is receiving the whole-hearted support of all faiths and denominations; in fact, of all the decent element in the United States.

In the opinion of HARRISON'S REPORTS, the movement against indecent pictures is the most constructive that has ever been undertaken; what the churches are trying to do is to force the producers to make cleaner pictures to bring them more profits, for every one of you knows of the millions of decent men and women the filthy pictures the producers made in the last four years have driven away from the picture theatres. The picture theatre was, in fact, threatened with the fate of the stage—extinction.

MORE 'FINAGLING' BY WARNER BROS.

The Warner Bros. executives, in order to nullify the cancellation provision of the Code, are selling one of the 1934-35 season's pictures on the basis of 50% of the gross receipts. They know that few exhibitors will buy a picture on so high percentage terms; but they have set such terms with the hope that the exhibitors will reject that one picture, for by so doing the Warner Bros. executives think these exhibitors will lose the right to cancel ten per cent of their pictures, since the Code specifies that the exhibitor has the right to cancel ten per cent of the feature pictures only if he has contracted for "all of the motion pictures offered at one time by the Distributor."

The attempt of the Warner Bros. executives to circumvent the cancellation provision of the Code in this manner smacks of trickery and I am confident that the Code Administrator will not stand for it. The cancellation provision was inserted in the Code for the purpose, as said frequently in these pages, of giving the exhibitor, not any financial advantage, but an opportunity to cancel some of the most demoralizing pictures against which there might be a public outcry. It was a concession granted to the producers themselves in lieu of leaving block-booking alone.

When Warner Bros. plot against the ten per cent cancellation provision, they do harm to the interests, not of the exhibitors, but of the public. And it is unlikely that the Government will stand for it.

In the opinion of this paper the producers, by resorting to such tactics, are not serving their own interests; they are merely hastening the day when the Government will outlaw block-booking and blind-selling entirely.

"The World Moves On" with a star cast*(Fox, August 31; (1934-35 release); time, 100 min.)*

A substantial entertainment. One's interest is held throughout. There is pathos, tragedy and romance. And there are war scenes. These scenes are the most thrilling that have been seen in pictures for several years. One wonders how it was possible for the producers to stage such fierce battles, such ferocious hand-to-hand encounters, such belching of myriads of guns. The most tragic moment is that which shows mothers, wives or sweethearts accompanying their loved ones to the station about to embark for the front. The pity of it is indescribable.

The story revolves around two families engaged in the cotton business, which a century previously had established branch offices in all the important countries of the world. The motto of the members was that the interests of the individuals were at all times to be subordinated to those of the whole. With this motto, the spirit of which was carried out religiously by every one of them, the two families grew in wealth and influence. In 1914, some of the young members enlist in the war. In this, there is a message against the cruelties of the war, for members of the families were fighting each other, some of them being on the Allied, and some on the German, side. One of them was in fact, captured by the Germans after being wounded and rendered unconscious. The influence of the head of the German branch was employed to have the young man transferred to his home to be nursed.

Here again there is more tragedy; for there is shown hunger and privation in Germany as a result of the blockade by the Allies. At one time it is implied that substitutes are used.

The romance is between the hero, a young American, who became head of the American branch when his father went down with the ship that had been torpedoed by a German submarine, and the daughter of the head of the London Branch. They were in love with each other but she was engaged to the son of the head of the German Branch. But the obstacle was removed by war itself—the two marry during the course of the war.

There is more tragedy and more pathos in the closing scenes: the hero, head of the American Branch, had over-expanded and when the market crashes he and the other branches crash. But the hero and his wife find happiness when they returned to the old homestead—the place that gave the families their beginning.

With all the entertainment there is in it, "The World Moves On" seems to suffer somewhat by the fact that the dramatic episodes are isolated—they are not closely interwoven. The title, too, is somewhat a handicap. But the picture deserves to be shown everywhere; it does credit to the industry.

The plot was founded on a story by Reginald Berkley; it was directed most skillfully by John Ford. In the cast are: Madeline Carroll, Franchot Tone, Reginald Denny, Siegfried Rumann, Louise Dresser, Paul Roulien, Lumsden Hare, Dudley Digges, Stephin Fehit, and many others.

It is a picture that can be shown to all the members of the family, at any time.

"Friends of Mr. Sweeney" with Charles Ruggles and Ann Dvorak*(Warner Bros., July 28; running time, 68 min.)*

Although the producers make use of some old gags in this picture, it offers good entertainment and occasionally provokes hearty laughter. The masses should "go" for it. It starts off a little slow but it develops into a good farce when Charles Ruggles decides to shake off the domineering influence of his employer and to think for himself. In addition, it holds the audience in suspense throughout because of the fact that Ruggles, without knowing it, had held some valuable information about a politician who wanted to run for Governor. The scenes in a night club showing Ruggles and his pal Eugene Pallette slightly inebriated and rather reckless will provoke many laughs. The most exciting situations are the closing scenes when Ruggles walks into a trap set by some gangsters but extricates himself from it and instead has the criminals in his power.

The plot was adapted from a story by Elmer Davis. It was directed by Edward Ludwig. In the cast are Dorothy Tree, Harry Beresford, William Davidson, Dorothy Burgess and others.

Because of the suggestion of Churchill's having an affair with another woman, it is unsuitable for children, adolescents, or Sundays. (Coast review.)

"Jane Eyre" with Virginia Bruce and Colin Clive*(Monogram, July 15; running time, 64 min.)*

Monogram has "muffed" this one, as far as entertainment values are concerned. The direction is amateurish and Virginia Bruce is miscast in the role of "Jane Eyre"; she looks and talks in too sophisticated a manner. However, it is clean and wholesome and in the present campaign of the Churches for clean pictures it is a safe bet for any exhibitor, particularly in small towns. Its chief drawback is the fact that the sentiment has been rubbed on so thick that it occasionally becomes sickening, particularly when the characters over-act. For instance, Edith Fellowes, an excellent child actress, is permitted to make gestures and say things that are so unchildlike that the audience will burst out laughing. In addition, the action is slow. Sensitive people may resent the presence in the cast of an insane woman, even though this is in keeping with the story. Both Virginia and Clive are sympathetic characters, even though Clive attempts to divorce his insane wife for one feels that by divorcing her he did no hurt her, since he would always take care of her.

In the development of the plot Jane, an orphan, grows up in an orphanage and becomes a teacher there. A quarrel with the master for his hard-hearted treatment of the children forces her to resign. She accepts a position as governess to the niece of Colin Clive and in time she falls in love with him. He is engaged to a titled lady but since he, too, was in love with Jane, he breaks his engagement, proposes to Jane and is accepted. One night she is horrified when she is confronted by a strange woman who, it develops, is Clive's insane wife. He explains to Jane that he was expecting divorce papers any day. Virginia leaves. The wife sets fire to the home in one of her fits and is burned to death. Clive, who had attempted to save her, loses his eyesight. His fortune dwindles. When Jane learns of this she rushes to him and there is a happy reconciliation.

The plot was adapted from the novel by Charlotte Bronte. It was directed by Christy Cabanne. In the cast are Aileen Pringle, Jameson Thomas, Beryl Mercer, David Torrence, Lionel Belmore, Joan Standing, and others.

Suitable for Children, adolescents, and Sundays.

"The Personality Kid" with Pat O'Brien and Glenda Farrell*(Warner Bros., July 7; running time, 67 min.)*

This will do as a program feature for theatres whose audiences enjoy pictures centering around prizefighting. It follows the routine story of the rise, fall and rise again of a prizefighter, with but few new angles. However, in spite of the fact that Pat O'Brien, the hero, is unsympathetic because of his egotistical manner, he does win some respect when he refuses to fight any fixed bouts. His disillusionment upon discovering that he had been fighting fixed bouts makes the spectator feel some pity for him. The fact that his wife, Glenda Farrell, is a party to the crooked deal is an unpleasant feature; one feels that a woman should not be a party to such acts. The action is somewhat slow at times. The most exciting situation is toward the end. There O'Brien, who had agreed to fight a fixed bout to make some money to pay doctor bills for his wife, decides not to "lay" down; instead, he fights and wins.

In the development of the plot O'Brien becomes well known as a fighter without realizing that all his fights had been fixed. He becomes acquainted with Claire Dodd, an artist, and although he still loves his wife he has an affair with Claire. Eventually he finds out about his bouts being fixed and in a rage exposes his managers and leaves his wife, who had been a party to it.

Claire brings O'Brien and Glenda together again and O'Brien is happy when he learns that Glenda is going to have a baby. In order to make some money, he agrees to be "knocked" out in a fight. But during the bout he is told his wife gave birth to a boy and he has a change of heart. He fights and knocks out his opponent. This brings him to the notice of big-time managers and he is told he will be given another chance for a come-back. Glenda is happy.

The plot was adapted from a story by Gene Towne and C. Graham Baker. It was directed by Alan Crosland. In the cast are Henry O'Neill, Robert Gleckler, Thomas Jackson, Arthur Vinton, Clarence Muse, and others.

Because of the affair between O'Brien and Claire it is unsuitable for children, adolescents, or Sundays.

Substitution Facts: This is replacing No. 476 listed on the worksheet as "The Life of Rothschild." It is a story substitution, and you don't have to take it.

"His Greatest Gamble" with Richard Dix*(RKO, August 10; running time, 70 min.)*

Powerful! It is a drama of father love, and has a strong emotional appeal: it is clean and wholesome entertainment, and holds the interest throughout. The first half, which shows the deep attachment between Dix and his young child, Edith Fellows, is stirring. The natural performance by Edith wins the heart of the audience and brings tears to the eyes when she is separated from her father. In the second half the spectator is kept in suspense, for he does not know whether the efforts of Dix to free his grown daughter (Dorothy Wilson) from the influence of her mother will be successful. At the same time one feels pity for Dix who cannot tell his child he is her father because he did not want her to know of his prison record. The romance between Dorothy and Bruce Cabot is appealing:—

When Dix is separated from his wife, he kidnaps his child, who loves him more than her mother, taking her with him to different countries. Shirley Grey, with whom Dix had had an affair, and who was jealous of the child, tells the ex-wife where Dix is hiding; at the same time Shirley informs Dix what she had done. He ties her to a chair and runs away with the child. Some water which Dix was heating to prepare a meal boils over, extinguishes the gas flame, and the gas asphyxiates Shirley. The next morning Dix is found and arrested as a murderer, and the child is turned over to her mother. The mother's influence over the child is a terrible one. When she grows up she is made an invalid and her romance with Cabot is broken. The girl's old nurse pays Dix a visit in prison and tells him about it. He escapes and arrives in America at his wife's home. He poses as his own brother, but his wife knows who he is. He warns her that if she tries to interfere he will ruin her social standing by telling people that he is a convict. He talks to Dorothy, his daughter, and gives her courage again; he also brings the lovers together. Eventually his daughter finds out who he is, and she tells him that after he serves his prison term they will meet again somewhere.

The plot was adapted from a story by Salisbury Field. It was directed by John Robertson. In the cast are Eric O'Brien Moore, Eily Malyon, Leonard Carey, and others. Suitable for children, adolescents, and Sundays.

"The Woman Who Dared" with Claudia Dell*(Imperial Pictures; running time, 63 min.)*

Just a moderately entertaining program gangster melodrama. One feels some sympathy for the heroine, who, single-handedly, holds out against the racketeers and refuses to listen to their demands that she join their protective association. It holds the audience in fair suspense, since the identity of the leader of the gangsters is not made known until the end, and this comes as a surprise. He was the heroine's own lawyer and he had been urging her all along to join the association, telling her that she was ruining her business because of the different accidents that were occurring in the factory, which were caused by the gangsters.

In the development of the plot the heroine, with the assistance of the hero, a former newspaper reporter, who had poined the heroine's firm to help her, gets certain information about the racketeers to prove that they were the cause of all the accidents happening at her factory. The hero interviews a woman, just released from prison, who had been a member of the gang. For a certain amount of money she is willing to give him the name of the leader. Eventually the leader is arrested and his gang rounded up. The heroine is happy that she can again run her business in peace. The hero and the heroine are united.

The plot was adapted from a story by Edward Roberts, King Gudire and Robert Webb. It was directed by Millard Webb. In the cast are Monroe Owsley, Lola Lane, Douglas Fowley, Robert Elliott, Matty Fain, Esther Muir, and others.

Because of the gangster element it is unsuitable for children, adolescents, or Sundays.

GUIDE TO APPROVED AND DISAPPROVED MOTION PICTURES

The following are the latest pictures that have been classified by the Michigan Catholic, of Detroit:

RECOMMENDED: "She Learned About Sailors" and "The World in Revolt."

NOT RECOMMENDED: "It's a Boy," "Of Human Bondage," "The Fighting Rookie," "Here Comes the Groom," "Let's Talk It Over," "The Return of the Terror," "Wild Gold."

The titles of classified pictures will be given weekly in these pages, as they are classified.

Substitution Facts: This is replacing 4124 listed on the contract as "The Family Man" with Clive Brook. It is a star substitution.

"Shoot The Works" with Jack Oakie and Dorothy Dell*(Paramount, June 29; running time, 81 min.)*

Since "Shoot The Works" has a well known cast, among them being Ben Bernie and his orchestra, which assures the spectator of some good popular music, the masses will enjoy this comedy. The picture offers just fair entertainment, somewhat slow in the first half, and picking up some speed in the second half. It has been adapted from the play "The Great Magoo," and in its transference to the screen it has been cleaned up considerably, except for some of the dialogue given to Arline Judge, in the role of a golddigger; most of her remarks are suggestive. The music is good and the songs will be popular soon. Oakie is a sympathetic character who, because of his faith in himself, does foolish things occasionally. But the fact that he always thinks of Dorothy and does not want to stand in her way wins the sympathy of the audience.

In the development of the plot, Oakie, a side-show barker, is deserted by his co-workers when business is bad. Ben Bernie and his band get an engagement in a night club, Arline and her flag-pole sitting sweetheart, Roscoe Karns, go with Bernie, and even Dorothy Dell, who loved Oakie, deserts him when she learns he had gambled away his rights to a song he had written. The only one who stands by Oakie is Alison Skipworth, who sold tickets at his side-show. Dorothy and Bernie become well known and Bernie opens a night club at which Dorothy is the chief performer. Dorothy finds out that Oakie is a barker in a cheap Brooklyn side-show and goes to see him. Oakie is discourteous to her, pretending he did not love her, because he did not want to be in her way. He goes to the night club and hears an announcement of Dorothy's engagement to Paul Cavanaugh, a wealthy theatrical man. But eventually everything is explained: Dorothy and Oakie are reconciled and married, and Oakie is given a chance to make good as a master of ceremonies.

The plot was adapted from the play by Gene Fowler and Ben Hecht. It was directed by Wesley Ruggles. In the cast are William Frawley, Monte Vandergrift, Tony Morlo, and others. Two members of the cast, Dorothy Dell, and Lew Cody, are now dead.

Because of the suggestive remarks by Arline Judge exhibitors will have to use their own judgment about showing it to children, adolescents, or on Sundays.

"Bachelor Bait" with Stuart Erwin and Rochelle Hudson*(RKO, July 20; running time, 74 min.)*

A pleasant program comedy. The story is amusing because of the efforts of Stuart Erwin, owner of a matrimonial agency, to bring about a marriage between Rochelle Hudson and a wealthy young man. The wise-cracks of Pert Kelton and Skeets Gallagher, who try to put a damper on the arrangements, add to the comedy; some of these wise-cracks are a bit risqué but it is doubtful if children will understand them. The human interest angle is brought in by the fact that Rochelle loves Stuart Erwin, but he does not realize this until it is almost too late.

In the development of the plot Erwin receives a letter from a wealthy young man asking him to find the proper wife for him and Stuart feels that Rochelle is just the right kind of a girl for a millionaire. But Pert thinks differently and decides to go after the millionaire herself. Erwin, in order to get Pert out of the way, takes her to a boat and before he knows it the boat starts and he is forced to remain aboard. Rochelle, who loved Erwin, is heartbroken, and tells the young man she will marry him. But the next day when Pert arrives with Erwin she claims that the young man had promised to marry her. Erwin insists that the young man marry Rochelle; otherwise he will take him to court. They soon learn that the young man is a detective sent by the district attorney to investigate the agency. Just before the district attorney raids the agency, Erwin sells it to a crooked politician who wanted to run it as a racket. But Erwin is happy because Rochelle tells him she forgives him; they are married.

The plot was adapted from a story by Victor and Edward Halperin. It was directed by George Stevens. In the cast are Berton Churchill, Grady Sutton, Clarence H. Wilson, and others.

Because of some of the wise-cracks exhibitors will have to use their own judgment about showing it to children, adolescents, or on Sundays.

THE WAR OF THE CATHOLICS AGAINST INDECENT PICTURES CONTINUES RELENTLESSLY

The war which the Catholic Church has started against immoral and demoralizing pictures continues relentlessly. The Reverend Daniel A. Lord, S. J., Editor of *The Queen's Work*, the house organ of the Catholic Sodalties, has just put out a pamphlet under the title, "Motion Pictures Betray America," which is a most scorching indictment of the producer part of the motion picture industry.

"I accuse the Motion Picture Industry of the United States," Father Lord states in the opening paragraph of the bulletin, "of the most terrible betrayal of public trust in the history of our country.

"I charge them with putting the profits of the box office ahead of all considerations of decency, respect and law, or love of a nation's health and happiness.

"I charge them with betraying the best interests of our people and attacking by the most violent means the morality which is rooted in the Ten Commandments given to Moses and the morality preached by Jesus Christ to the world.

"And, in company with millions who see the peril and dread it, I call upon all Americans to register their disgust with this great betrayal of decency, this treason to the country's interests, at the only place that the producers themselves know or regard or recognize: The box office."

Father Lord then proceeds to give facts that cannot be controverted.

In one part of the pamphlet Father Lord, referring to the book, "Our Movie-Made Children," states that this book tells a "gory" tale. "But read the book yourself," Father Lord advises. "Find out how Norma Shearer and Joan Crawford introduce our little girls to the 'romance' of kept women. How Barbara Stanwyck and Helen Twelvetrees make prostitution familiar to young children's minds. How George Bancroft and George Raft introduce our boys into the company of gangsters. How Clark Gable and William Haines make the seducer attractive. How Adolphe Menjou plays the rake before the fascinated eyes of adolescence, and undressed women whip with sharp lashes the passions of boys and girls. What a sordid story it tells!

"And do the producers care? Not they! It's good box office. It pays to strip Jean Harlow to the waist line, or send Bette Davis off on week-ends, or make William Powell a suave thief and a crook, or present Ruth Chatterton as a prostitute.

"The very arguments that would approve of selling of dope to children, or whiskey or contraceptives or filthy magazines, are used to approve the conduct of these men parading vice and evil before our children and our growing boys and girls. . . .

"Of course there is the specious argument that the films represent life and that art has a right to represent life.

"If the films represent life, then we are a nation of rotters and criminals. . . ."

* * *

Pope Pius the XI has endorsed the movement against indecent pictures which was started by the Catholics in this country. On behalf of His Holiness, Cardinal Pacelli, Papal Secretary of State, recently sent a letter to a prominent Catholic in Belgium, in which part of the latter says:

"The Catholics of all countries of the world ought to make it a duty of conscience to concern themselves with this question, the importance of which is growing.

"The cinema is going to become the greatest and most efficacious means of influence, more efficacious even than the press, for it is a fact that certain films have been seen by several million spectators. . . .

"The laudable efforts of legislators and men of learning, of parents and teachers who have to train the new generations to honest ways of living and thinking, are consequently in danger of being irremediably compromised by these frequent representatives of an artificial and immoral life. . . .

"It is highly desirable that organized Catholics should occupy themselves constantly with the cinema in their meetings for Catholic Action, in their programmes of study, etc. . . ."

* * *

Hollywood for the first time in its life has realized that there is another world outside the boundaries of Hollywood, and that that world has a bit different views about life. It is now a case where Hollywood either will reform, or will be destroyed.

Most of you know that I fought against indecent pictures for more than sixteen years—even before I founded HARRISON'S REPORTS, when I first joined the staff of *Motion*

Picture News, one of the progenitors of the present *Motion Picture Herald*, I saw this thing coming so clearly that often I stated in these columns that the American people would not tolerate the outpourings of the cesspools of Hollywood very much longer; that there would be a revolt against the industry. They did not heed the warnings at all, and now they are paying.

* * *

The Catholics of America started the movement but they are receiving the whole-hearted support of all the Protestant churches and of the Rabbis. All church people, of whatever denomination or faith, have united on the war against indecent pictures.

THE PRESENT STATUS OF UNITED ARTISTS UNDER THE CANCELLATION CLAUSE OF THE CODE

Mr. A. L. Adams, of Palace Theatre, Silverton, Oregon, cancelled one United Artists picture on the strength of the interpretation Mr. Sol A. Rosenblatt, Division Administrator, gave to this paper, when a ruling was asked of him whether the pictures of United Artists come under the jurisdiction of the 10% cancellation provision or not. Mr. Rosenblatt's ruling was to the effect that the pictures of this company did come under that provision. This ruling was printed in the March 24 issue of HARRISON'S REPORTS.

United Artists, insisting that its pictures, despite that ruling, do not come under the cancellation provision of the Code, demanded that Mr. Adams pay for that picture and when payment was refused it went to the Portland Grievance Board and asked for a certification of its complaint to the Code Authority.

The Grievance Board, on the strength of Section 4. Part 2, of Article VI, certified it. But the Code Authority, on June 28, refused to determine the case on the ground that it is a breach of contract, and the Code does not give the Code Authority the right to hear and determine breaches of contracts.

It is my understanding, however, that the Code Authority, though it refused to hear the complaint of United Artists against Mr. Adams, will determine at its July 12 meeting whether United Artists does or does not come under the cancellation provision of the Code. It has referred the question to its legal committee for an investigation and report.

In view of the fact that United Artists is annoying many exhibitors by insisting that its pictures do not come under the cancellation provision of the Code on the ground that they are sold on individual contracts, this matter should be determined without delay to put an end to the silly action of United Artists who, not realizing that the Rosenblatt ruling, until reversed by the Federal Courts, will stand as part of the Code, are going so far as to threaten exhibitors with lawsuits.

It is unlikely that Mr. Rosenblatt would have given out a ruling on so important a question without first consulting with the legal department of the NRA. Consequently, that ruling is, in the opinion of this paper, just as if it were part of the Code, and any efforts on the part of United Artists to circumvent it may lead them to grief.

NULLIFYING THE PROVISIONS OF THE CODE ON SHORTS

I have been informed that many producers are nullifying Part 5, Division D, of Article V of the Code, which forbids the distributors from forcing the exhibitors to buy more shorts than they require to complete the bills on the days the exhibitors show their feature pictures; they are resorting to the following practice: they have established two selling policies; one of wholesale, and one of retail. If the exhibitor buys from a short subject selling distributor only the number of shorts he requires, the distributor calls that retail buying and makes the exhibitor pay as much for them as he would have to pay for all the shorts; if he buys them all, the distributor calls that wholesale buying and requires the exhibitor to pay the price he originally set for them. In this manner the exhibitor is compelled to buy all the shorts the distributors sell, even if he cannot use them.

I request every exhibitor who has had such an experience to write me about it. I want to take the matter up with the Division Administrator, and desire to have definite proofs of this chicanery. The names of those who will send such information will not be disclosed to the distributors.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions	16.50
Canada	16.50
Mexico, Cuba, Spain.....	16.50
Great Britain	16.00
Australia, New Zealand,	
India	17.50
35c a Copy	

**1440 BROADWAY
New York, N. Y.**

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Pennsylvania 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JULY 21, 1934

No. 29

Let The Code Administrator Act at Once!

The following instructions were sent by the Code Authority on July 12, to the Local Clearance and Zoning Boards:

"Our instructions to you in reference to clearance and zoning for the 1934-35 Season set forth in our letter of May 25th are hereby changed in the following respects only:

"1. All protests involving schedules for all or part of any territory must have been filed with you prior to June 10th, 1934.

"2. You will hear and determine as expeditiously as possible all protests which were filed with you prior to July 1st, 1934, against individual clearance of an individual theatre not involving zoning an entire territory or part of a territory and you will neither hear nor determine any protests filed with you on or after July 1st.

"3. The time within which you may hand down your decisions in connection with any protests within the above limits filed with you is extended from July 1st, 1934, to the earliest date when you can possibly complete your decision.

"4. You will perform no functions in regard to clearance and zoning other than finishing your work as specifically outlined above until reconvening on call by the Code Authority on or about November 1st, 1934, for hearing protests for the 1935-36 season.

"5. These instructions are final and no further extension of time will be granted.

"Let us impress upon you the necessity of immediately completing the hearings and determinations of the protests which you are permitted to hear and determine as above outlined so that exhibitors and distributors will not be further delayed in contracting for the coming season's motion pictures. All appeals from decisions by exhibitors or distributors including those who have not signed assents to the Code must be filed with the Code Authority within five (5) days after decisions are made or schedules published."

By this order of the Code Authority, an end is put to the formulation of schedules for all zones.

Section 2, Part I, Article VI of the Code specifies that each Local Clearance and Zoning Board, immediately after its formation, and prior to January 1st, 1934, and thereafter prior to January 1st of each year, "shall . . . formulate, prescribe and publish for its territory, schedules of clearance for the next ensuing season," to provide against clearance of unreasonable length and/or area in any exchange territory, and to prescribe fair, just, reasonable, and equitable schedules.

Since the Local Clearance and Zoning boards were not created until the end of February, it was natural that the formation of such schedules should have been extended to a later date than January 1st; and the first order of business of these boards should have been to formulate such schedules, a thing which was not done.

It is true that, about the middle of February, the Code Authority issued orders to the boards to prepare such schedules, but these orders were so ambiguous that not a single board, I dare say, understood them. I myself was under the impression that these orders related to schedules for the 1933-34 season, and not for the 1934-35 season. Now the Code Authority comes along and says in effect: "There will be no more schedules formulated," and on July 12, it issues orders that no individual protests against clearance and zoning shall be entertained by the Clearance and Zoning boards unless these were filed prior to June 12. (Notice that the order to the boards to refrain from entertaining protests was issued fully one month after the dead-line.)

Thus centres like New York, Philadelphia, Pittsburgh, Chicago, Los Angeles, San Francisco and others have been left without New Deal schedules for the 1934-35 product, and will not get relief until the 1935-36 season.

The peculiarity about this entire affair is the fact that the West did formulate a fair and equitable schedule, founded on admission prices; but the very circuit whose representatives, serving on the board, agreed to the schedule—Fox-West Coast—filed a protest against it with the Code Authority as soon as the papers reached that body.

Yet no one can blame the Fox-West Coast Circuit's representatives for such an attitude, for they were disinclined to agree to a rearrangement of clearance and zoning in their territory when other territories did not adopt a similar schedule, holding on to the old schedules. They did not want to be the goats.

The Code of Fair Competition for the Motion Picture Industry was adopted for the purpose of bringing relief to the small business men in it—the independent exhibitors. One of the major abuses under which these exhibitors suffered was the unreasonableness of the clearance and zoning schedules. It was a major abuse, and the Government sought to remedy it by providing for the rearrangement of these schedules. Those who signed the Code and paid their assessment, signed it, in fact, chiefly out of a belief that these schedules would be rearranged. They paid \$70,000, to the distributors' \$40,000. But no such schedules have, as said, been formulated, and now these exhibitors are told that a rearrangement will not take place until next November, to take care of the 1935-36 season.

It is true that the selling season is on, and that the producers cannot sell their pictures unless clearance and zoning is settled. But the small business men of this industry were in no way responsible for the inability of the Clearance and Zoning boards to perform their functions; the orders issued by the Code Authority were, as said, ambiguous. The producers should have sold some of their early pictures in the open market until just and fair clearance and zoning schedules were formulated, and the exhibitors were allowed their chance to protest, as provided for by the Code.

The Code Authority's failure to handle this matter in a just and fair spirit, and its decision now to refuse relief to the small business men of this industry allowing the old order of things to continue for another season is, in the opinion of this publication, a selfish defiance of the wishes of the President and a direct hostile act against the New Deal. It is, therefore, incumbent upon the Code Administrator to exercise the right given him by Article 3 of the Executive Order to increase the number of the independent exhibitor representatives. He should, in fact, rearrange the Code Authority's membership so as to have as many buyers as sellers, and as many Government representatives. In other words there should be a given number of independent exhibitors, as many distributors of all classes, and as many Government representatives with a vote as either independent exhibitors or distributors. The distributors should not be allowed to have on the Code Authority representation of affiliated exhibitors, because the affiliated exhibitors, being employes of distributors, should be represented by the distributors themselves.

When HARRISON'S REPORTS gave the Government its whole-hearted support on the Code, it believed that the Government would see to it that the producers did not employ their old tactics; but it has been disappointed, for in the three months during which the Code Authority has functioned it has been demonstrated beyond the possibility

(Continued on last page)

"Charlie Chan's Courage" with Warner Oland

(Fox, June 29; running time, 72 min.)

Although a little slower than the other Chan detective stories, this version offers, nevertheless, fair entertainment, and holds the audience in some suspense throughout. This is brought about by a mystifying set of circumstances, in which Chan becomes an important factor because he had in his care a valuable string of pearls to be turned over to Paul Harvey, the purchaser of them. Audiences may be disappointed by the lack of comedy in the form of wise sayings that have been a part of the "Chan" character in the other pictures. As a matter of fact, there is little comedy relief. The romantic interest is incidental:—

Oland, a detective from Honolulu, brings with him a valuable string of pearls to be turned over to the owner, who is his friend. This owner, a woman, was in straitened circumstances and had made arrangements to sell the pearls. She begs Oland to bring the pearls to Harvey and he goes to Harvey's ranch not as the agent but disguised as a poor traveler. He is given a position there as cook and in this way is able to investigate Harvey and his associates. He is assisted in his search by Donald Woods, son of the diamond dealer, who pretends not to know Oland. Oland finally discovers that his host is not Paul Harvey at all, but a man who bore such a striking resemblance to Harvey that he had kidnapped and hidden Harvey, and then taken his place. His plan was to take the pearls, give a false check with Harvey's name to it, and then leave the country. But Harvey is found in time to round up the criminals and consummate the sale of the pearls. Oland is free to go home and gives his blessings to Woods and Drue Leyton, an actress, with whom Woods had fallen in love.

The plot was adapted from a story by Earl Derr Biggers. It was directed by George Hadden. In the cast are Murray Kinnell, Harvey Clark, Reginald Mason, Virginia Hammond, and others. (Coast review.)

Suitable for children, adolescents, and Sundays. However, some exhibitors may not be able to show it because of the gangster element.

"The Cat's Paw" with Harold Lloyd and Una Merkel

(Fox (1934-35 Season); running time, 99 min.)

This is one of the best roles that Harold Lloyd has had, since the story offers him a part for straight acting instead of slapstick. An interesting story, fast action, and a good supporting cast—all help to make this good entertainment, suitable for all types of audiences. The theme is novel, and although the gangster element is present, the crooks are made to look so ridiculous and cowardly that it is in no way demoralizing. As a matter of fact, it has a moral—that honesty and courage pay eventually. There are several extremely funny situations, but the most comical ones come at the end, where Lloyd uses a novel method to frighten the gangsters into confessing. He works upon their cowardice by threatening to cut off their heads and he chooses two "victims" for the "slaughter." By knocking them out and dressing them in a headless outfit over which he pours red ink, he makes it appear as if their heads were cut off. In this condition, he brings them out on stretchers. The other gangsters are so frightened for fear lest they meet with the same "fate" that they sign confessions. Lloyd is a sympathetic character throughout, winning the spectator over first by his gentle and courteous manner and later by his efforts to do the right thing. His love affair with Una Merkel is romantic.)

In the development of the plot Lloyd, who had been brought up in China by his missionary parents, arrives in America to work with a religious organization. His humble manner gets him into trouble and he cannot meet the minister he was supposed to interview. Instead, he makes the acquaintance of George Barbier, head of the City Civic Organization, which had always nominated a minister for Mayor, knowing he would not be elected. Barbier was really working with Allan Dinehart, the town's bad man, who was always elected. The party receives a jolt when the minister dies just before election and Barbier strikes upon the happy idea of nominating Lloyd. Lloyd is so innocent that he does not know that he was being used as a cat's paw. But he catches the public's fancy and is elected. He sets about cleaning up the city and thus incurring the enmity of racketeers. Dinehart frames Lloyd, and this arouses Lloyd. He rounds up the gangsters and forces confessions from them. He is cleared and praised for his

courage. This pleases Una Merkel, who had fallen in love with him, and they marry. Barbier, who had become a loyal friend, refuses to permit Lloyd to go back to China, telling him that he had more missionary work to do in America than in China. Lloyd finally agrees.

The plot was adapted from a story by Clarence B. Kel-land. It was directed by Sam Taylor. Others in the cast are Nat Pendleton, Grace Bradley and Grant Mitchell.

Suitable for children, adolescents, and Sundays.

"Man With Two Faces" with Edward G. Robinson and Mary Astor

(Warner Bros., Aug. 4; running time, 72 min.)

This melodrama is fairly interesting, but is strictly adult fare, and at that more suitable for sophisticated audiences. It is not a picture for small towns, because of the fact that Edward G. Robinson commits a murder and his act is justified. The man he killed is presented in such an obnoxious manner that one does not feel sorry when he is murdered; however, such an act cannot be condoned. The story becomes a little far-fetched when it deals with the hypnotic spell that Louis Calhern, the villain, had over Mary Astor, his wife, but even with this the spectator feels sympathy for Mary who suffers and is forced to do things which she would not have done were she in a normal state. The second half holds one in suspense and is even exciting; the manner by which Robinson planned and executed the murder is shown.

In the development of the plot Mary, who believed Calhern to be dead, was preparing to appear as a star in a play to be produced by Ricardo Cortez, the man with whom she was in love. Calhern, who had heard about Mary's success, returns for more money and again, by using his hypnotic powers, makes her his slave. Robinson, Mary's brother, who can not bear to see his sister tortured, disguises himself as a foreigner interested in buying part of the show and becomes friendly with Calhern. He lures Calhern to his room and then kills him. The police are baffled until David Landau, a detective, finds a clue that leads him directly to Robinson. But Landau hints at the fact that after the jury hears Robinson's story they will not convict him. Mary is again normal and is happy in her love for Cortez.

The plot was adapted from the play "Dark Tower" by Alexander Woollcott and George S. Kaufman. It was directed by Archie Mayo. In the cast are John Eldredge, Arthur Byron, Mae Clarke, Henry O'Neill, and others.

Unsuitable for children, adolescents, or Sundays. Good for adults.

"The Old Fashioned Way" with W. C. Fields

(Paramount, July 13; running time, 70 min.)

This is mostly all "W. C. Fields" and those spectators who appreciate his particular brand of humor will not be disappointed. The first half is a riot of laughs, made so by the funny dialogue, spoken by Fields, and the equally funny old-fashioned styles of dress and entertainment, which is done realistically. A new personality is introduced here—Joe Morrison, who sings well and acts pleasantly. His rendition of two old fashioned ballads will be enjoyed by all. Baby LeRoy appears in a few sequences and draws the usual "ahs." He is particularly appealing in one situation—at the dinner table with Fields, where he does everything from throwing pie into Field's face to taking his watch and dipping it in the soup.

There is no real plot; it merely deals with the work of the troupe conducted by Fields; the story is incidental. Fields romps through his part as a villain in the old fashioned "mellodrama" called "The Drunkard," which the troupe gives, and later excels in his own specialty act—juggling.

The plot concerns Fields' efforts to evade the Sheriff in each town that he plays in. Joe Morrison, son of a wealthy man, falls in love with Judith Allen, Fields' daughter, and follows the troupe around, finally joining the show. His father consents to Joe's marrying Judith on condition that Fields does not tag along. Fields overhears this and tells his daughter that he received an offer to act in New York and is sorry to leave her. She marries Joe and goes back to his home town with him. Fields ends up by selling patent medicine on the street corners, fooling the customers in his usual way.

The plot was adapted from a story by Charles Bogle. It was directed by William Beaudine. In the cast are Jan Duggan, Nora Cecil, Jack Mulhall, Joe Mills, Samuel Ethridge, and others.

Suitable for children, adolescents, and Sundays.

"Nell Gwyne"*(United Artists-British and Dominions; 75 min.)*

This comedy romance of the love affair of Nell Gwyne and King Charles II may attract sophisticated audiences because of its lavish production and its risqué theme. But the masses have seen so many of these costume pictures that it is doubtful whether lavishness alone can hold their interest; there must be some story substance. The story is thin, there are no outstanding situations, the picture drags occasionally, and the characters are not of the type to win the sympathy of the audience. But the worst part of it is the fact that it is offensive in some of its sex situations and will probably be resented by the churches. Little is left to the imagination; for instance, in order to make doubly sure that the audience will understand that Nell had spent the night with the King, there is a close-up of her in bed, and on the pillow next to hers the dent of a head. The dialogue is risqué, at times even bold. The actions of Nell arouse laughter at times, because of her irrepressible temper and the tricks she plays on her rival. One of the funniest situations is where the rival, out to humiliate Nell, plans to attend the opening night of Nell's play in a very exotic costume with a large hat. Nell, having found out about this, puts the rival to shame by appearing in a similar costume but with such a tremendous hat that the audience roars at the expense of the rival. The only really stirring scene is where the King dies and Nell is not even permitted to see him. She truly loved him, had been faithful to him, and his death broke her heart.

In the development of the plot the King, who had entered into an affair with Nell, a music hall entertainer, finds her a charming companion, making him laugh; and he knows she is the only one who is faithful to him. Occasionally she proves to him difficult to manage and he also finds it hard to make explanations to his former mistress, a Countess. The Countess tries to make the King believe that Nell was unfaithful to him but this only contributes to bringing Nell and the King closer together. Their companionship continues for many years until the death of the King, when Nell is left alone.

Herbert Wilcox directed and produced it. Anna Neagle plays the part of Nell and Sir Cedric Hardwicke, that of King Charles II. They are assisted by Jeanne de Casalis, Lawrence Anderson, Miles Malleon, Helena Pickard and Esme Percy.

Unsuitable for children, adolescents, or Sundays. It will undoubtedly be placed by the churches on the Non-Recommended list.

Note: "Nell Gwyne" was made once before, in silent form; it was produced in England and released in this country by Paramount. Dorothy Gish appeared in the leading part, and the same director directed it. That was a far more entertaining picture.

"Whom the Gods Destroy" with Walter Connolly, Robert Young and Doris Kenyon
(Columbia, July 5; running time, 68 min.)

Excellent entertainment. It is a powerful human interest drama, which on different occasions stirs the emotions to such an extent that it will be difficult for the spectator to hold back tears. The story is different and the interest is held throughout. Added to all this is the fact that it is clean and wholesome entertainment without one suggestive situation. Walter Connolly gives an excellent performance and throughout the spectator feels intense sympathy for him. It is difficult to pick any one situation as outstanding because throughout he makes sacrifices and in such a way as to arouse compassion for himself. The situations that show him with his son, without telling the young man who he is, are exciting, but the most pathetic is the closing scene in which husband and wife meet again after years of loneliness; she had given him up for dead:—

Connolly, a theatrical producer, goes to Europe to produce a play, leaving behind his wife and small son. The ship is wrecked and Connolly shows great courage but suddenly he loses his head, dons a woman's clothes and escapes in one of the lifeboats. The lifeboats land at a small fishing village in England and Connolly is branded as a coward. Giving another name, he is befriended by Hobart Bosworth, who feels pity for Connolly. In the meantime his wife believes him to be dead and since word of his heroism had spread a plaque is placed in the lobby of his theatre in his memory. He eventually returns to America but fears to see anyone lest his family be disgraced if the truth came out. So he leads a secluded life, taking odd jobs as a dishwasher and finally as an assistant in a marionette show. His son grows

up and his first production is a failure. Connolly goes to him as a friend of his father's and gives him advice. The boy, being encouraged and guided by the father, attains great success. And then he meets his wife again, without the boy's becoming aware of it, and they fall into each other's arms. But thinking only of their son, they decide it is best that he, Connolly, go away, with the understanding that they will meet secretly now and then.

The plot was adapted from a story by Albert Payson Terhune. It was directed by Walter Lang with great skill. In the cast are Macon Jones, Rollo Lloyd, Maidel Turner, Henry Kolker, and others.

Excellent for children, adolescents, and Sundays.

"Stamboul Quest" with Myrna Loy and George Brent*(MGM, July 6; running time, 88 min.)*

A fairly good espionage drama; however, it occasionally lags. But since the performances are excellent, and the story fairly engrossing, the interest is held throughout. As is usually the case in spy pictures, one is held in suspense for fear lest the work of the spy be discovered. In this case the feeling is even more intense because Myrna is in love with George Brent and is forced to jeopardize her happiness in order to continue with her work. The spy work is cleverly performed, and this, coupled with the intelligent dialogue, makes it entertaining for both mass and class audiences. But it is strictly adult entertainment, because of the many references to the love affairs and the actual affair between Myrna and Brent. One feels pity for Myrna, who is torn between love for her country and for Brent, and who chooses duty first. The situation in which she hears that her lover had been killed and she loses her mind is pitiful. That is brought about when Brent objected to her keeping an appointment with C. Henry Gordon and Myrna told him it was important to her work, even if it meant giving herself to Gordon. This so disgusted Brent that he left her. She then gave orders to have Brent arrested as a spy by "planting" papers on him, and then to turn him over to her. But Lionel Atwill, her superior officer, feeling that Myrna was too valuable in her work, tells her that he could not prevent Brent's execution, although he knew that Brent was given his freedom and was not dead. This so shocked Myrna that she lost her mind. The opening scene showing Myrna in a convent saying "He has come for me" is explained when this scene is again shown at the end of the picture. Brent had searched all over for her and finally found her. The sight of Brent brought her back to normality. The lovers are united.

The plot was adapted from a story by Leo Birinski. It was directed by Sam Wood. In the cast are Rudolph Amenat, Mischa Auer, and others.

Unsuitable for children, adolescents, or Sundays. It is an adult picture.

Substitution Facts: Although this is given the number 428x it is taking the place of 428 listed on the contract as Lee Tracy No. 2. It is a star substitution and you are not compelled to accept it under the Code.

FRANTIC APPEALS FOR ADVICE

In the last few days I have practically been swamped with frantic appeals from exhibitors for advice. They are so bewildered that they do not know what to do. So I thought I would chuck one of the reviews to say a few things in addition to those that I have already said in the second section of this issue in reference to indecent pictures.

By all means you must request the priest, the minister, and the rabbi of your town, or of your neighborhood, if you are in a big city, to form a committee, inviting also the prominent laymen of your town, as I have said, to join it.

In case you have been asked to refrain from showing a given picture, your first act should be to notify the distributor to that effect.

If the distributor should write back to tell you that you are wrong, that the picture in question is not indecent or demoralizing, then turn the correspondence over to the chairman of that committee, requesting him to answer the distributor's letter.

Since the distributor must convince, not you, but the objectors, that the picture is unobjectionable, it is perfectly proper for you to turn the matter over to such a committee.

Every week there will appear in HARRISON'S REPORTS the pictures that have been declared by church people or organizations either unsuitable for showing, good for the family circle, or unsuitable for children or adolescents, but good for adults.

of any doubt that the major companies are using their balance of power in that body to continue serving their selfish interests. They have, in fact, made a joke of the Code Authority, for the original members have been represented not by one alternate, but most of the times by an alternate of the alternate, and not infrequently by an alternate of the alternate of an alternate. There is no provision in the Code that gives the alternate of the original member the right to appoint an alternate, least of all the alternate of an alternate to appoint another. It is about time, therefore, that the Government looked into this "joke."

There is another reason why the Code Administrator should "revamp" the Code Authority so as to give each, the Government as well as the independent exhibitors, an equal representation with the distributors:—the necessity for making the production regulations of the producers, better known as the Hays Morality Code, part of Article VI of the Code. In vain has the American public waited for relief from the Code Authority; that body has not made even an attempt to have those rules made part of the Code; there has been not even a discussion of this matter. And until the Code Authority is balanced and given the right to determine what is immoral in films, the industry will not be set right; the American public has not any faith in the self-regulation ideas of Mr. Hays, for the simple reason that for twelve years Mr. Hays kept making promises to it but these promises did not prove worth the paper that they were written on.

The Administrator has already had ample proof of the perfidy of the major companies. It is up to him now to take such steps as will protect the American public from their monopolistic practices.

CANCELLING PICTURES ON IMMORAL GROUNDS

A statement issued by the Hays office on July 12 informs the exhibitors that Columbia, Educational, First National, Fox, MGM, Paramount, RKO, United Artists, Universal and Warner Bros. will permit any exhibitor to cancel all pictures that were released prior to July 15, this year, against which there is a genuine protest on moral grounds.

"This means," the statement says, "that in any community in which there is genuine concerted objection to the showing of a particular picture on moral grounds an exhibitor who has contracted to exhibit that picture will be given the right to omit its exhibition without obligation for its rental.

"The reason for the limitation of this cancellation privilege to pictures generally released prior to July 15," the statement continues, "is because that is the date upon which the new regulatory provisions go into effect. After that date, the Association's Production Code Administration will function with increased authority and the Board of Directors of the Association will assume final responsibility for all future motion pictures distributed by members of the Association.

"To identify all films bearing approval of the Association's Production Code Administration, a distinctive seal has been adopted and will be shown on the screen directly after the main title of all pictures. This seal, which every picture released after July 15 by members of the Association will bear, will be evidence of the industry's pledge that every precaution has been taken to insure compliance with the Production Code of the Motion Picture Producers and Distributors of America."

Motion Picture Herald of July 14 prints an elucidation of this statement, giving in detail the conditions under which an exhibitor will be able to exercise the cancellation privilege these companies have granted him; the details are as follows:

The exchange manager shall accept the cancellation of a picture released prior to July 15 only if he is convinced that there exists a *bona fide* public protest, on moral grounds, made in good faith.

If the exhibitor had not bought the entire product of a distributor, the exchange manager shall compel him to accept another picture in its place, from the same season's product.

If the exchange manager is not convinced that a *bona fide* public protest exists and is unable to induce the exhibitor to withdraw his cancellation request, he shall refer the matter to the local Grievance Board.

It is understood that, although the Grievance Board is called upon to determine the issue, the new "morality" cancellations are not governed by the Code.

If the exhibitor enjoys the Code cancellation privilege, all pictures canceled as a result of public protest must be credited to his ten per cent cancellation quota; if he hasn't such a privilege, he can cancel them just the same. If the cancellable pictures by public protest exceed the number of pictures allowed by the Code, they shall be canceled just the same; but in all events an exhibitor's cancellation quota under the Code must be absorbed first before any more cancellations may be accepted as a result of public protest.

In case there exists a disagreement with the exhibitor over the legitimacy of the protest, the exchange manager shall refer the matter to the Grievance Board; but it is understood that such board shall determine only the following: was a picture released prior to July 15? Does there exist a publicly announced general protest upon moral grounds? Is such a protest genuine and made in good faith?

The Grievance Board, with the exception of confining its findings to these facts, as well as of refraining from rendering an opinion concerning the moral questions which may be involved, shall not order the distributor to cancel any pictures so involved. Such a Board is invited merely to determine the facts.

A protest must come from the same town; disqualification of a picture in another town does not affect the standing of that picture in the protesting exhibitor's town.

To me the significant part of the elucidations is this: The Grievance boards are Government agencies, established by law. And yet the Hays organization, a private agency, gives orders to the representatives of the United States Government as to what they should or should not do. If the United States Government ever needed a proof that the Hays organization is in control of the Code bodies—Code Authority, Clearance and Zoning Boards, and Grievance Boards, it has it in these "elucidations."

What if one or two Grievance boards showed some independence and ruled that the picture is immoral and decreed that the distributor must withdraw it from the complaining exhibitors' theatre? What will the Hays organization do about it? It will be interesting if any such case ever developed.

There is one other matter to which this paper wishes to call the Government's attention. In its releases, the Hays organization refers to the Hays Morality Code as "The Association's Production Code." Shouldn't the name be changed to "The Association's Production Regulations?" Otherwise the public may be led into believing that the Hays Morality Code is a Code of the United States Government.

In the second section of this issue, I am giving a complete list of pictures that have either been recommended or not recommended by representative bodies, or declared unsuitable for either children or adolescents, but good for adults. These bodies are the Detroit Council of Catholic Organizations, which compiles for, and broadcasts its list through, *The Michigan Catholic*, and The Reverend F. G. Deneen, S.J., of Chicago, member of the Committee that conferred with the Committee of Bishops in Cincinnati. Both the Detroit Council and Father Deneen have the support of Bishops and of Catholic organizations outside their own territories. Their lists are broadcast everywhere through either the Legion of Decency or other sources. So when a picture is put in the "Non-Recommended Lists" a "Genuine Public Protest" exists against it.

In order for you to avoid any controversy with your local exchange manager, however, I suggest that you inquire whether there is or there is not a branch of the Legion of Decency in your town. If there is, request the director of the Legion to undertake to correspond with the distributor. In case, however, there is none, then you should request your local priest, minister and rabbi to form a committee, inviting also prominent citizens to become members, to determine when a picture may be canceled on moral grounds. Let this committee carry out the correspondence with the distributor.

CODE REOPENED FOR ASSENTS

By order of the Code Authority, approved by the Code Administration, the Code has been reopened for assents, and will remain open until August 15.

If an exhibitor desires to sign the Code, he must state the reasons why he did not sign it in the first place, and must have the endorsement of two exhibitors who have already signed the Code.

You may obtain a blank either through your local Grievance Board, or through Mr. John C. Flinn, Executive Secretary of the Code Authority, 1270 Sixth Ave., New York, N. Y.

HARRISON'S REPORTS

Vol. XVI

NEW YORK, N. Y., SATURDAY, JULY 21, 1934

No. 29

In this section I am reproducing two lists of Recommended, of Non-Recommended, and of Adult pictures. The one has been compiled by the Detroit Council of Catholic Organizations, and the other by The Reverend F. G. Deneen, S. J., of Chicago. Both lists have the endorsement of Bishops as well as of Catholic organizations at large; they are copied and sent to thousands of Catholic Churches.

Protestant Churches, too, are using the lists for their congregations, and there is no doubt in my mind that the Rabbis will be using them for the same purpose.

You will notice that there is disagreement on some pictures. These I am publishing on a separate list, indicating in what particular the disagreement exists.

The conflict of these two lists should bring the Catholic organizations face to face with the realization that there should be an agreement as to what pictures should be put on the Non-Recommended List, or on the lists for Adults, which are declared unsuitable for either children or adolescents. Their having undertaken the leadership of this movement has placed upon their shoulders a responsibility that they must discharge with justice. There is involved a loss of anywhere from tens of thousands, to hundreds of thousands of dollars when they put a picture on the Non-Recommended list, not only to the producers but also to the exhibitors, and a scrupulous care should be exercised in the listings. If there should be a temptation to justify severity and even some harshness on the ground that the harm the producers have done to the youth and even the entire people of this nation is great, they must remember that such severity or harshness does not punish the producers alone; the exhibitors are suffering likewise. And these have not been responsible for the production of demoralizing pictures. Besides it is in keeping within the spirit of religion to show magnanimity at the time of triumph. And no one can even question the fact that the churches have triumphed in this war.

The following lists have been prepared by the Detroit Catholic organizations:

RECOMMENDED

Baby Take a Bow—Fox
 Beyond Bengal—Showmen's
 Bottom's Up—Fox
 Cavalcade—Fox
 Chance at Heaven—RKO
 Circus Clown, The—First National
 City Limits—Monogram
 Condemned to Death—Independent English
 Countess of Monte Cristo, The—Universal
 Crown of Thorns, The—Independent
 David Harun—Fox
 Devil Tiger—Fox
 Double Door, The—Paramount
 Ever in My Heart—MGM
 Ferocious Pal, The—Independent
 Fighting Ranger, The—Independent
 Harold Teen—Warner
 Hell Bent for Love—Columbia
 Hi Nellie!—Warner
 His Greatest Gamble—RKO
 Honor of the Range—Independent
 Horse Play—Universal
 House of Rothschild—United Artists
 I Am Suzanne—Fox
 I Give My Love—Universal
 I'll Tell the World—Universal
 In Love With Life—Independent
 Invisible Man—Universal
 It Happened One Night—Columbia
 Keep 'Em Rolling—RKO

Last Gentleman, The—United Artists
 Little Miss Marker—Paramount
 Loud Speaker, The—Monogram
 Mad Age, The—Independent
 Man From Utah, The—Independent
 Man of Two Worlds—RKO
 Man Trailer, The—Columbia
 Money Means Nothing—Monogram
 Most Precious Thing in Life, The—Columbia
 Murder in the Private Car—MGM
 Murder in Trinidad—Fox
 Mystery of Mr. X, The—MG M
 No Greater Glory—Columbia
 Once to Every Woman—Columbia
 Operator 13—MGM
 Poor Rich, The—Universal
 Quitter, The—Independent
 Secret of the Blue Room—Universal
 She Learned About Sailors—Fox
 Show-Off, The—MGM
 Six of a Kind—Paramount
 Smoking Guns—Universal
 Son of Kong—RKO
 Speed Wings—Columbia
 Stand Up and Cheer—Fox
 Stolen Sweets—Independent
 Straightway—Columbia
 Thirty-Day Princess—Paramount
 Twenty Million Sweethearts—First National
 Wild Cargo—RKO
 World in Revolt, The—Independent
 You Can't Buy Everything—MGM
 You're Telling Me?—Paramount

FOR ADULTS

(*Unsuitable for either Children or Adolescents*)

As the Earth Turns—Warner
 Beggars in Ermine—Monogram
 Bulldog Drummond Strikes Back—United Artists
 Cat and the Fiddle, The—MGM
 Change of Heart—Fox
 Crime Doctor, The—RKO
 Crime of Helen Stanley, The—Columbia
 Death Takes a Holiday—Paramount
 Friday the Thirteenth—Gaugmont
 Fugitive Lovers—MGM
 Hell Cat, The—Columbia
 Let's Fall in Love—Columbia
 Lineup, The—Columbia
 Lost Patrol, The—RKO
 Melody in Spring—Paramount
 Murder on the Blackboard—RKO
 Ninth Guest, The—Columbia
 One is Guilty—Columbia
 Orders is Orders—Independent
 Rythm in the Air—First National
 Spitfire—RKO
 Stingaree—RKO
 Take the Stand—Independent
 This Side of Heaven—MGM
 Three on a Honeymoon—Fox
 Very Honorable Guy, A—First National
 Witching Hour, The—Paramount
 Woman in Command, The—Gaugmont

NOT RECOMMENDED

Affairs of a Gentleman—Universal
 All Men Are Enemies—Fox
 All of Me—Paramount
 A Modern Hero—Warner Bros.
 Ariane—Independent
 Blood Money—United Artists
 Born to Be Bad—United Artists
 Bride of Samoa—Independent
 Cross Country Cruise—Universal
 Dark Hazard—First National
 Design For Living—Paramount
 Dr. Monica—Warner Bros.
 Eight Girls in a Boat—Paramount
 Embarrassing Moments—Universal
 Enlighten Thy Daughter—Independent
 Eskimo—MGM
 Ever Since Eve—Fox
 Fighting Rookie, The—Independent
 Finishing School—RKO
 Fog Over Frisco—First National
 Four Frightened People—Paramount
 Gambling Lady—Warner Bros.
 Girls For Sale—Independent
 Girl Without a Room—Paramount
 George White Scandals—Fox
 Ghoul, The—Independent
 Glamour—Universal
 Good Dame—Paramount
 Great Flirtation, The—Paramount
 Guilty Parents—Independent
 Here Comes the Groom—Paramount
 He Was Her Man—Warner Bros.
 Hips, Hips, Hooray—RKO
 House of Mystery—Monogram
 I Hate Women—Independent
 It's a Boy—Independent
 I've Got Your Number—Warner Bros.
 I Was A Spy—Fox
 Jimmy the Gent—Warner Bros.
 Key, The—Warner Bros.
 Kiss and Make-Up—Paramount
 Laughing Boy—MGM
 Lazy River—MGM
 Let's Be Ritzy—Universal
 Let's Talk it Over—Universal
 Let's Try Again—RKO
 Life of Vergie Winters, The—RKO
 Little Man, What Now?—Universal
 Looking for Trouble—United Artists
 Love Birds—Universal
 Love Captive, The—Universal
 Madame DuBarry—Warner Bros.
 Mandalay—First National
 Manhattan Melodrama—MGM
 Many Happy Returns—Paramount
 Marriage on Approval—Independent
 Meanest Gal in Town, The—RKO
 Men in White—MGM
 Merry Frinks, The—First National
 Merry Wives of Reno, The—Warner Bros.
 Midnight Alibi—First National
 Monte Carlo Nights—Monogram
 Murder at the Vanities—Paramount
 Nana—United Artists
 Narcotic—Independent
 Notorious But Nice—Independent
 Now I'll Tell—Fox
 Of Human Bondage—RKO

Palooka—United Artists
 Playthings of Desire—Independent
 Queen Christina—MGM
 Registered Nurse—First National
 Return of the Terror, The—First National
 Riptide—MGM
 Road to Ruin—Independent
 Roman Scandals—United Artists
 Sadie McKee—MGM
 Search for Beauty—Paramount
 She Made Her Bed—Paramount
 Side Streets—First National
 Sing and Like It—RKO
 Sisters Under the Skin—Columbia
 Sleepers East—Fox
 Smarty—Warner Bros.
 Springtime for Henry—Fox
 Streets of Sorrow—Independent
 Strictly Dynamite—RKO
 Such Women Are Dangerous—Fox
 Thin Man, The—MGM
 This Man is Mine—RKO
 Tomorrow's Children—Independent
 Trumpet Blows, The—Paramount
 Twentieth Century—Columbia
 Uncertain Lady—Universal
 Unknown Blonde—Independent
 Vergie Winters—RKO
 We're Not Dressing—Paramount
 Wharf Angel—Paramount
 Wild Gold—Fox
 Wonder Bar—First National

The following lists have been prepared by Father Deneen, of Chicago:

CLASS A

(In this group Father Deneen includes all the pictures that are suitable for family patronage)

Baby Take a Bow—Fox
 Bottoms Up—Fox
 Bulldog Drummond Strikes Back—United Artists
 Change of Heart—Fox
 Circus Clown—First National
 City Limits—Monogram
 Condemned to Death—Independent
 David Harum—Fox
 Dick Turpin—Gaumont British
 Dude Ranger—Independent
 Embarrassing Moments—Universal
 Ever In My Heart—MGM
 Ferocious Pal, The—Independent
 Fighting Ranger, The—Columbia
 Ghost Train, The—Gaumont British
 Harold Teen—Warner
 Hell Bent For Love—Columbia
 Hell Cat, The—Columbia
 His Greatest Gamble—RKO
 Honor of the Range—Universal
 House of Rothschild, The—United Artists
 I Give My Love—Universal
 I'll Tell the World—Universal
 In Love With Life—Invincible
 Keep 'Em Rolling—RKO
 Last Gentleman, The—United Artists
 Lost Patrol, The—RKO
 Loudspeaker, The—Monogram
 Mad Age, The—Independent
 Man From Utah, The—Independent
 Man Trailer, The—Columbia

CLASS A (Continued)

Man's Game, A—Columbia
 Melody in Spring—Paramount
 Money Means Nothing—Monogram
 Most Precious Thing In Life—Columbia
 Murder in the Private Car—MGM
 Mystery of Mr. X, The—MGM
 No Greater Glory—Columbia
 One is Guilty—Columbia
 Operator 13—MGM
 Orders is Orders—British Gaumont
 Poor Rich, The—Universal
 Quitter, The—Chesterfield
 Randy Rides Alone—Security
 Secret of the Blue Room—Universal
 She Learned About Sailors—Fox
 Show-Off, The—MGM
 Six of a Kind—Paramount
 Sorrell and Son—United Artists
 Stolen Sweets—Chesterfield
 Straightway—Columbia
 Thirty Day Princess—Paramount
 Very Honorable Guy, A—First National
 Voice In The Night—Columbia
 We're Rich Again—RKO
 Wheels of Destiny—Universal
 Wild Cargo—RKO
 Witching Hour, The—Paramount
 World in Revolt—Mentone
 You're Telling Me—Paramount

CLASS B

(Pictures in this group may be considered offensive because they are suggestive in spots, vulgar, sophisticated or lacking in modesty.)

All Men Are Enemies—Fox
 As the Earth Turns—Warner
 Beggars in Ermine—Monogram
 Black Cat, The—Universal
 Black Moon—Columbia
 Call It Luck—Fox
 Cat and the Fiddle, The—MGM
 Channel Crossing—Gaumont
 Cockeyed Cavaliers—RKO
 Come on Marines—Paramount
 Constant Nymph, The—Fox
 Crime Doctor, The—RKO
 Crime of Helen Stanley, The—Columbia
 Crosby Case, The—Universal
 Double Door—Paramount
 Fighting Rookie, The—Mayfair
 Friends of Mr. Sweeney—Warner
 Half a Sinner—Universal
 Heart Song—Fox
 Here Comes the Groom—Paramount
 Hollywood Party—Metro
 I Can't Escape—Security
 I Hate Women—Goldsmith
 It Happened One Night—Columbia
 I've Got Your Number—Warner
 Key, The—Warner
 Let's Talk It Over—Universal
 Let's Try Again—RKO
 Line-Up, The—Columbia
 Little Miss Marker—Paramount
 Looking for Trouble—United Artists
 Love Captive, The—Universal
 Many Happy Returns—Paramount
 Merry Frinks, The—First National
 Midnight Alibi—Warner

Monte Carlo Nights—Monogram
 Murder at the Vanities—Paramount
 Murder on the Blackboard—RKO
 Ninth Guest, The—Columbia
 Now I'll Tell—Fox
 Party's Over, The—Columbia
 Private Scandal—Paramount
 Return of the Terror—Warner
 Shoot the Works—Paramount
 Sing and Like It—RKO
 Song You Gave Me, The—Columbia
 Stand Up and Cheer—Fox
 Stingaree—RKO
 Strictly Dynamite—RKO
 Tarzan and His Mate—MGM
 Thin Man, The—MGM
 This Man is Mine—RKO
 Three on a Honeymoon—Fox
 Twenty Million Sweethearts—First National
 Twin Husbands—Invincible
 Viva Villa—MGM
 We're Not Dressing—Paramount
 Where Sinners Meet—RKO
 Whirlpool—Columbia
 Woman in Command—Gaumont
 You Made Me Love You—Independent

CLASS C

(Pictures in this group are considered by Father Deneen immoral and indecent and entirely unfit for Catholic patronage; and since the list circulates also among non-Catholics, it may be said that they are unsuitable for any decent person.)

Affairs of a Gentleman—Universal
 Affairs of Celline—United Artists
 Ariane—Independent
 Born to Be Bad—United Artists
 Dr. Monica—Warner
 Enlighten Thy Daughter—Independent
 Fighting Lady, The—Independent
 Finishing School—RKO
 Fog Over Frisco—First National
 Girls for Sale—Independent
 He Was Her Man—Warner
 - It Ain't No Sin—Paramount
 Jimmy the Gent—Warner
 - Kiss and Make-Up—Paramount
 - Laughing Boy—MGM
 - Life of Vergie Winters, The—RKO
 Little Man What Now?—Universal
 Madame DuBarry—Warner
 - Manhattan Melodrama—MGM
 Merry Wives of Reno—Warner
 Modern Hero, A—Warner
 Narcotic—Independent
 Notorious But Nice—Chesterfield
 Playthings of Desire—Independent
 Road to Ruin—Independent
 - Sadie McKee—MGM
 Side Streets—First National
 - Sisters Under the Skin—Columbia
 Springtime for Henry—Fox
 Such Women Are Dangerous—Fox
 Tomorrow's Children—Independent
 - Trumpet Blows, The—Paramount
 Uncertain Lady—Universal
 Unknown Blonde—Majestic
 - Wharf Angel—Paramount
 Wild Gold—Fox

Conflicting Classifications

The following pictures have been placed on the Recommended list by the Detroit Council of Catholic Organizations, and in the Class B list by Father Deneen:

"Double Door," "It Happened One Night," "Little Miss Marker," and "Twenty Million Sweethearts."

The following pictures have been declared suitable only for adults by the Detroit Council, whereas they have been declared suitable for family patronage by Father Deneen:

"Bulldog Drummond," "Hell Cat," "Lost Patrol," "Melody in the Spring," "One is Guilty," "Orders is Orders," "A Very Honorable Guy," and "The Witching Hour."

The following picture has been placed on the Non-Recommended list by Detroit, but has been approved for family patronage by Father Deneen:

"Embarrassing Moments."

The following pictures have been placed on the Non-Recommended list by the Detroit Council, but have been placed on the Class B list by Father Deneen:

"Fighting Rookie," "Here Comes the Groom," "I Hate Women," "The Key," "Let's Talk It Over," "Let's Try Again," "Looking For Trouble," "Love Captive," "Many Happy Returns," "The Merry Frinks," "Midnight Alibi," "Monte Carlo Nights," "Murder at the Vanities," "The Return of the Terror," "Sing and Like It," "Strictly Dynamite," "The Thin Man," "This Man is Mine," and "We're Not Dressing."

The difference of opinion that exists is decided; and not on one or two pictures hut on many.

If this were only a matter of opinion it would not matter; but millions of people will depend on information passed out not only by the Catholic, hut also by Protestant as well as by Jewish organizations to guide people.

Unless a unified system of listings is adopted the losses that will be incurred by the industry will be incalculable. And I don't see how a unified system can ever be effected to take in all faiths.

In the opinion of this publication, there is only one solution of the problem—abolition of block-booking and blind-selling. If these systems are abolished, it will be possible for those who are interested in the welfare of the people of their communities to appoint committees to advise the local theatre managers what type of pictures they should like to see. Tastes differ. Pictures that may please people in one community may here, or even offend, people of another community, and vice versa. It is only by abolishing these two pernicious systems that the problem will be solved in a fairly satisfactory manner.

Let the churches appeal to the President to reopen the Code so that a provision abolishing block-booking and blind-selling may be inserted in to it; and if this is not possible, then let them work for Congressional legislation.

THE SMALL EXHIBITOR IS THE GOAT!

The following letter has been sent to me by an exhibitor of Ohio.

I am sorry I cannot give you his name; he doesn't want it known.

Dear Mr Harrison:

"I am following your campaign against salacious motion pictures with interest.

"Church opposition is hurting. It is hurting the subsequent run houses more than the first run.

"For instance: 'Born to Be Bad,' which is particularly objectionable, and is a poor picture besides, did good business in downtown Cincinnati. 'The Life of Vergie Winters,' which was held up by the Ohio Censor Board, and received much publicity because of that, ran two weeks in downtown Cincinnati to very good business and may be brought back for a third week. However, representatives of women's organizations are going around to suburban houses and are asking them not to run pictures such as these. What is the answer?

"I am running 'Sadie MacKee' this week and although it played downtown many of my patrons have told me that they are not allowed to see it.

"In Hamilton, the newspaper publisher printed the statement that he will not accept advertising on any picture he considers unsuitable.

"To me the situation is so muddled that there can be only one solution—Mr. Breen. If he does what he is supposed to, the motion picture industry may be saved; but if he allows the companies to walk all over him, it means goodbye for all of us.

"If I were you, I would advise the exhibitors to buy late this year so as to see what will be the result of Mr. Breen's work. If that fails, so will we. The churches must give him a fair trial.

"One of the worst features of this campaign is that every organization sets up its own moral standings and is its own judge to what should be approved and what condemned."

KARACHI PICTURE HOUSE

Karachi, Bombay, India

3rd of July, 1934

P. S. Harrison, Esq.
Editor & Publisher
Harrison's Reports
New York, N. Y., U. S. A.

Dear Sir:

You will find enclosed a cheque for \$50 in your favour on the Chartered Bank of India, Australia & China, New York City, for which please enter our name in your subscription list for a period of suitable duration to cover this remittance.

When remittance expires, please notify us a couple of months in advance so that a further suitable remittance may be sent to you.

Please start the subscription from the first week of receipt of this letter and remittance.

Your faithfully,

For Empire Talkie Distributors
For the Karachi Picture House,
R. M. Pancholi, Proprietor

HARRISON'S REPORTS

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India	17.50
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1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
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Published Weekly by
P. S. HARRISON
Editor and Publisher

Established July 1, 1919

Pennsylvania 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, JULY 28, 1934

No. 30

THE BETRAYAL!

As a result of my editorial in last week's HARRISON'S REPORTS relative to the Code Authority's instructions to the Clearance and Zoning boards on clearance and zoning schedules, my attention has been called by the Code Authority to an Amendment to the Code, designated as No. 1, which was approved on June 13, 1934, by Division Administrator Sol A. Rosenblatt and Administrator Hugh S. Johnson, numbered as subsection (c), added to Article VI, Part I, Section 7, which reads as follows:

"Local Clearance and Zoning Boards, in addition to the powers and duties otherwise provided for in this Code shall, when directed so to do by the Code Authority, receive any and all protests from Motion Picture Exhibitors against any existing clearance and zoning schedules as to their respective theatres alleging that such clearance and zoning is unreasonable in length or area. The issue raised by such protests shall be decided by the Local Clearance and Zoning Boards after notice and hearing to the parties affected, and pursuant to the procedure and subject to such rights of appeal as are provided in this Article. The Code Authority may direct that the duties of the Local Clearance and Zoning Boards shall be performed and discharged by the hearing and deciding protests as provided in this Section, instead of formulating schedules as provided in Article VI, Part I, Sections 1 and 3."

From what I have been able to learn, the resolution for the modification of the Code in one of its most important provisions was introduced at the February 16 meeting of the Code Authority by Harold Bareford, of Warner Bros., and was passed by it.

The statement issued by the Code Authority about the first part of March was not an indication of what the majority on the Code Authority had in mind. This statement, which was printed in the March 17 issue of HARRISON'S REPORTS, reads as follows:

"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 theatres 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 [affected?]; and that with respect to the time of making of decisions and the procedure thereafter, the provisions of the Code shall prevail."

As you will see, nowhere in this statement of the Code Authority's is there indicated that the resolution that had been introduced by Mr. Bareford, Harry Warner's attorney and his alternate on the Code Authority, was meant to change the Code so radically as to put an end to the formulation of clearance and zoning schedules.

As late as March, the President of the United States assured us that the big business men will not be allowed to create monopolies or to further their monopolistic practices. If anything was even intended to crush the small businessman in the motion picture industry it is the perpetuation of the unjust, unfair, and inequitable clearance and zoning schedules. By this modification, the major producers are permitted not only to perpetuate but also to strengthen their stranglehold upon the motion picture industry, for it makes it impossible for any one else but the theatre owning producers to get film when it is fresh in the mind of the public and able to draw patrons to the box offices of the subsequent-run exhibitors.

How well the majors are taking advantage of this Amendment you will understand thoroughly by reading over again the fourth paragraph of the Code Authority's

statement, which was commented upon in last week's editorial:

"4. You will perform no functions in regard to clearance and zoning other than finishing your work as specifically outlined above until reconvening on or about November 1st, 1934, for hearing protests for the 1935-36 season."

In other words, the Clearance and Zoning boards, when they reconvene on or about November 1, 1934, have their advance instructions not to formulate any new schedules, even for the 1935-36 season, but only to hear protests. In this manner they have cleverly taken away from you your rights, not only for this year, but also for the next.

Let me call your attention to the fact that there has been no public hearing for the modification of the Code, even though the question involved concerned one of the basic provisions of the Code. There are only two basic provisions: that which established the Grievance boards, and that which established the Clearance and Zoning boards. Without these two boards, with your rights to go before them for redress, the other provisions of the Code would mean nothing. And yet half the Code, practically speaking, was modified without a public hearing.

Let me call your attention to another significant fact: The resolution was introduced February 16. And though it was passed by the Code Authority on the same day, it was not approved until June 13, on which day it was presented, apparently, to the industry for protests, with the provision that if no protests were lodged against this amendment within twenty days, it was to become effective.

Considerable time elapsed between February 16 and June 13—fully four months. What happened to the resolution in the meantime? Was it presented to the Division Administrator at once or was it kept away from him until a later date? If it was kept for a later date, what was the reason? Was a copy of the Amendment mailed to you who have consented to the Code and have paid your good money towards its support? No! Were there ever more guarded Star Chamber proceedings than these?

Where was Rosenblatt when Bareford and the rest were putting one over on the independents? Where was O'Reilly? Where was Yamins? and Kuykendall?

This is perfidy of the most brazen kind. And who is responsible for it? This certainly calls for an explanation from Division Administrator Rosenblatt, for we want to know this: if the major companies can slip one over on him when he is present, what will they do now that he is on the Coast and unable to attend the Code Authority meetings?

Is the Code to be employed by the major companies to perpetuate the monopoly they have had in this industry for years? They are using subordinates for second, third and even fourth alternates, to conduct the meetings of the Code Authority, in direct violation, I believe, of the Code.

Subparagraph (d), Paragraph 2, of Article II, specifies the following:

"In case of the absence, resignation, ineligibility, or incapacity of any member of the Code Authority to act, an alternate of the same general class of the industry and a bona fide executive, or a bona fide Exhibitor, as the case may be, designated by such member, shall act temporarily in place of such member. Such designated alternate shall be certified to the Code Authority by such member but the Code Authority may reject such an alternate and require another to be so designated."

Subparagraph (e) specifies the following:

"Each alternate designated by a member of the Code Au-

(Continued on last page)

"She Loves Me Not" with Bing Crosby and Miriam Hopkins

(Paramount, (1934-35 Season); running time, 84½ min.)

Very good adult entertainment. It is fast, breezy, funny, has good music, and an appealing romance. It is somewhat rough in spots, but it is doubtful if the younger element will understand it. During the musical interludes it lags occasionally, but the masses will not mind this since Bing Crosby, who is popular, does the singing. The story is different; it holds the interest throughout, and all the performances are unusually good. So many of the situations are comical that it is difficult to pick any one as outstanding. However, the funniest seems to be the one in which the Dean of Princeton University finds himself involved with a bunch of tough publicity and newspaper men, in connection with a moving picture stunt. There is human interest, too, and the characters are sympathetic; they get into trouble trying to help out others.

The plot revolves around the efforts of Bing Crosby and Edward Nugent, two Princeton college men, to hide Miriam Hopkins from the police. She was wanted as a witness to a murder that had taken place in the night club where she entertained. She was tough and senseless but, realizing that, to testify, would have gotten her into trouble, she ran away from New York and wandered into Bing's rooms at college; he felt it his duty to help her. He and Nugent cut her hair, dress her up as a boy, and set out to get her a job with Nugent's father, a motion picture producer. Lynne Overman, the press agent, saw a chance to exploit the story and to help the company. He went down to the college, upset the routine, took pictures of Miriam in vulgar poses, insulted the Dean, and got the two boys in trouble. Bing was broken-hearted, for he had fallen in love with Kitty Carlisle, the Dean's daughter. A committee meeting was held to decide whether to expel the boys or not, and the whole college held a demonstration in favor of the boys. They were reinstated, Kitty and Bing were united, and Miriam becomes a movie star.

The plot was adapted from the stage play by Howard Lindsay. It was directed by Elliott Nugent. In the cast are Henry Stephenson, Warren Hymer, Judith Allen, George Barbier, Henry Kolker, and others.

Because of some rough spots it is unsuitable for children, adolescents, or Sundays. Harmless to adults.

"Grand Canary" with Warner Baxter and Madge Evans

(Fox, July 13; running time, 74 min.)

An excellent performance by Warner Baxter is about the only worth-while thing that "Grand Canary" has to offer. The story is trite, slow-moving, and uninteresting, and is not much different from other pictures that are founded on a similar theme—that of a man's regeneration through the love of a woman. In this case, however, the love affair loses some of its effectiveness because Madge Evans, the woman he loves, is married, and when she eventually divorces her husband to marry Baxter nothing is shown to justify her for such an act; no reason is given why she should throw over her husband for another man. Another unpleasant feature is the fact that sickness, in the form of a plague, is shown, with its surrounding misery and suffering. There is some comedy relief in Marjorie Rambeau's wise-cracking but it is not very effective.

In the development of the plot Baxter, a London surgeon, is disgraced because of the activities of jealous doctors; he had been accused by them of having killed with his newly-discovered serum injection three persons. He leaves for the Canary Islands, determined to drink himself to death. On the boat he meets Madge Evans, and they fall in love with each other. He has new courage and stops on his way at the village where Madge is staying. There is an epidemic and Baxter arranges to stay over to help. Madge, while on her way to visit Baxter, is stricken and Baxter, with the assistance of Zita Johann, a nurse who loved him, saves Madge from death. But Baxter loses her to her husband. He works frantically to help the stricken people of the town and his serum works wonders. He receives world recognition for his work and is welcomed back to London. His happiness is complete when he, upon his arrival, is met by his true friend, H. B. Warner, who hands him a cablegram from Madge telling him she was divorcing her husband and would join him soon.

The plot was adapted from a story by A. J. Cronin. It was directed by Irving Cummings.

Not for children, adolescents, or Sunday showing. Good for adults, other than Catholics, because of the diocese.

"We're Rich Again" with Marion Nixon, Edna May Oliver and Billie Burke

(RKO, July 13; running time, 70½ min.)

The masses will go for this comedy, because it provokes hearty laughter, even though the story is nonsensical. It is well acted by a competent cast, and there isn't one serious moment. It holds the spectator in suspense, too; one does not know what will happen the next moment because of the crazy actions of all concerned. It is all about an impoverished family who had seen better days, and whose only hope of regaining wealth was to marry off the daughter, Joan Marsh, to Reginald Denny, a wealthy broker. Billie Burke, the mother, and Grant Mitchell, the father, struggle to keep up appearances until after the wedding and keep process servers out of the house; Edna May Oliver, the grandmother, is too busy playing polo with young men to worry much; and the younger sister, Gloria Shea, is concerned only with her romance with Buster Crabbe.

In the development of the plot Marion Nixon, a country cousin, arrives just when the family is in a most hectic state. She pretends to be very simple but manages to work out everything so that it benefits her most. She wears all Joan's trousseau clothes, mixes into everyone's affairs, advises Grant Mitchell to borrow money and invest it in stocks and suggests to Gloria and to Buster that they elope. At first Billie Burke is frantic, but, as if by a miracle, every thing turns out well. Buster is none other than an heir to millions, the stock rises and nets Mitchell \$100,000, and Joan breaks her engagement to Denny. This pleases Denny who, by this time, had fallen in love with Marion, just as she had with him. They marry.

The plot was adapted from a story by Alden Nash. It was directed by William A. Seiter. In the cast are Edgar Kennedy, Otto Yamaoka, Lenita Lane, Richard Elliott, and others.

Suitable for every member of the family.

"The Last Gentleman" with George Arliss

(United Artists (1934-35) Oct. 5; running time, 71 min.)

Wherever pictures featuring George Arliss are enjoyed, "The Last Gentleman" should give satisfaction. Although not a big picture as compared with "House of Rothschild," it has human interest, some excellent comedy, and several surprise twists. Arliss goes back to his old role of a crochety old man, head of a family, who rules with a firm hand, at the same time having an affection for all of them. He is an extremely sympathetic person; one can feel deeply his keen disappointment in having as his heir a son who is a scoundrel. The situation in which the son brings to his father's home an alienist to establish the fact that his father is mentally unbalanced is pitiful, and at the same time funny because Arliss turns the tables on his son; he convinces the alienist that he is of sound mind, and his son of unsound. The closing scenes are excellent; they are novel, exciting, comical and even stirring.

Arliss, who had died, had left behind a talking picture of himself in which he tells each member of his family just what he had left them as their inheritance and why and, knowing in advance what each one would probably say, had given the answer. One situation that should provoke hearty laughter is that in which Arliss holds a memorial service for a departed niece. The solemnity is turned into a farce when the minister loses his voice which he regained for a moment or two only by blowing his nose strenuously.

In the development of the plot Arliss, who had called his family together, including his daughter-in-law, whom he had not seen for sixteen years because of a quarrel, is surprised to find Charlotte Henry, his grand-daughter, and her mother, charming. He is determined to leave his fortune to the granddaughter but wants her to preserve the family name. He brings about a romance between Charlotte and Frank Albertson, his sister's adopted son, his only request being that the boy change his name to "Barr," the family name. In the message to his family, which is shown to them by talking pictures after his death, he tells his worthless son he is not leaving him anything, and goes on to bless the rest of his family and to wish the young couple, to whom he had left his fortune, good luck. The family is left in tears as the picture fades out.

The plot was adapted from a story by Katharine Clugston. It was directed by Sidney Lanfield. The cast is excellent; it includes Edna May Oliver, Janet Beecher, Ralph Morgan, Edward Ellis, Rafaela Ottiano, Donald Meek, Joseph Cawthorn, and Harry C. Bradley.

Good for children, adolescents and Sundays. It should please cultured audiences more than the masses.

4/24-15

"The Notorious Sophie Lang" with Gertrude Michael and Paul Cavanagh

(Paramount, July 20; running time, 62½ min.)

This crook melodrama is fast-moving but implausible and, because of its theme, demoralizing. However, if not taken seriously, it should amuse adults fairly well because there are plentiful laughs provoked by the clever way in which the crooks fool the nonsensical detectives. One of the funniest situations is where Gertrude Michael, one of the crooks, goes to a jewelry store posing as a Countess and immediately senses that something is wrong. She turns the tables by placing the store manager in the seat where she was supposed to have sat, and she finds a connection installed by the police that was to have taken her picture but which took the picture of the manager instead. Alison Skipworth, as her fellow conspirator, adds to the comedy by her pretended bewildered behavior. The reason why the picture is so nonsensical and far-fetched is that doors and windows always seem to be open so as to permit the crooks to steal in peace, and even to do their conniving under the very nose of the police.

The story is the old one of using one crook to catch another crook. Arthur Byron, the police inspector, knows that Paul Cavanagh is an international crook, from France. Byron is out to get a notorious American woman crook and knows that Cavanagh, too, wants to meet the woman. So he sends his sleuth to follow Cavanagh but both Cavanagh and Gertrude are so clever that they constantly keep the Inspector bewildered. They become involved in the robbery of a famous string of pearls and it seems as if the police really have them. But again they escape, this time leaving for France together, for they had fallen in love with each other.

The plot was adapted from a story by Frederick Irving Anderson. It was directed by Ralph Murphy. In the cast are Leon Errol, Ben Taggart, Ferdinand Gottschalk, Jack Mulhall, and others.

Not for children, adolescents, or Sundays. Some adults may like it.

"Here Comes the Navy" with James Cagney, Pat O'Brien and Gloria Stuart

(Warner Bros., July 21; running time, 85 min.)

This is a fast-moving comedy, done in the typical breezy Cagney style; it should satisfy the Cagney fans, particularly men. Although it belongs to the cycle of sailor stories, it varies somewhat from the usual in that it concerns the enmity between two sailors instead of dealing with the exploits of sailors on shore leave. The United States Navy cooperated in the filming of the picture and, for this reason, the background is authentic; and it is impressive. Several of the situations are exciting, as for instance the one in which Cagney, during target practice, endangers his own life to save the crew when some spilled powder ignited and threatened to cause an explosion. Another exciting situation comes in the closing scene where Cagney is shown saving Pat O'Brien's life when O'Brien had held on to the rope of the Macon after every one else had let the rope go. Because of Cagney's manner and his insolence towards superiors, at first one does not feel much sympathy for him, but later, because of his courage, one changes his attitude toward him. The romantic interest is pleasant.

The story revolves around the feud existing between Cagney and O'Brien. O'Brien is a naval officer and Cagney purposely joins the Navy so as to meet O'Brien and settle his differences with him by a fight. Cagney becomes acquainted with Gloria Stuart and finds to his regret that she is O'Brien's sister. This makes him feel even more bitter towards O'Brien, particularly when O'Brien forbids him to see Gloria. Cagney displays bravery during target practice when some powder ignites and threatened a disaster, and is decorated for it. But he remains just as bitter, and holds the Navy in contempt. He is transferred to the air service and again shows his courage by saving O'Brien's life when O'Brien was accidentally hoisted into the air by a strong wind when he was trying to assist in landing a Navy airship. This brings about a reconciliation between the two and Cagney, besides receiving a promotion, which made him O'Brien's superior, marries Gloria. Cagney now feels that the Navy is the greatest place in the world.

The plot was adapted from a story by Ben Markson. It was directed by Lloyd Bacon. In the cast are Frank McHugh, Dorothy Tree, Robert Barrat, Willard Robertson, and others.

Because of a few suggestive remarks by Cagney, even though they are subtle, it may not prove suitable for children, adolescents, or Sundays. Very good for adults.

"You Made Me Love You" with Thelma Todd and Stanley Lupino

(Majestic-Brit. Int.; running time, 70 min.)

Exhibitors who are able to use British-made pictures should find this picture a pretty good comedy, done in the typical British farce style. It is more or less a modern version of "The Taming of the Shrew," and the situations showing Lupino trying to tame Thelma are quite funny, particularly those in which he purposely makes her most uncomfortable. The tunes are quite catchy, and the action is fast. The one drawback is that the only name known to American audiences is that of Thelma Todd. The closing scenes make it unsuitable for family trade because of the reference to the hero's establishing proof at a hotel for his wife to obtain a divorce:—

Thelma's father is overjoyed when Lupino tells him he wants to marry Thelma. She is a shrew with an uncontrollable temper and wrecks furniture. Lupino feels he can train her, but knowing that she will not marry him, he works out a scheme with her father whereby it appears as if the father was indebted to Lupino, and that Lupino threatened to foreclose on the home unless Thelma married him. She marries Lupino but in name only. He tries all his tricks on her but they don't seem to work. Her last fit of temper leads her to break up the home that belonged to Lupino's friend. Lupino tells her it is no use; he will go to a hotel to give her evidence for a divorce. When he leaves, his friend tells Thelma how much Lupino loves her and she realizes she loves him, too. She follows him to the hotel, there is a reconciliation and at last everybody is happy.

The plot was adapted from a story by Stanley Lupino. It was directed by Monty Banks. In the cast are John Loder, Gerald Rawlinson, James Carew, and others.

Unsuitable for children, adolescents, or Sundays. An adult picture.

THE DISTRIBUTORS' NATIONAL POLICIES

In a recent editorial I suggested that, since the National Policies of the distributor are not really national but are applied according to the circumstances existing in a town or locality, you send me the terms on which you bought your pictures, or the terms they are insisting upon your accepting for the coming season's product, so that I might publish them without giving your name.

The thought back of it was to enable every one of you to compare your terms with the terms of the other exhibitors.

But only one exhibitor responded.

The same exhibitor, at whose suggestion I wrote that editorial, has written me as follows:

"If you recall, a few weeks ago, you commented at my suggestion on 'National Sales Policies' of film companies as being a myth and suggested that we send you the terms of what we have been asked for each company's product. Pete Wood, secretary of the Independent Theatre Owners of Ohio, has asked for the same thing. I wish some one would start the ball a-rolling and quote terms. Who can tell what this may lead to? Possibly the end of preferred play-dates, which are the bane in every exhibitor's existence, and perhaps the end of percentage pictures.

"I myself have not been approached by any salesman yet. But unofficially, I have heard that Fox is selling 12 pictures on percentage, with six preferred play-dates; Warner-First National are selling ten percentage pictures as follows: One at 50%, two at 35%, and seven at 30%, all to have preferred play-dates. The one at 50% may be omitted from the contract if the exhibitor wishes, the catch being that he loses his 10% cancellation right by not buying all the product, as the Code requires.

"I really believe that you can do us a lot of good by getting a nation-wide response to this matter. And goodness knows we need it."

Write and tell me the terms they are asking from you so that I may publish them. The facts will be so disguised that no one will know where the information comes from.

In reference to the practice of Warner Bros. of allowing an exhibitor to refrain from buying the 50% picture so that he might lose his right to cancel ten per cent of the pictures, allow me to inform you that several exhibitors are inserting the following provision into their applications for contracts before they sign them. If they buy forty pictures out of fifty-five: "Forty pictures offered and forty pictures bought." A provision of this kind protects their cancellation rights.

Insert such a provision in your application for a contract.

thority to be a permanent alternate for such member shall be approved by the Administrator."

Nowhere in the Code is there a provision empowering an alternate to appoint another alternate. On the contrary, it is specified that an alternate shall act only in an emergency. But have they? There are producer members of the Code Authority who have attended only one meeting, some only two meetings and very few of them attended more than one-third of the meetings; they have conducted the Code Authority business with, as said, their third and fourth rate assistants in direct violation of the Code, which calls for "bona fide executives."

It is my opinion that such acts of the Code Authority as were performed by second, third or fourth alternates, are illegal, for they have been performed by persons who are not entitled to sit as members. And it should not be difficult for an aggrieved exhibitor to obtain an injunction against the Code Authority on these grounds.

There are other points on which the Code Authority has, in my opinion, acted illegally. These will be discussed in a forthcoming issue.

You have paid your money to the Code Authority for the maintenance of the Clearance and Zoning as well as the Grievance boards only because you hoped to get a square deal. By the modification of one of the basic Code provisions a square deal is being denied you. Can any one blame you, then, if you refused to pay any more assessments to the Code Authority? If the Code is to be used by the majors for themselves let them stand all the costs.

IRRESPONSIBLE HARRY WARNER

On July 19, Harry Warner gave a luncheon on the Coast in honor of Mr. Jim Farley, Postmaster-General and National Chairman of the Democratic Party. In the course of his speech, Harry Warner said among other things the following:

"I didn't mean to talk about this, but it is highly important to our company. When the Cardinal of Philadelphia says it is a sin to go to the theatre this is very un-American, because it is confiscation of a great industry, and of the livelihood of thousands upon thousands of people.

"I hope the Postmaster-General will issue a new stamp with a picture of one of our girls out here on it, charge an extra cent for it and send the proceeds out here to take care of the distress that would be caused if the Cardinal's advice were taken."

I did not intend to comment upon this statement of Harry Warner's, but because he used the expression, "It is confiscation of a great industry and of the livelihood of thousands upon thousands of people," I reconsidered my original decision lest those who are fighting against indecent pictures think that Harry Warner speaks for the entire motion picture industry.

I inquired around among some of this industry's executives how they felt about that statement of Harry Warner's and found out that every one of them considers it thoughtless and irresponsible.

Harry Warner called Cardinal Dougherty "un-American." For what? For indicating to the Catholics of his diocese not to patronize the dirty pictures Warner Bros. has been making. It is evident that Cardinal Dougherty could not touch Harry Warner's pride to discontinue making such pictures, for Harry Warner has no pride: any man who can stand up before a Senate Committee and justify his having sold his company's shares short, acting, as said, like the gambler who, while playing poker, put his opponents with their backs against a mirror, such man has no pride. The only place where he could hurt him was his pocketbook. And Cardinal Dougherty proceeded to hurt him in his pocketbook.

Harry Warner seems to have no conception whatever as to what are the duties of a host, particularly when the guest is a devout member of the religion one of whose representatives he censures, the leader of one of the two big parties, and a close friend of the President of the United States. In his desire to take advantage of his guest to get publicity, he put him into an extremely embarrassing position.

It is fortunate that Mr. Farley happens to be a Catholic; otherwise the Government would have been placed in such an embarrassing position as to call for explanations to soothe the feelings of the Catholics, who form approximately one-fifth of the population of this country.

Will H. Hays has been called the Czar of the motion picture industry. This is one time when I really wished that he were a Czar, to send Harry Warner to Patagonia, if

possible, so that he may do as little harm as possible during these troublesome days, and give us a chance to straighten out the industry's problems. We, in the motion picture industry, know how conceited he is. His conceit came to him when Ambassador Gerard named him as one of the big men of the United States. Harry Warner did not realize that Ambassador Gerard's act was one of courtesy, to repay Harry Warner, in a way, for his producing a picture of the Ambassador's activities in Germany preceding the declaration of war against Germany by the United States. But he thinks Mr. Gerard meant it. The Lord have mercy upon us all if all our big men were as thoughtless as Harry Warner.

If Cardinal Dougherty bid all the Roman Catholics of his diocese to keep away from picture theatres, Harry Warner is more to blame than any other person in the industry, for in the last three years his company has produced more indecent, immoral, and demoralizing pictures than any other. And if what I have been told by a trustworthy person is accurate, he will not change, for a high executive of Warner Bros. told him that now they are going to make their pictures dirtier than ever.

The situation in Philadelphia can be relieved, not by offending statements, but by good pictures. If Harry Warner should give up making indecent pictures, following the example of the other producers, there can be no doubt in any one's mind that the ban will be lifted, not only in the Philadelphia territory, but also in every territory in the United States where similar action has been taken.

The Philadelphia territory exhibitors would serve their interests greatly if they should repudiate Harry Warner and refuse to buy Warner Bros. pictures unless they received from that company an assurance that they will discontinue making unclean, indecent, and demoralizing pictures.

CLASSIFICATION OF PICTURES

The following new pictures have been classified by the Detroit Council of Catholic Organizations; they have been taken from *The Michigan Catholic*:

RECOMMENDED: Dick Turpin, Dude Ranger, The Ghost Train, Jane Eyre, Sandy Rides Alone, The World Moves On, and We're Rich Again.

NOT RECOMMENDED: Affairs of Cellini, Bachelor Bait, The Fighting Lady, The Personality Kid, and The Woman Who Dared.

The following pictures have been classified by the Chicago Council of Legion of Decency (Father Deneen):

CLASS A (good for the families): Beyond Bengal, Charlie Chan's Courage, Doomed to Die, Ever Since Eve, Handy Andy, Jane Eyre, Lost Jungle, Mystery Squadron, Old-Fashioned Way, Through the Centuries, Vanishing Shadow, Wandering Jew, War's End, Whom the Gods Would Destroy.

CLASS B (Not Forbidden—Suitable for Adults, mainly, by reason of the fact that they are offensive in spots through suggestiveness of vulgarity, sophistication, or lack of modesty): Bachelor Bait, Countess of Monte Cristo, Devil's Brother, Friday the Thirteenth, Guns for Sale, House of Mystery, Murder in Trinidad, Personality Kid, Stamboul Quest, Twentieth Century.

CLASS C (indecent, immoral, and entirely unfit for showing): Glamour, Morals for Women, Men in White, Picture Brides, Riptide, Registered Nurse, Smarty, Upperworld.

DISAGREEMENT: The Chicago list puts "Countess of Monte Cristo" on the Class B classification, whereas the Detroit list on the Recommended. The Chicago list places "Twentieth Century" on the Class B (adult) list, whereas the Detroit list in the Not Recommended.

For the complete lists, see the Second Section of last week's issue.

MARTIN QUIGLEY'S EDITORIAL ON THE "DECENCY" CAMPAIGN

Under the heading, "The Decency Campaign—Inside and Out," Mr. Martin Quigley, publisher of *Motion Picture Herald* and *Motion Picture Daily*, published an editorial in the July 21 issue of the *Herald*, by which he calls upon all those who are fighting against indecent pictures to unify their efforts so that what one list praises the other list may not condemn and vice versa.

HARRISON'S REPORTS is in full accord with Mr. Quigley's statements.

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United States	\$15.00
U. S. Insular Possessions.	16.50
Canada	16.50
Mexico, Cuba, Spain.....	16.50
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Australia, New Zealand,	
India	17.50
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1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
Pennsylvania 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, AUGUST 4, 1934

No. 31

Nathan Yamins Explains His Position and O'Reilly's

I have received the following letter from Mr. Nathan Yamins, dated July 28:

"Dear Mr. Harrison:

"I have read your editorial in the July 28th issue of HARRISON'S REPORTS, entitled 'The Betrayal,' and with particular reference to the paragraph, 'Where was Rosenblatt when Bareford and the rest were putting one over on the independents? Where was O'Reilly? Where was Yamins? and Kuykendall? and feel that you have been guilty of gross injustice in permitting independent exhibitors to draw an inference that I, among other exhibitor representatives, was a party to the 'Betrayal,' or that I was negligent in my duties in not doing anything to prevent what you term a 'betrayal.'

"In view of the seriousness of the charge, I feel compelled to depart from my customary silence and, in justice to myself and others, acquaint you with the facts.

"Article VI, Part 1, of the Code of Fair Competition for the Motion Picture Industry provides 'Each Local Clearance and Zoning Board shall, promptly after its creation, and prior to January 1, 1934, and prior to January 1st of each year thereafter, formulate, prescribe and publish for its territory *schedules of clearance*, as in Section 1, above described, for the *season next ensuing*.' (italics mine.)

"In as much as the local boards were not created until March, 1934, it was obvious that the first requirement of publishing a schedule prior to January 1, 1934, could not be complied with, and if there was any delay from whatever source in formulating a schedule before the season commenced, it would not be effective until the 1935-36 season. For this reason I personally sponsored a resolution to give local boards the right to hear individual protests in order that relief could be given for the 1934-35 selling season, realizing that if a great number of individual protests were heard and disposed of, the effect would be the same as if a schedule was published.

"To accomplish this, an amendment to the Code was necessary, and I can see no objection to the amendment per se, because it permits Boards to grant relief in installments by hearing individual protests, or by formulating a schedule. The difficulty, however, came later when a resolution was passed requiring individual protests to be filed by June 10th. I understood that the purpose of this was to enable the local Boards to decide whether it was best to hear the individual protests or because of their large number, to zone the territory, and when the resolution was discussed I did not see any danger in adopting it.

"Subsequently at a meeting of the Code Authority held on July 12, the Clearance and Zoning committee brought in a recommendation to the effect that boards could not consider protests filed after June 10th, and were to stop working on all schedules. Charles L. O'Reilly, who is a member of this committee, brought in a minority report and both he and I argued strenuously against this resolution because we knew that the requirement of filing protests before June 10th had not been brought to the attention of all exhibitors, and that many had not filed protests because they were led to believe that the territory in which their theatres were located was to be zoned. However, the distributor members of the Code Authority insisted on the passage of the resolution in a slightly modified form on the ground that it was necessary to terminate the work of the Clearance and Zoning Boards in order that they could go about their normal business of selling film.

"The records of the Code Authority will show that Mr. O'Reilly brought in a minority report and that neither he nor I voted in favor of the resolution, the effect of which is practically to postpone zoning and continue unreasonable protection for at least another year, thereby depriving exhibitors of one great measure of relief that was promised by the Code.

"This is the answer to your question 'Where was O'Reilly? Where was Yamins?' We were there, fighting to protect the interests of the independent exhibitor, but after all, Mr. Harrison, do not forget that we are hopelessly in the minority, and when the question is one of conflicting interests between distributors and exhibitors, it is a foregone conclusion what the results will be.

"In my opinion, there is only one solution, and that is a change in the set up of the Code Authority, so that the exhibitor interests will not be submerged by the sheer weight of numbers."

This letter from Mr. Yamins, along with the information that I have received after making some private inquiries, convinces me beyond any doubt that Messrs. O'Reilly and Yamins were fighting to protect the interests of the independent exhibitors; but they were hopelessly outnumbered. And I hope that if any exhibitor has received the impression that they were derelict in their duty will be set right.

Nevertheless, there has been a betrayal to the interests of the exhibitors, perpetrated by the major companies, who are bent upon retaining the stranglehold they have had on the motion picture industry for years. The National Industrial Recovery Act was passed at Washington to bring about the recovery of the United States from the depression by compelling the big business men to give the small business men a living chance. The moving picture producers and distributors are disregarding the spirit of that Act and are carrying on their monopolistic practices without interruption, crushing the small business man of this industry. But there is a day of reckoning, just as there has been such a day in the indecent and demoralizing pictures, for which they are now paying. The day will come when they will pay also for this other mistake.

Mr. Yamins puts it right when he says that the Code Authority should be recast to give the independent exhibitor greater representation; it is the only way by which the independents will have a chance to obtain relief.

SUBSTITUTIONS AND TENTH PICTURES—NO. 3

The cancellation provision of the Code has turned out to be a joke. To begin with, the sales forces of the producers, at the time the Code went into effect, did all they could to make the exhibitor believe that the cancellation ruling did not apply to the 1933-34 product, insisting upon such an interpretation even many weeks after the Division Administrator ruled that it did apply. Then came the interpretation as to when a picture was released in a particular exchange territory; the distributors gave the cancellation clause such an interpretation on this that the exhibitors were deprived of their rights. The Code Authority attempted to point a way out by making a ruling, but the procedure it established is so complicated that it made matters worse. On top of all this, each branch manager or booker of an exchange gave the cancellation clause an interpretation of his own. I have seen a letter in which one booker stated that the exhibitor should have paid for the picture he

(Continued on last page)

"Happy Landing" with Ray Walker and Jacqueline Wells

(Monogram, July 30; running time, 62 min.)

This starts off as a rather silly slapstick comedy, but it develops into a fast-moving but somewhat wild melodrama, which may satisfy audiences that are not too particular about story material, since it makes up in speed what it lacks in plot. The closing scenes will hold audiences, particularly the younger element, in suspense because of the danger the hero finds himself in when encountered by criminals. For those who like exciting air scenes there are several good shots of planes fighting. There is parachute jumping as an added attraction. To intelligent audiences, the plot will prove too fantastic, for the hero, although thrown from planes and shot at and beaten by thugs, at no times appears to be hurt:—

Ray Walker and Hiram Hoover, pals, are both attached to the Border Patrol, and in love with the same girl, the Colonel's daughter. Tricked by a crook who had formerly been a member of the Patrol, Walker is forced to resign. He accepts employment on an ocean liner of which his father is Captain. Jacqueline, the Colonel's daughter, loves Walker and joins him on the ship; she tells him she has faith in him. The same crook who had tricked Walker plans to rob the ship bound for Mexico of a large shipment of money. Walker overpowers the crook, takes his place, and tricks the gang. His innocence is proved, the money is saved, and there is a happy reunion.

The plot was adapted from a story by Stuart Anthony. It was directed by R. N. Bradbury. In the cast are William Farnum, Noah Beery, Morgan Conway, Warner Richmond, and others.

Except for the gangster element it is suitable for children, adolescents, and Sundays. (Since the gangsters are not glorified but retribution comes to them, Class A.)

"Handy Andy" with Will Rogers

(Fox, July 27; running time, 81 min.)

This is all Will Rogers, and those who like his homely brand of comedy will be satisfied with it. Many of the situations will provoke hearty laughter, particularly the situation in which he appears at a fancy dress ball dressed as Tarzan, occasionally giving vent to the jungle cry. The picture is pleasant entertainment throughout and, although not particularly exciting, it is the sort of comedy that puts one in a happy mood. It is a simple tale, intelligently directed, and well-acted:—

Rogers, owner of a drug store in a small town, is forced by Peggy Wood, his wife, to sell out so as to become a gentleman. He is restless and makes a nuisance of himself around the house, even forcing the maid to leave. Peggy is invited to visit some friends during a Mardi Gras, and Rogers is forced to go with her. Once there he is bored and even annoyed at the attentions his wife receives from one of the men. He strikes up an acquaintance with a drugstore owner and with his sweetheart, and they induce him to teach Peggy a lesson. At a fancy dress ball he disgraces her and she is glad to go back home with him. During their absence, their daughter, Mary Carlisle, had married the son of the poor doctor and the mother is happy for this since the man she had picked out for her daughter turned out to be the son of a crooked family. Rogers finally buys back his old drugstore and is happy once more, for he intends to work there with his son-in-law.

The plot was adapted from a story by Lewis Beach. It was directed by David Butler. In the cast are Conchita Montenegro, Roger Imhof, Robert Taylor, Paul Harvey, Grace Goodall, Frank Melton, and others.

Suitable for children, adolescents, and Sundays. (Class A)

"Ladies Should Listen" with Cary Grant, Frances Drake and Edward Everett Horton

(Paramount (1934-35) Aug. 3; running time, 60 min.)

This French farce is strictly adult fare, and at that more suitable for sophisticated audiences. The production is excellent, but the story is thin, and although it provokes hearty laughter from time to time it is mostly of the risqué type, the dialogue having double meaning. Most of the laughs occur because of the way in which Frances Drake, a telephone operator, in love with Cary Grant, manages his affairs, much to his disgust. In order to get him out of one mess she gets him into another, even worse, and all because she wants to help him. It is just light summer entertainment, not to be taken seriously:—

Grant imagines himself in love with Rosita Moreno, a married woman, and refuses to listen to Frances Drake when she tells him that Rosita and her husband are schemers, trying to involve him in a scandal so as to force him to give up his interest in a nitrate mine. Frances, in order to rid Grant of Rosita, forces Nydia Westman, the pesty daughter of a millionaire, on Grant. Nydia's father insists that Grant had compromised his daughter and must marry her. But in the meantime he becomes interested in Grant's mine. By advice from Grant, Edward Everett Horton, in love with Nydia, wins her away from Grant. This makes Grant very happy, and since he found out that Rosita and her husband were crooks, he realizes that Frances is the girl for him.

The plot was adapted from a story by Alfred Savoir and Guy Bolton. It was directed by Frank Tuttle. In the cast are Charles E. Arnt, George Barbier, Rafael Corio, Charles Ray, and others.

Unsuitable for children, adolescents, or Sundays (Class B.)

"Hat, Coat and Glove" with Ricardo Cortez

(RKO, Aug. 24; running time, 64 min.)

A fairly interesting marital drama, with a thin plot; its appeal is more for class than mass audiences. The chief defect is the fact that, excepting Cortez, no other leading character is sympathetic. The action is slow for the first half, the most interesting situations coming in the closing courtroom scenes where Cortez acts as counsel for an innocent man, unjustly accused of a murder. During these scenes one is held in suspense not knowing how Cortez would work out his defense, since he was determined not to let the man present his alibi because it would involve Cortez's own wife who had spent the night with the accused man. Comedy is aroused during these scenes by a talkative witness:—

Cortez is very much in love with his wife, Barbara Robbins, but she insists on a separation. She imagines herself in love with a young man, John Beal, and has an affair with him. Cortez goes to Beal's apartment to talk with him and instead of Beal he finds Dorothy Burgess, a cast-off mistress of Beal's, who was in a drunken state. She kills herself in Cortez's presence, and Beal is arrested for the murder. Because of his wife's pleas, Cortez takes the case, but on one condition—that Beal do not give his alibi that he had spent the night with Barbara. During the trial Barbara realizes that Cortez had been a witness to the murder and yet without using the true facts was clever enough to have Beal freed. She realizes that it is her husband she loves and she goes back to him.

The plot was adapted from the play by Wilhelm Speyer. It was directed by Worthington Minor. In the cast are Margaret Hamilton, Sarah Haden, Samuel Hinds, and others.

Unsuitable for children, adolescents, or Sundays. Class B.

"Elmer and Elsie" with George Bancroft and Frances Fuller

(Paramount, July 27; running time, 63 min.)

A namby-pamby entertainment. George Bancroft, a virile actor, is given the role of a sap, whose wife is actually the head of the family. One feels almost embarrassed watching him act at times like a bashful schoolboy. The basis of the plot, although familiar, is not so bad, but it has been done in such an uninteresting way that it bores one. The characters are sympathetic but their actions and the dialogue is so obvious that it fails to hold one's interest.

