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IN TWO SECTIONS—SECTION ONE

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 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.

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SATURDAY, JANUARY 3, 1948

No. 1

MPTOA "INDEPENDENTS" SEEK AMICUS CURIAE STATUS

The latest petition to the U. S. Supreme Court for *amicus curiae* status in the industry anti-trust case comes from the "independent theatre owner and operator members" of the Motion Picture Theatre Owners of America.

In the motion submitted to the Court, Herman M. Levy, the group's general counsel, states that the MPTOA has merged with another association (he does not mention that it was the ATA) but that its entity was specifically retained for the purpose of filing its brief as *amicus curiae*. He makes it clear that the MPTOA counts among its members several of the defendants in the case, but that they form no part of the petition or memorandum, have not been consulted in the matter, and will not contribute to the cost of the procedure. The application, he says, "concerns and speaks for only the independent theatre owner and operator members" of the MPTOA. He asks also for leave to be heard in oral argument.

In his brief, Mr. Levy opposes the lower court's competitive bidding plan, claiming that it will serve to increase film rentals and raise admission prices; requests that "arbitration, or its equivalent be included in the Final Decree as a form of relief," lest the industry be kept "entangled in litigation ad infinitum"; and maintains that his organization is not in favor of divorce since such a remedy will not cure existing evils but, on the contrary, will create a new set of them. He states that the elimination by injunction of the unlawful practices indulged in by the defendants will be sufficient to create free and open competition in the industry, provided the exhibitor is not compelled to buy his pictures under the decreed plan of competitive bidding.

There is much about the arguments and reasoning set forth in the brief that can be debated, particularly since it supposedly contains the point of view of the independent exhibitors, but let us not concern ourselves with these for the present. Let us, instead, take up the status of the petitioners.

As most of you no doubt know, the independent exhibitor members of the MPTOA, before its merger with the ATA, which merger resulted in the present TOA, comprised a mere handful as compared with the overwhelming number of affiliated theatre members that dominated the organization. Just how many independent exhibitors are included in the group petitioning the Supreme Court is not stated by Mr. Levy in the motion, but this paper doubts if the combined dues they paid to the MPTOA were enough to pay

even the postage costs incurred by the organization in any one year of operation.

Aside from how many independent exhibitors make up this group, the fact remains that most, if not all, of them, are now members of the TOA, which organization is comprised chiefly of theatres affiliated with several of the defendants in the case. Their stand against theatre divorce is, therefore, not difficult to understand.

Whether or not the Supreme Court will grant this group status as *amicus curiae* remains to be seen, but assuming that such permission will be granted you may be sure that the Court, either through Government counsel, or Mr. Abram F. Myers, counsel for the CIEA, which has a combined membership of upwards of four thousand independent theatres, will be fully apprised of the group's "tie-up" with several of the defendants, and will undoubtedly bear their status in mind in any consideration of their objections.

ARE THE COLUMBIA EXECUTIVES "KIDDING"?—AND WHOM?

Part of the appeal brief that has been submitted to the U. S. Supreme Court by Columbia reads as follows:

"The appellants claimed below that 'block-booking,' as the term is known in the motion picture industry, is nothing more or less than licensing all or part of a season's product of motion pictures in advance; and that the testimony on the trial showed clearly that there was no 'tying-in' of pictures or conditioning the licensing of one picture upon the licensing of another picture or another group of pictures; that the Government had signally failed to prove any such 'tying-in' or conditioning, although a producer and distributor of motion pictures had as much right to sell all or part of his season's product in advance as a manufacturer of shoes or soap; that, economically, it was necessary to the appellants' existence to operate in that manner. . . ."

Notice the point: "there was no 'tying-in' of pictures, or conditioning the licensing of one picture upon the licensing of another picture. . . ."

Come to think of it, Columbia is right, for what they were doing before the Court's decision was to sell a group of pictures to the exhibitors and, when the time came to deliver them, they kept the best pictures back to sell them the following season for more money, in a "tie-in" with a new group of pictures; and if a particular picture turned out to be exceptionally good they either kept on postponing its release, hold-

(Continued on last page)

**"A Double Life" with Ronald Colman,
Signe Hasso and Edmond O'Brien**
(Univ.-Int'l., no rel. date set; time, 103 min.)

A drama of great dramatic power. It proves at least two theories—that the screen can match the stage when it comes to dramatic acting, and that Ronald Colman is an artist of the top rank. There is a popular saying that the line dividing genius and insanity is very thin; Mr. Colman, by his skillful performance, almost proves it, so realistic is he as a famous Broadway actor who becomes so obsessed with the role of Othello that he reverts to it outside the stage. His work is so outstanding that it tends to overshadow completely the competent performances of the other players in the cast. From the point of production, direction and acting, it is a first-rate job, and being a picture of great dramatic power it will surely be a contender for the Academy Award. It is not a picture for children, but adult picture-goers will remember it long after other pictures have faded away from their memories:—

A mediocrity at playing comedy roles on the stage with his wife (Signe Hasso), Colman, when given the role of Othello, determines to conquer his inferiority complex and make himself worthy of the part. He studies constantly, living the part even in life so as to make the stage characterization outstanding. He is acclaimed as a great actor after opening night and, from then on, he becomes so obsessed with the role that, in the scene where he is supposed to smother Desdemona with kisses and then choke her, he almost kills Signe. Colman strikes up an acquaintanceship with Shelley Winters, a flirtatious waitress, who thinks him a little crazy because of his inability to dissociate himself with the Othello character, but that does not stop her from making amorous advances. At the end of the first year of the play, Signe arranges for a celebration, but it is a flop because Colman, though divorced from Signe, cannot help feeling jealous over her innocent friendship with Edmond O'Brien, the show's press agent; they quarrel. In a daze, he wanders over to Shelley's apartment and begins acting his stage role. He takes Shelley in his arms and, imagining her to be Desdemona, chokes her to death. The body is discovered on the following day, and the police label the murder a crime of unusual passion. An enterprising reporter compares the murder with that of Desdemona. Frenzied when he reads the story in the newspapers, Colman attempts to choke O'Brien for having allowed it to be printed. The incident makes O'Brien suspicious and, with the aid of a woman engaged to impersonate Shelley, he convinces the police that Colman was the murderer. Realizing that the "jig is up," Colman, during his next performance, commits suicide by thrusting the dagger into his breast in reality.

The picture was produced by Michael Kanin, and was directed by George Cukor, from a story and screen play by Ruth Gordon and Garson Kanin. The cast includes Ray Collins, Joe Sawyer and others.

**"I Love Trouble" with Franchot Tone,
Janet Blair and Glenda Farrell**
(Columbia, January; time, 96 min.)

A fairly good program picture, handicapped by a story that is highly complicated and frequently confusing. But since it is swift-moving it manages to keep one's interest alive to the end. It is a murder-detective story, offering little in the way of novelty, and it is not much different from hundreds of other such pictures

produced to this day. Moreover, there is nothing lofty about the proceedings. As the private detective, Franchot Tone takes a sympathetic part, but he fails to arouse any sympathy because he moves in and out of the different situations with an ease that would not be natural in real life. The manner in which he works his way out of predicaments taxes one's credulity to the limit. There is nothing extraordinary about the acting, but the photography is very fine.

The plot has so many complications that a detailed synopsis is practically impossible. Briefly, however, it centers around Tone, who is engaged by wealthy and ambitious Tom Powers to investigate the past of his wife, Lynn Merrick, because of mysterious notes he had been receiving about her, indicating attempts at blackmail. Tone's investigation leads him to Portland, where he learns that Lynn had worked as a dancer for Steven Geray, a night-club owner, and that she had gone to Los Angeles with Sid Tomack, an entertainer, where she had become a student at UCLA, after assuming the name of "Janie Joy," a friend. Geray resorts to force in an unsuccessful attempt to make Tone drop the investigation. Tone communicates with Tomack and makes a deal for more information about Lynn, but Tomack is murdered before he can talk. Janet Blair, who claimed to be "Janie Joy's" sister, whom she had not seen for six years, visits Tone and requests his help to locate her. Tone becomes confused when Janet, after being shown Lynn's photograph, informs him that she is not her sister. He becomes even more confused when Donald Curtis, a chauffeur employed by Eduardo Cianelli and his wife, Janis Carter, offers him a bribe to drop the investigation and his employers disclaim any complicity in the offer. Lynn is eventually murdered and an attempt is made to frame Tone for the crime, but he escapes from the police with the aid of Glenda Farrell, his secretary. After several other incidents Tone learns from Geray that Miss Carter is the real "Janie Joy," and that Lynn had been married to him. She had absconded with \$40,000 of his money and, as a disguise, had assumed Miss Carter's name before her marriage to Powers. Piecing together the different clues he had gathered, Tone proves that Powers had committed the murders, and that he had hired him to investigate his wife in an effort to frighten her into leaving him, finally killing her to protect his career. Tone, now in love with Janet, asks her to marry him.

Roy Huggins wrote the screen play from his own novel, and S. Sylvan Simon produced and directed it. Adult entertainment.

"Glamour Girl" with Virginia Grey
(Columbia, January 16; time, 67 min.)

If the blaring swing music played by Gene Krupa and his band, and if a few ordinary songs sung by Jack Leonard, a crooner, are enough to satisfy your patrons, this low-budget musical may get by as a supporting feature. Otherwise it is a pretty feeble picture of its type, weighted down by a thin and obvious plot, which doesn't give the players much of a chance. The film introduces a newcomer, Susan Reed, a singer of American and Irish folk songs. She lacks experience as an actress, and is not exactly a glamorous type, but she has a pleasant enough voice and the songs she sings will probably be appreciated more in small-town and rural communities than in large cities:—

Pierre Watkin, head of a recording company, sends Virginia Grey, his talent scout, to Memphis to

sign up a singing trio. When her plane makes a forced landing in the backwoods of Tennessee, Virginia spends the night at a farm house, where she hears Susan sing folk songs and play the zither. Deciding that the girl would be a sensation on records, Virginia forgets about the trio and heads back to New York with Susan. Watkin, furious because Virginia had not carried out his orders, dismisses her and refuses to hear Susan sing. Michael Duane and Jimmy Lloyd quit Watkin because of his treatment of Virginia and all three form a record company of their own. Needing a "big name" for their initial record, Virginia induces Jack Leonard, her ex-husband, to arrange for Susan to sing in a night-club where he and Gene Krupa were starred. She proves to be a sensation, and it all ends with Virginia and Leonard becoming reconciled, while Susan and Duane fall in love.

M. Coates Webster and Lee Gold wrote the screen play, Sam Katzman produced it, and Arthur Driefuss directed it. Unobjectionable morally.

**"Secret Beyond the Door" with
Joan Bennett and Michael Redgrave**

(Univ.-Int'l., no rel. date set; time, 98½ min.)

A heavy, brooding psychological melodrama, one that strives so hard to be arty that it is doubtful if many picture-goers of the rank and file will find it to their taste. Through handsome settings, unusual camera angles, and effective background music, producer-director Fritz Lang has succeeded in creating an air of impending doom throughout the proceedings, but he has not been successful in making the drama come through on the screen with any sense of either motivation or emotional impact. As a matter of fact, most picture-goers will probably find it difficult to understand the motivations of the principal characters, because of the cryptic dialogue spoken by them. The closing scenes, where the hero and heroine are trapped by a spectacular fire, are exciting, but it is not enough to offset the tediousness of the picture as a whole:—

Joan Bennett, an American heiress, meets Michael Redgrave, a New York architect, while both vacation in Mexico, and marries him after a whirlwind courtship. Their idyllic honeymoon is suddenly disrupted when Redgrave, after being barred from her bedroom by a playful trick, announces that he had received a telegram calling him to New York immediately on business. Miserable at being left alone, Joan is tortured also by the discovery that no telegram had been delivered to him. She cheers up, however, when word comes for her to meet him at his ancestral home in New England. There she meets Anne Revere, his older sister, who dominated him, and learns that he was a widower with a 12-year-old son, Mark Dennis, a moody, truculent boy, who believed that his father had killed his mother. She meets also Barbara O'Neill, Redgrave's secretary, who had hoped to marry him herself. Redgrave, who had a hobby of collecting rooms in which murders had been committed, shows them all to Joan except one, which he refuses to open. Determined to learn the secret of the closed room, Joan manages to enter it and discovers it to be an exact duplicate of the bedroom she occupied. She then realizes that Redgrave is a dangerous schizophrenic, and that he meant to murder her. She flees in terror, but her great love for him draws her back to the house. As he advances upon her to kill her, Joan, through psychoanalysis, probes his mental complexities and

succeeds in freeing him from the quirks that tortured him. Meanwhile Barbara, seeking to destroy Joan, had set fire to the house. Redgrave saves Joan, after which both return to Mexico for a second honeymoon.

Silvia Richards wrote the screen play, based on the story by Rufus King. It is a Walter Wanger presentation. Adult fare.

**"The Paradine Case" with Gregory Peck,
Ann Todd, Valli, Charles Coburn,
Charles Laughton and Ethel Barrymore**

(Selznick Rel. Org., no rel. date set; time, 132 min.)

Alfred Hitchcock's superb directorial skill, the powerful dramatic material, and the superior performances by the entire cast, make "The Paradine Case" one of the most fascinating murder trial melodramas ever produced. It should turn out to be a foremost box-office attraction, not only because of the players' drawing power, but also because it is a gripping entertainment from start to finish. Its story about the misguided love of a famous English barrister for a beautiful but worthless woman he was defending on a murder charge, intriguingly blends mystery, drama, and steadily-mounting suspense in a way that builds up audience interest to a high pitch. The court room sequences are highly dramatic. Gregory Peck is excellent as the barrister, and Ann Todd, as his winsome wife, is just right. The film introduces two newcomers to the American screen—Valli, an Italian actress, as the woman charged with murder, and Louis Jourdan, a French actor, as her secret lover; both are fine artists, and their diction is very good. Charles Laughton, as the presiding judge, is first-rate. Ethel Barrymore, Leo G. Carroll, Charles Coburn, and Isobel Elsom are among the others who contribute fine characterizations. David O. Selznick, the producer, has given the picture his customary production polish:—

Peck, considered England's greatest barrister, undertakes to defend Valli, accused of poisoning her husband, a blind nobleman. Though happily married, he falls madly in love with Valli, despite her admission of a sordid past. He personally investigates the crime to prove her innocence to himself, and comes to the conclusion that the murder could have been committed by Jourdan, her husband's man-servant. When he suggests that possibility to Valli, she loses her composure and defends Jourdan. This puzzles Peck because Jourdan had expressed himself derogatorily against her. At the trial, when Jourdan is placed on the witness stand by the prosecution, Peck so confuses him on cross-examination that he gives damaging testimony against himself. Later, Valli upbraids Peck for his tactics and confesses that she loved Jourdan and that he had been her lover. But Peck, driven by his mad love, determines to set her free, even if it meant wrecking his own home, for he and his wife had already become partly estranged because of his obvious interest in Valli. As Valli takes the witness stand on the third day of the trial, word comes that Jourdan had committed suicide. Heartbroken, Valli shatters Peck's defense by frankly admitting that she had killed her husband in order to be alone with Jourdan, whom she had forced into a love affair. Valli is sentenced to hang, and Peck, broken up by the turn of events, decides to retire from law practice. His wife, however, offers him encouragement, and Peck, realizing that he had been a fool, starts life with her anew.

Mr. Selznick wrote the screen play from the novel by Robert Hichens. Adult fare.

ing it out as "bait" for the exhibitor to sign up for the next season's program, or took it out of the program and sold it as a special.

If any exhibitor doubts this statement, we have the facts.

They tried to pull the same stunt in Australia once, with a big circuit, but when the circuit head suggested to the Columbia branch manager that the contract be cancelled, Columbia beat a hasty retreat.

ALL THAT GLITTERS IS NOT GOLD

According to press dispatches from London, J. Arthur Rank, the British film magnate, admits that he has lost almost nine million dollars in production.

When Mr. Rank embarked upon production, the English people hoped that, in time, he would be in a position to compete with the American producers abroad, and that the English pictures would turn out to be as good as the American pictures, if not better.

It is clear enough from mathematical reasoning alone why those hopes did not materialize. The American producers, for example, with more than sixteen thousand theatres in the United States, find that the income from the domestic market is, in the case of multi-million dollar pictures, insufficient to meet the cost of production. Consequently, they became panicky when certain of the foreign markets, because of economical reasons, were closed to them. How, then, could the English hope that Mr. Rank, with only about four thousand theatres in Great Britain and about three thousand in other parts of the world, could make production profitable, particularly since most of his pictures did not match the quality standard of the American pictures, and since they cost almost as much as the American pictures?

If Mr. Rank and the other British producers could increase their take from the American market, they could, in all probability, show a profit instead of a loss on production. But to do so they will have to devote their time to making better pictures, the kind that will attract the rank and file in this country, and not only the intelligentsia.

There is no denying that pictures such as "Henry the Fifth" and "Caesar and Cleopatra" are artistic masterpieces and win critical acclaim, but they appeal to comparatively few people, with the result that the American exhibitors cannot afford to book them. It has often been stated in these columns that the American exhibitors are not particular about where a picture comes from, as long as it will attract customers.

But even if the British producers should make good pictures, it is not enough; they must see to it that the pictures are exploited properly. On a long-range program, they will have to make their stars known to the American public, and must see to it that they do not employ provincial English, either in context or pronunciation. After all, if they want American dollars they must cater to the wishes and the whims of those who have the dollars. Nationalism has no place in business, at least it should not have so far as the two English-speaking peoples are concerned.

While British production is having its difficulties, British exhibition is not having an easy time of it either. It has been reported that, as a result of the lack of new American pictures, shipment of which had been stopped when the British Government imposed the seventy-five per cent confiscatory tax on them, the

receipts of the British theatres have fallen off by twenty-five per cent.

The British Government leaders should give this matter some serious thought so that they may modify their views on the confiscatory tax, for without American pictures the income of the theatres in Great Britain may fall off much more than that, with the result that many of them may be compelled to close their doors. These Government leaders should give some thought also to the fact that, if the American theatre-owning producers can once again do business in Great Britain on a compatible basis, the British producers will have a greater opportunity to secure play-dates in the affiliated circuit theatres, thus enabling them to offset their production losses.

NO CONCEALED ADVERTISING IN FEATURE PICTURES

To quash a rumor that the Hollywood studios were considering selling advertising in feature pictures, Y. Frank Freeman, of the Paramount studio, and chairman of the board of the Association of Motion Picture Producers, Inc., issued the following forceful statement recently:

"Not only is no such plan contemplated; it will not be permitted by a member studio, and every precaution will be taken to see that no inadvertent free advertising of commercial products enters motion pictures."

HARRISON'S REPORTS believes that what Mr. Freeman has said is absolutely true. But, as this paper has frequently pointed out, there have been cases where commercial articles were plugged in feature pictures, without the knowledge of the studios.

How is it done?

There are in Hollywood agents who represent many national firms. The job of these agents is to approach, either the producer, or the director, and influence him, either through friendship or by making him a present, to plug his article, either by a close-up, or by a dialogue line. It was stated in these columns a few years ago that one of these representatives induced the director to change the dialogue, from scotch, to bourbon. Perhaps a case of bourbon, at a time when that whiskey was not so plentiful, did the trick.

You no doubt have seen a close-up of a watch, displaying the brand name. It certainly was no accident that that close-up was inserted; some one put it there deliberately. What was the consideration? A beautiful diamond-studded watch of that trademark?

A typical example of concealed advertising can be found in the United Artists' picture, "Intrigue," currently in release. Considerable footage is devoted to a sequence at a bar, in which several of the characters fondle a pinch bottle, used exclusively for Haig and Haig scotch whiskey, and talk at length about how fine a drink it is. They do not, of course, mention Haig and Haig, but when the bottle is set down on the bar great care is taken to make sure that the label, which can be seen plainly, faces the audience. It is as blatant a piece of concealed advertising as this writer has ever seen.

It is heartening, however, to have a person of Frank Freeman's prominence assure the exhibitors that his organization will do its utmost to see that no surreptitious advertising is inserted in the pictures made by its members.

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No. 2

LITIGATION HAS ITS POINTS BUT LEGISLATION IS THE PROPER SOLUTION

Some exhibitor leaders favor a plan whereby all exhibitors will refuse to sign contracts with ASCAP, either before or after February 1, in the belief that the Society, faced with organized defiance, will not, as a practical matter, start individual lawsuits against thousands of exhibitors for copyright infringements. Moreover, they believe that such organized resistance may cause ASCAP to back down on its demands for an increase in the music tax and invite bargaining.

Such a procedure is, of course, dangerous in that, if ASCAP should sue the exhibitors and win in the courts, it could exact high penalties from those who refused to pay the seat tax, the minimum statutory damages being \$250 for each infringement.

Other exhibitor leaders prefer to see the exhibitors pay the tax but bring suit against ASCAP on the ground that it is an unlawful monopoly. If the courts should find that it is a monopoly in violation of the anti-trust laws, then the suing exhibitors could collect triple damages.

Though taking ASCAP to the courts is a sane and logical procedure, it has also its disadvantages, aside from the fact that the procedure is costly and time-consuming. Supposing that the suing exhibitors, backed by their national organizations, should win in the courts, what then? Is it preferable to have one hundred ASCAPs or only one? For if the courts should declare ASCAP to be a monopoly in restraint of trade, the Society's disbanded members might individually ask for so much from the exhibitors for performing rights to their music that it would prove a boomerang to have ASCAP dissolved. It would, as a matter of fact, be practically impossible for an exhibitor to make individual agreements with the many hundreds of copyright owners who control the performing rights to the music recorded on film.

HARRISON'S REPORTS believes that the only way by which the exhibitors, helpless as they are now, may be relieved of this unjust and burdensome taxation is to have Congress amend the outmoded Copyright Law, which it framed and passed before talking pictures came into existence. At the time Congress passed the law it could not foresee such a condition as exists today—a condition whereby a combination of copyright owners is enabled to achieve a stranglehold on the entire motion picture industry. Under the present law, as it has repeatedly been stated in these columns, the exhibitor has no choice—he must either accept whatever tax ASCAP arbitrarily decides to impose upon him or go out of business. He has no voice in the selection of the music recorded on the films licensed

to him, nor has he the right to delete from any such film any portion of the music incorporated therein. He has to perform the music regardless of his wishes.

If exhibition is to free itself from this oppressive music tax it must do so through legislation, such as proposed by Allied States Association, which plans to introduce in Congress an amendment to the Copyright Law requiring the producer-distributors to acquire from ASCAP, not only the right to record its music on film, but also the right to perform such music, so that an exhibitor, when licensing a picture, will secure complete exhibition rights instead of incomplete, as is now the case.

In the meantime, the heads of ASCAP would do well to leave things as they are. Asking for a 300% increase in the seat tax may prove to be the beginning of the end for them—the destruction of their association.

MISTAKEN ECONOMY

One by one the major distributors are abandoning cooperative advertising of their pictures with the exhibitors, first, for reasons of economy, and secondly, on the ground that the exhibitors are dodging their proportionate share of the cost.

As to the first reason, what is saved from this move will be more than lost in reduced box-office receipts; as to the second, there can be a definite understanding with the exhibitors as to advertising costs.

But looking at it from the logical point of view, the distributors should carry on the advertising even if they have to do so alone, for after all their top pictures are sold on percentage and any diminution of the receipts affects their take.

There must be some common ground on which distributors and exhibitors could agree to carry on cooperative advertising, particularly now when times are not as lush as they were during the war.

Unlike most of the other distributors, Eagle-Lion Films has announced that it will not only continue its established policy of sharing advertising costs, dollar for dollar, with all theatres over the normal house budgets on every one of its major releases but that it will expand the policy as well.

In an address before a regional sales meeting held in Dallas last week, Max E. Youngstein, Eagle-Lion's enterprising advertising-publicity director, renewed the company's pledge not to cut promotion budgets in any way and stated that it was even prepared to increase the monies allocated for individual engagements wherever it is deemed advisable to do so.

Eagle-Lion may be the youngest of the distributors, but in the matter of cooperative advertising its policy is way ahead of the others.

**"The Flame" with John Carroll,
Vera Ralston, Robert Paige
and Broderick Crawford**
(*Republic, Nov. 24; time, 97 min.*)

A combination of murder, deceit, and blackmail, this melodrama is good from the production point of view, but as entertainment it is only moderately interesting and quite unpleasant at that. The chief trouble with the picture is in the story, which is not only trite but also artificial—at no time does it strike a realistic note. Moreover, it is somewhat demoralizing in that it attempts to build up sympathy for the heroine, a woman who marries her lover's ailing brother as part of a scheme to gain control of his fortune. None of the principal characters, except the husband, arouse any sympathy because of their despicable acts. There is not much suspense and but little human interest:—

Having squandered his share of a fortune left by his parents, John Carroll, a wastrel, lives in perpetual jealousy of Robert Paige, his ailing half-brother, on whom he was dependent for support. His bitterness becomes more intense when he learns that Paige had been given but a few months to live, and that he (Carroll) was not mentioned in his will. Lest he be left penniless, Carroll devises a scheme whereby he maneuvers Vera Ralston, his girl-friend, into a position as Paige's nurse, and then guides her into becoming Paige's wife, with the understanding that she would share the fortune with him upon Paige's death. Vera, having been told by Carroll that Paige was cruel and heartless, finds him to be a man of fine traits and falls in love with him. Realizing that he was losing Vera's love, Carroll tries desperately to hold her. Matters take an unexpected twist when Broderick Crawford, jealous boy-friend of Constance Dowling, a nightclub entertainer with whom Carroll was having a secret affair, investigates the cause of Carroll's nervousness and uncovers the plot concocted by him and Vera. Under threat of informing Paige, Crawford resorts to blackmailing both Vera and Carroll. Meanwhile Paige's health improves greatly under Vera's careful nursing, thus assuring him of an extended life. Vera, however, lives in constant fear that Carroll might attempt to murder his brother in order to assure himself of a share in the fortune. But Carroll, by this time aware that he could neither regain Vera's love nor gain part of Paige's money, decides to redeem himself by insuring Vera's happiness with the man she now loved. He shoots it out with the blackmailer, killing Crawford but dying himself.

Lawrence Kimble wrote the screen play from a story by Robert T. Shannon, and John H. Auer produced and directed it. The cast includes Henry Travers, Blanche Yurka, Hattie McDaniel and others.

Strictly adult entertainment.

**"The Prince of Thieves" with Jon Hall
and Patricia Morison**
(*Columbia, January; time, 72 min.*)

Being a tale about Robin Hood, the renowned bandit of Sherwood Forest, this Cinecolor romantic melodrama has all the swordplay and excitement one expects to find in a picture of this type, but it is a rather juvenile melodramatic concoction that does not rise above the level of fair program entertainment. The avid action fans, particularly the youngsters, should find it to their liking, but most adults will probably find it wearisome, for the plot is totally lacking

in subtlety, the direction is ordinary, and the performances barely adequate. The Cinecolor photography, which enhances the scenic background, gives the picture some added value:—

Sir Allan Claire (Michael Duane) and his sister, Lady Marian (Patricia Morison), are attacked by an unseen bowman as they ride to Nottingham Castle, where Sir Allan intended to claim his betrothed, Lady Christabel (Adele Jergens). They are rescued by Robin Hood (Jon Hall), who informs them that Lady Christabel is being forced by her father into a marriage with Baron Tristram (Gavin Muir). Robin Hood offers his aid to Sir Allan and, together, they break into the castle, rescue Lady Christabel, and escape to Sherwood Forest. The Baron, however, recaptures her, while his nephew, Sir Phillip (Lowell Gilmore), kidnaps Lady Marian, with whom Robin Hood had fallen in love. Robin Hood gathers his forces for a frontal attack, but changes his mind when a message from the Baron demands that he give himself up lest harm befall Lady Marian. Two soldiers, sent by the Baron to escort Robin Hood to the castle, are overpowered by two of Robin Hood's lieutenants, who don their victims' garb and take Robin Hood to the castle. Just as Robin Hood is about to be hanged, the two lieutenants free him from the gallows while his other men storm the castle's gates to forestall the double wedding of the Baron to Lady Christabel, and his nephew to Lady Marian. Robin Hood slays both villains, after which he arranges with Friar Tuck (Alan Mowbray) to perform a double wedding of himself to Lady Marian, and Sir Allan to Lady Christabel. Just as the ceremony is concluded, word comes that King Richard had returned to England. The doughty warriors kiss their brides and ride off to join their King.

Maurice Tombragel wrote the screen play, supposedly adapted from a story by Alexander Dumas. Sam Katzman produced it, and Howard Bretherton directed it. The cast includes H. B. Warner, Robin Raymond, Walter Sande and others.

Unobjectionable morally.

**"Mary Lou" with Robert Lowery
and Joan Barton**

(*Columbia, Jan. 23; time, 66 min.*)

Although the story is decidedly thin and obvious, this run-of-the-mill program musical should serve fairly well as a supporting feature, for the popular type music is tuneful and several of the dance numbers engaging. Joan Barton makes a personable heroine, and her singing voice is pleasant. Glenda Farrell and Frank Jenks handle the comedy, but most of it is so forced that it falls flat. It is the sort of picture that will appeal mainly to the younger set, for in addition to the popular music it features also the piano playing of Frankie Carle, accompanied by his orchestra:—

When air hostess Joan Barton sings to calm her passengers during a stormy flight, she is discharged by Chester Clute for being "undignified." She is consoled by Frank Jenks, publicity man for Frankie Carle's band, who invites her, together with Robert Lowery, her boy-friend, to the night club where the band had an engagement. They arrive at the club just as Abigail Adams, Carle's vocalist, quits the band cold to accept an offer for a screen test. Joan, encouraged by Lowery and Jenks, sings for Carle and is engaged by him as the band's new vocalist, with the requirement that

she assume the name of "Mary Lou," which had always been identified with Carle's vocalists. She accompanies the band to New York to rehearse for the opening of a new show at a swank night club owned by Emmet Vogan. Meanwhile Abigail's screen test falls through; she returns to the band, claims the exclusive use of the name, "Mary Lou," and threatens to sue both Carle and Vogan unless reinstated with the band. Heartbroken, Joan resumes her work as an air hostess. Lowery, however, decides to do some investigating and succeeds in locating Thelma White, the original holder of the "Mary Lou" name, who had retired from show business years previously. His discovery invalidates Abigail's claim and, with the aid of Jenks and Glenda Farrell, the band's music arranger, Lowery manages to keep Abigail off the stage long enough for Joan to appear in her place and score a huge success as the new "Mary Lou."

M. Coates Webster wrote the original screen play, Sam Katzman produced it, and Arthur Dreifuss directed it.

Unobjectionable morally.

"Smart Politics" with Freddie Stewart and June Preisser

(Monogram, Jan. 3; time, 65 min.)

A moderately entertaining addition to the "Teen-Agers" series of program comedies with music, featuring the same youthful players that have appeared in the previous pictures. The plot is rather juvenile, but it has a fair amount of laughs and enough good musical numbers to generally please indiscriminating audiences, especially the younger picture-goers, who should find the music of Gene Krupa and his orchestra to their taste. It should serve nicely as a supporting feature wherever something light is needed to round out a double-bill:—

As chairman of the Memorial Fund of San Juan Junior College, Freddie Stewart is entrusted with supervision of a project to honor the town's war dead. He arranges for a fund-raising dance and show in the school's gymnasium, which is used by Frankie Darro and his youthful gang to hide out from the police, who were after them for stealing firecrackers from a local store. Learning of their plight, Freddie and his committee decide that a youth center to combat juvenile delinquency would make a fitting memorial. They go to see the mayor, Donald MacBride, to obtain an old warehouse from the city for that purpose. But MacBride, who had planned secretly to buy the property through a political henchman for personal profit, turns them down. Freddie eventually learns of the mayor's nefarious scheme from Candy Candido, the mayor's dim-witted nephew, who wanted a part in a show the committee planned to stage in the warehouse to raise funds for alterations. Many complications ensue as the youngsters attempt to thwart the crooked deal, but the mayor manages to outsmart them. In the end, however, the mayor's aged father (also played by Donald MacBride) takes a hand in the matter and compels his son to turn the property over to the youngsters for their youth center.

Hal Collins wrote the screen play from an original story by Monte F. Collins and himself. Will Jason produced and directed it. The cast includes Warren Mills, Noel Neill, Martha Davis, the Cappy Barra Harmonica Boys and others.

Unobjectionable morally.

"The Treasure of the Sierra Madre" with Humphrey Bogart, Walter Huston and Tim Holt

(Warner Bros., Jan. 24; time, 126 min.)

Though its overlong running time could be cut to advantage to tighten up its rambling plot, "The Treasure of the Sierra Madre" is a grim, powerful melodrama, the sort that grips one's interest from start to finish. Its unusual tale about three American delinquents, beset by lust, greed, and distrust of each other, is by no means pleasant and, as entertainment, it will probably have more of an appeal to men than to women, first, because it has an all-male cast and is devoid of romantic interest, and secondly, because the action is frequently raw and brutal. It is a picture of mood, suspense, and action, and under John Huston's expert direction it unfolds in a taut and absorbing way. Able performances are contributed by the entire cast, but Walter Huston's brilliant portrayal of an old-time gold prospector is the picture's outstanding feature. Most of the picture was filmed in Mexico, providing interesting backgrounds, and the photography is superb:—

The rambling story opens in Tampico, Mexico, where Humphrey Bogart and Tim Holt, two dirty, unsavory characters, live by their wits begging hand-outs from tourists. When pickings become lean, they accept jobs in a construction camp bossed by Barton MacLane, a crook, whom they have to beat up in order to collect their wages. Both go to a flop-house, where they meet Huston, whose belief that gold could be found in the Mexican hills excites them. They pool their meager resources and persuade Huston to take them on a gold-hunting expedition, despite his warning of dangers, both physical and moral, should they find gold. Their torturous trip into the wilds is marked by a surface friendship, which soon changes to bickering when they find gold and strike it rich. Bogart unjustly suspects the other two of coveting his share of the gold, and the tension between them mounts to such an extent that each, distrusting the other, buries his gold in a secret hiding place. After ten long months, during which they have their troubles with bandits and intruders, the three decide to return to civilization. The hazardous trip back becomes a nightmare, due to the fortune each man packed on his burros and his general distrust of the others. When friendly Indians ask Huston to help save a dying boy in their camp, he entrusts his gold to the other two and bids them to go on without him. Bogart, wrongly suspecting that Holt meant to kill him and keep all the gold, shoots him and leaves him for dead. Half-crazed, Bogart flees with the treasure, only to be intercepted by ignorant bandits, who slay him in order to steal the burros, after which they slash open the saddle bags and scatter the gold to the winds without realizing its value. Meanwhile Holt survives the shooting and is found by Huston. Both arrive in an outpost town, where the bandits had been apprehended, and learn the gruesome story of Bogart's death and of the scattering of their gold. Realizing that the wind had carried the gold back to the mountains where they had found it, Holt and Huston break down with hysterical laughter at the ironic twist of fate.

John Huston wrote the screen play from the novel by B. Traven, and Henry Blanke produced it. The cast includes Bruce Bennett, Bobby Blake and others.

Adult entertainment.

PICTURES MUST NOT BE CUT OFF FROM FOREIGN LANDS

The ban on shipment of American pictures to Denmark, which had been in effect since last October because the Danish Government and the American film companies could not agree on a remittance plan, came to an end this week when that country agreed to permit the American companies to remit part of their earnings to their home offices in New York.

Eric Johnston, head of the producers' association, announced that, in addition to Denmark, agreements regarding remittances were concluded also with Norway and Sweden, and while he did not give any details about the terms of the agreements he described them "as the best possible deal under the present difficult economic conditions." He added that the agreements were concluded without one of the three countries resorting to a tax.

The producers are to be congratulated for opening up the way for a continuous flow of American pictures to the Scandinavian countries. No doubt the agreements provide for a certain percentage of the American film earnings to be frozen in the respective countries, but in these days, when most foreign nations are doing their utmost to save American dollars so that they may be able to buy the necessities of life, the least that can be done by the motion picture industry, which has taken many a dollar from these countries, is to ease up their burden.

In the case of Great Britain, there is some excuse in the producer action of cutting off all picture shipments to that country because a principle is involved—the imposition of a confiscatory tax. The American producers, in recognition of Great Britain's dollar shortage, are willing to agree that a given percentage of their earnings should remain in Great Britain until such a time as the country recovers financially, but they cannot agree to the imposition of even a small tax lest a precedent be established and other countries follow suit.

It is to be hoped that the producers will find an early solution to their problems abroad so that a continuous flow of pictures will go to every nation. At a time when the Soviet Union is stopping at nothing short of actual hostilities in order to gain complete domination of Europe and Asia, the world must not be deprived of the civilizing influence of the American pictures, for they sell democracy subtly: when the people in foreign countries see through the medium of American pictures how we fare in the United States, they cannot help but be left with the feeling that a form of government that makes it possible for its people to fare so well cannot, despite the ravings and rantings of the Communists, be a bad government.

Between the American pictures and the letters sent from the United States by relatives, added to the latest demonstration by the American people by their donations of food to the Friendship train, sent to France, Italy and Austria, as well as to the work our government is doing in Greece, we ought to be able to beat Communism decisively, particularly since Communism offers nothing but words, whereas we offer wholesome and inviting food, as well as positive proof that our form of government gives every one the right to live as free men.

Let the American pictures continue going abroad at any cost!

ALLIED ADDS ANOTHER LINK TO ITS CHAIN

With more than one hundred independent exhibitors from the Kansas City exchange territory in attendance at a convention held in that city several weeks ago, a new independent exhibitor organization, known as Allied Independent Theatre Owners of Kansas and Missouri, came into being and voted to affiliate with Allied States Association.

Thus Allied has added another link to its ever-growing chain of truly independent exhibitor units.

O. F. Sullivan, of Wichita, Kansas, was elected president; Larry Larson, of Webb City, Mo., vice-president; and V. R. Stamm, of Kansas City, Mo., secretary-treasurer.

Mr. Sullivan and his co-organizers, who saw the need for a truly independent exhibitor unit in the Kansas-Missouri territory, and did something about it, deserve great credit for a job well done. HARRISON'S REPORTS feels sure that the independent exhibitors in that territory will give their new leaders whole-hearted cooperation in carrying on their work, which will be, after all, for their benefit. Nothing can be gained by organizations that are neither fish nor fowl. And if the speed and vigor with which Allied of Kansas and Missouri was formed is an indication of its desire to strike back at the abuses that plague the independents, it should prove to be one of Allied's most progressive units.

SCREEN WRITERS' GUILD, INC.
1655 NO. CHEROKEE AVENUE
HOLLYWOOD 28, CALIFORNIA

January 2, 1948

MR. P. S. HARRISON, Editor
HARRISON'S REPORTS
1270 Avenue of the Americas
New York 20, N. Y.

Dear Mr. Harrison:

In calling hasty the Screen Writers' Guild's action concerning the writers cited for contempt of Congress, HARRISON'S REPORTS was a trifle hasty. The Screen Writers' Guild will not (as your issue of the 27th of December suggests) take part in the contempt trials, believing as we do that these cases concern the writers as individuals rather than as members of the Guild. The Guild is, however, strongly opposed to the blacklisting of writers for opinions or activities that are not in violation of existing laws. Thus, when the dismissed (or suspended) writers sue the studios on charges of breach of contract, the Guild will enter the cases as *amicus curiae*.

Sincerely,
(signed) ARTHUR SHEEKMAN,
Secretary

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THE PUZZLING PHENOMENON CLEARED UP

In the editorial published in the June 21, 1947 issue of this paper under the heading, "A PUZZLING PHENOMENON," the following remarks were made in the first paragraph:

"Many persons from within and without the motion picture industry have been trying to reason out the motives that prompt intellectuals, writers who earn anywhere from one thousand to five thousand dollars a week, and even more, to espouse the Communist philosophy. They have been ascribing many motives, but they have not hit upon the real motive."

This writer then proceeded to ascribe jealousy as the possible motive—jealousy at the fact that those intellectuals, with so much education, see persons of limited educations heading the industry, forgetting the fact that these industry leaders, though of limited education, are rich in executive ability, and in the knowledge of how to make pictures.

That theory was the best that could be adopted at that time. Now, however, comes *Life* of January 5 with an explanation that seems to be the most rational: Once a person becomes a Communist, *Life* implies, he cannot break away. If he should desert the party, the party members blacken his character with all kinds of vicious falsehoods. *Life* should have added that they resort even to murder, if we are to judge by the fate of Leon Trotsky who, having disagreed with the other members of the ruling class in Russia, was murdered in Mexico, to which country he had fled.

Life deals with the case of an American youngster who was inveigled into joining the Communist Party by various methods including the use of pretty girls. This young man was so thoroughly soaked with the party's doctrines that, years later, even after he became a Captain in the United States Army, he remained a Communist to the end. At first he was repulsed by the methods the party employed in order to gain its ends, but he became reconciled to them eventually, and in the end he remained true to the party because it trusted him as a faithful servant.

Life says: "Now 'Kelly' (the name given to the young American so that his identity might be hidden) began to appreciate the terrible strength of the party. He had known that the damned, those who were expelled, had frequently become emotional wrecks, drunks, suicides, derelicts, but he attributed their breakdowns to those hidden faults which had caused their expulsion. Now he appreciated, as the party by this time intended he should appreciate, the power that had smashed them.

"Each new prospect received the same treatment of encouragement, adulation, sexual satisfaction . . . Expulsion meant ostracism, the ending of every social

tie, a situation much like that of a devout nun cast out from her convent. An expelled party member became one of two classes—the bitter enemy of the Communist Party . . . , or a psychotic, spiraling down to emptiness. . . .

" . . . the program of the party was planned in terms of decades, in the course of which the party intended to advance the Soviet Union as the only possible control for the people of the world. . . . Accepting the simple dogma that the party was always right made his life right, gave him a full satisfaction in living. . . ."

Elsewhere in the article there is said: ". . . Expulsions were matters of excitement and gabbling, always ending with the party dictum that the unfortunate was a moral leper as well as a political dullard. Invariably, those jettisoned by the party were stigmatized as homosexuals, drug addicts, police informers and syphilitics. During this period, 'Kelly' believed these charges to be the simple truth and was constantly concerned over his failure to have detected such moral, physical and mental lesions in people he had known so well. . . ."

This article of *Life's* is so enlightening as to what Communism is and how it operates that it should be read by every one who values his American citizenship, for he must know what a powerful enemy our system of government has in Communism.

Dorothy Thompson, whose syndicated writings appear in a large number of newspapers, corroborates all this. In her first article on Communists in her January 6 column, she says that, if we knew what Communism is, we would have fewer heart-searchings as to what to do about it. She took her facts from documentary evidence, beginning with the Constitution and Rules of the International Communist Party, and is determined to prove how necessary it is for our Congress to outlaw Communism and declare all connections with it a penal offense.

Miss Thompson is not a reactionary. As a matter of fact she is so liberal that only recently she deplored our tendency to outlaw Communism on the theory that, by so doing, we would drive the Communists underground where we would not have as much opportunity to watch their doings. For so liberal a person, then, to discard her views and advocate the outlawing of Communism to the extent that it will be a penal offense for any one in the United States to have anything to do with the movement, is indicative of the fact that she must have done much research work to convince herself that Communism is not a political theory but a group of persons who have vowed to upset our political and economic system, not by the ballot, but by criminal methods.

By quoting from Communist documents, Miss

(Continued on last page)

**"An Ideal Husband" with Paulette Goddard,
Michael Wilding and Diana Wynyard**

(20th Century-Fox, no rel. date set; time, 96 min.)

Produced in England, this is an extremely lavish film version of Oscar Wilde's play, superbly photographed in Technicolor. It is a comedy of Victorian morals and manners, set in 1895, and the luxurious settings and the magnificent costumes are breathtaking. As entertainment, however, it is the sort that will appeal chiefly to discriminating patrons, who will best understand and appreciate the plot's subtleties and the sophisticated witticisms. But even among these patrons there may be some who will find that the humor of this more than 50-year-old Victorian satire is somewhat antiquated. Picture-goers of the rank and file will undoubtedly find it much too slow-paced and talkative to suit their tastes. The performances are uniformly good, but special mention should be made of Glynis Johns, an exceedingly charming young actress, whose impish characterization gives the film its most delightful moments.

Briefly, the story revolves around Mrs. Cheveney (Paulette Goddard), a beautiful adventuress, who approaches Sir Robert Chiltern (Hugh Williams), a prominent British Under-Secretary, and, under threat of exposing an indiscretion in his early political career, demands that he recommend government support of a fraudulent financial scheme in which she is interested. Because of this demand, Sir Robert finds himself faced, not only with political ruin, but also with a broken marriage, for his cold, virtuous wife (Diana Wynyard) had put him on a pedestal and would leave him if she discovered anything discreditable in his life. Sir Robert confides his troubles to his intimate friend, Lord Goring (Michael Wilding), a gay man-about-town, who takes the matter in hand. Through chance, he finds a diamond bracelet that is claimed by Mrs. Cheveney and he recognizes it as one that had been stolen years previously. Under threat of turning her over to the police as a common thief, he compels her to turn over to him the incriminating evidence with which she had been blackmailing Sir Robert, thus saving his friend's honor and home. A brief outline of the plot cannot do justice to some of its highly amusing satirical twists.

Lajos Biro wrote the screen play, and Alexander Korda produced and directed it. The cast includes Sir Aubrey Smith, Constance Collier and others.

Adult entertainment.

**"Tenth Avenue Angel"
with Margaret O'Brien, Angela Lansbury,
George Murphy and Phyllis Thaxter**
(MGM, no release date set; time, 76 min.)

In spite of the fact that the story is commonplace, this human interest drama should go over fairly well with family type audiences. It may, however, strike sophisticated patrons as being a bit too mawkish, causing them to titter at some of the doings, which revolve around an eight-year-old urchin, living on New York's Tenth Avenue, who loses faith in her elders when some harmless statements they made to her turn out to be fabrications. The Margaret O'Brien fans should certainly find it to their liking, for the story gives the diminutive little actress ample opportunity to display her juvenile virtuosity. There is considerable human appeal, as a result of the devotion between Margaret and her elders.

The rambling story depicts Margaret as a happy little girl living in a youthful world of makebelieve, her chief interests being centered on Rhys Williams,

a blind newsdealer; her mother, Phyllis Thaxter; her father, Warner Anderson, an unemployed concert violinist; her aunt, Angela Lansbury; and Angela's boy-friend, George Murphy, a former taxi driver, who had just finished a prison term. Margaret believed that Murphy had been on a "world cruise," and her one aim was to marry him off to Angela as soon as possible, a marriage he rejected because of his prison record. Several by-plots revolve around the older folks, but in the main the story deals with Margaret's disillusionment when, through a contrived series of events, a cigar box in which she had caught a mouse is unwittingly replaced by two boys with a cigar box filled with money stolen from the newsdealer. She had caught the mouse because her mother had told her that mice turn into money. Compelled to return the money, she had lost faith in her mother and in the many other tales she had told her. Her disillusionment is complete when she inadvertently learns that Murphy, her idol, had been in prison—he, too, had lied to her. When her mother hovers between life and death after a premature childbirth, Margaret, frantic, recalls that her mother once told her that on Christmas Eve cows knelt in homage to the little Christ child. She sets out to find such a cow and locates one in the stockyards. Her faith restored, she returns home and finds her mother on the road to recovery. It is all quite fanciful but in its way delightful.

Harry Ruskin and Eleanore Griffin wrote the screen play from a story by Agnes Enters and a sketch by Craig Rice.

**"Open Secret" with John Ireland
and Jane Randolph**

(Eagle-Lion, Feb. 14; time, 70 min.)

An interesting program melodrama, based on an anti-Semitism theme. The players themselves have little marquee value, but since the picture's subject matter is timely and controversial it may, if properly exploited, do better than average business. The story, which shows how intolerance and bigotry, promulgated by spreaders of hate, take hold of an entire community, is a highly melodramatic yarn that pulls no punches. There are times when the proceedings strike an unbelievable note, particularly in its depiction of violence, but on the whole the story is well developed and, considering the production's budgetary limitations, it puts over its message in a forceful way. Those connected with the picture certainly are entitled to an "A" for effort:—

Learning that John Ireland, an old army buddy, was passing through town with his bride (Jane Randolph), Charles Waldron, Jr. invites the newlyweds to share his apartment for a few days. They become disturbed when Waldron disappears without leaving word of his whereabouts, and when they come across evidence that the apartment had been rifled. Ireland enlists the aid of Police Lieut. Sheldon Leonard, who shortly thereafter finds Waldron's murdered body. Meanwhile Ireland, a candid camera enthusiast, had become friendly with George Tyne, a Jewish shopkeeper, in whose shop he had left several rolls of film to be developed, and had learned from him that a concentrated anti-racial movement was underway in the neighborhood. Several incidents he had witnessed convince Ireland that his murdered friend had been a victim of the secret gang that was spreading racial poison. Through a roll of films Tyne had developed for Waldron, Ireland learns that Waldron had been trying to expose the gang, and that he had photographed them with a concealed camera. He realizes

that the gang had rifled the apartment to obtain the films, and determines to track them down. His efforts, however, result in his own capture, with the gang threatening to harm his wife unless he turned the pictures over to them. But Tyne, who, too, had been captured, pretends that the incriminating pictures were still in his shop. All go to the shop, where Ireland and Tyne start a free-for-all. The arrival of Sheldon and a police squad ends the fight and puts the gang in prison. With the community rid of the bigots, every one becomes more tolerant of his neighbor.

Henry Bankfort and Max Wilk wrote the screen play, from a story by Mr. Wilk and Ted Murkland. Frank Satenstein produced it, and John Reinhardt directed it. The cast includes Roman Bohnen, Morgan Farley and others. Adult fare.

"Relentless" with Robert Young and Marguerite Chapman

(Columbia, no release date set; time, 91 min.)

A good "super-western," photographed in Technicolor. Although the story follows a routine outline, it is more substantial than those found in the general run of westerns, and the lovers of outdoor melodramas should go for it, for it is chuck-full of excitement, and has some comedy and romance, too. Robert Young does very well as a cowboy who, unjustly accused of three murders, finds himself the object of a sheriff's manhunt while he himself endeavors to establish his innocence by stalking the culprit responsible for the killings. The two-way manhunt makes for many thrilling situations, and the excitement is intensified by the colorful backgrounds. Marguerite Chapman is appealing as the heroine, and good characterizations are turned in by Akim Tamiroff and Barton MacLane as the villains of the piece:—

A pair of old prospectors, in town celebrating a rich gold strike, are murdered by Frank Fenton and Barton MacLane, who steal the map of the claim, divide it half, and agree to meet after their escape. Suspicion falls on Young, a cowboy who had wandered into town that night with a mare that was about to drop a foal. He is befriended by Marguerite, owner of a covered wagon general store, after which he hits the trail in search for a good spot for his mare to foal. Fenton confronts him and steals the mare at the point of a gun. Young follows and kills him when the mare founders and dies. MacLane, who had been following Fenton to steal the other half of the map, warns Young to clear out lest Fenton's gang come after him, and promises to explain to Sheriff Willard Parker that Fenton had been killed for horse-stealing. When Young leaves, MacLane robs Fenton's body, then reports to the sheriff that Young had committed all three murders. Learning that the sheriff was after him, Young, aided by Marguerite, sets out to prove his innocence. His search for MacLane proves unavailing, and one day, when he is wounded by the pursuing posse, he seeks refuge in a saloon owned by Akim Tamiroff, whom he bribes by pretending to know the location of the mine and offering him a half interest. Tamiroff, wanting the whole mine for himself, makes Young his captive. He is rescued by Marguerite, who puts him on MacLane's trail. Young, unaware that he had been followed by Tamiroff, comes across MacLane at the mine. Tamiroff shoots MacLane and is about to kill Young when Marguerite and the sheriff arrive. MacLane clears Young by confessing the murders with his dying breath, and Tamiroff is arrested for killing MacLane.

Winston Miller wrote the screen play from a story by Kenneth Perkins, Eugene B. Rodney produced it, and George Sherman directed it. The cast includes Mike Mazurki, Clem Bevans and others.

Unobjectionable morally.

"Sleep, My Love" with Claudette Colbert, Robert Cummings and Don Ameche

(United Artists, January; time, 97 min.)

An effective psychological melodrama. Basically, the story is the familiar one about the unfaithful husband who seeks to dispose of his wife in order that he be free to marry the "other woman," but it grips one's interest throughout because of the manner in which the husband tries to bring about his wife's self-destruction through the use of drugs, psychology, and hypnosis. Some of the situations are overdrawn and quite unbelievable, but these shortcomings are not serious enough to lessen one's interest in the proceedings, which for the most part keep one taut. Except for Hazel Brooks, whose efforts to appear sultry are somewhat on the "hammy" side, the others in the cast turn in top performances, contributing to the tenseness of the picture. It is by no means a pleasant entertainment, but the morbidity usually found in pictures of this type is offset to a degree by a number of lighter moments. Worked into the action are some interesting scenes of a modern Chinese wedding:—

In love with Hazel Brooks, Don Ameche conspires with George Coulouris, a nefarious character, to rid himself of his wife, Claudette Colbert, by leading her to believe that she was losing her mind. Through the use of drugs and hypnosis, he places her aboard a train bound for Boston. She wakes up on the train unaware of how she got there and mystified by the presence of a gun in her purse. Meanwhile Ameche, having inflicted a wound upon himself, notifies the police of her "disappearance" and slyly establishes that she was suffering from hallucinations. Upon Claudette's return home, Ameche, under the guise of sympathy, convinces her that she must be treated by a psychiatrist. Coulouris shows up at the house as the psychiatrist and, after frightening her into unconsciousness with a fake psychoanalysis, disappears. Shortly thereafter Ameche arrives with a genuine psychiatrist, and when she mentions the incident with Coulouris he suggests that she had had another one of her "hallucinations." Meanwhile Robert Cummings, who had just met Ameche and Claudette through a mutual friend, learns of her supposed mental ailment and finds reason to suspect a sinister plot against her. He cultivates her friendship and in the course of events saves her from committing suicide, an act induced by Ameche while she was under the influence of drugs. His suspicions aroused, Cummings starts an investigation of Ameche's movements and uncovers the plot against Claudette. In the meantime Ameche and Coulouris have a disagreement, with Ameche planning to have Claudette shoot Coulouris while in an hypnotic state. The scheme backfires when Coulouris, though seriously wounded, returns the fire and kills Ameche. Cummings arrives in the midst of the shooting and engages Coulouris in a running gun battle, which ends with Coulouris plunging to death in a fall through a roof skylight. Her troubles over, Claudette looks forward to a new life with Cummings.

Charles Buddy Rogers and Ralph Cohn produced it in collaboration with Mary Pickford. St. Clair McKelway and Leo Rosten wrote the screen play from Mr. Rosten's novel. The cast includes Rita Johnson, Queenie Smith, Keye Luke and others. Adult fare.

Thompson proves in her very first article that the American Communists are under the order of the International Communist Party, which party consists of "Russians, Yugoslavs, Poles and what not," ruled by the Politburo of Russia. In other words, a Communist, whether American or a citizen of any other nation, receives his orders, not from his elected representatives, but from the Russians; and he works for the interests, not of the American people, but of Russian Communism.

In her January 8 column, Miss Thompson, by publishing extracts from official Communist documents, proves that the American Communist Party is an illegal organization, "pledged to illegal methods, to secrecy, and, at the right moment, to armed rebellion."

Part of an extract from a document she reproduces states: "Each affiliated party is obligated to render every possible assistance to the Soviet Republics . . . carry on propaganda to induce workers to refuse to transport military equipment, and by legal or illegal means propagandize troops.

"The object of the struggle, which must inevitably turn into civil war, is to obtain the political power. Eventually the proletariat must resort to armed uprising . . . The party must always adapt itself to the idea of the Soviets. . ."

Elsewhere Miss Thompson states that "every branch and member of the universal Communist Party is pledged to indulge in national treason in case of war with the Soviets—no matter who, in such a war, would be aggressor."

Going back to *Life's* illuminating article, let me call your attention to the fact that, in one part of the article, the revelation is made that every Communist must study parliamentary procedure. Equipped with such knowledge, a Communist has no trouble in capturing the high offices of either unions or of any other type of organization. What chance has a loyal American to battle against the technique of Communists when he has no idea of how meetings are conducted—what is in order and what out of order? Two or three Communists, well versed in parliamentary procedure, may throw a meeting into confusion; they accuse those who oppose them as reactionaries—"fascists," or tools of the National Association of Manufacturers, and the so accused find it impossible to prove their innocence for, when a person is placed on the defensive, the feeling of those who do not know the facts is that he is guilty of the accusation. The Communists, being well versed in human psychology, know all that and are using it to the best advantage for the party.

Now we come to our Hollywood Communists. How can a person prove that he is not a Communist but a liberal, when a Communist parades in the robe of a liberal? When the hearings of the Congressional subcommittee started in Washington, a group of Hollywood persons, some of them genuine liberals, flew to Washington to defend the Ten, who refused to tell the Committee whether they were Communists or not. Most of the defenders eventually became disillusioned—they realized that they had been duped. One of these was Humphrey Bogart who, upon his return to Hollywood, sent a letter to columnists throughout the nation assuring them that he is not a Communist, had never been one, and does not intend to join the party, adding that he detested Communism as any other decent American does. He admitted

also that the trip was "ill-advised, even foolish." Mr. Bogart's forthright declaration is indeed commendable, nevertheless he did some harm by allowing his heart to overrule his judgment.

Lack of an adequate public relations program to offset the unfavorable publicity received on the issue of Communism in Hollywood did considerable harm to the motion picture industry, but after the early mistakes the industry has settled down to doing the patriotic thing by its adoption of a policy barring the employment of the Ten until such time as they are acquitted of the contempt of Congress charge and are willing to declare under oath that they are not Communists. The industry has declared also that it will not knowingly employ a Communist or a member of any party or group that advocates the overthrow of the United States Government either by force or by any other illegal or unconstitutional methods.

One or two of the studios are being sued by some of those who have been discharged and their contracts cancelled; but if the U. S. Supreme Court should declare them guilty of contempt of Congress, it is doubtful if they will get even one cent damages.

"The Main Street Kid" with Al Pearce

(*Republic*, Jan. 1; time, 64 min.)

There is nothing real about this unpretentious homespun program comedy, but it has enough laughs and human interest to generally please those who patronize small-town and neighborhood theatres. Though far-fetched, the story has some original twists, with the comedy stemming from the fact that the middle-aged hero, as a result of a blow on the head, finds himself with the power to read other people's minds, thus enabling him to foil a group of crooked schemers. As the blundering but good-natured hero, Al Pearce gives a likeable performance and he gets the most out of the numerous amusing situations:—

Having an all-consuming passion for mental telepathy, Pearce, a small-town printer, spends all his spare time studying a correspondence course put out by Alan Mowbray, a fake mind-reader, whom he idolized. He does this to the exasperation of his wife, Arlene Harris, and to the amusement of his daughter, Janet Martin, who was in love with Byron S. Barr, wealthy young president of a publishing firm. A gullible young man, Barr becomes involved with Adele Mara, a New York gold-digger, whom he wanted to marry but dared not lest his prim board of directors find her unsuitable and oust him from the presidency. Douglas Evans, a board member who coveted Barr's job, visits Adele and offers her \$25,000 to inveigle Barr into an engagement and to embarrass him in front of the board. Adele accepts and, to get Janet out of the way, she arranges with Mowbray, an old cohort, to induce Pearce to talk his daughter into giving up Barr. But Pearce, injured by an accidental blow on the head, finds himself endowed with genuine mind-reading powers, which enable him to learn of the scheme to fleece Barr. He manages to outsmart the tricksters, expose their plot, and run them out of town, thus straightening out the tangled affairs of Barr and his daughter.

Jerry Sackheim wrote the screen play from a radio play by Caryl Coleman. Sidney Picker produced it, and R. G. Springsteen directed it.

Unobjectionable morally.

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SAM GOLDWYN'S ANNUAL HARANGUE

Like the sparrows that return in the Spring with clock-like regularity, Sam Goldwyn can be depended upon always to issue to the general public an annual harangue against the quality of motion pictures being fed to them. Nor does he forget to take his annual dig at those who make it possible for him to stay in business—the exhibitors. This time he says that the exhibitors receive the “lion’s share” of total industry profits without assuming any risks, and that they should be satisfied with “a reasonable profit” since they are basically in the real estate business. Just what is “a reasonable profit” Goldwyn did not say.

Sam Goldwyn is not wrong in his estimate of present picture quality, for it is low; but he is wrong, very wrong, when he feeds such statements to the public.

What good does it do? None! If he were genuinely concerned about the betterment of picture quality, if he really had the interests of the industry (which has been mighty good to him) at heart, he would not make statements designed to keep him in the public eye. He would, instead, discuss the matter with other producers privately, for telling it to the public is just like telling them to keep away from all but Goldwyn pictures. His bleats to the public about inefficiency in Hollywood and poor pictures produced at high costs merely serve to create among moviegoers a state of mind that makes them, either consciously or unconsciously, want to stay away from all pictures.

This year Goldwyn’s harangue seems to have a special significance: Having chosen an unfortunate title for one of his fine pictures, “The Bishop’s Wife,” (he is now advertising it as “Cary and the Bishop’s Wife,” because many youngsters stayed away from it in the belief that it was a religious picture) he evidently wants to draw the public’s attention to this picture and thus induce them to support the box-offices of the theatres where it is playing. In other words, Goldwyn’s concern is Goldwyn.

In condemning the mistakes of the other producers for the poor quality of pictures, Goldwyn no doubt is right in attributing the poor quality to mistaken judgment in the selection of story material. “The Bishop’s Wife,” however, proves one thing—that mistakes in judgment are not the monopoly of any particular group of men, and that Goldwyn himself may make mistakes, if not in the story, at least in the title.

Before issuing any more statements to the public about the prevailing quality of pictures and about whatever else might ail Hollywood, Goldwyn should

calculate first the harm such statements might do to the industry as a whole, and to the exhibitors in particular. If he should expect the exhibitors to give him a profit, he must think of their interests, too. After all, he should remember that these exhibitors, or real estate operators as he prefers to call them, do not get enough pictures from Goldwyn to keep their theatres open 365 days a year; they operate mainly with the pictures he persists in condemning openly. Without these pictures the theatres could not stay open, and every closed theatre, caused by a state of mind Goldwyn’s statements serve to create among the public, would mean one less potential playdate for a Goldwyn picture. And since playdates are very dear to the heart of Mr. Goldwyn, perhaps, if he gave this angle some deep thought, he would cease his periodical harangues, the obvious purpose of which is personal aggrandizement.

The trouble with Mr. Goldwyn is that, having won himself a number of Academy Awards last year, he has set himself up as a master producer, qualified to pass judgment, not only on other producers, but also exhibitors. There is no question that Sam Goldwyn, by virtue of some very fine pictures he has produced, ranks with the top-flight producers in the industry, but he seems to forget that he has made some pretty bad pictures, too.

Quit struttin’ around Sam lest you slip on your own banana oil!

LEGISLATION INTRODUCED TO CURB ASCAP

Representative Earl R. Lewis, Republican, of Ohio, who is Chairman of the House Judiciary Sub-Committee on Patents, Trade Marks and Copyrights, introduced in Congress last week a bill that, in effect, will require ASCAP to deal exclusively with the motion picture producers for royalty payments covering the public performing rights to all copyrighted music contained in pictures, thus relieving the exhibitors from the requirement that they pay license fees to ASCAP.

Known as H.R. 5014, the bill, which has the backing of Allied States Association, provides for the following amendment to the Copyright Act:

“Any assignment, license or other disposition by the owner or distributor of a copyrighted motion picture film of the right to exhibit such film for profit shall include the right to reproduce and publicly perform any and all copyrighted material contained in the film including copyrighted music recorded thereon or on discs, wire or other devices accompanying and

(Continued on last page)

"My Girl Tisa" with Lilli Palmer, Sam Wanamaker and Akim Tamiroff

(Warner Bros., Feb. 7; time, 95 min.)

A thoroughly heart-warming human interest drama. It is the sort of picture that has a fascinating originality and should give satisfaction to all types of audiences. The locale is New York's east side at the turn of the century, and the story revolves around American immigrants of the day, focusing attention on the romance and heartaches of a young girl, who slaves in a sweat shop by day and elsewhere by night to earn enough money to bring her father to America. It is a touching and at the same time amusing tale, with laughter and tears, in liberal quantities, combined in almost every foot of the film. Lilli Palmer is a charming and sympathy-awakening heroine, and Sam Wanamaker, a newcomer to the screen, makes a brash but likable hero, with whom she falls in love. Rich characterizations are provided by Akim Tamiroff, as the grumpy sweat shop operator; Stella Adler, as a flirtatious but understanding landlady in a boarding house; Hugo Haas, as a crooked travel agent, who mucks unsuspecting immigrants of their savings with promises to arrange passage to America for their loved ones; and Alan Hale, as a neighborhood political boss. The ending, where Miss Palmer is saved from deportation by the timely intervention of President Theodore Roosevelt, is pure hokum, but it is done well and most movie-goers will love it:—

Despite warnings from her friends that Wanamaker was a ne'er-do-well, Lilli falls in love with him. Wanamaker, who studied law books and had aspirations for the job of alderman, runs afoul of Hale, who resents his boldness and refuses to sponsor his candidacy. To further Wanamaker's political ambitions, Lilli, learning that he needed \$100 for a correspondence course in law, withdraws the money from her savings with Haas, who, after an unsuccessful attempt to make love to her, induces her to sign a contract by which her father could be brought to America immediately under an agreement to work out the passage following his arrival. Learning that Lilli had signed an unfair labor contract that would keep her father in bondage for ten years in a distant state, Wanamaker gives Haas a beating in an unsuccessful attempt to make him destroy the contract. Haas, in retaliation, visits the immigration authorities and, through false evidence, marks Lilli as an immoral woman and brings about an order for her deportation. While Lilli awaits deportation in Ellis Island, Wanamaker, frantic, sees a procession, headed by President Roosevelt, who had come to the pier to greet a visiting Crown Prince. He breaks through the police lines, and manages to interest the President in Lilli's case. Impressed by his audacity, the President makes it possible for Lilli to remain in America.

Allen Boretz wrote the screen play from a play by Lucille S. Prumbs and Sara B. Smith. Milton Sperling produced it, and Elliott Nugent directed it. The cast includes Benny Baker, Sid Tomak, John Qualen, Fritz Feld and others.

Unobjectionable morally.

"Slippy McGee" with Donald Barry, Dale Evans and Tom Brown

(Republic, Jan. 15; time, 65 min.)

A fairly good human interest program drama, based on a crook-regeneration theme. The story is the old one about a young safe-cracker whose association with an understanding priest and love for a clean-cut girl help him to see the error of his ways. But despite the stock situations and the lack of novelty in the plot it holds one's interest well because of the steady-moving action and the capable performances. There is a touch of gangsterism in the story, making several of the sequences quite exciting. The romantic interest is appealing, and there are enough comedy touches to lighten the proceedings. The story was produced once before by First National as a silent in 1923:—

Having just committed his first crime, a jewel robbery, Donald Barry instructs his partners (Murray Alper and Michael Carr) to hide the stolen diamonds while he heads South to wait until the "heat is off." Barry is injured in the

small town of Middleton when he saves a youngster from being run down by a truck. Father Tom Brown takes him into the parish house and summons Dale Evans, a nurse, to care for him. Although he suspected Barry's criminal past because of burglar tools found in his traveling bag, the kindly priest believes that there is good in him. Barry falls in love with Dale and determines to go straight. He visits his partners, who had come to Middleton to be near him, and tells them to get out of town. They ignore his advice and rob the local bank under circumstances that point the finger of suspicion on Barry. To clear himself with Dale and the priest, Barry recovers the money and brings it to the priest to return to the bank. Meanwhile Alper kills Carr in an argument, after which he determines to recover the money from Barry. A fight ensues, ending with Alper being shot dead by the police. Though cleared of the bank robbery Barry admits the jewel theft and willingly returns to St. Louis to face the music. Dale promises to wait for him.

Norman S. Hall and Jerry Gruskin wrote the screen play from a novel by Marie Conway Oemler. Lou Brock produced it, and Albert Kelley directed it. The cast includes James Seay, Dick Elliott and others. Unobjectionable morally.

"To the Ends of the Earth" with Dick Powell and Signe Hasso

(Columbia, February; time, 109 min.)

A pretty good adventure melodrama, revolving around a Treasury Agent's efforts to smash a narcotic smuggling ring. Given a semi-documentary treatment, and combining fact and fiction, with the accent on fiction, the story is inclined to run wild at times and much of it is incredible; nevertheless, it should appeal to melodrama-loving fans, for the excitement and suspense are pretty well sustained. In addition to the melodramatics, which involve a worldwide chase before the ring is broken up and its leaders captured, the film offers an interesting insight on the methods employed to slip the drugs past custom officials in different parts of the world, as well as the manner in which the illegal poppy is grown and processed. The height of brutality is shown in one sequence, where 100 Chinese slaves, bound to an anchor on a ship manned by Japanese, who were transporting them to opium plantations, are dumped overboard and dragged to the bottom of the sea by the weight of the chain when the Japs endeavor to hide all evidence of their presence aboard; sensitive people will be sickened by this sequence. While any theme that deals with dope traffic is hardly desirable, what is shown is, on the whole, not objectionable:—

Dick Powell, an agent attached to the U. S. Treasury Department's Narcotic Bureau in 1936, witnesses the Japanese-manned ship jettison its human cargo while chasing it to the 12-mile limit off the San Francisco coast. Suspecting that the ship was engaged in dope smuggling activities, Powell traces the crew to Shanghai. There, with the aid of a Chinese government official, he picks up the trail of an international ring of smugglers, the members of which either commit suicide or are murdered before he can obtain information from them concerning the identity of their leader. While still in Shanghai he meets and finds reason to suspect Signe Hasso, American governess of an orphaned Chinese girl (Maylia). The pursuit of the gang takes Powell to Egypt, Syria, and Havana and, though he gains more information about the ring, the leader's identity still eludes him. Meanwhile he continually comes across evidence that seems to implicate Signe, whom he sees again in Havana. Carefully weaving a net around the smugglers, Powell permits them to sneak a fortune in narcotics aboard a ship bound for New York. He boards the ship secretly to keep an eye on the narcotics, but his presence is soon discovered by the smugglers. In a battle of wits that almost costs Powell his life, he finally traps the smugglers and proves that none other than the Chinese orphan was the leader, and that Signe had been her unwitting dupe.

Jay Richard Kennedy wrote the original screen play, Sidney Buchman produced it, and Robert Stevenson directed it. The cast includes Ludwig Donath, Vladimir Sokoloff, Edgar Barrier and others. Adult fare.

"You Were Meant for Me" with Dan Dailey and Jeanne Crain

(20th Century-Fox, February; time, 91 min.)

Dan Dailey, whose work as the father in "Mother Wore Tights" won him much praise, comes through with another ingratiating performance as a popular dance band leader in "You Were Meant for Me," a charming, nostalgic entertainment that takes one back to the flapper age and the birth of the depression in 1929. Singing, dancing, or acting, Dailey displays remarkable versatility. Jeanne Crain, as the small-town girl who marries him and helps him overcome the setback caused by the Wall Street crash, is appealingly demure and reminds one of her performance in "Margarie." The nimble wisecracks of Oscar Levant, as Dailey's manager, add much to the entertainment values. The story itself is light, but it has a pleasing romantic quality, good comedy touches, and considerable human interest. Moreover, it has a melodious musical score, featuring a number of song hits that were popular in 1929. It is a wholesome, satisfying picture, one that makes you leave the theatre humming a tune:

Dailey, whose distinctive swing band was the rage with collegians throughout the country, plays a dance engagement in Bloomington, a typical small town. The dance is attended by Jeanne, one of his many ardent admirers, who finds herself holding the lucky number in the drawing for the door prize. She kisses Dailey impulsively when he hands her the prize, thus starting a romance that culminates with their elopement on the following night. Happily married and riding the crest of his popularity, Dailey remains oblivious to the impending stock market crash and spends his money freely. The crash finds him with a minimum amount of money and a cancellation of a season's contract at a large New York hotel. He is compelled to break up his band. Jeanne induces him to return to Bloomington to live with her parents (Percy Kilbride and Selena Royle) until the band business picks up again. He remains idle for many months, turning down several offers for small engagements because of his refusal to accept anything but top bookings. With her father struggling to support the family with his failing brick yard business, Jeanne becomes annoyed at Dailey's attitude and berates him for not accepting the engagements in order to make her father's lot easier. Peeved, he decides to return to New York without her, but he changes his mind at train time and goes to work in the brick yard. Levant, needing a job, joins him. The story ends several years later with Dailey once again on top as a band leader, and with Levant managing the brick yard.

Elick Moll and Valentine Davies wrote the original screen play, Fred Kohlmar produced it, and Lloyd Bacon directed it. Suitable for the entire family.

"Call Northside 777" with James Stewart and Richard Conte

(20th Century-Fox, February; time, 111 min.)

Skillfully produced, competently directed, and capably acted by a uniformly good cast, this is an absorbing dramatic offering, based on a true story about a man who was sentenced to life imprisonment on circumstantial evidence that was subsequently proved false, but not until after he had served eleven years in prison. There is a great deal of human interest in the faith the accused's mother has in his innocence, and in the efforts of a newspaperman to exonerate her boy. The many touches of simple pathos will find a quick response in almost every human breast. The documentary technique, which has been used successfully in other pictures, has once again been put to effective use in this film, with the factual backgrounds adding much to the authenticity of the story material. It has some minor defects, due seemingly to loose plot construction, but on the whole its intrinsic appeal outweighs its shortcomings:—

The story, which opens in 1932, depicts the murder of a Chicago policeman in a speakeasy operated by Betty Garde. Police dragnets are set out for the killers and in the course of events Richard Conte and George Tyne, both having minor police records, are picked up as suspects and brought to trial. Betty positively identifies them as the killers and,

despite their protests of innocence, both are sentenced to life imprisonment. The scene shifts to 1944, when an advertisement appears in the classified section of a Chicago newspaper offering \$5,000 reward for information leading to the killers of the officer murdered in 1932. James Stewart, a reporter, is assigned by Lee J. Cobb, his editor, to check on the advertisement. He learns that it had been placed by Conte's mother who, believing in her son's innocence, had scrubbed floors for 11 years to raise the money offered as a reward. A human interest story written by Stewart about the mother attracts wide and sympathetic attention and, under the prodding of his wife (Helen Walker) and Cobb, Stewart agrees to investigate the case. Frankly cynical at first, Stewart soon finds reason to place credence in Conte's claim of innocence, and he eventually uncovers sufficient though not conclusive evidence indicating that the man had been railroaded to jail. He commits himself to a fight for Conte's freedom, winning it when he manages to prove conclusively that Betty had lied in identifying Conte as one of the killers.

Jerome Cady and Jay Dratler wrote the screen play, based on articles by James P. McGuire. Otto Lang produced it, and Henry Hathaway directed it. Adult entertainment.

"The Naked City" with Barry Fitzgerald, Howard Duff and Dorothy Hart

(Universal-Int'l., February; time, 96 min.)

Excellent! When the year's best melodramas are compiled, this one is sure to be high on the list, for it possesses values such as few pictures can boast of nowadays. To begin with, the picture, which was filmed entirely in New York City, is without question the finest example of documentary technique brought to the screen to date. Not only are the backgrounds authentic, but its depiction of life in the city, from highbrow to lowbrow, from the slums to the better class neighborhoods, is so realistic and it has been acted with such realism that one is made to feel as if he were watching a real-life occurrence in the teeming metropolis.

The story, a murder mystery, unfolds in so fascinating a manner that one's attention is held glued to the screen throughout. Briefly, it opens with the murder of a young woman by two mysterious men. Barry Fitzgerald, a police lieutenant in charge of a Homicide Squad, takes charge of the case and organizes his forces for the solution of the crime. Piecing together the different clues and tracking down every possible lead, Fitzgerald and his men eventually get onto the trail of a small ring of jewel thieves, whose involvement with a prominent society doctor leads them to the murderer, who dies a violent death in a fall from the tower of the Williamsburgh Bridge, after being trapped there by the police.

A brief synopsis cannot do justice to the many details that make this picture outstanding. For instance, the street scenes, the people and their habits, provide the film with some of its most interesting and engaging moments. The sequences involving the grieving parents of the murdered girl, who had left home against their wishes to seek a fast life, will tear at one's heartstrings. The chase towards the finish, where the murderer, panicky, dashes through back yard tenements and finally onto the bridge in an unsuccessful attempt to elude a police blockade, is one of the most exciting this reviewer has ever seen. Much is added to the taut proceedings by the exceptionally fine depiction of the methods employed by the police as they go through painstaking research and minute investigation of every possible lead, no matter how remote, in their efforts to solve the crime.

Barry Fitzgerald turns in a top performance as the police lieutenant, and he is given able support by Howard Duff, Dorothy Hart, Don Taylor, Ted De Corsia and House Jameson, all of whom appear in principal roles. There is not much marquee value in this cast, but, since it is the sort of picture people will talk about and recommend, it should do top box-office business.

Albert Maltz and Malvin Wald wrote the very fine screenplay from a story by Mr. Wald. Jules Dassin did an expert job on the direction. The late Mark Hellinger, who produced it, leaves in this picture a fitting memorial to his genius.

Adult entertainment.

synchronized with such film; and no owner or distributor of any such copyrighted film shall license the public exhibition thereof for profit unless at the time of such license he also possesses the authority to license, and does so license, the reproduction of all copyrighted dialogue, sound effects and music recorded on or synchronized with such film.

"It shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney General, to institute civil actions to prevent and restrain violations of this sub-section of the ACT. . . ."

As reported elsewhere in these columns, ASCAP has agreed to extend the current music tax rates until March 15, pending completion of negotiations with the Theatre Owners of America for a new music licensing formula involving lower rates than the 300% increase announced previously by ASCAP.

The TOA's efforts to reduce the tax are, of course, commendable, but, as it has repeatedly been said by this paper, a reduction in the tax will not solve the problem; it must be eliminated completely, and an amendment to the Copyright Act, such as the one introduced by Representative Lewis and backed by Allied, is the only way by which the exhibitors can rid themselves of this unjust tax.

The time when such beneficial legislation could be put through has never been as favorable, for Representative Lewis, as it has already been pointed out, is Chairman of the House Judiciary Sub-Committee on Patents, Trade Marks and Copyrights, which will have to pass on the measure. Whatever efforts you may exert now to secure passage of this bill will be twice as effective as they could be at any other time. So do not lose this wonderful opportunity! Communicate with your Senators and Congressmen and urge them to support the enactment of the Lewis Bill into a law.

ASCAP EXTENDS DEADLINE TO MARCH 15

Meeting in New York last week, the board of directors of the American Society of Composers, Authors and Publishers agreed to extend for a period of forty-five days, from February 1 to March 15, the current ASCAP music licensing rates.

According to a press release issued by the Theatre Owners of America, the extension was granted on the recommendation of TOA's officials when it became apparent that the negotiations between the two organizations now in progress would not be completed by February 1, the deadline previously set by ASCAP for the boost in rates.

These negotiations, according to reports, involve a new theatre licensing formula embodying lower rates than those announced previously.

While credit is due the TOA for its efforts in securing this extension, which is applicable to all exhibitors, there can be no doubt that the militant efforts of National Allied and of the Pacific Coast Conference, both in challenging the legality of ASCAP's tax impositions and in advocating legislation to curb the Society's monopolistic hold on the exhibitors, played a major part in the decision reached by the ASCAP board.

THE NUMBER OF FEATURE FILMS GETTING FEWER AND FEWER

According to an item in the trade papers, Paramount will produce only twenty pictures this year.

This writer remembers the time when Paramount, or Famous Players-Lasky, used to produce one hundred and four films a year, and the percentage of good to bad pictures was not less than it is today. (And this goes for every other company.)

What has happened? Just now, unit producers, directors and technical crews are in abundance. The only factor that is not in abundance is players with box-office pull. But don't good stories, in a measure, supplant the lack of box-office names? During the history of the motion picture industry there have been numerous instances when pictures without names drew as much and even more than pictures with names.

"Albuquerque" with Randolph Scott and Barbara Britton

(Paramount, Feb. 20; time, 89 min.)

Good Cinecolor photography and players of better than average marquee value bolster this routine Western melodrama, but not enough to lift it above the level of average program fare. The picture is made up of standard ingredients, with enough excitement and fast action, to satisfy the ardent followers of this type of picture. Others, however, may not find it particularly interesting, for the stereotyped story offers nothing unusual, the characterizations are ordinary, and one guesses in advance just how each situation will unfold. The direction is just average and the performances no more than adequate. The action takes place in 1878:—

Randolph Scott, a Texan, is summoned to Albuquerque by his wealthy uncle, George Cleveland, operator of an ore freight line, to manage his business. En route he becomes involved in a stage coach robbery in which ten thousand dollars are stolen from Catherine Craig, who was bringing the money to Albuquerque to help finance the expansion of a freight business owned by her brother, Russell Hayden. Scott investigates the crime and discovers that his uncle, who was bent on crushing Hayden's company lest he become a formidable competitor, had engineered the robbery. He recovers the money, breaks with his uncle, and joins Hayden's firm as a partner. With the aid of "Gabby" Hayes, his head driver, Scott obtains a contract to haul ore from a mine located on a steep mountain, and is promised other business if he succeeds in making the treacherous run down the mountain with his wagon train. Cleveland, aided by a crooked Sheriff and by a gang of hoodlums headed by Lon Chaney, resorts to many tricks in an effort to stop Scott from carrying through his contract. He even imports Barbara Britton and plants her in Hayden's office to obtain information about his freight operations. Barbara, however, falls in love with Hayden and refuses to be dishonest. Meanwhile Scott and Catherine had fallen in love. After numerous gun battles, killings and fist fights, Scott and his followers bring the ore down from the mountain and, in a final battle, wipe out Cleveland and his gang.

Gene Lewis and Clarence Upson Young wrote the screen play from a novel by Luke Short, and Ray Enright directed it. William Pine and William Thomas produced it. Unobjectionable morally.

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A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XXX

SATURDAY, JANUARY 31, 1948

No. 5

A CASE FOR ERIC JOHNSTON

According to Drew Pearson's column of January 23, the Republican party is planning to produce twenty-five motion picture films to be used in the presidential campaign. The first such picture will go into production, Mr. Pearson said, on May 1.

Actors George Murphy, Robert Montgomery and Adolphe Menjou were mentioned as loyal Republicans who will be called upon by the party to help with the project.

The worst service that these actors, or any other actors, can do to the motion picture industry is to appear in political propaganda pictures.

Many actors have not yet come to realize that it is ruinous to the industry for them to be identified with any political party, so far as their work on the screen is concerned, for the simple reason that, if they are popular, they are the idols of persons of all political parties. For them, then, to come out in the open and electioneer for this, that, or the other political party is equal to diminishing their box-office value, for in doing partisan political work they cannot help offending those of their followers who are identified with another political party.

Mr. Johnston should see to it that no actors take part in political propaganda pictures that plug the policies or candidates of any party. Enough harm has been done to the industry by the Washington investigation on un-American activities in Hollywood; we cannot afford to risk any additional unfavorable publicity.

WHEN AN IRRESISTIBLE FORCE MEETS AN IMMOVABLE BODY!

The news from London is that the British Government will not retreat from its position of wanting the imposition of a seventy-five per cent tax on American films brought into their country. As a matter of fact, Sir Wilfred Eady was somewhat indignant when the representative of the American producers suggested that the law be changed—the British Government will not, he said, change the law to accommodate the wishes of foreigners.

On the other hand, the American producers will not retreat either from the position they have taken—that they will not ship film to Great Britain as long as the confiscatory tax remains in force.

What makes it impossible for the American producers to alter their attitude even in the slightest is the fact that, if they accept the seventy-five per cent tax, they must first figure out how much a film will eventu-

ally gross, pay a seventy-five per cent tax on this estimate and, if the film does not gross the amount estimated, wait for a refund from the British treasury.

It seems as if there will be no film shipped to Great Britain as long as the British Government's attitude, as exemplified by Sir Wilfred, remains firm. What will be the result? Hundreds of theatres will close down in Great Britain for lack of product. And with the closing of a substantial number of British theatres, most independent exhibitors will go out of business by reason of the fact that they will be unable to get back their investment from the rentals of the remaining theatres. Consequently, the entire British motion picture industry will suffer.

Perhaps the American Government will find a way to satisfy Britain's acute need for dollars, and at the same time enable the American producers to recover their earnings in dollars, for there seems to be no other way out—if the British Government will not recede from its position, neither will the American producers, for, as it has been stated in these columns before, the Americans cannot accept this tax lest they encourage other nations to follow Britain's lead. In the meantime, innocent people—the British exhibitors, are made to suffer.

Throughout history, the British have been noted for the coolness of their judgment and the soundness of their logic. What has become of these virtues?

WILL UNITED ARTISTS ACQUIRE NEW THEATRES?

According to a recent issue of *The Hollywood Reporter*, United Artists has decided to expand its theatre operations. The report states that the Blumenfeld Circuit, in which United Artists has an interest, will expand in Southern California. This circuit now operates the four music halls in Los Angeles.

This paper doubts the accuracy of this report for the simple reason that there is now pending before the U. S. Supreme Court the Government's suit for the divorcement of exhibition from production-distribution. If the heads of United Artists decide to expand their theatre interests before awaiting the Supreme Court's verdict, they would be committing a business error that would prove very costly in the event the Court heeds the Government's plea for theatre divorcement.

Perhaps the statement, made at a meeting held in San Francisco, in which Arthur Kelly, vice-president of United Artists, and Joe Blumenfeld and Joseph McNerney took part, was merely a feeler to compel the affiliated theatres to give the United Artists pictures more bookings.

"The Smugglers" with Michael Redgrave and Jean Kent

(Eagle-Lion, Jan. 31; time, 85 min.)

Produced in Great Britain under the title, "The Man Within," this costume melodrama, which is set in the smuggling days of early England in the 19th Century, is high in artistic values. It has an unusual story, capable performances, exceptionally fine Technicolor photography, and very effective background music. As entertainment, however, its story about a young man who develops from a cowardly weakling into a man of courage will probably have limited appeal, for, though it is tense and exciting, it is extremely unpleasant, at times sickening in its depiction of torture and brutality. It is definitely not a picture for children, first because it is too harrowing for them, and secondly, because it deals with sex matters in too frank a manner. Besides, it attempts to win sympathy for a set of characters whose actions are, to say the least, unsavory:—

Orphaned by the death of his father, skipper of a smuggling vessel, Richard Attenborough is placed under the guardianship of Michael Redgrave, who had taken over command of his father's ship. Redgrave develops a deep sympathy for the frail, nervous lad, and takes him to sea. He proves to be a bad sailor and, to escape the taunts of the brutal crew, seeks out Redgrave's companionship. During one voyage, several kegs of whiskey are stolen and, through a frame-up by the crew, Richard is held responsible. The lad pleads innocence, but Redgrave, for the sake of preserving discipline, applies the lash to his back. Smarting under his unjust punishment, Richard, seeking revenge, informs the authorities of the crew's plan to deliver an illegal shipment of brandy on the Sussex coast. Customs officers ambush the crew and, in the ensuing fight, one of the officers is killed. Several of the crew members are captured, but Redgrave manages to escape and takes after Richard, who had fled into the woods; he realized that the lad had betrayed him and vowed to kill him. With Redgrave in hot pursuit, Richard takes refuge in the home of Joan Greenwood, step-daughter of the murdered officer, with whom he falls in love. She builds up his courage and induces him to testify against the captured crew members. His evidence convicts them, but in a sudden feeling of remorse he refuses to identify Redgrave, whom he spies sitting in the gallery. Subsequent events, involving a murder committed by an uncaptured crew member seeking revenge on Richard, land both Richard and Redgrave in jail. Richard is subjected to fiery torture in an attempt to force him to identify Redgrave as head of the smugglers, but he bears his pain manfully and refuses to speak. Redgrave, admiring the lad's courage, confesses his identity and goes to the gallows, thus enabling Richard to be set free.

Muriel and Sydney Box wrote the screen play and produced it from a novel by Graham Greene. Bernard Knowles directed it.

Adult fare.

"The Woman from Tangier" with Adele Jergens and Stephen Dunne

(Columbia, February 12; time, 65 min.)

A minor program melodrama that will take up sixty-five minutes of screen time wherever double-bills are required but will leave the audience cold. Not only is the story thin and unbelievable, but talk rather than action is employed in the unfoldment, causing one to become impatient with it long before the final reel. Here and there it has a melodramatic incident, but these are so mechanical that one is left unimpressed. None of the characters are sympathetic, and the whole story is lacking in human appeal:—

Dennis Greene, captain of a ship that puts in at Tangier, steals \$50,000 from the ship's safe. He murders his first mate, then tells the police that he was certain that the dead man had committed the theft, and that he had killed him in self-defense. Ivan Triesault, the prefect of police, and Stephen Dunne, representative of an insurance company, order the ship to remain in port until the money is recov-

ered. Meanwhile Ian MacDonald, a cafe owner from Morocco, who was Greene's confederate, flies to Tangier to collect his share of the loot, killing the pilot when he, too, demands a share. Adele Jergens, an American dancer who was a passenger on the ship, and who had once been in love with MacDonald, meets him while walking near her hotel. Without revealing why he was compelled to remain in hiding, he persuades her to bring food to him at an abandoned warehouse and to deliver a note to Greene. The note gives Adele reason to suspect that their dealings involved the stolen money. In the meantime Greene decides to keep the money for himself and, through a series of tricky moves, he manages to kill MacDonald and make it appear as if he had done so in self-defense. He then lays plans to kill Adele because she knew too much. Thoroughly frightened, Adele informs Dunne and the police all she knew about the crimes and, through a clever trap, they lead Greene to believe that the money had been recovered, tricking him into revealing where the loot was hidden. He is arrested for the theft and murders. It all ends with Adele and Dunne discussing wedding plans.

Irwin Franklin wrote the original screen play, Martin Mooney produced it, and Harold Daniels directed it.

Adult entertainment.

"Black Bart" with Yvonne De Carlo and Dan Duryea

(Univ.-Int'l, no rel. date set; time, 81 min.)

More notable for its Technicolor photography than for its feeble and cliché-ridden plot, this western-type melodrama is routine program fare that will depend heavily on the marquee value of Yvonne De Carlo and Dan Duryea. It has a sufficient quantity of hard-riding, stagecoach robberies, and gunplay to satisfy the not-too-discriminating action fans. Others, however, will probably find it too pat and contrived to carry any conviction. Moreover, there are no human interest touches, and no sympathy is felt for any of the characters. The color photography is good, but it does not compensate for the picture's lack of imagination in script, staging, and acting:—

Dan Duryea and Jeffrey Lynn, notorious cowboy renegades, are saved from a lynching by the timely interference of Percy Kilbride, their partner-in-crime, who puts the sheriff and his men to rout. Duryea deems it best to dissolve the partnership and, in so doing, cheats his partners out of their share of stolen money. He heads for Sacramento, where he becomes chummy with John MacIntyre, a minor Wells Fargo official, from whom he secures information that enables him to perform reckless stagecoach robberies of gold shipments while dressed in the garb of a hooded highwayman. Fabulous rewards are offered for his capture, but Duryea manages to elude his pursuers and keeps his identity hidden by posing as a wealthy rancher. On one of his robberies Duryea holds up a stagecoach carrying as passengers his former partners, who fail to recognize him, and Yvonne De Carlo, a famous international dancer. The horses bolt during a scuffle and, while Duryea makes a getaway, Lynn and Kilbride bring the runaway under control and are rewarded by Wells Fargo with jobs as a driver and guard team. Duryea renews acquaintances with his former buddies, vying with Lynn for the attentions of Yvonne. She falls in love with Duryea, but refuses to marry him when he inadvertently discloses that he was the hunted highwayman. He promises to go straight after committing one more hold-up of a stagecoach carrying a huge shipment of gold. Meanwhile Lynn and Kilbride had laid plans to commit the robbery, hoping that the blame would be placed on the mysterious highwayman. Their paths cross in the events that follow and, while they quarrel over the loot, both Lynn and Duryea are trapped by a sheriff's posse and shot dead. Kilbride ends up in jail.

Luci Ward and Jack Natteford wrote the story and collaborated on the screen play with William Bowers. Leonard Goldstein produced it, and George Sherman directed it.

Adult entertainment.

"Holiday Camp" with an all-British cast*(Univ.-Int'l., no rel. date set; time, 97 min.)*

A thoroughly entertaining, heartwarming, likeable British-made comedy-drama. The action takes place in a huge British vacation camp catering to the working class—people with low incomes who save their pennies throughout the year for a week of diversion and enjoyment. Told in the "Grand Hotel" manner, the story is made up of a series of connected sub-plots revolving around the joys and heartaches of some of the people who visit the camp. They include Jack Warner, a middle-aged bus driver, and Kathleen Harrison, his wife, who come to the camp for their first holiday in more than twenty years, accompanied by Peter Hammond, their 16-year-old son, and by Hazel Court, their 21-year-old war-widowed daughter and her 3-year-old child; Jimmy Hanley, a sailor, who finds romance with Hazel; Yvonne Owen, Hazel's flighty girl-friend, whose turbulent romance with Dennis Price, a flashy crook, is broken up when he is picked up by Scotland Yard; Emrys Jones and Jeane Tregarten, a young couple on a secret romantic holiday, whose marriage was forbidden by their guardians in spite of the fact that she was to become a mother; and Flora Robson, a depressed but kindly middle-aged spinster, who sets aside her own heartaches to give aid and comfort to the sensitive couple.

The doings of these people and the manner in which they become intimate and learn to enjoy one another's company as they participate in the different events arranged by the camp officials, unfold in so realistic a way that the spectator shares in their joys and sorrows. As the middle-aged couple who still find pleasure in each other after years of marriage, Mr. Warner and Miss Harrison are completely charming and natural. Mr. Warner's work is exceptionally capable, and his good humor as he playfully taunts his wife by paying innocent attentions to other women makes itself felt in the audience. The manner in which he turns the tables on two crooked gamblers who had victimized his inexperienced son is particularly amusing. On the whole the picture is a skillful blend of comedy, drama, and romance, presented in a warmly appealing way. Since the players are not known to American audiences the picture is totally lacking in marquee value, but it is worthwhile exploiting for, once in the theatre, picture-goers should find it thoroughly enjoyable.

Peter Rogers and Muriel and Sydney Box wrote the screen play from a story by Godfrey Winn. Mr. Box produced it, and Ken Annakin directed it.

Adult entertainment.

"Campus Honeymoon" with Adele Mara, Lee and Lyn Wilde, Richard Crane and Hal Hackett*(Republic, February 1; time, 61 min.)*

A very entertaining comedy with music, far better than most program pictures of its type. Basically, the story is not new, but it is timely, and Richard Sale's bright screen play, coupled with his expert direction, keeps the action moving at a swift and merry pace throughout. Moreover, there are laughs aplenty, the music is exceptionally good, the cast is well-chosen, and the zestful performances by the players add much to the entertainment values. The dialogue is unusually witty. All in all, there is much about this picture that would do credit to many a musical that has been produced on a more expensive scale. In addition to his screen play and directorial chores, Mr. Sale also wrote five of the picture's tuneful songs:—

Arriving at a badly overcrowded university, veterans Richard Crane and Hal Hackett learn that students may not register until they furnish proof of adequate housing. During their desperate search for lodgings, the boys meet sisters Lyn and Lee Wilde, who were in a similar predicament. Adele Mara, whose husband managed a Veterans Housing Project for married veterans only, mistakenly believes that the boys were married to the sisters and offers them the last two vacant units in the village. Desperate, the four agree to pretend that they are married—the boys taking

one bungalow, and the girls the other. Complications set in when, after living in the bungalows for several weeks, the two couples are asked to produce their wedding certificates, a formality that had been overlooked. They manage to delay the inevitable by claiming that they were married in Manila. A radiogram is sent to Manila for the papers. While awaiting arrival of the fateful news denying the marriages, more complications set in when the girls' uncle, Senator Edwin Maxwell, who had been demanding that the Government stop supporting veteran housing, comes to the college and finds his nieces supposedly "living in sin." The girls, furious at his attitude, threaten to say that he had planted them in the village to discredit the project. The Senator softens and resolves the problem by digging up an old law stating that an unmarried couple, publicly registered as man and wife, are considered legally married. The two couples, by this time very much in love, go through an official marriage to make things even more legal.

Jerry Gruskin collaborated on the screen play with Mr. Sale, and Fanchon produced it. The cast includes Wilson Wood, Stephanie Bachelor, Teddy Infuhr and others.

Unobjectionable morally.

"Piccadilly Incident" with Anna Neagle*(MGM, no release date set; time, 88 min.)*

An interesting British-made drama, the sort that should exert a strong appeal to feminine fans, for it is dramatically effective in spite of the fact that it has a rather improbable story. A sincere performance by Anna Neagle, who is known to American audiences, gives body and character to the provocative though fanciful theme, which revolves around a WREN—the British equivalent of an American WAVE—who, after being lost for three years, returns to her husband only to discover that he, believing her dead, had married again and had a child. Her return presents a problem in that the child, under British law, would be regarded as illegitimate. This problem is solved with a rather contrived bit of hokum in which Miss Neagle dies in an air raid, but her delicate playing puts the scene over in a moving way. Although the second half of the picture is tragic, the first half, which deals with her hasty but tender romance and marriage, is charming and has touches of light comedy:—

Set in wartime London, the story opens with Anna, a WREN, bumping into Michael Wilding during an air raid. Their accidental meeting blossoms into a romance, and when Anne receives orders to be shipped overseas they marry and enjoy a short honeymoon before their departure. Tragedy strikes when Wilding receives official word that Anna was dead—drowned at sea when her ship was sunk in an attack. Distraught, he loses interest in life until he meets Frances Mercer, an American Red Cross worker, whose kindly understanding eventually leads to their marriage and the birth of a son. Meanwhile Anna, together with another WREN and four sailors, had drifted in their lifeboat to an uncharted South Pacific island, completely cut off from the rest of the world. For three years, she resists the romantic overtures of one of the sailors, remaining true to her husband. All are eventually rescued by an American patrol plane and returned to England. She hastens to Wilding's home unannounced and is greeted by Frances, who imagines her to be an old friend of her husband's. Discovering that he had remarried and that he now had a son, Anna leaves without disclosing her identity to Frances. She seeks legal advice and is informed that even a divorce from Wilding would not take away the mark of illegitimacy from Wilding's son in the eyes of the British law. Unwilling, however, to otherwise interfere with Wilding's new-found happiness, Anna goes to him and tells him that their marriage was a mistake and that she really did not love him. Their meeting is disrupted by a sudden bomb hit that injures Anna fatally. She dies in his arms, happy in the knowledge of his love.

Nicholas Phipps wrote the screen play, and Herbert Wilcox produced and directed it.

Adult entertainment.

AN INADVERTENT OMISSION

In reporting last week that ASCAP has extended to March 15 its current music licensing rates, this paper, while giving the Theatre Owners of America its due for its efforts in securing this extension, said that "... there can be no doubt that the militant efforts of National Allied and of the Pacific Coast Conference, both in challenging the legality of ASCAP's tax impositions and in advocating legislation to curb the Society's monopolistic hold on the exhibitors, played a major part in the decision reached by the ASCAP board."

In ascribing this extension solely to the efforts of the aforementioned exhibitor organizations, HARRISON'S REPORTS inadvertently erred, for there can be no doubt that the militant position taken by the Independent Theatre Owners' Association of New York certainly was one of the prime factors that brought about this extension of time.

The major role played by the ITOA is evidenced by the following facts: In October, 1947, the ITOA incorporated in its long-standing anti-trust suit against ASCAP an application to enjoin ASCAP from putting its announced new tax rates into effect. The motion for a restraining order was stayed pending the trial, which had been set for January 5 of this year. The trial subsequently was postponed to February 2, and the injunction by stipulation was adjourned on ASCAP's counsel's agreement that, insofar as the ITOA members involved in the suit were concerned, the new tax rates would not become effective for at least thirty days after the trial. Considering the number of days that might be consumed by the trial, the date of the extension would be brought to approximately March 15.

