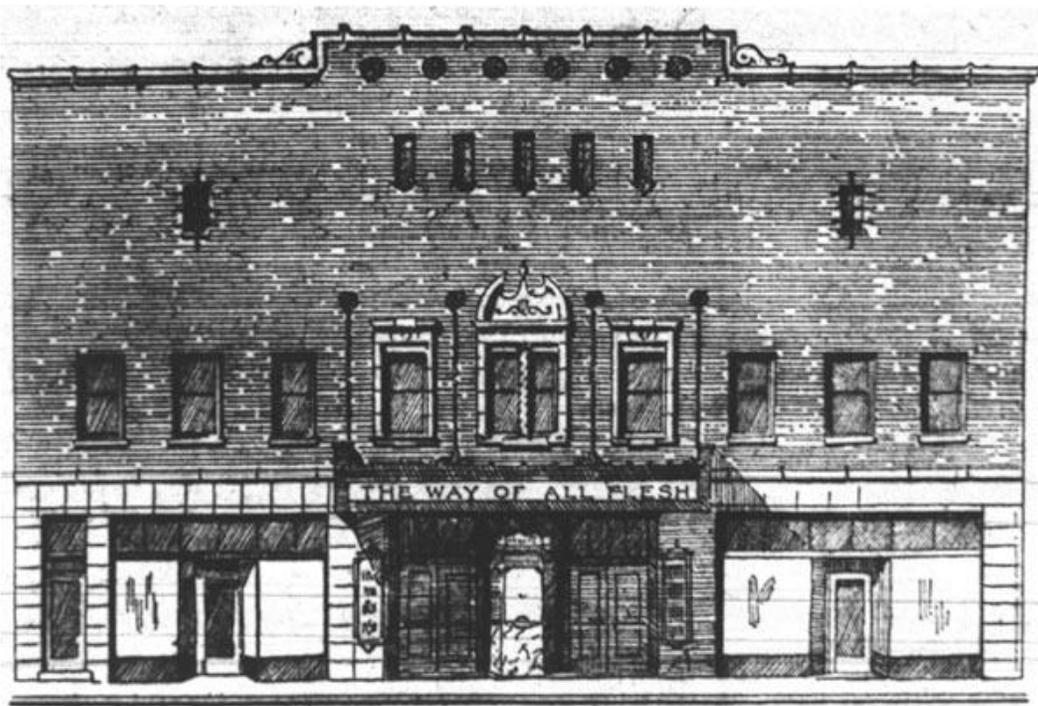


ON THIS DAY IN WEST VIRGINIA HISTORY DECEMBER 25



The Pocahontas Theater in Welch opened on December 25, 1928.

CSO: SS.8.4, SS.8.24, ELA.8.1

Investigate the Document: (McDowell County Circuit Court Case Files, 597:7713, 1931)

1. What is the date on this court case?
2. In what city and county is the case taking place?
3. Who is this court case between?
4. What is cited as the cause of this court case?

Think Critically: What do you think is meant by plaintiff and defendant? Who is stated to be the plaintiff and who is the defendant? Is the plaintiff pursuing the defendant for a given dollar amount? The last page of this court document lists the movies that failed to be shown by the theatre. Have you heard of any of these movies?

RKO DISTRIBUTING CORPORATION,
A CORPORATION

VS: MOTION FOR JUDGMENT

J. W. BLAKELY, TRADING AND
DOING BUSINESS AS POCAHONTAS
THEATRE, WELCH, WEST VIRGINIA

*Executed by delivering a true
office copy of the within
mons to the within named* *Notice & affidavit*

*J. W. Blakely Trading
and Doing Business as
Pocahontas Theatre, Welch,
West Virginia*

In McDowell County, W. Va.

this 17 day of February 19 31

Z Greenawald
Sherriff for W. J. Macfield, Sheriff McDowell Co., W. Va.

FRENCH, EASLEY & EASLEY
ATTORNEYS AT LAW
BLUEFIELD, W. VA.