The story is about a gentle wife whose graciousness and intelligence go a long way in "pushing" her husband in business. Bancroft, the husband, is in the shipping department of a piano concern. He is slightly hurt in an attempt to save a piano intended for a famous musician when it was about to fall off the truck. His wife, Frances Fuller, makes the most of the situation by arousing the sympathy of the employer, George Barber, and of his wife, Nella Walker. Roscoe Karns, Bancroft's supposed pal, puts obstacles in the way of Frances' plans but, with the help of Nella, Bancroft is finally made foreman of the shipping department. He feels he is a self-made man, little realizing that it was his wife's tact that had made him. But she is glad to have him think so.

The plot was adapted from a story by George S. Kaufman and Marc Connelly. It was directed by Gilbert Pratt. In the cast are Charles Sellen, Albert Conti, and others.

Suitable for Children, adolescents, and Sundays. Class A
In a kitchen scene a box of Lux is prominently displayed.

**"Paris Interlude" with Madge Evans,
Otto Kruger and Robert Young**

(MGM, July 20; running time, 71 min.)

Just program grade entertainment. It may amuse sophisticated persons, but the masses will be bored. There is very little to the plot, which concerns itself with a group of artistic Americans in Paris, and the action of which is slow; it is more talk than action. Madge Evans is a sympathetic character, and Una Merkel makes the most of some comical lines, but everyone seems to be walking through their parts and struggling to make something out of nothing. The outcome is quite obvious and there is nothing to the story to really hold the interest:—

Madge Evans is in love with Otto Kruger, a newspaper correspondent, and on the day they were to be married he leaves for America without saying a word to Madge. She is heartbroken and is thankful for the friendship given her by Robert Young, a former newspaper man, who was acting as a guide to wealthy tourists so as to extract large commissions from night clubs and other amusement places. Young is very much in love with Madge but she can think only of Kruger until one day she hears that Kruger had been killed in China. She then decides to marry Young, but the night before the marriage Kruger turns up, sick and wounded. All their money goes for hospital expenses for Kruger who now regrets he had left Madge and wants to marry her. Una tells him to leave Madge alone and let her marry Robert, and in one noble gesture he sets Madge free to marry Young.

The plot was adapted from the play "All Good Americans," by S. J. and Laura Perelman; it was directed by Edwin L. Marin well. In the cast are Ted Healy, Louise Henry, Edward Brophy, George Meeker, Bert Roach, Richard Tucker, and others.

Not for children, adolescents, or Sundays (Class B.)

Substitution Facts: This is taking the place of Lee Tracy No. 3. It is a star substitution and you are not compelled to accept it.

**"Shock" with Ralph Forbes, Gwenllian Gill
and Monroe Owsley**

(Monogram, July 20; running time, 69 min.)

This should satisfy the rank and file. Although it is not particularly novel in story treatment, and a little far-fetched in some of its situations, it is a war drama that manages to hold the interest throughout; in addition, one sympathizes with Ralph Forbes, the hero, and Gwenllian Gill, the heroine, because of their fine characters, and because both of them suffer on account of their separation by the war. The second half holds one in suspense. This is brought about when Forbes, because of shell-shock, cannot recall who he is. One does not know how he will again meet Gwenllian, or what will become of him. The situation in the closing scenes where Forbes regains his memory is quite touching. The love interest is romantic:—

The night before he is sent to France, Forbes marries Gwenllian. He is shell-shocked and when he regains consciousness at a hospital he cannot recall who he is. Forbes is reported missing, and Monroe Owsley, who loved Forbes' wife, tries to make her believe Forbes is a deserter, even though he knew that if Forbes were dead it was because he had taken the place of Owsley's brother, who had committed suicide, so as to save their family from disgrace. When Forbes is well again he goes back into service under the name given him by the hospital, and distinguishes himself as an aviator. One of the younger aviators is wounded and before he dies asks Forbes to visit his sister. After the war Forbes goes there and the sister is none other than his own wife, but he does not recognize her. She is shocked by the resemblance to her husband. Forbes promises to help her find her husband. He falls in love with her but feels he hasn't the right to her love. A taunt on the part of Owsley brings back his memory and after a delirious period he remembers everything. There is a happy reconciliation between Forbes and his wife.

The plot was adapted from a story by Roy Pomeroy and directed by him. In the cast are David John Holt, Reginald Sharland, Billy Bevan and others.

Suitable for children, adolescents, and Sundays. Class A.

**"Housewife" with Ann Dvorak, George
Brent and Bette Davis**

(Warner Bros., Aug. 11; running time, 69 min.)

Mediocre! It is dull account of a plot that has been done many times; it deals with a man who makes good with the help of his wife, and who, when he acquires wealth, becomes unfaithful to her, only to find that it is his wife he really loves; he then becomes reconciled with her. There are no variations on the theme here, and so the interest lags. It has also a depressing moral, for George Brent is shown starting on the road to wealth by a tricky plan: he had suggested to John Halliday, owner of a cosmetic concern, to put out a new product almost similar in quality to the product which he was selling, and for which he was charging \$5 a jar, but to put a label on it saying that it had double the effect, and charge \$10 for it. In that way women would think it was a much better product and would buy it. With a big advertising campaign planned by Brent, the scheme goes over and with that as a nucleus he builds up his concern. It may be all right as a satire on the advertising business but it is not the best idea to put into young people's heads. Brent is an unsympathetic character throughout; he is at first meek, then selfish for failing to recognize the help given him by his wife, (Ann Dvorak), and later cruel, for having an affair with another woman. Ann Dvorak wins sympathy and respect. Bette Davis is wasted in a part of small consequence. The old trick of having an accident happen to a child in order to arouse human interest is not effective here. The courtroom scene in which Ann and Brent become reconciled is rather ludicrous.

The plot was adapted from a story by Robert Lord and Lillie Hayward. It was directed by Alfred E. Green. In the cast are Ruth Donnelly, Robert Barrat, Phil Regan, and others. (Coast review.)

Unsuitable for children, adolescents, or Sundays. (Class B)

**"The Scarlet Letter" with Colleen Moore
and Hardie Albright**

(Majestic Pictures; running time, 72 min.)

This old-fashioned and outmoded melodrama is mediocre. It is slow-moving, the dialogue, which occasionally harks back to the old-fashioned form of speech, sounds silly, and the comedy is ineffective. It has no entertainment value, except for a sincere performance by Colleen Moore, which is wasted on this creaky story. And it fails as entertainment for the family circle, because of the theme, which constantly refers to the fact that Colleen Moore had committed adultery, for which sin she was to receive many years of punishment. Although one feels some sympathy for Colleen, it is not enough to hold the interest. It is boresome.

The story unfolds in the old Massachusetts days, when the Puritans ruled with a firm hand. Colleen, thought to be a widow, was punished after her child by another man was born, and the penalty was that she must wear the scarlet letter "A" to show everyone what a wicked woman she was. They did not know that Albright, their own minister, was the guilty man, because Colleen refused to reveal the man's name.

To the village comes Henry B. Walthall, Colleen's elderly husband, and, without disclosing to the town folk his relationship, tortures mentally both Colleen and Albright. Eventually Albright, who could not keep his guilt to himself any longer, confesses to his people, and dies in Colleen's arms. This makes the people realize how fine a woman Colleen was and she is completely forgiven and taken into the fold. This in some way makes up for the loss of the man she loved.

Throughout there is some comedy contributed by Alan Hale and William T. Kent, who woo the same widow.

The plot was adapted from the novel by Nathaniel Hawthorne. It was directed by Robert G. Vignola. In the cast are Cora Sue Collins, Virginia Howell, William Farnum, Betty Blythe, and others.

The committing of adultery makes it unsuitable for children, adolescents, or for Sunday showings. (Because it is an old Classic, it may be classified as Class B.)

cancelled and the exchange would return his money "in thirty days or so"; he had no idea whatever that the Code is specific on this point.

I don't know why I should be wasting my valuable time listing the Tenth pictures, but some exhibitors request this information and I don't want to disappoint them.

Columbia

You are entitled to cancel 4 if you bought the westerns and 3 if you did not. The tenth picture of the third group is: if you bought the westerns, "What Price Scandal"; if you did not buy them, "Lady is Willing."

By the way, "Lady is Willing" is that British picture which Columbia was to release around January but which it kept back because its quality is, as I have been informed reliably, poor; its theme is demoralizing and I am sure the churches will ban it as indecent, in that the husband is a promoter of fraudulent stock deals and robs his wife of her fortune while carrying on an affair with another woman. Eventually they are divorced.

No substitutions.

First National

You are entitled to cancel three pictures.

Because of the fact that First National has rearranged its schedule, the Tenth picture of the First group, for those who do not accept the substitutions, is not "Side Streets," which was originally set for release June 20 (It is now July 14) but "Circus Clown."

For those who have accepted the substitutions, the Tenth picture of the second group is "The Dragon Murder Case"; for those who have not, it has not yet been set for release.

All this company's substitutions are: "Mandalay," "Registered Nurse," "Twenty Million Sweethearts," "The Merry Frinks," and "Fog Over Frisco."

If you wish to take advantage of your cancellation privilege under the Code, it will be necessary for you to cancel two in the second group; there have been so many substitutions that you will not be able to cancel your quota unless you hasten. Remember that the Code says you shall cancel ten per cent of the pictures your contract calls for, and not the number the distributor may deliver.

Fox

You are entitled to cancel 4 pictures.

The Tenth picture of the fourth group has not yet been set for release.

"Frontier Marshall" is the only substitution.

Metro-Goldwyn-Mayer

You are entitled to cancel 4 pictures.

The Tenth picture of the third group has not yet been set for release.

"Stamboul Quest" is, as said in the review, a substitution, and you don't have to take it; it is delivered in place of a Lee Tracy picture. "The Show Off" is the other substitution. "Paris Interlude" is another; it is being delivered in place of Lee Tracy No. 3.

Paramount

You may cancel 4 pictures.

A slight rearrangement in the release schedule of this company's pictures places "The Great Flirtation" as the Tenth picture of the third group.

The fourth group consists of only six pictures and you are entitled to cancel one. You may cancel either "The Notorious Sophie Lang," which has been set for release July 20, or "Elmer and Elsie," set for release July 27.

No substitutions.

RKO

You are entitled to cancel 4 pictures.

The Tenth picture of the third group has not yet been set for release. The Tenth of the second group was, for those who accepted "Long Lost Father," which was a substitution, "Murder on the Blackboard"; for those who did not accept it, "Life of Vergie Winters."

"Long Lost Father" is the only substitution.

United Artists

The 1933-34 release schedule of this company was completed with the release of "Born to Be Bad," which is the Tenth picture of the only group of ten released after the Code went into effect.

No substitutions.

Universal

You are entitled to cancel 3 pictures whether you bought the westerns or not, as explained in the June 2 issue.

If you have bought the westerns and have refused the substitutions, the Tenth picture of the third group has not yet been set for release; if you bought the westerns and have accepted the substitutions, the Tenth picture of the third group is "The Human Side," set for release August 27; if you did not buy the westerns and did not accept the substitutions, the Tenth picture of the second group is "One More River," set for release August 6.

Substitutions so far: "I Like it That Way," "Countess of Monte Cristo," "Black Cat," "Affairs of a Gentleman," and "Embarrassing Moments."

Warner Bros. Pictures

You are entitled to cancel 2 pictures.

Because of the fact that this company has pulled off "Madame du Barry" from release on account of its having proved objectionable to the church people, the release schedule has been rearranged somewhat.

The Tenth picture of the second group is, for those who have accepted the substitution, "House Wife," set for release August 11; for those who did not accept it, "Dames," to be released September 1.

"Merry Wives of Reno" is the only substitution.

CLASSIFICATION OF PICTURES

The following pictures have been classified by the Detroit Council of Catholic Organizations for *The Michigan Catholic*.

RECOMMENDED: "The Cat's Paw," "Charlie Chan's Courage," "Doomed to Die," "Handy Andy," "Lost Jungle," "Mystery Squadron," "Old-Fashioned Way," "Once to Every Woman," "Vanishing Shadow," "Wandering Jew," "War's End," and "Whom the Gods Destroy."

NOT RECOMMENDED: "Ariane," "Man With Two Faces," "Morals for Women," "A Modern Hero," "Nell Gwyne," "Picture Brides," and "Upper World."

The following pictures have been classified by the Chicago Legion of Decency:

CLASS A (Recommended): "Black Beauty," "Girls in Uniform," "Prince of Wales," "Son of Oklahoma."

CLASS B (Not Forbidden but unsuitable for either children or adolescents; adults may see them if they suit their tastes; they are offensive in spots): "Grand Canary" (Editor's Note: evidently Catholics object to it because of the divorce), "Here Comes the Navy," "Massacre," "The Man With Two Faces," "The Notorious Sophie Lang," "Paris Interlude," and "Woman Unafraid."

CLASS C (Indecent, immoral and unfit for showing to decent people): "Lazy River," "Nana," "Catherine the Great," "George White Scandals," "Good Dame," "Of Human Bondage," "The Scarlet Empress," and "The Private Life of Henry the VII."

DISAGREEMENTS: The Detroit list places "The Man With Two Faces" on the Not Recommended list, whereas the Chicago list places it in the Class B List (Not Forbidden).

For the previous listings see the back page of the July 28 issue.

Hereafter pictures will be classified in the reviews in HARRISON'S REPORTS more definitely; the letters "A," "B," and "C" will be employed and will have the same meaning as that given to them by the Chicago Legion of Decency.

LATEST DOINGS IN THE CRUSADE AGAINST INDECENT PICTURES

From Chicago comes word that there will be no let up in the war against indecent pictures.

During July there was a drive in the diocese there, the purpose of which was to enlist all men; the drive for women will be carried on in August; in September there will be a drive to enlist young people between the ages of 15 and 25. This will be followed by a drive in October, to enlist all the grade school children.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions.....	16.50
Canada	16.50
Mexico, Cuba, Spain.....	16.50
Great Britain	16.00
Australia, New Zealand,	
India	17.50
35c a Copy	

1440 BROADWAY
New York, N. Y.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
PENNSYLVANIA 6-6379
Cable Address:
Harreports
(Bentley Code)

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, AUGUST 11, 1934

No. 32

THE GUILLOTINE!

On August 8, I sent to the Code Authority the following letter:

"To the Code Authority of the Motion Picture Industry
"1270 Sixth Avenue
"New York, N. Y.

"Dear Sirs:

"The formulation of fair and equitable clearance and zoning schedules is, as far as the unaffiliated exhibitor is concerned, one of the fundamental provisions of the Code of Fair Competition, for by means of such schedules fairer and more equitable competitive conditions may be established. 'Clearance,' as applied to films, means, as every one of you knows very well, 'age.' Consequently, the longer the clearance given to a prior-run exhibitor, the older is the film when it reaches the subsequent-run exhibitor and the smaller its box-office value to him.

"To obtain fair and equitable clearance and zoning schedules and thus be enabled to compete for a just share of the public's business, those independent theatre owners who consented to the Code gave up certain practices beneficial to their businesses, such as, giving away premiums in the forms of gifts, selling two tickets for the price of one ticket, holding either bank or racing nights, and the like. These exploitation devices enabled them to compete with their more fortunate competitors, affiliated theatre owners, who enjoyed the right, (1) to buy first-run film exclusively, (2) to obtain protection over a large area encircling their theatres, and (3) to hold the film back an unreasonable length of time, privileges which were denied to unaffiliated theatre owners even though these were often willing and able to pay for film more than the affiliated theatre owners.

"But you, the Code Authority, have nullified this provision, for by Amendment 1, which has formed Subsection (c), and has been added to Section 7, Part 1, of Article VII, you have obtained from the President the right to order, at your discretion, the Clearance and Zoning Boards to cease formulating clearance and zoning schedules, and by an order issued by you to the Clearance and Zoning Boards on July 12, you did order such Boards, (1) to disregard any protests involving newly formulated schedules for the 1934-35 season, unless such protests were filed prior to June 10, 1934, that is, fully one month before you issued that order; (2) to cease formulating new schedules for the 1934-35 season; (3) to reject any protests against individual schedules unless such protests were filed prior to July 1, 1934, that is, twelve days prior to the time you issued your order; and (4) to perform no other functions until about November 1, 1934, at which time these boards, according to Paragraph 4 of your order, will convene, not to formulate new schedules for the 1935-36 season, but only to hear protests against existing schedules.

"In adopting this amendment you neither held a public hearing nor sent a copy of it to every one of those who consented to the Code so that these might be enabled to study it and file their protests against it in case they felt that it would endanger their interest.

"The Code is a contract between those who signed it and the United States Government, and like any other contract it cannot be altered by the one party without giving the other party its day in court. But you proceeded to alter this 'contract' in utter disregard of the rights of the other parties to it—the unaffiliated exhibitors.

"In my long association in the motion picture industry, I have never seen more closely guarded star chamber proceedings than these; never a greater, crueller, more heartless disregard of the interests of the small business men. You have violated, not only the spirit, but also the letter of the New Deal, which has been conceived to protect just such men.

"The excuse you have given, as I have been able to learn, is that the selling season was close at hand and immediate action had to be taken to prevent great losses in the selling of film consequent to the delay in formulating and finally adopting schedules. You assert that the setting up of the Clearance and Zoning Boards was so delayed, unavoidably, that these boards could not formulate schedules for every zone before the selling season began.

"If the Clearance and Zoning Boards were not formed speedily enough immediately after January 1, the fault lies with no one else but your majority, for it was your majority's dilatory tactics that caused the delay. Instead of confining its challenges to nominees that represented its own side, it challenged unaffiliated exhibitor nominees, a right it did not have. It attempted to disqualify, and in many instances did disqualify, unaffiliated exhibitors whose only offense had been that they had fought for the protection of the rights of unaffiliated exhibitors too conscientiously.

"I have been informed reliably that, at the meeting of the committee appointed by you to make nominations for members of Grievance as well as of the Clearance and Zoning Boards, and later at the meeting of the full membership of your body to ratify these nominations, each member of your majority and a few members of the minority were supplied with a list of names, compiled at the offices of the Hays association, of unaffiliated exhibitors who had been recommended by the exchange managers of major producer-distributors, and that these list-possessors subtly insisted that only such names be approved as were in that, the Hays, list. The efforts of the possessors of such lists to exclude other names, and the determination of the Code Authority members who represent unaffiliated exhibitors to stand by their rights, insisting upon the approval of such exhibitors as were proposed by them as being, in their opinion, best qualified to discharge the duties imposed upon them by the President of the United States, naturally caused a delay in the setting up of these boards. For this, the unaffiliated exhibitors, as you well understand, were in no way responsible.

"But even then, the first order of business of the Clearance and Zoning Boards should have been to formulate new schedules and print them. But did they do so? No! The orders you issued to these boards were so confusing, whether purposely or not, that at one time you found yourselves in the humiliating position of having to admit it: on May 26, you sent to the Clearance and Zoning Boards a communication prefaced as follows:

"In order to clarify the existing misunderstanding with reference to the jurisdiction and procedure of the Clearance and Zoning Boards, you are advised that you are permitted to follow only the procedure outlined below disregarding all previous instructions in the matter. . . . In other words, all the instructions you had issued to these boards up to May 26 were so ambiguous, so conflicting, that on May 26 you found it necessary to instruct them to disregard all previous communications and to adhere to the instructions contained in that communication.

"If the Clearance and Zoning Boards, which were not elected by the vote of those who assented to the Code, but were your own creation, your appointees, failed to understand the orders you issued to them for several months, how could you expect the unaffiliated exhibitors to understand them, particularly since your decisions reached them, not by private communications, as in the case of the boards, but through the trade press, several days late?

"Though the members of the Clearance and Zoning Boards and many members of your body may not have understood these instructions, there is, I believe, at least one member of the Code Authority who understood them—Mr. Harold Bareford, alternate for Mr. Harry Warner
(Continued on last page.)

"The Defense Rests" with Jack Holt and Jean Arthur

(Columbia, July 15; running time, 68 min.)

Just a program melodrama. During most of the picture Jack Holt is presented in such an unfavorable light that no sympathy is felt for him. He is a lawyer who represents criminals, knowing that they are guilty, just because he feels that the only way to make a success out of the law profession is to be crooked. He even goes so far as to represent a kidnapper of a child that had been killed, in spite of the fact that the mother begs him not to, so that the man might be punished. Holt refuses and this causes the death of the mother; she kills herself in Holt's office. Of course, this brings about his regeneration but it is not effective since one loses all respect for him. In addition, it has a demoralizing effect in that it shows how he prepares cases for trial, building up false alibis, and playing upon the sympathy of the jury. The spectator feels some sympathy for Jean Arthur, who tries to set Holt straight.

The plot was adapted from a story by Jo Swerling. It was directed by Lambert Hillyer. In the cast are Nat Pendleton, Arthur Hohl, Raymond Walburn, Harold Huber, Robert Gleckler, Sarah Padden, Shirley Grey, and others. (Coast review.)

Not suitable for children, adolescents, or Sundays. Class B.

"One Night of Love" with Grace Moore and Tullio Carminati

(Columbia, 1934-35), Rel. date not set; time, 84 min.)

Excellent! This is high class entertainment: it should appeal even to the masses. It brings grand opera to the screen in a style that will not bore those who are not music lovers and will delight those that are, and since the music is made part of the story it does not slow up the action. One derives much pleasure listening to Grace Moore, who has a fine voice. The operatic music is brought into the story by having Grace Moore appear as an opera star and she sings excerpts from two operas in different performances—"Carmen" and "Madame Butterfly." It is realistic, too, for the performances take place on a stage of a theatre and adhere strictly to the opera settings. At different times she sings arias that are familiar to most people. The story has human interest, and some excellent comedy situations. The love interest is romantic, and the few sex situations have been done in a manner not to offend:—

Grace Moore, a music student stranded in Italy, when her money gives out, takes a position in a cafe as a singer. To this cafe comes Tullio Carminati, the greatest voice teacher in Italy, and he is amazed at Grace's voice. He offers to take her as his pupil, provided she would give up everything and concentrate on her work, and further provided she would not fall in love with him. She agrees to all this and goes through an intensive period of study and coaching. She revolts when Carminati refuses to allow her to play even a little and tells him she is through with opera and will marry Lyle Talbot, a wealthy young American. Carminati confesses his love to her and since she loves him, too, they are happy and she says she will be a great success for his sake. But Mona Barrie, Carminati's former pupil, returns and tries to win Carminati for herself. Grace thinks Carminati loves Mona and accepts an offer to sing at the Metropolitan in New York. She leaves Carminati, but on the night of her debut she is lost without him. She is saved from failure when Carminati appears at the last minute and encourages her to sing. She is acclaimed. The lovers are happily united.

The plot was adapted from a story by Charles Beahan and Dorothy Speare. It was directed by Victor Schertzinger skillfully. In the cast are Luis Alberni, Andreas de Senyrola, Mona Barrie, Henry Armetta, Jessie Ralph, and others.

It is doubtful if children or even adolescents will understand the inoffensive sex implications. Class A.

"Blind Date" with Ann Sothern, Neil Hamilton and Paul Kelly

(Columbia, July 20; running time, 76 min.)

Only fair; the story has been done many times. It is the excellence of the performances, more than the plot, that holds one's interest, for it is the old tale of the young girl whose family demand much of her in the way of support, and who almost sacrifices her happiness for their benefit. Human interest is brought about by the fact that the three leading characters are sympathetic, and even though one wants to see Ann Sothern marry Neil Hamilton, the man she loved, one cannot help being in sympathy with Paul

Kelly, who in his way loves Ann, too. Kelly is not presented as a cad; instead, he is shown as having decent traits and a good character in giving Ann up; it is only that he and Ann are not suited for each other. At first Hamilton is unsympathetic because he attempts to gain Ann's love without the benefit of marriage, but he later reforms and tries to help Ann. There is a pleasant romantic quality about the picture.

The story is by Vida Hurst; the direction, by Roy Wm. Neill. In the cast are Mickey Rooney, Spencer Charters, Jane Darwell, Joan Gale, Geneva Mitchell, Theodore Newton, and others. (Coast review.)

Because of the situation in which Hamilton proposes that Ann live with him, it is unsuitable for children, adolescents, or Sundays. Class B.

"She Was a Lady" with Helen Twelvetrees and Donald Woods

(Fox, July 20; running time, 78 min.)

Just fair entertainment. Because of the sympathy one feels for Helen Twelvetrees, the interest is held fairly well throughout. The story is thin, and runs into familiar channels, with an ending that is quite obvious. The performances are good and several of the situations, such as the bravery displayed by Ralph Morgan in saving horses from a burning stable, are stirring. The grief displayed by Helen at the death of Morgan, her father, is pitiful. The romance is fairly appealing:—

Before Ralph Morgan dies he begs Helen not to marry before she first visits her grandmother in England. Morgan had been ostracized by his titled family when he married his mother's maid, and his hope was that one day Helen might take his place in society. Donald Woods, a wealthy young man, begs Helen to marry him but she refuses; she wants to keep her promise. Having been brought up on a ranch she is an excellent rider and joins a circus. She makes enough money to take the trip to England only to find when she arrives there that her grandmother had died and the family did not want her. She returns to America and on the boat meets Monroe Owsley, the publicity agent of the circus, who had followed her to England hoping to blackmail her, and he offers her a position in a gambling establishment which she refuses. Back in America she is ready to marry Woods but his father objects and she refuses to marry under such conditions. She accepts Owsley's offer and Woods finds her at the gambling place. Woods insults her and Owsley knocks him down. Helen is frantic and takes Woods home. Everything is explained and the young people are united; they now have the blessing of Woods' father.

The plot was adapted from a story by Elizabeth Cobb. It was directed by Hamilton McFadden. In the cast are Irving Pichel, Doris Lloyd, Kitty Kelly, Halliwell Hobbes, and others. (Coast review.)

Not unsuitable for children, adolescents and Sundays. Class A.

"Beyond the Law" with Tim McCoy and Shirley Grey

(Columbia, July 20; running time, 58 min.)

This is a fairly good action melodrama; it holds one's interest. The first half is given to a little too much conversation, but the second half is fast. Human interest is aroused by the fact that an innocent man is convicted of a murder, and saved eventually by the efforts of the hero, Tim McCoy, who establishes the guilt of the real murderer. The love interest is incidental.

Tim McCoy, a railroad detective, gives evidence at a trial that convicts Shirley Grey's father of murder and theft. Shirley later convinces McCoy that her father is innocent and they work together to trap the real criminals. With the help of Shirley, he traps the guilty man; it was the railroad superintendent; he was the brains behind the gang and had engineered the robbery and had committed the murder. Shirley's father is released from prison. Shirley and McCoy, having fallen in love, marry.

The plot was adapted from a story by Harold Shumate. D. Ross Lederman is the director. In the cast are Addison Richards, Harry C. Bradley, Mert LaVarre, and others.

Because the criminals are not glorified this is suitable for children, adolescents and Sundays. Class A.

"The Moonstone," Monogram: a fair program melodrama. Class A. Review next week.

"Our Daily Bread," United Artists: very good. Class A. Review next week.

When the inside pages of your copy of Harrison's Reports are blank it is a misprint. Order a complete copy.

"The Girl from Missouri" with Jean Harlow, Lionel Barrymore and Franchot Tone

(MGM, August 3; running time, 73 min.)

Judging by what the picture now is, one receives the impression that the producers have cut out tons of sexy material. And there is still some left. The scene where Franchot Tone takes Jean into his room in his home and attempts to seduce her is still too raw, even though praiseworthy efforts were made to apply disinfectants. Another such situation is where Miss Harlow, after being framed by Lionel Barrymore, Franchot's father, who wanted to break up his son's infatuation for her and had no other way of doing it, accepts the proposals of a rouse and goes to his apartment, determined to surrender to him. She is shown refusing to heed the advice even of a chum of hers, who makes every effort to prevent her false step. With all that, the picture is highly entertaining; those who will see it will be kept laughing at the pranks of Jean Harlow, who gets herself into situations from where not even a saint could have escaped, but who remains pure to the end.

The story concerns a young girl who has the ambition to marry a millionaire and who sets out to get one. She is helped by a wise-cracking friend of hers. She boldly works her way into the home of an influential national politician, Lionel Barrymore. Since Barrymore is not there the son, Franchot, undertakes to amuse her; he is attracted by her beauty. At first she thinks it is some fresh young man. Eventually the two fall in love with each other and when the son asks his father's permission to marry her the father, pretending to agree, sets out to frame her. But she wins out in the end, and the father acknowledges that she is the right girl for his son.

The story is by Anita Loos and John Emerson; the direction by Jack Conway. Patsy Kelly, Henry Kolker, Nat Pendleton and others are in the supporting cast.

Children below twelve will not understand the sex implications, but it is unsuitable for adolescents; it is particularly poison for young girls under twenty, who may conceive the idea that it is possible for them to act like the heroine of the play and get away with it. The classification you may accept for this picture will depend on the sort of people you cater to; if you cater to church-going people, it is Class C; if you cater to others, it is Class B. But under no circumstances should you allow young women into your theatre while you are showing it. It is excellent entertainment for sophisticated adults.

"Cleopatra" with Claudette Colbert, Warren William and Henry Wilcoxon

(Para. (1934-35), Rel. date not set; time, approx. 100 min.)

For lavishness, nothing like it has been seen in a long time; the costumes are magnificent and the settings breathtaking; the direction is excellent, and the acting superb. And, as a slice out of history, it is interesting throughout. It offers entertainment both for men and women for it has the romantic quality and also war scenes. One of the settings that will linger in one's memory is that of Cleopatra's barge, where she brings Marc Anthony to lure him. The entertainment she offers him and the food and wine she serves to him are meant to weaken him from his purpose of crushing her, and they do their work. The war scenes, which show the fighting between the Romans and Egyptians, although brutal, are thrilling; ships are burned, men are crushed and chariots crashed; the hand-to-hand combats, too, are exciting. Although a schemer, Cleopatra is in some ways a sympathetic character, for she has courage and is willing to sacrifice herself for the sake of her people. The closing scenes are dramatic and pitiful—they show the anguish that Marc Anthony suffers because of his defeat, and his eventual death, which brings sorrow to Cleopatra. One feels respect for Cleopatra in the end when she kills herself rather than be captured by the Romans.

In the development of the plot Cleopatra, thinking Julius Caesar loved her, goes to Rome with him to see him made Emperor. His purpose was to divorce his own wife and then marry Cleopatra and rule with her. But he is killed by the Senators who did not want a King and Cleopatra, convinced by her friends that Caesar had not really loved her, escapes to Egypt. Marc Anthony undertakes the task of going to Egypt, crushing the people, and taking Cleopatra back a slave. But he falls in love with her and cannot leave her. Octavian, Rome's co-leader with Anthony, incites the people to war. Egypt is crushed, Anthony kills himself, and Cleopatra, too, truly loving Anthony kills herself.

The plot was adapted by Bartlett Cormack. It was directed by Cecil B. DeMille. In the cast are Gertrude

Michael, Joseph Schildkraut, Ian Keith, C. Aubrey Smith, Irving Pichel, Arthur Hohl, and others.

Not suitable for children, adolescents, or Sundays, because of the sex situations. Good adult fare. Class B.

SUBSTITUTIONS

To last week's substitutions, you may add also "Personality Kid," the Warner Bros. picture, for it is delivered in place of "The Life of Rothschild." This story the Warner executives abandoned after an agreement with United Artists, who produced the same biography, under the title "The House of Rothschild."

"His Greatest Gamble," too, is a star substitution, in that RKO delivered Richard Dix instead of Clive Brook; but since Richard Dix is a better box office attraction, you have profited by the substitution.

In reference to "Zest" and to "The Man Who Reclaimed His Head," which were sold by Universal in the 1933-34 season, and which it is now selling in the 1934-35 season, let me say that, unless you give Universal a notice not later than September 30, 1934, that you want these two pictures, you will lose your rights to them. That is what Clause 17 of the Universal contract says. But Universal has no contractual right to compel you to accept other pictures in the places of these two.

If I were you, I would not worry about these two pictures, for although the material Universal has announced for the 1934-35 season is by far better than it announced in many a season, I don't think much of the story material of these two pictures.

CANCELLATION RIGHT CUMULATIVE

Some exhibitors have asked me whether they have the right to cancel from the remaining product of each producer the entire number of pictures they are entitled to cancel.

It has been stated in HARRISON'S REPORTS several times that the cancellation right of an exhibitor is cumulative: Division Administrator Rosenblatt made it clear in his Atlanta speech last October.

Those who have refrained from taking advantage of their privilege under the Code to cancel one picture out of each ten, they may cancel their entire quota now, or at the tail-end of the program of each producer.

Last week's editorial contained the information as to how many pictures an exhibitor is entitled to cancel from each company's product. Read that editorial carefully and act accordingly.

Because of the complicated system of determining the release date in "the Exchange territory from which an Exhibitor is served," thanks to the Code Authority, I suggest that you, in notifying a distributor that you wish to cancel given pictures, send him a letter patterned as follows:

"Please accept the cancellation of (give titles) pictures, which I am entitled to cancel under the Code.

"You may accept this notice as given within the number of days required by Code.

"In case you feel that this cancellation notice has not been sent in accordance with the letter of the cancellation provision of the Code, please let me know how and when I may send it and I shall do so immediately after the receipt of your instructions."

And do not fail to send your letter by registered mail.

CLASSIFICATION OF PICTURES

(Concluded from page 128.)

umn, whereas the Chicago list places it in the B (adult) column. "The Grand Canary" has been placed in the Not Recommended column in the Detroit list this week, whereas the Chicago list placed it last week in the B (adult) column.

In the review of "Grand Canary" I said that because of the divorce it may not be liked by Catholics, and I placed the picture in the "B" classification. Before the prints were shipped, the telegram that indicated there would be a divorce was taken out and another telegram put in its place that removed the divorce from the picture entirely. But the picture should still remain in the "B" classification because of the wisecracks and of the fact that Marjorie Rambeau conducts a hotel that isn't so nice, although not very many youngsters will understand it. It is an adult picture.

In reference to "Cat's Paw," it is my opinion that this picture belongs to the family class (Recommended, or Class A) unqualifiedly, where the Detroit list has placed it.

If you should find a copy missing from your file of Harrison's Reports, write about it to this office; a duplicate copy will be sent to you by return mail without any charge.

and the person who proposed the resolution for the adoption of Amendment No. 1 in February. I am sure these orders were very clear to him, if I may judge by the fact that the Philadelphia Zone, where Warner Bros. has a large number of theatres, no schedule has been formulated; nor has there been one in the New York zone, in the Southern end of which (Northern New Jersey) Warner Bros. has other large theatre holdings. It is manifest that Warner Bros. did not want the old schedules disturbed.

"Your majority has heartlessly, shamelessly, brazenly and unmorally trampled upon the rights of the small business men of the motion picture industry, in utter disregard of the New Deal which the President of the United States promised them along with the small business men of all other industries. Your majority has been guilty of violation of the constitutional rights of these men by taking important action without their full knowledge, least of all their consent. But this is no surprise, for ever since your body began functioning your majority exerted strenuous efforts to nullify the Code.

"For example: The 1934-35 contracts of every one of you, with the exception of those of Monogram, contain provisions by which you completely nullify the ten per cent cancellation provision of the Code. This is only one sample of your action; but a very good sample, demonstrating clearly your attitude toward the New Deal.

"How much regard you have for your oath of office to play fair with the small business men of the industry the unaffiliated theatre owners will understand when they know that your legal opinions have been prepared by counsel engaged, not by your body, but by the Hays association. Representatives of the Hays association are close at your heels perhaps to see that no one else except the majority gets a square deal.

"Under these circumstances, can you hold any exhibitor as a violator of the Code if he should refuse to pay any more assessments for the upkeep of a system that has been used by you as a guillotine to their interests? What have the unaffiliated exhibitors received for the seventy-five odd thousand dollars they have paid for the financing of your body and of the bodies that have been created by you?

"In view of the fact that you, before adopting Amendment No. 1, did not, as said, hold a public hearing and did not send a copy to each one of those who consented to the Code for study and protest, I request, on behalf of the unaffiliated exhibitors, that, in all zones where no schedules have been formulated, you suspend Sections 1, 2, and 3, Part 3, Division E, of Article V of the Code, which refer to premiums, two-for-one, bank and racing nights, so that the unaffiliated theatre owners in such zones may be enabled in some measure to compete against the intolerable conditions that are being imposed upon them by the affiliated theatre owners and their allies. It is the only decent action you may take to compensate them in a degree for the loss of their rights by the arbitrary action of your majority.

"Very truly yours,

"P. S. HARRISON,
"Editor and Publisher,
"HARRISON'S REPORTS."

* * *

As every one of you knows, I supported the Code with all my might, for I felt that I owed that much to my Government. Times were, and still are, difficult and I did not want to put any obstacles in the way of our President in his efforts to restore normal conditions in this industry just as he was trying to do in all other industries.

In supporting the Code whole-heartedly, however, I felt sure that the big companies would be compelled by the Government to abandon their old tactics. But these not only have not abandoned such tactics but have intensified them. They have flouted the opinions of the Government's representative repeatedly. Under these circumstances Division Administrator Rosenblatt can do one of two things to protect the interests of the small business men of this industry: either reopen the Code and insert into it such provisions as will insure them fair competitive conditions, or resign and induce also the representatives of the independents on the Code Authority to do likewise. It is only by such resignations that the scandalous conduct of the majority of the Code Authority will come to the attention of the President.

THE INCREASED MUSIC TAX

By this time every one of you, I believe, has read in the trade papers or have heard from some other exhibitor that the American Society of Composers, Authors and Pub-

lishers has formulated a new schedule of charges for picture theatres. Instead of the charge of ten cents per seat or less, as it has been making heretofore, it will now charge as much money as a theatre takes in on the day of the week on which the highest price for seats are charged, each seat to be considered full. In other words, if you have one thousand seats, and on a Sunday or a holiday you charge 40c for 300 seats, and 25c for the remaining 700 seats, and you show twenty times a week, you will be obligated to pay to the Society \$295 a year. The scale is graduated down until those who show ten times a week will have to pay 50% of the basic rate. From that point down, the rates are as follows:

Nine times a week, 45% of basic rate; 8 times a week, 40% of basic rate; 7 times a week, 35% of basic rate; less than 7 times a week, if operating more than 3 days, 10c a seat; if operating 3 days or less, 5c a seat. (The present rate for those who operate three days or fewer a week is 5c a seat. If any of you has paid more you should demand a refund.) This schedule is to become effective October 1, 1934.

It was natural that every exhibitor in the land, affiliated or unaffiliated, should have been disturbed by the new price schedule; and the affiliated theatres, in order to make their war against this schedule effective, have asked your support. And some of your leaders have already lined up with them.

The theatre owning producers seem to have a very short memory, indeed. Two years ago when an effort was made to put the Vestal Bill through Congress they did not come to you with a tale of woe. On the contrary, an attorney for the Hays association, their own association, was in Washington working hand in hand with Gene Buck, President of the American Society, for the Bill. And they would have put it through had not Mr. Abram Myers, when he saw Congressman Sirovich determined not to give your representatives a chance, wired me to give him support from quarters that could be effective. And the Bill was killed.

If the theatre owning producers are sincere in their belief that this time they want to help you as much as themselves, let them demonstrate it by the only demonstrable means possible—kill the score charge, that racket. It is the collection of the score charge fees, as I have been able to learn, that the American Society was prompted to work out a new schedule of charges; they felt that if the producers could get away with profiteering—with charging you anywhere from a few to ten times as much as they pay to the Society for the recording rights, they might just as well get some of that gravy for themselves.

My advice to you is not to make a move to help the producers in this fight for the reason that, while you are throwing your strength back of them, they will be making with the Society a satisfactory deal for themselves; and when they complete the deal they will toss you into the river just as they tossed you every time you cooperated with them. Tell them that the killing of the score charge is the only concession that will induce you to line up with them.

Why should they make you pay for score when they do not in their own theatres? Get wise to yourself for once!

CLASSIFICATION OF PICTURES

The following pictures have been classified by the Detroit Council of Catholic organizations:

RECOMMENDED: "Black Beauty," "House Wife," "Girls in Uniform," "Prince of Wales," and "Son of Oklahoma."

NOT RECOMMENDED: "Grand Canary," and "Henry the Eighth."

The following pictures have been classified by the Chicago Legion of Decency:

CLASS A (Suitable for family patronage): "Avalanche," "Borneo Beast," "Elmer and Elsie," "Happy Landing," "Mystery Ranch," "The Oil Raider," "Our Daily Bread," "She Was a Lady," "The Star Packer," and "Shock."

CLASS B (Not forbidden—offensive in spots; suitable possibly for adults): "The Blue Danube," "Hollywood Hoodlum," "She Loves Me Not," "Beyond the Law," "The Defense Rests," "Ladies Should Listen," "Rawhide Mail," and "The Cat's Paw."

CLASS C (Immoral and indecent): No new listings.

DISAGREEMENTS: "Bachelor Bait": The Chicago list (published July 28) placed it in the B (adult) column, whereas the Detroit list in the Not Recommended column. The same is true of "Personality Kid," "The Cat's Paw" was placed by the Detroit list in the "Recommended" col-

(Continued on page 127)

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions.	16.50
Canada	16.50
Mexico, Cuba, Spain.	16.50
Great Britain	16.00
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India	17.50
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1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
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Published Weekly by
P. S. HARRISON
 Editor and Publisher

Established July 1, 1919

PEnnsylvania 6-6379

Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, AUGUST 18, 1934

No. 33

The Code a Scrap of Paper for the Producers!

In my letter to the Code Authority, which was printed in last week's HARRISON'S REPORTS, I stated that the major companies have been trying to nullify the ten per cent cancellation provision of the Code ever since the Code began functioning.

That they have not given up their efforts to nullify it may be evidenced by the special clauses that almost all have inserted into the schedules of their contracts this season. Let us review all the contracts:

Columbia

Under "RE-APPLICATION": "The Distributor shall have the right to apply the rental terms (including the license fee or minimum guaranteed rental, percentage of gross receipts, minimum playing time and other rental terms specified in the Schedule) of any motion picture to any other motion picture listed in the Schedule."

By this provision Columbia deprives the exhibitor of the benefits of the cancellation provision of the Code by taking, at any time, low allocation pictures and making high-allocation out of them if the exhibitor should choose to cancel a high-allocation picture under the cancellation provision of the Code. This provision, however, is in direct violation of Part 9 (a-b-c), Division D, of Article V, which provides the following: "No Distributor shall require any specific day or days of the week for the exhibition of specified pictures or class of pictures unless specifically provided for in the Exhibitor's contract therefor and in no event if the license fee is for a fixed sum only." To enable Columbia to change the terms specified in the schedule of one picture with the terms of another picture, the contract must specify the pictures, or the class (star or director) of pictures, and in no event can a flat-rental picture be given the terms of a percentage picture. Yet Columbia has disregarded this provision of the Code.

Another fact you must bear in mind is this: if among the terms the Columbia contract mentions is also those about preferred playing time, the provision violates also (c-1), Part 9, of the same Division and Article, which specifies that, when a Grievance Board relieves an exhibitor from playing a percentage picture on given days on the ground that the picture is morally unsuitable for those days, the Distributor must put another percentage picture in the place of the one withdrawn, if he has such a picture. But Columbia proceeds to change the Code to suit itself.

First National

"3. Distributor may in its discretion by giving Exhibitor notice in writing on or before 'the available date' of the particular photoplay designate not more than two of the photoplays licensed hereunder for which the film rental and terms agreed to be paid by Exhibitor shall be, instead of the film rental and terms hereinabove provided . . . per cent of the gross box office receipts of such photoplays. . . ."

Somewhat confusing, but the clause means that if you, taking advantage of the cancellation provision of the Code, should cancel pictures from the high allocation, First National can take two program pictures and make you play them on the terms of the canceled pictures.

Since First National can do it on the very same day you should be playing a picture, you have no escape from it; for if you should cancel such high allocation picture within the provisions of the Code and you should happen to be playing a program picture on, say, a Monday and Tuesday, the exchange may call you up and say: "Mr. Jones, the flat rental picture you started playing today is a 35% picture, with the same minimum guarantee as the high-allocation picture you canceled on the strength of the cancellation provision of the Code." If the picture should not take in one-fourth your guarantee, that is just too bad—you have to make up the difference.

Fox

"It is agreed that the license fees herein specified apply to each respective photoplay licensed hereunder according to the classification thereof by the Distributor, as above provided, and such license fees are not average license fees, regardless of the number of such photoplays that may be released by the Distributor during the year commencing August 1, 1934 and ending July 31, 1935." In other words, Fox is trying to get around Part 8, Division D, Article V (Page 244), which compels the distributor to make a fair adjustment in case you bought his pictures for a certain sum, allocated the prices to suit himself, and then failed to deliver most of the low-allocation pictures, thus sending your average sky-high.

The paragraph that follows the aforementioned paragraph reads as follows:

"It is agreed that in case any photoplay excluded under Exhibitor's 'Option to exclude if group licensed' (Editor's Note: The clause "Option to Exclude if Group Licensed" in the Fox contract is practically a copy of the ten per cent cancellation provision of the Code) shall have been designated by Distributor to play on percentage terms specified under items A, B, or C in the Schedule hereof, then upon its exclusion such designation shall be deemed to be thereby rescinded and Distributor may designate a different photoplay to play on such specified percentage terms, it being the intent of the parties hereto that Exhibitor shall exhibit hereunder upon the respective percentage terms set forth in said Schedule the number of photoplays specified in said items A, B, and C."

The Fox executives are bolder than the others: they practically say, "Code or no Code, you shall play the number of high-allocation pictures you and we have agreed upon, no matter if the pictures that are specified in the contract may turn out so indigent that the people of your community may object to them; you have to accept cheap pictures in their places." It is a violation of the ten per cent cancellation provision of the Code; and what has been said of Columbia applies also to Fox.

Paramount

"It is expressly agreed that if any of the photoplays licensed hereunder shall have been designated by Distributor for exhibition to any of the foregoing classifications, and the Exhibitor shall have exercised the right of exclusion of any thereof under the Code of Fair Competition for the Motion Picture Industry, then such designation by Distributor shall be deemed rescinded and Distributor may designate another photoplay from the photoplays licensed hereunder for exhibition upon terms applicable to the photoplay so excluded."

This paragraph gives the right to the distributor to take a picture from one classification and place it in another, in violation of the Code.

Paramount, too, like Fox, is getting around Part 3, Division D, of Article V, by the following provision in the Schedule:

"It is agreed that the license fees herein specified apply to each respective photoplay licensed hereunder according to the classification thereof by the Distributor, as above provided, and such license fees are not average license fees."

Metro-Goldwyn-Mayer

"It is further agreed that in case any motion picture excluded by Exhibitor under Clause FIFTEENTH hereof, shall have been designated as a 'Special' under this Clause C, then upon its exclusion its designation as a 'Special' shall be deemed automatically rescinded and Distributor

(Continued on last page)

"Name The Woman" with Richard Cromwell and Arline Judge

(Columbia, August 1; running time, 61½ min.)

Just a program picture, based on a familiar story. However, it is fast-moving and will do as entertainment for the younger element. The most exciting situations come in the closing scenes where Richard Cromwell, the hero, driving his car through winding lanes at a high rate of speed, and coming perilously close to falling over cliffs, is chased by criminals in another car, who want to stop him from taking a member of their gang to the police. The love interest is incidental, and the comedy relief is somewhat inane:—

Cromwell, a naive newspaper reporter, a beginner doing weather reports, has faith in himself. Sent to cover a murder story when no other reporter could be found, he stumbles upon some information that involves Arline Judge, the daughter of the candidate for Mayor. The scandal hurts her father's campaign and when Cromwell hears her story—that she had gone to the murdered man's home to get some papers involving her father's rival candidate in some scandals, Cromwell promises to help her uncover the identity of the real criminal. He behaves stupidly but through luck again stumbles upon some information that finally leads him to the hideout of the gang. He captures the murderer and, by bringing him to his newspaper office, gives his paper a scoop, thus helping Arline's father to win the election. This brings about a romance between Arline and Cromwell.

The story is by Fred Niblo, Jr., and Herbert Asbury, the direction, by Albert Rogell. In the cast are Rita LaRoy, Bradley Page, Charles Wilson, Thomas Jackson, and others.

Because of the gangster element it is unsuitable for children, adolescents, or Sundays. Class B.

"The Lady is Willing" with Leslie Howard

(Columbia, July 30; running time, 67 min.)

Columbia produced this picture in England. It is the type of farce enjoyed by British audiences, but as far as American audiences are concerned it has a limited appeal—to the sophisticates; the masses will be bored. If they come to the theatre at all it will be because of the popularity of Leslie Howard. It is a high comedy; it occasionally provokes laughter by nonsensical situations, but for the most part it is so silly and at times so muddled that the average picture-goer will not know what it is all about. In addition, the theme, even though done in a comedy vein, is demoralizing. For one thing, the husband of Binnie Barnes, the heroine, is shown as being a crook and philanderer. And Leslie Howard, the hero, resorts to a kidnapping plot to recoup the fortune he had lost in bad investments. There is no human interest and the characters do not arouse sympathy:—

Cedric Hardwicke, the husband, a financier who promotes fraudulent stock deals, thinks nothing of robbing his wife of her fortune and carrying on an affair with another woman. Howard and three friends lose all their savings in one of Hardwicke's fake companies and plan to get even with him. They kidnap Binnie Barnes, his wife, and demand millions for her return. The husband is almost willing to pay it because he needed her signature to a deed to property which Howard, disguised as a foreigner, offers to buy at a ridiculously high price. Binnie and Howard fall in love with each other but she does not let him know how she feels. Instead she escapes from her abductors and returns home just as her husband is ready to turn over ransom money. But Howard proves to her that her husband is unfaithful and by a dupe gets Hardwicke to turn over to Binnie most of the fortune he had stolen from her. The husband says he will obtain a divorce, which is good news to Binnie and Howard who want to marry.

The plot was adapted from a story by Guy Bolton. It was directed by Gilbert Miller. In the cast are Sir Nigel Playfair, Nigel Bruce, W. Graham Browne, Kendall Lee, Claude Allister, and others.

Not suitable for children, adolescents, or Sundays. Class B.

"Adventure Girl" with Joan Lowell

(RKO, Aug. 17; running time, 76 min.)

This will do as Saturday matinee entertainment for the younger element; adults will be bored. However, because of the publicity Joan Lowell has received, it may draw patrons to the box-office.

The action is slow and the situations are forced and melodramatic. For instance, in the closing scenes, Joan Lowell, who had been captured by a tribe because she had attempted to steal a jewel that had religious value to them, is tied to a stake to be burned. Her fellow adventurer, single-handed, rescues her and battles thousands; eventually both of them return to their ship safe and sound. Such things will probably hold the attention of children and even thrill them; adults will yawn, for they know that the action was staged.

The scenic background of Guatemala is beautiful; but it is not enough of an attraction; travel pictures of greater beauty have been shown. What audiences want is action and authentic stories.

During her travels she comes upon interesting animals, and there is one fairly exciting fight between a mongoose and a snake.

The story revolves around a trip taken by Joan Lowell, her father, and a crew, who come upon an abandoned ship and there Joan finds a map giving the whereabouts of a precious jewel. Joan is determined to find it and steers the ship towards the location, without telling anyone of her plans. She arrives and goes on land with one of the crew. She makes friends with the natives and the Princess agrees to escort her to the spot, her condition being that nothing was to be touched, otherwise it would mean death for Joan. When the Princess realizes what Joan's scheme is, she overpowers her and turns her over to the tribe. Joan is tied to the stake but her friend helps her to escape. They both reach their ship, happy to set sail again.

The plot was adapted from a story by Joan Lowell. It was directed by Herman Raymaker. The narration, too, is by Joan Lowell.

Suitable for children, adolescents, and Sundays. Class A.

"Hollywood Hoodlum" with June Clyde and Frank Albertson

(Regal Dist. Corp.; running time, 58 min.)

A mediocre program picture, with a trite story and poor production values. It is held together by a string of improbable circumstances, and barely holds the interest. There is not even the human interest element in it because the characters do nothing to arouse one's sympathy. Some comedy is aroused by the antics of an excitable motion picture producer, but it is not funny enough to provoke laughter. The love interest, too, is mixed up for one moment the audience is given to understand that the heroine loves one man and in the end she rushes to the arms of another. The closing scenes, in which gangsters attempt to kill an actor, hold one in fair suspense:—

Frank Albertson, publicity head for a motion picture producing concern, is beseeched by his chief to dissuade John Davidson, a director, from making a gangster picture with a real gangster to play the part. Albertson hits upon the plan of getting a ham actor to pose as a gangster, and orders him to be at a night club where he would be with the director and start a fight. The actor plays his part so well that the director is impressed and engages him for his picture. But he had picked a fight with the wrong man,—a real gangster. June Clyde plays the lead opposite the "gangster" and it seems as if she is in love with him for a time. The real gangsters attempt to kill the actor for the insult to their chief and in doing so endanger June's life. But she is saved by Albertson, who discloses the fact that the leading man is not a gangster at all. June decides it is Albertson she really loves.

The plot was adapted from a story by Breezy Eason and directed by William Bloecher. In the cast are Jose Crespo, Tenen Holtz, and others.

Because of the gangster element it is unsuitable for children, adolescents, or Sundays. Class B.

"Dragon Murder Case" with Warren William and Margaret Lindsay

(*First National, Aug. 25; running time, 66 min.*)

A fair murder mystery melodrama. Although it is a little slow in getting started, it holds the interest well throughout because the identity of the murderer is not made known until the very end. As is usual in such stories, there are certain situations that are eerie, as, for instance, the one in which a man's body mysteriously disappears from a pool in which he had been drowned while swimming. However, the story is not clearly established, several people being involved who do not seem to have any relation to the plot whatever. The solving of the murder has been done in a logical manner and holds one tense. There is very little comedy relief, which is of the formula type of dumb detective comedy. The romantic interest is incidental.

In the development of the plot Margaret Lindsay tells Lyle Talbot, with whom she is in love, that she is going to marry George Meeker. They are all present at a houseparty in Margaret's home and her brother, Robert Barrat, gets himself into a drunken stupor. Margaret and her guests go for a swim and George, an expert swimmer, dives in. But he does not come up and the men dive under to see if they can find him, but there is no trace of him. Talbot calls Scotland Yard and the Sergeant arrives accompanied by Warren William, a detective. Margaret's mother, supposedly half-witted, tells William of a dragon that lives in the pool. He eventually solves it by showing that Barrat, who hated Meeker because he owed him a large amount of money, and further because he was forcing Margaret, his sister, to marry him, had dived in the pool wearing a diving outfit with clawed gloves. He had dragged Meeker out through a tunnel and then killed him. William proves that Barrat had not been drunk on the night of the murder but had pretended to be so, but that after the murder he had really become drunk to establish an alibi. The way is now clear for Margaret and Talbot to marry.

The plot was adapted from a story by S. S. Van Dine. It was directed by H. Bruce Humberstone. In the cast are Eugene Pallette, Helen Lowell, Dorothy Tree, George E. Stone, and others. (Coast review.)

Although not immoral, it is not the type of entertainment for children, adolescents, or for Sunday showing. Harmless for adults. Class B.

"One More River"

(*Universal, Aug. 6; running time, 87 min.*)

Demoralizing! Though the heroine is presented as a virtuous woman, after the trial in which her husband had obtained a divorce, she offers to surrender her virtue to the young man who had been named as correspondent by her husband, and who loved her sincerely. The offer naturally shocks the young man, and also the spectator. Another demoralizing thing she does is to perjure herself during the trial; her husband had stated to the court that he had had conjugal relations with her after she had left him, whereas she denies it under oath, although it was true.

If the rest of the story were interesting and appealing, these two incidents might have been overlooked so far as adults are concerned, but the entire story is slow and uninteresting, in addition to being in bad taste, for all that is discussed after the first two reels or so is whether the heroine had or had not committed an indiscretion with the young man whom she had met on the boat while returning to England, and whom she had allowed in her stateroom at hours virtuous women would not have done. At another time she, although she had done no wrong, acted in such a way that wrong construction could have been placed upon her conduct.

Another thing in bad taste is the fact that the husband is presented as a sadist. Although this matter is not presented so clearly, it is so "mumbled" that no other construction can be placed on it.

The most artistic thing in the picture is the reproduction of an English court and a trial. But these are not enough to save the picture.

The plot has been taken from the late John Galsworthy's book of the same name. It was directed by James Whale well. In the cast are Frank Lawton, Colin Clive, Jane Wyatt, Mrs. Patrick Campbell, Reginald Denny, Lionel Atwill, Alan Mowbray, and others.

Children under twelve will not understand it, but there is no entertainment for them in it; not suitable for adolescents, or for Sunday showing. In religious neighborhoods, it is a Class C picture. It may pass as Class B only in theatres that cater to cultured picture-goers, particularly to those who love the style of Mr. Galsworthy's works.

Substitution facts: It is replacing "Zest," the novel by Charles G. Norris. It is, therefore, a story substitution and you are not under an obligation to accept it.

"Our Daily Bread" with Karen Morley and Tom Keene

(*United Artists, 1934-35 release; running time, 74 min.*)

Based on a theme that is timely, this human interest drama is the sort of entertainment that will be understood and enjoyed by the masses. It concerns itself with plain people, and tells its story in an honest, direct, convincing and realistic manner. It is interesting and even exciting to watch a group of people battling against the greatest odds to keep body and soul together, eventually to win. By the excellence of the direction and accompanying good music, the audience is made to share in the joys and the sorrows felt by the group, particularly in the scenes that show the drought. But the most inspiring and exciting situation comes in the closing scenes where the men, working five days and nights without a stop, dig a ditch two miles long, in order to bring down water from a stream to irrigate their crops with. Tears will come to one's eyes at the joy expressed by the community when the work is finished. The picture conveys a good moral; by the courage and helpfulness all the workers display:—

When Karen Morley and Tom Keene, a young married couple, find themselves without funds and no prospects for a job, they accept from his uncle an offer to take over a mortgaged farm of his which he was about to abandon. Tom does not know the first thing about farming. John T. Qualen, on his way to California with his family, stops off at the farm when he is out of gas. Tom hits upon the idea of having Qualen stay with his family and help him with the farming, a suggestion that Qualen gladly accepts. But since more help is needed, Tom puts up signs asking other people to form a community and help with the work. The community is formed and everyone does their share to make it a success. When Addison Richards, an escaped convict, finds that the community needed money, he induces Barbara Pepper to take him to the police and, by posing as his wife, collect the \$500 reward offered for him. She takes the money and gives it to the community. Barbara tries to make Tom leave Karen and go away with her, and he is on the verge of doing this when he realizes that the people needed him; he goes back and inspires the men to help him build a ditch to bring water to irrigate the crops. They are rewarded with a fine crop.

The story was written and directed by King Vidor. In the cast are Madame Boneita, Harry Holman, Harold Berquist, and others.

Suitable for children, adolescents, and Sundays. Class A.

"The Moonstone" with David Manners and Phyllis Barry

(*Monogram, August 15; running time, 61 min.*)

A mystery melodrama of program grade. The action is somewhat slow and for that reason the attention is not held tense throughout. All the eerie effects such as a storm, lights going out, doors opening, are made use of here, and comedy is brought about by the incessant talking of a suspicious housekeeper. Some of it is rather ridiculous, such as the behavior of Phyllis Barry, the heroine, in persisting in keeping a valuable jewel worth thirty thousand pounds, under her pillow at night. The solving of the theft is quite obvious. There is little human interest, and the romantic interest is just mild.

The plot has been adapted from the novel by Wilkie Collins. It was directed by Reginald Barker. In the cast are Evelyn Bostock, Elspeth Dudgeon, John Davidson, and others.

It may frighten sensitive children; otherwise suitable for them, adolescents, and Sundays. Class A.

may designate a different picture as a 'Special' in its place, it being the intent of the parties hereto that Exhibitor shall exhibit hereunder upon the terms provided for 'Specials' the number of pictures provided in this Clause (C).

"It is further agreed that if in accordance with the Code of Fair Competition for the Motion Picture Industry Exhibitor shall be relieved of playing any motion picture designated as a 'Special' on the specific day(s) of the week provided for in this agreement for the exhibition of 'Specials' Distributor may either rescind the designation as a 'Special' of such picture and designate as a 'Special' another picture which shall be played on the specific day(s) of the week and at the terms provided in this clause (C) for 'Specials'; or it may designate a later play-date (or playdates) on another day (or days) of the week for the picture Exhibitor is relieved of exhibiting on the specific day(s), and such picture shall be exhibited on such later playdate(s) on the terms herein provided for 'Specials.'"

By these provisions, MGM has rewritten not only the cancellation provision but also Part 9 (a-b-c), Division D, of Article V, an interpretation of which I have given you in the analysis of the provision of the Columbia contract.

RKO

"The Exhibitor agrees that the Distributor shall have the right to designate not more than — photoplays to be played on the percentage terms listed in this license, and to designate the terms upon which the remaining photoplays shall be exhibited. The Exhibitor further agrees that the Distributor, in its sole discretion, may interchange the license fees specified in the Schedule to be payable in respect of any photoplay with the license fees specified to be payable in respect of any other photoplay to be exhibited under this agreement. The Distributor agrees to interchange and/or designate the terms for each photoplay by mailing notice in writing to the Exhibitor prior to the exhibition dates. . . ."

A similar violation of the spirit of the Code.

United Artists

The United Artists contracts do not contain a similar provision.

Universal

"It is agreed that in case any photoplay excluded under Exhibitor's 'Option to Exclude If Group Licensed' shall have been designated by Distributor to play on percentage terms, then upon its exclusion such designation shall be deemed to be thereby rescinded and Distributor may designate a different photoplay to play on such specified percentage terms, it being the intent of the parties hereto that Exhibitor shall exhibit hereunder upon the respective percentage terms set forth in said Schedule the number of photoplays specified in the Schedule to play on percentage."

What I have said of the contracts of the other distributors applies also to the Universal contract.

Warner Bros.

Since Warner Bros. uses the same contract form as First National, what has been said of the First National contract applies also to the Warner Bros. contract.

* * *

If the Division Administrator ever needed a proof to convince him that a reopening of the Code is necessary, here it is; the producers have made a scrap of paper out of the Code so as to deprive the small business men of this industry of the benefits the President has promised them.

CLASSIFICATION OF PICTURES

The following are the latest pictures that have been classified by the Detroit Council of Catholic Organizations for the *Michigan Catholic*:

RECOMMENDED (Class A): "Avalanche," "Borneo Beast," "Elmer and Elsie," "Happy Landing," "Mystery Ranch," "The Oil Raider," "Our Daily Bread," "She Was a Lady," and "Shock."

NOT FORBIDDEN (Class B—defective or offensive in spots; unsuitable for children and adolescents but not strictly forbidden for adults): "The Blue Danube," "Beyond the Law," "The Black Cat," "Black Moon," "Devil's Brother," "The Defense Rests," "Guns for Sale," "Hat, Coat and Glove," "Here Comes the Navy," "Hollywood Party," "Grand Canary," "Ladies Should Listen," "Little Miss Marker," "Midnight Alibi," "Rawhide Man," "She Loves Me Not," "Sing and Like It," "Stamboul Quest," "Tarzan and His Mate," "We're Not Dressing," and "Viva Villa."

NOT RECOMMENDED (Class C): "Back Street," (The following are repeats): "I've Got Your Number," "Kiss and Make Up," "Manhattan Melodrama," and "Queen Christina."

The following pictures were formerly in the "Not Recommended" (Class C) list: "Midnight Alibi," "Sing and Like It," and "We're Not Dressing." They are now in the B list.

SELLING TERMS FOR THE 1934-35 SEASON

The following information has been sent in by exhibitors:

In the Philadelphia zone, Columbia is selling two pictures on a basis of 35% of the gross receipts, this being the highest percentage exacted by this company.

An exhibitor in a small town in the South has been offered pictures on the following terms:

Paramount: either 2 pictures at 40%, 8 at 35%, Sunday showing; the remainder at \$20 per picture with \$2.50 for score. Or, 4 pictures at \$75 each flat, 6 at \$40 flat, and the remainder at \$20 flat with a \$2.50 score charge.

Fox: Six at 35% to a split and then 50-50%, with Harold Lloyd thrown in on the same terms; 6 at 25% to a split and then 50%; 24 at \$17.50, with all the remainder at \$15 each flat, with a \$2.50 score charge.

Universal: All at flat rentals, but he does not give figures.

But he has not accepted any of these terms.

Send me the terms they are asking in your territory so that you may help the other exhibitors while the other exhibitors are helping you with their information.

THE PRODUCERS SHOWING BAD FAITH

The statement the Hays association issued to the American public through the trade press that the exhibitors were given the right to cancel any indecent picture, without payment, against which there is a genuine objection is not being kept, for the exchanges are demanding that the exhibitor accept some other picture in the place of the one canceled.

An exchange has written to an exhibitor as follows:

"Please notice that I am quoting below from the letter of instructions which we received from our Home Office.

"You are hereby instructed as to all motion pictures generally released by us prior to July 15, 1934, that we will permit theatre owners to cancel out and not exhibit or pay for any such motion picture licensed for exhibition and unplayed which has been the subject of a publicly announced general protest upon moral grounds, made in good faith and actually existing among residents of the community in which the exhibitor's theatre is located.

"You will reserve the right in each instance of substituting another picture for the picture that has been objected to."

In the announcement there was no hint that the exhibitor would be asked to play old pictures; such a demand is, therefore, an exhibition of bad faith.

No one can criticize the producers for trying to induce an exhibitor to play some other picture in the place of the one canceled, so as to minimize their losses, provided such picture is of the same season, and of about the same box office value; but when they demand of the exhibitor to play pictures of older seasons then they show bad faith.

If the producers persist upon making the exhibitors play old pictures, the matter will be called to the attention of all the leaders of the League of Decency, for their act is trying to take back with one hand what they have given with the other.

HERE IS A NEW ONE

An exhibitor asked the MGM branch office to cancel "Paris Interlude" and "Girl From Missouri," and the exchange replied as follows:

"With reference to PARIS INTERLUDE and BORN TO BE KISSED, now retitled GIRL FROM MISSOURI, please be advised that, according to the Code, you cannot cancel prior to release date."

It seems as if the only way out is legislation. In a fight for legislation, we shall now have more aid from outside the industry than we have had heretofore.

The Motion Picture Research Council is preparing a bill to be introduced in Congress. When it is, let us all fight for its enactment into a law.

HARRISON'S REPORTS

Vol. XVI

NEW YORK, N. Y., SATURDAY, AUGUST 18, 1934

No. 33

(Partial Index No. 4—Pages 106 to 128 inclusive)

<i>Title of Picture</i>	<i>Reviewed on Page</i>
Baby Take a Bow—Fox (74 min.)	106
Bachelor Bait—RKO (74 min.)	111
Beyond the Law—Columbia (58 min.)	126
Black Moon—Columbia (68 min.)	107
Blind Date—Columbia (76 min.)	126
Blue Steel—Monogram (54 min.)	Not Reviewed
Cat's Paw, The—Fox (99 min.)	114
Charlie Chan's Courage—Fox (72 min.)	114
Cleopatra—Paramount (approx. 100 min.)	127
Cockeyed Cavaliers—RKO (72 min.)	107
Defense Rests, The—Columbia (68 min.)	126
Elmer and Elsie—Paramount (63 min.)	122
Fighting Code, The—Columbia (65 min.)	Not Reviewed
Fighting Ranger—Columbia (64½ min.)	Not Reviewed
Friends of Mr. Sweeney—Warner Bros. (68 min.)	110
Girl From Missouri, The—MGM (73 min.)	127
Girl in Pawn—Paramount (See "Little Miss Marker")	83
Grand Canary—Fox (74 min.)	118
Gun Justice—Universal (60 min.)	Not Reviewed
Handy Andy—Fox (81 min.)	122
Happy Landing—Monogram (62 min.)	122
Hat, Coat and Glove—RKO (64 min.)	122
Here Comes the Navy—Warner Bros. (85 min.)	119
His Greatest Gamble—RKO (70 min.)	111
Honor of the Range—Universal (61½ min.)	Not Reviewed
Housewife—Warner Bros. (69 min.)	123
I Give My Love—Universal (68 min.)	106
Jane Eyre—Monogram (64 min.)	110
King of the Wild Horses—Col. (68 m.)	Not Reviewed
Kiss and Make-Up—Paramount (69½ min.)	107
Ladies Should Listen—Paramount (60 min.)	122
Last Gentleman, The—United Artists (71 min.)	118
Last Roundup, The—Paramount (61 min.)	Not Reviewed
Lucky Texan—Monogram (55 min.)	Not Reviewed
Man's Game—Columbia (58 min.)	Not Reviewed
Man With Two Faces—Warner Bros. (72 min.)	114
Midnight Alibi—First national (57½ min.)	107
Murder in the Private Car—MGM (62 min.)	107
Murder in the Runaway Train—MGM (See "Murder in the Private Car")	107
Nell Gwyne—United Artists (75 min.)	115
Notorious Sophie Lang, The—Paramount (62½ min.)	119
Old Fashioned Way, The—Paramount (70 min.)	114
One Night of Love—Columbia (84 min.)	126
Paris Interlude—MGM (71 min.)	123
Personality Kid, The—Warner Bros. (67 min.)	110
Sagebrush Trail—Monogram (53 min.)	Not Reviewed
Scarlet Letter, The—Majestic (72 min.)	123
She Loves Me Not—Paramount (84½ min.)	118
She Was A Lady—Fox (78 min.)	126
Shock—Monogram (69 min.)	123
Shoot the Works—Paramount (81 min.)	111
Side Streets—First National (63 min.)	106
Smoking Guns—Universal (61½ min.)	Not Reviewed
Stamboul Quest—MGM (88 min.)	115
Stolen Sweets—Chesterfield (72 min.)	106
Straightaway—Columbia (61½ min.)	Not Reviewed
Spy 13—MGM (See "Operator 13")	102
Thank Your Stars—Paramount (See "Shoot the Works")	111
We're Rich Again—RKO (70½ min.)	118
West of the Divide—Monogram (54 min.)	Not Reviewed
Wheels of Destiny—Universal (64 min.)	Not Reviewed
Whom the Gods Destroy—Columbia (68 min.)	115
Woman In Her Thirties, A—First National (See "Side Streets")	106
Woman Who Dared, The—Imperial Pict. (63 min.)	111
World Moves On, The—Fox (100 min.)	110
You Made Me Love You—Majestic (70 min.)	119

RELEASE SCHEDULES FOR FEATURES

Chesterfield Features

(1540 Broadway, New York, N. Y.)

City Park—Sally Blane-Henry B. Walthall	May 1
Green Eyes—Charles Starrett-Shirley Grey	June 1
<i>(End of 1933-34 Season)</i>	

Columbia Features

(729 Seventh Ave., New York, N. Y.)

4025 Blind Date—Ann Sothern	July 20
4218 Beyond the Law—Tim McCoy	July 20
4009 Lady Is Willing—Howard-Barnes	July 30
4032 Name The Woman (What Price Scandal)—Cromwell-Judge (reset)	Aug. 1
4029 Among the Missing—Cromwell-Seward	Aug. 15
4037 Girl In Danger—S. Grey-R. Bellamy	Aug. 20

First National Features

(321 W. 44th St., New York, N. Y.)

770 Return of the Terror—Astor-Talbot	July 7
779 Midnight Alibi—Barthelme-Dvorak	July 14
777 Side Streets (Diamond Dan)—MacMahon-Kelly	July 14
763 Man With Two Faces—Robinson-Astor	Aug. 4
764 Dragon Murder Case—William-Lindsay	Aug. 25
751 British Agent—Francis-Howard (81 min.)	Sept. 15

(End of 1933-34 Season)

Beginning of 1934-35 Season

862 A Lost Lady—Stanwyck-Cortez	Sept. 29
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Fox Features

(444 W. 56th St., New York, N. Y.)

440 Wild Gold—Boles-Trevor-Green	June 8
No release for	June 15
439 Baby Take a Bow—Temple-Dunn	June 22
448 She Learned About Sailors—Faye (re)	June 29
443 Charlie Chan's Courage—Oland (re)	July 6
No release for	July 13
451 She Was A Lady—Twelvetrees-Woods	July 20
450 Grand Canary—Baxter-Evans (reset)	July 27
452 Handy Andy—Rogers-Carlisle	July 27

(End of 1933-34 Season)

Beginning of 1934-35 Season

No release for	Aug. 3
No release for	Aug. 10
501 The Cat's Paw—Lloyd-Merkel-Barbier	Aug. 17
502 Pursued—Ames-Hardie-Kelton	Aug. 24
503 The World Moves On—Tone-Carroll	Aug. 31
504 Servant's Entrance—Gaynor-Ayres	Sept. 7

Invincible Features

(1540 Broadway, New York, N. Y.)

Fifteen Wives—Tearle-Moorhead	June 1
Fugitive Road—Eric Von Stroheim	July 1
One in a Million—Charles Starrett	Aug. 15

(End of 1933-34 Season)

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

313 Sadie McKee—Crawford-Tone	May 11
<i>(One more Norma Shearer to come on the 1932-33 Season)</i>	

1933-34 Season

436 The Hollywood Party—Durante	June 1
No release set for	June 8
410 Operator 13—Davies-Cooper-Healy	June 15
No release set for	June 22
446 Murder in the Private Car—Ruggles	June 29
No release set for	July 6
428x Stamboul Quest (Lee Tracy No. 2)—Loy-Brent (reset)	July 13
No release set for	July 20
429x Paris Interlude (Lee Tracy No. 3)—Evans-Young (reset)	July 27
417 The Girl From Missouri (Born To Be Kissed)—Harlow-Tone-J. Barrymore (reset)	Aug. 3
403 Treasure Island—Beery-Cooper	Aug. 17
<i>(411 "Student Tour" listed in the last Index as a July 27 release has been postponed)</i>	

(More to come on 1933-34 Season)

Beginning of 1934-35 Season

538 Straight Is The Way—Tone-Morley	Aug. 10
525 Hideout—Montgomery-O'Sullivan	Aug. 24
532 Chained—Crawford-Gable-Kruger	Aug. 31

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

2027 Money Means Nothing—Shea-Ford.....	June 15
2014 Jane Eyre—Clive-Bruce	July 15
2034 Shock—Forbes-Gill	July 20
2029 Happy Landing—Farnum-Walker-Wells	July 30
2030 The Moonstone—Manners-Barry	Aug. 15
2012 King Kelly of the U. S. A.—Robertson	Sept. 5

(End of 1933-34 Season)

Beginning of 1934-35 Season

3001 Girl of the Limberlost—F. Morgan-M. Marsh	Sept. 10
3002 Tomorrow's Youth—Sleeper-Moore-Miljan.	Sept. 15

Paramount Features

(1501 Broadway, New York, N. Y.)

3345 The Witching Hour—Halliday-Brown	Apr. 27
3344 Double Door—Morris-Venable	May 4
3348 Private Scandal—Pitts-Cody	May 11
3346 Thirty Day Princess—Sidney-Grant	May 18
3342 Murder At the Vanities—Oakie-McLaglen.....	May 25
3347 Little Miss Marker—Menjou-Temple	June 1
3349 Many Happy Returns—Burns-Allen	June 8
3350 The Great Flirtation—Menjou-Landi	June 15
3351 Here Comes The Groom—Haley-Boland	June 22
3352 Shoot The Works—Oakie-Dell-Bernie	June 29
3354 Kiss and Make-Up—Tobin-Grant	July 6
3355 The Old Fashioned Way—Fields	July 13
3356 Notorious Sophie Lang—Michael	July 20
3357 Elmer and Elsie—Bancroft-Fuller	July 27
3353 Belle of the Nineties (It Ain't No Sin)— West-Pryor-Brown (reset)	Sept. 21

("You Belong To Me" listed in the last Index as a 1933-34 release belongs to the 1934-35 Season)

(End of 1933-34 Season)

Beginning of 1934-35 Season

3401 Ladies Should Listen—Grant-Drake	Aug. 3
3404 She Loves Me Not—Crosby-Hopkins	Aug. 10
3402 Crime Without Passion—Claude Rains	Aug. 17
3405 You Belong To Me—Mack-L. Tracy	Aug. 24
3406 Now and Forever—Cooper-Lombard-Temple.....	Aug. 31
3403 The Scarlet Empress—Dietrich-Lodge	Sept. 7

RKO Features

(1270 Sixth Ave., New York, N. Y.)

4126 Chance At Heaven—Rogers-McCrea-Nixon.....	Oct. 27
4132 Aggie Appleby—Farrell-Gibson-Gargan.....	Nov. 3
4119 The Right to Romance—Ann Harding	Nov. 17
4107 Little Women—Hepburn-Dee-Bennett.....	Nov. 24
4125 If I Were Free—Dunne-Brook.....	Dec. 1
4106 Son of Kong—Armstrong-Mack.....	Dec. 22
4104 Flying Down to Rio—Rogers-Raymond.....	Dec. 29
4130 Meanest Gal in Town—Kelton-Pitts.....	Jan. 12
4116 Long Lost Father—Barrymore-Chandler.....	Jan. 19
4122 Two Alone—Jean Parker-Tom Brown.....	Jan. 26
4111 Hips Hips Hooray—Wheeler-Woolsey.....	Feb. 2
4114 Man of Two Worlds—Lederer-Landi.....	Feb. 9
4131 Lost Patrol—McLaglen-Ford-Denny.....	Feb. 16
4135 Keep 'Em Rolling—Huston-Dee.....	Mar. 2
4133 Success At Any Price—Fairbanks, Jr.....	Mar. 16
4136 Spitfire—Hepburn-Young-Bellamy	Mar. 30
4103 Wild Cargo—Frank Buck.....	Apr. 6
4118 This Man Is Mine (Lady Sal)—I. Dunne.....	Apr. 13
4139 Sing and Like It—Pitts-Kelton.....	Apr. 20
4137 Crime Doctor—Kruger-Morley-Asther	Apr. 27
4134 Finishing School—Dee-Cabot-Rogers.....	May 4
4149 Where Sinners Meet—Wynyard-Brook	May 18
4143 Stingaree—Dunne-Dix-Boland	May 25
4142 Strictly Dynamite—Durante-Velez (re.).....	June 1
4147 Murder on the Blackboard—Oliver	June 15
4140 Life of Vergie Winters—Harding-Boles	June 22
4112 Cockeyed Cavaliers—Wheeler-Woolsey	June 29
4144 Let's Try Again—Wynyard-Brook	July 6
4145 We're Rich Again—Oliver-Burke-Nixon	July 13
4105 Of Human Bondage—Howard-Davis (re.).....	July 13
4141 Bachelor Bait—Erwin-Kelton-Hudson (re)	July 27
4124 His Greatest Gamble (The Family Man)— Dix	Aug. 3
4146 Their Big Moment—Pitts-Summerville	Aug. 10
4148 Joan Lowell Adventure Girl	Aug. 17
4110 Hat, Coat and Glove (Fugitive From Glory— John Barrymore)—Ricardo Cortez	Aug. 24

United Artists Features

(729 Seventh Ave., New York, N. Y.)

(Through an oversight, "Henry the Eighth" was omitted from the schedule. The following is a complete list of all the 1933-34 product)

The Masquerader—Colman-Landi	Sept. 1
Emperor Jones—Paul Robeson	Sept. 8
Bitter Sweet—English cast	Sept. 22
The Bowery—Beery-Cooper	Sept. 29
Broadway Through a Keyhole—Cummings	Oct. 13
The Private Life of Henry the Eighth	Nov. 3
Blood Money—Bancroft-Dee	Nov. 17
Advice to the Lovelorn—Lee Tracy	Dec. 1
Roman Scandals—Eddie Cantor	Dec. 29
Gallant Lady—Ann Harding-Clive Brook	Jan. 5
Moulin Rouge—Constance Bennett.....	Jan. 19
Palooka—Durante-Erwin	Jan. 26
Nana—Anna Sten	Mar. 2
Looking For Trouble—S. Tracy-J. Oakie	Mar. 9
The House of Rothschild—George Arliss	Apr. 6
Catherine the Great—Elizabeth Bergner	Apr. 13
Sorrell and Son—H. B. Warner	Apr. 20
Born To Be Bad—Loretta Young	May 18

(End of 1933-34 Season)

Beginning of 1934-35 Season

Bulldog Drummond Strikes Back—Colman	July 20
Affairs of Cellini—March-Bennett (reset)	Aug. 24
Count of Monte Cristo—Donat-Landi.....	Sept. 7
We Live Again—Anna Sten-Fredric March	Sept. 21
Our Daily Bread—Morley-Keene	Sept. 28
The Last Gentleman—George Arliss	Oct. 5

Universal Features

(1250 Sixth Ave., New York, N. Y.)

A7010 The Black Cat (Man Who Reclaimed His Head)—Karloff-Lugosi	May 7
A7019 Affairs of a Gentleman (One Glamorous Night)—Lukas-Hyams	May 14
A7031 The Love Captive—Asther-Stuart.....	May 21
A7007 Little Man, What Now—Sullavan	June 4
A7036 Let's Talk It Over (Summerville-Pitts Prod.)—Morris-Clarke	June 11
A7075 Smoking Guns—Ken Maynard (61½ min.)	June 11
A7004 I Give My Love—Gibson-Lukas	June 25
A7023 Embarrassing Moments (Edmund Lowe Prod.)— Morris-Nixon	July 9
A7001 One More River (Zest)—Wynyard-Clive.....	Aug. 6
A7002 Romance in the Rain (A Trip to Mars)— Pryor-Angel-Moore	Aug. 13
A7029 The Human Side—Menjou-Kenyon	Aug. 27
A7003 Imitation of Life—Claudette Colbert.....	Not set

(End of 1933-34 Season)

Beginning of 1934-35 Season

A8030 Gift of Gab—Lowe-Stuart	Sept. 3
A8014 Million Dollar Ransom—Arnold	Sept. 10

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

477 Smarty—Blondell-William-Horton	May 19
462 The Key (Isle of Fury) (The Gentleman from San Francisco)—Powell-Best-Clive	June 9
465 He Was Her Man—Cagney-Blondell.....	June 16
459 Dr. Monica (When Tomorrow Comes) (Seven Wives)—Francis-Muir-William	June 23
476 Personality Kid (The Life of Rothschild)— O'Brien-Farrell	July 7
464 Here Comes the Navy—Cagney-O'Brien	July 21
475 Friends of Mr. Sweeney (Country Club)— Ruggles-Dvorak	July 28
478 Housewife—Davis-Brent-Dvorak	Aug. 11
453 Dames (Sweethearts Forever)—Powell- Keeler-Blondell (90 min.)	Sept. 1

(452 Madame Du Barry was listed in the last Index as a July 14 release; it has been temporarily withdrawn. New release date, and season to be released, is uncertain)

(End of 1933-34 Season)

Beginning of 1934-35 Season

819 Kansas City Princess—Blondell-Farrell.....	Sept. 8
821 Desirable (A Lady Surrenders)—Muir-Brent- Teasdale-Halliday	Sept. 8
822 The Case of the Howling Dog—William- Astor-Jenkins	Sept. 22

SHORT SUBJECT RELEASE SCHEDULE

Bud N' Ben Pictures Corp.—Three Reels

(1508 Paramount Bldg., New York, N. Y.)

Pot Luck Pards—Bud N' Ben (30 min.)	July 1
Nevada Cyclone—Bud N' Ben (30 min.)	Aug. 15
Rawhide—Bud N' Ben (30 min.)	Sept. 15

Columbia—One Reel

4309 March of the Years No. 9—(10½m)	May 15
4808 Harnessed Lightning—World of Sport (10½ min.)	May 17
4708 Snapshots No. 8—(9½ min.)	May 18
4609 Scrapy's Dog Show—Scrapyp's cart (6½m)	May 18
4809 Cyclomania—World of Sport (9½ min.)	May 30
4406 Hidden Evidence—Minute mystery (9½m)	May 30
4709 Snapshots No. 9—(9½ min.)	June 8
4407 One Way Out—Minute mystery (7½ min.)	June 15
4906 Laughing with Medbury in Ethiopia (9m)	June 15
4610 Theme Song—Scrapyp's cartoon (6½m)	June 15
4810 Heigh-Ho The Fox—World of Sport (9m)	June 20
4710 Snapshots No. 10—(9½ min.)	June 29
4611 Relay Race—Scrapyp's (cart) (6 min.)	July 6
4408 Simple Solution—Minute mystery (10 min.)	July 6
4409 By Persons Unknown—Minute mys. (9½m)	July 14
4711 Snapshots No. 11—(9½ min.)	July 20
4907 Laughing with Medbury In The Islands of the Pacific—(8½ min.)	July 23
4310 March of the Years No. 10—(10½ min.)	Aug. 3
4410 Professor Gives a Lesson—Min. mys. (10 m.)	Aug. 3
4612 The Great Experiment—Scrapyp c. (6½m.)	Aug. 3
4908 Laughing with Medbury Among the Latins	Aug. 3
4712 Snapshots No. 12—(9½ min.)	Aug. 10
4811 Decks Awash—World of Sport	Aug. 10
4812 Rowing Rhythm—World of Sport	Aug. 18
4813 Not Yet Titled—World of Sport	Aug. 30
4613 Scrapy's Expedition—Scrapyp's cartoon	Aug. 31
4713 Snapshots No. 13	Aug. 31

(End of 1933-34 Season)

Columbia—Two Reels

4106—Mickey's Medicine Man—M. McGuire (19 min.)	May 18
4124 Susie's Affairs—musical (18 min.)	June 1
4111 Get Along Little Hubby—comedy (18½m)	June 15
4117 Plumbing for Gold—Sidney-Murray (18m)	June 29
4112 Punch Drunks—Comedy (17½ min.)	July 13
4125 Tripping Through the Tropics—mus. (18m)	July 27
4118 Back to the Soil—Sidney-Murray comedy	Aug. 10
4126 Not Yet Titled—Musical	Aug. 24

(End of 1933-34 Season)

Fox—One Reel

0519 The King's Daughter—Terrytoon (6m)	May 4
3424 Land of Bengal—Magic Carpet (9½ min.)	May 11
0520 The Lion's Friend—Terrytoon (5½ min.)	May 18
1312 Chasing the Champions—Adv. News C. (10½ min.)	May 18
0521 Pandora—Terrytoon (6 min.)	June 1
0806 Paradise of the Pacific—Rom. jour. (9m.)	June 1
1003 Spotted Wings—Battle for Life (7½m.)	June 8
3425 City of the Golden Gate—Mag. car. (9m)	June 8
0522 Slow But Sure—Terrytoon (6 min.)	June 15
1004 Nature's Gangster—Battle for Life (6½m)	June 15
3426 In Old Guatemala—Magic Carpet (10½m)	June 22
0523 See the World—Terrytoon (5½ min.)	June 29
0524 My Lady's Garden—Terrytoon	July 13
0525 Irish Sweepstakes—Terrytoon	July 27
0526 Busted Blossoms—Terrytoon	Aug. 10

(1005 listed in the last Index as a Battle For Life, release date July 13, has been withdrawn)

(End of 1933-34 Season)

Beginning of 1934-35 Season

1401 Man's Mania For Speed—Adventures of a News Cameraman (9 min.)	Aug. 3
3501 The Coast of Catalonia—Along the Road to Romance (9½ min.)	Aug. 10
5601 Then Came the Yawn—Treas. Chest (7½ m.)	Aug. 17
5901 Them Thar Hills—Song Hit Story	Aug. 24
5501 Mice in Council—Terrytoon	Aug. 24
5902 Time on Their Hands—Song Hit Story	Aug. 31
1402 Marching With Science—Adv. News Camera	Aug. 31
3502 In Far Mandalay—Road to Romance (9m)	Aug. 31

Fox—Two Reels

0213 A Good Scout—Howard comedy (18 min.)	Apr. 27
0110 Allez Oop—Keaton comedy (21½ min.)	May 25
0214 Half Baked Relations—Andy Clyde (19½m)	June 1
0107 Dog-Gone Babies (Love and Babies)—Truex comedy (20½ min.) (reset)	July 6
0215 The Wrong Bottle—Howard com. (18m.)	July 13

(The following titles, listed in the last index have been withdrawn: 0108 Elopement, for June 29; 0316 Educating Papa, for July 6; 0217 Andy Clyde comedy, July 20, and 0109 Musical comedy, for July 27)

(End of 1933-34 Season)

Beginning of 1934-35 Season

5401 I Surrender Dear—Bing Crosby (22 min.)	Aug. 3
5201 Hello Sailor—Screen star comedy	Aug. 17
5101 Bless You—Musical comedy	Aug. 24
5402 One More Chance—Bing Crosby (20½ min.)	Aug. 24
5102 Not Yet Titled—Ernest Truex comedy	Aug. 31

Metro-Goldwyn-Mayer—One Reel

W-928 Reducing Creme—Whopper cart. (8 m.)	May 19
T-908 Egypt—Kingdom of the Nile—(Travel) (10 min.)	May 19
M-950 Little Feller—Oddities (8 min.)	May 26
M-951 Attention, Suckers!—Oddities (10 m.)	June 9
W-929 Rasslin' Round—Whopper cart. (8 min.)	June 9
T-909 Glimpses of Erin—Traveltalks (9 m.)	June 9
A-965 Goofy Movies No. 5—(8 min.)	June 16
M-952 Old Shep—Oddities (9 min.)	June 23
T-910 Cruising in the South Seas—Travel (9m.)	June 30
T-911 Citadels of the Mediterranean—Traveltalks (9 min.)	July 7
W-930 The Cave Man—Whopper (cart) (7 min.)	July 14
T-912 Africa—Land of Contract—Travel. (9m)	July 21
A-966 Goofy Movies No. 6—(8 min.)	July 28
W-931 Jungle Jitters—Whopper (cart) (7m.)	July 28

(Two more Willie Whopper cartoons to come)

Metro-Goldwyn-Mayer—Two Reels

C-836 Maid in Hollywood—Todd-K. com. (20 m.)	May 19
C-875 Benny from Panama—Music com. (19 m.)	May 26
R-847 Movie Daze—All star com. (18m)	May 26
R-875 What Price Jazz—Mus. revue (18 min.)	June 2
C-856 Music In Your Hair—Mus. com. (17m)	June 2
C-826 Honky-Donkey—Our Gang com. (17m.)	June 2
C-817 Another Wild Idea—Chase com. (19m.)	June 16
R-876 Gentlemen of Polish—Musical revue	June 16
C-804 Going Bye Bye—Laurel-Hardy (21 min.)	June 23
C-837 I'll Be Suing You—Todd-Kelly (19m)	June 23
C-818 It Happened One Day—C. Chase (19m.)	July 7
C-848 Speaking of Relations—All star (18m.)	July 7
C-838 Three Chumps Ahead—Todd-Kelly (18m.)	July 14
C-805 Them Thar Hills—Laurel-Hardy (20m.)	July 21

(One more Laurel-Hardy to come)

Paramount—One Reel

E3-10 Shoehin' Horses—Popeye cart. (6 m.)	June 1
Y3-11 Screen Souvenirs No. 11 (9 m.)	June 1
A3-12 Mr. W.'s Little Game—Headliner (10 m.)	June 8
R3-12 Lucky Anglers—Sportlight (10 min.)	June 8
T3-11 Betty Boop's Trial (Betty Boop Arrested)— Boop cartoon (6½ min.)	June 15
P3-12 Paramount Pictorial No. 12—(9½ m.)	June 15
SC3-11 She Reminds Me of You—Screen song (6½ min.)	June 22
Z3-12 Hollywood on Parade No. 12—(9½ m.)	June 22
E3-11 Strong to the Finish—Popeye (6½ m.)	June 29
A3-13 Underneath the Broadway Moon—Headliner (10 min.)	June 29
Y3-12 Screen Souvenirs No. 12—(9 min.)	June 29
R3-13 Good Shape—Sportlight (10 min.)	July 6
T3-12 Betty Boop's Life Guard—Boop com. 6½m.	July 13
P3-13 Paramount Pictorial No. 13—(9½m.)	July 13
SC3-12 Love Thy Neighbor—Screen song (7 m.)	July 20
Z3-13 Hollywood on Parade No. 13—(10m.)	July 20
E3-12 Shiver Me Timbers—Popeye cart (6½m.)	July 27
Y3-13 Screen Souvenirs No. 13—(9½ min.)	July 27

(End of 1933-34 Season)

Beginning of 1934-35 Season

A4-1 Society Notes—Headliner (9½ min.)	Aug. 3
R4-1 Miles Per Hour—Rice Sportlight (9½m.)	Aug. 3
C4-1 Poor Cinderella—Color Classic (10½ min.)	Aug. 3

Paramount—Two Reels

QQ3-5 News Hounds—Pallette-Catlett (19½ m.) June 1
QQ3-6 Making the Rounds—Pallette (20½m.) ..July 6
(End of 1933-34 Season)

RKO—One Reel

44209 Art for Art's Sake—King cart. (6 m.).....May 11
44109 Mild Cargo—Fable No. 9 (7½ min.).....May 18
44505 Pathe Review No. 5—(10½ min.).....June 1
44210 The Cactus King—King cart. (7 min.).....June 8
44407 Damascus—Vagabond (9 min.).....June 8
44110 Fiddlin' Fun—Fable (cart) (7½m.)June 15
44506 Pathe Review No. 6—(10½ min.)July 13
44408 Eyes on Russia—Vagabond No. 8 (10½m) Aug. 9
44507 Pathe Review No. 7Aug. 31
(End of 1933-34 Season)

Beginning of 1934-35 Season

54201 Dumbell Letters No. 1—(4 min.).....June 22
54101 Grandfather's Clock—Toddletales (cart)
(9½ min.)June 29
54202 Dumbell Letters No. 2—(4 min.).....July 20

RKO—Two Reels

43504 Cracked Shots—comedy (19½ min.).....May 4
43405 Old Maid's Mistake—Catlett com. (20 m.)..May 11
43305 Wrong Direction—E. Kennedy c. (20½ m.)..May 18
43805 Behind the Screen—Chaplin com. (21 m.)..May 25
43505 Trailing Along—Stanton com. (21 m.)...June 1
43207 Love and Hisses—Clark-McCullough 17½m June 8
44603 Century of Progress-1934—Special (22m) June 8
43605 The Undie World—Brewster com. (21 m.)..June 15
43406 Well Cured Ham—Headliner (20 min.) ...June 22
43306 In Laws Are Out—E. Kennedy (19 min.) ..June 29
43806 The Adventurer—Chaplin com. (19½m.) ..July 5
43704 The Derby Decade—Etting (21½ min.)July 12
43506 What No Groceries—Tom Kennedy 20½m. July 26
43208 Odor in the Court—Clark-McCullough 21½m.
Aug. 2
43606 Contented Calves—Brewster com. (20½m.) Aug. 9
(End of 1933-34 Season)

Beginning of 1934-35 Season

53501 Fuller Gush Man—Four Star (18 min.) ..Aug. 24

United Artists—One Reel

18 The Big Bad Wolf—S. Sym. (cart.) (9 m.)....Apr. 13
23 Gulliver Mickey—Mickey Mouse (8½ min.)...May 19
19 Wise Little Hen—S. Sym. (7½ min.).....June 7
24 Mickey's Steam Roller—M. Mouse (6½m.) ..June 15
20 Flying Mouse—Silly Symphony (7 min.).....July 12
25 Orphan's Benefit—M. MouseRel. date not set

Universal—One Reel

A7247 Strang As It Seems No. 38—(9 min.)....Apr. 23
A7267 Goofytone News No. 7—(9½ min.).....Apr. 30
A7212 Goldilocks and the Three Bears—Oswald
cartoon (7½ min.)May 14
A7248 Strange As It Seems No. 39—(10 min.)May 21
A7213 Annie Moved Away—Oswald cart. (6½ m.) May 28
A7214 The Wax Works—Oswald cart. (8½m.) ..June 25
A7215 William Tell—Oswald cart. (6½m.)July 9
A7216 Chris Columbo, Jr.—Oswald cart. (8½m.) July 23
A7217 Dizzie Dwarf—Oswald cartoonAug. 6
A7218 Happy Pilgrims—Oswald cartoonAug. 20
(End of 1933-34 Season)

Beginning of 1934-35 Season

A8251 Stranger Than Fiction No. 1—Novelty 8½ Aug. 27
A8221 Sky Larks—Oswald cartoonSept. 3
A8271 Going Places with Lowell Thomas No. 1—
(9½ min.)Sept. 10

Universal—Two Reels

A7707 The Tragic Crash—Shadow No. 7
(19½ min.)June 4
A7118 Beau Bashful—Corthell com. (20 m.).....June 6
A7708 The Shadow of Death—Shadow #8
(19½ m.)June 11
A7709 Blazing Buckheads—Shadow #9 (20½m.)..June 18
A7119 Pleasing Grandpa—Halloway c. (20 m.)..June 20
A7710 The Iron Death—Shadow #10 (19½ m.)..June 25

A7171 Soup for Nuts—Mentone #11 (20 min.)....June 27
A7711 The Juggernaut—Shadow #11 (18½ m.)...July 2
A7120 Financial Jitters—Doane com. (20½ m.)..July 4
A7712 Retribution—Shadow #12 (20 min.).....July 9
A7121 Picnic Perils—Halloway com. (20½m.) ..Aug. 8
A7122 Just We Two—Doane com. (18m.)Aug. 8
A7172 Hits of Today—Mentone No. 12 (18½m.) Aug. 15
A7173 Fads & Fancies—Mentone No. 13 (19½m.) Aug. 22
(End of 1933-34 Season)

Beginning of 1934-35 Season

A8401 Sentenced to Die—Red Rider No. 1 20½ m. July 16
A8402 A Leap for Life—Red Rider No. 2 20½m. July 23
A8403 The Night Attack—Red Rider No. 3 21m. July 30
A8404 A Treacherous Ambush—Rider No. 4 17m. Aug. 6
A8405 Trapped—Red Rider No. 5 (21m.)Aug. 13
A8406 The Brink of Death—Rider No. 6 18½m. Aug. 20
A8407 The Fatal Plunge—Rider No. 7 (18m.) ..Aug. 27
A8408 The Stampede—Rider No. 8 (17 min.)Sept. 3
A8101 Not Yet Titled—comedySept. 5

Vitaphone—One Reel

8009 Big City Fantasy—Melody Masters (9 m.)..Apr. 14
8106 Buddy's Garage—Looney Tunes (7 m.)....Apr. 14
8118 Beauty and the Beast—M. Melodies (7 m.)..Apr. 14
8315 Pure Feud—E. Bergen—P. Pot (10 m.)....Apr. 21
8119 Those Were Wonderful Days—M.Mel. (7m)..Apr. 28
8209 Slackers of the Jungle—Mus. jour. (10 m.)..Apr. 28
8107 Buddy's Trolley Troubles—L. Tunes (7 m.)..May 5
8318 Those Were the Days—P. Pot (10 m.).....May 5
8008 Isham Jones & Orch.—Mel. Mas. (10 m.)..May 12
8319 Radio Reel—Pepper Pot (10 min.).....May 19
8120 Going to Heaven on a Mule—M. Mel. (7m.)..May 19
8108 Buddy of the Apes—Looney Tunes (7 m.)..May 19
8210 East Indies—Mus. journey (10 min.).....May 26
8317 Just Concentrate—Pepper Pot (9 min.)....June 2
8011 Tin Hat Harmony—Abe Lyman (10 min.)..June 9
8121 How Do I Know It's Sunday—M.Mel (7m.)..June 9
8322 Rambling Round Radio Row #2—(10 m.)..June 16
8211 Central America—Mus. journey (10 m.)...June 23
8109 Buddy's Bearcats—Looney Tunes (7 m.)...June 23
8122 Why Do I Dream Dreams—M. Mel. (7 m.)...June 30
8320 Penny a Peep—Pepper Pot (10 min.).....June 30
8012 Jolly Good Fellow—Mel. Masters (10 m.)..July 7
8323 Dad Minds the Baby—P. Pot (9 min.).....July 14
8212 Visit to South Seas—Mus. jour. (10 m.)....July 21
8324 At the Races—Pepper Pot (10 min.).....July 21
8325 Stolen Money—Pepper Pot (10 min.).....July 28
8013 Ben Pollack & Orch.—Mel. Mas. (10 m.)..Aug. 4
8326 Camera Speaks—Pepper Pot (9 min.).....Aug. 11
8213 Dark Africa—Mus. journey (10 min.)Aug. 11
8110 Buddy The Woodsman—Looney TunesAug. 27
8111 Buddy's Circus—Looney Tunes.....Date not set
8112 Buddy the Detective—Looney Tunes.....Date not set
8113 Viva Buddy—Looney Tunes.....Date not set
8123 Girl at the Ironing Board—M. Melod...Date not set
8124 Miller's Daughter—M. Melodies.....Date not set
8125 Shake Your Powder Puff—M. Melodies.Date not set
8126 Rhythm in the Bow—M. Melodies.....Date not set
(End of 1933-34 Season)

Vitaphone—Two Reels

7520 Story Conference—Lillian Roth (20 min.)..Apr. 7
7613 Very Close Veins (Mush)—B. Blue (20 m.)..Apr. 14
7521 Morocco Nights—Fuzzy Nights (18 m.)...Apr. 21
7614 Corn on the Cop—Harry Gribbon (20 m.)...Apr. 28
7522 Private Lessons—Hal LeRoy (22 min.)...May 5
7523 Out of the Past—3 reel special (30 m.).....May 12
7615 I Scream—Big V Comedy (20 min.).....May 19
7524 Murder In Your Eyes—Bway. Brev. (18 m.)..May 26
7617 Salted Seanuts—Big V Comedy (19 min.)...June 2
7526 Darling Enemy—Gertrude Niessen (20 m.)..June 9
7527 Who Is That Girl?—Bernice Claire (20 m.)..June 16
7618 Art Trouble—Big V Comedy (20 min.)....June 23
7528 King for a Day—Bill Robinson (19 m.)....June 30
7529 The Song of Fame—Bway. Brev. (19 m.)...July 7
7617 The Prize Sap—Big V Comedy (19 m. (re.)..July 14
7530 The Winnah—Bway. Brevities (20 min.)...July 21
7525 Tech #6—Leon Errol—Bway. Brev. (21 m.)..July 28
7619 My Mummies Arms—B. V comedy (19 m.)...July 28
7531 The Mysterious Kiss—Bway. Brev. (19 m.)..Aug. 4
7532 M. Mayfair-R. Ails—Bway. Brev. (20 m.)..Aug. 11
7620 Dare Devil O'Dare—B. V. com. (19m.)Aug. 11
(End of 1933-34 Season)

**NEWSWEEKLY
NEW YORK
RELEASE DATES**

Universal News

266 SaturdayJuly 14
267 Wednesday ..July 18
258 SaturdayJuly 21
269 Wednesday ..July 25
270 SaturdayJuly 28
271 Wednesday ..Aug. 1
272 SaturdayAug. 4
273 Wednesday ..Aug. 8
274 SaturdayAug. 11
275 Wednesday ..Aug. 15
276 SaturdayAug. 18
277 Wednesday ..Aug. 22
278 SaturdayAug. 25
279 Wednesday ..Aug. 29
280 SaturdaySept. 1
281 Wednesday ..Sept. 5

Fox Movietone

90 SaturdayJuly 28
91 WednesdayAug. 1
92 SaturdayAug. 4
93 WednesdayAug. 8
94 SaturdayAug. 11
95 WednesdayAug. 15
96 SaturdayAug. 18
97 WednesdayAug. 22
98 SaturdayAug. 25
99 WednesdayAug. 29
100 SaturdaySept. 1
101 Wednesday ..Sept. 5

Pathe News

452104 Wed. (E) July 25
(End of 1933-34 Season)

**Beginning of
1934-35 Season**

55101 Sat. (O)....July 28
55202 Wed. (E)..Aug. 1
55103 Sat. (O)....Aug. 4
55204 Wed. (E)..Aug. 8
55105 Sat. (O)....Aug. 11
55206 Wed. (E)..Aug. 15
55107 Sat. (O)....Aug. 18
55208 Wed. (E)..Aug. 22
55109 Sat. (O)....Aug. 25
55210 Wed. (E)..Aug. 29
55111 Sat. (O)....Sept. 1
55212 Wed. (E)..Sept. 5

Metrotone News

238 SaturdayJuly 28
239 Wednesday ..Aug. 1
290 SaturdayAug. 4
291 Wednesday ..Aug. 8
292 SaturdayAug. 11
293 Wednesday ..Aug. 15
294 SaturdayAug. 18
295 Wednesday ..Aug. 22
296 SaturdayAug. 25
297 Wednesday ..Aug. 29
298 SaturdaySept. 1
299 Wednesday ..Sept. 5

Paramount News

103 SaturdayJuly 28
104 Wednesday ..Aug. 1
(End of 1933-34 Season)

**Beginning of
1934-35 Season**

1 SaturdayAug. 4
2 WednesdayAug. 8
3 SaturdayAug. 11
4 WednesdayAug. 15
5 SaturdayAug. 18
6 WednesdayAug. 22
7 SaturdayAug. 25
8 WednesdayAug. 29
9 SaturdaySept. 1
11 WednesdaySept. 5

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1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
Pennsylvania 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, AUGUST 25, 1934

No. 34

Tenth, Cancellable and Substitute Pictures

The 1933-34 season's releases have either been set or are about to be set and it is necessary for you to make your plans now as to what pictures to cancel under the ten per cent cancellation provision of the Code, if you want to cancel any of them; otherwise it will be too late.

Columbia

Columbia sold 37 regular and Special pictures including the Police action melodramas, and 12 westerns, or 49 in all. Up to December 7, the day on which the Code went into effect, it released 2 westerns ("Thrill Hunter," with Buck Jones, and "Hold the Press," with Tim McCoy) and 8 regulars, 10 in all, leaving 29 regulars and 10 westerns, 39 in all, to deliver.

Those who bought only the regulars are entitled to cancel 3; those who bought also the westerns are entitled to cancel 4.

For those who did not buy the westerns, "Lady is Willing" is the Tenth picture of the second group.

For those who bought the westerns, "Name the Woman" is the Tenth picture of the Third group.

To those who did not buy the westerns, Columbia has, up to "Girl in Danger," delivered 31 in all, leaving 6 pictures to deliver; to those who bought the westerns, it has delivered 42, leaving 7 to deliver.

Columbia will deliver more pictures.

Among those that it has announced for release, "Among the Missing" and "Girl in Danger" are the only two you can cancel now in the third group, if you did not buy the westerns, or the fourth group, if you bought them.

I suggest that you cancel "Among the Missing"; advance information indicates that it is a "C" picture. If the national release date of this picture is the release date also in your zone, August 28 is the last day on which you can send your cancellation notice.

According to the "generally released" provision of the First Clause (b) Columbia is under no obligation to deliver any pictures of this contract that it will release after October 31, 1934. It is not obliged to give you a notice, either.

First National

First National sold 30. Up to December 7 it delivered 4, leaving 26 to deliver. On 26, you are entitled to cancel 3.