In view of the fact that ASCAP's own counsel had agreed to an extension to approximately March 15 for the 165 exhibitors represented in the ITOA suit, it is reasonable to assume that the Society deemed it wise to grant such an extension to all other exhibitors lest it find itself in an anomalous position. And, if there should be another postponement of the trial together with the stipulation that the new tax rates would not become effective until after thirty days, any further extension granted to the ITOA members may be granted also to all other exhibitors, thus extending the deadline beyond March 15.

HARRISON'S REPORTS is happy to correct this inadvertent omission of the credit due the ITOA for its efforts in securing an extension of time from ASCAP.

PARAMOUNT'S FOREIGN LOSSES LIGHT

In a letter sent to the Paramount stockholders towards the close of 1947, Barney Balaban, president of the company, revealed that Paramount has been affected less than any other film company by the loss of the foreign market, for only ten per cent of its worldwide revenue is derived from foreign distribution of its pictures. The earnings from Paramount theatres, said Mr. Balaban, minimized the company's foreign-market losses.

Mr. Balaban stated that, hereafter, pictures that will go into the inventory will represent a lower production cost and they will, therefore, call for lower

amortization charges when their distribution begins in the fall.

The exhibitors no doubt are pleased to hear at least one major company state that its losses from the foreign market are small as compared to its profits from the domestic market, both from the theatres and from distribution.

Even the ten per cent loss from the foreign market could be offset by the economies effected at the Paramount studio.

It seems as if Paramount will not ask the exhibitors to foot any losses in the coming months, for, according to what Mr. Balaban told the stockholders, there should be no losses.

"Fighting Mad" with Leon Errol, Joe Kirkwood and Elyse Knox

(Monogram, January 31; time, 74 min.)

Like its predecessors, this latest of the "Joe Palooka" pictures neatly balances tense fight sequences with a human interest story; it should make a good supporting feature generally, and is strong enough to top a double-bill in lesser action and neighborhood houses. The story is simple, but it is well written and dramatically effective, holding one's interest throughout. Its appeal lies in the staunch loyalty that exists between "Palooka" and "Knobby Walsh," his manager, with both these roles once again played by Joe Kirkwood and Leon Errol in a human, likeable way. The romantic interest is pleasant, and the comedy touches amusing. The fight sequences are very good:—

Having injured his optic nerve while defending his world's championship title, Kirkwood almost goes blind and is ordered by his doctor to retire from the ring lest he lose his sight permanently. Errol, searching for a new pugilist, buys an interest in Jack Shea, a heavyweight, unaware that Shea was under the control of Charles Kane, a crooked gambler, who had been "fixing" his fights to make him look good. Kane planned to use Errol's reputation as a manager to his advantage. Errol, eventually discovering that Shea's fights had been fixed by Kane, decides to give up his interest in him, but Kane, by threatening to reveal that Errol had been involved in crooked bouts, compels him to continue as Shea's manager. Learning of Errol's predicament, Kirkwood, though faced with the danger of blindness if hit about the head, decides to come out of retirement to fight Shea. Errol, unable to induce Kirkwood to change his mind, makes a deal with Kane to keep Shea from hitting Kirkwood about the head. The double-crossing Kane, however, bets heavily on Shea and orders him to concentrate his punches on Kirkwood's head. Since the general public was unaware of Kirkwood's condition, Kane has little difficulty in obtaining bets at good odds. On the night of the fight, Shea's tactics soon have Kirkwood on the verge of defeat, but the undefeated champ recuperates in time to knock out his foe. Kane, having suffered a heavy loss, orders his henchmen to threaten Errol after the fight, but timely police action saves Errol from harm and lands the gamblers in jail.

John Bright wrote the screen play from a story by Ralph Lewis and B. B. Shamburg. Hal E. Chester produced it, and Reginald LeBorg directed it. The cast includes John Hubbard, Patricia Dane, Wally Vernon and others.

Unobjectionable morally.

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A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XXX

SATURDAY, FEBRUARY 7, 1948

No. 6

BOX-OFFICE MEASLES

You don't have to be told that business is bad—you feel it at the box-office.

Don't let any one make you believe that a depression has set in—such is not the case; pictures are doing poor business because their quality is poor. And the proof of it is the fact that good pictures draw big crowds.

Is there any cure for the poor quality of pictures? I hardly think so; when you see pictures produced by persons whose only qualification is political connection, you can hardly expect the betterment of picture quality.

But how about those who have had experience at producing pictures? Let us take just one example—"The Sign of the Ram," produced by Columbia, which is reviewed elsewhere in this issue. Here is a case where Columbia had a wonderful opportunity to make an outstanding production, one that could pull the picture-goers into the theatres by droves, for they had in the lead an actress who was a natural—Susan Peters. You undoubtedly remember that Miss Peters was shot in the spine by an accidental discharge of a gun while hunting with her husband, an injury that has left her without the use of her legs. The newspapers of the nation were full of stories about the brave fight Miss Peters carried on to escape with her life.

Columbia's idea of putting her into a picture was excellent. All they needed was a good story with which to rekindle the public's interest and stir their emotions—a story that could have been a reproduction of the gallant fight Miss Peters put up. Such a story would have been a natural at the box-office. But what did the Columbia executives do? They gave her a story that is an atrocity for any occasion and any actress, let alone for this occasion and Miss Peters; she is presented as an invalid confined to a wheel chair, a benevolent tyrant without character, who subtly tries to wreck the lives of different members of her family, whose devotion to her knew no bounds.

Miss Peters, a capable performer, has a personality that is naturally appealing, the kind that can easily win an audience's sympathy. It is, therefore, unfortunate for her, and unpardonable for Columbia, that her screen comeback is marked by one of the most unsympathetic roles imaginable.

Columbia has missed a great opportunity, not only to make a handsome profit for itself, but also to help the exhibitors, too, make such a profit.

When one sees an opportunity such as this missed, how can one hope that the quality of pictures will improve?

GOVERNMENT'S ATTITUDE ON DIVORCEMENT A BOON FOR PRODUCTION

Nothing but absolute divorcement of theatres from production-distribution will satisfy the Department of Justice. This was revealed in the preliminary brief that was exchanged recently with the defendant distributors in the New York equity case.

The Department wants also a ban on cross-licensing of pictures for a ten-year period while the long-range divestiture is carried out.

The opinion prevails that the courts will eventually rule for theatre divestiture.

Though ownership of theatres has brought millions to the theatre-owning producer-distributors, it has now brought them headaches, the kind that nothing short of divestiture will cure.

For instance, how many millions have the producers lost as a result of the Hollywood jurisdictional strike? And how many more millions will they lose? And yet the jurisdictional strike could have been settled in a very short time were it not for the fact that one of the disputants threatened to pull the projectionists out of the affiliated theatres throughout the country if the producers gave in to the other side.

The same fear, no doubt, compelled the producers to give in to every demand of the union, no matter how exorbitant, thus bringing about the high cost of labor in Hollywood.

Those who visit Hollywood are filled with tales of jurisdictional limitations. A switch cannot be turned on and off unless the proper union man does the work. Recently I mentioned in these columns an instance where a union man turned a switch on and off twice in three days, an operation requiring only a few seconds. He occupied the rest of the time sitting down, either playing cards or watching the others work.

In another case the script required that a rope be pulled to tumble a library case and spill the books. The books and the rope were all in place but there was no action. When the director asked the reason for the delay, he was told that no one else but the proper kind of union man (a stunt man) had a right to pull the rope.

"Have you sent for this man?" the director inquired.

"Yes!" he was told.

"Then why don't you go ahead and have some one else pull the rope as long as we are willing to pay the right man?"

Another union man pulled the rope so that the work might proceed. But all this delay cost the producer considerable money, for every member of the crew—cameramen, electricians, grips, gaffers, directors, stars, supporting players and every one else required on the set were being paid while the stunt man was on his way to pull the rope to throw the library case down.

One could fill volumes with similar jurisdictional nonsenses, which will leave no doubt that they are tolerated by the producers only because of the fear that the unions, if bucked, may pull the projectionists out of the affiliated theatres.

When the producer-distributors are compelled to give up their theatres, they will no longer be bothered by this threat. Hence, there will undoubtedly be a liberalization of jurisdictional rights, for the unions will be unable to blackmail the producers into capitulation.

The elimination of such ridiculous work division will undoubtedly contribute to a reduction in the cost of production. Today the union members are getting a full day's pay but they are not doing a full day's work—they are deliberately lying down on the job. When they learn that they can no longer blackmail the producers with the threat of a projectionist strike, and when they are fully aware, as they must be now, that the foreign market is practically lost and that pictures must be produced at a cost that can be recouped in the domestic market, they will be willing to be fair and reasonable. And that is all that is needed to start production humming again.

**"If You Knew Susie" with Eddie Cantor,
Joan Davis and Allyn Joslyn**
(RKO, no release date set; time, 89 min.)

A lively comedy, the sort that should go over pretty well with all types of audiences, for the action is speedy and the laughs are continuous from start to finish. The farcical story is thin, and some of the gags and situations are rather familiar, but the treatment is good, and the zesty clowning of Eddie Cantor and Joan Davis puts the comedy over in a way that tickles the spectator's sense of humor, even though much of it is in a slapstick vein. Worked into the proceedings are several melodious songs sung by Cantor and Miss Davis, a unique production number featuring a group of very pretty girls, and an hilarious opera song number in which Cantor and Miss Davis are joined by George Murphy and Constance Moore—all this adds much to the entertainment values. Family audiences will get a kick out of the picture, and word-of-mouth advertising should make itself felt at the box-office:—

Retiring from the vaudeville stage, Joan and Cantor use their savings to buy back their ancestral family home in a staid New England town, so that their children (Bobby Driscoll and Margaret Kerry) could be brought up in cultural surroundings. Cantor incurs the wrath of the community when he turns the mansion into a night-club; no one patronizes the place, compelling him to sell out. During the auction, an old box is found containing a letter from George Washington to Cantor's great-great-grandfather, granting him \$50,000 for services rendered in the Revolutionary War. Accompanied by Joan, Cantor goes to Washington to have the document authenticated. There, they meet Allyn Joslyn, a newspaperman, who discovers that the Government had neglected to pay the grant, and that, with interest compounded, it now owed Cantor, the rightful heir, seven billion dollars. Joslyn's news agency makes the most of the sensational news, but a rival news agency, to combat its competitor, begins a campaign villifying the couple for their greed. To recapture the spotlight, Joslyn arranges with two underworld characters to kidnap the couple. Joan and Cantor happily agree to the scheme, unaware that a pair of tougher crooks had taken over the kidnaping in a serious vein. They soon learn the truth and, after a series of hair-raising events, manage to escape. In due time the Government acknowledges its debt to Cantor, but rather than ruin his country financially Cantor cancels the debt and becomes a national hero.

Warren Wilson and Gordon M. Douglas wrote the original screen play, Mr. Cantor produced it, and Mr. Douglas directed it. The cast includes Charles Dingle, Sheldon Leonard, Joe Sawyer, Mabel Paige, Sig Ruman, Fritz Feld and others.

**"Alias a Gentleman" with Wallace Beery,
Tom Drake and Dorothy Patrick**
(MGM, March; time, 76 min.)

While not an exceptional comedy-melodrama, "Alias a Gentleman" holds one's attention fairly well and should give satisfaction to the Wallace Beery fans, for he "mugs" his way through the proceedings in typical fashion. It does not, however, rise above the level of program fare. The story, though not very substantial, is suited to Beery's talents and, while the accent is on the comedy, the melodramatic and sympathetic sides are well developed. Most of the comedy centers around Beery's transformation from a crude but kindly ex-convict to a Park Avenue gentleman when he comes into sudden wealth. His efforts to behave and speak like a man of upper-class bearing are good for many chuckles. There is considerable human interest in the manner in which he brings about the reformation of a young girl who had tried to mulct him of his money, and of a young racketeer with whom she was in love. The closing scenes, where he traps a group of gangsters who were trying to force him back into a life of crime, are exciting:—

Beery, completing a 15-year sentence for bank robbery, strikes up a strong friendship with Tom Drake, a cocky young racketeer. With a legitimate "bankroll" awaiting him on the outside, the result of a lucky investment, Beery had spent his spare time studying to be a gentleman. Upon his release, he establishes himself in a Park Avenue penthouse,

and acquires a girl-friend, Gladys George. Leon Ames, his former partner-in-crime, doubts that his new wealth was honest and, to learn if Beery's money came from hauls they had formerly made, Ames arranges with Dorothy Patrick to pose as Beery's long-lost daughter, whom he believed dead. Beery accepts the girl and lavishes his wealth on her. When Drake is released from prison, Beery frowns upon the romance that springs up between the boy and Dorothy. Beery's genuine affection makes Dorothy ashamed; she plans to run away with Drake. Beery intercepts her, and she is compelled to confess the hoax. Her confession is a bitter blow to him, but when she and Drake are kidnapped by Ames' henchmen and a \$200,000 ransom is demanded from him, Beery swings into action. He arranges to turn over the money at a nightclub to which Dorothy and Drake were to be brought. There, he pulls a gun on Ames to insure the youngsters' safe exit, then starts a free-for-all that culminates with the gang's arrest by the police. It ends with Dorothy's marriage to Drake, and with Beery's engagement to Gladys.

William R. Lipman wrote the screen play from a story by Peter Ruric. Nat Perrin produced it, and Harry Beaumont directed it. The cast includes Warner Anderson, John Qualen, Sheldon Leonard and others.

Unobjectionable morally.

**"Jassy" with Margaret Lockwood,
Patricia Roc and Dennis Price**

(Univ.-Int'l, no release date set; time, 96 min.)

Exquisite Technicolor photography and opulent production values have been wasted on a story that is weak, old-fashioned and sordid. Produced in Great Britain, it is a period melodrama set in 1830 England, revolving around the misadventures and romantic triumphs of a half-gypsy girl. It is a highly theatrical tale, totally lacking in dramatic impact because it "wanders all over the lot," dwelling on incidents that neither add anything to the plot nor help to define more clearly the many characterizations involved. Not one of the characters wins the spectator's sympathy, for each is either unscrupulous or immoral. Moreover, the acting is over-melodramatic and unconvincing. The whole thing can be summed up as a hodge-podge of brutal violence, illicit relationships, drunken rages, crooked gambling, deceit, revenge, murder, and romance, beautifully staged but lacking in appeal to one's emotions. It may hold some fascination for less critical audiences, but the more discriminating picture-goers will probably find the episodic and contrived plot rather tiresome. It is definitely not a picture for children:—

Margaret Lockwood, a half-gypsy girl, is rescued from tormenting villagers by Dermot Walsh, who takes her to his family farmhouse to work as a maid. Walsh's family had been reduced to poverty when his father, in a gambling spree, had lost their ancestral estate to Basil Sydney, an ill-mannered bully, who had accidentally killed Margaret's father in a drunken rage. When Walsh begins to take an interest in Margaret, his mother sends her away. She obtains employment at a boarding school, losing that job when she tries to protect Patricia Roc, Sydney's flighty daughter, from an escapade with a young soldier. Patricia, expelled, takes Margaret home with her. Sydney, who had discarded his wife after catching her in an illicit love affair, soon tries to make love to Margaret. Before long she establishes herself as his housekeeper. Meanwhile Patricia carries on a secret love affair with Walsh, much to Margaret's sorrow, for she loved him deeply. But the fickle Patricia jilts Walsh and marries a wealthy landowner. Sydney, passionately in love with Margaret, asks her to marry him. She agrees, first tricking him into signing the estate over to her, then, in revenge for her father's murder, refusing to consummate the marriage. Embittered, Sydney becomes so abusive that a mute servant girl, whom Margaret had befriended, poisons him. Circumstantial evidence, however, leads to Margaret's conviction for the crime, but she wins an acquittal when the mute regains her power of speech and confesses to the murder. Freed, Margaret gives the deed to the estate to Walsh, who, realizing his love for her, asks her to marry him.

Dorothy and Campbell Christie and Geoffrey Unsworth wrote the screen play from the novel by Norah Loftis. Sydney Box produced it, and Bernard Knowles directed it.

✓ "A Miracle Can Happen" with all-star cast

(United Artists, February; time, 107 min.)

"A Miracle Can Happen" will undoubtedly do good business, for it offers a glittering array of talent, including such stars as Paulette Goddard, Burgess Meredith, James Stewart, Henry Fonda, Dorothy Lamour, Victor Moore, Harry James, Fred MacMurray, William Demarest, and Hugh Herbert. It is a comedy, featuring the different players in a series of episodic flashback sequences, which are tied to a main plot revolving around the adventures of Burgess Meredith, as an unaggressive fellow working in the want-ad department of a newspaper, who had led his bride (Miss Goddard) to believe that he was the paper's Inquiring Reporter. Prodded by his wife to demand a raise, Meredith, to prove his worth to the managing editor, takes over the Inquiring Reporter's job through a bluff and proceeds to interview different people with the following question given to him by his wife: "What influence has a little child had upon your life?"

He first interviews Stewart and Fonda, night-club musicians, who relate how their joint careers as owners of a one-night-stand band had been changed when, stuck without funds in a small town, they had been given an opportunity to earn some money by staging and judging a talent contest for local musicians with the understanding that the mayor's son would emerge the victor. The fixed contest had been upset by a garage owner who had entered into the contest his talented baby—20-year-old Dorothy Ford, and had brought along Harry James to judge her work. She not only had won the contest despite their efforts to spoil her performance, but through a trick contract she had also become the new owner of their band.

The second interview is with Dorothy Lamour, a film star, who relates how a precocious child actress (Eilene Janssen) had been responsible for her reaching stardom. This episode has some highly amusing sequences involving Victor Moore as a silent film star who had seen better days, and it gives Miss Lamour an opportunity to burlesque, in song, the fame she attained by wearing a sarong.

The third interview involves Fred MacMurray and William Demarest, vaudevillians, who relate how they, as itinerant confidence men, had run afoul of a 12-year-old practical joker (David Whorf), who had run away from his rich uncle, Hugh Herbert. They had tried to return the boy to collect a reward only to learn that the uncle was glad to be rid of him. Before they could leave town, however, the youngster had virtually made them his kidnap victims, compelling them to do his bidding and to spend their last \$50 to buy him a pony under threat of telling the police that they had mistreated him.

The story winds up with Meredith becoming the permanent Inquiring Reporter as a result of the good stories he had turned in, and with his learning that Paulette had prodded him into action because she was going to have a baby.

Each of the episodes has its shortcomings and at times some of the comedy falls flat, but on the whole its mixture of slapstick, satire, music, and gags should go over pretty well with the majority of the movie-goers.

Benedict Bogeaus and Burgess Meredith co-produced it, King Vidor and Leslie Fenton co-directed it, and Laurence Stallings, Lou Breslow, and John O'Hara wrote the screen play from an original story by Arch Oboler. The cast includes Eduardo Ciannelli, Charles D. Brown, Carl Switzer and others. Unobjectionable morally.

"Saigon" with Alan Ladd and Veronica Lake

(Paramount, March 12; time, 94 min.)

Other than the fact that it may do fairly well at the box-office because of the marquee value of Alan Ladd and Veronica Lake, there is little to be said in favor of this routine melodrama, which revolves around the adventures and misadventures of three ex-Army flyers in the Orient. The story does not ring true, the characterizations are unbelievable, and most of the situations are trite and too contrived. The action has enough excitement to please the non-critical picture-goers, but on the whole there are too many slow spots, caused chiefly by the fact that the story becomes over-sentimental in dealing with the impending death of one of the flyers. The plot develops some mild interest here and there, but one never gets away from the feeling that it is all artificial and that the characters are untrue to life.—

Learning that their buddy, Douglas Dick, was doomed to die within a few months because of a war injury, Alan Ladd and Wally Cassell agree to keep the news from him and to show him a merry time until the end. Needing funds to

carry out their plan, the boys undertake to fly Morris Carnovsky, a wealthy importer, from Shanghai to Saigon, agreeing to ask no questions in lieu of the handsome \$10,000 fee. Veronica Laffé, Carnovsky's secretary, comes to the airfield at departure time, but Carnovsky is delayed. When his approach the field with the police in pursuit, the boys take off without him, accompanied by the protesting Veronica, who carried with her a briefcase containing \$500,000, money Carnovsky had obtained as a war profiteer. Motor trouble compels Ladd to make a forced landing, and they continue their journey by ox-cart and river boat. Distrusting Veronica because of her apparent tie with Carnovsky, Ladd tolerates her because Dick had fallen in love with her. He compels her to pretend that she loved Dick lest he disclose her connection with Carnovsky to Luther Adler, a detective, who had been trailing their movements. Despite their outward animosity, however, Ladd and Veronica find themselves falling in love. Complications set in when Carnovsky arrives and resorts to violence to recover his money. He is killed by Cassell and Dick, who die themselves as they come to Ladd's defense. It all ends with their burial in a cemetery, where Ladd and Veronica determine to start a new life.

Arthur Sheekman wrote the screen play, P. J. Wolfson produced it, and Leslie Fenton directed it. The cast includes Mikhail Rasumny and others. Adult fare.

"The Sign of the Ram" with Susan Peters, Alexander Knox and Phyllis Thaxter

(Columbia, no release date set; time, 84 min.)

What a shame it is to mark the screen comeback and waste the talent of so fine an actress as Susan Peters as well as an excellent supporting cast in so weak and disagreeable a story! As most of you no doubt remember, Miss Peters was one of the screen's rising stars before an unfortunate hunting accident paralyzed her legs. Many picture-goers, aware of the valiant fight she had put up for her life, and admiring her courage to continue with her career, despite her physical handicap, will look forward to seeing her on the screen once again. Most of them, however, will be disappointed, for, although she does wonderful work, she had been cast in one of the most unsympathetic roles imaginable—that of a wheelchair-ridden stepmother, who outwardly appears devoted to her husband and three stepchildren, but who resorts to the lowest sort of treachery and deceit to break up the impending marriages of two of the children lest she lose the selfish grip she had on their lives and activities. She even twists the mind of the youngest stepdaughter, influencing the child to attempt the murder of a young secretary, whom her stepmother imagined was unduly attentive to her husband. Aside from the fact that the picture is extremely unpleasant in what it depicts, it is handicapped by an inadequate script, by too much conversation that slows down the action, and by hazy psychological overtones. Its appeal to mass audiences is doubtful. As a matter of fact, many picture-goers will probably look upon it as a pretentious bore.—

Arriving in Cornwall, England, to become the secretary of Susan Peters, an authoress, Phyllis Thaxter finds her to be an invalid confined to a wheelchair, the result of an injury she had suffered when she rescued her now grown stepchildren (Ross Ford, Allene Roberts, and Peggy Ann Garner) from certain death in the sea. The children, as well as Alexander Knox, her husband, adored Susan and felt indebted to her for their lives. Susan, though devoted to them, had become a benevolent tyrant, determined to keep the family intact. Through subtle, underhanded methods, she manages to break up a romance between Allene and Ron Randell, the family doctor, but she is not so successful with Ford, her stepson, who announces his engagement to Diana Douglas, adopted daughter of a local minister. To prevent the marriage, Susan informs Ford that she had investigated Diana's orphaned background and had discovered that her parents had been insane. Diana, upon being told the same tale, throws herself into the sea but is rescued by Knox. Ford investigates Susan's story and discovers it to be a deliberate lie. As a result, he and Allene decide to marry their respective sweethearts and refuse to return to the family home. Peggy tries to comfort Susan and, under her influence, formulates the idea that Phyllis was stealing her father's affections. The youngster attempts to poison Phyllis, but her act is discovered in time to save the girl's life. Meanwhile Knox becomes alienated by Susan's selfishness. Defeated by her own possessiveness and afraid of being left alone, Susan wheels herself over the edge of a steep cliff into the sea.

Charles Bennett wrote the screen play from the novel by Margaret Ferguson. Irving Cummings, Jr. produced it, and John Sturges directed it. The cast includes Dame Mae Whitty and others. Adult fare.

AMERICAN BROTHERHOOD WEEK

With American Brotherhood Week about to be observed from February 22 to February 29, the motion picture industry is being called upon to lend its aid in helping to combat the forces of bigotry and intolerance.

The National Conference of Christians and Jews, which sponsors American Brotherhood Week, has done and is doing great work in spreading the gospel of friendship and racial unity, teaching Americans to put into more effective use our bedrock principles of freedom, tolerance and understanding.

Basically, the aim of the industry's efforts in behalf of this movement is to help raise the funds needed by the NCCJ to continue their splendid work in promoting good will among men. HARRISON'S REPORTS urges every exhibitor to give his fullest support to this drive, for now, more than ever, it is important to our American scheme of things that we work together, play together, crusade together, without distinction as to race, language, or religion.

THE "SAVE A LIFE" CAMPAIGN IN LOS ANGELES

Charles P. Skouras, head of National Theatres, has taken an active interest in the safety campaign of the City of Los Angeles by showing in all his theatres twenty 30-second educational safety trailers aimed at reducing the tragic death toll on streets and highways.

Prominent city officials and civic leaders have commended Mr. Skouras highly for his cooperation.

Theater owners throughout the country should either start a "Save a Life" campaign themselves, or offer their screens in cooperation whenever such a campaign is started. Thousands of lives are lost every year through carelessness on the part of both pedestrians and automobile drivers. There is no better way for an exhibitor to gain the good will of his community.

"The Hunted" with Belita and Preston Foster

(Allied Artists, April 7; time, 83 min.)

Good. The story is rather unusual, it is chiefly drama rather than melodrama; it deals with a detective who, although he loves the heroine with all his heart, arrests her for a crime she is supposed to have committed, despite her protests of innocence. Never has Preston Foster done better work; as a character suffering agonies because of his deep love for the heroine, he makes the audience feel his pain. And, what is more, one is in sympathy with him because he is not shown as a cruel person; he had arrested the heroine because he put his duty before love. Belita, too, does excellent work. One is inclined to accept her declaration of innocence and, even though she shoots and wounds Foster while resisting arrest, one does not turn against her. Her work in the ice skating scenes is masterful. The direction is good, and the photography sharp and clear, even in the night scenes:—

Out on parole after serving a jail sentence for a jewel theft, of which she claimed to be innocent, Belita returns to the city and goes to the apartment of Foster, her sweetheart, who had arrested her and whose testimony had convicted her. Foster, though still in love with her, thinks of his duty first and orders her to leave, but he permits her to remain when she insists that she cannot find a room in a hotel because of the late hour. He hardly sleeps that night, remembering that she had vowed to kill him upon her release. On the following day, he takes her to a hotel and obtains a position for her as an ice skater. Belita becomes a sensation as a skater, and Foster begins to believe in her insistence that she had not committed the crime. But when Pierre Watkin, a cagy criminal lawyer who had unsuccessfully defended her, is found murdered, the finger of suspicion points at Belita because she had threatened to kill him for failing to gain her release. Foster places her under arrest, but Belita, feeling that she will be unable to prove her innocence, eludes him and runs away. He sets out on her trail, eventually finding her after many chases. Just as he is about to arrest her, she shoots and wounds him in the shoulder. Taken to a hospital, Foster again begins to doubt her guilt; he

determines to resign from the police force in order to help her prove her innocence. Meanwhile Paul Guilfoyle, a jewel thief, arrested in connection with a killing, confesses to the murder of Watkin and at the same time gives testimony that establishes Belita's innocence. His testimony shows that Watkin was the "brains" for a gang of jewel thieves, with whom Belita had been falsely implicated, and that his murder was the result of his having double-crossed the gang. Learning of the crook's confession, Foster sets out to find Belita to convince her that he still loves her. The two are reconciled and determine, after their marriage, to go to Paris, a trip they had planned to take previously.

Scott R. Dunlap produced it, and Jack Bernhard directed it, from an original story and screen play by Steve Fisher.

Unobjectionable morally.

"Man of Evil" with James Mason, Phyllis Calvert and Stewart Granger

(United Artists, February; time, 90 min.)

Produced in England about four years ago and released originally under the title, "Fanny by Gaslight," this is a rather slow-paced period melodrama that is only moderately interesting. Its story about the trials and tribulations of the illegitimate daughter of a wealthy nobleman creaks with age, and it is not helped any by the heavy-handed direction and by the choppy editing (18 minutes have been cut from its original 108 minutes running time). The picture's chief selling point to American audiences is the presence of James Mason in the cast, but many of his admirers may feel cheated for, although he is given star billing, he appears on the screen for hardly more than five minutes in what may be described as a supporting role. As the heroine of the piece, Phyllis Calvert does capable work, winning the spectator's sympathy by her nobility of character. The other players, too, are competent, but they cannot overcome the artificiality of their characterizations. Because of the illegitimacy theme, its frank treatment of an illicit love affair, and its depiction of the doings in a clandestine bordello, it is a picture strictly for adults. The production values are first-rate, with London in 1870 as the setting:—

Unaware that she was the illegitimate daughter of Stuart Lindsell, a wealthy cabinet minister, Phyllis grows up in the home of John Laurie, her foster father, whom her mother ultimately married. Laurie, operator of a bordello, is killed in a brawl with James Mason, a dissolute English Lord, who patronized his place. Shortly thereafter, Phyllis' mother dies, and the young girl is taken into the household of her real father, as a servant. She soon learns from him the facts of her birth, and a strong though necessarily secret affection develops between them. Ignorant of Phyllis' identity, Margaretta Scott, Lindsell's wife, uses her as a personal maid. Margaretta eventually discovers that Phyllis was her husband's illegitimate child and, in order to marry Mason, with whom she had been carrying on a clandestine affair, she threatens Lindsell with a public scandal unless he grants her a divorce. Faced with ruin of his political career, Lindsell commits suicide. Phyllis leaves the estate to work as a bar-maid in a pub operated by Wilfred Lawson, an old friend. Stewart Granger, in whose hands had been left the settlement of Lindsell's estate, locates Phyllis in the pub, falls madly in love with her, and proposes marriage. This move is opposed by his aristocratic family because of Phyllis' background. Rather than endanger her lover's political career, Phyllis breaks off the romance and disappears. Granger, after a long search, finds her in a public dining room, arriving just as Mason insults her. He thrashes him, takes Phyllis away, and induces her to run away with him to Paris for a holiday. There, they subsequently meet Mason, who challenges Granger to a duel. Granger kills Mason but is badly wounded himself. With Granger lying at death's door, his imperious sister arrives and attempts to force Phyllis out of his life. But Phyllis, realizing that his love for her kept him alive, denounces the sister and returns to the job of nursing him back to health.

Doreen Montgomery wrote the screen play from the novel by Michael Sadleir, Edward Black produced it, and Anthony Asquith directed it. The cast includes Jean Kent and others.

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ASCAP RETREATS

The stout opposition put up by exhibitors everywhere against the proposed 300% increase in the theatre music tax rates bore fruit last week when ASCAP, threatened with legislation and a multitude of court actions, revised its demands with the announcement of a new tax schedule that provides for no increase in the rates now in effect for theatres having fewer than 500 seats, with gradual increases to a maximum of 25% for all other theatres.

The new tax rate schedule, which is to cover a period of ten years and which becomes effective on March 15, is as follows:

Theatres having 499 seats and under will continue to pay the old rate of 10c per seat; theatres having 500 to 799 seats will pay 12½c per seat, an increase of 2½c over the old rate of 10c per seat; theatres having 800 to 1599 seats will pay 19c per seat, an increase of 4c over the old rate of 15c; and theatres with 1599 seats and upward will pay 25c per seat, an increase of 5c over the old rate of 20c per seat.

Theatres that operate three days a week or less will be required to pay one-half the rates applicable.

Theatres using "live" talent as a regular policy are not included in the aforementioned rates, ASCAP reserving the right to establish special scales for such theatres.

The new rate schedule, according to the Theatre Owners of America, is the direct result of the negotiations between its officers and those of ASCAP. With all due credit to the TOA for the work it has done in obtaining a reduction from ASCAP's original demands, there can be no question that the pressure exerted by National Allied, the Pacific Coast Conference, the ITOA of New York and other exhibitor organizations was a major motivating factor in ASCAP's decision to back down.

Although the new rates are much more favorable than those demanded originally by ASCAP last September, the exhibitors, in the opinion of this paper, would be making a great mistake if they accept the new rates as the best possible compromise and relax their efforts toward passage of the Lewis Bill, now in Congress, which would relieve them entirely of this unfair tax by requiring the motion picture producers to acquire the full performing rights on all music used in a picture. The producer, in turn, would be required

to transfer such rights to the exhibitor when licensing his pictures. This means that, when you play a picture, you will not have to pay tribute to ASCAP for the right to play the music.

The danger in the compromise reached with ASCAP lies in the possibility that many exhibitors, who operate theatres with fewer than 500 seats, of which it is estimated there are about eight thousand, will be lulled into abandoning support of the Lewis Bill because of the fact that no increase in the seat tax is being asked of them. But just because they are not subject to an increase does not mean that they have obtained relief, for, no matter how little they pay, the fact remains that the tax is unjust, should not be levied, and must be done away with for good. To agree to pay the tax for the next ten years is merely to prolong the agony.

So much has been written in these columns giving reasons as to why the music seat tax is unjust, unfair, and even unmoral, that none of it needs repetition at this time. Besides, most of you are fully acquainted with the reasons, as well as with this paper's contention that the solution to the music tax problems lies, not in a reduction of the tax, but in its complete elimination.

With the introduction in Congress of Representative Earl R. Lewis' bill, known as H.R. 5014, the exhibitors' drive against ASCAP, through legislation, is getting into full swing. The chances for the bill being enacted into a law have never been better, but it will need the unqualified support of every exhibitor, who can best help by writing to his Congressmen and Senators, urging them to vote for the bill. Just because ASCAP has reduced its demands is no reason for any exhibitor to become pacified and accept the tax. ASCAP is not doing the exhibitors any favor by reducing its demands; it is merely spreading salve on the exhibitors' wounds so that it can continue to collect a tax to which it has no moral right in the first place—a right given to it by a Copyright Law that was framed before talking pictures came into existence, a right that would have undoubtedly been excluded by the framers of the law had they been able to visualize the advent of the talking picture.

Why submit to an obnoxious tax, born out of an outmoded Copyright Law, when the way has been opened for its complete elimination? Get busy! Get rid of it!

"The Pearl" with an all-Mexican cast

(RKO, no release date set; time, 77 min.)

Made in Mexico, with English dialogue, and based on a story by John Steinbeck, this is a forceful and intensely moving tragic drama, beautifully photographed and produced, directed with rare understanding and competence, and enacted with superb artistry by a fine Mexican cast. It is a simple story, revolving around a lowly, ignorant fisherman, who finds a priceless pearl, a discovery that, instead of bringing him wealth and happiness, awakens the greed of his fellow men and brings him tragedy and disillusionment. A tragic tone pervades the picture and, as entertainment, it seems suited for the classes more than for the masses, but it should be appreciated also by the masses, for it has deep human appeal, and the action is often tense and exciting:—

Depressed by his squalid surroundings and by his inability to provide enough food for his wife (Maria Elena Marques) and their baby, Pedro Armendariz, a pearl fisherman living in Lower California, looks forward to a new and prosperous life when he fishes out of the sea one of the largest and most beautiful pearls ever found. Word of his find spreads through the countryside, and Charles Rooner, an unscrupulous pearl dealer, tries to cheat Pedro when he offers to sell the gem to him. Failing, Rooner enters into a conspiracy with several henchmen, who resort to violent means in an effort to steal the pearl, but Pedro manages to outwit them. Maria, afraid for her husband's life, tries to toss the pearl back into the sea, but Pedro manages to restrain her. At the same time, two of his enemies attempt to snatch the pearl and, in the ensuing struggle, Pedro kills them. Compelled to flee, Pedro, taking his wife and child, heads into the swamp lands, tracked by Rooner and two Indian guides. They live like wild beasts for days, thoroughly exhausted and barely able to keep ahead of the pursuing Rooner, finally taking refuge on top a steep mountain, where they are cornered by Rooner. While still protected by the dark of night, Pedro crawls down the mountainside to dispose of his enemies. Just as he creeps up behind Rooner, the stillness of the night is broken by a muffled cry from the baby. Rooner shoots in the direction of the cry, killing the baby, but is in turn killed by Pedro. The unhappy couple return to their native community and, bearing visible evidence of the suffering the pearl had brought them, toss the gem back into the sea.

John Steinbeck, Emilio Fernandez and Jack Wagner wrote the screen play, Oscar Dancigers produced it, and Mr. Fernandez directed it.

Adult entertainment.

"I Became a Criminal" with Sally Gray and Trevor Howard

(Warner Bros., March 6; time, 78 min.)

An exciting British-made melodrama, of program grade. Revolving around underworld characters in London, it is a gangster-type picture not unlike those made by the American producers for years. The picture's chief drawback is the thick British accent used by the players, which makes the dialogue difficult to understand. Otherwise, it is filled with excitement from start to finish, and the tough, slambang action, though by no means pleasant, should easily satisfy those who enjoy this type of film. The plot follows a pattern familiar to gangster pictures, with an escaped convict bringing about the capture of a gang leader

who had framed him and had stolen his girl, but it is topical, dealing as it does with black market operations in post-war London. Like many another British picture, it offers a problem to the exhibitor in that the cast is mostly unknown to American picture-goers:—

Having joined a black-market gang headed by Griffith Jones, Trevor Howard, an ex-serviceman, threatens to quit when he discovers the gang dealing also in dope. Jones, covetous of Eve Ashley, Howard's girl-friend, who was not unresponsive to him, frames Howard on a murder charge that sends him to prison. Sally Gray, Jones' former girl-friend, who had been discarded for Eve, takes her revenge by visiting Howard in prison, giving him details about the frame-up, and urging him to escape. He does escape, becoming the object of a nationwide police hunt. He manages to make his way to London, where he finds Sally, who agrees to help him clear his name. But Inspector Ballard Berkeley, of Scotland Yard, nabs Howard before he can get started on the trail of those who had framed him. Aware of Jones' activities, and believing in Howard's claim of innocence, Berkeley decides to let Howard "escape" so that he might act as bait for Jones. Meanwhile Jones, aware that Howard was out to get him, rounds up those who were in on the frame-up and kills the weaklings lest Howard make them talk. Learning of Howard's "escape" from the police, Jones kidnaps Sally and takes her to the gang's hideout, hoping to dispose of Howard when he comes to defend her. Howard's arrival at the hideout precipitates a battle of wits and guns, which ends with Jones' accidental death and with the roundup of the gang by the police. Howard, his name cleared to a degree, returns to prison to await a re-trial, with Sally promising to wait for his return.

Noel Langley wrote the screen play from a novel by Jackson Budd. N. A. Bronstein produced it, and Cavalcanti directed it.

Adult entertainment.

"Half Past Midnight" with Kent Taylor and Peggy Knudson

(20th Century-Fox, March; time, 69 min.)

An extremely tiresome program comedy-melodrama. The action moves along at a fast clip, but its mixture of murder-mystery, romance, and comedy is so irritatingly nonsensical that one can barely keep his eyes open for lack of interest. The direction is poor and the acting poorer, with the different players running around like maniacs and straining for laughs that are not forthcoming because of the silliness of the situations. It is an amateurishly produced picture, hardly worthy of release under the 20th Century-Fox banner:—

Arriving in Los Angeles, Kent Taylor, a suave man-about town, is met by his old friend, Detective Joe Sawyer, who promptly locks him in a hotel room because of his inability to keep out of trouble with the police. Taylor manages to escape. He goes to a night-club, where he meets Peggy Knudson, a vivacious blonde, who forthwith becomes involved in the murder of Jane Everett, the club's adagio dancer, who had been blackmailing her sister. Actually, the murder had been committed by Martin Kosleck, Jane's dancing partner, who was in on the blackmailing scheme, but the finger of suspicion falls on Peggy. Believing her claim of innocence, Taylor helps her to escape from the police. Both Sawyer and his friendly rival in the department, Detective Walter Sande, set

out in pursuit of the young couple, with Sande trying to pin the murder on them, and with Sawyer trying to protect them. The chase reels through Chinatown, where Taylor had numerous friends and, after numerous escapades and complications, involving several more murders, Sawyer, aided by Taylor, traps Kosleck and wrings a confession from him. With Peggy cleared, Taylor prepares for marital troubles.

Arnold Belgard wrote the original screen play, Sol M. Wurtzel produced it, and William F. Claxton directed it. The cast includes Mabel Paige, Gil Stratton, Jr., Tom Dugan and others.

Adult entertainment.

"Take My Life" with Hugh Williams and Greta Gynt

(Eagle-Lion, February 28; time, 79 min.)

A fair British-made murder mystery melodrama. Since the cast is mostly unknown to American audiences, the picture presents a selling problem to the exhibitors, but it should make a suitable supporting feature in double-billing situations. The action is rather slow, and it unfolds with a minimum of excitement, yet the suspense is fairly well sustained and the uncovering of the murderer is worked out logically, although the solution, as a matter of fact the entire story, depends heavily on coincidents that are hard to believe. Since the murderer's identity becomes known to the spectator early in the picture, one's interest lies in the manner in which he is trapped by the heroine, whose husband had been convicted of the crime on circumstantial evidence. The flashback technique has been used to fairly good advantage:—

When she comes upon her husband, Hugh Williams, speaking to Rosalie Crutchley, a concert violinist who had once been his girl-friend, Greta Gynt, an opera singer, becomes jealous. She taunts him about the girl and, in a fit of temper, hurls a perfume bottle at him, cutting him over the eye. He goes out for a walk to cool off. During his absence, Rosalie is murdered by Marius Goring, a schoolmaster, to whom she was married secretly, cutting him over the eye during their quarrel. As Goring hurries away from the murder scene, he is seen holding a handkerchief to his head but is not recognized. A silver pencil with Williams' initials is found among Rosalie's effects, leading the police to him. Both he and Greta, ashamed of their quarrel, relate conflicting stories about how he received the cut over his eye, causing him to be held for the murder. The prosecuting attorney, Francis L. Sullivan, learns of the past relationship between Rosalie and Williams, and weaves a tightly-knit net of circumstantial evidence that brings about Williams' conviction. Greta, her faith in Williams unshaken, traces Rosalie's life and, through a school song composed by Rosalie, the trail leads to Goring, whom she discovers had been married to the dead woman. Additional clues found by Greta give her reason to suspect Goring of the killing. She heads back to London to report her findings to Scotland Yard, but Goring, aware of her intentions, boards the same train and attempts to kill her. She is saved by the timely intervention of a Yard detective, who had been following her movements. Goring dies in a leap from the train, and Williams, on the strength of the evidence gathered by his wife, gains his freedom.

Winston Graham and Valerie Taylor wrote the original screen play, Anthony Havelock-Ellis produced it, and Ronald Neame directed it.

Adult entertainment.

"Three Daring Daughters" with Jeanette MacDonald, Jose Iturbi, Edward Arnold and Jane Powell (MGM, March 5; time, 115 min.)

This Technicolor musical should give pretty good satisfaction to most picturegoers, although it is somewhat overlong and slow in spots. That it misses being a top musical is due to the fact that there isn't much to the story, which occupied the time of no less than four writers, and which is more or less reminiscent of "Three Smart Girls." Nevertheless, it has lush production values, amusing comedy, tender romantic interest, and enjoyable music that ranges from the popular to the classical. Moreover, it marks the return to the screen of Jeanette MacDonald who, though more mature, is as beautiful as ever, and whose lovely singing voice has lost none of its charm. Her duets with youthful Jane Powell, whose clear soprano voice is always pleasurable to the ear, are appealing. This time Jose Iturbi, in addition to his superb piano playing, takes on quite an acting chore as a middle-aged suitor who woos and wins Miss MacDonald. He handles himself surprisingly well, putting over with ease the different moods he is called upon to convey. Most of the comedy stems from the unwitting efforts of Miss MacDonald's three teen-aged daughters to bring her together with their father, whom she had divorced years previously, thus complicating her new-found life with Iturbi. Edward Arnold, as a newspaper publisher who finds himself innocently embroiled in the mixups, adds much to the comedy. A highlight of the film is a mouth organ rendition of the Roumanian Rhapsody No. 1 by Larry Adler, accompanied by a symphony orchestra:—

Jeanette, a fashion magazine editor, is ordered by her doctor to take a vacation. She takes a cruise to Cuba. Her three daughters (Jane Powell, Ann E. Todd and Mary Eleanor Donohue) conclude that the real cause of their mother's illness is longing for their father, an ace newspaperman stationed overseas, whom she had divorced years previously. Actually, their father left much to be desired as a husband, but to the children he was a glamorous figure, and Jeanette, not wanting to disillusion them, had blamed her divorce on the fact that his work kept him from home. In their mother's absence, the girls visit Arnold, their father's employer, who, after listening to their story, agrees to recall him. Meanwhile Jeanette meets Iturbi on shipboard. Their friendship develops into a serious romance, culminating in their marriage when the ship docks in Cuba. Returning home, Jeanette becomes frantic when she learns that the girls had arranged for her ex-husband's return. She induces Iturbi to keep their marriage a secret temporarily, and rushes to Arnold, persuading the bewildered publisher to keep her husband away from America. Iturbi succeeds in winning the children's love, but they turn against him when they learn of his marriage to their mother. Jeanette, in deference to the children, separates from him. Disturbed, Iturbi decides that the only solution to the problem is to bring the ex-husband home so that the children can see and judge him for what he is. He approaches Arnold and asks him to bring their father home. Realizing that the youngsters were interfering with their mother's happiness, Arnold brings them to their senses, gets them to accept Iturbi, and sees to it that the couple are happily reunited.

Albert Mannheimer, Frederick Kohner, Sonya Levien, and John Meehan wrote the original screen play, Joe Pasternak produced it, and Fred M. Wilcox directed it. Unobjectionable morally.

A POSITIVE AND COMMENDABLE ACTION BY ERIC JOHNSTON

For the past several weeks, Rev. William Howard Melish, national chairman of an organization known as the National Council of American-Soviet Friendship, has been conducting a campaign to have the 20th Century-Fox picture, "The Iron Curtain," which is still in production, withdrawn from distribution on the grounds that it would impair relations between Russia and the United States.

Having received no satisfaction from the company, Rev. Melish sent a letter to Eric Johnston, president of the Motion Picture Association, asking him to exert his influence to halt public exhibition of the film.

Mr. Johnston has rejected the protest in no uncertain terms, maintaining that, in the United States, the screen is free, and that under no circumstances will he take any action that would impair that freedom. "The producer, the writer, the editor, the commentator on the air—each one of these," said Mr. Johnston in his reply to Rev. Melish, "must have freedom of utterance without prior restraint." In a democracy, continued Mr. Johnson, one is judged on his finished product—whether that product is a speech, an article, a book, a broadcast or a film. "The justice of his work is determined in the court of the public. To tamper in any way with the hard-won, precious right of free speech would clip away at the foundations of our democracy."

"We all want American-Soviet friendship and peace," added Mr. Johnston, "but friendship is not one-sided . . . It must be reciprocal."

The ten-strike in Mr. Johnston's letter, however, is the following:

"Let me ask you this: What is your organization doing in Russia to promote Soviet-American friendship? I'll be specific: You are aware that a play, 'The Russian Question,' is enjoying a great popularity in Russia. One performance was honored by the presence of Marshal Stalin himself. This play, with its sneering, lying attack on the United States, is an open bid to stir contempt and hatred for America on the part of Russian audiences.

"Have you written to anyone in Russia protesting this deliberate effort to create bad feeling against our country? Consistency would dictate that you should have. The Russian government controls all forms of expression. For it to prohibit a play or a film would not be inconsistent with the Soviet policy which denies free speech.

"You must know that the Russian radio, press and films are constantly used by the Soviet government to villify and malign American democracy. No American and nothing American is immune from their abuse.

"Have you protested to anyone in Russia? . . . The record doesn't show it.

"It can only be concluded that the purpose of your organization is to create in this country an atmosphere of appeasement and acceptance of Russia's policy of aggression and expansion. . . .

"Just as I reject your protest, I must question the motives of the National Council of American-Soviet Friendship."

HARRISON'S REPORTS is indeed glad that Mr. Johnston has brought out the fact that every one of the philo-Soviet Americans is concerned with the actions and attitude of the United States towards Russia, and

wants us to act in a way that will appease that country, but not one of these persons is doing anything about advising Soviet Russia to appease the United States? Why?

Mr. Johnston, as well as every other American citizen, has a right to question the motives of Rev. Melish's organization.

THE SUPREME COURT TAKES OVER

The Government's 10-year-old anti-trust suit against the eight major companies entered its final phase this week when the U. S. Supreme Court heard oral arguments on the different appeals that had been filed by all the parties involved in the suit.

The Statutory Court's banning of joint ownership of theatres with independents, further theatre expansion, block-booking, admission price-fixing, and pooling and franchise agreements, its setting up of a competitive bidding system, and its elimination of the industry arbitration system came under the fire of the top legal talent representing the defendants.

In opposition to the "million-dollar" battery of defense lawyers, the Government trotted out a few prize legal minds of its own, including Attorney General Tom Clark, Assistant Attorney General John F. Sonnett, and special assistant to the Attorney General Robert L. Wright, who had had charge of the case for many years.

Briefly, the gist of the Government's arguments was that the Statutory Court's final decree, in view of the findings against the defendants, is inadequate in that it sets up a system of regulation that will not effectively terminate either the conspiracy of the defendants or their incentive to discriminate against competition. The Government lawyers maintained that, in order for the defendants to have some incentive to compete with each other and to end their discriminations against both independent exhibitors and distributors, the minimum relief required is a ban on cross-licensing, with "complete ultimate divorcement of the major defendants from their affiliated theatres" the only appropriate means by which their habitual violations of the Sherman Act may be brought to an end.

In addressing the Court, Mr. Clark stated that the Government's entire anti-trust program will be vitally affected by the decision, because the appeal "poses a basic question of Sherman Act enforcement which has a wider significance than the problems of the movie industry alone." He cited several prior decisions handed down by the Court in motion picture cases, claiming that they provided precedents upholding the Government's contention that complete divorcement of exhibition from production-distribution is the only remedy appropriate in the suit.

With Associate Justice Robert H. Jackson disqualifying himself because of participation in the suit as Attorney General, the case was heard by the remaining eight justices, thus leaving the possibility of a split decision, in which case the decree handed down by the lower court will be upheld.

There is a possibility that the decision in this case may come through before the Court adjourns for the summer in June, but because of the complexities of the suit the decision may not be handed down until the next court term in October. But whichever way the decision goes, you may be sure that the motion picture industry faces a complete change in the existing structure of distribution and exhibition.

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SUPPORT OF THE LEWIS BILL GAINING MOMENTUM

On March 1, hearings are scheduled to open in Washington before a House Judiciary sub-committee on the Lewis Bill (H.R. 5014), which, if enacted into a law, will make it impossible for ASCAP to collect from the exhibitors a music tax for the performance rights to the music under its control. The bill would require the producers to obtain performance rights to all copyrighted material incorporated into their films so that such rights will be included when they offer the pictures to the exhibitors for license. Thus ASCAP, in seeking payment for the right to perform its music, will be required to deal with the producers instead of with the exhibitors.

The bill is, of course, designed for the benefit of the exhibitors, and it is receiving staunch support from many truly independent exhibitor organizations, particularly those affiliated with Allied States Association, which has taken the lead in the fight to rid the exhibitors of this tax through legislation.

But since the bill will impose the tax on the producers, where it rightfully belongs, it will come as no surprise to most of you to learn that propaganda against the bill is in full swing.

The opening gun fired in the propaganda barrage was a statement made two weeks ago by Robert W. Coyne, executive director of the Theatre Owners of America, which is dominated by the affiliated theatres, that exhibitor reaction to the new tax schedule his organization had negotiated with ASCAP has been "overwhelmingly favorable." Coyne's remarks were published in the February 10 issue of *Motion Picture Daily*, which credited him with saying that the TOA had received many of the expressions from independent exhibitors who are not members of the TOA.

On the following day, *Motion Picture Daily* published a report that the TOA will "strongly oppose" the Lewis Bill at the hearings before the Congressional committee, stating that the strategy behind the TOA's position is that the bill would place ASCAP in a better position to enforce its demands on a handful of producers rather than on 16,000 exhibitors; that ASCAP could get from the producers rates seven to eight times greater than those demanded from the exhibitors; and that the producers would not resist ASCAP's demands too strongly since they will be able to pass on the tax increase in the form of higher film rentals.

From the comments that have reached this paper, there is no question that the independent exhibitors are gratified over the fact that ASCAP has backed down on its demands. But there is no question also that most of them look upon the renegotiated tax schedule as nothing more than a compromise, and feel that nothing should be left undone to eliminate once and for all ASCAP's power to impose the tax.

Numerous bulletins have been issued by different independent exhibitor organizations, in which they express their gratification over the fact that ASCAP has retreated from its original demands, a retreat that was brought about by the combined militant stand of all exhibitor organizations, but all agree that there should not be any tax collected. That is, all except the TOA, which is hailing the compromise as a great victory. An apt comment on this "victory" is provided by Mr. Abram F. Myers, Allied's general counsel, in his annual report to Allied's board of directors, in which he says that the TOA's claims "are reminiscent of the consolation offered by the attorney to his client against whom a heavy verdict had been returned in a personal injury case: 'Just think, I saved you \$10,000; the plaintiff asked for \$25,000 and the jury only gave him \$15,000'."

Typical of the expressions voiced by the different independent exhibitor organizations, is the following, in part, from a bulletin issued by the Associated Theatres of Indiana:

"... We still believe that a wrong is a wrong, regardless of the degree, and stand on the principle that ASCAP is not entitled to anything from any motion picture theatre. When an exhibitor leases a film for public performance he should have the right to perform all copyrighted material that is an integral part of that film and that the producer should clear those rights before he offers the film for license.

"We have talked with a number of our members and they unanimously agree that they still hope for passage of the Lewis Bill, H.R. 5014. They recognized the fact that if the producer paid these fees he would try to pass these costs and more on to the exhibitor. Naturally film salesmen will seize on any pretext in an effort to extract more film rentals. But at least in that event an exhibitor can do some bargaining. He can even pass up the picture entirely. He is in no such bargaining position with ASCAP.

"Will it in reality be any different than it is now when a distributor makes every effort to get the last possible dollar and the exhibitor determines to pay no more than he can afford and still come out on the picture? Public performance rights will be a minor item. Remember that many pictures you now buy have public performance rights included—this is true of all BMI music. Do you take that into consideration and pay more for such a film at the present time?

"According to our figures ASCAP collected \$1,335,248 from the motion picture industry in 1946. The annual production budget of motion pictures for that same year was in excess of \$400,000,000. Now if the producers had assumed all of the charges imposed by ASCAP on the industry the amount would only have been one-third of one per cent of total product cost. How much more would you have paid, or will you pay, for any particular picture if the cost of making it was raised or lowered by one-third of one per cent?

"And remember that the Lewis Bill will protect exhibitors against public performance charges by writers, orchestra leaders, and various groups other than ASCAP, who might levy these fees at some future date."

As this paper stated in last week's issue, the danger in the compromise reached with ASCAP by the TOA lies in the possibility that many exhibitors, particularly those who operate theatres with fewer than 500 seats, of which there are more than eight thousand, may be lulled into abandoning support of the Lewis Bill because either no increase or a slight increase is being demanded of them. Many exhibitors are of the opinion that the TOA compromise is designed to accomplish that very objective, since the greatest majority of the country's theatres have fewer than 1,000 seats. Some compelling arguments as to why the exhibitors should not relax their efforts in support of the Lewis Bill are advanced in the following communication sent to this paper by Judge Jos. P. Uvick, a Michigan independent exhibitor, who has been a tireless leader of the exhibitors in that state in the fight against ASCAP:

"ASCAP's new rate schedules obviously have created some degree of good will because so many small theatres will be left where they were. For the major part the increase on the others is within rhyme and reason. But the main, the most important, the power to compel the exhibitor to accept a license and pay as demanded, is still there. The uselessness of the film we get unless we do pay ASCAP still remains as a stigma or stench in our industry that should be removed.

"Let us now hope that ASCAP directors show the same degree of good judgment and welcome the proposed Lewis

(Continued on last page)

**"The Big Clock" with Ray Milland,
Charles Laughton and Maureen O'Sullivan**
(Paramount, March 26; time, 93 min.)

A superior thriller. It should prove to be a highly satisfactory box-office attraction, for it is the sort of picture that will benefit from word-of-mouth advertising. It is a novel and absorbing murder melodrama, with many unusual twists that will intrigue and thrill all types of audiences. There is no mystery involved, since the spectator is made aware of the murderer's identity, but the suspense is maintained from the start to finish because of the odd story twist that places the hero in the position of hunter and hunted when he is assigned to find a mysterious stranger who had been visiting with the murdered woman just prior to her death; he himself was that stranger and, because circumstantial evidence weighed heavily against him, he tries desperately to cover up clues unearthed by an efficient staff of reporters under his command lest these clues lead to his identity before he can establish his innocence. The production, acting, and direction are of a superior quality and, clever bits of comedy have been injected to relieve the tension:—

Charles Laughton, a ruthless publisher, values highly the services of Ray Milland, brilliant editor of his "Crimeways" magazine, whose ability to track down missing persons was a great circulation builder. Needled by his wife for his failure to take her on a long-delayed honeymoon, Milland sets a definite date for the occasion. But on the day he prepares to leave, Laughton insists that he postpone the holiday to track down another missing person. He refuses and, after a stormy scene, goes to a local cafe, where he meets Rita Johnson, Laughton's unhappy mistress. Both get drunk during their mutual vilification of Laughton, and Milland ends up in her apartment. He slips out when Laughton arrives, but the publisher, without recognizing him, sees him hurry away. Insanely jealous, Laughton kills Rita. He becomes panic-stricken and confides in George Macready, his trusted lieutenant. Both decide that they could pin the murder on the stranger who had been with Rita; they instruct Milland to start one of his vast manhunts. Having lied to his wife about his whereabouts that evening, Milland is compelled to accept the assignment, not only to keep the truth from her, but also to protect himself from being saddled with the crime. He keeps smothering the clues brought in by his staff of reporters, while vainly trying to obtain positive proof of Laughton's guilt. The search for the "mystery" man finally centers in Laughton's huge publication building, with Milland barely able to keep himself from being identified. After a series of hair-raising events, he manages to pin the crime on Laughton who, in an attempt to escape, dies in a fall down an elevator shaft.

Jonathan Latimer wrote the screen play from a novel by Kenneth Fearing. Richard Maibaum produced it, and John Farrow directed it. The cast includes Elsa Lanchester, Henry Morgan and others. Ault fare.

**"Adventures of Casanova" with
Arturo De Cordova, Lucille Bremer
and Turhan Bey**

(Eagle-Lion, Feb. 7; time, 83 min.)

A wildly melodramatic swashbuckler, replete with flashing sword duels, ambushes, chases, gunplay, lusty love-making and elaborate costuming. Discriminating patrons will probably find the cliché-ridden situations and the total lack of credibility either annoying or amusing, depending on their mood; but the avid action fans, particularly the juveniles, whose only concern about story values is that there be plenty of excitement, should find it to their liking. In a sense, the picture has everything one expects to find in a rousing western, except that the locale is Sicily in the 18th Century. The characterizations, from the dashing hero to the deep-dyed villain, are grossly exaggerated, and the players enact their respective roles with such a lack of restraint that, at times, their performances border on the ridiculous:—

When powerful armies of the Austrian Emperor crush a rebellion of patriotic forces in Sicily, Fritz Lieber, patriarchal leader of the broken insurgents, sends his trusted aide, Turhan Bey, to Malta to summon Arturo de Cordova, a

great warrior. De Cordova assumes leadership of the patriots and, through guerilla tactics, makes life miserable for Lloyd Corrigan, the Governor, who was under pressure from John Sutton, the Emperor's envoy. Lucille Bremer, the Governor's daughter, who was held a prisoner in the palace because of her refusal to marry Sutton, conspires with Noreen Nash, her lady-in-waiting, to escape. Noreen, by posing as Lucille, enlists de Cordova's aid. He rescues them and takes them to the patriots' quarters. In due time de Cordova falls in love with Lucille, and Bey with Noreen. Meanwhile they carry on their daring feats against the Governor's troops. Sutton replaces the Governor and, in order to rid himself of de Cordova, challenges him to a duel, planning to capture him with hidden troops. De Cordova accepts the challenge. Bey loses his life trying to aid de Cordova, who is captured and sentenced to hang. But Lucille, by pretending that she had turned against de Cordova, wins Sutton's confidence and manages to arrange her lover's escape. In a rousing finale, de Cordova kills Sutton in a duel, leads a successful revolution, and wins amnesty for all the patriots.

Crane Wilbur, Walter Bullock, and Karen DeWolf wrote the screen play from a story by Mr. DeWolf. Leonard S. Picker produced it, and Roberto Gavaldon directed it.

**"B. F.'s Daughter" with Barbara Stanwyck,
Van Heflin and Charles Coburn**

(MGM, no release date set; time, 108 min.)

This drama has good production values, competent direction, and able performances, but from the entertainment point of view it is only fair. Its tale about a strong-willed heiress whose marriage to a poor but brilliant economist goes on the rocks, when he learns that she had used her wealth to further his career, is rather commonplace, differing only in that it works into the proceedings the attitudes and thinking of old-line capitalists and present-day liberals with regard to economics, politics, and human rights. But all this seems extraneous, for most of what is said is indecisive and has little relation to the main story line. Another drawback is the fact that the story introduces several characters whose parts are not clearly defined. So far as the box-office is concerned, the exhibitor will have to depend on the popularity of the stars, as well as of the novel, on which the story is based. Keenan Wynn, as a radio commentator and mutual friend of the couple, provides some amusing moments. The action takes place in the pre-war days, with Washington and New York as the backgrounds:—

Barbara Stanwyck, daughter of Charles Coburn, a leading industrial tycoon, marries Van Heflin, a radical student of political economy, in spite of the fact that his opinions about capitalists, such as her father, were far from flattering. As strong in character as Barbara, Heflin refuses to accept her financial aid and insists that they live on his earnings as a lecturer and writer. Barbara resolves the situation by secretly arranging to give a lecture bureau a cash guarantee to book Heflin for a tour. Unaware of the deal, Heflin makes the tour. He becomes a highly successful lecturer, winning fame as an economist, and an appointment to an important position in the White House. With his earnings he arranges for Barbara to purchase a small home. Instead, she buys a magnificent mansion, financed by her father's money. Heflin insists that she give it up, and their quarrel leads to his learning about how she had financed his career. They separate. Already desperately unhappy, Barbara is saddened further by the death of her father. She rejoins Heflin in Washington. Learning that he had been attentive to a woman in Georgetown, Barbara assumes that she was his mistress. She feels thoroughly ashamed, however, when she discovers that the woman (Barbara Lange) was a blind refugee, in whose rehabilitation Heflin was interested. At this point Barbara becomes concerned over Richard Hart, her former boy-friend, who had been reported killed in the Pacific. Heflin relieves her concern by establishing that Hart was safe. In the end, Barbara and Heflin confess their desperate need for each other and agree to start life anew.

Luther Davis wrote the screen play from the novel by John Marquand. Edwin H. Knopf produced it, and Robert Z. Leonard directed it. Unobjectionable morally.

"Arch of Triumph" with Ingrid Bergman, Charles Boyer and Charles Laughton

(United Artists, March; time, 120 min.)

Considering the extraordinary exploitation build-up given to this picture for many months, coupled with the fact that it is to be released on an advanced admission price policy, at a \$1.80 top, one would expect it to be a drama of epic proportions, another "Gone with the Wind." But such is not the case, for it is no more than a fairly good drama, which nevertheless leaves one disappointed because he had been led to expect something better. It will have to depend heavily on the drawing power of the players and on the popularity of the novel on which the story is based, and, while it may open big because of these attributes, as well as of the high-powered ballyhoo that will precede the openings, it is doubtful if business will remain strong enough to warrant extended runs.

The story itself is a rather sombre romantic tale with tragic overtones, set against the background of pre-war Paris in 1938, at a time when it was teeming with refugees, the victims of Nazi aggression. Briefly, it revolves around Charles Boyer, as an Austrian surgeon living in Paris without benefit of passport, who befriends Ingrid Bergman, a Parisian woman bent on suicide because her lover had died. They fall madly in love but are unable to marry because of Boyer's lack of credentials and his illegal status in the country. While helping an injured man on the street, Boyer becomes involved with the police, who discover his status and deport him. After several months in Switzerland, he makes his way back to Paris and finds that Ingrid had become the mistress of a wealthy playboy. Each loves the other deeply, but a conflict arises between them because of his failure to communicate with her during his absence, and because of her unwillingness to break away suddenly from her new-found luxurious life. The story ends on a tragic note with Ingrid dying from a bullet wound inflicted by her lover in an attempt to stop her from going back to Boyer, and with Boyer heading for a concentration camp, having been rounded up with other refugees upon France's declaration of war. Worked into the proceedings is a sub-plot involving Charles Laughton, as a bestial Nazi big-wig, who had tortured and persecuted Boyer in Austria, and whom Boyer spots in Paris from time to time. To avenge himself on Laughton had become an all-pervading obsession in Boyer's life, and in the course of events he succeeds in murdering him.

While the ingredients for strong drama are ever present in the story, it somehow fails to come through on the screen with any appreciable degree of intensity, a fault that can be traced to the choppy continuity, which results in the film having a lack of cohesiveness and, to a degree, motivation. Another reason why one does not feel the sufferings of the two principal characters is that neither one is cast in a wholly sympathetic role.

Charles Laughton seems wasted in his role, as does Ruth Warrick, who appears for a few fleeting moments as an American woman in love with Boyer. Louis Calhern, as Boyer's White Russian friend, contributes an engaging characterization and manages to inject some wry bits of humor in a story that is essentially oppressive and tragic. The production values are very good, but it is difficult to see where four or five million dollars, as claimed, have been spent on the picture, unless, of course, most of it is on the cutting room floor.

Lewis Milestone and Harry Brown wrote the screen play from the novel by Erich Maria Remarque. David Lewis produced it, and Mr. Milestone directed it. The cast includes Roman Bohnen, Stephen Bekassy, and others. Adult fare.

"Speed to Spare" with Richard Arlen and Richard Travis

(Paramount, May 14; time, 57 min.)

"Speed to Spare" adequately fills the requirements of an action melodrama designed as a supporting feature for double-billing situations. The formula plot, which revolves around the misadventures of a well-meaning braggard who forsakes daredevil auto-racing for a substantial job as a

truck driver, telegraphs its twists in advance, but since it moves along at a swift pace and offers some thrills it should get by in its intended market. The film offers the spectator an informative insight on the operations of a trucking firm, particularly with respect to the safety precautions such firms employ. The direction is good, and the players perform adequately in their cut-and-dried roles:—

Discharged from an auto-stunt driving circus, Richard Arlen takes a job with his old pal, Richard Travis, branch manager of a trucking concern. Also working at the branch are Pat Phelan, the owner's son, and Nanette Parks, a secretary, who was Phelan's girl-friend. Arlen gains an enemy when he takes over the truck of Ian McDonald, who had been demoted to a mechanic because of drunkenness. Seeking revenge, McDonald tampers with the truck's mechanism, causing Arlen to become involved in a number of accidents, which he finds difficult to explain. Meanwhile Arlen makes a play for Nanette, causing a split between Phelan and herself. Needing money so that he might ask Nanette to marry him, Arlen makes a private deal to carry dangerous explosives for a contractor, whose business had been refused by Travis. McDonald, unaware of the cargo in the truck, once again tampers with the mechanism. Just as he prepares to pull the truck out of the terminal, Arlen gets into a fight with Phelan and is knocked unconscious. Roscoe Karns, a mechanic, fearing that Arlen would lose his life if the truck missed its schedule, takes over his run only to be blown to bits as a result of McDonald's tampering. It ends with Arlen forcing a confession from McDonald, seeing to it that Phelan and Nanette are reunited, and joining the police to face his indirect responsibility for Karn's death.

Milton Raison wrote the original screen play, Pine & Thomas produced it, and William Berke directed it. The cast includes Jean Rogers and others.

Unobjectionable morally.

"Panhandle" with Rod Cameron, Cathy Downs and Anne Gwynne

(Allied Artists, February; time, 84 min.)

A very good Western melodrama, replete with the kind of excitement the outdoor fans relish. Although the action in the first half is somewhat rambling, the second half is loaded with so many thrilling highlights that it more than compensates for the slow beginning. The story is not unusual, but it is well constructed and holds one's interest throughout. As a two-fisted, six-footer cowboy who endangers his life to track down the killers of his brother, Rod Cameron rides well, hits hard, shoots straight, and in every other respect is convincing as the hero. A brutal fistc encounter between Cameron and one of the villains is one of the most realistic ever seen on the screen; this fight alone is worth the price of admission, for it will keep the spectators on the edge of their seats. Comedy and romance are worked into the plot in just the right doses. The sepia tone photography is very fine:—

Hiding in Mexico with a price on his head because of his handiness with a gun, Cameron learns from Cathy Downs that his brother, a crusading newspaperman, who had been her sweetheart, had been murdered mysteriously in Sentinel. He heads north for the Panhandle, despite the price on his head, and finds the town dominated by a lawless element headed by Reed Hadley, a saloon-keeper, whom he believed responsible for the murder. He sets about gathering proof against Hadley, who in turn makes an unsuccessful attempt to run him out of town. Meanwhile Cameron becomes friendly with Anne Gwynne, Hadley's secretary. He eventually succeeds in obtaining the needed proof against Hadley, but through a trick he is disarmed and made Hadley's prisoner. Anne, however, manages to slip him two guns. In the battle that follows, Cameron wipes out Hadley and his henchmen, avenging his brother's death and bringing law and order to Sentinel. He leaves to pay his debt to society, promising to return to Anne.

John C. Champion and Blake Edwards wrote and produced the original screen play, and Lesley Selander directed it.

Unobjectionable morally.

Amendment thereby removing the necessity to license 18,000 theatres by dealing with a few producers instead. The administrative costs thereby saved if ASCAP performance rights are eliminated from our theatres should inure to the benefit of all concerned. However, if ASCAP elects to oppose the Lewis Amendment, it will be positive evidence that their legal strangle-hold on the exhibitors' throats concerns them most; that modifying their demands is a well-planned effort to break up the national unified collaboration of exhibitors, the like of which has never before been believed possible.

"We, as individual exhibitors, should therefore keep our exhibitor ranks of opposition intact, regardless of what some group leaders do by way of superficial compromise. Let us not sign any long term, ten-year, ensnaring contracts that will dull our efforts to obtain cure-all legislation.

"We should not fear that distributors will saddle us with more than did ASCAP. It being more than obvious that motion picture theatres create popularity for songs that have long been dead and forgotten, and little-known new songs, the distributors being the good and exceptionally sharp businessmen that we know they are, can be counted upon even to collect from ASCAP for creating revenue that ASCAP will receive on songs popularized in that manner, instead of paying ASCAP as we and the producers now do. It is not unreasonable to expect that eventually some of such revenue should be passed on to the benefit of the exhibitor.

"In our opinion it is nothing short of stupidity to seriously consider the suggestion that we should pull our punches for the passage of the Lewis Amendment for fear that the distributors will charge us more than ASCAP has heretofore collected. It is our humble opinion that the distributors are now collecting all the traffic will bear, and can be expected to so continue.

"The Lewis Amendment will aid producers to help themselves and relieve us from ASCAP's legal strangle-hold as well."

There is little this paper need add to the cogent arguments advanced by the ATOI and by Judge Uvick as to why every exhibitor should get solidly behind the Lewis Bill. With the date of the hearings almost on hand, you may expect the propaganda against the bill to gain momentum. The wise exhibitor will not be deluded by any of it, but what is more important is that he should not permit others to become deluded. Those who oppose the bill will make every effort to show that the majority of the exhibitors are satisfied with the present music-tax set-up, and that the proposed bill will be to their disadvantage. And they may get away with it unless each of you make it a point to write to your Congressmen and Senators immediately, informing them of how unjust the tax is, and urging them to support the Lewis Bill to the hilt.

"Caged Fury" with Richard Denning, Buster Crabbe and Sheila Ryan

(Paramount, March 5; time, 61 min.)

This program melodrama should give fair satisfaction as a supporting feature in small town and neighborhood theatres. The fact that the plot is commonplace will, no doubt, be overlooked by the action fans, for it has a goodly quota of suspense and excitement. Besides, the story's circus background provides some pretty interesting scenes, with the thrills being brought about by the action that takes place in a cage full of ferocious lions. The scenes that show the principal characters taming the wild animals have been done before; nevertheless, they hold one in suspense. The direction is good and the performances adequate:—

Richard Denning, a lion trainer, Mary Beth Hughes, a lion tamer, and Buster Crabbe, a clown, work together in a sensational lion taming act. Engaged to Mary but covetous of Sheila Ryan, another performer, who was Denning's girl-friend, Crabbe deliberately bolts an escape door in the lions' cage, causing Mary to be killed by one of the animals. He then induces Frank Wilcox, the circus owner, to give Sheila Mary's spot, which she accepts over Denning's objections. Sheila proves herself a capable performer, and the breach between Denning and herself is soon healed. Unable to make any headway in his pursuit of Sheila, Crabbe determines to do away with Denning. Several narrow escapes from death arouse Denning's suspicions; he catches Crabbe bolting the escape door, as he had done for Mary's death. Crabbe escapes and, in the chase that follows, his car goes over a cliff and vanishes into the sea. Believing him dead, Sheila and Denning marry and continue with the act themselves. Crabbe reappears several months later and corners Denning in his dressing room. A fight ensues, during which an overturned oil lamp sets fire to the circus. Spectators run

for their lives, and wild animals escape from their cages. It all ends with Crabbe being clawed to death by a lion he had mistreated.

David Lang wrote the screen play, William Pine and William Thomas produced it, and William Berke directed it. Adult fare.

"Mr. Reckless" with William Eythe and Barbara Britton

(Paramount, March 26; time, 66 min.)

Although the cast of players give it some name value, this is just a run-of-the-mill Pine & Thomas program melodrama, burdened by a trite screen play that wanders all over the lot. Moreover, it is given more to talk than to action. But since it does have several exciting situations it will probably get by with indiscriminating audiences in secondary theatres. The main story line revolves around William Eythe, a foot-loose oil worker, who returns to Los Angeles after a two-year absence and finds that his neglected girl-friend, Barbara Britton, a waitress, had become engaged to Nestor Paiva, his middle-aged friend, who was her employer. Out of regard for his friend, Eythe does not attempt to win back Barbara, although both were still in love. Obvious plot manipulations bring the three together in a nearby oil town, where Eythe had obtained a job, and where Paiva, accompanied by Barbara, had gone to open a new restaurant. Numerous incidents involving several sub-plots serve to delay Barbara's marriage to Paiva, during which time her love for Eythe is rekindled. Eythe, rather than break his friend's heart, decides to leave town. Barbara, unhappy, decides not to marry Paiva and prepares to return to Los Angeles. Learning of her love for Eythe, Paiva mistakenly believes that she planned to run off with the young man. He heads for the oil field and, in a blind rage, attacks Eythe atop an oil rig, falling to his death after a bitter battle. It closes with Barbara and Eythe reunited.

Considering the "old hat" material, the players do as well as can be expected, but since most of the characterizations are not particularly sympathetic the story is lacking in dramatic impact. Some mild comedy is provided by Minna Gombell, as a tough but warm-hearted landlady, Walter Catlett, as her lazy husband, and Lloyd Corrigan, as Barbara's problem father. Maxwell Shane and Milton Raison wrote the original screen play, Pine & Thomas produced it, and Frank McDonald directed it. Unobjectionable morally.

"The Challenge" with Tom Conway and June Vincent

(20th Century-Fox, March; time, 68 min.)

This is a "Bulldog Drummond" picture, the first of a new program series being released by 20th Century-Fox. Like its predecessors, the plot of this version is rather far-fetched; nevertheless, its mixture of mystery, murder, skullduggery, and some comedy, coupled with the fact that suspicion is directed at several of the characters, holds one's attention fairly well. The melodrama-loving fans should enjoy it, for it has considerable suspense and excitement. Tom Conway, an old hand at playing suave amateur sleuth roles, slips into the "Bulldog Drummond" characterization with ease.

Briefly, the story revolves around several heirs interested in the hidden fortune of a retired sea captain, who had been murdered mysteriously. Conway enters the case when June Vincent, the murdered man's adopted daughter, seeks to buy from him a ship model, which had been owned by the captain, and which had been given to Conway by a friend. Her willingness to pay for the model far more than it was worth arouses Conway's curiosity; he refuses to sell it. Later, the model is stolen from him and, in his efforts to recover it, he becomes involved, not only with June, but also with the other two heirs, Richard Stapley, the captain's nephew, and Eily Malyon, his housekeeper. Each was intent upon finding a known gold treasure hidden by the captain, and Conway finds reason to suspect each of them for the commission of the murder. After numerous adventures, he discovers the hiding place of the treasure through a secret code stitched into the sails of the ship model. But before Conway can act, both he and June are captured by henchmen employed by the nephew and housekeeper, who admit the crime and force him to reveal the hiding place under threat of harming June. He bows to their demands, but through a clever trick gets word to the police who trap the culprits. June is established as the rightful owner of the gold, but by this time she shows a greater interest in Conway.

Frank Gruber and Irving Elman wrote the screen play from the story by Sapper. Ben Pivar and Bernard Small produced it, and Jean Yarbrough directed it. Unobjectionable morally.

HARRISON'S REPORTS

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THE PCCITO BACKS ITS WORDS WITH ACTION

Meeting in Seattle on February 19, trustees of the Pacific Coast Conference of Independent Theatre Owners, representing six west coast independent exhibitor associations, voted to give full support to the passage of the Lewis Bill, now in Congress, which would relieve the exhibitors from paying any tax to ASCAP by requiring the producers to acquire the performance rights to all music incorporated in their films before licensing them to the exhibitors. Additionally, the trustees voted to file a brief as *amicus curiae* with the U. S. District Court at Minneapolis in the Benny Berger suit against ASCAP, pledging financial support to carry the case to the U. S. Supreme Court. Thus the PCCITO, which has been a foremost leader in the fight against ASCAP, is fulfilling to the limit the action taken at its annual convention last year, when it voted to raise a fund of not less than \$25,000 to determine, through a test case, the legality of the ASCAP tax.

What is particularly admirable about the present PCCITO move is this: Last year, at the time it announced its plan to battle ASCAP, it stated that every effort would be made to enlist the support of other exhibitor organizations throughout the country so that all could participate in a precedent establishing case. It felt that any action taken against ASCAP should be on a national basis in order for the result to be beneficial to all exhibitors. Having originated the idea of a unified exhibitor effort in a test case against ASCAP, and having done much preliminary work to form a strong foundation from which to spearhead the action, no one could have blamed the PCCITO if it decided to carry on its fight independently, accepting whatever outside exhibitor support that may have been offered to it. But instead of acting like a prima donna, it is throwing its wholehearted support into the campaign to pass legislation advocated by Allied, and as further evidence that it is concerned, not with personal glorification, but with a common cause, it offers financial assistance to take the case of a non-member before the high court to prove that the tax is illegal.

The PCCITO's sincerity in this matter is indeed commendable, and the organization rates the respect, let alone thanks, of exhibitors everywhere.

* * *

With the regional units of the PCCITO joining those of National Allied in the effort to secure passage of the Lewis amendment to the Copyright Law, independent exhibition is now in a position to put up a formidable front in breaking down the arguments of those who would lead Congress to believe that the exhibitors are satisfied with the present ASCAP ar-

rangement. But as formidable as this front is, the need is still great for even more exhibitor support, not only from organizations that are not affiliated with either Allied or the PCCITO, but also from exhibitors who do not belong to any organization. This is not a fight that concerns any particular group; the music tax affects every exhibitor.

A fine example of unified independent exhibitor action in this matter, regardless of affiliation, can be found in Michigan, where exhibitors belonging to Allied Theatres of Michigan, the Michigan Independent Theatre Owners, and Co-Operative Theatres, as well as many who do not belong to any organization, have formed a Michigan ASCAP Committee to carry on the fight. This group has committed itself to support of the Lewis Bill and is advising its members not to sign agreements with ASCAP for permanent licenses while Congress has the amendment under consideration.

Mr. Sam Carver, a member of the Committee and head of the Michigan ITO, points out that ASCAP's new rates, while very fair as compared to its original demands, is tied to a ten-year agreement, and he warns that, in the event of a depression, the exhibitors, bound by a ten-year contract, would be helpless in any effort to secure a readjustment of terms. And he adds the warning that acceptance of ASCAP's new terms might cause Congress to conclude that the exhibitors are satisfied and that no need for the Lewis amendment exists. Mr. Carver's warnings are indeed logical, and they are but two of many reasons why you should reject the ASCAP compromise and leave nothing undone to secure passage of the Lewis Bill.

If you haven't written to your Congressional representatives as yet, do so now. By urging them to support the Lewis Bill you help, not only your fellow exhibitors, but also yourself.

TIME TO GET RID OF THE FRANKENSTEIN

If the present Hollywood fright on the loss of the foreign market will result in bringing the price of novels, magazine stories and stage plays to within reason, something will have been gained, for up to now the prices paid for story material have been inconsistent with sound economic production costs.

We all, of course, admit that a good story is generally the basis of a good picture, but there is a limit to what can be paid even for fine stories.

About four years ago, in the issue of June 17, 1944, this paper warned that the producers, in their mad rush to overbid one another for choice stage plays and novels, paying as much as \$500,000, were creating a Frankenstein, which they would be unable to get rid of when times became lean. Now that the honeymoon

(Continued on last page)

**"Sitting Pretty" with Maureen O'Hara,
Robert Young and Clifton Webb**
(20th Century-Fox, April; time, 84 min.)

Expert direction, an enthusiastic and talented cast, and a cleverly contrived screenplay, make this one of the most genuinely funny comedies seen in a long time; it should be thoroughly enjoyed by all types of audiences. Refreshingly amusing, the story takes place in a suburban community and deals with the issues that develop in the household of a young couple with three children when they engage Clifton Webb as a baby-sitter, thinking him to be a woman. Mr. Webb, as a baby-sitter, is something worth seeing. A self-proclaimed genius, who proves himself to be a man of many talents, he is at once suave, caustic, charming and competent, and in no time becomes complete master of the household, changing the unruly children into obedient youngsters, and even chastising their parents when they get out of line. He even cures the baby of the habit of sprinkling oatmeal on every one by the simple expedient of dumping the oatmeal bowl on the baby's head. Although Webb's movements around the household give rise to many mirth-provoking situations, considerable comedy stems from the fact that town gossips link him with his comely employer, Maureen O'Hara, when her husband, Robert Young, leaves town on a business trip. The "scandal" costs Young his job in a local law office, and leads to a separation between Maureen and himself, but Webb manages to bring them back together again at the finish. Throughout the proceedings the principal characters, as well as the spectator, remain mystified over the reason why a man of Webb's obvious intelligence and capabilities would tie himself down to a job as baby-sitter, but this is cleared up towards the finish when he is revealed as the author of an overnight best-seller, which unmercifully pokes fun at the community's leading residents, particularly the gossips; he had taken the job in order to gather accurate material for his book.

Cast in a tailor-made role, Webb dominates the picture, but fine performances are turned in also by Miss O'Hara and Young, who make their roles believable. A choice and highly amusing characterization is contributed by Richard Haydn, as a prissy, middle-aged snoop. All in all, it is the sort of entertainment that will keep audiences in a state of near-hilarity.

F. Hugh Herbert wrote the screen play from a novel by Gwen Davenport. Samuel G. Engel produced it, and Walter Lang directed it.

Suitable for the family.

**"The Bride Goes Wild" with Van Johnson
and June Allyson**

(MGM, March; time, 97 min.)

A laugh-packed farce that should give pretty good satisfaction to most patrons, particularly family audiences in small-town and neighborhood theatres. Revolving around the romance between a demure small-town schoolteacher and a carefree but child-hating author of children's stories, the story is broadly played and completely implausible, with the accent on slapstick situations and exaggerated characterizations that excite considerable merriment. Both Van Johnson and June Allyson romp through their parts with zest, aided greatly by little Butch Jenkins, as a precocious orphan who poses as Johnson's son in a grandiose scheme to deceive June. There are so many hilarious highlights that, at times, much of the clever dialogue

is drowned out by audience laughter. One sequence in particular, where Johnson spikes June's coffee with liquor and gets her intoxicated, is riotously funny. The whole thing goes haywire at the finish, where Butch, to bring the separated lovers together, breaks up June's wedding to another man by unloosing a horde of ants among the wedding guests. This results in some frenzied and fanciful fun. Hume Cronyn, as Johnson's harrassed publisher, contributes much to the comedy:—

June, winner of a contest to illustrate a new book by "Uncle Bumps," a popular author of children's stories, arrives in New York and discovers that the author was none other than Johnson, an irresponsible young man with a liking for drink. Shocked by her discovery, she declares her intention to expose Johnson for what he is. Cronyn, to save the situation, informs her that Johnson is a widower and that he had been driven to drink by his little son, who was a problem child. Her offer to help compels Cronyn to borrow Butch Jenkins from a local orphan asylum to pose as Johnson's son. Butch accepts a bribe to call Johnson "daddy." June takes them both in hand and, before long, Johnson falls in love with her and proposes marriage. Quite by accident, however, June learns the truth about Butch and breaks off her engagement to Johnson because of the deception. She returns to her home-town to marry Richard Derr, a former suitor. The split between June and Johnson disappoints Butch, because Johnson had promised to adopt him after their marriage. Despondent, he runs away from the asylum and goes to Johnson. Realizing that only married persons may adopt a child, Johnson takes the boy to June, arriving on the day of her wedding. Unable to bear the thought of her marrying another man, Johnson cooks up a scheme whereby Butch disrupts the wedding and wins June back to their side.

Albert Beich wrote the original screen play, William H. Wright produced it, and Norman Taurog directed it. The cast includes Una Merkel, Arlene Dahl, Lloyd Corrigan and others.

Suitable for the family.

"Angels Alley" with the Bowery Boys

(Monogram, March 7; time, 67 min.)

One of the better pictures in the "Bowery Boys" series. One's interest is held from the beginning to the end, and there is one situation with deep human interest. This is where little Tommie Menzies, a boy about eight or nine, is shown in the hospital hurt—run over by a young gangster's car. His good acting reaches one's heartstrings. Stealing automobiles and altering them beyond recognition is the theme. Leo Gorcey again takes the part of the good kid leader in the New York slums. Nelson Leigh is good as the neighborhood priest, who stands by his boys because they do not fail him. The direction is good, and so is the acting. The photography is clear:—

When Frankie Darro, his cousin, just out of jail on probation, comes to live at his mother's home, Gorcey warns him to either go straight or get out. Frankie, however, joins up with Nestor Paiva, head of a syndicate that stole cars and altered them in a secret garage to re-sell them. The police suspect Paiva but cannot do anything because of insufficient evidence. Upon learning that Frankie had joined Paiva, Gorcey goes to the gangster's headquarters behind a poolroom to warn him, but Frankie resents his interference. Learning also that Paiva's young hoodlums were to rob a

a warehouse that night, Gorcey and his gang go to watch them. Gorcey tries to stop Frankie, but the lad knocks him unconscious. The police find Gorcey and arrest him, but Father Leigh gains his release. Impressed by Gorcey's refusal to squeal on him, Frankie decides to go straight. Meanwhile one of the hoodlums, while making a getaway with a stolen car, injures seriously little Tommie. After visiting Tommie at the hospital, Gorcey determines to put Paiva behind bars. He gains the gangster's confidence, becomes a member of his gang, and in this way learns of the secret garage where Paiva's gang altered the stolen cars. He gives this information to the district attorney, who devises a plan to trap the gang. Gorcey and his own gang help to round up the mob, only to find themselves trapped. The police arrive in time to arrest the gangsters and to prevent them from taking the Bowery Boys for a ride.

Jan Grippo produced it and William Beaudine directed it from an original story and screen play by Edmond Seward, Tim Ryan and Gerald Schnitzer. The cast includes Huntz Hall, Gabriel Dell, Mary Gordon and others.

Suitable for children because of the good moral the story conveys.

"The Wreck of the Hesperus" with Willard Parker and Edgar Buchanan

(Columbia, no release date set; time, 68 min.)

A minor program melodrama that will barely get by as a supporting feature in secondary theatres. The thin story follows a hackneyed formula, and the element of surprise is totally lacking. As a matter of fact, the twistings of the plot are so obvious that one loses interest in the picture long before the final reel. The ordinary direction, the trite characterizations, and the frequently ponderous dialogue do not help matters. There is some romantic interest, but it is of no importance to the plot and is dragged in by the ear. The action takes place in 1830:—

Blackballed by ship owners because he had lost his ship on the rocks, Captain Willard Parker goes into the salvage business. He works together with Edgar Buchanan, a wealthy Bostonian, unaware that Buchanan was deliberately wrecking ships, in order to help their business, by placing lanterns along false channels. The townspeople, alarmed by the many wrecks, seek to have a lighthouse built on a dangerous reef, but the proposal fails because of Parker's opposition. Meanwhile Buchanan arranges with two accomplices to wreck another ship. On the following day, Parker learns that his brother had died in the wreck. Despondent, he walks along the beach and discovers a discarded lantern, which he traces to Buchanan. He accuses him of having wrecked the different ships. Fearing betrayal, Buchanan arranges his own appointment as the Governor's representative in Gloucester, and arrests Parker on a trumped-up charge. But Parker is saved by Patricia White, his sweetheart, who visits the Governor and wins his freedom. Parker lays a trap for Buchanan and succeeds in exposing him to the Governor, after which he helps build the lighthouse on the dangerous reef.

Aubrey Wisberg wrote the screen play, suggested by a story by Edward Huebsch, and based upon the poem by Henry W. Longfellow. Wallace MacDonald produced it, and John Hoffman directed it.

Unobjectionable morally.

"All My Sons" with Edward G. Robinson, Burt Lancaster and Mady Christians

(Universal-Int'l, April; time, 93 min.)

A powerful drama, based on Arthur Miller's prize-winning stage play of the same name. Dealing as it does with the duplicity of a man whose actions bring sorrow and tragedy into the lives of those close to him, and wholesale death to others, the story is not a pleasant one, but it is extremely well directed and played, gripping one's attention from start to finish. Its tale of conflicting human emotions unfolds with considerable dramatic impact, particularly in the situations that find son pitted against father when he learns the truth about his criminal acts. As the small-town factory owner who shunts aside his moral duty to man and country in order to achieve personal success, Edward G. Robinson fills out a fascinating portrait of an egoist, cloaking his motives with a kindly nature and excusing his acts with the claim that what he had done had been for the welfare of his family. His ultimate suicide ends the story on a tragic note. Fine performances are contributed also by Burt Lancaster, as the son whose moral sense proves stronger than his devotion to his father; Mady Christians, as Robinson's wife, who seeks to protect him despite his failings; and Louisa Horton, a newcomer, as Lancaster's sweetheart and the daughter of Robinson's partner, who had been convicted and sentenced to jail for a crime Robinson had committed. The story is told with considerable human appeal, and the romantic interest is tender:—

Robinson, owner of a prosperous machine shop, which had been producing engine parts during the war, had knowingly shipped to the Government defective parts lest the loss bankrupt him. The defective parts had caused the death of twenty-one fliers. Brought to trial, Robinson, through his own false testimony, had been acquitted, while his partner, Frank Conroy, though innocent, had been convicted and sentenced to jail. Louisa, Conroy's daughter, who before the war had been engaged to one of Robinson's sons, who had died in action, falls in love with Lancaster, Robinson's other son. Their marriage is opposed by Robinson's wife, who still hoped that her other son would turn up alive, and by Howard Duff, Louisa's brother, who believed his father's claim that Robinson had testified falsely. The conflicting stories, coupled with Robinson's evasiveness, put a doubt in Lancaster's mind about his father's innocence. He visits Conroy in jail and, from information supplied by him, ultimately obtains from his father an admission of guilt. Robinson, however, defends his actions on the ground that he wanted to save his business for the financial security of the family. Meanwhile Louisa, unable to live without Lancaster, shows his mother a letter from her former sweetheart, proving conclusively that he was dead. In it, the boy had declared his intention to take his own life because of the shame he felt over his father's unpatrician act. Lancaster obtains the letter and shows it to Robinson. Unrepentant up to this time, Robinson breaks down. He retires to his room and commits suicide.

Chester Erskine wrote and produced the screen-play, and Irving Reis directed it.

While there is nothing about the story that is morally objectionable it is a picture that is best suited for adult audiences.

is over and the watchword is economy, the producers realize, no doubt, that the monster they created is out of hand and must be done away with.

Having become accustomed to receiving fabulous sums for their works, the authors of either successful stage plays or novels will continue to demand everything but the studio itself, but the producers, now aware of the new level of receipts, will tell them to jump back into their inkwells and soon compel them to moderate their demands.

In the same aforementioned article, it was stated that experience has proved that many expensive novels, as well as stage plays, were failures on the screen in spite of the fact that the producers believed that such stories cannot help but turn out to be great pictures. In the four years that have passed, any number of these high-priced story properties have been made into pictures, but the record shows that the ratio of successful pictures based on these expensive properties is no greater now than in the past. True, the fame of either a novel or a stage play is a great box-office asset, but often it is not enough, for if the picture hasn't got what it takes the word soon gets around to the movie-wise public. Word-of-mouth advertising works both ways.

A SUGGESTION WORTHY OF CONSIDERATION

There is logic behind the suggestion that the United States Government reimburse the motion picture producers for their losses abroad caused by the freezing of their profits there.

If "The Voice of America" is worth maintaining at a cost of anywhere from fifty to sixty million dollars a year, the showing of American pictures abroad is worth many times more, for pictures are far more powerful than either the printed or the spoken word. Words, whether spoken or read, represent images—that is, the mind must transform those words into the images they represent before it can grasp them, with the result that much of the power of those words is lost in the transformation, whereas in moving pictures the images are there, and the mind grasps them with little effort.

Assuming that our producers would take extreme care to send abroad only such pictures as do not misrepresent the American way of life, the American motion pictures can do much, not only to prevent the Russian Communists from injuring the United States with their distortions of the truth, but also to enable our Government to reach the people of the world with what democracy means to the life of every individual living in this country. By visualizing pictorially the American way of life—the freedom we enjoy, the abundance of food and clothing, the right to work in a business, trade, or profession of one's own choosing, and the many other advantages we in the United States have learned to accept as a matter of course, American motion pictures can make so powerful an impression on the people of foreign countries that they, too, would want to obtain these comforts because they cannot obtain them now.

HARRISON'S REPORTS hopes that the leaders of our industry will be able to impress the United States Government with the necessity of maintaining the showing of American pictures abroad. The cost of such maintenance will be infinitesimal as compared with the benefit that the American nation will get.

THE SCREEN ACTORS GUILD SETS AN EXAMPLE

By a vote of 1307 against 157, the members of the Screen Actors Guild have approved a resolution requiring that each of the officers, directors and committee members furnish an affidavit stating that he is not a member of the Communist party.

By having passed such a resolution, the SAG members did not lower their dignity as American citizens or as members of the Guild, nor did they attach any stigma on the officers, directors and committee members; they merely complied with a law requiring that the officers of all unions sign such an affidavit.

Just as no harm will come to the industry from the action taken by the SAG, no harm would have been done if the Ten answered the questions of the Congressional Committee on Un-American Activities. If anything, their willingness to answer the questions would have shown that they are good American citizens. Instead, they saw fit to take a stand that has discredited the motion picture industry. Their attitude has created an impression among the public that the motion picture industry in general, and the Screen Writers Guild in particular, is infested with Communists, and that these are able to insert in motion picture scripts Communistic propaganda that is detrimental to the interests of the country. Here is some proof of this statement:

In a poll conducted by the Minneapolis *Star-Tribune* recently, seven per cent of those polled felt that the Communists were very successful in getting Communistic propaganda into films, twenty-six per cent stated that they were fairly successful, forty-nine per cent said that they were not successful, and eighteen per cent had no opinion.

The fact that only seven per cent thought that the Communists were successful and twenty-six per cent thought them fairly successful is not the point; the point is that there are people who think that the Communists were successful, even though they could not recall a single film in which Communistic propaganda was put across.

As said repeatedly in these columns, this writer cannot recall a single film that could make even one Communist. There were, of course, instances that decried our system by presenting the banker and the generally wealthy man as villains, but such twists were given to films long before the Communistic problem became the issue of the day.

Now and then the Communists might have treated a subject in a manner designed to condemn the capitalistic system and thus promote, indirectly, the Communistic system, but the efforts of these Communists must have been crude, for in the course of my motion picture career I have seen more than ten thousand features and yet I cannot recall a single picture that could induce one to embrace Communism.

Oh, yes: "Monsieur Verdoux," Charles Chaplin's last picture, did contain a situation in which Mr. Chaplin tried to put over an ideology of his—that the murders he had committed were infinitesimal as compared with the deaths that were caused by the atomic bomb. But what was the American people's verdict? Ask Chaplin!

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A MISTAKEN NOTION

Daily Variety reported recently that, in a letter sent to the *London Times*, J. Arthur Rank stated that British production is now ready to challenge Hollywood. "We now have," stated Mr. Rank, "a powerful bargaining weapon in our theatre interests here and overseas," and "our aim is to secure fair showing for our films on the world screens and we are well on our way to achieve this."

Were Mr. Rank not filled with patriotic fervor, his letter to the *London Times*, either would not have been written, or it would not have contained ambitious statements that are doubtful of fulfillment. For instance, several weeks after Mr. Rank's letter was published, Tom O'Brien, Labor member of Parliament and general secretary of the British National Association of Theatrical and Kine Employees, warned that, unless an early solution was found to the tax deadlock caused by Britain's 75% tax on American film earnings, one hundred thousand British cinema and studio workers would find themselves out of work, and sixty per cent of the British movie theatres would have to shut down. In the face of such a statement, how can Mr. Rank feel that the British film industry is now ready to challenge Hollywood, when it cannot produce enough pictures to either keep its own nationals employed or British theatres operating? And just imagine what will happen to Mr. Rank's own production plans if sixty per cent of the British theatres close down because of a product shortage: His own pictures will bring in less revenue and, with the income much less than it is now, he will be unable to spend as much money on production as he is spending now, with the result that the quality of his pictures will suffer.

Not only Mr. Rank but also other British producers have consistently claimed that their pictures are not getting a fair showing on the American screens, indicating, of course, that there is a boycott in the United States against British pictures.

The quickest way by which the British producers could ascertain whether such a boycott exists is to buy a few theatres in the United States, preferably choice theatres, if possible, and play British films exclusively, exploiting them in the most sensational way. If the American public should patronize these films, making the theatres' operation profitable, then there can be drawn no other conclusion than that there is a definite boycott. But until such a method is followed, it is unfair for the British Government to condition the remittal of American dollars from Britain to the United States on the number of dollars that British films earn in the United States.

The plan has, of course, been tried—a little over two years ago Mr. Rank leased the Winter Garden

Theatre on Broadway and operated it as a showcase for his pictures, but he was not very successful. HARRISON'S REPORTS, however, does not wish to hold up this experiment as an example of what will happen to a new test by reason of the fact that the competition in the Broadway district is too keen to enable one to reach a definite conclusion. But theatres can certainly be bought or leased in better locations, where the theatres have been yielding a profit all along. All the British producers have to do is to offer an attractive price.

To the American exhibitor, theatre operating is not a charitable affair. Before booking a film, he wants to be sure that he will at least have a reasonable chance to make a profit. The British producers may argue that such is not the case by reason of the fact that, in the past few years, a number of their films have been acclaimed by the critics yet the exhibitors shied away from them. The answer is that these films, though worthy productions, are the sort that appeal to the few rather than to the many. In other words, they are what is known in the trade as "arty" pictures. What the British producers have yet to learn is that, to the rank-and-file exhibitors in this country, art belongs in a museum.