TO J. W. BLAKELY, TRADING AND DOING BUSINESS AS POCAHONTAS
THEATRE, WELCH, WEST VIRGINIA:

COUNTY OF HAMILTON:

You are hereby notified that the undersigned, RKO Distributing Corporation, a corporation, will move the Circuit Court of McDowell County, West Virginia, on the first day of the March, 1931, term thereof, for a judgment against you for the sum of \$1099.61 and the costs of said motion; which said motion is based upon certain contracts entered into between you and the plaintiff, dated the 3rd day of February, 1930, for the exhibition of certain motion picture productions; that you refused to receive and exhibit certain of the motion pictures referred to in said contracts, a more particular list of which said motion pictures so refused by you is set forth in Schedule "A" attached hereto and made a part of this motion for judgment. That by reason of your failure to receive and exhibit the said pictures you became liable unto the plaintiff company under the said contracts for the respective amounts set forth opposite each picture listed in said Schedule "A"; that the total of the said amount due by you to the plaintiff as set forth in said Schedule "A" is \$1065.00, which said amount bears interest from the 24th day of August, 1930, which said date is the last date that the plaintiff could furnish to you any of the pictures so refused by you and set forth under the said Schedule "A", which said interest amounts to \$34.61, and that there is now due and owing to the plaintiff from you the sum of \$1099.61. That the original copies of the said contracts will be produced in open court at the trial of this motion.

At which time and place you may attend and show cause against such motion, if any you can.

Respectfully,
RKO DISTRIBUTING CORPORATION, A CORPN.
By Counsel

FRENCH, EASLEY & EASLEY
ATTORNEYS AT LAW
BLUEFIELD, W. VA.

French, Easley, Easley & French,
Attorneys for Plaintiff

STATE OF OHIO : ss
COUNTY OF HAMILTON:

This day personally appeared before the undersigned George P. Hardig, a Notary Public in and for the said County and State, H. J. Michalson, a credible person, who being by me first duly sworn did depose and say that he is the Cincinnati Branch Manager of RKO Distributing Corporation, a corporation, the plaintiff in a certain motion to be made against J. W. Blakely, trading and doing business as Pocahontas Theatre, Welch, West Virginia, on the first day of the March, 1931, term of the Circuit Court of McDowell County, West Virginia; that as such Branch Manager he is familiar with the contracts and accounts of the said corporation; that the said J. W. Blakely by reason of his failure to accept and exhibit the motion pictures listed under Schedule A attached to said notice of motion for judgment, became liable to the said plaintiff in the sum of \$1065.00, with interest thereon from the 24th day of August, 1930, to the date of this motion, to-wit, \$34.61, and that there is now due and owing to the plaintiff from the defendant the sum of \$1099.61, and which is the balance due after deducting all payments, credits and sets-off made by the defendant, or any one to his order, and to which the said RKO Distributing Corporation is entitled, the sum of \$1099.61.

H. J. Michalson

Taken, sworn to and subscribed before me, and given under my hand and official seal, this the 14 day of February, 1931.

George P. Hardig
Notary Public

My commission expires

GEORGE P. HARDIG
NOTARY PUBLIC, HAMILTON COUNTY, O.
My Commission Expires Feb. 28, 1933

OFFICE OF THE COMPTROLLER
STATE OF OHIO

THEATRE, WELCH, WEST VIRGINIA.

NAME	AVAILABLE DATE	DAYS CONTRACTED	RENTAL	SCORE FEE	DESCRIPTION
Beau Bandit	3-2-30	1	65.00	7.50	Featuring Rod LaRoque, Product 0207
Lovin' the Ladies	4-6-30	2	100.00	15.00	Featuring Richard Dix
Alias French Gerty	4-20-30	2	100.00	15.00	Featuring Bebe Daniels
Runaway Bride	5-4-30	1	50.00	7.50	Exhibitor bought tentative title Product 0504
He Knew Women	5-18-30	1	50.00	7.50	Exhibitor bought tentative title Product 0506
Midnight Mystery	6-1-30	1	65.00	7.50	Featuring Betty Compson Product 0206
Shooting Straight	7-20-30	2	100.00	15.00	Featuring Richard Dix
Conspiracy	8-3-30	1	50.00	7.50	Exhibitor bought tentative title Product 0508
Lawful Larceny	8-24-30	2	100.00	15.00	Featuring Bebe Daniels
Jazz Heaven	5-14-30	1	50.00	7.50	Product 0509
Side Street	5-29-30	1	65.00	7.50	Product 0202
Framed	7-30-30	1	50.00	7.50	Product 0502
4 McGuires Pictures at \$10.00	7-2-30		40.00		
4 Grammercy's Pictures at \$15.00	7-2-30		60.00		
Total			1,945.00	120.00	
			<u>120.00</u>		
Interest from Aug. 24, 1930.....			<u>34.61</u>		
			\$ 1,099.61		