"British Agent" is the last picture on the 1933-34 season. It is the 25th release, even if we count the substitutions among them. In other words, even if you are accepting the substitutions, First National will be 5 pictures short; if you have not accepted them, it will be 10 pictures short. But the number you are entitled to cancel is 3, just the same, because the Code gives you the right to cancel one out of 10 contracted for, not out of the number delivered.

"The Dragon Murder Case," released August 25, and "British Agent," to be released September 15, are the only two pictures you can cancel now; on "The Dragon Murder Case," your cancellation right expires September 8. If you have not yet canceled any First National pictures, you may cancel these two.

For those who are accepting the substitutions, "The Dragon Murder Case" is the Tenth picture of the Second group. Since the third group consists of only one picture, "British Agent," you are not under any obligation to pay for it and receive your money later, in case you should decide to cancel it; though it is the First, it is, for practical purposes, also the Tenth, picture of this group.

For those who are not accepting the substitutions, the Second group consists of only 6 pictures; it is, therefore, necessary that they cancel two pictures of this group, (1 for the Second and 1 for the Third group), and apply the payments of both pictures on the last picture, which is "British Agent."

You have no claim on "not generally released" pictures

within the life of the contract, because the contract excludes (Second Clause—b) all pictures that will not be released up to September 15, 1934.

Fox

Fox sold 52 (in some contracts 55 maximum) and not fewer than 40. Up to December 7, it delivered 16, leaving 36 to deliver. On 36, you are entitled to cancel 4 pictures.

The total number Fox is delivering is 51 pictures. "Handy Andy," released July 27, is the last 1933-34 release.

Those who did not accept "Frontier Marshal" on the ground that it was a star substitution will receive only 50.

The Fourth group consists of only 4 pictures, "Handy Andy" being the last picture. It will be necessary for you, therefore, to apply the payment of the picture you will cancel from this short group on "Handy Andy."

The Fox contract's life is from August 13, 1933, to July 31, 1934. Although a cursory examination of the contract fails to reveal any provision for "not generally released" pictures, it does state that a picture must be shown in a zone for three consecutive days, at regular admission prices charged, before such picture may be considered "generally released." There seems to be no remedy for "not generally released" pictures.

Metro-Goldwyn-Mayer

MGM sold you 46 pictures in the 1933-34 season in addition to "Eskimo" and "Dinner at Eight." Up to "Treasure Island," released August 17, it has delivered 32, leaving 14 to deliver.

"The Show-Off," "Stamboul Quest," and "Paris Interlude" are, as said, star substitutions in that they were to be Lee Tracy pictures and this player does not appear in them; consequently, to those who have not accepted the substitutions, MGM has so far delivered or has announced for delivery only 29 pictures. This is 17 short of the full number. But I doubt whether it will deliver more than 14.

Up to December 7, this company delivered 10 pictures, leaving 36 to deliver. On 36 you are entitled to cancel 4.

For those who have accepted the substitutions, two complete groups of ten pictures have been released up to "Paris Interlude," whereas only one complete group for those who do not accept them. For such exhibitors, "Treasure Island" is the 9th of the Second group.

If you have canceled 2, you must cancel the other two from the future releases.

The Distributor is under an obligation to deliver, and the exhibitor to accept, any pictures of this contract that will be released up to August 31, 1935.

Paramount

Paramount sold a maximum of 65. Since "Belle of the Nineties," to be released September 21, is the last 1933-34 release, it will have delivered 57 pictures.

The Code went into effect December 7. Up to December 7, 20 were released, leaving 45 maximum for delivery. On 45, you are entitled to cancel 4.

Three complete groups of ten pictures were released up to "The Great Flirtation," released June 15. I assume you have canceled one out of each group. If so, you have one more to cancel. "Belle of the Nineties" is the only one you can cancel now under the provisions of the Code, because all other pictures of the third group were released too far back to enable you to give the 14 day cancellation notice within a picture's release date required by the Code.

The Paramount, like the Fox contract, does not deal with "Not generally released pictures." Its life ends July 31, 1934.

RKO

RKO sold 51 pictures. Up to "Hat, Coat and Glove," released August 24, it has delivered 41, leaving 10 to deliver.

(Continued on last page)

"Judge Priest" with Will Rogers*(Fox, Sept. 28; running time, 80 min.)*

An excellent comedy; it will be enjoyed by the whole family. It is simple, dealing with plain people. Will Rogers is at his best, appearing as the Southern country judge, who not only arranges love affairs but runs the town court, disposing of cases as he sees best. The most dramatic and at the same time humorous situations are in the closing scenes, where Rogers is forced to vacate the bench because of insinuations of Berton Churchill, the prosecuting attorney, that Rogers favored David Landau, the man on trial. The audience feels sympathetically towards Rogers because of his unhappiness at being accused of anything dishonest. But Rogers, who really felt pity for the condemned man, undertook to act as associate counsel, and by a clever trick in which he appealed to the patriotic fervor of the jurymen, all former soldiers in the Civil War, Landau is freed. Rogers got together some colored men outside the courthouse who played the favorite tune "Dixie," while Henry B. Walthall, the minister, recited his tale of the bravery shown by Landau while fighting for the South. This situation will keep the audience excited.

There is really no plot and there is not much of a story that it has to tell, but in its series of situations showing Rogers in his daily contacts with people of the small town, there is much that is human and warm, and understandable to all types of audiences.

The cast is excellent. In addition to the fine performance by Rogers, Henry B. Walthall makes the courtroom scene outstanding by his kindly and stirring recital of the good deeds of Landau. The love interest is romantic, for Rogers, acting against his sister-in-law's wishes, is responsible for the eventual marriage of his nephew, Tom Brown, with Anita Louise. Brown's mother objected to the match because Anita Louise had no real social background. But she comes around to Rogers' way of thinking when she discovers that Landau is Anita's father.

The plot was adapted from the story by Irvin S. Cobb. It was directed well by John Ford. In the cast are Rochelle Hudson, Roger Imhof, Frank Melton, Charley Grapewin, Francis Ford, and others.

Good for children, adolescents, and Sundays. Class A.

"Once To Every Bachelor" with Marion Nixon and Neil Hamilton*(Liberty Pictures; running time, 72 min.)*

Fair entertainment for adults. Good performances by an able cast saves it from being just ordinary program entertainment, since the story itself is not particularly novel. However, because of the sympathy that one feels for Marion Nixon, the heroine, the interest is held throughout. The romance is fairly appealing, but occasionally Neil Hamilton, the hero, is too outspoken in his declarations of love and in his desire to have Marion forget the bargain about their marriage, which was only a business matter. The reason for the business arrangement was that Marion, although innocent, was wanted by the police in connection with a murder, and Neil, who had accidentally been her benefactor, offered to marry her and take her to Paris. She would be helping him in that he could show his wealthy aunt, who was supporting him generously, that he had settled down, and so his income would not be threatened; his aunt objected to his wild living. One unpleasant feature of the picture is the fact that Aileen Pringle, a married woman, pursues Hamilton, causing her husband to kill himself out of his love for her. But she pays for her unfaithfulness when Neil tells her he really loves his wife, and Neil's aunt orders her to leave her home. At first Hamilton is not particularly sympathetic, but later, when he falls in love with Marion, and attempts to make her love him, he wins over the audience. The closing scenes, in which Marion outwits the attempts of Ralf Harolde, a crooked gambler, to involve her in a scandal, holds one in suspense: Marion, who knew about marked cards, sat in a game with Harolde, and as a price for her silence about the marked cards she obtained from Harolde false evidence he had against her. Marion explains to the district attorney, who was a witness to the scene, why she had played in the game and of her innocence in the murder case. He believes her and promises that she will not be annoyed. This leaves the way clear from Hamilton and Marion to really love each other.

The plot was adapted from a story by George Waggner. It was directed by William Nigh. In the cast are Raymond Hatton, Kathleen Howard, George Irving and Don Alvarado.

Unsuitable for children, adolescents or Sunday showing. Class B.

"Romance In The Rain" with Roger Pryor, Heather Angel and Victor Moore*(Universal, Aug. 13; running time, 75 min.)*

A light romantic comedy, of the Cinderella variety, with music; it should appeal to women well but it may prove tiresome to men. It is gay, and the comedy of Victor Moore will keep the audience chuckling. The first half is slow, taking a long time to get into action. The tunes are fairly catchy, the settings pretty good, and the performances up to standard. The romance is fairly appealing. It keeps one in fair suspense, too, towards the end where Heather Angel is about to marry the man chosen for her instead of Roger Pryor, the man she really loves. The best part of the picture is the comedy provided by Moore, who acts the role of a bewildered, nervous publisher of love magazines:—

In the development of the plot, Heather wins a Cinderella contest conducted by a love magazine owned by Moore. Pryor, the editor, who had conceived the plan of the contest, felt that Heather was just the type of girl to win. As a prize, Heather is given a penthouse apartment, beautiful clothes, an automobile, servants, and is wined and dined. She falls in love with Pryor but he is so taken up with his work that he has no time for love. Moore thinks of a great idea; have another contest for a "Prince" and marry Heather to the winner. The man eventually chosen is conceited and Heather is resentful that she is treated like a machine. She becomes so angry at Pryor's callous treatment of her that she decides to go through with the marriage. Pryor realizes how much he loves Heather and forces her to abandon her plans to marry the winner. Instead she marries him. Moore, feeling that he owed his spectators some kind of a wedding, marries his sweetheart, Esther Ralston, in the presence of the large crowd assembled to see the other wedding.

The plot was adapted from a story by Sig Herzig and Jay Gorney. It was directed by Stuart Walker. In the cast are Ruth Donnelly, Paul Kaye, Guinn Williams, David Worth, and others. (Coast review.)

Suitable for children, adolescents, and Sundays. Class A.

Substitution Facts: This is replacing "A Trip To Mars" which was to have been based on a story by R. C. Sheriff. It is a story substitution. If your contract contains "A Trip to Mars," you don't have to accept it.

"Their Big Moment" with Zasu Pitts and Slim Summerville*(RKO, Aug. 10; running time, 67 min.)*

The few bright spots in this comedy-drama of spiritualism are the laughs provoked by Zasu Pitts, as the fumbling assistant of a fake magician; otherwise the plot is trite and far-fetched, with many dull spots and is just program entertainment. The spectator is held in fair suspense during the closing scenes, not knowing how the villain would be trapped. There is no romantic interest, except for the suggestion in the closing scene that Zasu and Slim love each other.

The plot revolves around Julie Haydon's obsession that her dead husband wanted to give her a message. She was under the influence of a crooked spiritualist, Ralph Morgan, and an unscrupulous lawyer, Bruce Cabot. Cabot engages William Gaxton and his two assistants, Zasu and Slim, to give a fake seance and tell Julie that her husband wants her to trust Cabot. But Zasu actually goes into a trance and discloses facts implicating Bruce Cabot and Ralph Morgan. At first Gaxton is amazed at Zasu's powers and then realizes that Julie is in danger. He works out a plan and traps both Cabot and Morgan, who were trying to take Julie's fortune. He also forces Cabot to confess that he had been the cause of Julie's husband's death and that he had tried to poison Julie.

The plot was adapted from a story by Walter Hackett. It was directed by James Cruze. In the cast are Kay Johnson, Huntley Gordon and Tamara Geva.

Not for children, adolescents, or Sundays. Class B.

"Dames" with Joan Blondell, Ruby Keeler and Dick Powell

(Warner Bros., Sept. 1; running time, 90 min.)

If an exhibitor is expecting another "42nd Street" or "Footlight Parade" in "Dames," he will be keenly disappointed; for it does not come anywhere near the others either in production or entertainment values. Three-quarters of the picture is used as a prelude to the musical scenes that follow, and during that time the story that it tells is silly and slow-moving. As for the music and dancing in the latter half of the picture, they are good, and done on a lavish scale with dance numbers created by Busby Berkeley; but audiences have seen spectacular musical films before and, in addition, want a story that holds the interest; this one does not. There are a few laughs, such as a bodyguard always sleeping instead of guarding, but the situations bringing about these laughs are repeated so many times that they become tiresome. The antics of Hugh Herbert, as an eccentric millionaire reformer, are occasionally funny. Mark this down as just a fair picture, with a few good musical numbers:—

Hugh Herbert, an eccentric millionaire reformer, tells his cousin Guy Kibbee that, since Kibbee proved that he was a moral man, he was going to give him \$10,000,000, but first Kibbee must help him form a society to be known as "Ounce Society for the Elevation of American Morals." He warns Kibbee to keep Dick Powell, a distant relation, out of his house because Powell had become associated with the theatre. Kibbee starts for home with Herbert as his guest. On the train he is shocked to find Joan Blondell, a stranded chorus girl, in his compartment, and in order to keep her quiet he leaves her some money with a note asking her not to say anything. In New York Joan meets Powell, and he tells her about the play he has, but that he needs money. She hits upon the idea of getting the money from Kibbee under threat of exposure, and it works. Ruby Keeler, Kibbee's daughter, in love with Powell, is jealous of his friendship with Joan and breaks her engagement with him. The play is put in rehearsal and Ruby is given a part in it. Herbert and Kibbee, who had gone to the theatre with some hoodlums to ruin the show, drink what they think is a medicine for hiccoughs but it is really alcohol. They both become tipsy and give the signal to the hoodlums by mistake. They throw eggs, tomatoes, and other things and break up the show. Herbert, Kibbee, and the entire cast are put in jail. Herbert finds the chorus girls pleasant company and decides to spend his time having fun instead of reforming people. Powell and Ruby are reconciled and everyone, except Zasu Pitts, Kibbee's wife, is happy.

The plot was adapted from a story by Robert Lord and Delmar Daves. It was directed by Ray Enright. In the cast are Arthur Vinton, Sammy Fain, Phil Regan, Berton Churchill, and others.

Because of the fact that Joan Blondell uses blackmail methods to get money, it is unsuitable for children, adolescents, or Sundays. Class B.

"Treasure Island" with Wallace Beery, Jackie Cooper and Lionel Barrymore

(MGM, Aug. 17; running time, 102 min.)

This will thrill both young and old who are familiar with the novel, and even those who have never read the book. The production end is marvelous, the acting is of the highest order, and it is exciting, adventurous, and human. It will hold the spectator in suspense throughout, particularly during the scenes on the island where the treasure is hidden, and the honest adventurers are forced to fight for their lives against the pirates led by Beery. The scenes between Beery and the romantically inclined Jackie Cooper, who worshipped the pirate leader, Beery, are a joy, for they are a mixture of comedy and pathos. Its one drawback, of course, as far as women may be concerned, is that there is no romance, but their attention undoubtedly will be held by the other qualities of the picture, particularly by the perfect acting of the entire cast. Beery, as the pirate leader, reaches new heights. He makes a scoundrel of the character, but at the same time a sort of likeable person, because of his attempts to appear naive. In addition, he shows an honest attachment for Jackie Cooper and he protects him against his coundrel companions.

It is the story of a group of men who set out to find a fortune buried on an island. They got the location from a map they found in the trunk of Lionel Barrymore, a

pirate, who had been killed. But the old pals of Barrymore, who knew about the map, headed by Beery, ingratiate themselves with Nigel Bruce, the owner of the boat, and are employed as seamen on the voyage, Beery to be the cook. Jackie Cooper, who is to share in the fortune, is one of those aboard and he strikes up a friendship with Beery, thinking him to be an honest and remarkable fellow. But one night he overhears Beery plotting with his men and Jackie warns his friends in time. They land on the island and Beery with his men soon follow, well-armed. Jackie goes to the boat, cuts it adrift and is forced to kill the two pirates left on board because they attempted to kill him. He lands at Beery's camp where he is held as hostage. Again Jackie's friends outwit Beery and kill off his whole gang, and take Beery prisoner. And the fortune is found; Chick Sales, a former pirate, who had been left on the island for three years, and who had become a little crazy, leads them to it. Beery convinces Jackie that he should free him. But first Beery, unknown to Jackie, fills his pockets with gold and jewels; Jackie still believing in him, sets him free and Beery assures him that some day they will meet again.

The plot was adapted from the novel by Robert Louis Stevenson. It was directed by Victor Fleming. In the cast are Otto Kruger, Lewis Stone, Nigel Bruce, William V. Mong, Charles McNaughton, Dorothy Peterson, and others.

Excellent for all types of audiences. Class A.

"You Belong To Me" with Lee Tracy and Helen Mack

(Paramount, Aug. 24; running time, 76 min.)

"You Belong To Me" is a fairly entertaining picture, more because of the excellence of the performances, than of the story. It is a little too thickly coated with sentiment, particularly in the closing scenes, which become draggy. Some of the situations are quite stirring and at all times sympathy is felt for the leading characters. But the producers have gone a little too far in the plot to bring forth tears; for instance, the mother, Helen Mack, dies. It does not add anything to the story to have such a thing happen; instead it makes the spectator feel quite unhappy knowing that her child loved her so. The best part of the picture is the acting of David Holt, a seven year old boy, who is so real and appealing, that because of him the interest is held throughout. His acting is so sincere and simple that it becomes a pleasure just to watch him perform. One pities him in his unhappiness when his mother marries again, and shares with him in his joys and petty disappointments. But as for the story, it is a typical tear-jerker that will find more favor with women than with men.

In the development of the plot Helen Mack, who had been doing an act with her husband in vaudeville, is forced, upon her husband's death, to take a position in a beer garden to support herself and her son, David. Lee Tracy, another vaudeville performer, befriends them and is David's best pal. When Arthur Pierson suggests that Helen join him in an act she gladly accepts because she is lonesome. David dislikes Pierson and is unhappy when Helen eventually marries him. Pierson finds David a nuisance and Helen is forced to send the child to a military school. He is unhappy and longs for the theatre. Pierson soon tires of Helen and during their performance tells her he is leaving her. She is doing her number, which is to sing while swinging in the air. Blinded with tears, she falls and is killed. Tracy goes to see David to tell him. At the school he meets Helen Morgan, his former wife, who was to give a performance for the children. They become reconciled and decide to take David with them. Instead of telling David his mother had died he tells him she had to go off on a 52-week tour.

The plot was adapted from a story by Elizabeth Alexander. It was directed by Alfred Werker. In the cast are Lynne Overman, Edwin Stanley, Irene Ware, and others.

Suitable for children, adolescents and Sundays. Class A.

When the inside pages of your copy of Harrison's Reports are blank it is a misprint. Order a complete copy.

If you should find a copy missing from your file of Harrison's Reports, write about it to this office; a duplicate copy will be sent to you by return mail without any charge.

Since "Long Lost Father" and "Hat, Coat and Glove" are star substitutions, to those who do not accept them RKO has delivered only 39.

Eleven pictures were released before the Code went into effect. This left 40 to deliver. On 40, you are entitled to cancel 4.

For those who accepted the substitutions, three complete groups were released up to "Hat, Coat and Glove"; but for those who do not accept them, "Adventure Girl" is the 8th picture of the third group.

If you have canceled one out of each group, you will have one left to cancel.

The exhibitor must give notice to the distributor not later than September 30, 1934, that he wants all pictures not generally released. But he loses all rights to such pictures after September 30, 1935.

United Artists

This company released just one full group of ten pictures after the day the Code went into effect, the Tenth picture being "Born to Be Bad."

For a long time this company fought against the ruling the Division Administrator gave to this paper to the effect that the United Artists pictures, even though they are sold on individual contracts, come under the ten percent cancellation provision, but the Code Authority two weeks ago ruled that they do come under that provision.

This company has delivered 18 pictures. "Born to Be Bad" is the last release of the 1933-34 season.

Universal

Universal sold 36 regular pictures and 6 Ken Maynard westerns, 42 in all.

Up to December 7, it released 8 regulars and 1 western, 9 in all, leaving 28 regulars to deliver, and 5 westerns, 33 in all.

Whether you bought the westerns or not you are entitled to cancel 3 pictures.

For those who did not buy the westerns and have not accepted the substitutions, two complete groups of ten have been released, the Tenth pictures of the second group being "Romance in the Rain." If you belong to this class, and you have not yet canceled a picture in the second group, you may cancel "Romance in the Rain," which has been set for release nationally August 13; it is the only picture you can cancel now within the provisions of the Code, because your right to cancel it does not expire until August 27, unless it will be released in your territory later than August 13.

If you have already canceled one in the second group, you may cancel the same picture for your third group, unless you want to wait for a report on "Imitation of Life," which I have not yet seen, and the release date of which has not yet been set. You have the right to cancel "Human Side," too, because its national release date is August 27, but it is a pretty good picture.

For those who have bought the westerns but who are accepting the substitutions, the Tenth picture of the Third group is "The Human Side." If you belong to this class of Universal accounts and have not yet canceled one in the third group of ten, you may cancel "Romance in the Rain." But you must send in your cancellation notice immediately, by registered mail. If you have already canceled one from the Third group, then you may cancel "Romance in the Rain" in your fourth group, unless you want to cancel "Imitation of Life."

For those who bought the westerns and have not accepted the substitutions, "Little Man, What Now," released June 4, was the Tenth picture of the second group. The last picture of the third group, which will consist of only five pictures, will be "Imitation of Life."

This company will be short two pictures, one regular and one western, counting in the substitutions. If we should exclude the substitutions, then it will deliver only 30 regular pictures, 35 in all including the westerns; or 7 pictures short.

If your contract calls for "Zest," "One More River" is a story and author substitution, and you are under no obligation to accept it.

You must give a written notice to the distributor not later than September 30, 1934, that you want all "not generally released" pictures.

Warner Bros.

Warner Bros., sold 30. Up to December 7, it delivered 6, leaving 24 to deliver. On 24, you are entitled to cancel 2 pictures.

"Dames," whose national release date is September 1, is the last of the 1933-34 product.

There has been only one substitution—"Merry Wives of Reno." To those who have accepted it, Warner Bros. will have delivered out of the 30 it sold 27, or 3 pictures short; to those who have not accepted it, only 26, or 4 short.

"Dames" is the only one you can cancel now.

What was said of the "not generally released" pictures in the First National contract applies to the contract also of Warner Bros.

* * *

For all other substitutions, read "Substitutions," on Page 127, and "Substitutions and Tenth Pictures—No. 3," in the August 4 issue.

CLASSIFICATION OF PICTURES

The following are the latest pictures that have been classified by the Detroit Council of Catholic Organizations for the Michigan Catholic:

RECOMMENDED (Class A—For family patronage): "Berkeley Square," "The Red Rider," "The Star Packer," "Treasure Island," "Young Eagles."

SPOTTY (Class B—Defective or offensive in spots, though not strictly forbidden. Unsuitable for children and for some adults): "Adventure Girl," "Blind Date," "Cleopatra" (Adults only), "Green Eyes," "Hollywood Hoodlum," "The Lady is Willing," "Name the Woman," "Notorious Sophie Lang," "Paris Interlude," and "Their Big Moment."

NOT RECOMMENDED (Class C—Unfit for decent people): "The Girl From Missouri," "Hat, Coat and Glove," and "One More River."

Note: "Hat, Coat and Glove" has been taken out of the "B" column, in which it was put at first (facts given in last week's issue) and placed in the "Not Recommended" column.

The following pictures have been classified by the Chicago Legion of Decency:

CLASS A (Recommended for families): "Berkeley Square," "Housewife," "The Red Rider," "Treasure Island," and "Young Eagles."

CLASS B (Offensive in spots, not suitable for children and adolescents, but not forbidden for adults): "Adventure Girl," "Grand Crossing (?)," "Green Eyes," "Guns for Hire," "The Lady is Willing," "Name the Woman," "Vanishing Shadow" (taken out of the Class A column), "The World Moves On."

CLASS C (Indecent—unsuitable for showing anywhere): "Back Street," "The Girl from Missouri," "Hat, Coat and Glove," "One More River," and "Trouble in Paradise."

HANDBOOKS FOR PROJECTIONISTS

Frequently I receive inquiries as to what handbooks are the best in the market for projectionists.

To save those who wish to know the trouble of writing letters, I may say that there are two such books that I would recommend. The one is published by the Quigley Publishing Company, and has been written by Mr. Frank H. Richardson; and the other by the Kinematograph Publications, of London, and the author is R. Howard Cricks, A.R.P.S.

In this country, theatre managers and projectionists have come to rely on Frank H. Richardson's Blue Books of Projection, in three volumes, as one of the indispensable features of their operating equipment; these books have been standard in and out of the projection field for many years; they lay down the entire theory of the operation and maintenance of projection equipment, and all that relates to electrical theories, and treat of the practical phases and problems of actual operation in the theatre. They are revised almost annually.

Mr. Richardson's published questions in both *Motion Picture Herald* and *Better Theatres* are the result of worldwide correspondence.

Mr. Cricks' *The Complete Projectionist*, too, is a useful book for the daily needs of every projectionist and moving picture engineer. It is clear and comprehensive. Some of the matters it treats are the following:

Chapter 2: Optical Principles. Chapter 4: General Principles of Electricity. Chapter 6: Sound and Acoustics. Chapter 7: The Sound Head and Its Drive. Chapter 8: Amplifiers and Speakers. Chapter 10: Electric Apparatus and Wiring. Chapter 11: Oils and Gas Engines. Chapter 13: Tracing Faults.

The prices of the Richardson Blue Books of Projection are as follows:

Volume 1 and 2 (one unit), \$6.20; Volume 3, \$5.10; all three Volumes \$10.20 (including postage.) They may be obtained from the Quigley Publishing Co., 1790 Broadway, New York, N. Y.

The Cricks *The Complete Projectionist* sells for 5 shillings and 4 pence, which in United States money is approximately \$1.40, postage included. It may be obtained from the Kinematograph Weekly, 93, Long Acre, London, W. C. 2.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions	16.50
Canada	16.50
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Great Britain	16.00
Australia, New Zealand, India	17.50

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New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
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Published Weekly by
P. S. HARRISON
Editor and Publisher
Established July 1, 1919
Pennsylvania 6-6899
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, SEPTEMBER 1, 1934

No. 35

THE RIGHT PROCEDURE ON THE MUSIC TAX QUESTION

In an article headed "The Increased Music Tax," which appeared in the August 11 issue of HARRISON'S REPORTS, I suggested to you, as I did to all unaffiliated exhibitors, not to join the producers in their effort to meet the music tax problem, because I believe that the theatre-owning producers will use you to make a deal, then drop you by the wayside.

Prompted by that editorial, an exhibitor wrote and told me, stating that my advice was sound, but asked me what suggestion I could make to the exhibitors as to how they could avoid the increase in the rates.

A prominent out-of-town attorney, friend of mine, who has represented unaffiliated exhibitors in litigation against producers and their affiliates, and who has won all cases against them, happened to discuss the music tax question with some exhibitors the other day and when he learned that theatres exhibiting only moving pictures paid royalty to the American Society he expressed a great surprise; he wrote me as follows:

"The Society has been managed cleverly. It has brought a number of suits against theatre owners for violation of copyrights of its members and has been uniformly successful in its suits. But these actions invariably related to the playing of music by piano, the singing of songs by an actor, or the performance of a composition in a theatre. None of these acts constitute interstate commerce; they are the performance of service as distinguished from commerce. And the courts have generally held that, irrespective of the legality of the organization or association, the violation alleged had no relation to interstate commerce. But the Society has never, to my knowledge, brought suit against an exhibitor who merely displayed musical films containing copyrighted music."

I asked my friend how could the matter be brought to a head, and he suggested that a suit may be brought against the Society by some exhibitor who is no longer in the business asking for the recovery of a triple amount of the license fees that had been exacted from him.

I am sorry that I am not at liberty to disclose the name of this lawyer; the opinion he has sent me is so valuable that he is entitled at least to your thanks.

If you should show this opinion to your attorney, he may reach the conclusion that the Society is a combination, and that, when it attempts to impose a restriction upon the circulation or exhibition of motion picture films, it is a combination in restraint of interstate commerce and, for that reason, in violation of the Antitrust laws. He will, then, no doubt urge you to take out a license only if you are showing vaudeville, and that he will advise you against paying such a license if you are showing only moving pictures without any other music.

SELLING TERMS FOR THIS SEASON

A questionnaire sent out by Allied Independent Theatre Owners of Wisconsin to about 65 exhibitors who run product early disclosed the fact that only four of them have bought the 1934-35 season's product they need.

The replies stated also that the number of percentage pictures demanded by the following companies are:

- Fox: Anywhere from 4 to 18.
- MGM: Anywhere from 6 to 12.
- Paramount: Anywhere from 3 to 8.
- United Artists: Anywhere from 16 to all.
- Warner: 10 pictures with play-dates.

This information should certainly convince every exhibitor in the land that the "national policies" of the distributors are not national at all, but are bent to suit the bargaining abilities of each exhibitor. The gullible exhibitor will accept the highest number of percentage pictures and the most burdensome terms; the wise one will get as good a bargain as is given to other exhibitors.

From an exhibitor in a city in a middlewestern state comes the information that Paramount has offered him all its pictures at a flat rental. This exhibitor writes me:

"We know and they know that we are all in for a tough winter, what with the drought, and the farmers not having enough forage to finish out their cattle; all this has its effect in the rural communities.

"They do not admit it, but the fact remains that they have a report they have not carried before; and that is, the conditions of crops in the vicinities they call upon. This they are making out and sending in each week.

"Conditions in the rural communities are right back where they were in 1931, because of the continued drought."

This same exhibitor reports that Vitagraph (First National-Warner Bros.) have accepted a contract from him on the following terms:

"Anthony Adverse" at 50%.

Two pictures at \$40 minimum guarantee, and 35% to \$300.

Four pictures at \$25, with 30% to \$250.

The remaining pictures at \$20 and \$15 flat rental, about half and half. This is, he says, a \$23.50 average. His town has approximately 4,000 inhabitants.

The exhibitor whose information about selling terms was published last week, stated also the following:

"I am given to understand that Metro will stand out for preferred time but they are going to have a bad time down here with exhibitors who realize that Metro did not deliver in proportion to the high rentals they received.

"Radio has been very 'tough' with exhibitors down here and they are going to be out of a lot of spots.

"Columbia are trying to sell next year's product on the strength of 'It Happened One Night' but they too are going to have a lot of things to explain.

"United Artists are, as usual, asking the mint for their product and I don't see how they are going to get anywhere except in competitive spots.

"The way I see it there is only one thing for me to do, and that is, to stand out for flat rental even if I have to close up for two or three days a week, or run more independent product, which can be bought at a price. Any way you look at it, I'll lose money but probably I'll be able to run my business without a bunch of checkers hanging around.

"Here's something that exhibitors ought to know about: The other day I sat in the office of the Paramount manager and he told me exactly what I took in on the biggest grossers for Fox, Radio and Warner—all of them percentage pictures, the figures of which are supposed to be secret. The manager of Radio told me one day that he could get the figures on any percentage picture played anywhere in the United States within five hours by wiring to his head office in New York for the information.

"I agree with you that the Code is a joke except for the majors and that conditions are decidedly worse than they were a year ago. Out here you have no chance to cancel out pictures unless you are in the exchanges every week and ask a lot of questions. Every manager is afraid of his job and is doing everything possible to have as few cancellations as possible in his district. (Editor's Note: This ex-

(Continued on last page.)

"Crime Without Passion" with Claude Rains
(Paramount, Aug., 17; running time, 68½ min.)

A powerful psychological drama; it is strictly adult fare, the kind that will appeal to sophisticated men; also to many men from among the masses, because it is thrilling enough to hold the attention throughout. Ben Hecht and Charles MacArthur have taken a thin plot and made an absorbing drama of it mainly by their intelligent direction. They are helped by a fine group of actors and actresses, who, although unknown to picture-goers, perform with great skill. Claude Rains, in the role of an egotistical lawyer, is an unsympathetic but fascinating character. All one's sympathy is directed towards the girl who loves him but who receives shabby treatment from him. The ending provides a twist that is entirely unexpected and dramatic; for the first time it makes one feel pity for Rains.

In the development of the plot Rains, having fallen in love with a beautiful girl, Whitney Bourne, seeks means of ridding himself of his mistress, Margo, a dancer. Being an extremely clever lawyer he thinks of many tricks, makes believe he is jealous, that she is unfaithful, until he drives the girl to distraction. She threatens to kill herself. He rushes to her apartment to prevent her from doing so, and insults her. She grabs her gun and in a struggle that follows she is accidentally shot. Thinking he had killed her, his legal mind begins to work and he destroys all evidence of his having been there. He prepares an alibi for himself as he had prepared many times for his guilty clients, and feels secure. And then the woman for whom he was doing everything deserts him. At first he is frantic but later realizes it is the best thing that could have happened to him, because then the police could not accuse him of wanting to rid himself of Margo. He goes to the cabaret where Margo performed to further his alibi and there he meets a young girl who had seen him earlier in the day. He tries to buy her off with diamonds and money in order to make her change her story. Her escort, who had returned to the table, is none other than the man from whom he had stolen Margo. A fight ensues and Rains shoots the man and kills him. The police rush in and arrest him and he suddenly looks up and finds Margo before him; she had been wounded slightly. He is taken to headquarters where the prosecutor, whom Rains had fought against often, taunts him with the fact that he will be given the death sentence.

Ben Hecht and Charles MacArthur wrote and directed it. Others in the cast are Stanley Ridges, Paula Trueman, Leslie Adams, Greta Granstedt, and others.

Unsuitable for children, adolescents, or Sundays. Not a picture for women; too unpleasant. Not for small towns. Class B.

"Among the Missing" with Richard Cromwell and Henrietta Crosman

(Columbia, Aug., 15; running time, 65 min.)

A demoralizing melodrama. For three-quarters of the picture Richard Cromwell, the hero, is shown stealing. He also behaves in a boorish manner towards Henrietta Crosman, an elderly woman, who tries to set him on the right path, insulting her on different occasions. The fact that he reforms in the end is ineffective because throughout he had been established as an unpleasant character. There is nothing edifying in the story; it deals with crooks and the way they go about their business of stealing and covering up their tracks. There is some suspense in the closing scenes where Henrietta Crosman becomes involved in a robbery, and tries to protect Cromwell, who she felt was fundamentally a good boy, but who had been led astray.

The plot was adapted from the story by Florence Wagner. It was directed by Albert Rogell. In the cast are Ivan Simpson, Paul Hurst, and others. (Coast review.)

Unsuitable for children, adolescents, or Sundays. Class C.

"Along Came Sally"

(Gaumont-British; running time, 70 min.)

An amusing comedy with music; it is suitable for American audiences because the accents are not too pronounced and the atmosphere is not typically English. As a matter of fact the action takes place mostly in a night club, which is not different from American clubs. The dancing numbers are lavish, the music is fairly good, and the action fast. It relies for all its comedy on Cicely Courtneidge, a popular British performer, who at times is very comical. She is particularly so in the scenes where she impersonates a French music hall performer. The last scene is the funniest of all—she does an apache dance with a man who she soon discovers is a gunman, seeking to kill Hardy. She throws

him around the place, as he does with her, until they are both exhausted; the gunman is caught.

In the development of the plot Cicely is told by Hardy that she is not appealing enough to be employed in his night club. She puts on a wig, acquires a French accent, and appears before him again. He is charmed and falls in love with her; he engages her for the show. Hardy had been threatened by American gunmen with ruin unless he paid them protection money. On the opening night they kidnap Cicely and demand a ransom for her return. But she escapes from them and returns to the club in time to appear and make a great success. Hardy realizes that Cicely had made a fool of him and feels she does not love him. But she shows her bravery by saving him from one of the gunmen who threatened his life. Hardy acknowledges her ability and asks her to be his wife, to which she agrees.

Guy Bolton wrote the story. In the cast are Phyllis Clare, Billy Hilton, and others.

There are a few suggestive remarks, making it unsuitable for children, adolescents, or Sundays. Class B.

"The Fountain" with Ann Harding, Paul Lukas and Brian Aherne

(RKO, August 31; running time, 83 min.)

This picture can boast of excellent performances by the entire cast, and a fine production, but it is not entertainment insofar as the masses are concerned. It may be a treat for intellectuals who enjoy intelligent conversation about the soul, but the dialogue will be over the heads of most of the picture-goers, and since there is no action but all talk, most spectators will become fidgety. One feels sympathy with the characters, but this is not enough to sustain the interest, since the action is slow. The most sympathetic character is Paul Lukas. One almost resents the fact that his wife, Ann Harding, loves another man when her own husband worships her. The producers have taken out most of the sex situations of the novel, and the affair between Ann and Brian Aherne is handled delicately. But the atmosphere is heavy and there is little comedy relief. The action takes place during the world war.

In the development of the plot Brian Aherne and other captured English officers are interned in Holland. Granted leave to travel around on condition that they do not leave Holland, Brian, in company with Ralph Forbes, accepts the invitation of Ann Harding, an old friend, to visit her at her home. Ann was married to Paul Lukas, a German officer, but her sympathies were all with England; she did not love her husband and told Aherne so. Aherne and Ann soon realize that they had always loved each other, and in order to avoid trouble Ann asks him to leave. Unable to bear the separation, she sends for him to return, and they become lovers. Lukas, with one arm amputated and in complete collapse from gas poisoning, comes home to recuperate. Ann devotes her entire time to him and he is happy just to be with her. But soon realizes that she is in love with Aherne and suffers a relapse. Just before he dies Ann confesses all to him. He forgives her. However, after his death, Ann feels that she cannot marry Aherne just yet, but promises to meet him in England.

The plot was adapted from the novel by Charles Morgan. It was directed by John Cromwell. In the cast are Jean Hersholt, Violet Kemble-Cooper, Sara Haden, Richard Abbott, and others.

Unsuitable for children, adolescents, or Sundays. Class B.

"Young and Beautiful" with William Haines and Judith Allen

(Mascot Pictures; running time, 67 min.)

A fairly good entertainment. It has a good cast, a fair story, although not new, and has been given a good production. There is comedy and music, some human interest, and the action is fast. The laughs are provoked by the publicity tactics used by Haines to put over Judith Allen as a motion picture star, even though these tactics are far-fetched. One feels some sympathy for Judith when she becomes a star because this brings about a rift between her and Haines, with whom she was in love. Joseph Cawthorn, as a motion picture producer, provokes comedy by his eccentricities and outbursts of temper. The young girls who were chosen as the Wampas Baby Stars of 1934, appear in this picture. Film fans may be interested in the backstage scenes showing how motion pictures are taken.

The plot was adapted from a story by Jos. Santley and Milton Krims. It was directed by Joseph Santley. In the cast are Ted Fio-Rito and his orchestra, Shaw and Lee, Vince Barnett, Warren Hymer, and others.

Suitable for children, adolescents, and Sundays. Class A.

"The Human Side" with Adolphe Menjou and Doris Kenyon

(Universal, Aug. 27; running time, 61 min.)

There is enough human interest in this picture to hold the attention of adults throughout. The only unpleasant feature about it is the fact that Adolphe Menjou, as the father of the family, does things which bring unhappiness to his divorced wife and four children. He is an unsympathetic character in that he leaves his family, at times without enough money for food, even though he loved them; he was the type of man that could not be true to one woman, and for that reason Doris Kenyon had divorced him. The most sympathetic characters in the picture are the children, who love their father and mother, and who cannot understand why they should be separated, because when they are all together on the occasional visits their father pays them they are all happy. The divorce angle is not objectionable since the picture shows the tragedy of divorce, particularly to children. Comedy is provided in the treatment the children give to Reginald Owen, a suitor for their mother's hand. They do not want him as a father and, with the help of Menjou, they dissuade him from marrying Doris Kenyon. However, the method Menjou uses in dissuading Owen is distasteful in that he makes Owen believe that he, Menjou, had spent the night with his former wife and that they were planning to be married again. Doris eventually proves to Owen that the statements made by Menjou were a lie, but at the last minute she changes her mind about marrying him, since he told her the children would have to live according to a routine set out by him; Doris knew this would make the children unhappy. The closing scenes in which the family, without funds, are forced to sell their belongings will bring tears to the eyes. But it all ends on a happy note when Menjou, backed by a wealthy stage producer, becomes reconciled with his wife, and decides to take her and the entire family to California where he would make an effort to become a success; they planned to marry in California.

The plot was adapted from a story by Christine Ames. It was directed by Edward Buzzell. In the cast are Charlotte Henry, Joseph Cawthorne, Betty Lawford, Dickie Moore, and others.

Unsuitable for children, adolescents, or Sundays. Class B.

"There's Always Tomorrow" with Frank Morgan and Binnie Barnes

(Universal, Sept., 4; running time, 86½ min.)

With the material this story offered, Universal, with a little more care, had a chance to make a big picture. As it stands, it is entertaining adult drama, with a story that is intelligent and interesting. The acting is good, particularly that of Binnie Barnes, who played in "Henry the Eighth," but is a newcomer to most American picture-goers. She is a capable and charming actress, and gives such warmth and understanding to the character she portrays that one feels sympathy for her throughout, even though she is shown trying to win the affections of Frank Morgan, married and father of four children. The one unpleasant feature is the boorish behavior of Morgan's eldest son, who, instead of being honest with his father when he finds out about his friendship with Binnie, sulks and behaves in such an objectionable manner that one is displeased with him. Human interest is well sustained; one can appreciate Frank Morgan's desire for companionship with Binnie. She understood him and made him feel as if he mattered, whereas his own family took him for granted and selfishly went about their own business; even his wife neglected him in her devotion to their children. But one understands also the unhappiness caused the children when they discover the affair. They loved their mother and father and feared that their home might be wrecked and their mother made unhappy. The closing scenes, in which Binnie bids Morgan farewell, since she did not want to come between him and his family, are touching. She is kind and generous even in her parting for she sets the children at rest by assuring them that there was nothing between her and their father. The family scenes are done realistically, with the children demanding attention, the youngest child talking too much, and the maid interfering in the family affairs. There is some comedy in these scenes. The dialogue is bad; it is spoken in rhymical verse. Since in conversation people do not talk that way, many people will feel irritated.

The plot has been adapted from a story by Ursula Parrott. It was directed by Edward Sloman. In the cast are Lois

Wilson, Elizabeth Young, Robert Taylor, Louise Latimer, Alan Hale, and others.

Although there is nothing immoral in the affair between Morgan and Binnie, it is not a suitable entertainment for children or adolescents, or for Sunday showing. Good for adults. Class B.

"Pursued" with Rosemary Ames and Victor Jory

(Fox, Aug., 24; running time, 69½ min.)

Just another one of those tropical stories, with unpleasant characters in sordid surroundings. An attempt is made to glorify the heroine, a prostitute, by showing that through her love for the hero she became good; but the knowledge that she had led such a life amidst such surroundings gives the spectator an unpleasant feeling. It is demoralizing, too, in that the villain, a sadist, cold-bloodedly murders people to get property that belongs to others. His attempts to force the heroine to live with him, too, are ugly. Sympathy is felt for the hero who is almost killed by the villain, and then because he falls in love with the heroine, thinking her to be a fine woman. The closing scenes hold the audience in fair suspense; it is where the villain again attempts to kill the hero, and in that way take away his property, and at the same time force the heroine to remain with him. Some of the wisecracks by Pert Kelton are suggestive. One other bad feature is that in the end the heroine is forced to kill the villain, who, in a terrific battle, was getting the best of the hero.

In the development of the plot, the heroine, a singer in a cheap saloon, resists the attentions of the villain, who offers her luxury if she will live with him. The hero, who had come to claim the plantation left him by his uncle, is beaten by henchmen of the villain and is left for dead. The villain's purpose had been to kill the hero and take the plantation, which was next to his, for himself. The heroine, who had seen the hero being beaten, takes him into her apartment and tends him. He is temporarily blinded and believes her story about her being the daughter of a wealthy family. Realizing she is not the type for him she leaves him when she knows he is in love with her. Desiring to get away she accepts the villain's offer to take her to a seaport where she could take a steamer to San Francisco. Instead he takes her to his plantation and the hero, when he arrives, is horrified to find her there. The villain again attempts to kill the hero and during a fight that ensues the heroine kills the villain. The hero tells her he forgives her for her past life and begs her to marry him; she consents.

The plot was adapted from a story by Larry Evans. It was directed by Louis King. In the cast are Russell Hardie, George Irving, and others. (Out of town review.)

Unsuitable for children, adolescents, or Sundays. Because of the sordid story it is a Class C picture.

"Hide-Out" with Robert Montgomery and Maureen O'Sullivan

(MGM, Aug. 24; running time, 81 min.)

An entertaining comedy. The opening sequences showing Montgomery as a racketeer are extremely demoralizing. But once that is over, it develops into a homey, human interest story, with many laughs. Most of the comedy is aroused by the difficulty Montgomery finds in acclimating himself to country life. One is held in fair suspense, knowing that eventually Montgomery will be caught. The fact that even though Montgomery became regenerated he had to pay for his former crimes by going to prison carries a moral with it. The love affair is romantic:—

When Montgomery, right hand man to a racketeer who was preying on business men by forcing them to buy his protection, is sought by the police he runs away. In the chase with the police he is slightly wounded but continues driving his car until he comes to a farm in Connecticut. There he is taken in by the family, who believe his story that he had been held up and shot by robbers. The family, consisting of mother, father, young son (Mickey Rooney), and daughter (Maureen O'Sullivan), grow fond of Montgomery. Maureen soon falls in love with him and he returns her love. But the detectives trail him to the farm and he is forced to go back with them to face a jail sentence. He makes the family think they are friends of his but to Maureen he tells the truth. But she promises to wait for him.

The plot was adapted from a story by M. Grashin. It was directed by W. S. Van Dyke. In the cast are Edward Arnold, C. Henry Gordon, Elizabeth Patterson, Muriel Evans, and others.

Because of the gangster sequences it is unsuitable for children, adolescents, or Sundays. Class B.

plains why the branch managers are putting so many obstacles in the way of cancellations, despite the commitment on the part of their home offices.)

"I know for a fact that many letters have been written by exhibitors protesting against 'smut' in films only to be ignored. So what?

"What a situation! Every wholesaler fighting his retailers! I wonder how long any other kind of business would last with such feeling between retailers and wholesalers! And yet you hear some nitwit asking what is wrong with the film industry!

"Please keep my name out of this; I can't fight an exchange center."

Send information of this kind at once; you help the other exhibitor but at the same time the other exhibitor helps you. I am appealing particularly to secretaries of exhibitor organizations, no matter what their "color," to send in such information on this subject as they possess.

WHEN A DISTRIBUTOR REFUSES TO CANCEL AN INDECENT PICTURE FOR YOU

From time to time I receive letters from exhibitors informing me that the distributors are refusing to accept cancellation of indecent pictures against which there is a bona fide protest on the part of reputable citizens of their towns, on the ground that such pictures are not, in their (the distributors') opinion, indecent.

When Mr. Hays, in order to convince the Catholic Bishops that the producers were sincere in their determination to abandon the production of indecent pictures, issued to the American public through the daily press a statement, as you very well know, to the effect that the members of his association granted the exhibitors the right to cancel any indecent picture against which there would be a genuine protest, he issued at the same time, through the trade press, explanatory details as to how the exhibitors should proceed to cancel such pictures.

Among such details was one to the effect that, if a distributor, member of the Hays association, differed with the exhibitor as to whether the protest against a picture was or was not genuine, or if he refused flatly to cancel such a picture, the exhibitor should refer the matter to his local Grievance Board, and the Board would determine the genuineness of such protest.

If a distributor has refused to cancel an indecent picture for you even though the protest is genuine, enter a complaint against such distributor with your local Grievance Board at once.

Another of those details was that the exhibitor must accept a different picture in place of the one canceled.

Since those details were not, as stated in an editorial in the August 18 issue, announced to the American public through the daily press so that the picture-goers might know that there were strings attached to the offer from these would-be penitents, they are not binding. In other words, you are not under any obligation to accept an older picture to take the place of the one that is canceled. Refuse to accept any such picture!

As said in the August 18 editorial, there is nothing wrong if a distributor should make an effort to induce you to accept another picture in the place of the one canceled, provided such picture belongs in the same season, and is of equal box office value. But when he attempts to foist upon you a picture of another season, or even of the same season but of a decidedly lesser box office worth, he is violating his promise to the Catholic Bishops and you are not compelled to give in.

Stand by your rights! You are not responsible for the production of indecent, immoral, and vulgar pictures; why should you, then, be made to suffer? Let them make decent pictures and there will be no occasion for cancelling any of them!

ASK FOR YOUR MISSING COPIES

Now and then an exhibitor either writes, or telegraphs, and once in a while even telephones, for a missing copy of his HARRISON'S REPORTS.

Look over your files and let me know what copies you are missing so that I may duplicate them. There is no charge for this service.

Frequently an issue strikes you so well that you want to give your copy to some one else. Do so by all means and then write me for another copy; I keep a sufficient number of them on file for just such purposes.

"THE BARRETTS OF WIMPOLE STREET" NOT A 1932-33 PICTURE

An exhibitor has written me as follows:

"In Section Two of your August 18 issue you state under 'Metro-Goldwyn-Mayer Features' in Italics, 'One More Norma Shearer to come on the 1932-33 season.'

"This theatre has a 1932-33 contract with MGM, and I thought that, as your paper states, we had the next Norma Shearer picture to be released; namely, 'The Barretts of Wimpole Street.' We were told by the MGM exchange in Buffalo that we had this picture coming.

"Now, however, they advise that due to there being other big stars in that picture, and also that two years have elapsed since our signing that contract, it is not our picture.

"Will you be kind enough to advise us concerning our rights and what we should do?"

The First Clause (b) of the MGM contract provides as follows: ". . . ; provided that if any of such photoplays are not so generally released by August 31, 1934, such photoplays shall thereupon be excepted and excluded from this license without any notice from either party to the other . . ."

According to this provision, MGM is not under a contractual obligation to deliver another Norma Shearer picture to the holders of 1932-33 contracts.

The information to the effect that there is one more Shearer coming for the 1932-33 season was given to this paper by the MGM Home Office. They may deliver it; again they may not—I am not able to get definite information.

As far as "The Barretts of Wimpole Street" is concerned, it has been announced as a 1934-35 picture.

Of course, it rightfully belongs to the 1933-34 season, because it was advertised in the beginning of that season, and served, I am sure, as an inducement with many exhibitors to purchase the 1933-34 MGM product; but it will take court action to determine the rights of the exhibitors; the ground is, I believe, misleading advertising; they advertised it for that season, but did not deliver it, and are using it to sell another season's product.

DON'T WRITE ME ABOUT SUBSTITUTIONS!

Despite the pains that I take to give the substitutions in conspicuous places whenever I discover them, hardly a day goes by unless I receive a letter from an exhibitor asking me to give him the substitutions. This is a waste of his time and of mine.

In last week's editorial, "Tenth, Cancellable and Substitute Pictures," I gave some substitutions. In the closing paragraph, I said: "For all other substitutions, read 'Substitutions,' on page 127, and 'Substitutions and Tenth Pictures—No. 3,' in the August 4 issue." In these editorials I have given all the substitutions that I know of. If I have missed any of them, I wish you call my attention to them; but I think that I have covered them all.

Watch the reviews; if there are any substitution facts, you will find them in a footnote.

AN INDEFINITE CODE-AUTHORITY RESOLUTION

According to a resolution passed on August 23 unanimously by the Code Authority, when an exhibitor, after being brought before the Grievance Board on the ground that he has used unfair competitive methods to deprive the complainer of a sufficient number of motion pictures for the conducting of his theatre, increases the number of shows per week, and the number of pictures per show, "the Code Authority may add the number of feature motion pictures representing such increase to the award made to the complainer."

But why "may"? Would it not have been more appropriate, and just, to say, "shall"? As the resolution now reads, the Code Authority may or may not add such pictures to the award. Does the Code Authority intend to play favorites? If not, why the dodging?

CLASSIFIED PICTURES

A list of all the pictures that have been classified by the Chicago Legion of Decency as well as by the Detroit Council of Catholic Organizations will be published in next week's issue in a separate section. I am having these lists checked up for purposes of accuracy.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 PE nnsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, SEPTEMBER 8, 1934

No. 36

Why Will H. Hays Is "Flirting" with the Catholics

On Monday, August 20, the newspapers printed a letter Will H. Hays had sent to Archbishop John T. McNicholas, Chairman of the Bishops' Committee on moving pictures, and the Archbishop's reply to his letter.

Mr. Hays' letter reads as follows:

"The Motion Picture Producers and Distributors of America, Inc., the members of which produce a very large per cent of the motion pictures in the United States, is happy to be able to inform Your Excellency that arrangements previously outlined which are intended more effectively to influence the character of motion pictures produced by members of our association have been carried into effect. These arrangements are producing results which, when they become fully known to your Excellency will, I believe, be a source of gratification.

"Your Excellency will, I hope, realize that even with the utmost determination on our part a reasonable length of time from this point on is necessary in order that the results of our efforts may become known and generally understood. In this connection, likewise, it is our hope that the confusion now arising from black and white lists may be avoided. It would be a means toward a better understanding and more rapid progress toward our common objective if these instances were eliminated in which in one locality a particular picture is placed on a recommended list and in another locality the same picture is placed on a condemned list. Without doubt, these are incidents growing out of the confusion of the campaign.

"We wish not to discourage, but definitely to encourage, all reasonable criticism and comment on our motion pictures. We are glad to have our motion pictures freely discussed by persons who have actually seen them and it is entirely agreeable to us to have those persons communicate their opinions of the pictures to those groups and communities with which they may be identified. Facilities for pre-release reviews of pictures to that end have been established in Hollywood. The open and frank discussion of individual pictures, which is consequent upon such deliberate and experienced information, aids materially in the discriminating selection of its entertainment by the public.

"Your Excellency is informed that the organized industry has arranged to place an emblem and declaration of its approval upon each motion picture released subsequent to July 15 indicating that it conforms with and has been passed by the industry's revised plan of self-regulation. The industry is arranging to give wide publicity to the use of this emblem in its various announcements. It is proposed that company advertisements will, through the use of this emblem, identify motion pictures which have been approved. Local exhibitors will be encouraged further to afford this guidance to the public."

Lack of space prevents me from publishing Archbishop McNicholas's reply, but I may say that the Archbishop expressed pleasure that the producers have proceeded to carry out their promises about cleaner pictures made to the committee of Bishops recently. He hopes that the certificate of cleanliness of the Hays association now put on pictures will eventually make the issuing of black and white lists unnecessary. At the same time he informs Mr. Hays. delicately but firmly, that the organization of the Legion of Decency will proceed, and that its members will be urged to keep up an active interest in "the moral significance of pictures."

But Mr. Hays failed to tell Archbishop McNicholas the whole story: about three weeks before writing to the Archbishop, he called a meeting of the Board of his Directors and told them that the only way by which the

war of the Catholic Church against indecent pictures could be stopped was for them to classify their pictures into "A" and "B" classes. But he was turned down unanimously by the Board.

And yet Mr. Hays, in his letter to Archbishop McNicholas, pledges the members of his association to clean pictures!

What was his object in publishing his correspondence with Archbishop McNicholas?

Before answering that question, allow me to call your attention to another statement in his letter to the Archbishop: "We wish," says he, "not to discourage, but to encourage, all reasonable criticism and comment on our motion pictures."

Did he mean what he said? Judge for yourself from the following facts: On April 11, 1932, the members of the Hays association held their tenth annual meeting. Speaking to them on that occasion, Mr. Hays said:

"No longer do those conversant with the facts and honest in their own motivation question either our bona fides or the overwhelming evidence of progress achieved. Specific constructive criticism of specific pictures we shall always need and I hope and expect we shall have it, but general indictments of the motion picture industry today come only from the uninformed, the malicious or those who earn their livelihood by derogation."

Since Mr. Hays did not define who were the honest and who the malicious critics, it is manifest that he resented criticism of whatever kind. Did he take any steps to stop the production of "Sanctuary" last year, even though he received protests? No! And yet that was a "constructive criticism of a specific picture," and not a general indictment of all pictures. And this is only one case.

You may say that that was in 1932; he has changed since then. May I call your attention to a speech he made as late as June 2, this year, at Wabash College, in Indiana? Among other things he said:

"Ever since the motion picture emerged from the peep-show, the screen has been subject to constant controversy. Naturally. The motion picture business is everybody's business. Every one of the 123,000,000 people in the United States . . . has and is entitled to have his own opinion of the movies. . . . It is expressed by the daily published opinion of more than 600 critics. . . . It is expressed on the other hand by those who make a living by lectures denouncing motion pictures; by job seekers who would fasten themselves on federal or state payrolls . . .; by trade chisellers. . . . It is expressed by many who have failed to sell their services or their money-making schemes to the industry. . . ." (Editor's Note: Since Mr. Hays does not mention the persons he means, his accusations may be applied to any one who has criticized pictures. They are general indictments and I leave it to you to characterize them.)

Where does Mr. Hays come in, then, to say to Archbishop McNicholas that he welcomes criticism on pictures? During the twelve years he has been head of the producer association, he has employed his energies toward, not inviting, but suppressing criticism.

Now we come back to the question: What was his object in publishing his correspondence with Archbishop McNicholas?

The reason why the producers paid Mr. Hays \$260,000 a year was, not his knowledge of the picture industry, but his influence in the political world. While the Administration in Washington was Republican, his prestige was un-

(Continued on last page)

"Girl of the Limberlost" with Marian Marsh, Louise Dresser and Ralph Morgan

(Monogram, Sept. 10; running time, 82½ min.)

Very good! Monogram has adhered closely to the novel by Gene Stratton-Porter and has produced a pleasant, simple, homey, human-interest picture; it will appeal greatly to the family trade. Marian Marsh is a deeply sympathetic character, and the suffering brought to her by her mother's unreasonable and cruel attitude will stir the emotions. The younger element will understand and sympathize with Marian when she is belittled by her school-mates, who taunt her for wearing old-fashioned clothes. Ralph Morgan and his wife Helen Jerome Eddy endear themselves to the audience by their kind and generous treatment towards Marian. The character portrayed by Marian should inspire young people; instead of becoming embittered she forges ahead thinking only of bettering herself, trying to reach a higher level of life than her mother was planning to force her into. The closing scenes, in which mother and daughter are brought together, are touching. The love affair between Marian and Edward Nugent seems rather forced:—

Louise Dresser hated her daughter Marian because she felt that Marian had been the cause of her husband's death. He had met with an accident and Louise was unable to help him since she was in a delicate condition at the time. She treats the girl cruelly and whatever affection Marian gets comes from Morgan and Helen Jerome Eddy, neighbors, who had no children of their own. Marian is determined to go to school and with Morgan's help she is able to earn money by selling a fine moth collection to Betty Blythe, a wealthy woman, who had become fond of Marian. Marian meets Edward Nugent and is disappointed to learn that he is engaged to be married, an event which was not to take place for three years—that is, when he would finish his law course. Three years later Marian is graduated from high school. On that day her mother finds out for the first time that the man she had been worshipping all these years had been unfaithful to her. She pleads with Marian for forgiveness and Marian gladly gives it. Nugent returns to the small town with his fiancée. He realizes that it is really Marian he loves and he breaks his engagement with his fiancée. Marian and Nugent are united.

Christy Cabanne is the director. In the cast are H. B. Walthall, GiGi Parrish, Barbara Bedford, Robert Ellis, Tommy Bupp, and others.

Suitable for children, adolescents, and Sundays. Class A.

"Desirable" with Jean Muir, George Brent and Verree Teasdale

(Warner Bros., Sept. 8; running time, 68 min.)

A fairly entertaining comedy-drama. There is nothing startling about the story, but it is told in such a way that it arouses human interest and holds one's attention. The picture is aided considerably by good performances of the entire cast. The sympathy of the spectator is centered entirely around Jean Muir, a sensitive young girl who suffers because of her mother's selfishness in refusing to behave as a mother should. The mother (Verree Teasdale), a famous actress who resented the sudden intrusion of a daughter she had kept away at school, is so desirous of getting rid of the girl that she almost forces her into a marriage that would have made her (Jean) unhappy. One distasteful situation is that in which Verree, wanting to disillusion Jean, tries to make her believe that she, the mother, had been intimate with George Brent; she did this knowing that Jean loved Brent sincerely. The emotions are stirred at the misery this causes Jean. The scenes showing Jean suddenly emerging from her shell and enjoying her surroundings are amusing. The romantic interest is pleasant.

In the development of the plot Brent, who was on the verge of having an affair with Verree, meets her young daughter Jean, who had been kept away at school, and falls in love with her. He takes her around and warns Verree that unless she acknowledges Jean as her daughter and introduces her to people, he will disgrace her. Verree is forced to give a party in honor of Jean, and there Jean meets Charles Starrett, of a wealthy and aristocratic family. They meet frequently and when Starrett kisses her she is sure she is in love with him, and they become engaged. She visits his family, but they are so wrapped up in their ancestors that they forget how to behave in a human way. Jean rebels and sends for George Brent to take her home.

She knows now that it is George she loves and not Starrett. Verree is furious when she hears that Jean had broken her engagement and tells her that George had been her lover. George denies it, of course, and Jean believes him. They marry.

The plot was adapted from a story by Mary McCall, Jr. It was directed by Archie Mayo. In the cast are Arthur Aylesworth, Joan Wheeler, John Halliday, Russell Hop-ton, and others. (Coast review.)

Because of the one situation in which the mother tells the daughter an untruth about her having had an affair, it is unsuitable for children, adolescents, or Sundays. Class B.

"Straight Is the Way" with Franchot Tone and Karen Morley

(MGM, August 10; running time, 59 min.)

Good for Class C theatres, fair for Class B, and unsuitable for Class A. There is fast action and several thrills; but the story is of the demoralizing sort, for the hero is shown as just having served a term in jail, and his former confederates are trying hard to entice him to go back to the former life. There are considerable gangster activities. But the pleasant part about the picture is the fact that Franchot Tone refrains from becoming a gangster again, going so far as to defy a gangster who had become the leader of the gang. The love affair between Karen Morley and Tone is sympathy arousing, for Karen loved Tone and she was patiently waiting until he recognized her great love for him. She had several bitter moments, of course, because the girl Tone had been intimate with before he had gone to the penitentiary was again trying to win him away from her and from his own mother; but Tone, having realized that Karen loved him, shunned the other woman and stood by Karen. The sensational situation in the end is caused by the fact that the rival gangster, who had learned that his girl was trying to go back to Tone, goes to kill him. In the struggle that ensues, he falls off the roof and is killed. There is considerable human interest, aroused by Tone's elderly mother.

The plot was adapted from a play by Dana Burnet and George Abbott. It was directed by Paul Sloane. In the cast are C. Henry Gordon, Raymond Hatton and Billy Bakewell.

Not suitable for children, adolescents, or Sundays. Class B.

"Servants' Entrance" with Janet Gaynor and Lew Ayres

(Fox, Sept. 7; running time, 90 min.)

A fairly pleasant romantic comedy; it should satisfy Gaynor fans. It is light and although somewhat far-fetched, it is amusing. There is one cartoon sequence that will delight the younger element; it is where Janet, working as a housemaid, has a dream in which all the knives, forks, spoons, pots and pans, take on form and scold her for mistreating them. There are a few spots that are a little draggy, but for the most part it moves along at a fair pace, and keeps the audience interested and amused. Human interest is aroused by Janet's desire to become independent of her father's wealth. The love affair between Janet and Lew Ayres is romantic, and has the usual complications of the rich girl-poor boy romance.

In the development of the plot Janet imagines herself in love with G. P. Huntley, Jr., who had background but no money and had never worked. When Janet's father tells them that he had lost his fortune and could not support them, Janet insists on leaving her home to take employment as a housemaid and so learn the necessary house-work routine; she also insists that Huntley find himself a position. She promises to return within three months. At the home where Janet is employed she meets Lew Ayres, the chauffeur, and they fall in love. A misunderstanding arises and they quarrel. Out of spite Janet tells Ayres about Huntley and they part. Janet goes back home to find that her father had made more money instead of losing his fortune. Janet is unhappy and through a clever trick her father locates Ayres and the lovers are united. But first the father had to convince Ayres that Huntley meant nothing to Janet and that he had married somebody else.

The plot was adapted from a story by Sigrid Boo. It was directed by Frank Lloyd. In the cast are Ned Sparks, Walter Connolly, Louise Dresser, Astrid Allwyn, Siegfried Rumann, and others.

Suitable for children, adolescents, and Sundays. Class A.

**"Now and Forever" with Gary Cooper,
Carole Lombard and Shirley Temple**

(Paramount, Aug. 31; running time, 81½ min.)

An exciting melodrama, with human interest. It is a mixture of laughs and tears, and keeps the audience in tense suspense. Shirley Temple wins over the audience by her delightful and intelligent acting. Although the theme is rather unpleasant and in some respects demoralizing, on account of the fact that Cooper is a thief, and is shown at his crooked work, the human element, engendered by the devotion of child and father, is so strong it does not offend. The situation in which Shirley is shown heartbroken when she discovers that her father had stolen a necklace and hidden it in her teddy-bear should bring tears to the eyes. Pathetic, too, are the closing scenes in which Cooper, hiding an injury from a bullet wound, gives up Shirley to a wealthy woman, knowing he will not see her again. The ending, however, is a bit vague. It is not made quite clear whether Cooper lives or dies, or whether he is arrested or not. Carole Lombard's role is more or less a minor one, but she is a fairly sympathetic character because of her faithfulness to Cooper, whom she loved, in spite of the fact that she resented his crooked ways:—

Carole and Cooper, lovers, live in Europe on their wits. For the first time in their relationship Cooper tells Carole that he had been married, that his wife died, and that he had a child living in the United States; further that he intended to go to New York and demand from his brother-in-law \$75,000 in return for his giving up all right to the child. This disgusts Carole and she leaves him, going to Paris. Cooper goes to America, and when he sees his child (Shirley Temple), he refuses to part with her. He takes her away and in order to raise funds to take her to Europe he dupes Sir Guy Standing into buying a fake gold mine. Back in Paris there is a reconciliation between Carole and Cooper, and the three live happily. Cooper gets a position and gives up his bad ways. He accidentally meets Standing and finds out that he, too, is a crook, but refuses to join him. At the home of Charlotte Granville, a wealthy old eccentric woman who loved Shirley, Cooper, who was badly pressed for money, steals a necklace. Shirley discovers this and is heartbroken; but Carole, to make Shirley happy, shoulders the blame for the theft. Cooper goes to Standing, to whom he had delivered the necklace, and asks for its return. A fight starts and Cooper, in self defense, kills Standing. He himself is shot; but he manages to get around and return the necklace to Miss Granville. He tells her he will agree to give up Shirley to her. When Carole sees that Cooper is hurt, she takes him to a doctor even though she knew it meant police investigation.

The plot was adapted from a story by Jack Kirkland and Melville Baker. It was directed by Henry Hathaway. In the cast are Gilbert Emery, Henry Kolker, Jameson Thomas, and others.

Unsuitable for children, adolescents, or Sundays. Class B.

**"Chained" with Joan Crawford
and Clark Gable**

(MGM, August 31; running time, 76 min.)

Inane and boresome. There is nothing in it that has not been put on the screen a hundred times. This time the plot does not even claim any novel treatment. The presence of Clark Gable and of Joan Crawford will, of course, attract the crowds; but the exhibitor must depend entirely on this feature and not on story appeal. The picture has been given lavish production; and this is somewhat an advantage. But this is offset by the too many divorces. The fact that Joan, when she learns that Kruger's wife will not give him a divorce, offers to live with Kruger is, of course, demoralizing. One feels some sympathy with Joan when she gives up Gable to marry Kruger, who had sacrificed so much for her; but it is not a very pleasant subject at best. Some comedy relief is supplied by Stuart Erwin, as Gable's pal:—

Kruger, a millionaire, pleads with his wife to give him a divorce so that he might marry Joan, with whom he was desperately in love. She refuses and Joan offers to live with Kruger; but he wants her to take a trip first so as to be sure of herself. On the boat bound for South America she meets Gable and they fall in love. She visits him at his ranch and tells him all about Kruger. She goes back to America to see Kruger and tell him about Gable. But when he tells her that his wife had agreed to the divorce and he had even agreed to give up his children for her sake Joan is unwilling to hurt him and agrees to marry him. She writes Gable that she had decided to marry Kruger, giving

as an excuse that she felt it was a secure sort of existence. A year later they meet in New York and Gable for the first time learns the real reason for their separation. He insists on telling Kruger about it and visits Joan and Kruger in their Adirondack country home; but when he sees how happy Kruger is with Joan he leaves without saying anything. Kruger, however, when he sees them together, realizes that they are in love. He gives Joan a divorce, and she eventually marries Gable.

The plot was adapted from a story by Edgar Selwyn. It was directed by Clarence Brown. In the cast are Una O'Connor, Marjorie Gateson and Akim Tamiroff.

Unsuitable for children, adolescents, or Sundays. Class B.

**"The Count of Monte Cristo" with Robert
Donat and Elissa Landi**

(United Artists, Sept. 7; running time, 115 min.)

Good entertainment. It has been produced lavishly, and holds the interest throughout mainly because of the excellent performance by the entire cast and of the intelligent direction. Robert Donat, a newcomer to American audiences, is particularly good as "Monte Cristo"; he arouses the sympathy of the audience. It is because of his sufferings and of his determination to avenge the wrong done to him that the interest is held tense. The first half of the picture is pathetic; Donat, who had been made the butt of a political intrigue, suffers injustice and cruelty. The second half, after Donat's escape from prison, becomes exciting; Donat goes about ruining his three enemies, but in doing this retains the sympathy of the audience, because in avenging himself he served his country, for he had rid it of three scoundrels. The love interest is romantic. The scene in which the lovers meet again after a lapse of many years is stirring. The action takes place early in the nineteenth century:—

Donat, first mate on a French ship, is entrusted with a letter by the dying Captain. In Marseilles he delivers the letter to the designated person, and although innocent he is charged with being a traitor to his country and a supporter of Napoleon. His three enemies had reason to dispose of him—Sidney Blackmer wanted Elissa Landi, who loved Donat; Raymond Walburn wanted to become Captain of the ship instead of Donat; and Louis Calhern, by arresting Donat, saw a good chance of ingratiating himself with the King. He is thrown into prison, in solitary confinement, and is not permitted to see anyone. Elissa believes him dead and marries Blackmer. He proves unfaithful to her. After eight years of misery, there is a ray of hope; another prisoner, O. P. Heggie, an Abbe, had dug his way to Donat's cell. He tells Donat of a buried treasure. They work together digging for many years when the Abbe is hurt and dies, leaving his fortune to Donat. Donat, by sewing himself up in the sack meant for the Abbe's body, is thrown into the sea and escapes. Eventually he gets the treasure and establishes himself as a Count. With his great resources, he brings about the ruin of his three enemies, exposing them as tyrants. Blackmer kills himself, Walburn goes insane, and Calhern is imprisoned. Elissa and Donat meet again and are united.

The plot was adapted from the story by Alexandre Dumas. It was directed by Rowland V. Lee. In the cast are Georgia Caine, Walter Walker, Lawrence Grant, Luis Alberni, Irene Hervey, Juliette Compton, and others.

Suitable for children, adolescents, and Sundays. Class A.

**"Girl in Danger" with Ralph Bellamy
and Shirley Grey**

(Columbia, Aug. 20; running time, 57 min.)

This is a fast-moving action melodrama, but the theme is demoralizing. The heroine is an unsympathetic character because she, a wealthy girl, looking for excitement, becomes involved with a criminal in stealing an expensive jewel. After it is over she regrets it, but this does not make one sympathetic towards her. The action, however, is fast because of the efforts of Ralph Bellamy, a detective, to round up the crooks responsible for the theft. It holds the spectator in suspense since Bellamy's life is endangered on different occasions when he comes in contact with the crooks. The closing scenes, in which Bellamy traps the crooks and saves Shirley's life, are the most exciting. There is no romantic interest.

The plot was adapted from a story by Harold Shumate. It was directed by D. Ross Lederman. In the cast are Charles Sabin, Arthur Hohl, Ward Bond, and others.

Unsuitable for children, adolescents, or Sundays. Class B.

diminished. But the Administration is now Democratic and naturally his influence has diminished. It is true that he still has some friends close to the President; but these will not dare to go to the front for him because they would, in such an event, embarrass the President. Consequently, Mr. Hays must look elsewhere to prop up his influence. And the Catholic church has come in handy. He is "flirting" with it so as to impress the members of his association with his influence with the Catholic Church and so induce them to renew his \$260,000 a year contract.

Mr. Hays is interested in his \$260,000 a year more than in clean pictures. If he weren't,—if he were interested more in clean pictures than in his salary, he would have done ten years ago what he is doing now. And no one could have stopped him, for the terms of his contract with the producers are such that he can overrule even the unanimous vote of the entire board of his directors. Within his association, he is a real Czar.

The moving picture producers are only pretending to have repented; there is hardly one of them who would not go back to wallowing in the mud if it were not for the opposition of the Catholics. They do not fear the Protestants because they are not so solidly organized as the Catholics and cannot offer as strong opposition.

Do you want a proof of it? *The New York Times* furnishes it with a news item from Hollywood, printed in last Sunday's issue. It read as follows:

"Announcement of the contemplated revival of 'Barbary Coast' may be somewhat of a shock to Hollywood, which is still frightened over the censorship situation. But Mr. Goldwyn has never abandoned it, always referring to the story as 'postponed.' He says that there is nothing offensive in the yarn, but during the wave of purity hysteria it would suffer and probably be banned. This wave has subsided somewhat and he thinks it safe to talk out loud again."

"Barbary Coast" is about the filthiest book that has been written, so far as its being used as a basis for a picture is concerned, and yet Mr. Goldwyn says that there is nothing wrong with it.

And didn't a Warner executive say, before the effect of the Catholic war against indecent pictures showed its effect on the theatre box offices, that they are now going to make them "dirtier than ever"? That is what I was told by a reputable person. And didn't many picture producers say that the war against indecent pictures was going to help the theatres? It is only after their box offices were given a blow that Mr. Hays and the members of his association decided to conform with the demands of the Catholic Bishops. Were it not for this, neither Mr. Hays nor any member of his association would have given a tumble to any Catholic Bishop. Notice how much attention they paid to Cardinal Mundelein's Code of Ethics, adopted by them in April, 1930.

It is far from me to give the Catholic Bishops advice as to how they could clean up the screen effectively regardless of what the producers and Mr. Hays may have on their minds; but I am placing before them certain facts for their consideration and study: The chief cause of indecent pictures is: (1) ownership of theatres by producers. These theatres are in the choicest locations and, since the producers derive the greatest revenue from them, they produce pictures that they think suit their box offices, regardless of how offensive they may prove to the American people. This ownership gives them a stranglehold upon the industry. (2) Blind-selling. They sell the exhibitor pictures without any description and when they produce a picture such as "Temple Drake," founded on a book dealing with degeneracy, the exhibitor cannot reject it—he must accept it. (3) Block-booking. The exhibitor is compelled to buy every picture a producer makes instead of whatever pictures would suit the people of his community.

As to the first, I doubt whether the Bishops can do anything to bring about a change, unless they use their influence with the President of the United States to separate production from exhibition through either the NRA or a law; or unless they decide to throw their support to the independent theatres by inducing all Catholics to see the good pictures in such theatres thus discouraging the producers from adding more theatres to their chains, and even forcing them to dispose of most of what they now own. As to the second and third, these can be outlawed only by a law; they can give their support to the independent theatre owners in their efforts to have a bill put through Congress outlawing them.

As long as these three conditions exist, the indecent picture evil will never be cured.

INTERCHANGING THE TERMS OF MARIE DRESSLER No. 1 WITH THOSE OF BEERY No. 1

Metro-Goldwyn-Mayer is notifying the 1933-34 contract holders that, in accordance with the terms of the contract, which gives it the right to interchange the terms of one percentage picture with the terms of another, to national designation, it is interchanging the percentage terms of Marie Dressler No. 1 (# 434) with the percentage terms of Wallace Beery No. 1 (# 403), which is "Treasure Island."

According to all dictionaries, the word "interchange" means "to put each of two things in the place of the other; exchange."

Since MGM cannot now put a Marie Dressler picture in the place of "Treasure Island," the interchange is contrary to the terms of the contract; therefore, not binding. MGM must use another percentage picture—one that it will produce, but not one that it will put in place of Dressler No. 1 (No. 434), for such a picture will then be a star substitution and the contract holder will not be under any obligation to accept it if he does not want to do so.

SELLING TERMS

From a small town in the middlewest comes the following information:

Fox: 6 pictures, 2 or 3 days, \$27.50 against 40%.
10 pictures, 2 days, \$17.50
20 pictures, 2 days, \$12.50
16 pictures, 2 days, \$10.00

These terms include score charge,

RKO: 3 at \$35, against 40%—Saturday and Sunday playdates.
7 at \$17.50, against 30% for 3, to play three days, and 4 to play either 2 or 3 days.
10 at \$12.50 flat.
32 at \$10.00 flat.

Eighty per cent of the product if the number of pictures that will be released will be 52; if fewer than 52, the exhibitor to play 36 features.

Universal, in the Buffalo territory:

2 pictures at 30%.
8 pictures at 25%.
All other pictures at flat rentals.

George Aarons, Secretary of the exhibitor organization of the Philadelphia zone, has sent to all the members of his organization a letter which reads partly as follows:

"Definite information has come to this office that certain distributors ask 40% and 50% for pictures. Some of these pictures have no stars or designated titles as yet. We all know that exhibitors cannot make money playing these kind of percentages. Upon a careful check we find that Metro-Goldwyn-Mayer is only asking for four pictures at 35%, and it would seem that if this company can afford to sell stars of definite box office value at 35% . . . it is a mistake to purchase pictures from other companies at higher percentages. It is unfair to yourself, and unfair to the companies that are playing fair with you."

Mr. Aarons states further down in his letter that since these percentages become known to MGM as well as to all other distributors who charge low percentages, MGM and the others might be inclined to demand higher percentages: MGM might, he says, ask even higher percentages.

Mr. Aarons is right; if you are going to pay higher percentages to other distributors, and on pictures to which no stars have yet been assigned, and the stories of which have not yet been determined, you are courting with bankruptcy when you pay higher percentages, for it is unlikely that MGM will keep on asking only 35%.

You know that you cannot make any money by paying higher percentages. Such being the case, don't do it; and if MGM is asking for so low percentages in every territory, then the exhibitors ought to throw their support to MGM this year so as to force the others to come off their high horses.

HARRISON'S REPORTS

A Complete List of Classified Pictures

The following lists are complete; they include all pictures each group has classified from the very beginning. They have been checked with each organization to avoid errors.

In the list compiled by the Detroit Council of Catholic Organizations, the following pictures that had been classified once have been dropped from the classification out of a desire to be fair to the industry: "Chance at Heaven," "Condemned to Death," "Dark Hazard," "Fugitive Lovers," "Girl Without a Room," "House of Mystery," "I Was a Spy," "Let's Fall in Love," "Love Birds," "Nell Gwyne," "Now I'll Tell," "Palooka," "Personality Kid," "Search For Beauty," "Smoking Guns," "Streets of Sorrow," "War's End," "Wonder Bar," and "Woman Who Dared." Some of these may be reclassified. In the meantime, the exhibitors and those Legions of Decency which read HARRISON'S REPORTS may be guided by its classifications,

The Detroit Council has also taken some pictures out of lower classifications and put them in higher classifications. The Detroit list, as it now stands, is accurate, as is the Chicago list.

The following pictures from the "Adults" column of the

Detroit list are found in the A column of the Chicago list: "Bulldog Drummond," "Change of Heart," "Ever Since Eve," "Hell Cat," "Lost Patrol," "Orders Is Orders," "She Was a Lady," "A Very Honorable Guy," and "The Witching Hour."

In accordance with the reviews in HARRISON'S REPORTS, the Chicago classification is correct in the case of "Bulldog Drummond," "Ever Since Eve," "Lost Patrol," and "She Was a Lady." In the case of "Change of Heart," in which there is a suggestion that the heroine runs away with a man, "Hell Cat," in which there is gangster element, "A Very Honorable Guy" and "The Witching Hour," in which there is some gambling, it is a matter of opinion as to whether they should be in the B or the A column.

"Murder in Trinidad," which is found in the Recommended (A) column in the Detroit List, is in the B column in the Chicago list. The review in HARRISON'S REPORTS says: "Children may be frightened; otherwise suitable; also for Sundays." So it is merely a point of view as to which classification is the more accurate.

The disagreements are now very few; and these, not very wide.

The following list has been prepared by the Legion of Decency, of Chicago:

34 CLASS A 4190
(In this group are included all the pictures that are suitable for family patronage)

- Among the Missing—Columbia
- Avalanche—Independent
- Baby Take a Bow—Fox
- Barettes of Whimpole Street, The—Un. Art.
- Berkeley Square—Fox
- Beyond Bengal—Independent
- Black Beauty—Monogram
- Borneo Beast—Independent
- Bottoms Up—Fox
- Bulldog Drummond Strikes Back—U. Artists
- Burn 'Em-Up Barnes (serial)—Independent
- Change of Heart—Fox
- Charlie Chan's Courage—Fox
- Circus Clown—First National
- City Limits—Monogram
- City Park—Chesterfield
- Condemned to Death—Independent
- Count of Monte Cristo—United Artists
- David Harum—Fox
- Dick Turpin—Gaumont British
- Doomed to Die—Independent
- Dude Ranger—Independent
- Elmer and Elsie—Paramount
- Embarrassing Moments—Universal
- Emperor Jones—United Artists
- Ever In My Heart—MGM
- Ever Since Eve—Fox
- Ferocious Pal, The—Independent
- Fighting Ranger, The—Columbia
- Ghost Train, The—Gaumont British
- Girls (Maedchen) in Uniform—Independent
- Handy Andy—Fox
- Happy Landing—Monogram
- Harold Teen—Warner
- Hell Bent For Love—Columbia
- Hell Cat, The—Columbia
- His Greatest Gamble—RKO
- Honor of the Range—Universal
- House of Rothschild, The—United Artists
- Housewife—Warner Bros.
- Human Side—Universal
- I Give My Love—Universal
- I'll Tell The World—Universal
- In Love With Life—Invincible
- Jane Eyre—Monogram
- Keep 'Em Rolling—RKO
- Last Gentleman, The—United Artists
- Lost Jungle—Independent
- Lost Patrol, The—RKO
- Loudspeaker, The—Monogram
- Mad Age, The—Independent
- Maedchen (Girls) in Uniform—Independent
- Man from Hell, The (Western)—Independent
- Man From Utah, The—Independent
- Man's Game, A—Columbia
- Man Trailer, The—Columbia
- Melody in Spring—Paramount
- Money Means Nothing—Monogram
- Moonstone, The—Monogram
- Most Precious Thing In Life—Columbia
- Murder in the Private Car—MGM
- Mystery of Mr. X, The—MGM
- Mystery Ranch—Independent
- Mystery Squadron—Independent

- No Greater Glory—Columbia
- Now and Forever—Paramount
- Oil Raider, The—Independent
- Old-Fashioned Way—Paramount
- One is Guilty—Columbia
- Operator 13—MGM
- Orders is Orders—Gaumont British
- Our Daily Bread—United Artists
- Poor Rich, The—Universal
- Prince of Wales—Independent
- Quitter, The—Chesterfield
- Randy Rides Alone—Security
- Red Rider, The—Independent
- Romance in the Rain—Universal
- Secret of the Blue Room—Universal
- She Learned About Sailors—Fox
- She Was A Lady—Fox
- Shock—Monogram
- Show-Off, The—MGM
- Six of a Kind—Paramount
- Son of Oklahoma—Independent
- Sorrell and Son—United Artists
- Star Packer, The—Independent
- Stolen Sweets—Chesterfield
- Straightaway—Columbia
- Thirty Day Princess—Paramount
- Through the Centuries—Independent
- Treasure Island—MGM
- Very Honorable Guy, A—First National
- Voice In The Night—Columbia
- Wandering Jew—Independent
- War's End—Independent
- We're Rich Again—RKO
- Wheels of Destiny—Universal
- White Sister—MGM
- Whom the Gods Destroy—Columbia
- Wiener Blut (Viennese Blood)—Independent
- Wild Cargo—RKO
- Witching Hour, The—Paramount
- World in Revolt—Mentone
- You Belong to Me—Paramount
- Young Eagles—Independent
- You're Telling Me—Paramount

25 CLASS B 4390
(Pictures in this group may be considered offensive because they are suggestive in spots, vulgar, sophisticated or lacking in modesty.)

- Adventure Girl—RKO
- All Men Are Enemies—Fox
- As the Earth Turns—Warner
- Bachelor Bait—RKO
- Before Morning—Independent (Greenblatt)
- Beggars in Erin—Monogram
- Bell of the Nineties—Paramount
- Beyond the Law—Columbia
- Black Cat, The—Universal
- Black Moon—Columbia
- Blind Date—Columbia
- Blue Danube, The—Independent
- British Agent—First National
- Call It Luck—Fox
- Cat and the Fiddle, The—MGM
- Cat's Paw, The—Fox
- Chained—MGM
- Channel Crossing—Gaumont
- Cockeyed Cavaliers—RKO
- Come on Marines—Paramount
- Constant Nymph, The—Fox

- Countess of Monte Cristo—Universal
- Crime Doctor, The—RKO
- Crime of Helen Stanley, The—Columbia
- Crime Without Passion—Paramount
- Crosby Case, The—Universal
- Dames—Warner Bros.
- Defense Rests, The—Columbia
- Devil's Brother—Independent
- Double Door—Paramount
- Down to Their Last Yacht—RKO
- Dragon Murder Case, The—First National
- Fighting Rookie, The—Mayfair
- Fountain, The—RKO
- Friday the Thirteenth—Gaumont British
- Friends of Mr. Sweeney—Warner
- Grand Canary—Fox
- Grand Crossing—Independent
- Green Eyes—Independent
- Guns for Hire—Independent
- Guns for Sale—Independent
- Half a Sinner—Universal
- Heart Song—Fox
- Here Comes the Groom—Paramount
- Here Comes the Navy—Warner Bros.
- Hide-Out—MGM
- Hollywood Hoodlum—Independent
- Hollywood Party—MGM
- House of Mystery—Monogram
- I Can't Escape—Security
- I Hate Women—Goldsmith
- It Happened One Night—Columbia
- I've Got Your Number—Warner
- Key, The—Warner
- Ladies Should Listen—Paramount
- Lady is Willing, The—Columbia
- Let's Talk It Over—Universal
- Let's Try Again—RKO
- Line-Up, The—Columbia
- Little Miss Marker—Paramount
- Looking for Trouble—United Artists
- Love Captive, The—Universal
- Man They Couldn't Arrest—British
- Man With Two Faces, The—Warner Bros.
- Many Happy Returns—Paramount
- Massacre—First National
- Merry Frinks, The—First National
- Midnight Alibi—Warner
- Monte Carlo Nights—Monogram
- Murder at the Vanities—Paramount
- Murder in Trinidad—Fox
- Murder on the Blackboard—RKO
- Name the Woman—Columbia
- Ninth Guest, The—Columbia
- Notorious Sophie Lang, The—Paramount
- Now I'll Tell—Fox
- Paris Interlude—MGM
- Party's Over, The—Columbia
- Personality Kid, The—Warner Bros.
- Private Scandal—Paramount
- Pursued—Fox
- Rawhide Mail—Independent
- Return of the Terror—Warner
- She Loves Me Not—Paramount
- Shoot the Works—Paramount
- Sing and Like It—RKO
- Song You Gave Me, The—Columbia
- Stamboul Quest—MGM
- Stand Up and Cheer—Fox
- Stingaree—RKO
- Straight Is the Way—MGM
- Strictly Dynamite—RKO

- Tarzan and His Mate—MGM
- Their Big Moment—RKO
- There's Always a Tomorrow—Universal
- Thin Man, The—MGM
- This Man is Mine—RKO
- Three on a Honeymoon—Fox
- Twentieth Century—Columbia
- Twenty Million Sweethearts—First National
- Twin Husbands—Invincible
- Vanishing Shadow—Independent
- Viva Villa—MGM
- We're Not Dressing—Paramount
- When Sinners Meet—RKO
- Whirlpool—Columbia
- Woman in Command—Gaumont
- Woman Unafraid—Independent
- World Moves On, The—Fox
- You Made Me Love You—Independent

10 CLASS C 16070

(Pictures in this group are considered immoral and indecent and entirely unfit for family patronage.)

- Affairs of a Gentleman—Universal
- Affairs of Celline—United Artists
- Ariane—Independent
- Back Street—Universal
- Born to Be Bad—United Artists
- Catherine The Great—United Artists

- Dr. Mezica—Warner
- Enlighten Thy Daughter—Independent
- Fighting Lady, The—Independent
- Finishing School—RKO
- Fog Over Frisco—First National
- George White Scandals—Fox
- Girls for Sale—Independent
- Girl From Missouri, The—MGM
- Glamour—Universal
- Good Dame—Paramount
- Hat, Coat and Glove—RKO
- Henry The Eighth—United Artists
- He Was Her Man—Warner
- Jimmy the Gent—Warner
- Kiss and Make-Up—Paramount
- Laughing Boy—MGM
- Lazy River—MGM
- Life of Vergie Winters, The—RKO
- Little Man, What Now?—Universal
- Madame DuBarry—Warner
- Manhattan Melodrama—MGM
- Meu in White—MGM
- Merry Wives of Reno—Warner
- Modern Hero, A—Warner
- Morals for Women—Independent
- Nana—United Artists
- Narcotic—Independent
- Notorious But Nice—Chesterfield

- Of Human Bondage—RKO
- One More River—Universal
- Picture Brides—Independent
- Playthings of Desire—Independent
- Private Life of Henry VIII, The—U. A.
- Queen Christina—MGM
- Registered Nurse—First National
- Riptide—MGM
- Road to Ruin—Independent
- Sadie McKee—MGM
- Scarlet Empress, The—Paramount
- Scarlet Letter, The—Majestic-Independent
- Side Streets—First National
- Sisters Under the Skin—Columbia
- Smarty—Warner Bros.
- Springtime for Henry—Fox
- Such Women Are Dangerous—Fox
- Tomorrow's Children—Independent
- Trouble in Paradise—Paramount
- Trumpet Blows, The—Paramount
- Uncertain Lady—Universal
- Unknown Blonde—Majestic
- Upper World—Warner Bros.
- Vergie Winters—RKO
- Wharf Angel—Paramount
- Wild Gold—Fox

The following list has been prepared by the Detroit Council of Catholic organizations:

RECOMMENDED
CLASS A

- Avalanche—Independent
- Baby Take a Bow—Fox
- Berkeley Square—Fox
- Beyond Bengal—Showmen's
- Black Beauty—Monogram
- Borneo Beast—Independent
- Bottom's Up—Fox
- Cavalcade—Fox
- Charlie Chan's Courage—Fox
- Circus Clown, The—First National
- City Limits—Monogram
- City Park—Chesterfield
- Crown of Thorns, The—Independent
- David Harum—Fox
- Devil Tiger—Fox
- Dick Turpin—Gaumont-British
- Doomed to Die—Independent
- Dude Ranger—Independent
- Elmer and Elsie—Paramount
- Embarrassing Moments—Universal
- Ever in My Heart—MGM
- Ferocious Pal, The—Independent
- Fighting Ranger, The—Independent
- Ghost Train, The—Gaumont-British
- Girls (Maedchen) in Uniform—Independent
- Handy Andy—Fox
- Happy Landing—Monogram
- Harold Teen—Warner
- Hell Bent for Love—Columbia
- Hi Nellie!—Warner
- His Greatest Gamble—RKO
- Honor of the Range—Independent
- Horse Play—Universal
- House of Rothschild—United Artists
- Housewife—Warner Bros.
- Human Side, The—Universal
- I Am Suzanne—Fox
- I Give My Love—Universal
- I'll Tell the World—Universal
- In Love With Life—Independent
- Invisible Man—Universal
- Jane Eyre—Monogram
- Judge Priest—Fox
- Keep 'Em Rolling—RKO
- Last Gentleman, The—United Artists
- Lost Jungle—Independent
- Loud Speaker, The—Monogram
- Mad Age, The—Independent
- Maedchen (Girls) in Uniform—Independent
- Man from Hell, The—Independent (Western)
- Man From Utah, The—Independent
- Man of Two Worlds—RKO
- Man's Game, A—Columbia
- Man Trailer, The—Columbia
- Melody in Spring—Paramount
- Money Means Nothing—Monogram
- Moonstone, The—Monogram
- Most Precious Thing in Life, The—Columbia
- Murder in the Private Car—MGM
- Murder in Trinidad—Fox
- Mystery of Mr. X, The—MGM
- Mystery Ranch—Independent
- Mystery Squadron—Independent
- No Greater Glory—Columbia
- Oil Raider, The—Independent
- Old-Fashioned Way, The—Paramount
- Once to Every Woman—Columbia
- One is Guilty—Columbia
- Operator 13—MGM
- Our Daily Bread—United Artists
- Poor Rich, The—Universal
- Prince of Wales—Independent
- Quitter, The—Independent

- Randy Rides Alone—
- Red Rider, The—Independent
- Romance in the Rain—Universal
- Secret of the Blue Room—Universal
- She Learned About Sailors—Fox
- Shock—Monogram
- Show-Off, The—MGM
- Six of a Kind—Paramount
- Son of Oklahoma—Independent
- Son of Kong—RKO
- Sorrell and Son—United Artists
- Speed Wings—Columbia
- Star Packer, The—Independent
- Stolen Sweets—Independent
- Straightaway—Columbia
- Thirty-Day Princess—Paramount
- Treasure Island—MGM
- Wandering Jew—Independent
- We're Rich Again—RKO
- Whom the Gods Destroy—Columbia
- Wild Cargo—RKO
- World in Revolt, The—Independent
- You Belong to Me—Paramount
- You Can't Buy Everything—MGM
- Young Eagles—Independent
- You're Telling Me?—Paramount

FOR ADULTS

(Unsuitable for Children and Adolescents)

- As the Earth Turns—Warner
- Beggars in Ermine—Monogram
- Bulldog Drummond Strikes Back—U. Artists
- Cat and the Fiddle, The—MGM
- Change of Heart—Fox
- Crime of Helen Stanley, The—Columbia
- Death Takes a Holiday—Paramount
- Ever Since Eve—Fox
- Hell Cat, The—Columbia
- Lineup, The—Columbia
- Lost Patrol, The—RKO
- One Night of Love—Columbia
- Orders is Orders—Independent
- She Was a Lady—Fox
- Spitfire—RKO
- Stingaree—RKO
- Take the Stand—Independent
- This Side of Heaven—MGM
- Vanishing Shadow—Independent
- Very Honorable Guy, A—First National
- Witching Hour, The—Paramount
- Woman in Command—Gaumont

"SPOTTY" (Not forbidden)
CLASS B

(Pictures of this group are considered by the Detroit Council of Catholic Organizations defective or offensive in spots, and although they are not forbidden for adults they are not, in its estimation, suitable for children or for adolescents.)

- Adventure Girl—RKO
- All Men Are Enemies—Fox
- Bachelor Bait—RKO
- Before Morning—Greenblatt
- Belle of the Nineties—Paramount
- Beyond the Law—Columbia
- Black Cat, The—Universal
- Black Moon—Columbia
- Blind Date—Columbia
- Blue Danube, The—Independent
- British Agent—First National

- Call It Luck—Fox
- Cat's Paw, The—Fox
- Cleopatra (Adults Only)—Paramount
- Channel Crossing—Gaumont-British
- Cock-Eyed Cavaliers—RKO
- Come On Marines—Paramount
- Constant Nymph, The—Fox
- Countess of Monte Cristo, The—Universal
- Crime Doctor, The—RKO
- Crime Without Passion—Paramount
- Crosby Case, The—Universal
- Dames—Warner Bros.
- Defense Rests, The—Columbia
- Devil's Brother—Independent
- Double Door, The—Paramount
- Down to Their Last Yacht—RKO
- Dragon Murder Case—First National
- Fighting Rookie, The—Independent
- Friday the Thirteenth—Gaumont
- Friends of Mr. Sweeney—Warner Bros.
- Grand Canary—Fox
- Grand Crossing—Independent
- Green Eyes—Independent
- Guns for Hire—Independent
- Half a Sinner—Universal
- Here Comes the Groom—Paramount
- Here Comes the Navy—Warner Bros.
- Hide-Out—MGM
- Hollywood Hoodlum—Independent
- Hollywood Party—MGM
- I Hate Women—Independent
- It Happened One Night—Columbia
- I've Got Your Number—Warner Bros.
- Key, The—Warner Bros.
- Ladies Should Listen—Paramount
- Lady is Willing, The—Columbia
- Let's Talk it Over—Universal
- Let's Try Again—RKO
- Little Miss Marker—Paramount
- Looking for Trouble—United Artists
- Love Captive, The—Universal
- Man They Couldn't Arrest—British
- Man With Two Faces—Warner Bros.
- Many Happy Returns—Paramount
- Merry Frinks, The—First National
- Midnight Alibi—First National
- Monte Carlo Nights—Monogram
- Murder at the Vanities—Paramount
- Murder on the Blackboard—RKO
- Name the Woman—Columbia
- Ninth Guest, The—Columbia
- Notorious Sophie Lang—Paramount
- Once to Every Bachelor—Liberty
- Paris Interlude—MGM
- Pursued—Fox
- Rawhide Mail—Independent
- Return of the Terror, The—First National
- She Loves Me Not—Paramount
- Sing and Like It—RKO
- Song You Gave Me, The—Columbia
- Stamboul Quest—MGM
- Stand Up and Cheer—Fox
- Straight Is the Way—MGM
- Strictly Dynamite—RKO
- Tarzan and His Mate—MGM
- Their Big Moment—RKO
- Thin Man, The—MGM
- This Man is Mine—RKO
- Three on a Honeymoon—Fox
- Twentieth Century—Columbia
- Twenty Million Sweethearts—First National
- Twin Husbands—Invincible
- Viva Villa—MGM
- We're Not Dressing—Paramount
- When Sinners Meet—RKO
- Whirlpool—Columbia
- World Moves On, The—Fox
- You Made Me Love You—Majestic

(Pictures in this group are considered by the Detroit Council of Catholic Organizations entirely unfit for decent people.)

Affairs of a Gentleman—Universal
 Affairs of Cellini—United Artists
 All of Me—Paramount
 Ariane—Independent
 Back Street—Universal
 Blood Money—United Artists
 Born to Be Bad—United Artists
 Bride of Samoa—Independent
 Catherine the Great—United Artists
 Cross Country Cruise—Universal
 Design For Living—Paramount
 Dr. Monica—Warner Bros.
 Eight Girls in a Boat—Paramount
 Enlighten Thy Daughter—Independent
 Eskimo—MGM
 Fighting Lady, The—Independent
 Finishing School—RKO
 Fog Over Frisco—First National
 Four Frightened People—Paramount
 Gambling Lady—Warner Bros.
 George White Scandals—Fox
 Ghoul, The—Independent
 Girls For Sale—Independent

Girl from Missouri, The—MGM
 Glamour—Universal
 Good Dame—Paramount
 Great Flirtation, The—Paramount
 Guilty Parents—Independent
 Hat, Coat and Glove—RKO
 Henry the Eighth—United Artists
 He Was Her Man—Warner Bros.
 Hips, Hips, Hooray—RKO
 It's a Boy—Independent
 Jimmy the Gent—Warner Bros.
 Kiss and Make-Up—Paramount
 Laughing Boy—MGM
 Lazy River—MGM
 Let's Be Ritzy—Universal
 Life of Vergie Winters, The—RKO
 Little Man, What Now?—Universal
 Madame DuBarry—Warner Bros.
 Mandalay—First National
 Manhattan Melodrama—MGM
 Marriage on Approval—Independent
 Meanest Gal in Town, The—RKO
 Men in White—MGM
 Merry Wives of Reno, The—Warner Bros.
 Modern Hero, A—Warner Bros.
 Morals for Women—Independent
 Nana—United Artists
 Narcotic—Independent
 Notorious But Nice—Independent

Of Human Bondage—RKO
 One More River—Universal
 Picture Brides—Independent
 Playthings of Desire—Independent
 Private Life of Henry VIII, The—U. A.
 Queen Christina—MGM
 Registered Nurse—First National
 Rip Tide—MGM
 Road to Ruin—Independent
 Roman Scandals—United Artists
 Sadie McKee—MGM
 Scarlet Empress, The—Paramount
 Scarlet Letter, The—Majestic
 She Made Her Bed—Paramount
 Side Streets—First National
 Sisters Under the Skin—Columbia
 Sleepers East—Fox
 Smarty—Warner Bros.
 Springtime for Henry—Fox
 Such Women Are Dangerous—Fox
 Tomorrow's Children—Independent
 Trouble in Paradise—Paramount
 Trumpet Blows, The—Paramount
 Uncertain Lady—Universal
 Unknown Blonde—Independent
 Upper World—Warner Bros.
 Vergie Winters, The Life of—RKO
 Wharf Angel—Paramount
 Wild Gold—Fox

THE STATUS OF THE AMERICAN SOCIETY

(Since the United States Government has brought suit against the American Society of Composers, Authors and Publishers, it is no longer necessary to keep secret the name of the lawyer who sent me the legal opinion about the American Society, which opinion was published in last week's issue. It is Mr. George S. Ryan, of Boston, the attorney who prosecuted a case that had been brought against Paramount by E. M. Lowe, a circuit operator of that zone.)

Mr. Ryan was good enough to amplify that opinion in a larger article for the benefit of the readers of HARRISON'S REPORTS, citing cases that could be used by attorneys of exhibitors. I received the new article the day before the Government filed its suit. The Editor.)

AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS

The American Society of Composers, Authors and Publishers, according to its own claims, is a voluntary unincorporated association, with a membership in excess of seven hundred. It comprises all, or substantially all, the publishers and the leading composers of copyrighted musical works in the United States. Each publisher who is a member, and probably each composer also, has assigned to the Society "the exclusive non-dramatic performing rights in and to any and all musical compositions . . . for the term commencing January 1, 1931, and ending January 1, 1936, as well as the exclusive non-dramatic performing rights in and to any and all musical compositions to be thereafter acquired and copyrighted."

For the assignment each member receives a certain percentage of the gross receipts or net profits of the Society, according to certain regulations or standards adopted. A corporation like Irving Berlin, Inc., for example, would receive a much larger percentage than a smaller publisher or a comparatively unknown composer. The compensation, however, is not fixed by the future income to be derived from the musical compositions of the various members.

The receipts and profits are derived in a large measure from fees received from theatre owners or operators for licenses "to publicly perform . . . non-dramatic renditions of the separate musical compositions copyrighted by members of the Society." The license agreement provides that it shall not extend to or include:

"Oratorios, choral, operatic or dramatico-musical works (including plays with music, revues and ballets) in their entirety, or songs or other excerpts from operas or musical plays accompanied either by words, pantomime, dance, or visual representation of the work from which the music is taken; but fragments or instrumental selections from such works may be instrumentally rendered without words, dialogue, costume, accompanying dramatic action or scenic accessory, and unaccompanied by any stage action or visual representation (by motion picture or otherwise) of the work of which such music forms a part."

This form of license does not grant in clear and unambiguous language the right to reproduce copyrighted music in motion picture films. But as the Society claims to give that right to exhibitors, and as it is the usual impression

of exhibitors that they receive it, for the purpose of this discussion it will be assumed that the privilege is conferred.

The results of the formation of this association, and of the assignments and the system of granting licenses at a certain price for each seat in a theatre, are that a theatre operator cannot enter into a separate contract with any member of the Society for the performance of any specified musical composition. The members of the Society, also, are restrained from individually licensing the rendition of their copyrighted musical compositions at prices satisfactory to them. Prices are established on the basis of the performance of all musical compositions of the members, instead of any selected number. The members do not receive the royalties accruing from the performance of their compositions, but only specified shares of the income of all the copyrighted compositions of the members.

This association of substantially all the composers, authors and publishers of the commercially valuable copyrighted musical compositions may, in case of court action, be adjudicated to be an effective combination. In such an event, it may be found to restrain the liberty of contract, not only of its members, but also of all persons outside the combination, including theatre operators, who might wish to deal with individual members. It fixes prices. A theatre owner, to be protected from infringement suits, must pay license fees, not only for the compositions he uses, and not only for the compositions of any individual member, but also for the compositions of all the members of the Society. Many, if not a large majority of these compositions for which he pays, are never performed in his theatre.

Combinations restricting the liberty of contract in the usual course of interstate commerce have been frequently condemned by the courts. In the language of the Supreme Court in the arbitration case, they "destroy 'the kind of competition to which the public has long looked for protection.'" (*Paramount Famous Lasky Corporation v. United States*, 282 U. S. 30.) To use the words of the District Court in the Youngclause protection case, the members "limited their freedom to contract according to their individual judgments," and a combination to refrain from competition is an unreasonable restraint of interstate trade.

Combinations to fix prices have been so frequently and invariably condemned that the citation of authority is superfluous.

The Society, however, has been cleverly managed. It usually attempts to justify its existence and methods of doing business upon three theories: (1) The license fees it exacts are not unreasonable. (2) The performance of a musical composition is not trade or commerce, and it is therefore not within the anti-trust laws. (3) The fees are charges for licenses to perform copyrighted compositions, of which the copyright owner has a monopoly by law.

(1) If a combination controlling a substantial part of interstate commerce in a commodity prescribes the prices at which its members shall sell, it is illegal, even though the prices charged are reasonable. That has been expressly decided by the Supreme Court in *Trenton Pottery Co. v. United States*, 273 U. S. 392.

(2) It is true that the rendition of a musical composition, either by the playing of a piano or the singing of a song, is not interstate commerce, within the provisions of the anti-trust laws. It is merely the performance of a service, like playing baseball. But the transportation and licensing of motion picture films is interstate commerce, and any combination that places an undue restraint upon it is a combination in restraint of trade. *Binderup v. Pathe Exchange, Inc.*, 263 U. S. 291. This principle was taken for granted in the Arbitration and Credit Cases.

The Society has been peculiarly astute in recognizing this distinction. It has brought suit against theatres and other places of amusement for infringement of its copyrights by the physical renditions of its compositions by piano, organ or radio. In such cases as *Harms v. Cohen*, 279 Fed. 276, and *Witmark v. Pastime Amusement Co.*, 298 Fed. 470, 2 F. (2d) 1020, where the Society recovered judgment, the court declared that, irrespective of the legality of the combination, the performance of the composition was not interstate commerce within the purview of the anti-trust laws.

(3) The copyright laws, like the patent laws, give a monopoly to the owner of the copyright. But they do not give him permission to violate the anti-trust laws by combining with other copyright owners to restrain interstate commerce. In the leading case of *Standard Sanitary Manufacturing Co. v. United States*, 226 U. S. 20, the Supreme Court said:

"Rights conferred by patents are indeed very definite and extensive, but they do not give any more than other rights an universal license against positive prohibitions. The Sherman law is a limitation of rights, rights which may be pushed to evil consequences and therefore restrained.

"... The law is its own measure of right and wrong, of what it permits, or forbids, and the judgment of the courts can not be set up against it in a supposed accommodation of its policy with the good intention of parties, and it may be, of some good results."

As late as the year 1931 the Supreme Court said, in *Standard Oil Co. v. United States*, 283 U. S. 163, 174:

"Where domination exists, a pooling of competing process patents, or an exchange of licenses for the purpose of curtailing the manufacture and supply of an unpatented product, is beyond the privileges conferred by the patents and constitutes a violation of the Sherman Act. *The lawful individual monopolies granted by the patent statutes can not be unitedly exercised to restrain competition.*" (Italics mine.)