Of course, not all British pictures sent to these shores are of the "arty" type. There have been some good dramas and melodramas, the sort that should appeal to the American masses. But here again the British are up against it, for, even though these films contain ingredients that will please the majority of picture-goers, they lack the one thing that will draw people to the box-office—star value. While the story is all-important, it has been the experience of the American exhibitor that his patrons go to see a film chiefly because their favorite players are in the leading roles. The British players are, in the main, unknown to the American public. Consequently, if an American exhibitor offers very little for an American film, no matter how meritorious, unless a popular player is in the leading role, how can the British producers expect any better treatment when the players in their pictures are practically unknown?

Before the British films can become popular in the United States and bring in sufficient revenue to satisfy the British producers, these producers must make their stars known to the American public through the newspapers, magazines and exploitation stunts. Once this is accomplished, and the pictures are of good quality, with British accents that are not too thick to be understood, the American independent exhibitors will be more than glad to book them, not only because they will have a reasonable chance to make a profit, but also because it will pay them to establish another

(Continued on last page)

"Scudda Hoo! Scudda Hay!" with June Haver and Lon McCallister

(20th Century-Fox, April; time, 93 min.)

A pretty good outdoor Technicolor melodrama, revolving around the domestic, romantic, and business troubles of a young farm boy, who buys a pair of hard-to-handle mules and struggles to pay for them out of his meagre earnings as a hired hand. Based on the novel by George Agnew Chamberlain, the story blends human appeal, drama, comedy, youthful romance and occasional thrills in a way that should satisfy most patrons, in spite of the fact that there is considerable hokum in spots. A novel and interesting part of the film has to do with the depiction of the mule as a hard-working, intelligent animal, one whose prowess and service to man is in many ways superior to the horse. The title, incidentally, is the cry used to urge the mules on. How the mules solve the boy's troubles, romantic and otherwise, gives the tale a happy ending. The direction and performances are good and, though the story unfolds in just the manner one expects, it holds one's interest throughout and is easy to take:—

Left with a mean stepmother (Anne Revere) and a cruel stepbrother (Robert Karnes) when his father (Henry Hull) leaves their midwest farm to return to the sea, Lon McCallister obtains a job as a hired hand for Tom Tully, with whose daughter (June Haver) he was in love. June, however, favors Karnes. Tully, a loud-mouthed farmer, becomes livid with anger when two mules he had just paid \$300 for refuse to budge; he threatens to shoot the animals. Lon, horrified, offers to buy them and signs a contract with Tully agreeing to pay him \$5 a week out of his wages. With the aid of Walter Brennan, a friendly neighbor, Lon learns to handle the mules and soon finds an opportunity to earn \$15 a day with them hauling logs. Karnes, jealous, cooks up a scheme with Tully whereby he would fire Lon and then take back the mules because of his inability to meet the \$5 payment. The scheme is overheard by Natalie Wood, June's precocious little sister, who informs Lon. The young man goads Tully into firing him so that he could go to work hauling logs. The feud between the stepbrothers is intensified when Lon thrashes Karnes for making improper advances to June. By this time June realizes her love for Lon and denounces her father when he attempts to take the mules away from the lad because of his inability, due to a delayed payday, to meet the weekly \$5 payment. She gives him the money herself. Meanwhile word had come of Lon's father's death, making the lad sole owner of the farm. He manages to rid himself of Karnes and his stepmother, leaving himself prepared with a home for June. Tully remains his only problem, for he needed his consent to marry June. The situation resolves itself when Tully, stuck in a muddy field with his tractor, bets Lon that the mules could not pull him out—the wager being his consent to the marriage. The mules come through for Lon to the joy of everyone concerned, including Tully.

F. Hugh Herbert wrote the screen play and directed it, and Walter Morosco produced it. Suitable for the family.

"Madonna of the Desert" with Lynne Roberts and Don Castle

(Republic, Feb. 23; time, 60 min.)

Fair program entertainment, suitable for neighborhood theatres. Revolving around the efforts of several crooks to steal the jewelled statue of a madonna, the story is developed along familiar lines; nevertheless, it holds one in suspense because of the constant danger to the heroine, one of the thieves, whose reformation is brought about by the statue's miraculous power to ward off evil. The action is slow in spots, but for the most part it generates a fair amount of excitement, caused by the heroine's efforts to thwart the crook with whom she had been in league, as well as another crook, who was "muscling in" on the scheme. The closing scenes, where the two crooks kill each other, are wildly melodramatic. The romantic interest is pleasant, the photography sharp, and the production values pretty good:—

Sheldon Leonard, a suave Los Angeles crook dealing in art treasures, sends Lynne Roberts, an accomplice, to the ranch of Don Castle to steal a small jewelled madonna,

which the young man prized highly because of its miraculous power to ward off evil. She takes along a copy of the statue, planning to substitute it for the original. She becomes a guest at the ranch through a subterfuge, but Castle's trusting nature, coupled with the fact that her every attempt to steal the madonna is somehow thwarted, causes her to have a change of heart. She buries the copy and determines to face Leonard with a refusal to carry out his orders. She mistakenly buries the original statue, however, leaving the copy in its place to be stolen by Don Barry, another crook, who had learned of Leonard's scheme. Angered when Lynne confronts him with her decision, Leonard heads for the ranch himself and, en route, intercepts Barry fleeing with the copy. He gives Barry a beating and, realizing that Lynne had buried the original statue, compels her to return to the ranch to point out the resting place. Castle intercepts them and, as he slugs it out with Leonard, Barry returns. He kills Leonard to settle old scores but dies himself in the exchange of gunfire. Castle forgives Lynne, pointing out that the Madonna had brought her to the ranch, not to steal, but to become his wife.

Albert DeMond wrote the screen play from a story by Frank Wisbar. Stephen Auer produced it, and George Blair directed it. Unobjectionable morally.

"Casbah" with Yvonne DeCarlo, Tony Martin and Peter Lorre

(Univ.-Int'l., no release date set; time, 94 min.)

A fairly good remake of "Algiers," which was produced originally in this country by United Artists in 1938, with Charles Boyer and Hedy Lamar as the stars. While the story is substantially the same, this version differs in that music and dancing have been added, with several songs sung by Tony Martin, and the dances executed expertly by Katherine Dunham and her troupe. Like the original version, this story lacks human appeal, for not one character stands out as worthy of the spectator's sympathy. The hero is a crook who feels no repentance for his misdeeds, and the two women in his life are both of low moral character. Moreover, some of the features, such as a ruthless murder, are unpleasant. The romantic interest, however, is quite warm, and there are some good comedy touches. Tony Martin gives a good account of himself as "Pepe Le Moko," the romantic thief, as do Yvonne De Carlo, as his Algerian sweetheart, and Marta Toren, a newcomer, as a sultry Parisian tourist with whom he falls in love. Peter Lorre, as the detective who matches wits with Martin, is a standout. Algiers is the locale:—

To evade imprisonment in Paris, Martin exiles himself in the Casbah section of Algiers, which was inhabited by crooks who protected him from the police. Yvonne, his girl-friend, loves him, but realizes that he just tolerates her. Lorre sees Martin in the Casbah regularly but makes no effort to arrest him in the knowledge that Martin's followers would never permit him to be taken within the Casbah. Lorre looked forward to the day when he could lure Martin from the Casbah and effect his arrest. The opportunity presents itself when Martin becomes attracted to Marta, a beautiful Parisian tourist, who sneaks away from her wealthy fiance every day to visit him. He induces her to break her engagement and promises to go back to Paris with her. Learning of the affair, Lorre decides to use Marta as bait to lure Martin outside the Casbah's gates. He keeps Marta from meeting Martin by leading her to believe that Martin had been killed. Despondent, she decides to return to Paris. Learning of the trick Lorre had played on him, Martin decides to steal out of the Casbah and buy a ticket on the same plane. But Yvonne, who could not bear to have Martin leave her, informs the police. They trap him at the airport. As Marta's plane takes off, Martin rushes out on the field to wave goodbye. A detective, believing he was attempting an escape, shoots him down; he dies.

L. Bush-Fekete and Arnold Manoff wrote the screen play from the novel, "Pepe Le Moko," by Detective Ashelbe. Nat G. Goldstone produced it, and John Berry directed it. The cast includes Thomas Gomez, Hugo Haas, Douglas Dick and others.

Adult entertainment.

**"Jiggs and Maggie in Society"
with Joe Yule and Renie Riano**

(Monogram, January 10; time, 65 min.)

A pleasing light comedy with occasional strong laughs. It is of the slapstick variety, but of higher order. The production is classy, and the direction and acting very good. The story has been founded on the MacManus series of "Bringing Up Father" cartoons, so popular among adults as well as children. The situation where Joe Yule is shown listening to a broadcast of a spooky story is laughter-provoking. The one where he is shown outside a window, high up over the street, talking to his sweetie over the telephone and in danger of falling to the pavement below, should hold the audience in tense suspense. (This situation reminds one of Harold Lloyd's "Safety Last," although it is not a duplication.) Joe Yule, who is Mickey Rooney's father, does fine work as "Jiggs," as does Renie Riano as "Maggie." The appearance of Dale Carnegie, Arthur Murray and Sheilah Graham in the cast, as themselves, adds novelty to the picture and enhances the exploitation values:—

Maggie intensifies her efforts to crash the gate of upper Manhattan society, while Jiggs continues to mingle with his old cronies at Dinty Moore's, on Tenth Avenue. Taking advantage of Maggie's social ambitions, Van De Graft (Lee Bonnell), a shady character, informs her that his company had succeeded in tracing Jiggs' family tree and the family's coat of arms, and that, for a given amount of money, he will be able to list Jiggs' name in the social register. He suggests also that she give a party for important socialites. Maggie engages Dale Carnegie to tutor Jiggs, and Arthur Murray to give him dancing lessons. Through Murray, Maggie meets and is eventually interviewed on the air by Sheilah Graham. Maggie becomes jealous when she sees Jiggs in the company of Millicent Parker (Wanda McKay). A professional party planner is engaged by Maggie to stage a novel party and, at the height of the festivities, several crooks, friends of Van De Graft, rob many of the bejeweled socialite guests. But the police, who had followed the crooks, arrive in time to arrest the thieves and retrieve the jewels.

Barney Gerard produced it, and Eddie Cline directed it, from an original screenplay written by both of them.

A family audience picture.

**"The Return of the Whistler" with
Michael Duane and Lenore Aubert**

(Columbia, March 18; time, 63 min.)

Although its quality is not as good as some of the "Whistler" pictures directed by William Castle, this first of the new series is a fair enough melodrama that should get by as a supporting feature in double-billing houses. The story is not without its implausibilities, and on occasion the padding is obvious, but on the whole it tells its story with sufficient speed, excitement and intrigue to satisfy audiences in its intended market. The production values are modest, and the direction and acting adequate. The players, however, mean little at the box-office:—

Lenore Aubert, French-born widow of an American aviator, disappears on the eve of her marriage to Michael Duane, a civil engineer. Duane had met her several weeks earlier, at which time she had told him that she had run away from her dead husband's relatives because of cruel treatment. Learning the address of the relatives, he goes there and meets James Cardwell, who informs him that he is Lenore's husband, and that, during mental lapses, she imagined herself to be a widow. He takes him to Lenore, who confirms the story. Bewildered, Duane leaves her, unaware that the relatives, who were after the fortune left to her by her husband, had threatened to kill him (Duane) unless she confirmed the story. In the course of events, Duane comes across evidence indicating that Cardwell had lied. Meanwhile the relatives had managed to place Lenore in an insane asylum. Duane investigates, learns the truth and, after a series of different happenings, effects her rescue and imprisons the relatives.

Edward Bock and Maurice Tombragel wrote the screen play from a story by Cornell Woolrich. Rudolph Fluthow produced it, and D. Ross Lederman directed it. The cast includes Richard Lane and others. Unobjectionable morally.

**"The Miracle of the Bells" with Valli,
Fred MacMurray and Frank Sinatra**

(RKO, no release date set; time, 126 min.)

Excellent mass entertainment. Adapted from Russell Janney's best-selling novel of the same name, "The Miracle of the Bells" is a powerful human interest drama, of a quality rarely achieved in motion picture production. Its story about the tragic death of a talented girl whose untimely end robs her of the fame she would have achieved, and about the efforts of a press agent to bring to her, in death, the fame she would have enjoyed in life, is filled with situations that will stir one's emotions deeply. From the opening to the closing scenes, one's attention is gripped so strongly that the more than two hours running time pass by unnoticed.

Told partly in flashback, the story opens with Fred MacMurray, a press agent, bringing the body of a young girl (Valli) to Coaltown, a dingy Pennsylvania mining town, to be buried beside her father. A greedy undertaker (Harold Vermilyea) takes advantage of MacMurray's grief and tries to burden him with expenses he could not afford by steering him to the town's largest church. But MacMurray, to carry out the girl's dying wish, takes the body to St. Michael's, an impoverished church, whose priest, Frank Sinatra, sympathetically offers to conduct the burial services at no cost because of MacMurray's low finances. Asked about Valli's life history, MacMurray relates to Sinatra how he had first met her in a burlesque theatre where she was struggling for a chance to get on the stage. He had helped her to obtain a job in the chorus, and in subsequent meetings they had formed a strong friendship, during which he had learned of her ambition to become a great star. Their paths had crossed again in Hollywood, at a time when a temperamental star had walked out on the leading role in "Joan of Arc," for which picture he was studio press agent. Because of his faith in Valli, he had persuaded Lee J. Cobb, the producer, to give her the part, in spite of the fact that she was an unknown. She had played the part magnificently, hiding the fact that she was ill with tuberculosis, but she had burned herself out working and, three days after the film had been completed, she had died of the disease, contracted during her early, underprivileged life in Coaltown. Despite MacMurray's urgings, Cobb had refused to release the film, claiming that the public would not accept a dead star in the role. As Sinatra arranges for the burial, MacMurray hits upon an idea to get nationwide publicity for the funeral in the hope that it might induce Cobb to release the film as a tribute to Valli's faith and courage. By giving worthless checks to the different churches in town, he induces them to ring their bells continuously for three days and nights. The unusual stunt wins nationwide attention and brings Valli's story to the public, but Cobb, though he makes good the worthless checks, refuses to change his mind. One morning, however, the worshipers in the church notice two statues at the altar turn on their bases and face Valli's coffin. Word of the "miracle" spreads like wildfire. Sinatra investigates and finds that the statues' movements were the result of the shifting of an old mine working beneath the church, caused by the weight of the unusual crowds in the church. MacMurray induces him to defer an explanation to the worshipers because of the spiritual lift the illusion had given them. Cobb, by this time convinced of MacMurray's sincerity in his desire to honor Valli, agrees to release the film but donates the profits for a memorial hospital in Coaltown to combat the disease that had killed Valli.

It is a beautifully produced and directed picture, and the acting is of the highest order. Valli is very impressive as the stricken girl, and MacMurray, as the press agent, delivers one of his finest performances. Sinatra, as the priest, is unusually good and restrained, never overacting or spoiling situations with too much sentiment. Lee J. Cobb, as the producer who places his principles before profits, is excellent.

Ben Hecht and Quentin Reynolds wrote the very fine screen play, Irving Pichel directed it with understanding, and Jesse L. Lasky and Walter MacEwen produced it in the very best of taste.

It is a picture for the entire family.

source of product, which in turn will serve to step up competition among the American producers for an exhibitor's available playing time.

And the affiliated theatres will have no way out but to book them, too—that is, if the theatre-owning producer-distributors don't want to see their own films excluded from the screens of the theatres Mr. Rank controls in and outside of England.

HARRISON'S REPORTS predicted some time ago that Mr. Rank was in a hurry to acquire theatres throughout the world for the purpose of using them as a blackjack to compel the American theatre-owning producers to book his films under penalty of effecting the exclusion of their films. He now speaks of these theatre holdings as "a powerful bargaining weapon."

Of course, no one can blame Mr. Rank for adopting methods that will insure the greatest possible revenue for British films. Certainly, the American producers have not been angels when one considers some of the methods they have used. But along with the smart moves he makes Mr. Rank should see to it that the star value and quality of British films are so raised as to enable him to say to the American exhibitors: "Gentlemen, I am producing pictures that will make you as much profit as you are making from American pictures. I believe that I am entitled to the same consideration for my pictures that I am extending to American pictures. For years the American producers were getting fat on the profits they made from the showing of their pictures in British theatres. I am not asking for a favor; all I want is fair play." Who could say that Mr. Rank was wrong if he were able to take such a position? But, before he could take such a position, he must have pictures that will back him up. Right now he hasn't got them.

Employing a blackjack is not a good method to get results. Mr Rank will soon find this out.

A PATRIOTIC DUTY FOR THE AMERICAN PRODUCERS

According to trade paper reports, Nathan D. Golden, chief of the Motion Picture Bureau of the U. S. Department of Commerce, has assured the producers that the Government, in requiring them to obtain export licenses for all films shipped abroad, is not seeking to impose a form of censorship. But he warned that, unless the industry becomes selective in the type of product it sends abroad, the action might "handicap" it at some future date. Meaning, of course, that the industry, unless it recognizes the importance of sending abroad pictures that contain nothing disparaging to the American way of life, might invite Federal censorship.

In suggesting to the producers that they recognize their responsibility in selecting films for export, Mr. Golden is reflecting the attitude held by many Senators and Congressmen, Republican and Democratic alike. For instance, last January, during Senate debate of the need to increase appropriations for the State Department's information and educational division for the purpose of counter-attacking the vicious anti-U. S. propaganda disseminated by the Soviet Union, Senator H. Alexander Smith, of New Jersey, stressed the importance of not sending abroad pictures that represent the American way of life falsely. He pointed out that "misrepresentation does have its effect and does leave questions in the minds of people who other-

wise would be friendly to the United States." The Senator observed also that "while none of us want to impose any type of censorship, there should be some way by agreement with the producers themselves to maintain the highest possible quality of production" for export.

The justified attitude of our Government officials is in a way a warning that, unless extreme care is taken to send abroad only the finest pictures the industry is capable of producing, there will be Federal censorship on pictures intended for export; and once such censorship is established you may be sure that, before long, it will be imposed also on pictures distributed in the domestic market.

There is no other way out: there will be, either voluntary screening of the pictures that degrade America, or involuntary—by law.

With the nation taxing itself billions of dollars to aid the recovery of Europe, and with our Government spending millions to counteract Communistic propaganda, it behooves our picture producers to take the utmost care to protect the United States from slander, both at home and abroad. We are going through a crisis, one that may lead to a catastrophe—to war, unless every one of us supports the Government in its efforts to bring peace and good will to all the peoples of the world.

THE MUSIC TAX

Hearings on the Lewis Bill, which will relieve the exhibitors from paying a music tax by compelling the producers to acquire the public performance rights to all music in their films before licensing them to the exhibitors, have been postponed from March 1 to March 22, the delay being granted at the request of both proponents and opponents of the bill.

Those of you who are wondering how to deal with ASCAP while Congress has the Lewis Bill under consideration will be interested in the advice given to the members of the Independent Theatre Owners of Ohio by Martin G. Smith, their president, in a service bulletin dated March 2.

Mr. Smith suggests that, instead of signing ASCAP's application form, the exhibitors might send ASCAP their check for a license on a monthly basis at the new rates, accompanied by the following letter: "Dear Sirs:

"Enclosed is my check for \$. for public performance rights for the month beginning March 15 and ending April 15, 1948 for the. Theatre, located at. This is in accordance with the rates effective March 15 as published in the motion picture trade papers.

"Due to the pendency of H.R. 5014 and various litigations involving your right to collect these royalties, plus falling off in box-office receipts, I must pay these royalties under protest and in monthly installments.

"Yours very truly"

Mr. Smith suggests also that the following notation be made on the check: P.P. rights, Theatre, from 3/15/48 to 4/15/48, paid under protest.

According to Mr. Smith, the purpose of this course is to keep the matter in the correspondence stage until the fate of the Lewis Bill is determined, and to test out ASCAP'S willingness to do business on less than a yearly basis.

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TIME FOR THE HOLLYWOOD UNIONS TO TAKE NOTICE

The intentions of the producers to increase their production activities in foreign countries must have been read by the Hollywood unions and guilds. Italy has invited them to use the frozen money in that country for the production of American pictures. The Canadian Government, according to a report in weekly *Variety*, has already negotiated deals with the American producers whereby the flow of film earnings from the Dominion to the United States, estimated at \$17,000,000 a year, will be offset by the production of American pictures in Canada, with production expenditures eventually equalling the amount of money taken out of Canada. Both Italy and Canada have offered the producers facilities and conveniences that will assure them of economical production costs. And the solution of the 75% tax in Great Britain seems to offer no other way out than for the British Government to eliminate the tax and to make a deal with the American producers to use their frozen funds to make pictures in England. By this method the British and other governments will not be drained of valuable dollars, and they will create employment for their nationals.

Though sound commerce requires that a country earn from its exports at least as much as it spends for imports in order to keep its economy balanced, the fact remains that the flight of American production abroad will not do much good to the American workers, whether they are studio technicians or laborers, for it follows that fewer pictures will be produced in Hollywood and, in consequence, fewer people will be employed.

Though the freezing of their earnings in the different countries has compelled the producers to think of producing pictures abroad as the only means by which these earnings could be brought back to the United States, the labor situation in Hollywood undoubtedly has been a motivating factor in any thoughts they have about foreign production, perhaps more important than the money-freezing factor itself, for by their exorbitant demands as well as by their jurisdictional disputes the Hollywood unions and guilds have sent the cost of production so high that the producers are finding it impossible to make pictures at a figure that will reasonably assure them of recovery of costs with a profit. In short, if employment in Hollywood keeps on diminishing as a result of, either the flight of production abroad, or the excessive costs, the unions and guilds will have no one to blame but themselves.

It is to the self-interest of the workers in Hollywood to discourage the producers' ideas about making pictures abroad, but before they succeed they will have to take positive action to remove the many causes of discontent among the producers.

One of the causes of discontent, aside from the stiff rates of wages, which for comparable occupations and crafts are higher in the motion picture industry than in any other industry in the world, has been the silly division of work. For the unions to demand that only a member of the electricians' union shall have the right to turn on a switch or change a light bulb, compelling the producer to employ a special man at a full day's salary for work that requires no more than five minutes of his time; or that only a member of a stunt men's union shall have the right to pull a rope that will topple a library case filled with books, requiring the payment of a full day's salary for work that, not only takes less than a minute of a man's time, but does not require special training, is so disgusting to a producer that it is only natural for

him to think of ways and means by which he may rid himself of the union's stranglehold. And the only way of escape is for the producer to transfer his activities to places where he will have some protection against "feather-bedding" and other unreasonable demands.

This paper recognizes the fact that, when there were no unions to protect the workers in the studios, the producers used to take advantage of them. The writer has been told of cases where the producers used to work a man for fifteen and sixteen hours in a stretch without even giving him time for his meals. But the unions should not adopt retaliatory measures now, for it is not doing their interests any good.

A little good will and a little more sound thinking can solve many a studio problem. But who is going to make the first move?

SOME INTERESTING OBSERVATIONS ON TWO SUPREME COURT DECISIONS

Under the heading, "Supreme Court Decisions a Portent?" Abram F. Myers, National Allied's general counsel, made the following observations in a bulletin dated March 9:

"Yesterday the Supreme Court handed down its decisions in the Gypsum Case and the Electrical Case. We have not yet received the official text of the opinions. But we do know this much about the opinions:

"In the Gypsum Case the Court ruled that the tying of a group of patents into one licensing agreement under which the patent holder and the licensed companies agreed to a schedule of prices was a violation of the anti-trust laws, which forbid conspiracy to fix prices in restraint of trade.

"In the case of the electrical companies the Court held that patent rights do not extend to a cross-licensing agreement by competing companies to exchange patents with each other and to maintain agreed prices for the patented products.

"This office will reserve specific comment as to the bearing of these decisions on the motion picture cases now under consideration by the Court until the full text can be studied. However, so far as monopoly rights are concerned there is no essential difference between patents and copyrights. This much is certain, if the Government had lost these cases, instead of winning them, its chances in the motion picture cases would be dismal. It is certain that the rulings will provoke no cheers in major company circles.

"Bearing of the Decisions on ASCAP"

"We do not have to await the official text to realize that these decisions have an important bearing on the legality of ASCAP. Just read 'copyright' instead of 'patent' in the first and second paragraphs of this bulletin and it will be clear that the Court has dealt a blow to the music trust. These decisions should be of the greatest comfort to Berger, Brandt and others now fighting ASCAP.

"It appears certain under these rulings that a great copyright pool issuing uniform licenses at uniform rates amounts to a price-fixing conspiracy. When film moving in interstate commerce is burdened by that conspiracy the application of the Sherman Act becomes apparent. And under well-established principles, anyone who participates in such price-fixing activities is equally guilty.

"Allied has been criticized for standing aloof from the price-fixing negotiations with ASCAP. Allied is not a party to the recent 'deal' fixing rates for all theatres. Undoubtedly these decisions will give rise to new lawsuits. And among the defendants to such actions may be some new and very red faces."

"Fort Apache" with John Wayne, Henry Fonda and Shirley Temple

(RKO, no release date set; time, 127 min.)

Beautiful scenery and players of potent marquee value are on the credit side of this frontier melodrama, but these are not enough to compensate for a story that lacks clarification and is excessively overlong, with the result that it shapes up as no more than a fair entertainment. Basically, the plot concerns itself with Indian warfare on the Arizona-Mexico border in the post-Civil War era, but it is not until the final reel, during a battle between the Apaches and the U. S. Cavalry, that the excitement reaches any appreciable heights. For the most part the action is slow-moving, with most of the footage devoted to army life at the Fort, and to the conflict between seasoned officers, veterans of Indian fighting, and an arrogant commanding officer who, embittered because he had been assigned to a remote outpost, antagonizes his men by demanding rigid conformity to all rules, ignores their advice, and finally leads them into a massacre in an effort to gain personal glory. It is not a pleasant tale, and the fact that the commanding officer of a U. S. Cavalry unit tricks the Indians with an offer of peace and then double-crosses them by the use of force is a bit hard to take, particularly since his perfidiousness is ignored by our government and he is played up as a hero who died a glorious death. Some good comedy relief is provided by the horseplay revolving around the training of recruits, and there is a routine romance that is not too important to the plot:—

Embittered because the War Department had demoted him from his Civil War rank of general and had ordered him to take command of lonely Fort Apache, Lt. Col. Henry Fonda thinks only of winning fame and glory so that he can return to Washington. He wins the antagonism of the Fort's personnel because of his rigid disciplinary measures, and of his adherence to the Army's caste system, which causes him to frown upon the idea of his daughter, Shirley Temple, marrying Lt. John Agar, whose father, Ward Bond, was a non-commissioned officer. Learning that a tribe of Apache Indians had fled across the border into Mexico from a reservation because of their resentment against the corrupt practices of Grant Withers, a Government Indian agent, Fonda sees an opportunity to gain national fame if he can bring them back. He dispatches Capt. John Wayne to arrange a peace meeting with the Indians, and the tribe leader, trusting Wayne's word, leads his people back over the line. Backed up by his entire command, Fonda arrogantly orders the Apaches to proceed to the reservation or suffer the consequences. Wayne protests, but Fonda ignores him and, sending him to the rear, launches an attack. The Apaches, however, prove themselves formidable foes and wipe out the cavalry to a man, including Fonda, with the exception of Wayne's small detail in the rear. Wayne takes command of the Fort and, for the good of the service and out of respect for the memory of the fallen men, covers up Fonda's blunder and allows him to be hailed as a hero.

John Ford produced and directed it from a screen play by Frank S. Nugent, suggested by the story "Massacre," by James Warner Bellah. The cast includes Pedro Armendariz, Victor McLaglen, George O'Brien, Irene Rich, Guy Kibbee and others. Suitable for the family.

"Are You With It?" with Donald O'Connor and Olga San Juan

(Universal, April; time, 90 min.)

Just a fair comedy with music. Donald O'Connor's dancing and clowning do much to bolster the entertainment values, but even his efforts are not enough to overcome the frail, threadbare plot which, for the most part, makes one restless. As a young statistical wizard who loses hope for his future when he inadvertently misplaces a decimal point, O'Connor handles his role well enough, but his entanglements with a carnival and his romantic difficulties make for situations that are only mildly amusing at best. Other than O'Connor's skillful dance routines, neither the music nor the production numbers are sufficiently good to make up for the deficiencies. Since the picture doesn't offer much in the way of cast names, it may not have an easy time at the box-office.

O'Connor, a model employee of a large insurance company, loses his job when he misplaces a decimal point in his calculation of rate-tables, thus upsetting his plans to marry Olga San Juan. He meets Lew Parker, a pitchman with a traveling carnival, who, upon learning of O'Connor's mathematical genius, persuades him to join the carnival so that his wizardry could be employed to swindle people in games of chance. O'Connor's inherent honesty works to Parker's disadvantage, but Walter Catlett, the carnival owner, hires him as an entertainer. O'Connor finds carnival life enjoyable, but Olga objects because of his proximity to the girl entertainers. She, too, joins the carnival to protect her interest in him. Meanwhile Catlett has his troubles meeting payments on notes held by a widow, who threatened to take over the carnival. One day, Olga appears on the stage in an abbreviated costume, and O'Connor, in trying to get her off the stage, infuriates the audience and starts a riot. The entire troupe lands in jail, and Catlett, unable to meet his payments, loses the carnival to the widow. O'Connor is bailed out by his former employers, who wanted him to resume his old job. But, having become suspicious of the widow, O'Connor investigates her and discovers that, years previously, she had defrauded his company out of a large sum of money, which she had loaned to Catlett. As a result of this discovery, the insurance company becomes the owner of the carnival, and O'Connor is appointed as its business manager.

Robert Arthur produced it and Jack Hively directed it from a screen play by Oscar Brodney, based on the musical comedy by Sam Perrin and George Balzer. The cast includes Martha Stewart, Pat Dane and others.

Unobjectionable morally.

"The Sainted Sisters" with Veronica Lake, Joan Caulfield and Barry Fitzgerald

(Paramount, April 30; time, 89 min.)

A moderately amusing comedy-drama that will have to depend on the name value of the players. The story idea, that of two confidence women who are blackmailed into becoming good citizens and using their ill-gotten gains to help needy people, is good, but it is weakened by unbelievable characterizations and by comedy situations that are forced. Moreover, the pace is slow. But undiscriminating audiences in small-town and neighborhood theatres may get quite a few chuckles out of the proceedings, which take place in a small New England village at the turn of the century, for the humor is of the rustic type and much of it has been treated in a slapstick vein. Barry Fitzgerald, as the shrewd but kindly tombstone carver who makes the girls see the error of their ways, carries the picture with his amusing characterization:—

Having fleeced an elderly New York banker of \$25,000, Veronica Lake and Joan Caulfield head for the Canadian border with the police hot on their trail. A violent storm compels them to seek refuge in Fitzgerald's home. As they prepare to continue their flight, Fitzgerald discovers their loot and learns that the police were after them. Under threat of turning them in, he gains control of the money and compels them to remain in his home to do the household chores. The impoverished villagers, kept poor by the miserly tactics of Beulah Bondi, who owned most of the town, suddenly find themselves with necessities they had long prayed for. Fitzgerald spreads the word that the girls had donated the gifts out of the kindness of their hearts and, like it or not, the girls find themselves idolized by the villagers. Meanwhile George Reeves, a local tinker, seeks financial aid from Miss Bondi to bring electric power to the town. Through shrewd manipulation, Fitzgerald induces Miss Bondi to match a contribution (the last of the loot) from the girls to build a power plant and bring prosperity to the town. Entrusted with the money, the girls plan to make off with it, but, not wanting to shatter Fitzgerald's new-found faith in them they return the money to him. Both go back to New York to pay for their misdeeds and, months later, return to the village to settle down and marry.

Richard Maibaum produced it and William D. Russell directed it, from a screen play by Harry Clork and N. Richard Nash, based on a story by Elisa Bialk. The cast includes William Demarest, Chill Wills and others.

Unobjectionable morally.

**"Summer Holiday" with Mickey Rooney,
Walter Huston and Frank Morgan**
(MGM, no release date set; time, 92 min.)

Good mass entertainment. It is a remake of Eugene O'Neill's play, "Ah, Wilderness," which was first produced by MGM in 1935. This version, photographed in Technicolor, is far more lavish, and it introduces some tuneful songs. The story, however remains the same, and its depiction of the family life of an average American family is a delightful combination of human interest, adolescent love, and comedy, with characters that are familiar to all. The locale is a small Connecticut town in the year 1906, and the action revolves around the "Miller" family, consisting of Walter Huston, a newspaper editor, as the father; Selena Royle, as the mother; Mickey Rooney, as their 17-year-old son, a high school valedictorian whose revolutionary ideas about how to make a better world are a constant source of both amusement and embarrassment to his parents; Butch Jenkins, as Mickey's precocious kid brother; Agnes Moorehead, as a spinster aunt; and Frank Morgan, as a bachelor cousin, a lovable fellow whose weakness for drink was the cause of Miss Moorehead's refusal to marry him. Briefly, the story deals with Mickey's disillusionment when he is ordered to stay away from Gloria DeHaven, whose Puritan-minded father had caught him kissing her. Hurt when he receives a note from Gloria renouncing her love for him, Mickey joins an older boy on a date with two burlesque queens. His companion, Marilyn Maxwell, gets him drunk and, after making him spend all his money, has him thrown out of the saloon. His parents are shocked when he staggers home drunk and, as a disciplinary measure, confine him to his room. In a talk with his father on the following day, Mickey assures him that he had done nothing to be ashamed of, and promises not to associate with such a woman in the future. In the end he becomes reconciled with Gloria, while Morgan, having sworn off drink, is accepted by Miss Moorehead.

A brief synopsis cannot do justice to the many situations that arouse hearty laughter, such as Morgan's winning of a beer-drinking contest at a Fourth of July picnic; Huston's embarrassment as he tries to explain the facts of life to Mickey; Butch Jenkins' childish pranks; and Mickey's dazed condition after he kisses his sweetheart for the first time. The sequence where Miss Maxwell takes advantage of Mickey in the saloon is well done, but it is pretty suggestive and for that reason an otherwise wholesome family entertainment rates an adult classification. Arthur Freed produced it and Rouben Mamoulian directed it from a screen play by Frances Goodrich and Albert Hackett.

**"April Showers" with Ann Sothern,
Jack Carson and Robert Alda**
(Warner Bros., March 27; time, 94 min.)

A good backstage musical. Revolving around the trials and tribulations of a family troupe of vaudevillians in 1912, the story offers little that is novel, but it is a satisfying entertainment, for it has good comedy touches, engaging musical sequences, human interest, and several situations that touch one deeply. Moreover, it has a number of songs that were popular in the old days, giving the film a pleasant nostalgic quality. The surprise of the picture is Robert Ellis, a talented twelve-year-old youngster, whose dancing prowess is something to see. And he acts well, too, endearing himself to the audience because of the devotion he shows for his parents. As the youngster's mother and father, Jack Carson and Ann Sothern are appealing, winning one's sympathy because of the sacrifices they make for each other. And their expert handling of the song and dance routines gives the proceedings quite a lift. S. Z. Sakall contributes an amusing characterization as a kindly theatrical hotel keeper, and Robert Alda, as the heavy, is efficient in an unsympathetic role:—

Because of their stale comedy gags and outdated song-and-dance routines, Ann and Carson barely get along with their vaudeville act. But when their talented young son leaves military school and persuades them to let him join them on the stage, the act becomes one of the most successful on the west coast. They soon receive an offer to appear on Broadway and jubilantly head for New York. But Broadway proves to be a headache when the Gerry Society steps in and invokes a law prohibiting the youngster's appearance on the

stage. Compelled to double up in their old act, Ann and Carson prove to be a bust. They return to San Francisco where Carson, his pride injured and misinterpreting remarks from fellow vaudevillians, takes to drink. He comes to the theatre drunk, causing the manager to cancel the act. With Carson branded as unreliable, the act is unable to obtain any bookings. Desperate, Carson arranges for Robert Alda, an old flame of Ann's, to take his place in the act. Ann and Robert object, but Carson, feigning anger, walks out on them in order to keep them in show business. The new act prospers and, after several months, is offered a spot in a new musical show. The producer, however, insists upon Alda doing Carson's old routine. Robert balks at teaching Alda his father's routine, and Alda, angered, beats the boy. Just then Carson, now reduced to the job of busboy in a cheap cafe, arrives for a visit with his son. He gives Alda a sound thrashing, much to the delight of the producer, who offers to give him another chance in show business if he would resume his old place in the act. It ends with the family back together again, scoring a huge success on opening night.

William Jacobs produced and James V. Kern directed it from a screen play by Peter Milne, suggested by a story by Joe Laurie, Jr. Suitable for the family.

**"I Remember Mama" with Irene Dunne,
Barbara Bel Geddes, Oscar Homolka
and Philip Dorn**

(RKO, no release date set; time, 137 min.)

Excellent mass entertainment! It is a delightful, completely heart-warming film version of the successful Broadway stage play of the same name. Finely produced, expertly directed, and beautifully played by a great cast, the story, which takes place in San Francisco in the early 1900's, is a deeply moving drama of mother love, revolving around a collection of loosely related episodes in the life of a Norwegian-American family. It is the type of picture that can be enjoyed by both young and old, for its intensely human story presents domestic problems that will be recognized and appreciated by every one. Its innumerable heart-warming and amusing touches make the spectator sympathetic to every one of the principal characters.

The center of the activity is Irene Dunne, who gives a wonderful performance as the patient and understanding mother, skillfully maintaining throughout a slight Scandinavian accent that serves to make the characterization all the more genuine. The manner in which she runs the household on her husband's meagre earnings; the wisdom with which she meets the many little family crises that crop up; her patient understanding of the problems of her growing children; her masquerading as a scrub-woman in order to sneak by hospital authorities who had refused her permission to see her sick child for twenty-four hours—these and many other things she does to help her husband and four children through the many problems that beset them, give the film a great abundance of humorous incidents and emotional tangles, the sort that make you laugh one moment and break your heart the next.

A brilliant performance is contributed by Oscar Homolka as lusty Uncle Chris, the accepted head of the family, whose rough manners, booming voice, and addiction to drink terrorize every one, but his gruffness proves to be only a camouflage when he reveals himself to be a man of tender feelings, as well as a benevolent fellow who spent every cent he made helping crippled youngsters to get well. Barbara Bel Geddes, as the eldest daughter, is appealing, as are the other children played by Peggy McIntyre, June Hedin, and Steve Brown. As the father, Philip Dorn handles his part deftly. Edgar Bergen, as a meek undertaker who marries Mama's spinster sister; Rudy Vallee, as the pompous family doctor; Sir Cedric Hardwicke, as a scholarly boarder; Ellin Corby, Hope Landin, and Edith Evanson, as Mama's sisters; Tommy Ivo, as a crippled boy; and Barbara O'Neil, as Homolka's wife, are among the others in the cast who help make the picture a memorable experience. About the only criticism one can make is that the picture is overlong and can be cut to advantage.

George Stevens directed it and co-produced it with Harriet Parsons from a screen play by DeWitt Bodeen, based on the play by John Van Druten.

"Let's Live Again" with John Emery, Hillary Brooke and James Millican

(20th Century-Fox, April; time, 67 min.)

A fine program comedy. The story is different—it is novel and it has been handled with good taste. Though there are only a few spots where the audience will roar with laughter, the picture is, as a whole, pleasing. The comedy stems from the hero's belief that his brother, who believed in reincarnation and who had supposedly died in a plane crash, had come back in the form of a dog, a belief that is heightened by the fact that the dog displays some of the brother's habits. The scenes that show the hero committed to a sanitarium for the mentally unbalanced are highly amusing without being offensive. The direction and acting are excellent, the production values lavish, and the photography sharp and clear:—

John Emery, an atomic scientist, and James Millican, his brother, an idler who believed in the theory of reincarnation, do not get along well because Millican teases Emery. When Millican announces his intention to fly to the Himalayas to investigate rumors that people there had been reincarnated, Emery resents it on the ground that he would be made the laughing stock of the world. But Millican insists on going and teasingly assures Emery that, if he were to lose his life, he will return in some other form. Soon afterwards word comes that Millican had died in a plane crash. Heartbroken, Emery goes to a saloon to drown his grief. As he talks to the bartender about Millican's last words, a mongrel dog jumps up on the stool beside him, looks at him wistfully, and with his teeth pulls the handkerchief from his breast pocket. Because only Millican had been in the habit of doing that, Emery conceives the idea that his brother had returned in the form of a poodle to continue teasing him. Emery's insistence that the dog was his brother causes his uncle, Taylor Holmes, to suspect that his mind had cracked under the strain of his work at the Atomic Society. He suggests that he enter a rest home, but Emery sends for his own physician to prove that he is sane. In the course of events, the dog disappears and is eventually found by Emery in the park on a leash held by Hillary Brooke. He tries to convince her that the dog was his brother but she refuses to surrender the animal. That night he breaks into her apartment to carry away the dog but is arrested and taken to a sanitarium. His uncle obtains his release. The shock of the arrest brings Emery back to sanity and he begins to appreciate Hillary's charms, but a few nights later he cracks again when the dog takes his handkerchief out of his breast pocket. He is again taken to the sanitarium and, while recuperating, his brother returns and assures him that he had not been killed. Millican's reappearance causes Emery to have another setback, but he soon recovers. At a party celebrating his engagement to Hillary, Emery again cracks, and it all ends in the sanitarium with Emery among the inmates.

Frank N. Seltzer produced it, and Herbert L. Leeds directed it, from a screen play by Rodney Carlisle and Robert Smiley, taken from a story by Herman Wohl and John Vlahos.

Good for the entire family.

"Docks of New Orleans" with Roland Winters

(Monogram, March 21; time, 67 min.)

A routine "Charlie Chan" program mystery picture. It may get by as a supporting feature wherever the series is liked, but it probably will have rough going elsewhere, for the story is developed more by talk than by action and is, for the most part, too confusing to hold one's interest. The plot follows a pattern familiar to the series, with the oriental detective involved with numerous suspects and wading through a maze of clues before coming up with a far-fetched solution to several murders. For comedy, there is the well-meaning interference of the detective's son and of his valet, but it is not very effective. The direction and the acting are undistinguished.

From what one can make out of the story, it revolves around the efforts of several men to obtain the secret formula

of a powerful explosive, owned by a syndicate of three men who had an agreement that the rights to the formula would revert to the surviving principals if one of them dies. The mysterious death of one of the partners brings Charlie Chan (Roland Winters) into the case. He learns of the agreement and discovers that the man had been killed by a poisonous gas released from a broken radio tube. Suspicion falls on the surviving partners, but when they, too, are killed in a similar manner, Chan finds himself stumped. The bungling efforts of Chan's son (Victor Sen Young) and of his valet (Manton Moreland) to solve the case lead Chan to other clues, which enable him to trap the murderer, a chemical engineer, who had committed the crimes to avenge himself on the syndicate because they had swindled him in the purchase of the formula. Chan reveals that the radio tubes were shattered by the murderer's wife, a radio singer, whose high notes broke the tubes and released the poison gas.

James S. Burkett produced it and Derwin Abrahams directed it from a screen play by W. Scott Darling.

Unobjectionable morally.

"Smart Woman" with Constance Bennett, Brian Aherne and Barry Sullivan

(Allied Artists, Apr. 30; time, 93 min.)

A good dramatic picture. The story is a mixture of racketeering, a courtroom trial, and the love of a successful woman criminal lawyer for her young son, for whose happiness she is willing to make a great sacrifice. The racketeering action is developed in a way to hold one's interest, and so is the Special District Attorney's effort to expose the racketeers. The fact that the spectator is unaware, until the finish, of the mysterious hold the racketeers have on the heroine, adds to one's interest in the proceedings. The love that the lawyer-mother shows for her young son, who reciprocates her affection, is touching. The direction is very good, and so is the acting of Constance Bennett, Brian Aherne, Barry Sullivan, James Gleason, Otto Kruger and all the others in the expert cast:—

Having been convinced that District Attorney Otto Kruger is in league with racketeers, the Governor appoints Brian Aherne as special prosecutor to rid the city of crime. Barry Sullivan, a local racketeer and Kruger's partner-in-crime, engages Constance Bennett, a renowned criminal lawyer, to defend one of his henchmen in a case prosecuted by Aherne; she accepts the case reluctantly, fearing that Sullivan will disclose something from her past, a disclosure that threatened the future happiness of Richard Lyon, her twelve-year-old son. Aherne bests Constance in their first encounter, but, struck by her beauty and intelligence, he cultivates her friendship and the two eventually fall in love. Meanwhile Aherne, aided by James Gleason, his assistant, gets on the trail of Taylor Holmes, a missing witness in the case. Kruger, fearing that the arrest of Holmes will mean his doom, kills him. He then offers Sullivan a fortune to accept responsibility for the murder but to flee the country. When Sullivan refuses, he threatens to shoot him, only to die himself when the gun goes off as Sullivan attempts to wrest it from his hand. Arrested for Kruger's murder, Sullivan compels Constance to defend him, much to Aherne's mystification. Constance finds herself losing the case and, though not in sympathy with Sullivan but believing him innocent of the charge, takes the stand as a witness and testifies that she knew him to be averse to killing, for she had once been his wife. She reveals also that Sullivan was the father of her son, a fact she had been keeping from the boy. Her testimony saves Sullivan from the chair but not from the penitentiary for his other misdeeds. Aherne, now aware of the reason why Constance opposed him in court, effects a reconciliation with her, much to the joy of her son.

It is a Constance Bennett production, produced by Hal E. Chester. Edward A. Blatt directed it from a screen play by Alvah Bessie, Louis Morheim, and Herbert Margolis, based on a story by Leon Gutterman and Edwin V. Westrate. The cast includes Michael O'Shea, Isobel Elsom, Selena Royle, John Litel and others.

Unobjectionable morally.

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No. 12

NARROW THINKING

By this time, no doubt, every reader of HARRISON'S REPORTS knows that the British Government and the American film companies reached a settlement last week, whereby the British agreed to rescind the 75% "confiscatory" tax and to permit the American companies to withdraw from Britain during the first two years of a four-year pact an annual sum of \$17,000,000, which, added to other earnings the companies will be able to retain through other concessions granted in the agreement, will total an estimated \$40,000,000. The American companies, of course, will resume shipment of their films to Britain, thus ending the retaliatory embargo they imposed at the time Britain announced the tax.

With only one exception, the Hollywood producers took the settlement of the British tax matter with grace. Some of them were not willing to make any comment on the grounds that they wanted a chance to acquaint themselves with the terms of the settlement. Harry (Pop) Sherman, the well known and popular producer, is quoted in the March 12 issue of the *Los Angeles Times* as having said: "This gives the green light to the greatest surge of production activity in Hollywood's history."

The name of the producer who disagreed with the others is not given in the *Los Angeles Times*, which quotes him as observing gloomily: "Remember, money spent on British movies here is just that much not spent for U. S. movies." Obviously, this unnamed producer was referring to the fact that, in the future, British films will receive more bookings in this country than in the past because, under the new agreement, the American companies will be permitted to withdraw from Britain an amount equal to that earned by British films in this country.

If this producer had taken into consideration the fact that the British tax situation had reduced the morale of the American producers to the lowest point in years, he would not have so expressed himself, for after all a business relationship must be beneficial to both sides; otherwise, it is not a fair relationship and cannot endure. For years the American producers were getting fat on their income from the British market, why should they not, then, accept graciously an arrangement whereby the American theatres will send back to England at least a part of what the American producers are earning in that country, particularly at this time when Britain's economic life is so dependent on her dollar position? If the English market furnishes the American producers with the profits that are so necessary for their success at home, these producers should be more than willing to give back a part of that benefit. It is nothing more than fair.

Harry Sherman put it right when he said that Hollywood will see the greatest resumption of pro-

duction activity, not because the "hurt" from the loss of the English revenue was so great, but because the producers' morale in Hollywood had sunk to the lowest it had been since the last year of the silent films. Employment at the studios will increase, the number of pictures that will be produced will be greater, and new life will be put into production. The tax settlement will undoubtedly serve as an inspiration that will spur the producers into greater activity; and if it turns out that the British producers will take out of the United States twice as many dollars as they were taking in the pre-tax era, God bless them, for it will mean that the quality of their pictures will be such as to deserve the increased revenue.

As Mr. Robert R. Young once said at a Hollywood gathering of industry heads to honor J. Arthur Rank, commerce must be a two-way street. If we want dollars from the English market, we must help the English to sell their pictures in the United States so as to enable them to earn the dollars that they must send to us, if not all, at least a substantial amount. And any producer who will lament the loss of some dollars to the British had better either improve the quality of his product or suffer the loss.

HARRISON'S REPORTS is sure that the American exhibitors will not mind giving the British more dollars when their pictures deserve them.

FAREWELL ADVANCED ADMISSIONS —AND GOOD RIDDANCE!

Enterprise Studios has announced that it has decided to drop its plans to seek advanced admission prices for "Arch of Triumph," and that it will release the picture, through United Artists, at regular prices.

With this announcement, Enterprise becomes the last of the producing companies to give way to the strong exhibitor and public opposition that grew up in the past eighteen months, a period that saw the producers running wild with the unusual number of pictures that they either released or contemplated releasing on an advanced admission price policy.

There is some talk that Universal may decide to seek increased admissions for "All My Sons," but this paper is of the opinion that it will not, for though the picture is a fine drama it is not of a magnitude that either warrants or commands an extra tariff to be seen. Besides, with one producer after another having dropped advance admissions after announcing that such a policy would be employed on certain of their pictures, it is doubtful if Universal will try to buck the opposition that compelled the others to back down.

Just why advanced admissions did not prove successful is not difficult to understand. To begin with, the distributors tried to foist these "specials" on the exhibitors and the public at a most inappropriate time

(Continued on last page).

**"The Mating of Millie" with Glenn Ford
and Evelyn Keyes**

(Columbia, April; time, 87 min.)

A good comedy. Though the story is somewhat far-fetched, skillful direction and accomplished acting keep one in fine humor throughout. At times one is made to laugh hilariously. Moreover, there is considerable human interest, caused by the love of Evelyn Keyes for Jimmy Hunt, a seven-year-old boy, whom she is shown trying to adopt in order to save him from being sent to a foundling home. Occasionally there is strong emotion. As two of the men Evelyn seeks to marry so as to be eligible to adopt the child, Willard Parker and Ron Randell contribute much to the comedy. There is a slight touch of sex, but it is harmless; it is implied in the scenes where Willard Parker, Evelyn's neighbor, is shown entertaining ladies constantly, and also in Glenn Ford's efforts to prevent her from falling in love with Parker. The photography is fine, and the sets appropriate and pleasing to the eye.

As personnel manager of a swanky department store, Evelyn is highly successful, but as a displayer of her natural feminine charms she is a failure because of her cold, precise manners, and of her plain dress. On her way home one evening, Evelyn boards a bus driven by Glenn Ford who, incensed because the passengers refused to move to the rear to make room for incoming passengers, drives the bus to a side street and abandons it. Evelyn, struck by Ford's independence, overtakes him and invites him to call on her should he ever want a job. Returning home, she finds little Jimmy, the son of a girl-friend neighbor, crying and hungry because his mother was not at home. She quiets the weeping child with the aid of Parker, and puts him to bed in her apartment. On the following morning, she learns that Jimmy's mother had been killed in an accident. When the child is removed to a foundling home, Evelyn tries to adopt him, but Ron Randell, head of the institution, informs her that she cannot adopt the boy unless she is married. She sets out to find a husband, and her thoughts run to Ford. When Ford calls on her for a job as a floor walker, she clumsily tries to dazzle him with her charm. Ford, seeing through her clumsiness, makes her confess what she had in mind. He informs her that he was not in line for marriage but offers to help her find some one else. In the course of events, her efforts to interest either Parker or Randell awaken Ford's love for her. Meanwhile Evelyn decides to marry Parker to save Jimmy from adoption by strangers. Ford, however, intervenes, and it all ends with his marriage to Evelyn and with their adoption of Jimmy.

Louella MacFarlane and St. Clair McKelway wrote the screen play from a story by Adele Comandini. Casey Robinson produced it, and Henry Levin directed it. The cast includes Mabel Page, Virginia Brissac and others. Suitable for the family.

"The October Man" with John Mills

(Eagle-Lion, March 20; time, 91 min.)

A fairly good British-made psychological thriller. It has some slow spots, and its story about a mentally ill fellow who strives against great odds to prove himself innocent of a murder charge is not too well knit, but on the whole it is melodramatically effective, and the flow of events keep one interested in the proceedings pretty well. The only one in the cast who is known to American audiences is John Mills, who gives an impressive performance as the luckless hero,

victim of a severe head injury. But since there is nothing really outstanding about the production, and since it is low on name value, the picture is best suited for double-billing situations where it can be coupled with a strong co-feature:—

Having suffered a brain injury in an automobile crash, Mills, a chemical engineer, is released from the hospital with a warning that he take life easy lest any undue excitement cause him to have a relapse. He obtains a job in London and rents a room in a small hotel in one of the outlying suburbs. Lest he subject himself to unnecessary activity, he avoids becoming chummy with other roomers but does strike up an acquaintanceship with Kay Walsh, an unemployed fashion model, who was harried by the persistent attentions of Edward Chapman, another roomer, who was a retired middle-aged businessman. In the meantime Mills falls in love with Joan Greenwood, sister of a fellow-worker. One evening Kay is found murdered in a park nearby. Circumstantial evidence, coupled with vicious gossip by the roomers because of his friendship with Kay, suggest to the police that Mills had killed her during a mental lapse. He makes every effort to clear himself of suspicion but succeeds only in making himself appear more guilty. He eventually traces the murder to Chapman, who privately admits his guilt but points out that he (Mills) will be blamed for the crime. Unable to convince the police that Chapman is the killer, and learning that the crafty fellow was leaving town, Mills determines to catch him himself. To do so, he finds it necessary to escape from the police. Aided by his sweetheart, he rushes to London and, after a series of events, during which he himself is pursued as he pursues the killer, and during which the police find evidence of Chapman's guilt, Mills succeeds in trapping the criminal just as he is about to flee the country.

Eric Ambler wrote the original screen play and produced it, and Roy Baker directed it. Adult fare.

**"Adventures in Silverado" with
William Bishop, Gloria Henry
and Edgar Buchanan**

(Columbia, March 25; time, 75 min.)

A pretty fair program western. The story is cut from a familiar pattern, and its development offers nothing unusual, but it should prove to be a satisfying supporting feature wherever this type of entertainment is liked, for it contains all the tried-and-true ingredients the avid cowboy fans enjoy. In addition to races between careening stagecoaches, gunplay, and rough-and-tumble fights, there is a touch of mystery in the story in connection with the identity of a mysterious hooded highwayman, known as "The Monk," who turns out to be a sort of western Robin Hood. The characterizations are more or less standard, and the acting passable:—

Driving a new stage coach, William Bishop overtakes a coach driven by Forrest Tucker and speeds into Silverado. Believing that Bishop had come to town to compete with the established stage line owned by Gloria Henry, Tucker, spoiling for a fight, challenges him to a race. Bishop accepts. Out in the country, Tucker deliberately forces Bishop off the road, wrecks his coach, and injures his prize horse. Edgar Buchanan, a kindly doctor who was admired for his philanthropies to the region's unemployed miners, treats the horse and arranges with Gloria to give Bishop a job hauling water to Squatters' Flats, a desert

waste that needed irrigation to help the miners grow food. Meanwhile Gloria's stages are robbed of several gold shipments by "The Monk." Bishop, being a stranger, is suspected. After a series of incidents, during which he is almost lynched, Bishop discovers that Buchanan had robbed the gold to aid the destitute miners. He restrains Buchanan from giving himself up, planning to trade him to the mining company, from which the gold was stolen, in exchange for their promise to irrigate Squatters' Flats. The mine owners agree, but through a mixup Buchanan flees Silverado and is shot dead by the sheriff. The mine owners, however, hold to their promise, and Bishop, his reputation cleared, merges his interests with Gloria, who had fallen in love with him.

Ted Richmond and Robert Cohn produced it, and Will Jason directed it, from a screen play by Jo Pagano, suggested by a story by Robert Louis Stevenson. Unobjectionable morally.

"Meet Me at Dawn" with William Eythe
(20th Century-Fox, April; time, 89 min.)

Produced in England, this is a fairly amusing romantic farce, revolving around a professional Parisian duellist who, for a price, is engaged by others to insult and challenge persons they dislike. It is one of those lightweight, unbelievable tales that misses being a winner because the dialogue is not sufficiently blithe and brittle, and because the acting lacks a jauntiness and zest required in a story of this type. Despite its deficiencies, however, the overall effect is one of pleasing comedy, for it has more than a fair share of laughs and keeps one amused throughout. William Eythe, who gives a competent if not outstanding performance in the leading role, is the only player known to American audiences, but even his marquee value is limited. Paris in 1902 is the locale:—

Eythe, a Parisian playboy who earned his living as a professional duellist, is engaged by a politician to insult George Thorpe, a government official, and challenge him to a duel. That night, at the Paris Exhibition grounds, Eythe picks a quarrel with Thorpe by accusing him of molesting Hazel Court, an unwitting young lady, with whom he manages to spend the rest of the evening but who does not reveal her identity. When Hazel's father, Basil Sydney, a powerful newspaper publisher, learns that Thorpe, his political enemy, is involved in a duel over a woman, he publicizes the affair with lurid stories and starts a campaign to find the woman without realizing that she is his own daughter. The affair becomes the talk of Paris, with every one seeking to learn the identity of the mystery woman. Meanwhile the duel between Eythe and Thorpe ends with each wounding the other superficially. Still unaware of Hazel's identity but worried lest she become involved in a scandal, Eythe visits Sydney and demands that he stop the campaign. Sydney refuses. Just as Eythe prepares to leave, Hazel enters the office and reveals herself as Sydney's daughter. Realizing that she had said nothing to her father, Eythe keeps her secret. Both fall in love and, in the course of events, Thorpe sees Hazel in Eythe's company and recognizes her as the woman involved in the insult. Learning that she was Sydney's daughter, he publicizes the fact and makes Sydney the laughing stock of all Paris. Sydney, incensed, blames Eythe for his predicament, insults him publicly, and challenges him to a duel. Faced with the prospect of killing his future father-in-law, Eythe makes it appear as if he were fighting for his life and allows himself to be

wounded slightly. With every one's code of honor satisfied, Eythe marries Hazel.

Marcel Hellman produced it, and Thornton Freeland directed it from a screen play by Lesley Storm and James Seymour. The cast includes Stanley Holloway, Margaret Rutherford and other English players. Unobjectionable morally.

**"Hazard" with Paulette Goddard
and Macdonald Carey**

(Paramount, May 28; time, 94 min.)

A flimsy but diverting package of nonsense, with enough laughter to make it a pretty fair entertainment for audiences that are not too discriminating. Revolving around a young woman with an uncontrollable penchant for gambling, and around a merry cross-country chase she leads a private detective, who had been engaged by a tough gambler to bring her back to New York for welching on a debt, the story has been given a broad comedy treatment, with slapstick touches that keep the proceedings rolling along at a lively pace. There is nothing about either the story or the characterizations that will appeal to one's emotions, but this does not matter since the piece is played out for laughs and succeeds in getting them. Here and there a situation borders on the risqué, but nothing offensive is shown. Good dialogue and zestful performances help put the picture over:—

Unable to resist gambling, Paulette Goddard loses a fortune left to her by her father. Fred Clark, a ruthless gambling lord, to whom she had given a worthless \$16,000 check, threatens to turn her over to the police, but to give her a break he offers to cut for high card—the debt to be cancelled if she wins, or her hand in marriage if she loses. Paulette loses, but she welches on the debt and runs away. Clark engages Macdonald Carey, a private detective, to find her and bring her back. She leads Carey a merry chase from New York to Chicago and thence to Los Angeles, where he finally catches up with her when she lands in jail after being caught in a raided crap game. He agrees to bail her out when she promises not to attempt an escape for at least twelve hours. They head back east in her automobile and, when the twelve-hour truce expires, she tries to bring about his arrest on a charge that he had abducted her across a state line. Carey, however, foils this move. Later, when she attempts another escape, her car crashes into a tree and bursts into flames. Carey rescues her, but is badly burned in the effort. His courage indicates to Paulette his latent love for her, and she in turn realizes her love for him. They agree to marry, but this plan is foiled by the sudden appearance of Clark and his henchmen, who take Paulette back to New York under the impression that she had been tricked by Carey. In New York, Paulette prefers to go to jail rather than marry Clark, but the gambler decides to take her on a yachting trip despite her wishes. Meanwhile Carey, having learned that Paulette had run away from a wedding and not from a gambling debt, storms into Clark's office. A terrific brawl ensues, during which Paulette learns that the cards had been "stacked" when she had cut for high card. It all ends with Clark, thoroughly beaten, cancelling the debt, and with Paulette willingly carried out of the office by Carey.

Mel Epstein produced it and George Marshall directed it from a screen play by Arthur Sheekman and Roy Chanslor, based on a novel by Mr. Chanslor. The cast includes Stanley Clements, Maxie Rosenbloom, Frank Faylen and others. Adult fare.

—a time when box-office receipts were diminishing as a result of the general low quality of pictures, as well as of the fact that picture-patrons, their pockets no longer lined with the easy money of the lush war years, had become price-conscious. Consequently, the exhibitor, having received from his patrons a fair admission price for pictures that were frequently inferior, could not risk incurring their ill will by demanding of them increased admissions on the rare occasion that a good picture came along.

Aside from the fact that the time was inappropriate, the greatest mistake that the producers made was that, as a general rule, their setting of an advanced admission price policy on a particular picture was predicated, not on its entertainment values, but on its cost. They soon found out, however, that cost alone cannot be the decisive factor in raising admission prices—the picture must have exceptional merit.

COLUMBIA WINS THE LARRY PARKS CASE

Seeking to invalidate his contract with Columbia, Larry Parks, who made his fame by taking the part of Al Jolson in "The Jolson Story," sued the company on the grounds that he had signed the contract under coercion.

Federal Judge William C. Mathes, who heard the case, sympathized with Parks, but he ruled that Parks must finish out his contract, basing his decision on the fact that the actor waited too long to start an action for the abrogation of his contract, in the meantime accepting benefits under it.

Larry Parks is no different from a substantial number of other actors who, having become popular, attribute their rise to stardom entirely to their own ability; they give no credit to the organization behind them.

Larry Parks is a good actor, but he is not a glamorous one. During his career on the screen, he appeared in many pictures but he did not attain any high degree of popularity until he took the part of Al Jolson in the aforementioned picture. He did a remarkable piece of acting in that film, and the praise he received was well deserved. But he forgot one thing—he was, to all intents and purposes, not Larry Parks, but Al Jolson. And, having attained popularity by virtue of this role, he became dissatisfied—no doubt he wanted more money than his contract called for; and, having perhaps been refused, he appealed to the court for the cancellation of his contract.

It does not seem as if Parks has given credit to those who made it possible for him to become a star—those who chose the story, prepared it, and proceeded to spend the many hundreds of thousands of dollars, required to make an outstanding picture. Nor does it seem as if he has given credit to Al Jolson, who undertook to coach him and without whose efforts his impersonation might not have been so remarkable. It seems as if Parks just felt that, without him, "The Jolson Story" would not have been what it turned out to be.

Perhaps Larry Parks is lucky that Judge Mathes denied his prayer; HARRISON'S REPORTS knows of many similar cases where actors or actresses, after succeeding in obtaining cancellations of their contracts, found that their popularity had diminished to a shocking degree. On the other hand, many players, wiser in business ways, remained and cooperated with the companies that built them into stars, resulting in benefit,

not only to their companies as well as to themselves, but also to the exhibitors.

It should be pointed out, however, that Judge Mathes, in rendering his decision against Parks, condemned severely the practice resorted to by many companies, whereby they loan stars to other companies at many times the salary that is paid to the players by the companies that have them under contract, retaining the income for themselves and giving no part of it to the actors. A practice such as this is, indeed, a morale breaker, for when an actor knows that his company receives three and four times the amount of money he is paid, and he is given no share of the profit, it is only human for him to become so dissatisfied that his mind is not on his work, with the result that the pictures suffer.

Another practice that was condemned by Judge Mathes in no uncertain terms is the one by which a company, at a time when only a short period remains on a rising star's contract, insists that the star sign a new term contract, using as a blackjack the threat to assign the star to minor roles in "B" pictures for the remainder of the existing contract if he or she should refuse to sign the new contract. The star, rather than risk damage to his professional reputation, gives in to the company's demands. Parks claimed that such coercive methods had been employed by Columbia to obtain his signature on a new contract and, from the evidence, Judge Mathes found that it had been obtained by undue influence, indicating that he might have ruled in Parks' favor had he not waited too long to file the suit.

The Screen Actors' Guild will do well to make a careful study of the Larry Parks case with a view to putting an end to such injustices.

IS IRVING MAAS "KIDDING" HIMSELF?

According to *Variety*, Irving Maas, vice-president and general manager of the Motion Picture Export Association, which handles the distribution of major company pictures in many foreign countries, expressed the belief that the capitulation of the Czechoslovakian nation to the Communists will have no serious consequences upon the export of American films to that country.

Mr. Maas bases this belief upon the fact that there have long been Communists who are active in the Czech film monopoly, which controls all theatres and the distribution of films in that country, and that it was with them that the MPEA negotiated a pact in 1946 calling for the delivery of eighty American films. This pact has since expired and, according to *Variety*, negotiations for a new contract were at a standstill when the Communists took over the government several weeks ago.

I don't know if *Variety* reported Mr. Maas' views accurately, but if they were then Mr. Maas is a very optimistic fellow. Unfortunately, his optimism is not founded on logic.

Of course, this writer has not had as much experience as Mr. Maas is foreign exporting—as a matter of fact, no experience at all. But I am willing to wager a hat to a peanut that the time will come when American pictures will be barred from Czechoslovakia just as they are now barred in Russia. And if the Czech monopoly does lease any films from the American producers, you may be sure that they will be only such films as tend to discredit the American way of life and not those that may entertain the Czechoslovakian picture-going public.

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SUB-COMMITTEE'S ACTION ON LEWIS BILL NOT THE FINAL WORD

On Monday, March 22, the House Judiciary Sub-Committee on Patents and Copyrights conducted an all-day hearing on the Lewis Bill (H.R. 5014) which, if enacted into law, will relieve the exhibitors from paying license fees to ASCAP by requiring the producer-distributors to include in their licenses to exhibit a picture the right to publicly perform the music recorded in the picture. In short, the burden of paying ASCAP for public performance rights to its music will be shifted from the exhibitor to the producer-distributors.

A group of Allied States Association leaders, headed by Abram F. Myers, their general counsel, and including Sidney E. Samuelson, Trueman T. Rembusch, Joseph P. Uvick and Martin G. Smith, appeared as witnesses in support of the Bill.

Appearing as witnesses in opposition to the measure were Ted R. Gamble, president of the Theatre Owners of America; Herman M. Levy, TOA's general counsel; Adolph Schimel, secretary of Universal Pictures and a member of the Copyright Committee of the producers' association; Abe Montague, Columbia's sales manager; and James M. Barnes, attorney for the Society of Independent Motion Picture Producers.

The hearing was marked by spirited clashes between the opposing witnesses as they presented their conflicting views, but, contrary to the sketchy trade paper accounts of what transpired, the reaction of the sub-committee members was such as to give the Allied leaders every reason to believe that their arguments recommending passage of the Bill had made a favorable impression.

But on Wednesday morning, March 24, the sub-committee announced that it had reported the bill adversely.

This announcement, of course, came as a surprise to the Allied leaders, not only because they had been encouraged by the attitude of the sub-committee members, but also because the sub-committee, in reaching its decision, followed a procedure that was, to say the least, unusual: First, the decision was reached at an unscheduled meeting, and secondly, the sub-committee, which had requested the submission of additional evidence to support the contentions of the different witnesses, came to a decision before the requested evidence could be submitted to it.

HARRISON'S REPORTS does not know just what moves, if any, were made to induce the sub-committee to reach a decision by such an unusual procedure, but

if the facts were to become known they would, no doubt, be mighty interesting.

Although there is no question that the action of the sub-committee has dealt a severe blow to the hopes of the independent exhibitors, who are overwhelmingly in favor of the Bill, there is no reason for them to lose courage, for the final word on whether or not the Bill will reach the floor of Congress rests, not with the sub-committee, but with the full House Judiciary Committee, which can either accept or reject the recommendation of the sub-committee. True, the chances of the full Committee overruling the sub-committee are admittedly small, but if enough exhibitors bombard the Committee, as well as their Congressmen, with letters stating how necessary it is to break the monopolistic power of the "music trust," the Committee may think twice before accepting the recommendation of the sub-committee.

You should point out to the Committee that, under the present Copyright Law, which the Lewis Bill would amend, you are at the mercy of a music monopoly that has the power of life or death over your business. Point out to them that, unlike other businessmen who can refuse to deal with a seller if the price of his goods does not suit them, you are compelled to either accept whatever arbitrary charges ASCAP decides to impose upon you or go out of business—you have no choice in the matter. Point out that the Bill will not affect the potential royalties of the composers for the public performance rights to their music, for these will be paid by the producer-distributors, from whom you have a right to expect complete exhibition rights when licensing a film. And to refute the bugaboo that has been raised by the Bill's opponents who say that the producers will pass on the royalties to the exhibitor in the form of higher film rentals, tell the Committee that you will be willing to take your chances because you will at least be able to bargain on film rentals. Tell them, as Mr. Myers did, that if the price of a particular picture is too steep, you can pass it up, but that you have no such latitude in dealing with ASCAP.

The producers, aided by the TOA, have conducted a fierce campaign to kill this Bill in Committee, and it is necessary that the independent exhibitors do all they can to offset this campaign. Time is of the essence, and a campaign of letter-writing, to be effective, must be started at once. You should, therefore, roll up your sleeves and get to work in a supreme effort to enlist the interest and support of your Congressmen, urging them to get behind the Lewis Bill with all their power. This is an election year, and your vote, particularly because of your standing in the community, means much to them.

"The Search" with Aline MacMahon, Montgomery Clift and Ivan Jandl

(MGM, no release date set; time, 105 min.)

Powerful! It exerts so strong an appeal to the emotions of sympathy that it will be almost impossible for one to see it and suppress his tears. Filmed in the American zone of Germany and given a superb semi-documentary treatment, the story is a heart-tugging human drama centering around the experiences of a nine-year-old displaced Czech boy who, at the age of five, had become separated from his mother when both had been sent to a concentration camp. From the opening scene, where the frightened youngster is brought into a UNNRA camp, to the closing scene, where he is reunited with his mother after a long, heart-breaking search, one is treated to a feast of situations that are so emotion-stirring that they make the muscles of one's throat contract.

Briefly, the story opens with youngster, typical of thousands of other homeless waifs who had been wandering lost among the ruins of war-torn Europe, being brought to a UNNRA camp for displaced children. Bewildered and frightened, he, like the other children, distrusts every one, even those who seek to aid him. But, unlike the others, the harrowing experiences he had undergone had left him a victim of amnesia, unable to either remember his name or to speak, except for a repetition of the phrase, "I don't know," in German. While being sent to another camp, he and several other children break out of a Red Cross ambulance because they feared that they were being taken to a gas chamber. He escapes among the ruins of the city and is presumed to have been drowned when the officials find his hat floating in the river. Days later, he is found famished by an American soldier, who takes him home, gains his confidence, and befriends him. The soldier learns to love the child and teaches him to speak English. When his efforts to identify the boy prove unavailing, the soldier determines to take him back to America. Meanwhile the youngster's mother had been carrying on a long, arduous search for him, trekking from one relief center to another in a futile effort to identify him. She finally reaches the center from which he had escaped and learns that he is presumed to have been drowned. She refuses, however, to abandon the search. Months later the soldier, preparing to return home, brings the child to the UNNRA center to stay there until such time as he can send for him. An alert official recognizes the youngster as the one presumed to have been drowned. Through the efforts of this official, mother and son are reunited in an eloquent, moving climax.

A brief synopsis cannot do justice to the many situations that make this one of the most absorbing and emotionally satisfying dramas ever produced. The production, direction, and acting, are excellent. Only four professional actors appear in the cast, including Montgomery Clift, as the soldier; Aline MacMahon, as the UNNRA official; Jarmila Novotna, as the mother; and Wendell Corey, as Clift's buddy—each gives a performance that is precisely right. But the most remarkable performance is the one delivered by Ivan Jandl, as the homeless waif; it is almost unbelievable that a child of his age, particularly a newcomer to the screen, could be so natural in portraying a part. The tragic expression in his eyes, the bewildered, frightened look on his face, his every movement, in fact, emanates such sympathetic appeal that the spectator wants to reach out to the screen to gather the boy into his arms and comfort him.

"The Search" is a great picture in every sense of the word, a compassionate drama that will not only be understood and appreciated by any one with a heart but will also impress itself so deeply in the minds of those who see it that they will remember it for years to come. It is a picture that should be shown in every theatre in the world, and the exhibitor who gets behind it with an intensive exploitation campaign can do so safe in the knowledge that it will leave his patrons satisfied that they have seen a memorable film, one that they will heartily recommend to their families and friends.

L. Wechsler produced it and Fred Zinnemann directed it from an original screen play by Richard Schweizer and David Weschler.

"Mr. Blandings Builds His Dream House" with Cary Grant, Myrna Loy and Melvyn Douglas

(Selznick Rel. Org., July; time, 94 min.)

A first-rate topical comedy-farce. Based on Eric Hodgins' best-selling novel of the same name, the story centers around the trials and tribulations of an impetuous married couple of moderate means who, fed up with the inconveniences of their overcrowded Manhattan apartment, decide to buy a home in the country. The story itself is a flimsy affair, but it is so rich in witty dialogue and in comedy incidents that one is kept laughing all the time. Some of the situations are so true to life that any one who has ever bought or built a home, and even those who haven't should find the merry proceedings highly amusing, for every conceivable misfortune that one might have in trying to fulfill a desire to own a home is encountered by the couple. The performances, from the stars down to the smallest bit part, are delightful:—

When conditions in his New York apartment become too overcrowded for comfort, Cary Grant, an advertising executive, gives in to a desire to establish a home in the country for his wife (Myrna Loy) and their two daughters (Sharyn Moffet and Connie Marshall). Accompanied by Myrna, he drives out to suburban Connecticut, where a shrewd real estate agent sells them an ancient home for five times more than it is worth. They close the deal against the advice of their lawyer and close family friend, Melvyn Douglas. Their plans to remodel the house hit a snag when several engineers advise them that the house was beyond repair and should be torn down. They decide to build a new house and, from the start, encounter numerous difficulties as they try to keep the cost within the bounds of their bank account. Extra charges keep piling up as the contractors come across unforeseen obstacles, such as a ledge of solid rock that requires blasting in order to excavate the basement, which blasting is followed by the appearance of an underground stream that has to be diverted so as not to flood the basement, and the endless drilling of a water well at five dollars per foot. More troubles pile up when they are compelled to vacate their New York apartment and to move into the unfinished home, at which time Grant discovers that the train schedules do not fit his office hours, requiring him to rise at five o'clock in the morning. Throughout all these mishaps and disappointments they disregard the practical advice of Douglas, but in the end, though flat broke and heavily in debt, they find themselves with the house of their dreams, which even Douglas concedes is a thing of joy and beauty, well worth the trials and tribulations they went through.

Norman Panama and Melvin Frank wrote the screen play and produced it, and H. C. Potter directed it. The cast includes Louise Beavers, Reginald Denny, Will Wright, Harry Shannon and others. It is an RKO-Radio production released through the Selznick Releasing Organization.

Morally suitable for all.

"Tarzan and the Mermaids" with Johnny Weissmuller and Brenda Joyce

(RKO, no release date set; time, 68 min.)

A fairly entertaining "Tarzan" picture; it should go over pretty well with those who like plenty of action but do not mind an implausible story. This time Johnny Weissmuller tangles with an unscrupulous white trader who, by posing as a living god, subjugates the natives of a mythical island and steals their pearls. Aside from the usual heroics, the picture, which was filmed in Mexico, offers some fascinating seacoast backgrounds, as well as several aquatic sequences, some of which have been photographed under water. One of these sequences is devoted to high-diving shots that are so beautifully and thrillingly executed that they take one's breath away. These scenes alone are worth the price of admission:—

Fishing in a river near his jungle domain, Tarzan (Weissmuller) pulls out of the water Mara (Linda Christian), a

native girl from the seacoast village of Aquatania. Tarzan and his wife, Jane (Brenda Joyce) learn that Mara had run away to avoid a forced marriage to Varga (Fernando Wagner) who, in league with a high priest (George Zucco), led the villagers to believe that he was their tribal god and mulcted them of their pearls. Before Tarzan can hide his visitor, a group of Aquatanians seize and take her back to the village. Tarzan follows them and, upon reaching the village, steals into the temple and satisfies himself that Varga had been denuding the natives by wearing a god's costume and mask. After numerous adventures, Tarzan succeeds in exposing Varga and the high priest to the wrath of the natives, leaving Mara free to marry the man of her choice. His mission accomplished, Tarzan returns to his jungle domain.

Sol Lesser produced it and Robert Florey directed it from an original screen play by Carroll Young.

Unobjectionable morally.

"The Inside Story" with Marsha Hunt, William Lundigan and Charles Winninger

(Republic, March 14; time, 87 min.)

An unpretentious but fairly entertaining homespun type of comedy-drama, best suited for the family trade in small-town and neighborhood theatres. The setting is a small Vermont town at the height of the 1933 depression, and it is a story of what happens when \$1000 in currency is inadvertently placed into circulation. How the money affects the lives and settles the problems of those who come in contact with it, unfolds with considerable human interest and simple humor, all of which points up the moral that money should be kept in circulation if we are to avoid another depression. While the picture doesn't offer any excitement, it moves along at a steady pace and holds one's interest well. The performances are generally good, and there is a routine but pleasant romance:—

When he sees a friend putting away \$20,000 in a safety deposit box as a cash cushion against a possible depression, Charles Winninger informs him that money, like life blood, has to be kept in circulation. He then relates to him a story of how the circulation of \$1000 had helped the community in 1933, when the banks took a "holiday." Every one in town was broke, in debt, and desperate. Winninger had been employed as a clerk in a hotel owned by Gene Lockhart, who had vainly tried to raise enough money to pay a grocer bill so as to stave off disaster. Roscoe Karns had come to town to deliver \$1000 to a farmer, and pending his meeting with the farmer he had given the money to Winninger for safekeeping in the hotel vault. Winninger had put the money in a discarded envelope addressed to William Lundigan, a struggling artist engaged to Marsha Hunt, Lockhart's daughter. Finding the money in the safe, Lockhart had mistakenly believed that Lundigan had sold one of his paintings and had paid him a long overdue rent bill of a similar amount. He had given the money to the grocer, who had in turn paid it to Florence Bates, his landlady, for back rent. Miss Bates had in turn given it to Robert Shayne, a depressed lawyer bent on suicide, as a retainer for future legal services. Learning that the money did not belong to him, Lockhart had been scurrying all over town to recover it, at the same time managing to stall off Karns, who had demanded its return. Meanwhile Shayne had given the money to his wife, who had in turn paid it to Lundigan for a portrait he had done for her. Lockhart, no longer able to hold off Karns, had resigned himself to his fate and had opened the vault. To his surprise it contained the \$1000, obligingly placed there by Lundigan in payment of his bill. Thus the \$1000 had been returned to its original owner, yet its circulation over a period of a few hours had solved the problems of all who handled it.

Mary Loos and Richard Sales wrote the screen play from a story by Ernest Lehman and Geza Herczeg. Allan Dwan directed it. The cast includes Gail Patrick, Allen Jenkins, Will Wright and others.

"State of the Union" with Spencer Tracy, Katharine Hepburn and Van Johnson

(MGM, April; time, 121 min.)

Excellent! The fame of the Pulitzer Play on which the story is based, the marquee value of the stars, and the fact that it is a Frank Capra production are enough to make it an outstanding box-office attraction, but since it is also an irresistibly engrossing entertainment and is as timely as today's newspaper it just cannot miss being a huge success. Revolving around an idealist who accepts the backing of a ruthless political machine in a bid for the presidential nomination, the story is a contemporary political comedy-drama, a sort of satire on machine politics, which is at once a drama of deep emotional content as well as a courageous expose and indictment of professional politicians. Neither labor leaders, nor powerful newspaper publishers, nor the voters themselves escape the stinging rebukes the film hands out as it pulls back the curtain for a behind-the-scenes view of corrupt political machinations in the selection and approval of presidential aspirants. It is a slick tale, full of rich humor, pungent dialogue, and strong dramatic situations, and worked into the proceedings is the valiant fight put up by the candidate's wife for his love, which she finds slipping away from her when he comes under the influence of an attractive and ambitious woman publisher, who was determined to put him in the White House. Frank Capra's production is first-rate, and his direction is nothing short of inspired. Spencer Tracy, as the presidential aspirant; Katharine Hepburn, as his wife; Van Johnson, as a glib-tongued press agent; Adolphe Menjou, as a conniving campaign manager; and Angela Lansbury, as the domineering woman newspaper publisher, give great strength to this attraction with their expert delineations of the different characters. The supporting cast surrounding them is excellent:—

Tracy, a wealthy plane manufacturer noted for his idealism, is persuaded by Angela, owner of a vast newspaper chain, to campaign for the Republican presidential nomination. Appointed by Angela as Tracy's campaign-manager, Menjou arranges for him to make a cross-country tour, accompanied by Katharine and by Johnson. A political "babe-in-the-woods," Tracy, in his speeches, speaks frankly to the people and becomes highly popular with them because of his fearless blasts against big business, unions and other threats to the country. His political backers, however, become alarmed over his actions because he did not follow the party line. They prove to him that, though his fearless talks won him the admiration of the people, they were not winning him any convention delegates. They persuade him to pull his punches and he agrees to read only such speeches as are prepared for him. Hurt because Tracy had foreshadowed his straightforward principles and ideals to play ball with the politicians, Katharine withdraws her active support from him, and the rift between them widens because of his attentions to Angela. At a final radio broadcast designed to present Tracy as a loving husband and father, a man of and for the people, Katharine, against her will, begins to read a speech extolling her husband's virtues. Realizing that he had forced his wife into a situation that was contrary to her beliefs, Tracy grabs the microphone from her, denounces himself as a fraud, and exposes the perfidies of his political backers. He then renounces his candidacy for the nomination but promises the people that he will attend the conventions of both major parties in an effort to get them a square deal.

Anthony Veiller and Myles Connolly wrote the screen play from the play by Howard Lindsay and Russel Crouse. The cast includes Lewis Stone, Charles Dingle, Raymond Walburn, Margaret Hamilton, Irving Bacon and many others. Adult entertainment.

"Ruthless" with Zachary Scott, Louis Hayward, Diana Lynn, Sydney Greenstreet and Lucille Bremer

(Eagle-Lion, April 3; time, 104 min.)

A disappointing and rather confusing character study of a man whose lust for power and wealth wrecks the lives of those associated with him. Full review next week.

ALLIED SPREADS ITS WINGS

Due to the rapid growth of Allied States Association of Motion Picture Exhibitors during the past several years, Wm. L. "Bill" Ainsworth, newly-elected president succeeding Jack Kirsch, has increased the number of Regional Vice-Presidents from three to five. The new arrangement, explains Mr. Ainsworth, will give the different Regional Vice-Presidents an opportunity to make a more complete coverage of their respective Allied territories. The appointments made are as follows:

Meyer Leventhal, Baltimore, Md., for the Eastern Division, comprising Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Eastern Pennsylvania and other Eastern potential territories.

Morris M. Finkel, Pittsburgh, Pa., for the Mid-States Division, comprising West Virginia, Western Pennsylvania, Indiana and Kentucky.

Leo Jones, Upper Sandusky, Ohio, for the Great Lakes Division, comprising Ohio, Michigan, Illinois and Wisconsin.

John M. Wolfberg, Denver, Colo., for the Western Division, comprising Missouri, Kansas, Iowa, Nebraska, Minnesota, North Dakota, South Dakota, Colorado and other potential Western territories.

W. A. Prewitt, Jr., New Orleans, La., for the Southern Division, comprising Louisiana, Mississippi, Florida, Alabama, Texas and other potential Southern territories.

"The Big City" with Margaret O'Brien, George Murphy, Robert Preston, Danny Thomas and Edward Arnold (MGM, no release date set; time, 103 min.)

From the story point of view there is nothing unusual in this frankly sentimental tale of a little orphan who is found and brought up in New York's East Side by three bachelors, each of a different religious faith, but smart showmanship went into its making and it shapes up as a very enjoyable entertainment that will have a particular appeal to the family trade. Its underlying theme of religious tolerance and brotherly love combines comedy, romance, human interest and pathos, into which has been blended deftly a number of delightful musical interludes, which range from religious chants in church and synagogue to popular songs in a beer parlor and children's recreation room. Additionally, there are several folk songs sung by Lotte Lehmann, whose rich voice is pleasurable to the ear. The entire cast performs very well, with Margaret O'Brien, in the pivotal role, given ample opportunity to display her versatile talents. George O'Brien, as an Irish Catholic policeman, Robert Preston, as a Protestant minister, and Danny Thomas, as a Jewish Cantor, are impressive as the three bachelors, as are Karin Booth and newcomer Betty Garrett, who supply the love interest, and Edward Arnold, as an understanding judge. Butch Jenkins, as Margaret's playmate, gets many laughs:—

Found abandoned as a baby, Margaret is brought up by Murphy, Preston and Thomas, under the guidance of Lotte Lehmann, Thomas' mother. Being bachelors, the three men had agreed that the first to marry would have the right to adopt Margaret. Their happy relationship hits a snag when Murphy marries Betty Garrett, a beer hall entertainer, and claims the child.

Preston and Thomas object on the grounds that Betty, because of her background, would not make a suitable parent. A court battle ensues over Margaret's custody and, at the trial, the judge allows Margaret to decide the issue. She asks to be sent to an institution so that her three "fathers" will be friends again. The judge, however, secretly takes her to his home, permitting the others to believe that she had been sent away. The thought of Margaret in an institution becomes unbearable to all concerned and, rather than sacrifice her happiness, each visits the judge privately to relinquish claim to her. Their special pleas and concessions result in Margaret being placed in the custody of Murphy and Betty, much to the delight of Preston and Thomas. It all ends with renewed friendships at a happy reunion.

Joe Pasternak produced it and Norman Taurog directed it from a screen play by Whitfield Cook and Anne Morrison Chapin, based on a story by Miklos Laszlo. The cast includes Connie Gilchrist, the Page Cavanaugh Trio and others.

Suitable for the entire family.

"The Enchanted Valley" with Alan Curtis and Anne Gwynne

(Eagle-Lion, March 27; time, 77 min.)

Minor program fare. Photographed in Cinecolor, the picture is similar to "The Enchanted Forest," which PRC produced several years ago, and like that picture this one is best classified as fair "kid" entertainment. Its appeal to adults is doubtful because of the idyllic nature of the story, which dwells at length on the friendship of a crippled boy with birds and little animals. The first part of the picture is extremely slow, but it picks up some movement in the second half when two gunmen and a gunmoll invade the tranquility of the boy's home and use it as a hideout from the police. How the goodness in the boy serves to reform the gangsters makes up the rest of the story, which unfolds in just the manner one expects. There is some excitement towards the finish where a rival gangster fight takes place, but hardly enough to satisfy the avid action fans. The acting is just passable, but the players are not to blame for they were up against some pretty trite material:—

The idyllic existence of Donn Gift, a crippled youngster, and Charley Grapewin, his grandfather, who lived in an isolated mountain cabin, is interrupted by the arrival of Alan Curtis, Anne Gwynne, and Joseph Devlin, payroll bandits, who take over the cabin as a hideout. Under the spell of the peaceful existence, the three undergo a change of character, and even feel themselves responsible for Donn's welfare when his grandfather dies. Detective Joseph Crehan catches up with Curtis and, noticing a change, offers to recommend a minimum sentence if he will return the stolen money and give himself up. Curtis agrees, provided the reward money is turned over to Donn for an operation. Meanwhile a rival gangster, seeking a share of the loot, arrives at the cabin. In the gun battle that follows, the gangster is killed and Devlin loses his life defending Curtis. As Curtis leaves in Crehan's custody to pay for his misdeeds, Anne and Donn promise to wait for his return.

Jack Schwarz produced it and Robert Emmett Tansy directed it, from an original screen play by Frances Kavanaugh.

Unobjectionable morally.

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SOAP-BOX ORATORY

Eric Johnston, president of the Motion Picture Association of America, has rejected a resolution passed by the Pacific Coast Conference of Independent Theatre Owners protesting against the appearance of motion picture stars in political propaganda films, including newsreels.

In a letter to Robert H. Poole, executive secretary of the PCCITO, Johnston stated that a Government such as ours is threatened "whenever any one person is deprived, directly or indirectly, of his right to exercise his political sovereignty to the fullest extent," and he added that "motion picture stars belong to the public but in a broader sense this relationship in no way sterilizes their rights and duties as American citizens."

"If it is within my power to prevent it," concluded Johnston, "this industry will not set a dangerous national example by limiting, curtailing or denying any of the sovereign rights of any one connected with it. Any such attempt would justly be condemned by the American people as interference with the rights of citizenship. It would be paltry, shoddy Americanism."

From Mr. Johnston's grandiose defense of an actor's right to exercise his political sovereignty, one would think that there was a dire plot afoot to take away that right. A copy of the PCCITO resolution is not at hand at the time of this writing, but according to information that has reached this writer there is nothing in the resolution that even remotely implies that the industry should take steps to sterilize an actor's rights and duties as an American citizen.

It is quite obvious that an actor's right to think and act in accordance with his political beliefs is inviolable, unless, of course, he advocates the overthrow of the Government by force or by other illegal means, and no one, whether producer, distributor, or exhibitor, can compel an actor to moderate his political activities if he does not choose to do so of his own accord. Consequently Mr. Johnston, by literally jumping up on a soap-box with a flag in one hand in a spirited defense of an actor's rights, and by handing his statement to the wire services for publication in the nation's newspapers, turned the spotlight on what is essentially an industry problem and, if anything, created unfavorable publicity for the industry as a whole. It is to be noted, however, that Mr. Johnston himself emerges as a champion of the individual's civil rights.

The question involved in the PCCITO resolution is not one of the industry "limiting, curtailing, or denying any of the sovereign rights" of any one connected with it, but of the individual, in this case the star, recognizing that he has a moral responsibility to those who gave him the status of a star, namely, the producer, distributor, and exhibitor.

No one can quarrel with a star's desire to belong to a particular political party and to work for the election of that party's candidates, if he does so in a quiet, unobtrusive manner. But when that star comes out into the open and uses his popularity to electioneer for this, that, or the other political party, he violates the faith and confidence of those who had helped him to attain his popularity, in which they have a definite stake.

It takes more than a player's personal magnetism to make him a favorite with the public. If it were not for the combined painstaking publicity efforts of the producer-distributors and the exhibitors, few if any of the stars would be where they are. Their popularity is the result of the expenditure of millions of dollars for publicity purposes, as well as of the many more millions of dollars that have been invested in the pictures in which they appear. The people who have invested their time and money to publicize the stars, produce the pictures, and exhibit them, look to the public's patronage to recoup their investments. For a star, then, to use for partisan political work the popularity he has gained through the efforts of others, is tantamount to the greatest disservice he can do to the motion picture industry as a whole, for in doing partisan political work he cannot help offending millions of movie patrons whose sentiments lie with other political parties.

By this time Mr. Johnston should know that our business depends heavily on star value. Its importance is evidenced by the fact that it has saved many a bad picture from being a total financial flop, as well as by the fact that, today, a top star demands and receives fantastically high payments for his or her services in a picture. It follows, therefore, that with a star's acceptance of such fantastic salaries goes the moral responsibility of doing nothing that might injure his popularity for which payments had been made.

Unlike most successful people who reach the top through their individual efforts, the success of a star is owed mainly to the efforts contributed by others. When the average successful person takes a controversial stand on political issues, he risks injury to no one but himself. But such is not the case with a star, whose continued success depends on his remaining a favorite with the public as a whole; when he antagonizes a good part of that public, he does harm, not only to himself, but also to the producers who have invested heavily in the pictures in which he appears, as well as to the exhibitors who, on the basis of his popularity, paid stiff rentals for the privilege of showing these pictures. If a star willingly makes his living by virtue of the limelight in which he is kept by others, he should willingly accept the responsibility of doing nothing that might serve to injure his popularity so that those who keep him in the limelight will not suffer.

All in all, the issue boils down to the fact that, in a moral sense, a star's popularity cannot be considered his exclusive property, for the industry as a whole has a definite equity in it. And just as well as he is not asked by any segment of the industry to use that popularity to further the ambitions of a particular political group, he should refrain from using it to espouse his own political beliefs.

In the opinion of HARRISON'S REPORTS, the PCCITO's resolution to keep actors out of films produced for political propaganda purposes is not unreasonable. It is, as a matter of fact, justified. And Mr. Johnston's soap-box oratory notwithstanding, no actor, by keeping out of such films and by generally recognizing his moral responsibility to the industry, will be deprived of his rights and duties as an American citizen.

**"Ruthless" with Zachary Scott,
Louis Hayward, Diana Lynn,
Sydney Greenstreet and Lucille Bremer**
(Eagle-Lion, April 3; time, 104 min.)

Being a character study of a conscienceless man whose lust for power and wealth wrecks the lives of those associated with him, this is a grim drama, but it is only mildly interesting. It can boast of good production values and of a cast whose names should be of help at the box-office, but these attributes are not enough to overcome a story that is not only unconvincing but made worse by a series of confusing flashbacks and by affected direction and acting. Moreover, its running time is unreasonably long and the action is slowed down considerably by too much talk. The manner in which the flashback method has been employed serves to distract the spectator, making him lose interest in the outcome.

The story opens at a reception in the opulent home of Zachary Scott, a fabulously rich man, who, with typical unabashed fanfare, gives away a fortune to an organization designed to further the cause of peace. During the reception, Scott is fascinated by the beauty of Diana Lynn, sweetheart of Louis Hayward, his boyhood friend. As Scott makes an obvious play for her, Hayward's memory is set in motion. He recalls how thirty years previously Scott, whose home-life had been poverty-stricken, had been befriended by a wealthy couple whose daughter he had saved from drowning. Hayward himself had been in love with the girl, but Scott had taken his place in her affections. Before long, however, he had jilted her for Martha Vickers, a wealthy debutante, whose family had important connections in Wall Street. After setting himself up in the brokerage business with Martha's help, Scott had discarded her for Lucille Bremer, a bored young woman, whose aged husband, Sydney Greenstreet, was a powerful financier. Taking advantage of her boredom, Scott had wrecked her marriage to Greenstreet and had married her himself, eventually discarding her after she had helped him to ruin her former husband. With a ruthlessness that had characterized his earlier dealings, Scott had used his newly-gained business power to force former friends to the wall in a desire for even greater power and wealth. His thoughts returning to the present, Hayward sees Diana coming under Scott's spell as he urges her to accompany him on a yachting trip. Despite Hayward's pleadings, Diana insists on going to the pier to bid Scott bon voyage. There Greenstreet, drunk and desperate, puts in an appearance. Giving vent to years of silent embitterment, he grasps Scott by the throat. Both topple into the water and drown. Scott's death breaks the spell on Diana, and she returns to Hayward's arms.

Arthur S. Lyons produced it and Edgar G. Ulmer directed it from a screen play by S. K. Lauren and Gordon Kahn, based on the novel, "Prelude to Night," by Dayton Stoddard. Adult fare.

**"To the Victor" with Dennis Morgan
and Viveca Lindfors**

(Warner Bros., April 10; time, 100 min.)

This melodrama has much to recommend it, but on the whole it misses fire because of a mixed-up story that is presented in a muddled way. It is a tale of post-war intrigue in Paris, revolving around a demobilized American, a black marketeer, who seeks to protect the estranged wife of a captured French collaborationist, whose henchmen were trying to kill her to prevent her from testifying at his trial. There are

many spurts of thrilling excitement, particularly in the opening and closing scenes, but these are unevenly spaced and the net result is a spottily suspenseful film which, for the most part, is a talkative but not very clear discourse on black market and collaborationist activities, and on the need for unity to prevent a third world war. It is not a very pleasant story, and it is peopled by characters who are more or less unsavory, yet the characterizations of the hero and the heroine, despite their moral failings, are molded in a way that gives them some measure of sympathy. A bad flaw in the script, however, is that there are several characters whose parts in the heavy proceedings are never clearly explained. On the plus side of the film are the impressive backgrounds; most of the footage was shot on actual locations in Paris and in Normandy, giving the picture an authentic flavor. The film serves also to introduce to American audiences Viveca Lindfors, a Swedish star, who makes a very favorable impression as the heroine; she has an appealing personality, not unlike that of Ingrid Bergman's:—

Seeking to escape death at the hands of her husband's henchmen, Viveca takes refuge in the private office of Dennis Morgan, a former American officer engaged in black market operations, who helps her to elude her pursuers. He accompanies her to a hideout in Normandy, where both fall in love, but Viveca does not tell him she was the wife of a collaborationist lest she lose his love. While Morgan is away from the hideout, Inspector Victor Francen arrives and takes Viveca back to Paris to testify against her husband. Returning to the house, Morgan finds her pursuers waiting. They beat him up in a vain effort to learn her whereabouts, then advise him to keep away from her because she was the wife of a collaborationist. Shocked by this news, Morgan returns to Paris and refuses to have anything to do with Viveca, but she soon convinces him that she had not behaved as a collaborationist although married to one. She decides not to testify against her husband so that she would be left in peace to eventually marry Morgan. Her action disappoints Francen; he enlists Morgan's aid to persuade her to testify, offering to overlook his illegal activities for the service. Aware that it was important for the collaborationist to be convicted, and that he himself turn over a new leaf, Morgan, through a clever trap, tricks a pair of vicious black market operators and Viveca's pursuers into killing one another. With both vicious elements having eliminated themselves, Morgan severs his black market connections and takes his stand by Viveca's side as she goes before the court to testify.

Jerry Wald produced it and Delmer Daves directed it from an original screenplay by Richard Brooks. The cast includes Bruce Bennett, Dorothy Malone, Eduardo Cianelli and others. Adult fare.

**"The Noose Hangs High" with
Abbott and Costello**

(Eagle-Lion, April 17; time, 77 min.)

As a slapstick program comedy, this latest Abbott and Costello effort should satisfy the youngsters as well as those grown-ups who avidly devour the type of buffoonery this comedy pair specializes in. Others will undoubtedly find it quite trying, for most of the comedy, which ranges from the "Safety Last" type of situations to stock vaudeville routines, is old stuff and has lost its humor through repetition. There is little rhyme or reason in the plot, but it moves along at a snappy pace and, despite its inanity, Costello

manages to squeeze out a few genuine laughs. All in all, it shapes up as a serviceable comedy for the undiscriminating, one that will neither raise nor lower the box-office value of these comedians:—

Mistaken by a big-time bookie (Joseph Calleia) as employees of a messenger service, Bud Abbott and Lou Costello, window washers, are sent to the office of a gambler to collect a \$50,000 debt. As they wait for the money, the boys overhear the gambler instructing his henchmen to retrieve the money after they sign a receipt for it. The boys foil the plot by ducking into an office where a corps of girls were busy mailing envelopes containing samples of face powder. Costello hurriedly addresses an envelope to Calleia, but in the excitement the money is placed in a sample envelope and mailed to someone else. As a result, the boys find their lives threatened by Calleia unless the money is found. By means of a mailing list they manage to trace the money to Cathy Downs, only to learn that she had spent it on luxuries. From then on they become the object of a series of comic chases, during which they unsuccessfully try to get themselves arrested so as to be protected from Calleia. Finally, through an acquaintanceship that had struck up with Leon Errol, a millionaire, the debt is settled to every one's satisfaction.

Charles Barton produced and directed it from a screen play by John Grant and Howard Harris.

