

Famous Stage Play at Elsinore

'BIRD OF PARADISE' NEXT AT ELSINORE

Author won Famous Suit, But Lost his Fortune In Court Battles

What "Variety" called one of the longest and bitterest court battles in the history of the stage, was ended March 26, 1930, when the New York Court of Appeals upheld Richard Walton Tully's claim to authorship of "Bird of Paradise." But if Richard Walton Tully had handed over \$600,000 to Mrs. Grace A. Fendler, author of "In Hallowell," the day she first brought her famous plagiarism suit, he could no more completely have wiped out his fortune, for his victory found him with only one cent of his fortune spent either directly in fighting the suit, or in settling outside obligations which were pressed because creditors, as Mr. Tully said, "wanted to get it while he still had it."

The long campaign in defense of "The Bird" as the author, which it was enough to have shaken the courage of Mr. Tully and his co-defendant, Oliver Morosco, who first produced the play in New York in 1911. However, in the end Mr. Tully found himself fully vindicated in the verdict of the Appellate Court that "no material part of plaintiff's literary property has been appropriated. Neither in substance nor in embellishment is there any resemblance between the two plays. Details must be viewed in the setting; then resemblance vanishes. . . . The judgment should be reversed (Mrs. Fendler had won in the lower court) and the complaint dismissed, with costs in all courts." Now Mr. Tully's title to "Bird of Paradise" was clear—and he was broke.

Forever Timely By that time "The Bird," despite its being an "undated" play in that its story was and is now as timely as when it was produced, no longer appeared in road shows. For fourteen years "Bird of Paradise" was in no manner less familiar to out of town theatregoers than "Uncle Tom's Cabin." It played all over the country down to the smallest theatres, but to the largest audiences. Of these audiences, theatre managers have said to Mr. Tully: "I don't know these people. They aren't part of my regular crowd." But so far as big money was concerned in 1930, the saturation point had been reached. "The Bird" continued to be played in stock, and even has been played by stock companies this year. But the days when a road company could be certain of thirty weeks' booking with "The Bird" had passed. The road was dead to just about every kind of "legitimate" production.

Outlook Gloomy At this point with his earnings consumed by litigation, it was no bright outlook for a man past 50 years old. He had worked as a theatre usher at the age of 13, struggled through freshman and sophomore years at the University of California with little money, worked with the late David Belasco to acquire the technique of playwriting and production, and then, at the age of 33 saw the play he had been planning since college days turn out to be an international hit and now had nothing to show for it.

Turn of the Tide "Well, there I was," Mr. Tully said recently, "with nothing but debts. Even when I did make some money here and there, I was so deeply in debt that it was a case of endorsing the checks and turning them over to my creditors."

But the motion picture — that very medium which had helped to terminate the towns of "Bird of Paradise" and most other legitimate productions—also has come to the help of Mr. Tully, who is now 55 years old, to get back on his feet financially. The cinema—or, to be specific, RKO Radio — purchased the talking picture rights to "The Bird," and things look differently for Mr. Tully's masterpiece. The screen version of "Bird of Paradise" will reach its vast waiting audiences, at once, Dolores Del Rio and Joel McCrea are the featured players, and King Vidor gave the picture lavish, spectacular production. It will be seen in this city for the first time at the Elsinore theatre.

The Call Board . .