The Motion Picture Patents Company (the original "Film Trust") was a combination of the owners of many patents in the motion picture industry. Because of its illegality, it was dissolved by the court. *United States v. Motion Picture Patents Co.*, 225 Fed. 800; appeal dismissed, 247 U. S. 324.

The same rule applies to copyrights. For example, a large majority of the publishers and booksellers of the United States organized two membership associations. Together they controlled the publication and sale of at least 75 percent, and possibly 90 percent, of all copyrighted books. They organized to compel the sale of copyrighted books only at prices prescribed by the publishers. The booksellers agreed to observe these prices and to refuse to deal with any publisher who did not join the combination. By a suit in equity one of the members of the combination tried to prevent Macy & Co. from selling at a cut price. The District Court in New York City held that the combination was unlawful, and dismissed the bill of complaint, saying:

"... A corporation, on becoming the owner of several patents or of several copyrights, may do all acts under each that the person to whom such rights were originally granted might have done. Having become the owner, it is entitled to the benefits and privileges of the monopolies granted. But all this affords no sanction or support whatever to the doctrine that the several owners of distinct patents, each having a monopoly of his particular patent, or the several owners of distinct copyrights, each having a monopoly of his particular copyright, may combine and conspire as to their patented articles, or as to their copyrights or books published under and protected thereby, to restrain interstate commerce in articles made or produced thereunder. A right or privilege to form such a combina-

tion or conspiracy is not embraced or included within the monopoly granted. The monopoly of one patentee cannot be extended and made more of a monopoly by that of another. The grant of an exclusive right to make and vend a certain machine does not include a license to combine and conspire with another having a like exclusive right to restrain trade, and commerce between the states in those articles, if made and put on the market, or to conspire not to put them on the market. The right to elect not to make or sell is necessarily included. The right to combine and conspire is not. In any event the so-called Sherman law forbids any and all combinations in restraint of such commerce.

"In the case of copyrighted books it is evident that, if the publisher of one or two should demand and exact of the purchaser at retail a grossly unreasonable price, he would sell but few, if any, copies. Others would supply the market, for readers would forego that book, or those books, and find reading matter elsewhere. But when all publishers of and dealers in copyrighted books—and nearly all new books are now copyrighted—combine to exact a fixed, arbitrary price, etc., the readers of books become powerless, if they would read at all, not because of the monopoly granted or sanctioned by the government in granting the copyright, but because of the new monopoly (the conspiracy of monopolists), created by the agreement and combination of these monopolists. . . ."

Bobbs-Merrill Co. v. Straus, 139 Fed. 155, 191-2.

When another phase of this litigation reached the Supreme Court, they declared that the combinations were illegal, not only as to uncopyrighted books, but also as to copyrighted books, and that the defendant should be enjoined from interfering with the purchase and sale of said books by the plaintiff. The Court said:

"It is thus apparent that, when the defendants below set up the copyright statute of the United States as an authority for the agreement of the character here in question, the plaintiffs contended that such agreement was not only beyond the authority conferred in the copyright act but was in violation of the terms of the Sherman Anti-Trust Law, making illegal combinations in restraint of trade and tending to monopoly. . . ."

"... it cannot be successfully contended that the monopoly of a copyright is in this respect any more extensive than that secured under the patent law. No more than the patent statute was the copyright act intended to authorize agreements in unlawful restraint of trade and tending to monopoly, in violation of the specific terms of the Sherman law, which is broadly designed to reach all combinations in unlawful restraint of trade and tending because of the agreements or combinations entered into to build up and perpetuate monopolies."

Straus v. American Publishers Ass'n., 231 U. S. 222, 234-5.

From the foregoing it would seem that the aggregation of all these composers, authors and publishers into one body with the methods of doing business already described, may, in case, as said, of court action by exhibitors, be adjudicated as a combination of more than a majority of the important elements in those professions; and that, so far as it hinders the reproduction of music in motion picture films, it may, in such an event, be proved to be a combination in restraint of interstate commerce.

One more principle remains to be noticed. The anti-trust laws provide that a person damaged in his business or property may recover three times the amount of the damage, with costs and an attorney's fee, in an action at law; and that a person who may suffer irreparable injury to his business or property may bring a suit in equity for an injunction to prevent the commission of the injury. Generally speaking, the courts have held that these remedies are exclusive of all others; and that a defendant outside the combination who is sued for an infringement of a copyright cannot set up the illegality of the combination as a defense. In at least one of the infringement suits brought by the Society the court has taken that position.

But it does not follow that the Society is immune from the anti-trust laws. A theatre operator injured by its activities may bring an action at law for damages or a suit in equity for an injunction. Or, preferably, the combination, if the courts should so adjudicate it, might be dissolved at the suit of the United States Government.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher

Established July 1, 1919

Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, SEPTEMBER 15, 1934

No. 37

PUTTING "TEETH" INTO THE CODE

Speaking to the assembled delegates at the first Code Conference at the Bar Association Building, in New York City, in August, last year, Division Administrator Rosenblatt, while referring to the immoral, indecent and vulgar pictures against which there was an outcry, said partly as follows:

"It is my thought that this industry ought to regulate its own morals and that this industry can regulate its own morals. I will tell you now that Mr. Hays' code of morals, a marvelously constructed code, designed for good, far reaching, if enforced, will prove all of the hopes and expectations that Mr. Hays had for it.

"I recommend to your attention the problem of suitable quality products coming from the Hollywood studios. I recommend to the producers here present that they give earnest thought to the problem of making it impossible for any person, for any organization, for any newspaper or for any reformist to urge that ways and means be found for controlling this industry from the outside because you can't control it from the inside. That is what is going to be done if we can possibly so arrange it."

Since the Code went into effect the producers, not only did not clean up house, but disregarded entirely Division Administrator Rosenblatt's recommendations, making the pictures more indecent than ever, until the churches, led by the Catholic Bishops, started a war against them and compelled the producers to retrace their steps.

Since last August there has been continual talk about making the Hays Code of Ethics part of the NRA Code, but nothing has been done about it. Why not do it now? Why not place the responsibility for the moral tone of the pictures in the hands of a responsible body, instead of one that has no responsibility to any one except to their pocketbooks?

Division Administrator Rosenblatt should proceed to carry out his threats which he issued last year in the event that the producers did not heed his admonitions about cleaning up the pictures: he said that he would put "teeth" into the Code. How about putting them in now?

HISSING THE HAYS EMBLEM OF PURITY

From many sections of the country come reports that the Hays certificate of cleanliness shown before the introductory title of a film is being hissed. Even staid old New York has joined the hissing chorus: it has hissed it in "Cleopatra," while it was shown at the Paramount Theatre, in this city, as well as in many other pictures, and in many other theatres.

There is, of course, nothing personal against Joe Breen, the production code administrator of the Hays association, in this disapproval on the part of the American public, for as far as Mr. Breen is concerned I am thoroughly convinced that he is doing the difficult work he has undertaken as conscientiously as any other person could do it; the hissing is nothing more than the release of feelings pent up for years, particularly since the advent of talking pictures. No one can keep on fooling an intelligent people like the Americans for several years and then tell them all at once in effect: "We are now going to be good; we shall no longer produce pictures that your mothers, your sisters, your wives, your children cannot see without blushing." It is too strong a dose for them to swallow.

Sooner or later the purity emblem of the Hays organization will be taken off the pictures, whether Mr.

Hays and the members of his association like it or not; if it is not, then the exhibitors will cease showing it, instructing their projectionists to begin the picture at the main title instead of at the "emblem." The independent exhibitors might even go so far as to take their patrons into their confidence by telling them that they do not wish to annoy them with it.

A step such as this will automatically solve another problem: recently the affiliated circuits gave orders to their theatre managers, as you very well know, not to show a picture unless it carried the Hays association's certificate of cleanliness. This compelled the independents to submit their pictures to the Hays production code administration for inspection and approval; otherwise the biggest part of their revenue would have been lost.

While this seems to be a small matter on the face of it, it places the fate of the businesses of the independents into the hands of the monopolistic major companies. (The Catholic Church unwittingly and unwillingly has aided the major companies to bring about such a state of affairs.) With the emblem off, this discrimination will cease, and the exhibitors will learn to rely on the quality of the pictures themselves rather than on any bill of health issued by people who in the last ten years have proved that they are not to be trusted with the morals of the nation's young.

THE ROSS-FEDERAL CHECKING SERVICE HAD BETTER LOOK INTO THIS COMPLAINT

In a bulletin put out by the Independent Exhibitors' Protective Association, of Philadelphia, last week, there was the following item under the heading "SUPER-SNOOPERS":

"Complaints continue to pour in against the practice of Ross-Federal checkers in swapping confidential information relating to box-office returns. Despite assurances in the past that checking information is held in confidence and that data on any picture checked is available only to the film company distributing that picture, exhibitors have every reason to believe that such is not the case and that such secret data IS available to certain other film companies and IS used by them in upping film prices on the exhibitor when he comes to buy.

"This is not the only abuse charged against the Ross-Federal System. At a recent meeting of the I.E.P.A. specific instances were disclosed of checkers' carrying around detailed information regarding the business done by rival theatres—toying with these as though they were ordinary scraps of paper instead of instruments of incalculable harm if permitted to get into the wrong hands. Such information should be as sacred as the secrets entrusted to lawyer, doctor or priest.

"Added to these complaints are the snooping proclivities and the arrogance of certain individual checkers who feel themselves entitled to delve into the exhibitors' private business other than the checking of the day's receipts. The Ross-Federal Service is hereby notified that the members of this organization will not tolerate a super-snooper organization meddling into their affairs. Denials by Ross-Federal that these conditions exist will not suffice. These denials have been given in the past. The abuses complained of are a clear violation of the code and unless immediately corrected will result in the independent theatre owner's refusing to admit Ross-Federal men to his theatre."

(Continued on last page.)

"Green Eyes" with Shirley Grey and Charles Starrett

(Chesterfield, June 1; running time, 67 min.)

A fairly good murder mystery melodrama; it holds the interest throughout. The production end—photography, sets, and sound—is comparable to major company product. However, it is not the type of story to arouse human interest since none of the characters do anything to make the spectator feel sympathetically towards them. As a matter of fact, their callous attitude towards the dead man, particularly Shirley Grey's, makes one resent them. Several people are suspected of the murder, and the solution is worked out logically. The comedy is provided by Charles Starrett, as a snooping novelist, who eventually solves the murder. There may be a little too much of the murder element in it for sensitive people—four persons die.

In the development of the plot Claude Gillingwater is found murdered at a masquerade party given in his home by his granddaughter, Shirley Grey. Several people are suspected, among them Shirley herself, for she had been seen coming out of the dead man's room. Charles Starrett, a novelist, and a guest at the home, sets about solving the murder—and he does. But before he does so another guest is murdered. The murderer is Gillingwater's private secretary who had robbed his employer of a large amount of stocks and bonds and, egged on by his wife, had killed Gillingwater. He was then forced to kill the other guest, who knew too much. Rather than face prison, the secretary kills his wife and then himself.

The plot was adapted from a story by H. Ashbrook. Richard Thorpe is the director. In the cast are John Wray, William Bakewell, Dorothy Revier, Alden Chase and others.

Unsuitable for children, adolescents, or Sundays. Harmless for adults. Class B.

"Belle of the Nineties" with Mae West

(Paramount, Sept. 21; running time, 73 min.)

Good entertainment. It is fast and amusing, and although it does not have as many wisecracks as in her former pictures Miss West makes the most of every situation, provoking many smiles. The story takes place during the same period as in "She Done Him Wrong," and again Miss West wears the lavish costumes that appealed to picture-goers in her first picture. The background of the old days is done realistically and is amusing. Of course, it is strictly adult fare and not for squeamish people, since it has sex situations and the story is not particularly edifying; but Miss West's personality is so unusual and her manner so natural that many people will find it difficult to resent what she does and says. The production and photography are excellent:—

Mae and Roger Pryor, a prizefighter, are in love with each other. But Pryor's manager, fearing that Mae is a bad influence on him, frames her and makes him believe that she is unfaithful. The lovers part and Mae accepts an engagement as an entertainer at John Miljan's establishment in New Orleans. She is a sensation and is soon accepting diamonds from John Mack Brown, a society man; but she refuses the attentions of Miljan, because he had a sweetheart. Pryor comes to New Orleans and Miljan is so impressed with his fistic ability that he arranges a bout between Pryor and the champion. But he will not give him a chance unless he agrees to steal Mae's jewels. Pryor did not know whom he was to steal the jewels from. Miljan takes Mae for a ride; they are held up by Pryor, who takes Mae's jewels, later delivering them to Miljan. Mae sees Pryor deliver the jewels to Miljan and thinks that Roger was double-crossing her; she plans to get even. She puts knockout drops in his water and he loses the bout; and Miljan, who had bet heavily on Pryor, loses his fortune. Mae then tells Pryor what she thinks of him and for the first time Pryor realizes he had been tricked. In a fight with Miljan he kills him. Mae recovers her jewels and sends them back to Brown. Pryor is cleared of the murder charge and he and Mae are married.

Mae West wrote the story. It was directed by Leo McCarey. In the cast are Katherine DeMille, James Donlan, Tom Herbert, Stuart Holmes, Duke Ellington and his orchestra, and others.

Unsuitable for children, adolescents, or Sundays. But amusing for adults. Class B.

"Charlie Chan in London" with Warner Oland

(Fox, Sept. 14; running time, 78 min.)

This is so far the best of the Chan stories. It has been so well produced that the spectator is held in tense suspense throughout. The murder mystery is really puzzling; many people are suspected of the crime, and the final discovery of the guilty person comes as a complete surprise. The solving of the murder is worked out logically. There is also human interest, aroused by the unhappiness caused to Drue Leyton, whose innocent brother was to be hung for a murder he had not committed. Comedy is provoked in the situations where Chan meets the English detective and is forced to flatter him in order to keep him out of the case so that he might work unhampered.

In the development of the plot Drue beseeches Chan to help her solve the murder for which her innocent brother was to be hung. Chan proceeds to the home of Alan Mowbray, where the murder had been committed, and receives the full co-operation of Mowbray. He re-enacts the crime and questions several important witnesses. The head stableman is an important witness and the following morning he is found murdered. An attempt is made to kill Chan, too, but he escapes uninjured. He finally proves that Mowbray, who professed to be Drue's best friend, was the guilty man. He proves even that Mowbray had killed the stableman because he knew too much and had made an attempt on his own fiancée's life because she, too, had seen him in a compromising position. Drue is happy because her brother is released and she can marry the man she loves.

The plot was adapted by Philip MacDonald from the character created by Earl Derr Biggers. It was directed by Eugene Forde. In the cast are Mona Barrie, Raymond Milland, Madge Bellamy, Walter Johnson, David Torrence, and others.

It may frighten sensitive children; otherwise suitable for adolescents and Sundays. Class A.

"Million Dollar Ransom" with Edward Arnold, Mary Carlisle and Phillips Holmes

(Universal, Sept. 17; running time, 64 min.)

For exhibitors who cater to audiences that enjoy gangster melodramas, this is fair entertainment. Even though several changes have been made in adapting it from the Damon Runyon story, the theme remains demoralizing and even distasteful for it centers around a kidnapping plot. And it certainly is not edifying since it shows how to go about committing such a crime. Edward Arnold, who gives an excellent performance, is a sympathetic character; he tries to go straight after having served a prison term. The second half becomes exciting when he sets out to trap the racketeers who were trying to force him back into their fold. It is tragic, too, since Arnold meets with death in so doing. The love interest is incidental:—

Phillips Holmes, son of a wealthy mother, is desperate when his mother insists on marrying a gigolo, who was after her money. In order to prevent her from leaving for Europe, where she was to meet this man, he enters into a plot with Arnold, whom he had met in a night club, the plan being for Arnold to pretend that he had kidnapped Holmes, sending him to a secluded spot in the country, and then to demand a ransom of \$250,000. At the country place, Holmes meets Mary Carlisle, Arnold's daughter, and they fall in love. Holmes' mother pays the ransom and Holmes is to be sent home. But the racketeers with whom Arnold had once worked, hear of the affair and prevent Holmes from leaving. They hold him and Mary for a million dollar ransom. Arnold pretends to promise to split the ransom money he had received with them, if they would set the young people free. Holmes and Mary are married and they go to see Holmes' mother who admits that she had made a mistake and that the man she was to have married proved to be a scoundrel. In the meantime Arnold returns the ransom money, and then goes to meet the racketeers. When he tells them the truth, they kill him.

Murray Roth directed, and Wini Shaw, Robert Gleckler, Marjorie Gateson, Edgar Norton, and Bradley Page are in the cast.

Unsuitable for children, adolescents, or Sundays. Harmless for adults. Class B.

"Richest Girl in the World" with Miriam Hopkins, Joel McCrea and Fay Wray

(RKO, Rel. date not set; running time, 75 min.)

An excellent romantic comedy. It is fast-moving, has human interest, good dialogue, and keeps the audience in suspense throughout. The production end is superb. All the characters are sympathetic, particularly Miriam Hopkins, who, although the richest girl in the world, is unhappy because people want to know her not for herself but for her money. There are many situations that will provoke hearty laughter, particularly one in which Miriam and McCrea drink a little too much and become somewhat befuddled. The fact that Miriam deceives McCrea throughout by pretending she is not the rich girl will not be resented by the audience; they will be in sympathy with her in her efforts to find out whether McCrea loved her or her money. And it is because of this deception that the audience is held in suspense, not knowing what the outcome will be. The love affair is charming, and the comedy is of the type that will be enjoyed by both men and women:—

Miriam, the richest girl in the world, is kept from the public eye by her guardian, Henry Stephenson. Since no one had ever seen her picture, no one knew what she looked like. Fay Wray, Miriam's friend and secretary, impersonated Miriam at all formal functions. Miriam arranges to give a party to announce her engagement to George Meeker, but when he tells her he cannot marry her since he does not love her, she forces Fay to again impersonate her at the party and say nothing about the broken engagement. At the party Miriam poses as the secretary and there meets Joel McCrea. She falls in love with him, and he seems to like her. But he is perfectly frank with her and tells her that money would not be a hindrance to marriage, as far as he was concerned. Miriam decides to keep up the deception to find out if McCrea really loves her. Complications arise and Fay, following Miriam's instructions, accepts McCrea's proposal of marriage. McCrea sees Reginald Denny enter Fay's room; he does not know that Denny is her husband, since he knows nothing about the deception. The next morning Miriam, broken-hearted because McCrea had asked Fay to marry him, a fact which to her meant that he wanted her money more than her, is prepared to go away. When McCrea accuses Fay of permitting Denny to enter her room, Miriam says that Denny came to see her. It is then that McCrea realizes he loves Miriam and forces her to leave the house with him. They marry and sail for Europe on second-class deck. Miriam does not yet tell him the truth.

The plot was adapted from a story by Norman Krasna. It was directed by William A. Seiter. In the cast are Beryl Mercer, and others.

Suitable for children, adolescents, and Sundays. Class A.

"The Scarlet Empress" with Marlene Dietrich

(Paramount, Sept. 7; running time, 103 min.)

A bore! Ostentatious settings, gorgeous costumes, marvelous photography, and good acting and music, all surround an empty shell. It is meaningless and unconvincing as a story, with a sadistic touch, relating in episodic fashion the behavior of royalty during the reign of Empress Elizabeth of Russia. There is not a single sympathetic character, not one situation with human appeal; instead there are shown the ruthless cruelty, the passion, the rottenness, the idiocy, and the extreme immorality of all members of the Russian court in the period of Catherine the Great. Intrigue and unfaithfulness are emphasized, even to the actions of Marlene Dietrich, as the wife of the heir of the throne, and later as the Empress. She is shown inviting different men to her rooms, and openly flaunting the fact that she knew how to get men to be loyal to her. All the noise, the ringing of numerous bells, the loud music, and even the supposedly dramatic closing scene in which Marlene and her loyal troops ride their horses into the palace right to the throne room, will not fool any one. It is all that is offered—a noisy spectacle without any foundation or story to hold the interest. In addition, it is offensive in its sex implications. Its appeal will be mainly to sophisticated persons:—

When Catherine, a princess, left Germany for Russia to become the bride of Sam Jaffe, heir to the throne, she was an innocent and romantic young girl, dreaming of

happiness with her husband. She is completely disillusioned when she meets him—a half-wit, who hates her and pays more attention to his mistress. Marlene refuses to live with him; she is in love with John Lodge, a Count in the Russian Court, head of the army. But when she learns that Lodge is intimate with the Empress she decides to live a free life and gives herself to a Captain of the guards. From this union a son is born which Jaffe disclaims but which the Court proclaims as the heir to the throne. As soon as the Empress dies and Jaffe becomes Emperor he plans to kill Marlene and marry his mistress. But Marlene had great power over the army and the peasants, who were suffering under the cruelty of the mad Emperor, and they rally to her support. Jaffe is murdered and Marlene is proclaimed Empress.

The plot has been based on a diary of Catherine the Great and arranged by Manuel Komroff. It was directed by Josef von Sternberg. In the cast are Louise Dresser, Maria Sieber, C. Aubrey Smith, Ruthelma Stevens, Olive Tell, Gavin Gordon and others.

Unsuitable for children, adolescents, or Sundays. Class C.

"Fifteen Wives" with Conway Tearle

(Invincible, June 1; running time, 66 min.)

This murder mystery melodrama is just moderately entertaining; the story is far-fetched, but because the identity of the murderer is not made known until the end, the interest of the spectator is held fairly tense. Some of the situations are a little morbid, particularly the situation that shows a burial on the cemetery grounds. Although the manner in which the murder is committed is somewhat improbable, the unraveling of the mystery has been worked out logically. The romantic interest is incidental.

In the development of the plot Conway Tearle, a police inspector, investigates the mysterious death of a man who had practiced bigamy. He questions three of the wives and one of them is Natalie Moorhead who had again married and begs Tearle not to let her husband know of her past. Tearle finally unravels the mystery by proving that John Wray, a florist and chemist, had killed the man by placing a sphere of thin glass filled with poison gas in the room. Sound of certain frequency, generated by a speaker's voice over the radio, shattered the glass sphere, poisoning the victim. Wray, who had killed also one of the wives who suspected him, is killed by Tearle when he attempts to poison Tearle. Natalie eventually is divorced by her husband, and Tearle, who had fallen in love with her, proposes.

The plot was adapted from a story by Charles S. Belden and Fred Stephani. It was directed by Frank R. Strayer. In the cast are Raymond Hatton, Noel Francis, Ralf Harolde, Oscar Apfel, and others.

Not for children, adolescents, or Sundays. Class B.

SELLING TERMS FOR 1934-35

In last week's issue I copied part of a letter by George Aarons, secretary of M.P.T.O., of Philadelphia, to the organization's members informing them that MGM is selling 4 pictures at 35%. Mr. Aarons has informed me that the percentage is correct, but the number of pictures slightly wrong, for instead of 4 MGM is asking 35% on 6; it is asking percentage for 6 more, at 30%. Six playdates from the higher classifications are to be Saturdays.

Even at that, the MGM terms seem to be far more reasonable than the terms demanded by other distributors, for some of them are asking 40% and on some pictures even 50%.

From Philadelphia comes word that as a result of Mr. Aarons' letter Paramount and some of the other distributors have discontinued demanding 40% and 50% for some pictures.

A poster put out by the Independent Exhibitors' Protective Association of that city has done a great deal in inducing the distributors of that zone to drop their high percentage demands; it reads as follows:

"Condemned to Extinction
by demands of producers
of 40% and 50% price
"Don't sign. . . (etc.)"

"United Artists," says the Philadelphia letter, "are not selling any pictures at all even though they are using the table printed in Harrison's Reports recently showing United Artists on top; it is impossible for exhibitors to buy because of the prices they ask."

The charges against employees of the Ross-Federal Checking Service by the Philadelphia exhibitors is serious, for the offense is a violation of Part 6, Division D, of Article V, which reads as follows:

"No distributor shall divulge or authorize or knowingly permit to be divulged by any employee or checker any information received in the checking of the receipts of its motion pictures. . . ."

This paper, too, has received complaints to the effect that frequently a checker's conduct is such as to embarrass the exhibitor. He makes himself so conspicuous that some patrons receive the impression that the film company does not have faith in the honesty of the exhibitor, and sends a checker around to collect what is due to it.

It is my belief that the Home Office of this company is unaware that these abuses prevail. Nevertheless its responsibility is not any the less on that account. It should instruct its checkers not to make themselves conspicuous and to conduct themselves like gentlemen, and not like sheriffs; otherwise the exhibitors will be within their rights in refusing them admittance to their theatres.

Exhibitors who find any checkers conducting themselves boisterously and like despots should write to this office, giving names, dates, and facts, so that the offenders may be brought to the attention of the Home Office, not only of the Ross-Federal Checking Bureau, but also of the distributor.

CODE AUTHORITY REOPENS CLEARANCE AND ZONING BOARDS

A statement issued by the Code Authority on August 30 reads as follows:

"Following a week's investigation of the schedules of Clearance and Zoning which have been prepared by a number of local Clearance and Zoning Boards, the Code Authority at a meeting held today, which was devoted almost exclusively to a discussion of the situation, unanimously determined that in those territories or parts thereof where local Clearance and Zoning Boards prepared a schedule for the Season 1934-35, sincere efforts will be made by the Code Authority in co-operation with the local Boards to put the schedules into effect as soon as appeals may be heard by the Code Authority.

"A special committee of which Mr. George J. Schaefer is Chairman will undertake, with the assistance and advice of Code members and leading distribution heads in New York, to analyze all schedules as they have been presented to the Code Authority on appeal, and in such cases as the schedules so submitted exceed the legal limitations provided for in the Code they will be returned to the local Boards for redrafting and re-editing prior to appeal hearing before the Code Authority.

"Some of the schedules the Committee has reported have been drawn with sufficient accuracy and practicability as to warrant appeal hearings before the Code Authority at the earliest possible date. Appeal hearings will be scheduled and the dates announced within the next few days. The Los Angeles Clearance and Zoning schedule will be among the first to be set for hearing.

"In territories where local Boards did not prepare schedules of clearance and zoning for the entire territory or parts thereof, the local Boards will reconvene and continue to hear any individual protest where protestants did not have an opportunity prior to July 1st to present their protest before the local Board.

"The Code Authority places particular emphasis upon its express desire that the local Clearance and Zoning Boards shall be available as forums before whom any exhibitor who is aggrieved because of unreasonable clearance may have an opportunity for a hearing.

"Appeals to the Code Authority from decisions of local Clearance and Zoning Boards shall be unlimited as heretofore."

Thus the Code Authority has been moved by the protests of this paper against the injustice it had done by its sweeping order of last July.

How much good this reconvening of the Boards to hear protests will do time alone can tell; all I can say at this time is that the clearance and zoning has been so bedeviled that the hand of a magician is required to straighten it out.

Mr. John C. Flinn, the executive secretary of the Code Authority, deserves great credit for working hard toward the reconvening of these Boards.

ARCHBISHOP McNICHOLAS' LETTER

The reply sent by the Right Reverend John T. McNicholas, Archbishop of Cincinnati, to Will H. Hays, which was omitted from last week's editorial for lack of space, is as follows:

"My Dear Mr. Hays:

"I thank you for your letter of August 10. I am pleased to learn officially from you that the industry's revised plan of self-regulation, of which the Committee of Bishops was informed at its meeting on June 21, has now been carried into effect. It is to be hoped that it will effectively and permanently influence the character of motion pictures.

"One must recognize the reasonableness of the point you make concerning the time required to show proper results in the new program. It is assumed, however, that the industry will shortly give such evidences of good will and determination as to justify a confident expectation of satisfactory and permanent results.

"I notice your reference to the confusion arising from the multiplicity of lists, both black and white. It is to be hoped that the emblem of your organization's approval will ultimately be the solution. If the emblem itself could be made a sufficient guarantee that any picture bearing it assures the public of a wholesome screen and is worthy of general patronage, all confusion would end.

"From many sources the suggestion has been received by the Bishops' Committee that in giving approval to moving pictures certain lines of distinction be drawn. One recognizes that there are legitimate dramatic values in life, affording themes of proper and profound interest to mature minds, which would be utterly unfit for the impressionable minds of youth. Those who have thought the problem through are convinced that many pictures would bear approval for adult patronage, while others could well be approved for general patronage.

"There are many motion pictures now on the market, presumably intended for circulation during the next few months, which do not bear your emblem of approval. In the application of the industry's announced agreement to allow the cancellation of such pictures in the event of protest on moral grounds, it is urged that a broad and sympathetic interpretation be given which will definitely relieve theatres under contract from the legal obligation to show pictures which are objectionable to their patrons.

"It must be presumed that the right to review and to criticize a motion picture bearing the emblem of your approval cannot be restricted. In discharging its responsibility to the public by complying with the requirements of the moral code, the administration set up by your organization to regulate the character of motion pictures can and should be helped by reasonable criticism.

"Your wish definitely to encourage all reasonable criticism of and comment on motion pictures is very gratifying and should prove helpful. This willingness of the industry to receive from competent sources criticism tending to guide the code administration will assure also that freedom essential to moral leadership in any given community.

"The widespread organization of the Legion of Decency has a clear objective which is in no sense destructive. Its members will be urged to keep up an active interest in the moral significance of motion pictures. This interest will prove very helpful in the formation of a general and well informed public opinion. Such a program cannot but rebound to the best interests of the motion picture industry.

"With best wishes, I am,

"Faithfully yours,

"John T. McNicholas,

"Archbishop of Cincinnati."

CLASSIFICATION OF PICTURES

The titles of the pictures that were classified last week by the Chicago Legion of Decency as well as by the Detroit Council of Catholic organizations will be published in next week's issue.

Incidentally, allow me to call your attention to the fact that the pictures that are put in the "B" column of the Chicago list are not forbidden for adults; they are considered unsuitable only for children and for adolescents, for the reasons given at the head of that column.

The lists published last week are, as said, authentic; they were checked up carefully.

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 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Published Weekly by
 P. S. HARRISON
 Editor and Publisher

Established July 1, 1919

PEnnsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, SEPTEMBER 22, 1934

No. 38

The Magna Carta of the Motion Picture Industry

On September 13, the Code Authority approved the following principles that are to govern the preparation of clearance and zoning schedules by the Local Clearance and Zoning Boards:

"1. Members of Local Clearance and Zoning Boards should familiarize themselves thoroughly with the provisions of Article VI, Part I, Section 4 of the Code of Fair Competition for the Motion Picture Industry, as follows:

"Each Board, when making any classification of theatres, or when fixing the maximum period or area of clearance in respect of any theatre shall, among other things, consider and give due regard to the following factors:

"(a) that clearance to a very considerable extent determines the rental value of motion pictures;

"(b) that exhibitions of the same motion picture within the same competitive area at too short an interval after the conclusion of a preceding run or runs thereof by unduly restricting the competitive area in which clearance is limited, depreciates the rental value of motion pictures; and

"(c) that all such depreciations of rental values of motion pictures tend to reduce the number of motion pictures produced, discourages the production of motion pictures of quality involving large investments of capital, labor, skill, and enterprise and thereby tend to reduce employment.

"(d) that unreasonable clearance to a considerable extent affects the value of motion pictures for subsequent-run theatres.

"(e) that unreasonable clearance depreciates the potential return from motion pictures to subsequent-run theatres.

"(f) that unreasonable clearance as to time and area diminishes the potential revenue to the Distributor from the subsequent-run Exhibitor."

"2. The competitive geographical area included in schedules should be clearly defined both as to first run in cities and suburban districts. In defining geographical areas affecting first runs, clearance should be given not only against theatres in the particular city but also against competitive theatres within a trading area or within a metropolitan district. First run theatres should have clearance over nearby towns and cities which are considered competitive.

"3. No prohibition may be placed upon the run which an exhibitor may be able to buy or a distributor may be able to sell to any theatre, and no theatre shall be designated by name as first run, as second run, or as any other run in a city or in a zone area. Schedules including statements to the effect 'The Blank Theatre may purchase no clearance' cannot be approved. It is within the jurisdiction of the local board, however, to state that a theatre is not in competition with any other theatre.

"4. Geographical areas of competition which shall be designated as zones shall be established by the local board. Such zones shall be established by dividing the territory affected into groups of competitive theatres. Any theatre shall have the right without restriction to buy any run it is able to negotiate for with any distributor, and any distributor shall have the right without restriction, to sell any run he desires.

"5. Maximum periods of clearance shall be established between the various runs which may exist. For instance, the board shall define the maximum clearance between the first run in a city and the second run in a city and also the maximum clearance between the second run, if there be one, and the first runs in any competitive geographical zones. The Local Board may make provision for the booking of any extraordinary picture which may play first run at substantially increased admission prices, which substantial increase in admission prices shall entitle a theatre to additional clearance unless the next subsequent run also increases its admission prices in the same proportion; and this principle shall apply to all other subsequent runs.

"6. In establishing maximum clearance for first run, consideration may be given to the differential between the first run admission prices and the admission prices charged by the second run and/or subsequent runs in the respective competitive cities or zones.

"7. Provision may be made for the revision of clearance of subsequent runs where a prior run reduces admission prices, and of clearance of prior runs where a subsequent run reduces its admission prices. Notwithstanding, any theatre which purchases a specified run shall retain such run irrespective of any increase in admission prices of subsequent runs.

"8. In the event that two theatres are in separate zones which overlap and are in competition, the maximum period of clearance between such theatres shall be established by the board.

"9. The period of clearance shall not be affected by reason of any theatre using a double bill policy or stage shows.

"10. The schedule shall provide that in the event of the building or opening of a new theatre or the reopening of a closed theatre the Clearance and Zoning Board shall immediately meet and determine the zone in which such theatre shall be placed. Such theatre shall of course have the opportunity of purchasing such run as it is able and which the distributor may desire to sell.

"11. It shall be provided that if any first run theatre permits an earlier exhibition than provided in the schedule by a waiver of clearance or by any other means with respect to any second run theatre, then third, fourth and subsequent run theatres shall move up and receive a like benefit from the above mentioned earlier exhibition in accordance with the clearance period established between the runs involved. If any second, third or subsequent run theatre permits an earlier exhibition than provided in the schedule with respect to any theatre in the following run, then the same principle as set forth above with respect to the first and second run shall be applicable in accordance with the clearance period established between the runs involved and any runs thereafter.

"12. The following resolution was unanimously adopted by the Code Authority on August 23rd, 1934:

"RESOLVED: That clearance for any theatre established by a clearance and zoning board in any decision affecting a schedule of clearance and zoning for a territory or part thereof, shall supersede any clearance specified in any license agreement between distributors and exhibitors, irrespective of whether such license agreement was executed prior to the decision of Local Clearance and Zoning Board."

Interpretation of the Principles

Principle 1: This principle, which is a reproduction from the Code itself, needs no clarification; it is crystal-clear as it stands.

Principle 2: This principle makes mandatory the defining of the boundaries of zones for the different runs, and orders that the Clearance and Zoning Boards, in setting the boundaries for a first-run, should give clearance to it against competitive theatres, not only within the city where such first-run theatre is located, but also within neighboring towns or "trading areas."

Principle 3: (a) The Board shall have no right to say which theatre is first, second, third or other run within a given zone, nor to place any prohibition upon the run an exhibitor is willing and able to buy, and a distributor is willing to sell. (b) Schedules that contain the provision: "The _____ Theatre shall not purchase a clearance" or any phraseology with a similar meaning will be rejected by the Code Authority. This means that no theatre may be given

(Continued on last page)

"Down To Their Last Yacht" with Mary Boland, Sidney Fox and Polly Moran

(RKO, August 31; running time, 64 min.)

Poor! The story is nonsensical and tiresome; everyone in the cast struggles against poor dialogue and ridiculous situations, and the total effect, as far as the spectator is concerned, is just boredom. The music is good, but that is all that the picture offers. But even the big ensemble number of dancing and singing falls flat; it is a keen disappointment. Occasionally laughs are provoked by some of the comedy, but at other times the dialogue is just suggestive and not very funny. There are some spots that are so draggy that the spectator becomes restless. The love interest is just incidental:—

Sidney Fox, her mother and her father, paupered aristocrats, live on their yacht, their only remaining possession. When Polly Moran offers to rent their yacht to take a group of newly-made rich people on a cruise, they accept her proposition and even consent to take jobs on the yacht as servants. Ned Sparks, the Captain, after finding out about the wealth of all the passengers, purposely grounds the yacht on an island ruled by Mary Boland, the only white woman. He offers her a proposition to share the wealth of all the passengers but she decides to take it all for herself. She is fascinated by Sidney Blackmer, who had followed Sidney Fox on the cruise; he was in love with Sidney. Through his efforts all the passengers are spared. Mary Boland decides to send them all home and orders that bombs be placed on the yacht. She wanted to see them all blown up, but forgets to send them on the yacht. Instead the yacht is blown up without the passengers on it. In the meantime Mary had transferred her affections from Blackmer, whom she was supposed to marry, to Sterling Holloway, who knew how to play a saxophone fascinatingly to her. Since there was no way of leaving the island they all adapt themselves to the mode of living of the islanders and are happy.

The plot was adapted from a story by Herbert Fields and Lou Brock. It was directed by Paul Sloane. In the cast are Marjorie Gateson, Irene Franklin, Charles Coleman, and others.

Children will not understand the wisecracks, but adolescents may, and so it is not suitable for them or for Sunday showing. Class B.

"King Kelly of the U. S. A." with Guy Robertson and Irene Ware

(Monogram, Sept. 5; running time, 67 min.)

This is a fairly good, breezy type of comedy, with music. Most of the action takes place in a mythical kingdom, and the comedy is provoked by the high-pressure "sales" methods Guy Robertson uses to put the kingdom on a paying basis. He throws the doors of the palace open to tourists, puts in concessions, hot-dog stands, and even adds the novelty of charging twenty-five cents to each person who wants to have his picture taken with the King. One of the funniest situations is where Robertson and his assistant, Edgar Kennedy, meet the King on the road and give him a hitch when he falls off his bicycle. When he tells them he is King they think he is insane and humor him along. Ferdinand Gottschalk, in the role of the meek King, is excellent. The romantic interest is pleasant. The ending is somewhat weak:—

Robertson, on his way to France with a troupe of showgirls, receives word that he will not be permitted to enter France. He sells his contract with the girls to Franklin Pangborn who had fallen in love with one of the girls, and takes in exchange some cash and a worthless contract that Pangborn had with a kingdom. Once at the palace Robertson finds that the country was completely without finances. He suggests that a marriage between the absent princess and a wealthy prince be arranged. When the princess returns he finds, to his dismay, that she is the girl he had met aboard the ship and with whom he had fallen desperately in love. He immediately sets out to put the country in a better financial state, and so prevent the marriage. He succeeds and marries the princess himself.

The plot was adapted from a story by George Bertholon and Howard Higgins. It was directed by Leonard Fields. In the cast are Joyce Compton, William Von Brincken, and others.

Suitable for children, adolescents, and Sundays. Class A.

"Barretts of Wimpole Street" with Norma Shearer, Fredric March and Charles Laughton

(MGM, Sept. 21; running time, 109 min.)

Superb! It is a story of intense emotional appeal, with a tenderly romantic quality. It is excellent entertainment from every standpoint—the acting of the entire cast is unusually good, Norma Shearer in particular is excellent. The production is of the highest quality, and the direction is intelligent. And it has some fine comedy moments. The drama is brought about by the tyrannical and overbearing attitude of Charles Laughton towards his children, and by his selfish demands upon them. One feels sympathy for the children—six sons and three daughters, who are thwarted in every attempt they make to seek happiness and love; their father believed that love was indecent. There are several situations that stir the emotions. One is where the father forces Norma to drink ale, which she detested. Another is where the father forces Maureen O'Sullivan to give up her sweetheart. But the most dramatic one is where he reveals his true nature to Norma, making her shrink from him. The romance between Norma and Fredric March is done with fine taste and restraint. Lovers of wild melodramas may find the picture a little slow, but for all other types of audiences it is a treat:—

Norma, a poetess of distinction, had been bedridden for many years. She is unhappy because of the suffering of her brothers and sisters caused by their father's tyrannical treatment; he provided luxuries for them, but permitted them no liberties. Her greatest joy is reading and she is inspired by the poetry of March. He visits her one day and proves so stimulating that when he leaves she gets up and walks to the window to see him. Her other sisters are not permitted any men visitors, but Norma is, since her father had faith that she would never become entangled in a love affair. In a few months Norma is able to walk and even to go driving. This brings about frequent meetings with March. They are deeply in love with each other and March insists that she marry him. But she tells him it is impossible, for she cannot obtain the consent of her father. One night, however, her father reveals his selfishness so clearly that Norma is horrified; she leaves her home and marries March. The other children are happy because they know how it will hurt their father, who feels crushed when he finds out that Norma had left him.

The plot was adapted from the play by Rudolf Besier. It was directed by Sidney Franklin. In the cast are Katherine Alexander, Ralph Forbes, Una O'Connor, and others. (Out-of-town review.)

Suitable for children, adolescents, and Sundays. Class A.

"British Agent" with Kay Francis and Leslie Howard

(First Nat'l., Sept. 15; running time, 80 min.)

Just fair. The production and acting are excellent, but the story is not impressive. And it is slow. The doings of the characters are not such as to arouse any sympathy for them. For instance, Leslie Howard, an Englishman stationed in Russia, plots with other men of different nationalities to overthrow the Soviet regime, so as to force the Russian soldiers back to the front, and thus put himself in an excellent position with this country. The spectator feels indignation at such meddling. Then Kay Francis, secretary to the high officials of Russia, although in love with Howard, having been intimate with him, betrays him to her Government. The story never seems to strike a note of realism, particularly in the ending, which is quite ridiculous: Both Howard and Kay are to die at the hands of the Russian soldiers, when suddenly bells ringing proclaiming the recovery of Lenin upon whose life an attempt had been made. This softens the hearts of the officials and they are spared. The scenes in which people are shot down will be revolting to women. There is little comedy relief.

The plot was adapted from the book by H. Bruce Lockhart. It was directed by Michael Curtiz. In the cast are William Gargan, Phillip Reed, Irving Pichel, Walter Byron, Ivan Simpson, and others.

Unsuitable for children, adolescents, or Sundays. Class B.

**"Caravan" with Loretta Young, Phillips
Holmes and Charles Boyer**

(Fox, Oct., 5; running time, 101 min.)

A fairly good operetta; it derives its entertainment value from the stirring gypsy music and lavish settings, for the plot is thin and far-fetched. The singing and dancing numbers are charming. One number, in particular, the strain of which is picked up by different groups of people, is very gay and entertaining. And there is plentiful comedy. The photography is good, but the panoramic photography, that is, the system of following the people around in circles to photograph them, becomes annoying and even makes one dizzy. There is some human interest brought about by the despair of Jean Parker, the gypsy girl, when she loses her gypsy sweetheart, Charles Boyer, to Loretta Young, a titled lady. One sympathizes with her knowing that Loretta had married Boyer, not because she loved him, but because it was imperative for her to marry immediately to inherit a fortune, according to the terms of her father's will. Charles Boyer, a newcomer to American picture-goers, is good and should become popular soon.

In the development of the plot Loretta's uncle, C. Aubrey Smith, who had schemed to force Loretta to marry his son, Phillips Holmes, is shocked when Loretta, in order to thwart her uncle's plans, marries Boyer, a gypsy, instead. She brings the whole gypsy clan into her home to celebrate her wedding. Holmes arrives and meets Loretta; they fall in love with each other at first sight. They are both despondent when they find out that they could have been married to each other. Loretta, who had never lived with Boyer, plans to have her marriage annulled on some technicality. She gives up her fortune and home to charity, and prepares to leave for Paris. Her people plead with her to ask Boyer and the other gypsies to return and sing, because they believed that unless gypsies sang at that time the crops would be poor. Loretta follows the gypsy caravan and pleads with Boyer, who despised her for having tricked him, to return and play. He decides to do so and there is joy in the village. The delay in leaving for Paris brings about another meeting between Loretta and Holmes and they decide to remain and marry. Jean Parker is happy because she again has her lover.

The plot was adapted from the story by Melchior Lengyel. It was directed by Erik Charrell. In the cast are Louise Fazenda, Eugene Pallette, Dudley Digges, and others.

Suitable for children, adolescents and Sundays. Class A.

**"Have A Heart" with Jean Parker
and James Dunn**

(MGM, Sept. 7; running time, 80 min.)

This is a tender, sentimental, romantic comedy-drama, and it should be enjoyed by the masses. Sophisticated audiences will find it a little too sugary. It occasionally stirs the emotions and several of the situations will bring tears to the eyes. The audience feels deep sympathy for Jean Parker, who, on the eve of her marriage, meets with an accident and is crippled, and whom her fiance deserts. James Dunn, too, wins sympathy by his kindness and love for Jean, despite her crippled condition. Considerable comedy is provoked by Stuart Erwin and Una Merkel, as Jean's friends. The most tender situation is the one in which Dunn discovers that Jean is crippled. One is held in suspense in the closing scenes when Jean almost sacrifices her chances of becoming normal by means of an operation in order to save Dunn from prison. Their parting and eventual reconciliation has been done in an appealing manner.

In the development of the plot Jean, who had fallen in love with Dunn, tries to hide her crippled condition but he finds out about it and assures her that it does not matter to him; he loves her. Dunn, although innocent, is accused of a theft and his employer tells him that unless he pays the \$400 stolen he will be prosecuted. Jean, with the money she had saved for an operation, pays it and Dunn is freed. Dunn is enraged because he feels that Jean believed he was guilty, otherwise she would not have paid the money. He leaves town. The guilty man is caught and the money is returned to Jean, who has the operation performed. But she hasn't the will to get better. Dunn returns, finds out about Jean's sacrifice, and there is a happy reconciliation. This makes Jean well.

The plot was adapted from a story by B. G. DeSylva and David Butler. It was directed by David Butler. In the cast are Willard Robertson, Samuel S. Hinds, Paul Page, Muriel Evans, and others. (Out-of-town review.) Good for children, adolescents, and Sundays. Class A.

**"A Lost Lady" with Barbara Stanwyck,
Frank Morgan and Ricardo Cortez**

(First Nat'l, Sept. 29; running time, 60 min.)

Mediocre! Everyone in the cast struggles against an unconvincing and inane story. It is slow-moving. Although Barbara Stanwyck's performance is good, her role is an unsympathetic one, because at one time she is unfaithful to her husband, Frank Morgan, who loved her dearly. It is depressing, too, for during most of the picture Barbara goes around moping and pitying herself. She is also a weak character, for the moment her husband leaves for a trip she succumbs to another man's proposals:—

Barbara, engaged to Philip Reed, is stunned when her fiance is killed by an irate husband a few days before her marriage. Barbara is completely disillusioned and broods over the happening. While on vacation she meets Frank Morgan, a wealthy middle-aged man. He falls in love with her and in time brings back in her the desire to live. She marries him. But she is still unhappy because of her shattered romance. She meets Ricardo Cortez, who fascinates her, and she falls in love with him. Just as she is ready to run away with Cortez, Morgan suffers a heart attack brought on by her confession to him, and she decides to stay with Morgan. She nurses him through his illness, but he is indifferent to her. She is miserable and takes to drink. Morgan realizes he had been unnecessarily cruel to her and confesses that he still loves her. Barbara is overjoyed because during Morgan's illness she had learned to love him. There is a happy reconciliation.

The plot was adapted from the novel by Willa Cather. It was directed by Alfred E. Green. In the cast are Lyle Talbot, Hobart Cavanaugh, Henry Kolker, and Rafaela Ottiano. (Out-of-town review.)

Unsuitable for children, adolescents, or Sundays. Class B.

**"Age of Innocence" with Irene Dunne
and John Boles**

(RKO, Sept. 14; running time, 81 min.)

Excellent adult fare. Phillip Moeller, who has been recruited from the Theatre Guild of New York, has directed it with artistry and understanding; under his guidance each player performs with skill. As a matter of fact, Irene Dunne and John Boles have never been seen to better advantage. It is filled with human interest and has fine comedy situations. The production end, that is, of the styles and customs of the early New York days, is superb. The picture has been done in good taste and although it is a triangle story it never once offends, for there is no illicit relationship. Irene Dunne is an extremely sympathetic character, considering the happiness of others above her own. The situation in which she and Boles realize they love each other, but that their love would mean unhappiness to others, will stir the emotions. The closing scene, too, in which they part forever, is heart-rending. Helen Westley, in the role of the grandmother of the family, is unusually good, and provides the picture with its best comedy moments:—

John Boles and Julie Haydon are engaged to be married. When Julie's family receives word that Irene Dunne, a member of their family, was leaving her husband and returning to America, they are shocked, and consider Boles a real gentleman for not breaking his engagement to Julie. Irene is introduced to New York society at a ball given by her grandmother, Helen Westley. Boles and Irene meet and fall in love with each other at first sight; but they know her family would be disgraced if she were to seek a divorce from her husband. She pleads with Boles not to see her anymore. Boles marries Julie but continues seeing Irene, for they are deeply in love. Eventually he decides to leave his wife to go away with Irene. But Irene, when she hears that Julie is going to have a baby, leaves for Europe, although it means unhappiness for both Boles and herself.

The plot was adapted from the novel by Edith Wharton. In the cast are Lionel Atwill, Laura Hope Crews, Herbert Yost, and others.

Not for children or adolescents; harmless for adults. Class B.

a perpetual franchise on clearance, no title to first-run, to the detriment of any other theatre. The determination of the run a theatre is entitled to should be a matter of price for the film, and not of any special privileges. (c) But it shall be within the jurisdiction of the Board to decide that a given theatre is not in competition with any other, if the facts should warrant it so to decide.

Principle 4: Each local Board shall establish the geographical areas of competition, or zones, by dividing the theatres of the territory affected into groups of competitive theatres; and any theatre, of any given group, shall have the right to buy, without any restriction, any run it is able to negotiate for in the area of that particular group; and any distributor shall have the right to sell, in any of the theatres of that group, without any restriction, any run he desires.

This Principle establishes practically the so-called "Right to Buy," for which we fought so hard to establish.

Principle 5: A Board shall establish the periods of clearance between the different runs that may exist. It shall, for instance, define the maximum clearance between the first-run and the second-run in a city; also between the second-run in a city, if there should be one, and the first-runs in any and all zones that are in competition with such second-run. The Local Board, however, may, on pictures of extraordinary merit, for which the prices of admission are increased substantially, grant additional clearance to the theatre that plays such a picture. But if the next subsequent-run theatre should increase its admission prices also substantially, that is, in proportion that the theatre that will play such picture first-run shall not be entitled to additional clearance. The same principle shall apply to all other subsequent-run theatres.

(EDITOR'S NOTE: The word "substantial" in such instances means an increase of at least 40% over the admission prices charged regularly.)

Principle 6: In establishing the maximum clearance in a competitive area, or zone, the Board must give consideration to the differential between the admission prices charged by the first-run theatre, and those charged by the second-run theatre, or by all the other subsequent-runs.

This is the first time in the history of the motion picture industry that the prices of admission are taken into consideration.

Principle 7: When a prior-run reduces admission prices, the Boards must make provision for the revision of clearance for the subsequent-runs; likewise for the prior-runs, when the admission prices are reduced by a subsequent-run.

This is a protection for exhibitors who bought pictures at prices based on what admission prices their competitors were charging at the time they signed their contracts; when the prior-run reduces them, its clearance must be reduced so that the subsequent-run theatres may come up near to this prior-run. A subsequent run may, under such circumstances, be allowed to play a picture even immediately after the prior-run ends; but in no event shall the theatre that has purchased a specified-run be deprived of it. In other words, a subsequent run may be allowed to come up to the prior run, but never day and date.

Principle 8: This principle needs no clarification.

Principle 9: This principle, too, is clear.

Principle 10: No clarification is necessary for this Principle except that the following remark may be made: if it is applied by the Board impartially and fairly, the theatres that exist in a zone where the new theatre is erected or where the closed theatre was reopened, may receive some protection against unfair competition by the new theatre. Suppose such a theatre was to charge half the admission prices the existing theatres are charging; the harm that will be done to them is incalculable. The Board is given the power to prevent such a contingency.

Principle 11: Where a subsequent run theatre waives its protection on a given picture, either in part or in whole, to a prior-run theatre, all theatres that have that picture booked subsequently shall be entitled to move up the same number of days.

In order for you to understand clearly the benefits of this Principle, allow me to cite one example: A big circuit in a Southern state was in the habit of purchasing the first five runs with the following clearance: 90 days for the first-run; 30 days for the second; 30 days for the third; 30 days for the fourth, and 10 days for the fifth—220 days in all. The independent exhibitors in that city had the 6th, 7th and 8th runs. The big circuit in question made it a practice to waive the protection of its prior-run theatres, including the first-run, so that all five runs were shown within a short time after the first-run had shown the pictures, with the result that, when the independent exhibitors received the pictures, they were "dead," as far as the box office is concerned. Age

of film is, as every one of you knows, thoroughly well, the important factor in this business. To prove to you how important it is, let me quote an example:

As you no doubt remember, several months ago I quoted a case in a big city of a middle-western state where a circuit owned 6 down-town houses and 22 neighborhood. Protection between the down-town and the neighborhoods was fourteen days. Sam Katz became interested in the circuit and immediately set the protection to twenty-one days. The business of the neighborhood theatres fell off anywhere from 30% to 40%, but not a single dollar increase was noted in the receipts of the down-town theatres. The general manager of the neighborhood theatres protested, and after a long battle succeeded in persuading Sam Katz to restore the old clearance. As soon as the clearance was restored, the receipts of the neighborhood theatres went back to where they were before and yet the receipts of the down-town first-run theatres did not show any decrease.

The 11th principle now in operation, should prove beneficial, not only to all subsequent-run theatres, but also to all distributors, for these will now be able to move their goods more quickly, collecting their money in half the time it has required heretofore, saving them millions of dollars from financing.

Principle 12: This means that all clearances specified in the contracts, whether existing or to be signed in the future, are subordinated to the clearances that will be established by the boards. This removes the confusion that now exists.

There is just one principle missing to make the "Carta" perfect; there should be one to confine the extending of a picture's run into the theatre's own period of clearance. In other words, the outer limit of a clearance period should be stationary. But this was overlooked. Let us, however, hope that the Code Authority will establish this principle soon so as to remove an additional cause of friction.

Mr. George Schaefer, general manager of Paramount, who is the chairman of the Clearance and Zoning Committee of the Code Authority, deserves unlimited praise for the broad vision he has shown in this matter. I have been told that he worked almost day and night for several weeks to bring clearance and zoning out of the mess Bareford's February resolution had thrown it in. Credit is deserved also by Nathan Yamins and Charles L. O'Reilly, representing the independent exhibitors, and by Edward Golden, alternate of W. Ray Johnston, of Monogram, for the fine support they have given to Mr. Schaefer.

With these principles now functioning, it is up to the local boards to see that the unaffiliated exhibitors get the justice they deserve.

CLASSIFICATION OF PICTURES

The following pictures have been classified by the Chicago Legion of Decency:

CLASS A (suitable for the family): "Among the Missing," "The Age of Innocence," "Beloved" (Reissue), "Charlie Chan in London," "Demon Trouble," "The Fighting Hero," "A Girl of the Limberlost," "Have a Heart," "Heart Song," "Judge Priest," "A Lost Lady," "The Man from Monterey," "One Night of Love," "Servants' Entrance," and "That's Gratitude."

CLASS B (Not suitable for either children or adolescents, on account of the fact that they are offensive by either being vulgar or lacking in modesty in spots, but not forbidden for adults): "Das Schoene Adendteur" ("The Beautiful Adventure"—all German), "The Case of the Howling Dog," "Death on the Diamond," "Desirable," "Faithful Heart," "Flying Down to Rio," "None So Blind," "The Richest Girl in the World," "The Scarlet Letter," and "Vampire."

CLASS C (Unsuitable for showing to decent people— "Nice Women.")

The following pictures have been classified by the Detroit Council of Catholic Organizations:

RECOMMENDED (Same as Chicago's Class A): "The Barretts of Wimpole Street," "Beloved" (Reissue), "Burn 'Em Up Barnes," "Charlie Chan in London," "The Count of Monte Cristo," "Emperor Jones," "A Girl of the Limberlost," "Have a Heart," "Now and Forever," "Servants' Entrance," "The White Sister," "Wiener Blut" ("Viennese Blood"), and "Young and Beautiful."

"SPOTTY" (Same as Chicago's Class B): "Along Came Sally," "Chained," "Das Schoene Adendteur" ("The Beautiful Adventure"), "Desirable," "Flying Down to Rio," "The Fountain," "Girl in Danger," "None So Blind," "There's Always Tomorrow," and "Vampire."

NOT RECOMMENDED (Same as Chicago's C Column): "Cynara."

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

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Vol. XVI

SATURDAY, SEPTEMBER 29, 1934

No. 39

An Appraisal of the 1934-35 Season's Pictures

The following is an appraisal of the possible box office value of the 1934-35 season's programs of all the major companies:

Columbia

This company has announced for the 1934-35 season 40 regulars and 8 McCoys.

"One Night of Love": This picture was reviewed in the August 11 issue. It is excellent.

"Mills of the Gods," the play by Melville Baker and Jack Kirkland, which was produced at the Broadhurst Theatre in March, 1907: Excellent possibilities.

"A Feather in Her Hat," the novel by I. A. R. Wylie, with an English locale: From very good to good.

"Party Wire," the novel by Bruce Manning, with a small town as the locale: From fair to poor.

"Maid of Honor," the novelette, by Katharine Brush, with an illegitimate child as the basis of the story. Fair to poor.

"The Girl Friend," the musical comedy by Herbert Fields, Richard Rodgers, and Lorenz Hart: Material mediocre but outcome will depend on lyrics that will be u-ed. Fairly good possibilities.

"Surefire," the stage play by Ralph Murphy, with New York and a small Indiana town as the background: Fairly good to fair program material.

"Eight Bells," a sea melodrama, the stage play by Percy G. Mandley. Material strong but the hero is unsympathetic. Alterations necessary for better results. As it stands, fairly good to fair.

"That's Gratitude," the play by Frank Craven; with a small Iowa town as the locale, with a plot that offers opportunities for good music: Fairly good.

"Spring 3100," the dramatic play by Argyll Campbell and Willard Mack, with prize fighting as the background: Provided the hero's doings in his dream are toned down—he is shown as committing all kinds of sins and has many dealings with the police,—the picture may turn out anywhere from fairly good to fair.

"Twenty-Five Dollars an Hour," the dramatic play by Gladys Unger and Leyla Goergie, which lasted 22 performances when it was produced at the Masque, on May 10, 1933: This is a sex play, the hero, an operatic singer, being shown as having affairs with many women. As it stands, it will not make a good picture; but having in mind the new order of things in Hollywood, Columbia will, no doubt, alter it radically, in which event the picture may turn out anywhere from very good to good.

No story has been announced for any of the following: The two Frank Capra productions, the Edward G. Robinson, the Colbert, the Jack Holt, or for any of the other pictures.

The number of this company's pictures that will be founded on either novels, stage plays, or magazine stories, as announced in the beginning of the season, are 10. Of these, 1 shows excellent possibilities, 1 has already turned out excellent ("One Night of Love,") making the total of excellent 2; 2 from very good to good, 5 fairly good, and 2 from fair to poor.

You will be entitled to cancel 4 if you will not buy the Tim McCoys, and 5 if you buy them. But if you are not going to buy the McCoys, you had better insert into your contract the following provision: "Forty pictures offered and 40 bought." Otherwise Columbia may claim that, since you have not bought its "entire product," you are not entitled to cancel any pictures under the ten per cent cancellation provision of the Code.

First National and Warner Bros.

First National and Warner Bros. give very few novels, stage plays or magazine stories in their con-

tracts. They have, however, announced some more outside the contracts, through the trade press; but since it is difficult to tell at this time which ones will be released through First National and which through Warner Bros., I am putting them all in one group.

The two companies together have announced 60 pictures.

"Anthony Adverse," the novel, a best seller, by Hervey Allen. This is a period play, and the material in it is enough for many pictures. But it is doubtful whether one good picture can be made out of it if the producers are going to adhere to the facts in the book faithfully. Do not count on the quality of the picture itself but only on whatever value the book, which is a best seller, possesses for you. Judging the material leniently one may say that it will make a picture anywhere from good to fairly good.

"Bordertown," a sex and racket melodrama, the novel by Carroll Graham, with Paul Muni in the leading part. The material is putrid; the hero is shown committing two murders at the start because his employers would not pay him his two day's wages. I am positive that Mr. Breen will not pass this picture if it were to follow the book in any way. Warner Bros. has to alter it; but the book plot does not offer any basis for building on. Without radical alterations, the possibilities are from fair to poor.

"Sweet Adeline," a musical romance—stage play, by Jerome Kern and Oscar Hammerstein; it was produced at the Hammerstein Theatre, September 3, 1929, and played 234 performances. From excellent to very good.

"Captain Blood," the Rafael Sabatini costume novel: From very good to good, provided alterations are made in the hero's part to make it more sympathetic.

"Firebird," the play by Lapos Zilahy, a murder melodrama, with Budapest, Hungary, as the locale: Poor.

"The Perfect Week-End," a *Colliers Magazine* story by Frederic Hazlitt Brennan, a comedy-melodrama-romance, with James Cagney: From excellent to very good.

"Babbitt," the Sinclair Lewis novel of small-town life (which was once produced in silent form by Warner Bros.), with Guy Kibbee and Aline MacMahon: From good to fairly good, without counting in the box-office value of the author's name, which must be determined by every exhibitor individually.

"A Lost Lady," the novel by Willa Cather. The book is very sexy and although First National altered it radically, it has turned out only fair. Reviewed last week.

"The Story of a Country Boy," a sex drama, the novel by Dawn Powell, with steel works as the main background. The material is too vile for a motion picture but Warner Bros. will, no doubt, alter it radically; otherwise it will not be passed. But there is no foundation to build on. From fair to poor.

"The Case of the Curious Bride," murder mystery melodrama, a *Liberty Magazine* story, by Erle Stanley Gardner: From good to fairly good.

"The Magnificent Ambersons," the novel by Booth Tarkington, with a middle-west town as the locale, dealing with the doings of small-town aristocracy: Although there is no sex in it, the material is in bad taste—the hero is a young man without character. Fair to poor.

"Oil for the Lamps of China," the novel by Alice Tisdale Hobart, with China as the locale and the characters both Americans and Chinamen. From fairly good to fair.

"Roadhouse," the novel by Arthur Somers Roche, a detective melodrama: From good to fairly good.

(Continued on last page)

"Big Hearted Herbert" with Guy Kibbee and Aline MacMahon

(Warner Bros., Oct. 6; running time, 59 min.)

An excellent comedy; it should be enjoyed by the masses. The spectator is kept chuckling almost all the way through. Two of the situations are uproariously funny—the one in which Guy Kibbee, the cranky father, ruins a dinner party that his family had looked forward to, and the other in which the family retaliates by ruining a dinner party that he took pride in. The way in which these situations have been handled is so realistic that besides provoking comedy they exert human appeal; the audience sympathizes with the mother and the children who are made to suffer because of Kibbee's cranky and miserly nature. The entire cast is excellent and the comedy is provoked without resorting to slapstick. The love interest is incidental.

In the development of the plot Kibbee, a self-made man, bores his family with repetitions of the facts concerning his rise in life. He "harps" on the fact that he is a plain man and will not permit his sons to go to college. His daughter, Patricia Ellis, falls in love with Phillip Reed and the mother, Aline MacMahon, invites Reed and his parents to dinner. Kibbee comes home in a cranky mood, refuses to dress, raves about the fact that the family spends too much money and finally insults the guests so that they are forced to leave without dinner. The next night Kibbee invites his best customer and his wife to dinner and Aline decides to teach him a lesson. She makes everything plain—the house, the dinner, and the manner of dress, and she and the children act in so boorish a manner, that Kibbee feels humiliated. This teaches him a lesson and when his wife prepares to leave him he promises to reform, send his sons to college, and never complain about his family any more.

The plot was adapted from the story by Sophie Kerr. It was directed by William Keighley. In the cast are Helen Lowell, Robert Barrat, Henry O'Neill, Marjorie Gaton, and others.

Good for children, adolescents, and Sundays. Class A.

"Death on the Diamond" with Robert Young and Madge Evans

(MGM, Sept. 14; running time 70½ min.)

This is a treat for men and young boys because most of the action takes place on the baseball field, showing the team at play, and also in their quarters. Added to this is a fairly absorbing murder mystery melodrama; the identity of the murderer comes as a complete surprise because all the clues pointed to another person. The situations in which the players are on the field, and are shown fearing that they will meet with an accident in some unknown fashion, hold the spectator in tense suspense. The comedy team of Nat Pendleton (as a ball player) and Ted Healy (as a bossy umpire with bad eyesight) is good, and their quarreling should provoke hearty laughter. The romantic interest is pleasant.

In the development of the plot David Landau, manager of a major baseball team, works hard to make the team win the pennant. A gambling syndicate, headed by C. Henry Gordon, had bet heavily against the team and try in many ways to prevent them from winning. Robert Young, the ace pitcher, is incapacitated, the next best pitcher is killed, and then Nat Pendleton, another excellent player, is poisoned. Robert Young, in spite of the pleas of Madge Evans, Landau's daughter, not to play in the final game, enters it. He notices a stranger in the dugout putting something into his coat pocket. He pitches a fast ball, which strikes the man, and the mystery is solved. The man is an embittered former player who wanted the team to lose so that Landau might be ruined and he made the manager. He had put an explosive in Young's pocket hoping Young would wear the coat and so be killed. Young wins the game for his team, which means the pennant, and he and Madge are married.

The plot was adapted from a story by Cortland Fitzsimmons. It was directed by Edward Sedgwick. In the cast are Paul Kelly, DeWitt Jennings, Edward Brophy, and others.

Because of the murders, many exhibitors may find it unsuitable for children, adolescents, and Sundays. But it is good for adults. Class B.

"The Case of the Howling Dog" with Warren William and Mary Astor

(Warner Bros., Sept. 22; running time, 74 min.)

Good entertainment for followers of murder mystery melodramas. It is somewhat involved, and occasionally there is too much talk, but it holds the interest well. The mystery is worked out logically, and there is occasional comedy to relieve the tension. It lacks romantic interest, and just hints at the fact that William is in love with his secretary, Helen Trenholme. William is a sympathetic character because he goes out of his way to help Mary Astor, charged with having murdered her husband, even though he knew she was guilty; but she had killed her husband in self defense, and she needed his help. The settings, direction, and acting are good:—

William, a famous criminal lawyer, receives a visit from Gordon Westcott, who is in an extremely nervous state. Westcott complains about a howling dog belonging to his next-door neighbor, and questions William about how a will should be drawn. William receives a signed will from Westcott, but he does not hear from him. In the meantime the neighbor brings insanity charges against Westcott and William defends Westcott in his absence staunchly. The neighbor is found dead, and William traces the murder to Mary Astor, the neighbor's wife. Gradually the mystery is solved. The neighbor had run away with Westcott's wife, deserting his own wife, Mary Astor. Westcott had traced them and had sworn to take his wife away. Mary, too, had traced her husband's whereabouts, and had confronted him. He set a ferocious police dog on her and when she shot it she shot also her husband because he was about to spring on her to kill her with a knife. William feels that no jury would believe her story and so sets about to prove that Mary did not commit the murder. She is acquitted.

The plot was adapted from the story by Erle Stanley Gardner. It was directed by Alan Crosland. In the cast are Allen Jenkins, Grant Mitchell, Helen Lowell, Dorothy Tree, and others. (Coast review.)

Unsuitable for children, adolescents, or Sundays. Class B.

"Fugitive Road" with Erich Von Stroheim and Wera Engels

(Invincible, July 1; running time, 66 min.)

Although well produced and equally well acted, "Fugitive Road" is just fair entertainment because of the slow action. Nevertheless, the interest is held because of the sympathy one feels for Wera Engels. The spectator is held in fair suspense for fear lest Erich Von Stroheim, the commander in charge of a border station, would not give Wera her passport; he desired her and so was attempting to keep her from leaving. It is difficult to be in sympathy with Leslie Fenton, the hero, since it is established that he was an escaped convict; no justification is made for his having escaped from prison and so the spectator feels a natural antipathy towards such a character. However, the bravery he displays in procuring the freedom of Wera wins some respect for him. And the romance is pleasant. There are a few offensive spots; they show Von Stroheim making some pointed sex remarks.

In the development of the plot Fenton, an American and escaped convict, is held by Von Stroheim at the border of a European town when he finds this out. There Fenton meets Wera, also being held because of some error in her passport. By conversation he finds out that Wera was on her way to America to live with her brother, but Fenton, when he hears the brother's name, knows that he had been his cell-mate and that he had been killed while attempting to escape. Fenton realizes that Von Stroheim wanted Wera for himself. At the point of a gun he forces Von Stroheim to take them to a preacher and Fenton and Wera are married. Fenton did this so as to give Wera the protection of an American citizen. Von Stroheim gives them his blessings and sets them free. By this time Wera and Fenton are very much in love with each other.

The plot was adapted from a story by Charles S. Belden. It was directed by Frank Strayer. In the cast are George Humbert, Hank Mann, Harry Holman, and others.

Not suitable for children, adolescents, or Sundays. Class B. (For religious neighborhoods Class C.)

"Gift of Gab" with Edmund Lowe and Gloria Stuart

(Universal, Sept. 24; running time, 70 min.)

Good entertainment for the masses. Although the story is not particularly novel, it has been done in a breezy style, and has plentiful comedy and music. And some of the situations hold one in suspense, particularly where Lowe, barred from broadcasting at a football game, thinks up an ingenious scheme and at the last minute does broadcast. In addition, the cast alone should help draw the crowds to the box-office. From the radio world, there is Ruth Etting, Phil Baker, Ethel Waters, Alexander Woollcott, Gene Austin, the Beale Street Boys, Graham McNamee, and others; and in one skit, supposedly done for radio audiences, the cast is composed of the following stars from the screen world: Paul Lukas, Chester Morris, Roger Pryor, Binnie Barnes, June Knight, Bela Lugosi and Boris Karloff. Although the skit itself is meaningless there is the novelty of having these stars appear together. There is some human interest, and Gloria Stuart is a sympathetic character. But Edmund Lowe arouses the antagonism of the spectator; he is shown as being an egotistical person, who forgets that others had helped him along in his career.

In the development of the plot Lowe, fast-thinking and egotistical, convinces Victor Moore, head of a liver canning concern, that he is just the man to put over the firm's radio broadcast hour. With the help of Gloria Stuart, head of the program department at the broadcasting studio, Lowe becomes a sensation but because he believes what his press agent writes about him Gloria becomes disgusted at his attitude, as does everyone else, and there is a break. One day Lowe, in a drunken state, fakes a broadcast of an interview with an ocean flyer, and it turns out that the flyer had been killed in a crash. Mortified and without a job he takes to drink. But with the help of Gloria he is brought back to fame and fortune, and this time without too much conceit. Gloria and Lowe are married.

The plot was adapted from a story by Jerry Wald and Phil G. Epstein. It was directed by Karl Freund. In the cast are Alice White, Hugh O'Connell, Helen Vinson, Henry Armetta, and others.

Suitable for children, adolescents, and Sundays. Class A.

"Wake Up and Dream" with June Knight, Roger Pryor and Russ Columbo

(Universal, Oct. 1; running time, 76 min.)

Enjoyable entertainment for the masses. It has music, romantic interest, and some excellent comedy situations. Added to this is the sympathy the spectator feels for the three leading characters, friends, who are so loyal to one another that each willingly sacrifices his own happiness for the others. Although the story is familiar, it has been told so well that the attention of the spectator is held and his emotions stirred. And the comedy is unusually good—it is provoked by Henry Armetta's excitable nature and Catherine Doucet's persistent efforts to make Armetta love her. One situation in which she tries to read his fortune from a crystal, frightening him thereby, should arouse hearty laughter. All in all, the masses will find it wholesome, gay and romantic. The one drawback is the fact that Columbo has died and this may depress some people.

In the development of the plot June, Pryor and Columbo, a vaudeville team, find themselves broke. The two men love June but since Pryor had declared his love first Columbo never tells June of his love for her. But it is Columbo June really loves. By pulling a stunt of walking across a wire from a high distance without a net, Pryor receives \$200. This helps the trio and Columbo's uncle, Armetta, to travel to California by bus. They meet Catherine Doucet, a fortune teller with money, who, because of her attraction to Armetta, helps them along financially when they arrive in California. Columbo gets into pictures and is a success, but is unhappy because of June. But Pryor finds out that Columbo and June love each other and so gives her up. Yet all three remain good friends.

The plot was adapted from a story by John Meehan, Jr. It was directed by Kurt Neumann. In the cast are Andy Devine, Spencer Charters, Gavin Gordon, and others.

Suitable for children, adolescents, and Sundays. Class A.

"Chu Chin Chow"

(Gaumont-British; running time, 95 min.)

Good entertainment; it is a lavish spectacle, produced with much imagination, and excellently acted. It is a fantasy made up of exciting dramatic situations, and good comedy, all of which is aided by an unusually good musical score and fine voices. There are many exciting situations; as for instance those that take place in the cave of Abu Hasan and his forty thieves. Exciting, too, is the situation in which Anna May Wong, as Zahrat, the slave girl, dances around with a knife seeking to revenge the injustice of Abu Hasan against her. And the comedy situations are good, most of them being provoked by Ali Baba, the poor brother of the rich merchant, who suddenly finds riches and demands respect: His entry with his wife and son into the palace of his brother will arouse hearty laughter.

The story revolves around Abu Hasan and his forty thieves, and Ali Baba's fortune. Ali Baba, sent into the woods by his brother to fetch wood for the fires at the feast, comes upon the cave of Abu Hasan and overhears the words that open the rocks—"Open Sesame." When they are gone, he uses the words, the rocks move and when he enters the cave he finds it filled with untold wealth—gold, jewels, silver, rich cloth and other things. He takes as much gold and jewels as he can possibly pack on his donkey, and returns home a wealthy man. His brother begs for the secret and promises to turn over his plump wife to Ali if he will tell him where to get it. He gives the secret to his brother, who goes to the cave but is caught by the robbers. He is killed. The robbers, knowing that Ali Baba knew their secret, go to his home when he is giving a feast. Each man is hidden in a large jar which is supposed to contain olive oil. Zahrat, knowing of their presence, warns Nur-al-din, Ali's son, who throws the jars into a well and the men are drowned. Abu Hasan is killed by Zahrat. Ali's son, having fallen in love with a slave girl, procures her freedom and marries her.

The plot was adapted from Oscar Asche's story, from which there was taken also the play of the same name. It was directed by Walter Forde. In the cast are George Robey, Fritz Kortner, John Garrick, Pearl Argyle, Jetsam, and others.

Suitable for children, adolescents and Sundays. The fact that the robbers commit crimes is not demoralizing since it is merely a fantasy. Class A.

"Redhead" with Bruce Cabot and Grace Bradley

(Monogram, Nov. 1; running time, 76 min.)

This is a fairly good human interest comedy-drama. The theme is not particularly novel—that of the wealthy young man who is inspired by a poor young woman to work and make good. But because the two leading characters are sympathetic, the spectator follows their doings with considerable interest. A few of the wise-cracks are suggestive, but since they are done in a comedy vein they are not offensive.

In the development of the plot Cabot's father cuts off his son's allowance because of his drunken escapades. Cabot meets Grace Bradley, a former artist's model, who could not get employment because she, although innocent, had been mixed up in a murder scandal. Cabot offers Grace \$10,000 if she will marry him and then demand from his father \$20,000 to set him free. But the father refuses to give any money and instead gives his blessings to the marriage; he offers Grace money to set Cabot straight. She trades in Cabot's roadster for a traveling lunch wagon, and they settle in a town where Cabot gets a job and Grace runs the lunch wagon. Cabot invents a safety device for the factory machinery. Grace, feeling that now Cabot was successful, and that she did not belong in his class, leaves. But Cabot had fallen in love with her and follows her. They decide to remain married.

The plot was adapted from a story by Vera Brown. It was directed by Melville Brown. In the cast are Regis Toomey, Berton Churchill, George Humbert, Rita Campagna, LeRoy Mason, and others.

Suitable for children, adolescents, and Sundays. Class A.

When the inside pages of your copy of Harrison's Reports are blank it is a misprint. Order a complete copy.

If you should find a copy missing from your file of Harrison's Reports, write about it to this office; a duplicate copy will be sent to you by return mail without any charge.

"The Case of the Howling Dog," a murder-mystery melodrama, a *Liberty Magazine* serial, by Erle Stanley Gardner: Good.

"Earthworm Tractors," the novel by William Hazlett Upson, a small town comedy, with Joe E. Brown: From fairly good to fair, not counting in the box-office value of the star's name.

"Go Into Your Dance," the stage-folk drama, with music, the novel by Bradford Ropes: Since it is considerably sexy, the material will, no doubt, be cleansed. From very good to good.

"Applause," the stage play by Barry Connors. A program comedy of a quality anywhere from fairly good to fair. It is of the "Show-Off" type.

"Invitation to a Murder," the play by Rufus King, a murder melodrama. It is of the horror class. Fair to Poor.

"Big-Hearted Herbert," the stage play by Sophie Kerr and Anna S. Richardson. A domestic comedy, with Guy Kibbe and Aline MacMahon. From very good to good.

The number of pictures that will be possibly founded on either novels, stage plays, or magazine stories are 19. Of these, 2 show possibilities from excellent to very good, 3 from very good to good, 1 good, 4 from good to fairly good, 3 from fairly good to fair, 1 fair, 4 from fair to poor, and 1 poor.

Delivery of stories, stage plays, or magazine stories not contained in the contract is not guaranteed.

Since each company is releasing 30 pictures, you will be entitled to cancel 3 from each company's product, or 6 if you should buy both products.

Warner Bros. is asking for "Anthony Adverse" 50% of your gross receipts. The purpose of asking so high a percentage for this picture is, as I have been informed by reliable exhibitors, to discourage you from buying it so that it may assert that you did not comply with the provisions of the cancellation provisions of the Code, and that you, in consequence, will not be entitled to cancel any of its pictures. It is a subterfuge, the same kind that this company has been often employing for years; but I doubt if the Code Authority will stand for such methods. But to avoid any controversy, insert into the contract: "Twenty-nine pictures offered and 29 bought."

Fox Pictures

This company is selling a maximum of 52 or a minimum of 40 pictures.

"The State vs. Elinor Norton," the novel by Mary Roberts Rinehart, a sex and murder melodrama. From fair to poor.

"Dante's Inferno," to be founded on the Epic Poem by Dante Alighieri, with Hell as the locale (Produced in silent form in Europe and brought to America around 1912). Boreome (Poor).

"Nymph Errant," the novel by James Laver, a vile sex drama. Poor.

"Judge Priest," with Will Rogers. Very good. (The picture has been reviewed in Harrison's Reports.)

"Casanova, the Great Lover," the autobiography of Giacomo Girolamo Casanova, reeking with sex. The picture may draw well (very good to good) at the box office, but if Fox should produce it the act will be taken by the churches as a defiance of their efforts to keep indecent material off of the screen. The doings of the hero in this picture will be his dealings with different women. In the book, Casanova mentions affairs even with a twelve year old girl.

"The First World War," an aggregation of war scenes, taken from either newsreels or the archives of the war departments of the different countries, intelligently put together. A very good picture, but suitable mostly for men, including boys.

"Wife for Sale," the novel by Kathleen Norris, with Helen Twelvetrees, a drama with a twist of "Enoch Arden"—husband, absent for years, returns unexpectedly. From fairly good to fair.

"Work of Art," the Sinclair Lewis novel, a drama, a treatise how to manage a hotel properly, with sordid sex implications. Poor material for a picture, but because the producer will have to cleanse it the picture may turn out anywhere from fairly good to fair.

"The County Chairman," the stage play by George Ade, a small-town drama, with Will Rogers. Very good possibilities.

"Life Begins at Forty," a scientific treatise by Professor Walter Pitkin. Not picture material. It will, no doubt, be discarded entirely and a new story written around the title. Poor material as it stands.

"One More Spring," the Best Seller, by Robert Nathan, a drama of hunger and privation, with Central Park, New York, as the locale: From very good to good.

"Impersonation of a Lady," a story by an anonymous author, published serially in *The Ladies Home Journal*; a society drama with a small town in New York State as the locale. Possibilities, good.

"Servants' Entrance," with Janet Gaynor. (Picture already reviewed.) Fairly good.

"Hell in the Heavens," a stage play by Herman Rossman; a melodrama of the air, with the war front in France as the locale, and with Warner Baxter in the leading part. From very good to good.

"Flight of the Swan," the biography of the late Anna Pavlova, the great dancer—a Jesse L. Lasky production: Poor material for a picture intended for the masses.

"The Captive Bride," the stage play by Edward Shelton and Dorothy Donnelly, a Jesse L. Lasky production. A program comedy, anywhere from very good to good.

"Music in the Air," a musical adventure, stage play by Jerome Kern and Oscar Hammerstein, with Germany as the locale. From very good to good.

The number of pictures that are to be founded on either novels, stage plays, or magazine stories are 17. Of these, 3 show very good possibilities, 5 from very good to good, 1 good, 1 fairly good, 2 fairly good to fair, 1 fair to poor, and 4 poor.

The number of pictures you are entitled to cancel from this product under the Code will be five.

(To be continued next week)

SELLING TERMS FOR 1934-35

From a small town in Nebraska comes the following information:

FOX: 6 pictures at \$25 (score included) and 35% over first \$100.

10 pictures at \$15 (score included) and no percentage.

36 pictures at \$10 (score included) and no percentage,

with privilege to use any of the 1933-34 pictures as substitutes for 1934-35 pictures, and with an elimination clause of 5 pictures from the 1934-35 group.

RKO: 3 pictures at \$25 (including score), and 35% over \$100 up to \$200.

7 pictures at \$15 (including score), against 25%.

16 pictures at \$12.50 (including score), with no percentage.

24 pictures at \$10 (including score), with no percentage.

From Ohio comes the following information:

MGM: 4 pictures at 35% with preferred playdates.

4 pictures at 30% with preferred playdates.

4 pictures at flat rental with same guarantee as the 35% pictures.

20 pictures at flat rental with a 25% increase over 1933-34, and

19 pictures at the same flat rentals as charged in 1933-34.

The exhibitor rejected the proposition.

Send the terms you have either been offered or been able to obtain so that I may print them. When enough information comes in I shall make a comparison of the terms each company offers in different territories and if there is any difference your attention will be called to the fact. We must explode this "national policy" gag.

CLASSIFICATION OF PICTURES

The following are the latest pictures classifications made by the Detroit Council of Catholic Organizations:

RECOMMENDED (Class A—Good for families): "The Age of Innocence," "Demon for Trouble," "Heart Song," "A Lost Lady," "The Man from Monterey," "That's Gratitude."

SPOTTY (Not for Children or Adolescents, but not forbidden for adults): "The Case of the Howling Dog," "Death on the Diamond," "Faithful Heart," "Fifteen Wives," "Million Dollar Ransom," "The Richest Girl in the World," "Scarlet Letter" (taken out of the C classification.)

NOT RECOMMENDED (Unsuitable for decent people): "Nice Women."

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Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 PENNSYLVANIA 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, OCTOBER 6, 1934

No. 40

An Appraisal of the 1934-35 Season's Pictures

Metro-Goldwyn-Mayer

This company announced originally 52 pictures, among which are included its 8 specials; but the death of Marie Dressler has reduced the number to 51.

The work sheet contains the following books, plays or magazine stories: "Marie Antoinette," "David Copperfield," "Good Earth," "Merry Widow," "Mutiny of the Bounty," "Naughty Marietta," and "Barretts of Wimpole Street"; also "Chained," which is an original story, but which has already been reviewed in the September 8 issue.

In grading these pictures, I am guided either by the quality of the material, or by the star's drawing power, or by both, and not by how it will take in an exhibitor's particular locality. This is necessary in view of the fact that a picture like "Marie Antoinette," for example, which will be founded on powerful material, and which will have Norma Shearer, a first-rate star, in the leading part, may draw well in big cities, but may fail in small towns, if the performances of past costume pictures are to be taken as a criterion.

Another picture that may be used as an example is "David Copperfield"; the picture may not turn out so artistic, and the players in it may not mean anything to the box office; but the name of Charles Dickens, the author, means something to it, although not as much as it would if the picture were to turn out excellent.

"Marie Antoinette," promised in the trade papers with Norma Shearer: This is a costume play, of the French Revolution period. The book is very dramatic and should make a powerful picture. But, like all costume pictures, it is unlikely that it will have a general appeal. In all likelihood it will not take so well in the small towns. (Very good.)

"David Copperfield": The material of the book is powerfully human, and if produced by a competent staff it should make a great picture. But the picture will be produced, not by Irving Thalberg, but by David Selznick. Mr. Selznick may, if he should be lucky enough to engage the proper players, make a great picture; but, according to my information from the Coast, the way he has handled the story "A Woman of Affairs," that wonderful material, he does not give great promises. The picture should, however, draw well, regardless what its quality will be. (Very good.)

"The Good Earth," the Best Seller by Pearl Buck. The material of this book does not appeal to American audiences. The characters are all Chinese. Besides, the hero is ungrateful: he casts away his wife, who had helped him become wealthy. (Poor.)

"The Barretts of Wimpole Street," with Norma Shearer. It is a great picture, but because it is too tragic it does not draw the top business the best Norma Shearer pictures draw. (Excellent.)

"Mutiny on the Bounty," with Clark Gable, Wallace Beery, and Robert Montgomery, from the book of the same name by Charles Nordoff and James Norman Hall, which deals with a historical event. Powerful material and should make an excellent box office attraction.

"Naughty Marietta," with Jeanette MacDonald and Nelson Eddy; a musical operetta by Victor Herbert and Rida Johnson Young. Light and cheerful material and should make a picture anywhere from very good to good.

"The Merry Widow," with Maurice Chevalier, and Jeanette MacDonald, a musical operetta. This picture has already been produced. The material is excellent but according to advance information the picture has not turned out so "hot," even though Ernest Lubitsch has directed it. If this information is erroneous you will be informed of it as soon as I review the picture. (Very good.)

"Chained," with Clark Gable and Joan Crawford, reviewed in the September 8 issue: Inane and boring. (Poor in quality, but fairly good in box-office value. Mean average, fair.)

The following books, plays or magazine stories are not contained either in the contract or the work sheet, but have been announced in the MGM Insert, which appeared in the trade papers last June:

"Biography of a Bachelor," based on the stage play "Biography," by S. N. Behrman. Program picture, fair to poor.

"Death on the Diamond," from the novel by Cortland Fitzsimmons: Very good baseball murder melodrama, mostly for men and boys.

"No More Ladies," from the stage play by A. E. Thomas: high comedy, suitable for sophisticated persons. (Fair.)

"The Wind and the Rain," the play by Merton Hodge, with a boarding house near the Edinburgh University as the background: Very good material if cleansed; and it will, no doubt, be cleansed.

"A Lady Comes to Town," the novel by Clements Ripley, unfolding in a small mining town, with Clark Gable and Jeanette MacDonald: Material poor. The picture's drawing powers will depend on the stars. (Fair.)

"Tish," the novel by Mary Roberts Rinehart, dealing with a vivacious (devilish) middle-aged spinster. Very good to good comedy.

"Vanessa," the novel by Hugh Walpole, with Cumberland and London as the locale. Poor sexy material.

"Timberline," the biography of Henry Heye Tammen and Frederick Gilmer Bonfils, founders of the Denver Post, written by Gene Fowler. Fair adventurous material and should make a good picture only if the characters are altered and presented in a sympathetic vein and not as the scoundrels of the book. (From good to fairly good.)

"China Seas," the sea-faring melodrama by Crosbie Garstin: Rotten material.

"A Wicked Woman," the novel by Anne Austin, with a small Texas town as the locale, and with Mady Christians as the star: Poor sexy material. The actress is capable but unknown here.

"What Every Woman Knows," the play by J. M. Barrie, with London as the locale: Fair program stuff. It was put into pictures once before, in 1921, by Paramount. It is about the young man who, wanting an education and lacking the means to attain it, steals books from the library of his wealthy neighbors, is caught, and a pact is entered between them to help him educate himself, and marry their sister.

"Repeal," a gangster melodrama, a *Saturday Evening Post* story, by Charles Francis Coe: Powerful material but with the churches warring against such pictures it is not a good bet. (Very good as to quality.)

"The Outcast Lady," taken from Michael Arlen's "The Green Hat," and MGM's "Woman of Affairs," which was produced in the silent days with Greta Garbo and John Gilbert: This picture has already been produced and according to reliable Coast advices it has turned out a "dud," because of the unsuitability of Constance Bennett for the part of Iris, which was taken by Greta Garbo in the silent picture. With Norma Shearer it would have made an excellent picture, because the material is very powerful. The picture's drawing powers will depend entirely on the star. (Good.)

"The Gravy Game," a football melodrama, *Saturday Evening Post* story, by Harry Stuldreher and W. Thornton Martin: A program picture of a grade anywhere from good to fairly good.

(Continued on last page)

"Peck's Bad Boy" with Jackie Cooper*(Fox, Oct. 19; running time, 70 min.)*

This is an excellent combination of comedy and pathos. It is filled with human interest. Several of the situations will stir the emotions deeply. Jackie Cooper gives a sensitive performance as the country boy who adores his father, only to find out that he himself is an adopted child. The spectator sympathizes with him throughout, particularly when he is made to suffer because of the schemes of his aunt and of her hypocritical son, Jacke Searle. The audience admires Jackie Cooper because he never complains but suffers in silence. The situation in which he feels that he had lost his father's love, and decides to run away, will bring tears to the eyes. The comedy is provoked by the pranks of the young boys.

In the development of the plot Cooper and his father are great pals, and Jackie is a happy child until his father invites his widowed sister-in-law and her son Searle to live with them. They make things miserable for Cooper but he never complains. Searle, in an attempt to make Cooper unhappy, tells him he is just an adopted child. This makes Cooper miserable and he decides to run away with his old friend, O. P. Heggie, a happy-go-lucky individual. But Heggie tells Cooper that he will not think much of him unless he goes back and teaches Searle a lesson. Cooper goes back, gives Searle a beating, and in doing so his father finds out how Cooper suffered. The sister-in-law and Searle are forced to leave, and Jackie Cooper and his father resume their chumminess.

The plot was adapted from the story by George W. Peck. It was directed by Edward F. Cline. In the cast are Thomas Meighan, Dorothy Peterson, Charles Evans, and others.

Excellent for children, adolescents, and Sundays. Class A.

"Two Heads on a Pillow" with Neil Hamilton and Miriam Jordan*(Liberty Pictures; running time, 68 min.)*

Well produced, but only moderately entertaining. It is a comedy of marital bickering, and as such becomes tiresome after a while. The continuous quarreling between the hero and the heroine is unpleasant, because they are shown as being civil towards each other for only short periods at a time. The bright spots of the picture are the comedy situations in which Henry Armetta appears, particularly in the situation where he argues with his son's mother-in-law. He brings warmth and understanding to an insignificant role. There is not much action; it is mostly talk, and this centers around the futility of marriage, because of the impossibility of married people to agree. But this talk does not carry much conviction because the arguments are about petty things.

In the development of the plot the hero and the heroine are divorced because they cannot agree. After a few years they meet again in business. Both of them are lawyers, fighting against each other in a marital case. She wins the action, and this brings about more quarrels. They are still in love with each other, but the heroine fears to take a chance to marry him again. The hero, however, eventually wins out; they decide to remarry.

The plot was adapted from a story by Albert De Mond. William Nigh is the director. In the cast are Hardie Albright, Dorothy Appleby, Mary Forbes, and others.

Because of the fact that in the closing scenes ex-husband and wife are in a hotel room together, although not remarried, and in an undressed state, many of you may find it unsuitable for children, adolescents, or Sundays. Not harmful for adults. Class B.

"Crimson Romance" with Sari Maritza, Ben Lyon and James Bush*(Mascot Pictures; running time, 67½ min.)*

"Crimson Romance" is an exciting war melodrama. The story is a little off the beaten track; because of this, and of the fact that the characters arouse one's sympathy, the interest is held pretty tense. The action is fast and the romance pleasant. The friendship between Ben Lyon and James Bush is inspiring, for each one is ready to sacrifice himself for the other. The closing scenes, in which Bush, in order to save Lyon's life, purposely crashes his plane into his German commander's plane and is killed, is pitiful; at the same time it is thrilling, because the crashing of the planes has been done realistically. The combats in the air should prove interesting to men.

In the development of the plot Bush, of German parentage, and living in America, is taunted because of the fact that he is a German. He is particularly unhappy because he feels he is more American than German. Ben Lyon, his

American pal, refuses employment as a flyer unless Bush is engaged with him, and this keeps them both out of work. Disgusted, Bush decides to go back to Germany and join the army. And to his surprise and joy, Lyon goes with him. They are attached to the Aviation Corps. At the canteen they meet Sari Maritza and both men fall in love with her; but she favors Lyon. When America declares war against Germany, Lyon refuses to fight with his German outfit and is arrested. Bush helps him to escape and Lyon joins the American forces. He leads a bombing squad over a German ammunition dump. The German planes, headed by Erich Von Stroheim, attack the American planes. Bush, also up in his plane, notices Von Stroheim going after Lyon and purposely crashes his plane into Von Stroheim's. Both planes catch fire and both pilots are killed. After armistice, Lyon marries Sari and they go back to America; they comfort Bush's mother.

The plot was adapted from a story by Al Martin and Sherman Lowe. It was directed by David Howard. In the cast are William Bakewell, Hardie Albright, Herman Bing, Vince Barnett, and others.

Suitable for children, adolescents, and Sundays. Class A.

"Tomorrow's Youth"*(Monogram, Sept. 15; running time, 59½ min.)*

Though the action is arbitrary in some spots, in that the characters are shown doing things that they would not have done in life, and Dickie Moore uses words and expressions that a boy of his age would not have employed in real life, "Tomorrow's Youth" is a deeply appealing picture, in that it shows a boy of seven loving both his parents and, through such love, bringing about a reconciliation between them. The scene where Dickie is shown about to leave his mother to go to his father to live with him for six months, in accordance with the separation agreement of his parents, is touching. But the closing scenes, where the trial for divorce is being heard, are the most touching of them all; they will choke one. In those scenes Dickie is shown placed on the stand to testify. The lawyer puts questions to him so as to convince the court that the father had treated Dickie well, but the boy remains silent, unwilling to say anything that might hurt his mother. The judge eventually is able to get him to talk, and Dickie tells him that, in his opinion, the lawyer had not asked him the questions properly. Thereupon the judge puts Dickie in his chair and requests the child to ask the questions himself. Dickie puts some questions to both his parents and he obtains the admission from each that he loves the other and that they do not want to become separated. These scenes will move a heart of flint.

The story revolves around the goings-on of a husband (hero) with a pretty blond. The wife (heroine) happens to catch sight of them leaving in an automobile on a trip and she immediately takes her son and departs for her home town, somewhere in the middlewest. The heroine's lawyer is able to persuade the hero to agree to a separation, as the only means of preventing scandal. The child is to spend six months with each parent. While with his father, the child is hurt seriously and the mother is sent for. The child becomes well but with the other woman in the house the heroine applies for a divorce. The child, however, succeeds in bringing about his parents' reconciliation.

The plot was adapted from a story by Harry Sauber; it was directed by Charles Lamont. In the cast are John Miljan, Franklin Pangborn, Paul Hurst, Gloria Shea, and Jane Darwell.

Although the hero and blond are not shown in offensive postures, it is plain that they live together. This may disqualify the picture for children, adolescents, or for Sunday showing with many small-town exhibitors, regardless of the fact that children will enjoy the other parts of the picture immensely. Class B.

SEND IN YOUR NOTICE OF CANCELLATION FOR YOUR NEWSREEL NOW

Most newsreel contracts are, as every one of you, I am sure, knows very well, perpetual; they renew themselves automatically, unless the exhibitor sends in his written notice of cancellation, by registered mail, 30 days, or 60 days, as the case may be, before the expiration day of the contract's life.

Frequently an exhibitor wants to cancel his newsreel contract but overlooks sending his cancellation notice exactly as the contract provides, and he finds himself saddled with that contract for another year.

If you contemplate cancelling your newsreel contract, send your notice now, by registered mail. There is no harm if you send the notice 60, or 90, or even more, days in advance, but it is harmful to you if your contracts call for a 30-day notice and you send it in a few days too late.

"Night Alarm" with Bruce Cabot and Judith Allen

(Majestic Pictures; running time 65 min.)

A good action melodrama for neighborhood and for small-town theatres; the story has been worked out logically. Several fires occur during the unfolding of the story and stock shots of actual fires have been used in some of these scenes, making the action exciting. The closing scenes provide the most thrills—the heroine is trapped in a burning building from which she is rescued through the bravery of the hero and firemen. Both the hero and the heroine are fairly sympathetic characters, and their love affair is quite romantic:—

The hero, a newspaper reporter, tells his editor that he has a hunch that the frequent fires in the city are the work of a firebug. He gladly gives up the column he had been running on gardening to the heroine when she applies for the hero and the firemen. Both the hero and the heroine are buildings that had burned down were fire-traps, and that no improvements were made on them because of political graft, and the power of a certain politician and business man, who turns out to be the heroine's father. The hero, however, was unaware of this relationship. He exposes the heroine's father and she, revealing her identity, tells him she never wants to see him again. The heroine's father gives a party for the employees at the factory. The firebug sets the building on fire and it is only through the quick action of the firemen and of the hero that everyone is saved, including the heroine. The hero traps the firebug. There is a happy reconciliation between him and heroine.

The plot was adapted from a story by Jack Stanley. It was directed by Spencer Bennet. In the cast are H. B. Warner, Sam Hardy, Harry Holman, Harold Minjir, Fuzzy Knight, and others.

Suitable for children, adolescents, and Sundays. (Some exhibitors may find it objectionable because in one scene the heroine wears an evening gown in which she is exposed vulgarly.) Class A.

"Kansas City Princess" with Joan Blondell, Glenda Farrell and Robert Armstrong

(Warner Bros., Sept. 8; running time, 64 min.)

Good entertainment for the masses. It is a slapstick and nonsensical farce; moving at a fast pace, and provoking laughter frequently. It becomes a little risqué in the closing scenes, but hardly objectionable, since it is done in a spirit of comedy. Most of the laughs occur in the second half, where Joan Blondell and Glenda Farrell, in an attempt to escape from Joan's irate sweetheart, Robert Armstrong, are shown employing their gold-digging tactics to provide passage and clothes for a trip to Paris. There is no human interest and the characters do not arouse sympathy, but it is fast and comical, and as such it will amuse most picture-goers.

In the development of the plot Joan, engaged to Robert Armstrong, accepts Gordon Westcott's dinner invitation; he steals her engagement ring. Fearing Armstrong's wrath, Joan and her pal give up their manicuring jobs and join a girl scouts' tour to New York. They soon find themselves in the company of two Aldermen bound for Europe and join them on the boat, still followed by Armstrong. Glenda gives the Aldermen a "sob" story and the Aldermen pay for their fare and clothes. Armstrong sneaks into the boat, forces Hugh Herbert, a millionaire, to engage him as a bodyguard, and sets about finding the girls. But they all become friends and once in Paris they are Herbert's guests. Herbert engages Osgood Perkins, a detective, to get evidence of his wife's infidelity. Herbert suspected that she had been alone in Paris too long. Glenda and Joan want to help Herbert win his wife back, but they are tricked and the wife gets evidence for a divorce, instead. But Herbert does not worry; he had fallen in love with Glenda, who promises to marry him. Joan and Armstrong are reconciled.

The plot was adapted from a story by Sy Bartlett. It was directed well by William Keighley. In the cast are Hobart Cavanaugh, Vince Barnett, Ivan Lebedeff, and others.

Not suitable for children, adolescents, or Sundays. Class B.

A STATEMENT BY THE ROSS FEDERAL SERVICE

A representative of the Federal Ross Service, Inc., called on me and assured me that their employees are not only instructed, but are required to sign a document and to swear it before a notary public, not to divulge the box office receipts of a picture they check to any other person except to the company that employs him to check up that picture. The affidavit reads as follows:

"I,, being first duly sworn, on oath depose and say that, in consideration of and as an inducement for my employment by Ross Federal Service, Inc., I will not in any manner or form whatever divulge, transmit, utter to or advise any person, firm or corporation whatsoever as to any information obtained by me in connection with, as a result of or during my employment by said Ross Federal Service, Inc., unless and until requested so to do by a duly authorized agent, officer or employee of said Ross Federal Service, Inc."

As to the complaint of exhibitors that some of their employees act hoisterously and arrogantly during the time they check the receipts of a picture, by standing in a conspicuous place and embarrassing them, this man assured me that whenever a complaint of this kind is brought to their attention, and is found justified, they dismiss that employee.

I have been requested to tell you that, whenever you discover a checker acting in any other way but as a gentleman, or you find out that he has divulged your box office receipts to any person not authorized to receive such information, you should bring the matter to their attention.

I have no reason whatever to doubt the sincerity of the representative of the Ross Federal Service, Inc., who called on me and made these statements, for I know him of old to be a man of his word. So, whenever a checker, checking a picture at your theatre, has exceeded his instructions from his home office, bring the matter to the attention of the New York Home Office at once; its address is 120 West 42nd Street, New York City.

Address your letter in care of Mr. Walter E. Green, Branch Manager.

WHEN YOU WANT SOME FRIEND OF YOURS TO HAVE A COPY OF A PARTICULAR ISSUE

From time to time you feel that a particular friend of yours or some other person interested in the industry's affairs should have a copy of a particular issue of HARRISON'S REPORTS. You may send him your copy and then write me to send you another copy.

The support your cause will receive from the American people will depend entirely on how many influential citizens understand your problems, and you should never lose an opportunity to acquaint them with these problems. Block-booking and blind-selling are evils that must be eradicated; otherwise there will always be a war against the industry by the American people. The killing of these two systems will make you responsible to the people of your community as to the moral tone of the entertainment you give them. Until that responsibility is placed on your shoulders, the production of indecent, immoral, low and vulgar pictures will continue.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF MARCH 3, 1933, OF HARRISON'S REPORTS, published Weekly at New York, N. Y., for Oct. 1, 1934. County of New York.

Before me, a Notary Public, in and for the State and County aforesaid, personally appeared P. S. Harrison, who, having been duly sworn according to law, deposes and says that he is the Editor and Publisher of the HARRISON'S REPORTS and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of March 3, 1933, embodied in section 537, Postal Laws and Regulations, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business manager, are:
Name of Publisher, P. S. Harrison, 1440 Broadway, New York, N. Y.
Name of Editor, P. S. Harrison, 1440 Broadway, New York, N. Y.
Managing Editor, None.
Business Manager, None.

2. That the owner is: P. S. Harrison, 1440 Broadway, New York, N. Y.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent. or more of total amount of bonds, mortgages, or other securities are: None.

4. That the two paragraphs next above, giving the name of the owners, stockholders, and security holders, if any, contain not only the list of stockholders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustees or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of bona fide owners; and this affiant has no reason to believe that any other person, association, or corporation, has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

(Signed) P. S. HARRISON,
(Owner).

Sworn to and subscribed before me this 21st day of September, 1934.

JOSEPH J. O'REILLY,
(My commission expires March 30, 1936.)

"Man Crazy," the *Liberty Magazine* story by Vilna Delmar. Too sexy, but if cleansed it may make anywhere from good to fairly good picture.

"Forsaking All Others," the play by Edward Roberts and Frank Morgan Gavett, with sophisticated society as the background. Sexy and poor material. But since Joan Crawford, Clark Gable, and Robert Montgomery will appear in it, good.

"Evelyn Prentice," the novel by W. E. Woodward, a society murder melodrama, with sex as the cause, with William Powell and Myrna Loy: Nothing new in the plot and it is offensive. Material mediocre. It will no doubt be re-written, in which case the picture may result in a quality anywhere from good to fair.

The following books, plays or magazine stories have been merely announced in the trade paper news, but no exhibitor is sure that he will get the pictures that will be made with any of them:

"The Old Nest": Powerfully human material. It will be founded on the same story the silent picture, produced by the Goldwyn Pictures Corporation several years ago, was founded. (Excellent.)

"Good-Bye Mr. Chips," the *Atlantic Monthly* story, by James Hilton, with a housemaster as the main character, and with a school in England as the background. Very good sentimental drama.

"The Magic Glasses," the *Forum* short story by Frank Harris. Fantastic, idealistic material, too poor for a picture.

"Salute, There Goes Romance," the *McCall's Magazine* short story, by Ursula Parrott, a West Point romance, with Joan Crawford. Good material if altered.

"Have a Heart," with James Dunn and Jean Parker, reviewed in the September 22 issue: A fairly good picture. From the point of view of the church people, Class A.

"Straight is the Way," with Franchot Tone and Karen Morley: This picture was reviewed in the September 8 issue: A Class C picture—not suitable for showing to family people. (Poor for high class patronage; fairly good for the rough element.)

"Hide-Out," with Robert Montgomery and Maureen O'Sullivan, reviewed in the September 1 issue: A gangster picture with the hero becoming regenerated because of his pure love for a young woman. Entertaining. Class B picture—harmless for adults, but unsuitable for either children or adolescents. (Fairly good.)

Of the novel, stage play or magazine story material announced for production, adding to them the pictures that have already been produced, the following are the results: 3 excellent; 7 very good; 2 from very good to good; 3 good; 4 from good to fairly good; 2 fairly good; 4 fair; 2 from fair to poor, and 5 poor.

Under the provisions of the Code, you will be entitled to cancel 5 pictures.

Paramount

A maximum of 64 pictures have been announced by this company:

The following will be founded on either novels, stage plays, or magazine stories:

"Enter Madame," the stage play by Giulia Conti and Dolly Byre: Good high comedy.

"All the King's Horses," the musical comedy by Frederick Herendeen. Fairly good to fair.

"The Pursuit of Happiness," the stage play by Child and Isabelle Loudon: The picture has been produced but I have not yet seen it. The fact, however, that the Music Hall has booked it sometime in October is an indication that the picture is at least good.

"Mrs. Wiggs of the Cabbage Patch," the novel by Alice Hegan Rice, unfolding in a small Connecticut town during the Revolutionary War: From good to fairly good.

"Are Men Worth It?" a murder melodrama unfolding in Chicago, the novel by Tiffany Thayer: The material is so putrid that the picture should not be produced.

"The Lemon Drop Kid," the *Collier's Magazine* story by Damon Runyon, with a race track and a small town as the locale, with Lee Tracy and Helen Mack: With radical alterations, from good to fairly good.

"Her Master's Voice," the play by Clare Kummer, with Mary Boland and Charles Ruggles, a small-town comedy—New Jersey. Material fair, and with some alterations the picture should turn out anywhere from good to fairly good.