**"Man From Texas" with James Craig,
Lynn Bari and Johnnie Johnston**
(Eagle-Lion, Mar. 6; time, 71 min.)

An ordinary program Western. Although it has its moments of hard-riding and shooting action, it is far from a satisfying entertainment principally because of a plot that lacks clarity, and of haphazard, loose-jointed direction. Moreover, the characterizations are neither clear nor believable, and the dialogue pretty trite. At times the plot is so muddled that the spectator will not understand what is happening. The players try to put some meaning into their respective parts, but they are handicapped by the poor material and by the fact that their actions are not particularly sympathy-awakening. The photography is sharp:—

Married to Lynn Bari by a Justice of the Peace more than eight years previously, James Craig, a notorious bandit known as the El Paso Kid, is unable to keep his promise to re-marry her at a church wedding; every time he had prepared for it, he had been forced to flee because of an approaching posse. He finally decides to open up an honest business. To accomplish this, he borrows \$500 from a local bank. Everything goes smoothly until Craig decides that he needs more capital to expand. Despite his wife's protests, he plans another bank robbery but promises to commit the crime in a distant town so as not to sully locally his new reputation for honesty. The robbery is a success. On his way home, Craig stops for a meal at the cabin of Una Merkel, a penniless widow with nine children, and learns that the bank was to foreclose on her homestead on the following day. Through trickery, he manages to save the homestead by arranging for payment to be made to the bank messenger, then steals the money back from him. In the course of events, Craig is betrayed by one of his own henchmen and is arrested. He heads for jail in the custody of a Marshal and, en route, he foils an attempted holdup of the train's gold cargo, wounds several of the robbers, and saves the Marshal from death. Fired to enthusiastic heights by Craig's action on the side of the law, the Texas newspapers start an editorial cam-

paign in his behalf, with the result that the Governor reduces his jail sentence. Upon his release, Craig returns home and holds the church wedding that both Lynn and himself had wanted for so long.

Joseph Fields and Jerome Chodorov wrote the screen play by E. B. Ginty. Mr. Fields produced it, and Leigh Jason directed it. Unobjectionable morality.

**"The Pirate" with Judy Garland,
Gene Kelly and Walter Slezak**
(MGM, May; time, 102 min.)

This is an elaborate production in Technicolor which, despite some moments of tedium, shapes up as a good, light entertainment by virtue of Gene Kelly's outstanding work. His dance routines alone are worth the price of admission, for his graceful footwork is about the most imaginative and spectacular that has ever been seen on the screen. The story, which takes place on a tiny Caribbean isle early in the 19th Century, is a fanciful tale that becomes labored and contrived on more than one occasion, but on the whole it is rather amusing. The main thing about the film, however, are the excellently staged song-and-dance numbers, the magnificent color effects, and the brilliant costumes. Of the Cole Porter songs, one in particular, "Be a Clown," is very good. This number is done twice, the first time by Kelly and the Nicholas Brothers in a brilliantly executed dance routine, and the second time in the finale by Kelly and Judy Garland who, dressed as clowns, put the song over in a manner that will send patrons out of the theatre humming the tune. The buoyant performances by the entire cast help to make this a sprightly and happy show:—

At the behest of her domineering aunt (Gladys Cooper), Judy Garland, a cloistered Latin girl, becomes engaged to the island's wealthy mayor (Walter Slezak), a fat, middle-aged man. She agrees to the marriage in spite of the fact that her dream idol had always been a handsome and dashing man, like "Macoco," the fabled pirate. Meeting the boat that brings her trousseau from Paris, Judy becomes the unwilling object of the attentions of Gene Kelly, head of a group of traveling actors, who loses no time trying to make her acquaintance. Kelly traces her to her home town, arriving there on the day of her wedding. He breaks into her home and is threatened by Slezak with hanging. But Slezak changes his attitude when Kelly recognizes him as "Macoco," the pirate, who had gone into hiding. Threatened with exposure, Slezak agrees not to hamper Kelly's movements. Kelly, in turn, capitalizes on the situation by claiming to be "Macoco," and succeeds in terrorizing the town. Judy sees through his impersonation but, being infatuated with him, meekly does his bidding. Slezak decides to rid himself of the intruder by calling in the Viceroy and the militia, which had long been searching for "Macoco." Unable to convince the Viceroy that he was not the notorious pirate, Kelly is sentenced to hang. On the day set for execution, Kelly receives from the Viceroy permission to put on one last performance with his troupe. He hypnotizes Judy and makes her state publicly that she loved him, "Macoco," and not Slezak. Her words so infuriate Slezak that he leaps to the stage and shouts out that he, not Kelly, is "Macoco," thus clearing Kelly and sealing his own doom.

Arthur Freed produced it and Vincent Minnelli directed it from a screen play by Albert Hackett and Frances Goodrich, based on the play by S. N. Seltman. The cast includes George Zucco, Reginald Owen and others. Unobjectionable morality.

LEWIS BILL REVIVED

The Lewis Bill, which would relieve the exhibitors from paying a seat tax to ASCAP by compelling the producers to acquire the public performance rights to the music recorded on film, will be reconsidered by the full House Judiciary Committee.

The Bill received its new lease on life through the efforts of Rep. Lewis, author of the Bill and chairman of the sub-committee, which last week rejected the measure by a vote of five to one. Rep. Lewis persuaded Rep. Lane, who had voted against the Bill, to move for its reconsideration. This action means that the full Committee will consider the Bill in executive session.

As this paper has already pointed out, the sub-committee's original action in reporting the Bill adversely has done considerable damage, and the chance that it will be enacted into a law is admittedly slim. But the chance is there and every exhibitor should do his utmost to take advantage of it by urging his Congressmen and Senators to give the Bill their full backing.

The TOA, which opposed the Bill at the recent hearing, made it appear as if the ASCAP issue was an intra-industry dispute over which the exhibitors were sharply divided. Some pertinent information as to why the TOA may have conducted its campaign will be found elsewhere on this page in a letter from Mr. Milton C. Weisman, prominent New York attorney who, on behalf of 164 independent exhibitors, handled the recently completed anti-trust suit against ASCAP. The decision on this suit is still pending and, if favorable to the plaintiffs, it may end for all time the ASCAP gouge. Read what Mr. Weisman has to say; the facts he presents tear a gaping hole in the arguments set forth by the Bill's opponents. You should use these facts in urging your Congressional representatives to support this badly needed legislation.

WEISMAN, CELLER, QUINN, ALLAN & SPETT
1450 Broadway
New York 18, N. Y.

March 30, 1948

Harrison's Reports
1270 Avenue of the Americas
New York 20, N. Y.
Attention: P. S. Harrison, Esquire
Dear Pete:

I read with interest the excellent and trenchant article regarding the Lewis Bill, which appeared in your issue of March 27th.

There is a rather relevant and important fact of the ASCAP situation and the T.O.A. position that seems to have been missed by all interested parties and which has not been presented to the Sub-Committee which heard the matter. It was developed during the recent trial of the suit under the Sherman and Clayton Acts that I conducted against ASCAP for 164 independent exhibitors. This suit was tried in the United States District Court for the Southern District of New York before the Honorable Vincent L. Leibell. This may explain in part T.O.A.'s efforts to kill the Lewis Bill.

As you know, the theatres of Warner's, Loew's, Paramount and Twentieth Century-Fox are all members of T.O.A., yet these very companies controlling or operating these theatres have a very heavy financial stake in ASCAP's continued "take" through their ownership and interests in publishing companies which are members of ASCAP. The "take" of these companies out of ASCAP is really surprising and very lucrative. Thus Warner's owns outright some of the largest publishing houses in the country including

- (1) Harms, Inc.
- (2) Remick Music Corp.
- (3) M. Witmark & Sons
- (4) New World Music Corp.
- (5) Atlas Music Corp.

In addition it has a fifty per cent interest in two other music publishing companies, to wit,

Advance Music Corporation
Schubert Music Publishing Company

These companies—all members of ASCAP—received from it the sum of \$789,000.00 for the year 1947 alone. Similarly large annual sums have been received over the last ten years.

Similarly Loew's and Twentieth Century-Fox control music publishing companies—members of ASCAP, to wit,

- (1) Miller Music Corp.
- (2) Leo Feist, Inc.
- (3) Robbins Music Corp.

These three are known as three of the largest publishing houses in the country. During 1947 these companies received from ASCAP the sum of \$514,754.79.

Paramount also owns outright two large music publishing companies of ASCAP, to wit,

Famous Music Corporation
Paramount Music Corporation

In 1947 these companies received from ASCAP the sum of \$150,000.00.

Of course, in the light of this information it becomes apparent that whatever Warner's, Loew's, Paramount, Twentieth Century-Fox pay into ASCAP through its so-called "seat tax" is really infinitesimal compared to the return that their music publishing companies get from the ASCAP monopoly.

Of course, the situation of the independent exhibitor who has no interest in any publishing company that is a member of ASCAP and feeds from its monopoly is diametrically different.

The fight that you are conducting in behalf of the independent exhibitor against ASCAP's music monopoly and the illogical, unscientific and arbitrary tax it imposes on the independent exhibitor is a splendid one. It is logical, trenchant and fully demonstrates not only your absolute devotion to the cause of the independent exhibitor but the ability with which you champion his cause.

With kindest personal regards to you and with my congratulations to you for the fight you are ceaselessly carrying out for the independent exhibitor, I am

Sincerely yours,
(signed) MILTON C. WEISMAN.

Hollywood 28, Calif.
March 24, 1948.

Dear Mr. Harrison:

Reading your frank and thoroughly enlightening "Reports," which is my weekly custom (I am a cover-to-cover reader), I have just digested what you had to say about a producer (unnamed) who looked with pessimism on the new Hollywood-British agreement.

I think you fellows have missed the boat, in weighing the new deal and its consequences, and if your unnamed producer is an independent producer, I would share his fear of the results of the "treaty."

I think the independent movie producers may be booted in the rear by this tie-up. Reason: The major companies can take so much money out of England, plus an amount equal to what British movies take out of the United States. There is the catch: I will not be surprised to see the major companies promote English movies here, not by cutting down their own playing time, but by substituting, as much as possible, British films for films made by independent Hollywood companies and producers. It is no money out of the major company's pockets if profits they don't get from American theatres goes into British coffers, instead of going into the pots of independent Hollywood producers. Fact is, it is money in their pockets, for what the independent producer may make means nothing to the majors, but what the British films make over here, means just that much more the majors may take from England.

But if the majors have no such idea, it will be the first time in motion picture history that they have overlooked a way or chance to net themselves more dough.

Think it over. I offer my suggestion to you, because it is to trade for my use, and because I think HARRISON'S REPORTS is the most respected of the trade publications, and a discussion of this, in your pages, will get real attention.

Good luck,
(signed) JIMMIE FIDLER.

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No. 15

AGAIN ABOUT ASCAP AND THE LEWIS BILL

According to a report in the April 7 issue of *Film Daily*, Representative Earl Michener (R., Mich.), who is chairman of the full House Judiciary Committee, told the Washington correspondent of that paper that "he is very much in favor of the Lewis Bill and determined to put it to a vote before his full committee."

The Bill, which would require the producers rather than the exhibitors to pay ASCAP for the public performance rights to music recorded on film, was scheduled for a re-hearing this Wednesday before Rep. Michener's sub-committee on patents, trade marks and copyrights, which two weeks ago reported the Bill adversely but has since agreed to reconsider it.

Film Daily credits Rep. Michener with stating that, even if the bill is voted down again by the sub-committee, he will put the motion to table before his full committee, and if it fails to clear his committee he may bring the measure up again in the next Congress. Quotely directly, Rep. Michener said that "something has got to be done to clear up this ASCAP situation."

Rep. Michener's attitude towards the Lewis Bill, coupled with the fact that he is the chairman of the powerful House Judiciary Committee, definitely gives the Bill a badly needed boost and should serve to encourage the exhibitors' hopes that it will be enacted into a law. If you haven't yet written to your Congressman urging him to support this measure you should do so at once so that he will have a chance to use his influence before the Bill is put to a vote before the full committee.

* * *

The March 6 issue of this paper carried a suggestion from Martin G. Smith, president of the ITO of Ohio, that the exhibitors, instead of signing ASCAP's application form, send the Society a check for a license on a monthly basis, accompanied by a letter stating that the payment was being made under protest due to the pendency of the Lewis Bill and of different law suits involving the Society's right to collect license fees from the exhibitors.

Having followed this suggestion, a number of exhibitors have advised this paper that ASCAP returned their checks with a letter stating that, since no license has been in effect since March 15, they had no account to which to credit the payment. An application form was enclosed in the letter, which stated also that, though it was the Society's custom to accept only quarterly, semi-annual, or annual payments, they were willing to accept monthly payments if more satisfactory to the exhibitor.

Those of you who want to know what to do when ASCAP refuses to accept payments unless a license agreement is signed will be interested in the advice being given by Allied leaders to their members. These leaders are cautioning those who desire to sign up with ASCAP to insist that the following clause be inserted into the contract:

"Payments may be made in monthly or quarterly installments at licensee's election and licensee shall have the option

to cancel this agreement in case licensor's right to collect such payments is terminated by an act of Congress or by the final judgment of any Federal Court of last resort."

The purpose of this clause is to protect the exhibitor from a long-term contract in the event that either legislation or a court decision terminates ASCAP's right to collect license fees from the exhibitors for public performance rights to music on film.

(EDITOR'S NOTE: *As we go to press, a report from Washington states that the sub-committee had again vetoed the Lewis Bill by a vote of 3 to 2.*)

BOX-OFFICE PERFORMANCES

The previous box-office performances were published in the September 27, 1947, issue.

Columbia

- "Bulldog Drummond Strikes Back": Fair
- "When a Girl's Beautiful": Fair
- "Key Witness": Fair-Poor
- "Blondie in the Dough": Fair
- "Sweet Genevieve": Fair
- "Down to Earth": Good
- "Her Husband's Affairs": Good-Fair
- "Two Blondes and a Redhead": Fair
- "The Lone Wolf in London": Fair-Poor
- "Crime Doctor's Gamble": Fair-Poor
- "Devil Ship": Fair-Poor
- "It Had to Be You": Fair
- "Blondie's Anniversary": Fair
- "The Swordsman": Good-Fair
- "The Prince of Thieves": Fair
- "I Love Trouble": Fair
- "Glamour Girl": Fair-Poor
- "Mary Lou": Fair
- "Relentless": Good-Fair
- "To the Ends of the Earth": Good
- "The Woman from Tangier": Fair
- "The Return of the Whistler": Fair-Poor
- "The Sign of the Ram": Fair

Twenty-three pictures have been checked with the following results: Fair-Poor, 6; Fair, 12; Good-Fair, 3; Good, 2.

Eagle-Lion

- "Green for Danger" (British): Fair
- "Out of the Blue": Fair
- "Bury Me Dead": Fair-Poor
- "The Return of Rin Tin Tin": Fair-Poor
- "Whispering City": Fair
- "Love from a Stranger": Fair
- "Blonde Savage": Fair
- "Linda Be Good": Fair-Poor
- "T-Men": Very Good-Good
- "Heading for Heaven": Fair-Poor
- "The Smugglers": Fair
- "Adventures of Casanova": Fair
- "Open Secret": Fair-Poor
- "The Man from Texas": Fair

Fourteen pictures have been checked with the following results: Fair-Poor, 5; Fair, 8; Very Good-Good, 1.

**"Berlin Express" with Merle Oberon,
Robert Ryan and Paul Lukas**
(RKO, no release date set; time, 86 min.)

A good spy thriller. Although the story is on the far-fetched side, it is superior to most pictures of this type because of the effective semi-documentary treatment and of the realism given to it by the actual backgrounds of Paris, Berlin, and Frankfurt, where the action takes place. Moreover, it has imagination in script, staging, and acting. Revolving around a manhunt for a German statesman who is kidnapped by the Nazi underground to prevent his working with the Allies, the plot stresses intrigue and undercover violence in a way that keeps audience interest at a high pitch. Many of the exciting scenes have the stuff of which first-rate melodramas are made. Those who carry on the manhunt are representatives of different nations, and the story, with moderate success, attempts to put over the message that, if individuals of different nations can learn to work together, the nations should be able to do the same:—

Through the interception of a code message, Allied authorities in Paris suspect that an attempt will be made on the life of Paul Lukas, a German statesman working on a plan to unify his country. Despite the precautions taken on a train taking Lukas to Berlin, a bomb is planted in his compartment killing an Allied agent who had been placed there to impersonate him. Lukas, posing as a business man, permits his fellow passengers to believe that he had been killed. After being interrogated at American military headquarters in Frankfurt, the passengers, including Robert Ryan, an American agricultural expert; Robert Coote, a British educator; Roman Toporow, a Russian lieutenant; Charles Korvin, a French importer; and Merle Oberon, Lukas' secretary, are permitted to continue their journey to Berlin. Through a clever ruse, however, the Nazis succeed in kidnapping Lukas at the railway station. Frantic, Merle appeals to her fellow-travelers for help, revealing to them who Lukas really is. All begin a thorough search of the war-devastated city, with Merle and Ryan finding a clue at a black-market cabaret. But the clever Nazis lure them to a hideout in an abandoned brewery, where they held Lukas captive. Aided by an American agent posing as a Nazi, Ryan attempts to escape. He is hurled into a huge beer vat and left for dead. The agent escapes, however, and summons military police. They arrive in time to capture the Nazis and to save Lukas, Merle, and Ryan. On the way to Berlin, Ryan suggests to the others that each take turns guarding Lukas. Korvin manages to take the first watch but through a slip of the tongue causes Ryan to suspect his motive. Ryan catches him in the act of strangling Lukas and exposes him as a leader of the underground Nazis. Korvin is shot and killed as he attempts to escape.

Bert Granet produced it and Jacques Tourneur directed it from a screen play by Harold Medford, based on a story by Curt Siodmak. The cast includes Reinhold Schunzel, Fritz Kortner and others. Unobjectionable morally.

**"Hatter's Castle" with Robert Newton,
James Mason and Deborah Kerr**
(Paramount, June 18; time, 99 min.)

An unpleasant, depressing British-made drama, which Paramount has kept on the shelf since 1941, and which it has obviously decided to release now because of the presence in the cast of Deborah Kerr and James Mason, who appear in supporting roles. The leading role, that of a brutal tyrant who makes life miserable for everyone, including his own family, is played by Robert Newton, who does a magnificent job in a most unsympathetic role. The picture, however, can hardly be classed as an entertainment, for it is far too depressing and the atmosphere throughout is gloomy. Moreover, it is peopled with unprincipled characters, for whose victims one feels pity rather than sympathy. At times the action is loathsome, such as the situation where Newton brings home his mistress, thus hastening the death of his ill and grieving wife. Another such situation is where Newton's conniving clerk, employed in his hat store, takes advantage of Miss Kerr, Newton's daughter, and seduces her. There is nothing in the picture that can be called entertaining, for when it is not cruel it is ugly.

Briefly, Newton is shown as an arrogant, brutal owner of a hat shop in a small Scottish town, whose two driving ambitions were to make a castle of his home and to make a genius of his young son, a sickly boy, whom he denied a normal life. He treats his daughter sternly and denies to his sickly wife badly needed medical attention, which she receives secretly from Mason, a local physician, who was in love with Deborah. When he learns of the seduction of his daughter by the clerk, whom he finds in the arms of his mistress, Newton chases the young man out of town and drives his daughter out of the house. The scandal, coupled with the fact that Newton brings his mistress home, ostensibly as a housekeeper, hastens the end of his sickly wife. He takes to drink and becomes bankrupt, resulting in the mistress' leaving him. With everything else lost, his one great passion remaining is to have his son win a scholarship. But even this is not realized when the boy, expelled from school for cheating, commits suicide. Newton goes berserk and, cursing his home as a symbol of his pride, ambition, and frustrations, sets fire to the place, making it a funeral pyre for himself and his son.

I. Goldsmith produced it and Lance Comfort directed it from a screen play by Paul Merzbach and R. Bernaur, based on a novel by A. J. Cronin. Strictly adult fare.

**"Winter Meeting" with Bette Davis,
James Davis and Janis Paige**

(Warner Bros., April 24; time, 104 min.)

It is doubtful if even Bette Davis' popularity will be enough to save this tedious, slow-moving, confusing romantic drama. From start to finish the characters do nothing but talk, talk, talk, and what is even worse is that most of the time the spectator does not know what they are talking about. The story is a bewildering mixture of romance, fixations, and soul-searching, full of vague dialogue and about as explosive as a pop gun. The characters do not act as flesh-and-blood people would and, since one cannot comprehend what makes them tick, one feels no sympathy for them. As a New England spinster who is somewhat neurotic, Miss Davis is cast in the type of role that is well suited to her talents, while a newcomer, James Davis, as a disillusioned war hero with whom she falls in love, makes a good impression, but their efforts are in vain, for no matter how hard they try the picture achieves nothing better than pretentiousness. Not much can be said for the direction, which is stagey:—

Bette, a poetess, meets Davis at a dinner party arranged by John Hoyt, a friend, who brings along his flashy secretary (Janis Paige) as a companion for Davis. Davis, however, finds Bette more to his liking and, at the end of the party, escorts her home. At her apartment, they find themselves at sword's points because of their different philosophies, but they fall in love before the evening is over. On the following day they take Bette's car for a drive to her Connecticut farmhouse, which she was reluctant to visit. In the friendliness of the house they pour out their hearts to each other. Bette tells him that she had kept away from the house because her father had committed suicide there, the result of an unfaithful wife, her mother, whom she hated. Davis berates her for her uncompromising attitude towards her mother but this outburst does not affect their love. Later, Bette finds him in a disturbed mood and, upon questioning him, learns that he had planned to become a priest but had given it up because he felt himself indirectly responsible for the death of several sailors in a war emergency. He now felt himself unfit for the priesthood because of a troubled conscience. For reasons that are not made very clear, Bette and Davis part, but, after an incident involving Janis and Davis, they come together again and he asks her to marry him. After some puzzling soul-searching on the part of both, it ends with Davis deciding to join the church and with Bette assuming a more tolerant attitude towards her mother, from whom she had received a pitiful letter requesting help.

Henry Blanke produced it and Bretaigne Windust directed it from a screen play by Catherine Turney, based on a novel by Ethel Vance. Adult entertainment.

"Fury at Furnace Creek" with Victor Mature and Coleen Gray

(20th Century-Fox, May; time, 88 min.)

Replete with rip-roaring action, beautiful outdoor photography, an interesting story, expert direction and fine performances, this is a first-rate "super-western" that should not only go over big with the Western fans but also please others as well. It is one of the better examples of this type of film fare, for it has a plot that does not offend logic, characterizations that are different, and a sprinkling of comedy, furnished by Charles Kemper, as the town's good-natured bad boy, which is refreshing. As a ne'er-do-well who sets out to clear the reputation of his dead father, an army officer who had been implicated innocently in an Indian massacre, Victor Mature makes a completely convincing hero in a performance that adds much to his acting stature. His romance with Coleen Gray is pleasant and properly subdued. An exciting highlight is a vicious Indian attack on a wagon train in the opening scenes:—

Unjustly accused of giving orders that resulted in an Apache Indian massacre, General Robert Warwick dies of a heart attack while being court-martialed. His two sons, Glenn Langan, an army officer, and Victor Mature, an adventurer who had been estranged from the family, set out to clear his reputation. Mature traces Captain Reginald Gardiner, who had testified against his father, to Furnace Creek, where he finds the man retired, a drunken weakling who feared that a silver mining syndicate, headed by Albert Dekker, would kill him. Learning that the syndicate owned huge silver deposits in the territory from which the Apaches had been routed after the massacre, Mature suspects that Dekker had engineered the massacre for his own benefit, and that he had bribed Gardiner to forge his father's name to the orders. Mature enters Dekker's employ under an assumed name in the hope of gaining a confession from Gardiner. Meanwhile his brother arrives in town. Dekker, fearing that Gardiner might talk to Langan, orders the weakling killed. Aware that the syndicate was out to murder him, Gardiner writes a confession just as he is shot down. Langan manages to obtain the paper and conceal it, but through a frame-up he is charged with Gardiner's murder and sentenced to hang. Mature helps him to escape with the confession while he shoots it out with Dekker and his henchmen in a rousing finale, during which he overcomes the villains with the unexpected aid of an Apache Indian, whom Dekker had double-crossed. Though seriously wounded, Mature recovers and learns that Langan had delivered the confession to the authorities, thus clearing their father's name.

Fred Kohlmar produced it and Bruce Humberstone directed it from a screen play by Charles G. Booth, suggested from a story by David Garth. The Cast includes George Cleveland, Roy Roberts, Fred Clark and others.

Unobjectionable morally.

"Shaggy" with Brenda Joyce, Robert Shayne and George Nokes

(Paramount, June 11; time, 72 min.)

Ordinary program fare. Photographed in Cinecolor, it is one of those oft-told stories about a boy's devotion to his dog, and about the misunderstandings between the youngster and his new stepmother, despite her efforts to win his love. It is the sort of entertainment that will appeal mainly to the juvenile trade, for the story has been done many times and this version offers little that is original. The use of color photography makes for some nice scenic shots of the outdoor backgrounds, but it is not enough to compensate for the trite handling of an overworked theme. The performances are adequate, but no one in the cast means anything at the box-office:—

Returning home to his sheep ranch, Robert Shayne brings with him Brenda Joyce, his new wife and stepmother for George Nokes, his eight-year-old son. Brenda does her best to make friends with the boy, but her fear of his pet raccoon, which he is compelled to keep out of the house, causes him to resent her. To add to the youngster's troubles, a neighboring ranch owner accuses the boy's pet dog,

Shaggy, of killing his sheep. Certain that the dog was not a killer, Shayne rejects the accusation. Brenda finally wins the boy's affection when he sees her trying to make friends with the raccoon. But this affection is shortlived when the raccoon dies after eating some poisoned food and the youngster mistakenly believes that Brenda has fed it to him. Meanwhile a vicious mountain lion had been roaming the range killing sheep and, through a series of coincidents, during which Shaggy is seen traveling at night with a she-wolf, and during which he gets blood on his fur while defending his mate from an attack by the lion, the dog is erroneously identified as the sheep killer. Shayne decides to shoot him, but George helps the animal to escape into the hills and follows him when scolded by his father. Brenda, worried over the child's safety, goes in search of him and finds him. Just then the mountain lion appears and attacks them. Shaggy springs to their defense and courageously wards off the attack in a losing battle, but he, too, is saved by the timely arrival of Shayne, who shoots the lion dead. Shaggy is cleared when sheep bones and skins are found in the lion's den, and it all ends with a happy family reunion.

William Pine and William Thomas produced it, and Robert Emmett Tansey directed it from an original screen play by Maxwell Shane. The cast includes Ralph Sanford, Jody Gilbert and others.

Suitable for the family.

"Homecoming" with Clark Gable, Lana Turner and Anne Baxter

(MGM, May; time, 113 min.)

With Clark Gable and Lana Turner heading the cast, "Homecoming" undoubtedly will prove to be an outstanding box-office attraction. The substance of the story is in no sense novel and it is not without its shortcomings, but on the whole most audiences, particularly women, will find it to be a well-acted, interest-holding drama that will give them a full measure of entertainment. As a successful and happily married surgeon whose experiences make him realize that his life had been self-centered and lacking in purpose, Gable handles his role with poise and meaning, as does Lana Turner, as a widowed army nurse, with whom he falls in love but who is killed before he returns to his wife. Their romance is restrained, quite believable, and sympathetic. Anne Baxter, as his understanding wife, and John Hodiak, as a fellow-doctor and family friend, contribute effective characterizations. The chief criticisms one may make of the film are that some of the situations are too pat and contrived, and that the action tends to drag in spots. There are, however, several exciting war scenes:—

Happily married to Anne, Gable, a successful small-town surgeon, is so busy improving his own practice and attending social functions that he cannot find time to help his friend, Hodiak, eradicate the malaria-infested slums of a town nearby. When war is declared, he enlists in a medical unit because it seems "the thing to do," but once overseas he faces real problems while operating on battle casualties and comes to the realization that his work at home had been lacking in purpose. He discovers also that more than anyone else his nurse, Lana, a forthright, down-to-earth person, was responsible for the change in his attitude. Working side by side with her through different battle campaigns, Gable eventually falls in love with her. They are separated when Lana is transferred to another unit but meet again during a furlough in Paris, just as word comes that the Germans had broken through Bastogne. Gable returns to the front at once and Lana insists upon accompanying him. She is wounded on the battlefield and dies in a Paris hospital shortly thereafter. Returning home at the end of the war, Gable, his mind confused, confides to Anne the story of Lana and the influence she had on his life. Through Anne's patient understanding, he gets a new grip on himself and sets out to use his medical skill in a way that will benefit mankind.

Sidney Franklin produced it and Mervyn LeRoy directed it from an original screen play by Sidney Kingsley. The cast includes Ray Collins, Gladys Cooper and others.

Unobjectionable morally.

**"Letter from an Unknown Woman" with
Joan Fontaine and Louis Jourdan**

(Universal-International, May; time, 86 min.)

Although it has been given a very dressy production, and a sincere effort has been made by all concerned to make it a meaningful drama, "Letter from an Unknown Woman" is handicapped by a hackneyed, talky story which, for the great bulk of its running time, is tedious. Set in Vienna in the 1890's, its tale about a young woman's misguided love has all the ingredients of a grim romantic tragedy, but as presented it fails to come through the screen with any power of conviction. Moreover, the camera dawdles too long on inconsequential matters, making it a drawn-out affair that seems much longer than its actual running time. It has some good dialogue, acting and direction in individual scenes, but on the whole it packs only a weak emotional punch:—

About to leave the country to avoid fighting a pistol duel, Louis Jourdan, a once brilliant pianist, receives a letter from Joan Fontaine in which his past is brought sharply into focus. She relates how, as a girl of fifteen, she had fallen madly in love with him when he, then a man of twenty-five, had moved into the same apartment house where she had lived. Rebelling when her widowed mother had remarried and her stepfather had tried to arrange her marriage to an army man, she had left her family to make her own way. At the age of eighteen, while working as a dress model, she had managed to meet him again and, after a night of love-making, he had taken his leave with a promise to return to her within a fortnight. But by the time he had returned he had forgotten all about her. Shortly thereafter she had given birth to their illegitimate son and, after a struggle of eight years, had married a kindly middle-aged man to whom she had admitted her youthful indiscretion. While thus happily married she had met Jourdan again at the opera, and her love for him had been awakened. She had gone to his apartment and, to her dismay, had discovered that he did not remember her, and that, to him, she was just another beautiful woman and a possible conquest. She had fled from the apartment, and several days later tragedy had struck when her son, stricken with typhus, had died. She, too, had been stricken with the disease and was writing the letter to inform him of the love she had carried through the years. A post-script on the letter from the hospital authorities informs Jourdan that she had died. After reading the letter, Jourdan prepares to fight the duel, now aware that his opponent was Joan's middle-aged husband.

John Houseman produced it and Max Opuls directed it from a screen play by Howard Koch, based on the story by Stefan Zweig. The cast includes Mady Christians, Marcel Journet, Art Smith, Howard Freeman and others.

Adult entertainment.

**"Arthur Takes Over" with Lois Collier,
Richard Crane and Skip Homeier**

(20th Century-Fox, May; time, 63 min.)

An unpretentious but entertaining domestic comedy. Revolving around the farcical complications that arise when a young lady returns to her small-town home secretly married and finds her doting mother prepared to marry her off to a local bore, the story is a mixture of family crises and adolescent doings, all of it quite improbable and none of it too original. But it moves along at a swift and merry pace and adds up to harmless and diverting film fare that is easy to take, for it is packed to the hilt with slapstick antics and exaggerated domestic touches which, though silly, are amusing enough to raise giggles. All in all, it should serve nicely as a supporting feature in theatres that cater to family audiences, particularly where something light is needed to round out a double-bill:—

Aware that her mother (Barbara Brown) had picked out William Blakewell, a stuffy, young autocrat, for a future son-in-law, Lois Collier returns home after a year's absence, accompanied by Richard Crane, her sailor-husband, whom she introduces as a friend. The effort to keep their marriage a secret proves too much for Crane, who finally blurts the

truth out to her mother. Lois' father, Howard Freeman, and her teen-aged brother, Skip Homeier, are delighted with the news, but not so her mother, who felt that the secret marriage would make her family the subject of gossipy tongues and thus affect her election as head of the Parent-Teachers Association. She orders Crane out of the house, and Lois, rather than break her mother's heart, refuses to leave with him. At this point, Skip decides to take matters in hand: He arranges to become engaged to Ann E. Todd, his bobby-sox girl-friend, the objective being that his mother will be so happy to break up the engagement that she will let Lois and Crane alone. The idea gets out of hand, however, when Ann takes the engagement too seriously and, to compel Skip to elope with her, informs him that her father, Jerome Cowan, was determined to shoot him on sight. After a series of complications, during which Skip is charged with kidnapping, his mother becomes uncontrollably frantic, and Cowan threatens to ruin Freeman's business name, Crane sets out to find the youngsters and brings them home none the worse for their experience and still unmarried. It all ends with Crane being accepted as Lois' husband with her mother's blessing, and with Skip swearing off women until he reaches the age of seventeen.

Sol M. Wurtzel produced it and Mal St. Clair directed it from a story and screen play by Mauri Grashin. The cast includes Almira Sessions and others.

Suitable family entertainment.

**"Old Los Angeles" with William Elliott,
John Carroll and Catherine McLeod**

(Republic, April 25; time, 88 min.)

Just fair. Except for the fact that it can boast of slightly better-than-average production values, and of fair name value, this is a typical 60-minute western dragged out to a one and one-half hour's length through the interjection of too many musical interludes, none of which are particularly outstanding and all of which serve to slow down the film's pace. The formula plot has a fair quota of thrilling highlights but in between the action is too rambling and on the whole will hold few surprises for even the avid followers of this type of entertainment. The characterizations are standard, and the players go through their paces in workmanlike fashion but they never really succeed in making their portrayals convincing. The action takes place in 1848:—

Accompanied by Andy Devine, his partner, William Elliott arrives in Los Angeles to prospect for gold. He finds that outlaws rule the territory, and learns that his brother (Henry Brandon) had been murdered for a gold claim he had staked. Elliott sets out to avenge his brother's death but runs into difficulties when Estelita Rodriguez deliberately misleads him to protect her lawless lover, John Carroll, who unbeknownst to Elliott, had killed his brother. In the course of events, Elliott finds reason to suspect Joseph Schildkraut, a gambling house proprietor, and Catherine McLeod, an entertainer, with whom he (Elliott) had fallen in love. Actually, Schildkraut was the brains behind the lawless element, which was headed secretly by Grant Withers, a crooked sheriff. With the aid of Estelita's mother, who objected to Carroll, Elliott baits the outlaws by leaving a gold storage vault open to a raid. Carroll, who had killed Withers, takes command of the gang and prepares to lead them on the raid. When Schildkraut reveals himself as the brains behind the gang and demands that Carroll take his orders, Carroll shoots him down and leaves him for dead. But he lives long enough to inform Elliott that Carroll had killed his brother. In a final showdown, Elliott kills Carroll during a gun battle. Meanwhile Catherine clears herself of complicity in the lawlessness by revealing that she is a secret government agent sent to the territory to obtain evidence against the outlaws. With the outlaw element cleaned up, Los Angeles returns to a peaceful existence, while Catherine and Elliott prepare for their marriage.

Joe Kane produced and directed it from a screen play by Gerald Adams and Clements Ripley, based on an original story by Mr. Ripley. The cast includes Virginia Brissac, Roy Barcroft and others.

Unobjectionable morally.

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WILL THE BRITISH AVOID THE PITFALLS OF CONCEALED ADVERTISING?

Under the heading, "Rank Plans to Plug British-made Goods on Theatre Screens," the April 2 issue of *The Hollywood Reporter* published a significant news item in which it is stated that J. Arthur Rank, in a further move to build favorable dollar balances for Great Britain, is spearheading a project to utilize films as a medium of commercial exploitation of British manufactured and consumer goods in the world market.

Quoting an unnamed Rank spokesman, the news item states that the Rank Organization has established a special department to work out arrangements with British manufacturers for the loan of products that will fit into a particular picture, and also for the exploitation of these products wherever the picture is shown.

In view of the fact that the Rank pictures are shown also in the United States, the American public may now be compelled to view also British advertisements.

No one can blame the British for desiring to utilize their films to exploit British goods, for it is generally conceded that American pictures are perhaps the greatest medium for the exploitation of American goods in the different foreign markets. But before going ahead with this project, Mr. Rank, as well as other British producers who may be inclined to follow his lead, will do well to give the matter close study so as to avoid making the same mistakes that some of the American producers have been making all along; otherwise, the British producers will incur the resentment of the American picture-going public just as have the American producers.

The important thing for the British producers to remember is that the products they wish to exploit must be shown in a manner that will add either atmosphere or realism to a story without in any way being either a subtle or obvious plug for the manufacturer of the product shown. For example, no one can have any objection to the use of either a modern electric stove to enhance the setting of a kitchen scene, or a television set to dress up a modern living room set, or even a new type of vacuum cleaner if a house-cleaning sequence is part of the story, but nothing will make a picture-goer more hostile than to have these articles appear in unnecessary closeups in order for the brand names to be visible, or to hear the characters in the picture work the brand names into their lines. For instance, if a character in a cafe scene should ask the bartender for scotch, it would not be objectionable since scotch is a British product; but, if that character should ask for a specific brand of scotch, then the spectator has a right to feel antagonistic, for he will feel that he is having advertising thrust upon him after he had paid an admission price to be entertained.

One of the more recent examples of such blatant commercial advertising will be found in "Arch of Triumph." Just think of it! Here is a picture that cost Enterprise Studios more than four million dollars to produce, yet it contains commercial advertising—it plugs Chesterfield cigarettes.

The producers may argue that the plug was put in to create proper atmosphere by indicating that pre-war Paris in 1938, which is the picture's background, was short of

American cigarettes and that they were obtainable only as a luxury item. While such a condition probably existed, the fact remains that its exclusion would not have detracted one iota from the picture's atmospheric values, nor would it have hurt the story's dramatic values, for it had nothing to do with the plot. But even if the producers felt that the cigarette shortage should have been worked into the story, why couldn't the characters have merely referred to American cigarettes rather than to "Chesterfields"?

No matter how you look at this plug for Chesterfields, which is mentioned in the picture several times, it is manifest that it was inserted to advertise the brand to the American public. It is a flagrant disregard of the rights of, not only the movie-goer who pays his money at the box-office to be entertained, but also of those who own the screens—the exhibitors.

It is just this sort of thing that Mr. Rank and other British producers must prevent in plugging British-made products lest they invite an avalanche of adverse public opinion.

WHEN WILL THE HOLLYWOOD UNIONS OPEN THEIR EYES?

Hardly a day goes by without one company or another announcing plans for the production of pictures abroad. MGM and 20th Century-Fox, to mention only two, plan to produce five pictures each in England alone. And in addition to present and proposed production activities in Great Britain, other major and independent producers are either producing or planning to produce pictures in France, Italy, Sweden, Australia, Mexico, and Canada.

The main purpose of the producers in starting production in these different countries is, of course, to utilize their frozen funds there. But will this do the Hollywood unions any good? Of course not, for every picture produced abroad means so much less work for the Hollywood artists and technicians.

To alleviate the drain of badly needed American dollars out of the different countries is not the only reason that is prompting the American producers to shift some of their production activities abroad; the behaviour of the Hollywood unions has been a motivating factor, too. Featherbedding—that is, the practice of paying for workers whose services are neither used nor needed, and slowing down on the job, to mention but two of the abuses, have run the cost of production so high that a producer finds it almost impossible to make even an ordinary picture at a cost that will reasonably insure the return of his investment. And these abuses hit the independents more than the majors, for the terms demanded of them are as stiff, and in many instances stiffer, than those demanded of the majors.

Unless the union leaders instruct their members to speed up the work and do a man's job for a man's pay, the producers will have no alternative but to increase their production activities abroad. The consequences will be that jobs in the Hollywood studios will get scarcer and, with fewer men in work, the power of the unions will diminish.

The sooner the unions decide to change their policies and encourage the producers to remain at home, the sooner they will see the day when Hollywood will again be humming with production activities.

"The Lady from Shanghai" with Rita Hayworth and Orson Welles

(Columbia, May; time, 86 min.)

If ever a picture has been produced that may be classified as the work of either a genius or a lunatic, this is the one, for direction, acting, story, settings, camera work—all seem to deal with a world that is divided thinly between the ingenious and the lunatic. To an objective critic, however, the picture is unusual, and its box-office success will be, either good, or great, the results depending on publicity and exploitation; but it seems unlikely that its box-office performance will be less than good. The story is fantastic; it deals with double-crossers and with the fate of one of the principal characters—Orson Welles, who is accused of having committed a murder he had not committed, but had signed a confession that he had committed it. Some of the action is, at times, confusing, but it seems as if the confusion was purposeful. Some of the photographic effects with their lights and shadows are highly ingenious; they enhance the effect of the action, whether dramatic or melodramatic. The dialogue is, at times, indistinct, but this, too, is apparently purposeful—to create mood. The music, too, is fitting; it contributes to the creation and maintenance of the mood. The action is chiefly melodramatic, and at no time does it allow the spectator's interest to dwindle. The courtroom trial, which ends with the escape of Welles from the police, is highly exciting. And so are the scenes in a closed amusement park's "crazy house," and later in a mirror room, where a fantastic gun duel takes place with each figure multiplied by the number of mirrors and reflections:—

While walking through New York's Central Park, Welles, a philosophical Irish merchant sailor, saves Rita Hayworth from three thugs. Rita, wife of Everett Sloane, a crippled but renowned criminal lawyer, urges her husband to persuade Welles to accept a job on his yacht. The yacht heads for the West Indies and, before long, a love affair develops between Welles and Rita, whom Sloane, a sinister character, constantly abused. Their meetings are reported to Sloane by Ted de Corsia, a private detective, and by Glenn Anders, Sloane's law partner. But Sloane, who had compelled Rita to marry him lest he disclose her sordid past in Shanghai, knew that she would not dare to leave him. While anchored at Acapulco, Anders offers Welles \$5000 if he will sign a confession that he had murdered him. Anders explains that he intended to disappear, so that his wife might collect his insurance, and assures Welles that he could never be convicted of the crime because no corpse could be produced. Their conversation is overheard by De Corsia, who reports it to Sloane, who in turn believes that it was a plot against his life. The cruise comes to an end in San Francisco, where Welles, needing money to take Rita away from Sloane, accepts the "phony" murder proposal and signs the confession. He tells Rita about the deal, but she believes that it is one of her husband's tricks. Meanwhile De Corsia informs Anders that he knew of the plot and accuses him of really planning to kill Sloane and to frame Welles for the murder. Anders shoots De Corsia and hurries away to join Welles on a drive to the waterfront, where the fake murder is to be staged. En route, their car crashes into a truck and, although neither one is injured seriously, Welles is spattered with blood. The murder is staged as planned, with both Welles and Anders making their getaways before people aroused by the shooting can catch them. Welles goes to a telephone to inform Rita of the progress of the plot, while Anders, supposedly headed for the open sea in a speedboat, returns to the wharf. De Corsia, dying as a result of Anders' bullet, answers the telephone and informs Welles of his suspicions. Jumping into the bloodstained car, Welles speeds towards Sloane's office in San Francisco, arriving there to find a crowd gathered around Anders' body. The police, noticing his clothes spattered with blood, arrest him and find the fake confession in his pocket. Sloane offers to defend Welles and, although suspicious of him, Welles has no alternative but to accept the offer. At the trial, Sloane puts up a weak defense and, while the jury is out, slyly admits to Welles that he had felt pleasure in losing the case. As the jury files in, Welles, now aware that Sloane himself was the killer, grabs

a bottle of sedative pills carried by Sloane and swallows them all. In the turmoil that follows, Welles manages to make his way out of the courthouse undetected. Rita follows him to Chinatown, where she sees him enter a Chinese theatre. She joins him in the audience and informs him that, through her Chinese manservant, she will arrange a hiding place for him until she can find the gun that killed Anders and thus establish his innocence. As she talks to him, he feels the gun in her handbag and realizes that she had much to gain by Anders' death, because a partnership insurance would go to Sloane and thence to her if Sloane should die for the murder of his partner. He realizes also that Anders had no wife, and had planned to murder Sloane and pin the crime on him (Welles), so that he could obtain the partnership insurance and at the same time remove the two men who stood in the way of his getting Rita for himself. But before he can make another move, Welles slips into unconsciousness because of the pills. He awakens to find himself in a grotesque room lined with mirrors, part of a closed amusement park's "crazy house" concession, where Rita's Chinese friends had taken him. Still benumbed but conscious, Welles accuses Rita of double-crossing him and of planning to kill him. Sloane makes a sudden appearance and declares that he, too, knows the details of the chicanery that involved them all. Rita and Sloane start a gun duel, shooting at the different mirrors, which had multiplied their images, until each finally wounds the other mortally. As he dies, Sloane reveals that he had given the facts to the district attorney in a letter, to be opened after his death. Rita, dying but still unreformed, curses her fate. Welles leaves them, confident that Sloane's letter would clear him.

Orson Welles produced, directed, and wrote the screen play, from a novel by Sherwood King. Strictly adult fare.

"Here Comes Trouble" with William Tracy and Joe Sawyer

(United Artists, no release date set; time, 50 min.)

Photographed in Cinecolor, this is a Hal Roach "streamlined" comedy, known as Part I of "Laff-Time," which, like Roach's recent "Comedy Carnival," is a two-picture package. Part II, which has not yet been made available for reviews, is known as "Who Killed Doc Robbin?" This part, "Here Comes Trouble," is an all-out slapstick comedy, completely nonsensical but amusing enough to get by on the lower half of a double-bill wherever audiences are not too discriminating. Revolving around the misadventures of a not-too-bright cub reporter, the inane doings take in just about every hackneyed routine that has ever been employed in countless other slapstick comedies. The different characters either chase or throw each other all over the place, and generally behave like a pack of lunatics on the loose. About the only thing missing is the pie-in-the-face routine. Children will no doubt find much in it that will make them howl:—

Returning from army service, William Tracy, a former copy boy, is assigned as a police reporter by Emory Parnell, his prospective father-in-law and publisher of the *Tribune*. Parnell, who was conducting a campaign to stamp out vice in town, is blackmailed by Joan Woodbury, a burlesque queen, who had noted in her diary the details of an escapade he had once had with her. Worried lest his wife, Betty Compson, learn of the incident, Parnell agrees to buy Joan's diary and sends Tracy to the theatre to obtain it. Backstage, Tracy becomes involved in Joan's mysterious murder under circumstances that point the finger of suspicion on both Parnell and himself. But Tracy manages to clear himself when he stumbles across the killer—Paul Stanton, Parnell's lawyer, who was secretly in league with the gangster element, and who wanted the diary to compel Parnell to drop his vice campaign. A mad scramble ensues backstage as the police try to trap Stanton in the fly-loft of the theatre, with Tracy constantly tangling with Joe Sawyer, his former top-sergeant, now a detective. In the end, however, the blundering Tracy captures Stanton and emerges a hero.

Fred Guiol produced and directed it from an original screen play by George Carleton Brown and Edward E. Seabrook. The cast includes Beverly Loyd and others.

Unobjectionable morally.

**"Close-Up" with Alan Baxter,
Virginia Gilmore and Richard Kollmar**

(Eagle-Lion, no release date set; time, 72 min.)

The fact that this picture has been shot against actual New York backgrounds gives it an air of authenticity, but as entertainment it is no more than a run-of-the-mill melodrama that belongs on the lower half of a double-bill. Revolving around a manhunt for an escaped Nazi leader, who had been accidentally photographed by a newsreel cameraman, the story is rambling and complicated, and has many loose ends. Moreover, it is hampered by ineffective comedy gags and, during the first part, by a slow pace. It picks up speed in the second half and, at the finish, it offers considerable excitement in a thrilling gun battle that takes place along Manhattan's East River Drive. There are other sequences that are fraught with suspense, but faulty direction fails to sustain the mood. The performances are adequate, and the camera work very good:—

As Alan Baxter, a cameraman, photographs a group of fashion models on a New York street, Richard Kollmar, inadvertently crosses in front of the camera, spoiling the shot. Later, at Baxter's office, a strange man offers to buy the ruined film. Baxter and his employer, Loring Smith, run off the exposed film and discover that Kollmar was a missing Nazi leader who had been living in New York incognito. The strange man disappears, but Baxter is met by Phil Huston, a detective, who asks him to accompany him to headquarters, bringing the film as evidence. En route, Baxter discovers that Huston was really a gangster, hired by Kollmar to recover the film. He manages to escape and, back in his apartment, finds Virginia Gilmore, a magazine reporter he had met that day, bound and gagged. He takes her home in a taxicab, but before escorting her to her door gives the film to the driver with instructions to take it to the police. After bidding Virginia goodnight, Baxter is waylaid by two ruffians and taken to the basement of Huston's home, where he is held captive. There, he learns that Virginia was Huston's stooge. She admits it, but offers to help him escape. In the course of events, Kollmar and Huston get into an argument over payment for Huston's services in arranging for a seaplane to take the Nazi out of the country. Huston is slugged, and Kollmar, taking Baxter with him as a shield, races to meet the seaplane. Huston follows in pursuit, while Virginia telephones the police. All converge on the East River Drive, where police bullets down Huston and Kollmar, saving Baxter. As Virginia is led away by the police, Baxter thanks her for saving his life.

Frank Sateinstein produced it and Jack Donohue directed it from an original screen play by John Bright and Max Wilk. Adult entertainment.

**"Lightnin' in the Forest" with
Lynne Roberts and Warren Douglas**

(Republic, March 25; time, 58 min.)

A fairly entertaining mixture of romantic comedy-farce and gangsterism; it should serve adequately as a supporting feature in secondary theatres. Its story about a pampered rich girl who is taken in hand by a young psychiatrist to cure her mania for thrills is not too weighty, and at times it borders on the inane and ridiculous, but it has several laugh-provoking situations and some excitement. Towards the finish the story has a goodly quota of suspense and thrills, caused by a gun duel between the police and a group of gunmen, with whom the young couple had become innocently involved, but even this part has its touches of comedy. The players are unable to give credibility to what transpires, but they manage to squeeze a fair share of laughs from some of the silly doings:—

Lynne Roberts' love for excitement proves too much for her uncle, Judge Paul Harvey, who turns her over to Warren Douglas, a young psychiatrist, to be cured. Douglas balks at the assignment because Lynne had already involved him in a mixup with the police, but he soon changes his mind when the Judge threatens to publicize their escapade. Douglas starts the cure by taking Lynne to the Judge's secluded mountain cabin, chaperoned by an elderly couple (Claire DuBrey and Lucien Littlefield). Balky at first, Lynne finds herself falling in love with Douglas. Their budding romance

is interrupted by the sudden appearance of gunman Donald Barry, his moll, Adrian Booth, and two henchmen, who take over the cabin as a hideout after escaping with a big payroll haul. The police eventually surround the cabin and, during the siege, the two henchmen are killed. Finally, Barry, in a clever move, compels the police to guarantee him and his moll a safe getaway lest he kill Lynne and Douglas and the elderly couple. Just as Barry prepares to use Lynne and Douglas as shields, Douglas kicks the gun out of his hand and starts a fight, while Lynne engages the gun moll in a hair-pulling contest. The police close in and capture them. Admitting that she had had enough excitement to last her for the rest of her life, Lynne looks forward to a more peaceful existence with Douglas.

Sidney Picker produced it and George Blair directed it from a screen play by John K. Butler, based on a story by J. Benton Cheney.

Unobjectionable morally.

**"Another Part of the Forest" with
Fredric March, Dan Duryea,
Edmond O'Brien and Ann Blyth**

(Univ.-Int'l, no release date set; time, 107 min.)

A depressing but fascinating drama, superbly produced and brilliantly acted. Based on Lillian Hellman's successful stage play of the same name, this story is related to her "The Little Foxes" in that it deals with the same unsavory set of decadent characters, this time in the 1880's, twenty years prior to the time the action took place in "Foxes." The setting is once again a Southern town, and like "Foxes," the story is extremely unpleasant and distasteful, for it is a mixture of avarice, deceit, depravity and double-crosses, revolving around a family of schemers—two brothers, a sister, and father, who are constantly pitted against one another as each tries to gain his own selfish ends. The only decent character in the story is the mother, who eventually leaves her home because she finds both her children and her husband despicable. Like "The Little Foxes," it will probably fare better in large cities than in small towns:—

Fredric March, a wealthy merchant, is the most hated man in Bowden, Ala., because he smuggled badly needed salt through the Union blockade during the Civil War only to sell it to his fellow townsmen at exorbitant prices. The feeling of hatred existed within his own family. Except for his daughter, Ann Blythe, whose every wish was his command, he had little regard for either his sons, Dan Duryea and Edmond O'Brien, or his wife, Flornece Eldredge, who got little consideration even from her children. Ann was in love with John Dall, a Confederate army officer, with whom she wanted to elope in spite of the fact that she knew her father would be against it. Duryea, a snivelling weakling, was in love with Dona Drake, the town tart, who refused to marry him because he had no money. O'Brien, a schemer, had been unsuccessfully trying to obtain money from his father to invest in cotton stocks. In a series of intricate conspiracies, March is plotted against by each of his children, who in turn plot against each other as they seek a solution to their own problems. These conspiracies come to a head when Ann loses Dall, Duryea loses Dona, and when O'Brien, having arranged for his father to loan \$7,000 to a plantation owner, whose plantation March coveted, is exposed by Ann as having planned to pocket \$2,000 of the money for himself. March, angered, orders him to get out of the house. March's wife pleads with him to let O'Brien remain, but March refuses to relent. In the ensuing quarrel, March's wife inadvertently reveals his secret traitorous activities during the Civil War which, if known to the townspeople, would cause them to lynch him. Taking immediate advantage of this information, O'Brien compels his father to sign over to him his total wealth and business by threatening to expose him to the townspeople. Once in control of the wealth, O'Brien turns against his entire family. Ann and Duryea, still pursuing their selfish interests, abandon their father to seek O'Brien's favor. Their mother, after bitterly denouncing them, leaves the house.

Jerry Bresler produced it and Michael Gordon directed it from a screen play by Vladimir Pozner.

Strictly adult fare.

BOX-OFFICE PERFORMANCES**Metro-Goldwyn-Mayer**

"The Great Waltz" (reissue): Fair
 "Romance of Rosy Ridge": Fair
 "Song of the Thin Man": Fair
 "The Unfinished Dance": Fair
 "The Arnelo Affair": Fair
 "Song of Love": Good-Fair
 "Merton of the Movies": Fair
 "The Women" (reissue): Fair-Poor
 "Desire Me": Fair
 "This Time for Keeps": Good
 "Killer McCoy": Good
 "Good News": Good
 "Green Dolphin Street": Very Good
 "Ninotchka" (reissue): Fair-Poor
 "Cass Timberlane": Very Good
 "If Winter Comes": Fair
 "High Wall": Good-Fair
 "Tenth Avenue Angel": Fair
 "Three Daring Daughters": Good
 "Alias a Gentleman": Fair

Twenty pictures have been checked with the following results: Fair-poor, 2; Fair, 10; Good-Fair, 2; Good, 4; Very Good, 2.

Paramount

"Desert Fury": Good
 "Jungle Flight": Fair-Poor
 "Welcome Stranger": Excellent-Very Good
 "Wild Harvest": Good
 "Adventure Island": Fair
 "Golden Earrings": Good
 "Where There's Life": Good
 "Big Town After Dark": Fair-Poor
 "Road to Rio": Excellent-Very Good
 "I Walk Alone": Good-Fair
 "Albuquerque": Good-Fair
 "Caged Fury": Fair-Poor
 "Saigon": Fair

Thirteen pictures have been checked with the following results: Fair-Poor, 3; Fair, 2; Good-Fair, 2; Good, 4; Excellent-Very Good, 2.

RKO

"Seven Keys to Baldpate": Fair-Poor
 "Riff-Raff": Fair
 "Crossfire": Very Good
 "Night Song": Good-Fair
 "So Well Remembered" (British): Fair-Poor
 "Dick Tracy Meets Gruesome": Fair-Poor
 "Out of the Past": Fair
 "If You Knew Susie": Good-Fair
 "The Secret Life of Walter Mitty": Very Good
 "Fun and Fancy Free": Good
 "Magic Town": Good
 "The Fugitive": Fair-Poor
 "Man About Town": Poor
 "The Bishop's Wife": Very Good
 "Tycoon": Good
 "The Pearl": Fair
 "Bambi" (reissue): Good-Fair

Seventeen pictures have been checked with the following results: Poor, 1; Fair-Poor, 4; Fair, 3; Good-Fair, 3; Good, 3; Very Good, 3.

20th Century-Fox

"Mother Wore Tights": Very Good
 "Kiss of Death": Good-Fair
 "Second Chance": Fair
 "How Green Was My Valley" (reissue): Fair
 "Swamp Water" (reissue): Good-Fair
 "The Foxes of Harrow": Good
 "Nightmare Alley": Good

"The Invisible Wall": Fair-Good
 "Forever Amber": Very Good-Good
 "Mark of Zorro" (reissue): Good-Fair
 "Drums Along the Mohawk" (reissue): Good-Fair
 "Thunder in the Valley": Fair
 "Roses are Red": Fair-Poor
 "Daisy Kenyon": Good
 "Tobacco Road" (reissue): Good
 "Grapes of Wrath" (reissue): Good
 "Captain from Castile": Very Good
 "The Tender Years": Fair
 "You Were Meant for Me": Good-Fair
 "Dangerous Years": Fair
 "Call Northside 777": Very Good-Good
 "Gentleman's Agreement": Excellent-Very Good
 "Half Past Midnight": Fair
 "An Ideal Husband": Fair-Poor

Twenty-four pictures have been checked with the following results: Fair-Poor, 3; Fair, 6; Good-Fair, 5; Good, 5; Very Good-Good, 2; Excellent-Very Good, 1.

United Artists

"Body and Soul": Very Good-Good
 "Hal Roach Comedy Carnival": Fair-Poor
 "Lured" (or 'Personal Column'): Fair
 "Heaven Only Knows": Fair
 "Christmas Eve": Fair
 "Monsieur Verdoux": Fair
 "The Roosevelt Story": Fair-Poor
 "Intrigue": Fair
 "Sleep My Love": Fair

Nine pictures have been checked with the following results: Fair-Poor, 2; Fair, 6; Very Good-Good, 1.

Universal

"Something in the Wind": Fair
 "Singapore": Good-Fair
 "Frieda" (British): Fair
 "Ride the Pink Horse": Good
 "Black Narcissus" (British): Good
 "Wistful Widow of Wagon Gap": Good-Fair
 "The Exile": Good-Fair
 "The Upturned Glass" (British): Fair-Poor
 "The Lost Moment": Poor
 "Pirates of Monterey": Fair
 "The Senator Was Indiscreet": Fair
 "Captain Boycott" (British): Fair-Poor
 "Secret Beyond the Door": Fair-Poor
 "A Woman's Vengeance": Fair-Poor
 "A Double Life": Good-Fair
 "Naked City": Very Good
 "Jassy" (British): Fair

Seventeen pictures have been checked with the following results: Poor, 1; Fair-Poor, 4; Fair, 5; Good-Fair, 4; Good, 2; Very Good, 1.

Warner Brothers

"Deep Valley": Fair
 "Life With Father": Good
 "Bad Men of Missouri" (reissue): Fair
 "Each Dawn I Die" (reissue): Fair
 "The Unsuspected": Fair
 "That Hagen Girl": Fair
 "Escape Me Never": Fair-Poor
 "Anthony Adverse" (reissue): Fair-Poor
 "Jezebel" (reissue): Fair
 "My Wild Irish Rose": Very Good
 "Always Together": Fair
 "Treasure of the Sierra Madre": Very Good-Good
 "My Girl Tisa": Fair
 "Voice of the Turtle": Very Good-Good
 "I Became a Criminal" (British): Fair-Poor
 "Adventures of Robin Hood": Good

Sixteen pictures have been checked with the following results: Fair-Poor, 3; Fair, 7; Good-Fair, 1; Good, 2; Very Good-Good, 2; Very Good, 1.

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MOTIVE RIGHT—APPROACH WRONG

Several weeks ago, the advertising and publicity committee of the MPAA, embarked on an over-all industry public relations program, designed to offset the public's unfavorable attitude towards Hollywood and its product—an attitude that can be traced to numerous causes, not the least of which has been the steady diet of poor pictures.

Basing its campaign on the slogan: "Great days are ahead for the moviegoers of America," and apparently keeping in mind Nicholas Schenck's oft-repeated words to the effect that there is nothing wrong with this industry that good pictures can't cure, the committee inaugurated its campaign with a publicity release aimed at acquainting the public with what the committee described as "more good pictures than ever before in the history of the American film industry." The list of thirty-four pictures recommended by the committee to the public as exceptionally worthwhile does not make mention of either the producing or distributing companies, the idea being that credit for good pictures should redound to the benefit of the industry as a whole.

A somewhat similar public relations campaign has been formulated by the Theatre Owners of America, which plans to coordinate its work with that of the MPAA and to do its job on what may be called a local basis, through the exhibitors in each community. Additionally, both MGM and 20th Century-Fox have announced that their field forces, besides plugging their own films, will be instructed to boost the good pictures of other companies and to do everything possible in other ways to help create good will for the industry.

If ever the motion picture industry was in need of a sound public relations program to garner good will for itself and to combat the adverse criticism that has been and still is being levelled against it from many quarters, the time is now. Consequently, the effort that is being put forth by the different segments of the industry to accomplish better public relations is indeed commendable in that their motive is good. But is their approach right? Will the industry get the maximum benefit from their efforts? HARRISON'S REPORTS doubts if it will, for, under the MPAA set-up, when it comes to selecting pictures to recommend to the public, industry politics cannot help entering into the deliberations. Once that happens, the purpose behind the campaign is defeated. And it has happened already!

For instance, among the exploitation ideas that had been formulated by the MPAA committee was the production of an all-industry trailer to ballyhoo the best pictures the industry has to offer without identifying the companies that produced them. The following news item from the April 16 issue of *Daily Variety*, under the heading, "All-Industry Trailer Hits Jealousy Rocks and Sinks," tells the story:

"It was a good idea while it lasted, but it didn't last. Consequently, in an atmosphere mildly reminiscent of a United Nations meeting . . . , the Eastern Advertising-Publicity Committee of MPAA decided yesterday to abandon plans for an all-industry trailer to plug upcoming top films without studio identification.

"Eastern execs and John Joseph, chairman of the parallel committee on the coast, were unable to agree on procedure and the veto finally was invoked. Major problem was how to choose pix to be included without making some studios

mad and without picking a few flops that would weaken the whole promotion."

That the idea about the all-industry trailer had to be given up is no surprise; the producer-distributors may cooperate on many questions, but when it comes to determining the quality of pictures, their own as well as other companies', they are torn asunder. And the proof of it lies in the selection of the thirty-four pictures that are being recommended to the public. It is obvious that the selections were made, not on the basis of merit alone, but on the basis of giving each company as equal a break as possible in the number of pictures chosen. Hence, the list includes four pictures each from Columbia, MGM, Paramount, Universal, and Warners; six each from RKO and 20th Century-Fox; and two from United Artists.

Of the thirty-four pictures listed, only twelve have been made available to the trade press for reviews, thus this paper is in no position to comment on the calibre of the remaining twenty-two. But let us take a look at the calibre of several of the twelve that have been reviewed:

Columbia's "The Lady from Shanghai" is an odd picture from an artistic point of view, one that will probably get mixed notices but may do pretty well as the box-office by reason of its star value. It is certainly no great shakes as an entertainment, and definitely not one for the family circle because of its sexy overtones and of the despicable characters around which the unpleasant story revolves.

United Artists' "Arch of Triumph" is one of those multi-million dollar pictures that falls somewhat flat as entertainment but which the producer is trying to put over with a high-powered exploitation campaign. The picture was not treated too kindly in the trade press reviews, and it was generally lambasted by the New York newspaper critics after it opened on Broadway early this week.

Warner Brothers' "Winter Meeting" is a dreary, talkative drama, which the critics, both lay and trade press, have panned severely.

Of the remaining nine pictures, no more than three or four are deserving of an exceptional rating, while the others range from fair to good. The point to consider is this: Out of thirty-four pictures recommended, twelve have been made available for reviews and, of these twelve, the three aforementioned pictures can hardly be considered as being worthy of special recommendation to the public as examples of the outstanding product that is forthcoming. If this same ratio—three out of twelve or twenty-five per cent—holds true in the case of the other twenty-two pictures recommended, just what kind of confidence can we expect the public to have in the future recommendations of the MPAA committee?

Still another very important point to consider is this: Let us suppose that by some miracle the producer-distributors could get together to produce an all-industry trailer that would be free of industry politics and exploit only such pictures as are truly worthwhile. Such a trailer, to be effective, would have to be exhibited in every theatre in the country. Assuming that the trailer would be furnished to the exhibitors at no charge, how many of them might refuse to show it if the majority of the pictures plugged are films that are either played by their competitors or are the product of companies with which they are unable to come to terms? It will not be easy to convince an exhibitor that the industry

(Continued on last page)

"The Woman in White" with Alexis Smith, Eleanor Parker and Sidney Greenstreet

(Warner Bros. May 15; time, 109 min.)

An overlong but fairly good psychological drama that holds one's attention mainly because of the expert performances. Set in England in the 1850's, the story itself is rather old-fashioned and familiar and, for the most part, one has to pay close attention to the dialogue to understand what it is all about. Even then it leaves one confused, for the story unfolds in so perplexing a manner that one cannot comprehend just what is motivating the actions of several of the characters. Towards the end the mystification is cleared up, but the explanation comes as an anti-climax. Dealing as it does with the ruthless efforts of plotters to gain control of a girl's fortune by driving her insane, the story is ugly and sordid. But the characterizations, though not clearly defined, are fascinating. It has a considerable amount of suspense, but since there is more talk than action, and since the dialogue is on a rather high level, the picture seems to be more suited to the classes than to the masses:—

On his way to the home of John Abbott, an eccentric invalid, who had hired him as a drawing instructor for his niece, Eleanor Parker, Gig Young encounters a babbling young lady (also played by Miss Parker), who disappears into the woods when a carriage approaches and its occupants ask Young if he had seen her, explaining that she had escaped from an insane asylum. At the house, Young is greeted by Alexis Smith, Eleanor's cousin and companion, and by Sidney Greenstreet, an art critic and family friend. When he meets Eleanor, Young mistakes her for the babbling girl because they resembled one another so closely. He tells the family of his strange experience and, through some old letters dug up by Alexis, they identify the insane girl as a childhood playmate of Eleanor's. The disappearance of these letters, obviously stolen by Greenstreet, makes Young suspicious of him. Actually, the insane girl was Eleanor's cousin, born out of wedlock to a younger sister of Abbott's. Greenstreet, in league with John Emery, a penniless nobleman, was using this information to compel Abbott to enter into a scheme whereby Emery would marry Eleanor and gain control of her fortune. Young falls in love with Eleanor, but the shrewd Greenstreet engineers his dismissal. Leaving the house, Young again encounters the insane girl, who warns him of Greenstreet's scheme. He endeavors to warn Eleanor and Alexis, but to no avail. Eleanor and Emery are married and, after a series of odd events, she becomes aware of the fact that Greenstreet and her husband had designs on her money. She confides her suspicions to Alexis, who overhears Greenstreet and Emery planning Eleanor's death. In the course of events, the insane girl attempts to warn Eleanor, who had been put under the influence of drugs. Greenstreet catches her in Eleanor's room, frightening the demented girl to death. Thinking quickly, he arranges for the dead girl to be buried as Eleanor, who in turn take the insane girl's place in the asylum. Aware that a switch had been made, Alexis enlists Young's aid. He manages to free Eleanor from the asylum after a series of complicated happenings, which end with the murder of Emery by benchmen who mistake him for Young, and with the killing of Greenstreet by his wife, Agnes Moorehead, who is revealed as Abbott's sister and the mother of the dead girl.

Henry Blanke produced it and Peter Godfrey directed it from a screen play by Stephen Morehouse Avery, based on the novel by Wilkie Collins. Adult fare.

"The Argyle Secrets" with William Gargan and Marjorie Lord

(Film Classics, May 7; time, 64 min.)

A pretty good program murder-mystery melodrama of the stolen secrets variety, suitable for double-billing. The production is not cheap, despite the budget limitations. The direction and the acting are good, and the photography, although dark in places, clear. One of the weaknesses of the script is the fact that the hero, after obtaining the secret document, keeps it for himself. Thus one is left perplexed

wondering whether he intended to use it for blackmailing purposes or just to write a story for his newspaper. There are several thrilling situations, the most thrilling being that in which William Gargan is shown trapped by the villains, who use an oxygen torch to cut a hole in the iron bars that protected him. The spectator is held in pretty tense suspense throughout as a result of the fact that the hero has several encounters with the blackmailers, who are out to get the secret document by whatever means they could:—

A famous political columnist is in the hospital, ill. Several reporters call on him but no one is allowed to see him except William Gargan. Fearing death, the sick man hands to Gargan a note about the Argyle Album, which contained the names of big shots who had been trading with the enemy during the war. Some international blackmailers, too, are after the document, their purpose being to blackmail the guilty persons. As soon as Gargan leaves the sick room, the columnist is found dead, murdered mysteriously. Gargan, the last man to leave the room, is suspected of the murder. He escapes with the intention of, not only obtaining the document, but also uncovering the murderers. Marjorie Lord, one of the gang, is detailed to lure him into the lair of the blackmailers. She succeeds. The blackmailers, mistakenly believing that Gargan had the document, beat him unmercifully in vain. After the beating, Miss Lord relents and tries to help Gargan. He eventually obtains the document, but instead of delivering it to the police, keeps it for himself. Although a love affair had started between Gargan and Miss Lord, in the end each goes his separate way.

Alan H. Posner and Sam X. Abarbanel produced it, and Cyril Endfield directed it from his own screen play, based on the "Suspense" radio play, "The Argyle Album."

Not unsuitable for children.

"French Leave" with Jackie Cooper and Jackie Coogan

(Monogram, April 25; time, 65 min.)

A mixture of brawls, chases, and other slapstick doings, this is a fast-moving, enjoyable program comedy, dealing with the misadventures of two young American merchant seamen in a highly improbable plot. The story formula and treatment are of the "Flagg-Quirt" variety, with both men vying for the attentions of the same girl, and with each resorting to tricks to take her away from the other. Worked into the proceedings are the machinations of a French black market ring, but one does not take this seriously since the accent is on the comedy. Jackie Cooper and Jackie Coogan, as the hapless sailors, make a good comedy team. Ralph Sanford, as their tough skipper who makes life miserable for them, contributes much the general hilarity:—

Cooper and Coogan arrive in Marseilles, eager to resume their friendship with Renee Godfrey, with whom both were in love. But both are ordered by their skipper, Sanford, to remain aboard the freighter to guard against theft of food-stuffs by a black market gang. While on guard, they are lured from their posts by a pretty French girl, an accomplice of the black marketeers, who raid the ship. Realizing that they had been duped, the boys set out to trap the gang. First, however, they visit Renee and, to their surprise, find in her apartment canned goods of the same brand that had been stolen from the ship, thus linking her to the gang. By following Renee, the boys get a lead on the different members of the gang, whose headquarters were in a wine cellar of a bistro where Renee entertained. They become mixed up in a series of fights and cafe brawls and, by disguising themselves as members of the gang, eventually succeed in bringing their operations to light and in aiding the police to capture them. Renee, however, proves to be a secret police agent, who had been trying to break up the black market but had allowed the boys to suspect her. Cooper and Coogan head back for the U.S.A., satisfied that they had done a good job but feeling foolish at having been fooled by a couple of pretty girls.

Sid Luft produced it and Frank MacDonald directed it from an original screen play by Jameson Brewer and Jack Rubin. Unobjectionable morally.

**"Green Grass of Wyoming" with
Peggy Cummins, Charles Coburn
and Robert Arthur**

(20th Century-Fox, June; time, 89 min.)

Like "Flicka" and "Thunderhead," this is another one of Mary O'Hara's horse stories, which pleasingly blends human interest, outdoor action, and gorgeous Technicolor photography in a way that is as charming and tender as it is actionful. Moreover, it offers a pleasing youthful romance, the engaging voice of Burl Ives, who sings several folk songs at a ranch dance, and at the finish a series of thrilling trotting-race scenes. The first part of the story, which takes place in the Wyoming ranch country, is a treat to the eye, so beautiful are the outdoor shots. And the camera has caught some magnificent shots of wild horses amid locales of scenic grandeur. One sequence in particular, where Thunderhead, a beautiful white stallion, fights off a pack of wolves to protect his injured mare, is highly exciting. Extremely colorful, too, are the scenes at the State Fair in Lancaster, Ohio, where the second part of the story takes place. All in all, it is a wholesome entertainment that shapes up as first-rate family fare:—

Over the objections of his father (Lloyd Nolan), Robert Arthur buys Crown Jewel, a horse he intended to train as a trotter. Lloyd permits the youngster to keep the horse on condition that the boy will not become his partner in the ranch until the animal brings back its cost. Meanwhile Lloyd had other troubles: Thunderhead, a stallion he had turned loose on the range, was incurring the wrath of neighboring ranchers by stealing their mares. Charles Coburn, with whose granddaughter, Peggy Cummins, Arthur was in love, vows to shoot Thunderhead on sight. Eventually, Thunderhead steals Crown Jewel from the corral. The ranchers unsuccessfully try to trap the horses, but later, Arthur manages to retrieve his mare when she gets stuck in a quagmire. Aided by Peggy, Arthur nurses Crown Jewel through a siege of illness and begins training her for the trotting stakes at the State Fair. Thunderhead, however, interferes with the training by attempts to entice Crown Jewel away from the ranch. Arthur solves the problem by inducing Thunderhead to make the ranch his home. On the day of the big race, Arthur finds himself in the unhappy spot of racing against Peggy's grandfather, to whom victory meant enough money to put his run-down ranch back in shape. On the other hand, Arthur needed the victory in order to become his father's partner. Coburn wins the first heat, and Arthur the second. On the third and decisive heat, Arthur's horse takes the lead only to falter and lose the race to Coburn's horse. Coburn congratulates the youngster for driving a great race and, to his delight, informs him that Crown Jewel had faltered because she was carrying Thunderhead's foal. Arthur gets his partnership and looks forward to the raising of a new champion—Thunderhead's colt.

Robert Bassler produced it and Louis King directed it from a screen play by Martin Berkeley.

**"Trapped by Boston Blackie"
with Chester Morris**

(Columbia, May 13; time, 66 min.)

A routine program melodrama. Except for the fact that almost one and one-half years have gone by since the last "Boston Blackie" picture was made, there is not much difference between this one and the previous entries in the series, for in story, treatment, and situations, it is practically a carbon copy. It follows the long-familiar pattern in which Chester Morris, as the reformed crook, becomes involved innocently in a jewel robbery and finds himself faced with the problem of catching the thieves in order to clear himself with the police, from whom he is compelled to hide. As in the previous pictures, he resorts to a series of disguises to evade capture. There is practically no suspense in the action, for what happens is old stuff that has lost its suspense value through endless repetition. The comedy is mild at best, most of it being of the stupid detective variety:—

When a friend, a private detective, is killed under mysterious circumstances, Chester Morris offers to take his place as a guard at a private party given by wealthy Sarah Selby, owner of an expensive pearl necklace. George E. Stone, Morris' pal, goes along to help him. While Miss Selby entertains her guests by dancing with Edward Norris, a dancing instructor, the necklace is stolen. Inspector Richard Lane is summoned and, while he conducts a search, Morris finds the necklace in his own pocket. He and Stone make a hasty departure, leaving the pearls behind, but they are pocketed by some one else. To clear himself of suspicion, Morris starts an investigation of his own. He finds the necklace in the apartment of June Vincent, Miss Selby's niece, hidden in the lining of a coat owned by Patricia White, June's friend and Norris' sweetheart. Neither girl is able to explain how the necklace got there. Finding reason to suspect Norris, Morris investigates the man and learns that his secretary, Fay Baker, had been involved in a jewel robbery in the South. He sets a trap for them and, after a series of events, discovers that Norris was innocent but that Fay, in league with William Forrest, Miss Selby's husband, had planned the robbery. Fay is arrested while Forrest is killed by Inspector Lane as he attempts to escape.

Rudolph C. Flothow produced it and Seymour Friedman directed it from a screen play by Maurice Trombragel, based on a story by Charles Marion and Edward Bock. The cast includes Frank Sully and others.

Unobjectionable morally.

A TIMELY WORD OF CAUTION

(Continued from back page)

"There is also involved the problem of the violation of 'civil rights.' Certain states have enacted laws under which a person has the power to prevent the use of his name and photograph from being used for commercial purposes, without his consent. It is felt by some authorities that this power exists even in those States where there is no statute creating it. 'News' events would probably be excluded from the strictures of this law. It may very well be that when the performers in a telecast give their consent to the use of their names, faces, etc., they impliedly consent to the general use thereof by theatres, and others. However, how about those other than the performers, e.g., the patrons at a prize fight or ball game? Will it not be necessary to evolve some system to get their consent, on entrance (perhaps by stating it on the ticket of admission), or in some other manner, to be televised? This is a large litigation potential.

"It would certainly seem that the Courts will try to find ways to protect the telecasters from the reception of telecasts where it is used by others for profit. Profit has been defined in the law as an attraction to a customer, even though no extra charge is made, e.g., where a hotel picks up a broadcast musical program and relays it to the rooms of its guests without charging the guests anything additional for the service. The Court considered this service one of the hotel's attractions and, therefore, an inducement to patronage and consequently a public performance for profit. Some feel that it is a matter for the Legislature to regulate and to define and not for the Courts.

"Some of these matters discussed represent major problems. The motion picture theatre operator must not go on feeling that television is free for him to pick up to show to his patrons. It would be well for him to become fully advised and informed before making any substantial excursions into the field of television in his theatre."

A CORRECTION

Mr. Milton C. Weisman, whose informative letter on ASCAP was published in the April 3 issue of this paper, has notified us that his letter contained an inadvertent inaccuracy in that he is now informed that neither Warner's nor Loew's is member of the T.O.A.

This correction is printed at Mr. Weisman's request.

will benefit if he plugs his opposition's pictures, or if he whets the appetites of his own patrons for pictures that may eventually be offered to him at exorbitant rentals.

Part of the TOA's campaign for better public relations includes cooperation with the National Conference on Prevention and Control of Juvenile Delinquency, which is indeed a worthy cause, and which should bring much credit to the industry. But just how the rest of its campaign will tie in with MPAA's has not yet been clearly defined. Since it is a known fact that the TOA derives its main support from the affiliated theatres, the developments, insofar as industry politics are concerned, will be interesting to watch.

There is only one way by which cooperation among the different companies, including the exhibitors, may be effected without jealousies—by conducting institutional advertising, free from any reference to individual pictures or companies. The advertisements, inserted in all national magazines and leading newspapers, as well as radio shows, should ballyhoo, not what a particular picture or a particular company means to the public, but what the entire industry means to it.

There is so much that can be brought out to win the public's good will! What other industry, for example, is doing so much for the youth of the country by keeping them off the streets? What other industry can furnish relaxation and entertainment to people and at the same time elevate them with inspiring pictures?

It is indeed peculiar that the one industry that can do so much for itself allows its strength to be dissipated, not only by adopting the wrong methods, but also by failing to take advantage of its own opportunities.

Something has to be done to increase public good will toward the industry and its product, for, with the national income still at a fantastically high level, the industry is not realizing what it should and could at the box-office. During the war years, of course, it was immaterial whether the industry did anything or not—people had money but had no place to spend it, so they flocked to the movies. Conditions today, however, are different; most people are still earning good wages, but the high cost of living leaves them with fewer dollars for entertainment, and so they have become "choosey" in their selection of pictures to see.

If Eric Johnston wants to do something constructive for the industry, here is his opportunity; let him convince the members of his association that boosting the industry as a whole, through genuine institutional advertising, is preferable to each company's boosting itself under the present MPAA public relations program, which can be summed up as nothing more than a pseudo-institutional advertising campaign in which each company insists upon getting into the act regardless of whether or not its pictures truly merit a boost.

The motion picture industry has much to be proud of and, through effective institutional advertising, its virtues, its contributions to the general welfare of our society, can be brought to the attention of the public in a manner that will insure enduring results. This type of advertising can even boast of the forthcoming array of fine films without mentioning the pictures' titles so as not to create points of disagreement. The ballyhoo for these fine films can be left to the companies that produce them, but therein lies the answer to whether or not the industry, after gaining the public's confidence and good will, will retain it, for unless the pictures thus exploited are really good the benefits gained from institutional advertising will vanish in no time.

In this respect, the producer-distributors will do well to heed the words of Charles Schlaifer, 20th Century-Fox's advertising and publicity director, who had this to say, in part, in a talk before the New York Society of Kentucky Women:

"Public taste has advanced to the point where it will not be satisfied with mere glamor and glittering adjectives. In taking a new look at ourselves we have long since found this out, both in production and promotion of motion pictures. We know that we must present an honest product, honestly advertise it, or lack the audiences which make motion pictures possible."

A TIMELY WORD OF CAUTION ON THE USE OF TELEVISION MATERIAL

Television is moving ahead at so rapid a pace that many exhibitors are giving thought to the use of the medium as an adjunct to their regular film programs.

Great strides have been made in the perfection of theatre television equipment for large-screen presentation, but it will probably be some time before this equipment will be made available to the exhibitors at a reasonable cost, and before arrangements can be worked out for the presentation of television programs in a manner that will make the installation of this special equipment a profitable venture.

Meanwhile some exhibitors have already installed television receiving sets in the lobbies or lounges of their theatres so that their patrons can come to the theatre and still not miss a special event that would otherwise keep them at home. Other exhibitors will undoubtedly follow suit.

An exhibitor's use of television material is not, however, free from the possibility of legal entanglements, and those of you who are thinking of making use of the medium will do well to read the very informative analysis of some of the legal problems involved, which has been prepared by Mr. Herman M. Levy, general counsel of the Theatre Owners of America. Mr. Levy's analysis follows:

"Because of current misconceptions in the minds of many moving picture theatre operators it seems important to discuss some of the legal problems affecting them with regard to the showing of television in their theatres to their patrons.

"Where the material being televised is copyrighted, whether it be a play, music, a motion picture, or some other object, it seems clear, in the law, that the theatre owner may not use that material anywhere or in any way in his theatre without a license from the copyright owner.

"It would also seem that televising uncopyrighted works, without a license, would be an infringement. The owner of such a work is declared to have a common law right (as distinguished from a statutory copyright) in his work. He is protected by the law, without a copyright, even though there may have already been a performance of his work. The performance does not dedicate his work to the public, as would be the case where copies of an uncopyrighted publication are offered for sale.

"As to 'news events,' however, there is no property right. Such televised material may be shown in theatres without infringement, provided, however, that no music, drama, etc., either under statutory copyright or common law right, is contained in the television. In other words, the theatre is not violating any laws or rights by showing television of a news event to its patrons without permission. However, if music, etc., protected by statutory copyright, or by common law, are used in the television (for example, a band playing a copyrighted song at a prize fight) there may well be an infringement in regard to the item used. In connection with this freedom to use a 'news' event it is important to determine just what a 'news' event is and how long and in what manner it remains a 'news' event. For example, suppose it is assumed that the law will consider the next Louis-Walcott fight a 'news' event: it is going to be telecast from a private restricted place. To the event an admission will be charged, and for the event exclusive telecasting rights will probably be given to a broadcasting station and to an advertising sponsor. The promoter of the fight is deemed in the law to have the exclusive right to broadcast from the restricted area in which the event takes place. The problem, then, is this: is the theatre that shows the telecast to its patrons on its screen (or in the lounge, or elsewhere on the premises—there is no difference where it is located)—indulging in 'unfair competition' by so doing? This is the most important question to be answered and may have to be determined by the Courts. In the broad sense and definition of the word the prize-fight arenas and ball parks are in competition with motion picture theatres—both outlets seek the amusement dollar. Whether or not, however, it would be held that they are in such competition as to make an unfair violation of it actionable in law has not as yet been determined, but will undoubtedly be before the Courts soon after theatres start using television.

(Continued on inside page)

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Vol. XXX

SATURDAY, MAY 1, 1948

No. 18

PARAMOUNT'S THEATRE TELEVISION DISAPPOINTS ON SECOND TRIAL

That theatre television, at least the system employed by Paramount, is not quite ready for commercial use by theatres as a box-office stimulant was demonstrated early this week in New York, where Paramount, extending its experiments in full-screen theatre television, presented a portion of General Omar Bradley's speech before the New York State Magazine Publishers' dinner on the screen of the Paramount Theatre on Broadway.

Like the first experiment, which was held on April 14, when Paramount presented a series of boxing matches that originated across the river in Brooklyn, the Bradley speech, which originated in the Waldorf-Astoria Hotel, was fed by the television cameras at the dinner to Paramount's 7000-foot megacycle relay to the top of the Paramount Building, thence down a coaxial cable to the television equipment in the projection room of the theatre. There, the equipment transferred the television to 35mm. film, reducing the 30 per second television image to the 24 per second image required for 35mm. projection and, after developing and drying the film, projected it through the regular 35mm. projection machines onto the full-size theatre screen—all this within 66 seconds after the images had been televised at the dinner.

The series of boxing matches presented in the first experiment was a decided success because the television-to-film projection, though not as sharp as standard film projection, was so good in quality that most people in the audience would not have known that they were viewing an event one minute after it actually happened if there had not been an explanatory foreword.

On the second experiment, however, the quality of the television-to-film projection was so poor that the audience became restless. General Bradley's image on the theatre screen was blurred and, throughout the telecast, the picture had a disturbing gray tone that was made worse by continuous flickers and distortions. All this was so distracting that one paid little attention to what the General had to say.

Not being an expert on television, the writer cannot explain the causes that brought about this poor reception. Paramount itself offered no explanation. But whatever the causes, whether mechanical or atmospheric, the fact remains that these will have to be overcome before Paramount's system of theatre television can be declared ready for commercial use. Meanwhile, there is no denying that the company has made great forward strides towards perfecting it.

In addition to Paramount, other major companies that have jumped on the video bandwagon include

Loew's, 20th Century-Fox, and Warner Brothers. It is reported that, unlike Paramount, these companies are experimenting with theatre television systems that involve direct television projection on a full-size theatre screen without the intermediate use of film.

HARRISON'S REPORTS will keep its subscribers informed of the developments of the different systems employed.

THE PATH OF THE BRITISH ACCORD NOT STREWN WITH ROSES

Jimmy Fidler, the famous radio commentator and columnist, stated partly the following in a letter that was sent to this paper and published in the April 3 issue:

"... You fellows have missed the boat, in weighing the new deal [the British tax settlement] and its consequences. . . ."

"I think the independent movie producers may be booted in the rear by this tie-up. Reason: The major companies can take so much money out of England, plus an amount equal to what British movies take out of the United States. I will not be surprised to see the major companies promote English movies here, not by cutting down their own playing time, but by substituting, as much as possible, British films for films made by independent Hollywood companies and producers. . . ."

There is a great deal of truth in Mr. Fidler's observations: The theatre-owning producers will no doubt increase their bookings on British pictures, for whatever they are supposed to pay to the British distributors will be retained in this country. In other words, the producer-owned theatres, rather than book the "B" pictures of the American producer-distributors, will book British films, because the rentals paid for these films will revert back to them. Thus the independent producers, makers of the "B" pictures, will suffer irreparably by the shrinking of their market.

This will, of course, be true as long as the theatre-owning producers are permitted to retain their theatres; but the situation will no doubt change radically if the U. S. Supreme Court should accept the Government's petition and order theatre divorcement.

What will happen if and when divorcement is ordered is hardly easy to forecast, but one may be sure that the independent producers will not suffer thereby—their market cannot help widening, particularly if the Government should insist upon restricting the size of the big circuits.

There is still another problem that the independent producers face—the apportionment of the money that will be taken out of Great Britain, either directly, from the seventeen million dollars annually that the

(Continued on last page)

"The Dude Goes West" with Eddie Albert, Gale Storm and James Gleason

(Allied Artists, May 30; time, 87 min.)

This picture will undoubtedly turn out to be a "sleeper," for it keeps one chuckling all the way through and, at times, roaring with laughter. The comedy is caused by "wacky" situations as well as by the excellent work of Eddie Albert. As the dude, in western country, where he went to set up a gun repairing shop, he is inimitable. Though he takes the part of an innocent, and at times simple, fellow, he wins the spectator's friendship. For this reason the comedy is more hearty. The audience is pleasurably surprised when the simple Albert outdraws and outshoots the bad men of the region, to such an extent that one of the worst of the bad men is compelled to acknowledge his superiority. There are, in addition, some thrilling situations, and a good romance between Albert and Gale Storm. Miss Storm, too, does good work. The story is told in flashback as Albert, through pictures in the family album, tells his grandchildren of his experiences in the West, including those that led to his marriage to their grandmother:—

Immediately after the massacre of Custard's command at Little Big Horn in 1876, Albert leaves his gunshop on the Bowery and heads for Arsenic City, Nevada. On the train he meets Gale, who, too, was headed for Arsenic City, where her father had been murdered by outlaws after discovering a gold mine. Gale had in her possession a map showing the location of the mine. Gilbert Roland, a tough gunfighter, tries to steal the map but is foiled by Albert. Through a misunderstanding, however, Gale believes that Albert is a crook. Having learned in Carson City that it would be several weeks before they could board a stage for Arsenic City, each buys a horse and wagon and heads for their destination separately. James Gleason, a prospector, accompanies Albert on the trip but parts company with him in the desert. Shortly afterwards, Albert comes upon Barton MacLane, a wounded desperado, whom he befriends, only to be slugged and robbed of his horse and wagon. Continuing on foot, Albert comes upon Gale and compels her to give him a ride. Both are captured by Indians, but Albert's knowledge of their sign language saves their lives and makes the Indians their friends. He leads the Indians to believe that Gale was his "squaw." Learning that Gale had the map to her father's mine, Albert memorizes it, then burns it. His action convinces Gale he was one of the outlaws. At Arsenic City, Binnie Barnes, owner of the town's gambling palace, orders Roland to steal the map from Gale. Albert's life is endangered as he tries to foil the plan, but the Indians come to his rescue, take him to the mine, and begin working it for Gale's benefit. He then arranges with the Indians to abduct Gale and bring her to the mine, where he shows her the gold he had dug out for her. Loading the gold on a wagon, they start for the city. Binnie's outlaws intercept them only to be intercepted themselves by MacLane, who comes to Albert's aid. MacLane, though willing to spare their lives, insists upon taking the gold. At this point the redskins come to their rescue. Satisfied that Albert was not an outlaw, Gale decides to marry him.

Frank and Maurice King produced it and Kurt Neumann directed it from an original screen play by Richard Sale and Mary Loos.

Excellent for the entire family.

"Heart of Virginia" with Janet Martin, Robert Lowery and Frankie Darro

(Republic, April 25; time, 60 min.)

A run-of-the-mill horse-racing melodrama. While it will probably get by on the lower half of a mid-week double bill, there's not much to it, for nothing novel is presented in the story, which is poorly directed, and the performances are ordinary. The players, however, are not to blame, for there is little that they could do within the limited possibilities of the trite script, which barely holds one's interest since the outcome is so obvious. It has a fair share of horse-racing, but even this fails to reach any appreciable pitch of excitement. A little more action and a little less talk might have helped matters:—

Seeking to win an all-important race for his hard-pressed employer (Paul Hurst), Frankie Darro, a crack jockey, forces his way through a pack of horses and inadvertently causes a fellow jockey to be thrown and killed. He broods over the accident and loses his nerve. As a result, Hurst goes broke. Furious, he discharges Darro. Other owners refuse to hire Darro, and he ends up working as a garage mechanic. Several years later, Janet Martin, Hurst's daughter, decides to race a filly her father had given her as a gift and, against her father's will, arranges for Darro to train and ride the horse. He mistakes her action for love but, just before the big race, he learns that she had become engaged to Robert Lowery, a wealthy rival owner, who had graciously allowed Janet and her father to utilize his stable facilities. His morale shattered, Darro gets drunk. Meanwhile, through a series of misunderstandings, Janet is led to believe that Lowery wanted to marry her in order to share the ownership of her prize horse. She breaks the engagement. To prove his love, Lowery, in spite of the fact that his own horse was entered, sobers up Darro and persuades him to do his utmost to win the race for Janet. Inspired by Lowery, Darro pulls himself together and rides Janet's horse to victory. Having regained his own confidence, and having put Janet and her father back into the prestige racing class, Darro reconciles himself to Janet's love for Lowery.

Sidney Picker produced it and R. G. Springsteen directed it from an original screen play by Jerry Sackheim. The cast includes Sam McDaniel and others. Suitable for the family.

"I Wouldn't Be in Your Shoes" with Don Castle, Elyse Knox and Regis Toomey

(Monogram, May 23; time, 70 min.)

A passable murder-mystery melodrama; it should get by as a supporting feature wherever audiences are not too fussy about incredible plots. The main trouble with the picture lies in the loosely written screen play, which depends too heavily on unbelievable coincidents. As a result it lacks emotional intensity, and the suspense is reduced to a minimum. The murderer's identity is not disclosed until the finish, but picture-wise patrons will have no trouble identifying him long before the final reel. The players carry off their assignments in capable fashion, despite the failings of the script. On the credit side of the film is the attractive title. A good part of the photography is in a low-key, but it is of a superior quality:—

Don Castle and Elyse Knox are a down-and-out married dance team. While Castle seeks engagements, Elyse works as an instructress in a dance academy, where she meets Regis Toomey, a lonely detective. Unable to sleep one night because of two howling cats, Castle throws his only pair of shoes out the window to quiet them. He goes down to the backyard of his cheap rooming house to retrieve the shoes but is unable to find them. On the following morning, however, he finds the shoes in front of his door. Later, a wealthy recluse is found murdered in a nearby shack. That same day, Castle finds \$2,000 in old \$20 bills. Meanwhile detectives, led by Toomey, investigate the murder and find footprints bearing the imprint of steel plates like those worn on a tap-dancer's shoes. The footprints are traced to Castle, and this clue, coupled with his new-found riches, serve to bring about his conviction as the killer on circumstantial evidence. Elyse tries desperately to prove her husband's innocence and enlists Toomey's aid. Toomey tries to pin the crime on Robert Lowell, a former boarder in the rooming house, who appears guilty until cleared by an airtight alibi. On the eve of the execution, Toomey drops a clue that causes Elyse to become suspicious of him. She plays upon his vanity and willingly accompanies him to his extravagantly furnished apartment, where he reveals that he had outfitted it for her and admits his long love for her. She tricks him into a confession of the crime just as the police, whom she had notified of her suspicions, arrive on the scene. Toomey is arrested and Castle set free.

Walter Mirisch produced it and William Nigh directed it from a screen play by Steve Fisher, based on the novel by Cornell Woolrich. Adult entertainment.

**"Anna Karenina" with Viven Leigh
and Ralph Richardson**

(20th Century-Fox, May; time, 111 min.)

This British-made version of Tolstoy's famous tragic novel, which deals with the illicit love affair of a Russian nobleman's errant wife, is a lavishly mounted period piece that has an undeniable appeal to the eye from the viewpoint of production and technical beauty. Unfortunately, its appeal to one's emotions falls somewhat flat, in spite of the fact that the story material offered powerful dramatic situations. As presented, the story is extremely slow and talky, making it more tedious than absorbing. Vivien Leigh, as the unhappy heroine, is indeed alluring, but her characterization is rather cold and she fails to get across the mental agonies the heroine suffers because of her separation from her child, and because of the social ostracism to which she is subjected. Consequently, she fails to rouse one's deepest sympathy. Ralph Richardson, as her husband, walks away with the film's acting honors with his credible portrayal of a pompous, ambitious diplomat. But Kieron Moore, as her lover, barely meets the requirements of the role. The story, of course, is heavy and depressing and, at the finish, where the heroine commits suicide, tragic. The action takes place in the Czarist Russia of 1870. This is the fourth film version of the Tolstoy novel, having been made as a silent film twice, once in 1915 and again in 1927, with Greta Garbo and John Gilbert as the stars. The first talkie version, produced by MGM in 1935, starred Miss Garbo and Fredric March. Emotionally, this version suffers by comparison with the 1935 version:—

Neglected by Richardson, her husband, Vivien finds joy in the companionship of her eight-year-old son. She meets Moore, a guards officer, while on a visit to her family in Moscow and, despite her efforts to discourage his pursuit, falls in love with him. He follows her back to St. Petersburg, where their open love affair is resented by Richardson, who gives Vivien the alternative of parting from her son or giving up Moore. The ultimatum chastens her. She remains at home and, after giving birth to Moore's stillborn child, becomes reconciled with Richardson. But her thoughts soon go back to Moore, who had given up his army career to be near her, and she leaves her home and child to run away with him to Venice. After a few months of blissful happiness, she longs to see her son. She returns home and learns that the boy had been told that she was dead. Richardson orders her from the house and refuses her request for a divorce so that she might marry Moore. She keeps this information from Moore, but he learns of it from a third party and quarrels with her for hiding it from him. Moore leaves her to go to another city, and Vivien decides to follow him. At the railroad station, she reviews her life and decides that all hope for happiness is lost to her. Dejected and miserable, she throws herself on the railroad tracks and is killed by a speeding train.

Alexander Korda produced it and Julien Duvivier directed it from a screen play by Jean Anouilh, Guy Morgan, and Mr. Duvivier. Adult fare.

**"Rocky" with Roddy McDowall,
Edgar Barrier and Nina Hunter**

(Monogram, March 7; time, 76 min.)

A pleasing "boy and dog" program picture, best suited for small-town and neighborhood theatres. The story is simple and there is little about it that is novel, but it offers a nice blend of human interest, youthful romance, and comedy, all revolving around a boy's devotion to his dog, which is wrongly suspected by neighbors of being a sheep-killer. Sophisticated audiences may find it a bit too slow and too homespun to suit their tastes, but family audiences, particularly the youngsters, should enjoy it. The performances are competent, the photography sharp and clear, and the outdoor backgrounds realistic:—

While fishing, Roddy McDowall and his father (Edgar Barrier) find a puppy, unaware that it had escaped from a sheep-killing dog's litter, which neighboring sheepmen had destroyed. Roddy names the puppy Rocky, and raises it into a friendly loyal animal. Roddy meets Nita Hunter, a flirta-

tious youngster vacationing in the sheep-raising country, who invites him to dinner at her father's (Jonathan Hale) ranch. He falls in love with her, despite the attempts of her jealous sister (Gale Sherwood) to break up the romance. To add to Roddy's romantic troubles, however, he is constantly caught by Nita's father in compromising but perfectly innocent situations. Meanwhile the neighboring ranchers start a hunt for a sheep-killing dog and suspect Rocky because of his close resemblance to the animal. Rocky gets into a fight with a wolf-pack and, when he returns home with blood on his fur, Roddy believes that he may actually be the killer. Heartbroken, he turns Rocky over to the sheepmen for trial. Just then, the howl of a wolf-dog is heard. Rocky breaks free and, though chased by the sheepmen, finds the real killer and beats him in a fight. His faith in Rocky vindicated, Roddy turns his attentions to Nita.

Lindsley Parsons produced it and Phil Karlson directed it from a screen play by Jack DeWitt, based on a story by George W. Sayre. The cast includes Irving Bacon, William Ruhl and others. Suitable for the entire family.

**"On an Island with You"
with Esther Williams, Peter Lawford,
and Jimmy Durante**

(MGM, June 24; time, 107 min.)