By OLIVE M. DOAK

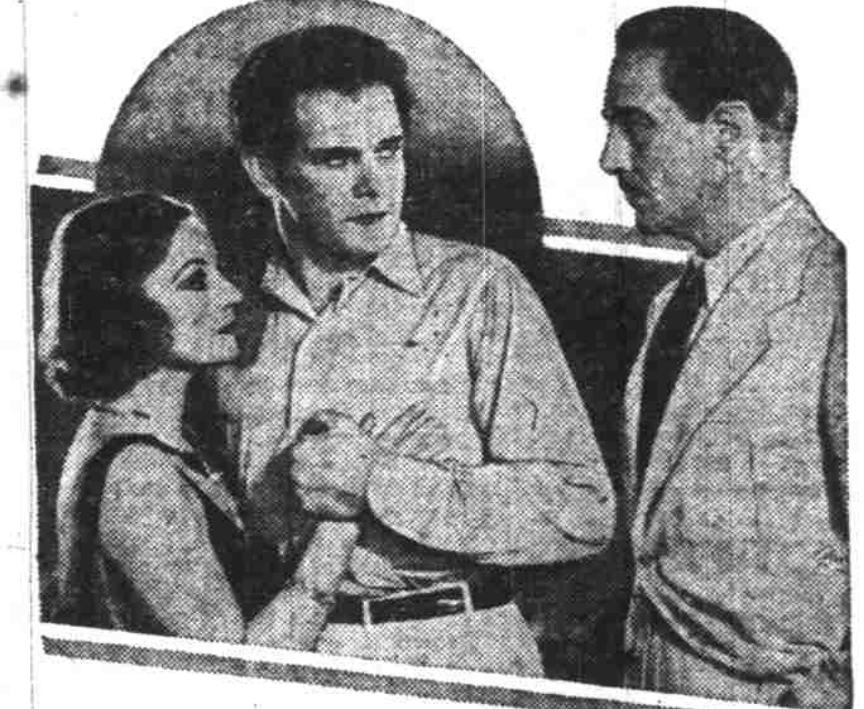
- WARNER BROS. ELSINORE Today—Dolores Del Rio in "Bird of Paradise."
- Wednesday—Helen Twelvetrees in "Unhatched."
- Friday—Buster Keaton in "Speak Easily."
- THE GRAND Today—Elissa Landi, Warner Oland in "A Passport to Hell."
- Wednesday—Edna May Oliver in "Ladies of the Jury."
- Friday—Tim McCoy in "The Texas Cyclone."
- THE HOLLYWOOD Today—Spencer Tracy in "Sky Devils."
- Wednesday—Tallulah Bankhead in "Thunder Below."
- Friday—Hoot Gibson in "A Man's Land."



Joel McCrea and Dolores Del Rio in the much discussed screen play "Bird of Paradise" now showing at the Elsinore.



Warner Oland, as a colonel in the German army, and Elissa Landi in a scene from "A Passport to Hell" feature now at the Grand.



Tallulah Bankhead, Charles Bickford and Paul Lukas in a scene from the tropic romance, "Thunder Below" now showing at the Hollywood.

Texas Family Comes To Live in Hubbard

HUBBARD, Oct. 1. — Coming from Texas with their family of five children, two boys and three girls, Mr. and Mrs. R. G. Hendry have bought the farm of Frank Taperia west of Hubbard. Three of the children are of high school age, one being a post graduate, one in the sixth grade and little Evelyn, 4, at home.

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Home of 25c Talks
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PET AND COSTUME PARADE SATURDAY

Statesman, Warner Bros. Elsinore Cooperating For Great Event

Saturday will be a big day in the life of more than one child in Salem and there will be many grown persons who will recall the incidents of that morning long after many a memory has faded with the years.

The event in particular is the Warner Bros.-Oregon Statesman annual "Pet-costume-parade" in which will appear any boy or girl who has a pet or a costume or perhaps a decorated bicycle, who cares to enter. The parade starts from The Oregon Statesman office at 9:30 Saturday morning and marches to the court house grounds where the judges will be waiting to judge the entries.

There will be many prizes, and they will be given for: the best all around dog; biggest dog; smallest pet, other than dog; best decorated bicycle; quaintest dressed pet; best trained pet; best all-around pet; cat with longest hair; best boy costume; best girl costume; and most beautiful cat.

There will not be prizes for everyone who comes into the parade but there will be some candy for each boy or girl who marches in the parade due to the interest taken in the event by Mr. Udgard of the Metropolitan Chain store.

The parade will be led by the American Legion Cadet band, followed by policemen on motorcycles, and Mayor Gregory who will be guest of honor.

'PASSPORT TO HELL' SHOWING AT GRAND

Jack Dempsey probably will recall one of the most severe pocketbook punches he ever took when he sees "A Passport to Hell." Elissa Landi's forthcoming Fox Film production, soon to be seen at the Grand theatre.

The real name of the "Barbarossa," the long and rakish African coast steamer that plays an important part in the picture, is the "Playa Ensenada" and once was owned by Dempsey. The craft has an interesting history. During the war it was a mystery ship and was used for hunting down enemy submarines. More recently it became the property of the former heavyweight champion when he dreamed of wealth and built a pretentious resort in Ensenada, Mexico, that promised to rival the famed Agua Caliente.

Dempsey fitted the "Playa Ensenada" with luxurious state-rooms, a palatial main salon, a bar and an ornate dining room in addition to other comforts, while his resort was being built and landscaped. Finally the boat was ready to make her first trip from Los Angeles harbor to the Mexican El Dorado. Much money had been spent in advertising and it looked like a big opening, but the ship sailed with just two passengers and a crew of 50. This was the beginning and end of Dempsey's dream.