"The Milky Way," the play by Lynn Root and Harry Clark, with prize fighting as the background, and with Jack Oakie as the star: From very good to good.

"The Lives of a Bengal Lancer," the book by Francis Yeats-Brown, dealing with Hindu mysticism, with Gary Cooper, Richard Arlen, and Frances Drake: Material of doubtful value. (Fair.)

"Ruggles of Red Gap," with Charles Ruggles, Mary Boland, Sir Guy Standing, and Charles Lawton; a comedy drama, a *Saturday Evening Post* story, by Carey Leon Wilson, produced as a silent by Paramount with excellent results: From excellent to very good.

"The Case Against Mrs. Ames," the *Collier's Magazine* story, by Arthur Somers Roche: very good murder mystery melodrama.

"Sailor Beware," poor sexy material; it is doubtful if it will be produced at all.

"She Loves Me Not," with Bing Crosby and Miriam Hopkins: Reviewed in the July 28 issue: Very good adult entertainment, placed by the churches in the B column. (Not good for either children or adolescents, but harmless for adults.)

"R. U. R.," the fantastic Robot melodrama by Karl Capek: Production of this play has been abandoned.

"Shoe the Wild Mare," the novel by Gene Fowler: Material so poor that production of it, as I understand, has been abandoned.

"The Scarlet Empress," with Marlene Dietrich: Reviewed in the September 15 issue: Great spectacle but poor entertainment. The churches have placed it in the C classification—not suitable for any decent person.

"Now and Forever," with Shirley Temple, reviewed in the September 8 issue of Harrison's Reports. An exciting melodrama, which the churches have placed in the good-for-the-family class. (Excellent.)

"Crime Without Passion," reviewed in the September 1 issue: a murder and sex melodrama, too unpleasant for an evening's entertainment. The churches have placed it in the Class B column. (Fair.)

"You Belong to Me," with Lee Tracy and Helen Mack, reviewed in the August 25 issue: Fairly good—Class A.

"Cleopatra," with Claudette Colbert, reviewed in the August 11 issue: Great spectacle but only fairly good entertainment. Put in Class B by the churches.

"Ladies Should Listen," reviewed in the August 4 issue: Fairly good entertaining French farce, suitable for sophisticated adults: Class B.

The books, plays, or magazine stories that have been announced through the work sheet, and the pictures that have already been produced and reviewed in Harrison's Reports, are 19. Of these, one is excellent, one excellent to very good, two very good, one from very good to good, two good, three from good to fairly good, three fairly good, one fairly good to fair, two fair, and three poor.

The number of pictures you will be entitled to cancel will be six.

PROTECT YOUR CANCELLATION RIGHTS

Because of the fact that some concerns will attempt to deny you the right to cancel 10 per cent of your pictures under the Code unless you should buy the entire feature program of a producer, you should insert the following provision in your application for a contract at the time you sign it:

"Thirty pictures offered and thirty bought," if the distributor should be selling thirty-six, or "Forty-five offered and forty-five bought," if he should be selling more pictures and you wanted only forty-five, or any other number you are contracting for.

CLASSIFICATION OF PICTURES

The following pictures have been classified by the Chicago Legion of Decency as of September 28:

CLASS A (For the family): "Cash," "The End of the World," "Gift of Gab," "Liebe Mus Fer Standensien" ("Love Must be Understood,") "Men of Tomorrow," "Night of the Garter," "Over-Night," "Speedwings," "There's Always Tomorrow," and "Wagon Wheels."

CLASS B (Not for children or for adolescents, but not forbidden for adults): "Kansas City Princess," "Man They Couldn't Arrest," and "A Million Dollar Ransom."

CLASS C: None.

HARRISON'S REPORTS

Vol. XVI

NEW YORK, N. Y., SATURDAY, OCTOBER 6, 1934

No. 40

(Partial Index No. 5—Pages 130 to 156 Incl.)

<i>Title of Pictures</i>	<i>Reviewed on Page</i>
Adventure Girl—RKO (76 min.)	130
Afterwards—RKO (See "Their Big Moment")	134
Age of Innocence—RKO (81 min.)	151
Along Came Sally—Gaumont-British (70 min.)	138
Among the Missing—Columbia (65 min.)	138
Barretts of Wimpole Street—MGM (109 min.)	150
Belle of the Nineties—Paramount (73 min.)	146
Big Hearted Herbert—Warner Bros. (59 min.)	154
British Agent—First National (80 min.)	150
Caravan—Fox (101 min.)	151
Case of the Howling Dog, The—Warner (74 min.)	154
Chained—MGM (76 min.)	143
Charlie Chan in London—Fox (78 min.)	146
Chu Chin Chow—Gaumont-British (95 min.)	155
Count of Monte Cristo, The—United Artists (115 min.)	143
Crime Without Passion—Paramount (68½ min.)	138
Dames—Warner Bros. (90 min.)	135
Death On the Diamond—MGM (70½ min.)	154
Desirable—Warner Bros. (68 min.)	142
Down to Their Last Yacht—RKO (64 min.)	150
Dragon Murder Case—First National (66 min.)	131
Fifteen Wives—Invincible (66 min.)	147
Fountain, The—RKO (83 min.)	138
Four Walls—MGM (See "Straight Is the Way")	142
Fugitive Road—Invincible (66 min.)	154
Gift of Gab—Universal (70 min.)	155
Girl in Danger—Columbia (57 min.)	143
Girl of the Limberlost—Monogram (82½ min.)	142
Green Eyes—Chesterfield (67 min.)	146
Have a Heart—MGM (80 min.)	151
Her Sacrifice—Columbia (See "Blind Date")	126
Hide-Out—MGM (81 min.)	139
Hit Me Again—Warner Bros. (See "Smarty")	87
Hollywood Hoodlum—Regal Dist. Corp. (58 min.)	130
House of Doom, The—Universal (See "Black Cat")	83
Human Side, The—Universal (61 min.)	139
Judge Priest—Fox (80 min.)	134
King Kelly of the U. S. A.—Monogram (67 min.)	150
Lady is Willing, The—Columbia (67 min.)	130
Lost Lady, A—First National (60 min.)	151
Marriage Symphony, The—RKO ("Let's Try Again")	94
Million Dollar Ransom—Universal (64 min.)	146
Moonstone, The—Monogram (61 min.)	131
Name the Woman—Columbia (61½ min.)	130
No Speed Limit—Columbia ("Hell Bent For Love")	79
Now and Forever—Paramount (81½ min.)	143
Once To Every Bachelor—Liberty (72 min.)	134
One Hundred Per Cent Pure—MGM (See "Girl From Missouri")	127
One More River—Universal (87 min.)	131
Our Daily Bread—United Artists (74 min.)	131
Over The River—Universal (See "One More River")	131
Pursued—Fox (69½ min.)	139
Redhead—Monogram (76 min.)	155
Richest Girl in the World—RKO (75 min.)	147
Romance in the Rain—Universal (75 min.)	134
Scarlet Empress, The—Paramount (103 min.)	147
Servant's Entrance—Fox (90 min.)	142
Straight Is the Way—MGM (59 min.)	142
Their Big Moment—RKO (67 min.)	134
There's Always Tomorrow—Universal (86½ min.)	139
Today We Live—Universal (See "There's Always Tomorrow")	139
Treasure Island—MGM (102 min.)	135
You Belong To Me—Paramount (76 min.)	135
Young and Beautiful—Mascot Pictures (67 min.)	138
Wake Up and Dream—Universal (76 min.)	155

RELEASE SCHEDULES FOR FEATURES

Chesterfield Features

(1540 Broadway, New York, N. Y.)

City Park—Sally Blane—Henry B. Walthall	May 1
Green Eyes—Charles Starrett—Shirley Grey	June 1

(End of 1933-34 Season)

Beginning of 1934-35 Season

The Curtain Falls—H. Crosman—D. Lee	Oct. 1
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Columbia Features

(729 Seventh Ave., New York, N. Y.)

4025 Blind Date—Ann Sothern	July 20
4218 Beyond the Law—Tim McCoy	July 20
4009 Lady Is Willing—Howard—Barnes	July 30
4032 Name The Woman—Cromwell—Judge	Aug. 1
4029 Among the Missing—Cromwell—Seward	Aug. 15
4037 Girl in Danger—S. Grey—R. Bellamy	Aug. 20
4022 I'll Fix It—Jack Holt	Oct. 15
4010 Lady By Choice—Carole Lombard	Oct. 15
The Captain Hates the Sea—Gilbert	Oct. 22

(More to come on the 1933-34 Season)

Beginning of 1934-35 Season

5003 One Night of Love—Grace Moore	Sept. 15
5022 That's Gratitude—Craven—Carlisle	Oct. 13

First National Features

(321 W. 44th St., New York, N. Y.)

770 Return of the Terror—Astor—Talbot	July 7
779 Midnight Alibi—Barthemess—Dvorak	July 14
777 Side Streets (Diamond Dan)—MacMahon—Kelly	July 14
763 Man With Two Faces—Robinson—Astor	Aug. 4
764 Dragon Murder Case—William—Lindsay	Aug. 25
751 British Agent—Francis—Howard (81 min.)	Sept. 15

(End of 1933-34 Season)

Beginning of 1934-35 Season

862 A Lost Lady—Stanwyck—Cortez	Sept. 29
864 6-Day Bike Rider—Joe E. Brown	Oct. 20
873 I Sell Anything—O'Brien—Dvorak—Dodd	Oct. 20
867 Happiness Ahead—Powell—Hutchinson	Oct. 27

Fox Features

(444 W. 56th St., New York, N. Y.)

440 Wild Gold—Boles—Trevor—Green	June 8
No release for	June 15
439 Baby Take a Bow—Temple—Dunn	June 22
448 She Learned About Sailors—Faye	June 29
443 Charlie Chan's Courage—Oland	July 6
No release for	July 13
451 She Was A Lady—Twelvetrees—Woods	July 20
450 Grand Canary—Baxter—Evans	July 27
452 Handy Andy—Rogers—Carlisle	July 27

(End of 1933-34 Season)

Beginning of 1934-35 Season

No release for	Aug. 3
No release for	Aug. 10
501 The Cat's Paw—Harold Lloyd	Aug. 17
502 Pursued—Ames—Hardie—Kelton	Aug. 24
503 The World Moves On—Tone—Carroll	Aug. 31
504 Servant's Entrance—Gaynor—Ayres	Sept. 7
505 Charlie Chan in London—Oland—Leyton	Sept. 14
506 Love Time—Paterson—Asther—Mundin	Sept. 21
507 The Dude Ranger—George O'Brien	Sept. 21
509 Judge Priest—Rogers—Brown—Fetchit	Sept. 28
508 Caravan—Boyer—Young—Parker	Oct. 5
510 Elinor Norton—Trevor—Williams—Crosman	Oct. 12
512 Gambling—Cohan—Gibson—Burgess	Oct. 19
516 Peck's Bad Boy—Cooper—Meighan—Searle	Oct. 19
511 Marie Galante—S. Tracy—Gallian—Sparks	Oct. 26

Gaumont-British Features

(1600 Broadway, New York, N. Y.)

Chu Chin Chow—Anna May Wong	Oct. 15
Power—Conrad Veidt	Oct. 30

Invincible Features

(1540 Broadway, New York, N. Y.)

- Fifteen Wives—Tearle-Moorhead June 1
Fugitive Road—Eric Von Stroheim July 1
One In a Million—Charles Starrett Aug. 15

(End of 1933-34 Season)

Beginning of 1934-35 Season

- Port of Lost Dreams—Wm. Boyd-Lola Lane Oct. 15

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

- 313 Sadie McKee—Crawford-Tone May 11
(One more Norma Shearer to come on the 1932-33 Season)

1933-34 Season

- 436 The Hollywood Party—Durante June 1
No release set for June 8
410 Operator 13—Davies-Cooper-Healy June 15
No release set for June 22
446 Murder in the Private Car—Ruggles June 29
No release set for July 6
428x Stamboul Quest (Lee Tracy No. 2)—Loy July 13
No release set for July 20
429x Paris Interlude (Lee Tracy No. 3)—Evans July 27
417 The Girl From Missouri—Harlow-Tone Aug. 3
403 Treasure Island—Beery-Cooper Aug. 17
411 Student Tour—Durante-Butterworth Oct. 12
419 What Every Woman Knows—Hayes-Aherne .. Oct. 19
(More to come on the 1933-34 Season)

Beginning of 1934-35 Season

- 538 Straight Is The Way—Tone-Morley Aug. 10
525 Hideout—Montgomery-O'Sullivan Aug. 24
532 Chained (Tempted)—Crawford-Gable-Kruger Aug. 31
527 Have a Heart—Dunn-Parker Sept. 7
539 Death on the Diamond—Young-Evans Sept. 14
552 Barretts of Wimpole Street—Shearer Sept. 21
506 Outcast Lady—Bennett-Marshall Sept. 28
No release set for Oct. 5

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

- 2027 Money Means Nothing—Shea-Ford June 15
2034 Shock—Forbes-Gill July 20
2029 Happy Landing—Farnum-Walker-Wells July 30
2014 Jane Eyre—Clive-Bruce (reset) Aug. 15
2030 The Moonstone—Manners-Barry Aug. 15
2012 King Kelly of the U. S. A.—Robertson (r) .. Sept. 15
(End of 1933-34 Season)

Beginning of 1934-35 Season

- 3002 Tomorrow's Youth—Sleeper (63 min.) Sept. 15
3001 Girl of the Limberlost—Marsh (reset) Oct. 15
3031 Trail Beyond—John Wayne (55 min.) Oct. 22
3012 Redhead—Cabot-Bradley-Toomey Nov. 1
3020 Lost in the Stratosphere (Murder in the Stratosphere)—Bill Cagney Nov. 15

Paramount Features

(1501 Broadway, New York, N. Y.)

- 3342 Murder At the Vanities—Oakie-McLaglen... May 25
3347 Little Miss Marker—Menjou-Temple June 1
3349 Many Happy Returns—Burns-Allen June 8
3350 The Great Flirtation—Menjou-Landi June 15
3351 Here Comes The Groom—Haley-Boland ... June 22
3352 Shoot The Works—Oakie-Dell-Bernie June 29
3354 Kiss and Make-Up—Tobin-Grant July 6
3355 The Old Fashioned Way—Fields July 13
3356 Notorious Sophie Lang—Michael July 20
3357 Elmer and Elsie—Bancroft-Fuller July 27
3353 Belle of the Nineties—Mae West Sept. 21
(End of 1933-34 Season)

Beginning of 1934-35 Season

- 3401 Ladies Should Listen—Grant-Drake Aug. 3
-3404 She Loves Me Not—Crosby-Hopkins Aug. 10
-3402-Crime Without Passion—Rains (reset) Aug. 24
-3405-You Belong To Me—Mack-L. Tracy Aug. 24
-3406-Now And Forever—Cooper-Lombard-Temple Aug. 31
-3403-The Scarlet Empress—Marlene Dietrich .. Sept. 7
-3408-Wagon Wheels—Scott-Patrick-Hatton Sept. 21
-3411-Lemon Drop Kid—Mack-L. Tracy Sept. 28
-3410-Cleopatra—Colbert-William Oct. 5
-3412-Ready For Love—Arlen-Lupino Oct. 12
-3407-Mrs. Wiggs of the Cabbage Patch—Lord. Oct. 19
3413-Menace—Michael-Cavanagh-Lodge Oct. 26

RKO Features

(1270 Sixth Ave., New York, N. Y.)

- 4103 Wild Cargo—Frank Buck Apr. 6
4118 This Man Is Mine (Lady Sal)—I. Dunne... Apr. 13
4139 Sing and Like It—Pitts-Kelton Apr. 20
4137 Crime Doctor—Kruger-Morley-Asther Apr. 27
4134 Finishing School—Dee-Cabot-Rogers May 4
4149 Where Sinners Meet—Wynyard-Brook May 18
4143 Stingaree—Dunne-Dix-Boland May 25
4142 Strictly Dynamite—Durante-Velez June 1
4147 Murder on the Blackboard—Oliver June 15
4140 Life of Vergie Winters—Harding-Boles June 22
4112 Cockeyed Cavaliers—Wheeler-Woolsey June 29
4144 Let's Try Again—Wynyard-Brook July 6
4145 We're Rich Again—Oliver-Burke-Nixon July 13
4105 Of Human Bondage—Howard-Davis July 13
4141 Bachelor Bait—Erwin-Kelton-Hudson July 27
4124 His Greatest Gamble (The Family Man) Aug. 3
4146 Their Big Moment—Pitts-Summerville Aug. 10
4148 Joan Lowell Adventure Girl Aug. 17
4110 Hat, Coat and Glove (Fugitive From Glory—John Barrymore)—Cortez Aug. 24
4138 Down To Their Last Yacht—Boland Aug. 31

(One Technicolor special to come)

(End of 1933-34 Season)

Beginning of 1934-35 Season

- 502 The Fountain—Harding-Lukas Aug. 31
503 Age of Innocence—Dunne-Boles Sept. 14
504 The Richest Girl in the World—Hopkins Sept. 21
506 Dangerous Corner—Bruce-Douglas-Nagel Oct. 5
505 The Gay Divorce—Astaire-Rogers Oct. 12

United Artists Features

(729 Seventh Ave., New York, N. Y.)

- Sorrell and Son—H. B. Warner Apr. 20
Born To Be Bad—Loretta Young May 18
(End of 1933-34 Season)

Beginning of 1934-35 Season

- Bulldog Drummond Strikes Back—Colman July 20
Affairs of Cellini—March-Bennett Aug. 24
Count of Monte Cristo—Donat-Landi Sept. 7
The Last Gentleman—George Arliss (reset) Sept. 21
Our Daily Bread—Morley-Keene Sept. 28
The Private Life of Don Juan—Fairbanks Oct. 19
Transatlantic-Merry-Go-Round—N. Carroll Nov. 2
The Queen's Affairs—English cast Nov. 9
(“We Live Again,” listed in the last Index as a September 21 release has been temporarily postponed)

Universal Features

(1250 Sixth Ave., New York, N. Y.)

- A7001 One More River (Zest)—Wynyard-Clive.. Aug. 6
A7002 Romance in the Rain (A Trip to Mars)—Pryor-Angel-Moore Aug. 13
A7029 The Human Side—Menjou-Kenyon Aug. 27
A7003 Imitation of Life—Claudette Colbert Oct. 29
(End of 1933-34 Season)

Beginning of 1934-35 Season

- A8035 There's Always Tomorrow—Barnes-Morgan Sept. 10
A8014 Million Dollar Ransom—Arnold (reset) .. Sept. 17
A8030 Gift of Gab—Lowe-Stuart (reset) Sept. 24
A8021 Wake Up and Dream (Castles in the Air)—Columbo-Knight Oct. 1
A8027 One Exciting Adventure (What Women Dream)—Barnes-Hamilton Oct. 15
A8029 Great Expectations—Hull-Wyatt Oct. 22

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

- 464 Here Comes the Navy—Cagney-O'Brien July 21
475 Friends of Mr. Sweeney (Country Club)—Ruggles-Dvorak July 28
478 Housewife—Davis-Brent-Dvorak Aug. 11
453 Dames (Sweethearts Forever)—Powell Sept. 1
452 Madame DuBarry—Del Rio-Owen Oct. 13
(End of 1933-34 Season)

Beginning of 1934-35 Season

- 821 Desirable (A Lady Surrenders)—Muir-Brent-Teasdale Sept. 8
822 The Case of the Howling Dog—William Sept. 22
830 Big Hearted Herbert—MacMahon-Kibbee Oct. 6
819 Kansas City Princess—Blondell (reset) Oct. 13

SHORT SUBJECT RELEASE SCHEDULE

Bud n' Ben Pictures Corp.—Three Reels

(1508 Paramount Building, New York, N. Y.)

Pot Luck Pards—Bud N' Ben (30 min.) July 1
 Nevada Cyclone—Bud N' Ben (30 min.) Aug. 15
 Romance Revier—Bud N' Ben (30 min.) Sept. 25
 West On Parade—Bud N' Ben (30 min.) Oct. 25
 ("Rawhide" listed in the last Index as a September 15 release has been temporarily postponed)

Columbia—One Reel

4611 Relay Race—Scrappys (cart) (6 min.) July 6
 4408 Simple Solution—Minute mystery (10 min.) July 6
 4409 By Persons Unknown—Minute mys. (9½m) July 14
 4711 Snapshots No. 11—(9½ min.) July 20
 4907 Laughing with Medbury In The Islands of the Pacific—(8½ min.) July 23
 4310 March of the Years No. 10—(10½ min.) .. Aug. 3
 4410 Professor Gives a Lesson—Min. mys. (10 m.) Aug. 3
 4612 The Great Experiment—Scrappy c. (6½m.) Aug. 3
 4908 Laughing with Medbury Among the Latins—(8½ min.) Aug. 3
 4712 Snapshots No. 12—(9½ min.) Aug. 10
 4811 Decks Awash—World of Sport (9 min.) Aug. 10
 4812 Rowing Rhythm—World of Sport (10 min.) Aug. 18
 4813 Anything for a Thrill—World of Sport 8½m Aug. 30
 4613 Scrappy's Expedition—Scrappys cart 7½m. Aug. 31
 4713 Snapshots No. 13—(8½ min.) Aug. 31
 (End of 1933-34 Season)

Beginning of 1934-35 Season

5401 Spice of Life No. 1—(8 min.) Sept. 10
 5351 Life's Last Laughs No. 1—(8 min.) Sept. 15
 5901 Laughing with Medbury in the Arctic—(9½ min.) Sept. 15
 5801 Good Golfers Start Young—Sport Thrills—(11 min.) Sept. 20
 5701 Snapshots No. 1—Series 14 Sept. 29

Columbia—Two Reels

4106—Mickey's Medicine Man—M. McGuire (19 min.) May 18
 4124 Susie's Affairs—musical (18 min.) June 1
 4111 Get Along Little Hubby—comedy (18½m) .. June 15
 4117 Plumbing for Gold—Sidney-Murray (18m) .. June 29
 4112 Punch Drunks—Comedy (17½ min.) July 13
 4125 Tripping Through the Tropics—mus. (18m) July 27
 4118 Back to the Soil—Sidney-Murray (19½m) .. Aug. 10
 4126 Hollywood Here We Come—Musical (19m.) Aug. 24
 (End of 1933-34 Season)

Beginning of 1934-35 Season

5101 Men In Black—comedy Sept. 20

Fox—One Reel

0519 The King's Daughter—Terrytoon (6m).... May 4
 3424 Land of Bengal—Magic Carpet (9½ min.) .. May 11
 0520 The Lion's Friend—Terrytoon (5½ min.) .. May 18
 1312 Chasing the Champions—Adv. News C. (10½ min.) May 18
 0521 Pandora—Terrytoon (6 min.) June 1
 0806 Paradise of the Pacific—Rom. jour. (9m.) .. June 1
 1003 Spotted Wings—Battle for Life (7½m.) June 8
 3425 City of the Golden Gate—Mag. car. (9m) .. June 8
 0522 Slow But Sure—Terrytoon (6 min.) June 15
 1004 Nature's Gangster—Battle for Life (6½m) .. June 15
 3426 In Old Guatemala—Magic Carpet (10½m) .. June 22
 0523 See the World—Terrytoon (5½ min.) June 29
 0524 My Lady's Garden—Terrytoon (6½ min.) .. July 13
 0525 Irish Sweepstakes—Terrytoon (5½ min.) .. July 27
 0526 Busted Blossoms—Terrytoon (6 min.) Aug. 10
 (End of 1933-34 Season)

Beginning of 1934-35 Season

1401—Man's Mania For Speed—Adventures of a News Cameraman (9 min.) Aug. 3
 3501 The Coast of Catalonia—Along the Road to Romance (9½ min.) Aug. 10
 5601—Then Came the Yawn—Treas. Chest 7½m. r. Aug. 10
 5501 Mice in Council—Terrytoon (6 min.) Aug. 24
 5901 Mountain Melody (Them Thar Hills)—Song Hit Story (10½ min.) (reset) Aug. 31
 1402 Marching With Science—Adv. News Cameraman (10½ min.) Aug. 31
 3502 In Far Mandalay—Road to Rom. (9m.) Aug. 31
 5502 Why Mules Leave Home—Terrytoon (6m.) .. Sept. 7
 5902 Time On Their Hands—Song Hit (11m) r. .. Sept. 14
 5503—Jail Birds—Terrytoon Sept. 21
 3503 Picturesque Portugal—Road to Romance... Sept. 28

Fox—Two Reels

0213 A Good Scout—Howard comedy (18 min.) .. Apr. 27
 0110 Allez Oop—Keaton comedy (21½ min.) May 25
 0214 Half Baked Relations—Andy Clyde (19½m) June 1
 0107 Dog-Gone Babies (Love and Babies)—Truex comedy (20½ min.) (reset) July 6
 0215 The Wrong Bottle—Howard com. (18m.) ... July 13
 (End of 1933-34 Season)

Beginning of 1934-35 Season

5401 I Surrender Dear—Bing Crosby (22m.) Aug. 3
 5201-Hello Sailors—Screen star com. (20m.) Aug. 17
 5101-Good Luck-Best Wishes (Bless You)—musical comedy (22½ min.) Aug. 24
 5402 One More Chance—Bing Crosby 20½m. re. Aug. 31
 5103-She's My Lily—Musical comedy (22m.) Sept. 7
 5202-Super-Stupid—Screen star com. 19½m. Sept. 14
 5102 His Lucky Day—Ernest Truex c. 20m. re. ... Sept. 21
 5403 Dream House—Bing Crosby Sept. 28

Metro-Goldwyn-Mayer—One Reel

T-911 Citadels of the Mediterranean—Traveltalks (9 min.) July 7
 W-930 The Cave Man—Whopper (cart) (7 min.) July 14
 T-912 Africa—Land of Contract—Travel. (9m) July 21
 A-966 Goofy Movies No. 6—(8 min.) July 28
 W-931 Jungle Jitters—Whopper (cart) (7m.) .. July 28
 W-931 Jungle Jitters—Whopper (cart) (7m.) .. July 28
 W-932 Good Scout—Whopper (cart.) (8m.) Not set
 W-933 Viva Willie—Whopper (cart.) (8m.) Not set
 (End of 1933-34 Season)

Beginning of 1934-35 Season

M-121 Taking Care of Baby—Oddity Aug. 25
 W-141 Discontented Canary—cartoon Sept. 1
 M-122 Pro Football—Oddity Sept. 22
 M-123 Strikes & Spares—Oddity Oct. 20

Metro-Goldwyn-Mayer—Two Reels

C-817 Another Wild Idea—Chase com. (19m.) .. June 16
 R-876 Gentlemen of Polish—Musical revue June 16
 C-804 Going Bye Bye—Laurel-Hardy (21 min.) ... June 23
 C-837 I'll Be Suing You—Todd-Kelly (19m) .. June 23
 C-818 It Happened One Day—C. Chase (19m.) .. July 7
 C-848 Speaking of Relations—All star (18m.) .. July 7
 C-838 Three Chumps Ahead—Todd-Kelly (18m.) July 14
 C-805 Them Thar Hills—Laurel-Hardy (20m.) .. July 21
 C-806 Not Yet Titled—Laurel-Hardy Not set
 (End of 1933-34 Season)

Beginning of 1934-35 Season

C-21 Mike Fright—Our Gang comedy Aug. 25

Paramount—One Reel

Z3-13 Hollywood on Parade No. 13—(10m.) July 20
 E3-12 Shiver Me Timbers—Popeye cart (6½m.) July 27
 Y3-13 Screen Souvenirs No. 13—(9½ min.) July 27
 (End of 1933-34 Season)

Beginning of 1934-35 Season

A4-1 Society Notes—Headliner (9½ min.) Aug. 3
 R4-1 Miles Per Hour—Rice Sportlight (9½m.) .. Aug. 3
 C4-1 Poor Cinderella—Color Classic (10½m.) ... Aug. 3
 V4-1 The Superstition of the Black Cat (8m.) ... Aug. 10
 P4-1 Paramount Pictorial No. 1—(9½ min.) Aug. 17
 T4-1 There's Something About a Soldier—Betty Boop cartoon (6½ min.) Aug. 17
 V4-2 Madhouse Movies No. 1—Varieties (8½m.) Aug. 24
 A4-2 Cab Calloway's Hi-De-Ho—Headliner 10m. Aug. 24
 E4-1 Axe Me Another—Popeye cart. (7 min.) Aug. 24
 R4-2 Springboard Champions—Sportlight (9½m.) Aug. 31
 V4-3 Old Kentucky Hounds—Varieties (10½m.) Sept. 7
 A4-3 The Radio Announcers' Revue—Headliner (10 min.) Sept. 14
 P4-2 Paramount Pictorial No. 2—(10 min.) Sept. 14
 V4-4 Screen Souvenirs No. 1—Varieties (9½m.) Sept. 21
 T4-2 Betty Boop's Little Pal—cart. (6½ min.) .. Sept. 21
 R4-3 Water Rodeo—Sportlight (9½ min.) Sept. 28
 E4-2 A Dream Walking—Popeye cart. (7½ min.) Sept. 28
 V4-5 Baby Blues—Varieties (10½ min.) Oct. 5
 A4-4 Club Continental—Headliner (9½ min.) ... Oct. 5
 P4-3 Paramount Pictorial No. 3—(10 min.) Oct. 12
 V4-6 Superstition of Three on a Match—(10m.) .. Oct. 19

Paramount—Two Reels

(Paramount will not make two-reelers for the 1934-35 Season)

RKO—One Reel

- 44109 Mild Cargo—Fable No. 9 (7½ min.) May 18
- 44505 Pathe Review No. 5—(10½ min.) June 1
- 44210 The Cactus King—King cart. (7 min.) June 8
- 44407 Damascus—Vagabond (9 min.) June 8
- 44110 Fiddlin' Fun—Fable (cart) (7½m.) June 15
- 44506 Pathe Review No. 6—(10½ min.) July 13
- 44408 Eyes on Russia—Vagabond No. 8 (10½m) Aug. 9
- 44507 Pathe Review No. 7—(9½ min.) Aug. 31

(End of 1933-34 Season)

Beginning of 1934-35 Season

- 54201 Dumbell Letters No. 1—(4 min.) June 22
- 54101 Grandfather's Clock—Toddletales (cartoon) (9½ min.) June 29
- 54202 Dumbell Letters No. 2—(4 min.) July 20
- 54301 Pastry Town Wedding—Rainbow Parade No. 1 (7½ min.) July 27
- 54102 Along Came a Duck—Toddletales (8½m.) Aug. 10
- 54203 Dumbell Letters No. 3—(4 min.) Aug. 17
- 54103 Not Yet Titled—Toddletales Sept. 7
- 54302 Parrottville Fire Department—Rainbow Parade No. 2 Sept. 14
- 54401 Red Republic—Vagabond No. 1 (9½m.) Sept. 21
- 54204 Dumbell Letters No. 4—(4½ min.) Sept. 28

RKO—Two Reels

- 43305 Wrong Direction—E. Kennedy c. (20½ m.) May 18
- 43805 Behind the Screen—Chaplin com. (21 m.) May 25
- 43505 Trailing Along—Stanton com. (21 m.) June 1
- 43207 Love and Hisses—Clark-McCullough 17½m June 8
- 44603 Century of Progress-1934—Special (22m) June 8
- 43605 The Undie World—Brewster com. (21 m.) June 15
- 43406 Well Cured Ham—Headliner (20 min.) June 22
- 43306 In Laws Are Out—E. Kennedy (19 min.) June 29
- 43806 The Adventurer—Chaplin com. (19½m.) July 5
- 43704 The Derby Decade—Etting (21½ min.) July 12
- 43506 What No Groceries—Tom Kennedy 20½m. July 26
- 43208 Odor in the Court—Clark-McCullough 21½m. Aug. 2
- 43606 Contented Calves—Brewster com. (20½m.) Aug. 9

(End of 1933-34 Season)

Beginning of 1934-35 Season

- 53501 Fuller Gush Man—Four Star (18 min.) Aug. 24
- 53801 Unlucky Strike—Chic Chandler (20m.) Aug. 31
- 53901 La Cucaracha—Special (20½ min.) Aug. 31
- 53301 Blasted Event—Edgar Kennedy (20½ min.) Sept. 7
- 53701 Southern Style—Ruth Etting (20m.) Sept. 14
- 53101 If This Isn't Love—Radio nms. (21m.) Sept. 28

United Artists—One Reel

- 18 The Big Bad Wolf—S. Sym. (cart.) (9 m.) Apr. 13
- 23 Gulliver Mickey—Mickey Mouse (8½ min.) May 19
- 19 Wise Little Hen—S. Sym. (7½ min.) May 28
- 24 Mickey's Steam Roller—M. Mouse (6½m.) June 15
- 20 Flying Mouse—Silly Symphony (7 min.) July 12
- 25 Orphan's Benefit—M. Mouse (9 min.) Aug. 26
- 21 Peculiar Penguins—S. Symphony (8 min.) Sept. 5
- 26 Mickey Plays Papa—M. Mouse (8½ min.) Sept. 26

Universal—One Reel

- A7267 Gooftone News No. 7—(9½ min.) Apr. 30
- A7212 Goldilocks and the Three Bears—Oswald cartoon (7½ min.) May 14
- A7248 Strange As It Seems No. 39—(10 min.) May 21
- A7213 Annie Moved Away—Oswald cart. (6½ m.) May 28
- A7214 The Wax Works—Oswald cart. (8½m.) June 25
- A7215 William Tell—Oswald cart. (6½m.) July 9
- A7216 Chris Columbus, Jr.—Oswald cart. (8½m.) July 23
- A7217 Dizzie Dwarf—Oswald cart. (8½m.) Aug. 6
- A7218 Happy Pilgrim—Oswald cart. 8½m. re. Sept. 3

(End of 1933-34 Season)

Beginning of 1934-35 Season

- A8251 Stranger Than Fiction No. 1—Nov. 8½m. Aug. 27
- A8271 Going Places with Lowell Thomas No. 1—(9½ min.) Sept. 10
- A8252 Stranger Than Fiction No. 2—(8½m.) Sept. 24
- A8201 Jolly Little Elves—Cartune classic Oct. 1
- A8221 Sky Larks—Oswald cartoon (reset) Oct. 8
- A8272 Going Places with Lowell Thomas No. 2—(10 min.) Oct. 8
- A8222 Robinson Crusoe, Jr.—Oswald cartoon Oct. 15
- A8253 Stranger Than Fiction No. 3 Oct. 22
- A8223 Park In the Spring—Oswald cartoon Oct. 29

Universal—Two Reels

- A7121 Picnic Perils—Halloway com. (20½m.) Aug. 8
- A7122 Just We Two—Doane com. (18m.) Aug. 8
- A7172 Hits of Today—Mentone No. 12 (18½m.) Aug. 15
- A7173 Fads & Fancies—Mentone No. 13 (19½m.) Aug. 22

(End of 1933-34 Season)

Beginning of 1934-35 Season

- A8401 Sentenced to Die—Red Rider No. 1 20½ m. July 16
- A8402 A Leap for Life—Red Rider No. 2 20½m. July 23
- A8403 The Night Attack—Red Rider No. 3 21m. July 30
- A8404 A Treacherous Ambush—Rider No. 4 17m. Aug. 6
- A8405 Trapped—Red Rider No. 5 (20m.) Aug. 13
- A8406 The Brink of Death—Rider No. 6 18½m. Aug. 20
- A8407 The Fatal Plunge—Rider No. 7 (18m.) Aug. 27
- A8408 The Stampede—Rider No. 8 (17 min.) Sept. 3
- A8101 A Night in a Night Club—Comedy (18m.) Sept. 5
- A8409 The Posse Rides—Rider No. 9 (17m.) Sept. 10
- A8410 Avenging Trail—Rider No. 10 (17½m.) Sept. 17
- A8102 Gus Van and His Neighbors—(17½ min.) Sept. 19
- A8411 The Lost Diamonds—Rider No.11 (18½m.) Sept. 24
- A8412 Double Trouble—Rider No. 12 (17½m.) Oct. 1
- A8103 Demi Tasse—comedy (19½ min.) Oct. 3
- A8413 The Night Raiders—Rider No. 13 (18½m.) Oct. 8
- A8104 At the Mike—Musical comedy Oct. 10
- A8414 In the Enemies Hideout—Rider No. 14 (17½ min.) Oct. 15
- A8105 World's Fair and Warmer—Comedy Oct. 17
- A8415 Brought to Justice—Rider No. 15 (18m.) Oct. 22
- A8106 Tid Bits—Comedy (21 min.) Oct. 22
- A8501 Death Flies the Mail—Tailspin Tommy No. 1 (special 3 reels) (30½ min.) Oct. 29
- A8107 Well, By George—Comedy Oct. 31

Vitaphone—One Reel

- 8012 Jolly Good Fellow—Mel. Masters (10 m.) July 7
- 8323 Dad Minds the Baby—P. Pot (9 min.) July 14
- 8212 Visit to South Seas—Mus. jour. (10 m.) July 21
- 8324 At the Races—Pepper Pot (10 min.) July 21
- 8325 Stolen Money—Pepper Pot (10 min.) July 28
- 8013 Ben Pollack & Orch.—Mel. Mas. (10 m.) Aug. 4
- 8326 Camera Speaks—Pepper Pot (9 min.) Aug. 11
- 8213 Dark Africa—Mus. journey (10 min.) Aug. 11
- 8111 Buddy's Circus—Looney Tunes (7 min.) Aug. 25
- 8110 Buddy The Woodsman—Looney Tunes (7m.) Aug. 27
- 8124 Miller's Daughter—M. Melodies (7 min.) Sept. 8
- 8112 Buddy The Detective—L. Tunes (7 min.) Sept. 15
- 8123 Girl at the Ironing Board—M. Mel. 7m. Sept. 15
- 8125 Shake Your Powder Puff—M. Mel. (7m.) Sept. 29
- 8113 Viva Buddy—Looney Tunes Date not set
- 8126 Rhythm in the Bow—M. Melodies Date not set

(End of 1933-34 Season)

Beginning of 1934-35 Season

- 9501 Pilgrim Days—See America First (11m.) Sept. 1
- 9601 Little Jack Little—P. Pot (9 min.) Sept. 1
- 9602 Rock Row No. 1—Pepper Pot (9 min.) Sept. 15
- 9603 Mr. & Mrs. Jesse Crawford—P. Pot (9m.) Sept. 29
- 9502 Boston Tea Party—See America First 11m. Sept. 29
- 9604 Vaudeville No. 1—P. Pot (11 min.) Oct. 13
- 9503 Hail Columbia—See America First (10m.) Oct. 27
- 9605 Movie Memories—P. Pot (8 min.) Oct. 27

Vitaphone—Two Reels

- 7526 Darling Enemy—Gertrude Niessen (20 m.) June 9
- 7527 Who Is That Girl?—Bernice Claire (20 m.) June 16
- 7618 Art Trouble—Big V Comedy (20 min.) June 23
- 7528 King for a Day—Bill Robinson (19 m.) June 30
- 7529 The Song of Fame—Bway. Brev. (19 m.) July 7
- 7617 The Prize Sap—Big V Comedy (19 m. re.) July 14
- 7530 The Winnah—Bway. Brevities (20 min.) July 21
- 7525 Tech #6—Leon Errol—Bway. Brev. (21 m.) July 28
- 7619 My Mummies Arms—B. V. comedy (19 m.) July 28
- 7531 The Mysterious Kiss—Bway. Brev. (19 m.) Aug. 4
- 7532 M. Mayfair-R. Ails—Bway. Brev. (20 m.) Aug. 11
- 7620 Dare Devil O'Dare—B. V. com. (19m.) Aug. 11

(End of 1933-34 Season)

Beginning of 1934-35 Season

- 9124 Syncopated City—Bway. Brev. (20 min.) Sept. 1
- 9114 Patee, Patee—Bway. Brev. (21 min.) Sept. 8
- 9201 All Sealed Up—Big V. comedy (19 min.) Sept. 15
- 9103 Good Morning Eve—Bway. Brev. (19 min.) Sept. 22
- 9215 Oh Sailor Behave—Big V. com. (17 min.) Sept. 29
- 9116 No Contest—Bway. Brevities (21 min.) Oct. 6
- 9120 Morton Downey—Bway. Brev. (20 min.) Oct. 13
- 9207 Smoked Hams—Big V. comedy (18 min.) Oct. 20
- 9112 The Flame Song—Bway. Brev. (19 min.) Oct. 27

NEWSWEEKLY NEW YORK RELEASE DATES

Universal News

- 281 Wednesday Sept. 5
- 282 Saturday Sept. 8
- 283 Wednesday Sept. 12
- 284 Saturday Sept. 15
- 285 Wednesday Sept. 19
- 286 Saturday Sept. 22
- 287 Wednesday Sept. 26
- 288 Saturday Sept. 29
- 289 Wednesday Oct. 3
- 290 Saturday Oct. 6
- 291 Wednesday Oct. 10
- 292 Saturday Oct. 13
- 293 Wednesday Oct. 17

Metrotone News

- 299 Wednesday Sept. 5
- 300 Saturday Sept. 8
- 301 Wednesday Sept. 12
- 302 Saturday Sept. 15
- 303 Wednesday Sept. 19

(End of 1933-34 Season)

Beginning of 1934-35 Season

- 200 Saturday Sept. 22
- 201 Wednesday Sept. 26
- 202 Saturday Sept. 29
- 203 Wednesday Oct. 3
- 204 Saturday Oct. 6
- 205 Wednesday Oct. 10
- 206 Saturday Oct. 13
- 207 Wednesday Oct. 17

Paramount News

- 10 Wednesday Sept. 5
- 11 Saturday Sept. 8
- 12 Wednesday Sept. 12
- 13 Saturday Sept. 15
- 14 Wednesday Sept. 19
- 15 Saturday Sept. 22
- 16 Wednesday Sept. 26
- 17 Saturday Sept. 29
- 18 Wednesday Oct. 3
- 19 Saturday Oct. 6
- 20 Wednesday Oct. 10
- 21 Saturday Oct. 13
- 22 Wednesday Oct. 17

Pathe News

- 55212 Wed. (E.) Sept. 5
- 55113 Sat. (O.) Sept. 8
- 55214 Wed. (E.) Sept. 12
- 55115 Sat. (O.) Sept. 15
- 55216 Wed. (E.) Sept. 19
- 55117 Sat. (O.) Sept. 22
- 55218 Wed. (E.) Sept. 26
- 55119 Sat. (O.) Sept. 29
- 55220 Wed. (E.) Oct. 3
- 55121 Sat. (O.) Oct. 6
- 55222 Wed. (E.) Oct. 10
- 55123 Sat. (O.) Oct. 13
- 55224 Wed. (E.) Oct. 17

Fox Movietone

- 101 Wednesday Sept. 5
- 102 Saturday Sept. 8
- 103 Wednesday Sept. 12
- 104 Saturday Sept. 15

(End of 1933-34 Season)

Beginning of 1934-35 Season

- 1 Wednesday Sept. 19
- 2 Saturday Sept. 22
- 3 Wednesday Sept. 26
- 4 Saturday Sept. 29
- 5 Wednesday Oct. 3
- 6 Saturday Oct. 6
- 7 Wednesday Oct. 10
- 8 Saturday Oct. 13
- 9 Wednesday Oct. 17

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 16.00
 Australia, New Zealand,
 India 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 P. S. HARRISON
 Editor and Publisher
 Established July 1, 1919
 Pennsylvania 6-8379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, OCTOBER 13, 1934

No. 41

An Appraisal of the 1934-35 Season's Pictures—No. 3

Paramount

In the appraisal of this company's product in last week's issue, it was stated in the analysis of "Mrs. Wiggs of the Cabbage Patch" as follows: "unfolding in a small Connecticut town during the Revolutionary War." This was a typographical error; these facts referred to "Pursuit of Happiness," the period of which is the Revolutionary War. The story of "Mrs. Wiggs of the Cabbage Patch" unfolds in a small town in Kentucky.

RKO

This company is selling 50 pictures, to be identified by production numbers ranging from 501 to 550.

Neither its contract nor its work sheet gives any description of the photoplays that it will release; the books, plays or magazine stories that will form the basis of its pictures for the current season have been taken from the annual announcement inserted in the trade papers last June.

"Anne of Green Gables," the old novel by L. M. Montgomery, with England as the background. It is something of the "Pollyanna" type. (Produced as a silent by Mutual with Mary Miles Minter.) Very good possibilities.

"Freckles," the Gene Stratton-Porter novel, with a lumber forest as the background. (Produced as a silent by Paramount.) From very good to good.

"Hide in the Dark," the novel by Frances Noyes Hart, dealing with blighted loves of young society folk, and with suicides. A melodrama of a quality anywhere from very good to good.

"Roberta," the Otto Harbach play, which was taken from the novel "Gowns by Roberta," by Alice Duer Miller, with Paris as the locale, with a fashionable dress-making establishment as the background, and with a Russian Princess as the heroine. Excellent possibilities.

"Wednesday's Child," the play by Leopold Atlas, dealing with the unhappiness of children of divorced parents. A powerful picture: very good.

"She," the novel by Henry Rider Haggard, a mystic melodrama, with the wilds of Africa as the background, and with different epochs, beginning at a time before Christ, as the time of the unfolding of the story. It will turn out a great spectacle, but it is doubtful if it will have a mass appeal. From good to fair.

"The Last Days of Pompeii," the novel by Edward Bulwer-Lytton, dealing with a love affair preceding the time of the destruction of Pompeii by the eruption of Vesuvius. A great spectacle with considerable drama. From excellent to very good.

"Laddie," the novel by Gene Stratton-Porter, with a small Indiana town as the background, and with the '70's as the time. From very good to good sentimental drama.

"By Your Leave," the stage play by Gladys Hurlbut and Emma Wells, with Mary Astor, Frank Morgan and Skeets Gallagher, with a somewhat sophisticated theme: Good possibilities: high comedy material.

"Gay Divorce," the musical comedy, a stage play, by Dwight Taylor, with Fred Astaire, the famous dancer, and Ginger Rogers. (Already produced.) Excellent.

"The Little Minister," the James M. Barrie dramatic novel, dealing with the passionate love of a minister for a gypsy, with Scotland as the locale: Excellent possibilities.

"False Dreams, Farewell!" the tragic stage play by Hugh Stange, with the locale aboard a large transatlantic ship: Unpleasant material—powerful but possi-

bly poor entertainment and poor box-office attraction.

"The Fountain," the Charles Morgan novel, with Holland of war days as the locale, with Ann Harding: Fairly good for high-class patronage, but poor for the masses—fair as an average. (Reviewed on Page 138.)

"Three Stand Alone," the dramatic novel by E. Arnot Robertson, with an island off the coast of Borneo at first, and with England afterwards, as the locale, dealing with sex and death: Poor; but with alterations, possibly fairly good.

"The Age of Innocence," Edith Wharton's dramatic novel, dealing with high society: Very good adult picture—not for children or adolescents, classed in the review on Page 151 as B.

"Alien Corn," the Sidney Howard play, dealing with a talented European piano artist (a young woman), who is "buried" in a small western town in the United States, trying to rise above her environment: From very good to good.

"The Three Musketeers," the Alexander Dumas famous adventure novel, with Francis Lederer as the swashbuckling D'Artagnan: RKO will produce it in color, with the most highly developed three-color process, used in "Cucaracha," the two-reel subject released by this company. Excellent possibilities.

"The Forsyte Saga," the John Galsworthy novel of the Forsytes, a semi-aristocratic English fictitious family, with Katherine Hepburn: Material fair, but its drawing powers anywhere from very good to good, because of the popularity of the star.

"The Richest Girl in the World," with Miriam Hopkins (Reviewed on Page 147.): A very good romantic comedy.

The number of books, plays or magazine stories that have been announced by this company through its trade-paper insert, and the number of original-story pictures that have already been produced and reviewed in HARRISON'S REPORTS, are 19. Of these, 4 show excellent possibilities, 1 excellent to very good, 4 very good, 5 from very good to good, 1 good, 1 from good to fair, 1 fair, and 2 poor.

The number of pictures you will be entitled to cancel out of this company's product will be five.

In the editorial "Code a Scrap of Paper for the Producers," which appeared in the August 18 issue of HARRISON'S REPORTS, I stated that the new season's RKO contract violates the spirit if not the letter of the ten per cent cancellation provision of the Code. A prominent executive of this company has assured me in writing that RKO does not intend to employ any subterfuges to nullify the cancellation provision, and that all branch managers have been instructed to recognize this exhibitors' right fully.

United Artists

This company may release twenty-four pictures—10 Twentieth Century, and possibly 2 more; 3 Goldwyn's; 2 Reliance and possibly 1 more; 4 Alexander Korda's, and 2 British.

The following is the quality of the pictures that have already been produced and shown:

"Bulldog Drummond Strikes Back," with Ronald Colman (reviewed on Page 86): Very good.

"The Affairs of Cellini," with Frank Morgan, Constance Bennett, Fredric March and Fay Wray (reviewed on Page 74): Very good.

"The Last Gentleman," with George Arliss (reviewed on Page 118): Good.

(Continued on last page)

"The Gay Divorcee" with Ginger Rogers and Fred Astaire

(RKO, Oct. 12; running time, 104 min.)

Excellent! It is a worthy successor to "Flying Down to Rio" for it is just as lavish and even more entertaining. And it has the distinction of being a musical also without the back stage atmosphere. The tunes are catchy, the dancing is exceptionally good, and there is enough of it to satisfy any audience. Fred Astaire and Ginger Rogers are again outstanding. The settings and costumes are attractive, particularly in the dance number called "The Continental," which has been done in black and white. Added to this is the fact that the story itself is amusing, often provoking hearty laughter. Some of it is brought about by the nit-wit behavior of Alice Brady, as Ginger's aunt; but most of it is provoked by the fact that Ginger Rogers mistakes Fred Astaire, the man who loves her, for the professional correspondent chosen to help her obtain her divorce. This naturally causes many complications and Ginger's actions so puzzle Astaire that he does not know whether he or she is crazy. The plot becomes even more amusing when the hired correspondent arrives on the scene. Edward Everett Horton contributes to the gaiety, particularly in the situation where he comes in contact with a talkative waiter who helps him choose his food. The divorce angle can hardly be objected to since it is done in a spirit of comedy, and also because it develops that Ginger does not have to obtain a divorce; she finds out that her husband is a bigamist and so she is free to marry Astaire. Some of the wisecracks are a little risqué, but the dialogue is clever.

The plot was adapted from the play by Dwight Taylor. It was directed by Mark Sandrich. In the case are Erik Rhodes, Eric Blore, Lillian Miles, and others.

Because of the wisecracks it is unsuitable for children or adolescents; excellent for adults. (Class B.)

"Lady by Choice" with May Robson, Carole Lombard and Roger Pryor

(Columbia, Oct. 15; running time, 76 min.)

Entertaining! It is far from being as good as "Lady For a Day" but it should go over with the masses because of the human appeal, and of the excellent performances by the entire cast, particularly by May Robson. There is a novel twist to the plot, but the ending is trite, resorting to the old formula of separating the rich young man from the poor young girl, only to bring them together just as she was about to leave for Europe with another man. It is a combination of comedy and pathos, brought about by the relationship of Carole Lombard and May Robson, who love each other as mother and daughter. Because of this love, May is regenerated and, from a drunken old woman looking for brawls that she was, she sobers up and becomes Carole's guardian and manager. Their affection for one another is what makes the spectator feel sympathy for them. One might resent the fact that Carole Lombard, a nightclub fan dancer, had first "adopted" May Robson as her "mother" from an old woman's home for a publicity stunt, but this resentment later turns to respect because of the affection and kindness she shows to May. The opening scenes showing May in a drunken state being brought before the Court are laugh-provoking. And there are similar amusing scenes where she gets the best of other people. There is pathos in the situation showing Carole and May parting because of a misunderstanding. The love interest is pleasant.

In the development of the plot Carole, guided by May, gives up her position as a fan dancer. May feels that by giving Carole lessons in music, acting, and dancing she can make a great actress of her. But Carole is no success. Being without funds, Carole decides to use gold-digging tactics on Roger Pryor, a millionaire lawyer and friend of May's. This angers May and her warning to Carole against such a policy, causes their separation. Carole falls in love with Roger and accepts his proposal of marriage, but there are so many objections to her marrying him that she decides to give him up and go back to her old profession of fan dancing. Just before she is to sail for Europe there is a reconciliation and everything is explained. Carole and Roger are married, and May is happy again.

The plot was adapted from a story by Dwight Taylor. It was directed by David Burton. In the case are Walter Connolly, Arthur Hohl, Raymond Walburn, and others.

Not suitable for children, adolescents, or Sundays; but harmless for adults. (Class B.)

"Power" with Conrad Veidt

(Gaumont-British; running time, 103 min.)

This is not entertainment; it is a medium by which the basest passions are appealed to. Its effect is to arouse bitterness between Jews and Christians. The Jews will find it abhorrent because of the slur it casts upon their race; and the Christians, because of the sensualism and the tyrannical character of the Duke (hero). Some of the situations, however, will be found abhorrent by both, Christians and Jews alike. One of such situations is where the Duke chases the Jewish hero's daughter with the object of seducing her: the girl, cornered, runs out to the roof and jumps to her death. Another abhorrent situation is where the Jewish vendor is framed: a low type Christian had murdered his wife and hid her body in the vendor's pushcart. The husband pretends that he had missed his wife and, the time being around the Jewish passover, he expresses the fear lest the Jews had taken her for her Christian blood needed, in accordance with an old blind Christian superstition and prejudice, by people of the Jewish faith for their rituals. They hunt for her and when they find her body they torture the poor vendor and almost start a pogrom.

Veidt, as the Jew, (the illegitimate child of a Jewish mother and of a Christian father,) is dominated by one desire—to gain power. To this end he sacrifices almost everything, even the woman he had fallen in love with. The Duke had set his eyes on her and Veidt, unwilling to displease the Duke, takes the innocent girl to the Duke, who forces her into intimate relationship.

The grief Veidt feels because of the loss of his daughter is heart-rending.

In the development of the plot Veidt is arrested for plotting against the Duke, who had died, and was about to go free when an old statute, decreeing that a Jew who had had intimate relationship with a Christian woman must die, is dug up, and Veidt is sentenced to death. On one side there are a few Jews praying, and on the other there are Christians still yelling, "Down with the Jew!"

The plot was adapted from the novel "Jew Suss," by Lion Feuchtwanger. It was directed by Lothar Mendez. In the cast are Benita Hume, Gerald DuMaurier, Frank Vosper, Pamela Ostrer and others.

Unsuitable for any decent person—Class C.

Note: I am making a personal appeal to every exhibitor in the land not to show this picture. In addition to the fact that it is not entertaining, this is not the time to show anything that arouses racial prejudices.

"Love Time" with Nils Asther and Pat Patterson

(Fox, Sept. 21; running time, 74 min.)

A pleasant comedy-drama with music. It deals with a supposed romantic interlude in the life of Franz Schubert, the famous composer, and during the unfolding of the plot some of Schubert's most popular compositions are played. Occasionally the action is slow, but the characters are sympathetic. It is entertaining for people who enjoy good music. Some of the situations, such as the one in which Asther realizes he cannot marry the girl he loves, because she is of the nobility, will stir the emotions.

The story revolves around the love affair of Asther (as Schubert, the famous composer) and Pat Patterson. Asther, feeling that he was too poor to marry Pat, leaves without telling her where he is going. The Emperor, learning that Pat was a charming girl, had ordered her to be brought to court; it seems that she was the daughter of a nobleman, and had been kept from her father because her mother had not been of noble birth and the Emperor felt that she might not have good manners and appearance. But she runs away from the Emperor's soldiers, and is determined to find Asther. She joins three roving musicians and they travel from town to town. She finds him ill and helpless, and she nurses him back to health. She is found and brought to the Emperor. She pleads with the Emperor to do something for Asther and he is commanded to play at a court concert; he is acclaimed. Pat defies the Emperor and her father and goes back to Asther. The Emperor realizes it is for the best.

The plot was adapted from a story by Richard Carroll. It was directed by James Tinling. In the case are H. B. Walthall, Herbert Mundin, Harry Green, Lucien Littlefield, Henry Kolker and Albert Conti.

Suitable for children, adolescents, Sundays. Class A.

Substitution Facts: In the worksheet Lilian Harvey and John Boles are listed as the stars. It is a star substitution.

"The Curtain Falls" with Henrietta Crosmán

(Chesterfield, October 1; 67½ min.)

Interesting and pleasing, because of good story and skillful handling. Henrietta Crosmán handles her part artistically. In the closing scenes, where she is shown at the finish of her "last act," she is a sympathetic figure. Every one in the cast, in fact, wins more or less the spectator's sympathy.

The story deals with an impoverished famous actress who, finding herself homeless, decides to put on a last act before passing out. Calling upon the close relatives of an old wealthy friend of hers, absent on an exploring expedition in Asia, she poses as the relative and makes herself at home. Every one of them thinks it is their aunt, whom they had not seen for years. She finds the home unhappy—the husband about to go into bankruptcy, the wife about to run away with another man, the son under the clutches of a gambler for checks he had given to which he had forged his father's name, and the young daughter unhappy because she could not marry the poor young man she loved. By posing as the wealthy British titled woman also with the bankers, she is able to obtain extension of the husband's notes; by visiting the gambling establishment and luring the gambler into trying his luck with her, she is able to win enough money to clear the boy and to take back the forged checks; she induces the young girl to marry her sweetheart regardless of parental objections, and in a grand "finale" during a dinner, she exposes the man with whom the wife had planned to elope, compelling the man to leave, and bringing about a better understanding between husband and wife. She reveals the fact that she is not their aunt, and suffers a collapse, as a result of which she dies.

The story is by Karl Brown; the direction, by Charles Lamont. In the supporting cast are the well known players Dorothy Lee, Holmes Herbert, Natalie Moorhead, John Darrow, William Bakewell, Dorothy Revier, Jameson Thomas, Aggie Herring, Bryan Washburn, Lloyd Ingram, and others.

The forgery by John Darrow, and the relationship between Natalie Moorhead and Jameson Thomas, have been handled with such delicacy and good taste that no offense is given to anybody. It is proper, therefore, to class this picture as A—good for anybody and at any time. Besides, it conveys a good moral.

"A Successful Failure" with William Collier, Sr.

(Monogram, Nov. 15; running time, 62 min.)

A fairly good human interest picture for neighborhood theatres. It deals with the joys and sorrows of a middle-class family. The spectator feels much sympathy for William Collier, Sr., the father, because of the way he is treated. The only thing his children can think of is how their father can earn more money so as to provide for them in better style. One feels no sympathy for the son and daughter because they do not make an effort to help. And his wife, too, joins the children in nagging him. As is usual in family squabbles, there is provoked considerable comedy. The action is a little slow, but the interest is held, particularly in the second half when Collier loses his position and is afraid to tell his family about it.

The plot was adapted from the novel by Michael Kane. It was directed by Arthur Lubin. In the cast are Lucile Gleason, William Janney, George Breakston, Richard Tucker, and others.

Suitable for children, adolescents, Sundays. Class A.

"The Dude Ranger" with George O'Brien

(Fox, Sept. 21; running time, 65 min.)

An exciting western with plentiful action. The outdoor photography is especially good. The comedy is well handled, and the romance between George O'Brien and Irene Hervey, the rancher's daughter, is charming.

The action revolves around George O'Brien, an easterner, who had inherited from his uncle a ranch. Under the guise of a tenderfoot, he obtains a position there in order to discover the cattle rustler. At first, suspicion falls on the rancher who is working the ranch on shares, but after several exciting situations, the assistant manager proved to be guilty. O'Brien and Irene are united.

The plot was adapted from a story by Zane Grey. It was directed by Edward F. Cline. In the cast are Le Roy Mason, Sid Saylor, Henry Hall, and others.

Suitable for children, adolescents, Sundays. Class A.

"Wagon Wheels" with Randolph Scott and Gail Patrick

(Paramount, Sept. 21; running time, 56 min.)

A good western of greater magnitude than the average picture of this type; it gives a vivid account of the first wagon train to go to Oregon. The pictorial effect with covered wagons and western lands as the background is very effective. There is plentiful human interest and the comedy is good. The theme song, "Wagon Wheels," is sung throughout the picture. Indian raids and the fights between Randolph Scott and Monte Blue provide the thrills and excitement.

The plot was adopted from the novel "Fighting Caravan," by Zane Grey. It was directed by Charles Barton. Others in the cast are Billy Lee, Leila Bennett, Jan Duggan, Monte Blue, Raymond Hatton, Olin Howland.

Suitable for children, adolescents, Sundays. Class A.

"The Lemon Drop Kid" with Lee Tracy and Helen Mack

(Paramount, Sept. 28; running time, 70 min.)

Fairly good entertainment for the masses. Although the story is simple, it has human interest, emotional appeal, and some comedy. There is pretty deep pathos in a few of the situations, such as the one in which Helen Mack dies after giving birth to a son; one feels pity for Lee Tracy, her husband, who loved her dearly. Another touching situation is where Tracy, a prisoner, sees his child for the first time in two years. The action is somewhat slow and it is a little depressing because of Helen's death. The love interest is charming.

In the development of the plot Tracy, a race track racketeer, in order to escape from the police who were looking for him because of a crooked deal, goes to the small town home of Henry B. Walthall, whom he had met in a drunken condition on the road. Helen Mack, Walthall's daughter, falls in love with Tracy and induces him to accept employment in the town; he soon finds himself in love with Helen. They marry and Helen tells him she is going to have a baby. One day she has a fainting spell. The doctor tells Tracy Helen is very ill and needs expert medical care. He pleads with his employer for a loan, which is refused him. Desperate, he steals the money, but too late. Helen gives birth to the child and dies. Tracy is arrested and sent to prison. He is an unruly prisoner until the warden brings his child to the prison. He is so moved at seeing his child, that he becomes a new man, and looks forward to his release. When he is freed he is heartbroken to find that his child had been adopted. But his sorrow turns to joy when he receives a call from his old pals, who had adopted the child so as to take care of him until Tracy's return. Added to his joy is the fact that he receives a five thousand dollar gift on a service he had rendered to a wealthy man. This enables him to start on the right path.

The plot was adapted from a story by Damon Runyon. It was directed by Marshall Neilan. In the cast are William Frawley, Minna Gombell, Baby LeRoy, Eddie Peabody, Robert McWade, and others.

Unsuitable for children, adolescents, or Sundays; harmless for adults. (Class B.)

TENTH PICTURES FOR THE 1934-35 SEASON

Fox

The first release of the season was "Cat's Paw," released August 17; the Tenth release is "Elinor Norton." If you have not yet cancelled one picture under the cancellation provision of the Code, you may cancel one now. If you do not wish to cancel one in the first group of ten, you may cancel two in the second group.

Paramount

"Ladies Should Listen" is the first release for the 1934-35 season, and "Ready for Love" the Tenth picture of the first group of ten. You may cancel "The Lemon Drop Kid" if you desire.

RKO

This company has not yet released enough pictures to make up the first group of ten.

You may cancel "Dangerous Corner," if you so wish.

Send at once a registered notice of cancellation of "Student Tour," the MGM picture, under the 10% cancellation provision of the Code. I understand it is no good. It is a 1933-34 release.

"We Live Again," with Anna Sten and Fredric March (reviewed in this issue): Very good, for sophisticated patronage.

"The Count of Monte Cristo," with Robert Donat (reviewed on Page 143): Excellent.

"Our Daily Bread," with Tom Keene and Karen Morley (reviewed on Page 131): Good.

"Nell Gwyne," produced in England (reviewed on Page 115): Fair: it may be placed by the churches in Class C—unsuitable for showing to anybody.

The following is the possible quality of the pictures that are to be founded on either novels, stage plays, or magazine stories:

"The Mighty Barnum," to be founded on the autobiography of P. T. Barnum, the famous circus man, with Wallace Beery and Fredric March in the leading parts: Possibly from excellent to very good.

"Clive of India," the stage play by W. P. Lipscomb and R. Minney, which has played in London but not in the United States; an adventurous melodrama, dealing with the building up of India and the attaching of it to the British Empire: From excellent to very good possibilities.

"The Call of the Wild," the Jack London novel, which deals with the adventures of a dog, which was stolen from its master in California and taken to Alaska to work for gold-strikers: A fair program grade picture.

"The Scarlet Pimpernel," the novel by Baroness Orczy, an English historical drama, with England and France as the locale, to be produced by Alexander Korda, with Leslie Howard in the hero's part: A costume play of possible quality anywhere from excellent to very good, suitable mostly for cultured picture-goers.

"Congo Raid," the Edgar Wallace novel "Sanders of the River," with British Africa as the locale, dealing with the pacification of the natives, and with the efforts of the British Government to civilize them, to be produced in England by Alexander Korda: Poor material.

No facts obtainable for the following:

"Cardinal Richelieu," with George Arliss: No facts are given to enable one to determine what the story will be, but every one almost is acquainted with the historical character Richelieu, in the pre-revolutionary days of France: Possibly a costume drama anywhere from very good to good.

"Kid Millions," with Eddie Cantor: No facts are given. The picture has been almost finished. Possibly from excellent to very good.

"The Private Life of Don Juan," with Douglas Fairbanks: No facts are given to enable one to determine what the quality will be. The picture has already been produced, in England; it will be shown here soon.

"100 Years from Now," the H. G. Wells novel, to be directed by Lewis Milestone: Since I could not obtain a copy of the book I cannot appraise this picture.

"Transatlantic Merry-Go-Round," with Jack Benny, Ralph Morgan, Nancy Carroll and Gene Raymond: No facts are given to enable one to determine this picture's possible quality.

"Forward March," a Twentieth Century picture: No story or author is given, and no star. Possibly it is one of those pictures for which one has to trust to luck.

"It Had to Happen," with Clark Gable and Constance Bennett: No story is given, nor author.

"Wedding Night" (temporary title), with Anna Sten and Gary Cooper: No facts are given; it is taking the place of "Barbary Coast," which will not be produced.

"Follies Bergere," with Maurice Chevalier, to be produced by Twentieth Century; A musical comedy: No plot is given.

"The Red Cat": This picture has been withdrawn.

There will be one more Twentieth Century, the facts of which are not given, one more Reliance, and one British.

Of the 24 pictures this company will release, 7 of them have already been produced, and 7 will be founded on either novel, stage play, or magazine story.

Of those that have already been produced, 1 is excellent, 3 very good, 2 good, and 1 fair.

Of those that will be founded on either a magazine story, or on a novel, or a stage play, the following are the possibilities: 4 from excellent to very good, 1 very good to good, 1 fair, and 1 poor.

Universal Pictures

This company has announced 36 pictures, exclusive of the 6 Buck Jones westerns. Of these, the following will be founded on books, plays or magazine stories, as described in the contract as well as the work sheet:

"Within This Present," a "Cavalcade" type novel, by Margaret Ayer Barnes, with America, mostly Chicago, as the locale, and with Margaret Sullavan as the star: Excellent possibilities.

"The Showboat," the stage musical comedy by Jerome Kern and Oscar Hammerstein, which has been taken from the novel by Edna Ferber: Excellent possibilities.

"Million Dollar Ransom," the *Cosmopolitan Magazine* story by Damon Runyon, a gangster melodrama (already reviewed on Page 146): Fair gangster melodrama.

"Strange Wives," taken from the *Cosmopolitan Magazine* dramatic story "Bread Upon Waters," by Edith Wharton, dealing with an aristocratic Russian woman who marries a wealthy American and makes a fine wife to him: Excellent possibilities.

"The Raven," to be taken from the poem by Edgar Allan Poe: Flimsy basis for a picture story. And at that, very exotic—horror class. Poor.

"Sutter's Gold," the biography of Johann A. Sutter, by Blaise de Cendrars, with the '49 as the period, and with California as the locale; it deals with the impoverishing of a once wealthy man, and with his tragic death: Only fair material; perhaps a fairly good picture, colorful.

"The Good Fairy," the play by Ferenc Molnar, with Margaret Sullavan, to be assisted by Walter Connelly: dirty material which, with cleansing, could make a good comedy, but only for sophisticated persons—not for the family.

"Transient Lady," the skating rink murder melodrama, a *Liberty Magazine* serial by Octavus Roy Cohen, with a small Southern town as the locale: a fairly good to fair program melodrama.

"Night Life of the Gods," the novel by Thorne Smith, a fantastic horror melodrama with much comedy: From excellent to very good possibilities.

"The Man Who Reclaimed His Head," the stage play by Jean Bart, a horror (revolting) murder melodrama, with Paris, France, as the locale: Poor material.

"Princess O'Hara," the *Colliers Magazine* romantic story by Damon Runyon: From very good to good.

"Magnificent Obsession," the dramatic novel by Lloyd Douglas, with America, Italy and France as the locale, and with a surgeon as the hero: From very good to good.

"Zest," the dramatic novel by Charles G. Norris, with the love affairs of young folk as the basis of the story: Poor material.

"Great Expectations," the dramatic novel by Charles Dickens, with London and the English countryside as the locale—a period story: With wise selection of the best of the abundant material the picture should turn out good.

"The Adventures of Robinson Crusoe," the DeFoe adventure novel, with the South Atlantic waters, Brazil and South Africa as the locale, and with Henry Hull in the role of Robinson Crusoe: From very good to good.

"The Mystery of Edwin Drood," the unfinished novel by Charles Dickens, a murder melodrama, with the old Cathedral town of Cloisterham and the English countryside as the background: A good murder mystery, melodramatic material.

"There's Always Tomorrow," the novel by Ursula Parrott (picture produced; reviewed on Page 139): Good.

"Gift of Gab," founded on an original story by Jerry Wald and Phil G. Epstein (reviewed on Page 155): Good—Class A.

The books, plays or magazine stories that have been announced for production through the contract, along with the pictures that have been founded on original stories and produced, are eighteen. Of these, 3 show excellent possibilities, 1 from excellent to very good, 3 very good to good, 5 good, 1 good to fair, 2 fair, and 3 poor.

(To be concluded next week)

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States \$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 15.75
 Australia, New Zealand,
 India, Europe, Asia 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 Harrison's Reports, Inc.,
 Publishers
 P. S. HARRISON, Editor
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, OCTOBER 20, 1934

No. 42

What Shall Be Done With Your 1933-34 Surplus Shorts?

Because of the insistence of all short subject selling distributors that you, in order to get their features, contract also for all their shorts, no matter whether you need them or not, many of you are no doubt now finding yourselves with 1933-34 shorts on your hands you cannot use, and you would want, I am sure, to get rid of. You cannot use them during the current season because, despite the prohibitive provision in the Code, these distributors are again compelling you to buy all their shorts.

Can you get rid of at least some of them? Let us examine the matter:

Part 5, Division D, of Article V of the Code reads as follows:

"No Distributor shall require as a condition of entering into a contract for the licensing of the exhibition of feature motion pictures that the Exhibitor contract also for the licensing of the exhibition of a greater number of short subjects (excepting newsreels), in proportion to the total number of short subjects required by such Exhibitor, than the proportion of the feature pictures for which a contract is negotiated bears to the total number of feature pictures required by the Exhibitor."

Though the grammatical construction of this clause seems somewhat complicated, the meaning of it is perfectly clear: no distributor can compel an exhibitor to contract for more shorts than he requires to complete his programs on the days he shows that distributor's feature pictures. In other words, a distributor may compel you to buy from him enough shorts to enable you to fill in the remaining time of your bill on the days you show his features, but cannot compel you to buy other shorts than these, to show with another distributor's features.

Because of this provision in the Code, an important question arises: when you buy from a distributor fifty-one, for instance, feature pictures, you are compelled to buy from him enough short subjects to take care of your needs on the days you show his feature pictures; but when he delivers the features, eight, for example, less, then he has oversold you the proportion of short subjects required for the eight features he has failed to deliver.

Let us take specific examples:

Columbia: Columbia sold thirty-seven regular features and specials, and twelve westerns. If you bought only the regulars and the specials and after you compute the number of shorts that you required for these thirty-seven you find that you have short subjects left you may bring Columbia before the Grievance Board demanding that you be relieved of the left-over shorts. (Up to "The Captain Hates the Sea" this company has released thirty-three features, not counting in the westerns. It will deliver more, perhaps all.)

First National: This company has not only released its program five feature pictures short, but also delivered five substitutions. Those who have accepted the substitutions have received only twenty-five features; those who have not accepted them have received only twenty features. The proportion of short subject that this company has oversold you, therefore, is the proportion that the ten features it has not delivered would have required to complete your programs on the days you would have shown this company's feature pictures.

Because of the fact that many of you have bought the two programs together—First National and Warner Bros.—it is necessary that we group the two programs:

The total number of feature pictures Warner-First National have sold you is sixty. The total number they have delivered, the substitutions inclusive, is fifty-one; exclusive of the substitutions, the total number is forty-five. The number of short subjects these companies have oversold you, then, is the number that you would have required to complete your programs on the days you would have shown their pictures: If you have accepted the substitutions, the number of short subjects that you are entitled to cancel is the number that would have been required to complete the program on the days you would have shown the nine features; if you have not accepted them, then the number of shorts you would be entitled to cancel would be those that would have been required to make up the program for the fifteen features.

Fox: Fox sold you fifty-two and delivered fifty-one; therefore, you haven't much leeway.

Metro-Goldwyn-Mayer: Up to "What Every Woman Knows," which has been set for release October 19, this company has, with the substitutions counted in released thirty-four pictures of the forty-eight (including "Eskimo" and "Dinner at Eight") it sold you the Home Office says that more are to come, but it does not state how many the "more" are to be. Therefore, you should protect your interests by not booking more shorts from it than you are obliged to book under the Code, until you know how many more features this company will deliver.

As said, MGM has delivered so far, including the substitutions, thirty-four feature pictures. Those who have not accepted the substitutions have received only thirty-one; therefore, the shorts they should book should be enough to complete the programs on the days they would have shown MGM pictures, and no more.

Paramount: This company sold you a maximum of sixty-five feature pictures, and has delivered fifty-seven. If you booked shorts for sixty-five pictures, then you should request your branch manager to accept the cancellation of shorts for eight pictures. If he should refuse to cancel them, then you should take him before the Grievance Board.

RKO: This company sold you fifty-one and has delivered forty-two; it intends to deliver one more, the natural color picture. This will make the total number of features forty-three, and its program is eight feature pictures short. In addition to this, it has delivered one substitution—"Long Lost Father."

Those who have accepted the substitution may demand the cancellation of the proportion of short subjects that would have been required for the exhibition of the undelivered features, which are, as said, eight: those who have not accepted the substitution are entitled to demand the cancellation of the proportion for nine features.

United Artists: Since the number of shorts this company has sold is small, you have been able to absorb them all without any hardship.

Universal: Up to "Imitation of Life," Universal will have delivered, including the substitutions, thirty-one feature pictures, being short five pictures from the thirty-six it has sold, exclusive of the westerns.

The number of substitute pictures it has delivered is six, making the program eleven features short for those who have not accepted the substitutions.

(Continued on last page)

"Dangerous Corner" with Virginia Bruce, Conrad Nagel and Melvyn Douglas

(RKO, Oct. 5; running time, 66 min.)

This may prove interesting to sophisticated audiences, but because it is almost devoid of action, depending on conversation to interest the spectator, it will hardly please the masses. The absence of action and the continual talk may bore them. And the trick ending will puzzle them; probably they will not know what it is all about. This is caused by the fact that there are two endings to the picture, and the spectator is left to decide for himself which one is really the ending. It is brought about in this manner: a group of people are gathered together and the topic of conversation turns to Conrad Nagel's brother, who had killed himself some time previously. Some one suggests that they dance, but a tube in the radio set blows out and since no other tube is available the conversation continues. During the conversation the brutal truth about each one's character is brought out. It develops that Melvyn Douglas, and not the dead man, as every one had thought, had stolen money from the firm; but he had done this to help Betty Furness, wife of one of his partners, to pay a gambling debt. To the surprise of all, who thought Betty was happy, she confesses that her marriage is a complete failure. Erin O'Brien-Moore, married to Conrad Nagel, tells the assembled guests she had loved Nagel's brother and that his death had made her miserable. It is brought out also that Virginia Bruce had been in love with Nagel, and through direct questioning finally confesses that she had killed the brother, but accidentally. Douglas, who loved her and had suspected the truth all along, tells her he will stand by her. Suddenly, there is a flash-back to where the conversation had first started, and a tube for the radio is found, the implication being that, since there will be dancing, there will be no conversation, and without conversation, no chance for the truth about the character of each to be brought out. And so each one goes on thinking of the other as before. And Virginia finally accepts Douglas' proposal of marriage.

The trouble is that there is no caption to warn the audience that this is a second ending. Most people will be in doubt as to its meaning, particularly when they see the same scene over again, but with a different ending.

The plot was adapted from the stage play by J. B. Priestley. It was directed well by Phil Rosen. In the cast are Ian Keith, Henry Wadsworth and Doris Lloyd.

Unsuitable for children, adolescents, or Sundays. (Class B.)

"The Merry Widow" with Jeanette MacDonald and Maurice Chevalier

(MGM, Release date not set; time, 99 min.)

A one million dollar disappointment. To begin with, the plot has been changed so that it is no longer the "Merry Widow" either of the stage, or of the screen as produced with Mae Murray and John Gilbert. Following this, Maurice Chevalier is altogether miscast in the part of the hero: When one remembers the fire and the dash John Gilbert put into the part of the Prince, one's heart feels broken to see the "butchering" that has been done by Mr. Chevalier. Aside from the fact that he has clowned the part, and that he lacks the dash and the gallantry that the Prince's part requires, he has a facial defect which, added to his poor enunciation, would prove sufficient to rob the picture of its dramatic intensity. Miss MacDonald does the best she can under the handicap; but even her fine voice and charming personality are unable to overcome these defects. The picture has been produced most lavishly, and has been given a fine directorial touch by Mr. Lubitsch, but it lacks soul.

The story revolves around a Prince of a fictitious Kingdom who is ordered to make love to a wealthy widow and to marry her, for the King feared that if she should marry some foreigner her money might be taken out of the kingdom. This might bankrupt it. Misunderstandings occur, but the Prince, who had finally fallen in love with the pretty widow, succeeds in winning her.

The screen play is by Ernst Vajda and Samuel Raphaelson; it was taken from the book and lyrics by Victor Leon and Leo Serin, and from the music by Franz Lehar. Edward Everett Horton, Una Merkel, George Barbier and others are in the supporting cast.

Because of the wisecracks and of "meaningful" acts of some of the characters, the picture is not suitable for either children or adolescents, and not a good Sunday show; but it is harmless for adults. Class B.

"Student Tour" with Jimmie Durante and Charles Butterworth

(MGM, Oct. 12; running time, 83½ min.)

Poor! The plot is trite, and the dialogue and situations forced. Jimmie Durante and Charles Butterworth, two good comedians, struggle with their material, but hopelessly. Supposedly a comedy with music, there is a dearth of comedy and not even in the musical end does it present anything unusual. The songs are just fair, the dance ensembles without imagination, and in general the total effect is just dullness. The only thing it can boast of is some lavish sets. Even the love interest falls flat because neither Phil Regan nor Maxine Doyle have outstanding personalities; they sing fairly well, but are colorless.

The plot revolves around a college crew who were promised a tour and a chance to take part in the English races if they passed their regular school work. But each one of them fails in his philosophy test, and Butterworth, their instructor, agrees to coach them on the boat and so help them. Maxine Doyle, Butterworth's niece, a plain-looking girl, loves Phil Regan, one of the crew, but he treats her like a pal. At a masquerade ball Maxine dresses up and by wearing a mask makes Phil believe she is a stranger. He falls in love with her. The next day he thinks it was another girl and Maxine is unhappy when he makes love to that girl. With her help, he eventually passes the school test, and wins the race. And Maxine gives him a chance to find out that it was she, and not the other girl, he loved. They are united.

The plot was adapted from a story by George Seaton, Arthur Bloch and Samuel Marx. It was directed by Charles F. Reisner. In the cast are Douglas Fowley, Florine McKinney, Monte Blue, and others. (Coast Review.)

Suitable for children, adolescents, and Sundays. Class A.

EDITOR'S NOTE: You should cancel it at once under the 10% cancellation provision of the Code.

"The Outcast Lady" with Constance Bennett and Herbert Marshall

(MGM, September 28; running time, 77 min.)

Even though the story is very good, the picture has turned out only moderately entertaining. And all because Constance Bennett does not fit the part of Iris, the heroine; instead of an aggressive actress, such as Miss Bennett is, the producers should have employed a more delicate actress, more fragile-like. In the situation at the hospital, where Miss Bennett is supposed to be dying, she is acting as if she were entertaining guests. And Herbert Marshall does not help the picture much either; he lacks the fire that was displayed by John Gilbert, the actor who took the same part in the silent version, with Greta Garbo, released under the title "A Woman of Affairs," which is no other than Michael Arlen's sex story "The Green Hat," disinfected. Nor does Hugh Williams do any better. The picture could not, in fact, have been cast much worse:—

Constance Bennett, in love with Herbert Marshall, is embittered when his father objects to their marrying, and Herbert, intent upon making a name for himself and then marrying Constance, goes to India. After a separation of a few years Constance, feeling that Herbert would not return, marries Ralph Forbes, her brother's friend. Marshall returns just as Constance is married to Forbes. On the wedding night, Constance receives an anonymous letter revealing Forbes' sordid past. He is so ashamed that he kills himself. Not wanting to shatter her brother's faith in Forbes, she allows him and others to think that Forbes had killed himself because he had discovered something humiliating about her. The brother thereafter refuses to see or speak to her. As time passes, Constance becomes a much talked of woman. Marshall marries Elizabeth Allen. Constance's brother dies, and she becomes very ill. She calls for Marshall, who hurries to her side. When she recovers Marshall insists that she go away with him. The night they are to leave Marshall, who had found out the cause of Forbes' suicide, reveals the facts to his family so that they might know what a thoroughbred Constance is. She now feels that she does not want to go away with Marshall. Bidding all goodbye, she enters her car, drives it at a fast speed, and deliberately crashes into a tree; she is killed.

It was directed by Robert Z. Leonard. In the cast are Mrs. Patrick Campbell, Henry Stephenson, Lumsden Hare, and others. (Coast Review.)

Unsuitable for children, adolescents, or Sundays. Class B.

"Happiness Ahead" with Dick Powell*(First National, Oct. 27; running time, 85½ min.)*

Just a fairly pleasant romantic program comedy with music. Although the plot is familiar it has enough human appeal to hold the spectator's interest. Dick Powell should please his fans for he sings several popular songs, and in addition gives an engaging and natural performance. Josephine Hutchinson, a well known New York stage actress, but a newcomer to the screen, makes only a fair impression. The audience is held in fairly tense suspense due to Josephine's posing as a poor girl when in reality she is wealthy. She does this to hold Powell, who was a hard worker, and who would have given her up if he had known she was wealthy.

In the development of the plot Josephine, longing to have a really good time, sneaks out of the house and wanders into a chop suey restaurant, instead of joining her parents at a party they were giving on New Year's Eve. She becomes acquainted with Powell and with his friends, and when Powell asks to see her again she gives him an address in a poor section. She takes an apartment there and she and Powell meet frequently; they soon fall in love. He tells her he needs \$2,000 to enter the window cleaning business and she goes to her father for the money. Powell, who had been cleaning windows in an office building, sees her taking the money and misunderstands. They part and Josephine goes back home, ready to marry the man of her mother's choice. But her father intervenes, bringing Josephine and Powell together.

The plot was adapted from a story by Harry Sauber, and directed by Mervyn LeRoy. In the cast are John Halliday, Frank McHugh, Allen Jenkins, Ruth Donnelly, Dorothy Dare, Marjorie Gateson, and others.

Suitable for children, adolescents, Sundays. (Class A.)

"We Live Again" with Anna Sten and Fredric March*(United Artists; release date not set; running time 83 min.)*

It is a very good adult picture, suited more for large cities than for small towns. The direction, acting, settings, and photography are superb. Fredric March does excellent work. And so does Anna Sten, who has developed since her last picture; she transmits to the audience all the despair, hopelessness and suffering she feels. There are some moments of such dramatic power and charming pictorial beauty that the spectator will be deeply moved. One of such situations is where March, Anna, and others go to church on Easter eve; the orthodox ceremony and church music are enchanting.

But this is not a picture to leave the audience in a happy frame of mind. It is a combination of tragedy and human suffering, and only at the beginning is there any suggestion of happiness. The gradual decline of March, from a man of ideals, to a sensual, heartless person, is depressing, particularly because in his decline he brings about the heroine's downfall. March is not a sympathetic character; he seduces the heroine and then forgets about her. But in the end one pities him; he becomes regenerated, giving up all his worldly possessions to follow the heroine in her exile to Siberia. Many of the situations will stir the emotions and bring tears to the eyes. This happens mostly in the scenes in prison where the heroine cries out in agony at the pain caused her by seeing March again; she recalls all the events leading to her downfall and disgrace.

In the development of the plot Anna, after giving birth to March's child, is heartbroken when the baby dies. She goes to Moscow, becomes a prostitute and is brought to trial on charges of having murdered one of her customers. March, who, at the request of his intended father-in-law, accepted a place on the jury, is shocked when he sees her. Through a slight error in the wording of the verdict, Anna is sentenced to five years' hard labor in Siberia. March is frantic; he tries to obtain her freedom but he is only laughed at. He goes to see Anna and pleads for forgiveness but she scorns him. Feeling that he must atone for the suffering he had caused Anna, he gives up all his lands and wealth, and joins her in her exile to Siberia. This brings peace and happiness to them both.

The plot was adapted from the novel by Leo Tolstoy. It was directed by Rouben Mamoulian. Others in the cast are Jane Baxter, C. Aubrey Smith, Sam Jaffe, and others.

This is the third version of "Resurrection," it was produced once by Paramount, and again in 1927 by United Artists.

Unsuitable for children, adolescents, or Sundays; suitable for adults. (Class B.)

"Mrs. Wiggs of the Cabbage Patch" with Pauline Lord, Zasu Pitts and W. C. Fields*(Paramount, Oct., 19; running time, 78 min.)*

Except for the last fifteen minutes, which are somewhat slow and a little far-fetched, "Mrs. Wiggs of the Cabbage Patch" should appeal to every one, because of the comedy and human interest. There are situations that will bring tender tears. One such situation is where the crippled child dies and Pauline Lord, the mother, is alone with him. The cheerful disposition of Miss Lord, and her courageous attitude, make the spectator be in warm sympathy with her. One charming scene is where Miss Lord, wanting to keep up the courage of her children on Thanksgiving Day because there is no food in the house, gathers them around her and makes them sing hymns. One is kept laughing throughout at the antics of the children, particularly in the situation where for the first time they go to the opera house to see a show. W. C. Fields, as the suitor of Zasu Pitts, a spinster maid, adds much to the gaiety. Although incidental, the love affair between Evelyn Venable and Kent Taylor is pleasant. The old fashioned costumes and background add much to the simpleness and charm of the story.

The plot revolves around Mrs. Wiggs and her five children. Mr. Wiggs, a "thinking" man, had gone off to the Klondike in search of gold and Mrs. Wiggs had to take in washing to feed her children. Kent Taylor, a newspaper publisher, and his sweetheart, Evelyn Venable, take an interest in the Wiggs family and help them along. One of the children, who suffered from a cough, is taken to a hospital and eventually dies. Just as the house was to be taken away from Mrs. Wiggs, because the last payment of \$25 had not been made, Mr. Wiggs, broke, returns home and Kent secretly gives him the money to meet the installment with. Things now look brighter for the Wiggs family because the railroad offered them a good profit for their property. And their friends, too, are happy. Zasu Pitts finds a husband, and Evelyn and Kent are married.

The plot was adapted from the novel by Alice Hengan Rice and Anne Crawford. It was directed by Norman Taurog. In the cast are Donald Meek, Charles Middleton, Jimmy Butler, Edith Fellows, and George Breakston.

Good for children, adolescents, and Sundays. An excellent family entertainment. (Class A.)

"I'll Fix It" with Jack Holt and Mona Barrie*(Columbia, Oct. 15; running time, 68 min.)*

The element of human interest, aroused by the devotion and love of two brothers for each other, is what makes "I'll Fix It" entertaining. The story is somewhat unpleasant, in that the hero uses his political power to obtain what he wants. At one time he is shown going so far as to have the heroine, a teacher, discharged from her position because she refused to pass his younger brother, who could not meet with her examination requirements. The heroine is a sympathetic character, adhering to her ideals, and refusing to be bribed by the hero. The eventual regeneration of the hero makes the spectator feel more sympathetically towards him. Winnie Lightner and Edward Brophy handle the comedy sequences effectively.

In the development of the plot the hero's young brother is removed as Captain of the baseball team because he cannot pass his examinations. After a visit from the hero, the heroine agrees to coach the boy and help him pass the test. The hero and the heroine become friendly. During a written examination she notices the boy cheating by copying out of a book and she tells this to the hero. The brother denies it and the hero accepts his word. The hero, then, uses his political influence to have the heroine discharged. The heroine organizes a teachers' protest parade and the newspapers carry headline stories about her case. An investigation is ordered into the hero's affairs, and things look bad for him because of incriminating evidence which the hero's secretary had stolen from his files, and which she intended to deliver to the authorities in case the hero refused to buy it from her. The hero's brother meets with an accident and at the hospital he penitently confesses that he had lied about the cheating. At the hearing, the heroine, realizing that she loved the hero and that she might have done him an injustice, testifies in his behalf, and later with the help of her pal manages to destroy the stolen papers. The hero is cleared and since he, too, loved the heroine, they are united.

The plot was adapted from a story by Leonard Spigelgass. It was directed by Roy William Neill. In the cast are Jimmy Butler, Nedda Herrington, Charles Moore.

Suitable for children, adolescents, and Sundays. Class A.

Those who have accepted the substitutions may demand the cancellation of that proportion of short subjects that would have been required for the completion of the five undelivered pictures, but those who have not accepted them may demand the cancellation of the proportion for eleven features.

Warner Bros.: This company sold thirty and has delivered, including the one substitution, twenty-six features, making the full number four pictures short.

Those who have accepted the substitutions may demand the cancellation of the proportion of shorts for five, and those who have not accepted it for six, feature pictures.

In addition to the right to cancel the shorts that belong to the undelivered as well as to the substitute pictures, an exhibitor is, in my opinion, entitled to demand the cancellation of the shorts that belong to the feature pictures he has cancelled under the ten per cent cancellation provision of the Code. Else, what is he going to do with them? There is no sense in his booking more shorts than he can use, and he books them only because he is made by the distributors to do so by being threatened with disapproval of his contract for features; and since the Code forbids such an act, you are within your rights in demanding that you be relieved of the surplus shorts, which you booked under compulsion.

In case your local Grievance Board should reject your complaint, appeal immediately to the Code Authority. The Code Authority may or may not sustain your contention; if it should reject it, we can at least add this one to the long list of abuses they have committed since they began functioning. Our case will then be much stronger in case we ever went to the President or to Congress for reforms.

AN APPRAISAL OF THE 1934-35 SEASON'S PICTURES—LAST ARTICLE

Universal

(Continued from last week)

In addition to these, Universal has given a thumbnail synopsis for the original stories of the following pictures:

"The Great Ziegfeld": Not enough facts are given to enable one to determine even approximately what kind of picture it will turn out to be, except that William Powell will be the star.

"Moon Mullins": A cartoon strip picture. Not enough facts.

"Castles in the Air": A radio melodrama; in all probability from good to fairly good.

"Keep on Dancing": A romance of a European nobleman driven to America by poverty and having a romantic affair there: From good to fairly good.

"A Cup of Coffee": From good to fairly good program picture.

"Joy of Living": From good to fairly good.

"At Your Service": A picture of the tennis world, with fairly good possibilities, suitable for high-class patronage.

"The Bride of Frankenstein": A sequel to "Frankenstein": A shudder melodrama; but the probabilities are slim, if one is to take as a criterion past failures of sequels of successful pictures. Good to fairly good.

"It Happened in New York": It deals with a temperamental star. A comedy. Possibilities anywhere from good to fairly good.

"I've Been Around": From very good to fairly good.

"Confessions of a Modern Woman": From fair to poor.

"One Exciting Adventure," sold as "What Women Dream": It deals with a woman who suffers of kleptomania; unpleasant, poor material. (Advance information to this paper from Hollywood has this picture as having turned out exactly as predicted.)

"Speed": A gangster melodrama. Thrilling. From very good to good, for its kind.

"Fanny": Sexy material and poor.

"Cheating Cheaters": Fairly good crook material.

The number of original-story pictures is fifteen. Of these, one shows very good possibilities, seven from good to fair, two fairly good, one fair to poor, two poor, and two undeterminable.

If you bought only the 36 regulars and excluded the 6 Buck Jones pictures, you will be entitled to cancel 4 under the Code. But to prevent misunderstanding, state in your contract: "Thirty-six offered and 36 bought."

Monogram

Monogram Pictures is selling twenty features, four designated as "Masterpieces," and sixteen as "Exploitation Winners"; also eight westerns.

The "Masterpieces" are:

"The Healer," the novel by Robert Herrick, with the Canadian forests as the locale, and with a surgeon as the hero: Excellent possibilities.

"Girl of the Limberlost," the novel by Gene Stratton Porter: The picture has already been produced: it was reviewed on Page 143: Very good.

"Keeper of the Bees," the novel by Gene Stratton Porter, a romantic and sweetly sentimental story, with the country-side as the locale: From excellent to very good. Warner Baxter fits the part of the hero extremely well, and if Fox wanted to enhance the popularity of this star its production executives should be willing to lend Mr. Baxter to Monogram at reasonable terms for the picture.

"The Nut Farm," the stage play by John C. Bronwell, which was produced at the Biltmore, New York, October 14, 1933: a comedy. Possibilities anywhere from very good to good.

Of the sixteen "Exploitation Winners," the following will be founded on either novels, stage plays or magazine stories:

"Redhead," suggested by the novel by Vera Brown: The picture has already been produced; it was reviewed on Page 155: Fairly good.

"The Mysterious Mr. Wong," the short story by Harry Stephen Keeler, which deals with the experiences of a reporter while trying to interview the Chinese Emperor's only daughter. Fairly good possibilities.

"Sing Sing Nights," the short story by Harry Stephen Keeler, an episodic melodrama dealing with three characters that are awaiting death sentence: From good to fairly good, of its kind.

"Honeymoon Limited," the novel by Vida Hurst, dealing with the mixed up lives of a married couple: with alterations, anywhere from good to fairly good.

"The Mystery Man," the *Saturday Evening Post* story by Albert Payson Terhune, with a logging camp as the locale, and with pugilism as the topic: With suitable alterations, from good to fairly good.

"The Hoosier Schoolmaster," the old classic by Edgar Eggleston, with rural Indiana as the locale, unfolding during the days when women wore hoop skirts: From very good to good possibilities.

Of the "Masterpieces," one shows excellent possibilities, one from excellent to very good, one from very good to good, and one (already produced) very good.

Of the six "Exploitation Winners," one shows from very good to good possibilities, three from good to fairly good, and two fairly good (one of them already produced).

A WARNING!

An exhibitor subscriber was so impressed with the editorial urging the exhibitors who intend cancelling their newsreel contracts to send their written notice of cancellation, by registered mail, in advance, that he urged me to repeat that warning, for he felt that many exhibitors may have overlooked reading it and they may be caught in the automatic renewal clause net.

If you intend to cancel your newsreel contract, do it today, even if it does not expire until six months from now. It is better that you send your notice too early than too late; you will then have no regrets.

Cancel "Student Tour," the 1933-34 MGM picture, under the cancellation provision of the Code, before it is too late.

HARRISON'S REPORTS

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United States	\$15.00
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1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
Harrison's Reports, Inc.,
Publishers
P. S. HARRISON, Editor
Established July 1, 1919
Pennsylvania 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, OCTOBER 27, 1934

No. 43

If You Were Sued For Infringing on the Tri-Ergon Patents!

Several years ago William Fox, at that time president of Fox Film Corporation, purchased practically all the American rights to the Tri-Ergon Patents, owned by three Germans.

One of these patents covered the use of a fly wheel device in the recording as well as in the reproducing of sound on film; another, the combining of the picture and of the sound track on a single positive film, by superimposing their respective negatives.

The former is what is now known as the "Fly Wheel Patent"; the latter, the "Double-Printing Patent."

The electrical companies, thinking that these patents were invalid, proceeded to make use of them and William Fox, as the patent owner, took them to court to compel them to cease using them. The lower courts affirmed their validity, and recently the United States Supreme Court, by refusing to review the decisions of the lower courts, practically affirmed their ownership by Fox.

There may be further litigation, which may last for months or even years, for this matter involves a tangle of legal actions and commercial negotiations by the different parties that are too complicated. One of the contemplated actions by the electrical companies is an attack on the ownership of these patents by asserting that Fox bought them with the Fox Film Corporation's money; therefore, they belong, not to Fox personally, but to the company of which he was the head. But this matter is considered by persons who are in a position to know as is a straw to a drowning man, and believe that William Fox will be able to brush aside all these legal impediments, and that sooner or later he will be acknowledged the owner of them. Others again assert that the Court's order is so sweeping that it is practically unenforceable.

Whatever may or may not be is a matter that will be determined in the future; what concerns you, the exhibitor, now is the way in which this matter affects you, and the action you should take in case Tri-Ergon notified you to cease using its Fly Wheel Patent, and to pay it a sum of money as damages for the unauthorized use of that patent.

The two big electrical companies, Electrical Research Products, Inc., and R.C.A. Photophone, Inc., make use of the Fly Wheel Patent on the Sound Heads of their reproducing instruments for the smoother reproduction of sound; the use of it by you, then, constitutes an infringement on the Tri-Ergon patent rights, and sooner or later you will be notified to cease using it, and to pay a given sum of money for the unlicensed use of it since 1928, or whatever is the year in which you installed your talking picture instrument.

What should you do to protect yourself?

The first thing for you to do now is to look into your contract to find out whether or not there is a clause in it making it obligatory on the part of the manufacturer of the instrument to protect you in case a lawsuit were instituted against you for patent infringements, and what the amount of the guarantee is.

If there is a clause guaranteeing you against patent infringements, you need do nothing further until you receive a formal notice from Tri-Ergon alleging that you are infringing on its patents. When you receive such a letter, take the following steps immediately; write to the manufacturer of your equipment sending him, by registered mail, requesting a return receipt, a copy of the Tri-Ergon letter you have received alleging infringement; direct his attention to the clause in your purchase contract calling for his responsibility in the event of patent infringement; ask him what steps he wishes you to take, and what steps he intends taking to protect you in the matter.

In this way, you will ensure your legal rights while the manufacturer will take whatever steps are necessary to protect his patent situation and to limit his liability on infringements.

I noticed in last week's trade papers that Fox has already started actions against the producers for the unlicensed use of his Double Printing Patent, and this leads me to believe that the time is not far off when he will start actions also against theatres. He may not bother the small fellows; his suits may be directed against the affiliated, or even against most big independent, circuits. But it is well for you to be prepared by looking into your contract and finding out what your rights are.

My own belief is that some compromise will be effected between Fox and the electrical companies, despite his personal bitterness against an official of Electrical Research Products, because the Tri-Ergon patents are useless without the other patents, which are controlled by the electrical companies. But whether such a compromise may be effected before further legal steps have been taken by the electrical companies, or before Fox has humiliated this official, it is difficult to say: it seems as if even the parties that are involved in this litigation themselves are unable to tell how this matter will end.

The theory that the electrical companies will put their staffs to work to invent some non-infringing process, propounded last week, is too wild to merit any consideration; they have been carrying on such experiments, I believe, ever since they were taken by Fox to court with the hope of taking care of such an eventuality, but the indications are that they have been unsuccessful.

It is possible that the A. T. & T. patents will be pooled with the Tri-Ergon patents and the royalties divided according to a plan that will be agreed upon. Something on this order must take place, for the failure of the persons or companies involved to come to such an understanding will cause great hardships to every one connected with the motion picture industry, and even to the picture-going public itself.

AN INTELLIGENT PAMPHLET ON BLOCK-BOOKING AND BLIND-SELLING

Motion Picture Research Council has just published a pamphlet entitled, "Questions and Answers Concerning Compulsory Block-Booking and Blind-Selling in the Distribution of Motion Pictures." This pamphlet puts the matter of block-booking and blind-selling before the American people in a most intelligent manner. Questions regarding the different phases of the subject are asked and then answered clearly and comprehensively, quoting from other writers or speakers in the substantiation of the statements made in the answers.

If you want to enlighten any one in your community, you should obtain one or more copies from the Council, by writing to Mr. William H. Short, Director, at 366 Madison Avenue, New York, N. Y.

The price of the pamphlet in single issues is 10c a copy. But a smaller price is made to those who desire to obtain large quantities. For these, the prices are as follows:

10 copies.....	\$.50
50 copies.....	2.00
100 copies.....	3.50

You should obtain at least 100 copies and hand them to prominent persons in your community. The good will you will create for yourself will be worth a thousand times the expenditure, for those who will read it will understand your problems so clearly that they will be always in sympathy with you.

**"Great Expectations" with Henry Hull,
Phillips Holmes and Jane Wyatt**
(*Universal, Oct. 22; running time, 101 min.*)

"Great Expectations" is good entertainment for class audiences, particularly those who are familiar with the works of Charles Dickens; the old fashioned English background is charming. But in the first half, the masses may find it a little too slow, because it is mostly a character study; it introduces the different characters. But it has a sufficient amount of human appeal to hold the interest fairly well; it shows the unkind treatment of the young hero by his nagging sister, his unhappiness because of the snobbish behavior of the young heroine, and the misery he suffers because he is told he is uncouth. One feels sympathy also for the heroine's foster mother, who lived in the memories and disappointments of her youth. The second half is more exciting and will hold the spectator in tense suspense because of the sympathy one feels for the hero when he discovers that his benefactor is none other than a notorious escaped convict. Henry Hull, in the role of the convict, is magnificent; he makes himself repulsive to the spectator; at the same time he arouses a spark of sympathy because of his devotion to the hero. When he is on the screen he makes the story seem real. The love affair between the hero and the heroine is pleasantly romantic:—

The hero, an orphan living with a cruel sister, is forced to become the playmate of the heroine, the adopted daughter of the wealthiest woman in town. As the years go by he falls deeply in love with her but realizes he is far beneath her station ever to marry her. He becomes apprenticed to his brother-in-law, a blacksmith, and one day receives a visit from a lawyer who tells him he had fallen into a fortune. His benefactor, whose name is not to be revealed, had ordered that he go to London, study and become a gentleman. He follows the orders, thinking all the time that his benefactor was the heroine's foster mother. He becomes established as a gentleman. One night he receives a call from a strange man, and it develops that he is none other than an escaped convict whom the hero had helped when a young boy. This man had never forgotten the kindness, had escaped again, made his fortune, and lavished it all on the hero. Knowing that it meant death for the convict if he were found in London, the hero plans to take him away. But they are caught. The hero hears the convict's life story and realizes that the heroine is the convict's daughter; but he does not reveal this to her. The convict dies, first having killed the man who had stolen his wife. The heroine, who had been taught by her foster mother to be heartless and cruel to men, tells the hero she is marrying a wealthy young man although she loves the hero. But after her foster mother's death she changes her mind and, instead, marries the hero.

The plot was adapted from the Charles Dickens novel; it was directed by Stuart Walker. In the cast are Francis L. Sullivan, Alan Hale, Florence Reed, Rafaela Ottiano, George Breakston, Jackie Searle, and others.

Because it is founded on a classic, it should prove suitable for children, adolescents, and for Sunday showing. Class A.

**"The Man of Aran" with Colman (Tiger)
King, Maggie Dirrane, and Michael Dillane**
(*Gaumont-British; Nov. 15; running time, 75 min.*)

"The Man of Aran" is not a drama, constructed for picture purposes; but to most of those who will see it, it will prove to be more dramatic than many a powerful drama that had been written as the basis of a talking picture. It is a "slice" out of life of people living on one of the Aran Islands, situated west of Ireland, where no tree grows, for there is no soil, and where grim, determined hardy people make their living out of the sea. They have some potatoes, too, which they grow on beds consisting of whatever handful of soil they can find here and there among the crags, and of kelp gathered from the sandless shores. There are some genuine thrills, caused by the sights of these inhabitants, in frail boats, trying to capture ferocious sharks, which appear to be as large as whales. The sharks put up as stiff a fight as the whales, but they eventually succumb—the steel hooks of man are beyond their power to defeat. But the most dramatic part of the film is, in my belief, the storm at sea. One sees huge waves rushing at railroad speed and crashing against the perpendicular high cliffs, nature's own creations, breaking into spray, rising into the air, and borne away by the howling wind. It is a sight awesome but majestic, and the kind few persons, outside of mariners, have seen.

The scenes where the fishermen are seen caught in the storm and trying to land, while a woman and a boy are praying for their lives, is more thrilling than the best thrilling scenes that have been seen in pictures for some time: they hold one breathless, and give one joy when the fishermen are at last able to land, their boat smashed to pieces immediately after they leave it.

Robert Flaherty, the man who produced "Nanook of the North," has produced this picture. There is very little talk in it; and this is a relief. The music that is being reproduced from the sound track has been founded on songs sung by the people of the Aran Islands: it has been composed by John Greenwood.

The picture is, in my opinion, worth showing anywhere; those who possess some education, in particular, should enjoy it very well, and some even immensely.

Good for children, adolescents, and to be shown on Sundays. Class A.

**"I Sell Anything" with Pat O'Brien,
Ann Dvorak and Claire Dodd**

(*First National, Oct. 20; running time, 69 min.*)

Just a fair comedy. It uncovers the antique furniture and auction racket, but in doing so Pat O'Brien is presented as an unsympathetic character because he is nothing more than a faker. It is somewhat demoralizing, in that it glorifies a "gyp" artist. At one time he connives with Claire Dodd, a society girl, to rent the empty but beautiful home of an impoverished society man, fill it with processed fake furniture, and then auction it off at high prices for antiques. The manner in which he puts over his auction tricks are amusing at first, but later the audience tires of listening to his fast speech. The only real excitement occurs in the closing scenes, where O'Brien is shown unknowingly auctioning off a chest containing all the cash proceeds of the sale. His frantic efforts to regain this money hold one in suspense. The love interest is mildly pleasant.

In the development of the plot O'Brien, an auctioneer in a cheap neighborhood, makes his living by cheating people. He sells a buckle to Claire Dodd, a society girl passing by, for fifty dollars and is enraged when he reads in the papers a few days later that it was a genuine Cellini, which she had in turn sold to the museum for \$5,000. He calls on her and demands part of the profit, but she refuses him. Instead she induces him to move uptown, open fashionable auction rooms, and become a gentleman. It all goes to his head, and he refuses to take the advice of Ann Dvorak, his secretary, who loved him, not to associate with Claire. Claire gives him the idea of running an auction of fake antiques, and he agrees. As the articles are sold his assistant puts the cash in a chest. Not knowing it, O'Brien auctions off the chest. When Claire hears of this she rushes to the trucking company and demands the chest as her own. She then sails for Europe with all the money, leaving O'Brien broke. This teaches O'Brien a lesson. He decides to go back to his cheap neighborhood, and realizes the worth of Ann's love for him.