Good. Like many other expensively mounted Technicolor musicals, this one has a weak story, but the extravagant production numbers, the tuneful music, and particularly Jimmy Durante's comedy, more than compensate for the deficiencies of the script. And not the least of the film's attractive assets is Esther Williams in a bathing suit and armoire. The production may be called a picture about a picture, for it revolves around a Hollywood troupe on location on a tropical island, and deals with the romantic difficulties of the leading lady who believes herself in love with the leading man until a Navy flyer, assigned to the film as a technical adviser, wins her heart. As said, the story is thin, but it provides some amusing romantic by-play between Miss Williams and Peter Lawford. Jimmy Durante, as the assistant director, brightens the proceedings considerably with his brand of humor and sings several songs in his inimitable style. The versatile Richard Montalban ("Fiesta") does well as the third man in the romantic triangle, and his dance numbers with Cyd Charisse are beautifully executed. Several water ballets, headed by Miss Williams, are effectively done. Xavier Cugat and his orchestra furnish the music:—

Esther, a picture star, believes herself in love with Montalban, her leading man. Cyd, a featured player, loves him secretly. Lt. Peter Lawford, assigned by the Navy as technical adviser on Esther's latest picture, pursues her despite her efforts to discourage him. When a scene calls for Esther to enter a plane piloted by Montalban, Lawford is substituted at the controls. Instead of circling the field once and returning, Lawford, to the distress of everyone, including Esther, flies out to sea and heads for a small island. He explains to Esther that he had brought her to the island to remind her of a date she had kept with him several years previously while entertaining the armed forces during war-time. As they talk, several essential parts are stolen from their plane by natives, leaving them stranded. They remain on the island overnight and are picked up by a Navy plane on the following day. Lawford is held for court-martial, and Esther, to make his lot easier, intercedes with the commander. Misunderstanding her motive, Lawford accuses her of seeking publicity. His remark causes a break between them but she remains unhappy because of her love for him. Meanwhile, Montalban comes to the realization that he had lost her love. Durante decides to take matters in hand and, with the aid of the commander, brings Esther and Lawford together. Montalban, meanwhile, discovers his love for Cyd.

Joe Pasternak produced it and Richard Thorpe directed it from a screen play by Dorothy Kingsley, Dorothy Cooper, Charles Martin and Hans Wilhelm, based on an original story by the Messrs. Martin and Wilhelm. The cast includes Leon Ames, Dick Simmons and others. Unobjectionable morally.

agreement calls for, or from the accumulated rentals of British pictures shown in the United States, and from other sources provided for in the agreement. Who is going to do the dividing, and in what manner?

This paper has been told by a prominent independent producer that Eric Johnston is sincerely trying to solve this problem in a fair and impartial way. Unfortunately, the chiselers have swooped down, trying by different methods to get a bigger share out of the pot than they are entitled to. But whether they will succeed or not will depend on the stiffness of the fight that will be put up by the independents.

According to trade paper reports, a tentative agreement has been reached between the major companies and leading independents on the principal points of a formula which, on the basis of individual company billings in the British market, will give each a proportionate share from the pool of remittable earnings. There still remains, however, many controversial points that have to be worked out.

This paper will be watching with great interest the outcome.

PRODUCTION IN FOREIGN LANDS MEANS LESS PRODUCTION IN THE U. S.

According to the April 22 issue of *Daily Variety*, the American producers have thus far earmarked forty-seven pictures for production in foreign countries. This number is equivalent to one-seventh or fifteen per cent of the total yearly American output which, for the past few years, has averaged 350 pictures.

There is every reason to believe that, as soon as an agreement can be reached as to how the remittable funds from foreign countries can be divided among the different producers, more pictures will be announced for foreign production.

To make use of their frozen funds is, of course, the main reason why the American producers are shifting some of their activities to foreign shores. But, unless domestic production is stepped up, this shift to foreign production cannot help aggravating the already serious unemployment situation in Hollywood.

The Hollywood union members may look upon this shift in production as an economic condition over which they have no control, but they would indeed be short-sighted not to see the possible consequences, for once the producers get set in foreign production, it may very well be that conditions will prove so much more favorable overseas that it will serve as an inducement for the producers to expand their production activities to the point of spending even more money than they have frozen.

And there is every reason to believe that conditions will be favorable, for practically every foreign country is in need of American dollars, and it will be to their advantage to encourage film production within their borders, perhaps to the extent that it will become a permanent arrangement rather than a temporary one. Of course, low cost of production will be a prime consideration in any producer's decision to continue making pictures abroad, and to accomplish this end you may be sure that every foreign nation will do its utmost to extend encouragement in every possible way, not the least of which will be labor con-

ditions that will assure a producer of a full day's work for a full day's pay.

If the American producers should increase their production activities abroad beyond the point of using up their frozen funds, the union men in Hollywood will have no one to blame but themselves. They are asking for it because of their impossible conditions of employment; and unless they do something to make these conditions equitable, the number of pictures produced in Hollywood will be fewer and, consequently, there will be fewer jobs.

The union men themselves are not to blame so much; it is their leaders, who establish short-sighted policies.

ABOUT ASCAP CONTRACTS

Several mid-west exhibitors have written to this paper stating that they have followed the suggestion given by several Allied leaders to insert a special cancellation clause in the contracts they sign with ASCAP. This clause, which was quoted in the April 10 issue of this paper, called for payments to be made either monthly or quarterly at the exhibitor's election, and gave the exhibitor the option to cancel the contract in the event that either an act of Congress or a final court ruling terminated ASCAP's right to collect a license fee from the exhibitor.

These exhibitors now report that ASCAP has returned the agreements to them with a letter stating that the insertion of such a clause makes the agreements unacceptable. ASCAP further advised them that the only change they are willing to make in the agreement is in the termination date thereof. In other words, if an exhibitor does not desire a license for ten years as provided for in the agreement, ASCAP is willing to issue a license for a shorter period in whatever length of time the exhibitor desires. They are willing also to accept payments on a monthly, quarterly, semi-annual, or annual basis, whichever is most convenient for the exhibitor.

In view of the fact that either legislation, such as the Lewis Bill, or a final court ruling on one of the numerous suits that have been instituted against ASCAP could invalidate existing contracts between the Society and the exhibitors, its refusal to accept the insertion of a special cancellation clause is difficult to understand. Despite this refusal, however, there would seem to be no harm in the exhibitors signing up for short-term periods. Several Allied units, having been advised by ASCAP's attorneys of the Society's stand, are recommending to their members that they sign applications for a one-year contract with payments on a quarterly basis.

In a recent service bulletin of the Independent Theatre Owners of Ohio, secretary Pete Wood states that ASCAP's attorneys, in addition to giving him substantially the same information that is contained in this article, further advise that ASCAP will give credit on a pro-rata basis for any period of time that a theatre is closed down.

In signing an application for a contract you should, therefore, stipulate not only the exact length of time for which a license is desired but also that credit be given on a pro-rata basis for whatever period of time your theatre might be closed.

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No. 19

THE SUPREME COURT SPEAKS

by Abram F. Myers

(EDITOR'S NOTE: As most of you no doubt know by this time, the judicial axe of the highest court in the land struck a devastating blow at monopoly in the motion picture industry on Monday of this week, when the Supreme Court handed down decisions on four industry anti-trust suits, namely, the Paramount, Schine, Griffith, and Goldman cases.

The attitude of the Court in each of these cases is so unmistakably clear that there can be no room for doubt in any one's mind that the Government has won a sweeping victory in its long fight to restore free enterprise and open competition amongst all branches of the motion picture industry.

Of the truly independent leaders that have staunchly carried on the fight against the motion picture trust, none has worked more diligently and tirelessly than Mr. Abram F. Myers, the distinguished General Counsel and Chairman of the Board of Allied States Association of Motion Picture Exhibitors.

Ever since he became head of Allied in 1929, when the organization was formed, Mr. Myers has led and guided the independent exhibitors' effort to put an end to the discriminatory practices of the major companies and their affiliated circuits, and it was largely through his efforts that the Government was induced to start the anti-trust suit against the Big Eight in 1938. As a result of the decision just handed down in this case, as well as the others, the independent exhibitors can now look forward to operating their theatres in an open and untrammelled market, free from producer-distributor control. The Government attorneys who handled the case, particularly Robert L. Wright, deserve great credit for a job well done, but in giving credit let us not forget the marvelous work done by Mr. Myers.

Because a court decision frequently leaves uncertainty and doubt in the minds of those whose interests are affected by the ruling, particularly because of conflicting opinions as to what is meant by the Court's legal language, HARRISON'S REPORTS is presenting to its readers the complete text of Mr. Myers' analysis of the decision in the belief that his opinions will help them to better understand its meaning and intent.)

Monday, May 3, 1948, was a fateful day in the long and somewhat checkered career of the motion picture industry. For on that day the United States Supreme Court rendered decisions in four cases which are of vital importance to the industry and all who are engaged in it.

These long-awaited decisions unfortunately do not spell the end of the industry's legal difficulties because they merely set a course for the lower courts to follow in subsequent proceedings looking to the framing and entry of appropriate final decrees.

It was hoped that with the complete records before it, the Supreme Court would prescribe in detail the form of final

decrees to be entered in the Paramount, Schine and Griffith Cases. But such decrees must be based upon proper findings and it is customary for the trial courts, not the Supreme Court, to make such findings.

And since the Supreme Court determined that the findings in the Paramount and Schine Cases were in certain particulars erroneous, incomplete and vague, it followed the traditional procedure of returning the cases to the lower courts for the making of proper findings and the formulation and entry of effective decrees based thereon.

In the Griffith case the District Court had dismissed the Government's complaint and its findings were appropriate to such a judgment. But the Supreme Court held that those findings were clearly erroneous and remanded the case for the making of new and correct findings and "the fashioning of a decree which will undo as near as may be the wrongs that were done and prevent their recurrence in the future."

The opinions plainly indicate that the Supreme Court felt that the Paramount, Schine and Griffith cases revealed flagrant violations of the Sherman Anti-Trust Act and that its main concern was that legally proper findings be made by the lower courts upon which to enter drastic decrees of divestiture.

The Supreme Court upheld virtually all of the lower court's findings of unlawful conduct in the Paramount and Schine cases and in the Griffith case it reversed District Judge Vaught on virtually every point.

In the Goldman case the court simply denied the major companies' petition for a review of the money judgment and the injunctions which had been entered against them. There was no opinion but by its action it made final one of the most drastic judgments ever entered in a private action under the anti-trust laws and cleared the way for all independent exhibitors who have suffered from the depredations of the motion picture trust to prove and collect treble damages.

THE PROBLEM OF DIVESTITURE

The Government contended and many of us hoped the Court would rule that the vertical integration of the production, distribution and exhibition of motion pictures is in itself illegal. Such a ruling would have made unnecessary the further proceedings and would have cleared the way for the prompt entry of a decree of total divestiture. But the majority of the Court was unwilling to make that ruling. Consequently, it was necessary to correct the findings and theories of the lower courts in order to lay a proper foundation for effective relief.

The District Court in the Paramount case, it will be recalled, assumed that a finding of monopoly was essential to total divestiture, and it made no such finding. It ordered the joint ownership of theatres by the defendants be terminated and that their theatre pools be dissolved. These provisions

(Continued on last page)

"River Lady" with Yvonne DeCarlo, Dan Duryea and Rod Cameron

(Universal, June; time, 78 min.)

Photographed in Technicolor, "River Lady" should go over fairly well with those who like plenty of action and excitement in their film fare. Critical patrons may find the plot too obvious to hold their interest. It is a well mounted, if spotty, outdoor melodrama, and not the least of its better points is the strikingly beautiful background of logging and timber country. The story itself is the old one about a powerful lumber syndicate trying to squeeze out the independent lumbermen in the area, all of which is tied in with a rather trite romantic triangle. The characterizations are stereotyped, and the story's dramatic content is never as persuasive as it tries to be, but what it lacks dramatically is made up for by the well staged brawls and the inevitable climatic battle at the finish between the opposing factions. The action takes place in 1860:—

With the aid of Dan Duryea, a smooth but ruthless confidence man, Yvonne DeCarlo, wealthy owner of a Mississippi gambling boat, organizes a syndicate to squeeze out the territory's independent lumbermen. In love with Rod Cameron, a happy-go-lucky lumberjack, Yvonne urges him to marry her, but he declines, proclaiming that he intended to make his own way in life first. Yvonne, desperate, pays \$50,000 for an interest in the failing business of John McIntire, an independent lumberman, with the understanding that he make Cameron his general manager without revealing her part in the arrangement. Cameron accepts the job. In the course of events, Helena Carter, McIntire's daughter, falls in love with him. But Cameron retains his love for Yvonne and, within several months, feels himself financially able to announce his engagement to her. Determined to break up the impending marriage, Helena reveals to him Yvonne's part in getting him the job. Furious over Yvonne's meddling, and learning that she was head of the syndicate, Cameron breaks with her, marries Helena, and rallies the independents to form a combine to market their lumber. Yvonne, in revenge, sets out to break up the combine. With Duryea to do her bidding, she takes the lumberjacks away from Cameron by offering to pay them double wages. Cameron, however, succeeds in getting the men back. In a final move, Yvonne orders Duryea and his cohorts to create a log jam to prevent Cameron from delivering his lumber to the mills. A terrific fight ensues on the river, culminating with Duryea's death. Realizing that her love for Cameron was hopeless, Yvonne gives up the fight and bows out of his life.

Leonard Goldstein produced it and George Sherman directed it from a screen play by D. D. Beauchamp and William Bowers, based on the novel by Houston Branch and Frank Waters. The cast includes Lloyd Gough, Jack Lambert and others. Unobjectionable morally.

"Waterfront at Midnight" with William Gargan, Mary Beth Hughes and Richard Travis

(Paramount, June 25; time, 63 min.)

A fairly interesting "cops and robbers" melodrama; it should serve adequately as a supporting feature on a double-bill. The story is not particularly novel, but it has human interest and is well-contrived. Moreover, expert direction has given it a swift pace and a goodly quota of excitement and suspense that is neatly maintained throughout. A novel twist to the story is where the villain murders the hero's wayward brother, then tricks the hero into believing that he (the hero) had killed him. The hero's grief saddens one, but at the finish he learns of the trickery and captures the crooks. The performances are uniformly good:—

Having been reduced in rank for arresting Richard Travis, leader of a waterfront gang of thieves, on flimsy evidence, William Gargan is reinstated as a police lieutenant to cope with the rise in ship lootings. Gargan warns Travis that he was out to get him. Meanwhile Travis learns that Richard Crane, Gargan's younger brother, was in need of a job; he sees to it that he is employed by a rent-a-car agency owned by him. Shortly thereafter, Crane becomes involved in a

shooting committed by one of Travis' henchmen and, as his price for silence, demands that Travis cut him in on his nefarious schemes. Gargan learns of his brother's tie-up with Travis when he catches him and the others looting a ship. The crooks make their escape by blowing up the police launch. Gargan, unhurt, goes into hiding after letting it be known that he had been killed. Crane, embittered over his brother's "death," gets into a fight with Travis and is murdered. Discovering that Gargan was still alive, Travis tricks him into following two of his henchmen to a boatshed where, after drawing his gunfire, they toss Crane's body down a flight of steps, leading Gargan to believe that he had killed him. Heartbroken, Gargan resigns from the force. Meanwhile Mary Beth Hughes, Travis' sweetheart, gets into an argument with him because of his attentions to another woman. He discards her. In revenge, she reveals to Gargan the trickery in connection with his brother's death. Gargan confronts the gangster and, in the fight that ensues, Travis dies when he falls backwards and is impaled on a pair of knitting needles.

It is a Pine-Thomas production directed by William Berke from an original screen play by Bernard Girard. The cast includes Horace McMahon, Cheryl Walker, Paul Harvey and others. Unobjectionable morally.

"The Fuller Brush Man" with Red Skelton and Janet Blair

(Columbia, June; time, 91 min.)

A pretty good comedy-mystery, with the accent on slapstick. Cast in the type of role that suits his brand of humor, Red Skelton has a field day as an inept brush salesman who becomes involved in a murder. There is little sense to the story, but it serves nicely as a framework for the many funny gags and situations. The most hilarious part of the picture is the final chase sequence, which takes up every bit of two reels or more. This sequence takes place in a huge warehouse loaded with surplus war goods, such as rockets, rubber rafts, and many other gadgets, which Skelton explodes and inflates as he tries to hinder the villain and his cohorts who were bent on capturing him. The whole sequence is slapstick in its broadest form and, in crowded theatres, will be greeted with howls of laughter. The story is not without its occasional dull moments, but these are not serious enough to impair one's overall enjoyment of the film. The producer has evidently tried to avoid inserting into the story anything that might smack of commercial propaganda; nevertheless, the picture cannot help being one big advertisement for the Fuller Brush Company:—

Skelton, a street cleaner, proposes to Janet Blair, but she refuses to marry him until he is a success like Dan McGuire, a brush salesman, who had been courting her. Fired when he unwittingly damages the car of Nicholas Joy, the sanitation commissioner, Skelton sets out to prove his mettle as a brush salesman. After a discouraging day, he finally succeeds in selling ten brushes to Hillary Brooke, the commissioner's wife, but forgets to collect for them in the excitement. He returns to the house that night to collect the money. There, besides the commissioner and his wife, he finds their nephew, Ross Ford; his fiancée, Trudy Marshall; and the commissioner's partner, Donald Curtis. The lights go out suddenly, during which the commissioner is murdered. Although the murder weapon cannot be found, Skelton, because of his falling out with the dead man, becomes the major suspect. He sets out to clear himself and, after finding reason to suspect each of the others present at the murder, centers his attention on Curtis. In the course of events, Skelton and Janet are lured to a warehouse by Curtis, who reveals himself as the murderer and plans to kill them. The couple lead Curtis and his henchmen a wild chase through the maze of war surplus equipment until finally saved by the police and the fire departments. Skelton seals the case against Curtis by proving that the murder weapon was a plastic brush handle, which took the form of a dagger when placed in boiling water and which resumed its original shape when cool.

S. Sylvan Simon produced and directed it from a screen play by Frank Tashlin and Devery Freeman, based a story by Roy Huggins. Unobjectionable morally.

"Silver River" with Ann Sheridan, Errol Flynn and Thomas Mitchell

(Warner Bros., May 29; time, 106 min.)

Although it is a "big" picture from the viewpoint of production and star value, this Western saga of the rise and fall of an empire builder, and of the struggle between mining interests for control of the silver market, is a spotty entertainment. To begin with, it is overlong and, though it opens on a high melodramatic note, giving promise of being a brisk action movie, the story goes astray, slowing down the action and leaving too many lapses between the exciting events. Moreover it attempts, but barely succeeds, to build sympathy for a hero whose actions are both ruthless and far from edifying. As a matter of fact, the episodic manner in which the story is presented somehow makes the hero's rise and fall, and even his romance with the heroine, never seem believable. Despite its faults, however, the picture has enough rousing action and usual Western ingredients to assure it of a fairly good reception by most audiences:—

Cashiered out of the Union Army for burning money that would have fallen into Confederate hands, Errol Flynn, embittered, determines to live by his own rules. He begins by taking over, in a high-handed manner, the equipment of a crooked gambling tent operated by Barton MacLane. He takes the equipment to Silver City, Nevada, where he opens a gaudy gambling establishment. Shortly thereafter, he becomes a one-third partner in a silver mine owned by Bruce Bennett in exchange for his financial help, an arrangement made over the objections of Ann Sheridan, Bennett's wife. Flynn's gambling joint soon drains off the miners' cash, compelling the mine owners to pay their employees with paper promises. Taking advantage of the miners' dissatisfaction, Flynn compels the owners to cut him in on all their properties in exchange for his guarantee to open a bank that would honor their paper promises with cash. Meanwhile he falls in love with Ann and indirectly sends her husband to his death by sending him to look over new silver veins in a territory controlled by hostile Indians. Thomas Mitchell, Flynn's lawyer and close friend, breaks with him after accusing him of sending Bennett to certain death so that he might have Ann for himself. Continuing his ruthless ways, Flynn soon becomes the wealthiest and most powerful man in the territory. Ann, after a long period of mourning, marries him. Flynn's troubles begin when the enemies he had created form a combine and set out to wreck him. They precipitate a run on his bank and, before long, strip him of everything he owns. In the meantime he had lost the companionship of both Ann and Mitchell because of his refusal to heed their pleas that he stop resisting the combine in order to help the impoverished miners. The cold-blooded killing of Mitchell by a gang of the combine's hoodlums brings Flynn to his senses. He becomes reconciled with Ann and vows to transfer his concern from himself to his fellow-men.

Owen Crump produced it and Raoul Walsh directed it from a screen play by Harriet Frank, Jr. and Stephen Longstreet, based on the latter's novel. Adult fare.

"Dream Girl" with Betty Hutton and Macdonald Carey

(Paramount, July 23; time, 85 min.)

Adapted from the Elmer Rice stage play of the same name, "Dream Girl" shapes up as no more than a mildly amusing comedy that provokes laughs in several spots but waxes tedious throughout most of its footage. Its story revolves around a young girl given to day-dreams, which to her are far more real than what she considers to be her humdrum, ordinary life. Briefly, the girl, played by Betty Hutton, is depicted as a would-be authoress with a secret yen for Patric Knowles, her sister's husband, until she meets Macdonald Carey, a brash young newspaperman, who pursues her despite her efforts to shake him off with an assumed air of sophistication. How she plans to flee with her brother-in-law when that worthy decides to divorce her sister, and how Carey, aware of the fact that she took refuge in a world of fantasy, saves her from the entanglement and marries her himself, make up the rest of the story.

The picture is at its best in its depiction of Miss Hutton's day-dreams, which are brought about by different happen-

ings in her daily life. These sequences includes Knowles' desire to take her for his bride at the moment of his marriage to her sister; imagining herself as a fallen woman singing in a cheap cafe, where she commits suicide; picturing herself scoring a huge success as an opera singer when she is called upon to substitute for the star; fancying herself involved in a scandal with another woman's husband; and imagining herself married to her sister's divorced husband and coming to a tragic end in a backwoods cabin. These hallucinations are good for many chuckles, but when the story deals with the heroine's real life it becomes labored and contrived, and teeters between static stretches of dialogue and forced comedy. The performances are generally good, with Miss Hutton at her best in the day-dreams; her real-life characterization has a naiveness that is a bit hard to take. The story idea draws comparison with "The Secret Life of Walter Mitty," but the entertainment values are not as rewarding as in that film.

P. J. Wolfson produced it and Mitchell Leisen directed it. No screen play credit is given. The cast includes Virginia Field, Walter Abel, Peggy Wood and others.

Unobjectionable morally.

"The Emperor Waltz" with Bing Crosby and Joan Fontaine

(Paramount, July 2; time, 106 min.)

Very good mass entertainment. Set in Vienna in 1901, it is an elegantly mounted romantic comedy in Technicolor, revolving around the adventures of an American phonograph salesman and his romance with a Viennese countess. The story itself is a rather familiar version of the "commoner-falls-in-love-with-royalty" theme, but it has been endowed with many delightfully humorous touches that keep one chuckling throughout, and at times roaring with laughter. What is particularly comical is the way in which the romance is brought about by the hero's mongrel dog and the countess' pedigreed poodle, whose own romance parallels the difficulties encountered by their master and mistress. As the salesman, Bing Crosby is cast in a tailor-made role that fits his personality like a glove. Whether he sings, romances, or makes flip wisecracks, he goes through his acting chores with a naturalness that is at all times ingratiating. As the class-conscious countess, Joan Fontaine is not only beautiful but extremely good in her handling of a light comedy role. Together, Crosby and Miss Fontaine make a grand team, and their romance, which is developed in a gay manner, culminates to the satisfaction of the audience:—

While unsuccessfully seeking an interview with Emperor Franz Josef (Richard Haydn) for the purpose of selling him a phonograph, Crosby encounters Joan when their dogs get into a fight. By special arrangement with the Emperor, Joan's pedigreed poodle was to be mated with the Emperor's prize dog, but the poodle, smitten with Crosby's mongrel dog, has a nervous breakdown. Sig Ruman, a psychiatric veterinarian, suggests to Joan that she take the poodle to see Crosby's dog again. She does this and, in the process, succumbs to Crosby's charm. They fall in love but, because of their different stations in life, Joan informs him that he will require the Emperor's permission to marry her. She arranges an audience with the Emperor, who convinces Crosby that he cannot support Joan in her accustomed style, and persuades him to break away from her. In appreciation for his understanding, the Emperor endorses the phonograph. To make the break complete, Crosby allows Joan to believe that he had used her love for commercial gain. But before departing for home, Crosby crashes the Emperor's ball to tell Joan the truth. That same evening Joan's poodle gives birth to three pups, which prove to have been fathered by Crosby's dog. Fearing the Emperor's wrath, Joan's impoverished father (Roland Culver) orders the pups destroyed. Crosby learns of the plan, manages to retrieve the pups and, with the palace guards at his heels, crashes into the ballroom to give the Emperor a piece of his mind, during which he reveals to Joan why he had left her. Recognizing their true love, the Emperor grants them permission to wed on condition that the pups be given to him.

Charles Brackett produced it and Billy Wilder directed it from their own original screen play.

Suitable for the entire family.

amounted merely to the unscrambling of combinations among the defendants and did not constitute divestiture, and they were expressly affirmed.

As regards the joint ownership of theatres by a major company and independent exhibitors, the District Court held that these joint holdings suppressed competition between the joint owners and ordered that such joint relationships be terminated wherever the major company's interest was more than 5% and less than 95%. This was without regard to whether the interests were unlawfully acquired, whether the independents involved were theatre operators able and willing to operate the theatres, or whether the theatres in question had been used in furtherance of the unlawful conspiracy.

This admittedly was a doubtful provision and it was made worse by the fact that the lower court further provided that, upon a proper showing and with its approval, such relationships might be terminated by the purchase by the major company of the interest of its independent partner.

The Supreme Court found fault with the entire theory upon which the District Court had proceeded. It criticized the lower court's finding that there was no monopoly because the defendants individually and collectively controlled only a small fraction of the total number of theatres. It particularly criticized the failure of that court to find the presence or absence of a monopoly of the first-runs in the entire country or of the first-runs in the 92 largest cities, pointing out that the first-run field "constitutes the cream of the exhibition business (and) is the core of the present cases."

It very pointedly reminded the lower court that Section 2 of the Sherman Act condemns monopoly of "any part" of trade or commerce, and that those words have been construed to mean "an appreciable part of trade or commerce." The figures cited in the opinion as to the number of first-runs controlled by the defendants and the percentage of film rentals derived by all distributors from those runs, plus the above-quoted observation as to the importance of such runs together constitute a virtual direction to the lower court to find such a monopoly and to dissolve it.

Even more important is the Supreme Court's ruling that where, as in these cases, the starting point is a conspiracy to effect a monopoly—and the court refers to this conspiracy throughout its opinions—"it is relevant to determine what the results of the conspiracy were even if they fell short of monopoly." In other words, assuming there was no monopoly in the strict sense of the word, the ownership of even a single theatre might be legally vulnerable "if the property was acquired, or its strategic position was maintained, as a result of practices which constitute unreasonable restraints of trade." "Hence," says the Court, "the problem of the District Court does not end with enjoining the continuance of the unlawful restraints nor with dissolving the combination which launched the conspiracy. Its function includes undoing what the conspiracy achieved."

I will not dwell upon other important but technical points raised by the Supreme Court in its criticism of the lower court's findings, as, for example, that size and accumulated power are the earmarks of monopoly; that such power, if created for the purpose of crushing or preventing competition may be unlawful even though not exerted; and that in decreeing divestiture and dissolution there must be parity of treatment as between the affiliated and the independent circuits—and, as we all know, rough treatment was dealt the Crescent, Schine and Griffith chains.

This all points to divestiture in a big way, since many of the great first-run theatres are wholly owned by the defendants. Thus the virtual mandate to the District Court is to break up the first-run monopoly, and in this there is no distinction between wholly-owned and partly-owned theatres.

(Continued on second section)

"Assigned to Danger" with Gene Raymond and Noreen Nash

(Eagle-Lion, May 19; time, 65 min.)

This crook melodrama is moderately entertaining program fare. The production is unpretentious, and the story is not only trite but also far-fetched, and at times illogical. It starts off with a bang-up holdup and chase but soon peters down to a slow pace throughout most of its length until the closing scenes, where the hero subdues and captures the criminals. Not much imagination has gone into the treatment, and the outcome is obvious, but it has enough shooting and suspense to get by with indiscriminating audiences:—

A murderous gang of ex-convicts, headed by Robert Bice, hold up a warehouse and kill the night watchman. Bice is wounded in the ensuing escape, and the other members of the gang (Martin Kosleck, Jack Overman and Ralf Harolde) decide to take him to a mountain lodge owned and operated by Noreen Nash, Bice's wife. Meanwhile Gene Raymond, an insurance investigator, is assigned to the case. He learns of the lodge and goes there to investigate. Through a doctor's business card he had discarded, Raymond is mistaken for a physician by Noreen, with whom he becomes friendly. The gang arrives on the following day, with Bice in a desperate condition from the bullet wound received in the escape. Believing that Raymond is a doctor, they compel him to remove the bullet and threaten to kill him if Bice should die. Bice recovers slowly, only to be murdered by George Evans, a deaf mute working at the lodge, who resented his mistreatment of Noreen, whom he (Evans) idolized. Discovering the body, Noreen and Raymond decide to escape before the other gangsters learn that Bice was dead. This precipitates a gun battle in which the mute sacrifices his life to save Noreen, thus giving Raymond an opportunity to gain the upper hand on the gangsters and capture them. It all ends with Raymond and Noreen deciding to wed.

Eugene Ling produced it from his own screen play, based on a story by Robert E. Kent. Oscar Boetticher directed it.

Adult entertainment.

"Who Killed 'Doc' Robbin?" with Virginia Grey and Don Castle

(United Artists, no release date set; time, 51 min.)

A passable "Our Gang" type of streamlined slapstick comedy. Photographed in Cinecolor, it is Part II of Hal Roach's "Laff-Time," of which Part I is "Here Comes Trouble," which is reviewed in the April 17 issue of this paper. As entertainment, it is best suited for juvenile audiences who should find much in it to howl at, for the nonsensical story features a gang of kids who become involved in the mysterious murder of a scientist when they try to exonerate the chief suspect, a kindly, understanding old man, who had always been their friend. Most of the action takes place in the scientist's gloomy, forbidding mansion where, in pursuit of an important clue, the kids are beset by a series of hair-raising adventures as they encounter secret passages, sunken pits, underground laboratories, and a huge gorilla who runs amuck and menaces them. There is nothing new about the gags and situations, but the pace is fast and, as said, the youngsters should get a kick out of it. Adults should be able to enjoy it if they accept the picture for what it is. In any event, most of them should at least find it tolerable.

Robert F. McGowan produced it and Bernard Carr directed it from an original screen play by Maurice Geraghty and Dorothy Reid. The cast includes George Zucco, Whitford Kane, Grant Mitchell, Larry Olsen, Eilene Janssen, Gerald Perreau, Dale Belding and others.

Suitable for the family.

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ABRAM F. MYERS' SOUND ADVICE TO THE MAJOR COMPANIES

Now that the U. S. Supreme Court has sent the Government's anti-trust suit against the major companies back to the lower court for further study and for the entry of a more effective decree, it is to be expected that the industry will go through more litigation before the final decree is entered. The big question, of course, is this: How much litigation, and how long will it take?

In his comprehensive and highly informative analysis of the decision, which was published in this paper last week, Mr. Abram F. Myers stated that "we can only hope that the action of the Supreme Court in remanding these cases (Paramount, Schine and Griffith) to the District Courts with directions to explore new fields, to correct, and enlarge their findings and to formulate and enter effective decrees will not result in undue loss of time." He pointed out that the procedure entails considerable delay, but felt that "at most it should not take more than six months—although insistence by the judges on their long summer vacations may upset this calculation."

According to some trade paper stories, in which unnamed industry lawyers are quoted, final disposition of the case cannot be expected before 1950, at the earliest, and some of them even go so far as to say that it may take another ten years. The reasons on which these predictions are based are numerous: They include, to mention just a few, a crowded docket in the New York District Court; a replacement on the three-judge lower court for the late Judge John Bright, who died recently, thus necessitating considerable time for the new judge to familiarize himself with the case; the possibility that the lower court will not reconsider the case until it reconvenes in October, following the summer recess; and the probability that, on the matter of theatre divorcement, the defendants might endeavor to compel the Government to prove theatre by theatre whether or not each is subject to divestiture in accordance with the higher court's mandate. In addition, the stories imply that the defendants, by taking full advantage of the many rules of court procedure, could keep the case before the courts for many more years.

While no one can predict for sure just how long it will take for a final decree to be entered, this paper doubts if the lower court, in view of the Supreme Court's sharp criticism of its findings, and of its virtual order to enter a drastic decree of divestiture, will permit the defendants to engage in legalistic antics aimed at delaying the inescapable mandates of the law. Besides, the language of the Supreme Court defines so distinctly the restrictions that the anti-trust laws place upon the defendants' right to sell, buy, and exhibit films, and the course that the high court has set for the lower court to follow is so unmistakably clear, that the lower court, in reaching its conclusions, should be enabled to eliminate much of the delaying legal maneuvers.

In discussing the possibility that the defendants might resume "their petti-fogging and dilatory tactics," Mr. Myers had this to say in his analysis of the decision:

"If they persist in their stalling tactics, they will soon find that they have exhausted the patience of the courts. They should not overlook the fact that in the Paramount Case the Court twice referred to their 'marked proclivity for unlawful conduct.' They will do well to recall that their unlawful practices have been before the Supreme Court

in many cases and that they have not been successful in a single one of them. With the facts of the Interstate, Crescent, Jackson Park, Schine, Griffith, Goldman and Paramount cases fresh in mind, the Court will be in no mood for trifling.

"The major companies would be well advised now to turn their thoughts to plans for complying with the law instead of devising means for further evading it. Their present predicament calls for wise counsel and industrial statesmanship, not for the dubious expedients of political fixers and loophole artists."

If we are to judge the major companies by their past performances, Mr. Myers' sage advice will fall on deaf ears. But they will do well to ponder his remarks, for the Supreme Court has spoken, putting an end to the unfair control they have exercised over the industry for many years. Instead of continuing to fight a battle that is already lost to them, it will be better for them to exert their efforts towards the production of better pictures and towards gaining the good will of their customers—the exhibitors and the public.

JAY EMANUEL IS RIGHT!

Commenting on the public relations campaign of the Theatre Owners of America and of the Motion Picture Association of America, Jay Emanuel, publisher of *The Exhibitor*, wrote as follows on the subject in his April 14 issue:

"Frankly, there is little chance of any enthusiasm being generated in the trade for any Greater Movie Season idea unless it is done through the most logical medium available, the trade press.

"It is no secret that for the past two years or more, advertising budgets spent in trade papers by many of the distributors have been on the down grade, some to the vanishing point, with the obvious result that the salesman who tried to generate interest in a part of the product went out into the field without being fortified by the most potent weapon of all, interest created by good trade-paper advertising. . . ."

This is not the first time that Mr. Emanuel has taken the distributors to task for their skimpy trade paper advertising budgets.

Although at first glance Mr. Emanuel's admonition seems selfish, since trade paper advertising appropriations will benefit his publication, down deep it is not, for the following reasons: One thing that the exhibitor does is to read his trade papers with the idea of finding in them, not only news of forthcoming pictures, but also ideas that will enable him to attract the greatest possible attendance for the pictures he is to play either immediately or in the future. But, when he picks up the trade papers and sees how slim they are, he loses courage and thinks that the pictures are not worth advertising. Consequently, he approaches his exploitation chores in a dejected mood.

What chance has a salesman to instill enthusiasm into an exhibitor whom he finds in such a mood? On the other hand, if the distributors advertise their products in the trade papers with blaring trumpets, the exhibitor becomes excited and it is easy then for the salesman to induce him to join in on an exploitation campaign that promises to bring more people into his theatre.

Economy on trade paper advertising is, indeed, poor economy—it is a discourager that affects both the salesman and the exhibitor.

"Four Faces West" with Joel McCrea, Frances Dee and Charles Bickford

(United Artists, no release date set; time, 88 min.)

Excellent! To call it a Western would be misleading, for it is a story of high spiritual quality, set against a western background. Joel McCrea, always a fine performer, has never appeared to better advantage. The exceptionally interesting script, written by Teddi Sherman, with her youthful enthusiasm and imagination, and by Graham Baker, with his tried and true construction technique, has given director Alfred E. Green and producer Harry Sherman an opportunity to turn out a highly finished product, the sort that grips one's interest from start to finish. At no time do the actors shout, and there is no unnecessary talk. It is a story of great appeal that grows on one as the action unfolds. The scenes where McCrea, a hunted man, is shown sacrificing his personal freedom as he desperately tries to save the life of every member of a poor, isolated Mexican family stricken with diphtheria will hit deep in every one's heart. Touching also are the scenes that show Joseph Calleia's loyalty to McCrea and his efforts to help him. There are some good comedy touches throughout, and many thrills as a result of the rugged action. Charles Bickford, as an understanding U.S. Marshal, is first rate, and Frances Dee, as a nurse who casts her lot with McCrea, is just right. Russell Harlan's camera work is superb—some of the outdoor scenes will awe one with their beauty.

Needing money to ease his father's financial difficulties, McCrea robs a banker in Santa Maria, N. M., of \$2,000 while the townspeople hail the arrival of Charles Bickford, a fearless U.S. Marshal, who had come there to set up his headquarters. McCrea manages to put many miles between himself and the town before the robbery is discovered and Bickford starts out after him. Abandoning his horse, he catches a train heading south and is helped aboard by Joseph Calleia, a prosperous Mexican. On the train he meets Frances, who treats a snake bite he had received while hiding his saddle in the brush. Frances, on the way to a hospital in Alamogordo, becomes infatuated with McCrea. Meanwhile the authorities along the railroad line had been warned to look for him. He has some close shaves hiding his identity and evading capture, but Calleia and Frances guess that the authorities were after him. He accompanies Frances to Alamogordo, where Calleia helps him to hide out. But when Bickford arrives in town searching for him, he sets out for the desert, hoping to escape over the border. Bickford doggedly pursues him. Barely keeping ahead of Bickford, McCrea comes upon a sick Mexican family dying of diphtheria. Torn between human feelings and his own safety, McCrea decides to remain and nurse them. He prevents their deaths by applying ingenious home remedies, but realizing that a doctor is needed he sends up a smoke signal to attract Bickford's attention. Bickford hurries to the ranch, then dispatches a deputy to summon medical aid. The deputy returns with a doctor, who is accompanied by Calleia and Frances. Admiring McCrea's self-sacrifice, and taking into consideration the fact that he had returned a part of the stolen money, Bickford persuades him to give himself up on the promise that he will receive a light sentence. He accepts Bickford's counsel and bids Frances goodbye. She promises to wait for him.

The story is based on the novel "Paso Por Aqui," by Eugene Manlove Rhodes.

Good for every member of the family.

"Sword of the Avenger" with Sigrid Gurie and Ramon Del Gado

(Eagle-Lion, June 2; time, 72 min.)

Photographed in Sepiatone and based on a "Count of Monte Cristo" theme, this shapes up as a routine program adventure melodrama that may get by with the indiscriminating action fans. The story takes place in the Philippines in the early 1800's, when the Spaniards dominated the islands, and it revolves around the false imprisonment of a young Filipino for a political crime. Its "cloak and dagger" tale is packed with artless melodramatics, and its exaggerations of villainy and heroism will no doubt provoke many

unintended laughs. The players are guilty of overacting, but one can hardly blame them because of the absurdities the screen play puts them through. The fact that the players mean little at the box-office is another liability:—

Because of the hatred and jealousy of a fellow sailor (Tim Huntley), Ramon Del Gado, a young Filipino patriot, becomes involved in a chain of events that leads to the breaking up of his planned marriage to Sigrid Gurie, and to his false imprisonment in Fort Santiago for a year. Del Gado's fellow-patriots plan an uprising, but they are betrayed by Huntley and are forced to flee to the hills, taking with them Sigrid, who becomes their leader. The authorities reward Huntley by appointing him head jailer in Fort Santiago. There, Huntley destroys Del Gado's records and keeps him under constant torture. After six years, Del Gado, with the help of two other prisoners (Ralph Morgan and Trevor Bardette), tunnels his way into a corridor. The three stage a spectacular escape, but only Del Gado gets away, taking with him a map of a treasure cave, which Morgan had used as a hideout. He joins a crew of Chinese smugglers and, with the aid of their captain (Leonard Strong), locates the treasure. Now fabulously wealthy, Del Gado, disguises himself as a Spanish nobleman and returns to Manila to avenge himself on those who had imprisoned and tortured him. His enemies, seeking his favor, fail to recognize him, and he soon wins their confidence and learns their secrets. In a series of swift-moving events, Del Gado brings them to justice, wins amnesty for the patriots, and is reunited with Sigrid.

Sidney Salkow produced and directed it from an original screen play by Julius Evans. The cast includes Lee Baker and Cy Kendall. Unobjectionable morally.

"Fighting Father Dunne" with Pat O'Brien and Darryl Hickman

(RKO, no release date set; time, 93 min.)

A fine drama, with strong emotional appeal. The story is in many respects similar to "Boys Town," and its inspirational value is just as great, for it centers around a kindly priest who, in the face of many hardships, establishes a haven for homeless and underprivileged newsboys. Pat O'Brien, as Father Dunne, is excellent: his courage and determination, and his sympathetic understanding of the urchins he tries to help, endear him to the audience. There is considerable comedy mixed with the pathos, provoked by the manner in which O'Brien persuades different persons to come to the aid of his project, and by the blustering antics of Charles Kempner, his brother-in-law, a gruff but kindly Irishman. The action takes place in St. Louis in 1906:—

Distressed at the conditions under which scores of the city's newsboys lived, O'Brien determines to establish a home for them. With only his persuasive ways and his sublime faith as capital, he takes over a ramshackle building and, with the help of several boys, fits it up for occupancy. He assumes responsibility for several boys who are caught stealing a pony and cart, and he not only persuades the wealthy owner, Arthur Shields, not to file a complaint but makes a staunch friend of him. O'Brien's "family" grows steadily, but with the help of Una O'Connor, a kindly neighbor, and the generosity of local merchants, he is able to take care of them. A problem arises when Darryl Hickman, who had left home to escape his ruthless father (Joe Sawyer), leads the other boys in a fight against rival news gangs who were keeping them off choice corners. With Shield's help, O'Brien stops the "war" when one of his boys is injured seriously. Darryl, despondent, returns to his father, who introduces him to a life of crime. Caught in a robbery, Darryl, hysterical with fright, shoots and kills a policeman and is sentenced to hang. O'Brien works desperately to have the sentence commuted but to no avail. Depressed at his failure, he considers giving up his work, but he receives new inspiration in the plea of a homeless urchin who seeks him out for aid.

Phil L. Ryan produced it and Ted Tetzlaff directed it from a screen play by Martin Rackin and Frank Davis, based on a story by William Rankin. The cast includes Harry Shannon, Myrna Dell, Ruth Donnelly and others.

Good family fare.

"So This Is New York" with Henry Morgan, Rudy Vallee and Virginia Grey

(United Artists, no release date set; time 79 min.)

A light, breezy satirical comedy, the kind that should send the customers home satisfied and smiling. The story's locale is New York City in the early 1920's, and it revolves around the misadventures of a thrifty mid-westerner, his wife, and his sister-in-law, who are fleeced of their small fortune when they go to the big city to find a husband for the sister-in-law. There is no depth to the plot, but it keeps one laughing all the way through because of the very funny gags and of the hilarious situations in which the unsophisticated trio become involved. Henry Morgan, the radio comedian, makes an auspicious screen debut in this picture: he handles his acting chores like a veteran, and his droll humor is very effective. Rudy Vallee, Hugh Herbert, Bill Goodwin, Leo Gorcey, and Jerome Cowan, as potential husbands for Dona Drake, add much to the comedy. The direction is very good, and the production values excellent:—

Contented with his job as a cigar salesman in South Bend, Morgan's troubles begin when his wife, Virginia Grey, and her sister, Dona Drake, each inherit \$30,000 from a late uncle. Virginia decides that South Bend does not offer much in the way of a prospective husband for Dona and, despite Morgan's protests, all three head for New York to find Dona a suitable mate. En route, they meet Jerome Cowan, a fast-talking New Yorker, whom Virginia looks upon as a good matrimonial prospect for Dona. But the idea blows up in a battle royal when Cowan tries to force his attentions on Virginia. They move into a swank apartment house, where Virginia meets Hugh Herbert, a wealthy world traveler, and immediately proceeds to promote a romance between him and Dona. But this romance, too, blows up when Dona and Herbert, enjoying a cozy tete-a-tete, are interrupted by the sudden appearance of his irate wife. The romantic void is soon filled by Rudy Vallee, a Texas rancher and owner of a string of horses, who initiates the trio into betting on the races. The romance looks good until Vallee's jockey, Leo Gorcey, begins wooing Dona. The rivalry between Vallee and Gorcey for her love leads to each double-crossing the other on a fixed race, with the result that the girls, having bet heavily on Vallee's "hot tip," lose the major part of their fortune, while Vallee and Gorcey make themselves scarce. Moving to a cheaper hotel, the trio meet Bill Goodwin, a small-time comedian with delusions of grandeur, whom Virginia quickly designates as Dona's new Prince Charming. Over Morgan's objections, Goodwin induces the girls to invest the balance of their money in a dramatic play starring himself and featuring Dona. The play flops on opening night and the trio find themselves broke and stranded. By a happy coincidence, Morgan meets his old boss, who offers him his job back. It all ends with Morgan back home in South Bend, happy in the thought that there is no money for any of them to worry about.

Stanley Kramer produced it and Richard O. Fleischer directed it from a screen play by Carl Foreman and Herbert Baker, based on Ring Lardner's novel, "The Big Town." Unobjectionable morally.

"Campus Sleuth" with Freddie Stewart and June Preisser

(Monogram, April 18; time, 57 min.)

A mixture of music, murder-mystery, and comedy, this latest entry in the "Teenager" series just about makes the grade as a program feature. Both the story and the treatment are trite but, by virtue of some good comedy antics by Warren Mills and by Donald MacBride, quite a few laughs are squeezed out. Musically, it is fair, but the tunes are not of the sort that will remain in one's memory. Freddie Stewart's voice, however, is pleasant to listen to.

In the development of the story, Mills, while attending a college dance, discovers the dead body of a fellow student on the campus. He rushes to inform his friend, Stewart, and his father, police inspector Donald MacBride, but by the time they return to the campus the body is hidden by the school caretaker, an ex-convict, who feared that he might be charged with the crime. MacBride, not finding the corpse,

believes that his son suffered from hallucinations, the result of reading too many mystery tales. Aided by their girlfriends, June Preisser and Noel Neil, Mills and Stewart locate the body in the school storeroom. Unable to get MacBride's ear, the youngsters start an investigation of their own and discover that the dead student had been a jewel thief. Additional clues lead them to Bobby Sherwood, a bandleader, on whom they pin the crime after proving that he had acted as a "fence" for the dead student and had murdered him to get him out of the way.

Will Jason produced and directed it from a screen play by Hal Collins, based on a story by Mr. Collins and Max Wilson. The cast includes Bobby Sherwood's Orchestra and others. Unobjectionable morally.

"The Iron Curtain" with Dana Andrews, Gene Tierney and June Havoc

(20th Century-Fox, May; time, 89 min.)

Employing a semi-documentary technique, 20th Century-Fox has fashioned a powerful anti-Communist espionage melodrama, based on the personal story of Igor Gouzenko, a former code clerk at the Soviet Embassy in Ottawa, who gave the Canadian Government information that led to the sensational spy arrests and trials in Canada in 1946. The tremendous amount of publicity this picture is receiving as a result of the efforts of Communist front organizations to stop its exhibition is enough to insure its box-office success. Aside from this publicity, however, the fact remains that it is a dynamic picture of its kind. The excellent direction, the artistic acting, and the factual Ottawa backgrounds, gives the action a realism that makes one feel as if he is present at the original happenings. The story is as timely as today's newspaper in its expose of Soviet espionage activities. Its strong denunciation of the Communist ideology is put over, not through preachment, but through the depiction of the mental suffering undergone by the clerk, superbly portrayed by Dana Andrews, who, impressed by the democracy and freedom enjoyed by his Canadian neighbors, comes to the realization that life for himself, his wife, and his baby, is unbearable under Russia's cynically brutal rule. It is a highly suspenseful tale, based on facts, and 20th Century-Fox deserves great credit, not only for having had the courage to put the story on the screen, but also for having presented it in a way that minces no words and condemns the Communist ideology in no uncertain terms.

Briefly, the action shows how Andrews, arriving in Ottawa to take up his duties as a code clerk, is put through a rigid test to prove his loyalty and his ability to conceal information. He is put to work filing confidential documents and sending top secret information to Russia, gathered by a highly developed spy organization that included, besides Russians, numerous Canadian nationals. Meanwhile his wife, Gene Tierney, arrives in Canada, and they are soon blessed with a baby. Cautioned by Andrews not to fraternize with her neighbors, with whose freedom she had become impressed, Gene argues with him over the necessary secrecy and his fear of reprisals. The logic of her arguments impresses him, and he soon becomes disillusioned with the aims of his government, particularly when he realizes how the future of his son will be affected. He determines it to be his duty to warn the Canadian Government. He steals a batch of incriminating documents and, accompanied by his wife and baby, goes to the Ministry of Justice. A high official refuses to see him. Desperate, he goes to a newspaper office, where he is dismissed as a crackpot because of his fantastic claims. Meanwhile the Russians had discovered the theft and had organized a hunt for him. They trap him after a series of exciting events but, despite their threats of death to himself and his family, he refuses to relinquish the documents. The timely arrival of the police, summoned by Gene, saves Andrews and results in a round up of the spies. For his integrity and honesty, Andrews and his family are granted honorary citizenship by the Canadian Government and put under the constant protection of the police.

Sol C. Siegel produced it and William A. Wellman directed it from a screen play by Milton Krims.

Suitable for all.

"Return of the Badmen" with Randolph Scott, Robert Ryan, Anne Jeffreys and George "Gabby" Hayes

(RKO, no release date set; time, 90 min.)

The avid action fans will no doubt find this "super-western" to their liking, for it has an adequate share of fist fights, holdups, gunplay, and mounted pursuits. But, other than to the action addicts, the picture's appeal is doubtful, despite its better cast and bigger budget, for its slambang ingredients are tied to a commonplace story that is cut so close to a familiar pattern that one guesses in advance just how the plot will progress. Consequently, one loses interest in the outcome. The characterizations, from the hero to the villains, are standard, and the performances adequately meet the demands of the different roles. All in all, however, there is nothing about the picture that is much more interesting than the usual cowboy and bad man western:—

With the opening up of the Oklahoma territory in 1889, the citizens of Braxton prepare to leave their homes and businesses to join in the exodus to establish new homesteads. Among them are Randolph Scott, a rancher, and George "Gabby" Hayes, president of the local bank, whose daughter, Jacqueline White, is engaged to Scott. A group of outlaws, led by Robert Ryan and Anne Jeffreys, take advantage of the confusion to raid the bank. Anne, carrying the loot, is wounded and captured by Scott, who tries to reform her. As he leads her back to town, Ryan recaptures her, but his brutality so enrages her that she recovers the money at gunpoint and surrenders it and herself to the authorities. The land rush takes place as scheduled, and Scott stakes out a claim for Hayes in the new town of Guthrie, planning to marry Jacqueline and to take her to California. His plans, however, are interrupted when he is persuaded to become U.S. Marshal to combat the outlaws who were terrorizing the whole region. Meanwhile Anne is paroled in Scott's custody and works for him as a telegraph operator, much to the jealousy of Jacqueline, who realized that the former bandit queen, too, is in love with him. Scott eventually manages to capture the outlaws after a shooting foray, but Ryan escapes. The outlaw attempts to compel Anne to help free the captives, killing her when she refuses. Scott sets out on his trail and, in a hand-to-hand combat, kills him. With the outlaw menace wiped out, Scott marries Jacqueline and prepares to go to California, but Hayes changes his plans by making him take over the bank so that he could go to California himself.

Nat Holt produced it and Ray Enright directed it from a story by Jack Natteford and Luci Ward, who collaborated on the screen play with Charles O'Neal.

Unobjectionable morally.

"Dear Murderer" with Eric Portman and Greta Gynt

(Univ.-Int'l, May; time, 90 min.)

Although the pace is slow and it offers little in the way of exciting action, this English-made murder melodrama is sufficiently intriguing to please the followers of this type of entertainment. Revolving around the commission of a "perfect crime" by a wronged husband, the somewhat sordid tale is packed with plot twists that are logical, and manages, in a quiet sort of way, to generate considerable suspense. There is no mystery to the proceedings, since the audience know from the start just how the murder was committed. One's interest, therefore, lies in the manner in which the police piece the clues together for the solution of the crime, as well as in the attempt of the erring wife to make the "perfect crime" backfire on her husband. The performances are uniformly good, but since the players are little known in this country, and since the picture lacks exciting action, it will best serve as a supporting feature on a double-bill:—

Discovering that his wife, Greta Gynt, had been carrying on an affair with Dennis Price, Eric Portman visits Price and induces him to write a letter to Greta putting an end to their relations. Portman dictates the letter and words it in a way that would lead one to believe that Price con-

templated suicide. He then murders Price by placing his head in a gas oven. Later that night, when Portman learns that Greta had taken up with a new lover, Maxwell Reed, he readjusts the evidence at the murder scene to make it appear as if Reed had committed the crime. Detective Jack Warner starts an investigation and, guided by the clues left by Portman, arrests Reed. When Greta openly shows her concern for Reed, Portman, in a defiant mood, taunts her about how he had committed the crime, knowing that she dare not expose him lest she expose herself. She leaves him. He becomes conscience-stricken over Reed's impending fate and resorts to taking sleeping pills in order to get some rest. Greta, pretending to love him, returns home and induces Portman to help Reed by informing the police that he had deliberately implicated Reed after finding that Price had committed suicide. The police, however, refuse to believe the story. Distraught, Greta feeds Portman an overdose of sleeping pills and engineers him into exposing himself as the murderer. She then rushes to the jail to see Reed, only to learn that he had given her up for an old sweetheart. She returns to her apartment to find Portman dead and the police waiting for her.

Betty E. Box produced it and Arthur Crabtree directed it from a screen play by Muriel and Sydney Box and Peter Rogers, based on the play by St. John Leigh Clowes.

Adult fare.

"The Brothers" with Patricia Roc, Will Fyffe and Maxwell Reed

(Univ.-Int'l, no rel. date set; time, 90 min.)

Despite its faults, there is much about this British-made melodrama to satisfy discriminating picture-goers who patronize "art" houses. Pictorially, it is a production of absorbing visual grandeur, for the story has as its locale the picturesque Island of Syke, off the coast of Scotland. The picture's faults lie in the choppy editing of the stark tale, which is a mixture of feuding between Scottish clans, and of hatred between brothers, caused by jealousy and lust. It is by no means a pleasant entertainment, but its depiction of the island's inhabitants and their quaint primitive customs is fascinating. At times the action reaches savage heights, such as in the sequence where the island's whiskey smugglers put an informer to death by binding him hand and foot, tying a fish to his head, then leaving him to float in the bay so that sea gulls may swoop down on him and peck him to death. The direction and the performances are very good, but it is in the incidental episodes rather than in the overall story that the picture makes its mark.

The action, which takes place in 1900, centers around Patricia Roc, an orphan girl, who comes to the island to work as a servant in the home of Finlay Currie, a stern Scotsman who, together with his sons (Duncan Macrae and Maxwell Reed), was engaged in whiskey smuggling. Macrae, the elder son falls in love with Patricia, but she has eyes only for Reed, the younger son, who ignores her. Hurt by his indifference, Patricia accepts the attentions of Andrew Crawford, a member of a rival clan. Reed thrashes Crawford when he catches him molesting Patricia and, as a result, the rival clans, in keeping with an island custom, meet in a test of family strength by rowing on opposite sides of a boat until all but one drops from exhaustion. Currie's clan wins, but the old man overtaxes his strength and dies, first informing Macrae of his wish that Reed marry Patricia. Macrae, however, tells Patricia that his father wished her to marry him, but she refuses to believe him. In the course of events, Macrae marries another woman but continues his pursuit of Patricia. Finally, after an unsuccessful attempt to seduce her, Macrae convinces Reed that she was a bad influence on their lives and talks the young man into a plan to kill her. In a somewhat confusing ending, it is shown that Reed, realizing his love for Patricia, takes her to a place of safety. Her disappearance brings about a police investigation, which in turn uncovers certain illegal activities that result in the jailing of the elder brother.

Sydney Box produced it and David MacDonald directed it from a screen play by Muriel and Sydney Box, based on the novel by L. A. G. Strong. Adult fare.

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THE SUPREME COURT SPEAKS—Continued

By ABRAM F. MYERS

THE INDEPENDENT PARTNERS

In decreeing the termination of the joint relationships between the major companies and the independents the lower court lumped all these things together and made no special findings as to individual cases. Since vertical integrations are not unlawful *per se*, this was regarded as error. Each relationship must stand or fall according to its individual facts. We may eliminate from our present consideration such of these jointly-owned theatres as may be involved in first-run or territorial monopolies, since they are clearly subject to divestiture. The problem boils down to those joint relationships which are not subject to dissolution because not included in any monopoly.

"We have gone into the record far enough," said the Court, "to be confident that at least some of these acquisitions by the (defendants) were the products of the unlawful practices which the defendants have inflicted on the industry. To the extent that these acquisitions were the fruits of monopolistic practices or restraints of trade, they should be divested." "Moreover," the court proceeded, "even if lawfully acquired, they may have been utilized as part of the conspiracy to eliminate or suppress competition in furtherance of the ends of the conspiracy. In that event, divestiture likewise would be justified."

In all such cases the Court says flatly that "no permission to buy out the other owner should be given a defendant"—thus eliminating one of the weakest features of the lower court's decree.

But the strongest provision of the Supreme Court's ruling is to the effect that "if the joint ownership is an alliance with one who is or would be a (theatre) operator but for the joint ownership, divorce should be decreed even though the affiliation was innocently acquired." "For," said the Court, "that joint ownership would afford opportunity to perpetuate the effects of the restraints of trade which the exhibitor-defendants have inflicted on the industry."

Now this can only mean that in all cases of joint ownership where the independent partner is a theatre operator, or but for the affiliation would be a theatre operator, there must be divorcement regardless of any other factors.

I need not stress the effect of this on the great Paramount Circuit where many of the theatres—perhaps most—are actually operated by the independent partners. As I read this part of the opinion, I can only conclude that Paramount's theatre empire is doomed—and the same goes for a large part of the Fox theatre holdings. And in these cases, most of them at least, the defendants supplied the basis for the necessary findings to insure divorcement by the testimony of their own circuit heads. By emphasizing the decentralization of control, defendants put their heads in a noose.

What, then, are the theatres which the defendants conceivably may retain? They are described by the Court in a single sentence: "Some apparently involve no more than innocent investments by those who are not actual or potential operators." "If in such cases," the Court concluded, "the acquisition was not improperly used in furtherance of the conspiracy, its retention by the defendants would be justified in the absence of a finding that no monopoly resulted." And in such instances the Court held that permission might be given the defendants to acquire the independent's interest "on a showing by them and a finding by the Court that no monopoly resulted."

Because of the failure of the District Court to discriminate among the affiliated theatres in its findings—to screen the

innocent investments out of the unlawful acquisitions and other unlawful holdings—the Supreme Court found it necessary to eliminate the decree provision barring the five major companies from further theatre expansion. That was done merely because that provision was closely related to the monopoly question which the lower court had so badly bungled and it was felt that that court "should be allowed to make an entirely fresh start." To make this plain the Supreme Court added: "We in no way intimate, however, that the District Court erred in prohibiting further expansion by the five majors."

It will be recalled that in the lower court and again in the Supreme Court the Department of Justice contended that, if total divestiture was denied, the licensing of films among and between the five theatre-owning defendants should be barred. The Supreme Court felt that, as a permanent requirement, this was but another way of forcing divestiture. But it left to the discretion of the District Court the question whether, in the absence of competitive bidding, a ban on cross-licensing "would serve as a short-range remedy in certain situations to dissipate the effects of the conspiracy."

HOW LONG WILL IT TAKE?

The decisions insure ultimate victory in the long struggle for free and open competition and fair trade practices in the motion picture industry—but enjoyment of the fruits of victory is again postponed.

The Supreme Court has decreed that the backbone of the motion picture trust shall be broken and it has given general directions to the District Court as to how that shall be accomplished.

It only remains for the Attorney General vigorously to follow through on the advantage he has gained in order to secure the entry of final decrees in all three cases which not only will enjoin the defendants from unlawful conduct in the future but will wrest from them the properties, influence and power which they have unlawfully acquired.

We can only hope that the action of the Supreme Court in remanding these cases to the District Courts with directions to explore new fields, to correct and enlarge their findings and to formulate and enter effective decrees will not result in undue loss of time. The defendants, according to trade paper intimations, already are planning to resume their pettifogging and dilatory tactics. One unnamed spokesman is reported as saying that the case is right back where it was 10 years ago; that it must now be tried all over again; that the facts must now be canvassed theatre-by-theatre, that much testimony will be taken and much time consumed.

This would be a most disappointing outcome and not only would it postpone effective relief for several more years but it would make a travesty of the law. That considerable delay is entailed by the procedure is manifest. At most it should not take more than six months—although insistence by the judges on their long summer vacations may upset this calculation. The handwriting is now on the wall and its message is inescapable. The major companies now know that the jig is up; that sooner or later they must submit to the mandates of the law. They can no longer pursue their merry monopolistic way.

The sooner they become reconciled to this, the better. If they persist in their stalling tactics, they will soon find that they have exhausted the patience of the courts. They should not overlook the fact that in the Paramount Case the Court twice referred to their "marked proclivity for unlawful

(Continued on next page)

conduct." They will do well to recall that their unlawful practices have been before the Supreme Court in many cases and that they have not been successful in a single one of them. With the facts of the Interstate, Crescent, Jackson Park, Schine, Griffith, Goldman and Paramount cases fresh in mind, the Court will be in no mood for trifling.

The major companies would be well advised now to turn their thoughts to plans for complying with the law instead of devising means for further evading it. Their present predicament calls for wise counsel and industrial statesmanship, not for the dubious expedients of political fixers and loophole artists.

FINDINGS ON MONOPOLISTIC PRACTICES UPHOLD

With the foregoing specially noted exceptions, a minor provision with respect to franchises and the provision in reference to competitive bidding, the findings and decree of the lower court in the Paramount Case were affirmed.

I will not repeat these provisions in each instance, for to do so would unduly extend this paper. All of the provisions thus upheld were clearly proper and, for the most part, had been expressly approved by Allied States Association.

(a) *Price-fixing.* The findings and decree of the District Court in reference to the fixing of minimum admission prices in film license agreements were fully sustained. There can be no further fixing of minimum admissions. There is no exception as to road shows or other special forms of release.

(b) *Clearances and runs.* Here again the Supreme Court sustained, in their entirety, the findings and decree provisions of the lower court. The defendants made a strong attack on the provision which casts on them the burden of showing that a challenged clearance is reasonable. But their pleas were rejected, the Court saying that "Those who have shown such a marked proclivity for unlawful conduct are in no position to complain that they carry the burden of showing that their future clearances come within the law."

(c) *Formula deals, master agreements and franchises.* The findings concerning and injunctions against formula deals and master contracts were also upheld in the following sentence: "The findings of the District Court in these respects are supported by facts, its conclusion that (such deals and contracts) constitute restraint of trade are valid, and the relief is proper."

(d) *Franchises.* Franchises were banned by the lower court simply because they covered more than a single season's product and hence did not conform to the competitive bidding system. With that system eliminated there was no real objection to them "when extended to any theatre or circuit, no matter how small." Therefore, the ban on franchises was removed, although the court expressed doubt as to their propriety "if used between the exhibitor defendants."

(e) *Block-booking and blind-selling.* Much of what the District Court had to say about block-booking was tied in with its views on competitive bidding. The Supreme Court having eliminated that provision, and having retained the District Court's separate provisions against block-booking and blind-selling, a highly satisfactory result has been achieved. There is no limitation on the number of films that an exhibitor may license at one time. But the right to license one feature may not be conditioned upon the licensee's taking one or more other features. And to the extent that licensed films have not been trade-shown, and the exhibitor buys them in a group, he is entitled to reject 20%, this right to be exercised in the order of release and within 10 days after opportunity has been afforded to inspect the feature.

(f) *Discrimination.* The District Court cited a number of instances in which the defendants had discriminated against small independent exhibitors and in favor of large affiliated circuits through various kinds of contract provisions. But that court assumed that these would all be cured by the competitive bidding system and it provided no injunction against such discrimination. With competitive bidding out, these findings were left dangling in air, and the Supreme Court directed that an injunction issue against such discriminatory practices.

As this came from the Bench some of us thought the way was opened for a general anti-discrimination order. But upon studying the opinion I have concluded that the provision will be confined to the enumerated instances of discrimination, which do not include discrimination as to prices.

COMPETITIVE BIDDING

The competitive bidding system was the most controversial feature of the District Court's decree. Regardless of its merit, or lack of merit, I was convinced that it was a legal monstrosity and could not pass muster in the Supreme Court.

The organized exhibitors were united in their opposition and by their combined arguments they tore the whole fantastic scheme into tatters. Most of these arguments appear in paraphrase in the Court's opinion. They occupy a considerable part of the opinion, they make good reading but they transcend the space limitations of this paper.

Those exhibitor organizations which sought to intervene as parties to the case sought to use competitive bidding as their springboard, but with the elimination of that feature their last feeble argument collapsed and their petitions were denied.

ARBITRATION

The Supreme Court upheld the District Court's ruling that it had no power to continue the arbitration system since the Government no longer consented to the arrangement. "We agree . . . that the District Court has no power to force or require parties to submit arbitration in lieu of the remedies afforded by Congress for enforcing the anti-trust laws."

"But," the Court held, "the District Court has the power to authorize the maintenance of such a system by those parties who consent and to provide the rules and procedure under which it is to operate." And the Court added that, of course, "the use of the system would not . . . be mandatory"; that "it would be merely an auxiliary enforcement procedure, barring no one from the use of other remedies the law affords for violations either of the Sherman Act or of the decree of the Court."

We suspect that such a voluntary system would not have great appeal to the defendants, since the old consent decree system which they so dearly loved did not provide an additional or auxiliary remedy for independent exhibitors but was an escape from the penalties for contempt and a highly desirable refuge from private actions under the Sherman Act.

SUMMARY

The destruction of monopoly power in the motion picture industry has been the goal of Allied States Association ever since it became convinced that fair trade practices and equal opportunity for the independent exhibitors could not be secured by the orderly processes of negotiation and agreement.

That that goal has been attained—or at least is in sight—cannot be doubted by any open-minded reader of the opinions handed down by the Supreme Court on Monday.

In the annual reports for the last few years I have emphasized the thought that tomorrow belongs to the independent exhibitors. I was never more certain of that than I am today.

When the proceedings ordered by the Supreme Court have been carried out the percentage of affiliated theatres will be reduced to insignificance and any that remain will have to operate on their own merits and without the preferences and discriminations they have enjoyed in the past.

The way will be open for new producers and new distributors to enter the business with assurance of fair access to all the screens, including the first-runs.

When the decrees are worked out and become effective artificial product shortages will end, competition will force fair dealing by all distributors, and film rentals will reflect the real value of the product and not the rapacity of those accustomed to dealing in a controlled market.

The task of the independent exhibitors and of the public groups interested in the proper conduct of the industry will be to see that the gains made are not frittered away; that the opinions are carried into full force and effect; and that the industry does not again backslide into monopoly.

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ALLIED'S JUSTIFIED CONDEMNATION OF COERCIVE ADVERTISING

Recently Paramount resorted in a few situations to the practice of mailing heralds and posting twenty-four sheets to advertise its pictures to residents in towns where it had not made a deal with the local exhibitor.

One of the towns in which it resorted to this practice was Faribault, Minnesota, and Bill Glaser, the local exhibitor, with whom Paramount was unable to come to terms, appealed for help to his organization, Northwest Allied, of which Bennie Berger is president. Berger, in an effort to stop the practice on the ground that it was unfair, not only protested to Paramount, but also brought it to the attention of National Allied.

National Allied condemned the practice as coercive advertising to force exhibitors to play pictures on terms that were unacceptable to them.

At first glance, Paramount's tactics appeared to this paper to be, not a coercion but only an effort to advertise its pictures in the same manner that it would insert an advertisement in a national magazine to boost its product.

Paramount's position would have been unassailable if it had followed a similar practice in towns where its product had been sold. But in no case had it done this. Consequently, this paper has come to the conclusion that Paramount's act is nothing short of coercion.

This is not the first time that Paramount has resorted to such a practice. If old subscribers to HARRISON'S REPORTS will search their files they will find an account of this practice as early as 1920. The first town in which this method was adopted was Mattoon, Illinois, where Paramount distributed handbills reading something like this: "Mattoon is a good town; but—why the but? It has its good schools, its civic centers, its railroads, its fine parks (etc.), but it has no Paramount Pictures. . ."

The present method is not as vicious; nevertheless, the spirit behind it is.

HARRISON'S REPORTS hopes that Charlie Reagan will put an end to this practice. His complaint may be that he has no other way by which he could induce an exhibitor to buy Paramount pictures. But he must remember that a small-town exhibitor has only a given number of play-dates available—not enough to take care of the products of all distributors. He must leave some of them out. If such an exhibitor books Paramount pictures to the exclusion of the pictures of another major distributor, then that distributor, too, would have the right to resort to the Paramount practice.

If the Paramount branch office in Minneapolis cannot induce the Faribault exhibitor to book its pictures, then there is something wrong somewhere, and it is up to Charlie Reagan to find out why. Certainly, no exhibitor will refuse to buy pictures that will make him money, if he can obtain them at terms that will leave him a profit.

A WELL-DESERVED TRIBUTE

Morris M. Finkel, president of the Allied Motion Picture Theatre Owners of Western Pennsylvania, has forwarded to this office a copy of a resolution that was passed unanimously by his membership at a recent meeting expressing their gratitude and appreciation to Jack Kirsch for his efforts

in behalf of all independent exhibitors during the two years of service he just completed as president of National Allied.

Jack Kirsch is indeed deserving of this tribute, for under his aggressive but fair leadership National Allied's growth and its forceful influence in the industry were nothing short of phenomenal. HARRISON'S REPORTS is happy to join with the MPTO of Western Pennsylvania in hailing Jack for a job well done.

ABOUT "THE MIRACLE OF THE BELLS"

In a recent bulletin of the Allied Theatre Owners of Iowa and Nebraska, Mr. Charles Niles, chairman of the organization's Caravan Committee, quoted from a letter sent to him by a Nebraska member, relative to "The Miracle of the Bells."

This member stated that he had seen the picture after reading the bad notice it had received from the *New York Daily News*, and that he is in complete disagreement with the opinion of that paper's reviewer. "I am not working for the exchange by a hell of a ways," said this member, "but when they build a picture like 'Miracle of the Bells,' and then some dummy in New York calls it mushy sentimentality and the Caravan prints it, I think, and I may be wrong, that there are a lot of little fellows that haven't seen the picture (who) will get an idea that it's no good and I think it is truly a great picture. I'd like to have one like it each week for 52 weeks that will get as much praise from the folks who pay to go to my theatre. I'm speaking nationally and if I'm wrong I'll apologize. Let me know what you thought of the picture."

Mr. Niles admitted in his bulletin that information he had received about the picture from the Des Moines area backed up the Nebraska member's opinion.

The following is part of what the review in HARRISON'S REPORTS said (page 39, this year's volume):

"Excellent mass entertainment. . . . A powerful human interest drama, of a quality rarely achieved in motion picture production. . . . From the opening to the closing scenes, one's attention is gripped so strongly that the more than two hours running time pass by unnoticed."

Those who undertake to advise exhibitors through organization bulletins about the quality of pictures should be careful to impart to them correct information. Taking the word of any reviewer's opinion is wrong, unless that reviewer's opinions had been followed for a long time and proved accurate. Insofar as the New York City newspaper critics are concerned, their opinions, particularly with regard to a picture such as "The Miracle of the Bells," do not as a general rule reflect the opinions of the rank-and-file moviegoers. What is emotionally stirring to the average picturegoer frequently fails to move the big-city critics because of their "arty" tastes. Consequently, one who undertakes to advise exhibitors about a picture's commercial possibilities is rarely on solid ground if he bases his opinion on what is said of the picture by these critics.

Reviewing pictures from the exhibitor's point of view is a profession that requires, not only accurate judgment, but also experience as well as training. A wrong opinion on a picture does harm, not only to the producer, but also to the exhibitor, who may refrain from either buying the picture or putting behind it all his efforts.

"Melody Time"

(RKO, no release date set; time, 75 min.)

This latest Walt Disney feature draws comparison with his "Make Mine Music," both from the standpoint of construction and of entertainment value. The business done by that picture should serve as a pretty accurate guide in judging the box-office possibilities of this one. Like "Make Mine Music," this novelty feature is comprised of a series of unrelated short subjects of varying character and length, each of which has something that is bound to please the varied tastes of picture-goers of all ages. Several are more entertaining than others, but all have been executed with an imagery, artistry, and dexterity that is nothing short of magnificent.

The first subject, "Little Toot," is an amusing fable about the adventures of a baby tugboat in New York Harbor, featuring the voices of the Andrews Sisters, who sing the song of the same title as the story unfolds.

The next subject, "Johnny Appleseed," is an entertaining folk tale relating the legend of how a young farmer left his apple orchard in the East to plant the appleseed throughout the unsettled West. Featured in this subject is the voice of Dennis Day, who speaks in different brogues for the various characters and sings several songs.

The third subject, "Bumble Boogie," featuring the music of Freddie Martin's Orchestra, is a highly imaginative fantasy of a bee's nightmare, showing the bee zooming about in frenzied flight as a piano keyboard and musical notes assume all sorts of wierd shapes in an effort to trap it.

"Once Upon a Wintertime," sung by Frances Langford, makes up the next subject, which is an amusing tale about a sleighing and skating outing of a young couple in the early 1800's.

The fifth subject, "Trees," is based on Joyce Kilmer's famous poem, and features the music and singing of Fred Waring and his Pennsylvanians. The animated pictorial beauty of this subject, is breathtaking.

Subject six, "Blame It On the Samba," combines live action and animation, featuring Ethel Smith at the organ, the singing of the Dinning Sisters, and the wild but hilarious antics of Donald Duck, Jose Carioca, and the Aracuan Bird of Brazil as they dance to the Latin tune.

The last subject, "Pecos Bill," is another combination of live action and animation, in which Roy Rogers and the Sons of the Pioners relate to little Bobby Driscoll and Luana Patten the sage of "Pecos Bill," the "toughest critter west of the Alamo." This subject is extremely well done and should provoke many laughs.

"Best Man Wins" with Edgar Buchanan and Anna Lee

(Columbia, May 6; time, 75 min.)

A slow-moving but fairly interesting program comedy-drama, best suited for theatres that cater to the family trade. Drawing its story idea from Mark Twain's "The Celebrated Jumping Frog of Calaveras County," the action revolves around small-town characters and deals with the regeneration of a middle-aged gambler who changes his ways to win back the affections of his former wife, whom he had deserted. The picture's leisurely pace matches its gentle humor, and there is considerable human interest throughout. Much of it is hokum, but it is not too hard to take. The direction is expert and the performances uniformly good. The action takes place in 1853:—

Returning to his home in Missouri after an absence of ten years, Edgar Buchanan finds that his wife, Anna Lee, had divorced him, and that she was preparing to marry Robert Shayne, a stuffed-shirt local judge. Anna is cordial to him and permits him to become acquainted with Gary Gray, his ten-year-old son, whom he had never seen. He gets along famously with the youngster, particularly after buying the boy a racing greyhound, which he wanted to enter in a forthcoming race at a county fair. The purchase, however, cleans him out of all his assets except a pet jumping frog and his ability to gamble. Unable to see Shayne as his

son's step-father, and still in love with Anna herself, Buchanan decides to reform in an effort to win back her love. But on the day of the race, Buchanan, by betting on his jumping frog, is able to scrape up enough money to place a last bet, not on his son's dog, but on a prize racer entered by Shayne, planning to turn the winnings over to Anna. Gary's dog, however, wins the race. Anna, delighted to see that Buchanan had not placed a bet on the boy's dog, believes that his reformation was complete and agrees to marry him. But on the day of the wedding, Shayne, peeved, tries to break up the re-marriage by revealing that Buchanan had placed a bet on his dog. Buchanan, however, goes to Anna before the ceremony and admits that he had pulled the wool over her eyes, despite his good intentions. Convinced that he really meant to stabilize himself, Anna decides to go through with the re-marriage.

Ted Richmond produced it and John Sturges directed it from a screenplay by Edward Huebsch. The cast includes Herbert Cavanaugh and others.

Suitable for the family.

"Give My Regards to Broadway" with Dan Dailey, Charles Winninger and Nancy Guild

(20th Century-Fox, June; time, 89 min.)

Photographed in Technicolor, this is a heart-warming domestic comedy-drama, the sort that should appeal to all lovers of human-interest entertainment. Its story about an old trouper's faith in the return of vaudeville, and the training he gives to his son and two daughters so that they will be ready to join his act, is a well-balanced mixture of pathos, laughter, romance and music that retains a homespun flavor throughout its telling. The musical interludes are highly enjoyable, not only because of their intimate quality, but also because the songs are old time favorites. Every one of the characters is lovable—there isn't a villain in the cast. All in all, it is a winning movie, the kind that makes one feel good, for it is unpretentious, tender and thoroughly wholesome:—

With vaudeville on the way out, Charles Winninger, a juggler, is compelled to give up his act and to accept employment in a factory in order to support his wife (Fay Bainter) and three children (Dan Dailey, Jane Nigh, and Barbara Lawrence). The years go by swiftly and Winninger becomes assistant foreman at the plant, but he still believes that vaudeville will come back and, towards that end, rehearses his children daily in song, dance, and juggling routines on a homemade stage in his garage. Winninger is keenly disappointed when Jane elopes with Herbert Anderson, but he gets over it and reorganizes the act as a trio. When Barbara falls in love with Charles Russell, he tries to discourage their matrimonial ideas, but he soon accepts the inevitable and consoles himself with the thought of doing a "double" with his son. Meanwhile Dailey had been smitten with the charms of Nancy Guild, whose father coached the baseball team of the company where he (Dailey) was employed as a draughtsman. He becomes more interested in Nancy and in baseball than in juggling, but does not tell his father. Matters reach a showdown when Sig Ruman, an old friend, offers Winninger a sixteen-week booking out west. Jubilant, he quits his job to resume his stage career, but Dailey declines to go along with him, preferring to remain with his firm, which had offered him an advancement. Dejected at the turn of events, Winninger creates a rift between himself and the family and decides to carry on the act as a "single." But when he goes down to the station to catch his train he has a change of heart and realizes that he would rather be at home with his family. The years slip by and, in the closing scenes, Winninger is shown surrounded by his children and grandchildren, who applaud him as he joins Dailey in a song-and-dance routine for their entertainment.

Walter Morosco produced it and Lloyd Bacon directed it from a screenplay by Samuel Hoffenstein and Elizabeth Reinhardt, based on a story by John Klempner. The cast includes Charles Ruggles, Howard Freeman and others.

Excellent for the entire family.

"I, Jane Doe" with Ruth Hussey, Vera Ralston and John Carroll

(Republic, May 25; time, 85 min.)

A well-produced but only moderately entertaining courtroom drama. It has a "soap opera" type of story that will probably appeal more to women than to men. The chief trouble with the story lies in its presentation, which is done through a series of flashbacks that tend to confuse the spectator. The result is a spotty entertainment that is often dull to watch. Being the story of a woman who had been wronged, the script writers have put into it a little of everything that dramatic invention can offer, but the concoction is so artificial and the characterizations so unconvincing that its emotional punch is generally feeble. Unsophisticated women patrons may find the proceedings interesting, but those with more discriminating tastes will probably look upon it as a singularly empty drama.

The story opens with Vera Ralston's arrest for the murder of John Carroll, followed by her refusal at the trial to reveal either her identity or her reasons for the crime. Sentenced to die, she collapses in court and it is discovered that she is to become a mother. Ruth Hussey, Carroll's widow, learns that Vera had given birth to a son and visits her to ask permission to adopt the child. Desirous of living for her child, Vera tells Ruth about herself. On the basis of Vera's story, Ruth, a lawyer, takes up her defense and obtains a new trial. On the witness stand, Vera reveals how she had rescued Carroll in France when his plane had been shot down, and how she had hid him from the Nazis. He had married her and had returned to his unit after France was liberated, promising to come back for her. Desperate after not having heard from him for many months, she had come to New York on a forged passport. To get rid of her, he had informed the immigration authorities of her illegal status. She had escaped from Ellis Island, where she had been taken for deportation, and had killed Carroll after learning that he was also married to Ruth. After a stormy trial, punctuated by the death of Vera's baby, the jury, heeding Ruth's eloquent plea, brings in a verdict of not guilty, permitting Vera to return to France to start life anew with a childhood sweetheart.

John A. Auer produced and directed it from a screen play by Lawrence Kimble. The cast includes Gene Lockhart, John Howard, Adele Mara and others.

Adult fare.

"King of the Gamblers" with Janet Martin and William Wright

(Republic, May 10; time, 60 min.)

Less talk and more action would have helped this program murder melodrama considerably; nevertheless, it is fairly interesting and should get by with indiscriminating audiences. Outside of the fact that the villains are connected with a sports-fixing racket, the story has little to say on that subject and is more or less a conventional tale of frame-up and murder, with the victim being an honest young football player who is framed for a crooked player's murder. There is no mystery attached to the proceedings insofar as the spectator is concerned, but the plot ramifications, which have a youthful lawyer defending the accused player and crushing the racket without realizing that his (the lawyer's) foster-father was one of the racket's secret heads, is interesting, although lacking in excitement and suspense. There is no comedy and only a suggestion of romance:—

To cover up his connection with George Meeker, head of a sports-fix racket, Thurston Hall, publisher of a sports magazine, carries on a vigorous crusade against racketeering in sports. James Cardwell, a pro-football player in league with Meeker, fails in an attempt to blackmail the gambler and approaches Hall with an offer to sell him the full story of the football-fix racket. Hall stalls Cardwell and informs Meeker. The ruthless gangster solves the problem by having Cardwell killed in a manner that throws the guilt on William Henry, an honest teammate, who had quarreled with Cardwell over his dishonest tactics. William Wright, Hall's foster-son and a college chum of Henry's, believes

in his innocence; he resigns as assistant district attorney to handle Henry's defense. Carrying on his own investigation, Wright comes across information that leads him to witnesses whose testimony could save Henry, but before he can act the potential witnesses are murdered by Meeker. Finally, through Janet Martin, the murdered man's sister, Wright learns that his foster-father had been approached by Cardwell with an offer to sell the "fix" story. The evidence Wright turns up about his complicity in the affair compels Hall to go on the witness stand and reveal all. Meeker, sitting in the courtroom, shoots him as he testifies, only to be mown down himself by a hail of police bullets. With Henry cleared, a romance blossoms between Janet and Wright.

Stephen Auer produced it and George Blair directed it from an original screenplay by Albert DeMond and Bradbury Foote. The cast includes Stephanie Bachelor, Wally Vernon, Jonathan Hale and others.

Unobjectionable morally.

"Raw Deal" with Dennis O'Keefe, Claire Trevor and Marsha Hunt

(Eagle-Lion, May 26; time, 79 min.)

Fast-paced and packed with action, this gangster-type melodrama should go over pretty well with adult audiences, in spite of the fact that the plot is not always logical. The story itself is a routine yarn about an escaped convict's efforts to evade capture and to square matters with a double-crossing pal, but Anthony Mann's taut direction has squeezed every bit of excitement and suspense out of the material at hand. Several of the situations are intensely melodramatic and, at times, brutal and violent. It is by no means a pleasant entertainment, and a bit too sordid for the family trade. Dennis O'Keefe, as the escaped convict, handles his tough-guy role in capable fashion, even winning a measure of sympathy because of his display of some redeeming traits. Worked into the plot is an interesting love triangle involving O'Keefe, Claire Trevor, and Marsha Hunt. The production values are fairly good, and the low-key photography does much to sustain the picture's sinister mood:—

After spending a year in jail on a robbery charge, O'Keefe, aided by Claire, his ever-faithful sweetheart, breaks out of prison by means of a plan engineered by Raymond Burr, his accomplice in the robbery. Actually, Burr was hoping that O'Keefe would be shot down so that he would not have to share with him the "take" from the robbery. O'Keefe, with Claire at the wheel of the getaway car, manages to make his escape good, but is compelled to alter the escape plan when bullet holes in the gas tank drain his car of fuel. He goes to the apartment of Marsha Hunt, his lawyer's secretary, to seek her aid. When she threatens to phone the police, he takes her car and forces her to accompany him and Claire. They manage to get by the police blockade and head for Crescent City, where O'Keefe was to meet Burr to collect his share. Meanwhile a strong attraction grows up between Marsha and O'Keefe, despite her animosity, much to Claire's chagrin. Arriving for the rendezvous with Burr, O'Keefe finds himself met by John Ireland, Burr's trigger-man, who had orders to kill him. O'Keefe knocks the gun out of his hand and engages him in a fight to the finish. Marsha, seeing Ireland about to smash O'Keefe with a crowbar, retrieves the gun and shoots him down. Both realize their love for each other after the incident, but O'Keefe, aware that she was too fine a girl for him, sends her home. Claire, relieved, convinces O'Keefe that it is best to forget about his share and to take a boat out of the country. Meanwhile Ireland, recovering from his wounds, picks up Marsha and brings her to Burr, who decides to use her as a means to entice O'Keefe to his lair so that he might dispose of him. Learning of her danger, O'Keefe rushes to her defense and, in a crashing climax, kills both Ireland and Burr but is mortally wounded himself. He dies in Marsha's arms.

Edward Small produced it and Anthony Mann directed it from a screenplay by Leopold Atlas and John C. Higgins, suggested by a story by Arnold B. Armstrong and Audrey Ashley.

**"The Gallant Legion" with William Elliott,
Adrian Booth, Joseph Schildkraut
and Bruce Cabot**

(Republic, July 25; time, 88 min.)

The one thing that may be said of this big-scale Western is that it is well-stocked with actionful moments, generating sufficient excitement to make it highly satisfactory to the devotees of this type of entertainment. Picture-goers who are not particularly addicted to Westerns will find that it offers little that is unusual either in story or in treatment. But to the dyed-in-the-wool cowboy fans the lack of story novelty should make little difference, for there is a goodly share of chases, shooting, fist-fights, and skullduggery, plus the customary comedy relief of the type supplied by Andy Devine. All in all, the picture is a strong bet for theatres that cater to action fans, and it should get by as a supporting feature in most other situations:—

When Texas is admitted into the Union and the ill-reputed State Police disbanded, Bruce Cabot, a ruthless landowner, secretly leads a vicious element in a fight to establish West Texas as a separate state. Senator Joseph Schildkraut, Cabot's undercover mouthpiece, demands abolishment of the Texas Rangers in a veiled move to make Cabot's task easier, but the State Senate votes to retain the Rangers for a trial period of six months. Cabot embarks on a program of brute force and chicanery to discredit the Rangers by showing them as unable to cope with the crime wave. Adrian Booth, a newspaper woman, who is Schildkraut's niece and Cabot's fiancée, is assigned by her paper to cover the fight between the Rangers and the lawless element. Meanwhile William Elliott, a Civil War veteran, returns to Texas to settle down on his ranch but changes his mind when his younger brother, one of Cabot's renegades, is shot by a Ranger during a bank holdup. Suspecting that Cabot was behind the lawlessness, Elliott joins the Rangers in an effort to prove his guilt. Cabot tries to discredit him by claiming that he had joined to avenge himself on the Ranger who had killed his brother, but Catpaw Jack Holt expresses his faith in Elliott. Simultaneously, Adrian, whose news dispatches, influenced by her uncle, had been uncomplimentary to the Rangers, is invited by Holt to live at the camp and witness the Rangers' activities. In the course of events, Adrian catches her uncle altering her news dispatches to smear the Rangers; she threatens to reveal his perfidy. Cabot, fearing that Schildkraut will talk and ruin his plan to arm the Comanche Indians against the Rangers, murders him. This killing sets off a series of events involving the massacre of several Rangers, culminating in a showdown battle between Holt's Rangers and Cabot's renegades. During the battle, Holt's son (James Brown) is shot in the back by Cabot, and Elliott is suspected of killing him to avenge his brother's death. But he is exonerated when his courage and bravery win the fight for the Rangers and bring about Cabot's death.

Joe Kane produced and directed it from a screen play by Gerald Adams, based on a story by John K. Butler and Gerald Geraghty. The cast includes Adele Mara, Grant Withers and others. Unobjectionable morally.

**"Port Said" with Gloria Henry
and William Bishop**

(Columbia, April 15; time, 69 min.)

A mediocre, low-budget murder-mystery melodrama; it has little to recommend it, even for the lower half of a double-bill, for it has neither excitement nor suspense. Not only is the story involved, unbelievable, and confused, but to make matters worse talk has been substituted for action, with the result that it barely holds one's interest. The players struggle to make something of their individual roles, but there is little they can do to lift the inept screen play from its depths of boredom:—

Arriving in Port Said for a vacation, William Bishop learns that his best friend, a theatre manager, had been murdered mysteriously. In attempting to unravel the case, he learns from Edgar Barrier, a magician, and Gloria Henry,

his daughter, that his friend had probably been murdered by Richard Hale, a Nazi collaborationist, whose daughter (also played by Gloria Henry) was Gloria's first cousin. He explains that, because of the striking resemblance between the two girls, Hale feared that he and his daughter would be unmasked if the public saw their act and noticed the resemblance. They further explain that his friend had been killed to prevent him from booking their act. Bishop falls in love with Gloria and soon becomes involved in a series of events in which several unsuccessful attempts are made on his life by Ian MacDonald, Hale's sinister henchman. With Bishop hot on his trail, Hale devises a scheme whereby his daughter is substituted for Gloria in Barrier's fencing act (an act in which Barrier and Gloria pretend to kill each other with trick swords), in order to kill both Gloria and Barrier. Gloria is drugged and replaced in the act by her cousin, but before the vicious girl can kill the unsuspecting Barrier, Bishop, having learned of the plot, arrives with the police, saves Gloria and Barrier, and captures the criminals.

Wallace MacDonald produced it and Reginald LeBorg directed it from a screen play by Brenda Weisberg, based on a story by Louis Pollock. The cast includes Steven Geray and others. Unobjectionable morally.

**"Wallflower" with Joyce Reynolds,
Robert Hutton, Janis Paige
and Edward Arnold**

(Warner Bros., June 12; time, 77 min.)

A lightweight but fairly amusing romantic comedy, revolving around adolescent doings. Although it does not rise above the level of program fare, it is strong enough to serve as the top half of a mid-week double-bill. Laid in a typical small town, its story about two attractive step-sisters, one flirtatious and the other a shrinking violet, follows a well-worn pattern in that the subdued sister, tired of being a "wallflower," assumes the kittenish characteristics of her uninhibited sister and soon wins the admiring glances of their male friends, particularly of the boy she loved. It offers little that hasn't been done many times, but it is pleasant enough. The comedy is of the sort that provokes chuckles instead of belly laughs:—

Returning home after a year in college, Joyce Reynolds and Janis Paige, step-sisters, miss their plane at the airport. Don McGuire, attracted by Janis' obvious charms flies them home in his own plane. At home, their parents, Edward Arnold and Barbara Brown, have their hands full answering telephone calls and receiving flowers for Janis. When Robert Hutton, a young family friend, comes to greet the girls, he sees Joyce first and invites her to accompany him to a forthcoming country club dance. But he forgets about Joyce when he sees Janis and invites her to the dance instead. Joyce, resigned to playing second-fiddle to Janis, decides to remain at home on the night of the dance, despite the family's insistence on finding an escort for her. McGuire telephones just as the family leaves for the dance, and Joyce, copying her sister's ways, charms him into escorting her to the dance. She dresses herself in alluring fashion and, at the club, wins the admiring glances of Janis' many boy-friends who vie for her attentions. Meanwhile Hutton gets drunk at the bar because Janis had turned down his marriage proposal. Entranced by the "new" Joyce, he asks her to marry him. She decides to sober him up before considering his proposal and takes him to a nearby lake for a swim. Their clothes are stolen from the locker by some boys and, in the resulting confusion, both are picked up in abbreviated beach robes by a policeman and kept in jail overnight. The newspapers publish the story, and the youngsters' families, putting a wrong interpretation on the incident, insist that they elope at once. Joyce, believing that Hutton was being forced into the marriage, runs away. Hutton overtakes her and convinces her of his love.

Alex Gottlieb produced it and Frederick de Cordova directed it from a screen play by Phoebe and Henry Ephron, based on the stage play by Reginald Denham and Mary Orr. The cast includes Jerome Cowan and others.

Suitable for the family.

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A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XXX

SATURDAY, MAY 29, 1948

No. 22

SPONSORED SCREEN ADVERTISING CONDEMNED

The move that Eric Johnston took at a recent MPA A meeting to ban sponsored advertising reels from the screens of the theatres that belong to his association cannot be praised too highly.

This writer has had much experience in such matters: In 1931, Paramount, followed by Warner Brothers, decided to make a business out of installing a sponsored screen advertising department in their theatres. Having realized how injurious such a practice, if established permanently, would be to the entire business, I set out to combat it by soliciting the aid of more than two thousand newspaper publishers and editors throughout the nation.

The newspapers joined the campaign on the ground that advertising belonged to the newspapers and not to picture theatres, the function of which is to furnish entertainment. To combat the practice, the newspapers, through their editorial columns, informed the public of the evil to protect them from being "gouged" by theatres that charged an admission price for entertainment and compelled their patrons to sit through several reels of sponsored advertising. Moreover, they withheld from the offending theatres the free publicity normally given to them in the amusement pages. The newspapers turned their guns on the entire motion picture industry so mercilessly that, within three months after the campaign was started, both Warner Brothers and Paramount had to abandon their activities in the advertising field.

The unfairness of sponsored screen advertising lies in the fact that, whereas a newspaper reader may skip the advertising pages, he cannot help watching the advertisements on the screen. And that is really an imposition, when one considers that the picture-patron paid an admission to be entertained.

The theatre screen is not the place to advertise different products, in spite of the fact that some exhibitors can realize considerable income from such a source. In the long run, what an exhibitor gains in actual cash he more than loses in patron resentment, which ultimately results in decreased theatre attendance.

Let us keep the screens free from advertising. Legally, they belong to the exhibitor, but morally, they belong to the public.

A RESPITE FOR MOVING PICTURES

Commenting on radio's adventure serials for children, under the heading, "Kids' Serials Too Grim . . . Death in Child's World," Paul Denis, the famous radio columnist of the *New York Post*, said partly the following in a recent column:

"Maybe I'm wrong, but I always thought kids had a great sense of humor. Yet broadcasters do not offer comedy programs tailored for kids of 6 to 12. Instead,

radio's adventure serials—like Capt. Midnight, Tom Mix, Dick Tracy, Terry and the Pirates, Superman—are these, loud, grim.

"There's hardly a laugh for the kids on WOR or WJZ from 5 to 6 p.m.

"Surely, there must be a better way to entertain kids than to keep them on edge about international spies, bandits, atomic disasters, plane crashes, train wrecks. There should be some relief from ear-splitting sounds of whirring motors, zooming planes, howling headhunters, trucks crashing over the mountainside, screaming men being tortured by crooks.

"There should be at least a couple of kid adventure serials in which gaiety is the mood, adventures are plausible, and kids in the script are normal and happy . . ."

In these days, when radio as well as newspaper columnists, crackpots as well as others, take joy in trying to fill their columns with outbursts against motion pictures, it is indeed refreshing to read one columnist who has found fault with some other medium of entertainment.

Mr. Denis is right about the harmful effect current radio serials have on children. As those of you who are parents know, children often refuse to go to bed until they have heard their favorite serial. But some of the stuff that comes over the air is so frightening that it is enough to give children nightmares. As a matter of fact, the harm that is done by one nerve-wracking radio serial cannot be done by dozens of a similar type of pictures, because radio is of much greater access to a child than is a motion picture.

Even though Mr. Denis' criticism is directed against radio entertainment, the motion picture industry could very well profit by accepting his advice and producing a greater number of comedy pictures. Life itself is too grim to be made grimmer by a medium that should put people in a happy frame of mind.

WILL ELIMINATION OF THE 20% TAX HURT OR BENEFIT THE EXHIBITORS?

The late Al Steffes once told me that he feared the elimination of the 20% Federal Tax on admissions lest the small communities take its elimination as their cue to impose local taxes on theatres.

In a recent organization bulletin, Leo F. Wollcott, chairman of the board of Allied Theatre Owners of Iowa and Nebraska, points out that theatre taxes are being set up by small communities throughout the country and, like Steffes, he states that "maybe the Federal Tax better be left on if by so doing we will be afforded some protection from local taxes."

Before any of the exhibitor organizations begin a concerted campaign to rid the industry of the Federal Tax, they would do well to give some deep thought as to whether or not its elimination will bring on a wave of local taxes and, consequently, greater headaches.

**"Easter Parade" with Judy Garland,
Fred Astaire and Peter Lawford**
(MGM, July 8; time, 102 min.)

A highly satisfactory Technicolor musical. Its blend of comedy, romance, song, and dance, backed up by an Irving Berlin score that includes no less than seventeen of his songs, seven of which are new, makes for a show that is generally pleasant and musically exciting. The story itself is light, but this is not important since it is so completely overshadowed by the tuneful music and by the plentiful and extremely lavish production numbers, featuring the superb dancing of Fred Astaire and Ann Miller, and the listenable singing of Judy Garland, who proves to be pretty expert in the dance department herself. Every one of the production numbers is brilliant, but the outstanding one is where Astaire and Miss Garland, dressed as tramps, sing and dance to the song, "A Couple of Swells." The film reaches its highest point of comedy with this novelty number. The story takes place in New York in 1912, and the strikingly-colorful sets and costumes are enhanced considerably by the excellent photography:—

In love with Ann Miller, his dancing partner, Fred Astaire breaks with her when she runs out on her contract with him to star in a Broadway show. Bitter, Astaire informs his friend, Peter Lawford, a wealthy collegiate, that he can make a glamorous star to outshine Ann of any chorus girl he chooses and, to prove his statement, he selects Judy Garland, a chorus girl in a cheap cafe. He drives her unmercifully to satisfy his boast, but fails to notice her growing affection for him because of the torch he still carried for Ann. Meanwhile Lawford falls in love with Judy. Under Astaire's expert handling, Judy soon becomes a polished entertainer and, after a highly successful tour, they are starred in a Broadway revue. They score a huge success on opening night, after which Astaire takes Judy to a night club where Ann entertained. There, Ann persuades Astaire to join her on the floor in one of their old numbers. Judy, who had hoped that Astaire had forgotten about Ann, leaves in a huff. Realizing that he loved Judy and that he had hurt her, Astaire rushes to her hotel, but she refuses to talk to him. On the following day, Easter Sunday, Lawford, who had given up hope of winning Judy for himself, steps into the breach by telling her that Astaire planned to train a new partner. This fabrication causes her to rush to Astaire for a reconciliation, and it all ends with their joining the Easter Parade on the march up Fifth Avenue.

Arthur Freed produced it and Charles Walters directed it from a screen play by Sidney Sheldon, Frances Goodrich, and Albert Hackett. The cast includes Jules Munshin, Clinton Sundberg and others. Morally suitable for all.

**"The Big Punch" with Wayne Morris
and Lois Maxwell**

(Warner Bros., June 26; time, 80 min.)