Much of the action of the picture takes place on this ship which still bears evidence of the ex-champion's prodigal hand.

'SKY DEVILS' NEXT HOLLYWOOD SHOW

Laughs and thrills in plenty are provided in Howard Hughes' latest film offering, "Sky Devils." For sheer entertainment value, this mile-a-minute movie of fighting and flying fools unquestionably tops them all.

Action, romance, comedy and spectacle, all combined in one story—that is "Sky Devils," which opened to an enthusiastic audience yesterday at the Hollywood theatre.

"Sky Devils" contains some of the most spectacular air scenes shown on the screen since "Hell's Angels", and its comedy is reminiscent of Producer Hughes' first great laugh-hit, "Two Arabian Knights."

The story of "Sky Devils" is based on the adventures of three American flyers during the World War, played by Spencer Tracy, William Boyd and George Cooper, with abundant heart-interest supplied by Ann Dvorak.

The American air-men get into the flying service accidentally, and of course humorously, and their experience in training camps and in air battles over the Western Front, including a run-in with Von Richthofen's flying circus, are as exciting as they are funny.

There is never a dull moment in this thrilling comedy of the air. When you are not laughing uproariously, you are tense with excitement as the film winds on the screen at a breathless tempo.

Here is one picture which is unqualifiedly recommended for everyone who patronizes pictures—it is equally enjoyed by children and grown-ups—and by both sexes.

Tooth Lost as Ball Hits Boy in Mouth

VALSETZ, Oct. 1. — Raymond Dodson suffered a broken tooth last week while playing baseball. He was hit by a pitched ball.

Donald Danno, son of Ames Danno, was rushed to Salem Wednesday morning to Willamette sanitarium where he underwent an operation for appendicitis.

GIRLS' BALL PRACTICE ON

JEFFERSON, Oct. 1. — The high school girls have been practicing volleyball, and Miss Durfee has been instructing the girls in fold-dancing. The boys have been spending their noons and athletic periods in playing football.

LEGION HEADS



Louis A. Johnson (left) new National Commander of the American Legion, is shown as he was congratulated by his predecessor, Henry L. Stevens, Jr. Johnson was chosen on the first ballot at the Legion convention in Portland, Ore. from a field of many candidates. His home is in Clarksburg, W. Va.

Filbert Pickers' 1st Call Comes

First call for filbert pickers was sent in to the U. S.-Y. M. C. A. employment bureau on Friday. Assistant Manager Johnson sent out nine pickers. With jobs scarce only two others were placed during the day, both at common labor.

GETS 800-POUND BRUIN

VALSETZ, Oct. 1.—Lester Brooks killed a large black bear last week weighing 800 pounds. This was the first one to be killed in camp and was killed on the Camp Six bridge, about half way from here.

MISS BUSCH HOME

KINGWOOD, Oct. 1.—Miss Mamie Busch came home Wednesday from a Salem hospital where she underwent an appendicitis operation over a week ago. She is convalescing satisfactorily.

Roast Turkey on the Special
50c Dinner
The SPA

9 OF 10 HUNTERS RETURN WITH DEER

TURNER, Oct. 1.—Among the local deer hunters who have returned from trips to different parts of the state are A. G. Greenlee and son, Frank Williams, E. H. and L. C. Ball and Elton Ball, Hugh Webb, M. O. Pearson and sons William and Mervin who with but one exception brought home a liberal supply of venison. Turner Jersey herds which are being exhibited at the state fair, are owned by W. T. Riches and sons S. A. and Wallace, L. D. Roberts, and J. R. Davis. Members of the 4-H club receiving awards at the state fair, are Vernal Denhem, first in handicraft division 1, Margaret Schifferer and LaVerna Whitehead judging team in second year sewing, received third place.

ceived third place.

Baxter Fletcher of North Carolina is a guest at the home of his relatives Mr. and Mrs. Carl Williams. He hopes to arrange to stay in Oregon.

Lee Turner, while practicing target shooting with playmates, shot himself through the foot.

Cottage Grove Folks Guests at Zena Home

ZENA, Oct. 1. — Mr. and Mrs. M. Holdredge of Cottage Grove arrived here Monday night and were guests at the home of Mr. and Mrs. Clarence Merrick until Thursday when they went to Portland to make a visit at the homes of Mr. and Mrs. T. L. Burbee and Mr. and Mrs. Holdredge. They are the parents of Mrs. Clarence Merrick, Mrs. T. L. Burbee and Mrs. Albert Manser.

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