The plot was adapted from a story by Albert J. Cohen and Robert T. Shannon. It was directed by Robert Florey. In the cast are Roscoe Karns, Hobart Cavanaugh, Russell Hopton, Robert Barrat, and others. (Coast Review.)

Unsuitable for children, adolescents, or Sundays. Class B.

**"She Had To Choose" with Buster Crabbe,
Isabel Jewell and Sally Blane**

(*Majestic Pictures; running time, 63 min.*)

An offensive and trite drama with a familiar plot. Although the hero and the heroine are sympathetic characters, the human appeal is lost in a maze of vulgar situations and suggestive remarks. For instance, in one situation a strange man puts a hotel key in Isabel Jewell's hand, which meant that he wanted her to visit him that night in his room. She in turn gives the key to Regis Toomey pretending that she will meet him there. When Toomey goes to the hotel, expectantly, he finds in the bed a man—the man who had given Isabel the key. The man's behavior before he had found out that the visitor was not Isabel is insulting. A remark made by Buster Crabbe while in a swimming pool is extremely vulgar, and although children will not know what he means adolescents will. Regis Toomey makes one remark while in a hotel room with Isabel Jewell which can be given a double meaning—it is putrid. The comedy relief is mild.

The plot has been adapted from the story by Mann Page and Izola Forrester. It was directed by Ralph Ceder. In the cast are Fuzzy Knight and Mabel Turner.

Unsuitable for anybody, at any time. Class C.

"Six Day Bike Rider" with Joe E. Brown*(First National, Oct. 20; running time, 68½ min.)*

Good entertainment for the juvenile trade; it is a slapstick comedy, depending for its laughs entirely on the antics of Joe E. Brown. And he, as a bike rider, provides enough comedy to please all of his fans. His role is again that of the sap who makes good and wins the love of the heroine. It is a little slow in getting started, but the second half livens up. There are also some thrills in it, particularly when the rival bike rider tries to injure Brown and his partner, Frank McHugh, so as to put them out of the running. The way in which Brown eventually wins is comical, even though it is far-fetched and ridiculous. The love interest is mild but pleasant.

In the development of the plot Brown, a small town railroad station master, annoyed because his sweetheart, Maxine Doyle, refused to see him because of his stupidity, goes to the big city. He meets Frank McHugh, who is training to ride in a six day bike race. Brown, being an excellent bicyclist, enters the race as McHugh's partner. Many obstacles are put in their way but eventually Brown wins. He becomes reconciled with his sweetheart, who was cheering him on to win.

The plot was adapted from the story by Earl Baldwin. It was directed by Lloyd Bacon. In the cast are Gordon Westcott, Arthur Aylesworth, Lottie Williams, Dorothy Christy, and others. (Coast Review.)

Good for children, adolescents, and Sundays. Class A.

"Ready For Love" with Richard Arlen and Ida Lupino*(Paramount, Oct. 12; running time, 61 min.)*

A fair program comedy. It is a little far-fetched, and the story is thin, but it is well acted and for the most part amusing. A few of the situations will arouse hearty laughter, such as the one at the beginning, where Ida Lupino, arriving at a small town to pay her aunt a visit, alights from the train crying because she had lost her dog. Some of the people of the town, including Richard Arlen, a newspaper editor, had gathered at the station to pay respects to the richest man of their town, who had died and whose body had been brought on the same train from New York, and think that she is mourning for the deceased, and so a scandal starts. The rest of the story is taken up with the effect this scandal has on the town, particularly on the women, and the eventual outburst of purity on their part, in which they punish Ida. More comedy is aroused when Arlen, realizing that Ida was innocent, sends a story to the associated press giving the facts about the punishment and once the story is published in all the papers Ida becomes famous. She accepts Arlen's proposal of marriage, but her actress mother, (Marjorie Rambeau) wants to commercialize her fame by putting her on the stage. This brings about a separation between Arlen and Ida but not for long; since they love each other Marjorie agrees to their marriage.

The plot was adapted from a novel by Roy Flannagan. It was directed by Marion Gering. In the cast are Trent Durnin, Beulah Bondi, Esther Howard, Ralph Remley, Henry Travers, and others.

Suitable for children, adolescents, and Sundays. Class A.

"Little Friend"*(Gaumont-British, Nov. 15; running time, 82½ min.)*

Good entertainment! It is a British picture with an all English cast. Although at times the action is somewhat slow, the interest is held because of the deep sympathy one feels for Nova Pilbeam, a child torn between love for her mother and father, and who is made miserable because of their separation. The theme is similar to RKO's picture "Wednesday's Child," except that this picture has a happy ending in that the child brings about a reconciliation between her mother and father. Nova Pilbeam, the child actress, gives a sensitive performance and plays her part with mature understanding. Some of the situations are heartrending. One is where Nova finds her mother at the home of the other man when she calls there to plead with him to leave her mother alone. Another situation is where the child is forced to testify in court, and is tormented by the lawyer's questioning. The most pitiful part is where the child, fearing that the divorce would separate her from her mother, decides to kill herself by inhaling gas. Without being a preachment, the picture carries a good moral lesson about the responsibility of parents towards children.

In the development of the plot Nova, realizing that her mother was having an affair with another man, and that it was causing the breakup of their home, tries to bring about a reconciliation between her mother and her father, but

without success. Her father brings an action for a divorce and Nova is forced to testify. On the way home her nurse tells her that she will probably be separated from her mother. This so disheartens her that she goes to her room, writes notes to her mother, father, and boy friend, and then opens the gas jets so as to die. But she is saved just in time. This brings her parents to their senses and they withdraw the suit. To Nova's joy they become reconciled.

The plot was adapted from the novel by Ernst Lothar. It was directed by Berthold Viertel. Others in the cast are Matheson Lang, Lydia Sherwood, Arthur Margetson, Jean Cadell, and Jimmy Hanley.

Because of the mother's infidelity it is unsuitable for children, adolescents or Sundays. But adults will be moved by it. Class B.

NOTE: Exhibitors who have RKO's "Wednesday's Child", should be careful not to show the two pictures close together, because of the similarity in the stories.

"The Man Who Changed His Name"*(Twickenham Productions; running time, 71 min.)*

Moderately entertaining for sophisticated audiences. It is a British picture with an all English cast. The dialogue is intelligent, and the story moves along at a fairly good pace. But it is not for the masses because it lacks human interest. Parts of it are somewhat objectionable; as for instance, the opening scenes showing Betty Stockfield, a married woman, registering at a hotel, where she was expecting to meet a man other than her husband. The attempts of this man to make her live up to her promises when she tells him she cannot go through with it are offensive. The comedy is provoked by Lyn Harding, the husband, who puts his wife and the man she thought she was in love with (Leslie Perrins) in an embarrassing position by leading them to believe that he had murdered his first wife, her lover and mother. Naturally everything that Harding does and says is misinterpreted by Betty and Perrins, particularly after they find out that some time previously Harding had had his name changed. The mystery is finally solved when Harding tells his wife that he had changed his name only because a murderer bearing the same name had been freed of a charge of having killed his wife, her lover and mother, and felt embarrassed to carry the same name. But in order to show Perrins up to Betty as being a coward and unworthy of her love, he had purposely led them on to think that he was the murderer. And Harding's trick works, for Betty realizes it is her husband that she really loves; and so she remains with him.

The plot was adapted from a story by Edgar Wallace. It was directed by Henry Edwards.

Unsuitable for children, adolescents, or Sundays. Class B.

"One Exciting Night" with Binnie Barnes and Neil Hamilton*(Universal, Oct. 15; running time, 67 min.)*

One may congratulate Universal for the way it has produced this picture but not for its entertainment values; it is difficult for one to be entertained when the chief character is a psychopathic case—she is a kleptomaniac, stealing articles of value, not because of their value, but because of the pleasure she felt in stealing them. There is romance in it—Neil Hamilton falls in love with her and when he finds out what she is, he tries to save her from herself.

In the development of the plot Paul Cavanaugh, an international crook, follows Binnie from country to country, knowing that she was a crook. Each time she steals a diamond he, without her knowing about it, pays for whatever she takes so that she may not be prosecuted. He hoped to introduce himself to her some day and offer her a chance to join him as a partner in crime. Grant Mitchell, a detective, picks up a perfumed handkerchief, which is the only clue the police have to Binnie. He consults Neil Hamilton, who owns a perfume shop, and Hamilton traces the scent to Binnie. But he falls in love with her, and instead of turning her over to the police he undertakes to cure her. He removes the one obstacle to her cure—Paul Cavanaugh—by exposing him to the police. Binnie is happy to be able to resist stealing and she and Hamilton are united.

The plot was adapted from an original story "What Women Dream," by Franz Schultz and Billie Wilder. It was directed by Ernst L. Frank. In the cast are Eugene Palette, Edna Searle, Jason Robards, Ferdinand Gottschalk, and others.

Unsuitable for children, adolescents, or Sundays. Class B.

Cancel "Elinor Norton," Fox, under the cancellation provision. It is the poorest in the first group of ten.

MORE ABOUT LEFT-OVER SHORTS

In determining what shorts you are entitled to tell a distributor to take back on the ground that they were sold to you contrary to Part 5, Division D, of Article V of the Code, you must naturally start off with the December 8 releases of that distributor, of all distributors, for that matter, for that is the day on which the Code really went into effect, although December 7 was the day of the approval.

I remind you again that substitutions do not count; that is, for every substitute picture a distributor has attempted to induce you to take but you have refused to accept, you may cancel the shorts that you should have booked to show with it. The same is true of the features you have cancelled under the ten per cent cancellation provision of the Code.

The provision about the shorts was put into the Code in place of the provision separating the shorts from the features, which was demanded by the exhibitors, the Code Administration's intent being to make it impossible for a distributor to compel an exhibitor to buy more shorts than he requires. The logic of it was this: Paramount, for example, sells a "maximum" of sixty-five pictures, but invariably delivers fewer than sixty—the season just ended it delivered fifty-seven. Suppose it sold you shorts for sixty-five feature pictures: what are you going to do with the shorts for the eight features it has delivered less than the maximum? Since the other distributors expect you to use their shorts with their features, the failure of Paramount to deliver features to take care of the shorts makes it an act of overselling of shorts. The same is true of any company that has sold you short subjects for their full feature quota and has failed to deliver all the features; or of any company from which you bought a lesser number of features than the number it offered to sell you.

THE NEW MUSIC TAX SCHEDULE

The final charge schedule adopted by the American Society of Composers, Authors and Publishers is as follows:

For theatres with 1600 or more seats 20c a seat a year.

For theatres with 800 to 1599 seats 15c a seat a year.

For theatres with 800 seats or fewer 10c a seat a year.

For theatres with 800 seats or fewer showing three days or fewer a week, 5c a seat a year.

Once again the hand of the producers may be seen working to their advantage. For instance, theatres with 6000 seats are required to pay 20c a seat whereas theatres with 1600 seats are required to pay 15c.

But how can the independent theatre owners expect a better treatment when producers are members of the American Society? Warner Bros., MGM, and Paramount, at least, are members of the American Society and certainly you could not expect them to fix a charge for their theatres in proportion to their receipts, or to the benefit they derive from the playing of copyrighted music!

Although the United States Government has brought suit against the Society on the ground of being a monopoly, many of you would not want to get into lawsuit trouble with it and you would want to obtain a license. If so, I suggest that you obtain a license for only three months, because by the end of that time the Government will, I believe, have obtained some decision in its efforts to obtain an injunction against the Society.

If the Government should fail in its efforts to dissolve the Society, then it will be necessary for you to make an effort to obtain relief through legislation. And to expedite a legislative measure, it will be best for you to demand first an investigation of the Society.

You must have relief from the obnoxious score charge—that racket; and although the Society does not have any connection with such a charge you are paying for music ten times as much as you should have paid. The producers are using this racket for profiteering and you should leave no stone unturned to bring about its destruction.

CLASSIFICATION OF PICTURES

The following new pictures have been classified by the Chicago Legion of Decency:

CLASS A (Good for the family): "Caravan," "Cash," "The End of the World," "Gift of Gab," "King Kelly of the U.S.A.," "Liebe Muss Ferstandensien" ("Love Must Be Understood"), "The Lemon Drop Kid,"

"Love Time," "Men of Tomorrow," "Miss Iza" (Hungarian film), "Overnight," "Peck's Bad Boy," "Rocky Rhodes," "Wagon Wheels," "Wake Up and Dream," "Border Menace," "Fighting Through," "The King's Daughter," "I'll Fix It," "Mrs. Wiggs of the Cabbage Patch," "St. Anthony of Padua," "The Silver Bullet," "Student Tour," "That's a Good Girl," "Western Racketeers," "Young and Beautiful," "The Broken Coin," "Paradise Valley," "Tailspin Tommy," "Thunder Over Texas," "Traum Von Schoenbrun," ("The Pretty Brunette"), and "Venetian Nights."

CLASS B (Not for either children or adolescents, but not forbidden for adults): "Chained," "Dangerous Corner," "Honorable Thief," "Kansas City Princess," "Outcast Lady," "I Sell Anything," "Ready to Love," and "We Live Again."

The following new pictures have been classified by the Detroit Council of Catholic organizations:

RECOMMENDED (Class A, for families): "Among the Missing," "Caravan," "Cash," "Embarrassing Moments," "The End of the World," "Gift of Gab," "King Kelly of the U.S.A.," "Liebe Muss Verstanden Sein" ("Love Must Be Understood,"), "Men of Tomorrow," "Night of the Garter," "Overnight," "Prince of Wales," "The Show-Off," "Straightaway," "There's Always Tomorrow" (taken out of the "Spotty" column), "Wagon Wheels," "War's End," "Big Hearted Herbert," "The Lemon Drop Kid," "Love Time," "Miss Iza," "One Night of Love" (taken from Adult Column), "Peck's Bad Boy," "Rocky Rhodes," "Wake Up and Dream," "Border Menace," "Crimson Romance," "Fighting Through," "I'll Fix It," "The King's Daughter," "Mrs. Wiggs of the Cabbage Patch," "Night Alarm," "The Silver Bullet," "Student Tour," "That's a Good Girl," and "Western Racketeers."

ADULTS (Not forbidden for adults, but not suitable for either children or adolescents): "The Black Cat," "Chu Chin Chow," and "Rehearsal."

SPOTTY (Not forbidden for adults, but not suitable either for children or for adolescents—Class B): "House of Mystery," "I Can't Escape," "It Happened One Night," "Kansas City Princess," "The Personality Kid," and "The Song You Gave Me," "Black Cat," "Outcast Lady," "Return of the Terror," "Shoot the Works," "The Song You Gave Me," "Dangerous Corner," and "The Honorable Thief."

NOT RECOMMENDED (Class C—not suitable for anybody): "Fugitive Road," "Tomorrow's Youth," and "Two Heads on a Pillow."

ADDITIONAL FACTS ABOUT LEFT-OVER SHORT SUBJECTS

Many of you do not show, with the feature picture of one distributor, all the shorts of the same distributor; to make up a variety in your program, you book some of the shorts from another distributor.

When you prepare to make up your claim against a distributor on the ground that he oversold you short subjects, it will be necessary for you to make a schedule showing, not what short subjects of a distributor you have shown with his features, but what short subjects you would have shown had you booked them all from his stock. Such a schedule should enable you to determine accurately how many short subjects of a particular distributor you have left.

As said in last week's issue, you must disregard all features or shorts released prior to December 8, 1933; you must begin with the December 8 releases of both, features and shorts.

The Code is specific on this subject; a distributor cannot compel you to book from him more shorts than you require to complete your program on the days you show that distributor's pictures; and since the 1933-34 contracts were superseded by the Code in whatever provisions these contracts conflicted with any of the provisions of the Code, and since the provisions in the short subject contracts conflict with Part 5, Division D, of Article V of the Code, you are within your rights in "dumping" all the left-over shorts in the laps of the short-subject selling feature distributors.

In case your local Grievance Board should rule against you, you should appeal the case to the Code Authority at once for determination.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States.....\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
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 35c a Copy

1440 BROADWAY
 New York, N. Y.

AMotion Picture Reviewing Service
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Its Editorial Policy: No Problem Too Big for Its Editorial
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Published Weekly by
 Harrison's Reports, Inc.,
 Publishers
 E. S. HARRISON, Editor

Established July, 1, 1919

Pennsylvania: 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, NOVEMBER 3, 1934

No. 44

Feature Pictures Whose Shorts You May Cancel

In the issues of October 20 and 27 there was discussed your right, under the provisions of the Code, to cancel, by virtue of Part 5, Division D, Article V of the Code, some of the short subjects you contracted from a distributor under certain conditions.

The class of feature pictures whose proportion of shorts you may cancel are the following:

- (1) Substitutions.
- (2) Features cancelled under the ten per cent cancellation provision.
- (3) Features that have not been delivered.
- (4) Features that have been cancelled under the agreement between the producers, represented by Will H. Hays, and the Catholic Bishops on the ground of indecency, when a bona fide protest against their showing was made by prominent people of your community; provided you did not accept any other features to take the place of those that have been so cancelled.

Features of Class 1 may be considered as features of Class 3—not delivered. If you have not accepted the substitutions, you will have no room for the short subjects of the distributor who has made the substitutions; therefore, he has sold you a "greater proportion of short subjects" than you needed, an act which is contrary to the Code.

As to features of Class 4, it may be said that since you are not responsible for the production of indecent pictures, and since the producers have recognized that these pictures are indecent by the fact that they have accepted cancellation of them, these, too, may be considered as not having been delivered.

The proportion of shorts for features of Class 3 must be canceled, unless you have room for them on your program; that is, if you have bought features from some distributor who does not sell also shorts. If you have no room for them, the distributor must take them back, since they cannot be shown with his features.

To make it easy for every exhibitor to know the number of features of the three different classes, I am submitting a detailed account for each company:

Columbia

This company has had no substitutions.

The number of feature pictures it sold, the westerns excluded, was 37. Up to "The Captain Hates the Sea," which was released nationally October 27 (changed from October 22), Columbia has released 34 features, leaving 3 more to deliver.

On the 30 features that were left for delivery after December 7, the day on which the Code went into effect, you are entitled to cancel three.

You are entitled to cancel a proportion of shorts for 6 features, 3 for the shortage and 3 for the cancellation, provided you cancelled 3.

Those who bought the westerns are entitled to cancel shorts for four features, if they have any shorts left over, for the number of pictures such exhibitors are entitled to cancel under the Code is four.

First National

The following are this company's substitutions:

"Mandalay" (755): This picture was sold with Ruth Chatterton and was delivered with Kay Francis. It is a star substitution.

"Registered Nurse" (768): Sold with Kay Francis and Warren William, and delivered with Bebe Daniels and Lyle Talbot. Star substitution.

"Twenty Million Sweethearts" (754): At first, First National tried to deliver this picture as No. 756. As 756, it would have been a star substitution by reason of the fact that on the contract that number calls for a picture with Lashie Howard as the star. Later it delivered it as No. 754. But even as No. 754 it is a star substitution in that the contract promised Barbara Stanwyck as the star and First National delivered "Twenty Million Sweethearts" without her. It is a star substitution.

"The Merry Frinks" (767): Richard Barthelmess was promised, but Aline MacMahon was in the picture. Star substitution.

"Fog Over Frisco" (778): Aline MacMahon and Allen Jenkins were promised, but Betty Davis and Donald Woods were in the finished picture. Substitution of stars.

This company sold 30 pictures and, since it delivered only 25 it has been short 5 pictures.

The number of pictures you were entitled to cancel under the cancellation provision of the Code was three.

For those who did not accept the substitutions and canceled 3 pictures under the provisions of the Code, the total number of feature pictures on which they are entitled to cancel a proportion of shorts is 13. In other words, they are entitled to cancel 13/30ths of the total number of shorts they bought.

Those who accepted the substitutions under protest and canceled 3 feature pictures are entitled to cancel the same proportion of shorts as those who did not accept them at all.

Those who accepted them voluntarily and canceled 3 features under the provisions of the Code are entitled to cancel the proportion of shorts for 8 features.

Those who did not cancel all the 3 features should deduct them from the number of features on which they are entitled to cancel a proportion of shorts.

Since many exhibitors bought the two programs together.—First National and Warner Bros.—the two programs are grounded together here after the Warner Bros. program is treated separately.

Warner Bros. Pictures

The following are this company's substitutions:

"Merry Wives of Reno" (470): Barbara Stanwyck was promised in the contract, but Glenda Farrell and Donald Woods appeared in the picture. A star substitution.

"Personality Kid" (476): The contract promised "The Life of Rothschild," and since "Personality Kid" is not "The Life of Rothschild" it is a story or theme substitution and you were under no obligation to accept it. This picture was first announced by Warner Bros., but when Darryl Zanuck left that company he announced this story with George Arliss. For a while it seemed as if there were going to be two Rothschild pictures, but through certain negotiations Warner Bros. was induced to abandon production of it and to let Zanuck make it. But Warner Bros. did not have the right to substitute "Personality Kid" for it without your consent.

The number of substitutions is 2.

The number of pictures it sold was 30, but it delivered, when "DuBarry," released October 13, is taken into consideration, 27, or 3 short.

The number of pictures you were entitled to cancel under the Code was 2.

Those who did not accept the substitutions and canceled their quota of 2 features are entitled to demand the cancellation of a proportion of shorts for 7 features pictures—2 for

(Continued on last page)

115-16
"Gridiron Flash" with Eddie Quillan and Betty Furness

(RKO, Oct. 26; running time, 63 min.)

A fairly good football program picture. It should hold the interest of the followers of this type of picture, and offer them some excitement. And for young boys, and even men, there is the added attraction of actual football playing. What is unpleasant though is the fact that Eddie Quillan (hero), an ex-convict, brought into the college by an alumnus because of his ability as a football player, enters college only as a racket. He even goes so far as to steal valuable jewels from a man at whose home he had been a guest. But his reformation, and the fact that he returns the jewels, makes the spectator feel some sympathy for him. The closing scenes are exciting, even though they depict the usual ending—the hero winning the game at the last minute. The love interest is incidental.

In the development of the plot, Grant Mitchell induces Quillan, when he is released from prison, to enter his college. In order to keep him there, he makes him believe that college football is just a racket promising to help him make real money by stealing. The football coach asks Betty Furness, a student, to help him induce Quillan to remain at college because he is an excellent player. Betty and Quillan fall in love with each other. The day before the big game Quillan steals some jewels from a wealthy home where he had been a guest, and on his return to his room overhears two students talking about Betty, the fact that she had followed the instructions of the coach and led Quillan on, so as to induce him to stay. In disgust he leaves the college, first returning the jewels, feeling sorry he had taken them. He is picked up as a suspicious character and jailed, but with the help of Grant Mitchell is released and permitted to play. He wins the game. Explanations follow and Betty and Quillan are reconciled.

The plot was adapted from a story by Nicholas Barrows and Earle Snell. It was directed by Glenn Tryon. In the cast are Lucien Littlefield, Edgar Kennedy, Grady Sutton, Joseph Sauer, and others.

The fact that Quillan steals the jewels is not edifying for children or adolescents, or even Sunday showing. Harmless for adults. Class B.

120-2
"What Every Woman Knows" with Helen Hayes and Brian Aherne

(MGM, Oct. 19; running time, 89 min.)

Good! It is a picture that any type of audience should enjoy for it combines comedy with deep human interest. The only objection, as far as the masses are concerned, is the Scotch dialect, which at times makes the conversation somewhat difficult for some people to understand. The performances, particularly by Helen Hayes and Brian Aherne, are unusually good, and the audience feels sympathy for all the characters, even for Brian Aherne, the husband, who imagines himself in love with another woman. The charm of "What Every Woman Knows" lies in the simpleness of the story which, although not novel, has been produced with good taste. Most of the comedy is brought about by the efforts of Helen Hayes' father and brothers to marry her off, and their fears lest their hopes be smashed.

In the development of the plot Helen is considered an old maid by her family, who nevertheless adore her. Aherne, an ambitious but poor student, enters Helen's home and reads books from their library. He is caught and, when his story is heard, is offered the alternative of either going to jail, or accepting their offer to give him an education with the understanding that he marry Helen. Aherne accepts and in time he makes great strides and is elected to Parliament. Helen tells him she loves him but is willing to give him his freedom if he so desires; she even tears up the contract. But Aherne marries her and they are happy. Aherne does not realize that it had been Helen's brains and tact that helped him to succeed. He meets Madge Evans, a wealthy titled lady, and they fall in love with each other. Helen, heartbroken, begs her family not to interfere and she handles the situation in her own way. She sees that Aherne and Madge are alone at her friend's country estate and things work out just as she had expected—they become bored with each other. Helen brings about Aherne's national recognition. Finally his eyes are opened and he realizes what Helen means to him. There is a happy reconciliation.

The plot was adapted from the play by Sir James M. Barrie. It was directed by Gregory LaCava. In the cast are Lucille Watson, Dudley Diggs, Donald Crisp, David Torrence, Henry Stephenson, and others.

Suitable for children, adolescents, and Sundays. Class A.

"Elinor Norton" with Claire Trevor, Hugh Williams and Gilbert Roland

(Fox, Oct. 12; running time, 72 min.)

Poor! In adapting this for the screen from "The State vs. Elinor Norton" the producer altered the story considerably, and cleansed it of its sex situations. But it remains a tiresome and unpleasant drama, for the plot revolves around the doings of a neurotic man, who makes his wife's life miserable because of his jealous fits. The heroine all the time goes around moping and feeling unhappy, and her husband is either in a state of collapse or of high nervous tension. On two different occasions he tries to kill himself. There is no comedy to relieve the tension, and it leaves the spectator in an unhappy frame of mind:—

Immediately after her marriage to Hugh Williams, Claire Trevor realizes that she had made a mistake because of his jealous and morbid nature. Four weeks after the wedding he enlists and goes to France to fight. While he is away Claire meets Gilbert Roland and they fall in love. She tells him that when Williams returns they will talk the matter over. But when he returns he is so broken and nervous that she feels he needs her more than ever. She is forced to part from Roland and follows Williams West, to live on a ranch. He regains his health but his disposition is unchanged. Roland follows her to the ranch and in time Williams finds out that they love each other. When Claire tells him she is going to leave him he threatens to kill her. But she brings him back to his senses and eventually he releases her; Roland and Claire are married.

The plot was adapted from the novel by Mary Roberts Rinehart. It was directed by Hamilton MacFadden. In the cast are Henrietta Crosman, Norman Foster, and others.

Unsuitable for children, adolescents, or Sundays. Class B.

Note: There is an advertisement for Chesterfield cigarettes in one of the situations. (Coast review.)

"The Pursuit of Happiness" with Francis Lederer and Joan Bennett

(Paramount, Nov. 16; running time, 71 min.)

Just fairly entertaining. It is strictly adult fare, and its appeal is limited to class audiences. There is too much talk and the action is slow, most of it taking place in one room. Occasionally it is boring, because it depends entirely on one situation—"bundling"—for its entertainment. And all that happens during the first fifty minutes does not mean a thing; it is just a build-up for the "bundling." And this is meaningless. Even though it is done in the spirit of comedy, it is suggestive both in the dialogue and action, and it will, no doubt, prove offensive to many people. It is not edifying for young people, either, for it excites their sexual desires, even though it is handled delicately. Mary Boland and Charles Ruggles are lost in roles that give them no opportunity to display their talents for comedy:—

During the Revolutionary War England brought Hessian men to fight in the English Army. Francis Lederer, a peace-loving Hessian, and a musician by trade, deserts the English Army once he is in America. He hides in Ruggles' home in Connecticut, but is caught. He convinces them that he wants to be an American and is permitted freedom during the day, but is forced to remain at the barracks at night. He falls in love with Ruggles' daughter, Joan Bennett, and Joan's American suitor resents this. He places Lederer under arrest. Joan, in love with Lederer, too, pays him a visit and tells him if he can escape at night she will be waiting for him. He does escape and visits Joan. She invites him to "bundle" (a New England practice of old, where a young man and a young woman get into bed, but are separated by a board). The caretaker of the town's morals, who objected to "bundling," while on his round of visits at night, finds Joan and Lederer "bundling." He arouses the family and promises to bring disgrace on both Joan and Lederer. But Joan is saved. The family receives a call from a General of the Army who had once stayed at their home, bringing news that Ruggles had been appointed recruiting officer. The first thing Ruggles does is to draft the reformer and so the town is rid of him. Lederer is recognized as an American and made interpreter for Washington. He promises to return and marry Joan.

The plot was adapted from the play by Lawrence Langner and Armina Marshall. It was directed by Alexander Hall. In the cast are Minor Watson, Adrian Morris, Barbara Barondess, and others.

Unsuitable for children, adolescents, or Sundays. Class B.

"Lost in the Stratosphere" with Bill Cagney, June Collyer and Eddie Nugent

(Monogram, Nov. 15; running time, 65 min.)

A fairly good program entertainment. Although the title suggests some thrilling adventure several miles above the earth, there are no thrills. The picture shows the ascent of a stratospheric balloon, but the scenes have been done without much imagination. The most interesting part of the flight is the preliminary scenes which consist of actual shots of army men preparing a balloon for ascent. Otherwise, the picture is made up mostly of comedy brought about by the practical jokes Eddie Nugent and Bill Cagney, army pilots and pals, play on each other, and by their efforts to steal each other's sweetheart. Human interest is aroused when the two boys fall sincerely in love with the same girl. June Collyer, the girl they fall in love with, is not a sympathetic character. Although she is engaged to Nugent she carries on a flirtation with Cagney, and they fall in love with each other. The fact that Cagney gives her up when he finds out who she is, makes the audience feel respect for him. There is some suspense in the closing scenes, where the two men ascend fourteen miles in the air in a balloon, only to have something go wrong. Nugent, realizing that June really loves Cagney, forces him down in a parachute and thus saves his life. He stays in the balloon which crashes and he is injured. But he recovers and forgives both Cagney and June, who eventually marry.

The plot was adapted from a story by Tristram Tupper. It was directed by Melville Brown. In the cast are Edmund Breese, Frank McGlynn, Sr., Matt McHugh, Pauline Garon, Lona Andre, and others.

Suitable for children, adolescents, and Sundays. Class A.

"Wednesday's Child" with Karen Morley, Edward Arnold and Frankie Thomas, Jr.

(RKO, Oct. 26; running time, 67 min.)

A deeply appealing drama, dealing with the unhappiness caused to a child by the divorce of his parents. The boy's misery will bring tears to one's eyes. One such situation is where the boy finds his mother in the arms of another man; he feels a mixture of chagrin, disgust, and fear. And the situation in which his parents quarrel and his mother mentions the fact that they should never have had the child, is pitiful. The sympathy one feels for the boy is enhanced because of the fact that his mother is selfish. No reasons are given to justify her behavior for she had a good home, and a devoted husband in Edward Arnold. Arnold, as the father, and Frankie Thomas, Jr., as the son, give excellent and natural performances, making the story seem realistic. As entertainment, it may be somewhat slow for followers of action melodramas; otherwise, it should appeal to all types of audiences.

In the development of the plot Karen Morley, the mother, falls in love with another man and obtains a divorce from Arnold. Frankie, the child, is given to his mother, with the understanding that he is to spend four months of each year with his father. The boy is so devoted to his father that he is exceedingly unhappy living with his mother and the man she married after the divorce. On his first visit to his father he finds out that his father intended marrying again. Frankie becomes ill and after his recovery his parents decide that the best place for him is at a military school. On a visit there the father overhears Frankie talking to his room-mate, also the child of divorced parents, and he realizes how unhappy Frankie is. He takes him away from the school and tells him that he will not remarry; instead he will live with him and be pals.

The plot was adapted from the play by Leopold Atlas. It was directed by John Robertson. In the cast are Shirley Grey, Frankie Thomas, Sr., David Durand, and others.

Because of the divorce angle it is unsuitable for children, adolescents, or Sundays. Class B.

"Loyalties" with Basil Rathbone

(Harold Auten; running time, 67½ min.)

Poor! Not only is the story unsuited for motion pictures, but the production is bad. The sound is poor—the English accents will be difficult for American audiences to understand, and the editing is choppy. Since the characters are all unsympathetic, there is no human appeal in the story; all that one feels is resentment and antagonism towards the different people for the obnoxious traits they show. And to add to all this, there is the feeling of racial prejudice of the Christian towards the Jew. Although one feels that Basil Rathbone, in the role of the wealthy Jew, is justified

in asking for his money back, which had been stolen from him, one cannot help resenting the fact that, in his desire to expose the man who had stolen his money, he was ruining the lives of two persons. And one can have only contempt for the thief, who, although a man of position and reputation, stole the money and then continued to insult Rathbone, instead of treating him courteously. The ending is tragic.

In the development of the plot Rathbone, when refused admittance to a well-known club because, as he feels, he is a Jew, is determined to ruin the character of Miles Mander, because he instinctively felt that Mander had stolen his money. Mander, urged on by his wife and friends, brings an action for slander. Everything seems to be in Mander's favor until his lawyers come upon evidence distinctly showing that Mander had stolen the money. He confesses this to his lawyer who withdraws from the case. Mander's wife is heartbroken and pleads with him to leave the country. Rathbone calls to see Mander and tells him that he is not bitter towards him any more and adds his pleas for Mander to leave the country. But too late, for the police had arrived with a warrant for Mander's arrest. Mander kills himself by leaping from the window to the street.

The plot was adapted from the play by John Galsworthy. It was directed by Basil Dean. The all-English cast consists of Joan Wyndham, Philip Strange, Alan Napier, and others.

The robbery makes it unsuitable for children, adolescents, or Sundays. Class B.

"Anne of Green Gables" with Anne Shirley, Tom Brown and Helen Westley

(RKO, Nov. 23; running time, 77½ min.)

A deeply moving, sentimental comedy-drama, of unusual charm; it is well-acted, wholesome and entertaining. It is the sensitive and appealing performance by Anne Shirley more than anything else that gives the picture its real values. She makes the character of the imaginative fourteen-year-old girl so real and so loveable that one's interest in her welfare is held throughout; and she has a winning personality. At times the spectator will laugh heartily because of Anne's outspokenness; also when she gives vent to her imagination and uses long words that do not fit in with what she is saying; at other times, such as when she prays to remain at the home where she had been brought from the orphan asylum, and when she expresses her gratefulness at the kindness of the people who adopted her, one will not be able to hold back the tears. As a matter of fact, all the characters are pleasant, particularly Helen Westley and O. P. Heggie, brother and sister, who adopt Annie, and treat her as one of their own, even sacrificing their comfort to send her to school.

The story is simple. It revolves around the happy life of Anne after she is adopted by Helen Westley and O. P. Heggie. But her one unhappiness is the fact that they dislike Tom Brown, with whom Annie is in love, because of the fact that his father had run away with the woman Heggie was supposed to have married. After three years of secret meetings, Annie is forbidden to see Brown. She is sent to school, while Brown goes to medical college. Just two weeks before her final examinations, Anne hears that Heggie is ill. She leaves school and rushes back home. Brown calls in a well-known doctor who saves Heggie's life. This brings about a reconciliation, and Helen and Heggie give their consent to a marriage between Annie and Brown.

The plot was adapted from the novel by L. M. Montgomery. It was directed with skill by George Nicholls, Jr. In the cast are Sara Haden, Murray Kinnell, Gertrude Messinger, and others.

Excellent for all types of audiences. Class A.

THE CASE OF "SHE HAD TO CHOOSE"

In the review that was published in the issue of October 27, on Page 170, "She Had to Choose," an independent picture with Buster Crabbe, Isabel Jewel and Sally Blane, was given a C classification, for reasons explained in the comment.

I have been assured by the producer of this picture that eliminations ordered by Mr. Breen were made, but one of the prints, which was the working print, escaped their attention. It was this print that I had seen which prompted me to class it as a C picture.

The changes have now been made also in that print. As a result the picture may be considered as A—suitable for the family, and to be shown on any day of the week.

It is a nice little program picture.

the cancellations, 2 for the substitutions, and 3 for the shortage.

Those who accepted the substitutions under protest and canceled 2 features under the Code are entitled to demand the cancellation of shorts for 7 features.

Those who accepted the substitutions voluntarily and canceled 2 features under the Code are entitled to demand the cancellation of shorts for 5 features.

Each of the foregoing classes should deduct two from their number in case they failed to cancel the two features under the cancellation provision of the Code.

Warner-First National

The total number of features sold is 60; the total number delivered is 52; the total number of substitutions is 7; the total number of cancellable features under the cancellation provision of the Code is 5; the total shortage in the delivery of the features is eight.

The number of features each of the following classes is entitled to demand a proportionate cancellation of short subjects for is as follows:

Those who did not accept the substitutions, 20.

Those who accepted the substitutions under protest, 20.

Those who accepted the substitutions voluntarily, 13.

This calculation holds true if each of these classes has cancelled its quota under the cancellation provision of the Code. In case it failed to exercise its right, it should deduct the number of the uncanceled features from 20 or 13, as the case may be.

Fox

Fox has had only one substitution, of star—"Frontier Marshal," which was promised with Warner Baxter and was delivered with George O'Brien.

The maximum number of features called for by some contracts was 55, whereas by some others, 52; the number of feature pictures delivered was 51. The shortage is either 4 or 1, as the case may be.

The number of features you were entitled to cancel under the Code was 4.

The total number of features on which you may demand the cancellation of a proportion of shorts is: If your contract calls for 51 and you did not accept the substitution, 6; if you accepted the substitution under protest, 6; if you accepted it voluntarily, 5, provided you took advantage of your cancellation privilege. If you failed to exercise this privilege, deduct four from the right number.

If your contract calls for 55 feature pictures, each class of the aforementioned exhibitors should add 3 features to the number on which they may demand the cancellation of shorts, as explained in the previous paragraphs.

Metro-Goldwyn-Mayer

The following are this company's substitutions:

"The Show-Off," "Stamboul-Quest," and "Paris Interlude," a total of 3. All these were sold with Lee Tracy and were delivered without him.

Since this company has not yet delivered all the 1933-34 feature pictures it is difficult to give an exact account of what your rights are. My calculation will, therefore, be based on the idea that they will not deliver any other pictures after "What Every Woman Knows," the last feature picture announced for the 1933-34 season. If MGM should not deliver any more features then you will not play any more shorts than you should; if they should release additional features, then you may deduct from the number of cancellable shorts the right proportion.

MGM sold you, including "Eskimo" and "Dinner at Eight," 48 features, and since up to "What Every Woman Knows" it has delivered 34; it is 14 features short.

On 38 features left for release after the Code went into effect, you are entitled to cancel four.

The total number of features on which you are entitled to demand the cancellation of a proportion of short subjects is as follows:

For those who did not accept the substitutions, 21 (14 for the shortage, 4 for the number cancellable under the Code, and 3 for substitutions).

For those who accepted the substitutions under protest, 21.

For those who accepted the substitutions voluntarily, 18.

This calculation holds good even if you have failed so far to take advantage of your cancellation privilege, for the "Black Cat" has been founded on a story by Edgar Allan Poe it is a story and author substitution.

I have given you all the details possible so as to make it possible for you to get rid of the surplus shorts you were compelled to purchase, even though you did not need them, the distributor being unwilling to sell you his features otherwise. If these details should prove complicated to any one, just bear in mind that, under the Code, you are compelled to buy from a distributor only enough short subjects to complete, as I have said repeatedly, your program on the days you show that distributor's feature pictures. If the distributor sold you in his contract fifty features and sold you shorts for all these fifty, and then he delivered only forty features, because either of substitutions, or of having produced a lesser number, or of the cancellation provision in the Code, he must take back the proportion of shorts that belong to those ten features, for they were sold to you contrary to the provisions of the Code.

The way for you to go about it in presenting your facts to your local Grievance Board in the event that the distributor refused to accept the shorts back is as follows:

Let us assume that your show is of 2 hours' (120 min.) duration. Let us also take one of the companies for illustration—First National and Warner Bros. together, for those who bought the two programs:

Pictures	Minutes	
Feature "Bureau of Missing Persons".....	74	
One reel "Hot from Petrograd"	10½	
Cartoon "Buddy's Day Out"	7½	
Newsreel	10	
2-reel "Use Your Imagination".....	18	
Total running time		120

Duplicate this table with every First National and Warner Bros. feature that you have played, and if after you complete your tables you find that you have shorts left and they have no more features to deliver, you may demand of Warner-First National to take them back on the ground that they sold them to you contrary to the Code.

Employ the same system with the features of every distributor with whom you are doing business. Make your tables clear so that there may be no argument as to your facts.

You will notice that I have put down 10 minutes for a newsreel. Warner Bros. do not distribute newsreels. But each of the newsreel distributing companies puts out 104 issues. If one of such companies sold you, say, 52 features, you can use only 52 issues. Since you will have another 52 issues on your hands you will have to use them with some other distributor's features. If you used them on the days you showed a First National or a Warner Bros. picture you naturally have to deduct from the 120 minutes of your full show 10 minutes, the time required to run the newsreel. This leaves only 110 minutes to fill. The Code, at least, protects you in that matter.

If there is any point some of you do not understand, write me so that I may make the matter clearer.

(To be continued next week)

CLASSIFICATION OF PICTURES

The following is the latest list of pictures that have been classified by the Chicago Legion of Decency:

CLASS A: "The Broken Coin," "The Cactus Kid," "Chu Chin Chow," "Count of Monte Cristo," "Now and Forever," "Six Day Bike Rider," "Thundering Herd," "Thunder Over Texas," "Venetian Nights," and "What Every Woman Knows."

CLASS B: "Against the Law," "Bachelor Bait," "Congress Dances," "Dancing Lady," "The Gay Divorcee," "I Sell Anything," "Lady by Choice," "Pursuit of Happiness," "Ready for Love," "Wednesday's Child," and "Within the Rock."

The following pictures have been classified by the Detroit Council of Catholic organizations for *The Michigan Catholic*:

RECOMMENDED (Good for the family): "Menace," "Overnight," "Paradise Valley," "Six Day Bike Rider," "A Successful Failure," "Tailspin Tommy," "Thundering Herd," "Traum von Schoenbrunn" (The Pretty Brunette), "Venetian Nights," and "What Every Woman Knows."

SPOTTY (Good for adults only; not good for children or adolescents): "Against the Law," "Congress Dances," "The Gay Divorcee," "I Believe in You," "I Sell Anything," "Lady by Choice," "The Lady Is Willing," "Pursuit of Happiness," "Wednesday's Child," and "Within the Rock."

NOT RECOMMENDED (Unsuitable for anybody): "I Have Lived," "Power," and "We Live Again."

HARRISON'S REPORTS

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United States	\$15.00
U. S. Insular Possessions	16.50
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1440 BROADWAY
New York, N. Y.

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
Harrison's Reports, Inc.,
Publishers

P. S. HARRISON, Editor

Established July 1, 1919

Pennsylvania 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, NOVEMBER 10, 1934

No. 45

Feature Pictures Whose Shorts You May Cancel—No. 2

(Continued from last week's issue)

In order for you to have all the facts about the MGM product before you in one issue, I am reprinting in this issue the part of the editorial that deals with this company's product which was printed in last week's issue. Besides, a rearrangement of the figures is necessary because of the release of another 1933-34 picture—"The Painted Veil."

Metro-Goldwyn-Mayer

The following are this company's substitutions:

"The Show-Off," "Stamboul Quest," and "Paris Interlude," a total of 3. All these were sold with Lee Tracy and were delivered without him.

Since this company has not yet delivered all the 1933-34 feature pictures it is difficult to give an exact account of what your rights are. My calculation will, therefore, be based on the idea that they will not deliver any other pictures after "The Painted Veil," the last feature picture announced for the 1933-34 season. If MGM should not deliver any more features then you will not play any more shorts than you should; if they should release additional features, then you may deduct from the number of cancellable shorts the right proportion.

MGM sold you, including "Eskimo" and "Dinner at Eight," 48 features, and since up to "The Painted Veil" it has delivered 35 it is 13 features short.

On 38 features left for release after the Code went into effect, you are entitled to cancel four.

The total number of features on which you are entitled to demand the cancellation of a proportion of short subjects is as follows:

For those who did not accept the substitutions, 20 (13 for the shortage, 4 for the number cancellable under the Code, and 3 for substitutions).

For those who accepted the substitutions under protest, 20.

For those who accepted the substitutions voluntarily, 17.

Each of these classes of exhibitors must deduct 4 pictures from the total number in case they did not take advantage of their cancellation privilege under the Code.

Incidentally, those who still want to cancel 1933-34 MGM pictures under the Code may cancel "The Painted Veil," which has been set for national release November 23. They may, in fact, cancel enough 1933-34 pictures, if MGM should release any more after "The Painted Veil," to take care of their full quota in case they failed to cancel any of them up to this time, for the cancellation privilege is, as said, cumulative—an exhibitor may cancel his full quota from the very last releases.

Your position in regard to this company is unassailable. You will be within your rights to refuse to play any more short subjects unless it releases more features.

Paramount

This company has had no substitutions.

The number of features you were entitled to cancel under the Code was 4.

The contract called for a maximum of 65, and since Paramount delivered only 57 the program was delivered 8 short of the total number.

You are entitled to demand the cancellation of the proportionate shorts for 12 features, unless you failed to take advantage of your cancellation privilege, in which case you must deduct 4, entitling you to demand the cancellation of shorts only on 8 features.

RKO

This company has had the following substitutions:

"Long Lost Father": Promised with John Barrymore and Katharine Hepburn, but the delivered picture did not have Miss Hepburn.

"Hat, Coat and Glove": This picture has been delivered in place of "Fugitive From Glory." But "Fugitive From Glory" was to have John Barrymore, and since this star does not appear in "Hat, Coat and Glove" it is a star substitution.

"His Greatest Gamble," too, is a star substitution but since Richard Dix is a better box office attraction than Clive Brook you have not lost anything by the substitution, and we shall not count it as such.

This company sold 44 regular features, 7 "Lucky Seven," and 1 in natural colors, a total of 52. (In a few of the contracts the natural color picture was sold in a group with the others, but in the main it was sold on a separate contract, on the same deal.)

The total number of feature pictures this company released in the 1933-34 season was 42. It expects to release one more—the natural color. If it should release it, the total number delivered will be 43. This leaves a shortage of 8. If it should not deliver the natural color picture the shortage will be 9 features. (I have been assured by a high RKO executive that RKO will deliver the natural color picture. But for our purpose, let us assume that this picture will not be delivered. No harm is done to make this assumption because if it is delivered, you will naturally book a proportionate number of RKO shorts with it. Thus we shall consider that the shortage is 9.)

Since there have been two substitutions, the total number of feature pictures on which you are entitled to demand a cancellation of proportionate shorts is, in case you have allowed yourself of the Code cancellation privilege, eleven, provided you have rejected the substitutions. If you have accepted the substitutions under protest, the number is still 11; if you have accepted them voluntarily, then it is only nine.

United Artists

The number of shorts this company releases is so small that an exhibitor has absorbed them all without any hardship.

Universal

The following were this company's substitutions:

"I Like It That Way": This took the place of "Rigadon," an unproduced play by Charles Knox Robinson; and since "I Like It That Way" has been based on a story by Harvey Sauber it is a story and author substitution.

"Countess of Monte Cristo": This picture took the place of "The Left Bank," the play by Elmer Rice. Since "Countess of Monte Cristo" is by Walter Fleisch it is a story and author substitution.

"Black Cat": This took the place of "The Man Who Reclaimed His Head," a play by Jean Bart, and since "Black Cat" has been founded on a story by Edgar Allan Poe it is a story and author substitution.

"Affairs of a Gentleman": This took the place of "One Glamorous Night," which was to be the story "Bagdad on the Hudson," by Ward Morehouse, and since "Affairs of a Gentleman" is the play "Women in His Life," by Edith and Edward Ellis it is a story and author substitution.

(Continued on last page)

"Gambling" with George M. Cohan*(Fox, Nov. 2; running time, 80 min.)*

An engrossing murder mystery melodrama. The love George M. Cohan feels for his adopted daughter directs strong appeal to one's emotions of sympathy, and the news of her death arouses one's pity for him. The situations where the detective is shown telling Cohan that his daughter had been murdered will move one deeply the fact that Cohan does not break down but remains silent making a superhuman effort to hold his grief within him makes one feel his grief more profoundly. Another moving situation is where Cohan talks to the portrait of the dead girl; and still another, where Dorothy Burgess, whom Cohan had befriended in an effort to solve the mystery of his daughter's death, asks Cohan, after the solution of the murder mystery, to take her with him on his usual drive through the park. Wynne Gibson provokes considerable comedy by her wisecracking. The romantic interest between Cohan and Burgess is incidental, nevertheless pleasant:—

Cohan, expecting his adopted daughter to return from Europe, goes to the pier to meet her. The steward brings him a note from her telling him that she had left the ship with Theodore Newton, with whom she had fallen in love, and whom she was going to marry. At the pier, Cohan meets an old friend and is introduced by him to Wynne Gibson and to Dorothy Burgess. Cohan is shocked to hear that Dorothy was Newton's girl. He goes to the police to help him find his daughter. That evening he receives the news that she had been found murdered. Newton is arrested for the murder, is tried and for lack of evidence, is acquitted. But Cohan is determined to solve the mystery. He takes the police inspector into his confidence. Realizing that Dorothy and Wynne knew something he invites them to his gambling establishment. He then has the inspector stage a raid so as to hold the two girls. In the meantime, he had discovered that Newton was married to Dorothy. He goes to see Newton and, leading him to believe that Dorothy was being held for the murder because of evidence the police had uncovered, makes Newton break down and confess. He tells Cohan that he killed the girl accidentally when she tried to leave him when she found out he was married. Newton signs a confession absolving Dorothy and when he tries to escape from the police he is shot and killed. Dorothy and Cohan, having fallen in love with each other, decide to marry.

The plot was adapted from George M. Cohan's play. It was directed by Rowland V. Lee well. Others in the cast are Harold Healy and Walter Healy.

Suitable for children, adolescents, and Sundays. Although Mr. Cohan takes the part of a gambler, he is shown as being honest, and during his gambling activities nothing is shown that would offend anyone. Class A.

"Fugitive Lady" with Florence Rice and Neil Hamilton*(Columbia, Oct. 25; running time, 66½ min.)*

An interesting story makes this fairly good entertainment. The spectator is in sympathy with Florence Rice who, although innocent, is convicted on a robbery charge. Neil Hamilton, too, is a sympathetic character because of his attempts to help Florence out of her predicament and of his kindness towards her. The second half appeals to the emotions of sympathy and holds one in tense suspense. Such an effect is attained because of the romance, and because of one's fear lest the heroine's identity be found out:—

Florence accepts Donald Cook's marriage proposal and leaves town with him to be married to him. They speed and are followed by motor policemen. Cook leaves her on some pretext and she is arrested. Jewels are found in his bags in the car, and she is convicted of the theft. Thus she finds out that Cook was a thief. On her way to prison there is a train wreck and she is identified as another woman, the wife of Neil Hamilton, who had been killed and had been given Florence's name. Florence is sent to Neil's home and since his mother had never met her son's wife she accepts Florence as the wife and loves her. Hamilton, who had been separated from his wife, does not give Florence away; instead he falls in love with her. Donald Cook is caught attempting to steal jewels in Neil's home. Confronted by Florence he finally confesses. Hamilton and Florence are married.

The plot was adapted from a story by Herbert Asbury and Fred Niblo, Jr. It was directed by Al Rogell. In the cast are Clara Blandick, Nella Walker, William Demarest, Rita LeRoy, and others.

Because of the crooked element some exhibitors may find it unsuitable for children, adolescents, or Sundays. But it is good for adults. Class B.

"Kid Millions" with Eddie Cantor*(United Artists, Nov. 14; running time, 89 min.)*

Lavishly produced, "Kid Millions" should satisfy the Cantor fans and others well, for he romps through the picture in his usual gay manner singing and provoking comedy. The picture, however, should please young people more than old people. It has comedy, tuneful musical numbers, and a technicolor finish that should thrill children; it shows Cantor in an ice cream factory piling up dishes of ice cream and feeding it to children under a charming musical atmosphere. Several of the situations arouse hearty laughter. One such situation is aboard a ship where Warren Hymer tries to drown Cantor; he puts him in a wheel chair pretending to play a game and takes him to the railing; he then removes the railing and starts rolling the chair to the edge, but each time he does this the boat tilts and Cantor is rolled right back to Hymer. Another comical situation is where Cantor, hidden in a mummy's casket in the ancestral burial room of the King's palace, speaks from the casket while the King is praying. The King believes the spirits are talking to him and heeds the advice given to him to set Cantor and his friends free. The closing scenes which show Cantor accidentally obtaining the fortune in jewels, are exciting:—

Cantor, a brutal man's adopted son, who is mistreated by his equally brutal brothers, is overjoyed when he is told that he had fallen heir to a fortune that is located in Egypt. He sails for Egypt with his attorney, but many obstacles are put in his way. Ethel Merman, and Warren Hymer, her crooked manager, want the fortune. So does Berton Churchill, a southern colonel, who had financed Eddie's father's expedition to Egypt. But Eddie finally obtains the fortune himself and goes back to America a rich man. He opens an ice cream factory where he feeds free ice cream to all the children.

The plot was adapted from a story by Arthur Sheekman, Nat Perrin and Nunnally Johnson. It was directed by Roy Del Ruth. In the cast are Ethel Merman, Jesse Block, Eve Sully, Paul Harvey, and others. The romantic interest is supplied by Ann Sothorn and George Murphy.

Good for children, adolescents, and Sundays. Class A.

"The Firebird" with Anita Louise, Ricardo Cortez and Verree Teasdale*(Warner Bros., Nov. 3; running time, 73 min.)*

A fair murder mystery melodrama, with human interest aroused by mother love. The direction, acting and settings are excellent. But the story is sordid: an eighteen year old girl, loved and sheltered by her parents, kills a man with whom she had had an affair. When Verree Teasdale, the mother, confesses to the murder, most spectators will not understand her motive and will lose sympathy for her; only a few people will realize that she was doing this to save her child. But when the truth is eventually told, one feels deep sympathy for Verree in her unhappiness. One feels sympathy also for Lionel Atwell, Verree's husband, but the daughter is an unpleasant character. One cannot forgive her for her indiscretion and for the unhappiness she brings to her parents.

In the development of the plot, Ricardo Cortez, a famous actor and philanderer, attempts to become friendly with Verree Teasdale, wife of a diplomat, who lives in the same apartment house. She repulses him but he tells her he will expect her in his apartment that evening. Anita Louise, Verree's daughter, overhears this conversation and, knowing that her mother would not go there, pays Cortez a visit herself. The affair continues for a time until Anita tires of him. Cortez threatens to expose her if she should break the affair. In order to frighten her, he takes a gun from the table and pretends that he will kill himself. In the struggle that follows, he is killed. She confesses everything to her mother and when the investigation starts the mother, to save her daughter, assumes guilt. Having been caught in many conflicting statements, the mother is compelled to tell the truth. The parents are heartbroken when the daughter is taken to prison. The inspector promises to do the best he can for the girl.

The plot was adapted from the play by Lajos Zilahy. It was directed by William Dieterle. In the cast are C. Aubrey Smith, Dorothy Tree, Helen Trenholme, Hobart Cavanaugh, Robert Barrat, and others. (Coast review.)

Unsuitable for children, adolescents, or Sundays. Fair adult entertainment. Suitable mostly for women. Class B.

"Transatlantic Merry-Go-Round" with Nancy Carroll and Gene Raymond

(*United Artists, November 2; time, 91 min.*)

2-70
Jack Carroll and Gene Raymond

A few tuneful musical numbers, helped by the good performance of every player, have made this a pretty entertaining picture. There is fast melodramatic action, and some of the episodes are very interesting; but the story is thin. The plot is on the order of the picture "Grand Hotel"; only that the action unfolds aboard a steamer instead of in a hotel. Parts of the picture are unpleasant, in that they deal with crooks and people who are not, or who had not been, so careful as to their morals. For instance, Sidney Blackmer is a crook, and has the heroine's young brother under his influence, from which the heroine is trying to wrest him; Nancy Carroll had been Blackmer's mistress, even though in the picture she is shown reformed. Gene Raymond, too, is shown to be a crook, and he plies his trade aboard the ship. The suspense in which one is held is caused by Raymond's entering cabins and stealing valuables, as well as stealing the wallets of some of the characters. There is considerable comedy throughout, caused mostly by Sydney Howard, who takes the part of a drunkard, and by Mitzi Green, who at one time impersonates George Arliss to perfection. The musical numbers are lavish—they entertain. The romance between Raymond and Nancy is sympathetic.

In the development of the plot Nancy Carroll and her brother are shown to be members of a troupe engaged to give performances aboard an ocean liner. Nancy meets Raymond, one of the passengers, a crook, and, thinking that he is a decent young man, falls in love with him. Sidney Blackmer, a crook, Nancy's former lover, from whom she was running away, is aboard the ship; also Shirley Grey, a married woman, who was in love with Blackmer and was following him. Nancy discovers that Blackmer had in his possession a check to which her brother had forged Blackmer's name. She pleads for the return of the check and he agrees on one condition—that she receive him in her stateroom that night; she consents. As he enters her room he is shot and killed. An investigation follows and when Shirley Grey confesses her love for Blackmer she, too, is shot. Ralph Morgan, Shirley's husband, who had followed her on the trip, confesses to the two murders. Raymond becomes regenerated as a result of his love for Nancy.

The plot was adapted from the story by Leon Gordon. It was directed by Benjamin Stoloff. In the cast are Sid Silvers, Sam Hardy, William Boyd, and others.

Unsuitable for children, adolescents, or Sundays. Good adult entertainment. Class B.

"St. Louis Kid" with James Cagney, Patricia Ellis and Allen Jenkins

(*Warner Bros., Nov. 10; running time, 66 min.*)

Good entertainment; it is a fast-moving and exciting comedy. The comedy is provoked by the uncontrollable tempers of Cagney and Jenkins, who cannot keep out of brawls, and spend most of their time in jails. The first half is made up of laugh-provoking situations; the second half provides exciting melodrama, in addition to comedy. Even the closing situation is funny for Cagney and Patricia spend their honeymoon in jail because Cagney could not control his temper when a hotel clerk insulted Patricia. The romance between Cagney and Patricia is amusing:—

Cagney and his pal Jenkins, truck drivers, while on the road, have an accident in which Patricia is involved. They quarrel with Patricia and when Addison Richards, a friend, happened to be passing by, she calls him for help. Cagney knocks him out. But when he arrives in town he is arrested on Richards's complaint. Cagney is enraged. Finding out that the judge is a farmer, and that Richards is manager for a milk concern that was oppressing the farmers, he tells the judge he is a farmer sympathizer; and so he is freed. The farmers decide to strike and Cagney's firm is engaged to run trucks with milk in the striking district. Cagney is arrested for opposing the farmers and is again put in jail. He sneaks out at night to see Patricia, with whom he had fallen in love, returning to jail later. A gangster, hired by Cagney's firm, kills one of the farmers. Because Patricia is a witness to the murder she is kidnapped. Cagney is held for the murder. He escapes, tracks down the murderer and rescues Patricia. They are married.

The plot was adapted from a story "The Perfect Week End" by Frederick H. Brennan. It was directed by Ray Enright. In the cast are Robert Barrat, Hobart Cavanaugh, Spencer Charters, Dorothy Dare, and others.

The gangster twist makes it unsuitable for children, adolescents, or Sundays. Not harmful for adults. Class B.

"That's Gratitude" with Frank Craven

(*Columbia, Oct. 8; running time, 68 min.*)

A fairly good domestic program comedy; it should please the masses. The comedy is provoked first by the friendship between Craven and Arthur Byron, established while they were both guests at the same hotel. They had adjoining rooms and when Craven heard Byron groaning he went to Byron's room mainly to quiet him so that he might have a peaceful night's sleep. He gave Byron some liquor and then called for a doctor. When the doctor arrived he found Byron well and told Craven that he had applied just the right remedy. Byron and Craven have a few more drinks, and, under the influence of liquor, Byron has an exaggerated notion of what Craven had done for him; he believed that Craven had saved his life. Byron invites Craven to visit him at his home in Kansas.

The hearty laughs are provoked in the second half, after Craven's arrival at Byron's home: Craven overstays his welcome, and becomes obnoxious to Byron, particularly when he tries to make suggestions about family matters. One feels sympathy for Craven, who had taken a liking to the family, and wanted to help them. For instance, he could see that Mary Carlisle, the younger daughter, was in love with her sister's fiance, and that the fiance really loved Mary. But Craven knew that the fiance was under an obligation to marry the older daughter, and so he goes about setting things right. Since the older daughter had a good voice, he suggests that she go to New York with him and he will put her in a show. He gets financial backing from the fiance, who feels glad to be rid of his obligations. Under Craven's management the girl is successful. He falls in love with her. But she, although she promised to marry him, elopes with the good looking tenor of the show, with whom she had fallen in love. This brings about a reconciliation between Byron and Craven, for Byron feels that his daughter had shown ingratitude. He again invites Craven to his home, to stay as long as he pleased.

The romantic interest is pleasant.

The plot was adapted from the stage play by Frank Craven and directed by him. In the cast are John Buckler, Sheila Manners, Charles Sabin, Helen Ware, Blythe Daley, and others.

Suitable for children, adolescents, and Sundays. Class A.

"365 Nights in Hollywood" with James Dunn and Alice Faye

(*Fox, Oct. 12; running time, 74 min.*)

A fair comedy with music. Although the story presents little that is novel, and the musical numbers are quite ordinary, it will please those who enjoy seeing how motion pictures are made, for the locale is Hollywood, and the action revolves mostly around the making of a picture. Both Alice Faye and James Dunn are sympathetic characters. Dunn is more sympathetic than any other player because of his honesty: he does the right thing for the man who had invested money in the feature picture that he was directing. Mitchell and Durant are amusing in their slapstick way. In the scene where they are supposed to be two wrestlers meeting in the street they provoke hearty laughter; they shake hands and immediately begin throwing each other all over the place. The ending holds one in fair suspense. The romantic interest is pleasant:—

Dunn, a former director who had slipped because of too much drink, is offered a position as instructor in a fake dramatic school conducted by Grant Mitchell. Alice Faye comes to the school and Dunn feels that she has some talent. They soon fall in love. She meets a young man who had inherited \$75,000 and he calls for her at the school. When Mitchell finds out about the fortune, he induces the young man to become a producer. He then plans with Dunn to produce a picture at a small cost, and to split the balance in three parts, the third part to go to the leading man. Alice is given the leading part and Dunn, bent upon helping the investor, spends all the money on the production instead of following Mitchell's suggestion. Complications arise when the leading man hears of it and threatens to quit. When Alice stays with the leading man, who had become drunk, so as to be sure he would go to the studio the next morning, Dunn misunderstands. The finished picture is good, Dunn is a success, and he and Alice become reconciled.

The plot was adapted from a series of short stories by Jimmy Starr. It was directed by George Marshall. In the cast are John Bradford, Frank Melton, John Qualen, and others.

Suitable for children, adolescents, and Sundays. Class A.

"Embarrassing Moments": This took the place of the "2nd Edmund Lowe Production," and since Edmund Lowe does not appear in the finished product, it is a star substitution.

"One More River": This took the place of "Zest," the novel by Charles G. Norris, and since "One More River" is by the late John Galsworthy it is a story and author substitution.

The number of substitutions is 6. The number of features sold, exclusive of the westerns, was 36, and when it delivers "Imitation of Life," which was scheduled for release October 29, Universal will have delivered the total number when the substitutions are included.

Those who did not buy the westerns are entitled to cancel three.

The total number of substitutions and of the cancellable features under the Code is nine.

Those who did not accept the substitutions are entitled to demand the cancellation of a proportion of shorts on 9 features; those who have accepted them under protest are entitled to demand on the same number—9; those who have accepted the substitutions voluntarily are entitled to demand the cancellation of the proportion of short subjects on only three features.

An exhibitor who has not canceled his entire quota of cancellable pictures under the Code may yet cancel "Imitation of Life."

In last week's editorial I gave you an example as to how you should tabulate the features of each company and the shorts you should have played with these features so that you might be enabled to tell with accuracy how many are your surplus shorts.

In that tabulation I assumed that your show is of two hours' duration. But suppose your show lasts two and one-half hours (150 minutes) and you show two features in one bill. In such an event, the tabulation should be, taking the products of two major companies as our example, as follows:

Title	Minutes
"Flying Devils" (RKO).....	61
Pathe News.....	10
"One Sunday Afternoon" (Paramount).....	68
"Ha! Ha! Ha!" Cartoon (Paramount).....	10½
	149½

These are all the shorts you may figure with these features, or with features of about the same length, of any other two companies.

But suppose you show the feature of one major company and a feature from an independent who does not sell shorts! Then the table should be as follows:

Title	Minutes
"Brief Moment" (Columbia).....	69
"March of Years" (Columbia).....	10
"Laughing With Medbury in India" (Col.)... ..	10
"Moonstone" (Monogram).....	61
	150

In other words, you must fill in the remaining time with shorts from the Columbia stock.

It is unlikely that the distributors will accept your surplus back without a fight. They will, no doubt, make the assertion that the contracts for shorts are not retroactive. But the retroactivity of these contracts will be determined, not by the distributors, but by the Code Authority. For this reason you should take the matter to your Local Grievance Board immediately and if this Board decides against you, appeal from its decision to the Code Authority.

I realize, of course, that the Code Authority is "packed"; therefore you have little or no chance there. But let them decide against you; we shall at least have another abuse to add to the numerous abuses so that, when the time comes, we many convince our President that the leopard has not changed his spots.

THE PENITENT

Harry Warner, while in Philadelphia on October 23, looking over the local situation as affected by the war declared by Cardinal Daugherty against all picture theatres indiscriminately, issued a statement to the effect that his Philadelphia zone theatre department will, in the future,

classify pictures into A and B classifications, to enable parents to determine what pictures are and what are not good for their children to see.

"Parents are not," he said, "as well informed on motion pictures as we are, and for this reason we intend to guide them in their selection of screen entertainment for themselves and their families."

This language is quite different from the language Harry Warner employed in Albuquerque, New Mexico, where he accused the churches, particularly the Catholic Church, of carrying on a war against the picture theatres, not because they believed they were morally right but because the theatres drew people away from the churches; and in Los Angeles, California, where he, while entertaining Postmaster General Farley, stated that Cardinal Daugherty is un-American.

Harry Warner's change of front was caused by the heavy losses he is said to be suffering in his theatres in the Philadelphia zone as a result of Catholic antagonism. By such a turn-about-face he hopes to appease Cardinal Daugherty and induce him to modify his attitude.

This paper hopes that the mistake Harry Warner made by having assumed a defiant attitude toward the churches will be a lesson to him, for a continuance of such an attitude will not harm himself alone; it will harm also every other person connected with the motion picture industry, as has been the case recently; the independent theatres of the Philadelphia zone are suffering almost as much as are the Warner Bros. theatres, because the Catholic Church suggested to all members of its congregation to keep away from all pictures, instead of only from all indecent pictures.

UPTON SINCLAIR AND THE MOTION PICTURE INDUSTRY

I don't know what Upton Sinclair's "Epic Plan" is, except what I have read in the newspapers. And I do not allow myself to be guided in important issues by comment in partisan papers. For this reason I cannot say anything either for or against this plan. But I do know one thing—that the interest Mr. Sinclair has taken in your affairs is not going to do you any harm.

From far away New York Mr. Sinclair's chances for election seem slim. For the Tories have left nothing undone to present him to the voters of California and to the people of the rest of the country in a most unfavorable light. They seem to have misrepresented him and his plan just as they have misrepresented our President and his plan—the New Deal. But whether Mr. Sinclair is elected or not, he is destined to remain a great factor in this industry. Already he has expressed himself as being in favor with your efforts to bring about the elimination of block-booking and blind-selling, and to cause the industry to be investigated by Congress—reforms for which you have been fighting for years unsuccessfully.

Mr. Sinclair may be defeated; but his influence upon the industry's politics will not be effaced thereby. For so the producers have willed. And those who have lived by the sword must die by the sword.

This paper will have much to say in the future about the conduct of the producers and of the Hays forces in the present California politics. In the meantime, wherever you are, telegraph or even write to Mr. Sinclair, in Los Angeles, that you are grateful to him for the interest he has taken in your affairs.

CLASSIFICATION OF PICTURES

The following pictures have been classified by the Chicago Legion of Decency:

CLASS A (Suitable for families): "The Brand of Hate," "Gridiron Flash," "Ich Bin Ja Verliebt" ("I Am So Beloved,") "Marie Galante," "To-Morrow's Youth," "365 Nights in Hollywood," "The White Eagle" (Polish film.)

CLASS B (Adults only): "Within the Rock," "By Your Leave," "Fugitive Road," "Transatlantic Merry-Go-Round," and "Wake Up and Dream."

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HARRISON'S REPORTS

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**1440 BROADWAY
New York, N. Y.**

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
Harrison's Reports, Inc.,
Publisher

P. S. HARRISON, Editor

Established July 1, 1919

PEnnsylvania 6-6379
Cable Address:
Harreports
(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, NOVEMBER 17, 1934

No. 46

TENTH AND CANCELLABLE PICTURES FOR THE 1934-35 SEASON

Columbia: This company has not yet released enough pictures to make up its first group of ten.

First National: Up to "Church Mouse," set for release December 15, this company will have not released enough feature pictures to make up the first group of ten.

Fox: "The Cat's Paw," is the first release of this season. "Love Time," is a substitution of star, in that Lilian Harvey and John Boles were promised and these stars do not appear in the picture.

For those who accepted this substitution voluntarily, the tenth picture of the first group of ten is "Elinor Norton"; but for those who did not accept it, the tenth is "Gambling."

In a recent issue I recommended that you cancel "Elinor Norton" in the first group. If you did not cancel it, you may cancel two in the second group.

MGM: "Straight is the Way" is the first 1934-35 release and "Wicked Woman," set for release November 16, the tenth in the first group of ten.

If you have already canceled one picture in this group, you may apply the rental, which you have naturally paid, on "Wicked Woman." If you have not, you may cancel either "Wicked Woman," without paying for it, if it should turn out of a low quality, or another in the second group of ten, thus cancelling two pictures in that group.

Paramount: "Ladies Should Listen" is the first picture in the 1934-35 season, and "Ready for Love" the tenth picture of the first group of ten.

If you have not yet canceled any picture in the first group, you may cancel two in the second group, since it is too late now to cancel one in the first group, unless some picture of this group, which you may want to cancel, has not yet been released in your zone.

Perhaps "Limehouse Blues," set for release November 9, should be a picture you should want to cancel; I understand that it has been sent back to Hollywood for "repairs." The last day on which you have the right to cancel it, if it should be released in your exchange territory on the date of its national release date, is November 23.

According to the schedule printed in this week's Index, the tenth picture of the second group of ten is "Father Brown, Detective," which has been set for release December 1. But in all likelihood the schedule will be altered.

RKO: The first 1934-35 release is "The Fountain," and the tenth picture of the first group of ten is "Woman in the Dark," set for release November 9.

Perhaps "Woman in the Dark" is a picture you should cancel; the last day on which you will be entitled to send in your written cancellation notice will be November 23, provided your local territorial release date is the same as the national release date; if it is later, you will have the right to cancel it later.

United Artists: Not enough pictures have been set for release by this company to make up a group of ten.

Universal: "There is always Tomorrow" is the first 1934-35 release and the tenth picture of the first group is, if you have bought the westerns, "Strange Wives," but if you have not bought them, "The Man Who Reclaimed His Head."

I can make no recommendation just now for a picture you should cancel. "Cheating Cheaters" is only a fair program picture.

Warner Bros.: "Desirable" is the first 1934-35 release, and "Bordertown," with Paul Muni, the tenth picture of the first group of ten.

Perhaps "I Am a Thief" is a picture you should cancel; although I have not yet seen it, the title sounds very bad.

Remember that, according to the Code, you may send in your notice of cancellation within fourteen days after a picture's release in your exchange territory.

According to a recent Code Authority ruling, an exchange must send the release dates of its pictures to your Local Grievance Board. This Board must, in turn, send them to your local trade papers at the same time posting the schedule in the exchange quarters.

Since this procedure is often unsatisfactory to you, in that frequently you do not receive the information enough in advance to enable you to take advantage of your cancellation privilege, I suggest that you cancel whatever picture you have determined upon as soon as you make up your mind, notifying your exchange to that effect by a registered letter, composed somewhat as follows:

"I desire to cancel (*name of picture*) under my ten per cent cancellation privilege, granted me by the Code.

"You may take this notice as if it were sent within the time limit prescribed by the Code. But in case this is not satisfactory to you, please let me know on what date I may send my cancellation notice for this picture, and I shall comply with your suggestion."

In this way you will avoid the controversy that has often arisen by the producers' silly notion that you have no right to cancel a picture until after it is released in your exchange territory.

THE RIGHT MEANING OF THE LETTERS "A"—"B"—"C" IN THE REVIEWS

The letters "A," "B," or "C," placed at the end of a review, indicate, not the picture's quality, but its suitability for a particular kind of patronage.

The letter "A" indicates that the picture so classified is suitable for the entire family, and that exhibitors who have it bought may show it on a Sunday. But the picture may be boring, as far as quality goes, and those exhibitors who have not bought it may not be willing to buy it even if it were offered to them at an extremely low rental.

The letter "B" indicates that the picture may be highly entertaining, but that, because some parts of it either offend our morals or lack good taste, it is unsuitable for either children or for adolescents, although it may be harmless for adults. And those small-town exhibitors who will show it on a Sunday may be censured by many of their customers. On the other hand, it may not be entertaining at all, but the offensiveness of these situations may not constitute it a "C" picture.

The letter "C" indicates that the picture is so offensive, so demoralizing, that it should not be shown at all, regardless of quality.

Incidentally, if a distributor has refused to accept from you the cancellation of a picture against which there has been a genuine protest by prominent citizens of your community, let me know. Send me copies of the correspondence exchanged between you and the distributor. It is necessary that you send me this information without fail.

FEATURE PICTURES WHOSE SHORTS YOU MAY CANCEL

Because of the fact that First National has released another 1933-34 picture—"Flirtation Walk"—it is necessary that the calculation made of this company's features, the short subjects of which you may cancel, as printed in the November 3 issue, be readjusted.

(Continued on last page)

"College Rhythm" with Jack Oakie, Helen Mack and Mary Brian

(Paramount, Nov. 23; running time, 83 min.)

Very good. It is a mixture of romance, football, comedy, and music, and they have all been blended in a lavish production excellently. It differs from most football stories in that it does not take the game seriously. As a matter of fact, some of the situations during the games are so farcical that they will provoke hearty laughter. For instance, one game lasts well into the night and the use of floodlights becomes necessary. Suddenly the lights are put out by the manager of one of the teams and when they are switched on again his team is seen standing at the goal line claiming a touchdown. The music is tuneful, the romantic songs being sung by Lanny Ross, and the "peppy" ones by Lyda Roberti. Joe Penner, a national radio favorite, is introduced to motion picture audiences in his first feature picture; although his brand of comedy might be considered silly, it undoubtedly is funny, and since his appearances are not yet frequent, he does not become tiresome. The second half is lively and amusing, the comedy being provoked by the tactics Jack Oakie employs in running a department store—he provides music, entertainment, and novelty for the customers:—

Two years after graduation, Oakie finds out that his having been on the All-American team and a favorite at college is not a help in obtaining a position. He "swallows" his pride and goes to see a classmate, Lanny Ross, whose father owns a department store. Lanny gives him a position. George Barbier, Lanny's father, returns from a trip and finds, to his disgust, that Lanny had driven away all the customers because of his high notions. Oakie's conceited manner appeals to Barbier and he makes Oakie manager. Oakie forms a football team, and fits the store to look like a night club. This brings in customers. He takes away Lanny's girl, Mary Brian, but Lanny does not mind it since he had fallen in love with his secretary, Helen Mack.

The plot was adapted from a story by George Marion, Jr. It was directed by Norman Taurog. In the cast are Franklin Pangborn, Robert McWade, Harold Minjir, and others.

Suitable for children, adolescents and Sundays. Class A.

"Flirtation Walk" with Dick Powell, Ruby Keeler and Pat O'Brien

(First National, Dec. 1; running time, 96½ min.)

A wholesome, gay, and romantic comedy-drama! It is realistic because of the authentic background—more than half of the story unfolds at West Point, where it was actually photographed. The drills and parades of the Cadets, to the strains of the military march music, should thrill most people, especially young men. The students are young and enthusiastic and provoke comedy by their harmless pranks. Some situations appeal to one's emotions of sympathy; as, for instance, the situation in which Powell is told he will not have to resign from West Point because of an indiscretion he had committed two weeks before graduation. Another such situation is where Powell and Pat O'Brien, buddies in the Army, take leave of one another. With the exception of one number in the first half, showing Hawaiians in a native dance, there are no elaborate musical numbers. The music is confined to a few songs sung by Powell and Ruby Keeler. The love affair between Ruby and Powell is romantic:—

Powell, an Army private, stationed in Hawaii, and Ruby Keeler, the General's daughter, fall in love with each other after a romantic drive in the moonlight. Ruby's fiancée, a Lieutenant, finds them embracing and orders Powell to his quarters. Powell, wishing to avoid a scandal, decides to desert. Ruby, in order to save him from such a disgrace, pretends that she does not love him and tells him to forget her—that evening meant nothing to her. Powell, piqued by her attitude, is determined to become an officer and gentleman. He enrolls in West Point, and makes a fine student. Just before graduation, Ruby arrives with her father, who had been made superintendent. Powell is cold to her at first, but he cannot resist her charms very long and he becomes reconciled with her. Powell's career is almost ruined when he is found in Ruby's quarters, but he is forgiven. He is graduated from West Point with honors and he and Ruby decide to marry.

The plot was adapted from a story by Delmer Daves and Lou Edelman. It was directed well by Frank Borzage. In the cast are Ross Alexander, Henry O'Neil, John Eldredge, Guinn Williams, Glen Boles and others.

Good for children, adolescents and Sundays. Class A.

"Menace" with Gertrude Michael and Paul Cavanagh

(Paramount, Oct. 28; running time, 57 min.)

A fair program murder mystery melodrama; it should please the followers of this type of entertainment. The theme, however, is unpleasant since it deals with a maniac who hounds three innocent people, threatening them with death, because his brother had been killed after attending a get-together with them. It is eerie, and holds the audience in tense suspense, particularly in the second half when the day set for the murders arrives. Each of several persons is suspected of being the murderer, and it is not until the very end that the murderer's identity becomes known. The love interest is incidental:—

Gertrude Michael, Paul Cavanagh, and Berton Churchill, spending the last night of their vacation in East Africa together, telephone Raymond Milland to join them in bridge. Milland leaves his post at the dam, which was being constructed in the mountains, to be with them. A storm breaks and Milland receives a telephone call that the dam is giving way. Despite the pleas of the others not to fly, he leaves, and while flying over the dam he sees it give way, the water carrying with it homes and people, including his two sisters. Afraid to face the disgrace, he deliberately crashes to death. Back in their respective homes Gertrude, Cavanagh, and Churchill begin receiving letters from Milland's brother blaming them for his brother's death, and threatening them with death. When the day set for their murder arrives, they are all together in Gertrude's home in California. They have a few guests and soon Churchill is found murdered. Attempts are made to kill Gertrude and Cavanagh but they are both saved by Halliwell Hobbes, a detective, disguised as a butler. The murderer is found to be one of the guests with an assumed name. Gertrude and Cavanagh realize they love each other and are united.

The plot was adapted from a story by Phillip MacDonald. It was directed by Ralph Murphy. In the cast are Henrietta Crosman, John Lodge, Robert Allen, Arletta Duncan and others.

It may prove too terrifying for children or adolescents; not a Sunday picture. Suitability, Class B.

"Against the Law" with John Mack Brown and Sally Blane

(Columbia, Oct. 25; running time, 59½ min.)

A very good program action-melodrama. It should hold the audience in tense suspense, for some of the situations are thrilling. This is so particularly in the encounters between the hero and the villain. In one situation the hero, an ambulance driver, calmly walks out of the gangster's hideout with a patient who had been shot and had to be rushed to the hospital, knowing that rival gangsters were stationed across the street ready to shoot the first person to come out of the house. The closing scenes, too, are thrilling. In that part of the hero, by a clever ruse, traps the villain and his gang. There is also human interest in many situations; it is aroused by the fine traits displayed by the hero, who, for the sake of the girl he loved, willingly sacrifices his career, to save her fiancée, a doctor, from disgrace. The love interest is pleasant:—

The hero, an ambulance driver, knows that the doctor with whom he is teamed up in emergency work is in trouble. Called to the villain's hideout, where a man had to be treated for gun wounds, he realizes that the doctor, who is extremely nervous, is in some way connected with the gangsters. Knowing that the heroine, with whom he is in love, is engaged to the doctor, he sets out to help this doctor, and by doing so he hurts his own reputation. The doctor is killed by the villain when he tries to quit the racket, and the hero, in order to spare the heroine's feelings puts the body in an automobile and then pushes it over a cliff, making it appear as if the doctor had been killed in that accident. The hero forces a confession from the villain, and with the help of the police rounds up the entire gang. The hero is happy when the heroine tells him that she had broken her engagement with the doctor some time before his death.

The plot was adapted from a story by Harold Shumate. It was directed by Lambert Hillyer. In the cast are Arthur Hohl, George Meeker, James Bush, Bradley Page, Ward Bond, and others.

Because of the gangster element it is unsuitable for children, adolescents, or Sundays. Harmless for adults. Suitability, Class B.

"Cheating Cheaters" with Fay Wray*(Universal, Nov. 5; running time, 66½ min.)*

W. J.
2/6-7

A moderately entertaining program comedy. The theme, that of crooks cheating crooks, has been done before and this version offers little that is novel. One is not in sympathy with either the hero or the heroine because they are both crooks. The fact that in the end it is shown that the heroine is a detective, and not a crook, does not arouse the spectator's good will towards her, for she is shown testifying against persons with whom she had become friendly under false pretenses. The comedy is fairly good; it is provoked by the manner in which the members of two gangs proceed to become acquainted, each one's intention being ultimately to steal jewels from the other. The laughs are provoked when each group pretends they are society folk and assume polished manners. The closing scenes are exciting as well as comical—the members of one gang discover that the members of the other gang are crooks. The romantic interest is fairly pleasant.

In the development of the plot, Fay, working with accomplices, becomes friendly with Cesar Romero, his "mother" and "father." She plans to steal jewels from Romero's home. To her surprise, she discovers that Romero is a crook, too, and that the persons he introduced as his mother and father were really his accomplices. The members of the two gangs are arrested on information given by a well-known detective. It develops that Fay is the detective, having joined the gang to get information. Romero, having fallen in love with Fay, promises to reform when Fay accepts his proposal of marriage.

The plot was adapted from the play by Max Marcin. It was directed by Richard Thorpe. In the Cast are Minna Gombell, Francis L. Sullivan, Hugh O'Connell, and Henry Armetta.

Not suitable for children, adolescents, or Sundays. Harmless for adults. Class B.

"Girl O' My Dreams" with Mary Carlisle and Eddie Nugent*(Monogram, Nov. 17; running time, 65 min.)*

A pleasing program picture with a college background, and with a few songs. A great deal of the action revolves around college athletics, with the hero presented as an egotistical fellow, who eventually reforms. There is considerable comedy, and some human appeal. The action is fast enough to hold the interest fairly well. Here and there it is somewhat slow, but it is not boresome:—

Eddie Nugent, the best athlete in school, has a head too big for his hat and the editor of the college paper, in order to teach him a lesson, switches votes during a contest and Creighton Chaney is elected "Joe Senior." But Chaney, as soon as he is elected, casts modesty to the winds and becomes even more egotistical than Nugent. Nugent is so dejected that he loses his virility and during a track meet he loses race after race until his girl, whom he thought he had lost, smiles at him; suddenly he "comes to life" and wins important contests, raising his college's points to such a place that Arthur Lake's victory secures the pennant for their college.

There are the usual flirtations, such as one sees in almost every college picture, but there is no situation that may be considered offensive.

The story is by George Waggner; the direction, by Ray McCarey. In the cast are Mary Carlisle, Sterling Holloway, Lee Shumway and others.

Suitability, A—Good for the entire family; it can be shown on Sundays.

"The White Parade" with Loretta Young and John Boles*(Fox, Nov. 16; running time, 84 min.)*

Very good entertainment, suited particularly for women. The production and acting are excellent, with intelligent and sensitive direction by Irving Cummings. The story is concerned with the young women who have chosen nursing as a career. It is a sympathetic account of their life at the hospital, with its joys and sorrows, without being too sentimental; and it is at no time vulgar. Some situations are deeply moving. One such situation is where Loretta Young is told that she will not have to leave the hospital because of an act of carelessness on her part, and that she will be able to graduate. She is so moved that she cannot utter a word; all she does is look at her superiors, her eyes glistening with tears. One is moved deeply by this. (The innocent pranks the girls play on one another provoke comedy.) Human interest is aroused by the manner in which the girls

are treated by the head nurse, and the matron. Both women are stern, but so fair and kind that they become endeared to the spectators. (Added to all this is the pleasant romance between Loretta Young and John Boles.) Although the fact that they do not marry may disappoint romantically inclined people, most spectators will admire Loretta's courage in renouncing love to serve mankind. The effect training has on the girls, and the knowledge of what nursing means to them, are very interesting sights.

The plot has been adapted from the novel by Rian James. In the cast are Muriel Kirkland, Dorothy Wilson, Joyce Compton, Astrid Allwyn, Sara Gittelson, Polly Ann Young, Frank Conroy, Frank Melton and Walter Johnson. Loretta Young, Sara Haden and Jane Darwell give artistic performances.

The only thing that might be objectionable for children or adolescents is the scene in which Dorothy Wilson has a conversation with a doctor she had been going around with. It is understood that they had had an affair. This may make the picture unsuitable for Sunday showing, and not quite proper for either children or adolescents. But it is excellent for adults. Suitability, Class A.

"The First World War"*(Fox, Nov. 23; running time, 78 min.)*

3/29-30

This is the most effective compilation of newsreel shots of the world war yet shown and should prove intensely interesting to men. It has been edited intelligently and holds the attention throughout. The commentary is done by Lawrence Stallings. It begins by first showing each country advocating peace but actually preparing for war; it then shows the events that lead up to the world war.

Some of the war scenes are extremely gruesome. They are pictures taken on land, in the air, and on water, all with the idea of bringing destruction. The most horrible scenes are those taken on the water; they show ships blown up by submarines. In one torpedoing about one thousand men are thrown into the ocean; the sight of these men struggling for their lives should sicken even persons with a strong constitution.

The battles on land are equally harrowing. When the command is given for the men to go over the top, they all rush forward. Soon the ground is strewn with their bodies, some of them dying instantly, others suffering and struggling to keep alive.

The scenes behind the fighting lines are interesting. Many notable figures are shown by the camera.

Leaving the war, the picture touches of things in the present day; it shows the preparations again today for war, and the restlessness of the people.

It is the sort of picture that should be seen by all, for it is effective anti-war propaganda.

Truman H. Talley has compiled it, in association with Simon and Schuster, the publishers of Mr. Stallings' book.

It may prove a little too strong for women, and for sensitive children. Otherwise it is suitable for children, adolescents and Sundays. Suitability, Class A.

"She Had to Choose"*(Majestic; running time, 63 min.)*

In the review that was printed in the October 27 issue, on Page 170, this picture was classed as "C." Because it has been reedited, it is now an "A" picture—suitable for the entire family.

To get all the facts, read the review as well as the editorial that was printed on Page 175.

"Evelyn Prentice," MGM, is a fairly good drama. The first half is slow but it picks up in the second half. "One in a Million" and "Port of Lost Dreams," independent, are pretty good program melodramas. Reviews next week.

BOOKINGS OF EITHER "TWO OR THREE DAYS" MUST BE OPTIONAL WITH EXHIBITOR

Frequently an exhibitor finds it necessary to cancel a poor picture before the engagement is over, but he is unable to do so because the interpretation given to the provision "two or three days" by the exchanges is that the decision rests with the distributor whether the picture shall be shown three days or only two.

To enable yourself to pull out a poor picture, you had better insert in the contract the following modified provision: "Two or three days, at option of exhibitor."

When you insert such a provision, you are enabled to play the poor pictures fewer days but to play the good pictures at the greatest number of days, without any added film cost.

First National

First National sold 30 feature pictures and since it has delivered 26 it is 4 pictures short.

The number of feature pictures you were entitled to cancel under the Code was three.

The substitutions were five.

For those who did not accept the substitutions or who accepted them under protest, but who canceled their quota of three feature pictures under the Code, the total number of feature pictures the short subjects of which they may cancel is twelve—5 for the substitutions, 3 for the cancellable number under the Code, and 4 for the shortage.

For those who did not accept the substitutions, or who accepted them under protest, but who did not avail themselves of their Code cancellation privilege, the number of features the short subjects of which you may cancel is nine.

For those who accepted the substitutions voluntarily, the number of such features is, if they canceled their quota of 3 features under the Code, 7, but if they did not cancel them, only four.

The readjustment of the figures of the First National product makes necessary the readjustment of the figures also for the combined products of the two companies—First National and Warner Bros.

Warner-First National

The total number of features these two companies sold was 60; the total number they delivered has been 53; the shortage is 7 features.

The total number of substitutions has been 7; the total number you had the right to cancel under the Code was five features.

The total number of features for which you may cancel a proportion of shorts is nineteen—7 for the shortage; 7 for the substitutions and 5 for the cancellable quota.

The number of feature pictures each class of the following exhibitors is entitled to cancel is:

For those who did not accept the substitutions, or who accepted them under protest, but canceled their quota of 5 features under the Code, 19.

For those who did not accept the substitutions, or who accepted them under protest, but did not cancel their quota of 5, 14.

For those who accepted the substitutions voluntarily, if they canceled their quota of 5, it is 12; if they did not cancel it, only seven.

To these feature pictures you may add the number that you cancelled on the protest of prominent citizens of your community, in accordance with the promise made by the producers, through Mr. Hays, to Archbishop John T. McNicholas, for pictures released previously to July 15.

As said in last week's editorial, the surest way for you to know what shorts to cancel is to figure out the number of shorts you should have played with every feature picture you accepted from a distributor or he has delivered to you; you should cancel what is left.

The Code's language is specific on this subject. And its aim was to prevent a distributor from loading upon you short subjects which you could not use. The theory of the provision was to prevent unnecessary losses so that you might be enabled to pay labor a higher remuneration, or even to employ more workers, and thus help reduce unemployment. If the producer failed to deliver the entire number of feature pictures, it is not right that you should be penalized for the short subjects he sold you to use with the undelivered pictures. The same is true of substitutions, as well as of pictures that you canceled under either the Code or the producer's promise to Archbishop McNicholas.

CLASSIFICATION OF PICTURES

The following are the latest feature pictures that have been classified by the Chicago Legion of Decency:

CLASS A (Good for the entire family): "Cavalcade," "Die Taenzerin Von Sans Souci" ("The King's Dancer"—German), "Emma," "Great Expectations," "I Am So Beloved," "Jungle Killer," "Lady for a Day," "Lost in the Stratosphere," "Lucky Texan," "The Man of Aran," "The Man Who Played God," "Phantom Express," "Smoking Guns," "Strawberry Roan," "Their Big Moment," and "Tombstone Canyon."

CLASS B (Unsuitable for either children or adolescents, but are neither approved nor disapproved for adults on account of their being objectionable in spots because of either suggestiveness, or vulgarity or lacking in modesty in spots): "All Quiet on the Western Front," "The Bowery," "By Your Leave," "City Park," "Elinor Norton," "Fifteen Wives," "Kara Slaken" (Swedish), "Laughing at Life," "Little Friend," "Loyalties," "Morning Glory," "No Other Woman," and "Transatlantic Merry-Go-Round."

CLASS C (Unsuitable for anybody): "Design For Living," "Firebird," and "The Women in His Life."

The classification of each of the following pictures has been changed:

Formerly B, now A: "The Cat's Paw," "Kansas City Princess," "She Learned About Sailors," and "The Vanishing Shadow."

"The Defense Rests" and "The Mystery of Mr. X," were originally placed in Column A: later they were put in the B column, evidently through a typographical error; they have now been placed back in Column A.

The following are the latest picture classifications of the Detroit Council of Catholic Organizations:

RECOMMENDED (Class A—Good for every member of the family): "The Brand of Hate," "Great Expectations," "Gridiron Flash," "Ich Bin Ja Verliebt" ("I Am So Beloved"), "Marie Galante," "The Man of Aran," "365 Nights in Hollywood," "Shoot the Works," "Their Big Moment" (taken out of the "Spotty" list), "Tomorrow's Youth," and "The White Eagle."

SPOTTY (Not for children or adolescents, but not forbidden for adults): "By Your Leave," "Fugitive Road," "Little Friend," "The Man Who Changed His Name," "One Exciting Night," "Transatlantic Merry-Go-Round," "Wake Up and Dream," and "White Sister" (taken out of Recommended list.)

NOT RECOMMENDED (Class C—not suitable for anybody): "The Firebird," "Madame DuBarry," "She Had to Choose" (Editor's Note: This should now be in the A list.)

DISTRIBUTORS DROPPING THEIR HIGHER RENTAL DEMANDS

Early in the season many of the distributors established the policy of demanding an increase of film rentals over last season's. Reliable information reaching this office indicates conclusively that the distributors, because of the refusal of most exhibitors to buy pictures on the terms they set down, not only have given up demanding an increase, but in many, many instances have accepted contract applications at a small decrease, for they feel that the losses that are accruing to them from the slowness of the exhibitors to buy film more than compensates for the small decrease.

If you have not yet bought your season's product, you should take full advantage of the new situation and obtain your film at a small decrease under last year's prices, no matter how small such decrease may be. If other exhibitors are able to obtain their film at smaller than last year's rentals, why shouldn't you?

MGM SUBSTITUTIONS FOR THE 1934-35 SEASON

According to the 1934-35 contract MGM was to deliver to you four pictures in the Cosmopolitan Series, numbers 508, 509, 510, and 511; also two Marion Davies, numbers 513 and 514.

Since the Cosmopolitan Productions and Marion Davies have severed their connections with MGM and are connected with Warner Bros., MGM will be unable to deliver what it promised in the contract.

Of the Cosmopolitans, two have been set for release—508 as "Evelyn Prentice," and 509 as "Repeal." This leaves two more Cosmopolitans. If MGM does not deliver them, it cannot compel you to accept another brand; they must be Cosmopolitan.

The two pictures that may be delivered to you in place of the Marion Davies productions will be star substitutions, and you will be under no obligation to accept them.

HARRISON'S REPORTS

Vol. XVI

NEW YORK, N. Y., SATURDAY, NOVEMBER 17, 1934

No. 46

(Partial Index No. 6—Pages 158 to 180 Incl.)

<i>Title of Pictures</i>	<i>Reviewed on Page</i>
Anne of Green Gables—RKO (77½ min.)	175
Crimson Romance—Mascot (67½ min.)	158
Curtain Falls, The—Chesterfield (67½ min.)	163
Dangerous Corner—RKO (66 min.)	166
Dude Ranger, The—Fox (65 min.)	163
Elinor Norton—Fox (72 min.)	174
Firebird, The—Warner Bros. (73 min.)	178
Fugitive Lady—Columbia (66½ min.)	178
Gambling—Fox (80 min.)	178
Gay Divorcee, The—RKO (104 min.)	162
Great Expectations—Universal (101 min.)	170
Gridiron Flash—RKO (63 min.)	174
Happiness Ahead—First National (85½ min.)	167
Hawaiian Nights—RKO (See "Down To Their Last Yacht")	150
I Sell Anything—First National (69 min.)	170
I'll Fix It—Columbia (68 min.)	167
Kansas City Princess—Warner Bros. (64 min.)	159
Kid Millions—United Artists (89 min.)	178
Lady By Choice—Columbia (76 min.)	162
Lemon Drop Kid, The—Paramount (70 min.)	163
Little Friend—Gaumont-British (82½ min.)	171
Lost in the Stratosphere—Monogram (65 min.)	175
Love Time—Fox (74 min.)	162
Loyalties—Harold Auten (67½ min.)	175
Man of Aran, The—Gaumont-British (75 min.)	170
Man Who Changed His Name, The—Twickenham 71m.	171
Merry Widow, The—MGM (99 min.)	166
Mrs. Wiggs of the Cabbage Patch—Paramount (78m.)	167
Night Alarm—Majestic (65 min.)	159
One Exciting Night—Universal (67 min.)	171
Outcast Lady, The—MGM (77 min.)	166
Peck's Bad Boy—Fox (70 min.)	158
Power—Gaumont British (103 min.)	162
Pursuit of Happiness, The—Paramount (71 min.)	174
Radio Star, The—Monogram (See "The Loudspeaker")	79
Ready For Love—Paramount (61 min.)	171
She Had To Choose—Majestic (63 min.)	183
Six Day Bike Rider—First National (68½ min.)	171
St. Louis Kid—Warner Bros. (66 min.)	179
Student Tour—MGM (83½ min.)	166
Successful Failure, A—Monogram (62 min.)	163
That's Gratitude—Columbia (68 min.)	179
365 Nights in Hollywood—Fox (74 min.)	179
Trail Beyond—Monogram (55 min.)	Not Reviewed
Transatlantic Merry-Go-Round—United Artists 91m.	179
Tomorrow's Youth—Monogram (59½ min.)	158
Two Heads on a Pillow—Liberty (68 min.)	153
Wagon Wheels—Paramount (56 min.)	163
Wednesday's Child—RKO (67 min.)	175
We Live Again—United Artists (83 min.)	167
What Every Woman Knows—MGM (89 min.)	174

RELEASE SCHEDULES FOR FEATURES

Chesterfield Features

(1540 Broadway, New York, N. Y.)

Beginning of 1934-35 Season

The Curtain Falls—H. Crosman-D. Lee	Oct. 1
The World Accuses—Dickey Moore-R. Hopton	Nov. 15

Columbia Features

(729 Seventh Ave., New York, N. Y.)

4218 Beyond the Law—Tim McCoy	July 20
4009 Lady Is Willing—Howard-Barnes	July 30
4032 Name The Woman—Cromwell-Judge	Aug. 1
4029 Among the Missing—Cromwell-Seward	Aug. 15
4037 Girl in Danger—S. Grey-R. Bellamy (reset)	Aug. 29
4022 I'll Fix It—Jack Holt (reset)	Oct. 13
4010 Lady By Choice—Lombard-Robson	Oct. 15
4023 Fugitive Lady (Criminal Within)—Hamilton-Cook-Rice	Oct. 25
4003 The Captain Hates the Sea—Gilbert (re.)	Oct. 27

(End of 1933-34 Season)

Beginning of 1934-35 Season

5003 One Night of Love—Grace Moore	Sept. 15
5022 That's Gratitude—Frank Craven	Oct. 13
5040 Against the Law—Brown-Blane	Oct. 25
5201 The Prescott Kid—Tim McCoy	Nov. 8
5023 Jealousy (Spring 3100)—Nancy Carroll	Nov. 20

First National Features

(321 W. 44th St., New York, N. Y.)

763 Man With Two Faces—Robinson-Astor	Aug. 4
764 Dragon Murder Case—William-Lindsay	Aug. 25
751 British Agent—Francis-Howard	Sept. 15
752 Flirtation Walk—Powell-Keeler	Dec. 1

(End of 1933-34 Season)

Beginning of 1934-35 Season

862 A Lost Lady—Stanwyck-Cortez	Sept. 29
864 6-Day Bike Rider—Joe E. Brown	Oct. 20
873 I Sell Anything—O'Brien-Dvorak-Dodd	Oct. 20
867 Happiness Ahead—Powell-Hutchinson	Oct. 27
872 Gentlemen Are Born—Tone-Muir-Lindsay	Nov. 17
859 Babbitt—MacMahon-Kibbee-Dodd	Dec. 8
877 Murder in the Clouds—Talbot-Dvorak	Dec. 15
881 Church Mouse—Foreign	Dec. 15

Fox Features

(444 W. 56th St., New York, N. Y.)

Beginning of 1934-35 Season

506-Love Time—Paterson-Asther-Mundin	Sept. 21
507-The Dude Ranger—George O'Brien	Sept. 21
509-Judge Priest—Rogers-Brown-Fetchit	Sept. 28
508-Caravan—Boyer-Young-Parker	Oct. 5
514-365 Nights in Hollywood—Dunn-Faye	Oct. 12
516-Peck's Bad Boy—Cooper-Meighan	Oct. 19
511-Marie Galante—Tracy-Gallian-Sparks	Oct. 26
510-Elinor Norton (The State versus Elinor Norton)	
—Trevor-Willian (reset)	Nov. 2
512-Gambling—Cohan-Gibson-Burgess (reset)	Nov. 2
517-Hell in the Heavens—Warner Baxter	Nov. 9
518-The White Parade (Young Ladies In White)	
—Young-Boles	Nov. 16
519-The First World War	Nov. 23
520-Bachelor of Arts—Brown-Louise	Nov. 23
513-Music in the Air—Swanson-Boles	Nov. 30
521-East River—Lowe-McLaglen-Bradley	Dec. 7
No release for	Dec. 14
522-Helldorado—Arlen-Evans-Bellamy	Dec. 21
524-Bright Eyes—Temple-Dunn-Allen	Dec. 28

Gaumont-British Features

(1600 Broadway, New York, N. Y.)

Chu Chin Chow—Anna May Wong	Oct. 15
Power—Conrad Veidt	Oct. 30
Little Friend—Nova Pilbeam	Oct. 20
Evensong—Evelyn Laye	Nov. 16
Jack Ahoy—Jack Hulbert	Nov. 30
Evergreen—Jessie Matthews	Dec. 15
The Iron Duke—George Arliss	Dec. 30

Invincible Features

(1540 Broadway, New York, N. Y.)

Beginning of 1934-35 Season

Port of Lost Dreams—Wm. Boyd-Lola Lane	Oct. 15
The Ghost Walks—Miljan-Collier	Dec. 1

Mascot Features

(1776 Broadway, New York, N. Y.)

Young and Beautiful—Allen-Haines	Sept. 1
Crimson Romance—Lyon-Maritzza-Von Stroheim	Oct. 12
In Old Sante Fe—Ken Maynard-Evelyn Knapp	Nov. 1
The Marines Have Landed—Haines-Armita	Nov. 20

Majestic Features

(1270 Sixth Ave., New York, N. Y.)

Beginning of 1934-35 Season

The Scarlet Letter—Moore-Albright	July 14
She Had to Choose—Crabbe-Jewell	Aug. 11

Metro-Goldwyn-Mayer Features

(1540 Broadway, New York, N. Y.)

- 436 The Hollywood Party—Durante..... June 1
No release set for..... June 8
410 Operator 13—Davies-Cooper-Healy June 15
No release set for..... June 22
446 Murder in the Private Car—Ruggles June 29
No release set for July 6
428x Stamboul Quest (Lee Tracy No. 2)—Loy... July 13
No release set for July 20
429x Paris Interlude (Lee Tracy No. 3)—Evans... July 27
417 The Girl From Missouri—Harlow-Tone Aug. 3
403 Treasure Island—Beery-Cooper Aug. 17
411 Student Tour—Durante-Butterworth Oct. 12
419 What Every Woman Knows—Hayes-Aherne... Oct. 19
415 The Painted Veil—Garbo-Marshall-Brent Nov. 23

(More to come on the 1933-34 Season)

Beginning of 1934-35 Season

- 538 Straight Is The Way—Tone-Morley Aug. 10
525 Hideout—Montgomery-O'Sullivan Aug. 24
532 Chained (Tempted)—Crawford-Gable-Kruger Aug. 31
527 Have a Heart—Dunn-Parker Sept. 7
539 Death on the Diamond—Young-Evans Sept. 14
552 Barretts of Wimpole Street—Shearer Sept. 21
506 Outcast Lady—Bennett-Marshall Sept. 28
No release set for Oct. 5
No release set for Oct. 26
535 The Merry Widow—Chevalier-MacDonald .. Nov. 2
508 Evelyn Prentice—Loy-Powell-Merkel Nov. 9
540 Wicked Woman—Christians-Parker-Kruger.. Nov. 16
541 Backfield—Young-Furness-Healy Nov. 30
507 Biography of a Bachelor Girl—Ann Harding-
Robert Montgomery Dec. 7
509 Repeal—Lombard-Morris-Carrillo-Pitts Dec. 14

Monogram Features

(1270 Sixth Ave., New York, N. Y.)

- 2027 Money Means Nothing—Shea-Ford June 15
2034 Shock—Forbes-Gill July 20
2029 Happy Landing—Farnum-Walker-Wells July 30
2014 Jane Eyre—Clive-Bruce Aug. 15
2030 The Moonstone—Manners-Barry Aug. 15
2012 King Kelly of the U. S. A.—Robertson Sept. 15

(End of 1933-34 Season)

Beginning of 1934-35 Season

- 3002 Tomorrow's Youth—Sleeper Sept. 15
3001 Girl of the Limberlost—Marsh Oct. 15
3031 Trail Beyond—John Wayne (55 min.) Oct. 22
3012 Redhead—Cabot-Bradley-Toomey Nov. 1
3020 Lost in the Stratosphere (Murder in the
Stratosphere)—Bill Cagney Nov. 15
3015 Girl Of My Dreams—Mary Carlisle..... Nov. 17
3035 Lawless Frontier—John Wayne Nov. 22
3023 Flirting With Danger—Armstrong-Cagney .. Dec. 1
3032 Neath Arizona Skies—John Wayne Dec. 5
3014 Sing Sing Nights—Tearle-Mallory Dec. 15
3022 Mysterious Mr. Wong—Bela Lugosi..... Dec. 22

Paramount Features

(1501 Broadway, New York, N. Y.)

Beginning of 1934-35 Season

- 3401 Ladies Should Listen—Grant-Drake Aug. 3
3404 She Loves Me Not—Crosby-Hopkins..... Aug. 10
3402 Crime Without Passion—Rains Aug. 24
3405 You Belong To Me—Mack-L. Tracy Aug. 24
3406 Now And Forever—Cooper-Lombard-Temple Aug. 31
3403 The Scarlet Empress—Marlene Dietrich... Sept. 7
3408 Wagon Wheels—Scott-Patrick-Hatton ... Sept. 21
3411 Lemon Drop Kid—Mack-L. Tracy Sept. 28
3410 Cleopatra—Colbert-William Oct. 5
3412 Ready For Love—Arlen-Lupino Oct. 12
3407 Mrs. Wiggs of the Cabbage Patch—Lord... Oct. 19
3413 Menace—Michael-Cavanagh-Lodge Oct. 28
No release set for Nov. 2
3415 Limehouse Blues—Raft-Parker-Wong Nov. 9
3409 Pursuit of Happiness—Lederer Nov. 16
3417 College Rhythm—Penner-Oakie-Mack Nov. 23
3418 It's a Gift—Fields-LeRoy Nov. 30
Behold My Wife—Sidney-Raymond..... Dec. 7
Me Without You—Morrison-Twelvetrees ... Dec. 14
Home On the Range—Scott-Coogan Dec. 21
Father Brown, Detective—Lukas Dec. 21
Here Is My Heart—Crosby-Carlisle Dec. 28

RKO Features

(1270 Sixth Ave., New York, N. Y.)