Not a bad melodrama, but it does not rise above the level of program fare. Its story about a young minister who brings about the reformation of a crooked pugilist, whom he helps clear of a trumped-up murder charge, is not as logical as it might be, but it has enough human interest and melodramatic action to hold one's attention fairly well. There is suspense in some of the situations, and the pugilist, portrayed by Gordon MacRae, a newcomer who does very well

in his screen debut, arouses the sympathetic interest of the spectator because of his predicament and of his sincere desire to lead an honest life. As the young minister, Wayne Morris makes the characterization creditable. Worked into the plot is a mild romantic triangle involving Wayne, MacRae, and Lois Maxwell:—

When Wayne Morris, an athlete and divinity student appears in the office of Anthony Warde, a crooked fight manager, to deny reports that he will give up the ministry for the boxing ring, his sincerity and honesty make a deep impression on Gordon MacRae, a pugilist, who deliberately lost fights so that Warde could win by betting on his opponent. He decides to reform and double-crosses Warde by knocking out his next opponent. Knowing that Warde would seek revenge, MacRae leaves town. But Warde takes advantage of his departure by murdering a "nosey" detective under circumstances that point the finger of guilt at MacRae. Learning that he was wanted for murder, MacRae heads for a small town where Morris had just arrived as the new minister. Informing him that he was in trouble with Warde but withholding information of the murder charge, MacRae asks and receives refuge from Morris in the parish house. Morris obtains a job for him at the local bank through the efforts of Lois Maxwell, a disillusioned girl in whom he (Morris) had taken an interest. Mary Stuart, MacRae's former New York girl friend, learns of his whereabouts and, as her price for silence, demands that he join her and several other accomplices in a plot to rob the bank. MacRae decides to leave town and confesses his reasons to Morris. The minister persuades him not to run away and, employing an ingenious scheme, in which he uses Lois as bait, he captures the blackmailers and compels one of them to admit that Warde had committed the murder. Cleared, MacRae leaves town, determined to start a new way in life.

Saul Elkins produced it and Sherry Shourds directed it from a screen play by Bernard Girard, based on a story by George Carleton Brown.

Unobjectionable morally.

"The Vicious Circle" with Conrad Nagel
(United Artists, no release date set; time, 77 min.)

Those who do not mind the complete lack of action in a motion picture should find this courtroom drama highly interesting. Produced on a modest budget and based on a racial intolerance theme, it grips one's interest from start to finish, in spite of the fact that practically the entire action is confined to a courtroom setting. The story, which is supposedly based on events that actually happened in Hungary in the year 1882, revolves around the trial of five Jewish farmers, victims of a Jew-hating aristocratic landowner, who, to drive them from the community, frames them for the murder of a young servant girl. The dramatic excitement flows from the conflicting testimony that is offered by different witnesses, and from their cross-examination by the defense counsel, who brilliantly tears down, not only the perjured testimony of the state's witnesses, but also the arguments of the corrupt prosecuting attorneys who, in league with the landowner, were using the trial as a springboard to further their political ambitions. In the end, the defense attorney wins an acquittal for the defendants by proving that the dead girl had committed suicide, and his expose of the prosecution's case as a complete and dishonest fabrication results in the court holding

the prosecuting attorneys for investigation themselves.

Through deft handling, producer-director W. Lee Wilder has given the picture a sense of movement, in spite of the fact that the action is confined to the courtroom. Moreover, he has brought out in an intensely moving way the persecution suffered by minorities who become the victims of bigots. As the defense attorney, Conrad Nagel delivers an outstanding performance, as does Fritz Kortner, as one of the defendants, who makes the spectator feel his grief when his young son, badgered and bribed by the prosecuting attorneys, testifies falsely against him. Reinhold Schunzel, as the aristocratic landowner, makes a sinister, scowling villain.

Guy Endore and Heinz Herald wrote the screen play from the play, "The Burning Bush," by Geza Herczeg and Mr. Herald. The cast includes Lyle Talbot, Philip Van Zandt, Frank Ferguson and others. Adult entertainment.

"13 Lead Soldiers" with Tom Conway

(20th Century-Fox, April; time, 67 min.)

This "Bulldog Drummond" melodrama should pass muster as a supporting feature in secondary theatres. Revolving around the search for an ancient treasure, the story is an incredible mixture of murder, mayhem, and intrigue, peopled with unbelievable characters and handicapped by inept comedy, but the accompanying melodramatics are such as to help it get by with the action-minded fans who do not mind illogical plots. Tom Conway, as "Drummond," plays the private detective role with his usual suavity. The others in the cast are reasonably proficient, although their names mean nothing at the box-office:—

When John Goldsworthy is murdered and robbed of two 11th Century lead soldiers, Conway, is engaged by William Stelling, boy-friend of the dead man's daughter, Helen Westcott, to safeguard two similar lead soldiers for him. Conway lets it be known that he had the soldiers in his possession, and he is rewarded by a visit from Maria Palmer, who represents herself as a newspaper woman sent to interview him. He accepts her invitation to dinner at her apartment, during which his flat is robbed of the soldiers by Harry Cording, whom Conway traces to the Soho district only to find him murdered. He revisits Maria, finds the missing manuscript, and discovers that it and the thirteen lead soldiers are the key to a treasure hidden by an Anglo-Saxon king. His investigation leads him to an antique shop, which turns out to be owned by Maria's father, who needed the four missing soldiers to complete the puzzle of the treasure's location. Maria admits that Cording, hired by her father, had killed Goldsworthy, but that some unknown person had killed Cording. After a series of complicated events, during which Maria's father, too, is murdered, Conway comes upon Stelling, Helen's boy-friend, arranging all thirteen soldiers in key spots on a Norman fireplace in the antique shop. This causes the fireplace to swing back and reveal the treasure room. Unmasked as the murderer, Stelling tries to escape, only to be crushed to death when the fireplace swings back into position.

Bernard Small produced it and Frank McDonald directed it from a screen play by Irving Elman, adapted from a story by "Sapper." The cast includes John Newland, Terry Killburn and others.

Unobjectionable morally.

"The Time of Your Life" with James Cagney, William Bendix, Wayne Morris and Jeanne Cagney

(United Artists, no release date set; time, 109 min.)

The Cagneys (James and William) will no doubt receive much critical acclaim for their production of William Saroyan's prize-winning play. And they will have earned it, for it is a most unusual picture and certainly an artistic success. What it will do at the box-office is, however, a big question. Cultured picture-goers and others who look for something different in screen entertainment should find the film highly entertaining, but the rank-and-file, accustomed to movies with definite plot outlines, may find it hard to take. In small towns, many movie-goers may wonder what it is all about, for, to quote the foreword, "There is no plot in the ordinary sense, in this story; rather, it is a comedy of characters, moods, tempo and arresting incidents . . . a commentary on Life in our Time."

Except for several fleeting scenes, all the action takes place in a San Francisco waterfront saloon, where numerous characters wander in and out of the place, and where most anything can happen and does. These picturesque characters include William Bendix, as the good-natured saloon-keeper, who wants no trouble with anybody and believes in letting his customers do as they please; James Cagney, as a sort of mystic philosopher of unlimited means, who spends most of his time in the saloon, and whose keen understanding of human nature is exercised in a way that baffles those who know him; Jeanne Cagney, as a woman of easy virtue, a former farm girl with shattered illusions; Wayne Morris, as a hulking, mentally confused young man who looks to Cagney for guidance, and who falls in love with Jeanne; Richard Erdman, as a determined young man who plays a pinball machine all day in the hope of winning the jackpot; Paul Draper, as a busboy who breaks into a dance at the slightest provocation; Jimmy Lydon, as a love-sick youngster who cannot get his sweetheart on the phone; Tom Powers, as a sneaking stool-pigeon, who frequents waterfront bars and practices extortion and petty blackmail on tavern owners; James Barton, as a pseudo-Indian fighter, who regales every one with his tall tales; Broderick Crawford, as an unhappy policeman; Pedro de Cordoba, as a lonely, silent Arab; and Ward Bond, as a talkative longshoreman—all these, and numerous others, make up as odd and colorful an assortment of characters as has ever been seen in a picture. There is little depth to any of the characterizations, and the course each follows is more or less aimless, but all are extremely fascinating. For all its aimlessness, however, it grips one's interest throughout, for one never knows what might happen next. Some of the incidents have a deep human quality, while others make one roar with laughter. At times, however, the dialogue leaves one bewildered. In spite of the fact that the action takes place on one set, the picture has considerable movement. The direction is expert and every one of the performances excellent. As it has already been said, it is an odd picture and its performance at the box-office is difficult to predict. Exhibitors will do well to check the picture in its prior-runs, for, although one is inclined to feel wary about its reception by the rank-and-file, their acceptance of it might be better than expected.

William Cagney produced it and H. C. Potter directed it from a screen play by Nathaniel Curtis. The cast includes Howard Freeman, John Miller, Renie Riano and many others. Adult fare.

"Escape" with Rex Harrison and Peggy Cummins

(20th Century-Fox, June; time, 78 min.)

Based on John Galsworthy's famous play of the same name, this shapes up as a fairly interesting British-made melodrama which, despite its star values, does not rise above the level of program fare. Its story of the flight of an escaped convict and of his efforts to elude capture by the police is of the sort that should have a special appeal for cultured moviegoers, for it is more or less a philosophical study of society in that it deals with the different ways people react to the convict, a former gentleman, whose incarceration was the result of an accidental killing. It has enough suspense and excitement, however, to give fair satisfaction also to the rank-and-file. Rex Harrison does good work as the convict, but Peggy Cummins, as the girl who aids him and falls in love with him, is no more than adequate. As a matter of fact, their romance, which seems to be dragged in by the ear, is unbelievable:—

While strolling through Hyde Park after a day at the races, Harrison, an ex-squadron leader, is accosted by a young woman who asks him for a light. A detective attempts to arrest her for soliciting, and Harrison, gallantly coming to her aid, protests on the ground that she had done nothing wrong. The detective starts an argument with him and, in the ensuing scuffle, accidentally strikes his head against a bench and dies. Harrison remains at the scene and submits to arrest. He is tried and sentenced to three years' in Dartmoor for manslaughter. Smarting under the injustice of the sentence, Harrison escapes during a dense fog. Word of his escape is spread and a reward offered for his capture. Peggy Cummins, a young society girl, sees him hiding under a hedge while on a fox hunt but does not disclose her discovery. Later, she finds him in her bedroom gulping down her breakfast tea. Convinced that his sentence was unjust, she gives him clothes and helps him to elude Inspector William Hartnell, who was hot on his trail. He has several other narrow escapes, each time aided by Peggy, who by this time had fallen in love with him. Exhausted, he finally seeks sanctuary in a village church to which he is traced by his pursuers. The priest gives him shelter and tries to reconcile him to his inevitable capture. Hartnell, refusing to invade the sanctity of the church, asks the priest point blank if he had seen Harrison. Feeling that the priest would have lied rather than give him away, Harrison surrenders himself, strengthened by Peggy's assurance that she will wait for him.

William Perlberg produced it and Joseph L. Mankiewicz directed it from a screen play by Philip Dunne. The supporting cast is all-British. Unobjectionable morally.

"Big Town Scandal" with Philip Reed, Hillary Brooke and Stanley Clements

(Paramount, June 30; time, 62 min.)

This latest in the Pine-Thomas "Big Town" series is a run-of-the-mill program melodrama, based on a juvenile delinquency theme. The obvious story is cut from a familiar pattern and offers little that is novel, but it should get by with indiscriminating audiences, for it has some human interest and considerable melodramatic action revolving around gangster activities. While Philip Reed and Hillary Brooke again play their roles of managing editor and reporter, respectively, of a local newspaper, the action revolves principally around five boys paroled in their custody, and particularly around Stanley Clements, as one of the boys who mends his ways too late. There is very little comedy relief, and the skimpy production values reflect the fact that the picture was produced on a very limited budget:—

Caught robbing a sporting goods store, five boys (Stanley Clements, Darryl Hickman, Carl Switzer, Rudy Wissler, and Roland du Pree) face prison terms. Hillary intercedes with the judge in their behalf and induces him to parole the boys in the care of her newspaper, which promises to rehabilitate them. Reed sets up a recreation center for the boys and keeps them on the straight and narrow path. Clements, however, strays from the fold when he becomes

involved with racketeers who give him a "cut" for arranging to cache stolen furs in the basement of the recreation center. The other boys eventually find the "hot" furs and decide to return them lest they be blamed for the theft. They are seen by the police who believe that a robbery was being committed. The boys scatter but one of them is shot dead. Clements, heartbroken, decides to confess, but the racketeers force him to keep his mouth shut. Moreover, as the star of the boys' championship basketball team, Clements is forced by the racketeers to throw games on which they had bet heavily. On the night of the team's biggest game, the racketeers warn Clements that he must lose the game and that they had their guns trained on him to make sure that he does not fail them. In the final minute of play, with victory depending on him, Clements, thoroughly ashamed, defies the gangsters and scores the winning goal. Angered, the gangsters shoot him down only to be nabbed by the police. Clements recovers, clears the other boys of suspicion in connection with the stolen furs, and bravely goes to prison to pay his debt to society.

William Thomas directed it and co-produced it with William Pine from an original screen play by Milton Raison. The cast includes Vince Barnett and others.

Unobjectionable morally.

"So Evil My Love" with Ray Milland and Ann Todd

(Paramount, Aug. 6; time, 109 min.)

Produced in England by Hal Wallis, this lurid Victorian murder drama holds one's interest pretty well, but there are times when the picture drags because of the wordy script. As entertainment, it is depressingly unpleasant, for it deals with the downfall of a respected woman who knowingly resorts to deceit, blackmail, and murder because of her love for an unscrupulous cad. It is filled with ugly situations throughout, and there is not one character in the picture for whom one feels any sympathy. An attempt is made to build sympathy for the heroine, but it is difficult for the spectator to feel any compassion for her, for she is shown throwing herself at the "hero" and doing his bidding, even though she knew that he was a man without principles. Good production values, skillful direction, and artistic acting help matters a bit, but the picture will appeal mainly to a particular class of moviegoers—those who seek "spice" in pictures:—

Returning from Jamaica in the year 1886, Ann Todd, a missionary's widow, meets Ray Milland, an unscrupulous artist wanted by the police, who talks her into giving him a room at her lodging house. She falls madly in love with him and, when he decides to leave because of his lack of funds, she borrows money from Geraldine Fitzgerald, an old school chum, to keep him near her. Geraldine, addicted to drink and unhappily married to Raymond Huntley, a nobleman, had admitted her love for another man in letters to Ann. Milland gains possession of the letters and induces Ann to enter into a plot to blackmail Huntley. Ann manages to establish herself in Huntley's household as a companion to Geraldine, whom she tricks into writing more love letters, which she keeps after promising to mail them. In due course, Huntley becomes aware of the blackmail plot and engages Leo G. Carroll, a private detective, to investigate. Carroll turns in a report about Milland's shady background. When Ann confronts him with the letters and demands payment for them, Huntley shows her the report on Milland and threatens to turn him over to the police. She struggles with him over the report, during which he suffers a heart attack. To silence him for all time, Ann puts poison in his medicine, which Geraldine unwittingly gives to him. Geraldine is charged with murder and sentenced to die. Meanwhile Ann makes plans to leave the country with Milland but at the last moment learns that he had been carrying on with another woman while pretending to be in love with her. She arranges a rendezvous with him, stabs him to death, then gives herself up to the police, saving Geraldine.

Hal Wallis produced it and Lewis Allen directed it from a screen play by Leonard Spigelglass and Ronald Millar, based on the novel by Joseph Shearing.

Adult entertainment.

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Vol. XXX

SATURDAY, JUNE 5, 1948

No. 23

A NEW AND IMPORTANT PROBLEM

According to a report in the June 2 issue of weekly *Variety*, William Boyd, the producer and star of the current series of "Hopalong Cassidy" westerns, which are being released through United Artists, is now shooting his pictures in a dual manner—that is, one version for exhibition in regular motion picture theatres, and the other version for television.

The report states that Boyd's screen writers now write the scripts with a television twist to give the pictures a serial-like ending every twelve and one-half minutes, and that, during the production, the cast and crew take time out from regular shooting for theatres to shoot the television version. In this way Boyd gets two pictures, one of which is suitable for television as a serial over a week or two-week period. No doubt the stories, except for some minor changes, are similar.

Shooting his pictures simultaneously for both theatres and television is certainly an economical move on the part of Bill Boyd, and he no doubt will find a ready market in television, which is badly in need of suitable film fare to hold its audience. The films now being shown on television are, for the most part, pictures that are from eight to fifteen years old, and few of them are of a quality that will hold the attention of the viewers, who at this time are numbered in the millions.

The fact that Boyd is producing what is more or less the same story for competitive mediums of entertainment does, however, pose a serious problem for the exhibitors who book his pictures. With television stations opening up all over the country as fast as construction can be completed, and with that medium making definite inroads on theatre attendance in cities where television receiving sets are being installed in homes and taverns in ever-increasing numbers, the possibility that Boyd's pictures may be seen on television either before or shortly after they are shown in the theatres definitely tends to decrease the value of these pictures to the exhibitors.

United Artists, in licensing a particular "Hopalong Cassidy" to an exhibitor, could, of course, guarantee in the contract that the picture will not be shown on television for a specified period of time following the showing of the picture in the exhibitor's theatre. But since ours is a business of legal loopholes it might be well to look into how much protection an exhibitor will get out of such a contract clause in the case of a picture that has been produced in two versions. This contract clause will, of course, give the exhibitor a measure of protection, but only insofar as the version shown in his theatre is concerned. What about the television version? Will the distributor have control

over that version? And if he does not have such control, will he be in a position to guarantee to the exhibitor that the television version will not be shown for a definite period of time following the showing of the theatre version?

The releasing agreements between Bill Boyd and United Artists, and between any number of other producers and releasing organizations, may or may not answer the above questions. Perhaps the distributors, in negotiating new releasing agreements, are now including also the television rights to the pictures they will distribute, but some of the agreements negotiated with the producers in the past and still in force may not include such rights. In such cases, the exhibitors may be up against it if the producers follow Bill Boyd's policy of producing two versions of a picture simultaneously and then refuse to grant the television rights to the distributor of the theatre version.

No matter who controls the television rights, however, the fact remains that, with the television audience growing greater and greater every day, no exhibitor can afford to book a picture unless he receives some guarantee that that picture, even if it be the television version, will not be telecast within a specific area for a specified time following its showing in the theatre.

Not being a lawyer, this writer cannot say whether a contract clause restricting the telecast of a motion picture will raise any legal problems. The point to consider is that television is slowly but surely becoming a formidable competitor to the motion picture theatre, and unless the exhibitor receives some assurance that the pictures he books will not be televised either before or shortly after he shows them, they will be of little value to him.

While on the subject of telecast motion pictures, a few words about some of the better old pictures being televised will not be amiss in view of the fact that many exhibitors find reissues a better source of income than some of the new product that is being offered to them today.

In recent weeks, this writer has seen on television such pictures as "39 Steps," "Stage Door Canteen," "Cheers for Miss Bishop," "Hangmen Also Die," and "It Happened Tomorrow." Each of these old pictures would make good reissues, but their value to an exhibitor is now nullified, at least in the areas in which they have been televised.

Alexander Korda, as many of you no doubt know by this time, has sold the television rights to twenty-four of his old pictures to WPIX, New York's newest
(Continued on last page)

"The Gay Intruders" with John Emery and Tamara Geva

(20th Century-Fox, no release date set; time, 68 min.)

A fine domestic program comedy, with the action pretty fast all the way through. It is a finished production—direction, acting, sets, and photography are of a high standard. There are numerous laugh-provoking situations throughout, and almost each one of them offers an unexpected surprise. For instance, the situation where two psychiatrists, unknown to each other, meet in the quarreling couple's house and suspect one another of being one of the persons they had come to observe, is novel and causes much laughter, particularly when each tries on the other all the stock in trade of the psychiatrist. Another situation that is highly amusing is where the two psychiatrists begin a quarrel of their own and are calmed down by the couple they were trying to help. The dialogue is sparkling, and there is not a single "ham" in the cast—every one does fine work:—

No sooner does the curtain fall on a stage success than the two principals, husband and wife (John Emery and Tamara Geva) begin quarreling. The quarrel reaches such a height that each decides to act in a separate play until Roy Roberts, their manager, reminds them that their contract required that they act together. Warning them that they had better get along as nicely off-stage as on-stage, Roberts suggests that they see a psychiatrist. Both rebel at the suggestion but each visits a psychiatrist secretly. Emery visits Lief Erickson, and they agree that Erickson should pretend to be Emery's college pal so that he could spend a few days at Emery's home to observe Tamara. Meanwhile Tamara makes a similar arrangement with Virginia Gregg, who agrees to pose as her sorority sister. When they first meet, Virginia and Erickson mistake each other as one of the quarreling couple, but they eventually discover their mistake and agree to hide their identities so that they may do their best to bring tranquility to the household. The temporary calm, however, is shattered when Tamara suspects Virginia of developing a non-professional interest in her husband, and when Emery accuses Erickson of showing too intimate an interest in Tamara. The nerves of the staid psychiatrists give way and, strangely enough, Emery and Tamara are called upon to calm their ruffled tempers. All this results in the restoration of peace and love between Emery and Tamara until Roberts arrives all excited over a new play for them. But when he explains that it is about a temperamental wife with a vile temper, and a husband who lies and cheats, they reject the play, for, in their new-found love, they could not think of doing such "cheap, unbelievable drivel." In the argument that ensues, the fact that Virginia and Erickson are psychiatrists is brought to light. Emery and Tamara begin to denounce each other and, to make the picture complete, the psychiatrists start a quarrel. Tamara picks up the new script in a fit of temperament and delivers her lines with blazing fury. Emery, in turn, reads back his lines with equal fury. But at the end of the script, which called for a violent embrace, they find themselves kissing each other and meaning it.

Frank N. Seltzer produced it and Ray McCarey directed it from a screen play by Francis Swann, who wrote the original story in collaboration with Mr. McCarey.

Suitable for the entire family.

"Jinx Money" with the Bowery Boys

(Monogram, June 27; time, 68 min.)

A fair program comedy-melodrama. The novelty of the story this time consists of the trials and tribulations undergone by Leo Gorcey and his gang when they find fifty thousand dollars laying in the street. One's interest is held pretty well all the way through. Some of the comedy is contributed by Donald MacBride, as a quick-tempered police inspector, who is made to appear moronic. A humorous tone prevails throughout, due to William Beaudine's subtle direction. The photography is clear:—

After winning fifty thousand dollars in a poker game, Benny Baker, a tough character, is followed into an alley by Lucien Littlefield, who knifes him in the back and kills him. Leo Gorcey and Huntz Hall find the money in the gutter. Gabriel Dell, a newspaper reporter, publicizes the find, and the boys are soon visited by Ralph Dunn, a gangster, who comes to Bernard Gorcey's soda shop to take the money away from them. But before he can do so the unseen Littlefield poisons him by dropping a tablet into his soft drink. MacBride questions the boys but learns nothing that would lead him to the murderer. Several other gangsters attempt to recover the money, and several more murders are committed. John Eldredge, another gangster, uses Betty Caldwell to lure Gorcey to her apartment in a scheme to get the money, but in a series of odd events Eldredge is killed by Sheldon Leonard, who in turn is murdered by Littlefield. Finally, Littlefield himself is caught when he unsuccessfully tries to steal the money, and he reveals himself as the mysterious murderer, explaining that he had been mistreated by the murdered men. Since no claimant had appeared for the money, the police permit Gorcey and his gang to keep it, but by this time Gorcey had donated most of it to charitable organizations, and the balance is picked up by a tax collector who takes it away from them for taxes.

Jan Grippo produced it and William Beaudine directed it from a screen play by Edmond Seward, Tim Ryan, and Gerald Schnitzer, based on a story suggested by Jerome T. Gollard.

Unobjectionable morally.

"Stage Struck" with Conrad Nagel, Kane Richmond and Audrey Long

(Monogram, June 13; time, 71 min.)

A pretty interesting program picture. It is a murder-melodrama, in which detectives, helped by the Bureau of Missing Persons, try to solve the murder of a young girl, whose body had been found in an alleyway. The scenes that show Conrad Nagel interrogating the parents of the dead girl are fairly pathetic. Mr. Nagel does fine work as the police lieutenant, and Ralph Byrd, as a police sergeant, contributes some comedy with his naiveness. Incidentally, the picture should impress deeply young girls who may be thinking of leaving home to seek their future in big cities. The photography is sharp and the settings fairly rich:—

John Gallaudet, owner of the Blue Jay night-club, quarrels with Wanda McKay, a stage-struck girl from a small town, who is killed when a gun is discharged accidentally. Gallaudet operated also a theatrical agency, and girl applicants worked as hostesses in his night-club to pay their tuition fees. Kane Richmond, a racketeer who had witnessed Wanda's death, blackmails Gallaudet and compels him to accept him as a partner. When Wanda's body is found, Nagel and Byrd are assigned to the case. They learn of her identity and, through her parents, obtain enough information to set them on the murderer's trail. Impatient at the slowness of the police, Audrey Long, Wanda's sister, leaves her home-town and goes to the city. There she succeeds in interesting Richmond, makes a deal to be taught acting, and agrees to work as a hostess in the Blue Jay to pay her tuition fee. Nagel sees her in the club and advises her to go home, but she refuses to heed his advice. Eventually her identity becomes known to Gallaudet and Richmond, and the two plan to take her for a "ride." But she is saved by the timely interference of Anthony Warde, a police officer posing as a Mexican night-club owner, who together with Nagel and other police arrest both Richmond and Gallaudet. By means of a recording Warde had made on Gallaudet's recording machine, evidence for their conviction is furnished.

Jeffrey Bernerd produced it and William Nigh directed it from a screen play by George Wallace Sayre and Agnes Christine Johnston, based on Mr. Sayre's original story. The cast includes Pamela Blake, Charles Trowbridge, Nana Bryant, Selmer Jackson and others.

No sex angles are stressed.

**"Secret Service Investigator"
with Lynne Roberts and Lloyd Bridges**

(*Republic*, May 31; time, 60 min.)

Although it is lacking in name value, this is a brisk program melodrama that should easily satisfy the demands of the non-discriminating action fans. Its story about a jobless veteran who innocently becomes involved with a gang of ruthless counterfeiters is on the whole implausible, but it unfolds at a rapid pace and with considerable excitement and suspense. Moreover, it has enough unusual twists to grip one's attention from start to finish. The direction is expert and the acting competent. There is some mild love interest, but it does not get in the way of the story:—

After placing a "job-wanted" ad in a San Francisco newspaper office, where he meets Lynne Roberts, a pretty clerk, Lloyd Bridges is contacted by Trevor Bardette, who represents himself as a secret service inspector and gives him a job to impersonate a captured ex-convict (also played by Bridges), whom he resembled. Bardette explains that the ex-convict, during his years in jail, had made a perfect plate for counterfeiting currency, and that George Zucco, head of an Eastern counterfeiting gang, had offered to buy it. His job was to impersonate the ex-convict and deliver the plate to Zucco. Bardette and his men would take care of the rest. En route to New York, Bridges is recognized as an imposter by the ex-convict's wife, June Storey, and by her crooked brother, John Kellogg, who knock him unconscious and disappear with the plate. He returns to San Francisco, where he is promptly arrested by the police for the murder of the ex-convict, whose body had been found in the room where he had met Bardette. Bridges comes to the realization that Bardette, too, was a crook, and his fantastic story is believed by Douglas Evans, a real secret service inspector, who offers him a special appointment in the service to help catch all the crooks. Pretending that he was not "wise" to the fact that Bardette was a crook, Bridges communicates with him for further instructions. Bardette orders him to bring in Zucco dead or alive. Meanwhile Zucco, having discovered that the plate brought to him by June and her brother was a fake, accompanies them to San Francisco to recover the perfect plate, which Bardette had in his possession. Between Zucco's and Bardette's machinations, Bridges soon finds himself involved in a series of events in which his life is constantly in danger, but in the end he succeeds in rounding up all the counterfeiters with the aid of the inspector and his agents.

Sidney Picker produced it and R. G. Springsteen directed it from an original screen play by John K. Butler. The cast includes Milton Parsons, Roy Barcroft, Jack Overman and others.

Unobjectionable morally.

"My Dog Rusty" with Ted Donaldson

(*Columbia*, April 8; time, 67 min.)

An unpretentious but fairly heart-warming human-interest story, suitable for theatres that cater to the family trade. Set in a typical small town, its homespun story about a growing boy and his problems offers little that is new, but it is competently directed and acted, and puts over its message for the need of parental understanding in a constructive way. As the youngster who is devoted to his father but resorts to lies to escape punishment, Ted Donaldson is appealing and convincing. As a matter of fact, all the principal characters are likeable and sympathetic. Worked into the story are some nice touches of humor:—

John Litel, campaigning for mayor of Lawtonville against the incumbent, Lewis R. Russell, has trouble with his son, Ted Donaldson, who persists in telling lies. Trouble brews when Ted, assisting the town's new doctor, Mona Barrie, slips his father's campaign handbills into the envelopes containing the doctor's announcement cards. The mayor accuses Mona of complicity in the affair. When several of the town's youngsters fall ill, Mona, fearing that the water supply may be contaminated, has samples taken from the water faucets

in each of the boys' homes. Ted accidentally spills the samples from the test tubes and, in panic, refills them with water taken from a dirty duck pond. He says nothing of the substitution when Mona finds that the water is highly contaminated. When the news gets out, the townspeople become enraged over the mayor's seeming neglect of the water supply, and he faces defeat at the polls. But the mayor discovers the truth about the samples and, after proving that the water supply system was pure, condemns both Litel and Mona publicly. Ted, who had denied knowledge of the laboratory mixup, runs away from home, but when his dog is bitten by a rattlesnake he returns home for medical aid. There, he makes a clean breast of the laboratory incident and, in a public acknowledgment of his deed, clears his father and Mona. His confession, however, comes too late to save Litel from defeat at the polls, but Litel is nevertheless happy to have taught his son the value of truth.

Wallace MacDonald produced it and Lew Landers directed it from a screen play by Brenda Weisberg, who wrote the story in collaboration with William B. Sackheim.

Suitable for the entire family.

**"Up in Central Park" with Deanna Durbin,
Dick Haymes and Vincent Price**

(*Univ.-Int'l*, no release date set; time, 87 min.)

Just moderately entertaining; its value to an exhibitor will depend heavily on just how much Deanna Durbin means at his box-office. Based on the Broadway musical show of the same name, which was no more than a fair success at best, this screen version suffers by comparison because it concentrates more on the story than on the music, thus losing what was most charming about the stage production. The story in the stage production was nothing to cheer about, and on the screen it remains just as static. Miss Durbin sings the several songs with her usual effectiveness, although the music itself is not particularly compelling. The picture does have its good moments, but it has many more that are draggingly dull. The action takes place in the 1880's:—

Deanna Durbin and her father (Albert Sharpe), Irish immigrants, reach New York just as the city is in the throes of a mayoralty election manipulated by Vincent Price (as Boss Tweed). Her father is taken in tow by Tom Powers, one of Price's ward heeled, who rushes him to the polls and arranges for him to vote twenty-three times. While her father celebrates the election victory in Tammany Hall, Deanna, convinced that Price is a great man, sneaks into his empty office and falls asleep while admiring his portrait. As she sleeps unnoticed, Price and his henchmen enter to discuss plans for looting the public till. Price suddenly discovers her presence and, not knowing how much she had heard, he appoints her father as Park Commissioner to insure her loyalty. Strolling around her home in the park, Deanna meets Dick Haymes, a newspaper reporter, when he starts a flirtation with her. Haymes, who had been carrying on a crusade against Price and Tammany Hall, comes upon Deanna's father as he feeds the animals in the zoo, and learns from him that Price supplied his personal table from the fowl raised there. He writes the story and, as a result, Deanna's father is discharged. Furious, Deanna refuses to have anything to do with Haymes, and remains friendly with Price in the belief that he was a great man. Price, in turn, takes advantage of her naiveness and launches her on a singing career. Meanwhile her father, sympathetic to Haymes' views, soon becomes convinced that the political corruption practiced by Price was no good for the people. Together with Haymes, he tricks Hobart Cavanaugh, Price's drunken puppet-mayor, into revealing the party's innermost secrets. The resultant publicity brings an end to Price's rule. Deanna, having seen the light, reunites with Haymes.

Karl Tunberg wrote the screen play and produced it, and William Seiter directed it. Thurston Hall, Howard Freeman and Moroni Olsen are included in the supporting cast.

Unobjectionable morally.

television station, which in turn is leasing the rights to sixteen other stations throughout the country. A number of these same Korda films are being reissued by Film Classics, which, according to reports, has invested over \$100,000 in new Technicolor prints for Korda's "Drums" and "Four Feathers." *Variety* states that a Film Classics' spokesman maintains that these reissues will not be shown on television until played off by the theatres, but he conceded that his company did not own the television rights to any of the Korda pictures. What guarantee, then, can Film Classics give to the exhibitors that these two pictures, if booked, will not be shown on television for a specific time?

In the case of old pictures, their indiscriminate sale to television stations serve to undermine the business of the theatre owners who, in the final analysis, make it possible for the producers to remain in business. Many exhibitors are so agitated by the television competition the offending producers are building up that, in retaliation, they are thinking of boycotting their new pictures. And who can blame them?

In the case of new pictures, such as the "Hopalong Cassidy's" that are now being produced in two versions, there exists a potential problem that should be given deep study by the different exhibitor organizations so that all exhibitors may know how to obtain a maximum of protection before closing a deal.

THE TOA'S YOUTH MONTH FILM

Prints of "Report for Action," a training film financed by the Theatre Owners of America as the first step in its campaign against juvenile delinquency, are now being distributed in the nation's 31 exchange centers by 20th Century-Fox.

Made by the "This is America" unit of RKO-Pathé, the 17-minute documentary subject is not designed for public showings but is intended to serve as an animated guide for civic and welfare workers in more than 1500 communities, which will set up local conferences to carry out the suggestions of the National Conference on Prevention and Control of Juvenile Delinquency, a group composed of nearly one thousand educators and welfare workers, who convened in Washington at the invitation of Attorney General Tom C. Clark to study causes and cures for juvenile delinquency.

Concise in form, the film opens with an alarming statement that every four minutes of the day or night somewhere in America a boy or girl is arrested for a crime serious enough to warrant finger-printing.

After brief flashes of youngsters in trouble, the film swings to Attorney General Clark and shows the structure and workings of the National Conference. Then follows a graphic pattern to be followed in each community, with practical suggestions as to how to set up a steering committee, organize panels on each known cause of delinquency, alert the community through publicity, and coordinate all actions so that the community will be presented with a sustained program.

In making the film available to any group at the request of local mayors and other civic leaders, Charles P. Skouras, National Chairman of the TOA's Youth Month Committee, is asking exhibitors

throughout the country to lend their theatres and their screens for the showing of the film during non-operating hours.

This paper urges every exhibitor to give Mr. Skouras his fullest cooperation in this worthy movement, so that every community will be made fully conscious of the importance of the problems and welfare of its youngsters, and of the need to establish a sound program of home training, educational methods, and recreational facilities.

INVASION

The St. Louis territory, long the stronghold of Fred Wehrenberg, president of the local MPTO and chairman of the TOA's board of directors, is being invaded by National Allied.

Andy Dietz, former executive secretary and field representative of the MPTO in St. Louis, has been designated by the Allied leaders to spearhead the drive, and he has already set up an initial organization meeting to be held at the Sheraton Hotel in that city on June 8.

The independent exhibitors in the St. Louis territory have long had a need for an exhibitor organization that is able to take an unequivocal stand on issues that have a direct bearing on the interest of an independent theatre owner. They will find such a truly independent organization in Mid-Central Allied Theatre Owners, which is the proposed name of this new link in Allied's ever-growing chain of regionals.

The June 8 meeting will feature talks by several of the top Allied leaders. The St. Louis independents who attend this meeting will find it a revelation, for no other exhibitor organization can match the service and benefits that are available to Allied members.

BRITISH CRITICS HURL EPITHETS AT THEIR OWN

This paper is sorry to observe that our British friends, the picture-makers, have adopted the worst style of the worst period of American film-making. We refer to the picture "No Orchids for Miss Blandish," which deals with American gangster life.

According to the May 24 issue of *Life*, the picture has been criticized by the London critics as severely as any American picture has ever been criticized. "A piece of nauseating muck," said one critic. Others said: "As fragrant as a cesspool"; "Has the morals of an alley cat and all the sweetness of a sewer"; "Thoroughly un-British."

HARRISON'S REPORTS is glad of one thing—the British critics for once took their eye off American pictures to focus it at home.

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THE BOX-OFFICE SLUMP

The one thing that is of immediate concern to every one in the industry is the steady decline in box-office receipts. Business is slow and, according to most estimates, it has fallen an average of 25% below the level of business one year ago.

A number of distributor heads, as well as several trade paper editors, have commented on this business slump and, after citing such causes as the high cost of living, which leaves very little in the family budget for entertainment; high admission prices; competition from television; the fact that this is a political year; and numerous other familiar reasons that one may connect with a slump, they invariably fall back on the old cliché about the need for more and better showmanship on the part of the exhibitors in the exploitation of pictures.

This cry for better showmanship has been raised every time the ticket sales start to drop, but the only trouble with it is the indisputable fact that year in and year out, particularly in the past few years, the producer-distributors have failed to deliver to the exhibitor enough good pictures over which he can honestly become enthused, so that he will have the incentive to put behind them his very best merchandising efforts.

Those who consistently raise the cry for better showmanship will do well to consider the following salient remarks made by Hedda Hopper, the famous Hollywood columnist, who had this to say in one of her recent nationally syndicated columns:

"Eric Johnston spoke scornfully on the misinformation about the industry floating around Hollywood. He's so right, but what is being done about it? Every picture—whether good, bad, or stinky—is labeled 'colossal' or 'stupendous.' The public, expecting to see the kind of picture advertised, is disappointed. We must try to persuade those who have stopped seeing movies to form the habit again by telling the truth about our product and rating a picture honestly, as fair, good, or perhaps, great. Few are colossal, you know."

Miss Hopper's advice to the industry is sound and constructive. The vigorous exploitation of mediocre pictures, whether done by the producer or the exhibitor, is harmful, for the movie-goers are led to believe that a great entertainment is in store for them, and their disappointment results in the building up of a resentment that has a damaging effect on the entire industry. As a matter of fact, the practice of attracting the public to the theatres by means of high-powered, carnival-like exploitation campaigns that fail to deliver what they promise has been resorted to so often that most movie-goers have lost

faith in picture advertisements and do not believe them even when they tell the truth.

The sooner we learn to use moderation in our claims about picture entertainment, the sooner we will regain the public's confidence.

As to those who continually chide the exhibitors about lack of showmanship every time the pictures start to flop at the box-office, this paper will say to them what it said to a major company advertising-publicity director several years ago—that such criticism is as logical as it would be if the exhibitors were accused of having failed to prescribe the right kind of medicine for themselves when they become sick; or of having failed to perform an operation on an infected part of their bodies so as to effect a cure.

If the box-office slump was affecting some theatres in certain communities where other theatres were prosperous, the claim of lack of showmanship on the part of the affected theatres might be valid. But when the slump hits all theatres in all communities, including key-run theatres that employ high-salaried advertising and publicity men who know how to arouse the greatest public interest in a picture, it becomes obvious that the exhibitors are not being supplied with enough good pictures to attract the customers steadily. And the proof of it is that the outstanding productions continue to do good business.

There is some justification to the claim that the high cost of living has cut into the entertainment dollar, but when one considers that the record of employment in this country is at its greatest peak, and that personal income, according to the Department of Commerce, is continuing at a record rate of \$210,000,000,000 annually, it would seem that there are still enough entertainment dollars available for the industry to make a better showing at the box-office. The trick, of course, is to attract these dollars, and you may be sure that it cannot be done through showmanship alone. You need good pictures, too.

MID-CENTRAL ALLIED FORMED

National Allied's newest unit, to be known as the Mid-Central Allied Independent Theatre Owners, was launched this week at a meeting held in St. Louis, with more than forty independent exhibitors from St. Louis, Eastern Missouri and Southern Illinois in attendance.

Andy Dietz, general manager of Cooperative Theatres and former executive secretary of the MPTO of St. Louis, who presided over the session, was elected chairman of an organization committee, which will draw up a tentative constitution and by-laws, and perfect plans for the recruiting of additional mem-

(Continued on last page)

"Coroner Creek" with Randolph Scott, Marguerite Chapman and George Macready

(Columbia, no release date set; time, 89 min.)

A rousing Western melodrama, with good Cinecolor photography, punctuated by all the thrills and suspense one expects to find in a picture of this type. The action, however, is so unnecessarily brutal in some situations that it cannot be recommended for children or for squeamish adults. For instance, in one of the several furious fist-fights the villain is shown deliberately crushing the right hand of the unconscious hero by stomping on it with his heel, only to receive the same treatment in return when the hero recovers. Another brutal sequence is where the villain expresses his displeasure with one of his henchmen by slashing his face with a spur. Aside from its display of cruelty, the picture is superior to most Westerns, for it has an interesting story and good acting by all concerned.

The action revolves around Randolph Scott, who sets out to avenge the death of his fiancée at the hands of a white renegade, who had led a band of Indians in the holdup of a stage coach. Having received a description of the renegade from an Apache Indian, Scott, after weeks of futile searching, reaches Coroner Creek, where he recognizes George Macready as the man for whom he had been searching. Macready, under the guise of a respectable citizen, headed the lawless element in town and forced defenseless ranchers to give up their property to him. Keeping his mission a secret, Scott accepts a job as foreman on a ranch owned by Sally Eilers, a widow, who was defying Macready in an effort to retain her property. Macready's henchmen warn Scott to get out of the territory, but he refuses to yield. Their machinations result in many gun and fist battles, ultimately leading to a showdown battle between Scott and Macready in which Scott, after revealing the purpose of his presence in town, disposes of Macready, thus avenging his fiancée's death.

Scott delivers a fine performance as the determined, fearless hero, and Macready is properly menacing as the villain. Other effective characterizations are contributed by Marguerite Chapman, as a local girl who falls in love with Scott; Barbara Reed, as Macready's unhappy wife; Edgar Buchanan, as her father and sheriff, who turns honest; Forrest Tucker, as Macready's chief lieutenant; and Wallace Ford, as a ranch character who sides with Scott. William Bishop, Joy Sawyer, and Douglas Fowley are among the others in the cast.

Harry Joe Brown produced it and Ray Enright directed it from a screen play by Kenneth Gamet, based on the novel by Luke Short.

Adult entertainment.

"Bad Sister" with Margaret Lockwood, Joan Greenwood and Ian Hunter

(Univ.-Int'l., no release date set; time, 90 min.)

Produced in Britain under the title, "The White Unicorn," this is a "soap-opera" type of tear-jerker that may suit the tastes of indiscriminating picture-goers, particularly the ladies among them, despite its lack of originality and its heavy-handed direction. Others will probably look upon its hokum-laden plot as a tiresomely naive and saccharine film drama. Actually, the picture offers two tear-jerking stories in that two women, one a prison warden and the other an inmate, trade stories about their pasts. The incidents they relate unfold by the flashback method. The going is melancholy all the way through, but at the finish there is a happy though contrived ending. The acting is fairly competent, but no one in the cast covers himself with glory:—

Remanded to a home for delinquent girls, eighteen-year-old Joan Greenwood defies authority and comes in conflict with Margaret Lockwood, the warden. Margaret offers to help Joan if she would tell her of her past, but the young girl refuses, stating that she could not understand the meaning of unhappiness. To put Joan at ease, Margaret relates her own story. She had married Ian Hunter, a wealthy attorney, who had provided her with every luxury, but the marriage had been an unhappy one because of his unro-

mantic nature. With the birth of her daughter, she had hoped for a fuller family life, but Hunter had insisted that the child be taken care of by an efficient nurse. After a quarrel with Hunter over the child, she had fallen in love with Dennis Price. She had divorced Hunter and had married Price, only to lose him when he had drowned during their honeymoon trip. She then took up her duties as warden to devote herself to helping others. Encouraged by Margaret's frankness, Joan reveals how she had run away from her home in the slums because of a brutal father. She had obtained employment as a shop girl, and had been befriended by a young philanthropist, who had seduced her. Stranded with a child and unable to support it, she had decided to end their lives with gas but had been caught. Impressed by her story, Margaret determines to help her regain her freedom and her baby. Joan's case comes before Hunter, now a judge, and Margaret makes an impassioned plea in her behalf. Hunter, moved by the plea of motherhood, not only returns the baby to Joan, but arranges also for his own daughter to be reunited with Margaret, whom he asks to remarry him.

Harold Huth produced it and Bernard Knowles directed it from a screen play by Robert Westerby, based on the novel by Flora Sandstrom.

Adult fare.

"Lulu Belle" with Dorothy Lamour and George Montgomery

(Columbia, no release date set; time, 87 min.)

Mediocre! The story is cheap, sordid, and uninteresting, the direction very ordinary, and the acting of a quality one finds in a high school play. Not one of the characters does anything sympathetic. The heroine is a tart, one who forsakes her husband when he is unable to afford her mode of living, and who takes up with several other men, leaving each one whenever a better opportunity presents itself. Even her husband fails to win any sympathy, for his actions are those of a weakling. As for the other characters, each displays despicable traits. Worked into the story is a murder, which gives the proceedings a mystery twist, but either as a mystery, or as a drama, it all adds up to no more than a lot of contrived waste motion:—

Dorothy Lamour, a sultry singer in a cheap Natchez cafe, wins the love of George Montgomery, a rising lawyer, when she starts a flirtation with him. Forsaking his respectable fiancée and his law practice, Montgomery marries Dorothy and takes her to New Orleans, where he soon goes broke supporting her in lavish style. With Montgomery unable to find a job that would pay him enough to keep her in style, Dorothy takes up with Albert Dekker, a big-time gambler, who gives her a singing job in his exclusive cafe. Meanwhile Montgomery takes to drink, and Dorothy, to make him go back to Natchez, pretends to be interested in Greg McLure, a champion prizefighter. Montgomery starts a brawl with McLure and, after being beaten to a pulp, stabs a fork into McLure's eye. McLure is ruined as a fighter, and Montgomery is sentenced to five years in jail. Shortly thereafter, Dorothy leaves Dekker to take up with Otto Kruger, an elderly millionaire, who makes her the singing sensation of Broadway. Kruger divorces his wife in order to marry Dorothy, but she rejects the idea when she learns that Montgomery, released from jail, was in New York. He refuses to have anything to do with her when she visits him, but he soon succumbs to her charm and agrees to start life anew with her. As Kruger remonstrates with her in her dressing room, both are shot down by a mysterious assailant. Kruger dies, and suspicion centers on Montgomery, as well as on Dekker and McLure, who, too, were in New York. But through clever police work Kruger's ex-wife is revealed as the killer; she had meant to kill Dorothy. Released by the police, Montgomery heads for Natchez alone, convinced that life with Dorothy can bring him nothing but unhappiness.

Benedict Bogeaus produced it and Leslie Fenton directed it from a screen play by Everett Freeman, based in a rather remote way on the play by Charles MacArthur and Edward Sheldon. The cast includes Glenda Farrell and others.

Strictly adult fare.

"Mine Own Executioner" with Burgess Meredith

(20th Century-Fox, July; time, 103 min.)

This British-made psychological melodrama is an adult story with a sex flavor, revolving around the efforts of a psychiatrist to cure the homicidal tendencies of a deranged war veteran. It suffers from an uneven script and from a somewhat leisurely pace, nevertheless it shapes up as a fairly good entertainment for select patronage but perhaps no more than fair for the rank and file. There is one spectacularly thrilling sequence towards the finish, where the patient, after killing his wife, takes refuge on the parapet of a high building while the psychiatrist risks his life climbing a twenty-story fire ladder in an unsuccessful effort to stop him from jumping. As the psychiatrist who seeks to aid others but seems in need of treatment himself, Burgess Meredith is very effective. But since he is the only one in the cast who is known to American audiences, the picture may have tough sledding at the box-office:—

As a lay-psychiatrist, Meredith's valuable work in a London clinic wins for him the esteem of his fully-qualified colleagues. But he exhausts himself so completely on his patients that it affects his own nerves and he finds himself losing patience with Dulcie Gray, his devoted wife. For relaxation, he carries on an affair with Christine Norden, a family friend and wife of another man. One day he is visited by Barbara White, who pleads with him to treat her husband, Kieron Moore, a former RAF flyer, whose mind had become unbalanced because of his grim war experiences. Meredith gains the young man's confidence and discovers that he is possessed of homicidal tendencies, which he determines to cure. At a critical moment in the treatment, Meredith is distracted by his infatuation for Christine and, while he is with her, Moore suffers a brainstorm and murders his wife, Barbara, after which he dies in a leap from a tall building. At the Coroner's inquest, Meredith determines to accept whatever blame is attached to the double tragedy, but testimony offered by a qualified colleague supports his method of treatment and absolves him of blame. Although exonerated, Meredith decides to abandon his practice, but he is moved by the loyalty and devotion of his wife to carry on his valuable work.

Anthony Kimmins directed it and produced it in collaboration with Jack Kitchin from a screen play and novel by Nigel Balchin.

Adult fare.

"Feudin', Fussin' and A-Fightin'" with Donald O'Connor, Marjorie Main and Percy Kilbride

(Univ.-Int'l, no release date set; time, 78 min.)

Fair. Donald O'Connor, a talented young man who knows his way around a mediocre script, bolsters considerably the entertainment values of this slapstick rustic comedy, but even his valiant efforts are not enough to lift it above the level of program fare. The story, which takes place in a Western town in the old days, and which revolves around a traveling salesman who is held captive by the townspeople and compelled to run in an annual foot-race against a rival town, has its amusing twists and some of the slapstick touches should provoke hearty laughter, but there are numerous spots where one finds it difficult to suppress a yawn. Some judicious cutting might help matters. Worked into the proceedings are several songs and two outstanding dance routines, which O'Connor executes with remarkable agility:—

As the day for the annual foot-race with the nearby village of Big Bend draws near, the entire population of Rimrock is depressed because of their inability to find someone who could beat Big Bend's Fred Kohler, Jr. Marjorie Main, the mayor, Percy Kilbride, a local business man, and Joe Besser, the sheriff, give up hope until they see O'Connor, a hair tonic salesman, dash after a stage coach he had missed. They follow in pursuit, drag O'Connor off the coach, and arrest him on a trumped-up charge. They lock him in a barn under guard and tell him why they are holding him prisoner. At first O'Connor refuses to run, but he

soon realizes that he will never get out of the barn and away from the horse with whom he shared the barn unless he agreed to Miss Main's demands. As the days go by, he becomes friendly with the horse, and on the eve of the race he attends a village dance in celebration of his impending victory, on which the townspeople had bet their savings. While O'Connor is at the dance, Kohler slips into the barn with a drug intended for him, but the horse eats it instead. O'Connor, finding the horse prostrate, summons a doctor who, in league with the rival village, warns O'Connor that he must keep walking the horse lest it die. In the morning, Miss Main finds O'Connor completely exhausted with the race scheduled to begin in an hour. She and Kilbride have a difficult time keeping him awake, but through devious means O'Connor finally manages to outrun Kohler. The townspeople reward him by electing him as mayor to replace Miss Main.

Leonard Goldstein produced it and George Sherman directed it from a screen play by D. D. Beauchamp, based on his Collier's Magazine story. The cast includes Harry Shannon, Penny Edwards and others.

Suitable for the family.

"Romance on the High Seas" with Jack Carson, Doris Day, Janis Paige and Don DeFore

(Warner Bros., July 3; time, 99 min.)

A very good Technicolor musical. The farcical story, which deals with marital jealousy and impersonations, is light and fluffy, but deft handling and zestful performances have made it highly entertaining. It is gay and breezy throughout, provokes many laughs, has witty dialogue, lavish production values, excellent photography, tuneful music, and amusing but charming romantic interest. The surprise of the picture is Doris Day, a newcomer, around whom most of the action revolves. She has a pleasing screen personality, acts well, and puts over the picture's popular type songs (several of which are already favorites) in a manner that makes listening to her pleasurable. The comedy antics of Jack Carson, Oscar Levant, and S. Z. Sakall add much to the entertainment values. All in all, it is the sort of picture that should go over very well with all types of audiences:—

Peeved because her husband (Don DeFore) frequently postponed their vacation trips for business reasons, Janis Paige decides to go on a South American cruise by herself. But when she learns that he had just hired a beautiful secretary (Leslie Brooks), she suspects him of philandering and arranges for Doris Day, a cabaret singer, to take the cruise under her name while she remained behind to spy on DeFore. Meanwhile DeFore becomes suspicious of Janis' desire to travel alone and engages Jack Carson, a private detective, to shadow her during the trip. Carson, believing that Doris is DeFore's wife, strikes up an acquaintance with her and, before long, each falls in love with the other but is unable to do anything about it in order to keep their identities secret. Matters become complicated when Doris is followed to South America by Oscar Levant, a piano player who adored her. Unable to contain himself any longer, Carson telephones DeFore in New York and admits to him that he had fallen in love with his "wife." DeFore chartered a plane for Rio. Janis, too, is compelled to take a plane lest he discover her deception. Arriving at the hotel ahead of Janis, DeFore becomes flabbergasted when he discovers first Doris then Levant in the room supposedly occupied by his wife. A quick switch upon Janis' arrival complicates matters even more when Carson becomes confused and DeFore accuses Janis of having had an affair with him. The tangle is eventually straightened out and, at the finish, happiness reigns for all but Levant, who loses Doris to Carson.

Alex Gottlieb produced it and Michael Curtiz directed it from a screen play by Julius J. and Philip G. Epstein, based on a story by S. Pondal Rios and Carlos A. Olivari. The cast includes Fortunio Bonanova, Eric Blore, Franklyn Pangborn, Sir Lancelot, the Page Cavanaugh Trio and others.

Unobjectionable morally.

bers. A general meeting will be held in July, at which time officers and a board of directors will be elected.

Principal speakers at the meeting were Col. H. A. Cole, head of Allied's Texas unit, and Trueman Rembusch, head of the Indiana unit.

HARRISON'S REPORTS offers to Mid-Central Allied congratulations and best wishes for its success. And it urges the independent exhibitors of the St. Louis area to give Mr. Dietz and his committee their fullest cooperation in carrying on his work, which will be, after all, for their benefit.

A REMINDER ABOUT FIRE INSURANCE POLICIES THAT ARE NOT WRITTEN AT TODAY'S REPLACEMENT COSTS

A little more than two years ago, Pete Wood, secretary of the Independent Theatre Owners of Ohio, offered some sound advice to his members in an organizational bulletin, relative to fire insurance policies on theatre properties that had been written at low replacement values. At that time, in 1946, Pete pointed out that construction costs, as compared with 1936, had risen fifty per cent, and he urged his members to review their policies and, if necessary, rewrite them so that the replacement costs of their buildings would not be under-estimated.

Since Pete handed out this advice two years ago, the cost of construction has risen so rapidly that it is safe to assume that a building constructed in 1936 would now cost at least twice as much to replace.

Except for his estimated rise in building costs, Pete's advice to the exhibitors is just as applicable today as it was two years ago, and it is herewith published again as a reminder to those of you who may still be carrying fire insurance policies that do not offer protection in accordance with present conditions:

"It has recently been called to our attention that many fire insurance policies are in effect today on theatre properties which were written at low replacement values. If your insurance falls into this category it will be worth your effort to give some time to the study of the situation.

"Let's assume that a theatre property in 1936 cost \$100,000—today that same building would cost nearer \$150,000. Figuring normal depreciation on today's cost, you would have a valuation of \$127,500 in your present building. In contracting for insurance you agree, in most instances, to the co-insurance clause, which means that you agree to carry fire insurance up to 80% of the value of the building. For instance, if your policy has been written for the same amount for the past ten years and the cost of your building was \$100,000, you probably carry \$80,000 worth of fire insurance, which was 80% of the value of the building ten years ago.

"However, if you were faced with a fire loss today, let's see what you would collect on this \$80,000 policy. The value of your building today is \$127,500—you agree to carry 80% of the value of the building or \$102,000 worth of insurance. If you carry only \$80,000 worth of insurance, based upon your 1936 valuation of \$100,000—you have not lived up to your contractual obligation with the insurance company. On a \$50,000 loss you would be able to collect only 40/51st (\$80,000 over \$102,000) of the loss, or

\$39,215.68. It would make you a co-insurer in the amount of \$10,784.32, this amount being what you would pay because under present conditions of replacement cost your building was under-estimated.

"Better get together with an appraiser and your insurance agent and check up on your fire insurance policies."

"Sixteen Fathoms Deep" with Lon Chaney, Lloyd Bridges and Arthur Lake

(Monogram, July 25; time, 78 min.)

The direction of "Sixteen Fathoms Deep," photographed by the Ansco color process, is so amateurish that it reminds one of the happy old days of 1915. With the exception of Lloyd Bridges, who looks wholesome and acts well, the players are "hams." And it seems as if Lon Chaney, Jr. is the "hammiest" of them all. The script is amateurish and the motivations mostly faulty. In some of the scenes the characters seem "wooden." But with all its faults, it seems as if the picture will go over fairly well in small towns, by reason of the fact that the melodramatic action is fast and furious, and the color, although not very good yet, adds considerable glamour to the picture. There are a few situations that exert an appeal to the emotions of sympathy and pathos. Arthur Lake furnishes the comedy relief:—

Eric Feldary, a Greek sponge fisherman at Tarpon Springs, Florida, is in love with Tanis Chandler, cashier of Lon Chaney, a sharp money lender, who loaned people money to buy boats, which he took away from them when they failed to meet the payments. Seeking to improve his lot, Feldary decides to borrow money from Chaney to buy a boat of his own. Tanis warns him against Chaney's practices, but to no avail. Feldary buys the Kaliope, formerly owned by John Qualen, whom Chaney had dispossessed for non-payment. But he engages Qualen and his young son, Dickie Moore, as well as Lloyd Bridges, an ex-Navy diver, as his crew. Arthur Lake, a magazine photographer in search of authentic pictures, is signed on as cook. Also among the crew is Ian MacDonald, put there by Chaney to tamper with the machinery so that Feldary may not bring in enough sponges to meet his payments. MacDonald's machinations endanger the lives of the crew, eventually resulting in death of Dickie, who had gone to his father's aid when his airhose became fouled in the propeller. Stricken by remorse, MacDonald confesses, revealing the fact that Chaney had paid him to sabotage the boat. Aware that he had been found out, Chaney sends his henchmen in a fast boat to intercept the Kaliope and destroy it, but Feldary's crew routs them, throwing them overboard. Lake is sent to Tarpon Springs in the fast boat to continue the sponge auction until the Kaliope arrives with its catch. Upon reaching Tarpon Springs, Feldary's crew confronts Chaney, who denies any guilt. But the men, in no mood to accept his assurances, start a savage fight, during which Chaney is killed when he falls on an anchor prong. His troubles over, Feldary plans to marry Tanis.

Irving Allen directed it and produced it in collaboration with James S. Burkett, from a screen play by Max Trell, based on the American Magazine story by Eustace L. Adams. It was produced once before by Monogram in 1934.

Unobjectionable morally.

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SUPREME COURT'S DECISION POPULAR AND MEANINGFUL

Ever since the Supreme Court handed down its decision last month on the Paramount, Schine, and Griffith Cases, there have been some in the industry who see in the inevitable changes that will result a rather gloomy future for the exhibitors. The arguments set forth by these industryites are, as a general rule, based on the fact that many of the rights that some exhibitors enjoy today because of their "old customer" status will disappear as a result of the Court's restrictions.

That the Court's rulings will present some exhibitors with new problems and may compel them to alter their operations no one can deny, but what these gloom-spreaders neglect to point out is that the decision establishes the one thing for which the independent exhibitors have been battling for years—the right to existence without restraint of any kind. The benefits the exhibitors will gain from the elimination of the unfair practices under which they have labored for years outweighs by far whatever rights they might lose as "old customers."

The statement issued last weekend by Mr. Abram F. Myers, general counsel of Allied States Association, serves as an effective reply to those who see nothing but chaos in exhibition's future. His remarks, under the heading, "A Popular Decision," are not only reassuring but also extremely illuminating and worth bringing to the attention of every exhibitor.

The following is Mr. Myers' statement:

"Since the decision was handed down in the motion picture cases on May 3 we have attended four regional conventions and a national board meeting. In addition, we have talked to numerous other exhibitors and leaders and have conducted a vast correspondence.

"In all this one fact stands out: The independent exhibitors are well pleased with the Supreme Court's decisions. They feel that at least a code of conduct has been prescribed for the producer-distributors which will end the most serious abuses. Also that a body of law has been built up which will enable the independents to protect themselves if there is a recurrence of oppressive tactics. In this great chorus of approval, we have yet to hear a dissenting voice.

"THE LAW REALLY MEANS SOMETHING

"Great credit is due to Attorney General Clark and his staff. In recent years cases involving new and important applications of the Sherman Act have been selected with discrimination and pressed with vigor and skill. As a result, after almost 50 years, the true scope and meaning of that statute has been developed and revealed. We think this is all to the good; if it is bad, Congress can repeal the law. We will lay odds that Congress will never do so.

"We have been privileged to discuss the decisions somewhat generally with a few men in other branches of the industry. With only one or two exceptions, they privately admit that the decisions will be good for the entire industry. Those engaged in a highly profitable routine do not relish being jarred out of it. Consequently there is some mumbling and grumbling. Mostly among second and third flight executives. But the industry has remained static for too long a time and it is due for a good shaking up. From now on there will be some hard thinking by those whose mental processes had virtually atrophied.

"When the first shock has worn off, there should be a great resurgence of enthusiasm, energy and resourcefulness throughout the industry. The reappearance of competition will put every man on his toes. In a few years it will be a healthier, happier, more vital industry. And while the rewards will be more evenly distributed, the industry as a

whole will be on a more profitable basis, with all its now bound-up energies released.

"THE PUBLIC ALSO GAINS

"Not only have the independent exhibitors been quick to register their approval, but leaders of many of the public groups which supported the Neely Bill and otherwise signified their interest in the industry also have registered their satisfaction. They see in the provisions regarding block-booking and blind-selling the substantial attainment of their long-sought objectives.

"In addition, they see public gains in the ban on fixed admission prices and on unreasonable clearances. Also the more discerning see more and better pictures following the opening of the screens to products of new producers and new distributors as the result of theatre divorcement.

"Some of those groups cast their lot with Allied when they found that the information supplied by the representatives of other branches of the industry was not always reliable. That is why Allied is now so pleased that the struggle has terminated to their satisfaction—that there were public as well as exhibitor gains. The voluntary expression of one civic leader that 'Allied never misled me as to its interest or as to the facts' is a highly cherished memento of the campaign.

"NOW TO BANISH FEAR

"To some exhibitors who have been pushed around for so many years it was difficult to believe that what Allied leaders told them about the decisions was really so. Of course, they had been exposed to propaganda disseminated by some film representatives and circuit heads to the effect that the decisions 'did not mean a thing'; that 'things will go on just as before'; that 'there is not \$50.00 of value to the exhibitors in the decisions.' A few still exhibited fear lest they be punished by the exchanges and circuit heads if they assert their rights under the law as declared by the courts.

"Those exhibitors are reminded of the stirring words of F.D.R.'s first Inaugural: 'The only thing we have to fear is fear itself.'

"Independent exhibitors in the future must be bold in their thinking and bold in the assertion of their rights. Fear of retaliation must be banished. The courts have been so clogged with motion picture cases in recent years that they will be intolerant of any further efforts by the distributors or by the circuits to continue their monopolistic practices or to retaliate against exhibitors who assert their legal rights. Exhibitors must be made to realize this.

"This condition also places a responsibility upon the exhibitors. There is danger that some of these, fired by enthusiasm and the rankling of old abuses, may go too far in the assertion of their rights. Bad cases make bad law and a few improvident and badly prepared actions may cause us to lose some of the ground we have gained and thus deprive deserving exhibitors of the relief to which they are justly entitled. Let us be bold but let us not lose our heads.

"THE INDUSTRY NOW IS GROWN UP

"The motion picture industry has reached man's estate and it is time to put away childish things. The law has been declared by the highest court and all should accept these rulings and abide by them. The rumors that the defendants in the proceedings on mandate will seek all manner of delay, that they will resist every inch of the way, that when final decrees are entered there will be further appeals to the Supreme Court, should be disturbing to all who have the welfare of the industry at heart, including the shareholders in the major companies.

"It should be abundantly clear that by such recalcitrant methods they can gain nothing in the end—they can only increase their grief.

(Continued on last page)

"A Foreign Affair" with Jean Arthur, Marlene Dietrich and John Lund

(Paramount, August 20; time, 116 min.)

A very good sophisticated romantic comedy; word-of-mouth advertising should make it an outstanding box-office attraction. Revolving around the misadventures, romantic and otherwise, of a trim but conscientious Congresswoman who goes to post-war Berlin to investigate the morale of American occupation troops, the story is cleverly satirical, the dialogue extremely witty, and the situations uproariously funny. As the Congresswoman, Jean Arthur, who has been absent from the screen for much too long a time, is delightful. The plight she gets herself into when, to get first-hand information on fraternization, she poses as a fraulein and permits two boisterous GI's to date her and take her to a cafe that was out of bounds will provoke howls of laughter. Highly amusing also are the comedy incidents revolving around her investigation of Marlene Dietrich, a cafe singer and former mistress of a hunted Nazi big-wig. What makes this phase of the story comical is the fact that Jean enlists the aid of John Lund, an army captain, to help her with the investigation without knowing that he and Marlene were carrying on a secret love affair. How Lund deliberately makes love to Jean to divert her attention from Marlene only to really fall in love with her makes up the rest of the story, which includes also some clever complications that arise when Jean learns of the affair from Marlene herself, and when Lund is ordered by his superior officer to continue the affair as a means of trapping Marlene's former boy-friend.

Much of the film's humor lies also in the sly digs taken at Congressional Committee investigations, and at Congressmen who take their probes and themselves too seriously. A top characterization, loaded with wry humor, is turned in by Millard Mitchell, as an army colonel who understands the frailties of a soldier and who subtly attempts to steer the investigating committee away from things that should not be seen. As the sultry siren, Marlene Dietrich is cast in a role that is well suited to her talents. Actual shots of war-torn Berlin make up much of the background footage, which has been worked into the story in a very clever way, giving the proceedings an authentic flavor.

Charles Brackett produced it and Billy Wilder directed it from their own screen play written in collaboration with Richard L. Breen, based on an original story by David Shaw. Adult entertainment.

"Mickey" with Lois Butler, Bill Goodwin and Irene Hervey

(Eagle-Lion, June 23; time, 87 min.)

Although familiar in theme and development, "Mickey," photographed in Cinecolor, is a pleasing entertainment, the sort that should go over nicely with the family trade. Centering around a 'teen-aged girl's transition from a tomboy to young womanhood, the film introduces sixteen-year-old Lois Butler, a newcomer, who does very well in her first assignment. She is pretty and charming, has a good sense of timing for comedy, and sings delightfully in a soprano voice that is well suited to the semi-classical songs in the picture. The action gives rise to several hearty laughs, but for the most part the humor is of the chucklesome sort, provoked by the predicaments Lois gets herself into because of her unladylike way of doing things, and by the reaction that sets in when the love-bug bites her for the first time. Her promotion of a romance between her widowed father and an attractive fashion editor is another source of amusement:—

A tomboy of the first order, Lois is frequently a source of embarrassment to her father, Bill Goodwin, a physician whose fondest hope was that the town's committeemen would appoint him as head of the new hospital under construction. Rose Hobart, a comely widow, sets her cap for Goodwin, but Lois, who disliked her strongly, tries to promote a romance between her father and Irene Hervey, an aunt of one of her girl-friends. As a key player on the neighborhood baseball team, Lois gets into a scrap with Skippy Homeier, the team's captain, after which she suddenly realizes her love for him. She tries to get him to take

her to a school dance, but he turns her down. Irene, taking notice of Lois' dejection, dresses her in one of her stylish gowns and arranges with John Sutton, a visiting New York friend, to take her to a local soda parlor where every one met after the dance. Lois creates a sensation, and all the fellows, including Skippy, suddenly become aware of her attractiveness. On the following night, Irene, wearing the same dress she had loaned Lois, leaves a cafe with Sutton and is seen by Miss Hobart, who mistakes her for Lois. She reports the incident to Goodwin and expresses the belief that the couple had gone to Giraffe Hill, a necking spot. Unaware that Lois had taken a job for the night as a babysitter, Goodwin gives chase. By the time he catches up with Sutton and Irene and realizes Miss Hobart's mistake, the town gossips, sparked by Miss Hobart's loose tongue, so distort the incident that Goodwin's chances for the hospital appointment fade away. Aware that her father would not dignify the rumors with an explanation, Lois appears at a town meeting in the school auditorium, where she un.masks Miss Hobart as a vicious gossip and wins the appointment for her father. Goodwin, by this time, realizes his love for Irene.

Aubrey Schenck produced it and Ralph Murphy directed it from a screen play by Muriel Roy Bolton and Agnes Christine Johnston, based on the novel, "Clementine," by Peggy Goodin. The cast includes Hattie McDaniel and others. Suitable for the entire family.

"Michael O'Halloran" with Scotty Beckett and Allene Roberts

(Monogram, August 8; time, 79 min.)

An excellent small-budget production that will undoubtedly prove to be a "sleeper," not only because of the gulps it will bring to the throats of those who see it, but also because of the winsome personality of Allene Roberts, the manliness of youthful Scotty Beckett, and the comedy skill and sincerity of tough-looking young Tommy Cook. Miss Roberts seems to be a find, and with more parts such as that given to her in this human interest story there is no reason why she should not attain fame with a few more pictures. There are situations where she wrings the heart of every one. The production is worthy of an exhibitor's best exploitation efforts. The photography is sharp and clear.

When her mother (Isabel Jewell), a "boozehound," is struck by a car and taken to a hospital, Allene Roberts, a crippled girl confined to a chair, is befriended by newsboy Tommy Cook, who takes her to the one-room slum apartment of Scotty Beckett, an orphaned newsboy. Tommy felt that, unless Scotty took her in, Allene would be taken away by a welfare society. Scotty at first objects, but he is unable to resist her pathetic countenance. With the aid of Charles Arnt, a kindly druggist, Scotty arranges to take Allene to Roy Gordon, a famous orthopedist, to learn whether there is any hope of making her walk. Meanwhile Allene's mother is released from the hospital. She starts a search for Allene and, when she discovers her with Scotty, threatens to appeal to the police unless Scotty returned the girl to her. Tommy, borrowing Arnt's old automobile, helps Scotty spirit Allene away to the country, where Gordon examines her and finds that there is nothing organically wrong with her, that her affliction was due to a mental condition brought on by her mother's behavior, and that she could walk then and there if she just wanted to. En route home, Scotty and Allene find the police searching for them on her mother's complaint, but they manage to elude them. The police, however, eventually find them and both are taken before a juvenile judge (Jonathan Hale). Charged with stealing the girl from her home, things look bad for Scotty, but Allene, forgetting her condition, rises, approaches the judge, and makes an impassioned plea in Scotty's behalf. All are amazed at her ability to walk, and the judge, impressed dismisses the charges against Scotty. Allene's mother, happy to see her daughter walk, vows never to touch another drink.

Erna Lazurus' screen play has been founded on Gene Stratton-Porter's novel of the same name. John Rawlins directed it effectively, and Julian Lesser and Frank Melford produced it.

Suitable for every member of the family.

**"Man-Eater of Kumaon" with Sabu,
Wendell Corey and Joanne Page**

(Univ.-Int'l, no release date set; time, 79 min.)

A fairly interesting jungle melodrama, one that offers better than average box-office possibilities because it lends itself to exploitation. Although the action moves along at a moderate pace, there is considerable suspense and excitement in the story, which revolves around an American hunter in the Kumaon territory of Northern India who resolves to kill a man-eating tiger that had become a menace to the natives in the community. What gives the story an unusual twist is that the tiger, wounded by the hunter, stalks him at every turn in an effort to destroy him. Worked into the plot are some nice human interest touches involving the security of a homeless little boy, whose parents had been ravaged by the tiger, and the happiness of a young native couple, whose hopes for a child of their own are shattered as a result of injuries suffered by the woman when she is attacked by the tiger. The photography is very good, and there are a number of unusually fine shots showing the tiger in action:—

While hunting tigers in Northern India, Wendell Corey, a disillusioned doctor, wounds a huge tiger, shooting off part of his paw. The tiger escapes and, unable to forage food by usual means due to his injury, turns man-eater. Disinterested in the activities of the man-eater, Corey heads for the coast. En route he comes upon a homeless youngster (James Moss) whose parents had been killed by the tiger. He takes the child to a nearby village and leaves him with the natives. Just as he leaves, the tiger attacks Joanne Page, wife of Sabu, an expectant mother. Corey, summoned back, pulls her through her injuries but is unable to save the unborn child. Told that she cannot have another child, Joanne, in accordance with the traditions of the village, resigns herself to leaving Sabu so that he might take another wife capable of giving him a son. Joanne's tragedy, and the tiger's murder of a village farmer, bring Corey to the realization that it was his responsibility to kill the man-eater. Tracking down the tiger becomes an obsession with him, but the animal manages to elude him. Finally Joanne, feeling that life without Sabu was not worth living, decides to set herself up as human bait to catch the tiger. Corey, learning of her move, rushes to the outskirts of the village to stop her and reaches her just as the tiger attacks. Corey's well-aimed shot saves Joanne, but the tiger, before dying, manages to mangle him to death. Grateful to Joanne, the villagers prevail upon her to remain with Sabu, and permit them to consider the homeless youngster found by Corey as their son.

Monty Shaff produced it in association with Frank P. Rosenberg, and Byron Haskin directed it from a screen play by Jeanne Bartlett and Lewis Meltzer, based on Jim Corbett's book. The cast includes Morris Carnovsky and others. Adult fare.

"The End of the River" with Sabu

(Univ.-Int'l—Prestige, no rel. date set; time, 80 min.)

The chief point of interest in this British-made production lies in the impressively photographed Brazilian backgrounds, but it is not enough to compensate for the story, which is a dreary, long drawn-out tale about the trials and tribulations of a primitive Arekuna Indian in his contact with civilization. The plot, which unfolds by the flashback method, is complicated and confusing. Moreover, the direction is heavy-handed, and the acting ordinary. Sabu, who plays the part of the Indian, is the only one in the cast known in this country. All in all it shapes up as a film that will be difficult to sell to American audiences.

The story begins in a Brazilian courtroom, where Sabu is on trial for the murder of a stevedore. Through the testimony of numerous witnesses it is shown that, as a child, Sabu had fled from his native village, cast out by his tribe for failing to avenge the death of his relatives at the hands of a rival tribe. He had been found and befriended by a gold prospector, who had turned him over to a bullying trader. Because the boy had refused to reveal the whereabouts of the prospector's gold, and because he had unwittingly revealed the trader's infidelity with another woman to his wife, he had been sent to a balata-tappers' jungle camp,

from which few lived to return. There he had met Bibi Ferreira, an Indian girl. Both had managed to escape from the camp and had obtained employment on a river steamer. The ship's captain had arranged their marriage and had managed their financial affairs to secure their future. Sabu, misunderstanding the captain's good intentions, had quit his job after unwittingly joining a fascist organization that operated under the disguise of a seaman's trade union. His troubles began again when he had been arrested after innocently participating in a subversive movement. After his release from jail, he had obtained work loading a ship, but he had been attacked by other stevedores who refused to work with former members of the subversive brotherhood. He had killed one of them in self defense. The story revolves back to the courtroom, where the judge acquits Sabu of the killing, enabling him to start life anew with Bibi.

Michael Powell and Emeric Pressburger produced it and Derek Twist directed it from a screen play by Wolfgang Wilhelm, based on the novel by Desmond Holdridge.

Adult fare.

**"A Date with Judy" with Jane Powell,
Elizabeth Taylor and Wallace Beery**

(MGM, July 29; time, 112 min.)

Fine entertainment for all types of audiences. Photographed in Technicolor and produced on a lavish scale, it is an effective and wholesome blend of youthful romance, music, and comedy. The story is lightweight, but it is easy to take, for it is endowed with touches that give it warmth and heart, and has an abundance of good, clean laughs. Both Jane Powell and Elizabeth Taylor have grown into charming and beautiful young misses, and each turns in an effective performance. Jane's singing, of course, is highly pleasurable. Wallace Beery offers an amusing characterization as Jane's father, whose secret but perfectly innocent meetings with Carmen Miranda, who was teaching him how to dance the rhumba, lead Jane to believe that he was sowing his wild oats. Miss Miranda, incidentally, puts over two specialty songs in her inimitable style to the accompaniment of Xavier Cugat's music. Scotty Beckett is fine as Jane's love-struck boy-friend, and George Cleveland delightful as her grandfather, getting plenty of laughs. Robert Stack, for whom Jane deserts Scotty only to lose him to Elizabeth, is a handsome chap who will draw many a sigh from the young girls in the audience:—

Through the domineering influence of Elizabeth, spoiled daughter of the town's wealthiest citizen (Leon Ames), Jane is led to believe that Scotty, Elizabeth's younger brother, took her love for granted. To get back at him she manages to attend the school prom with Stack, a college man who had taken a job for the summer as a soda clerk in his uncle's drug store. Elizabeth finds herself attracted to Stack, but he judges her to be spoiled and tells her as much. She nevertheless sets her cap for him, and he, recognizing her many fine qualities, falls in love with her. Jane, unaware of the romance, finds Stack irresistible and dismisses all thoughts of Scotty, who pursues her in vain. Meanwhile Beery, as a surprise for his wife (Selena Royle) on their forthcoming wedding anniversary, secretly engages Carmen to teach him the rhumba. Jane, seeing him with Carmen, misinterprets his actions. Although peeved at her father, she says nothing and takes steps to make her bewildered mother look more attractive to him. In the meantime Elizabeth's father learns of her love for Stack and sends his butler to learn something about the young man's background. The butler's clumsy questions infuriate Stack, who rushes to Ames' office, gives him a piece of his mind, and admonishes him for being too busy to pay attention to his children. At the anniversary celebration in the night club, Jane learns the truth about her father's association with Carmen, and about Elizabeth's love for Stack, whom Ames now looked upon with approval. She resolves her own romantic problem by deciding that Scotty had first place in her heart.

Dorothy Cooper and Dorothy Kingsley wrote the screen play, based on the characters created by Aileen Leslie. Joe Pasternak produced it, and Richard Thorpe directed it.

Suitable for the entire family.

"If the Supreme Court on the first appeal was moved to remark twice on their 'marked proclivity to unlawful conduct,' what will it say the next time when it is confronted by a recorded showing that the defendants have resorted to every device to delay and evade the Court's mandate?"

"Equally disturbing to all should be the rumors that defendants will stall the proceedings in the District Court until after the national election in the hope that there will be a new administration—particularly a new Attorney General—who will take a more tolerant view of Sherman Act violations and perhaps concede away all the ground that the present Attorney General has gained in law enforcement."

"This cynical attitude is a reflection upon the integrity of the American form of Government; it puts Supreme Court decisions upon a barter or sale basis; it should be resented by the Republican organization, as it will certainly be repudiated by any Attorney General who may succeed the present incumbent."

"But if the rumor persists—and it has already appeared in print—it may evoke some open letters to candidates, demanding that they declare themselves on the issue. We are prepared to predict that no candidate for the presidency, the vice-presidency, the House, or the Senate will ever admit that he favors conceding away the relief which the Supreme Court has ordered in the public interest in a Sherman Act case."

"If any of the defendants are responsible for the circulation of this rumor, they had better take it out of circulation in a hurry. No major company executive, if he is in his right mind, will want that issue to figure in the ensuing campaign."

Elsewhere in his statement Mr. Myers referred to the Department of Justice's application this week to the District Court for the entry of an interlocutory decree on mandate. "The purpose of such an order," stated Mr. Myers, "would be (1) to make immediately effective those provisions which were settled by the Supreme Court and as to which there is no further reason for controversy, such as fixed admission prices, block-booking and blind-selling, master contracts and formula deals, circuit discrimination, theatre pools and joint theatre holdings between defendants, unreasonable clearance, etc.; (2) to fix a time for the submission by the parties of plans to giving effect to the Supreme Court's views regarding divestiture; and (3)—we hope—to provide a ban on theatre acquisitions pending the working out and entry of a final decree."

"While there is room for a difference of opinion as to the time for filing divestiture plans, there should be no opposition to the other provisions of the Government's proposed order. Any opposition to making immediately effective those provisions which the Supreme Court has expressly approved would be sheer caviling. There ought to be no insistence on a long delay in filing the divorcement plans since the defendants have already been upon notice for a year and a half that some measure of divestiture would be prescribed (that is, since the entry of the District Court's decree). And if the defendants resist a ban on further theatre acquisitions pending the entry of a final decree, they will thereby serve notice that they have not abandoned their dream of a complete monopoly of exhibition; that they will twist and squirm, evade and avoid, in their determination to flout the law."

(Editor's Note: At a hearing held on Tuesday of this week before Judges Augustus N. Hand and Henry W. Goddard in the New York District Court, the Government's application was denied "without prejudice" on the ground that the Court had no jurisdiction in the matter pending the appointment of a third judge to fill the vacancy created by the death of Judge John Bright, the third member of the Statutory Court that handed down the decree at the end of 1946. Meanwhile Judge Hand restored the case to the docket and set hearings for October 13, by which time steps will have been taken to fill the vacancy on the bench.)

"The Cobra Strikes" with Sheila Ryan and Richard Fraser

(Eagle-Lion, April 24; time, 61 min.)

This murder-mystery melodrama is only mild program fare. The plot is weak and trite, the dialogue stilted, and the action draggy. Several murders take place, and practically every character in the cast appears as a likely suspect, but since the situations are too contrived, and since it lacks the excitement and suspense one generally associates with pictures of this kind, it fails to grip one's interest. Although the individual players are competent, they cannot do much with the parts given them:—

When scientist Herbert Heyes lets it be known that he intends to announce a startling invention of his, an unsuccessful attempt is made on his life by a mysterious assailant, who steals the invention. A bullet lodged in the scientist's brain leaves him in a continuous coma. Sheila Ryan, his daughter, and Richard Fraser, a reporter, join the police in an effort to run down the assailant, but they discover him to be an elusive and ruthless man, who follows up the attempted murder with three successful ones, committed right under their noses. The victims, all members of an importing concern, are found poisoned, but the police are unable to fathom the manner in which the poison was administered. A clue furnished by Sheila's father during one of his brief periods of consciousness enables Fraser to deduce that the scientist's twin brother (also played by Herbert Heyes) was the murderer. Fraser and the police apprehend him just as he is about to make Sheila his fourth victim. The murder weapon proves to be the scientist's invention, a "hypo-gun," which injected its fluid through the skin without causing any pain or leaving any telltale marks. The twin brother had shot the scientist to obtain the weapon for use on his victims, who possessed some valuable rubies they had obtained in India.

David I. Stephenson produced it and Charles F. Reisner directed it from a story and screen play by Eugene Conrad. The cast includes Leslie Brooks, Richard Loo, Philip Ahn and others.

Adult fare.

"Beyond Glory" with Alan Ladd and Donna Reed

(Paramount, Sept. 3; time, 82 min.)

Just fair. The box-office returns will depend heavily on Alan Ladd's popularity, but even his most ardent fans will probably find that the film leaves much to be desired. Revolving around a West Point cadet who suffers from a guilt complex in the belief that he was responsible for the death of his commanding officer during the war, the story, which unfolds in a drawn-out series of flashbacks, is a rambling yarn that is motivated by so thin a premise that at the finish it leaves one with the feeling of much ado about nothing. Alan Ladd, whose part this time calls for less physical activity than most roles he usually portrays, is competent enough, but the mental anguish he suffers leaves one emotionally unmoved, for throughout most of the action the spectator is not aware of the cause of his brooding. The best thing that may be said of the film is that it is interesting in its depiction of the high standards West Point sets for its cadets, and of the rigors of plebe life at the Academy, but all this has been done many times.

The story opens with Ladd, a cadet captain about to be graduated, being called before a Congressional Board of Investigation as a witness in a hearing involving the reinstatement of Conrad Janis, a former cadet, who had been dismissed from the Academy for conduct unbecoming a gentleman, based on Ladd's testimony. To discredit Ladd's testimony, George Coulouris, Janis' lawyer, seeks to prove that he is a coward and thus unworthy of attendance at the Academy. He questions Ladd and, through flashbacks, details of his background are revealed. After being drafted, Ladd had worked his way up to second lieutenant and had become fast friends with Tom Neal, his commanding officer. Neal had been killed during a skirmish with an enemy tank, and Ladd, who had delayed a plan of attack, held himself responsible for his death. Upon his return to the United States he had visited Neal's widow, Donna Reed, to confess his responsibility, but her kind understanding had eased his guilt complex and the two had fallen in love. It was through her encouragement that he had enrolled at West Point to carve a new career for himself. Rather than bring Donna's name into the hearing, Ladd refuses to answer some of Coulouris' questions and decides to resign. Donna, however, comes to his defense, and with her help, as well as the testimony of a fellow cadet and former war buddy, who discloses that Ladd, unknown to himself, had been knocked unconscious at the time he was supposed to attack the tank, Ladd is vindicated of the death of his captain and cleared of the charges brought against him.

Robert Fellows produced it and John Farrow directed it from an original screen play by Jonathan Latimer, Charles Marquis Warren, and William Wister Haines. The cast includes George Macready, Henry Travers, Harold Vermilyea and others.

Unobjectionable morally.

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A COURAGEOUS BLAST AT THE INEPT HANDLING OF PUBLIC RELATIONS

In an electrifying speech that raised many an eyebrow, reddened the ears of numerous executives, and won him thunderous applause, Max E. Youngstein, Eagle-Lion's alert head of publicity, advertising and exploitation, labeled the motion picture industry's public relations as "one of the worst butchered jobs in history."

Mr. Youngstein's hard-hitting remarks were made last week in New York at a luncheon marking his inauguration as president of the Associated Motion Picture Advertisers, whose membership is made up of men and women connected with advertising, publicity, and exploitation, many of whom are employed by the producer-distributors.

In appealing for a more vital industry public relations job, Mr. Youngstein had this to say, in part:

"We are a great and important industry. Yet I do not believe that there is a single person in this room who will disagree with my opinion that the public relations job for the motion picture industry has been one of the worst butchered jobs in history.

"I believe that one of the main reasons for the complete failure of the public relations campaign for our industry has been due to the fact that the industry has not utilized properly the brains and talents of the men and women who, on a day-to-day working basis, really make the public relations of our industry. Let us not kid ourselves. Proper public relations for the motion picture industry has not been established, and will not, in my opinion, ever be established by eight executives sitting in a room and exchanging bromides. Nobody will be satisfied with the results except possibly the executives involved and I seriously doubt that they are satisfied. The exhibitor organizations have come out with various plans for public relations. The Johnston office has submitted other plans. I believe that there is great room in this endeavor for each and every member of our craft, and that it is vital that each and every member of our craft participate through AMPA, unless they are willing to accept the fact that our industry must remain a whipping-boy for every punk in and out of the Government who sees fit to use the motion picture industry for his own purposes. I, for one, am sick and tired of seeing attributed to our industry alone, the failings of all mankind and of every other industry. I am sick and tired of having our industry duck and run, and crawl into the woodwork every time one of those punks takes a pot shot at us.

"We spend our working and thinking days in direct communication with every branch of information.

"We must impress on all of these outlets on a day to day basis that they are our partners, that our welfare is their welfare, and that it is as important to let people know about the good that our industry does as it is to inform them about the shenanigans and the foibles of some of its dimwits, and we do have some dimwits.

"I am ready to pledge the manpower of this organization to full cooperation with the Johnston office and to any and all exhibitor groups provided that their plans make sense and coincide with the thinking of our membership. If it does not coincide with our thinking, we will go off on our own and we will not do it on the basis of a week a year job, or two weeks a year job, but on the basis of a day to day job all year round.

"Nothing will do our industry as much good as a picture properly produced, properly sold, and properly advertised and publicized to the public, and that is a job that cannot be accomplished by talking. It has to be done by the working men and women in our craft working through AMPA."

Max Youngstein is right! The industry's public relations policies have long been a sorry mess and it is high time that something was done about it. Up to now there has been more talk than action on the different public relations programs, and wherever there has been some action the results have been negligible, chiefly because the programs, though lofty in purpose, were weakened by industry politics.

Take, for example, the public relations program started several months ago by the advertising-publicity committee of the Johnston office to offset the public's unfavorable attitude towards Hollywood and its product. This program called for an extensive exploitation campaign using all media of advertising and publicity to acquaint the public with the fact more good pictures were in store for them than ever before in the history of the film industry. Plans were formulated for the production of a special all-industry ballyhoo trailer to be made available to the theatres; for big radio network shows, as well as transcriptions and original recordings for small radio stations; and for the issuance of a list of worthwhile forthcoming pictures of exceptional quality. No individual company was to receive credit, the idea behind the campaign being that credit for good pictures should redound to the benefit of the industry as a whole. But what happened?

Institutional advertising in either newspapers or magazines has not yet appeared, nor has any been heard on the radio. The big radio network shows are still a pipe dream. The all-industry ballyhoo trailer to plug forthcoming pictures of exceptional quality without identifying the companies that produced them was abandoned because the committee could not overcome the problem of how to choose the pictures to be included without incurring the wrath of some studios, whose "flops," if included, would weaken the whole promotion.

The only thing that was carried out was the issuance by the committee of a list of thirty-four pictures, which it recommended as "box-office product of exceptional quality," without mentioning the names of either the producing or distributing companies. But even this list was a farce, for, though it did include some very fine productions, it included also some of the worst "turkeys" released by the industry this year. And it could not be otherwise, for the selection of pictures was made, not on merit alone, but on the basis of giving each company as equal a break as possible in the number of pictures chosen. How, then, in the face of such industry politics, can we hope to formulate a public relations program that will not be selfishly administered?

It is true that Max Youngstein, in blasting the poor public relations job done thus far, did not offer a definite program of his own, but it is enough that he recognizes that proper public relations have not been established and is willing and ready to do something about it by pledging the manpower of his organization to full cooperation with any industry group that will come forth with a sensible plan and, failing that, to work out and carry through his own organization's plan. In view of the fact that the members of AMPA are the working press agents of the industry, the

(Continued on last page)

"Canon City" with Scott Brady*(Eagle-Lion, June 30; time, 82 min.)*

Crammed to the hilt with melodramatic thrills, this prison-break melodrama ranks with the best of its genre. Its exploitation possibilities are practically unlimited, for the story is based on the actual jailbreak by twelve desperate convicts who smashed their way out of the Colorado State Penitentiary on December 30, 1947, all of whom were either recaptured or slain. The action is extremely realistic, for most of the story has been filmed at the penitentiary itself, and the documentary technique has been employed by the producer to good effect. One is kept tense and taut from the opening to the closing scenes, for the story goes into minute detail of the careful planning that preceded the break, of its successful execution, and of the dramatic incidents revolving around the manhunt as the frenzied convicts terrorize innocent families in the immediate neighborhood in their futile efforts to remain free. At times, the action is quite violent. Every one in the cast is very good, particularly Scott Brady, a capable newcomer, as one of the convicts, who becomes involved in the break against his will. Although he eventually joins the plot, he manages to win one's sympathy because of his display of human kindness in his concern over the welfare of innocent bystanders. Warden Roy Best, other prison officials, and many of the actual convicts take part in the story. The extensive exploitation campaign that Eagle-Lion is putting behind this picture should result in outstanding business.

Briefly, the story shows how a group of convicts, led by Jeff Corey, plan the prison break after having managed to manufacture crude but workable guns. Brady, who had declined to enter the plot, is deliberately involved by one of the convicts, who hides the gun in the projection room where Brady worked. Brady decides to join the escape attempt when he learns that, at the very least, he must serve another ten years of his life sentence before he could hope for a pardon. In a cleverly executed plan, aided by concealed hack-saw blades, the convicts overpower four guards, break out of prison, and separate into smaller groups. Within three days, however, Warden Best manages to recapture them all, either dead or alive. Corey, the vicious ringleader, is captured with the aid of a brave elderly woman (Mabel Paige), who subdues him with a hammer blow, while Brady gives up without a struggle to protect from possible harm a seven-year-old girl and her father, who sought to help him in return for his humane consideration for a sick child in their family. One highly exciting sequence is where one of the convicts, trapped on the Royal Gorge Bridge, plunges to his death one thousand feet to the bottom of the Gorge.

Robert T. Kane produced it, and Wilbur Crane wrote and directed the screen play. The cast includes Stanley Clements, Ralph Byrd and many others.

Unobjectionable morally.

"Race Street" with George Raft, William Bendix and Marilyn Maxwell*(RKO, no release date set; time, 79 min.)*

A routine but interesting underworld melodrama. The marquee value of the player's names should result in better-than-average business. Revolving around a square bookmaker, who resists a "protection" racket and sets out to avenge the murder of a bookie friend, the story outline is conventional and offers few surprises; nevertheless, it holds one's interest well, for the direction is smooth and the performances effective. George Raft, as the bookmaker, is cast in a role that suits his talents well, and William Bendix, as his detective friend, who tries to steer him away from trouble so that the racketeers might be apprehended by legal means, turns in a warmly human performance. Marilyn Maxwell, as Raft's double-crossing sweetheart, has a standard part. Worked into the proceedings to good effect are two song numbers that are capably delivered by Gale Robbins and Cully Richards. Production values are good, and the actual San Francisco backgrounds help to keep the action realistic:—

Having acquired wealth as a bookmaker, Raft plans to

retire and marry Marilyn, whom he knew to be the widow of a war hero. Bendix, who admired Raft personally but disapproved of his profession, warns him that a gang of Eastern racketeers planned to muscle in on the local bookies with a "protection" racket. Raft ignores the threat until Henry Morgan, a close pal, is murdered by the racketeers for resisting them. Despite Marilyn's pleas and Bendix's grim advice to let the police handle the affair, Raft determines to avenge Morgan's death personally. The racketeers beat him up severely as a warning to lay off, but this only makes Raft more determined to learn the identity of their secret leader. Unable to stop Raft from handling matters in his own way, Bendix does some investigating and finally proves to him that Marilyn was a double-crosser, and that she was actually the wife of Frank Faylen, the secret leader of the gang. Hurt and disillusioned, Raft lays a trap for the gang, but they pull a switch on him and trap him in his apartment. Bendix, anticipating a showdown, had come there, too. In the savage battle that ensues, Raft is fatally wounded trying to protect Bendix, but before he dies he has the satisfaction of seeing Bendix subdue the crooks, and of knowing that they will pay the penalty for Morgan's murder.

Nat Holt produced it and Edwin L. Marin directed it from a screen play by Martin Rackin, suggested by a story by Maurice Davis. The cast includes Freddy Steele, Russell Hicks and others.

Unobjectionable morally.

"Mystery in Mexico" with William Lundigan, Jacqueline White and Ricardo Cortez*(RKO, no release date set; time, 66 min.)*

Like many other low-budget program mysteries, this one is not too credible but it manages to whip up enough excitement to satisfy as a supporting feature in double-billing situations. Set in Mexico City, which gives the story an interesting locale, it revolves around an insurance agent's search for stolen jewels, and around his romantic pursuit of a young lady, whom he mistakenly believes to be one of the crooks. There is the usual quota of villains and murders which, combined with the light treatment given the romantic angle, help to hold one's interest to a fair degree. The direction and acting are competent:—

When Walter Reed, an insurance investigator, disappears in Mexico City while searching for a stolen diamond pendant, his company sends another investigator, William Lundigan, to find out what happened to him. En route, Lundigan learns that one of the passengers, Jacqueline White, was Reed's sister. He strikes up an acquaintance with her but conceals his identity because of a belief that Reed may have stolen the pendant and that Jacqueline may be in league with him. Upon their arrival, both become involved with mysterious assailants, who attack Lundigan and flee. Later that night both attend a night-club owned by Ricardo Cortez, an American adventurer, who gives Jacqueline a job after hearing her sing. This infuriates Ricardo's girl-friend (Jacqueline Dalya), with whom Lundigan starts a flirtation, thus infuriating Jacqueline. Meanwhile Lundigan learns that Reed had been employed in the night-club before his disappearance. Shortly thereafter his informant is murdered. In the course of events, Lundigan admits his identity to Jacqueline and, with the aid of a little Mexican boy, they eventually locate Reed at a ranch, badly wounded but still alive. Reed explains that he had retrieved the pendant from Cortez, but, before he can tell Lundigan where the jewelry is hidden, Cortez appears and, at gunpoint, demands it. The arrival of the Mexican police, whom Lundigan had notified of his movements, saves them from a sure death. With the crooks jailed, Lundigan proposes marriage to Jacqueline but she is reluctant to accept it. She soon changes her mind, however, when Lundigan informs her of his intention to remain in Mexico to investigate a case for Cortez's former girl-friend.

Sid Rogell produced it and Robert Wise directed it from a screen play by Lawrence Kimble, based on a story by Muriel Roy Bolton. The supporting cast is made up of Mexican players.

Unobjectionable morally.

**"The Street with No Name" with
Mark Stevens, Richard Widmark
and Lloyd Nolan**

(20th Century-Fox, July; time, 91 min.)

20th Century-Fox has come through with another engrossing documentary-type production, this time a gangster story, which moves across the screen with a melodramatic impact that is highly effective. Basically, it is a conventional story about how the FBI tracks down and breaks up a ruthless gang of young thugs, but what sets it apart from most gangster films is the fascinating factual-like treatment, which gives the explosive action a realism that is at once exciting, intense, and filled with suspense.

Briefly, the story opens with a series of killings and robberies that are traced by the FBI to a gang of young thugs who operated in a mid-Western city. To learn the identity of the gangsters, the Bureau assigns two of its agents to the city, the older one to pose as a vagrant, and the younger one to pose as a youthful ne'er-do-well with a criminal record, which the Bureau arranges to supply for him. By frequenting pool rooms, saloons, gambling joints, and other nefarious hangouts, the young agent soon comes to the attention of the gang leader who, after framing him on a robbery charge and learning of his criminal record, quashes the robbery charge with the aid of a crooked police inspector and invites the agent to join the gang. From then on the agent goes about the business of gathering incriminating evidence against the gang while seemingly being one of them. He is eventually found out, however, and the gang leader, without revealing his discovery, lays out an ingenious scheme whereby the crooked police inspector could shoot down the agent as a suspect during a staged robbery. But his plan is thwarted by the quick thinking of the agent who, aided by a force of other agents summoned to the scene, kills the gang leader and his henchmen in a highly exciting finale.

Mark Stevens, as the youthful agent, gives a convincing two-fisted performance, and Richard Widmark, whose work as the gangster in "Kiss of Death" brought him stardom, does another outstanding job as the vicious gang leader, whose brutality knows no bounds. Other outstanding contributions are made by Lloyd Nolan, as an FBI inspector; John McIntire, as the vagrant agent; and Barbara Lawrence, as Widmark's abused wife. Worked into the footage in a highly interesting way is a pictorial record of the ingenious methods employed by the FBI to combat crime, and of the intensive training undergone by FBI agents to fit them for their hazardous work.

Samuel G. Engel produced it and William Keighley directed it from an original screen play by Harry Kleiner.

Unobjectionable morally.

**"The Twisted Road" with Cathy O'Donnell,
Farley Granger and Howard Da Silva**

(RKO, no release date set; time, 95 min.)

This screen adaptation of Edward Anderson's novel, "Thieves Like Us," has been turned into a picture of considerable substance. It is a fine drama, at once tender and touching in its depiction of the mutual sympathy that draws an escaped young convict and a forlorn girl into marriage, and ruthless in its depiction of how the young man is compelled to continue a life of crime by two "lifers" who had helped him escape. It is a film of power and artistry, directed with feeling, and its dramatic impact is in no small measure due to the moving performances of Cathy O'Donnell and Farley Granger, as the hapless young couple, very much in love, who strive against an inevitable fate. There is nothing glamorous about the picture, and there is no comedy to relieve the tragic tone that prevails throughout, but it is an impressive film, fascinating in its unfoldment and emotionally stirring in its appeal. Howard Da Silva and Jay C. Flippen, as the escaped "lifers," give vigorous portrayals. While it is a picture that will be appreciated by class patrons, it should go over also with the rank and file, for the story has elements that are understood by the great mass of people:—

Having made their escape from a prison farm, Granger, Da Silva, and Flippen, hide out in a ramshackle gas station operated by Da Silva's worthless brother, Will Wright, and by the latter's neglected daughter, Cathy. Granger, barely out of his teens, had been sentenced to life for an accidental killing. While the older pair lay plans for a series of bank robberies, Granger and Cathy become interested in one

another. Flippen, whose brother was still in jail, promises the latter's wife, Helen Craig, that the first money stolen by the trio would be used to free her husband. The trio stage a successful robbery, but in a subsequent auto accident Granger is injured, and Da Silva, to help him get away, kills a policeman. With the law at their heels, the three separate for a while. Cathy and Granger decide to get married and start a new life elsewhere. They go to live at an out-of-the-way tourist camp until the "heat" dies down. Da Silva, however, finds them and, together with Flippen, compels Granger to join them on another robbery, despite his protests. The plan, however, goes wrong; Flippen is killed, and Da Silva, after a quarrel with Granger, is shot down robbing a liquor store. With the police hot on his trail, and with Cathy expecting a baby, Granger flees with her to New Orleans, where he seeks refuge with Helen, planning to leave Cathy with her so that he might hide out by himself and rejoin her later. But Helen, embittered over Flippen's failure to effect her husband's release, makes a deal with the authorities to free him if she will lead them to Granger. That night, as Granger steals into the house to bid Cathy farewell, he notices the police ambush and reaches for his gun; a fusillade of bullets puts him to death.

John Houseman produced it and Nicholas Ray directed it from a screen play by Charles Schnee.

Adult entertainment.

**"Tap Roots" with Susan Hayward,
Van Heflin and Boris Karloff**

(Univ.-Int'l, no release date set; time, 109 min.)

"Tap Roots" is a big-scale production in Technicolor, similar in many respects to "Gone With the Wind," but, while it does not match that picture either in scope or in entertainment values, it is, nevertheless a massive and expensive production, more fascinating than engrossing, and should prove to be an outstanding box-office attraction. Like GWTW, the story's locale is the South at the time of the Civil War, and again like GWTW, the two leading characters are headstrong, somewhat selfish, and even unscrupulous, but fascinatingly so.

Based on a novel by James Street, the story tells of the insurrection of an influential Mississippi family living in the Lebanon Valley, whose hatred for slavery causes them to declare themselves against the State when Mississippi secedes from the Union, and to rally freedom-loving Southerners to defend the valley against the Confederate Army. Worked into the plot is a strong romantic conflict and triangle involving Susan Hayward, the family's eldest daughter, a flirtatious sort; Van Heflin, a crusading newspaper publisher, who joins the insurrectionists, not because he believed in their cause, but because of his desire for Susan; and Whitfield Connor, a stuffy Confederate Army officer, who woos Susan and wins her love but eventually runs off with her younger sister, Julie London, after which he leads the Confederate forces in a devastating attack which, though it costs him his life, brings the insurrection to an end.

All the excitement and thrills are contained in the second half, where the battle takes place. It is as furious and gory a fight as has ever been screened. Yet for all its excitement, its opulence, and the massiveness of its sets, the picture fails, curiously enough, to stir one's emotions deeply, a condition that can no doubt be traced to the fact that not too much sympathy is built up for any of the characters. Miss Hayward's suffering of a paralytic stroke that leaves her unable to walk, her eventual recovery, and the sacrifices she makes in giving herself to Connor (although he was married to her sister) in an effort to delay his attack, are some of the situations that have the stuff of strong drama, but they have been presented in so mechanical a way that one views them with passiveness. Moreover, the ending is weak and inconclusive in that the insurrectionists, including Miss Hayward and Heflin, having gone down in defeat, are shown planning to rebuild the valley, with neither punishment nor a pardon being meted out to any of them for their revolt against the authorities. A rather odd characterization is that of a Choctaw Indian portrayed by Boris Karloff, who, as a close family friend, helps lead the revolt; the fact that he speaks perfect English makes the characterization unbelievable.

It is a Walter Wanger production, produced and directed by George Marshall from a screen play by Alan LeMay. The cast includes Ward Bond, Richard Long, Arthur Shields, Russell Simpson and others.

Adult entertainment.

specialists who are in daily contact with newspaper and magazine writers, as well as radio commentators, proper utilization of their brains and talents, as suggested by Youngstein, may well be the answer to the success of a new public relations program.

In his smashing criticism of the industry's public relations, Youngstein has undoubtedly stepped on many tender toes, but his criticism was honest and forthright, and certainly the sort the industry is badly in need of, particularly when it comes from a man who is undeniably qualified in such matters. Those who have not succeeded in putting over a program of their own, but who are genuinely interested in the welfare of the industry as a whole, should give to Youngstein and his fine organization their fullest cooperation towards the formulation of a sound, practical program to create good will for the industry.

A WAY TO KEEP GROSS RECEIPTS CONFIDENTIAL

Willis Vance, a Cincinnati exhibitor and member of the ticket committee of National Allied, has developed "Cryptix," a new method of numbering tickets, which will provide each exhibitor with his own ticket numbering system and will protect theatre operators from having their grosses exposed to unauthorized persons.

Mr. Vance's method substitutes alphabetical characters for conventional figures on tickets, and the alphabetical characters are converted back to conventional numbers through use of a specially made converter, small enough for the exhibitor to carry in his pocket. Since there are 9,999 variations of "Cryptix" numbering, the method allows each theatre to have its own ticket numbering system. In other words, theatres operating side by side could both use the "Cryptix" system and it would still be impossible for one exhibitor to check the grosses of his neighbor. Only authorized theatre personnel, Government agents, and checkers will be enabled to check the theatre gross.

Tickets numbered under the "Cryptix" system are being printed by the Globe Ticket Company.

As explained by Mr. Vance, the "Cryptix" system will make it impossible for any one to buy a ticket when the theatre opens in the morning, buy another just before the box-office closes, check the figures and then ascertain the gross for the day.

In announcing this new method of numbering tickets, Mr. Vance revealed that the Federal Bureau of Internal Revenue has forbidden its use even though each individual numbering system given to an exhibitor is standardized and keyed to a master converter, which is registered at all local district Internal Revenue offices, and which is available to deputy tax collectors for their use. Mr. Vance disclosed that he has been endeavoring to receive authorization for "Cryptix" from the Internal Revenue Department for several years but that he has been turned down repeatedly because of a "technical interpretation of obsolete regulations." He believes, however, that the Government's ban is unjustified, and has continued to use the system in his own theatres to compel the Government to make a test case out of his situation. He is now seeking the support and backing of exhibitors throughout the country in the belief that Cryptix, if approved, will give the theatre owner relief from the abuses of having his most valuable trade secret exploited.

Those of you who desire additional information about this new ticket numbering method may address your inquiries to Cryptix, Carew Tower Lower Arcade, Cincinnati 2, Ohio.

"The Winner's Circle"

(20th Century-Fox, August; time, 75 min.)

Fairly good. It is the story, or rather the "autobiography," of a horse, because the action is supposedly told by the horse himself, through off-screen narration. The horse seemingly suffers from an inferiority complex, for he loses race after race, and is sold by one owner to another, until finally the daughter of the original owner buys him and,

with Johnny Longden as the jockey, wins a race and thus enables the horse to enter the winner's circle.

In a way it is a documentary film, for throughout the story are interspersed scenes of how thoroughbreds are raised for racing, and of old scenes showing famous race horses, through stock shots, running races.

Although this type of picture presentation places a handicap upon the producer and the director in that everything has to be managed for the horse, the picture has turned out to be fairly interesting and should appeal mildly to many persons who are not racing enthusiasts, but strongly to those who are lovers of horses and of horse-racing. Some of the races, stock as well as photographed for the purpose of this picture, are highly exciting.

The story begins with the development and training of the horse-hero, a thoroughbred colt, from the time he is foaled, through many losing races, until finally he wins an important race and is admitted to the winner's circle.

The stock shots used show Man O' War, Phar Lap, Gallant Fox, Whirlaway, War Admiral, Alsab, Assault and Seabiscuit.

The picture has been produced by Richard K. Polimer and directed by Felix Feist from an original screenplay by Howard J. Green. In the cast are Johnny Longden, the famous jockey, Morgan Farley, Bob Howard, the famous horseman, William Gould, John Berardino, Russ Conway, and Jean Willes, as the heroine.

Suitable for everybody.

"The Counterfeiters" with John Sutton, Doris Merrick and Hugh Beaumont

(20th Century-Fox, June; time, 74 min.)

A good program picture for double-billing. It is evident that Edward Small, having produced the successful "T-Men," tried to duplicate it, but, even though "The Counterfeiters" is a good picture, it does not compare with "T-Men" in suspense and thrills. There are several mildly thrilling situations, caused by the fact that the sympathetic characters are constantly in grave danger. One cannot help divining that Doris Merrick is not a crook even though she is a member of the counterfeiters' gang. Hugh Beaumont is believable as a formidable crook, and John Sutton, as an English detective, does well in his part. Lon Chaney, as a slow-witted fellow who does not know his own strength, is capable. George Hanlon contributes the comedy relief:—

Headed for the United States in an effort to apprehend counterfeiters of five pound English notes and twenty dollar United States bills, Sutton, a Scotland Yard ace, poses as an English confidence man and trails Beaumont, a suave but tough American gangster, returning from Europe, where he had a connecting link with foreign counterfeiters. At the airport in Los Angeles, Beaumont is met by Doris and Chaney. Sutton accompanies them into Los Angeles, but en route, Beaumont, suspicious of him, beats him up unmercifully. Doris' intervention saves his life. Taken to a hospital, Sutton meets there Douglas Blakely, a U. S. Secret Service agent, with whom he joins forces. Both fail in an attempt to trap the counterfeiters at a race track. Sutton traces Doris to her apartment and, by installing a recording machine in the next apartment, overhears her pull a triple-cross on Chaney and Beaumont in an effort to get possession of the engravings. From then on Sutton and Blakely become involved in a series of melodramatic doings and numerous double-crosses as they, in league with Doris, vie with Chaney and Beaumont for possession of the plates. In the end, the crooks are rounded up aboard Beaumont's yacht, and it comes to light that Doris had joined them to get hold of the plates and destroy them so that there might be no evidence against her father, who had made them but had since reformed. With Doris and her father promised leniency, Sutton, by this time in love with her, plans to marry her.

Maurice H. Conn wrote the original story and produced it for Edward Small's Reliance Pictures. Peter Stewart directed it from a screen play by Fred Myton and Barbara Worth. The cast includes Herbert Rawlinson, Pierre Watkin and others.

Unobjectionable morally.

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NCA-20th FOX CONCILIATION PLAN A GOOD BEGINNING FOR BETTER EXHIBITOR-DISTRIBUTOR RELATIONS

In a joint statement issued last weekend, Benjamin Berger, president of North Central Allied Independent Theatre Owners, and Andy Smith, Jr., general sales manager of 20th Century-Fox, announced the formulation, on a trial basis, of a new system of conciliation for mediating exhibitor-distributor disputes in the Minneapolis territory.

The plan was established as a result of correspondence between Berger and Smith, who, having read in the trade papers that Berger was encouraging lawsuits on a wholesale basis for the theatres in his area, suggested that a conference take place between them before any lawsuits are filed so that an opportunity may be had to work out grievances by discussion rather than by litigation.

Under the plan, NCA has created a special Grievance Committee of three independent exhibitors to hear all complaints that any exhibitor in the Minneapolis area may have in his relations with 20th Century-Fox. Only such complaints as the Committee will consider justifiable in whole or in part will then be referred to properly designated 20th Century-Fox officials for consideration. Complaints or grievances of a purely private or personal nature will not be heard by the Committee, nor will it attempt in any manner to negotiate contracts for any exhibitor.

The underlying principles agreed upon by both sides is that all disputes shall be presented and considered in a spirit of fairness and open-mindedness, and that every effort would be made by both sides to dispose of them amicably, fairly, and promptly.

According to the announcement, there is nothing coercive in the plan, it is non-partisan in its application, and no exhibitor is required to forego his legal rights.

The plan is to be given a trial immediately and, if found practical and proved successful, will be established on a permanent basis, in the hope that it will serve as a model for either a national or territorial system of conciliation to mediate the differences that arise between exhibitors and distributors.

At a time when the industry is spending a good deal of its time and money in the courts, it is indeed encouraging to see a group of exhibitors get together with a distributor to set up machinery for the settlement of their differences in amicable fashion instead of at swordpoint.

HARRISON'S REPORTS hopes that the Minneapolis Conciliation Plan will be a great success. And there is no reason why it shouldn't, for when intelligent

men meet face to face across a conference table in a sincere desire to compose their differences, a spirit of good fellowship is bound to prevail, and in such an atmosphere one is more sympathetic to the other fellow's problems.

Adjusting grievances through mediation is the best way to resolve exhibitor-distributor disputes, for such settlements are brought about at a savings of many thousands of dollars that would otherwise be spent in legal wrangling, let alone the loss of much valuable time.

Bennie Berger and Andy Smith are to be congratulated for the great forward step they have taken in an effort to improve intra-industry relations.

MORE ABOUT THE TELECASTING OF MOTION PICTURES

Our editorial under the heading "A New and Important Problem," which was published in the June 5 issue, has brought forth a number of requests from subscribers for a listing of the twenty-four pictures that were sold by Alexander Korda to WPIX, the *New York Daily News* television station, which is leasing the television rights to these pictures to other television stations throughout the country.

These subscribers feel that, because the theatrical distribution rights to these same pictures are owned by Film Classics, which deals mainly in reissues, a listing of their titles will help them to guard against the booking of a reissue that either has been telecast or may be telecast before they have had a chance to show it in their theatres.

Since our June 5 editorial appeared, WPIX has acquired the television rights to thirty-eight more pictures, most of which were originally released by United Artists. The deal, which was concluded with Regal Television, a subsidiary of Favorite Films, which deals in the theatrical distribution of reissues, covers the television rights for the New York area only. The same pictures will undoubtedly be offered by Regal to other television stations throughout the country.

To help the exhibitors guard against the booking of reissues that either have been seen or will shortly be seen on television, HARRISON'S REPORTS herewith publishes a complete listing of both the Korda and Regal films that have been acquired by WPIX, and will undoubtedly be shown by other television stations.

The following is a listing of the Korda pictures: "Henry VIII," with Charles Laughton, Merle Oberon and Robert Donat; "The Scarlet Pimpernel," with Leslie Howard, Merle Oberon and Raymond Massey;

(Continued on last page)

"Hamlet" with Laurence Olivier*(Univ.-Int'l, no release date set; time, 150 min.)*

Laurence Olivier, who did such a magnificent job as the producer, director, and star of "Henry V," repeats his success in the same capacities in this highly artistic production of William Shakespeare's classic tragedy. But like "Henry V," it is a picture that will appeal to the very few—the students and lovers of Shakespeare's works, who, familiar with the play, will hang on to every word spoken and be thrilled by the magnificent language. It is definitely not a picture for the rank and file, for, unless one is familiar with the story and mentally equipped to understand and appreciate the Shakespearian dialogue, it will have no meaning for him and cause him to become fidgety. If given the same careful handling that has been accorded to "Henry V," the picture should do exceptionally well in art houses and in special engagements.

Except for some minor character deletions and other slight alterations, which may or may not give rise to considerable controversy among the lovers of Shakespeare's works, the film is more or less a straight transposition of the play, revolving around the mental anguish of Hamlet, Prince of Denmark, who broods over the death of his father and suspects foul play because of his mother's quick marriage to Claudius, his uncle; the determination of Hamlet to avenge his father's death when he learns that Claudius had murdered him; the methods he employs to establish Claudius' guilt; his accidental killing of the father of Ophelia, the girl he loved, whose sorrow makes her a pitiful figure and eventually leads to her death by drowning; and his duel with Ophelia's brother, arranged by the treacherous Claudius, whose plan to kill Hamlet through poison backfires, bringing about, not only Hamlet's tragic death, but also the death of himself, the Queen, and Ophelia's brother.

Laurence Olivier's interpretation of Hamlet is a magnificent piece of acting, brilliantly conceived, and he is given excellent support by a fine cast, which includes Basil Sydney, as Claudius, the King; Eileen Herlie, as Hamlet's mother, the Queen; Jean Simmons, as the tragic Ophelia; and Felix Aylmer, as Polonius, her father. Others in the huge cast who lend distinguished support include Norman Wooland, Terrence Morgan, Stanley Holloway, John Lurie, and Anthony Quale.

Technically, the film is a masterpiece; the staging is highly effective, the background music inspired, and the camera work and lighting unusually skillful.

"Northwest Stempede" with Joan Leslie, James Craig and Jack Oakie*(Eagle-Lion, July 28; time, 75 min.)*

A fairly good outdoor melodrama, photographed in Cinecolor against a breathtakingly beautiful background of the Canadian Rockies. The story itself is rather commonplace, but it holds one's interest fairly well, for the pace is fast, and comedy and romance have been interwoven in the plot without retarding the action. Worked into the proceedings to very good effect are authentic scenes of the colorful and exciting Calgary Stampede, the famed rodeo spectacle. The scenes showing the rounding-up of wild horses are thrilling. James Craig, as a rodeo star, and Joan Leslie, as a cow-girl and foreman of his ranch, do well with their parts, giving the story a humorous touch by their constant matching of wits and skills. Jack Oakie, as Craig's cheerful pal, provokes many laughs:—

Notified that his father had died and that the

ranch left to him was in need of a guiding hand, Craig, accompanied by Oakie, visits the property with the idea of selling it. There he finds that the foreman is Joan, whom his father had hired in the manpower shortage during the war years. As a prank, he and Oakie pretend to be strangers looking for jobs. Joan, fully aware of their identities, hires them and puts them to work at menial jobs. When a wild stallion raids the ranch and makes off with a herd of mares, Craig sets out after the animal and succeeds in capturing it. But when Joan learns that he planned to sell the ranch, and that he was not interested in any effort to make it a paying proposition, she turns the animal loose. Angered, Craig discharges her, but she retains the job by slapping a lien on the ranch for back wages. Craig enters the Calgary rodeo in the hope of winning enough money to satisfy her claim. Joan, too, becomes a contestant and manages to beat him in a number of the events, but he eventually wins enough money to pay her off. Before he can do so, however, she spends the money, under her authority as his foreman, for the purchase of some new horses, thus leaving him without funds to pay her. Peeved, Craig sets out once again to capture the wild stallion, and Joan, by this time in love with him, tags along. Through clever strategy, she not only entices the wild stallion to the ranch but also makes Craig realize his love for her.

Albert S. Rogell produced and directed it from a story and screen play by Art Arthur and Lillie Hay—"Wild Horse Roundup," by Jean Muir. The cast ward, suggested by the Saturday Evening Post article, includes Chill Wills, the dog Flame, and others.

Suitable for the entire family.

"The Black Arrow" with Louis Hayward and Janet Blair*(Columbia, no release date set; time, 76 min.)*

Better than average program fare. It is an action-filled, swashbuckling costume melodrama, set in Fifteenth Century England and based on the story by Robert Louis Stevenson. While it is not a picture for the ultra-discriminating, it should go over very nicely with the adventure-loving fans, for the action is fast and rough, and it has more than a fair share of swordfighting and hand-to-hand combats between opposing forces. Moreover, the plot contains enough intrigue to hold one's attention well. The most interesting and exciting part of the picture takes place towards the finish, where the hero and villain, astride horses and dressed in armor, meet in a duel to the death in which each employs such weapons as a lance, battleaxe, sword, dagger, and a mace with a spiked metal head. It is one of the most unusual and thrilling duels ever filmed:—

Returning home from England's War of the Roses, Louis Hayward finds his uncle, George Macready, in charge of the family estate, and is told that his father, a nobleman, had been murdered by Paul Cavanaugh, a neighboring nobleman, who had been executed for the crime. He learns also that Cavanaugh's daughter, Janet Blair, had been made a ward of the Crown and had been placed under Macready's guardianship. Macready dispatches Hayward to a nearby convent to fetch Janet and bring her to the castle. On the way back, one of Hayward's soldiers is killed by a black arrow shot from ambush, to which was attached a note accusing Macready of slaying his own brother and of placing the blame on Cavanaugh. Several other incidents heighten Hayward's suspicions about Macready, and he becomes convinced of his guilt when Janet confesses that her father was still alive, hidden

in the forest with faithful followers and waiting for an opportunity to avenge himself. In attempting to establish Macready's guilt, Hayward arouses his enmity and is compelled to flee the castle. He joins Cavanaugh and his outlaws, and returns to the castle in disguise to rescue Janet and prevent her marriage to Macready, who had forced her to agree to the wedding against her will. Hayward and his men are captured as they break up the wedding ceremony. He thereupon accuses Macready publicly of murdering his father, and calls upon Lowell Gilmore, the King's emissary, to grant him his knightly right of vindication through trial by combat. A duel is agreed upon and, in a furious fight, Hayward kills Macready, winning Janet for himself and clearing her father's honor.

It is an Edward Small production, produced by Grant Whytock and directed by Gordon Douglas from a screen play by Richard Schayer, David P. Sheppard, and Thomas Seller. The cast includes Edgar Buchanan, Rhys Williams and others.

Unobjectionable morally.

○ **"Abbott and Costello Meet Frankenstein"**
(Univ.-Int'l, July; time, 82 min.)

A pretty good slapstick comedy. The idea of Abbott and Costello being stalked by such worthies as Frankenstein's Monster (Glenn Strange), Dracula (Bela Lugosi), and the Wolf Man (Lon Chaney), is a funny one and certainly lends itself to exploitation. The story is, of course, nonsensical, but the eerie doings, set against such backgrounds as a House of Horrors, a fog-bound castle, a laboratory, sliding doors, and hidden passageways, make for a mixture of chills, thrills and chuckles that should easily satisfy most audiences. The one criticism that can be made is that some of the comedy situations are too long drawn out. On the whole, however, the picture is a decided improvement over most of the recent comedies in which Abbott and Costello have appeared:—

Employed as railroad baggage clerks in a Florida town, Abbott and Costello receive a frantic telephone call from Lon Chaney, in London, demanding that they do not deliver to a local House of Horrors two crates containing the remains of Dracula and Frankenstein's Monster. Frank Ferguson, owner of the Horror House, compels the boys to deliver the crates and to unpack them to make sure that the contents are undamaged. In the course of events, Dracula comes to life, revives the Monster, and takes him to a nearby castle on a remote island, where they are awaited by Lenore Aubert, a scientist, who planned to substitute a more pliable brain in the Monster than the one originally provided him by his creator. Lenore, keeping her identity secret, had been courting Costello with the idea of using his brain. Meanwhile Chaney arrives on the scene, determined to rid the world of Dracula and the Monster, but each time he gets set to act the full moon changes him into a Wolf Man. Jane Randolph, an insurance agent assigned to locate the missing contents of the crates, pays court to Costello in the hope that he will lead her to her objective. In one of his saner moments, Chaney warns the boys that Dracula and the Monster are in Lenore's castle. The boys institute a search for the creatures and soon find themselves involved in a series of hair-raising incidents, which culminate with Costello strapped to an operating table in preparation for the brain operation. Abbott and Chaney come to his rescue. A melee develops, during which Lenore gets thrown out of a window; Dracula and Chaney fall to their death after each turns into a vampire bat

and Wolf Man, respectively; and the Monster meets a fiery death in a blaze ignited by the boys.

Robert Arthur produced it and Charles T. Barton directed it from an original screen play by Robert Lees, Frederic I. Rinaldo, and John Grant.

Since the comedy angle is stressed, the picture is not too horrific for children.

**"Deep Waters" with Dana Andrews,
Jean Peters and Dean Stockwell**

(20th Century-Fox, August; time, 85 min.)

An appealing homespun social drama. Photographed in sepia-tone and set against the picturesque background of a lobster-fishing community in Maine, its simple, dramatic story about a wayward orphan boy whose love for the sea leads him into serious trouble is loaded with human interest and has been directed with sympathy and understanding. The sincerity of the acting makes the characterizations true to life. Young Dean Stockwell walks away with the acting honors in a highly sensitive portrayal as the orphan, but excellent work is turned in also by Dana Andrews, as a young fisherman who tries to understand the boy's nature and rehabilitate him, and by Anne Revere, as a hard-bitten but kindly woman who takes the boy under her wing. Jean Peters, as a welfare worker whose fear of the sea clouds her judgment in the handling of the boy, is natural and pleasing. The action is at times a bit sombre in tone, but it is frequently lightened by comedy relief furnished by Cesar Romero, as a fisherman who longs to be a farmer. A storm sequence at sea, in which Andrews and Romero rescue the youngster from drowning, is highly exciting:—

Dean, a twelve-year-old ward of the State, who had run away from three homes, is taken by Jean to the home of Miss Revere, who agrees to take him on probation. The youngster makes friends with Andrews, who, understanding the boy's love for the sea, hires him to work on his boat on Saturdays in an effort to rehabilitate him. The joy Dean feels after a day at sea with Andrews soon turns to dejection when Jean, whose fear of the sea had caused her to break her engagement to Andrews, forbids the lad to go to sea again on the ground that it was too dangerous. The dejected youngster decides to run away to Boston. He steals a camera and sells it to a pawn shop to obtain enough funds for the fare. But a mistaken belief that the robbery had been discovered causes him to become panic stricken; he steals a motorboat and heads out to sea in the midst of a storm. He is spotted by Andrews and Romero, who set off in pursuit and rescue him when his boat capsizes. Heeding Andrews advice, Jean agrees to permit Dean to work on the boat so as to keep him happy. But by this time the robbery is discovered and traced to Dean. The lad confesses and is taken to a reform school. Realizing that the boy had had a rough time in life, and believing that there is much good in him, Andrews enlists the aid of a local politician to secure his release, and offers to adopt him. At a hearing before a judge, Jean and Miss Revere agree with Andrews that he should be permitted to adopt the boy, with Jean explaining that she had made a mistake in trying to condition the lad for an inland occupation when his love for the sea was so strong. The judge grants the petition, and Andrews and Jean reconcile.

Samuel G. Engel produced it and Henry King directed it from a screen play by Richard Murphy, based on the novel "Spoonhandle," by Ruth Moore.

Excellent for the entire family.

"Sanders of the River," with Paul Robeson and Leslie Banks; "The Ghost Goes West," with Robert Donat and Jean Parker; "Men Are Not Gods," with Miriam Hopkins, Rex Harrison and Gertrude Lawrence; "The Man Who Could Work Miracles," with Roland Young; "The Return of the Scarlet Pimpernel," with Barry K. Barnes and James Mason; "Catherine the Great," with Elisabeth Bergner and Douglas Fairbanks, Jr.; "Murder on Diamond Row," with Ann Todd and Edmund Lowe; "Things to Come," with Raymond Massey and Cedric Hardwicke; "The Private Life of Don Juan," with Douglas Fairbanks, Sr. and Merle Oberon; "The Thief of Bagdad," with Sabu; "Rembrandt," with Charles Laughton and Valerie Hobson; "The Divorce of Lady X," with Merle Oberon, Laurence Olivier and Ralph Richardson; "U-Boat 29," with Conrad Veidt and Valerie Hobson; "The Challenge," with Robert Douglas; "That Hamilton Woman," with Vivien Leigh and Laurence Olivier; "Drums," with Sabu and Raymond Massey; "Over the Moon," with Merle Oberon and Rex Harrison; "Lydia," with Merle Oberon and Joseph Cotten; "Jungle Book," with Sabu; "Four Feathers," with Ralph Richardson and June Duprez; and "Elephant Boy," with Sabu.

Following is a list of the thirty-eight pictures acquired by WPIX from Regal: "The Housekeeper's Daughter," with Joan Bennett and Adolphe Menjou; "Of Mice and Men," with Burgess Meredith and Lon Chaney; "One Million B.C.," with Carole Landis and Victor Mature; "Road Show," with Carole Landis and Adolphe Menjou; "Merrily We Live," with Constance Bennett and Brian Aherne; "Kelly the Second," with Patsy Kelly and Charlie Chase; "Captain Caution," with Victor Mature and Leo Carrillo; "Captain Fury," with Brian Aherne and Victor McLaglen; "There Goes My Heart," with Fredric March, Virginia Bruce and Patsy Kelly; "Broadway Limited," with Victor McLaglen, Marjorie Woodworth, and Dennis O'Keefe.

Also eleven Laurel & Hardy pictures, including, "A Chump at Oxford," "Saps at Sea," "Pardon Us," "Bohemian Girl," "Way Out West," "Sons of the Desert," "Pack Up Your Troubles," "Block Heads," "Swiss Miss," "Our Relations," and "Zenobia."

Also seventeen Hal Roach "streamliner" comedies, including "Tanks a Million," "Niagara Falls," "Miss Polly," "Hay Foot," "Dudes Are Pretty People," "About Face," "Calaboose," "Fall In," "Prairie Chickens," "Yanks Ahoy," "All-American Co-ed," "Gaiety" (shown in theatres as "Fiesta"), "Flying with Music," "Two Muggs from Brooklyn" (shown in theatres as "The McGuierins from Brooklyn"), "The Furious Phoney" (shown in theatres as "The Devil with Hitler"), and "Double-Crossed Fool" (shown in theatres as "That Nazi Nuisance").

Many of you will recognize in the above listings pictures that are currently making the rounds as reissues. In areas where there are no television broadcasts, the exhibitor need not, of course, concern himself for the present about competition from that medium, although it may creep up on him sooner than he expects. But in the key areas, where television stations are either in operation or about to start operations, the matter of motion picture telecasts has become a definite competitive problem, and the business-wise exhibitor will take every precaution to assure himself that the reissues he books will not be telecast

until after a reasonable period of time has elapsed from the date of his own exhibitions.

In cases where the distributor of a reissue in theatrical situations has control also of the television rights, it should be a comparatively simple matter for him to warrant in the license agreement that the picture has not been shown on television in the exhibitor's territory and will not be shown for a specific period of time. But in cases where the distributor has no control over the television rights, the exhibitor takes a definite risk in booking his reissues, for you may be sure that those who do control the television rights are not the least bit concerned about the welfare of the exhibitor. Consequently, the exhibitor who books such reissues may very well find himself in the embarrassing position of offering to his patrons a picture that they had seen on television only a few nights previously, or perhaps offering it to them on the same night when it can be seen as a telecast at no charge.

There is still another precaution that must be taken in regard to the booking of reissues, and that is to make sure that such pictures have not been shown to television audiences under a different title.

In checking with WPIX the list of pictures sold to it by Regal, the writer discovered that four of the Hal Roach "streamliners," titled "Gaiety," "Two Muggs from Brooklyn," "The Furious Phoney," and "Double-Crossed Fool," were originally distributed by United Artists under the titles "Fiesta," "The McGuierins of Brooklyn," "The Devil with Hitler," and "That Nazi Nuisance," respectively. According to a spokesman at WPIX, the station's agreement with Regal called for the use of the new titles in the telecasts.

Just imagine the resentment an unwitting exhibitor would invite from his patrons if he should book, say, "Fiesta," only to discover that many of them had seen it on television as "Gaiety"!

The television audience is becoming so vast, and the competition between stations for their attention so keen, that each is trying to outdo the other in the way of up-to-date entertainment. Consequently, it will not be surprising if an exhibitor will soon find himself needing some form of protection against the possibility of new pictures being telecast before he has had a chance to show them after signing a license agreement. Such a statement may sound far-fetched, but the fact remains that, in these days of rapid television expansion, some distributors are still concluding releasing agreements with producers for new pictures without obtaining from them control over the television rights. The picture salesman, of course, will assure the exhibitor that pictures he buys will not be telecast until long after they have made their rounds in the theatres, but these assurances will mean nothing unless they are written into the contract. And such assurances cannot be put into the contract so long as the distributor has no control over the television rights.

There seems to be no end to the precautions an exhibitor will have to take in order to protect himself against unfair competition that might be offered by motion picture telecasts. It is an intricate and important problem, one that requires close study by the legal minds of the different exhibitor organizations who should see to it that the distributors include in their future licensing agreements provisions designed to protect the exhibitor to the fullest extent in regard to the telecasting of the pictures he licenses.

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BLOWING HOT AND COLD

On June 21, Mr. Edward T. Cheyfitz, assistant to Mr. Eric Johnston, president of the Motion Picture Association of America, spoke at a luncheon meeting of the Hollywood American Federation of Labor's Film Council and, on behalf of Mr. Johnston, branded as ridiculous the rumors that the American producers are embarking on an extensive film production program abroad.

According to a publicity release issued by the Johnston office in Hollywood, Mr. Cheyfitz had this to say, in part:

"Mr. Johnston has made it clear that reports of production in other countries are vicious nonsense, out of all proportion to reality.

"Lack of studio space in England makes it impossible for American companies to plan to make more than 12 pictures there in a year; if they turned out 15, it would be a production miracle. And facilities are not available to make more than half a dozen in other countries outside America."

In other words, Mr. Johnston's representative told the AFL Film Council that there are no facilities to make more than a few pictures abroad, but the way the statement is worded one could take it as meaning that, if England had greater facilities, the American producers would have made a greater number of pictures there.

The message that Mr. Johnston should have conveyed to the Council through his representative should have been the following:

"Gentlemen, your unions have made it impossible for us to produce pictures profitably here. The jurisdictional strike of the carpenters is still on, and the cost today of erecting sets, as compared with the cost of a few years ago, has more than doubled. The slowdown on the job of the members affiliated with your unions is still going on, and the ridiculous jurisdictional rules that require the producers to employ the members of a specialized craft, such as a stunt man to push over a bookcase, have added to the cost of production tremendously, for we are compelled to pay a full day's wages to men who often put in no more than ten minutes work a day, if that much."

Had Mr. Johnston conveyed such a message, he would have said something that might have impressed the Film Council, for he would have told them nothing but the facts, and would have avoided the necessity of contradicting himself by implication.

Nothing can be gained by appeasement. Blunt talk might shock the union people and compel them to come out of their trance.

THE NEW CONCILIATION PLAN DESERVES A FAIR TRIAL

Taking exception to a trade paper story that Allied Independent Theatre Owners of Eastern Pennsylvania, as one of Allied's Eastern units, had approved and would support the conciliation plan established recently by North Central Allied and 20th Century-Fox, Sidney E. Samuelson, general manager of Pennsylvania Allied, has issued the following statement:

"In order to keep the record straight, this is an official announcement that this organization has not, and probably will not approve the so-called conciliation plan. Independent exhibitors in this territory have many deep-seated and legitimate grievances which cannot be righted except by substantial concessions from the distributors and the affiliated chain theatres. Wherever and whenever a member of this association with legitimate grievances desires the support of this organization in litigation or in negotiation with other elements of this industry he will get such support to the fullest extent.

"Starting with the Minneapolis Convention of 1921, and ending with UMPI in 1942, the history of all conciliation, mediation and conference efforts between the independent exhibitors and the distributors have been a never-ending record of repeated failures to secure any measure of relief for the independent exhibitors.

"There is no evidence now present in the film rentals being demanded by the distributors, or in their efforts to circumvent the decision of the United States Supreme Court, to create the preliminary confidence absolutely necessary for the success of any conciliation plan. Additional reasons for our objections to the so-called conciliation plan will be submitted at the next meeting of the National Board of Directors."

Sidney Samuelson can hardly be blamed for his cool attitude towards the NCA—20th Century-Fox mediation plan, for through the many years that he has been active as a leader in exhibitor affairs he has seen numerous conciliation movements end in complete failure for reasons that no doubt give him the right to look upon this latest movement with a cynical eye. He is right when he says that substantial concessions are required from the distributors and the affiliated theatre chains in order to adjust satisfactorily the legitimate grievances of the exhibitors. And in the past such concessions were not substantial enough to afford the exhibitors proper relief.

But any movement that tends to improve exhibitor-distributor relations, despite the failure of prior move-

(Continued on last page)

"Train to Alcatraz" with Donald Barry*(Republic, June 28, time, 58 min.)*

An ordinary program melodrama, strictly for those who like plenty of shooting and killings regardless of the fact that the story is implausible and almost juvenile in concept. Revolving around the attempted escape of a group of convicts en route to Alcatraz, most of the action takes place on a train. How they manage to gain the upper hand on their guards is so far-fetched that most patrons will laugh at the action rather than be thrilled by it. The most inane part of the story has to do with the affectionate interest Janet Martin, a passenger, shows in one of the convicts, a perfect stranger to her; there is no apparent valid reason for her interest in him, and her anxiety over his welfare borders on the ludicrous. Although the picture runs slightly less than an hour, it took considerable padding to give it that length.

En route to Alcatraz in a prison car that had been attached to a regular transcontinental passenger train, a group of convicts have but one thought—escape! Milburn Stone, one of the convicts, rallies the others under his leadership with an escape plan that "can't miss," but William Phipps, the youngest of the prisoners, warns the others against tying up with Stone, revealing that he had been sentenced to life imprisonment because Stone and his girl-friend, June Storey, had framed him for the murder of a T-Man, while the actual killer, a pal of Stone's, went free. Taking Phipps' advice, the others align themselves with Don Barry, a vicious killer, who had several escapes to his credit. Following a pre-arranged plan, they manage to overpower the guards and obtain weapons. U. S. Marshal Ralph Dunn and two deputies prevent the convicts from breaking out of the car and shoot down Stone when he ignores their warning. Barry, desperate, issues an ultimatum to Dunn threatening to shoot down the overpowered guards unless the convicts are set free, Dunn refuses to listen, and Barry shoots down the guards in cold blood. Meanwhile June, a passenger on the train, forces the conductor at gunpoint to stop the train. Led by Barry, the convicts pile out of the car, but Dunn, prepared for them, shoots them all down. Meanwhile Phipps, unable to leave the prison car because of wounds received in the shooting, learns that he had been cleared of the crime he did not commit and is set free.

Lou Brock produced it and Philip Ford directed it from an original screen play by Gerald Geraghty.

Adult fare.

"The Walls of Jericho" with Cornel Wilde, Linda Darnell and Anne Baxter*(20th Century-Fox, August; time, 106 min.)*

Based on the best-selling novel of the same name, "The Walls of Jericho" is a rather slow-moving drama of politics and love, with Kansas in the year 1908 as the locale. The story has some highly dramatic moments and the performances of the entire cast are good, but on the whole the picture is no more than fairly interesting. Its chief trouble lies in the weak script, which fails to define clearly the different characterizations, and which leaves too much to the spectator's imagination. As a matter of fact it is mainly because of the good acting that one's attention is held. A highly emotional scene is where Anne Baxter, the heroine-lawyer, makes a fervent courtroom plea to save the life of a 'teen-aged girl accused of murder, whose trial had been used by a vicious woman to smear the reputations of Miss Baxter and of Cornel Wilde, the hero-lawyer, as part of a scheme to ruin his chances for election to the Senate. The potent cast names, the fame of the novel, and the fact that it may be classified as a "woman's" picture are angles that can be exploited, but it will need a strong selling campaign to put it over:—

Wilde, a politically-minded County Attorney, makes the best of his unfortunate marriage to Ann Dvorak, an unreasonable woman addicted to drink. When his best friend, Kirk Douglas, publisher of a local paper, marries Linda Darnell, a beautiful, smartly-dressed woman, Wilde finds himself the object of her attentions and becomes perturbed by her overtures. Angered when he politely rebuffs her advances, Linda talks her husband into running for Congress

in opposition to Wilde, whom she brings under attack with a vice-crusade sponsored by Douglas' paper. Meanwhile Wilde renews acquaintances with Anne Baxter, daughter of a deceased lawyer-friend, who had returned to town after becoming a lawyer herself. They see each other often and soon fall deeply in love. Wilde withdraws from the Congressional race lest a victory take him to Washington away from Anne. But Anne, realizing the hopelessness of their love, leaves Jericho to practice in Kansas City. Following Douglas' election as Congressman, Linda sees to it that he becomes a candidate for the Senate. Wilde, determined to come to grips with Linda, announces his candidacy for the same office. Shortly thereafter Colleen Townsend, a mutual 'teen-aged friend of Anne's and Wilde's, is accosted by Barton MacLane, a drunken town bully, who attempts to attack her. To defend herself, Colleen hits him with a shovel, killing him. She seeks refuge with Anne in Kansas City, but both Anne and Wilde induce her to return to Jericho to stand trial, promising to defend her. Linda, believing that Colleen's conviction would hurt Wilde's chances of election, secretly builds up a case against the girl and, to make matters even more difficult for Wilde, talks his drunken wife into suing him for a divorce, naming Anne as correspondent. The news of the divorce action is broken in the midst of the trial to discredit both Wilde and Anne. Wilde asks for a recess and returns home to question his wife. He finds her in a drunken stupor, and she shoots him down as he remonstrates with her. With Wilde fighting for life in the hospital, Anne proceeds with the case and, by placing Linda on the stand, exposes her calumnies, winning Colleen's freedom and clearing the reputation of Wilde and herself. Douglas, sickened by the revelation of his wife's intrigue, breaks with her. It all ends with Anne in Wilde's arms, with the audience left to assume that a divorce from his wife will clear the way for their marriage.

Lamar Trotti wrote the screen play and produced it from the novel by Paul Wellman. John M. Stahl directed it. Adult fare.

"Thunderhoof" with Preston Foster, Mary Stuart and William Bishop*(Columbia, July 8; time, 77 min.)*

"Thunderhoof" is a low-budget but better-than-average program Western, with a theme that is somewhat similar to "Treasure of the Sierra Madres." It is not a pleasant story, but the characterizations are interesting though ruthless, and the acting very good. The story, which centers around the hunt and capture of a wild stallion by a middle-aged cowboy and his younger partner, and around the efforts of the younger man to win the love of his friend's wife, is a mixture of human conflicts in which the weaknesses in all three characters are brought to the fore. The action is considerably exciting throughout and should easily satisfy those who love their melodramas rough and tough. The outdoor sepia photography is excellent:—

Preston Foster, his wife, Mary Stuart, and his protege, William Bishop, search the Mexican wilderness for a wild stallion known as Thunderhoof. Foster wanted the fabulous stallion to breed thoroughbreds on a horse farm he intended to establish in Texas. Infatuated with Mary, Bishop, who owed his life to Foster for having saved him from a quicksand death years previously, wants to quit the search, but Foster uses force to keep him in line. They eventually capture the stallion, but in the process Foster breaks his leg. Bishop resets the leg and, despite his protests, Foster insists that they continue on to Texas. Bishop goes along because of his love for Mary, who returns his affection guiltily because of Foster's ornery attitude towards both of them. They eventually reach a deserted ranch house, where they stop long enough for Foster to regain his strength. When he discovers that the ranch's well was drying up, Foster decides that they must move on, at the same time warning Mary not to touch any water from a contaminated water hole nearby. Bishop, unaware that the water was contaminated, fills his canteen with it. A few nights later, thieves steal their food and two saddle horses, leaving only Mary's horse and Thunderhoof. Mary is sent ahead while Foster and Bishop break in Thunderhoof as a saddle horse. Crazed by typhoid

as a result of drinking the contaminated water, Bishop accuses Foster of planning to run off with Thunderhoof, leaving him to die in the desert. He yanks Foster off the horse, which runs into the desert, and in the ensuing fight knocks him unconscious and rolls him down a ravine, leaving him there to die. Plodding along on foot, Bishop overtakes Mary and informs her that Foster had double-crossed them by running off with Thunderhoof. In his delirium, however, he reveals the truth and she begins to loathe him. He dies as he tries to snatch her last remaining water. Meanwhile Thunderhoof returns to Foster who, still alive, manages to mount the horse and rides frantically in pursuit of Mary. He finds his repentant wife lying on the sand, her water gone. He revives her, and they head for Texas together.

Ted Richmond produced it and Phil Karlson directed it from an original screen play by Hal Smith.

Adult entertainment.

"Mr. Peabody and the Mermaid" with William Powell and Ann Blyth

(Univ. Int'l, no release date set; time, 89 min.)

Good light entertainment. It is a farce-comedy, founded on fantasy, centering around a married businessman who, upon reaching the age of fifty, which he calls "the old age of youth and the youth of old age," becomes enamored of a mermaid whom he catches by the tail while fishing in the Caribbean. The whole idea of the story is whimsical and fanciful, but it is original and clever and is filled with comedy incidents that range from the subtly sophisticated to the satirical and slapstick, keeping one chuckling throughout. William Powell is at his best as the suave but harassed middle-aged hero with a desire to hang on to his declining youth, and Ann Blyth, who does not utter a word of dialogue as the mermaid, portrays the role in charming fashion, expertly conveying her emotions through facial expressions and body movements that leave no doubt as to what is passing through her mind. The production values are very good, the musical effects unusual, and the underwater scenes enchanting. Although it is sophisticated in treatment, there is nothing objectionable about the situations:—

The story, told in flashback, begins with Powell being literally dragged to a psychiatrist (Art Smith) by his wife, Irene Hervey, because of his claim that he had caught a mermaid during their vacation. Powell relates to Smith that he and his wife had taken an expensive villa on St. Hilda's Island, and that he had heard strange singing coming from a reef about a mile off shore. While fishing near the reef, he had caught the mermaid by the tail and had taken her to the villa, where he had placed her in the bathtub. He had become slightly intoxicated in celebration of his find, and his wife, noticing only the mermaid's tail protruding from the tub, had ordered him to get "that fish" out of the house, despite his efforts to explain that it was a real mermaid. He had transferred the mermaid to the villa's pond, and had gone on a shopping tour to buy her a bathing suit. Andrea King, a champion swimmer, whom Powell had met at a beach party, had bumped into him at the shop and had accepted his story about the mermaid with tongue in cheek. Invited to dinner at his home, Andrea had decided to see the creature for herself. She had stripped off her gown and had dived into the pool, but the mermaid, jealous of the attentions she had been paying Powell, had bitten Andrea and had stolen her clothes, placing them in a compromising position when found by Powell's wife. His efforts to explain about the mermaid had only served to complicate matters, and his wife had left him. Meanwhile word of his claimed phenomenon had spread throughout the island, causing many people to question his sanity. And to add to his troubles, the police had suspected foul play because of the disappearance of his wife. When the police had closed in on the villa, Powell, by this time infatuated with the mermaid, had escaped with her to a deep cavern in the rocks. He had tried to join the mermaid in her underwater hideaway, and had been rescued from drowning by the police. When Powell finishes his story, the psychiatrist, having just passed the age of fifty himself, tells him not to worry and relates a similar experience about a cute ice-skater who had

skated right through the window of his home to keep him company.

Nunnally Johnson produced it and wrote the screen play from the novel, "Peabody's Mermaid," by Guy and Constance Jones. Irving Pichel directed it. The cast includes Clinton Sandburg and others.

Unobjectionable morally.

"Key Largo" with Humphrey Bogart, Edward G. Robinson, Lauren Bacall, Claire Trevor and Lionel Barrymore

(Warner Bros., July 31; time, 101 min.)

A top-notch gangster melodrama, adapted from Maxwell Anderson's play of the same name. Revolving around a group of ruthless gangsters who take possession of a small Florida hotel and intimidate the elderly, invalided owner and his widowed daughter-in-law, only to be brought to justice by a disillusioned war veteran whose inherent sense of decency revolts against their sadistically cruel tactics, the story is a grim, bitter tale of conflicting emotions and clashing of wills. But it has a tense and taut script, superb direction, and excellent acting by a group of players who are exactly right for their roles. Compared with most gangster pictures, this one has relatively little melodramatic action, yet it has an absorbingly sustained mood of menace and suspense from start to finish. Edward G. Robinson, as the sadistic gangster chief; Humphrey Bogart, as the veteran; Lionel Barrymore, as the invalided but courageous hotel keeper; Lauren Bacall, as his widowed daughter-in-law; and Claire Trevor, as Robinson's blousy, hard-drinking girlfriend, are convincing in the principal roles, but it is Miss Trevor, as the fading blonde who realizes that Robinson is about to discard her, who walks away with the acting honors in what is undoubtedly the best work of her career. The photography is superior, and the background music highly effective. The mounting tension created by the menacing gangsters is heightened by the terrifying sweep and fury of a Florida hurricane, which has been caught by the camera in expert fashion.

Bogart, an ex-army major, arrives in Key Largo, to pay his respects to Barrymore and Lauren, whose husband, his buddy, had been killed in the war. He finds that the hotel operated by Barrymore had been taken over by a group of four gangsters headed by Robinson, a notorious racketeer who had been deported from the United States but had returned to sell a suitcase full of counterfeit money to Marc Lawrence, a gangster pal, who was to meet him that night at the hotel. Robinson's well laid plans are upset by the news that a hurricane would strike the coast that night, and by the appearance of a deputy sheriff searching for two escaped Indians. The deputy is knocked unconscious when he recognizes Robinson, and Bogart, Barrymore and Lauren are kept prisoners by the armed men. The howling of the hurricane strikes fear in Robinson's heart, and he becomes jumpy and abusive. He makes improper advances to Lauren, and taunts Bogart for not coming to her aid. Bogart, disillusioned with the post-war world, refuses the challenge, stating that one gangster more or less was not worth dying for. As the hurricane reaches its full fury, Robinson's nerves reach the breaking point; he kills the deputy, abuses Claire, his girl-friend, and attacks Bogart for helping her. When the storm passes its peak, Lawrence arrives and concludes the deal for the counterfeit money. To make a getaway, Robinson forces Bogart to pilot a boat that will take him and his henchmen back to Cuba. Claire, left behind, manages to steal Robinson's gun and slips it to Bogart. Once at sea, Bogart realizes his obligation to destroy these ruthless men. He forces one gangster overboard, shoots down two of the others, and in a final showdown pumps Robinson full of lead. He brings the boat, with its cargo of death, back to Key Largo, where Barrymore and Lauren invite him to make the hotel his permanent home.

Jerry Wald produced it and John Huston directed it from a screen play written by himself and Richard Brooks. The cast includes Thomas Gomez, Harry Lewis, John Rodney, Dan Seymour, Monte Blue and others.

Adult entertainment.

ments, is worthy of a trial, and until it has been tried and found wanting it is only fair that it should not be condemned.

The sponsors of the NCA—20th Century-Fox mediation plan have announced that it will be put into effect on a trial basis, and only if it is found practical and proved successful will it be established on a permanent basis.

Grievances of a purely private or personal nature will not be considered by the Grievance Committee set up under the plan, nor will it consider the subject of film rentals a matter of discussion. Otherwise, there is no limit to the subjects that an exhibitor can bring before the Committee as a grievance.

The underlying principle of the plan is to dispose of grievances by mediation rather than litigation, and to that end both sides have pledged themselves to a consideration of the disputes in a spirit of fairness and open-mindedness so that they may be settled amicably, fairly, and promptly.

No exhibitor is compelled to avail himself of the plan, and an exhibitor does not have to be a member of Allied in order to bring a grievance before the board. And, most important of all, an exhibitor who brings a dispute before the board does not forego any of his legal rights.

On the face of it, the plan seems very fair. How it will work out in practice, and whether or not the settlements will be substantial enough to warrant continuance of the plan remains to be seen. Meanwhile, it should be looked upon as a sincere forward step to improve intra-industry relations, and should be given every chance to prove itself.

Those who are prone to criticize the plan before it is put in operation should remember that nothing ventured is nothing gained.

COMBATTING UNFAIR NON-THEATRICAL COMPETITION

Several weeks ago, Mr. Charles Niles, Chairman of the Allied Caravan Committee of Iowa and Nebraska, informed the Omaha branch of the Treasury Department that a school in Whitman, Nebraska, has gone into the 16 mm. show business, taking up a collection at the performances instead of charging an admission price. Mr. Niles, who stated that this is "wicked competition for the legitimate theatres," is absolutely right, for it is obvious that the practice of taking up a collection instead of charging an admission fee is nothing more than an attempt to circumvent Treasury Department regulations on admission taxes.

The Collector of Internal Revenue at Omaha replied to Mr. Niles, in part, as follows:

"Kindly be assured that the matter of admission tax liability involved in the 'free-shows' at Whitman, Nebraska, will be thoroughly investigated by a Deputy Collector of Internal Revenue."

The practice of non-theatrical institutions giving admissionless picture exhibitions and then making a collection has been prevalent too long. Schools, churches, and all other institutions that are supported by the public are, as a general rule, exempt from all forms of taxation and, under the law, they cannot become business institutions. But when these institutions use a "collection" system at a picture exhibition, they are in fact giving a public performance for profit and,

consequently, become business places. And the unfair thing about it is that they become direct competitors of the legitimate theatres that pay the taxes that help to support them.

In the great majority of cases, the local exhibitor finds it unwise to protest against this practice, with the result that his business suffers. In this instance, however, the complaint has been entered by the exhibitor organization, thus the local exhibitor has avoided embarrassment. But insofar as the Treasury Department is concerned, the law is the law and all who violate it, through subterfuge or otherwise, must stop the violation.

All other exhibitor organizations could help their members by taking the action that Mr. Niles has taken.

"Corridor of Mirrors" with an English cast

(Univ.-Int'l, no release date set; time, 96 min.)

This picture is different from the usual run of pictures and, for "A" audiences, it is a first-class attraction, for it holds one's attention tense throughout. It is a somber subject in theme and in atmosphere, and the low-key photography fits the subject's somberness. The sets are fabulously costly, the most costly of all being the Venetian party sequence. The costumes are lavish. Miss Edana Romney, the leading lady, is beautiful, and her acting matches her beauty. Eric Portman, as the hero-lover, does good work. The dialogue is difficult to understand most of the time, not only because of the proverbial accent, but also because of the poor recording. The worst feature of all, however, is the panoramic method of the "shooting" of the scenes—the camera follows the actors. When the background is far away, it is tolerable, but when the background is close behind the actor it is intolerable.

The story deals with Edana Romney, the heroine, a night club entertainer, who is charmed by Portman, a man who, afraid of the future, lives in the past, believing that he had been reincarnated. When he meets Miss Romney he is so fascinated with her beauty that he imagines her to be his faithless girl-friend back in the 15th Century. But to her he is irresistible and she visits him often. His housekeeper warns her that he is unreliable—that he is a collector of women, and that she (the housekeeper), was one of them until he discarded her for younger conquests. Another woman, who, too, had been discarded, enters Portman's house. When she is found strangled, Portman is arrested for the crime. He goes on trial but refuses to defend himself, asserting that he was guilty. He is executed. Several years later it comes to light that the murder had been committed by the housekeeper. Miss Romney, by this time married and the mother of three children, receives a message to go to a London museum, where she meets a former servant of Portman's and learns from him who the real murderer was. The woman was insane. Miss Romney returns home to a loving husband and children.

The screen play was written by Rudolph Cartier, the producer, and Miss Romney, from a novel by Criss Massey. Terrence Young directed it.

Although the sex situations have been handled in good taste, it is not a picture for children.

NOTE: With strong and sensational exploitation, an exhibitor might book the picture on slow days with good results.

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Its Editorial Policy: No Problem Too Big for Its Editorial
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No. 29

FIELD SALES FORCES NEED AN EDUCATION AT LAW

Writing in the July 2 bulletin of the Allied Caravan of Iowa & Nebraska, Mr. Charles Niles, chairman of the organization's Caravan Committee, said the following about some salesmen's violating the U. S. Supreme Court's decision:

"WE FIND:—in talking to some seventy-five exhibitors that the sales forces of the film companies are woefully ignorant of the recent Supreme Court decision. Cases as follows:

"CASE No. 1:—A Fox salesman refused to sell eight pictures unless the exhibitor bought GENTLEMEN'S AGREEMENT & CAPTAIN FROM CASTILE. The member told the salesman he didn't want the two pictures but would buy the balance. THE SALESMAN SAID HE COULDN'T BUY ANY IF HE DIDN'T TAKE THEM ALL.

"CASE No. 2:—R.K.O. refused to confirm and approve BEST YEARS OF OUR LIVES because the exhibitor had not and would not buy the two previous Goldwyn pictures MITTY & BISHOP'S WIFE.

"CASE No. 3:—A Warner Brothers salesman refused to eliminate two pictures on a deal and told the exhibitor that hereafter if they wanted a deal they could come to him.

"CASE No. 4:—A Paramount salesman refused to eliminate a picture on a deal and said his office would not stand for it.

"All of these cases are flagrant violations of the Decree, that plainly states that the sale of any picture shall not be contingent on the sale of another. We advise the sales forces hereafter stop these unlawful selling tactics. . . ."

"A copy of this letter is being mailed to all the branches at both Des Moines and Omaha, their home offices at New York, and to the Hon. Tom Clark, Attorney General of the United States."

Throughout the years that I have been publishing HARRISON'S REPORTS, the stumbling block to reforms in the industry have been the sales forces in the field. Distributor representatives in New York would agree with exhibitor representatives upon certain reforms; the Distributor home offices would issue instructions to their sales forces in the field to carry them out, but in every instance these forces violated them.

In the cases reported by Mr. Niles, however, the matter differs entirely. The ban of the practice of conditioning the sale of one picture upon an agreement that another be bought is, not an understanding between distributor and exhibitor representatives, but a U. S. Supreme Court decision, a violation of which may have serious consequences upon the guilty salesmen. If an exhibitor should have either written or witness evidence of such violations and should report

the matter to the U. S. District Attorney of his territory with a request that he cause indictments to be issued against the offender, the offender, if proved guilty, may be sent to the penitentiary, not only for contempt of the U. S. Supreme Court, but also for flouting the anti-trust laws, under which every violation is a "misdemeanor," punishable by a "fine not exceeding \$5,000, or by imprisonment not exceeding one year, or by both said punishments, at the discretion of the Court."

It is the duty of the Home Office general managers to renew their instructions to their field forces, cautioning them about the necessity of adhering to court rulings, and about the consequences of defying them.

J. ARTHUR RANK'S SELFISHNESS

To compel the British exhibitors to give forty-five percent of their playing time to British-produced pictures, J. Arthur Rank employed patriotism to gain his objective—restriction by law. He naturally feels that there is no reason why the British theatres should not show a larger number of British pictures.

His real object, however, seems to be to sell a greater number of J. Arthur Rank pictures in order that his production activities turn into a paying enterprise.

The material issue, however, is not whether his object is to sell a greater number of his own pictures or to really give a chance to all British product to be shown in greater numbers on British screens, but whether, in pursuing such a policy, he benefits the British exhibitors or harms them.

If Mr. Rank were able to produce as many good pictures as the American producers, to whom the British exhibitors look for sufficient box-office product in order to remain in business, the matter would differ, but he is not able to do so. Even if we were to forget about quality and confine ourselves to quantity the records shows that, during the past four years, Mr. Rank and all the other British producers combined have not supplied the British exhibitors with enough films to meet even the old quota, which for 1947 was fixed at 17½ per cent, and for 1946 was set at 15 per cent.

Because of the lack of suitable British product, more than 1300 British exhibitors were unable to meet the lower quota last year. How, then, can they be expected to fill the higher quota, which becomes effective October 1, when Mr. Rank and all the other British producers have neither the "know-how" nor the facilities to produce the approximately 160 features per year that will be required to enable the British exhibitors to live up to the quota? That the new quota is impractical and impossible of fulfillment is

(Continued on last page)

**"Red River" with John Wayne,
Montgomery Clift, Walter Brennan
and Joanne Dru**

(United Artists, August 27; time, 126 min.)

Excellent! It is a big-scale Western, an epic of such sweep and magnitude that it deserves to take its place as one of the finest pictures of its type ever to come out of Hollywood. Its more than two-hours running time seems much less to the spectator, for it is a tense, gripping, suspense-laden melodrama, a superb job of movie-making in every detail—production, direction, writing, and acting. Under the masterful handling of producer-director Howard Hawks, the story, which deals with the first cattle drive over the Chisholm trail, from Texas to Abilene, Kansas, builds to a pinnacle of excitement and tension in a way that thrills the spectator throughout and holds him fascinated. The picture has everything one could wish for in a rousing Western—Indian raids, furious hand-to-hand brawls, thrilling horseback riding, an awesome cattle stampede, and gunplay that will keep one on the edge of his seat. Hawks has succeeded in making the characters live; every one in the cast acts as if the story were a real-life occurrence. John Wayne comes through with the top performance of his career in a magnificent portrayal as a hot-tempered, strong-willed cattle empire builder, whose slave-driving tactics turn his men against him. Montgomery Clift, as Wayne's hardened but sympathetic protege, who rebels against his heartlessness, is exactly right, underplaying the role with a finesse that establishes him as a star of the first order. Clift is a handsome fellow, with a personality that is sure to make a hit with the ladies. The fight between Clift and Wayne at the finish is as vicious and thrilling a brawl as any yet seen on the screen. An outstanding characterization is contributed by John Ireland as one of Wayne's tough, sure-shot lieutenants, and effective performances are turned in by Joanne Dru and Coleen Gray as the women in the life of Wayne and Clift. Others in the excellent supporting cast include the late Harry Carey, as a cattle dealer; Walter Brennan, as Wayne's inseparable partner; and Harry Carey, Jr., Noah Beery, Jr., and Paul Fix, as cowboys who sign on for the drive. The magnificent scenery, enhanced by the expert photography, is highly impressive. The picture's blend of exciting action, human interest, comedy, and some romance will have a strong appeal for the masses, and the word-of-mouth advertising it is sure to receive will undoubtedly make it one of the really top box-office attractions of the year:—

The story opens fourteen years before the Civil War and shows how Wayne, a man in his early thirties, parts from his sweetheart (Coleen Gray) and leaves a wagon train, accompanied by Brennan, to seek good grazing land to raise cattle. That night Indians attack the wagon train and kill his sweetheart. On the following morning, Wayne comes upon a 13-year-old youngster, the only survivor of the massacre, and adopts him. In the fourteen years that follow, Wayne, despite hostile Indians and land-hungry Mexicans, builds a great cattle empire in Texas. He becomes desperate for a new market for his cattle and decides to drive a tremendous herd to Missouri. With the orphan boy, now a young man (Montgomery Clift) as his chief aide, Wayne pushes his cattle and men ruthlessly as they struggle through stampedes, storms, and swollen rivers. His heartless savagery, however, backed by his ability to use a gun, makes the men restless. When word comes that outlaws were

attacking cattle drives headed for Missouri, the men insist that they drive for a new railroad reported in Abilene. Wayne, lacking proof of the railroad's existence, keeps heading for Missouri. Several of the men desert, only to be recaptured by Wayne. When he decides to hang them, Clift, realizing that he was wrong, takes command at gunpoint and, with the men backing him up, heads the herd for Abilene. Wayne, left behind, vows to follow and kill Clift. En route, Clift and his men fight off an Indian attack on a wagon train, during which he meets and falls in love with Joanne Dru. Clift eventually reaches Abilene and success. Meanwhile Wayne, who had been trailing him, arrives for a showdown. Unable to provoke his foster-son into drawing a gun against him, Wayne engages the youngster in a knock-down, drag-out fight, which is put to a halt by Joanne who grabs a gun and threatens to shoot both of them. The humor of the situation hits both men and they laughingly reconcile their differences.

Borden Chase wrote the original story, "The Chisholm Trail," and collaborated on the screen play with Charles Schnee.

Unobjectionable morally.

**"Texas, Brooklyn and Heaven" with
Guy Madison, Diana Lynn
and James Dunn**

(United Artists, July 16; time, 76 min.)

In spite of the fact that it has a rambling story, this romantic comedy shapes up as a congenial entertainment, easy going and amusing. Revolving around the adventures of a young newspaperman who leaves Texas to try his hand as a playwright in New York, the story concerns itself mainly with his pursuit of a Texas girl who had accompanied him East, and with their "wacky" experiences as they become acquainted with odd characters. The comedy incidents are plentiful, the most hilarious one taking place in a Brooklyn "riding academy," a queer-looking place with mechanical gadgets, such as horses, an elephant, a camel, and even a mock schooner, all set against moving backgrounds, which was patronized by people who liked to dream of adventure. The chaos that takes place when the gadgets get out of control should cause uproarious laughter. All in all it is an unpretentious but pleasant comedy, which to many will come as a welcome relief from gangster and murder pictures:—

Having inherited \$2,000 and two guns from his deceased grandfather, Guy Madison quits his Dallas newspaper job and heads for New York. En route, he meets Diana Lynn, a hitch-hiker, who joins him on the trip and mistakes him for an escaped bank robber when she sees the guns. By the time they reach New York, Madison finds himself deeply in love, despite Diana's warning not to fall in love with her. They separate, Madison going to work in a cheap hotel room, and Diana finding quarters in the stable-loft of a Brooklyn mansion with Florence Bates, a pickpocket, whom she had saved from the law by claiming that she was her mother. The mansion was owned by three dour spinsters (Irene Ryan, Margaret Hamilton, and Moyna Magill), whom Miss Bates unsuccessfully tries to cheat in games of chance. In the course of events, Madison's finished play is rejected by the producers, and he causes Diana to lose her job in a Coney Island girlie show when he precipitates a riot. Dejected, he goes to a bar to drown his sorrows. James Dunn, the bartender, comforts him and takes him to Michael Chekhov's "riding academy" to cheer him up. Madison, by offering to pay Diana's salary, induces Chek-

how to give her a job. Diana loves the work and, when Chekhov is forced to sell because of poor business, Madison uses the remainder of his inheritance to buy the place and keep her happy. The academy, however, remains a financial flop. But on Christmas Eve, when one of the steady patrons shows up with twenty-five members of his lodge, each dressed as a Santa Claus, who cavort on the mechanical animals, Dunn notifies the newspapers and the resultant publicity makes the academy a valuable property. Madison and Diana sell the place to the three spinsters, and return to a Texas ranch happily married.

Robert S. Golden produced it and William Castle directed it from a screen play by Lewis Meltzer, based on the Saturday Evening Post story by Barry Benefield. The cast includes Lionel Stander, Clem Bevans, William Frawley, Roscoe Karns and others.

Suitable for the entire family.

"That Lady in Ermine" with Betty Grable and Douglas Fairbanks, Jr.

(20th Century-Fox, August; time, 89 min.)

With Betty Grable and Douglas Fairbanks, Jr., in the leading roles, this lush Technicolor production has potent marquee value, but as entertainment it is only passable. It is a farcical romantic comedy, set in an Italian castle in the year 1861, and it revolves around the efforts of a pretty married noblewoman to save the castle and her honor when it is taken over by a regiment of Hungarian Hussars under the command of Fairbanks. About one-half of the action is fantasy, centering around the noblewoman's ancestral grandmother (also played by Miss Grable), who was faced with a similar problem 300 years previously. The picture has its moments of charm and here and there some delightful bits of comedy, but on the whole it misses fire, for it is handicapped by a story that is weak and confusing. The picture is the one on which the late Ernst Lubitsch was working as producer-director at the time of his death. It has been completed by Otto Preminger who, at his own request, receives no screen credit. The story, with some variations, was produced once before by First National in 1930, under the title, "The Bride of the Regiment":—

Betty's husband, Cesar Romero, leaves her on their wedding night to do battle against the invading Hungarian Hussars. That midnight, Betty's ancestors come to life from their portaits and her ancestral grandmother, noticing the approach of Fairbank's regiment, recalls that 300 years previously she had been faced with a similar crisis when the castle had been invaded by a Duke (also Fairbanks). Her husband (Reginald Gardiner) had failed in his plea to the Duke to spare the castle and its people, following which she had visited the Duke's tent, had obtained her subjects' freedom, and had stabbed the Duke to death. Throughout the years her husband had plagued her with his suspicions about what had happened in the tent, and she determines that Betty shall not suffer a similar fate. Arriving at the castle, Fairbanks soon learns that Betty's marriage had not been consummated, and he falls in love with her. Fairbanks catches Romero when he sneaks back to the castle disguised as a gypsy, and offers to spare his life if Betty will have dinner with him. At the appointed hour, Fairbanks, having filled himself with wine, falls into a stupor and, in a dream, has his romantic interlude with the grandmother. He releases Romero on the following morning in the belief that his desire had been fulfilled, but he soon learns that it had been a dream and leaves the castle dejected. Romero returns to Betty, but his sus-

picious as to the reason for his release result in a quarrel that ends in the break-up of their marriage. Betty, by this time attracted to Fairbanks, joins him for the happy ending.

Samuel Raphaelson wrote the screen play. The cast includes Walter Abel, Harry Davenport, and others.

Adult fare.

"Night Has a Thousand Eyes" with Edward G. Robinson, Gail Russell and John Lund

(Paramount, October 22; time, 80 min.)

This thriller is a strange but tense dramatic entertainment, expertly handled and suspenseful throughout. Centering around a vaudeville mental wizard who finds himself gifted with the ability to accurately predict events, mostly tragic, the fanciful but well-written story grips one's attention from start to finish as he endeavors to save a young girl from a violent death he had foreseen. The suspense reaches intense heights in the second half, where the vaudevillian, wrongly suspected by the police of having designs on the girl's life, is kept away from her despite his pleas that he be permitted to guide her away from the events that spelled her doom. Edward G. Robinson is convincing and sympathetic as the mentalist, and he is given excellent support by the entire cast. It is not a cheerful picture, but it has considerable merit for those who like something different in their screen fare:—

Robinson, while doing a mind-reading act with Virginia Bruce and Jerome Cowan, perceives forthcoming tragic events that come true. His inability to prevent their occurrence disturbs him, and for that reason he breaks up the act when he foresees Virginia's death in childbirth following her marriage to Cowan. He retires from the stage and, years later, hears on the radio that Cowan, now a wealthy industrialist, was attempting to set a new coast-to-coast speed record in his private plane. He receives a premonition of Cowan's impending death and, in an effort to save him, visits Cowan's daughter, Gail Russell, and pleads with her to stop the flight. John Lund, Gail's fiance, thinks Robinson a crackpot, but Gail agrees to communicate with her father. She is unable to reach him and, shortly thereafter, word comes of his death in a crash. Heartbroken over the tragedy, Robinson becomes even more dejected when he foresees Gail's death in a mortal accident. Gail agrees to let him help her avoid the accident, but Lund, suspicious, goes to the authorities. The police, having learned that Cowan's plane had been tampered with, deduce that Robinson may have been involved in his murder and that he planned to dispose of Gail for reasons unknown to them; they hold him in custody. As the hour of Gail's impending death draws near, Robinson, by predicting the suicide of a convict before it happens, convinces the police of his super-normal powers and they rush him to Gail's home. There, in spite of the fact that she was guarded closely by the police, he comes upon her just as one of her father's associates prepares to kill her to cover up a crooked stock deal. Robinson rushes to her defense and saves her, but the bewildered police, misunderstanding his motive, shoot him down. In his pocket they find a note predicting his own death that night.

Endre Bohem produced it and John Farrow directed it from a screen play by Barre Lyndon and Jonathan Latimer, based on the novel by Cornell Woolrich. The cast includes William Demarest and others.

Adult fare.

evidenced by the fact that, at this writing, nearly 3000 British theatres, representing more than 85 per cent of all British theatres outside of the country's three large circuits, have applied to the Labor Government for exemption from the quota under an escape clause of the 1948 Films Act.

Even if the British producers were somehow able to supply the exhibitors with enough product to fill the quota, how many of the pictures would be commercially suitable? If we are to judge from the past performances of American films in British theatres, the percentage of box-office pictures would indeed be small.

No matter how one looks at the new quota, it is obvious that it is impractical and unworkable, and that it is designed, not only to put the "squeeze" on the British exhibitors, but also to restrict the showing of American films on British screens. But the fact remains that any restrictions placed on American pictures does not harm the American producers as much as it does harm the British exhibitors.

Like the American exhibitors, the British exhibitors know that a theatre thrives on quality product with box-office appeal. And unless Mr. Rank can fill their playdates with meritorious pictures that will appeal to the many instead of the few, the British exhibitor will find his profits vanishing, for, in spite of the fact that patriotism among the British is high and commendable, those among them who will go to a theatre to see a motion picture expect to be entertained. Thus far, the percentage of quality box-office pictures supplied by Mr. Rank has been very low. Just imagine how much lower it will go when, in an effort to supply enough films to meet the quota, he sacrifices quality for quantity!

The British exhibitors are not only opposed to the excessive quota but also to the monopolistic practices Mr. Rank is employing to force his pictures on them. If he were able to satisfy them in quality and quantity, no law would be required to place his pictures on their screens.

Mr. Rank's monopolistic efforts have one other object—to compel the British exhibitors to agree to percentage terms that he could not otherwise impose under free trade. There can be no other conclusion, for, to quote Samuel Goldwyn, who directed his remarks at all British producers in a statement made last week, the quota is an indication that the British producers "do not have sufficient confidence in the ability of British pictures to hold their own in open competition with American films on their home grounds."

With Britain in economic difficulties, you may be sure that no British exhibitor would prefer American pictures to British if the British pictures could bring him the same returns as are brought to him by the American pictures. Mr. Rank knows this, but he knows also that his product does not compare with the American pictures, and for that reason he is wielding a legal club to beat the British exhibitors into submitting to his demands.

Mr. Rank is taking advantage of Britain's present economic difficulties to press his point; he is aware that the U. S. Government, because of such difficulties, will not press the British Government for better treatment of American pictures. But whether or not his monopolistic efforts will eventually prevail in the face of the British exhibitors' stiff opposition remains

to be seen. This paper thinks that it will not, for, like all people who find themselves oppressed, the British exhibitors, when denied the right to live in a peaceful business world in which they can conduct their businesses as free men and not as serfs, will rise in arms to regain their freedom. At such a time, Mr. Rank might find himself in a debacle, the like of which he has never dreamed of.

NO AMERICAN FILMS FOR COUNTRIES BEHIND THE "IRON CURTAIN"

A recent dispatch from Yugoslavia to *The Film Daily* stated that studios were built in that country for the production of motion pictures with the idea of eliminating the importation of American pictures from Hollywood.

This brings to mind the hopeful feeling prevailing among the members of the producers' export corporation that American films would continue to flow to countries behind the Iron Curtain.

The one object of the Communists is to keep American films off the screens of all the countries controlled by them for the reason that our pictures portray the American people living in comfort, in fine homes, and in complete freedom, under conditions that cannot help but make the people of their countries dissatisfied with their lot.

Imagine, for instance, the feeling in a Communist-dominated country of a man who has never eaten a luscious turkey dinner seeing on the screen a picture of an American family seated by a dinner table and enjoying such a dinner with all the trimmings. Naturally, he would ask himself: "Why can't I have a home like the Americans have and live among the plenty that they enjoy?" The idea of such a thought passing through that man's mind would not, of course, appeal to the Communist leaders, who keep telling their people that they are faring better, and that they have more freedom than the Americans.

The American producers had better forget the Communist-controlled countries as a source of income, for sooner or later the Iron Curtain will descend on American pictures there, perhaps for a very long time.

As a matter of fact, the whole foreign situation, particularly the situation in Great Britain, has reached such a state of uncertainty because of the dollar shortage in each country that it will probably pay the producers to "trim their sails" so that they may depend on no other country but the United States.

There are enough theatres in this country to give the American producers a good profit, provided they better the quality of their pictures so as to bring about increased attendance. They can do this by selecting human interest stories, the sort that have a "heart" and a "soul" and bring lumps to the throat of the picture-goer.

If the producers would stop putting into production stories that are half-baked, knowing full well that, at best, the picture will emerge as just another meaningless entertainment, the sort that they would not see themselves if they had to pay an admission price, the casual movie-goer of today would become a steady patron. And enough steady patrons in this country will more than offset the decreased foreign revenue.

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Vol. XXX

SATURDAY, JULY 24, 1948

No. 30

A TREMENDOUS VICTORY FOR EXHIBITION

Monopoly, as it affects the independent exhibitors, was struck another severe blow this week in a sweeping decision handed down in New York by U. S. District Court Judge Vincent L. Leibell against the American Society of Authors, Composers and Publishers in the anti-trust suit brought against the Society by 164 New York exhibitors, all members of the Independent Theatre Owners of America.

Judge Leibell, who found that "almost every part of ASCAP's structure, almost all of ASCAP's activities in licensing motion picture theatres, involve a violation of the anti-trust laws," declared that the plaintiffs are entitled to the following injunctive relief, which will be included in an injunction to be signed by him later:

"(a) Directing ASCAP to divest itself with all reasonable speed of all rights of public performance for profit through the exhibition of motion picture films, or musical compositions which have been synchronized with motion picture films, and to assign said performance rights to the owners of the copyright of said musical compositions;

"(b) Restraining ASCAP from obtaining the rights of public performance of any musical composition synchronized with motion picture films when such musical composition is performed publicly for profit in conjunction with the exhibition of such motion picture films;

"(c) Restraining ASCAP's members from refusing to grant to motion picture producers the right to publicly perform for profit through the exhibition of motion picture film, all musical compositions which they allow motion picture producers to synchronize with motion picture film;

"(d) Restraining ASCAP's members from licensing, except to motion picture producers, the right of public performance for profit through the exhibition of motion picture films, of musical compositions synchronized with motion picture films;

"(e) Restraining ASCAP and its members from conspiring with motion picture producers for the purpose of including a clause in contracts issued by producers to exhibitors directly or indirectly to obtain a license from ASCAP as a condition to the exhibition of the licensed pictures."

Plainly speaking, the Court has directed (a) that ASCAP give up its control of public performance rights of all music recorded on film, and that it return such rights to its individual members; (b) that ASCAP refrain from obtaining such rights in the future; (c) that ASCAP's individual members, in granting motion picture producers the recording rights to their musical compositions, include also the performance rights; (d) that ASCAP's individual members refrain from exacting license fees from exhibitors for the performance rights to music recorded on film; and (e) that ASCAP and its members refrain from conspiring with the producers to include in film licenses a clause requiring the exhibitors to obtain a license from ASCAP in order to exhibit the film.

The injunctive relief granted goes to the very core of ASCAP's monopoly and, if upheld by the U. S. Supreme Court, to which an appeal will undoubtedly be taken, will serve for all time to curb ASCAP from wielding against the exhibitors a monopolistic power that has compelled every motion picture theatre in the United States to pay tribute to it or go out of business.

As to the plaintiff's claim for treble damages, this was ruled out by the Court on the basis that the "plaintiffs have not shown any injury from defendants' violations of the anti-trust laws and that, even if we presume injury, plaintiffs have not proved anything from which the court could approximate the damages."

The 29-page opinion handed down by Judge Leibell is filled with potent language that defines the bounds of protection offered to ASCAP's members by the Copyright laws, beyond which they may enter only at the peril of violating the anti-trust laws. Extracts from the opinion will be found elsewhere on these pages.

In the September 6, 1947 issue of this paper, in an editorial entitled, "Solidarity Needed in the Fight Against ASCAP," the following was said:

"The monopolistic action of the American Society of Composers, Authors and Publishers in cancelling existing license agreements with theatres for the rights to perform the music recorded on film, and in imposing a new schedule of rates that will arbitrarily boost the seat tax anywhere from 100% to 500%, and even more, has so aroused the exhibitors that the Society may soon find itself in the position of having thrown a boomerang that will leave its intended victims unharmed but return to mow down its thrower."

ASCAP's tactics have certainly boomeranged, for, as a result of its efforts to arbitrarily impose unconscionable increases in the music tax, it prodded the ITOA members into pressing for an immediate trial of their long-pending anti-trust suit, which was filed originally in 1942, resulting in a decision that is, to say the very least, devastating.

Judge Leibell makes this significant statement in his opinion:

"After reviewing the record, considering the arguments of counsel and the cases cited in their briefs, I have concluded that ASCAP has violated the anti-trust laws, but that plaintiffs have failed to prove that they have been injured thereby and have sustained damages. Plaintiffs have shown, however, that the power which ASCAP attempted to use in August 1947 in a way that would have increased, many times, the license fees charged exhibitors for the right to perform publicly for profit musical compositions synchronized on films, is a constant threat which may cause loss or damage to the plaintiffs and plaintiffs are entitled to an injunction. . . ."

Although the ITOA has not been alone in the fight to curb ASCAP's monopolistic powers, the organization deserves the thanks of every independent exhibitor for sticking to its guns in its legal battle with the Society. And Mr. Milton C. Weisman, of Weisman, Celler, Quinn, Allan & Spett, attorneys for the plaintiffs, is entitled to much credit for his capable handling of the case.

As a result of this sweeping victory, many exhibitors are no doubt eager for information as to whether or not the decision invalidates their existing contracts with ASCAP and terminates the Society's right to collect license fees from them in the immediate future. The decision has just been handed down and, at the time of this writing, copies of the decision had not reached the legal minds of the different exhibitor organizations for study. Their observations will be reported in this paper for the guidance of its subscribers.

**"The Velvet Touch" with Rosalind Russell,
Claire Trevor, Sydney Greenstreet
and Leon Ames**

(RKO, no release date set; time, 97 min.)

Lavishly produced and well acted, "The Velvet Touch" is a fairly good dramatic entertainment. It is strictly adult fare, however, and at that more suitable for sophisticated audiences. The story, which casts Rosalind Russell as a famous stage star who murders her producer-lover in a fit of anger, and who struggles with her troubled conscience when another woman is blamed for the crime, is a mixture of drama and melodrama, with glib dialogue and some touches of comedy, in which Miss Russell is given ample opportunity to display the range of her acting ability. But for all her fine histrionics, the story is synthetic, lacking human interest and revolving around characters who are not sympathetic. The characterizations are, however, fascinating, even if the story has no warmth. Those who like their murder yarns filled with action will probably find this one too slow and talky:—

Having fallen deeply in love with Leo Genn, an architect, Rosalind seeks to break her relationship with Leon Ames, her producer, under whose guidance she had won lasting fame. She urges Claire Trevor, Ames' former girl-friend, to try to win him back. After the final performance of his current play, Ames, determined not to lose Rosalind to Genn, tries to break up the romance by threatening to reveal that she had been his mistress for years. In a wild rage, Rosalind strikes him with a small statuette, killing him. She returns backstage unnoticed by the other members of the company and, shortly thereafter, Claire goes to Ames' office, finds the body, and collapses. Police Captain Sydney Greenstreet takes charge of the investigation, and Claire, prostrated in the hospital with shock, emerges as the chief suspect. Aware that there is no evidence of her guilt, Rosalind remains silent. She visits Claire at the hospital, where the embittered girl, confident that she (Rosalind) had murdered Ames, taunts her as a coward afraid to face the consequence of her act. Rosalind goes to Greenstreet to confess, but changes her mind when he informs her that Claire had committed suicide. On the opening night of Rosalind's new play, Genn asks her to marry him and lets it slip that he suspected her of killing Ames but did not blame her. Distraught in the realization that she could never be happy with Genn, Rosalind decides to clear her conscience. She gives an inspired performance and, as the last act begins, she sends a note to Greenstreet, sitting in the audience, admitting her crime. Greenstreet permits her to finish the play and score her greatest acting triumph before taking her into custody.

Frederick Brisson produced it and John Gage directed it from a screen play by Leo Rosten, based on a story by William Mercer and Annabel Ross. The cast includes Frank McHugh, Dan Tobin and others.

Adult fare.

**"The Babe Ruth Story" with William
Bendix, Claire Trevor and Charles Bickford**

(Allied Artists, no release date set; time, 106 min.)

Chalk "The Babe Ruth Story" on your calendar as a highly successful picture, from the box-office as well as from the entertainment point of view. Once William Bendix, as Babe Ruth, becomes grown, the picture becomes real, for he handles his part with skill and restraint. The only shock one feels is to see Bendix, a grown man, still at St. Mary's, but once that is hurdled the spectator forgets it and enters into the spirit of the story. There are several situations with deep human appeal. As a matter of fact, few people will come out of the theatre with dry eyes. One of the most sincere emotional scenes is where a group of young boys, baseball fans, serenade Babe as he lies in bed in a New York hospital. Another effective scene is where Babe calls on a dying boy in a town in Indiana and brings to the youngster a desire to

live. There are other such situations throughout. Charles Bickford is excellent as Brother Matthias, and Claire Trevor, as Babe's wife, handles the sympathetic role effectively. The direction, photography, and atmosphere are of a high standard:—

Through the efforts of Brother Matthias, a Catholic priest, Babe Ruth, the young son of a saloon keeper, is taken to St. Mary's industrial school. Despite Babe's mischievous ways, Brother Matthias continues to have faith in him. Because Babe had shown an aptitude for baseball, Brother Matthias helps him to enter organized baseball as a pitcher for the Baltimore Orioles. He establishes a fine record and is bought by the Boston Red Sox, for whom he proves unbeatable until the opposing teams study his style and use counter moves. Babe's pitching fails until a girl in a restaurant, a baseball fan, convinces him that he was telegraphing his pitches. Her advice starts Babe on his way up again, and he eventually becomes baseball's greatest left-hand pitcher and home-run king. Babe seeks out the girl, Claire Hodgson (Miss Trevor), who had given him the advice and falls in love with her. Sold to the New York Yankees, Ruth has many feuds with the manager of the team, Miller Huggins (Fred Lightner). Yet under Huggins' guidance he becomes baseball's greatest attraction, increasing his home runs until he attains, in 1927, a total of 60 for the season. But that same year Huggins, whom Babe had learned to love and respect, dies, leaving Babe heartbroken. Claire eventually accepts Babe's proposal of marriage, and seven years later, after twenty-one years as a major league player, he goes to the Boston Braves. Older and slower, he is razed by the fans until he, in desperation, hits three home runs in a game against Pittsburgh, after which he quits in the realization that the years were creeping up on him. The owners, however, announce that they had fired him. Babe becomes seriously ill and is taken to the hospital. The doctors give up hope of saving his life and tell Babe that the only chance for him is to consent to the use of a new medicine, tried successfully on animals but never on human beings. Feeling that the serum, if successful, would save other human lives, the Babe consents to his becoming a guinea pig. The new serum saves his life and brings joy to his millions of fans throughout the nation, who had been praying for his recovery.

The screen play by Bob Considine and George Callahan, has been based on the book by Bob Considine himself. Roy Del Ruth produced and directed it. The cast includes Sam Levene, William Frawley, Gertrude Neissen, Ralph Dunn, Paul Cavanaugh, Matt Briggs and many others.

It is a picture that is good for every member of the family, baseball fan and not.

**"Lady at Midnight" with Richard Denning
and Frances Rafferty**

(Eagle-Lion, Aug. 15; time, 61 min.)

A very ordinary program murder melodrama; it barely makes the grade as a supporting feature. There is nothing novel in the treatment, and the story is particularly trite. Moreover, it has been directed poorly, and several of the performances are amateurish. Like most mysteries, the murderer's identity is not disclosed until the finish, but even that is not enough to hold one's interest, for one guesses who he is long before the final reel. The fact that no one in the cast means anything at the box-office does not help matters:—

The rather involved story opens with the mysterious murder of a young heiress, whose body is found near the home of Frances Rafferty and Richard Denning. On the following day, Frances and Denning learn that their legal right to their adopted seven-year-old daughter, Lora Lee, was being questioned by someone on the grounds that Frances was not of legal age at the time of the adoption. In the course of events it comes out that the complaint was filed by the murdered heiress, who was Tina's mother. Denning engages Ralph Dunn, a private detective, to help

him establish proof of Frances age, and to locate Claudia Drake, a night-club entertainer, whom Denning had been led to believe was Tina's mother. Meanwhile Frances finds proof of her legal age and delivers it to her attorney, Harlan Warde, from whom it is stolen. While Dunn flies East to get conclusive proof of Frances' age, and to bring back Claudia, Denning is subjected to a brutal beating by three thugs who warn him to stay out of the murder case. After numerous other happenings, during which Claudia, too, is murdered before she can testify, Denning finds reason to suspect that the killings may have been committed by Jack Searle, the murdered heiress' brother, as part of a plan to gain custody of little Lora and thus control the fortune left to her by the heiress. The real culprit, however, proves to be Warde, Denning's own lawyer, who had used Searle as his tool. In a final showdown, Warde kills Searle and prepares to do away with Denning, but the timely arrival of the police saves the situation.

John Sutherland produced it and Sherman Scott directed it from an original story and screen play by Richard Sale. The cast includes Nana Bryant, Ben Welden and others.

Unobjectionable morally.

"Daredevils of the Clouds" with Robert Livingston, Mae Clark and James Cardwell

(Republic, no release date set; time, 60 min.)

A passable program action melodrama, suitable as a supporting feature for secondary theatres. Its story about the efforts of a major airline to squeeze out a small competitor is basically familiar stuff, and the frail plot ramifications will put no strain on the movie-goer's mind, but it should get by with indiscriminating audiences, for the action values are fairly good and the flying sequences exciting. The film hasn't much to offer in the way of name values, but the performances are acceptable:—

To complete a world-wide air system, Pierre Watkin, head of a huge airline, tries unsuccessfully to buy out a small Alaskan airline owned and operated by Robert Livingston, a former Air Force captain. Watkin engages James Cardwell, sees to it that he gets a job with Livingston, and instructs him to watch for irregularities that might cause Livingston to lose his franchise. Livingston's operations, however, prove to be beyond reproach. When Mae Clark, a former WASP who had been grounded by the authorities because of her involvement in a jewel theft engineered without her knowledge by an army colonel, comes to Watkin and asks for a job, he induces her to seek employment with Livingston in the hope that he would permit her to fly one of his planes, an act that would cost him his franchise. Livingston employs her as his office manager. Unable to find anything wrong with Livingston's operations, Cardwell conceives a plan whereby he tricks Mae into keeping silent about a cancellation of Livingston's insurance, while he (Cardwell), in league with Grant Withers, a crooked gold mine operator, takes off with a shipment of gold, which he delivers secretly to Withers at an emergency field, and after which he falsely reports engine trouble and bails out while the plane crashes. Cardwell, however, loses his life when the parachute, fouled by Withers, fails to open. The loss of the gold, coupled with the fact that it had not been covered by insurance, endangers Livingston's franchise. He suspects Mae of complicity in the scheme to ruin him, but she soon convinces him of her innocence and joins him in a plan to trap Withers, whom Livingston had reason to suspect. By pretending that she was against Livingston, Mae wins Withers' confidence, thus helping Livingston to carry out a plan by which he traps the crook, recovers the gold, and saves the franchise.

Stephen Auer produced it and George Blair directed it from a screen play by Norman S. Hall, based on a story by Ronald Davidson. The cast includes Edward Gargan, Ray Teal and others.

Unobjectionable morally.

EXTRACTS FROM THE ASCAP OPINION

(Continued from back page)

"That ASCAP was moderate in its demands in 1934 and considerate in the prices it fixed after negotiation with the exhibitors, does not detract from the fact that as a monopoly ASCAP had the power to increase these prices to an unreasonable figure by demanding higher licence fees, to the financial gain of its members. ASCAP showed to what extent that power could be exercised when in August 1947 it attempted to increase the license fees as much as 200% to 1500%. This price fixing power coupled with the combination of the members' copyrights constitutes an unlawful restraint of trade.

"Where the power to fix prices is created by agreement among those who control a substantial part of an industry and who should do business on a competitive basis in a free market, the reasonableness of the prices or the good intentions of the combining units would not absolve them from the charge that they have violated the anti-trust laws. *United States v. Trenton Potteries Co.*, 273 U.S. 392. In the Trenton Potteries case the court said 'The power to fix prices, whether reasonably exercised or not, involves power to control the market and to fix arbitrary and unreasonable prices. * * * Agreements which create such potential power may well be held to be in themselves unreasonable or unlawful restraints, without the necessity of minute inquiry whether a particular price is reasonable or unreasonable as fixed.' The above was quoted in the opinion of Mr. Justice Douglas in *U.S. v. Socony-Vacuum Oil Co.*, 310 U.S. 150 at p. 213. See also *Ethyl Gasoline Corp. v. U.S.*, 309 U.S. 436."

Under the heading, "Injunctive Relief," Judge Leibell had this to say:

"The conduct of ASCAP in notifying the theatre exhibitors in August 1947 that the rates for the ASCAP license would be increased to such an extent that some theatres would be required to pay 15 times as much as the license fee under which they had been operating since 1934, is an indication of the power that ASCAP has unlawfully acquired by its own arrangements with its members and by their arrangements with the motion picture producers. The threatened use of that power to demand unfair and exorbitant license fees furnishes sufficient grounds for the exercise by the Court of its ordinary equitable powers to prevent any threatened injury to plaintiffs. The Clayton Act (U.S.C. Sec. 26) 'does not go farther than to give an injunction to private persons against threatened loss' (Mr. Justice Holmes in *Fleitman v. Welsbach Co.*, 240 U.S. 27 at p. 29). To avail himself of Sec. 26 a plaintiff must show threatened injury for which he is without adequate remedy and for which a court of equity is able to provide a remedy. (Dissenting opinion of Chief Justice Stone in *Georgia v. Pennsylvania R. Co.*, 324 U.S. 439 at p. 475). The Clayton Act 'gives to private parties a right to relief by injunction in any court of the United States against threatened loss or damage by violation of anti-trust laws, under the conditions and principles regulating the granting of such relief by courts of equity.' *Duplex Co. v. Deering*, 254 U.S. 443 at pp. 464-5. It has been held that prior to the passage of the Clayton Act in 1914, 'a private party could not maintain a suit for injunction' under the Sherman Act. *Duplex v. Deering*, 254 U.S. 443, 465.

"In the case at bar ASCAP and various groups or organizations of exhibitors in February, 1948 arrived at a new set of rates which represented an average increase of 25% to 30% over the 1934 rates. The August 1947 demands were abandoned by ASCAP. Plaintiffs have been offered the same type of contract (a long term contract) that other exhibitors accepted in February 1948. Does this remove the need for injunctive relief? I have concluded that it does not. Plaintiffs are entitled to have this court exercise its equitable powers to prevent a recurrence of what happened in August 1947 and to have their rights adjudicated and protected by a decree of the court, because the unlawful arrangements between ASCAP and its members, and between the members and the motion picture producers, is a continuing one and is a clear violation of the anti-trust laws."

EXTRACTS FROM THE ASCAP OPINION

After reviewing the origin and activities of ASCAP, as well as its organizational set-up, Judge Vincent L. Leibell points out the following in his opinion:

"The motion picture producer, when he obtains from an ASCAP member the right to record his musical composition on the film, bargains for that right only and does not obtain the right to perform publicly for profit the composition thus recorded. The producer may pay as little as a few hundred dollars or, in rare cases, as much as \$25,000 for the right to record the musical composition—the right to synchronize it with the picture on the film. When the producer acquires that right from one who is not a member of ASCAP he insists upon buying also the right to perform the musical composition publicly for profit. The exhibitors complain that the producer should follow the same course when he acquires the film recording rights from a member of ASCAP. If he did so, then the exhibitors would not need any license from ASCAP.

"The producer does not acquire the performing rights from ASCAP members, because they are prohibited by their arrangement with ASCAP from licensing the performing rights to motion picture producers. The major producers also have a financial interest in the license fees ASCAP collects, because those producers own music publishing corporations which are publisher members of ASCAP, and thus they share in one half of ASCAP's net receipts which are allotted to the publisher members."

The following is the complete text of the opinion under the heading, "ASCAP's Violation of the Anti-trust Laws":

"Almost every part of the ASCAP structure, almost all of ASCAP's activities in licensing motion picture theatres, involve a violation of the anti-trust laws. Although each member of ASCAP is granted by the copyright law a monopoly in the copyrighted work, it is unlawful for the owners of a number of copyrighted works to combine their copyrights by any agreement or arrangement, even if it is for the purpose of thereby better preserving their property rights. *Straus v. Amer. Publishers Assoc.*, 231 U.S. 222. *Ring v. Spina*, 148 F. 2d 647, *Watson v. Buck*, 313 U.S. 387 at p. 404, *Interstate Circuit Inc. v. U.S.*, 306 U.S. 208. The result of such a combination 'is to add to the monopoly of the copyright in violation of the principle of the patent cases involving tying clauses' (*U.S. v. Paramount Pictures*, decided by the United States Supreme Court May 3, 1948.)

"That ASCAP is a monopoly, within the language of Sec. 2 of the anti-trust laws, was clearly established at the trial. In *United States v. Aluminum Co. of America*, 148 F. 2d 416 at p. 424 the court expressed the view that a ninety per cent share of the market was enough to constitute a monopoly although it was 'doubtful whether sixty or sixty-four per cent would be enough; and certainly thirty-three per cent is not'. In the same case Judge Learned Hand held that 'In order to fall within Sec. 2 (of the Sherman anti-trust act) the monopolist must have both the power to monopolize and the intent to monopolize. * * * Alcoa meant to keep and it did keep that complete and exclusive hold upon the ingot market with which it started. That was to "monopolize" that market, however, innocently it otherwise proceeded.' In the case at bar it was shown that ASCAP in the course of 34 years has built up a monopoly of the music that is used in the production of motion pictures, and in so doing it has violated Sec. 2 of the anti-trust laws. "The authorities support the view that the material consideration in determining whether a monopoly exists is not that prices are raised and that competition actually is excluded but that power exists to raise the prices or to exclude competition when it is desired to do so" *American Tobacco Co. v. U. S.* 328 U.S. 781 at p. 811. ASCAP has that power.

"The combination of the members of ASCAP in transferring all their non-dramatic performing rights to ASCAP,

is a combination in restraint of interstate trade and commerce, which is prohibited by Sec. 1 of the anti-trust laws. It restrains competition among the members of ASCAP in marketing the performing rights of their copyrighted works. And by barring a member from assigning the performing rights to the motion picture producer at the same time that the recording right is assigned, the channels in which the films may be marketed is narrowed to those exhibitors who have a license from ASCAP covering the performing rights of the ASCAP music synchronized on the film. That result is accomplished through an unlawful combination with the motion picture producers in violation of Sec. 1 of the anti-trust laws. The arrangement by which the producers consent that there be specifically reserved to ASCAP the right to license the performing rights, is supplemented by a provision in the contract between the distributor of the motion pictures and the exhibitors which limits the public exhibition of the film for profit to theatres which have an ASCAP license. The producers and ASCAP's members thus combine the monopoly of the copyright of the motion picture with the monopoly of the copyright of the musical compositions, which constitutes an unlawful extension of the statutory monopoly of each and violates the anti-trust laws, as a combination in restraint of trade.

"The fact that ASCAP is a membership association gives it no immunity. Arrangements or combinations designed to stifle competition cannot be immunized by adopting a membership device accomplishing that purpose. *Associated Press v. United States*, 326 U.S. 1 at p. 19. Nor is ASCAP shielded by its purpose to prevent the infringement of the copyright of its members. The purpose of the Fashion Guild to prevent 'style piracy,' i.e. the copying of 'original creations,' did not take it outside the scope of the anti-trust laws. *Fashion Guild v. Trade Comm'n*, 312 U.S. 457. "The necessities or conveniences of a patentee do not justify any use of the monopoly of the patent to make another monopoly." *Mercoird Corp. v. Mid-Continent Co.* 320 U.S. 661 at p. 681.

"Many of the cases which have held that patent owners may not combine their patents so as to extend the monopoly of the one patent by the monopoly of the other, state the legal principles which prevent two copyright owners from doing a similar thing. The leading cases, which hold that such a combination of patents constitutes an illegal restraint of interstate commerce, are reviewed in a recent decision, *United States v. Line Material Co., et al.*, 33 U.S. 287. There Mr. Justice Reed wrote for the Court as follows, p. 315:—

"The mere fact that a patentee uses his patent as a whole or part consideration in a contract by which he and another or other patentees in the same patent field arrange for the practice of any patent involved in such a way that royalties or other earnings or benefit from the patent or patents are shared among the patentees, parties to the agreement, subjects that contract to the prohibitions of the Sherman Act whenever the selling price, for things produced under a patent involved, is fixed by the contract or a license, authorized by the contract."

"The combination of the authors, composers and publishers in the ASCAP organization, their obligations to the association, the rights they conferred on ASCAP and the reservations they made in their arrangements with the motion picture producers, have given ASCAP the power to fix the prices at which the performing rights are sold to the exhibitors. The members share in the license fees collected through the unlawful combination. By pooling their rights and pooling the license fees derived therefrom, each in some way shares in the copyrighted work of the others. This has all the evils of 'block booking' which was analyzed and condemned in *U. S. v. Paramount Pictures*, 66 F. Supp. 323 at pp. 348-349; and in the opinion of the U. S. Supreme Court May 3, 1948.