Beginning of 1934-35 Season

- 502 The Fountain—Harding-Lukas Aug. 31
503 Age of Innocence—Dunne-Boles Sept. 14
504 The Richest Girl in the World—Hopkins... Sept. 21
506 Dangerous Corners—Bruce-Douglas-Nagel ... Oct. 5
505 The Gay Divorcee—Astaire-Rogers (re) ... Oct. 19
511 Gridiron Flash—Quillan-Furness Oct. 26
510 Wednesday's Child—Thomas-Arnold-Morley.. Oct. 26
508 Kentucky Kernels—Wheeler-Woolsey Nov. 2
509 By Your Leave—Morgan-Tobin-Nixon Nov. 9
514 Woman in the Dark—Wray-Bellamy Nov. 9
507 Anne of Green Gables—Shirley-Brown Nov. 23

United Artists Features

(729 Seventh Ave., New York, N. Y.)

- Sorrell and Son—H. B. Warner Apr. 20
Born To Be Bad—Loretta Young May 18

(End of 1933-34 Season)

Beginning of 1934-35 Season

- Bulldog Drummond Strikes Back—Colman July 20
Affairs of Cellini—March-Bennett Aug. 24
Count of Monte Cristo—Donat-Landi Sept. 7
The Last Gentleman—George Arliss Sept. 21
Our Daily Bread—Morley-Keene Sept. 28
Transatlantic Merry-Go-Round—Carroll Nov. 2
We Live Again—Sten-March Nov. 16
The Private Life of Don Juan—Fairbanks (re) .. Nov. 30
(Release of "The Queen's Affairs," listed in the Last Index
as a November 9 release, has been postponed)

Universal Features

(1250 Sixth Ave., New York, N. Y.)

- A7001 One More River (Zest)—Wynyard-Clive.. Aug. 6
A7002 Romance in the Rain (A Trip to Mars)—
Pryor-Angel-Moore Aug. 13
A7029 The Human Side—Menjou-Kenyon Aug. 27
A7003 Imitation of Life—C. Colbert (reset)..... Nov. 19

(End of 1933-34 Season)

Beginning of 1934-35 Season

- A8035 There's Always Tomorrow—Barnes Sept. 10
A8014 Million Dollar Ransom—Arnold Sept. 17
A8030 Gift of Gab—Lowe-Stuart Sept. 24
A8081 Rocky Rhodes—Buck Jones (62½ min.) .. Sept. 24
A8021 Wake Up and Dream (Castle in the Air)—
Columbo-Knight-Pryor Oct. 1
A8027 One Exciting Adventure (What Women Dream)
—Barnes-Hamilton Oct. 15
A8029 Great Expectations—Henry Hull Oct. 22
A8022 Cheating Cheaters—Wray (67 min.) Nov. 5
A8082 When A Man Sees Red—Buck Jones 60m. Nov. 12
A8020 Strange Wives—Pryor-Ralston Nov. 19
A8008 Night Life of the Gods—McKinney Nov. 26
A8028 The Man Who Reclaimed His Head—Rains Dec. 3
A8033 Secret of the Chateau—Dodd-Perkins..... Dec. 10
A8036 Straight From the Heart—Astor-Pryor Dec. 24
A8003 The Good Fairy—Sullavan-Marshall Dec. 31

Warner Bros. Features

(321 W. 44th St., New York, N. Y.)

- 464 Here Comes the Navy—Cagney-O'Brien ... July 21
475 Friends of Mr. Sweeney (Country Club)—
Ruggles-Dvorak July 28
478 Housewife—Davis-Brent-Dvorak Aug. 11
453 Dames (Sweethearts Forever)—Powell Sept. 1
452 Madame DuBarry—Del Rio-Owen Oct. 13

(End of 1933-34 Season)

Beginning of 1934-35 Season

- 821 Desirable (A Lady Surrenders)—Muir-Brent-
Teasdale Sept. 8
822 The Case of the Howling Dog—William Sept. 22
830 Big Hearted Herbert—MacMahon-Kibbee ... Oct. 6
819 Kansas City Princess—Blondell-Farrell Oct. 13
825 The Firebird—Teasdale-Cortez-Louise Nov. 3
817 The St. Louis Kid (Perfect Week-End)—
Cagney-Jenkins-Ellis Nov. 10
826 I Am a Thief—Astor-Cortez-Digges Nov. 24
811 Concealment—Stanwyck-William-Farrell ... Dec. 22
802 Sweet Adeline—Dunne-Woods-Herbert Dec. 29
806 Bordertown—Muni-Davis-Lindsay Jan. 5

SHORT SUBJECT RELEASE SCHEDULE

Fox—Two Reels

Bud 'n Ben Pictures Corp.—Three Reels

- (1508 Paramount Building, New York N. Y.)
 Pot Luck Pards—Bud N' Ben (30 min.) July 1
 Nevada Cyclone—Bud N' Ben (30 min.) Aug. 15
 Romance Revier—Bud N' Ben (30 min.) (reset) .. Oct. 25
 West On Parade—Bud N' Ben (30 min.) (reset) .. Nov. 25

Columbia—One Reel

- 4812 Rowing Rhythm—World of Sport (10 min.) Aug. 18
 4813 Anything for a Thrill—World of Sport 8½m Aug. 30
 4613 Scrappy's Expedition—Scrappys cart 7½m. Aug. 31
 4713 Snapshots No. 13—(8½ min.) Aug. 31

(End of 1933-34 Season)

Beginning of 1934-35 Season

- 5401 Spice of Life No. 1—(8 min.) Sept. 10
 5351 Life's Last Laughs No. 1—(8 min.) Sept. 15
 5901 Laughing with Medbury in the Arctics—
 (9½ min.) Sept. 15
 5801 Good Golfers Start Young—Sport Thrills—
 (11 min.) Sept. 20
 5701 Snapshots No. 1—Series 14 (10 min.) Sept. 29
 5402 Spice of Life No. 2—(8 min.) Sept. 29
 5501 The Trapeze Artist—K. Kat (cart) (7½ m.) Oct. 1
 5352 Life's Last Laughs No. 2—(10½ min.) Oct. 12
 5802 Polo Thrills—Sport Thrills (10 min.) Oct. 12
 5502 Catnips of 1940—K. Kat (cart) (8 min.) Oct. 13
 5902 Laughing with Medbury in Malaysia (9 m.) .. Oct. 20
 5702 Snapshots No. 2—(9½ min.) Oct. 26
 5601 The Concert Kid—Scrappys (cart) (6½ m.) Nov. 2
 5301 Holiday Land—Color Rhapsody No. 1 (8m.) Nov. 9
 5803 Flying Pigskins—Sport Thrills Nov. 9
 5503 Krazy's Waterloo—K. Kat (cart) (7m.) ... Nov. 16

Columbia—Two Reels

- 4106—Mickey's Medicine Man—M. McGuire
 (19 min.) May 18
 4124 Susie's Affairs—musical (18 min.) June 1
 4111 Get Along Little Hubby—comedy (18½m) .. June 15
 4117 Plumbing for Gold—Sidney-Murray (18m) .. June 29
 4112 Punch Drunks—Comedy (17½ min.) July 13
 4125 Tripping Through the Tropics—mus. (18m) July 27
 4118 Back to the Soil—Sidney-Murray (19½m) .. Aug. 10
 4126 Hollywood Here We Come—Musical (19m.) Aug. 24

(End of 1933-34 Season)

Beginning of 1934-35 Season

- 5101 Men In Black—Stooges No. 1 (18½ min.) .. Sept. 20
 5102 It's The Cats—Clyde com. (18½ min.) Oct. 11
 5103 Counsel On De Fence—Langdon (18 min.) .. Oct. 25
 5104 Perfectly Mismatched—Erroll comedy Nov. 1

Fox—One Reel

Beginning of 1934-35 Season

- 1401 Man's Mania For Speed—Adventures of a News
 Cameraman (9 min.) Aug. 3
 3501 The Coast of Catalonia—Along the Road to
 Romance (9½ min.) Aug. 10
 5601 Then Came the Yawn—Treas. Chest (7½m) Aug. 10
 5501 Mice in Council—Terrytoon (6m.) Aug. 24
 5901 Mountain Melody—Song Hit (10½ min.) .. Aug. 31
 1402 Marching With Science—Adv. News Cameraman
 (10½ min.) Aug. 31
 3502 In Far Mandalay—Road to Romance (9 m.) .. Aug. 31
 5502 Why Mules Leave Home—Terrytoon (6m) Sept. 7
 5902 Time On Their Hands—Song Hit (11 min.) Sept. 14
 5503 Jail Birds—Terrytoon (5½ min.) Sept. 21
 3503 Picturesque Portugal—Road to Rom. 9½m. .. Sept. 28
 1403 On Foreign Service—Adv. News Cameraman Oct. 5
 5602 The Hollywood Gad>About—Treasure Chest
 (9½ min.) Oct. 5
 5504 The Black Sheep—Terrytoon (6 min.) Oct. 5
 3504 Crossroads of the World—Along the Road to
 Romance Oct. 12
 5903 The House Where I was Born—Song (9½m. Oct. 19
 5505 The Magic Fish—Terrytoon (6 min.) Oct. 19
 5603 Your Stars For 1935—Treas. Chest (11m.) .. Oct. 26
 5506 Hot Sands—Terrytoon (6 min.) Nov. 2
 5604 The Hollywood Movie Parade—Treas. Chest. Nov. 2
 3505 Geneva By the Lake—Along Road to Rom. Nov. 9
 1404 Filming the Great—Adv. News Cameraman. Nov. 16
 5507 Tom Tom the Piper's Son—Terrytoon. Nov. 16
 T4-5 When My Ship Comes In—Boop cartoon Dec. 1

- 5101 Good Luck-Best Wishes (Bless You)—musical
 comedy (22½ min.) Aug. 24
 5402 One More Chance—Bing Crosby (20½m.) .. Aug. 31
 5103 She's My Lily—Musical comedy (22m.) Sept. 7
 5202 Super-Stupid—Screen star com. (19½ min.) Sept. 14
 5102 His Lucky Day—Ernest Truex (20m.) Sept. 21
 5403 Dream House—Bing Crosby (19 min.) Sept. 28
 5404 Billboard Girl—Bing Crosby (21 min.) Oct. 5
 5302 Domestic Bliss (ters)—Mirthquake (19m) .. Oct. 12
 5105 Nifty Nurses—Comedy (21½ min.) Oct. 19
 5203 Second Hand Husband—Howard com. (18m) Oct. 26
 5104 Bib Business—Musical comedy (19 min.) Nov. 2
 5304 The Campus Hooper—Mirthquake (20 min.) Nov. 9
 5204 Rural Romeos—Screen star comedy Nov. 16

Metro-Goldwyn-Mayer—One Reel

- W-931 Jungle Jitters—Whopper (cartoon) (7m.) .. July 28
 W-932 Good Scout—Whopper (cartoon) (7 m.) .. Sept. 2
 W-933 Viva Willie—Whopper (cartoon) (8 m.) .. Oct. 4

(End of 1933-34 Season)

Beginning of 1934-35 Season

- M-121 Taking Care of Baby—Oddities (9m) Aug. 25
 W-141 Discontented Canary—cart. (9m) Sept. 1
 A-101 Goofy Movies No. 7—(10m) Sept. 8
 T-111 Holland in Tulip Time—Fitz. Trav. 9m ... Sept. 15
 M-122 Pro Football—Oddities (9m) Sept. 22
 W-142 The Old Pioneer—cartoon (8m) Sept. 29
 A-102 Goofy Movies No. 8—(9m) Oct. 6
 T-112 Switzerland-The Beautiful—Travel. (9m) Oct. 13
 M-123 Strikes & Sparaes—Oddities (9m) Oct. 20
 W-143 Tale of the Vienna Woods—cart. (9m) .. Oct. 27
 A-103 Goofy Movies No. 9—(10m) Nov. 3
 T-113 Zion-Canyon of Colour—Traveltalks Nov. 10
 M-124 Dartmouth Days—Oddities (11 min.) Nov. 17
 W-144 Bosco's Parlor Pranks—Cart. (9m) Nov. 24
 A-104 Goofy Movies No. 10 Dec. 1
 T-114 Ireland-The Emerald Isle—Traveltalk Dec. 8
 M-125 Rugby—Oddities (10 min.) Dec. 15

Metro-Goldwyn-Mayer—Two Reels

- C-848 Speaking of Relations—All star (18m.) .. July 7
 C-838 Three Chumps Ahead—Todd-Kelly (18m.) July 14
 C-805 Them Thar Hills—Laurel-Hardy (20m) .. July 21
 C-806 Not Yet Titled—Laurel-Hardy Not set

(End of 1933-34 Season)

Beginning of 1934-35 Season

- C-21 Mike Fright—Our Gang comedy (18 m.) ... Aug. 25
 C-31 One Horse Farmers—Todd-Kelly (18m) .. Sept. 1
 C-11 Something Simple—C. Chase (15 min.) Sept. 8
 C-41 Nosed Out—Irvin S. Cobb (18 min.) Sept. 15
 R-51 The Spectacle Maker—Musical revue (21m) Sept. 22
 C-22 Washee Ironce—Our Gang comedy Sept. 29
 C-32 Opened by Mistake—Todd-Kelly (19m) Oct. 6
 C-12 You Said a Hatful—C. Chase (19 min.) Oct. 13
 C-42 The Ballad of Paducah Jail—Irvin S. Cobb
 (19 min.) Oct. 20
 R-52 My Grandfather's Clock—Revue (17 min.) .. Oct. 27
 C-23 Not Yet Titled—Our Gang comedy Nov. 3
 C-33 Done In Oil—Todd-Kelly (18 min.) Nov. 10
 C-13 Not Yet Titled—C. Chase comedy Nov. 17
 C-43 You Bring the Ducks—Cobb com. (16m.) ... Nov. 24

Paramount—One Reel

- P4-3 Paramount Pictorial No. 3—(10 min.) Oct. 12
 V4-6 Superstition of Three on a Match—(10m) .. Oct. 19
 T4-3 Betty Boop's Prize Show—cart. (7 m.) Oct. 19
 A4-5 Rhythm on the Roof—Headliner (10m.) Oct. 26
 R4-4 Keeping Time—Spotlight (10½ min.) Oct. 26
 E4-3 The Two-Alarm Fire—Popeye cart. (6½m.) Oct. 26
 C4-2 Little Dutch Mill—Color classic (8½m.) Oct. 26
 V4-7 The Nerve of Some Women—Variet. (19m) .. Nov. 2
 P4-4 Paramount Pictorial No. 4—(9½m.) Nov. 9
 V4-8 Monkey Shines—Varieties (10½ min.) Nov. 16
 A4-6 Hollywood Rhythm—Headliner (9½ m.) .. Nov. 16
 T4-4 Keep in Style—Boop cartoon Nov. 16
 E4-4 The Dance Contest—Popeye cartoon Nov. 23
 V4-9 Screen Souvenirs No. 2—(9½ min.) Nov. 30
 R4-5 Saddle Champs—Spotlight (10 min.) Nov. 30
 A4-7 Ladies That Play—Headliner (10 min.) Dec. 7
 P4-5 Paramount Pictorial No. 5 Dec. 7
 V4-10 Madhouse Movies No. 2—Varieties Dec. 14

RKO—One Reel

- 44408 Eyes on Russia—Vagabond No. 8 (10½m) Aug. 9
44507 Pathe Review No. 7—(9½ min.) Aug. 31
(End of 1933-34 Season)

Beginning of 1934-35 Season

- 54201 Dumbell Letters No. 1—(4 min.) June 22
54101 Grandfather's Clock—Toddlertales (cartoon)
(9½ min.) June 29
54202 Dumbell Letters No. 2—(4 min.) July 20
54301 Pastry Town Wedding—Rainbow Parade No. 1
(7½ min.) July 27
54102 Along Came a Duck—Toddlertales (8½m.) Aug. 10
54203 Dumbell Letters No. 3—(4 min.) Aug. 17
54401 Red Republic—Vagabond No. 1 (9½ min) Sept. 21
54204 Dumbell Letters No. 4—(4½ min.) Sept. 28
54501 Pathe Topics—(10½ min.) Oct. 19
54205 Dumbell Letters No. 5—(5 min.) Oct. 26

(54103 "A Little Bird Told Me" listed in the last Index as a Toddlertales to be released September 7, and 54302 "Parrottville Fire Dept." listed as a Rainbow Parade to be released September 14, have been postponed)

RKO—Two Reels

- 43704 The Derby Decade—Etting (21½ min.) July 12
43506 What No Groceries—Tom Kennedy 20½m. July 26
43208 Odor in the Court—Clark-McCullough 21½m.
Aug. 2
43606 Contented Calves—Brewster com. (20½m.) Aug. 9
(End of 1933-34 Season)

Beginning of 1934-35 Season

- 53501 Fuller Gush Man—Four Star (18 min.) Aug. 24
53801 Unlucky Strike—Chic Chandler (20m.) ... Aug. 31
53901 La Cucaracha—Special (20½ min.) Aug. 31
53301 Blasted Event—Edgar Kennedy (20½ min.) Sept. 7
53701 Southern Style—Ruth Etting (20m.) Sept. 14
53101 If This Isn't Love—Radio mus. (21m.) Sept. 28
53401 Songs of the Colleges—(15 min.) Oct. 5
53601 Ocean Swells—comedy (21 min.) Oct. 12
53201 Everything's Ducky—Clark-McCullough-
Gribbon (21 min.) Oct. 19
53502—Fixing Stew—Erroll comedy (20 min.) .. Nov. 2
53802 Big Mouthpiece—Chandler com. (20m.) Nov. 9
53302 Poisoned Ivory—Kennedy com. (21 min.) .. Nov. 16
53402 Ferry Go Round—mus. comedy (20m.) Nov. 23

United Artists—One Reel

- 18 The Big Bad Wolf—S. Sym. (cart.) (9 m.) Apr. 13
23 Gulliver Mickey—Mickey Mouse (8½ min.) .. May 19
19 Wise Little Hen—S. Sym. (7½ min.) June 7
24 Mickey's Steam Roller—M. Mouse (6½m.) .. June 15
20 Flying Mouse—Silly Symphony (7 min.) July 12
25 Orphan's Benefit—M. Mouse (9 min.) (re) .. Aug. 11
21 Peculiar Penguins—S. Symphony (8 min.) Sept. 6
26 Mickey Plays Papa—M. Mouse (8½m) (re) .. Sept. 29
22 Goddess of the Spring—S. Symphony (9½m) . Nov. 1

Universal—One Reel

- A7267 Goofytone News No. 7—(9½ min.) Apr. 30
A7212 Goldilocks and the Three Bears—Oswald
cartoon (7½ min.) May 14
A7248 Strange As It Seems No. 39—(10 min.) ... May 21
A7213 Annie Moved Away—Oswald cart. (6½ m.) May 28
A7214 The Wax Works—Oswald cart. (8½m.) .. June 25
A7215 William Tell—Oswald cart. (6½m.) July 9
A7216 Chris Columbo, Jr.—Oswald cart. (8½m.) . July 23
A7217 Dizzie Dwarf—Oswald cart. (8½m.) Aug. 6
A7218 Happy Pilgrim—Oswald cart. (8½m) Sept. 3
(End of 1933-34 Season)

Beginning of 1934-35 Season

- A8251 Stranger Than Fiction No. 1—(8½m) Aug. 27
A8271 Going Places with Lowell Thomas No. 1—
(9½ min.) Sept. 10
A8252 Stranger Than Fiction No. 2—(8½m) Sept. 24
A8201 Jolly Little Elves—Cartune (8½m) Oct. 1
A8272 Going Places with Thomas No. 2 (10m) .. Oct. 8
A8221 Sky Larks—Oswald cartoon (7½m) (re) .. Oct. 22
A8253 Stranger Than Fiction No. 3—(8½m) Oct. 22
A8273 Going Places with Thomas No. 3 (9½m) .. Nov. 5
A8222 (8223) Park In The Spring—Oswald (re) Nov. 12
A8254 Stranger Than Fiction No. 4 Nov. 19
A8274 Going Places with Lowell Thomas No. 4 .. Dec. 3

[Release of A8223 (8222), listed in the last Index as "Robinson Crusoe, Jr." (Oswald cartoon) as an October 15 release, has been postponed]

Universal—Two Reels

- A8410 Avenging Trail—Rider No. 10 (17½m.) .. Sept. 17
A8102 Gus Van and His Neighbors—(17½ min.) Sept. 19
A8411 The Lost Diamonds—Rider No. 11 (18½m.) Sept. 24
A8412 Double Trouble—Rider No. 12 (17½m.) .. Oct. 1
A8103 Demi Tasse—comedy (19½ min.) Oct. 3
A8413 The Night Raiders—Rider No. 13 (18½m.) Oct. 8
A8104 At The Mike—Musical comedy (20m) Oct. 10
A8414 In The Enemies Hideout—Rider 14 (17½m) Oct. 15
A8105 World's Fair and Warmer—com. (20m.) ... Oct. 17
A8415 Brought to Justice—Rider No. 15 (18m) ... Oct. 22
A8106 Tid Bits—comedy (21 min.) Oct. 24
A8501 Death Flies the Mail—Tailspin Tommy No. 1
(special 3 reels) (30½ min.) Oct. 29
A8107 Well, by George—comedy (20 min.) Oct. 31
A8502 The Mail Goes Through—Tommy 2, (21m) Nov. 5
A8503 Sky Bandits—Tommy No. 3 (20 min.) Nov. 12
A8108 Sterling's Rival Romeo—com. (20½m.) .. Nov. 14
A8504 The Copper Room—Tommy No. 4 (19½m) Nov. 19
A8505 The Night Flight—Tommy No. 5 (19½m) Nov. 26
A8109 Oh What a Business—Smith & Dale (19m) Nov. 28
A8506 The Baited Trap—Tommy No. 6 (18½m) . Dec. 3
A8507 Tommy to the Rescue—Tommy 7 (21m) .. Dec. 10
A8110 Knickerbocker Knights—com. (19½m) ... Dec. 12

Vitaphone—One Reel

- 8110 Buddy The Woodsman—Looney Tunes (7m.) Aug. 27
8124 Miller's Daughter—M. Melodies (7 min.) .. Sept. 8
8112 Buddy The Detective—L. Tunes (7 min.) ... Sept. 15
8123 Girl at the Ironing Board—M. Mel. 7m. Sept. 15
8125 Shake Your Powder Puff—M. Mel. (7m.) .. Sept. 29
8113 Viva Buddy—Looney Tunes (7m) Sept. 29
8126 Rhythm in the Bow—M. Melodies (7 min.) .. Oct. 20
(End of 1933-34 Season)

Beginning of 1934-35 Season

- 9601 Little Jack Little—P. Pot (9m) Sept. 1
9901 Mirrors—Melody Masters (11 min.) Sept. 8
9602 Radio Row No. 1—Pepper pot (9 min.) Sept. 15
9603 Mr. & Mrs. Jesse Crawford—P. Pot (9m) .. Sept. 29
9902 Musical Queens—Melody Masters (10m) ... Oct. 6
9604 Vaudeville No. 1—P. Pot (11 min.) Oct. 13
9501 Pilgrim Days—See America First (11m) re. Oct. 27
9605 Movie Memories—P. Pot (8 min.) Oct. 27
9903 Richard Himber & Orch.—M. Masters 10m Nov. 3
9606 Songs That Live—P. Pot (9 min.) Nov. 10
9801 Those Beautiful Dames—M. Melodies (7m) Nov. 10
9502 Boston Tea Party—See America First 11m re Nov. 17
9607 Animated Puppet Novelty—P. Pot (9 m.) .. Nov. 24
9608 Good Badminton—Pepper Pot Nov. 24
9904 Will Osborne—Melody Masters Dec. 1
9609 Listen' In—Pepper Pot Dec. 8
9503 Hail Columbia—See America First 10m re. .. Dec. 8
9504 Remember the Alamo—See America (10m) .. Dec. 29
9610 Vaudeville No. 2—Pepper Pot Dec. 29
9905 Don Redman—Melody Masters Dec. 29

Vitaphone—Two Reels

- 7528 King for a Day—Bill Robinson (19 m.) June 30
7529 The Song of Fame—Bway. Brev. (19 m.) .. July 7
7617 The Prize Sap—Big V Comedy (19m) July 14
7530 The Winnah—Bway. Brevities (20 min.) July 21
7525 Tech No. 6—Leon Errol—Bway. Brev. (21m) July 28
7619 My Mummies Arms—B. V. comedy (19m) .. July 28
7531 The Mysterious Kiss—Bway. Brev (19m) .. Aug. 4
7532 M. Mayfair-R. Ails—Bway Brev (20m) Aug. 11
7620 Dare Devil O'Dare—B. V. com. (19m.) Aug. 11
(End of 1933-34 Season)

Beginning of 1934-35 Season

- 9124 Syncopated City—Bway. Brev. (20m.) Sept. 1
9114 Paree, Paree—Bway. Brev. (21 min.) Sept. 8
9201 All Sealed Up—Big V comedy (19m) Sept. 15
9103 Good Morning Eve—Bway. Brev. (19m) .. Sept. 22
9215 Oh Sailor Behave—Big V com. (17m) Sept. 29
9116 No Contest—Bway. Brevities (21m) Oct. 6
9120 Off the Beat—M. Downey—Bway. Brev. 20m Oct. 13
9207 Smoked Hams—Big V comedy (18m.) Oct. 20
9112 The Flame Song—Bway. Brev. (19m) Oct. 27
9209 So You Wont T-T-T-Talk—Big V (20m) ... Nov. 3
9127 Gem of the Ocean—Bway. Brev. (20m) Nov. 10
9202 Out of Order—Big V comedy (19m) Nov. 17
9104 What No Men—Tech. Bway. Brev. (21m) .. Nov. 24
9123 Run On the Bank—Bway. Brev. Dec. 1
9119 What this Country Needs—Bway. Brev. Dec. 8
9217 Jenkins Donnelly—Big V comedy Dec. 15
9101 Hear Ye, Hear Ye—Bway. Brev. Dec. 22
9208 Peach of a Pair—Big V comedy Dec. 29

NEWSWEEKLY NEW YORK RELEASE DATES

Universal News

- 287 Wednesday .. Sept. 26
288 Saturday Sept. 29
289 Wednesday .. Oct. 3
290 Saturday Oct. 6
291 Wednesday .. Oct. 10
292 Saturday Oct. 13
293 Wednesday .. Oct. 17
294 Saturday Oct. 20
295 Wednesday .. Oct. 24
296 Saturday Oct. 27
297 Wednesday .. Oct. 31
298 Saturday Nov. 3
299 Wednesday .. Nov. 7
300 Saturday Nov. 10
301 Wednesday .. Nov. 14
302 Saturday Nov. 17
303 Wednesday .. Nov. 21
304 Saturday Nov. 24
305 Wednesday .. Nov. 28

Pathe News

- 55220 Wed. (E.) .. Oct. 3
55121 Sat. (O.) .. Oct. 6
55222 Wed. (E.) .. Oct. 10
55123 Sat. (O.) .. Oct. 13
55224 Wed. (E.) .. Oct. 17
55125 Sat. (O.) .. Oct. 20
55226 Wed. (E.) .. Oct. 24
55127 Sat. (O.) .. Oct. 27
55228 Wed. (E.) .. Oct. 31
55129 Sat. (O.) .. Nov. 3
55230 Wed. (E.) .. Nov. 7
55131 Sat. (O.) .. Nov. 10
55232 Wed. (E.) .. Nov. 14
55133 Sat. (O.) .. Nov. 17
55234 Wed. (E.) .. Nov. 21
55135 Sat. (O.) .. Nov. 24
55236 Wed. (E.) .. Nov. 28

Metrotone News

- 207 Wednesday .. Oct. 17
208 Saturday Oct. 20
209 Wednesday .. Oct. 24
210 Saturday Oct. 27
211 Wednesday .. Oct. 31
212 Saturday Nov. 3
213 Wednesday .. Nov. 7
214 Saturday Nov. 10
215 Wednesday .. Nov. 14
216 Saturday Nov. 17
217 Wednesday .. Nov. 21
218 Saturday Nov. 24
219 Wednesday .. Nov. 28

Paramount News

- 22 Wednesday Oct. 17
23 Saturday Oct. 20
24 Wednesday Oct. 24
25 Saturday Oct. 27
26 Wednesday Oct. 31
27 Saturday Nov. 3
28 Wednesday Nov. 7
29 Saturday Nov. 10
30 Wednesday Nov. 14
31 Saturday Nov. 17
32 Wednesday Nov. 21
33 Saturday Nov. 24
34 Wednesday Nov. 28

Fox Movietone

- 9 Wednesday Oct. 17
10 Saturday Oct. 20
11 Wednesday Oct. 24
12 Saturday Oct. 27
13 Wednesday Oct. 31
14 Saturday Nov. 3
15 Wednesday Nov. 7
16 Saturday Nov. 10
17 Wednesday Nov. 14
18 Saturday Nov. 17
19 Wednesday Nov. 21
20 Saturday Nov. 24
21 Wednesday Nov. 28

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Yearly Subscription Rates:
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1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if it is to Benefit the Exhibitor.

Published Weekly by
 Harrison's Reports, Inc.,
 Publisher.
 P. S. HARRISON, Editor
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, NOVEMBER 24, 1934

No. 47

A MUCH DELAYED TRIP TO THE COAST

When your copy of this issue reaches you I shall be in Hollywood, where I plan to stay three or four weeks.

It is hardly necessary for me to assure all the readers of HARRISON'S REPORTS that I am not undertaking this trip with the purpose of gathering information of personal nature about either artists or producers, for every one knows by this time, I am sure, that I do not print scandals and I am not interested in them; what interests me is how we can get a greater percentage of meritorious pictures.

The purpose of my trip is to find out what is being done towards getting better pictures and what studios are exerting greater efforts to that effect so that I may inform you of it. Incidentally, I expect to pay a visit to old friends, whom I made while living in California for several years before I came East.

There is no doubt in my mind that much benefit will accrue to the subscribers of this paper from this trip of mine. My conclusions will be printed upon my return.

Publication of HARRISON'S REPORTS will not cease as a result of my trip; the material will be sent East from there.

WARNER BROS. HAD BETTER ENGAGE DIFFERENT LAWYERS

Warner Bros., to the refusal of exhibitors to accept "Personality Kid" on the ground that it is a substitution, reply that, in the opinion of its legal department, this picture is not a substitution.

If the Warner Bros. lawyers have rendered such an opinion, Warner Bros. had better hire new lawyers, for an opinion of this kind cannot change the facts. "Personality Kid" is being delivered for "The Life of Rothschild," production of which Warner Bros. abandoned by agreement with Mr. Darryl Zanuck, of Twentieth Century, who produced the same picture with George Arliss, and since the story of "Personality Kid" has nothing whatever to do with the life story of the famous international bankers, it is an unadulterated substitution of story, and theme, and author. The fact that the contract did not give the name of the author does not alter the facts; the title is a direct connection with the famous bankers, and no jury in the world could decide differently.

Warner Bros. will do well to stop annoying the exhibitors with legal opinions that are illogical. They need the good will of the exhibitors, because their pictures do not "crow" this year.

"MERRY WIDOW" A "FLOP"

"Merry Widow," the MGM picture that is said to have cost \$1,700,000 in cold hard cash, lasted at the Astor, on Broadway, just one month: it opened on the 11th of October and was taken off on the 11th of November.

On the door of the Astor there is a sign informing those who had bought tickets in advance that their money will be refunded.

MGM thought that the picture would last a long time; HARRISON'S REPORTS called it a disappointment, giving certain reasons, which were justified, if the failure of the picture to stand up on Broadway is to be taken as a criterion.

Materially, the picture has been produced as lavishly as money could do it. But the box office has furnished proof repeatedly that a picture must have something else besides glamour; it must have soul. And "Merry Widow" seems to lack it.

We shall again have an opportunity to satisfy ourselves of the accuracy of this observation when "Anne of Green Gables" opens its engagement at the Roxy, this city, on Christmas week: I dare say that people will break down the Roxy's doors in an effort to get in, and they will continue doing so for at least three weeks. And it did not cost one-fourth the money "Merry Widow" has cost. But "Anne of Green Gables" touches the heart.

Some day the producers will stop making beautiful but dumb pictures and will produce pictures that reach the heart.

THE TRI-ERGON PATENT CASE TO BE REVIEWED BY THE UNITED STATES SUPREME COURT

Last October the United States Supreme Court refused to review a decision of the Circuit Court of Appeals declaring Fox's Tri-Ergon patents valid.

Not discouraged by the Supreme Court's refusal, Paramount made another application, setting down as reasons the disorganization that will follow in the industry, and the Supreme Court, reversing its former stand, has decided to hear producers, exhibitors, and sound apparatus manufacturers.

Whether there will be any court decision affecting the validity of these patents is, of course, difficult to tell in advance. But there is no question that there is need for each side to drop its intransigent attitude and come to an understanding. Fox is asking too much—so much, in fact, that it may bankrupt the electrical companies were they to meet his demands. On the other hand, the electrical companies should be willing to recognize some rights to him, since the courts have declared that he has such rights.

Let there prevail better counsel.

117-78
**"The Private Life of Don Juan" with
 Douglas Fairbanks**

(United Artists, Nov. 30; running time, 82 min.)

A bore! The story is inane, parts of it are exceedingly vulgar, and Fairbanks' acting is uninspired. Supposedly a satire on a middle-aged man's endeavors to conquer the hearts of women as he did in his youth, it fails to amuse. One of the most vulgar situations is the bedroom scene between Binnie Barnes, a barmaid, and Fairbanks. She makes it very evident that she would allow Fairbanks to make love to her if he would buy her a pair of gold earrings. As a matter of fact, this even disgusts Fairbanks, who walks out of her bedroom, sending her the earrings without the idea of having any sexual relationship with her. And the scene in which Binnie expresses surprise that he should have given the present to her without asking for anything in return is equally vulgar. The dialogue in other situations, although not as obviously vulgar, is plainly suggestive. There is no human interest, and none of the characters arouse any sympathy. The only thing that it can boast of is the lavishness of production. But the story is too unwholesome—it deals with silly women whose one desire in life is to have sex relationship with Don Juan.

The story revolves around Don Juan, the famous lover, who returns to the scene of his many conquests, a middle-aged man, but still romantically inclined. His wife still loves him but he will have nothing to do with her. She had bought up all his debts and threatens to put him in jail. An irate husband finds another man, impersonating Don Juan, in his wife's bedroom. A duel follows, the false Don Juan is killed. The funeral is attended by hundreds of women mourners. This gives the real Don Juan an opportunity to leave the country and to lead a simple life for a time. But his wife knows that he is still alive and that eventually he will return. When he returns and tries to make the people believe that he is the real Don Juan, no one will believe him; they laugh at him. He becomes reconciled with his wife and confesses to her that he really loved her all the time.

The plot was adapted from a story by Henry Bataille. It was directed by Alexander Korda. In the cast are Joan Gardner, Merle Oberon, and others.

Unsuitable for showing to any type audience. Suitability, Class C.

**"One In A Million" with Charles Starrett
 and Dorothy Wilson**

(Invincible, Aug. 15; running time, 69 min.)

A fair program picture. The story is a bit far-fetched, but since the spectator feels sympathy for the heroine, who is accused of a crime unjustly, his interest is held. The beginning is somewhat unpleasant, for the heroine is shown framed by a man because she would not become intimate with him. At first the hero does not win the spectator's sympathy because of his flirtatious nature; but he does win it later, when he becomes more serious and stands by the heroine in her trouble. The romantic interest is pleasant:—

The heroine, a clerk in a department store, is accused by an executive of having stolen articles. He tells her that if she will be nice to him he will not prosecute her. In a struggle that follows, he falls through the window to the pavement below and she, fearing that he was dead, leaves town with her pal, who worked for a high class gown shop; she was on her way to meet a debutante, the hero's fiancée, to take her trousseau to her. The hero and the heroine meet and he is attracted by her; he is not sorry when he receives a telegram from his fiancée telling him that she had married some one else. When the heroine refuses his friendship, by a ruse he lures her and her pal to his aunt's country home. A week's friendship ripens into love. But the hero's father objects to the affair. He owned the department store where the heroine had worked and had found out about her record. But eventually the police prove that the man who had accused the heroine was the thief. The heroine is freed of all charges and she and the hero marry, with his father's consent.

The plot was adapted from a story by Karl Brown and Robert Ellis. It was directed by Frank R. Strayer. In the cast are Holmes Herbert, Gwen Lee, Robert Frazer, and others.

The opening scenes make it unsuitable for children, adolescents, or Sundays; they show the villain attempting to assault the heroine. But it is harmless for adults. Suitability, Class B.

**"In Old Santa Fe" with Ken Maynard
 and Evelyn Knapp**

(Mascot, Nov. 1; running time, 63 min.)

This is better than the average Western. Although the story runs true to formula, the production is excellent and the action is fast. There are many exciting situations brought about by the villain's attempts to involve the hero in a murder and robbery his own henchmen had committed. The horseback riding is fast, and some of it thrilling, particularly in the situation where men race over a five mile course, through thick woods, and against many obstacles. Another exciting situation is where the hero races his horse so as to stop the runaway horses of a stage coach that had been held up and its driver wounded. The closing scenes, in which the hero sets out to clear his name and to capture the villain, will hold one in suspense. The romantic interest is pleasant:—

The villain calls on the heroine's father at his ranch and demands half interest in the ranch as well as his consent for his daughter's hand, as a price for silence about his past life. The heroine had met and fallen in love with the hero, a cowboy, and the villain resented this. The villain plots with his men to rob the stagecoach of \$20,000 in gold belonging to the heroine's father. The hero follows the villain's henchmen, fights them, and takes the gold back. The villain arranges things so as to make it appear as if the robbery had been committed by the hero. They kill the stagecoach driver, the hero's only witness. Eventually the hero proves the villain's guilt, and wins the heroine's hand.

The plot was adapted from a story by W. MacDonald and J. Rathmell. It was directed by David Howard. In the cast are H. B. Warner, Kenneth Thomson, George Hays, Wheeler Oakman, and others.

Suitable for children, adolescents, and Sundays. Suitability, Class A.

"Evensong" with Evelyn Laye

(Gaiety-British, Nov. 16; running time, 82 min.)

Fairly good entertainment for high class audiences. The action is somewhat slow. Since the story depicts the life of a grand opera star, there is considerable operatic music with occasional songs of the ballad variety. Evelyn Laye has a distinctly charming personality, and although her voice is pleasing the recording is poor. In the closing scenes, there appears a singer—Conchita Supervia—whose voice is still sweeter; it is manifest that she is trained for opera; she thrills one with her voice. The story of "Evensong" is tragic, with little comedy relief. The audience feels deep sympathy for Evelyn, who sacrifices love for a career, and in the end turns into a disappointed old woman. The closing scenes are deeply moving. There are several situations that arouse one's compassion. One such situation is where Evelyn meets her old sweetheart, who had been shell-shocked in the war, and sings familiar songs to him to try to bring his memory back.

In the development of the plot, Evelyn Laye leaves her home in Ireland and lives in Paris with Emyln Williams, who pays for her support and voice training. After five years of hard work her teacher feels that she is ready for opera. Fritz Kortner becomes her manager and arranges for a hearing at the opera house. Williams is insanely jealous and threatens Evelyn with harm if she accepts an opera engagement. She tells him her career comes first and they part. She becomes a famous singer, and while in Vienna meets Carl Esmond, of Austrian royalty. Esmond is willing to throw over his title to marry her and she accepts his proposal. War breaks out and they are separated; she goes back to England. Williams is shell-shocked in the war and Evelyn cares for him until his death. At one time she wants to retire from opera but Kortner prevents her from doing so. Twenty years later she is an embittered old woman, who refuses to believe that her voice is not as great as it once was. At one of her appearances her rival is acclaimed. This enrages her and she refuses to listen to Kortner's advice to retire. Esmond, who had been married but whose wife had died, calls on her and asks her to marry him. But she refuses. Instead she is ready to sign a new contract for a tour. Left alone she listens to a phonograph record of her voice, taken when she was young, and she realizes she is finished. She suffers an attack and dies.

The plot was adapted from a story by Beverley Nichols. It was directed by Victor Saville. The cast is all foreign.

It is not definitely clear whether Evelyn and Williams were living together. For this reason, it is suitable for children, adolescents, and for Sunday showing. Suitability, Class A.

"Evelyn Prentice" with Myrna Loy and William Powell

(MGM, Nov. 9; running time, 78 min.)

Fairly good entertainment. The first half is slow, but the second half gradually picks up speed, becomes interesting, and winds up with an exciting and dramatic courtroom scene. The story is not particularly novel, or plausible, or even cheerful, but because of intelligent direction and good acting one's attention is held. People who expect the gayety and good humor of "The Thin Man" will be disappointed, for it is a serious drama with little comedy relief; neither Myrna nor Powell are given an opportunity to display their talents for comedy. Some of the situations hold one in tense suspense. One such situation is where Myrna, unable to see an innocent woman prosecuted for a crime which Myrna believed she herself had committed, sacrifices her reputation by shouting her confession to the court. One feels compassion for Myrna, because one knows that her affair had been an innocent one and that she loved her husband. One feels sympathy for Isabel Jewell who, as she confesses, had killed the man, for he was a scoundrel:—

Myrna, married to Powell, a famous criminal lawyer, discovers that Powell, on one of his trips, had had an affair. Disillusioned, she goes for sympathy to Harvey Stephens, who had been trying to win her affections. She sees him a few times and sends him several letters, but she soon realizes the danger from these innocent meetings and breaks her friendship with him. Powell returns home and all is forgiven. He and Myrna plan to take a trip to Europe with their child. Stephens induces her to call at his apartment, and when she is there he threatens to show the letters to Powell unless she gave him \$15,000. Myrna picks up a pistol from the table and demands the letters which Stephens gives to her. He then strikes her and as she hits the wall the pistol goes off and Stephens falls to the ground. She rushes out of the apartment just as Isabel Jewell, Stephens' mistress, comes in. Isabel, being found with the body, is arrested and tried for the murder. Myrna postpones her trip and induces Powell to defend Isabel. As the trial progresses Myrna, a spectator in the courtroom, loses control of herself and shouts out that she had committed the crime. Powell, by clever cross-examination, brings out of Isabel the fact that the shot that killed Stephens had been fired by her. Myrna and Powell are reconciled and take their trip to Europe.

The plot was adapted from the novel by W. E. Woodward. It was directed by William K. Howard. Una Merkel, Rosalind Russel, Cora Sue Collins, and others are in the cast.

Unsuitable for children, adolescents, or Sundays. Harmless for adults. Suitability, Class B.

"Marie Galante" with Spencer Tracy

(Fox, Oct. 26; running time, 89 min.)

Good entertainment! It is an espionage picture; it holds the audience in fairly tense suspense since several people are suspected of being spies. One is in deep sympathy with Ketti Gallian (heroine), an innocent girl who is in no way connected with the spies, but who, because of her naivete, becomes involved with them. Another reason for one's sympathy is the fact that Ketti yearns to be back home, from which she had been kidnapped by a drunken sea captain. The closing scenes provide breathtaking excitement; they show Spencer Tracy, of the United States Intelligence Service, preventing the blowing up of the Panama Canal locks by a spy at the time when the American Fleet was passing through, and capturing the spy. The love interest is mild, and it is not established clearly whether Tracy and Ketti are really in love with each other.

In the development of the plot Ketti, a telegraph messenger girl in a seaport town in France, delivers a cable to a captain aboard a ship. Happening to be drunk, he decides to keep her on the ship against her will. When he sobers up he realizes what he had done, and, in order to clear himself, marks his records to the effect that Ketti was a stowaway. He later lands her in Panama. Knowing only French, Ketti finds it difficult to make any one understand her plight. She obtains employment as a singer in a cafe. There she meets Spencer Tracy, supposedly a doctor, Leslie Fenton, a Japanese art dealer, and Siegfried Rumann, also an art dealer. All three men are interested in her. Rumann, a spy, by promising to send her back to France, gains her friendship, and induces her to do his bidding. But she does not know that she is being used by him in his spy work. The government officials believe Ketti to be a dangerous spy, but Tracy, a member of the U. S. Intelligence Service, who had become acquainted with her and taken an interest in her,

does not agree with them. At first Fenton, too, is suspected of being a spy but he proves to them he is not. Tracy prevents Rumann from blowing up the Panama Canal locks. In the struggle that results from these efforts of his, Ketti is shot. When she recovers she tells Tracy she does not want to go back to France now, for she had found a good friend in his person.

The plot was adapted from the novel by Jacques Deval. It was directed by Henry King. In the cast are Ned Sparks, Helen Morgan, Arthur Byron, and others.

There is a situation that occurs in Panama where Ketti, speaking in French, stops several men to ask for their help. The men naturally think she is soliciting. Children will not understand this, but adolescents may; therefore, unsuitable for adolescents. Harmless for adults. Suitability, Class B.

"Flirting With Danger" with Robert Armstrong

(Monogram, Dec. 1; running time, 70 min.)

Just a fair program comedy, suitable for the masses. Lacking a real story it depends entirely on its comedy situations for entertainment, with Edgar Kennedy providing the real laughs. For instance, Kennedy, in trying to mix a formula for a powerful explosive, occasionally wrecks parts of the plant in which he works. One of the funniest bits is the trick Kennedy plays on Armstrong: Armstrong asks Kennedy, who speaks Spanish, to tell him how to say: "I love you, but I do not believe in marriage." What Kennedy really teaches Armstrong to say is: "I love you; will you marry me?" This leads Armstrong into trouble and eventually marriage. The love interest is between Marion Burns and William Cagney.

In the development of the plot Cagney perfects a formula for a high explosive. Marion, secretary to the general manager, discovers that the manager was trying to steal the formula and with it had attempted to blow up the dynamite factory, for which the three pals were being blamed. She brings the information to the court. The manager is arrested and Cagney, Armstrong, and Kennedy are free to marry their sweethearts.

The plot was adapted from a story by George Bertholon. It was directed by Vin Moore. In the cast are Marie Alba, William Von Brincken, and others.

Some of the remarks are rather suggestive. For that reason it is not suitable for children, adolescents, or Sundays but it is harmless for adults. Suitability, Class B.

"Port of Lost Dreams" with Bill Boyd and Lola Lane

(Invincible, Oct. 15; running time, 69 min.)

A moderately entertaining program picture. During most of the action one feels some sympathy for both the hero and the heroine. But towards the end the story becomes unpleasant because the hero, wanting to go to prison so as to convince his wife, who was also in prison, that he was no better than she, purposely commits a crime so as to be convicted. Such an act cannot win one's sympathy, even though this was a sacrifice on the part of the hero. The action is somewhat slow, and it is not until the closing scenes that it picks up speed, when the spectator is held in fair suspense because of the villain's return from prison, and of his efforts to disrupt the heroine's happy home life.

In the development of the plot the heroine, in an effort to escape from the police, hides in the hero's boat. At first he resents her presence but later they fall in love, marry, and are happy, particularly when a child is born to them. The villain, who had been the heroine's lover before she had met the hero, escapes from prison, and calls on the heroine. He forces her to give him the hero's gun. He kills a man, and since the holster is found by the body the hero is implicated. He cannot convince the police that the money he had in his pocket was what he had received from the murdered man for the sale of his boat. The heroine is forced to confess, and the hero treats her with contempt when he hears her story; but he is released. She is sent to prison on an old charge connecting her with the villain. The hero purposely commits a crime, so as to drag himself down to her level. In prison he is permitted to see his wife. She forgives him and they look forward to the time when they will be freed.

The plot was adapted from a story by Robert Ellis. It was directed by Frank R. Strayer. In the cast are George Marion, Ed Gargan, Harold Hubert, Robert Elliott, and others.

Unsuitable for children, adolescents, or Sundays. Harmless for adults. Suitability, Class B.

CLASSIFICATION OF PICTURES

The following are the latest feature pictures that have been classified by the Chicago Legion of Decency:

CLASS A (Good for the entire family): "Anne of Green Gables," "Crimson Romance," "Gentlemen Are Born," "Harold Teen," "Kid Millions," "Kentucky Kernels," "Man of Aran," "The Trail Beyond," and "When Lightning Strikes."

CLASS B (Unsuitable either for adolescents or children, but not forbidden for adults): "Cheating Cheaters," "Evelyn Prentice," "Fugitive Lady," "Gambling," "Limehouse Blues," "Merry Widow," and "One Exciting Adventure."

The following pictures have been classified by the Detroit Council of Catholic Organizations:

RECOMMENDED (Good for the entire family): "Anne of Green Gables," and "Lost in the Stratosphere."

SPOTTY (Not good for either children or adolescents, but not forbidden for adults): "Elinor Norton," "Lady By Choice," and "Loyalties."

LETTING THE CAT OUT OF THE BAG

Mark Ostrer, of British-Gaumont, upon his recent return to England from the United States, gave an interview in which he recounted what he accomplished for the distribution of British pictures while here.

Among other statements, Mr. Ostrer made the following statement:

"We decided to use our own sales force in all the larger territories and made an arrangement with Mr. S. R. Kent, president of Fox Films and also a director of your company, to physically distribute our product and to sell for us in the smaller territories where we, in conjunction with Mr. Kent, considered it uneconomical to sell ourselves."

Commenting upon this statement, Maurice Kann, of Motion Picture Daily, said: "The fact that, according to Ostrer, Fox is selling G. B. to smaller accounts is new and a hitherto untouched angle of that organization's activities."

The fact that Mr. Ostrer has made arrangements with Sidney Kent for the distribution of Gaumont-British product in the smaller territories is not the point at issue, for since the British pictures will be sold, according to *To-day's Cinema*, separately, by a Gaumont-British staff attached to the Fox exchanges, an exhibitor will, after all, beware of what he will be buying; what interests this paper and should interest every exhibitor who has bought or contemplates buying Fox pictures is the fact that Sidney Kent is a director of Gaumont-British. This explains why so great a number of Fox pictures are cast with English players; it is the moral obligation Sidney Kent seems to have undertaken to boost for English players here.

HARRISON'S REPORTS is far from being antagonistic to British product. If anything, it has been very friendly towards the efforts of Englishmen to invade the American market so that the stranglehold the American producers have had on it may be broken. All it desires to impress upon exhibitors is that Fox pictures are using too many unknown English players, just because Sidney Kent is a director of an English company.

NEW ZEALAND EXHIBITORS MORE FORTUNATE THAN THOSE IN AMERICA

Early this year a Committee appointed by the New Zealand Government investigated the motion picture industry there and uncovered the practice of many abuses. These are the same as those that are practiced in the United States:—block-booking and blind selling, unfair contract terms, lack of descriptive material with the feature pictures, and others.

As a result of this investigation, the New Zealand Government decided to introduce reforms.

Among such reforms are: establishing the prices of admission and giving the exhibitor the right to cancel one out of each four pictures he contracts for.

Commenting upon this latter reform, *The Daily Film Renter*, of London, England, decries the fact that the New Zealand Government, in trying to eradicate one monopoly, that of the distributors, is setting up another, that of the exhibitors. "It remains to be seen how it is possible to avoid monopoly," states the editorial, "if, in destroying one, you create another by putting exceptional powers into the hands of theatre owners, enabling them to break contracts if they so desire. Such things usually revolve themselves into the rather ambiguous task of taking the saddle from one weary horse and placing it upon the back of another . . ."

The difference between one monopoly and another is this: the exhibitor is in no way responsible for the quality of pictures the producers make. The producers have gone so far, particularly in New Zealand, as to deny the exhibitor any description of the product he is about to purchase: he either has to buy what he is offered or buy none at all; and since moving pictures affect, besides the exhibitors, the public, the New Zealand Government felt that it is no more than right that the men who provide the public with entertainment should be in a position to determine, in some measure, what that entertainment should be. The exhibitor, that government feels, knows what kind of entertainment his public wants and should have some discretion in choosing it.

It seems as if my friend Ernest W. Fredman, publisher of the *Daily Film Renter*, feels that what should be sauce for the goose should not be sauce for the gander.

WHEREAS, we believe that the differences of opinion regarding the Motion Picture Code were honest differences, and

WHEREAS, Mr. P. S. Harrison, the editor of HARRISON'S REPORTS, honestly admitted that this Code was not working to the best interests of the independent theatre owners, and

WHEREAS, the independent exhibitors of this territory feel that Mr. Harrison is consistent and sincere in his efforts in behalf of the independent theatre owners, therefore be it

Resolved, that the Motion Picture Theatre Owners of Western Pennsylvania, Inc., in convention assembled, hereby affirm their belief in Mr. Harrison and HARRISON'S REPORTS, and be it further

Resolved, that this resolution be made a part of the permanent record of this organization, and that a copy thereof be sent to Mr. Harrison.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 15.75
 Australia, New Zealand,
 India, Europe, Asia 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Published Weekly by
 Harrison's Reports, Inc.,
 Publisher
 P. S. HARRISON, Editor
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, DECEMBER 1, 1934

No. 48

Thursday, November 22nd

I landed at the airport in Glendale, California, at one o'clock, Thursday afternoon.

I left New York at four o'clock Tuesday afternoon, and the flying was excellent up to Chicago. From then on it became cloudy and we were compelled to fly at ten thousand feet high over the clouds. We landed at Kansas City at twelve o'clock midnight.

Just as we were to take off, the pilots received orders to cancel the flight because of unfavorable weather conditions ahead. We waited until morning for a fair report and when we found that none was coming, we were compelled to take the train for Albuquerque.

When we reached Albuquerque the following morning, the weather was excellent and we took off at nine-thirty for Los Angeles. The flight over the Painted Desert was magnificent. We passed over the famous Meteor Crater and then over the San Bernardino Mountains, but the most glorious sight was when we emerged on the other side of the mountains into the valley where the famous "scenic route" is located. The beauty of the scenery while passing over Pasadena cannot be described.

When I landed at the airport, the descent from eleven thousand feet in half an hour made me feel as if I had drunk a quart of liquor.

That afternoon I visited my old friend Bob Sisk, at the RKO Studio, and I lost no time in going around and looking things over. I met Mr. McDonough and had a talk with him on stories and learned from him of his plans about future productions; also with B. B. Kahane. Everyone at this studio is highly enthusiastic.

The studio is small in area as compared with other studios, but from this small yet compact studio have come pictures such as "LITTLE WOMEN," "FLYING DOWN TO RIO," "GAY DIVORCEE," "ANNE OF GREEN GABLES," "THE LITTLE MINISTER," and other pictures. This proves that it is not a matter of studio size, but rather of brains behind the studio that ultimately counts.

* * *

Friday, November 23rd

I visited the Fox Studios. Here my old friends Gabe Yorke, head of the Publicity Department and Joe Shea, his assistant, received me. This studio is the most magnificent anywhere in the world. It consists of approximately 110 acres and it is hard to get from place to place without a car. Joe Shea took me around in his car to show me the different sights and I saw sets of pictures that have been made since sound came into existence. For instance, there was a set of "IN OLD ARIZONA," and one of "CAVALCADE." There are on this lot, sets of all kinds and all descriptions. There is one that represents a familiar old sight—47th Street and Ninth Avenue, New York. The dilapidated stores, the Ninth Avenue "L," the electric car underneath the elevated structure—all are there. Everything needed to make a good picture will be found on this lot. All they need is good stories.

I called on Winnie Sheehan, and he seems to be enthusiastic. He is a wise old producer; realizing that one man cannot produce fifty-two pictures a year, he has decided to produce only eight a year and, although nominally the head of the entire studio, he has concentrated his attention on these eight pictures.

In the afternoon I called on Warner Baxter, who was working in a scene of "ONE MORE SPRING." Later on I met Will Rogers, who was working in a scene of "THE COUNTY CHAIRMAN." I did not go to

Lasky because I have not been very kind to him on the pictures he has produced on the Fox lot. It was not, of course, a fault of mine; he has been very unfortunate in the selection of his material. Even "THE WHITE PARADE," which is about the best one he has produced so far, is not drawing, according to the reports I have received. The reason for it is, as I have been told, the fact that people don't want the "smell of ether." Besides, it has come too close to "MEN IN WHITE," the picture that was produced by MGM with Clark Gable in the leading part.

I did not call on Bob Kane, either. Kane is, as you no doubt know, brother-in-law of Sidney Kent, and is the producer who made for Fox, "GEORGE WHITE'S SCANDALS," which was banned by the churches last year. He also produced, "CARAVAN," which is making a terrible failure, not because the story is really bad, but because of the "panoramic" system of photography. This system does not allow the spectator to see the picture because the camera is moving all the time. How can anyone enjoy a picture when he isn't given a chance to look at it? It gave me a headache when I reviewed it in New York.

Sol Wurtzel is on another lot. I expect to see him next week.

* * *

Saturday, November 24th

I did not do anything today except to review RKO's "THE GRAND OLD GIRL," produced by the bright new producer, Cliff Reid, with May Robson in the leading part. John Robertson directed it. It is about an old school teacher and shows the sacrifices that this teacher has to go through to remain loyal to her duty. It is a real "tear-jerker" and I am sure that the industry will profit a great deal from it. No doubt this will set the style for pictures of this kind.

I expect to see some Fox pictures next week and will keep busy calling on producers and learning things so that when I return I may be able to give you a true picture of what is being done to get better pictures and what studios are exerting the greatest effort.

THE CHICAGO LIST MADE OFFICIAL BY THE BISHOPS' COMMITTEE

The Committee of Catholic Bishops, which met in Washington on November 15 to survey the results of the campaign against indecent pictures by the Legion of Decency, has approved the list that is being put out by the Chicago Legion of Decency under the supervision of Father Dinneen, and the auspices of Cardinal Mundelein, and has made it official; Cardinal Mundelein has been requested to continue having it compiled and published.

Hereafter, HARRISON'S REPORTS will publish only the classifications made by the Chicago Legion of Decency.

In a week or two, I shall publish in a separate section a list of all the pictures that have been classified by the Chicago Legion of Decency since it began classifying pictures.

Incidentally, the Bishops' Committee has decided to continue the fight against indecent pictures and to enlarge the membership of the Legion of Decency. It has also given out a statement to the effect that, if the producers should ever violate their promise to refrain from producing indecent pictures, the Committee will instruct the members of the Legion of Decency to strike for one full week, refusing to attend the performances of any picture theatre showing any type of picture.

"I Am a Thief" with Mary Astor and Ricardo Cortez

(Warner Bros., Nov. 24; time, 63½ min.)

Just fair. It is a murder mystery crook melodrama, with a story that occasionally becomes too implausible for intelligent audiences. It should, however, please followers of this type of melodrama. Many people are involved in the theft of a famous necklace and one does not know whether they are crooks or detectives; for this reason one is held in suspense. Some of the situations are quite exciting, particularly those on the train, after the necklace is stolen. The picture builds up to a thrilling finish when a notorious crook attempts to steal the necklace, and at the same time attempts to kill several persons who witnessed the theft. Cortez's courage during this situation wins the spectator's respect, even though it is shown that he, too, is a crook. The love interest is pleasant:—

The Paris police are puzzled by the many jewel robberies, which they cannot trace. They plan to sell a famous necklace and thus lure all the crooks to the auction room. Mary Astor and Ricardo Cortez are the highest bidders, Cortez finally getting the necklace; he refuses to insure it. He is pleased to find that Mary lives in the suite next to his and they dine together. The following day Mary learns that Cortez had taken a train to Istanbul and follows him. Among the passengers is Dudley Digges, a wealthy American, who finally coaxes Cortez into selling him the necklace. He immediately insures it, having brought the agent for the insurance company with him. Mary enters Digges' compartment at night, steals the necklace and puts in its place an imitation. The imitation necklace is stolen and at the next station some one throws it to an accomplice, who picks it up. In the morning, Digges shouts that he had been robbed; he expected the insurance company to pay him the price of the necklace. A few hours later he is found murdered and Cortez is accused of the crime. But Mary, who is really a detective, finally solves the mystery. Cortez was a thief connected with Digges; the whole purchase was just for public appearance, and Digges had thrown what he thought was the genuine necklace to an accomplice, who, when he found out it was an imitation, had followed the train by plane and killed Digges. Cortez prevents the theft of the real necklace by Robert Barrat, a desperate crook, and for his courage is given a suspended sentence when brought to trial. Mary and Cortez are in love and marry.

The plot was adapted from a story by Ralph Block and Doris Malloy. It was directed by Robert Florey. Hobart Cavanaugh, Irving Pichel, Ferdinand Gottschalk and others are in the cast.

Not for children, adolescents, or Sundays. Harmless for adults. Suitability, Class B.

"Bachelor of Arts" with Tom Brown, Anita Louise and Arline Judge

(Fox, Nov. 23; running time, 75 min.)

A fair college program picture, without the usual football background. It should appeal more to young folk than to adults. The story is simple, but, although not particularly exciting, parts of it are good; they provoke comedy. The human interest is aroused by the hero's actions in obtaining money for his college professor's sick wife. One feels deep sympathy for the hero when he sells his blood for transfusion so as to make enough money to give to the professor, and then sends the money to them without saying whom it is from. Most of the action deals with fraternity affairs, and with squabbles amongst the students. There is a mild romance between Brown and Anita Louise, also a student. Brown is a spoiled young man, thinking more of amusing himself than of studying. Anita's idea in telling Brown's father to pretend he had lost his money works to Brown's benefit, for he obtains a position, works hard, and studies, eventually winning Anita as his bride.

The plot was adapted from a story by John Erskine. It was directed by Louis King. In the cast are Henry B. Walthall, Stepin Fetchit, Mae Marsh, and others.

Suitable for children, adolescents, and Sundays. Suitability, Class A.

"Jealousy" with Nancy Carroll, Donald Cook and George Murphy

(Columbia, Nov. 20; running time, 66 min.)

A fairly good melodrama. The theme is somewhat unpleasant because it revolves around a man's jealousy and the misery it brings to three people. But, by virtue of a tricky ending, which shows that what had preceded was a dream, the depressing feeling is somewhat dissipated. Because of the sympathy one feels for Nancy, Murphy, and Cook, one takes an interest in their fate. Some of the epi-

sodes hold one in suspense. One of them is that in which Murphy finds Nancy, his wife, at Cook's office, and because of his jealousy, believes that she was unfaithful. The situation in which Nancy and Murphy are permitted to see each other before he is taken to the death chamber is piteous.

In the development of the plot Nancy goes with her employer, Cook, to see Murphy, her sweetheart, fight. When Murphy, extremely jealous, sees them together he loses his head and is knocked out. Regaining consciousness in his dressing room, and seeing Cook there, he knocks him down. Nancy forgives him, they marry, and are happy until Murphy finds that Nancy had taken a position with Cook. He accuses Nancy of being unfaithful, and then shoots Cook. Leaving the apartment in a dazed condition, he wanders about, while Nancy is arrested and tried for the murder. He regains his memory while reading the story in a newspaper, rushes to the courtroom, confesses, is tried, and sentenced to die. Just as he is going to the death chamber he faints. And then there is a flashback to the ring, showing that, while unconscious, he had dreamt the whole thing. This cures him and he welcomes Cook as a friend. Murphy and Nancy are married.

The plot was adapted from the play "Spring 3100" by Argyll Campbell and Willard Mack. It was directed by Roy W. Neill. Arthur Hohl, Raymond Walburn, Inez Courtney, and others are in the cast.

There is nothing suggestive or immoral in the story. But, because of the murder, some exhibitors may find it unsuitable for children, adolescents, or for Sunday showing. Suitability, Class B.

"Gentlemen Are Born" with Franchot Tone, Margaret Lindsay, Jean Muir and Ann Dvorak

(First Nat'l., Nov. 17; running time, 73 min.)

There is so much human interest and pathos in "Gentlemen Are Born," that, despite its depressiveness, it should appeal to one's emotions of sympathy well. The performances are excellent. Some of the situations will bring tears to the eyes. One situation in particular is where Nick Foran, a decent man and a college graduate, desperate because of his inability to find employment, steals ten dollars and is killed by a policeman who had run after him. One feels deep sympathy for all the characters, particularly for the young men, who were friends since their college days. Their comradeship and desire to help each other is inspiring. Human interest is aroused by the struggle of these young men to adjust themselves to conditions after their graduation from college; each one had faith in himself and thought it would be an easy matter for him to find a good position; but their contact with life soon disillusioned them. The romantic interest is blended well in the story, each man wanting to have a happy marriage with the girl he loved, but unable to find happiness because of financial difficulties.

The plot was adapted from a story by Robert Lee Johnson. It was directed well by Alfred Green. In the cast are Ross Alexander, Charles Starrett, Robert Light, Henry O'Neill and Marjorie Gateson.

Suitable for children, adolescents, and Sundays. Suitability, Class A.

"Hell In the Heavens" with Warner Baxter

(Fox, Nov. 9; running time, 80½ min.)

Fair. There is nothing in this war drama that has not already been done on the screen, but it is so well acted by Warner Baxter, that it holds one's interest well. One feels sympathy for Mr. Baxter. The other players, too, do good work. The battles in the air are exciting, particularly for men; they cause real thrills—planes are shown crashing, falling to the ground, and bursting into flames. What makes the picture dramatic is the fact that Baxter, although he himself fears to fly, does not let any one else know it; he acts as the most courageous person in the group. For this reason, one is held in suspense each time Baxter goes up in the air to fight, not knowing what will happen to him. The story is depressing; it shows the mental agony suffered by young men who fear death, but who go to their duty feeling that they must attempt to be courageous, even though they hate war. A stirring situation is where Baxter, a little drunk, blurts out the truth about his fear of going up. Some comedy situations relieve the tension. The romance is between Baxter and Conchita Montenegro. It is shown that in his love for her he forgets his fear, and when he gets a leave of absence they marry.

The plot was adapted from the play "The Ace," by Hermann Rossmann. It was directed by John Blystone. Russell Hardie, Herbert Mundin, Andy Devine, Ralph Morgan, Vince Barnett, William Stack, and others are in the cast.

Suitable for children, adolescents, and Sundays. Class A.

"Kentucky Kernels" with Wheeler and Woolsey

(RKO, Nov. 2; running time, 74½ min.)

A fairly good comedy, done in the typical Wheeler and Woolsey breezy fashion; it should entertain those who enjoy slapstick and nonsensical farce. The first half is amusing, most of the comedy being provoked by "Spanky" McFarland, a youngster, who has an uncontrollable desire to break windows. (Incidentally, this child is clever and charming, and should soon be a favorite.) It becomes somewhat draggy in the last part of the second half when the feud between two families flares up and fighting begins. At first it is comical but later becomes tiresome, because there is too much of it. One of the most amusing situations is where Wheeler and Woolsey, intent on making peace between the families, pay a visit to the home of Noah Beery, only to find the family preparing to go out to kill them. The romantic interest is pleasant, though not exciting:—

Wheeler and Woolsey induce a young man, whom they had saved from drowning, to adopt a child. They make all the arrangements for him but on the day the child arrives they find that the man who was to adopt him was too busy preparing to marry. And so Wheeler and Woolsey are left with Spanky. They love him but he is a nuisance, for he has an uncontrollable desire to break windows. This leads them into trouble. Just as they were going to return him to the orphanage they find out that Spanky had inherited a plantation down South. Instead of giving him up they accompany him down South. They find that life is not as easy there as they had imagined. There was a feud between Spanky's family and another, and too much shooting between them to please Wheeler and Woolsey. And to add to their trouble, Wheeler falls in love with Mary Carlisle, daughter of the unfriendly family. But everything is adjusted when they find out that Spanky is not the rightful heir and does not belong to the Southern family. Wheeler and Mary marry.

The story is by Bert Kalmar and Harry Ruby; the direction are good. The picture was photographed aboard a ship. LaVerne, and others.

Suitable for children, adolescents, and Sundays. Suitability, Class A.

"Limehouse Blues" with George Raft and Jean Parker

(Paramount, Nov. 9; running time, 65 min.)

Poor! An antiquated story with only one redeeming feature—good production. The theme is typical of the old Chinatown melodramas that were shown fifteen years ago; and it is unpleasant, in that it deals with smuggling, unsavory characters, murders, and intrigue. It moves along listlessly and without excitement. The only situation that holds one in suspense is toward the end, where George Raft rushes back to his apartment to save the life of Kent Taylor, whose death he had ordered. The fact that Raft dies in his attempt to save Taylor does not arouse one's compassion, for up to that time he had shown nothing but bad traits. One feels sympathy for Jean because of the unpleasant life she is forced to live. The romantic interest is pleasant:—

Jean, step-daughter of Montague Love, living in the Limehouse district, is chased by the police when she picks a man's pockets. She rushes into Raft's cafe and he protects her. Raft is her father's enemy, and when the father learns that she had been there he beats her. Raft kills the father and then offers Jean a position to help him in his smuggling business. He provides her with food and clothing, and insists that she stay at his home. This incurs the wrath of Anna May Wong, Raft's Chinese mistress. On a trip to the shopping district Jean accidentally meets Kent Taylor. They meet often and soon fall deeply in love with each other. Raft is insanely jealous, for he loved Jean. He arranges with his henchman to kill Kent, while he takes Jean on a friend's boat where they were holding a Chinese New Year's celebration. Jean discovers Raft's plot and pleads with him to save Kent. Raft agrees to do so and he and Jean get into his motorboat. But they are followed by the police, who had been informed by Anna May Wong that Raft intended to do some smuggling. Raft is shot but he reaches his apartment in time to save Kent; he then dies. Anna, too, is dead; she had killed herself after telling the police about Raft. Jean and Kent leave to be married.

The story is by Arthur Phillips; the direction, by Alexander Hall. Billy Bevan, John Rogers and others are in the cast.

Unsuitable for children, adolescents, or Sundays. Suitability, Class B.

"The Captain Hates the Sea" with John Gilbert, Victor McLaglen and Helen Vinson

(Columbia, Oct. 27; running time, 90 min.)

A fairly good comedy-melodrama. The entire action takes place aboard a ship, and the style used is similar to that of "Grand Hotel." There is no connected story; it is just a series of incidents affecting different people. It holds the interest fairly well. Some of the situations are exciting, while others are pathetic or comical. The acting and direction are good. The picture was photographed aboard a ship. This fact makes the action more realistic.

The different characters are as follows:

John Gilbert, a writer who was taking the trip without his sweetheart, Tala Birell, hoped to be able to stop drinking and do some writing; but it was useless. He spent his entire time drinking, and did no writing. When he returned from the trip his sweetheart was waiting for him, and he went back to his old manner of living.

Wynne Gibson and her husband, John Wray, were unhappy because he had picked her up from the streets and had married her. Feeling certain that everyone was mocking him, he treated Wynne cruelly. But Wynne, with the help of Alison Skipworth, a wealthy old woman who was making the trip just for the fun of it, taught Wray a lesson. By the end of the trip Wynne was no longer meek; as a matter of fact Wray was the meek one.

Victor McLaglen, a detective, was spying on Fred Keating and his girl friend, Helen Vinson, who had stolen bonds. Both Keating and Helen think they are fooling McLaglen but he knew about them all the time. By the end of the trip he not only recovered the bonds but won the affections of Helen, who gave up Keating to marry McLaglen.

Walter Connolly, the Captain, felt that life was a bore and was entirely oblivious of everything that was going on about him. His first mate, Leon Errol, looked after things when he was not at the bar drinking.

Besides the affairs of these people, there are several sketches of different passengers worked into the plot.

The story is by Wallace Smith; the direction, by Lewis Milestone.

Not suitable for children, adolescents, or Sundays. Good for adults. Suitability, Class B.

"By Your Leave" with Frank Morgan and Genevieve Tobin

(RKO, Nov. 9; running time, 81 min.)

A good comedy for sophisticated audiences. Frank Morgan's performance is artistic, and when he appears in the picture, nothing more can be asked for. But when he is off, the action becomes a little draggy. There is too much talk. The comedy is provoked by Morgan's desire to recapture romance once more before becoming old, even though he is happily married. His futile attempts to be young and gay arouse hearty laughter and at times they are even pathetic. There are some hilarious scenes where Morgan meets Gene Lockhart, a fellow club member, who is drunk most of the time, and who inveigles Morgan into making an appointment with showgirls. Their experiences, which they relate to each other while drunk, should amuse most people. The sex angle has been treated delicately and never offends. As a matter of fact, Morgan's affair with Marian Nixon, a professional hostess, will make the spectator feel sorry for him, for he is ill at ease in her presence. There are other amusing situations, the result of the "bossy" attitude of Morgan's maid (played by Margaret Hamilton well).

In the development of the plot, Morgan suggests to his wife, Genevieve Tobin, that they take separate vacations. He feels that he had fallen into a rut and must become a man of the world again. He stays in the city and, after futile attempts to be gay and romantic, is glad to return home, even though his week is not yet up. In the meantime, Genevieve, who, too, had gone to the city, meets Neil Hamilton, an explorer; he falls in love with her and begs her to go away with him. Genevieve decides to speak to Morgan about it, but when she arrives home and sees Morgan's happiness at being with her again she realizes that it is Morgan she loves.

The plot was adapted from the play by Gladys Hurlbut and Emma B. C. Wells. It was directed by Lloyd Corrigan. In the cast are Glenn Anders, Betty Grable, Charles Ray, Lona Andre, and others.

Not for children, adolescents, or Sundays. Good for adults. Suitability, Class B.

PROPAGANDA IN NEWSREELS

We have always conjectured that the newsreel companies were inserting propaganda in newsreels, but we have never had proof of it. Such proof has now been furnished by Emanuel Cohen, production manager of Paramount.

Mr. Cohen was once a newsreel editor of Paramount. It is natural for him, therefore, to keep the success of the Paramount newsreel close to his heart.

It seems as if one or more newsreel rivals has been "stepping" on the toes of the Paramount newsreel lately and Mr. Cohen, in order to assure the exhibitors that the Paramount newsreel has not weakened a bit, made the following statement (copied from Red Kann's column in *Motion Picture Daily*):

"The film industry need not fear that it will ever be without a real newsreel. Paramount News right now makes the pledge to exhibitors that it will always adhere to a straight all-news policy. . . . It wants news—not propaganda or commentary. . . . It isn't featuring important happenings just because they may favor a certain city. . . . Neither will Paramount News stoop to shout 'Scoop' by tricking up library material with a new sound track thus bringing an old story up to date."

The accusation Mr. Cohen makes is that a certain newsreel, or even more than one newsreel, makes a practice of using certain shots, not for the news value there is in them, but for the propaganda they can convey.

Since people do not do favors for others unless they receive favors in return, we assume that the newsreel companies Mr. Cohen implicates are repaid for the boosting they do either in cash or by some other consideration.

This is a serious accusation against the other newsreels, and HARRISON'S REPORTS calls on Mr. Cohen to name the guilty companies. Unless he gives out their names, and the facts, he will put himself on the level of a muckraker, to whom any means is holy as long as it brings him benefit.

If the distributors of the other newsreels do not call upon Mr. Cohen to substantiate these charges we shall assume they are guilty of the practices Mr. Cohen accuses them of.

I am writing this editorial while still in New York. When I reach the Coast I shall ask Mr. Cohen to substantiate these charges.

DOES DEATH IN A PICTURE MAKE THE THEME TRAGIC?

My good friend, G. A. Atkinson, managing editor of *New Era*, of London, England, in criticizing me for my appeal to the exhibitors of the United States not to play "Power," on the ground that it will arouse racial prejudices between Jews and Christians, as well as that it is too tragic, says:

"Mr. Harrison notoriously does not like tragic themes, but life is not all near-beer and pin-tables."

I am fully aware of the fact that life is not all rosy, and that one must take its joyful part as he must its sorrowful part; but Mr. Atkinson is wrong in assuming that I dislike tragedy, for I do not. The only trouble is that many producers do not realize that death in drama does not make it a tragedy, as the word is understood in drama. "Lavender and Old Lace," produced by Paralta years ago, was based on a tragic theme. And so was Sir Gilbert Parker's "The Right of Way," when produced by Metro in the silent days, with Bert Lytell in the leading part. Yet no other tragic pictures have ever given me greater pleasure.

But in these pictures the suffering of the protagonists was so great that one felt glad when death came to them, as the only means of putting an end to their misery. In "Power" one has no such feeling; on the contrary, one has a feeling of abhorrence, because a "brute" is shown chasing a girl of fourteen or fifteen to seduce her, and she jumps to her death to escape from his clutches.

Now, I desire to call my friend Atkinson's attention to the fact that, according to the master dramatists,

death in drama must be justified by the act of the person who is to die. What did the little girl in "Power" do to deserve death? Nothing! How different an effect there would have been had there been at that moment some one with manhood enough to kill the villain and save the girl from her fate! And how much greater would be the dramatic effect had this gallant rescuer been killed by the villain's men after saving the girl! Such effect would be heightened still more had the rescuer known beforehand that death would be the result of his interference.

I am inclined to forgive Mr. Atkinson for his failure to take these facts into consideration, for he is a patriotic Britisher and wants British product to succeed. And so do I, for reasons that I have stated in these columns frequently—to break the stranglehold of the American producers on this industry. But British product cannot succeed in the American market if British producers merely ape American producers.

CLASSIFICATION OF PICTURES

The following are the latest feature pictures that have been classified by the Chicago Legion of Decency:

CLASS A (Good for the entire family): "Call of the Coyote," "College Rhythm," "Flirtation Walk," "Jindra," "The Law of the Wild," "Mein Herz Sehnt Sich Narr Liege" (German), "The Return of Chandu," and "When a Man Sees Fcd."

CLASS B (Unsuitable for either children or adolescents, but are neither approved nor disapproved): "The Captain Hates The Sea," "I Am a Thief," and "If I Had a Million."

CLASS C (Unsuitable for anybody): "The Gay Bride."

THE FATE OF "THE PAINTED VEIL"

"The Painted Veil," the Metro-Goldwyn-Mayer picture with Greta Garbo, has been sent back to Hollywood for "repairs."

I don't know how much improvement can be made to the story which, if it is in any way like the original—the novel by Somerset Maugham—is purely and simply sex. It deals with a woman who finds her husband, a bacteriologist, so unsatisfactory that she establishes intimate relationship with the British Assistant Colonial Secretary at Hong Kong. The husband chances once to find the lover in his house and he becomes so incensed that he threatens divorce proceedings unless she follows him to Mei-Tan-Fu, where he had been appointed to go to help stamp out a cholera epidemic. The bacteriologist contracts the disease and dies. The heroine returns to Hong Kong. The Assistant Colonial Secretary's wife invites her to stay with them. Her husband one day finds her alone and drags her into his room, where he disgraces her. She hates herself for having proved so weak and goes back to England, to her father, pleading to be forgiven by him and to be taken along to the Bahamas, where he had been appointed judge.

There is no sympathy for Garbo and the theme is sordid.

What alterations have been made in the action as well as in the characterizations I don't know; but not much improvement can be effected without radical changes. Since production of "The Painted Veil" started long before the Catholic Bishops brought pressure on the producers to abandon the production of this type of material, it is assumed that MGM followed the book fairly faithfully, in which case the picture has no doubt turned out hopeless.

It seems as if something has gone wrong with the MGM producers. Whereas they once made the best pictures, last season the quality of their product fell down considerably and so far this season they have not set the world afire.

Personally I feel sorry, not only for the exhibitors, but also for the MGM producers. But such are the fortunes of production: a company may produce good pictures for three or four seasons and then all at once may go to pieces.

HARRISON'S REPORTS

Yearly Subscription Rates:

United States	\$15.00
U. S. Insular Possessions.	16.50
Canada	16.50
Mexico, Cuba, Spain.....	16.50
Great Britain	15.75
Australia, New Zealand,	
India, Europe, Asia	17.50
35c a Copy	

**1440 BROADWAY
New York, N. Y.**

A Motion Picture Reviewing Service
Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
Columns, if It is to Benefit the Exhibitor.

Published Weekly by
Harrison's Reports, Inc.,
Publisher.

P. S. HARRISON, Editor

Established July 1, 1919

PEnnsylvania 6-6379

Cable Address:

Harreports

(Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, DECEMBER 8, 1934

No. 49

**PICTURES AND PICTURE MAKERS
IN HOLLYWOOD — No. 2**

MONDAY, NOVEMBER 26TH

In the forenoon I reviewed pictures.

In the afternoon I visited Sol Wurtzel, who has charge of the Fox Hollywood Studio. (My visit last Friday was to the Movietone Studio.)

Mr. Wurtzel is an able producer, but I feel that he is making too many pictures a year. We had considerable talk about story material.

Just now he is producing "Dante's Inferno."

Personally, I have my doubts as to whether "Dante's Inferno" is going to make a box-office attraction. In the *Forecaster* I predicted that it would turn out to be a tiresome picture. But the title has considerable box-office value. If he is successful in the novel treatment he is giving to the theme, which, he says, is going to be a story within a story, he may succeed in making it an entertaining picture. The risk, however, is too great. If I had come to Hollywood several months ago, I might have been able to persuade him to give it up. It is too late now to enter into a discussion with him because the picture has been in production for the last seven or eight months. Work has been done mostly in the preparation of the sets, which require considerable ingenuity.

Let's hope the picture will turn out a box-office attraction. No one will be more glad than I, because you, after all, must have good box-office attractions to keep your theatres going.

In the evening I reviewed the Mascot picture, "The Marines Are Coming," at the Fairfax Theatre, on an invitation from Nat Levine. William Haines is the star. The picture has turned out to be a good comedy. It seems as if Mr. Levine is bringing Haines back by giving him sympathetic roles. The MGM Studios killed his popularity by giving him unsympathetic (egotistical) roles.

TUESDAY

I visited the Paramount Studios and called on Bill Pine, head of the Publicity Department. Mr. Pine was good enough to assign one of his assistants to take me around.

On one set George Raft was working in a scene from "Rumba," a musical drama of the nature of "Bolero." I have known George Raft for some time. He was glad to see me, but was too busy to devote many of his moments to me just then. I am to have dinner with him at some later date. I also met Mr. Botsford, an old fixture with the Paramount organization.

There were several other Paramount pictures in production, but I could gain nothing by watching the taking of scenes. Picture-making is, contrary to the prevailing popular impression, a very tedi-

ous thing. The director sometimes has to take a scene several times, and never fewer than twice.

In the afternoon I reviewed more pictures.

WEDNESDAY

When my friend, John Krinsky, producer of "Emperor Jones," found out that I was in town, he called me up and invited me to luncheon at the MGM Studio, where he is assistant to Harry Rapf.

Because I was a little early with my appointment, I thought I would drop in and say "Hello" to Trem Carr, of Monogram, who is producing at the Pathe Studio, which is around the corner from the MGM Studio. To my pleasurable surprise, I found at this studio my old employer, Wm. A. Johnston, formerly editor-in-chief and publisher of *Motion Picture News*, the trade paper which later was merged with *Motion Picture Herald*. Here also is Bob Welch, who, when I worked for the *News*, was managing editor.

Mr. Johnston is the man who gave me my first opportunity at writing. That was back in 1918. I had left Minneapolis and landed in New York, and did not know what to do. A friend of mine suggested that I become a reviewer, because he felt that my experience with exhibition would qualify me as a critic. I pounded my hand on the table and said, "That is exactly what I want to be!" He and another friend gave me letters of introduction to Mr. Johnston. Mr. Johnston liked the idea of having a former exhibitor review pictures in his paper and, after a discussion with the Editorial Board, it was decided that I should be given an opportunity. They had also resolved not to censor my writings.

For a while Mr. Johnston was able to pacify the producers whose pictures I criticized severely, by saying to them that my reviews were at least unbiased; but after a year things became too hot—the paper was losing advertising and I voluntarily resigned to save a decent fellow from embarrassment. I then started HARRISON'S REPORTS.

Mr. Johnston is now writing stories for pictures. With his experience and ability he should have no trouble in selling them. He was a writer before he founded *Motion Picture News*.

Bob Welch is assistant to Trem Carr in producing Monogram Pictures. He, too, should prove a valuable asset to any producer, because of his knowledge of story material.

I called on my friend Krinsky at MGM about 11 o'clock. The first person I asked to see was Sam Katz, formerly with Paramount-Publix. While Katz was at Paramount, I often criticized him severely. I wanted to call on him so as to assure him that my criticisms were not inspired by personal motives. He was very glad to see me.

Sam Katz is to take over some of the duties now
(Continued on last page.)

"It's a Gift" with W. C. Fields*(Paramount, Nov. 30; running time, 69 min.)*

Those who appreciate the W. C. Fields' type of comedy will be entertained, for Fields is at no time off the screen. The story is thin, and serves merely as a means for Fields to use his "gags." He provokes comedy from the very beginning, when he tries to take a shave while his daughter is using the mirror. He eventually lies down on a chair, and completes his shaving by using a swinging mirror, which he had attached to the ceiling fixture. He arouses hearty laughter in the situation where he takes care of his grocery store. He does everything but wait on customers. A blind man enters the store, breaks all the glassware, and then only buys a package of chewing gum. The funniest situation of all is where Fields, trying to escape his wife's constant chatter and to take a nap on the back porch, is bothered by noises and by inconsiderate people, until he is forced to give up the idea of sleeping. In a few situations Baby LeRoy adds to Fields' discomfort by annoying him:—

Fields, owner of a grocery store, has one ambition—to own an orange grove in California. When he inherits money from an uncle, he immediately invests it in a ranch and in a dilapidated automobile starts out for California with his wife and two children. He is shocked when he arrives to find out that the ranch is nothing but a broken down and abandoned piece of property. Just as he is ready to leave, he receives a visit from a man who was building a racetrack alongside his property; the man needed his ranch to build a grandstand on. He receives \$40,000 in cash for it, and a good orange grove. His wife admits that he is a great man.

The story is by Charles Bogle and J. P. McEvoy. Norman McLeod is the director. In the cast are Kathleen Howard, Jean Rouverol, Tammany Young, and others.

Good for children, adolescents, and for Sunday showing. Suitability, Class A.

"The Gay Bride" with Carole Lombard and Chester Morris*(MGM, Dec. 21; running time, 80 min.)*

A vulgar and demoralizing comedy-melodrama. The action is fast, but there is no human interest, and the characters are so unpleasant that one cannot be in sympathy with them. Carole Lombard is just a cheap gold digger, a woman who would give herself to any man as long as he supplied her with enough money. The fact that she is regenerated in the end does not change one's feelings because in three-quarters of the picture she is shown as being callous and cheap. Another demoralizing feature is the fact that the story deals with gangsters. They are extortionists, racketeers, and even murderers. Two murders are committed, which are gruesome and horrible, since both murders were committed because of a desire to possess a woman—Carole. There is comedy, most of it being disgustingly vulgar:—

Carole, a chorus girl, marries Nat Pendleton, a gangster, believing him to be a millionaire. On their wedding night, she induces him to make his will leaving everything to her. While honeymooning in Europe, Carole buys expensive paintings and when she returns to America sells them at an exorbitant profit, without telling Pendleton about it. She fools him by having copies made of the original paintings. Hardy, a member of Pendleton's gang, wants Carole. So he kills Pendleton and assumes leadership of the gang. Carole finds to her regret that she is penniless—Pendleton had died a pauper, and her safe deposit box had been attached by creditors. So she promises to marry Hardy if he will give her a trust fund. But Leo Carrillo, another member of the gang, wants her too. So when Carrillo and Hardy go out on a "job" to collect together enough money for a trust fund for Carole, Carrillo kills Hardy and takes all the money. In the meantime Carole had changed her mind about gold digging. She falls in love with Chester Morris, her former husband's bodyguard, and promises to marry him and live a simple life. After many complications, during which Carrillo tries to prevent the marriage, Carole and Morris are married; they settle down in a small town, where Morris buys a garage.

The plot was adapted from the story "Repeal" by Charles Francis Coe. Jack Conway is the director. Zasu Pitts, Louis Natheaux, and others are in the cast.

Unsuitable for any type of audience. Suitability, Class C.

"Babbitt" with Guy Kibbee and Aline MacMahon*(First Nat'l, Dec. 8; time, 73 min.)*

Just a fair program comedy of small town life. The plot has been altered in some respects: the hero is made to love his wife and his affair with another woman has no sex implication. But even with this change it is somewhat unpleasant, because the other woman attempts to use information the hero had given her for blackmail purposes. Another unpleasant feature is the plight of a friend of the hero's who eventually shoots his wife because of her constant nagging. The picture has little appeal for young folk—it is concerned mostly with middle-aged people. Some of the situations provoke comedy; one such situation is where the hero is installed into office in his lodge. The closing scenes hold one in fair suspense:—

The hero, a respected business man in a small town, is flattered when the town banker asks him to join in a shady real estate deal. The banker knew that the city intended buying property for an airport; the idea was to buy it and then sell it to the city at an exorbitant profit. The hero's wife begs him not to do anything shady, but he tells her he knows what he is doing. While his wife is away caring for a sick friend, the hero becomes friendly with another woman and tells her about the deal. She threatens him with exposure unless he pays her \$10,000. But the hero's wife returns home in time to save her husband from disgrace: She arranges matters so as to make it appear as if the hero had bought the property so as to prevent profiteers from obtaining it; and the hero's friends honor him when he presents it to the city.

The plot was adapted from the novel by Sinclair Lewis (it was produced by Warner Bros. in the silent days). William Keighley directed it. Aline MacMahon is the wife, Claire Dodd, the other woman, and others in the cast are Maxine Doyle, Glen Boles, Minna Gombell, Minor Watson, and Alan Hale.

Unsuitable for children, adolescents, or Sundays. Suitability, Class B.

"The Painted Veil" with Greta Garbo, Herbert Marshall and George Brent*(MGM, Nov. 23; running time, 84 min.)*

Excepting the fact that Greta Garbo gives a fine performance, "The Painted Veil" is a bore. In adapting it from the book the producers toned down somewhat the sex element, but it still remains an unpleasant sex story. The action is slow and heavy. Although one feels sympathy for Greta in her loneliness, one cannot condone her unfaithfulness to her husband, who adored her. There are a few situations that stir the emotions; one of such situations is where Greta, realizing that she loves her husband, is tortured while awaiting news from a doctor as to her wounded husband's condition. The second half is depressing; most of the action takes place in a section of China, amid filth and misery, where cholera is raging. Comedy is occasionally provoked by a talkative Englishman, but it is not enough to relieve the uncheerful atmosphere:—

Greta, an Austrian girl, bored with her life at home, marries Herbert Marshall, a scientist, who loves her intensely, although she is not in love with him. He takes her to China where he is doing research work, but he is so busy that he seldom spends any time with her. Greta accepts the attentions of George Brent, a married man connected with the British Embassy. They fall in love and become intimate. Marshall returns home unexpectedly one afternoon and discovers the secret. He tells Greta that if Brent will divorce his wife, he will divorce her. But Brent hesitates about a divorce because he does not want to ruin his career. Greta is brokenhearted; she goes with Marshall into the interior of China, where cholera is raging. The great respect she feels for Marshall, because of his work, soon turns to love. Brent, conscience-stricken, calls to see Greta to beg for her forgiveness; she forgives him, and sends him away, telling him she loves her husband. She later confesses her love to Marshall, and there is a happy reconciliation.

The plot was adapted from the novel by W. Somerset Maugham. It was directed by Richard Boleslawski. In the cast are Warner Oland, Jean Hersholt, Beulah Bondi, Katharine Alexander, and others.

Unsuitable for children, adolescents, or Sundays. Suitability, Class B.

**"Silver Streak" with Charles Starrett
and Sally Blane**

(RKO, Nov. 30; running time, 72 min.)

This is a thrilling program comedy-melodrama. Audiences, both young and old, should shout out of excitement in some of the situations. The tension, brought about by the fast run of a speed train, is relieved by the interjection of good comedy sequences. The "hero" of the picture is "Silver Streak"—a modern streamline steel train—which is used to make a twenty-two hundred mile run across country in nineteen hours, to bring medical machines to Boulder Dam, to save the lives of men who had been stricken with infantile paralysis. The story is incidental; it is just a buildup for the fast run. It has been a long time since so thrilling a picture has been produced. A high rate of speed is maintained throughout the trip and Charles Starrett, the engineer, in order not to waste any time, disregards signals, going straight through, depending on the railroad men to switch such trains as were in his way. At times he is perilously near other trains, but he is switched just in time. Another time he is approaching a bridge that had been opened to permit a boat to pass; the bridge is closed just at the second that "Silver Streak" passes over it. The most exciting situation is towards the end where Irving Pichel attempts to stop the train so as to escape; he was wanted by the police and knew that he would be picked up at Boulder Dam. The scenery of the Western country through which the train passes is a treat.

The story was written by Roger Whately. Tommy Atkins directed it. In the cast are Irving Pichel, Hardie Albright, Arthur Lake, and others.

Good for children, adolescents, and Sundays. Suitability, Class A.

**"Imitation of Life" with Claudette Colbert
and Warren William**

(Universal, Nov. 19; running time, 110 min.)

Excellent entertainment, particularly for women. It is an intensely moving, human, comedy-drama, centering mostly around mother love. Whatever objectionable matter there was in the novel has been removed. The negro situation has been handled delicately and cannot possibly offend any one. At no time is the colored girl, who could easily pass for a white, shown going out or associating with white people. As a matter of fact she is a sympathetic character because of her unhappiness—she looked white and was extremely sensitive lest it be found out that she was colored. The closing situation, which shows the death of the colored mother, is heartrending, and spectators will not be able to restrain the tears, particularly when the daughter breaks down at her mother's funeral. The first half is in a lighter mood than the second half. It depicts the joys and sorrows of Claudette Colbert and Louise Beavers, her faithful colored servant, both widows, in their efforts to make a success of their business and care for their children. The romantic interest is pleasant, and, there again, a delicate situation has been handled with discretion. The only objection is that the picture is a little too long—it drags somewhat towards the end.

The story is by Fannie Hurst; the direction, by John Stahl. In the cast are Alan Hale, Baby Jane, Henry Armetta, Fredi Washington, and others.

Suitable for children, adolescents, and Sundays. Suitability, Class A.

**"Lightning Strikes Twice" with Ben Lyon,
Thelma Todd and Skeets Gallagher**

(RKO, Dec. 7; running time, 63 min.)

Poor! The story is inane, and although the picture was meant to be a mystery-farce it is too ridiculous even to be funny. All the players struggle hopelessly; they are swamped under by trite dialogue, which occasionally is offensive, and by stupid situations. Most picturegoers will not know what it is all about. It starts off as a serious murder-mystery, develops into a farce of mistaken identity, and then dwindles into a pathetic comedy. There is nothing to hold one's attention—there is no human interest in the story, and the characters are not sympathetic:—

Ben Lyon, expecting a visit from his wealthy aunt who was coming to meet his fiancée, Thelma Todd, is frantic when he wakes up the morning of her arrival to find that he had brought home, from a drunken party the night before,

Walter Catlett, a vulgar comedian, and Pert Kelton, his equally vulgar wife. Catlett and Pert refuse to leave. Lyon rushes to see Thelma and her father and prevails upon them to keep away from his home, on the pretext that his aunt was very ill. The aunt arrives and mistakes Pert and Catlett for the fiancée and the father, and proceeds to entertain them. In the meantime, the butler disappears and it looks as if he had been murdered; also a strange person is seen prowling around the house and in the house, hiding in closets. Complications arise, but eventually everything is adjusted. Lyon explains the whole matter, the aunt meets the real fiancée and the father, the police prove that no murder had been committed at all, and Lyon and Thelma are happy.

The plot was adapted from a story by Marion Dix and Ben Holmes. It was directed by Ben Holmes. In the cast are Laura Hope Crews, Chic Chandler, and others.

Unsuitable for children, adolescents, or Sundays. Harmless for adults. Suitability, Class B.

**"Red Morning" with Steffi Duna
and Regis Toomey**

(RKO, Dec. 14; running time, 65½ min.)

It is evident that RKO had on hand scenes of the South Sea Islands and did not know what to do with them except to work them into some sort of South Sea Island melodrama. The results have been highly successful, for one is held in tense suspense. But it is just a South Sea Island picture; and according to our experiences no picture of this type has created any sensation so far.

The story revolves around the efforts of some villains to collect the insurance money for a cargo by reporting that the freighter that carried it foundered during a typhoon. As a matter of fact, it was they who, after knocking the captain unconscious, ran the ship on a reef, damaging it; they then escaped in a life-boat, leaving the Captain and his daughter, Steffi Duna, aboard. The Captain and his daughter leave the ship in a small sail boat and arrive at an island inhabited by savages. At first their lives are in danger, but when Steffi cures the chief's son of a snake bite they are treated in a friendly manner. Her father dies and she sets out alone to reach civilization. While cruising, she comes upon a boat and learns that it was commanded by Regis Toomey, and that Toomey, who had gone ashore in search of her, had been captured by cannibals. Steffi, by a clever ruse, rescues Toomey. They find out that the villains had set out to dynamite her father's ship so that there would be no trace left to betray the fact that the cargo they had put aboard was just sand. With the help of the friendly natives they capture the villains. Steffi and Toomey set sail for home.

The plot was adapted from a story by John Twist and Wallace Fox. It was directed by Wallace Fox. In the cast are Raymond Hatton, Mitchell Lewis, Charles Middleton, George Lewis, and others.

Excellent for children, adolescents, and Sundays. Suitability, Class A.

"Ticket to a Crime" with Ralph Graves

(Bacon Productions; running time, 65 min.)

An ordinary program murder mystery melodrama. The production is poor, and the story is trite; it does not hold one in suspense because the outcome is obvious. For comedy it depends on a stupid detective, but the laughs provoked are too few. Even the players move about listlessly, none of them awakening one's sympathy. The love interest is mild:—

Graves, a private detective, is called into a case. The man who had engaged him is killed and a valuable necklace stolen. The police detective resents Graves' entry into the case but he goes on with his investigation. He solves the case by proving that the murdered man's son-in-law had committed the murder and stolen the necklace. The son-in-law is killed while trying to implicate and murder another man. This brings freedom to his wife, who becomes reconciled with her first husband. Graves and his secretary decide to marry.

The story is by Carrol J. Daly; the direction, by Lewis D. Collins. In the cast are Lois Wilson, Lola Lane, James Burke, Charles Ray, and others.

Because of the murder it is unsuitable for children, adolescents, or for Sunday showing. Harmless for adults. Suitability, Class B.

exercised by Mr. Mannix. Louis B. Mayer and Nick Schenck thought that producing more than forty pictures a year is too much for any man and they wanted to lighten the burden of Mr. Mannix to a certain extent.

Sam Katz has decided to take over the production of the less expensive pictures. In doing this, he has shown courage, because it is there that the ability of a producer would show. If he were to produce the big pictures, there would be no opportunity to demonstrate whether he could or could not make good pictures because, if he did make a good picture, the credit would go either to the director or to the star; whereas now, if the average quality of the lower classification pictures shows an improvement over the previous average, he will deserve all the credit. I wish him success in his new undertaking. He is young, intelligent, and with the experience he acquired while at the Paramount Studio, he should make a success of it.

After my chat with Sam Katz, my friend Krimsky introduced me to Howard Strickling, head of the Publicity Department of MGM Studios. Strickling is, as I have heard, well liked by everybody because of his geniality. And he is considered one of the best on the Coast. He took me around and showed me the shops. Few people know that the studios are equipped with machine shops capable of performing difficult tasks. The MGM plant is in a position to build an automobile, if necessary. It has a research laboratory with several people working all the time with a view to improving sound recording, and to effecting improvements in other directions.

After visiting different machine shops I was taken around and shown some of the sets used in pictures. For instance, there was the set representing the plane-carrier "Saratoga," which was used in "Hell Divers." There were the boats used in "Tug Boat Annie." There was the set used in the "Big House." There were many other such sets.

That day was moving day at MGM Studio. Marion Davies had her bungalows moved out of the MGM Studio, to be taken to Warner Bros.

I saw a contraption used in creating the ferocious waves in sea pictures. The tank, located several feet high, holds 18,000 tons of water. And when so much water is let loose, you may imagine what happens.

The most interesting sight to me was the puma and the doe, which are the chief characters in "Sequoia," the animal picture which MGM is to release soon. As I understand it, these two animals are shown in the picture together, but no harm befalls the doe. It took the trainer eighteen months to make the doe and the puma cub become accustomed to each other; also the grown puma and the deer, representing them as grown-ups. The trainer put the doe and the puma cub together for my benefit and I had an opportunity to see with my own eyes that the scene in the picture is real; no tragedy befell the doe.

Mr. Strickling took me around to the wardrobe buildings where a large force is employed in creating dresses of the latest styles for the actresses; then to the buildings where they keep the properties used in pictures. The system by which they can trace everything is remarkable, but whether this exerts a great influence upon the quality of pictures or not is another matter. Sometimes too much system may be as bad as no system at all.

I understand the MGM Studio employs about one hundred and five writers. I often wonder whether half of them are not in the way of the other half.

It is difficult for one to get from the MGM Studio in one day all the information one wants, and I intend to call there again sometime in the future—after I visit the other studios.

What I am now doing is practically scratching the surface. I hope to be able to dig into things deeper as I go along. My itinerary includes a visit also to the independent producers. I want to know what they are doing to improve their product.

THURSDAY—THANKSGIVING DAY

I spent the afternoon at the Harry Carey ranch, where I was guest of Mr. and Mrs. Carey.

I have known the Careys for some time. The first time I met them was about five years ago, when I was writing the biographies of all the Irishmen who had taken a prominent part in the development of the motion picture industry. It was immediately after I had helped the Irish drive the "Callahans and the Murphys" off the screen, and I felt that something had to be done to gain back the good will of the people of Irish extraction.

Since Harry Carey is an Irishman, I called on him to get the facts for my story. We have been close friends ever since.

Harry and Mrs. Carey are two of the nicest people a person wants to meet. They are devoted to each other as much now as they were when they first were married fifteen years ago. They have two children—a boy of 14, and a girl of 11—which are their pride. The girl runs the ranch as expertly as any adult person.

I often wonder why we don't see more of Harry Carey on the screen—not necessarily in western pictures. He can take any part, for in addition to having been a screen star he has also had stage experience. He is a lawyer by profession and at law school was a college mate of Jimmy Walker, ex-mayor of New York City.

I had a delightful time and felt well rested after my strenuous work since I landed in Hollywood.

CLASSIFICATION OF PICTURES

The following are the latest feature pictures that have been classified by the Chicago Legion of Decency:

CLASS A (Good for the entire family): "Cimarron," "Mr. Skitch," "Hell in the Heavens," "The First World War," "House of Danger," "Inside Information," "It's a Gift," "Jack Ahoy," "Jealousy," "Langen Till Henne," "Lightning Strikes Twice," "Manhattan Love Song," "Palace on Wheels," and "The White Parade."

CLASS B (Unsuitable either for adolescents or children, but not forbidden for adults): "Aggie Appleby," "Bedside," "Doctor Bull," "No Ransom," "Once to Every Bachelor," "The Painted Veil," "Power," "Terror of the Plains," "20,000 Years in Sing-Sing," and "When Strangers Meet."

CLASS C (Unsuitable for anybody): "All of Me" (reissued), and "The Youth of Russia."

"Kansas City Princess," and "The World Moves On" have been taken from the "A" column and put in the "B" column.

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 New York, N. Y.

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 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
 Columns, if It is to Benefit the Exhibitor.

Published Weekly by
 Harrison's Reports, Inc.,
 Publisher -
 P. S. HARRISON, Editor
 Established July 1, 1919
 PENNSYLVANIA 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, DECEMBER 15, 1934

No. 50

PICTURES AND PICTURE MAKERS IN HOLLYWOOD — No. 3

FRIDAY, NOVEMBER 30TH

I visited M. H. Hoffman, at the Pathe Studios, and had a talk with him about his future plans. He told me that the eight Liberty pictures he has produced this season have proved so successful that he has decided to produce four more.

After leaving Mr. Hoffman, I called on Mr. Trem Carr, of Monogram, and had a talk with him and with his assistant, Bob Welch. Most of our talk centered around "The Healer," the book by Robert Herrick, which Monogram is to produce next spring. When I read the book for the *Forecaster* last summer, I realized that Monogram had an excellent piece of property in it, and wrote to W. Ray Johnston, President of Monogram, suggesting to him that he spend more money for this picture than he spends for the average picture his company produces. He took the matter up with his franchise holders, and they all agreed to spend more money on it.

Recently, Eddie Golden, General Sales Manager of Monogram, sent me a script to read so that I might make recommendations, if necessary. I did make such recommendations, and Mr. Carr accepted them. This was a great surprise to me, because usually advice given to Hollywood producers without charge is promptly rejected.

My enthusiasm for this piece of property has instilled enthusiasm also in those who are to produce the picture, and I look forward to seeing "The Healer" turn out an exceptionally good production.

SATURDAY

I did not do very much visiting, and spent a great deal of my time writing and answering some correspondence sent to me from the East. In the afternoon I reviewed some pictures.

SUNDAY

Mr. and Mrs. Yorke and Joe Shea drove me to Palm Springs and to La Quinta in the desert. It was an enjoyable trip. Few persons can understand the fascination the desert exerts on a person until they visit one. The clarity of the atmosphere, the smell of the sage brush, the wide expanse, with the mountains in the distance, are so exhilarating that they make one feel like a new man.

MONDAY

I called on Mr. Laird Doyle, a writer at the Warner-First National Studios, whom I had met a few days previously at a dinner given to me by George Nicholls, director of "Anne of Green Gables." Our conversation about story material and drama in general proved so interesting that I was with him for four hours. Mr. Doyle is considered one of the best writers for pictures. He is able to make a living writing for other than motion pictures, but he prefers to write for pictures. He feels that this is the most fascinating medium of expression the world has ever known. This was naturally pleasurable to me because I have felt that way all along.

I did not see Jack Warner because he was not at the studio at the time. He undertook to bring us together a few days later, but the fire at the shops of the studio upset our plans. I hope to see him before I leave the West.

TUESDAY

On Monday I had telephoned Mr. Harry Brand, chief publicity man of the United Artists Studio, to make arrangements for me to see Mr. Darryl Zanuck. I went to the studio about 12 o'clock, and after luncheon I called on Mr. Zanuck, whom I found having just finished his luncheon with Mr. Joe Schenck. I have found Mr. Zanuck to be an

enthusiastic and aggressive person. We talked about the books or plays he intends producing, and I agreed with him that they would make good pictures, with the exception of Jack London's "Call of the Wild." I expressed to him my doubts as to whether this book would make a good picture. He assured me that very little of the book was used and that the new story, as written, will make a good picture. He asked me if I would be good enough to read the script, and I assured him that I would. He gave me a script, but I have not yet read it.

Our conversation in general was very pleasant, and he asked me to call on him again. I intend to call on him so that we may discuss the possibilities of "Call of the Wild."

Mr. Schenck, when leaving Mr. Zanuck after my arrival, asked me to see him before I go. I called on him but he was in a conference at that moment, and I left word that I would see him when I called on Mr. Zanuck again.

In the afternoon I called on Harry Cohn, of Columbia, and I was able to satisfy myself that the rumors about his being at loggerheads all the time with his brother Jack are without foundation. I found them together, thinking and planning for future pictures of the "One Night of Love" type. I stayed there about three-quarters of an hour, but half of our time was lost because we were constantly interrupted by telephone calls to Mr. Harry Cohn, asking for instructions.

Harry asked me to call on him again so as to show me around the studio. He is sure that he has the best studio on the coast. The truth of the matter is that the Columbia Studio is small but compact. At any rate, what difference does it make if it is small as long as he can produce pictures such as "One Night of Love" and "Broadway Bill"?

WEDNESDAY

I called on my old friend, Carl Laemmle, Sr., and found him in the best of health. He was very glad to see me. We had luncheon together and talked a great deal about his future plans.

Mr. Laemmle is, of course, elated at the success "Imitation of Life" is making, just as is everyone else at the studio. He thinks that it is the best talking picture that has ever been produced to date, and I am inclined to agree with him that it is one of the best.

Mr. Laemmle is complaining at the fact that "Great Expectations" is not taking so well, even though the picture has received untinted praise from daily as well as trade paper critics. But this is one of the fortunes of the business. In my opinion, the picture was not produced with the care that it should have been, and the leads, particularly the male, are not good box office attractions. Henry Hull, of "Tobacco Road" fame, does, of course, excellent work; but his part is not so pleasant. Mr. Laemmle told me of some pictures that he is now producing which will, he believes, prove great box office attractions.

Junior was East at the time, and I did not see him.

After leaving Mr. Laemmle, I called on John LeRoy Johnston, publicity director of the studio, and had a chat with him. Mr. Johnston was good enough to assign one of his assistants to take me around the studio. I was present when a scene from "The Mystery of Edwin Drood" was taken.

THURSDAY

In the last few months the moral tone of pictures has improved to an almost unbelievable degree. Along with the moral tone, there has been a great improvement also in their entertainment values.

The person who is responsible for this improvement is none other than Joseph I. Breen, the unofficial representative of the self-regulated censorship system which has been adopted by the producers as a result of the pressure brought

(Continued on last page)

**"Woman in the Dark" with Ralph Bellamy,
Fay Wray and Melvyn Douglas**

(RKO, Nov. 9; running time, 69 min.)

A moderately entertaining program melodrama. The story is somewhat sordid, and the production is not of the class that one expects in the RKO releases. The characters are not sympathetic: Bellamy is an ex-convict, who had killed a man in a brawl, even though accidentally, Fay Wray is intimate with a brutal man who had promised to further her career as a singer, and Melvyn Douglas, her lover, is nothing more than a sadistic drunkard. Some persons may find it entertaining because it moves at a fairly fast pace. The closing scenes hold one in suspense: Fay endangers her life to procure evidence to help clear Bellamy:—

Bellamy, back home after being paroled from prison, receives a visit from the Sheriff's daughter, who is in love with him. While she is there, a stranger—Fay Wray—asks for admission. Dressed just in an evening gown, she begs Bellamy to permit her to remain in his house. Douglas calls, too, and demands that Fay go back with him. When she refuses, Bellamy orders Douglas to leave. Douglas leaves but, in order to put Bellamy out of his way, telephones to the sheriff and acquaints him with the whereabouts of his daughter. But this scheme fails. Fay tells Bellamy her life story. Suddenly Douglas, accompanied by his friend, calls again. The friend shoots Fay's dog when it attempts to protect Fay against Douglas. Bellamy knocks him out. Douglas takes the boy home and swears out a warrant for Bellamy's arrest. Warned by the Sheriff's daughter, Bellamy and Fay run away and hide in a friend's home. The police find them but Bellamy escapes and Fay, in order to help procure information to help Bellamy, pretends that she is going back to Douglas. She discovers that Douglas himself had injured his pal, because he knew too much, and tried to involve Bellamy. Douglas is arrested, and Bellamy is cleared. This makes it possible for Bellamy and Fay to marry.

The story is by Dashiell Hammett; the direction by Phil Rosen. In the cast are Roscoe Ates, Ruth Gillette, Joe King and others.

Unsuitable for children, adolescents, or Sundays. Harmless for adults. Suitability, Class B.

**"Father Brown, Detective" with Walter
Connolly, Paul Lukas and Gertrude Michael**

(Paramount, Dec. 14; running time, 66½ min.)

Mildly entertaining. Although the performances are good, the action is slow. Walter Connolly, as the priest of a small village, is a fine character, in that he tries to help people instead of wishing to see them punished for their wrong-doings. His efforts to regenerate Paul Lukas, a noted jewel thief, are at times humorous, particularly in the situation where he pretends that he does not know Lukas, who was dressed in the garb of a priest. The closing situation is the most exciting, for it is then that Lukas is captured, but willingly so, for he, heeding the words of Connolly, had decided to go straight. The love affair between Lukas and Gertrude Michael is romantic.

In the development of the plot Lukas, who had decided to steal ten famous diamonds known as the "Flying Stars," sends one letter to Halliwell Hobbes, who owned six of them, and one to Walter Connolly, at whose church the other four diamonds were kept, encrusted in a cross, warning them that he was going to steal the diamonds. Lukas' desire was to steal them and then give them to Gertrude Michael, Hobbes' niece, with whom he had fallen deeply in love. But Connolly is charmed by Lukas and feels that he can regenerate him. Lukas steals the diamonds from Hobbes but finds that Connolly is too clever for him, for he had hidden the diamonds and Lukas could not find them. Connolly convinces Lukas that a girl of Gertrude's type would not marry a thief, and points out to him that a decent life would bring him happiness. Lukas eventually returns the diamonds, and gives himself up to the police to serve a prison term. Gertrude promises to wait for him.

The plot was adapted from the series of stories written by Gilbert K. Chesterton. Edward Sedgwick is the director. Robert Lorraine, Una O'Connor, and others are in the cast.

Because of the fact that the regeneration is the central theme, it is suitable for children, adolescents, and Sundays. Suitability, Class A.

**"Broadway Bill" with Warner Baxter
and Myrna Loy**

(Columbia, Dec. 27; time, 102 min.)

Good entertainment! Although primarily a racetrack story, Frank Capra's excellent direction places it above other pictures of this type. The race scenes that show "Broadway Bill," an intelligent horse, striving to win by forcing the reins out of the hands of the crooked jockey, who was trying to hold him back, and actually winning the race, are the most thrilling ever seen. The spectators should shout with excitement when "Bill" finally passes the other horses. The end of the race is dramatic: just as the horse reaches his goal, a winner, there is a sudden hush; he drops and dies from over-exertion. The situation that shows the horse being buried is touching; it is done with such dignity and restraint that it does not become ridiculous. Because both Baxter and Myrna are sympathetic characters, one takes an interest in their welfare. Much comedy is provoked by the efforts of Raymond Walburn, Baxter's friend, to raise money for Baxter. The fact that Myrna loves Baxter, even though he is married to her sister, is never offensive, because they are shown at all times as being friends only. It is not until the very end, after Baxter is divorced, that there is a mention of romance between them.

Baxter, married to Helen Vinson, hates the paper-box business he had been forced into by his wealthy father-in-law, Walter Connolly. He is interested in "Broadway Bill" a horse he owns and wants to train him for the Derby. He asks Helen to leave with him, but she refuses. He goes away with "Bill." Because he has no money, he finds many obstacles in his way. Myrna, Helen's sister, in love with Baxter, follows him and helps him both financially and spiritually. "Bill" becomes ill but seems to be well the day of the race. "Bill" wins, but Baxter's joy turns to sorrow when the horse dies. Baxter decides not to go back to his wife; instead he buys some horses and trains them for races. Helen divorces him. Two years later he returns, but not for Helen. He loves Myrna, who returns his love. Connolly, who had given up all his business enterprises, leaves with Myrna and Baxter, to live a carefree life.

Mark Hellinger wrote the story. In the cast are Douglas Dumbrille, Raymond Walburn, Lynne Overman, Clarence Muse, Margaret Hamilton, Frankie Darro, Charles C. Wilson, and others.

There is nothing immoral in the picture. The only thing that could offend some persons is the divorce. For them, it is a Class B picture; for others a Class A.

"Sing Sing Nights" with Conway Tearle

(Monogram, December 15; running time, 59½ min.)

A fairly good murder mystery melodrama. Because the identity of the murderer is not made known until the very end, one's attention is held. This is brought about in an ingenious manner—a "lie-detecting" machine records the accuracy of statements made by three condemned men. The telling of the stories are done in flashback, each man relating in an interesting fashion the circumstances leading up to the murder. The love interest is romantic.

In the development of the plot Conway Tearle, a famous newspaper correspondent, is murdered and each of three persons—Hardie Albright, Jameson Thomas, and George Baxter confesses to the murder. Three bullets had entered the man's body, any one of which could have caused instant death, and since it could not be determined which one was fired first all three men are condemned to death. The Governor, receiving many protests from organizations against the decision of the court, consents to having Ferdinand Gottschalk, a scientist, try a plan for the ferreting out of the truths: he interviewed the three men, and recorded their stories on his "lie-detector" machine; in that way he finds out which one was lying. It develops that George Baxter had really killed Tearle, and that when Albright and Thomas had fired at Tearle he had already been dead. Albright and Thomas are pardoned, and look forward to seeing their sweethearts again.

The plot was adapted from the novel by Harry Stephen Keeler. It was directed by Lew Collins. In the cast are Boots Mallory, Mary Doran, Berton Churchill, and others.

Unsuitable for children, adolescents, or Sundays: Good for adults. Suitability, Class B.

**"Bright Eyes" with Shirley Temple
and James Dunn**

(Fox, Dec. 28; time, 84 min.)

Very fine! Shirley Temple is as adorable as ever, and acts in a more natural manner, arousing laughs in some of the situations, and causing tears in others. The story is simple, but has human interest and some thrills and the material is more suitable for Shirley than some of that which she has appeared in. The most thrilling situation is where Dunn is forced to abandon his plane during a storm, and bail out, holding Shirley with one arm and manipulating the parachute with the other. The situation where Dunn tells Shirley that her mother had died will bring tears. There are good comedy sequences, most of them being provoked by the behavior of a spoiled child, who had tried to make life miserable for Shirley. Incidentally, James Dunn teams up well with Shirley, acting in a natural and believable manner. The love interest is incidental:—

Lois Wilson, forced to work as a maid in a wealthy home to support herself and her child (Shirley), after her aviator husband had been killed in a crash, is killed when struck by an automobile. James Dunn, an aviator friend, loves Shirley and wants to care for her. Charles Sellon, the wealthy owner of the home where Lois had worked, however, loves Shirley, too, and wants to adopt her. But Sellon's niece, Dorothy Christy, her husband, and spoiled child, hate Shirley because they feared lest Sellon leave some of his money to her; they make her so uncomfortable that she runs away from them. Dunn, in order to make \$1,000 and thus be enabled to take Shirley away from Sellon, accepts an offer to fly a mail plane through a storm. Shirley hides in the plane and makes her presence known to Dunn. When the motor goes wrong, he is forced to jump with Shirley. They are found and brought back home. Dunn is forced to go to court with Sellon over the guardianship of Shirley. He renews his romance with Judith Allen, another niece of Sellon's, and they decide to marry. Sellon wants to live with them. This makes them all happy, because they can then be together with Shirley.

David Butler and Edwin Burke wrote the story. David Butler directed it. In the cast are Jane Darwell, Walter Johnson, Jane Withers, Theo. Von Eltz and others.

Suitable for children, adolescents, and Sundays. Suitability, Class A.

**"Men of the Night" with Bruce Cabot
and Judith Allen**

(Columbia, Nov. 26; running time, 57 min.)

Just a fair gangster melodrama, of program grade. The exciting situations are caused by the efforts of gangsters to kill Bruce Cabot, a detective sergeant, because he was trying to round up their gang. The romantic interest is pleasant, but there are several misunderstandings when Cabot thinks that his sweetheart, Judith Allen, had given information to his enemies.

In the development of the plot, Cabot becomes friendly with Judith, thinking that she could help him get some information about jewel thieves. While taking an important prisoner in his car to a hospital where he was to be identified by a man whom he had shot, Cabot is stopped by gangsters and the prisoner taken away from him. Thinking that Judith had been the only one who knew where he was going, he accuses her of being connected with the gangsters. But eventually she proves that another man had overheard their conversation and had passed the information on to the gangsters. Cabot finally rounds up the gang, is promoted, and marries Judith.

Lambert Hillyer wrote and directed it. Ward Bond, Charles Sabin, John Kelly and others are in the cast.

Because of the gangster element it is unsuitable for children, adolescents, or Sundays. Harmless for adults. Suitability, Class B.

"Babes in Toyland" with Laurel and Hardy

(MGM, Nov. 30; running time, 77 min.)

A delightful entertainment, but for children. It brings to the screen all the characters they are familiar with—Little Bo Peep, Jack and Jill, Little Red Riding Hood, Old King Cole, Jack Horner, in incidents that they have read. For instance, one scene shows Little Bo Peep crying because she had lost her sheep and everyone in Toyland

is shown helping her find them. The music is charming, particularly the Victor Herbert tunes, and the injection of more familiar music, such as "Who's Afraid of the Big Bad Wolf," will only add to the delight of the children. The situations that will excite children most is where Laurel and Hardy find themselves in Bogeyland and Laurel is frightened; they finally escape from the bogeymen and boast of their cunning, only to find that the bogeymen had followed them to Toyland. One of the most entertaining situations is the parade of the wooden soldiers; wound up by Laurel and Hardy they march out and vanquish the bogeymen who had invaded Toyland. Although the appeal of "Babes in Toyland" is more to juveniles, it may entertain some adults fairly well because of the Laurel and Hardy comedy, and of the picture's general charm.

The screen play is by Frank Butler and Nick Grinde. Gus Meins and Charles Rogers are the directors. Charlotte Henry, Felix Knight, Henry Kleinbach, Florence Roberts, and others are in the cast.

Excellent for children, adolescents, and Sundays. Suitability, Class A.

"Secret of the Chateau" with Claire Dodd

(Universal, Dec. 10; running time, 65 min.)

An ordinary program murder-mystery melodrama—it is too ridiculous to be taken seriously, for doors open and shut, bells ring, people are murdered, and other eerie effects are used, but the general effect is weak. The closing scenes may hold followers of this type of melodrama in some suspense—several people are suspected of being the murderer and it is not until the end that his identity is made known. Some characters of the picture who have no relation to the story dart in and out; they are supposed to supply the comedy, but it falls flat. The romantic interest is incidental.

In the development of the plot several persons gather at a chateau owned by the hero, possessor of a famous rare book worth considerable money. He is unaware of the fact that the heroine, one of his guests, was a thief and that her intentions were to steal the book. But she realizes that she loves the hero and cannot follow her old practices. The book is stolen and two persons are killed, but everything is cleared up by a police detective, who proves that one of the guests was the murderer. The hero is willing to forget the heroine's past life and offers to marry her; she accepts the proposal.

The story is by L. G. Blochman; the direction by Richard Thorpe. In the cast are Jack LaRue, Alice White, George E. Stone, Ferdinand Gottschalk, Osgood Perkins, Helen Ware, and Clark Williams.

Unsuitable for children, adolescents, or Sundays. Suitability, Class B.

**"Music in the Air" with Gloria Swanson
and John Boles**

(Fox, Dec. 7; running time, 82 min.)

The charm of the music and of the settings depicting the Bavarian country-side makes "Music in the Air" fair entertainment for class audiences. But the players in the leading roles, who do most of the singing—Gloria Swanson and June Lang—do not possess voices that thrill one; their singing is just fair. The action is considerably slow. An amusing situation takes place in the theatrical producer's office, where Gloria and John Boles give an outline of their new operetta by acting and singing different roles—soon everyone in the room joins them. One feels some sympathy for June Lang and her father when they discover that they are failures. The romantic interest is fairly pleasant.

The plot was adapted from the play by Jerome Kern and Oscar Hammerstein. Joe May directed it. Eric Pommer produced it. In the cast are Joseph Cawthorne, Hobart Bosworth, Sara Haden, and others.

Because of the situation in which Gloria tries to induce Montgomery to go away with her it is unsuitable for children, adolescents, or Sundays. Good for adults. Suitability, Class B.

Substitution Facts: In the worksheet Lilian Harvey is promised as the star. Since she does not appear in the finished product it is a star substitution; but since Miss Swanson means more to your box office than Miss Harvey you should accept it.

on the industry by the League of Decency. The obscenity that was found in four out of five pictures before last June has disappeared in the pictures that have been released since August.

I have spoken to many a person connected with the motion picture industry here, and almost everyone of them attributes this improvement to Mr. Breen.

I called on him to find out how this system is working out, and had a long talk with him. (I had known him for a long time—long before he joined the Hays Organization. I didn't hold it against him when he was engaged by the Hays Association.)

Few people can realize what Mr. Breen has done for the motion picture industry unless they know the inside workings of the system.

Mr. Breen has a staff of able men who help him read the scripts submitted to him, as well as review the pictures to see that no scenes ordered to be taken out of a script have been left in the picture.

Some stories, such as, for example, "Anne of Green Gables," do not need any revision by him, but most of those submitted to him contain scenes that violate the code of morals adopted by the motion picture industry, under the self-regulating system. Whenever Mr. Breen discovers such a scene in a script, or in a picture, or whenever his assistants call his attention to any such scene, he insists that it be deleted.

Saying that an objectionable scene must be deleted and having it actually deleted are two different things. Mr. Breen has had many a battle with producers who felt that he was going a bit too far. Only two weeks ago he took an uncompromising attitude on "Forsaking All Others," produced by MGM. The MGM forces insisted that there was nothing wrong in the picture. Mr. Breen felt otherwise, and would not budge; he would not approve it. He told them that if they did not like his decision, they were at liberty to take it to the Appeals Board of the industry. The MGM forces eventually saw fit to abide by his decision. They decided to retake several scenes. In fact, I have been informed that Mr. Louis B. Mayer has given orders that no scenario shall be put into production until it has been approved by Mr. Breen.

The work he does requires great stamina, and he has it. In less than six months' time he has been able to do what Will H. Hays was not able to do, or at least he did not do, in twelve years. This statement may prove embarrassing to Mr. Breen, but this is the way I feel about the matter. Since July 15th he has approved two hundred and seventeen pictures. One hundred and seventy-six of these were passed by the censorship boards throughout the country without eliminations. Compare this record with the record prior to July, of this year, and you will realize the improvement that has been made in the moral tone of the pictures in so short a time.

Before July the producers used to spend a minimum of ten thousand dollars for each picture, in retakes, to conform with the wishes of the censors, and lawyers' fees to fight the censors. This means that he has now saved the producers a sum of money approximating half a million dollars a year.

Passing upon so many scenarios and looking at so many pictures is, of course, the work of more than one man. Consequently, he has surrounded himself with what he considers extremely competent persons. Here are the qualifications of each one of the members of his staff:

Mr. Karl Lischka: born in Hungary. Mr. Lischka is an exceptional linguist and has half a dozen college degrees. Previously to his joining Mr. Breen he was Professor of the History of Education and of Educational Psychology of Georgetown University, in Washington, D. C.

Mr. Iselin Auster: born in New York City. Mr. Auster is a college graduate and for a number of years he was employed by the legitimate stage producers in and about New York City. He is the author of two or three plays, which have been produced, and a dozen or more motion picture scenarios. He is the author also of one or two fairly successful novels.

Mr. Geoffrey Shurlock: born in England. He is a college graduate, and early in his life served as literary secretary to a number of important authors, including Rupert Hughes. For five or six years he was employed by the Production Department of Paramount, specializing in the making of Spanish pictures.

Mr. John McHugh Stuart. He has been a successful newspaper man for twenty years. For a number of years he

worked in Europe as the representative of the New York *Herald-Tribune*. Subsequently to this, he worked as a newspaper man in Washington, D. C. In and about New York he is known as an outstanding writer.

Mr. Arthur Houghton. For twenty-five years he was connected with the New York legitimate theatre. He has been a company manager, a theatre manager, and an advance man for a number of top-notch stage productions.

Mr. Douglas Mackinnon: Before joining Mr. Breen he was employed, rather successfully, by the Educational Company and by a number of other companies in the production of short subjects, and as a member of Mr. Breen's staff he has charge of all short subjects.

Dr. James Wingate: He is a college graduate, was a member of the Board of Regents, Department of Education of the State of New York, was a high school principal for a number of years, and before joining the Hays Association he was Chairman of the New York Board of Censorship for about six or seven years. Dr. Wingate was engaged by Mr. Hays.

This is his Board; and if a person is, as said, known by the company he keeps, Mr. Breen has certainly selected a good company. It is a surprise to me that some major company producer has not lifted this Board bodily, with Mr. Breen as its head, from the Hays West Coast office, and transplanted it to his studio to produce pictures. I doubt whether a better production group could be gotten together.

I asked Mr. Breen if I could meet these gentlemen, and he was good enough to arrange for a dinner at the Hollywood Athletic Club, where I had an opportunity to meet them and convince myself that they possess the qualifications necessary for the carrying out of this work.

As I have already stated, Mr. Breen has had many a tough battle with the producers, who insist upon producing pictures in accordance with the old, discredited standards. I wouldn't be surprised if he becomes discouraged often. All I can say is that the producers had better look out lest they lose him. If they should lose him, there will be an avalanche of censorship the like of which they have never dreamed. Mr. Breen, despite the difficulty of his work, commands the confidence of a large section of the American public, and if he were to give up his present job they could never find another man to command its confidence to an equal degree.

CLASSIFICATION OF PICTURES

The following are the latest feature pictures that have been classified by the Chicago Legion of Decency:

CLASS A (Good for the entire family): "Babes in Toyland," "Bachelor of Arts," "Father Brown, Detective," "Five Bad Men," "My Peoples' Dream," "The Prescott Kid," "Tombstone Terror," and "The Tonto Kid."

CLASS B (Unsuitable for either children or adolescents, but are neither approved nor disapproved): "One in a Million," "Red Head," "Red Morning," "Ronny," "Way of the West," and "White Lies."

CLASS C (Unsuitable for anybody): "Limehouse Blues," and "Men of the Night."

SUBSTITUTIONS IN THE 1934-35 SEASON

Fox

- 506 "Lovetime": In the worksheet Lilian Harvey is listed as the star but she does not appear in the finished product. A star substitution.
- 510 "Elinor Norton": In the worksheet Helen Twelvetrees is listed as the star but she does not appear in the finished product. A star substitution.
- 514 "365 Nights in Hollywood": In the worksheet Lilian Harvey is listed as the star but she does not appear in the finished product. A star substitution.
- 513 "Music in the Air": In the worksheet Lilian Harvey is listed as the star but she does not appear in the finished product. A star substitution.

Paramount

- 3415 "Limehouse Blues": This is listed in the worksheet as "Limehouse Nights," with George Raft and Sylvia Sidney as the stars. Only George Raft appears in "Limehouse Blues," not Sylvia Sidney. It is a star substitution.

HARRISON'S REPORTS

Yearly Subscription Rates:
 United States\$15.00
 U. S. Insular Possessions. 16.50
 Canada 16.50
 Mexico, Cuba, Spain..... 16.50
 Great Britain 15.75
 Australia, New Zealand,
 India, Europe, Asia 17.50
 35c a Copy

1440 BROADWAY
 New York, N. Y.

A Motion Picture Reviewing Service
 Devoted Chiefly to the Interests of the Exhibitors

Its Editorial Policy: No Problem Too Big for Its Editorial
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Published Weekly by
 Harrison's Reports, Inc.,
 Publisher -
 P. S. HARRISON, Editor
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, DECEMBER 22, 1934

No. 51

PICTURES AND PICTURE MAKERS IN HOLLYWOOD — No. 4

FRIDAY-SATURDAY, DECEMBER 7-8

I did not do any visiting these two days, employing a great deal of my time in writing and reviewing pictures.

Friday evening I visited the *Variety* offices and had a pleasant chat with Mr. Arthur Ungar, Lynn Bonner, and the rest of the boys.

SUNDAY, DECEMBER 9

I spent this day at the Harry Carey ranch with some friends. We arrived at the ranch early in the morning, and after breakfast we went horseback riding.

In the afternoon we gathered around the hearth and had the great pleasure of listening to Harry Carey's adventures while in South Africa several years ago, where MGM produced "Trader Horn," in which he took, as everyone of you I am sure remembers, the leading part. His account fascinated every one of us.

MONDAY, DECEMBER 10

I went to San Bernardino and called on some old friends whose acquaintanceship I had enjoyed when I lived there from 1914 to 1917.

When I arose in the morning, I read in the papers that several people had died in the cold wave which was sweeping the East. The day was bright with a temperature around 74°. I was driving through the orange orchards, and the petunias, the marigolds, the roses. In fact flowers of all kinds and colors grew abundantly everywhere. The orange and the lemon trees were laden with fruit. The scenery was extremely beautiful.

What a contrast between the California and the Eastern weather!

Before I came West I had an idea that the moving of the studios East was absolutely necessary if pictures were to be produced economically. I felt that the men who spent the money were too far away from the men who furnished it, and the spending of it could not be controlled; but my views have changed entirely on the subject, for I have convinced myself that pictures cannot be made in the East as economically as they can in Hollywood because of climatic conditions. The fine climate keeps the artists in a better frame of mind to do their work than the gloomy climate of the East.

My visit in San Bernardino was both pleasurable and sad: pleasurable to see my old friends; sad to find that many of them had taken the long journey.

I found an opportunity to drop into the Elks

Club, of which I am a member. I saw many new faces. Some of the old friends had moved, some had died; but the old spirit of hospitality for which "836" has become famous among the other lodges throughout the country is still there.

I had luncheon with Mrs. Martha L. Kiplinger and her three sisters. Mrs. Kiplinger used to own the Opera House, which has now been torn down. For three years I did the picture booking for the theatre on a profit sharing arrangement.

In the afternoon I visited the Harworth family. In the single reel days, the daughter—Miss Hilda—used to write scenarios.

In the evening I visited the Allison family, four brothers (one of them—Charles—a judge) and two sisters, who, all through these years, have remained as friendly as in the days when I lived in San Bernardino. In those days a chair was placed at the dinner table every Sunday, and when I did not show up the chair remained vacant.

I returned home late in the evening through an atmosphere laden with the perfume of the orange and lemon trees.

TUESDAY, DECEMBER 11

I called on Mr. Zanuck to discuss with him the script for "Call of the Wild." I pointed out several weaknesses in the characterization and made suggestions as to how the character of the hero could be strengthened. To my pleasurable surprise, Mr. Zanuck accepted the suggestions and is going to act upon them immediately. As I stated before, people in Hollywood don't think much of suggestions given free, but Mr. Zanuck and a few others seem to be exceptions.

As I said in my last account, Mr. Zanuck is an aggressive man and full of enthusiasm, his one desire being to make as fine pictures as any producer can make. I am sure he will succeed, but I still think that United Artists charge too much for their pictures.

In the evening I was at the Hollywood Athletic Club with Joe Shea, and found Jack Ford, the famous director. I met him several years ago but didn't have an opportunity to have a talk with him then.

The first time Mr. Ford's work came to my attention was while he worked for Universal in 1918 and 1919; he directed Harry Carey. When I noticed that his direction was highly skillful. I didn't hesitate to call the attention of the exhibitors to it. He told me that, as a result of my favorable reviews, his salary jumped from \$50 to \$1,000 a week, and Harry Carey's from \$75 to \$2,350. (Now you know why I am called the

(Continued on last page)

"White Lies" with Walter Connolly, Fay Wray and Victor Jory

(Columbia, Nov. 27; running time, 65 min.)

Just a fair melodrama. At times the plot is illogical and the outcome is obvious. The second half holds the audience in fairly tense suspense because Fay Wray, the heroine, is accused of a murder she had not committed. The murder she is accused of—that of killing a friend, is dragged in to furnish the dramatic sequence; but it is very unpleasant, since it is shown that the murdered man had been kind and had not done any wrong. One does not feel sympathy for Walter Connolly (Fay's father) when he suffers on account of Fay's predicament, because all along he is shown as being quite heartless where other people were concerned. An attempt is made to build up sympathy for Fenton, an embezzler and murderer, but as far as the audience is concerned he is just an unpleasant character. Jory wins the respect of the audience when he refuses to be intimidated by wealth. The romantic interest is pleasant.

Connolly, owner of a newspaper, wealthy and powerful, follows his daughter's advice not to break Jory, a motorcycle policeman who had given him a ticket for speeding; instead, he orders a promotion for Jory. Connolly had printed a story about Leslie Fenton, a bank clerk who had embezzled money, saying that he was trying to pay it back. Fenton calls at Connolly's office and threatens him at the point of a gun. Just then Jory enters and forces the gun from Fenton. Fenton is tried but escapes after sentence is pronounced. Fay receives a visit from Fenton's sweetheart and promises to help her. She rents an apartment for the girl and goes there with a friend, Robert Allen, to put the place in order. Fenton finds them there and accuses them of tricking his sweetheart. He knocks out Fay, shoots and kills Allen, and then leaves the gun in Fay's hand. Fay is held for the murder, and Jory, although he loves her, is forced to hold her. He resigns from the police force and sets out to find Fenton. He is successful and brings him back to the courtroom while Fay was tried. Fay is released and she and Jory marry.

The story is by Harold Shumate; the direction, by Leo Bulgakov. In the cast are Irene Hervey, William Demarest, Oscar Apfel, Mary Foy, and others.

Because of the murders it is unsuitable for children, adolescents, or Sundays. Harmless for adults. Suitability, Class B.

"Little Minister" with Katharine Hepburn

(RKO, Dec. 28; running time, 110 min.)

Very fine high class entertainment. It provides an excellent combination of a romantic love story and skillful characterizations. The beginning is a little slow, and part of the dialogue will not be understood because of the Scottish accent; but later on it speeds up and one becomes more accustomed to the accent. Katharine Hepburn does artistic work as the wild gypsy girl who becomes subdued under the influence of love. She is at all times a sympathetic character, because of her efforts to help the poor. Several of the situations will stir the emotions; one of such situations is where Mary Gordon, a poor woman of the village, is saved from going to the poorhouse by her intervention and financial help. The closing scenes are the most exciting. Comedy is provoked by Andy Clyde, as the village policeman, and by the snooping townsfolk. The simplicity of the story and the background add to the picture's charm:—

John Beal, a young minister, arrives at his new post with his mother, Beryl Mercer. Although his sympathies are with the working people of the village, he insists that there is to be no bloodshed in their encounters with soldiers who were on their way to the village to arrest the leaders of a strike. Katharine, a mysterious gypsy girl, trusted by the people, sways them by her fiery talk and induces them to fight when the soldiers arrive. The minister resents this, particularly when Katharine uses him to escape from the soldiers, but he cannot help being attracted by Katherine. He does not know that she had been reared by the wealthy lord of the village, and that she was to marry him. The townsfolk notice a change in their minister, and soon there is gossip that he was being influenced by the "evil gypsy." They do not think she is a suitable companion for him. Katharine, because of her deep love for the minister, decides to marry her wealthy fiance and leave the coun-

try, but a chance meeting with the minister weakens her and she confesses her love. When the minister fails to appear at a prayer meeting, they realize he was with Katharine, and take a vote to dismiss him. In an accident in which the minister is almost killed, the townsfolk change their minds about Katharine when they see how devoted she is to the minister; they sanction the marriage and everyone is happy.

The plot was adapted from the novel by Sir James M. Barrie. It was directed by Richard Wallace. In the cast are John Beal, Alan Hale, Donald Crisp, Lumsden Hare, Billy Watson, Dorothy Stickney, and others.

Suitable for children, adolescents, and Sundays. Suitability, Class A.

"Romance In Manhattan" with Ginger Rogers and Francis Lederer

(RKO, Jan. 11; running time, 78½ min.)

A pleasant, romantic, human-interest comedy-drama. Although the story is simple, the acting and direction are excellent; because of this one's attention is held throughout. The spectator feels sympathy for both Ginger and Lederer, and is held in suspense for fear lest they be separated. The comedy situations, most of them brought about by Lederer's naive belief that he will soon be a millionaire, are good. The closing scenes are both exciting and comical:—

Lederer, an immigrant from Czechoslovakia, filled with dreams about the glories of America, is heartbroken when the authorities tell him he has to be deported for lacking sufficient funds: he had only \$50 instead of the \$200 required by the immigration regulations. He escapes from the departing ship and swims to shore; but he loses his wallet, and wanders about the streets, penniless and hungry. Ginger Rogers, a show girl, finds him in the theatre alley and feels sorry for him when she notices him eating scraps of food left by the chorus girls. She takes him to her home, arranges for him to help her small brother sell newspapers, and fixes a bed for him on the roof. Lederer soon acquires the slang of New York and becomes friendly with J. Farrell MacDonald, a traffic policeman. Lederer gives up selling newspapers to become a truck-driver, and from that to driving a taxicab. An attempt is made by a welfare society to take Ginger's brother away from her, for truancy. When Lederer finds out that Ginger could keep her brother if she were married, he proposes. Since they love each other, they marry. MacDonald helps Lederer out of his difficulties with the immigration authorities.

The story was written by Norman Krasna and Don Hartman. Stephen Roberts is the director. Jimmy Butler, Helen Ware, Oscar Apfel, Sidney Toler, Arthur Hohl, and others are in the cast.

Suitable for children, adolescents, and Sundays. Suitability, Class A.

"Strange Wives" with Roger Pryor

(Universal, Dec. 10; running time, 74 min.)

Just a fair comedy. It is a little slow in the beginning, develops into a domestic farce about the middle, but peters out toward the end, becoming somewhat tiresome. The comedy is provoked by the fact that when Roger Pryor marries June Clayworth, a Russian noblewoman who was forced to work for a living, June moves in with her impoverished brothers and sisters. Their actions in turning Pryor's home into something resembling a hotel will arouse laughs. The romantic interest is pleasant; the production end is good.

In the development of the plot Pryor, tired of supporting the sisters, brothers, uncles, and aunts of his wife, decides to make them go to work. Since they had been people of note in Russia before the revolution, he forces them to use their social qualifications to sell bonds. And they are very successful. Two of the brothers marry wealthy women, a sister and a cousin marry wealthy men, and everything seems to be all right. But Pryor's wife is enraged because she feels that Pryor, having become too practical, had chased romance out of their married life. Leslie Fenton, an artist friend, tries to make love to her, but Pryor interferes and orders Fenton out of his house. Pryor and his wife become reconciled when he assures her that he still loves her.

The plot was adapted from the story "Bread Upon the Waters" by Edith Wharton. It was directed by Richard Thorpe. Esther Ralston, Hugh O'Connell, Ralph Forbes, Cesar Romero, Ivan Lebedeff, and others are in the cast.

Suitable for children, adolescents, and Sundays. Suitability, Class A.

"Behold My Wife" with Sylvia Sidney*(Paramount, Dec. 7; running time, 78 min.)*

3/13-14

A fairly good program comedy-drama. It is slow in getting started but gradually picks up speed. The only sympathetic character is Sylvia Sidney. The others arouse one's antagonism, particularly Gene Raymond, because of their callous treatment of people. For instance, Raymond marries Sylvia, an Indian girl, just to disgrace his wealthy and socially-prominent family without taking into consideration the fact that he might hurt her. He conducts himself in an objectionable manner until the very end when he suddenly becomes noble; but in some way this nobility does not strike one as being genuine. A situation that is extremely far-fetched is where Raymond's family gives a party for Sylvia; the guests act like boors. There is a suicide and a murder; they are unpleasant:—

When Raymond's father finds out that his son was determined to marry a poor girl, he sends Raymond's sister to buy the girl off. The girl refuses the money and kills herself. Raymond finds out what his family had done and, leaving home, swears to disgrace them. Driving west, he is drunk most of the time, and finally lands in a small town in New Mexico. In a drunken brawl with an Indian, he is shot, and Sylvia, an Indian girl, in order to quiet the affair, nurses Raymond back to health. She falls deeply in love with him. Raymond decides to marry Sylvia just to disgrace his family. But just the opposite happens—Sylvia wins over all their friends. When Raymond tells her why he had married her, she is heartbroken and asks Monroe Owsley, a society friend, to take her away. He takes her to his apartment and he is followed there by Raymond's married sister, who had been having an affair with Owsley. In a jealous rage she shoots and kills Owsley. Sylvia sends the sister home and decides to take the blame. She feels that she will be paying Raymond back; he will feel guilty. Raymond arrives at the apartment and, realizing that he really loves Sylvia, shoulders the blame. But the police eventually find out that neither of them was guilty and release them; they become reconciled.

The plot was adapted from a novel by Sir Gilbert Parker. It was directed by Mitchell Leisen. Laura Hope Crews, H. B. Warner, Kenneth Thomson, and Ann Sheridan are in the cast.

Not suitable for children, adolescents, or Sundays. Suitability, Class B.

"Grand Old Girl" with May Robson*(RKO, Jan. 18; running time, 71 min.)*

A deeply appealing, human-interest drama, with good comedy touches. It lauds the teaching profession by showing the sacrifices that are demanded of a teacher who has ideals. Some of the situations are heart-rending, particularly in the closing scenes where May Robson is shown sitting in the empty schoolroom, crying because she had been dismissed from the school by the influence of crooked politicians. The scenes that follow, which show the President of the United States, a former pupil of May's, paying her a visit, are equally moving. May Robson is excellent as the principal of the school, winning the sympathy and respect of the audience by her tactful and kind treatment of the pupils, whom she loves. The regeneration of Alan Hale, the saloon keeper who corrupted the pupils, is appealing:—

May, principal of a small-town high school, is unhappy because of the influence Alan Hale is exerting over the school children. He runs an ice cream parlor with a back room in which the youngsters gamble. May is warned by the Superintendent of Schools to leave Hale alone but she refuses. She secures evidence as to Hale's gambling activities and brings charges against him. But these are dismissed. With money that she had won from Hale by using his own crooked dice, she opens a store in opposition to Hale's and is successful in luring the children to her place. Mary Carlisle, the spoiled daughter of the town's wealthiest man, goes to May's place intent on making trouble. And she does, starting a fight amongst the boys just as her father, with the school board, enter. The place is closed and the board, at a meeting, vote to dismiss May in spite of the fact that she had just two more years to go to be entitled to a pension. Hale is so sorry for her that he sends a telegram to the President of the United States. May's former pupil, telling him of May's plight. The President arrives at the school-

house just as May is tearfully departing. He pays tribute to May in front of the people who had collected at the school when they learned of his presence.

The story is by Wanda Tuchock; the direction, by John Robertson. In the cast are Fred MacMurray, Etienne Girardot, William Burress, Hale Hamilton, and others.

Good for children, adolescents, and Sundays. Suitability, Class A.

NOTE: Though "Grand Old Girl" is an excellent production and should draw by its own merit, an exhibitor can make it draw much more if he were to do exploitation work on it, such as, for example, showing it to the teachers of his town or territory prior to the date of exhibition. RKO has provided its exchanges with extra prints for the purpose. All an exhibitor has to do is to write to his exchange and ask for a print.

"The Secret Bride" with Barbara Stanwyck and Warren William*(Warner Bros., Dec. 22 running time, 63½ min.)*

A fairly interesting mystery-drama of political intrigue. The action is fast, and the solving of the mystery is done in a logical fashion. The spectator's attention is held throughout since it is not until the closing scenes that the identity of the man at the head of the gang is made known. Barbara Stanwyck, Warren William, and Arthur Byron are all sympathetic characters, because of their efforts to do the right thing and uncover the plot against Barbara's father. The romantic interest is incidental:—

Barbara and William keep their marriage a secret because of a scandal that Barbara's father (Arthur Byron), Governor of the State, was involved in. William was district attorney and if people knew that he was married to Barbara they would accuse him of being prejudiced. Byron was accused of having accepted a bribe from a man he had pardoned, and although he swears he is innocent he is forced to appear at a legislative investigation. Barbara and William work unceasingly in an effort to unravel the mystery, and are finally successful; they prove that Grant Mitchell, an employee of the pardoned man, had killed his employer, deposited the money in the Governor's account, which was given to him by Henry O'Neill, supposedly Byron's best friend, who wanted to have Byron ousted because he was too honest. O'Neill kills himself when these disclosures are made and Byron is cleared of charges. Barbara and William are happy that they can now spend a peaceful honeymoon.

The plot was adapted from a story by Leonard Ide. It was directed by William Dieterle. Glenda Farrell and others are in the cast.

Not suitable for children, adolescents, or Sundays. Harmless for adults. Suitability, Class B.

"West of the Pecos" with Richard Dix*(RKO, Jan. 4; running time, 68 min.)*

Good entertainment. Although the story is not greatly different from the usual story used in westerns, the presence of Mr. Dix, and the good direction, have raised it to a high level. The action is fast, the romantic interest pleasant, the comedy touches good, and the photography in the outdoor shots superb. The spectator is held in suspense throughout because of the danger to Dix, who was hated by a band of cattle rustlers. The performances of Richard Dix and Martha Sleeper add to the general excellence of the picture:—

Martha and her father, leaving their home in the South, travel out West to start life over again. Knowing that she would encounter rough people, Martha decides to pose as a young boy. Dix, escaping from a gang of cattle rustlers who were attempting to put the blame on him, joins Martha and her father, and treats Martha in a brotherly fashion; she falls in love with him. He eventually finds out that she is a girl, but does not let her know that he knew this. Martha and her father settle down, and Dix stays near them. After many complications during which Fred Kohler, leader of the rustlers tries to kill Dix, Dix finally proves his innocence to the satisfaction of the authorities. He then tells Martha he knows she is a girl and they are united, since he, too, loves her.

The plot was adapted from a story by Zane Grey; Phil Rosen is the director. Samuel Hinds, Louise Beavers, Maria Alba, and others are in the cast.

Suitable for children, adolescents, and Sundays. Suitability, Class A.

producers' friend!) Today Mr. Ford is one of the most highly paid directors. He deserves every dollar he gets because he seldom makes a flop. The fact that he has admitted that some poor, abused reviewer helped him get big money proves how regular he is. Harry Carey, too, does the same thing: whenever there is anyone present, he never fails to say that I helped him get big money while with Universal.

WEDNESDAY, DECEMBER 12

I called on Mr. Sam Goldwyn, at the United Artists Studios, and had a long talk with him.

You and I may disagree with Mr. Goldwyn on some of his views, but personally I have no doubt of his sincerity. He believes that in outstanding productions lies the future of the motion picture industry; he has held close to his views since he began releasing through United Artists.

Mr. Goldwyn made a pathetic plea with me against double features. He asked me to make a little deeper study of this problem for he feels sure that if I give it such study I shall convince myself that they are a bane to the business. He brought forward arguments which sound convincing.

Personally, I have never been for double features. My editorial policy against those who desire their elimination was prompted by my desire to see the independent producers preserved. Without double features there will be no independent producer; and without the independent producers making independent pictures, the business will pass into the hands of the major companies entirely. On the other hand, one cannot ignore the convincing arguments such as Mr. Goldwyn has brought forward. It is a problem.

THURSDAY, DECEMBER 13

I was received by Bishop Cantwell and spent a most delightful half hour with him. I have found him to be kind, humane and liberal-minded. He is in no way against pictures, but only such pictures as I myself have been condemning for sixteen years. My conversation with him convinced me that he is a real friend of the motion picture industry.

After leaving Bishop Cantwell, I called on Irving Thalberg, at the MGM Studios, and had about an hour's talk with him.

The impression prevails that Mr. Thalberg and Mr. Mayer are at loggerheads. My observations, in and out of the studio, have convinced me that the contrary is true. There was some hard feeling when Mr. Thalberg came back from Europe last year and found David Selznick, son-in-law of Louis B. Mayer, in an important executive position at the studio; but he was soon convinced that this was not a hostile act against him. Messrs. Schenck and Mayer realized that for one man to produce forty or fifty pictures a year is a superhuman task, and decided to relieve him of some of the work. Whether their choice of Selznick was a wise one or not is beyond the issue; all I am trying to do is to present to you things as they are so that you may not be frightened on account of these rumors, which tend to make you believe that a house divided against itself shall fall.

Our conversation naturally revolved around the production of good pictures. He believes that it is better for a producer to try and fail, than not to try at all. His theory is that the industry cannot keep on producing the same kind of stuff and get away with it; the picture-going public will soon get tired of such material.

My trip to Hollywood has convinced me that pictures cost as much, and even more than they cost in 1929. I asked Mr. Thalberg how can the industry continue making pictures at such cost when the theatre receipts are now 45% under the receipts of 1929 and 1930. He realized the gravity of the problem, but saw no way by which the cost could be brought down. He blamed the agents for inciting the artists into breaking their contracts for more money; and from what I have heard from other sources, his accusations are true. An agent approaches a star and convinces him that he can get more money for him, regardless of the fact that he is under contract, if he would place his services in his charge. The agent then goes to the producer and demands more money. If the producer refuses to grant his request, the agent instructs the star to stop working. It is discouraging, but it cannot be overcome.

In the evening I was the dinner guest of Eugene Walter, the famous playwright, at the Hollywood Athletic Club.

FRIDAY, DECEMBER 14

I am winding up matters preparatory to flying east this coming Monday, with a stop at Chicago.

This noon I again had luncheon with Mr. Carl Laemmle, Sr., and had a further talk about story material he is contemplating putting into pictures. Mr. Laemmle seemed jubilant and enthusiastic. He told me, in fact, that he has never felt as hopeful for the future as he is feeling now. I hope his hopes are justified; the business needs good pictures.

CLASSIFICATION OF PICTURES

The following are the latest feature pictures that have been classified by the Chicago Legion of Decency:

CLASS A (Good for the entire family): "Babbitt," "Big Hearted Herbert," "Girl O' My Dreams," "Hell on Earth," "Imitation of Life," "Man Who Reclaimed His Head," "Murder in the Clouds," "Music in the Air," "She Had to Choose," "The Silver Streak," "Strange Wives," "Successful Failure," and "A Wicked Woman."

CLASS B (Unsuitable for either children or adolescents, but are neither approved nor disapproved): "Behold My Wife," "Broadway Bill," "Church Mouse," "Enter Madame," "Footlight Parade," "House on 56th Street," "One Hour Late," "The Romance of Ida," "Secret of the Chateau," and "Walls of Gold."

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 New York, N. Y.

A Motion Picture Reviewing Service
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 Its Editorial Policy: No Problem Too Big for Its Editorial
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Published Weekly by
 Harrison's Reports, Inc.,
 Publisher -
 P. S. HARRISON, Editor
 Established July 1, 1919
 Pennsylvania 6-6379
 Cable Address:
 Harreports
 (Bentley Code)

A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XVI

SATURDAY, DECEMBER 29, 1934

No. 52

PICTURES AND PICTURE MAKERS IN HOLLYWOOD — No. 5

NEW YORK CITY

I left Hollywood in a plane Monday afternoon last week and stopped over in Chicago the following morning to attend a luncheon given to me by the Steering Committee of the Legion of Decency, arrangements to that effect having been made by Father F. G. Dinneen, pastor of St. Ignatius Church. The Most Reverend Bernard J. Sheil, Bishop of Chicago, was at the head of the table.

The reception given me was so warm-hearted that I was encouraged to submit to Bishop Sheil and the members of the Committee certain recommendations on behalf of the independent exhibitors, and all I can say is that these recommendations were received in the most kindly spirit; their justification was admitted by every one present. The Catholic Hierarchy know of my sixteen year relentless fight against indecent pictures and recommendations from me are accepted by them as coming from a person who seeks no advantage but who has at heart only the legitimate interests of the industry.

I found Bishop Sheil most amiable, kind-hearted and liberal-minded, in no way hostile against moving pictures but only against such pictures as I myself have fought in the sixteen years of my career as editor of HARRISON'S REPORTS. The members of the Steering Committee are all intelligent and sincere, with one desire in their minds—to serve the interests of all Americans, particularly of the young Americans. I left them carrying with me a fine remembrance of our acquaintance.

Since my return to New York I have given considerable thought to what I saw and learned in Hollywood about pictures and picture makers and I can say that poor pictures are the result of, not one factor, but many factors. Sometimes it is owed to the persons who select the story material; sometimes to the scenarist; sometimes to the director.

At other times it is owed to the releasing system which, like a dragon, demands "food," to be furnished immediately. For instance, the schedule demands the releasing of a picture on a given week and there is nothing in sight: in such an event, any story is grabbed and put into production, if there is none available, and the scenarist is not given sufficient time to make the proper alterations in the situations as well as the characterizations of the original material.

At other times, there are high-salaried players on hand and "no Place to go"; a director is chosen, he is given a story and is told to go ahead with it, using the idle players, with the result that none of the players fits the part assigned him.

Some of the time it is the result of "too many cooks"; a story that shows promise is given to half a dozen or more writers, each to write his own version of it, and their scripts are then combined into one script. This method of working out story material is half of the time unsuccessful by reason of the fact that, since none of these authors is given credit on the screen, none of them works on his script with the enthusiasm he would have worked had he felt that his efforts would be recognized.

The isolation of Hollywood, too, is a contributing factor—perhaps the greatest factor: the producers and the artists are too far away from those who pay their money at the box office to know their desires, with the result that pictures are produced to suit the tastes, not of those who buy their entertainment, but of those who produce them: living in an atmosphere mostly of "yessmen," those who produce the pictures cannot always detect their faults. I dare say that, from the hundreds of those who do the actual work in the production of pictures, there are not five who

know how pictures perform at the box office. How can they make good box office attractions when they have no idea what sort of stories take at the box office? It is, I believe, this factor more than any other that set them to producing indecent pictures. Did any one of them ever try to obtain statistics as to what was the proportion of the sex pictures that proved successful at the box office?

The ignorance of the heads of some studios, too, is another factor for the poor pictures. A company cannot produce a fair percentage of good box office attractions when its production head knows nothing about story material—has had no education whatever.

Perhaps I could fill volumes giving you additional causes for the small percentage of meritorious pictures; but I believe the ones I have given you are sufficient. What you are interested in more than anything else is, I am sure, what studios give promise for producing the best box office attractions and what studios the worst.

Since good pictures are the result of intelligent studio personnel, here are my findings of the personnel of each studio:

Columbia

Harry Cohen is the head of this company's studio. Mr. Cohen has had no schooling to speak of and has risen from a plain environment. But he has developed greatly. He is a hard worker and deserves credit for the success his Company has made in producing meritorious pictures. It would be much better for him, however, if he were to delegate some of his powers to other executives. As it is, he seems to be trying to do everything himself with the result that he is wasting a great deal of his time answering telephone calls.

Mr. Cohen is fortunate in having in his employ one man—Sam Briskin. The success of Columbia may, in fact, be attributed to Mr. Briskin's knowledge of story material. As long as Mr. Briskin sticks to Harry Cohen, Columbia will be making good box office attractions. And from what I have learned he intends to stay with him.

Another asset Harry Cohen has is, as you well know, Frank Capra; Mr. Capra is one of the most consistent directors in Hollywood; he seldom makes a box office failure. The reason for it is the fact that he knows story material and will brook no interference with his work. And no one at the Columbia studio tries to interfere with him.

First National—Warner Bros.

Jack Warner is the head of these studios. He has had no fancy schooling, and has no story sense to speak of. His system is to make about ten good pictures a year, spending good sums of money on them, and to turn out the other fifty like sausages. The system is failing, if one is to judge by the fact that this season he has not produced a single outstanding production. The nearest to one is "Flirtation Walk," but this picture belongs to last season's group. The production of sixty pictures requires man power, and the First National-Warner Bros. studios lack it. They have about two producers with ability, but the most a capable producer can do in a year is to produce half a dozen meritorious pictures, provided he is furnished with good story material.

I did not meet many of this studios authors; in fact, I met only one—Laird Doyle. Not only is he capable, but has the best interests of Jack Warner at heart. Mr. Doyle gave me the script for "Oil for the Lamps of China," which he has written, to read, and I can say that he has done a marvelous job of it, in spite of the fact that the book did not offer much substance for a picture plot. He has altered it almost

(Continued on last page)

3/15.1 **"The Mighty Barnum" with Wallace Beery**
(United Artists, Dec. 25; time, 87 min.)

Fairly good entertainment for the masses; but the younger element may be disappointed at the lack of romantic interest in the story. The first half is a little slow and it takes too much time to establish Beery's character. The story is comprised of a series of events in the life of Barnum, the showman, and depicts the various falls and rises in his career. It is not, as the title implies, the story of a "mighty" man but rather of one who made his fortune more by luck than by brains. But the production is excellent and this covers up the story's defects. Much comedy is provoked by the manner in which Beery, in the character role of Barnum, fools his wife and goes ahead with his plans to open the freak museum; also by his attempts to become a gentleman. The freaks used are not of the type to sicken one; as a matter of fact the two midgets who appear most prominently are very pleasant. Virginia Bruce is charming as Jenny Lind, and her voice is good. Many of the situations are exciting, particularly the closing situation, which shows the fire at Beery's museum:—

Beery, a store keeper, married to Janet Beecher, had one ambition—to open a museum with freaks. With the help of Adolphe Menjou, a drunken publicity agent, he becomes a success. When things look bad for him, some new sort of freak appears and again he is successful. Menjou brings Jenny Lind, the Swedish nightingale, to America, to be managed by Barnum. She is a tremendous success. One night Beery gives a dinner in her honor and makes a toast to her in Swedish words, which had been taught to him by a Swedish masseur. The words are really insulting, and everyone leaves the banquet. Jenny Lind goes back to Europe; Beery's wife leaves him because she feels he does not love her any more, and even Menjou deserts him. Alone, and without money, Beery is befriended by the freaks whom he had deserted, and makes plans to open the museum again. Menjou returns, and brings with him the greatest sensation of all times—the largest elephant in the world. But Beery's rival sets fire to the museum the night before opening. This, however, gives Beery the idea to give the show in a tent. And that idea was the beginning of his long and prosperous career.

The screen play is by Gene Fowler and Bess Meredyth. It was directed by Walter Lang. In the cast are Rochelle Hudson, Tammany Young, Lucille LaVerne, and others.

There are a few off-color remarks but children and adolescents will not understand them; suitable for Sundays. Suitability, Class A.

"The President Vanishes"

(Paramount, Jan. 11; time, 82 min.)

An exciting melodrama. Although the plot is somewhat fantastic, it touches on topics that are so timely—war and fascism—that it holds the spectator's attention well. Primarily it is propaganda advocating peace; it shows that powerful capitalists, desiring to protect their interests, are responsible for wars. At the same time it is a good mystery melodrama, particularly in the second half when the President of the United States vanishes, presumably kidnapped, and the Secret Service men start their search for him. There are many situations that will hold the audience in tense suspense. The most thrilling situation is where the President, bound and gagged, is faced by the brutal leader of an organization supported by a war-wanting capitalist. Another exciting situation is where Peggy Conklin, secretary to the President's wife, almost gives the President's secret away to Secret Service men. This picture is not what one would call entertainment that leaves one in a happy frame of mind; it is rather terrifying when one considers how helpless one is against wealthy and brutal forces. The love interest between Kelly and Peggy is incidental. The President, as portrayed by Arthur Byron, and some of his ardent supporters, are sympathetic characters.

In the development of the plot, Europe is at war, and certain bankers and munition men in America, wanting to protect their loans to Europe and also profit by the manufacture of ammunitions, try to plunge into the war also the United States. But the President believes in peace. His enemies spend large sums of money spreading propaganda about the President's disgracing the honor of the American people. They are helped by an organization known as the Gray Shirts, sponsored by a wealthy oil man, who terrorize the people. On the day that the President was to appear before Congress he disappears. Everyone believes he had been kidnapped by the interests desiring war. It develops that the President had purposely disappeared so as to divert the people's minds from war. And it is effective. The President, feeling that the Gray Shirts were a dangerous organization, has Paul Kelly, who knew about his secret disappearance,

bind him and leave him at the organization's headquarters. Kelly was then to "find" him there and so discredit the organization. The fanatical leader enters and attempts to kill the President but Kelly kills the leader, instead. The President is then reported found. The people are so happy that they decide to listen to their President's pleas for peace.

The plot was adapted from a story by an anonymous writer. It was directed by William A. Wellman. In the cast are Janet Beecher, Rosalind Russell, Sidney Blackmer, Edward Arnold, and others.

Suitable for children, adolescents, and Sundays. Class A.

"Forsaking All Others" with Joan Crawford, Clark Gable and Robert Montgomery

(MGM, Dec. 28; time, 82 min.)

Good entertainment. The action is fast, the dialogue is clever, and the production, acting, and direction are excellent. Although primarily a comedy, there is human interest in it; one feels sympathy for Joan and Gable, and even for Montgomery, in spite of the fact that he is pictured as a weakling. The comedy mood that is sustained throughout makes it enjoyable:—

Joan, Gable, and Montgomery had been friends since childhood. When Gable returns from a two year trip to Spain, ready to ask Joan to marry him, he finds her preparing to marry Montgomery, with whom she is deeply in love, and is heart broken. The day of the wedding arrives; but Joan's joy is turned to misery when she learns that Montgomery had run off and married an old "flame." Gable helps her to forget, but when she meets Montgomery again and he tells her he never stopped loving her she finds out that she still cares for him. She goes out with him against Gable's advice. Gable helps Montgomery obtain a divorce, and Joan and Montgomery make their plans to be married. Gable bids Joan good-bye, telling her that he has always loved her; he tells her he is sailing that night for Spain. It suddenly dawns on Joan that it is Gable she loves. She follows Gable to the boat, and they are married aboard.

The plot was adapted from the play by Edward B. Roberts and Frank M. Cavett. It was directed by W. S. Van Dyke. In the cast are Billie Burke, Charles Butterworth, Frances Drake, and others.

By insistence of Mr. Breen the picture has been so cleaned up that it has become suitable for family audiences. Class A.

"The Man Who Reclaimed His Head" with Claude Rains, Joan Bennett, Lionel Atwill

(Universal, Dec. 24; running time, 81 min.)

Good entertainment for class audiences. As far as the masses are concerned, although there is human interest in the story, it is too wordy, somewhat depressing, and even horrifying for them. The work by Claude Rains is excellent. In the beginning, when he tells his story to a lawyer, one feels sympathy for him because of his helplessness and unhappiness, in spite of the fact that one knows he had committed a crime. And this sympathetic feeling is sustained as the story unfolds since one can see he is headed for tragedy. There is another interesting angle to the story, and that is the expose of the ammunition business—it attempts to prove that wars are fostered by capitalists. The gruesomeness is provoked by the horrible crime committed by Rains; he killed Atwill—cut off his head, and carried it with him in a small bag. The events leading up to this crime are told in flashback.

In the development of the plot, Rains, in order to satisfy his young wife's craving for luxury and position, accepts a position as editorial writer for Atwill's paper. He believes that Atwill is sincere about advocating peace, and for that reason is willing to do all the work without getting any recognition—Atwill leads people to believe that he had done all the writing. But Atwill sells out to the manufacturers of ammunition and becomes a wealthy and powerful figure. Rains tells him what contempt he has for him and resigns his position. War is declared and Rains enlists, despite his pacifistic inclinations. At a railroad station, he overhears two men discussing the fact that Atwill was having an affair with his wife. Blinded with rage, Rains deserts, goes home and finds Atwill forcing his attentions on his wife. In a fury he stabs Atwill, and then cuts off his head. His wife faints. Rains puts the head in a bag, and taking his child goes to see Henry O'Neill, a famous lawyer. At the conclusion of the story O'Neill tells Rains he will consider it a privilege to defend him. Rains and his wife bid each other a fond farewell.

The plot was adapted from the play by Jean Bart, and directed by Edward Ludwig. Baby Jane, Henry Armetta, Wallace Ford, and others are in the cast.

Not for children, adolescents, or Sundays. Class B.

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use them to boost his own reputation. The remaining three players quit playing and the college team loses every game that season. The coach, caring more for their character than for football, refuses to plead for their return; he wanted them to come back of their own volition. The players return penitent; the coach receives them but does not encourage them, until he finds an opportunity where they were needed in the game; the three Bombers go into the game with fine spirit and carry the day.

There is a charming love affair between Betty Furness, pal of the Four Bombers, and Robert Young, one of the Bombers.

The plot has been founded on two stories: "Backfield," by Byron Morgan and J. Robert Bren and "The Gravy Game," by Harry Schneider and W. Thornton Martin. The direction is by Russell Mack. It was produced by Ned Martin. Some of the others in the cast are Ted Healy, Preston Foster, Russell Hardie and Henry Kolker.

A family picture. Suitability, Class A.

"The Battle"

(Leon Garganoff; running time, 81 min.)

This is a tragic drama, suitable only for sophisticated audiences. It is not for the masses, first, because it is slow-moving, and secondly, because the hero and the heroine are supposedly Japanese. Although superbly performed by Charles Boyer and Merle Oberon, and excellently directed by Nicolas Farkas, the story is depressing; it deals with a man's downfall, which involves two other people. The naval battle scenes are thrilling for men, and will hold them in suspense: they show the complete preparation and procedure for the battle. One feels sympathy for Merle, the heroine, who is forced by her husband, and much against her will, into a relationship with an Englishman, with tragic results. The closing scenes, in which Boyer is shown committing suicide, are piteous; they are also sickening because he is actually shown plunging the knife into his heart:—

Boyer, a Japanese naval officer, interested only in winning battles for his country, knows that John Loder, a British naval attache, was in possession of secrets that could be of benefit to him. Boyer forces his wife to become friendly with Loder, and while his wife is at one time dancing with Loder, he goes to his (Loder's) apartment to copy information from private official documents that Loder had prepared for the British Naval Department. Loder returns to the apartment with Merle and Boyer hides. He overhears their conversation and realizes that he had been trapped by his own plans, for the acquaintance of Loder and Merle had turned into love. He makes his presence known to Merle, who immediately leaves for her home. He goes back home and tells Merle he forgives her, that he really loved her very much and that it was all his fault. He sets out for another battle, and Loder is aboard the ship with him. When Boyer is wounded, Loder takes command and is killed. Boyer feels that the only honorable thing for him to do is to kill himself.

The plot was adapted from the novel by Claude Farrere. In the all foreign cast are Betty Stockfeld, V. Inkiijoff, Miles Mander, and Henri Fabert.

Unsuitable for children, adolescents, or Sundays. Suitability, Class B.

"Here Is My Heart" with Bing Crosby and Kitty Carlisle

(Paramount, Dec. 28; time, 75 min.)

A treat for Bing Crosby fans. Mr. Crosby sings a number of tuneful songs, and is given an opportunity to display his talents for comedy. But there isn't much to the story, which is a musical version of "The Grand Duchess and the Waiter," produced by Paramount in 1926. The production is, however, excellent, and the performances competent, but the greatest attraction is Bing Crosby's singing. Roland Young and Reginald Owen, as the impoverished Russian noblemen, contribute to the comedy by their nonsensical behavior. There is not much human interest, the picture depends mostly on comedy:—

Bing Crosby, a millionaire radio crooner, while on a trip to Europe to satisfy childhood whims, meets and falls in love with Kitty Carlisle, an impoverished Russian princess. Knowing that he could not meet her under ordinary circumstances, he buys the hotel in which she is living, and masquerades as a waiter. Kitty finds herself being attracted by Crosby, but she continues treating him as a servant. Eventually everything is explained, and Kitty marries Crosby. He gives her Russian friends positions in his hotel and leaves them to manage it.

The plot was adapted from a story by Alfred Savoir. It was directed by Frank Tuttle. In the cast are Alison Skipworth, William Frawley, Marian Mansfield, and others.

Suitable for children, adolescents, and Sundays. A.

"Murder in the Clouds" with Lyle Talbot and Ann Dvorak

(First National, Dec. 15; time, 60 min.)

Just a fair murder-mystery melodrama. Parts of it are too far-fetched to be plausible; but persons who are not particular about such defects should be entertained, for the action is fast, and the closing scenes hold one in suspense. Because the hero and the heroine are sympathetic characters, their romance is pleasant:—

The hero, pilot for a west coast company, is assigned to fly several people to Washington. They are to take with them a formula for a new explosive. The secretary to the president of the airplane company overhears the plans and relays them to another person, head of a gang. The hero is knocked out and a pilot for the gang takes his place. This pilot bails out of the plane with the formula, setting off a time bomb, which explodes, killing all the passengers in the plane, including the heroine's brother, co-pilot. Eventually the whole mystery is solved: the hero is instrumental in rounding up the gang and in preventing them from giving the formula to the wrong people. Hero and heroine marry.

Roy Chanslor and Dore Schary wrote the story. D. Ross Lederman directed it. Gordon Westcott, Robert Light, George Cooper, Charles Wilson and others are in the cast.

Because of the gangster activities it may prove unsuitable for children, adolescents or Sundays. Harmless for adults. Suitability, Class B.

"A Wicked Woman" with Mady Christians, Jean Parker and Charles Bickford

(MGM, Dec. 7; time, 72 min.)

Just a fair program picture. Most of the objectionable matter that appeared in the novel has been removed; however, the story remains thin and draggy, but the performances are good. Women may enjoy it because of the human interest aroused by mother love. MGM chose a poor vehicle to introduce Mady Christians, their new star, but she does the best she can with the role, and makes an appealing and sympathetic person of the mother. The love interest is pleasant if not exciting:—

Mady, married to a brutal rum-runner, and living in squalor and filth, kills her husband when he attempts to desert her and take their oldest child with him. She throws his body into the river. Eager to make something of her children, and expecting another child, she decides to rear her family and when her work is accomplished, to give herself up. She moves to another town, struggles, and becomes successful; she educates her children and herself, giving them a comfortable home. She meets her son's employer, Charles Bickford, and they fall in love with each other. Jean Parker, one of the children, is in love with a worthless young man. Her brother follows her when she goes to the man's apartment, and a quarrel follows. The brother falls down a flight of stairs and is injured. When he recovers, Mady goes back to her old home town and gives herself up for the murder of her husband. She refuses to bring her family into the trial, but her attorney has their whereabouts traced. He tells them of their mother's predicament, and they all rush to her side. By her son's testimony she is freed. Mady and Bickford marry.

The plot was adapted from the novel by Anne Austin. It was directed by Charles Brabin. In the cast are Jackie Searle, Betty Furness, Sterling Holloway, and others.

Suitable but may not be satisfactory for children, adolescents, or Sundays. Suitability, Class A.

"The Band Plays On"

(MGM, Dec. 21; running time, 87 min.)

A fairly appealing as well as interesting football story. There are some situations that appeal to the emotions, and the action holds the interest fairly tense. The football playing is fairly exciting. The "Four Bombers" give one the impression that they are the "Four Horsemen" of Notre Dame, but the details of the early lives of these "Bombers" are naturally fiction.

The story deals with the regeneration of four neighborhood boys, who are picked up by the coach of a neighborhood playground from the gutter. They grow up into four fine young men, and as fine football players in college. One of the four (Robert Young) is lured by a promoter to sign a contract to play as a professional. When another of the players (Stuart Erwin) becomes suspicious of Young's absence, he rushes in an automobile to reach him in time to prevent him from signing the contract and is injured when his car is hit by another, breaking one of his legs. Leo Carrillo, a friend of the group, rushes in and grabs away the contract from the promoter's hand. The promoter makes the other players believe that all their coach wanted was to

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THUNDER IN THE EAST

completely. There are two situations in it with powerful emotional appeal. The action moves at a fast pace. If the script were given to a good director, and if capable players were to take the leading parts, a fine picture will result. Mr. Warner needs more men like Mr. Doyle, if he is to recapture the position he held a few seasons ago. He must give up the factory method of producing pictures and employ a greater number of capable producers. Whether he can find them or not is another matter; but find them he must, if he wants to have a fair share of the exhibitors' business.

Hal Wallace is the general manager of the Warner-First National studios. He took Mr. Zanuck's place. He is a problem and has to win his spurs yet.

Fox (Movietone City)

There are (or were) four producers at this Fox studio—Winfield Sheehan, Jesse L. Lasky, Bob Kane, and Al Rockett, but there are now only three, since Al Rockett has resigned as a result of his having spent large sums of money on "Lottery Lover" and obtained poor results.

Jesse L. Lasky was producing pictures for Paramount during the time that silent pictures were in vogue. At that time, Paramount was producing the best pictures in the market and when he resigned from Paramount Sidney Kent engaged him to produce talking pictures for Fox.

Since the time Mr. Lasky started producing at Movietone City, he has produced ten pictures, I believe, but only one has proved of any merit—"White Parade." One would think that a producer with the background of Jesse Lasky would produce wonders; but he has made one good picture in ten pictures. My conjecture is that Mr. Lasky does not know story material, for after all it is story material that makes good pictures.

The employment of Mr. Lasky does not reflect any discredit on him as a producer; he used to make good silent pictures but he has not yet learned, in my opinion, the talking picture technique; the demerits should go to Sidney Kent, who has employed him, sacrificing hundreds of thousands of dollars of the Fox maney. Kent should have known if Mr. Lasky possessed any, what Hollywood calls, "story sense," but in my opinion Kent has no story sense himself, for if he had he would not have let Mr. Lasky continue producing failures.

Sidney Kent has done another thing unhealthy, in my belief, to the interests of Fox Film Corporation, and naturally of the exhibitors who buy Fox pictures: he has employed his brother-in-law, Bob Kane, to produce pictures for Fox, at (as I have heard) two thousand five hundred dollars a week. I am asking Sidney Kent to name the box office pictures Mr. Kane has produced from the day he started producing pictures for First National in the silent days.

Incidentally Bob Kane produced for Fox "Caravan," that \$900,000 box office failure and "East River," another mediocrity; also "George White's Scandals," which the churches banned.

Sidney Kent engaged Eric Knight, erstwhile picture critic of a Philadelphia newspaper, to go to the studio to learn the publicity business at two hundred dollars a week, as if the Fox dollars were so many shells.

Winfield Sheehan: Few producers in Hollywood have had the experience Mr. Sheehan has had. Originally he was a newspaper reporter; and in such a position he naturally learned to recognize story value. Later he became general sales manager for Fox. He organized the foreign department for his company and put his brother Clayton at the head of it until now this department almost equals the receipts of the domestic market. In 1926, he relinquished his position with the home office and went west to produce pictures. He produced "What Price Glory," "Seventh Heaven," "Cock-Eyed World," "Sunnyside Up," and others. It was these pictures, in fact, that enabled William Fox to become a great factor in the motion picture industry, and not Fox's ingenuity.

Although nominally the head of the Fox Film Corporation's production activities on the Coast, Mr. Sheehan has confined himself to producing a small number of pictures, preferring to make few pictures but good, than many but mediocre.

Fox (Western Avenue Studio)

Sol Wurtzel is the head of the old studio. Mr. Wurtzel is producing the lower cost pictures, but occasionally he is producing a big one. He has produced, for example, "Bright Eyes," with Shirley Temple; also "Judge Priest," with Will Rogers, which has proved highly successful at the box office. Mr. Wurtzel is very intelligent, a square shooter, and has the courage of his convictions. But he is driven too much, like a good horse; he is made to produce too many pictures. That is why frequently he produces poor pictures. In addition to this he is handicapped by the releasing system, which often compels him to put into production stories he knows they cannot make good pictures of.

Mr. Wurtzel has a good assistant in the person of John Stone; he is capable and helps Mr. Wurtzel on stories.

Metro-Goldwyn-Mayer

This studio is so vast that I cannot present a picture of it to you, having in my possession only the facts that I was able to gather while there. A deeper study was necessary and I could not spare the time. There are rumors and counter-rumors going around Hollywood. Some of them may be true, but most of them are, in my opinion, inaccurate. For instance, the impression prevails that Louis B. Mayer and Irving Thalberg are at loggerheads on account of Mr. Mayer's having employed David Selznick; some people say that Selznick was employed to take the place of Mr. Thalberg. But my investigation revealed that such statements are inaccurate. They could not be true by reason of the fact that Mr. Mayer undoubtedly knows that capable men cannot be replaced by other than capable men. And even children in Hollywood know that David Selznick has not yet set the world afire. There are in Hollywood people who feel that Mr. Thalberg has been overestimated. I myself felt that way lately, because of the weak story he chose for his first picture under the new regime ("Rip-tide"); also because of the failure of "Merry Widow," which has cost MGM, as I understand, \$1,700,000. But there is one fact that we must not lose sight of: the Metro-Goldwyn-Mayer organization has reached its present power and influence when Mr. Thalberg was the right hand of Mr. Mayer. You realize, then, what a poor business move it would be on Mr. Mayer's part if he were to lose him.

An additional reason why I do not want to render a judgment without having first obtained all the necessary information is the fact that the MGM pictures are just now indispensable to the motion picture industry, regardless what may be our feelings towards some of its executives.

Though I was at the MGM studios three times, I did not call on Louis B. Mayer for no other reason than that I did not want to give my visit to Hollywood the tinge of trying to meet the most influential men of it. Besides, I could not get from him the information I wanted. Certainly I could not ask him any pertinent questions about himself or his subordinates; he would undoubtedly refuse to answer them. I always made it a point to obtain my facts about a studio, not from those who worked at that studio, but from persons outside, from such as were in a position to give me reliable information.

Eddie Manix: Mr. Manix is the general manager of the studio. He is, what Hollywoodians call a blusterer, but he is highly competent and kind-hearted. It seems as if it is absolutely necessary in Hollywood for a person to assume a hard-hearted attitude on occasions.

Some of Mr. Manix' work has been taken over, as I said in my second correspondence from Hollywood, by Sam Katz. Mr. Katz is a new man and cannot yet be appraised; we ought to know in a year's time what he can do. He is entitled to that chance.

Hunt Stromberg is one of the strongest men Mr. Mayer has.

David Selznick: The \$4,000 a week he is getting as salary is demoralizing the studio. Mr. Mayer would do the wise thing if he were to remedy this situation.

Howard Strickling, the head of the publicity department, is a very competent person.

Whatever the internal situation is, this studio will continue producing meritorious pictures, at least for some time to come, because there are employed by it most of the competent writers and artists; they have the money to hire them with.

(To be continued next week)

HARRISON'S REPORTS

Latest Official List of Classified Pictures

PREPARED BY THE

CHICAGO LEGION OF DECENCY

The following is the latest official list of pictures that have been classified by the Legion of Decency of Chicago; they contain all the pictures that the Legion classified from the day it was founded up to and including those in its Bulletin of December 28:

CLASS A

(In this group are included all the pictures that are suitable for family patronage)

A

Age of Innocence, The—RKO
Among the Missing—Columbia
Anne of Green Gables—RKO
Avalanche—Independent

B

Balthitt—Warner Bros.
Babes in Toyland—MGM
Baby Take a Bow—Fox
Bachelor of Arts—Fox
Band Plays On, The—MGM
Barretts of Wimpole Street, The—MGM
Beloved—Universal
Berkeley Square—Fox
Beyond Bengal—Independent
Big Hearted Herbert—Warner Bros.
Black Beauty—Monogram
Border Menace—Abrams
Borneo Beast—Independent
Bottoms Up—Fox
Brand of Hate, The—Superior
Bright Eyes—Fox
Broken Coin, The—Capitol
Bulldog Drummond Strikes Back—U. Artists
Burn 'Em-Up Barnes (serial)—Independent

C

Cactus Kid—Superior
Call of the Coyote—Abrams
Caravan—Fox
Cash—Independent
Cat's Paw, The—Fox
Cavalcade—Fox
Change of Heart—Fox
Charlie Chan in London—Fox
Charlie Chan's Courage—Fox
Chu Chin Chow—Gaugmont-British
Cimarron—RKO
Circus Clown—First National
City Limits—Monogram
College Rhythm—Paramount
Condemned to Death—Independent
Cornered—Columbia
Count of Monte Cristo—United Artists
Cowboy Counselor—Independent
Crimson Romance—Mascot

D

David Harum—Fox
Demon for Trouble—Independent
Devil On Deck—Independent
Dick Turpin—Gaugmont-British
Die Taenzerin Von Sans Souci (The King's Dancer)—German
Doomed to Die—Independent
Dude Ranger—Independent

E

Elmer and Elsie—Paramount
Emharrassing Moments—Universal
Emma—Independent
Emperor Jones—United Artists
End of the World, The—Crown Pictures
Evergreen—Gaugmont-British
Ever In My Heart—MGM
Ever Since Eve—Fox

F

Father Brown, Detective—Paramount
Feroocious Pal, The—Independent
Fighting Hero, The—Independent
Fighting Ranger, The—Columbia
Fighting Through—Judell
Fighting to Live—Independent
First World War, The—Fox
Five Bad Men—Superior
Flirtation Walk—Warner Bros.

G

Gentlemen Are Born—First National
Ghost Train, The—Gaugmont-British
Gift of Gab—Universal
Girl O' My Dreams—Monogram
Girl of the Limberlost, The—Monogram
Girls (Maedchen) in Uniform—Independent
Grand Old Girl—RKO
Great Expectations—Universal
Gridiron Flash—RKO

H

Handy Andy—Fox
Happiness Ahead—First National
Happy Landing—Monogram
Harold Teen—Warner
Have a Heart—MGM
Heart Song—Fox
Hell and High Water—Paramount
Hell Bent For Love—Columbia
Hell Cat, The—Columbia
Hell In the Heavens—Fox
Hell on Earth—Capitol
Hello Trouble—Columbia
Her Strange Desire—Independent
His Greatest Gamble—RKO
Home on the Range—Paramount
Honor of the Range—Universal
House of Danger—Security
House of Rothschild, The—United Artists
Housewife—Warner Bros.
Human Side—Universal

I

I Am So Beloved—German
I Am Suzanne—Fox
Ich Bin Ja Verliebt—German
I Give My Love—Universal
I'll Fix It—Columbia
I'll Tell the World—Universal
Imitation of Life—Universal
In Love With Life—Invincible
Inside Information—Capital
It's a Gift—Paramount

J

Jack Ahoj—Gaugmont-British
Jane Eyre—Monogram
Jealousy—Columbia
Jindra—Lloyd
Judge Priest—Fox
Jumbo Killer—Independent
Jungle Killer—Independent

K

Keep 'Em Rolling—RKO
Kentucky Kernels—RKO
Kid Millions—United Artists
King Kelly of the U.S.A.—Monogram
King's Daughter, The—German

L

Lady for a Day—Columbia
Langen Till Henne—Scandinavian
Last Gentleman, The—United Artists
Lawless Valley—Independent
Law of the Wild, The—Judell
Lemon Drop Kid, The—Paramount
Liebe Mus Ferstandensien—German
Lightning Strikes Twice—RKO
Little Women—RKO
Loser's End—Independent
Lost in the Stratosphere—Monogram
Lost Jungle—Independent
Lost Lady, A—First National
Lost Patrol, The—RKO
Loudspeaker, The—Monogram
Lovetime—Fox
Lucky Texan—Independent

M

Mad Age, The—Independent
Maedchen (Girls) in Uniform—Independent
Man from Hell, The (Western)—Independent
Man From Monterey, The—Warner Bros.
Man From Utah, The—Independent
Manhattan Love Song—Monogram
Man of Aran, The—Gaugmont-British
Man's Game, A—Columbia
Man Trailer, The—Columbia
Man Who Played God, The—Independent
Man Who Reclaimed His Head, The—Univ.
Marie Galante—Fox
Meanest Gal in Town—RKO
Mein Herz Sehnt Sich Narr Liege—Tobis
Melody in Spring—Paramount
Menace—Paramount
Men of Tomorrow—United Artists
Mighty Baruum, The—United Artists
Miss Iza—Hungarian
Money Means Nothing—Monogram
Moonstone, The—Monogram
Most Precious Thing In Life—Columbia
Mr. Skitch—Fox
Mrs. Wiggs of the Cabbage Patch—Para.
Murder in the Clouds—Warner Bros.
Murder in the Private Car—MGM
Music in the Air—Fox
My Peoples' Dream—Palestine Film
Mystery of Mr. X, The—MGM
Mystery Ranch—Independent
Mystery Squadron—Independent

N

Nevada Cyclone—Independent
Nevada Squadron—Independent
Night Alarm—Independent
Night of the Garter—Independent
No Greater Glory—Columbia
Now and Forever—Paramount

O

Oil Raider, The—Independent
Old-Fashioned Way—Paramount
One is Guilty—Columbia
One Night of Love—Columbia
Operator 13—MGM
Orders is Orders—Gaugmont-British
Our Daily Bread—United Artists
Over Night—United Artists

P

Palace on Wheels—Polish
Pals of the West—Independent
Paradise Valley—Capitol
Peck's Bad Boy—Fox
Phantom Express—Independent
Poor Rich, The—Universal
Prescott Kid, The—Columbia
President Vanishes, The—Paramount
Prince of Wales—Independent

Q

Quitter, The—Chesterfield

R

Randy Rides Alone—Security
Red Rider, The—Independent
Return of Chandu, The—Capitol
Ridin' Gents—Independent
Rocky Rhodes—Universal
Romance in Manhattan—RKO
Romance in the Rain—Universal

S

St. Anthony of Padua—Integrity
Secret of the Blue Room—Universal
Servants' Entrance—Fox
She Had to Choose—Judell
She Learned About Sailors—Fox
She Was A Lady—Fox
Shock—Monogram
Show-Off, The—MGM
Silver Bullet, The—Independent
Silver Streak, The—RKO
Six Day Bike Rider—First National
Six of a Kind—Paramount
Smoking Guns—Independent
Son of Oklabama—Independent
Sorrell and Son—United Artists
Speed Wings—Independent
Square Shooter—Independent
Star Packer, The—Independent
Stolen Sweets—Chesterfield
Straightaway—Columbia
Strange Wives—Universal
Strawberry Roan—Independent
Student Tour—MGM
Successful Failure—Security
Sweet Adeline—Warner Bros.

T

Tailspin Tommy—Universal
Telegraph Trail—Warner Bros.
That's a Good Girl—United Artists
That's Gratitude—Columbia
Thirty Day Princess—Paramount
365 Nights in Hollywood—Fox
Through the Centuries—Independent
Thundering Herd—Paramount
Thunder Over Texas—Security
Tombstone Canyon—Independent
Tombstone Terror—Capital
Tomorrow's Youth—Security
Tonto Kid, The—Capital
Trail Beyond—Security
Traum Von Schoenbrum—German
Treasure Island—MGM

V

Vanishing Shadow—Universal
Venetian Nights—United Artists
Very Honorable Guy, A—First National
Voice In The Night—Columbia

W

Wagon Wheels—Paramount
Wake Up and Dream—Universal
War's End—Independent
We're Rich Again—RKO
Westerner, The—Columbia
Western Racketeers—Independent
What Every Woman Knows—MGM
Wheels of Destiny—Universal
When a Man Sees Red—Universal
When Lightning Strikes—Security

White Eagle—Polish
White Parade, The—Fox
White Sister—MGM
Whom the Gods Destroy—Columbia
Wicked Woman, A—MGM
Wiener Blut (Viennese Blood)—Independent
Wild Cargo—RKO
Witching Hour, The—Paramount
World in Revolt—Mentone

Y

You Belong to Me—Paramount
Young and Beautiful—Mascot
Young Eagles—Independent
You're Telling Me—Paramount

Z

Zu Befehl Herr Unteroffizier—German

CLASS B

(Pictures in this group may be considered offensive because they are suggestive in spots, vulgar, sophisticated or lacking in modesty, but although they are unsuitable for either children or adolescents they are not forbidden for adults.)

A

Ace of Aces—RKO
Adventure Girl—RKO
Against the Law—Columbia
Aggie Appleby—RKO
All Men Are Enemies—Fox
All Quiet on the Western Front—Universal
Along Came Sally—Gaumont-British
As the Earth Turns—Warner

B

Bachelor Bait—RKO
Bedside—First National
Before Morning—Independent (Greenblatt)
Beggars in Ermine—Monogram
Behold My Wife—Paramount
Belle of the Nineties—Paramount
Beyond the Law—Columbia
Black Cat, The—Universal
Black Moon—Columbia
Blind Date—Columbia
Blue Danube, The—Independent
Bowery, The—United Artists
British Agent—First National
Broadway Bill—Columbia
Broadway Through a Keyhole—United Art.
By Your Leave—RKO

C

Call It Luck—Fox
Captain Hates the Sea, The—Columbia
Case of the Howling Dog, The—Warner Bros.
Cat and the Fiddle, The—MGM
Chained—MGM
Channel Crossing—Gaumont
Cheating Cheaters—Universal
Church Mouse—Warner Bros.
City Park—Chesterfield
Cleopatra—Paramount
Cockeyed Cavaliers—RKO
Come on Marines—Paramount
Congress Dances—United Artists
Constant Nymph, The—Fox
Constant Woman, The—Independent
Countess of Monte Cristo—Universal
Courage of the North—Independent
Crime Doctor, The—RKO
Crime of Helen Stanley, The—Columbia
Crime Without Passion—Paramount
Crosby Case, The—Universal
Cross Streets—Independent

D

Dames—Warner Bros.
Dance, Girl, Dance—Independent
Dancing Lady—MGM
Dangerous Corners—RKO
Das Schoene Adventure (The Beautiful Adventure)—German
Death on the Diamond—MGM
Defense Rests, The—Columbia
Desirable—Warner Bros.
Devil's Brother, The—MGM
Doctor Bull—Fox
Double Door—Paramount
Down to Their Last Yacht—RKO
Dragon Murder Case, The—First National

E

Elinor Norton—Fox
Enter Madame—Paramount
Evelyn Prentice—MGM

F

Faithful Heart, The—Independent
Fifteen Wives—Invincible
Fighting for Love—Independent
Fighting Rookie, The—Mayfair
Flesh—MGM
Flying Down to Rio—RKO
Footlight Parade—Warner Bros.
Forsaking All Others—MGM
Fountain, The—RKO
Friday the Thirteenth—Gaumont British
Friends of Mr. Sweeney—Warner
Fugitive Lady—Columbia
Fugitive Road—Invincible

Gallant Lady—United Artists
Gambling—Fox
Gambling Lady—Warner Bros.
Gay Divorcee, The—RKO
George White's Scandals—Fox
Girl in Danger—Columbia
Girl Without a Room—Paramount
Going Hollywood—MGM
Grand Canary—Fox
Great Flirtation, The—Paramount
Green Eyes—Independent
Gridiron Flashes—Independent
Guns for Hire—Independent

H

Half a Sinner—Universal
Here Comes the Groom—Paramount
Here Comes the Navy—Warner Bros.
Hide-Out—MGM
Hollywood Hoodlum—Independent
Hollywood Party—MGM
Honorable Thief, The—Gaumont-British
House of Mystery—Monogram
House on 56th Street—Warner Bros.

I

I Am a Thief—Warner Bros.
I Believed in You—Fox
I Can't Escape—Security
I Hate Women—Goldsmith
If I Had a Million—Paramount
I Sell Anything—First National
It Happened One Night—Columbia
I've Got Your Number—Warner

J

Just for a Song—Independent

K

Kansas City Princess—Warner Bros.
Kara Slaken—Swedish
Key, The—Warner

L

Ladies Should Listen—Paramount
Lady by Choice—Columbia
Lady is Willing, The—Columbia
Laughing At Life—Independent
Let's Talk It Over—Universal
Let's Try Again—RKO
Line-Up, The—Columbia
Little Friend—Gaumont-British
Little Miss Marker—Paramount
Looking for Trouble—United Artists
Love Captive, The—Universal
Loyalties—Harold Auten

M

Man They Couldn't Arrest—British
Man With Two Faces, The—First National
Many Happy Returns—Paramount
Massacre—First National
Merry Frinks, The—First National
Merry Widow—MGM
Midnight Abili—First National
Midnight Mary—MGM
Million Dollar Ransom—Universal
Monte Carlo Nights—Monogram
Morning Glory—RKO
Murder at the Vanities—Paramount
Murder in Trinidad—Fox
Murder on the Blackboard—RKO

N

Name the Woman—Columbia
Ninth Guest, The—Columbia
None So Blind—Independent
No Other Woman—Independent
No Ransom—Judell
Notorious Sophie Lang, The—Paramount
Now I'll Tell—Fox

O

Once to Every Bachelor—Judell
Once to Every Woman—Columbia
One Exciting Adventure—Universal
One Hour Late—Paramount
One in a Million—Capitol
Outcast Lady—MGM

P

Painted Veil, The—MGM
Paris Interlude—MGM
Party's Over, The—Columbia
Penal Code, The—Independent
Personality Kid, The—Warner Bros.
Power—Gaumont-British
Private Life of Don Juan, The—United Art.
Private Scandal—Paramount
Pursued—Fox
Pursuit of Happiness—Paramount

R

Rafter Romance—RKO
Rawhide Mail—Independent
Ready for Love—Paramount
Red Head—Monogram
Red Morning—RKO
Return of the Terror—First National
Richest Girl in the World—RKO
Romance of Ida, The—Tobis
Ronny—Tobis

S

St. Louis Kid, The—Warner Bros.
Scarlet Letter, The—Majestic-Independent
Secret of the Chateau—Universal
She Loves Me Not—Paramount
Shoot the Works—Paramount
Sing and Like It—RKO
Song You Gave Me, The—Columbia
Stamboul Quest—MGM
Stand Up and Cheer—Fox
Stingaree—RKO
Straight Is the Way—MGM
Strictly Dynamite—RKO

T

Take the Stand—Liberty
Tarzan and His Mate—MGM
Terror of the Plains—Superior
Their Big Moment—RKO
There's Always Tomorrow—Universal
Thin Man, The—MGM
This Man is Mine—RKO
Three on a Honeymoon—Fox
Torch Singer—Paramount
Transatlantic Merry-Go-Round—United Art.
Twentieth Century—Columbia
Twenty Million Sweethearts—First National
20,000 Years in Sing-Sing—Warner
Twin Husbands—Invincible
Undercover Man—Paramount
Uptown New York—Independent

V

Vampire—Independent
Viva Villa—MGM

W

Walls of Gold—Fox
Way of the West—Capitol
We're Not Dressing—Paramount
Wednesday's Child—RKO
We Live Again—United Artists
When Ladies Meet—MGM
When Strangers Meet—Liberty
Where Sinners Meet—RKO
Whirlpool—Columbia
White Lies—Columbia
Within the Rock—Judell
Woman in Command—Gaumont
Woman in the Dark—RKO
Woman Unafraid—Independent
World Moves On, The—Fox

Y

You Made Me Love You—Independent

CLASS C

(Pictures in this group are considered immoral and indecent and entirely unfit for family patronage.)

A

Affairs of a Gentleman—Universal
Affairs of Cellini—United Artists
All of Me—Paramount
Ariane—Independent

B

Back Street—Universal
Born to Be Bad—United Artists

C

Catherine The Great—United Artists
Cynara—United Artists

D

Design for Living—Paramount
Dr. Monica—Warner

E

Enlighten Thy Daughter—Independent

F

Fighting Lady, The—Independent
Finishing School—RKO
Firebird—Warner Bros.
Fog Over Frisco—First National

G

Gay Bride, The—MGM
Girl From Missouri, The—MGM
Girls for Sale—Independent
Glamour—Universal
Good Dame—Paramount

H

Hat, Coat and Glove—RKO
Henry The Eighth—United Artists
He Was Her Man—Warner

I

I Have Lived—Chesterfield

J

Jimmy the Gent—Warner

K

Kiss and Make-Up—Paramount

L

Laughing Boy—MGM
Lazy River—MGM
Life of Vergie Winters, The—RKO
Limehouse Blues—Paramount
Little Man, What Now?—Universal

M
Madame DuBarry—Warner
Manhattan Melodrama—MGM
Men in White—MGM
Men of the Night—Columbia
Merry Wives of Reno—Warner
Modern Hero, A—Warner
Morals for Women—Independent

N
Nana—United Artists
Narcotic—Independent
Notorious But Nice—Chesterfield

O
Of Human Bondage—RKO
One More River—Universal

P
Picture Brides—Independent
Playthings of Desire—Independent
Private Life of Henry VIII, The—U. A.

Q
Queen Christina—MGM

R
Registered Nurse—First National
Riptide—MGM
Road to Ruin—Independent

S
Sadie McKee—MGM
Scarlet Empress, The—Paramount
Side Streets—First National
Sisters Under the Skin—Columbia
Smarty—Warner Bros.
Springtime for Henry—Fox
Such Women Are Dangerous—Fox

T
Tomorrow's Children—Independent
Trouble in Paradise—Paramount
Trumpet Blows, The—Paramount

U
Uncertain Lady—Universal
Unknown Blonde—Majestic
Upper World—Warner Bros.

V
Vergie Winters—RKO

W
Wharf Angel—Paramount
Wild Gold—Fox
Women in His Life, The—MGM

Y
Youth of Russia, The—Ind.

List of Classified Pictures

PREPARED BY

HARRISON'S REPORTS

The following list deals with almost all the feature pictures that were released by the major companies and with most that were released by independent producer-distributors during the year 1934 and during the early part of 1934, before the Legion of Decency was founded; it was prepared by HARRISON'S REPORTS for the convenience of such exhibitors as show pictures late, or of those who may desire to show a reissue.

The letters "A," "B," and "C" have the same meaning as that given to them by the Chicago Legion of Decency—"A" for family pictures; "B" for adults only; "C" for "scrapping" as being unsuitable for showing to anyone.

CLASS A

A
Adorable—Fox
Alice in Wonderland—Paramount
Are We Civilized—Independent
As Husbands Go—Fox
At the Crossroads—Columbia

B
Barbarian, The—MGM
Redtime Story, A—Paramount
Before Dawn—RKO
Below the Sea—Columbia
Be Mine Tonight—Universal-Gaumont
Best of Enemies, The—Fox
Big Cage, The—Universal
Big Executive—Paramount
Bitter Sweet—United Artists
Blarney Kiss, The—Independent
Blind Adventure—RKO
Breed of the Border—Monogram
Brief Moment—Columbia

C
Carnival Lady—Independent
Carolina—Fox
Chance at Heaven—RKO
Charlie Chan's Greatest Case—Fox
Charming Deceiver, The—Independent
Chief, The—MGM
Christopher Bean—MGM
Cohens and Kells in Trouble—Universal
College Coach—Warner Bros.
College Humor—Paramount
Counsellor At Law—Universal
Cradle Song—Paramount

D
Death Takes a Holiday—Paramount
Destination Unknown—Universal
Devil's Mate—Monogram
Diplomaniacs—RKO
Duck Soup—Paramount
Dude Bandit—Independent

E
Elmer the Great—First National
Emergency Call—RKO

F
Fires of Fate—Independent
Footsteps in the Night—Independent
Forgotten—Independent
42nd Street—Warner Bros.
F. P. I.—Fox, Gaumont
From Headquarters—Warner Bros.

G
Gabriel Over the White House—MGM
Ghoul, The—Gaumont-British
Golden Harvest—Paramount
Good Companions, The—Fox-Gaumont

H
Hallelujah, I'm a Bum—United Artists
Haunted Gold—Warner Bros.
Headline Shooter—RKO
Hell Below—MGM
Hello Everybody—Paramount
Her First Mate—Universal
Her Forgotten Past—Independent
Her Splendid Folly—Independent
High Gear—Independent
Hi Nellie—Warner Bros.
His Double Life—Paramount
Hold the Press—Columbia
Horse Play—Universal
Humanity—Fox

I
International House—Paramount
Iron Master, The—Independent

J
Jimmy and Sally—Fox
Jungle Bride—Monogram

K
Kennel Murder Case, The—Warner Bros.
Keyhole, The—Warner Bros.
King Kong—RKO
King of the Jungle—Paramount
King's Vacation, The—Warner Bros.

L
Let's Fall in Love—Columbia
Looking Forward—MGM
Love Birds—Universal
Love in Morocco—Gaumont
Lucky Devils—RKO
Lucky Dog—Universal

M
Mama Loves Papa—Paramount
Man Hunt—RKO
Man They Couldn't Arrest, The—Independent
Man Who Won, The—Independent
Master of Men—Columbia
Midshipman Jack—RKO
Moonlight and Pretzels—Universal
Mussolini Speaks—Columbia
My Lips Betray—Fox

N
Night and Day—Independent
Nuisance, The—MGM

O
Obey the Law—Columbia
Officer Thirteen—Independent
Oliver Twist—Monogram
One Sunday Afternoon—Paramount
Outsider, The—MGM

P
Paddy, The Next Best Thing—Fox
Peg O' My Heart—MGM
Phantom Broadcast—Monogram
Phantom Thunderbolt—KBS Tiffany
Pilgrimage—Fox, Roadshow
Police Car 17—Columbia
Professional Sweetheart—RKO

R
Rainbow Over Broadway—Independent
Rebel, The—Universal
Return of Casey Jones, The—Monogram

S
Samarang—United Artists
Scarlet River—RKO
Secret Sinners—Independent
Secrets of Wu Sin, The—Independent
Shanghai Madness—Fox
Silent Man—Columbia
Silk Express, The—Warner Bros.
Silver Cord, The—RKO
Sitting Pretty—Paramount
Sixteen Fathoms Deep—Monogram
Sleepless Nights—Independent
Smoke Lightning—Fox
Smoky—Fox
Soldiers of the Storm—Columbia
Somewhere in Sonora—Warner Bros.
Son-Daughter—MGM
Son of Kong, The—RKO
Son of a Sailor—First National
Song of Youth, The—Independent
Spitfire—RKO
State Trooper—Columbia
Strange People—Independent
Strangers Return—MGM
Study in Scarlet, A—KBS Tiffany
Sunset Pass—Paramount
Sweetheart of Sigma Chi—Monogram

T
Tarzen the Fearless—Independent
Terror Trail—Universal
This Is America—Independent
This Side of Heaven—MGM
Three Cornered Moon—Paramount
Thrill Hunter—Columbia
Tillie and Gus—Paramount
Tomorrow At Seven—RKO
Trailing North—Monogram
Treason—Columbia
Trick for Trick—Fox
Tugboat Annie—MGM

U
Under the Tonto Rim—Paramount

V
Voltaire—Warner Bros.

W
When Strangers Marry—Columbia
Workingman, The—Warner Bros.

Y
You Can't Buy Everything—MGM

Z
Zoo in Budapest—Fox

CLASS B

A
Above the Clouds—Columbia
Advice to the Lovelorn—United Artists
After Tonight—RKO
Air Hostess—Columbia
Alimony Madness—Independent
Ann Carver's Profession—Columbia
Another Language—MGM
Arizona To Broadway—Fox
Avenger, The—Monogram

B
Before Midnight—Columbia
Before Morning—Independent
Big Chance, The—Independent
Big Drive, The—Independent
Big Time or Bust—Paramount
Billion Dollar Scandal, The—Paramount
Bitter Tea of General Yen, The—Columbia
Bolero—Paramount
Bombshell—MGM
Bondage—Fox
Broadway Bad—Fox
Broadway to Hollywood—MGM
Broken Dreams—Monogram
Bureau of Missing Persons—First National
By Candlelight—Universal

C
Captured—Warner Bros.
Central Airport—First National
Cheaters—Independent
Cheating Blondes—Independent
Christopher Strong—RKO
Circus Queen Murder, The—Columbia
Clear All Wires—MGM
Constant Woman, The—KBS Tiffany
Corruption—Independent
Crime of the Century—Paramount
Criminal At Large—Independent

D
Dance Hall Hostess—Independent
Dangerously Yours—Fox
Dark Hazard, The—First National
Death Kiss—KBS Tiffany
Deluge, The—RKO
Devil's in Love, The—Fox
Devil Tiger—Fox
Dinner At Eight—MGM
Disgraced—Paramount
Don't Bet On Love—Universal

E
Eagle and the Hawk, The—Paramount
East of Fifth Avenue—Columbia
Easy Millions—Independent

F
Face in the Sky—Fox
Faithful Heart, The—Independent
Fashions of 1934—First National
Fast Workers—MGM
Flaming Gold—RKO
Flying Devils—RKO
Fog—Columbia
Forgotten Men—Independent
Four Frightened People—Paramount
From Hell to Heaven—Paramount
Frontier Marshall—Fox
Fugitive Lovers—MGM
Fury of the Jungle—Columbia

G
Gambling Ship—Paramount
Gigolettes of Paris—Independent
Girl in 419—Paramount
Girl Missing—Warner Bros.
Goldie Gets Along—RKO
Goldiggers of 1933—Warner Bros.
Goodbye Love—RKO
Grand Slam—First National
Great Jasper, The—RKO

H
Hard to Handle—Warner Bros.
Havana Widows—First National
He Couldn't Take It—Monogram
Her Bodyguard—Paramount
Heroes for Sale—First National
Her Resale Value—Independent
Hips Hips Hooray—RKO
His Private Secretary—Independent
Hold Me Tight—Fox
Hold That Girl—Fox
Hoopla—Fox
Hot Pepper—Fox

I
I Cover the Waterfront—United Artists
If I Were Free—RKO
I Have Lived—Independent
I Like It That Way—Universal
I Love A Woman—First National
I Loved You Wednesday—Fox
Important Witness, The—Independent
India Speaks—RKO
Invisible Man—Universal
It's Great to Be Alive—Fox
I've Got Your Number—Warner Bros.
I Was a Spy—Fox-Gaumont

K
King for a Night—Universal
Kiss Before the Mirror—Universal

L
Ladies Must Love—Universal
Ladies They Talk About—Warner Bros.
Lady's Profession, A—Paramount
Let's Be Ritzy—Universal
Life of Jimmy Dolan—Warner Bros.
Love, Honor and Oh! Baby—Universal
Love Is Like That—Independent
Lone Cowboy—Paramount

M
Madame Spy—Universal
Made on Broadway—MGM
Mad Game, The—Fox

Man of Two Worlds—RKO
Man Who Dared, The—Fox
Mary Stevens, M.D.—Warner Bros.
Masquerader, The—United Artists
Mayor of Hell—Warner Bros.
Meet the Baron—MGM
Melody Cruise—RKO
Men Must Fight—MGM
Midnight—Universal
Midnight Club—Paramount
Mind Reader, The—First National
Miss Fane's Baby Is Stolen—Paramount
Morning Glory—RKO
Moulin Rouge—United Artists
Mr. Broadway—Independent
Mummy, The—Universal
Murders in the Zoo—Paramount
Myrt and Marge—Universal
Mystery Liner—Monogram
Mystery of the Wax Museum, The—Warner
My Weakness—Fox
My Woman—Columbia

N
Nagana—Universal
Narrow Corner—Warner Bros.
Night Flight—MGM
Night of Terror—Columbia
No Man of Her Own—Paramount
No Marriage Ties—RKO
No More Women—Paramount
No Other Woman—RKO

O
Olsen's Big Moment—Fox
One Man's Journey—RKO
One Year Later—Independent
Only Yesterday—Universal
Orient Express—Fox
Out All Night—Universal

P
Palooka—United Artists
Parachute Jumper—Warner Bros.
Parole Girl—Columbia
Past of Mary Holmes, The—RKO
Penthouse—MGM
Pick Up—Paramount
Police Call—Independent
Power and the Glory, The—Fox
Private Detective 62—Warner Bros.
Private Jones—Universal
Prizefighter and the Lady, The—MGM

R
Reform Girl—Independent
Right to Romance, The—RKO
Rome Express—Universal

S
Sailor's Luck—Fox
Saturday's Millions—Universal
Search For Beauty—Paramount
Secrets—United Artists
Second Hand Wife—Fox
Sensation Hunters—Monogram
Shadows of Sing Sing—Columbia
Should Ladies Behave—MGM
Shriek in the Night, A—Independent
Sing Sinner Sing—Independent
Skyway—Monogram
Sleepers East—Fox
Solitaire Man—MGM
Sons of the Desert—MGM
Song of the Eagle—Paramount
Son of the Border—RKO
S.O.S. Iceberg—Universal
Sphinx, The—Monogram
Stage Mother—MGM
Storm at Daybreak—MGM
Strange Adventure—Monogram
Sucker Money—Independent
Supernatural—Paramount
Sweepings—RKO

T
Take a Chance—Paramount
There Goes the Bride—Independent
They Just Had to Get Married—Universal
This Day and Age—Paramount
Thunder Over Mexico—Independent
Tonight Is Ours—Paramount
Too Much Harmony—Paramount
Topaze—RKO
Torch Singer—Paramount
To the Last Man—Paramount
Turn Back the Clock—MGM
20,000 Years in Sing Sing—First National

V
Vampire Bat, The—Independent

W
Warrior's Husband, The—Fox
Way to Love, The—Paramount
West of Singapore—Monogram
What! No Beer?—MGM
What Price Decency—Independent
When Ladies Meet—MGM
Whistling in the Dark—MGM
Wild Boys of the Road—First National
Wives Beware—Independent
Woman Accused, The—Paramount
Woman I Stole, The—Columbia
Woman's Man, A—Monogram
Women Won't Tell—Independent
World Changes, The—First National
World Gone Mad, The—Majestic

CLASS C

A
After the Ball—Fox-Gaumont
All Of Me—Paramount
Ann Vickers—RKO

B
Baby Face—Warner Bros.
Beauty for Sale—MGM
Bed of Roses—RKO
Big Brain, The—RKO
Big Shakedown, The—First National
Blondie Johnson—First National
Blood Money—United Artists
Bombay Mail—Universal

C
Child of Manhattan—Columbia
Cocktail Hour—Columbia
Coming Out Party—Fox
Convention City—First National
Cross Country Cruise—Universal
Curtain at Eight—Independent

D
Daring Daughters—Independent
Day of Reckoning—MGM
Double Harness—RKO

E
Easy To Love—Warner Bros.
Eight Girls in a Boat—Paramount
Employee's Entrance—First National
Eskimo—MGM
Ex-Lady—Warner Bros.

F
Female—First National
Frisco Jenny—First National

G
Goodbye Again—First National

H
Heat Lightning—Warner Bros.
Hello Sister—Fox
Hold Your Man—MGM
Hotel Variety—Independent

I
I Love That Man—Paramount
I'm No Angel—Paramount
Infernal Machine—Fox
Island of Lost Souls—Paramount

J
Jennie Gerhardt—Paramount
Journal of a Crime—First National

L
Lady Killer—Warner Bros.
Laughter In Hell—Universal
Lilly Turner—First National
Little Giant, The—First National
Long Lost Father—RKO
Luxury Liner—Paramount

M
M—Independent
Mandalay—First National
Man's Castle—Columbia

N
Neighbor's Wives—Independent

O
Our Betters—RKO

P
Perfect Understanding—United Artists
Picture Snatcher—Warner Bros.
Pleasure Cruise—Fox

R
Reunion in Vienna—MGM

S
Sailor Be Good—RKO
Secret of Madame Blanche, The—MGM
She Done Him Wrong—Paramount
She Had to Say Yes—First National
She Made Her Bed—Paramount
Sin of Nora Moran—United Artists
Social Register—Columbia
Song of Songs—Paramount
So This Is Africa—Columbia
State Fair—Fox
Story of Temple Drake, The—Paramount
Strictly Personal—Paramount
Success At Any Price—RKO

T
Terror Aboard—Paramount
Today We Live—MGM
Two Alone—RKO

W
What Price Innocence—Columbia
White Woman—Paramount
Wine, Women and Song—Independent
Wonder Bar—First National
Worst Woman in Paris, The—Fox
Wrecker, The—Columbia

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