(Continued on inside page)

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ASCAP DECISION HIGHLY GRATIFYING TO INDEPENDENT EXHIBITORS

Exhibitors throughout the country are hailing as a great victory the decision handed down last week by the New York Federal District Court, which ruled that ASCAP is a monopoly in restraint of trade and prohibited the Society from collecting a music tax from theatres for the performance rights to music recorded on film.

Mr. Abram F. Myers, general counsel of National Allied, declared in a special bulletin issued last week that Judge Vincent L. Leibel's decision "spells the end of ASCAP so far as motion pictures are concerned." The following is Mr. Myers' statement:

"Under the ruling the copyright owners will be compelled to license the public performance rights to the motion picture producers and the latter will convey these rights to the exhibitors in the film contracts.

"That ASCAP's operations are illegal has been clear since the Supreme Court's decisions in the Line Material, Gypsum and Paramount Cases. Judge Leibel's order gives effect to the substance of the Lewis Bill and I have no doubt was influenced by that bill.

"Quite naturally Allied is gratified that its position in reference to ASCAP has received full judicial sanction. I am happy to congratulate Messrs. Brandt and Weisman on the successful outcome of the litigation. I hope that Judge Nordbye will follow promptly this precedent in deciding the Berger Case.

"Allied has been fully vindicated in its refusal to appease ASCAP by entering into contractual relations with it. In that way Allied avoided becoming a party to an illegal compact.

"Allied urges exhibitors not to be affected by propaganda that producers will add to film rentals more than the ASCAP charges or will exact a separate public performing charge. Exhibitors can bargain for film rentals. They cannot bargain with ASCAP. Any attempt by the producers to exact a separate charge will go the same way as the score charge.

"This decidedly is a great victory for the independent exhibitors."

Judge Leibel's far-reaching decision was greeted with gratification also by the trustees of the Pacific Coast Conference of Independent Theatre Owners who, through their attorney, Robert W. Graham, announced this week that the PCCITO will again participate in the case in the event ASCAP appeals the decision. Mr. Graham, on behalf of the PCCITO, filed an *amicus curiae* brief with Judge Leibel at the conclusion of the New York trial this Spring.

But the jubilant reaction of Mr. Myers and the

other Allied leaders, of the PCCITO, of the ITOA of New York, and of the great majority of truly independent exhibitors throughout the country, is not shared in other exhibitor quarters, specifically the Theatre Owners of America, which represents most of the affiliated theatres.

Mr. Herman M. Levy, TOA's general counsel, had this to say about the decision in a statement last week:

"For those who would negotiate for performing rights with individual copyright owners, or with the producers of motion pictures as part of the film cost, rather than with ASCAP, this decision represents a great victory. For the others, this decision means either the creation of a new, involved, and most difficult system of doing business with individual copyright owners, or the compulsory surrender of exhibitors to the producers of motion pictures of their privilege of negotiating with one central agency concerning the amount, which they, as exhibitors, shall pay for performing rights.

"If this decision stands as it is, or if it is appealed from and is sustained, it does not mean that theatre owners are relieved of the statutory obligation to pay performing rights, nor does it mean that the owners of copyrighted items will be deprived of payment for performing rights. Nothing short of a repeal of that portion of the Federal Copyright Law could accomplish that. The Court did not intend to infringe on that right."

Obviously, Mr. Levy does not think much of the decision. His line of reasoning has been picked up by several of the trade paper editors, and the essence of their remarks is that the decision may prove to be an empty victory for the exhibitors because, as they see it, the aggregate cost to the producers for the acquisition of performing rights to ASCAP's music may be far in excess of the aggregate presently paid to ASCAP by the theatres. Consequently, they contend, the excess cost will ultimately be paid by the exhibitors to the producers in the form of higher film rentals.

They contend also, as does Mr. Levy, that though the Court has restrained ASCAP from collecting a music tax from the theatres there is nothing in the decision that will prevent the individual copyright holders from negotiating with the theatres for performing rights.

Not being a lawyer, the writer cannot say whether or not this contention is correct, but from a layman's point of view it is difficult to reconcile such a contention with the injunctive relief granted by the Court, which restrained "ASCAP's members from licensing, except to motion picture producers, the right to public performance for profit through the exhibition of motion picture films, of musical compositions synchro-

(Continued on last page)

"Sorry, Wrong Number" with Barbara Stanwyck and Burt Lancaster

(Paramount, September 24; time, 89 min.)

Based on the well known radio play of the same title, this melodrama unfolds with considerable suspense and terror, yet it is no more than mildly engrossing because of a plot that is frequently confusing and quite often obscure. It is one of those pictures that must be seen from the beginning lest the confused story seem even more confusing. It is strictly an adult entertainment, and a morbid one at that, for there is nothing pleasant about either the characters or their actions. The story is comprised of a series of episodic flashbacks, and unfolded in a way that is designed to give the action mounting suspense and terror but, though it succeeds in some measure in heightening the melodramatic mood, for the most part it serves to make the story too complex to be easily understood. Barbara Stanwyck, as a bed-ridden, neurotic invalid, contributes a vivid portrayal in a difficult role. The production values are very good:—

The story, which covers a span of less than two hours, opens with Barbara impatiently trying to reach by telephone the office of her husband, Burt Lancaster. Through crossed telephone lines, she overhears two men plotting the murder that night of a woman, whose identity she does not learn when the connection is broken. She reports the incident to the police, who are unable to trace the call. All alone and afraid, she becomes emotionally upset and tries desperately to learn her husband's whereabouts through a series of telephone calls to different persons. The information she receives from them gradually brings her to the realization that it was her own murder that was planned that night. All this is revealed through a series of flashbacks in which it is shown how she had met and married Lancaster, who came from the wrong side of the tracks, and how her doting millionaire father had made him an executive in his drug company. Disgusted with the manner in which Barbara and her father dominated his life, Lancaster, to free himself from their purse-strings, had systematically stolen from the company valuable chemicals, which he peddled to the underworld. He had become indebted to a gangster for \$175,000 and, when given the choice to pay up or meet sudden death, had hired a killer to murder Barbara so that he could meet the payment from her insurance money. At the finish, it is shown how Lancaster, learning that he need not raise the money, telephones Barbara and urges her to leave her bed and escape from the killer who was due to arrive at the apartment within minutes. The telephone connection is broken momentarily, and by the time it is re-connected the voice of the killer answers and says: "Sorry, wrong number."

Hal Wallis and Anatole Litvak co-produced it, and Mr. Litvak directed it from a screen play by Lucille Fletcher, based on her radio play. The cast includes Ann Richards, Wendell Corey, and others.

Strictly adult fare.

"Embraceable You" with Dane Clark and Geraldine Brooks

(Warner Bros., August 21; time, 79 min.)

There is considerable hokum in this rather routine romantic melodrama, which does not rise above the level of program fare, but its mixture of romance and gangster activities should satisfy generally as a supporting feature. The chief trouble with the story is that it lacks conviction because its development depends too heavily on coincidence. It manages, never-

theless, to hold one's interest fairly well, for one is sympathetic to the hero and heroine because of the hopelessness of their love, brought about by the heroine's impending death. It is difficult to sympathize with them at first, for both are shown as ne'er-do-wells, but one's feeling towards them changes when they display decent traits. The popular song, "Embraceable You," is reprised several times in the course of the action:—

Driving a getaway car for gangster Richard Rober, who had just murdered a gambler in a New York hotel, Dane Clark, a petty thief, runs down Geraldine Brooks, a disillusioned stage aspirant who yearned for an easy life. Clark stops the car but Rober forces him to go on. Conscience-stricken, Clark visits Geraldine at the hospital, where he poses as a friend of her family in Milwaukee. He learns that, although Geraldine believes herself recovered, she faced certain death as a result of the accident because of a blood clot coursing through her veins. Wallace Ford, a detective assigned to track down the hit-and-run driver, as well as the murderer of the gambler, spots Clark in the hospital and suspects him of having a connection with both crimes. He threatens to hound him unless he takes care of Geraldine and makes her happy for the rest of her short life. Clark sells his car and pawns his watch to obtain an apartment for her. As her condition becomes worse he finds himself desperately in need of money and blackmails Rober into giving him \$1,000. The gangster, aware of Clark's danger to him as an informer, sets two thugs on his trail. To protect both Geraldine and himself, Clark makes a deal with Ford whereby he reveals the truth about Rober in exchange for Ford's helping him to elude his pursuers. Ford arranges for Clark and Geraldine to be taken to a country hideout, where both fall in love and decide to marry. On the day of the wedding, Rober tracks Clark to the hideout but, before he can shoot him, he is shot down himself by Ford. The wedding takes place, and Geraldine, by this time aware of her impending death, asks Clark to pretend that their happiness will last forever.

Saul Elkins produced it and Felix Jacoves directed it from a screen play by Edna Anhalt, based on a story by Dietrich V. Hannekin and Aleck Block. The cast includes S. Z. Sakall, Lina Romay, Philip Van Zandt and others. Unobjectionable morally.

"Music Man" with Phil Brito, Freddie Stewart and Jimmy Dorsey

(Monogram, no release date set; time, 66 min.)

Just fair. The presence in the cast of Jimmy Dorsey and his orchestra, and the singing of a few tuneful songs, particularly of "Bella, Bella, Marie," may save the picture, but the story is trite—two brothers feud when there is no earthly reason why they should, except in the author's wrong conception. If instead of having the two brothers quarrel all the time the author had presented one having fallen in love with a worthless woman to the point where it affected his song-writing, while the other brother, heartbroken, tries to rescue him from her clutches, he would have had a story with deep human interest. As it is, the feud between the brothers seems artificial, and one's interest lags to the point of boresomeness. Jimmy Dorsey is pleasant and his music good:—

Phil Brito and his brother, Freddie Stewart, are a successful song-writing team despite their constant bickering. Noel Neill, their secretary, loves Phil, but he is unaware of her feelings and falls in love with June Preisser when she invites both brothers to sing

at a benefit sponsored by her parents. Grazia Narciso, the boys' mother, unwilling to live with them, lives by herself on the East Side. She gives a party to bring her sons together but Phil becomes infuriated when June leaves the party to give Freddie a lift when his car breaks down. The brothers split, and Chick Chandler, their publisher, refuses to publish Freddie's songs because of their inferiority. Freddie starts his own publishing business but fails, refusing to save it by accepting a loan from Jimmy Dorsey. Noel engages the services of Alan Hale, Jr., a milkman, to patch up the feud. Alan visits Phil and poses as a lyricist in search of a music composer, then follows the same procedure with Freddie by posing as a composer in search of a lyricist. In this way the two brothers unknowingly collaborate on a musical comedy, but when they learn of the hoax each threatens to resort to an injunction to stop the other from using his work. They make up, however, when they learn that their mother had invested her life's savings in the show. The show goes on as Phil learns of Noel's love for him, and Freddie plans to marry June.

Will Jason produced and directed from an original screen play by Sam Mintz.

No objectionable situations.

"Adventures of Gallant Bess" with Cameron Mitchell and Audrey Long

(Eagle-Lion, no release date set; time, 71 min.)

A moderately entertaining Western-type program melodrama, photographed in Cinecolor; it should serve its purpose as a supporting feature in double-billing situations. There is not much originality in the story, which deals with a cowboy's affection for his horse, nor is there anything fresh about the treatment, but it should get by with indiscriminating audiences, for it has a fair share of excitement, romantic interest, and some wonderful stunts by Bess, a superbly trained horse, around whom the proceedings revolve. The performances are adequate, and the Cinecolor photography good:—

Cameron Mitchell, employed by James Millican, owner of a touring rodeo show, captures Bess, a beautiful wild mare. When Millican tries to claim the horse, Mitchell quits the rodeo and takes the horse with him. He obtains a job as a ranch hand and devotes most of his time training Bess to be a trick horse, but he is soon discharged for spending too much time with the animal. Mitchell catches up with Millican's rodeo show and enters his horse in a \$250 prize contest. He wins the contest, but Millican, vengeful because Mitchell had kept Bess, arranges with a henchman to soap the horns of a steer Mitchell was to "bulldog." As a result, Mitchell is thrown hard and breaks a leg. While a local doctor and his pretty daughter (Audrey Long) care for Mitchell's injuries, Millican mistreats Bess and causes the animal to go on a rampage, during which he damages \$200 worth of private property. With Mitchell unable to pay for the damage because Millican had left town without giving him the prize money, the sheriff is compelled to sell the horse at auction. Millican buys the horse through one of his henchmen. After a long convalescence, during which he falls in love with Audrey, Mitchell sets out to locate his horse. He finds the animal with Millican's show, mistreated and broken in spirit. He thrashes Millican and the horse runs away during the fight. In the course of events, Millican catches up with the horse, which turns on him and is about to stomp him to death when Mitchell inter-

venes and saves him. Grateful, Millican gives up his bill of sale to Mitchell.

Jerry Briskin and Matthew Rapf produced it and Lew Landers directed it from a screen play by Mr. Rapf. The cast includes Fuzzy Knight, John Harmon, Ed Gargan and others. Suitable for the entire family.

"Good Sam" with Gary Cooper and Ann Sheridan

(RKO, no release date set; time, 112 min.)

Very good mass entertainment. It is a domestic comedy-drama, the sort that captivates an audience from start to finish because of its warm, human quality, as well as its hilarious comedy. Its story about a Good Samaritan who goes out of his way to help others but whose charitable impulses often lead him into unexpected difficulties is simple, but it is packed with homey situations that are at once tender and uproariously funny under the adroit handling of producer-director Leo McCarey. The emphasis is on the comedy, and if the gales of laughter that greeted the proceedings at a New York neighborhood theatre preview are any criterion, audiences everywhere should find the picture immensely satisfying. Expert characterizations are turned in by Gary Cooper, as the good-natured family man, and by Ann Sheridan, as his understanding wife, whose patience with his desire to do a good turn for every one eventually comes to an end when it begins to affect their happiness. Miss Sheridan, incidentally, gives one of the best performances of her career in this role. The supporting cast is very capable, and the production values first-rate:—

Living in a small city with Ann and their two children, Cooper, general manager of a department store, concerns himself with the welfare of others to the point where it causes Ann considerable consternation because his well-meaning actions deprived his own family of certain comforts and necessities. Ann's patience reaches the breaking point when she arranges to buy a house she had set her heart on only to learn that Cooper had loaned their "new house fund" to a young couple to establish them in business. But this crisis is weathered when the young couple repay the loan with a bonus to boot. Cooper's crowning misfortune occurs on the day before Christmas when he is tricked by a slick woman who fakes a fainting spell and who steals from him, as he comes to her aid, the money contributed by the store employees for a charity fund. He makes good the loss from his personal savings, leaving himself without sufficient funds to pay for his new home, which Ann had arranged to move into that day. Unsuccessful in his efforts to raise money from his many debtors, Cooper reaches the depths of despair and goes to a bar to get drunk. There he meets a tramp, with whom he exchanges clothes, and later marches away with a Salvation Army Band. Meanwhile, Cooper's banker decides to grant him a loan and calls at his home. Ann learning of Cooper's predicament for the first time, becomes frantic over his absence, but her uneasiness soon comes to an end when she hears the approaching music and sees Cooper, gloriously drunk and disheveled, being led to the doorstep by the Salvation Army. There is a joyful reunion, and it all ends with Cooper and his family facing a bright and secure future.

Ken Englund wrote the screen play from a story by Leo McCarey and John Klorer. The cast includes Ray Collins, Edmund Lowe, Joan Lorring, Clinton Sandburg, Louise Beavers and many others.

Excellent for the entire family.

nized with motion picture films." That is pretty plain language.

But even if we assume that the individual copyright owners will have the right to license theatres on a per-piece basis, of what practical value is such a right? None whatever, for the time, labor and great expense that would be involved in any arrangement whereby a performance license will have to be obtained by the theatres for each piece of music in a film is commercially impracticable, not only for the exhibitor, but also for the copyright owners of the music. It all adds up to an impossible task, and the only solution is the one handed down in the decision, whereby the copyright owners must license the performing rights to the producers, who will convey such rights to the exhibitors in the film licensing agreements.

As a matter of fact, it will be to the advantage of the producer to insist upon being granted the performing rights to all music he records on film—a right granted to him by the Court, for in that way the sale of his picture will not be limited to the number of exhibitors who have come to an agreement with the individual copyright owners for the performing rights of the music synchronized on the film. For a producer to take any other course would be to invite financial suicide.

HARRISON'S REPORTS joins Mr. Myers in urging the exhibitors not to be affected by propaganda that the decision will result in a greater financial burden to them. Remember that no matter how much rental a producer asks for his picture, even if he includes in such a rental a charge for music performing rights, you do not have to pay the asking price. You can bargain with the producer, and if he doesn't make the price right you can pass up the picture. With ASCAP there was no such choice; you either paid the tax demanded or shut your doors.

Dire predictions about what may happen as a result of this far-reaching decision will no doubt emanate from producer-inspired sources for some time to come. The wise exhibitor, however, will not be influenced by any of these predictors, for no matter what angle they dream up they cannot take away from the fact that, with the independent exhibitors, the decision is a great and popular victory.

NAME-CALLING

In her July 19 syndicated column, which appeared in the *Los Angeles Times*, Hedda Hopper wrote the following among other items:

"It will be ironically amusing to watch some of the scenes behind the scenes, now that Dore Schary is the Big Noise at Metro-Goldwyn-Moscow. (Italics mine.) He testified on the opposite side of the fence in Washington from Robert Taylor, James K. McGuinness, Louis B. Mayer, Sam Wood, George Murphy and other men with whom he will work.

"A lot of people ask why I oppose Schary. There are two simple reasons: One, he expressed pinko sympathies for years in Hollywood and stated on the stand in Washington that he would never fire Eddie Dymtryk and Adrian Scott until it was proven their work was subversive. But when the pressure of the producers was applied to him he proved himself lacking in the courage of his expressed convictions. Americans don't admire a man like that. Two, actually he had little if anything whatever to do with 'Crossfire,'

the picture for which he accepted so many awards. It had been prepared many months before he went to RKO."

I do not wish to criticize Miss Hopper for the views she holds about Dore Schary, whether they are right or wrong—the privilege of a newspaper or of a magazine writer to express his or her views on current topics and on people, so long as no libel is committed, has been too well established to deserve even discussion; but when a writer resorts to name-calling just because she or he holds contrary views about either a person or issues, it is unworthy of such a writer to say the least.

For Hedda Hopper to imply that the engaging of Mr. Schary's services to head production has given the venerable Metro-Goldwyn-Mayer studio a Communist twist is too ridiculous to even think about, let alone believe. Does Miss Hopper think that Louis B. Mayer, Nicholas Schenck, Charles Moskowitz, Eddie Mannix, Ben Thau, William F. Rodgers and all the other MGM and Loew's executives would have approved the engaging of Mr. Schary's services if there were the slightest possibility that he had a tinge that would prove detrimental to the United States?

I don't know what Miss Hopper's motives were in resorting to abuse; but whatever her motives it is my opinion that she has not done honor to herself.

ROADSHOW PRICES COMING BACK

According to trade paper reports, Samuel Goldwyn is negotiating a deal whereby his organization will supervise RKO's distribution of Walter Wanger's "Joan of Arc," starring Ingrid Bergman.

The reports state that present plans call for the picture to be shown on a roadshow basis at advanced admission prices.

With box-office receipts declining steadily—a condition that can be traced to, not only the steady diet of poor product, but also the high cost of living, which has cut into the family's entertainment dollar, it takes courage in these days to embark on an advanced admission price policy, particularly at a time when the exhibitors are having enough trouble attracting customers at regular prices.

Not having seen the picture, this writer is in no position to say whether or not it warrants advanced admissions, but he will say that, unless the picture is exceptional entertainment in every sense of the term, the opposition from both the exhibitors and the public will be so strong that the advanced admission price policy set for it will fall to the ground of its own weight.

ABOUT SIGNING NEW CONTRACTS WITH ASCAP

Those of you who are seeking guidance as to what course to follow in future dealings with ASCAP as a result of Judge Leibell's decision will be interested to know that several of the Allied units have been advised by their leaders not to sign any ASCAP contracts and not to pay any money to ASCAP pending a complete analysis of the decision.

Most of the Allied leaders are waiting for detailed instructions from Mr. Abram F. Myers, their general counsel, on how to proceed.

Whatever course is followed will be reported in these columns for the guidance of subscribers.

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CURRENT OBSERVATIONS ON THE BRITISH FILM SITUATION

In order that the British exhibitors may be enabled to give forty-five per cent of their playing time each year to British-made pictures, in accordance with the requirements of the new British quota, J. Arthur Rank has upped to sixty the number of pictures he hopes to deliver to the British exhibitors each year.

Will it work?—That is, will Mr. Rank be able to deliver sixty money-making pictures each year?

Since he has not yet produced sixty pictures in a twelve-month period, we cannot tell from the record whether he can or cannot, but if we are to judge by our own experiences in the United States, Mr. Rank will not be able to deliver so many pictures a year and make them good. The American producers have tried it and have not succeeded, until today each of our major studios has brought the number of pictures annually to fewer than thirty. And let us not forget that the American producers have had much more experience than Mr. Rank in mass production methods, and are blessed with more plentiful talent, both literary and technical, as well as studio facilities, than is he.

That Mr. Rank cannot produce so many pictures a year and make them box-office pictures is proved by the fact that he has fought for the passage of the forty-five per cent quota harder than any other British producer. If he could have produced them, he would not have had to fight for the imposition of a straightjacket on the British exhibitors. If he were able and capable of delivering meritorious pictures in sufficient numbers, it would not be necessary for him to compel the British exhibitors, by law, to play his pictures; they would beat a path to his door to sign film contracts.

* * *

British cloth for making clothes for both men and women is of the finest quality in the world. There is sold in the United States more cloth that comes from Great Britain than from all other nations in the world. What would the British cloth manufacturers say if the United States Congress would pass a law compelling all tailoring establishments to use ninety per cent American cloth and ten per cent British? They would no doubt raise a yell that would reach to high heaven. They would indignantly call such a law discriminatory, and would appeal to the British Government and people to put stringent restrictions on American goods.

Of course, the American picture producers will not, as a result of the new British quota, clamp on another boycott such as the one that had been lifted when the British Government and the American producers reached an agreement several months ago rescinding the seventy-five per cent "confiscatory" tax, even though the British Government is showing bad faith: at a time when the British nation is short of dollars and the American nation is rushing to relieve its financial stress; at a time when the two nations are taking concerted measures to put an end to the grabbing proclivities of Communistic Russia, the American producers cannot afford to create difficulties for the American Government—not even for the British Government.

But Mr. Rank and the British Government should be told that the whole question should be examined, not only from the American producers' viewpoint, but also from that of the

British exhibitors. When the British film market is short of money-making British pictures it would be cruel to compel the British exhibitors to forego money-making American pictures to play British junk. And they should be reminded also that the British movie-goers will not relish for long the idea of paying an admission price to see junk.

* * *

The latest development to affect Great Britain's motion picture industry is the proposal by Mr. Harold Wilson, president of the British Board of Trade, for the creation of a government-controlled Film Finance Corporation that would be authorized to lend up to \$20,000,000 to small independent producers. Slated to be introduced at the fall session of Parliament in September, the proposed legislation will provide funds for British independent producers in need of financial aid, and at the same time will serve to help them produce enough pictures to enable the British exhibitors to meet the forty-five per cent quota.

But there are many who see in this latest development a step in the direction of nationalization of the British film industry, such as has been done with the coal and steel industries. Mr. Wilson, of course, emphatically denies this.

The big question in any plan whereby picture production is financed with Government funds is whether or not the political party in power will attempt to eventually exercise control over the character and contents of the films produced. Some British exhibitors, according to trade paper reports, are worried lest an attempt will be made to use government-financed pictures as a propaganda medium, thus hurting the pictures' entertainment values and affecting box-office returns.

In view of the fact that the picture industry is unlike any other industry, it is probable that the British film industry, if taken over by the Labor Government, will collapse in a very short time.

JACK KIRSCH ADVISES EXHIBITORS TO WITHHOLD ASCAP PAYMENTS

Jack Kirsch, president of Allied Theatres of Illinois and former president of National Allied, advised his members this week to withhold future payments of fees to ASCAP. Mr. Kirsch based his advice upon an opinion submitted to his organization by its attorney, Thomas C. McConnell, well known for his successful work in the Jackson Park Theatre Case.

"ASCAP license agreements with theatres," said Mr. McConnell's opinion, "are illegal and cannot be used by ASCAP to collect license fees from theatre owners who have signed such agreements."

"It would seem," he continues, "to be clearly indicated that Allied members should not make further payments to ASCAP because such payments are illegal and do not afford any protection under the copyright laws. In other words, Allied members receive nothing for their money by continuing such payments and are now clearly on notice that such payments are illegal exactions."

Mr. McConnell concludes his opinion with the statement that "I am of the opinion that Allied members can safely refuse to pay any further monies under ASCAP agreements and that the Allied organization can safely recommend such course of action to its members."

"Pitfall" with Dick Powell, Lizabeth Scott and Jane Wyatt

(United Artists, August 18; time, 85 min.)

A pretty good adult melodrama, revolving around the troubles a dutiful family man gets himself into when he becomes bored with his humdrum life and involves himself with another woman. The substance of the story is in no sense novel, but good direction and first-rate performances make it an engrossing film. The manner in which Dick Powell, as the hero, gets himself into his predicament is presented in a believable way, and though he strays from the arms of his loving wife (unbeknownst to her), one sympathizes with him, for he is plagued by a guilty conscience and by a strong desire to protect his family from scandal and danger. Although Powell tends to underplay his part too much, he makes the characterization effective. Jane Wyatt, as his wife, is appealing, and Lizabeth Scott, as the other woman, is very good. There is an undercurrent of tension throughout the action, and several of the sequences are quite exciting. Production quality and photography are of a high order:—

Bored with his humdrum existence both at home and at work, Powell, an insurance company claim adjuster, craves excitement. Arriving at his office one morning he finds Raymond Burr, a private detective hired by his company, waiting for him. Burr reports that Lizabeth, girl-friend of Byron Barr, a racketeer jailed for embezzlement, had received many gifts that Barr had purchased with embezzled funds. Inasmuch as his company was responsible for the loss, Powell sets out to retrieve the gifts. Lizabeth willingly surrenders the property, and Powell, fascinated by her charm, takes her to dinner. He becomes infatuated with her, and Burr, who wanted her for himself, warns him to stay away from her. When Powell ignores his threats, the detective beats him up. Powell tells his wife that he had been the victim of a holdup. He resolves to give up his affair with Lizabeth, and she agrees when she learns of his marital status. But she appeals to him for help when Burr persists in annoying her. Powell gives the detective a sound thrashing. Intent on revenge, Burr visits Lizabeth's boy-friend in jail and informs him of her affair with Powell. Upon his release from jail a week later, the racketeer, crazed with drink furnished to him by Burr, goes to Powell's home to kill him. Powell is compelled to kill him in self-defense, and informs the police that he was a prowler. Later, however, he reveals the truth to Jane and decides to make a full confession to the police. Meanwhile Burr visits Lizabeth, boasts that he had been instrumental in ridding her of both men, and suggests that she go away with him. She answers by shooting him down. On the following morning, Powell makes a full confession, and the District Attorney releases him when his story is confirmed by Lizabeth, who had been taken into custody. Jane, admitting that she had been thinking about a divorce, takes Powell back in the hope that they can make a new life.

Samuel Bischoff produced it and Andre de Toth directed it from a screen play by Karl Lamb, based on the novel by Jay Dratler. Strictly adult fare.

"The Spiritualist" with Turhan Bey, Lynn Bari and Cathy O'Donnell

(Eagle-Lion, July 7; time, 78 min.)

An effective mixture of murder and fake spiritualism, this melodrama should go over fairly well with those who do not mind somber entertainments. Although the action is leisurely and lacking in turbulence it manages to generate considerable suspense because of the eerie doings and backgrounds, which make for a number of spine-chilling moments. An interesting phase of the story is its depiction of the fake methods employed by mediums who victimize distressed people seeking contact with loved ones. The plot, of course, has its far-fetched moments, but it has enough novel twists to hold one's attention well. The ending, where the two villains destroy themselves in a blazing gunfight, is exciting:—

Although several years had passed since the body of a man identified as her husband (Donald Curtis) had been found in a burned automobile, Lynn Bari, a wealthy socialite, cannot forget him. Her younger sister, Cathy O'Donnell, seeks to free her from her obsession and tries to induce her

to marry Richard Carlson, but to no avail. In her neurotic state of mind, Lynn falls easy prey to Turhan Bey, a fake medium who, through information obtained from a confederate who worked as a maid in Lynn's household, was able to astound her with intimate revelations of her own life. When Cathy and Carlson learn of Lynn's visits to Bey, they decide to intervene; they hire Harry Mendoza, a private detective, to expose him. Cathy enters a scheme to trap Bey, but the spiritualist, forewarned by his confederate, wins her over by his personal magnitude and astounding revelations about herself. When both Lynn and Cathy come to believe in Bey, Carlson and the detective barge into one of his seances and demand that he prove himself not to be a fake by evoking the apparition of Lynn's dead spouse. Trapped, Bey is compelled to agree. He himself is astonished no end when the apparition appears and fades away. Later, Curtis, very much alive, confronts Bey. He explains that he is "only legally dead," and compels the spiritualist to enter into a scheme whereby he (Bey) would marry Cathy, help to murder Lynn, and thereby gain control of the family fortune. In the events that follow, Curtis' voice, by means of a microphone hidden in Lynn's bedroom, drives her to distraction until the ruse is discovered by Cathy. She investigates and finds both Bey and Curtis together in the cellar of Lynn's home. Curtis decides to kill her to keep her quiet, but Bey, by this time genuinely in love with Cathy, comes to her defense. Both men kill each other in a shooting duel.

Ben Stoloff produced it and Bernard Vorhaus directed it from a screen play by Muriel Roy Bolton and Ian Hunter, based on a story by Crane Wilbur. Adult entertainment.

"Two Guys from Texas" with Dennis Morgan and Jack Carson

(Warner Bros., Sept. 4; time, 86 min.)

This is a lightweight Technicolored romantic comedy with musical interludes, the sort that is fairly amusing and easily forgotten soon after one leaves the theatre. The story is nonsensical and inconsequential, but serves adequately as a framework for the moderately diverting gags and comedy situations, many of which are of the slapstick variety, and for the numerous musical interludes, which are pleasant and tuneful though undistinguished. A good part of the comedy stems from Jack Carson's fear of animals, and in line with Carson's being psychoanalyzed for this phobia the producer has worked into the action to pretty good effect a cartoon dream sequence that pokes fun at psychiatry. The picture has its dull spots, but all in all it should provide plenty of chuckles for not-too-discriminating audiences:—

Stranded in Texas when their old car breaks down, Dennis Morgan and Jack Carson, a song-and-dance team, stumble upon a dude ranch owned by Dorothy Malone. Through the efforts of Penny Edwards, a New York show girl, who intercedes in their behalf, the boys are permitted to remain at the ranch as entertainers. Meanwhile two shady characters, Gerald Mohr and John Alvin, guests at the ranch, steal and hide the boys' stalled car. Morgan reports the robbery to Sheriff Forrest Tucker, who resented Morgan because of his attentions to Dorothy. Later that night Carson is psychoanalyzed by a doctor who discovers that his fear of animals was the result of a frustration, caused by the fact that Morgan always stole his girls. Advised by the doctor to turn the tables on Morgan, Carson makes a play for Dorothy, thus angering the Sheriff even more. Matters become hot when Mohr and Alvin rob the local bank and escape in the boys' car to throw suspicion on them. Morgan and Carson are locked up for the crime but manage to escape. They succeed in evading capture by disguising themselves in traditional Western costumes, but the Sheriff eventually catches them. On the way back to jail they spot the two crooks stealing the prize-money from a rodeo show and help to capture them. Released when the thieves confess the earlier robbery, Morgan goes back to wooing Dorothy, and Carson turns his attentions to Penny, only to learn that she had become engaged to the Sheriff. Crushed, Carson beams when an old Indian squaw introduces him to her beautiful daughter.

Alex Gottlieb produced it and David Butler directed it from a screen play by I. A. L. Diamond and Allen Boretz, suggested by a play by Robert Sloane and Robert Pelletier.

Unobjectionable morally.

"Larceny" with Joan Caulfield, John Payne and Dan Duryea

(Universal, no release date set; time, 89 min.)

A good adult melodrama. Dealing with the nefarious activities of a group of swindlers, the story is rather unpleasant, but it is well conceived and has been handled with sufficient suspense to keep the spectator interested throughout. The plot has many intricate twists, but it makes fairly good sense. With the exception of the heroine, the principal characters are unsympathetic, for their actions are distasteful. John Payne gives a compelling performance as the deceitful hero who takes advantage of a young war widow's grief to promote a phoney war memorial. An attempt is made to build up some sympathy for him towards the end when his love for the widow helps him to see the error of his ways, but one cannot feel too kindly towards him because of the weakness of his character, as well as his promiscuousness with women. Joan Caulfield has a stereotyped part as the heroine, but Shelley Winters, as a woman of loose morals, scores heavily in the acting department; her encounters with Payne are rough and sexy, sparked by dialogue that is brittle and witty. Dan Duryea, as a smooth racketeer, is properly menacing:—

Duryea dispatches Payne, his confederate, to a small California city to pose as the war buddy of Joan Caulfield's dead husband and thus set the stage for the promotion of a phoney war memorial. Shelley Winters, Duryea's girlfriend, asks Payne to take her along, but he rejects the idea and warns her to stay away from him because Duryea suspected that they were having an affair. In California, Payne ingratiates himself with the townspeople, wins Joan's confidence, and slyly induces her to promote the war memorial in the form of a recreation center for youngsters. Meanwhile Shelley follows Payne and compels him to visit with her under threat of putting him in bad with Duryea. In the course of events, Payne falls in love with Joan and tries to pull out of the swindle, but Duryea, who had arrived in town, threatens to kill him unless he goes through with the scheme. Shelley, sensing Payne's love for Joan, summons the girl to her motel and, in the presence of Payne, warns her to stay away from him. A scuffle takes place, during which Joan is knocked unconscious and Shelley is accidentally shot to death as she struggles with Payne. Before Payne can escape with the unconscious Joan, Duryea arrives on the scene and prepares to kill Payne, but he hesitates when Payne tells him that Shelley had been involved with Joan's dead husband and that Joan had killed her. Believing the lie, Duryea quickly plans to blackmail Joan's wealthy father to cover up the killing. Payne arranges for her father to come to the motel and through a clever trick also notifies the police. The authorities arrive in time to prevent the shake-down and save Joan's reputation. Payne, though vindicated in Joan's eyes, surrenders to the police along with Duryea.

Leonard Goldstein produced it and George Sherman directed it from a screen play by Herbert F. Margolis, Louis Morheim, and William Bowers, based on the novel "The Velvet Fleece," by Lois Eby and John Fleming. Adult fare.

"Variety Time"

(RKO, no release date set; time, 59 min.)

This is an hour-long novelty feature patterned after the two-a-day vaudeville shows presented on the stage, and as such shapes up as a fair program picture. It is a mixture of slapstick comedy sketches, dance routines, and song numbers, presented in a program of nine acts, which are linked together by Jack Paar, the radio comedian, who makes his screen debut in this picture as master of ceremonies. Without being sensational, Paar manages to get off a number of funny quips in his commentary between the acts. Being a variety show, it has something that should please the tastes of the different movie-goers, but movie-wise patrons will recognize most of the acts as being clips taken from pictures released in recent years. Even the Edgar Kennedy and Leon Errol comedy shorts have already made the rounds. The different acts or sequences are presented in the following order:—

1. Frankie Carle and his Orchestra playing a "boogie" musical number that should please the devotees of this type of music.

2. An Edgar Kennedy comedy dealing with his troubles as he and his family build an addition to their home. It is familiar stuff but should please those who enjoy slapstick to the extreme.

3. The original Pat Rooney in his familiar "Daughter of Rosie O'Grady" tap routine.

4. Jesse and James, a tap dance team, in an expertly executed dance routine.

5. A "Flicker Flashbacks" presentation showing clips from old silent films, including "Two Paths," a 1911 Biograph drama; "The Fugitive," a William S. Hart Western; and Paris fashions from a 1922 issue of Pathe News.

6. A Leon Errol comedy-farce of domestic troubles. This should satisfy his fans.

7. Lynn, Royce and Vanya in a pretty good comedy adagio dance.

8. Hans Conried and Jack Paar in an amusing French comedy song routine.

9. Miguelito Valdes and Orchestra, and dancers Harold and Lola in "Babalú," a unique jungle song and dance routine that is very well done.

George Bilson produced it and Hal Yates directed the Leon Errol and Edgar Kennedy sequences. Mr. Yates wrote the Edgar Kennedy screen play, and Hal Law the Leon Errol screen play. Suitable for the entire family.

"Rachel and the Stranger" with Loretta Young, William Holden and Robert Mitchum

(RKO, no release date set; time, 92 min.)

Good family entertainment. Set in the pioneer days of the Ohio territory in the early 1800's, the story, though simple, is wholesome, has human appeal, comedy, and pathos, as well as good performances and interesting backgrounds. Although it is not until the closing reels, where an Indian raid takes place, that anything exciting happens, the earlier reels offer a love triangle which, in its primitive setting, is amusing yet pathetic. Loretta Young, as a bondswoman who is bought and married by William Holden, a settler, for the purpose of tending to chores and caring for his motherless son, does outstanding work in an unglamorous role, winning the spectator's sympathy by her sincere efforts to ingratiate herself with them, despite their treatment of her as a servant. How Holden is made aware of her charms when Robert Mitchum, an Indian scout, showers her with attentions unfolds in a manner that is anticipated but nevertheless amusing. The Indian raid at the finish is a slam-bang affair, vivid and exciting:—

Shortly after the death of his wife, Holden realizes that his nine-year-old son (Gary Gray) needs a woman's care. He goes to the nearest settlement, where he finds that the only woman available is Loretta, a bondswoman. He purchases her for twenty-two dollars, and marries her so that it would be fitting for her to live under the same roof with him. Back at the cabin, Holden treats her more as a servant than as a wife, while his son refuses to accept her as a substitute for his mother, despite her quiet efforts to please them both. When Mitchum, Holden's close friend, arrives at the cabin for a visit, he notices Loretta's unappreciated status and sets out to charm her. His campaign awakens Holden's jealousy, and the situation is brought to a head when Holden bluntly suggests that Mitchum had overstayed his visit. Mitchum offers to buy Loretta from him at a profit. This precipitates a fight between them that is ended only when Loretta, learning the reason for the quarrel, scornfully puts them in their place and heads back to the settlement. The two men and the boy follow her. Each tries to outwit the other to make peace with her until a glow in the night sky warns them that Indians were attacking the cabin. While young Gary rides off to the settlement for help, Holden, Mitchum, and Loretta return to the cabin to battle the Indians. They manage to stave off the assault until the relief party comes to their rescue. On the following morning, Mitchum decides to resume his roving life when he sees Holden and his son realize their love for Loretta.

Richard H. Berger produced it and Norman Foster directed it from a screen play by Waldo Salt, based on the novel by Howard Fast. Fine for the entire family.

"A Southern Yankee" with Red Skelton, Brian Donlevy and Arlene Dahl

(MGM, no release date set; time, 90 min.)

This comedy of errors should go over pretty well with the Red Skelton fans. Built on a mistaken identity theme, the story, which takes place during the Civil War, depicts Skelton as an imaginative, blundering St. Louis hotel bellhop, who accidentally catches a famous Confederate spy and assumes his identity for counter-espionage purposes. There is little rhyme or reason to the story, and much of the comedy is of the slapstick variety, but it is fast-moving and effective. Some of the situations are hilariously funny, such as the one where Skelton, caught in a crossfire during a battle between the opposing forces, saves himself by marching down the center of the battlefield in a quickly improvised uniform and flag which, from the left side, showed him as a Union soldier, and on the right side as a Confederate soldier, causing both sides to cease firing. His romance with Arlene Dahl, a Confederate spy, adds much to the hilarity:—

When word spreads that the Gray Spider (George Courlouris), a daring Confederate spy, is somewhere in St. Louis, Skelton sets out to track him down. His first suspect turns out to be the head of the Union Secret Service. Later, while delivering a pressed uniform to one of the hotel guests, Skelton discovers by pure accident that he is the Gray Spider. To save himself, the Spider forces Skelton to change uniforms with him and prepares to kill him, but he is knocked unconscious when Skelton, frightened, trips over a chair and kicks him. Just then the door opens and Skelton is confronted by Arlene Dahl, who mistakes him for the Spider, whom she had never met. She takes him to a secret meeting of other Southern spies, after which he meets with the Union Secret Service to report his experience. Falsifying information obtained from the Spider, who had been put in prison, the head of the Union Secret Service selects Skelton to continue his masquerade as the Spider in order to get false information into Confederate hands. After a wild experience between enemy lines, during which he lands in a Confederate hospital, Skelton meets Arlene, who takes him to the mansion of Brian Donlevy, where the head of the Confederate Secret Service made his headquarters. Donlevy, in love with Arlene and jealous over her attentions to Skelton, plots to turn him over to Union headquarters as a spy. Donlevy's machinations and his own blundering tactics involve Skelton in numerous escapades, during which he bluffs his way through every crisis until the Spider, having escaped from prison, arrives on the scene and exposes him as an imposter. Skelton is about to be shot as a spy when word comes that peace had been declared. It ends with Arlene capturing Skelton for herself.

Paul Jones produced it and Edward Sedgwick directed it from a screen play by Harry Tugend, based on a story by Melvin Frank and Norman Panama. The cast includes Art Baker, Minor Watson, John Ireland and others.

Morally suitable for the entire family.

"Shed No Tears" with Wallace Ford and June Vincent

(Eagle-Lion, July 2; time, 70 min.)

This is a very good "B" murder melodrama so far as direction, acting and realism are concerned, for one's interest is gripped from the beginning and held up to the end. But it is a very unpleasant theme, for the chief characters commit a crime—they set fire to a hotel to make it appear as if one of them had perished in the fire, the purpose being to collect insurance money. The direction is skillful, and as a result the acting of all the characters makes one feel as if he were witnessing a real-life occurrence:—

Wallace Ford and June Vincent, his two-timing wife, devise a scheme to defraud an insurance company of his life insurance. Setting fire to a hotel in which they were registered, they leave some of Ford's jewelry in the room and then escape. When the fire is put out and the jewelry discovered, June identifies an unidentifiable corpse as her husband and eventually collects the insurance money. While Ford waits in vain for June to show up with the money, she plans to flee with Robert Scott, her lover. Meanwhile Rich-

ard Hogan, Ford's son by a prior marriage, is not satisfied with the circumstances surrounding his father's death; he engages the services of private detective Johnstone White, unaware that he is a blackmailer. White cleverly traps June into the disclosure that Ford was still alive, and becomes convinced that there was a plot to defraud the insurance company. Ford, impatient at June's failure to meet him, returns to the city disguised and catches her making love to Scott. Without revealing his presence, he follows Scott to his home and murders him. Hogan, who had been following his father without recognizing him, reports the incident to White. The detective traces Ford to his hotel and attempts to blackmail him. In the meantime Scott's body is discovered, and the police hold June on suspicion of murder. Released on bail, she follows White to Ford's hideout and is in turn followed by the police. June, overhearing that Ford killed Scott, shoots him and then accidentally falls to her death through a window. The police arrive in time to take White into custody, and to hear Ford's confession and statement that he would rather pay the law than be hounded all his life by a blackmailer.

The story has been taken from Don Martin's novel and put into screenplay form by Brown Holmes and Virginia Cook. Robert Frost produced it and Jean Yarbrough directed it.

Strictly adult fare.

"The Checkered Coat" with Tom Conway, Noreen Nash and Hurd Hatfield

(20th Century-Fox, July; time, 67 min.)

A good "B" melodrama with a number of unusual twists. Although much of it could be criticized on the license taken by the author in the behavior of his characters, one can overlook these defects because one is held in tense suspense. Tom Conway is a pleasant hero, but he frequently is made to take liberties with the credulity of the audience. Hurd Hatfield is highly believable as a neurotic and vicious crook. There is hardly any comedy relief, the entire action dealing with serious melodramatic business. It is a suitable picture for double bills, and when coupled with another "B" picture that has little name value it could take the top spot:—

Conway, a psychiatrist, is visited by Hatfield for an examination. He informs Conway that Marten Lamont, his (Conway's) brother, had recommended him, and that Lamont was his partner-in-crime. Conway examines Hatfield and finds him suffering from catalepsy, a disease which, when it struck, made its victim's muscles rigid and gave him the appearance of being dead. When Hatfield refuses to go to a hospital, Conway gives him a letter to carry on his person instructing the authorities not to handle him as a dead person in the event he was found unconscious. Later, Hatfield induces Lamont to join him in the robbery of a jewelry shop across the hall from Conway's office. Conway, hearing pistol shots, takes his gun and rushes into the shop. Hatfield knocks him unconscious and, after robbing the shop, both crooks take Conway to their car and escape. When the police find Conway's gun and fingerprints in the shop they suspect him of the crime. They question Noreen Nash, Conway's wife, but fail to exact information as to his whereabouts. Hatfield abducts Noreen and takes her to his cheap hotel room in the slums. Conway escapes from the crooks and sets out to rescue his wife. Hatfield murders Lamont and, shortly afterwards, is struck by his ailment. The police take his body to the morgue. Meanwhile a sneak thief steals Hatfield's checkered coat, which contained Conway's letter to the authorities. Conway apprehends the thief and learns from him that Hatfield had been taken to the morgue. He rushes there, informs the doctors that Hatfield is not dead, and requests them to inform the police. Through information given to him by the sneak thief, Conway finds and rescues Noreen. In the end, Conway is vindicated and Hatfield is held for robbery and murder.

Sam Baerwitz produced it for Balsam productions, and Edward L. Cahn directed it from an original screen play by John C. Higgins.

As a crook melodrama, it is hardly suitable for children; it is too nerve-wracking.

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Vol. XXX

SATURDAY, AUGUST 14, 1948

No. 33

DANGEROUS TO ENTER INTO NEW CONTRACTS WITH ASCAP

In a bulletin issued this week to Allied's regional units, Abram F. Myers, general counsel and chairman of the board of National Allied, not only advises the exhibitors to withhold payments from ASCAP but also cautions them that it would be dangerous to enter into further contracts with ASCAP in its present status.

In line with Mr. Myers' advice, each of the Allied regional associations has advised its members to stop payments to ASCAP.

The Theatre Owners of America, which seems to be the only exhibitor organization that sees gloom in the ASCAP decision, is recommending to its members that they continue their ASCAP payments lest they find themselves subject to money penalties for violations of the federal copyright law. But the advice given by the TOA seems to have fallen on deaf ears insofar as the major circuits are concerned, for last week all of them decided to discontinue the payments pending further study of the decision. In view of the fact that most of the affiliated circuits are members of the TOA, their action must have been a source of embarrassment to the TOA leaders.

Like all opinions issued by Mr. Myers on matters that affect the welfare of the independent exhibitors, this latest opinion cites in clear and comprehensive language his reasons for believing that future payments to ASCAP should be withheld. Moreover, it serves as an effective, let alone devastating, reply to those who see nothing but an empty victory for the exhibitors in the ASCAP decision, and whose tenuous statements belittling the decision serve only to magnify the feebleness of their stand.

In the opinion of HARRISON'S REPORTS, every exhibitor, whether a member of Allied or of any other exhibitor group, should stop payments to ASCAP at once. Lest any of you doubt, however, the advisability of pursuing such a course because of the statements to the contrary issued by the TOA, a reading of Mr. Myers' bulletin, which follows, should help to clear up the reasons why the TOA seeks to confuse and frighten the exhibitors:

"IT'S DANGEROUS TO DEAL WITH ASCAP

"This office was unwilling to express an opinion on so important and delicate a question as to whether exhibitors should further deal with ASCAP until we could secure and study a certified copy of Judge Leibell's ruling.

"As soon as that was accomplished we sent the following day letter to all members of the board of directors:

"After studying official text Judge Leibell's opinion, deem it unwise for exhibitors to enter into contracts with ASCAP or to make further payments to ASCAP pending further clarification of situation, especially as to appeal. Confident exhibitors by refraining from doing business with ASCAP in its present status will run no risk. Bulletin citing reasons will issue shortly."

"According to Judge Leibell, 'almost every part of the ASCAP structure, almost all of ASCAP's activities in licensing motion picture theatres, involve a violation of the anti-trust laws.' In view of the sweeping denunciations of his opinion, and the breadth of the order to be entered, it is difficult to see why he said 'almost.' Because of the number of copyrights combined in the pool (80% of the compositions in the films), he finds that ASCAP is a monopoly in violation of Sec. 2 of the Sherman Act. As if that were not enough, he holds that the action of the members in transfer-

ring the performing rights to ASCAP constitutes a combination in restraint of trade in violation of Sec. 1 of the Act.

"Recognizing that the test of monopoly is the acquisition of power to raise prices and exclude competition, Judge Leibell concluded that ASCAP has such power. In this connection he cited ASCAP's demand in 1947 for increases from the theatres ranging from 200% to 1500% over the 1934 rates; also the deal between ASCAP and TOA (the latter not being named) whereby a new set of rates was fixed representing an increase of from 25% to 30% over the then prevailing rates. Hence the court concluded that the plaintiffs were entitled to an injunction to prevent a recurrence of what happened in 1947 'because the unlawful arrangements between ASCAP and its members, and between the members and the motion picture producers, is a continuing one and is a clear violation of the anti-trust laws.'

"Specifically, the court held that ASCAP's 'blanket licenses were a violation of the anti-trust laws and were issued pursuant to an illegal combination' and that 'the license agreements were unenforceable because of their statutory illegality.'

"By bulletin dated July 23 there was transmitted to all Allied regional associations Judge Leibell's outline of an order to be entered in the case. You will recall that it provides for injunctions (a) directing ASCAP to divest itself of all rights of public performance so far as motion picture are concerned, and (b) restraining ASCAP's members from licensing, except to motion picture producers, the rights of public performance of musical compositions synchronized with motion picture films.

"Read in the light of the official text of the opinion, this can only mean that ASCAP, being a monopoly and a combination in restraint of trade, must cease to grant licenses to or to collect royalties from motion picture theatres and that ASCAP's members, the actual copyright owners, can only license the public performing rights for music recorded on films to the producers of those films. Therefore, it would be very dangerous for motion picture exhibitors to enter into further contracts with or to pay any more royalties to ASCAP in its present status.

"MOTION PICTURE PRODUCERS ALSO INVOLVED

"Judge Leibell's opinion points out that 37% of one-half of ASCAP's total revenue goes to certain motion picture producers via their music publishing houses. When a producer acquires the right to a tune not controlled by ASCAP it acquires the recording and the performing rights, and the latter are included in the license of the picture to the exhibitor. But if the tune is controlled by ASCAP the producer obtains from the copyright owner only the recording rights and includes in its license to the exhibitor a clause requiring the latter to acquire the performing rights from ASCAP.

"This is the vicious circle created by ASCAP and the producers and denounced in the above quoted passage from Judge Leibell's opinion. But that is not all of the story. Frequently the producers will specially employ a composer to write a piece for a film and will turn over the copyright thereto to its subsidiary publishing house. The latter then conveys the public performing rights to ASCAP. In such cases the producer collects, via ASCAP, a substantial part of the public performance royalties on its own music, recorded on its own film and licensed to the exhibitors for exhibition.

(Continued on last page)

MR. EXHIBITOR

Remember in September
to Join in Promoting...

WHAT TO DO

1. Order FREE accessories from National Screen—Campaign Book, Lobby Hangers, and "A Salute To Youth" trailer, featuring Sammy Kaye's orchestra and Youth Month song, "I'm the You in the U.S.A."
2. Decorate marquee and theater.
3. Run all Youth newsreel shots.
4. Book all possible Youth short subjects. See local exchange managers.
5. Put Youth Month slugs in ads.
6. Enlist support of newspapers and radio stations.
7. Interest civic and church groups, also Rotary, Kiwanis, Community Chest, American Legion, VFW, Lions clubs, Boy Scouts, Girl Scouts, Campfire Girls, and youth serving agencies in Youth Month activities.
8. Conduct all possible Youth activity in and out of theater with at least four BIG community events.
9. Consult your state chairman. Work with your fellow Exhibitor in making your community YOUTH conscious.



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"Hollow Triumph" with Paul Henreid and Joan Bennett

(Eagle-Lion, no release date set; time, 83 min.)

Good. Those who like their melodramas tough and exciting should find this one to their tastes. It is not a pleasant entertainment, and the story idea is far-fetched, but good acting and direction have made it suspenseful and absorbing from beginning to end. It revolves around the efforts of an ingenious crook to evade death at the hands of a gambling mob by assuming the identity of a prominent psychiatrist, whom he resembled and whom he murders. How he becomes the victim of his own strategy gives the story an interesting ironic twist. Paul Henreid, who produced the picture and plays a dual role, is highly effective, being properly sinister or suave as the occasion demands. Joan Bennett, as the psychiatrist's worldly-wise secretary who falls in love with the criminal, is convincing. But none of the principal characters is sympathetic, for their actions are far from edifying. The production values are very good:—

Shortly after his release from prison, Henreid, a former medical student who had turned to criminal activities, engineers the robbery of a gambling house in Miami. The proprietor learns of his identity and vows to avenge himself. Aware that he was marked for death, Henreid goes into hiding in New York, where he obtains a job as a clerk in a medical supply house. When several people mistake him for a successful psychiatrist, whose office was in the immediate vicinity, Henreid investigates and finds that the resemblance, except for a scar on the cheek, was truly phenomenal. Carefully laying his plans, he cultivates the friendship of Joan and, through her, gains access to the doctor's secret files and makes a thorough study of his mannerisms and past history. He then tells Joan that he is leaving the country and bids her goodbye. Henreid grows a mustache like the doctor's, cuts a scar into his face, and shortly thereafter murders the psychiatrist and assumes his identity. His masquerade is undetected for many weeks, but eventually Joan becomes aware of his true identity. Deeply in love with him, she decides to leave the country rather than turn him over to the police. Henreid, having learned that he need not fear death because the gambling house proprietor who pursued him had been put in jail, decides to join Joan on the trip. He rushes to the pier only to find himself cornered by two thugs who, believing him to be the psychiatrist, accuse him of trying to run out on a huge gambling debt incurred by the doctor. He tries to convince them of his true identity but to no avail. Desperate, he makes a dash for the ship only to be shot down in cold blood. As the ship departs, Joan, on board, believes that Henreid had failed to keep his promise.

Steve Sekely directed it from a screen play by Daniel Fuchs, based on a novel by Murray Forbes. Adult fare.

"The Shanghai Chest" with Roland Winters

(Monogram, July 11; time, 65 min.)

A routine entry in the "Charlie Chan" series of program murder-mystery melodramas. Like most of the pictures in this series, this one, too, has a story that is so confused and complicated that it would take a master-mind to figure it out—that is, if he had the patience. The story formula is the same: A murder is committed, additional murders follow, suspicion is directed at a half-dozen characters, and it ends with Chan, the Chinese detective, coming up with the solution in a lengthy and far-fetched explanation of events that the audience did not see. For comedy, there is the frightened antics of the detective's colored chauffeur, which now seem forced and repetitious since they are similar to those in the last six or more pictures in the series:—

The story opens with the murder of a judge by a masked intruder under circumstances that throw suspicion on his nephew when it is established that the young man had been cut out of the dead man's will. The police invite Charlie Chan (Roland Winters) to participate in the case, and an examination of the murder weapon discloses the fingerprints of a criminal who supposedly had been executed in prison six months previously. Chan discovers also that the judge

had been in possession of new evidence establishing the criminal's innocence. In the events that follow, the district attorney and two jurors, who had been connected with the criminal's case, are murdered, and the body of the executed criminal disappears from his grave. Each of the crimes discloses evidence of the criminal's fingerprints. Tracking down numerous clues, Chan traps the judge's attorney and proves that he had committed the crimes to cover up his part in an insurance racket. The fingerprints had been duplicated through a deceptive ruse.

James S. Burkett produced it and William Beaudine directed it from an original story by Sam Newman, who collaborated on the screen play with W. Scott Darling. The cast includes Manton Moreland, Victor Sen Young, Tim Ryan, Pierre Watkin, Russell Hicks, Willie Best, Milton Parsons and others. Unobjectionable morally.

"Julia Misbehaves" with Greer Garson, Walter Pidgeon, Elizabeth Taylor and Peter Lawford

(MGM, October; time, 99 min.)

A frothy but highly enjoyable comedy, the type of entertainment that should appeal to the masses, for it is gay and romantic. As a matter of fact, the comedy situations are so good that one loses sight of the fact that the story is thin. Greer Garson and Walter Pidgeon, who are usually cast in sedate roles, are given a change of pace in this story, which makes considerable use of their comedy talents, even to the point of slapstick, in depicting them as a separated but gay married couple, who are unwittingly reunited as a result of her hectic maneuvers in inducing their 'teen-aged daughter to elope with a man other than the one to whom she was engaged. The two stars enter into the spirit of the comedy with zest, as do Elizabeth Taylor, as the daughter; Peter Lawford, as the young artist with whom she elopes; and Cesar Romero, as a jealous acrobat who becomes infatuated with Greer—all are of considerable help to the entertaining quality of the picture:—

Attractive but constantly in-debt, Greer, an English music hall entertainer, charms her friends into paying her debts. When she receives an invitation to attend the wedding of her daughter, Elizabeth Taylor, whom she had not seen since she (Greer) had separated from her society husband, Walter Pidgeon, eighteen years previously, Reginald Owen, an old friend, agrees to finance her trip to France, where Pidgeon and Elizabeth lived with his domineering mother, Lucille Watson. Greer's channel crossing is marked by a meeting with Mary Boland and her five sons, an acrobatic troupe, with whom she becomes friendly after prescribing champagne as a seasick remedy for Miss Boland. In Paris, she temporarily takes the indisposed Miss Boland's place in the act, and her singing and impromptu acrobatics create a sensation. After a tearful farewell from Romero, one of the troupe, who had mistaken her friendship for love, Greer heads for the family chateau. She receives a frosty welcome from Pidgeon's mother, but Pidgeon and Elizabeth are delighted to see her. In need of funds to buy presents for Elizabeth, Greer goes to Paris, where she starts a flirtation with Nigel Bruce, inveigles him into financing her purchases, then disappears while he waits for her. Back at the chateau, Greer learns that Elizabeth was not in love with her betrothed but with Peter Lawford. She determines that Elizabeth shall have a happy marriage and, in the process of bringing them together, is herself thrown together with Pidgeon, who sought to win back her love. The day before the wedding, Romero arrives and becomes resentful of Pidgeon's attentions to Greer. Matters become even more complicated when Bruce, a family friend, arrives. As Greer frantically tries to explain her escapade with him, bedlam breaks loose when word arrives that Elizabeth and Lawford had eloped. Pidgeon and Greer chase after the newlyweds, who in turn leave them stranded in a mountain lodge, where they become reconciled.

Everett Riskin produced it and Jack Conway directed it from a screen play by William Ludwig, Harry Ruskin, and Arthur Wimperis, based on Margery Sharp's novel, "The Nutmeg Tree." Unobjectionable morally.

"Because they are so deeply implicated in the unlawful combination and monopoly, the motion picture producers should take immediate steps to remove themselves therefrom by a voluntary compliance with Judge Leibell's order. This can be accomplished by acquiring from the copyright owners the public performing rights to all compositions used in their films and passing on those rights to the exhibitors in their exhibition contracts.

"In that way they can put an end to a system which they must realize is not only unlawful but morally wrong. Under that system the producers sell to the exhibitors their films which are valuable only for public exhibition, but which cannot be so exhibited unless and until the exhibitors secure another license and pay an additional fee to ASCAP.

"Incidentally, this involvement of the motion picture producers explains the extreme lengths to which spokesmen from TOA have gone in appeasing and defending ASCAP. Independent exhibitors were aware that the TOA is dominated by the affiliated chains and hence will not fight the producers on any important issue, but they were mystified by TOA's vigorous defense of ASCAP. TOA appeased ASCAP by making an unlawful deal which permitted the latter to increase its rates from 25% to 30%. It appeared at Congressional hearings in opposition to the Lewis Bill. Its spokesmen have been crying out against Leibell's decision and have sought to frighten the exhibitors into continuing their payments to ASCAP.

"Judge Leibell has fully explained the mystery: In all the action taken by the independent exhibitors and independent exhibitor organizations against ASCAP, it was the producers' ox that was being gored.

"A LOOK INTO THE FUTURE

"Judge Leibell adopted the view embodied in the Lewis Bill and first advocated by Allied before the House Patents Committee 16 years ago. It is summed up in the following passage from his opinion:

"Unquestionably it would be simpler and a proper arrangement for the owner of the copyright to deal directly with the producer on both the synchronization rights and the performing rights, and thus have the motion picture producer acquire both rights at the same time, so that he in turn could rent the film without requiring the exhibitor to obtain the performance rights from ASCAP. But that in some way the value of the performing right would be claimed by the copyright owner and eventually would be passed on to the exhibitor, I have no doubt at all. The ultimate result would be that the exhibitor would not be separately charged for the performance rights, as he now is through ASCAP, but he would be charged for those rights in the total rental he would pay for the film."

"This passage which appears in the portion of the opinion denying damages to the plaintiffs, has been seized upon by apologists for ASCAP and the producers to frighten exhibitors into believing that the new system will cost them more than the old. That, as Allied spokesmen told the sub-committee handling the Lewis Bill, is a calculated risk. But it is a risk which thoughtful exhibitors are willing to assume, because they bargain for film rentals and they cannot bargain with ASCAP.

"Moreover, with the producers shorn of most if not all their theatres, and the now controlled film market opened to new producers and new distributors, the resulting competition will force the producers to keep their costs and their film rentals as low as possible. The producers have been badly spoiled by the enjoyment of a controlled market for so many years that they are still thinking in terms of squeezing the last penny out of the exhibitors. In a competitive market they will have to revise their thinking.

"And if they should resort to profiteering by charging exorbitant public performance royalties for the music included in their films—especially for their own music—it will soon occur to the Government that it is as necessary to divorce them from their music publishing houses as it is to divorce them from their theatres.

"The laws which apply to all other industries have caught up with the motion picture producers and the sooner they realize it the better for all concerned—especially themselves."

INCONSISTENT THINKING

The following letter from Maurice White, of Cincinnati, Ohio, is extremely interesting:

"DEAR PETE:

"I read with a great deal of interest your article 'Box-Office Slump' (*Ed. Note: June 12 issue*)— and I should like to have you answer only one question for me.

"If, as the distributors say, present conditions are occasioned somewhat due to lack of showmanship, why when business is what we call good, do the distributors employ a great deal of exploitation man power to assist the exhibitor, and then just as soon as business seems to start to decline on a downward trend, the exploitation men are the first ones to be fired?

"I have not been able to understand this, and I would appreciate your enlightening me."

It is a simple rule of logic that, when business is good regardless of the general quality of product, no need for sensational advertising exists; on the other hand, when business is poor, that is the time to put exploitation men in the field to do their stuff in drawing patrons to the theatres.

Strange to say, however, the industry's distribution brains, instead of following this simple rule of logic, do the exact opposite—they go to the limit in advertising and exploiting their pictures during lush periods, and retrench miserably when business starts to drop.

And invariably they blame the exhibitor for the poor box-office results, accusing him of "lacking in showmanship."

Of course, there is some justification this time for their failure to do extensive exploitation, except in a few cases: the entertaining quality of most pictures is so low that any attempt on the part of the distributors to exploit these pictures for more than they are worth would certainly be misrepresenting their wares to the public. Consequently, until picture quality improves decidedly, the slump will continue.

That the slump in this business is not natural is evidenced by the fact that the good pictures are still drawing patrons to the theatres. Can any exhibitor playing "Easter Parade," "Fuller Brush Man," "Emperor's Waltz," "Mr. Blanding's Builds His Dream House," to mention several of the few box-office pictures on the market, complain of slow business? And if they should have a greater number of such pictures, would there have been a slump?

Instead of making pictures that either touches one's heartstrings or provokes good, clean laughs, most of the studios devote their time to making melodramas depicting the sordid and seamy side of life, with one melodrama differing very little from the other. As a result, parents not only fear to send their children to the theatres, but they stay away themselves.

The trouble with those in charge of production is that they are out of touch with the picture-goers. Their entire time is taken up handling studio affairs, which as a general rule are geared in a way that places the responsibility on one man to pass on innumerable stories each year, in addition to deciding many other problems. Such a man has to depend heavily on the judgment of those who surround him, but most of these people are so set in their ways and so out of tune with what the picture-goer wants that their judgment results in the studio spending millions of dollars on stories that are sure failures from the start.

The remedy? There is no remedy. Now and then a studio will break precedent and bring in new blood, and it gets results. Other studios continue in their old ways until the time comes when they have to cut down on the cost of production in order to operate at a profit, but even this is of little help, for as long as the old crew with stagnant story ideas remains in the saddle things will get worse and not better.

But there is a limit to the losses any studio can sustain, and when bankruptcy stares the studio chiefs in the face, it may bring changes that will benefit them as well as the exhibitors.

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A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XXX

SATURDAY, AUGUST 21, 1948

No. 34

A LESSON ON INSTITUTIONAL ADVERTISING

The August 16 issue of *Life* magazine publishes an advertisement under the heading, "MEAT As a Source of Protein, B Vitamins, Iron," giving the different kinds of meat that contain them. Excluded from the advertisement is the name of any particular meat packer. The only name that does appear is "American Meat Institute—Headquarters, Chicago—Members throughout the U. S."

The motion picture producers can learn a lesson from this advertisement; they could learn that, when it comes to the general welfare of an industry, the names of its constituents are submerged to that of the industry as a whole. It makes no difference who sells the meat; the important thing is to impress the public with the fact that meat is a source of vitamins, so necessary in maintaining health. Similarly it should make no difference what producing companies produce moving pictures; if they entertain, we should let the public know how much relaxation and happiness they bring to all the people.

Several months ago, the advertising and publicity committee of the producers' association (MPA) reached a decision to employ institutional advertising also in the picture industry. Unfortunately, the method adopted was wrong, for each company wanted its wares advertised. Consequently, the list of pictures that would have served to inform the public that "great days are ahead for the movie-goers of America" were selected on, not merit, but political considerations. Some of the pictures selected for the campaign did not deserve the emphasis that would have been laid on them and, as a result, the institutional advertising scheme was wrecked before it could get rolling.

Is it possible for the industry to adopt a rational system of institutional advertising?

HARRISON'S REPORTS believes that the industry can. Judging by the way that Max E. Youngstein, head of Eagle-Lion's publicity, advertising and exploitation department, handled the subject on the occasion of his inauguration as president of Associated Motion Picture Advertisers, this paper believes that, if Mr. Youngstein undertook to sell the idea to the producers for a rational system of institutional advertising, he will succeed, for in his inauguration speech he minced no words in labelling the industry's public relations job as "one of the worst butchered jobs in history."

That Mr. Youngstein was right may be evidenced by the fact that a number of the producers' publicity chiefs resented his remarks, but made no effort to prove him wrong, because he was right.

The industry does possess the brains and the ability to put over a constructive institutional advertising campaign. All that is needed is a campaign head with enough authority and with enough courage and boldness to ignore industry politics and to reject any selfish ideas that would tend to weaken the campaign. And Max Youngstein seems to possess these virtues.

The industry's public relations have never been lower than they are at the present time. Something must be done about it, and it had better be done soon. HARRISON'S REPORTS hopes that Mr. Youngstein will not rest until a rational institutional campaign has been adopted and put through, for it will mean so much, not only for the producer and the distributor, but also for the exhibitor.

A PRODUCER'S WISE DECISION

According to a press release from MGM, Dore Schary, before leaving New York for Hollywood to take over his new duties as vice-president in charge of production, declared that "realism in motion pictures can be achieved without resort to sordid topics, such as depravity, adultery and obscenity."

"I believe that, essentially, this is a good world and I want to make pictures for men of good will," said Schary. "Others can make the so-called 'arty' pictures, most of which are based on sordid themes, but I prefer to be associated with pictures like 'Joe Smith, American,' 'Journey for Margaret,' 'Lost Angel,' and 'Lassie Come Home.' All of these, incidentally, were pictures over which I supervised production when I was with Metro before, from 1938 to 1943.

"I think the world has been making some progress toward abolishment of arbitrary violence, hate and evil. Consequently, I hope to see these things abolished in pictures. I don't think there is any place for sordid and morbid pictures, and I think some of our long-hair critics are all wrong when they confuse such pictures with art."

Mr. Schary is to be congratulated for his decision to associate himself with pictures that have a "soul," the sort that tug at one's heartstrings and offer people good, clean laughs. While the box-office slump is owed in no small measure to the high cost of living, a major contributing factor has been the excessive number of pictures based on sordid and morbid themes which, instead of cheering people, send them home feeling as if they had attended a funeral.

That the proportion of pictures that are either founded on murder, activities of crooks, and the like is excessive, is evidenced by the fact that, out of a total of 216 pictures reviewed in this paper since the beginning of the year, 123 are of this character.

(Continued on last page)

"One Touch of Venus" with Robert Walker, Ava Gardner and Dick Haymes

(*Universal-International, August; time, 81 min.*)

This screen version of the successful Broadway stage musical of the same name is only moderately entertaining. A sophisticated blend of phantasy, music, and comedy, its story about a statue of Venus that comes to life and raises havoc for 24 hours with the romantic life of a department store window trimmer is occasionally witty and melodious, but it is basically slight and for the most part is not genuinely funny. The direction is labored, the comedy forced, and the players strain for laughs. The whole treatment, as a matter of fact, seems to lack imagination. Robert Walker, as the confused window trimmer, manages to make something of his role, but Ava Gardner, as the living "goddess," is no more than an amorous beauty in a characterization that, as written, has no depth. Dick Haymes has little to do in a part that gives him an opportunity to sing several songs. The choicest bits of dialogue fall to Eve Arden, as a worldly-wise secretary, whose flippant tongue gives the picture its brightest moments:—

Having acquired the famed Anatolian Venus statue at a fabulous price, Tom Conway, wealthy department store owner and art collector, summons the press to the unveiling. Robert Walker, the store's window trimmer, is assigned to prepare the drapes and set the stage for the unveiling. As he starts his work, Venus (Ava Gardner) comes to life and proceeds to make amorous advances to him, following him out of the gallery when he flees. When Conway draws the drapes and finds an empty pedestal, he accuses Walker of stealing the statue and engages detectives to arrest him. Meanwhile Venus had followed Walker to his apartment, where he has a difficult time keeping her out of sight from his girl-friend, Olga San Juan, and his roommate, Dick Haymes. He finally manages to spirit her back to the store, where he installs her in the model home for the night. When he returns to the apartment and tells the story to Olga and Haymes, they believe him to be suffering from hallucinations. On the following morning, Eve Arden, Conway's secretary, discovers Venus asleep in the model home. Conway, smitten with her beauty but unaware that she was his statue come to life, makes a play for her. But when Walker arrives to fetch her, she ignores Conway. Incensed, Conway orders his detectives to redouble their efforts to put Walker behind bars. In the meantime Olga and Haymes, in their efforts to help the confused Walker, fall in love themselves. Walker takes Venus to Central Park, where the detectives catch up with him and throw him in jail. Having been responsible for bringing Olga and Haymes together, and realizing that Eve had a secret desire to snare Conway for herself, Venus decides to straighten out matters in the few hours she could still remain alive. Through a series of maneuvers, she sees to it that Conway realizes his love for Eve and tricks him into dropping the robbery charges against Walker. Released from jail, Walker rushes to the store to meet Venus, but by the time he arrives she resumes her sculptured form. Several days later, as Walker arranges for a new unveiling and takes a longing look at the statue, a new store employee (also Ava Gardner), bearing a remarkable resemblance to Venus, asks him for directions. Overjoyed, he seizes her arm and walks off with her.

Lester Cowan produced it and William A. Seiter directed it from a screen play by Harry Kurnitz and Frank Tashlin.

Adult entertainment.

"Isn't It Romantic?" with Veronica Lake, Patric Knowles and Roland Culver

(*Paramount, October 8; time, 87 min.*)

There is little to recommend in this botched-up mixture of comedy, music, and drama, which rates no better than an ordinary program feature classification even though it has been padded out to "A" feature length. It has a bright moment here and there, but for the most part it drags to the point of boresomeness.

The story, which takes place in a small Indiana town at the turn of the century, revolves around an elderly but bombastic Southerner who is still fighting the Civil War, and around the problems he creates for his family and friends when he innocently becomes involved with a big city sharpshooter who draws him into a fake oil deal to swindle the townspeople. Properly handled, the story, though commonplace, could have been amusing, but the interpolation of songs, dances, and comedy routines, all of which seem out of place and none of which is particularly noteworthy, makes the hackneyed story seem more inconsequential than it is.

Also worked into the proceedings are the romantic problems of the old man's three daughters, all played for laughs. But the comedy is so forced that it falls flat. The production values are good, but the direction is ordinary and the acting no more than adequate. In fairness to the players, however, it should be said that they are not to blame, for there isn't much that they could do with the inept material.

It was produced by Daniel Dare and directed by Norman S. McLeod from a screen play by Theodore Strauss, Josef Mischel and Richard L. Breen, based on a story by Jeanette Covert Nolan. The cast includes Mona Freeman, Mary Hatcher, Billy De Wolfe, Richard Webb, Larry Olsen, Pearl Bailey and others.

Unobjectionable morally.

"Blanche Fury" with Valerie Hobson and Stewart Granger

(*Eagle-Lion, no release date set; time, 93 min.*)

This British-made costume drama, photographed in Technicolor, has been produced on a very lavish scale, but its story is too sordid and hackneyed for popular appeal. Set in England in the early 19th Century, its tale of murder, passion and greed is totally lacking in human appeal, and not one of the principal characters is sympathetic. Moreover, the pace is slow and the characterizations are not clearly drawn. For instance, the heroine, madly though illicitly in love with the hero, turns against him towards the finish, but her change of heart is abrupt and the reason not made very clear. The mood throughout is morose and gloomy, unrelieved by comedy:—

Penniless but ambitious, Valerie Hobson is rescued from a life of servitude when her uncle, Walter Fitzgerald, asks her to live at his estate. Fitzgerald's son, Michael Gough, a widower, invites Valerie to act as governess to his small daughter, Suzanne Gibbs. Shortly after her arrival, Valerie learns that Stewart Granger, steward of the estate, was the illegitimate son of the estate's original owner, and that her uncle had inherited the property through marriage. Granger hated Fitzgerald and his son with all the bitterness of a man who had been dispossessed, and he was attempting to prove that his birth was legitimate and that he was the rightful owner of the estate. To secure her position, Valerie enters into a loveless marriage with Gough but becomes enamored with Granger, with whom she carries on a secret affair. In the course of events, her uncle and her husband capture and jail two horse-stealing gypsies, causing every gypsy in the area to swear vengeance on them. Granger, grasping the opportunity to rid himself of the two men and win Valerie and the estate for himself, shoots them and contrives to make every one but Valerie believe that the murders had been committed by the gypsies. Valerie protects him at the inquest, but when she discovers that he had designs on little Suzanne's life because she stood in his way of the estate, her love turns to hatred. She informs the police about the murders and her evidence sends Granger to the gallows. On the day he dies, her stepdaughter is killed accidentally. Fate, however, insures the inheritance of the estate for Granger's line when Valerie, bearing his son, dies.

Anthony Havelock-Allan produced it and Marc Allegret directed it from a screen play by Audrey Lindop and Cecil McGivern, based on the novel by Joseph Shearing.

Strictly adult fare.

**"Luxury Liner" with Jane Powell,
George Brent, Lauritz Melchior and
Frances Gifford**

(MGM, September; time, 99 min.)

Very pleasurable! Joe Pasternak again shows smart showmanship by his handling of this lush, easy-to-take Technicolor musical; his musical sequences are a smooth blend of the classics and the popular, presented in a way that is bound to appeal to all tastes, and, in spite of the fact that the story is lightweight, he gets the most out of every comedy situation and never allows the proceedings to become too serious. As much credit is due the players—Jane Powell, George Brent, Lauritz Melchior, Marina Koshetz, Frances Gifford, Xavier Cugat, and Thomas E. Breen, for they play their respective parts naturally and with zest. Miss Powell's voice is as glorious as ever, and her handling of comedy very good. Melchior's voice, of course, is thrilling, but he makes his best contribution in the comedy department, aided considerably by Miss Koshetz, a fine comedienne. The romantic interest between Brent and Miss Gifford, and between Miss Powell and Breen is developed in a charming and at the same time comical manner. Most of the action takes place on board a luxurious steamship, and the production values are up to the usual fine MGM standard:—

Brent, a widower and captain of a luxurious liner, insists that his daughter Jane, remain at finishing school when she pleads to be taken along on his next voyage to Rio. When the ship gets underway, Jane is found aboard as a stowaway, and Brent, to teach her discipline, refuses to acknowledge that he is her father and orders her put to work to pay for her passage. She in turn refuses to acknowledge that she is his daughter and resorts to numerous pranks to embarrass him, much to the dismay of Breen, a young officer, who had been assigned to keep an eye on her. In the course of events she becomes friendly with Melchior in the hope that he would listen to her voice. She becomes friendly also with Frances Gifford, a wealthy but distraught tourist, who was having a difficult time warding off the attentions of Richard Derr, her former fiance. Shocked by Jane's "hard luck" story and unaware that she was the captain's daughter, Frances pays for her passage, arranges for her to stay in her suite, then remonstrates with Brent for his mistreatment of a stowaway. She soon learns the truth about Jane, and her meeting with Brent blossoms into a romance. But the romance is clouded by Frances' inability to make up her mind about her true feelings for Derr. Jane, unaware that her father was in love with Frances, tries to patch up the romance between Frances and Derr. But when she learns of her father's feelings, she manages to maneuver the affairs of all concerned in a way that ends with Brent winning Frances while she herself gives in to the romantic overtures of Breen.

Joe Pasternak produced it and Richard Whorf directed it from a screen play by Gladys Lehman and Richard Connell. The cast includes John Ridgeley, Connie Gilchrist, the Pied Pipers and others.

Good for the entire family.

"Urubu"

(United Artists, August; time, 65 min.)

"Urubu" is a routine jungle adventure film, the sort that should derive its best revenue in so-called exploitation houses that deal in sensational ballyhoo methods. Actually, the picture offers little that has not already been seen in numerous other jungle pictures, but the producers, George Breakston and Yorke Copen, who are the only white men appearing in the film, have worked into their photographic record of an expedition into the Matto Grosso jungles of Brazil a fanciful story about a search for a missing white explorer and the sensational rescue of a white captive girl. Most of it is hokum and will be recognized as such by discriminating picture-goers, but those who are not concerned about whether they are seeing fact or fiction, as long as it is exciting, should find it to their tastes.

The film has the usual quota of wild life scenes, some of which are educational, and as the safari travels into the interior one gets an inkling of the hazards of such an expedition. Also shown in the footage are scenes of native tribes and the usual tribal dances.

In the fanciful phase of the picture the producers have worked in a battle between one of them and a live (?) alligator; the horrible death of two natives, one by "cannibal fish" and the other by a jaguar; and at the finish a rousing battle with a savage tribe, the Urubus, during which they effect the rescue of the white girl captive. As said, it is all hokum, but it is the sort of stuff that lends itself to exploitation. The camerawork is good, and the narration method, in typical travelogue style, is employed to tell the story.

In addition to producing the picture, Messrs. Breakston and Copen handled the direction and photography.

**"The Loves of Carmen" with Rita Hayworth
and Glenn Ford**

(Columbia, no release date set; time, 99 min.)

No one can deny the excellence of both the production and acting given to this forceful melodrama, which is enhanced by beautiful Technicolor photography, but the theme of illicit love, murder and theft is sordid and its appeal will be directed mainly to those who like their entertainment lusty and loaded with sex. It is strictly an adult entertainment. The story, which is based on the novel, "Carmen," by Prosper Merimee, is the dramatic and not the operatic version of the beautiful but conscienceless gypsy's career. There is nothing pleasant about the action, every one of the characters is unsympathetic, and the sex implications are somewhat vulgar and are presented without any subtlety. Miss Hayworth does excellent work as the immoral temptress, giving the part all the fiery beauty and wild allure it demands; her popularity will no doubt be a potent factor at the boxoffice. Glenn Ford, as the weak but ruthless man with whom she falls in love, is impressive. His knife duel to the death with Carmen's outlaw husband is a highly exciting sequence. Worked into the proceedings are several gypsy tunes and dances, during which Miss Hayworth is given ample opportunity to display her singing and dancing talents in unrestrained fashion. Seville in the early days is the locale, and the colorful costumes and settings add much to the production's pictorial splendor:—

Newly arrived in Seville, Don Jose (Glenn Ford), a dragoon corporal, meets and falls in love with Carmen (Rita Hayworth), despite his being warned that she was a thief, a liar, and had many lovers. Carmen, on the other hand, becomes annoyed with herself for being attracted to him because a fortune teller had warned her that she would one day be killed by the man she really loves. Compelled to arrest Carmen when she becomes involved in a street fight with another woman, Jose permits her to escape, for which he is broken in rank by his colonel (Arnold Moss). The colonel himself becomes interested in Carmen, and when he finds Jose in her quarters he engages him in a duel. Carmen trips the colonel, causing him to fall and die upon Jose's sword. She takes Jose to her gypsy hideout in the mountains, where he discovers that she is married to Garcia (Victor Jory), a vicious outlaw himself. A jealous hatred grows up between the two men because of Carmen, culminating in a knife duel in which Garcia is killed. Jose marries Carmen and assumes leadership of the gypsy outlaws. Though passionately in love, they quarrel constantly. Carmen leaves the mountains, presumably to scout victims for the outlaw band, and meets a famous bullfighter, whose sweetheart she becomes. Insanely jealous, Jose goes to the city after her. A treacherous henchman, seeking the reward for his capture, informs the police. Jose finds Carmen outside the bull ring at Seville and remands that she return with him. When she refuses and spits at him, he stabs her to death, just as the police advance. He is shot down, dying with the body of Carmen still clutched in his arms.

Charles Vidor produced and directed it from a screen play by Helen Deutsch. The cast includes Luther Adler, Ron Randell, Joseph Buloff, Margaret Wycherly and others.

The production of so many pictures based on sordid and morbid themes is an indictment against the producers, for it shows that they are running short of decent story ideas.

There is enough suffering and grief in this world without subjecting the picture-goer to more of it when he comes to the theatre to be cheered up.

The type of pictures Mr. Schary intends to produce will be the best medicine, not only for the entertainment-hungry movie-goers, but also for the ailing box-office.

LIMITING PICTURE COSTS

A report in the July 30 issue of *Daily Variety* states that Paramount has set a cost limit of one and one-half million dollars on top-budget pictures in order "to put production on a paying basis in ratio to current boxoffice."

If the information contained in this report is correct, it gives the exhibitors food for thought. Paramount is geared for high costs. Most of its top-budget pictures cost more than three million dollars and as high as four and one-half million. Can Paramount produce for one and one-half million dollars a picture such as "Emperor's Waltz" which, according to Hollywood talk, cost four and one-half million?

HARRISON'S REPORTS hopes that Paramount as well as the other companies can produce top pictures with one and one-half million dollars. If they do, it will solve the problem of decreased revenue from the foreign market, for with pictures costing around the aforementioned figure the American producers will not need the foreign market; they should be able to make a good profit in the domestic market, and at the same time ease up on the rental terms to the exhibitors.

FILM CLASSICS' PROFIT-SHARING PLAN

Joseph Bernhard, president of Film Classics, has announced that his company has adopted a permanent bonus plan effective January 1, 1949, whereby all personnel of the company will share in the profits. The idea behind the plan is to encourage every employee to exert his best efforts in behalf of the company in the full knowledge that he will benefit from greater profits.

Speaking at the company's first international sales meeting two weeks ago, Mr. Bernhard said: "You will be given a bonus system that will not be matched by any other company in the business."

The cooperative system that Mr. Bernhard has adopted for giving a bonus to each of those who help make the profits is an enlightened method of remuneration, except for one thing: Since greater profits will depend on the increased efforts of the company's employees, there must be an improvement in the merit of the pictures they are asked to sell. Otherwise they will be attempting to get from the exhibitors increased rentals without a corresponding improvement in picture quality.

HARRISON'S REPORTS wishes Mr. Bernhard and Film Classics good luck.

J. ARTHUR RANK REAPING THE WHIRLWIND

According to a recent London news dispatch, the British exhibitors have condemned the pictures made by J. Arthur Rank as "poor." They feel that the reason for the declining quality is the fact that Mr. Rank has speeded up production in order to increase the number of pictures he produces annually.

As said in these columns before, all the American companies have reduced the number of pictures each studio produces by almost fifty per cent, for not only have costs risen to a point that makes the production of a large number of pictures unprofitable, but studio facilities have shrunk; whereas in the old days it took anywhere from thirty to sixty days to produce a picture, nowadays it requires at least sixty days and as much as six months. And the expansion of studios is not even to be thought of, for most studios lack the necessary space and if they had the space they would find the overhead prohibitive.

But J. Arthur Rank has increased the number of pictures he produces instead of reducing them, with the result that he must, in order to maintain his schedule, grind them out like sausages.

Mr. Rank will soon find out what the American producers have found out—that meritorious pictures cannot be produced on an assembly-line basis; it doesn't work. And the British exhibitors are telling him so.

U. S. ANTI-TRUST DECISION SPURS AUSTRALIAN INDEPENDENTS INTO ACTION

The following excerpt is from a bulletin dated July 1, issued by the Motion Pictures Exhibitors' Association of Queensland in Brisbane, Australia:

"According to an editorial note in 'HARRISON'S REPORTS,' the attitude of the (U. S. Supreme) Court in four industry anti-trust suits 'is so unmistakably clear that there can be no room for doubt that the Government has won a sweeping victory in its long fight to restore free enterprise and open competition amongst all branches of the motion picture industry. . . . Independent exhibitors can now look forward to operating their theatres in an open and untrammelled market, free from producer-distributor control.'

"Findings on monopolistic practices were upheld. There is no limitation to the number of films that an exhibitor may license at one time. But the right to license one feature may not be conditioned upon the licensee's taking one or more other features.

"The equity of conduct and fair trading as determined by the highest court in the U.S.A., should be demanded and insisted upon in Australia. To fully understand all the cunning, subterfuges, procrastinations and reckless waste of money on legal quibbles to try and put the boot into exhibitors over the last 20 years would exhaust the patience of the average reader. Suffice it to say that the M.P.E.A. of Q. has marked more than 200 copies of 'HARRISON'S REPORTS,' containing the salient features only, and submitted them to the right quarters."

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A CHANCE TO BUILD A GREATER MOVIE-GOING DRIVE

According to trade paper reports, the Hollywood American Federation of Labor Film Council, representing twenty-six thousand workers, has undertaken to stimulate motion picture theatre attendance nationally by sending circular letters to five thousand AFL organizations throughout the country, making a plea for all union men to patronize motion picture theatres.

The appeal calls the attention of the different union leaders to the fact that every picture produced in Hollywood is made under AFL union shop conditions and contracts. "When you have a few quarters to spend for entertainment," says part of the circular, "we hope that you will spend some of them where they will help provide work for AFL craftsmen, that is, spend them to see fine American pictures produced in Hollywood."

The letter says further that curtailment of foreign income has caused a great reduction in the ranks of AFL members employed at the Hollywood studios, and points out that every dime paid into the box-office to see an American picture helps to employ a brother member of the AFL in Hollywood, while sixty-five per cent of the money taken in at the box-office "remains in your town and helps to employ other AFL craftsmen."

The commendable action taken by the Hollywood AFL Film Council gives to the motion picture industry a chance to bring back to the theatres millions of lost picture-goers, and the industry should not let this opportunity slip by without action. A drive to bring picture-goers back to the theatres through an intelligently planned institutional advertising campaign with the collaboration of every union man in the country should bring immediate results that will redound to the benefit of all—labor, producers, distributors, as well as the exhibitors.

Just how the union men can best fit into such a drive is a matter that can best be figured out by the advertising and exploitation brains in the industry. The fact that the union men in this country are numbered in the millions places no limit on what can be done once the drive is launched properly and enthusiasm created.

No member of the industry should feel that, by enlisting the aid of the unions, he would put himself as well as the industry under an obligation to these unions. The union men in Hollywood have long been receiving much higher wages than the union men in other industries, and these high wage rates have had considerable influence in boosting wages among different union crafts throughout the country. Consequently, by aiding the picture industry to regain millions of movie-goers, the union men in every locality will be benefitting, not only fellow-union men in Hollywood, but also themselves, for greater movie attendance will insure full employment for AFL craftsmen in Hollywood and at the same time enable them to maintain the high standard of wage rates that have served as a guide for similar crafts in other industries. Moreover, when people are induced to come out of their homes and go to a picture show, a great percentage of them patronize the theatre's neighborhood business men, most of whom employ union help.

HARRISON'S REPORTS urges the industry leaders to think seriously about undertaking a greater movie-going drive at this time. The box-office has dipped to a low level because of the high cost of living, on the one hand, and the poor quality of pictures, on the other, compelling the public to go to a movie house only when some outstanding production is shown. A greater movie campaign by a united industry, with the cooperation of union labor and neighborhood merchants, is needed badly to work up among the public an interest to attend pictures.

A CASE OF SOUR GRAPES

Under the heading, "TOA's Position On ASCAP A Case of Sour Grapes," Mr. Milton C. Weisman, general counsel to the ITOA, has issued a statement in which he castigates in no uncertain terms the Theatre Owners of America and its leaders for their "continuous barrage of propaganda obviously designed to sabotage, undermine or destroy the morale of exhibitors and confuse the simple effect and implications of the [ASCAP] decision."

Mr. Weisman, as most of you no doubt know by this time, is the prominent attorney who so capably handled the successful anti-trust suit brought against ASCAP by 164 New York exhibitors, all members of the Independent Theatre Owners of America, resulting in the now famous decision in which the court ruled that ASCAP is a monopoly in restraint of trade and prohibited it from collecting a music tax from theatres for the performance rights to music recorded on film.

By virtue of his successful handling of this case, it can readily be assumed that Mr. Weisman is well qualified to advise the exhibitors on the course of action they should take in their future dealings with ASCAP. His advice, which concurs with the advice given by such prominent attorneys as Mr. Abram F. Myers, general counsel to National Allied, and Thomas C. McConnell, counsel to Allied Theatres of Illinois, is to discontinue payments to ASCAP.

Lest any exhibitor still feels doubtful as to what course of action he should pursue, HARRISON'S REPORTS urges that he read Mr. Weisman's cogent statement, which is herewith presented in part:

"To Pay Or Not to Pay. There Is No Question

"Since the decision of July 19, 1948, rendered in the United States District Court by Judge Vincent Leibell in the so-called ASCAP case, virtually all exhibitor associations, leaders and spokesmen, save TOA, have hailed this decision as an important and far reaching victory scored by the plaintiffs under the guidance of the ITOA on behalf of the motion picture exhibition industry. They have fairly and justly appraised this decision at its true worth. It not only frees the exhibition industry from the unlawful and cumbersome exactions of ASCAP, but more importantly it unshackles this industry from the chains of a monopoly, which patently to all who are willing to see and understand, possessed the power to take over the entire industry, or in the alternative, to exact fees in such sums as it pleased in its own uncontrolled discretion, need or greed, as the case might be.

"There can be no doubt of the truth of the foregoing statement. The 20-year history of ASCAP in unilaterally fixing fees for public performing rights needs no comment. . .

"Notwithstanding the almost unanimous true appraisal of this decision by virtually all exhibitor organizations and even by such producer-distributors as Columbia Pictures and producer-distributor-exhibitors as Paramount, Warners and Loew's,—TOA, speaking through its attorney, Herman M. Levy, and through Gael Sullivan, its executive director, has unloosed press releases and letters which can only be described as a continuous barrage of propaganda obviously designed to sabotage, undermine or destroy the morale of exhibitors and to confuse the simple effect and implications of the decision.

"It is not the purpose of this monograph to point out what obviously appears to the writer as a lack of understanding on the part of Mr. Levy with regard to the scope, effect and meaning of the decision, and ignorance on the part of Mr. Sullivan of industry practices, procedures and mechanics. Nor will we speculate on the underlying reasons why an exhibitor organization, such as TOA, seemingly supported by exhibitors and holding itself out as serving exhibitor

(Continued on last page)

"A Song is Born" with Danny Kaye and Virginia Mayo

(RKO, no release date set; time, 112 min.)

Producer Samuel Goldwyn has given his usual lavish touch to this latest Danny Kaye Technicolor comedy with music, which is a remake of "Ball of Fire," produced by Goldwyn in 1941. As entertainment, it is very good in some spots, dull in others, and on the whole somewhat disappointing. The chief fault with the picture seems to be the fact that Kaye's varied talents have not been utilized fully. The picture starts off in a promising way in the early reels, when Kaye, as a young but mild-mannered music professor, meets with a group of famous jazz musicians to familiarize himself with modern music, but the second half, which deals with his falling in love with a flashy cabaret singer and becoming involved with her gangster friends, is as frequently dull as it is bright. The fact that Kaye is not really given an opportunity to let loose with his comedy antics, or to sing even one song in his inimitable manner, will no doubt disappoint the picture-goer. On the credit side of the picture is a wealth of musical talent that should prove a delight to those who like their music "hot." Benny Goodman, Tommy Dorsey, Louis Armstrong, Lionel Hampton, Charlie Barnet, Mel Powell, Buck & Bubbles, The Page Cavanaugh Trio, Golden Gate Quartet, and Russo and the Samba Kings are among those who join together for some of the hottest "jam" sessions ever filmed. Their names should, of course, help the box-office considerably:—

Danny Kaye and six other professors (Benny Goodman, Hugh Herbert, Felix Bressart, Ludwig Stossel, J. Edward Bromberg, and O. Z. Whitehead) work together for nine years compiling an encyclopedia of music. They live in an old New York brownstone house donated by their benefactor (Mary Fields) and ruled over by their housekeeper, Esther Dale. When two window washers (Buck & Bubbles) introduce them to "jive" music, Kaye decides to tour the nightclubs to explore the world of jazz. In addition to inviting numerous band leaders to call on him, Kaye invites also Virginia Mayo, a torch singer, who dismisses him. But when Virginia learns that the District Attorney wanted her as a material witness in an investigation started against her gangster boy-friend (Steve Cochran), she decides to use Kaye's place as a hideout. Her arrival at the house upsets the entire household when the professors fall under her charm. Kaye falls in love with her, and she leads him on in order to secure her stay in the house. Seeking to bring Virginia to New Jersey, where he was in hiding, so that he could marry her, Cochran telephones her and works out a plan whereby Kaye is led to believe that Cochran was her father and that he wanted Kaye and his professor friends to bring Virginia to New Jersey for her marriage to Kaye. Once in New Jersey, Kaye learns the truth and returns home disillusioned. Virginia, ashamed and realizing her love for Kaye, refuses to marry Cochran. To force the issue, the gangster and his henchmen invade Kaye's house and threaten to kill him, compelling Virginia to consent to the marriage. But Kaye's musical friends, realizing that Virginia loved him, outwit the gangsters in time to stop the ceremony and to see that Kaye marries Virginia.

Samuel Goldwyn produced it and Howard Hawks directed it. No screen play credits are given. Adult fare.

"For the Love of Mary" with Deanna Durbin and Edmond O'Brien

(Universal-International, September; time, 90 min.)

A frothy but pleasant enough romantic comedy. The idea of having the President of the United States as well as several Supreme Court Justices concerned over the romantic affairs of a switchboard operator is rather fanciful, but if one can put himself into the mood to accept the story for what it is he should get a fair share of chuckles out of the plot's contrivances. As the switchboard operator, Deanna Durbin adequately meets the demands of the role, and her singing, particularly her rendition of "Largo Al Factotum," from "The Barber of Seville," is delightful. In the picture's favor are the breezy quality and the steady moving action:—

After breaking her engagement to Jeffrey Lynn, a young Government lawyer, whom she had seen with another girl, Deanna, a Supreme Court switchboard operator, switches to a similar position in the White House. Several of the Justices plead Lynn's case with Deanna, explaining that he had seen the other girl in the line of duty, but she remains firm in her refusal to see him. Deanna finds an additional problem in Don Taylor, a young ichthyologist, who claimed ownership of a small Pacific island, where his father had established a marine laboratory. The Navy blocked his attempts

to get back to the island, and he had been trying vainly to reach the President for days. Deanna is assigned to prevent his calls from reaching the President. As if parrying Taylor, Lynn, and the Supreme Court Justices were not enough, Deanna is faced with a new problem when the President, having overheard her difficulties when she refuses to accompany Lynn to a birthday party in honor of one of the Justices, assigns Lieut. Edmond O'Brien, a Naval aide, to escort her to the party. In the course of events, Deanna finds herself in a romantic whirl, pursued by O'Brien, Taylor, and Lynn but unable to make up her mind about any of them. The situation does not resolve itself until after a series of mixups in which the Government discovers that Taylor's claim to the island was valid; that he was not a citizen of the United States; and that the Navy, which had built a \$300,000,000 naval base on the island, was a squatter on foreign territory. Government officials appeal to Deanna to help them out of their dilemma, and it all ends with Taylor negotiating an agreement to sell the island on the condition that O'Brien be given permanent sea duty, and that Lynn be assigned to a judicial post 1500 miles distant from Washington. With competition eliminated, Taylor embraces Deanna.

Robert Arthur produced it and Frederick De Cordova directed it from an original screen play by Oscar Brodney. The cast includes Ray Collins, Hugo Haas, Harry Davenport, Louise Beavers and others. Unobjectionable morally.

"Rope" with James Stewart, John Dall and Farley Granger

(Warner Bros., September 25; time, 80 min.)

An exceptionally fine psychological thriller, photographed in Technicolor. But whether or not it will prove to be a popular picture is questionable, for as entertainment it has a morbid quality that has seldom, if ever, been surpassed on the screen; it revolves around two intellectual but degenerate undergraduates who, seeking a thrill, murder a classmate, hide his body in a living room chest, then give a party during which they serve refreshments to the victim's father and his friends from the top of the chest—all designed to prolong the thrill of the murder. The picture will undoubtedly please those who are morbidly inclined, as well as the intelligentsia who will appreciate a thought-provoking discourse on the subject of murder and its Nietzschean justification outside the law. Technically, the picture is a masterpiece. Moviegoers who expect the unusual from Alfred Hitchcock will not be disappointed, for he has handled the story in a most unique way; the action has a time lapse of 80 minutes, the exact running time of the film, and from the opening to the closing scenes the camera follows the players within the limits of a three-room apartment in what may be described as a continuous take. It is an ingenious technique, and under Hitchcock's superb handling it serves to heighten the atmosphere of mounting suspense and suspicion. The acting is excellent:—

John Dall and Farley Granger strangle their friend, Dick Hogan, and conceal his body in a chest in the living room of Dall's apartment. In the opinion of his murderers, the dead man was an intellectual inferior and a weakling of no consequence in their distorted pattern of life. They had committed the crime, not for vengeance or profit, but for a thrill. To carry out what they believed was the perfect crime, and to enhance and prolong their thrill, the two killers prepare for a scheduled party in the apartment, to which they had invited Cedric Hardwicke, the boy's father; Joan Chandler, his fiancée; Constance Collier, his aunt; James Stewart, a publisher, who had been their housemaster in prep school; and several other friends of the dead man. During the party, Dall, drunk with morbid excitement, deliberately leads his guests to speculate about Hogan's absence from the party, while Granger, emotionally muddled, is on the verge of cracking up. Stewart, who had had many philosophical discussions with the two men on the subject of the realistic concepts of good and evil, believes that the two men had played a prank on the missing Hogan, but Granger's erratic behavior causes him to suspect that they had done away with their friend. Stewart leaves the party with the other guests, but returns on a pretense just as the killers prepare to dispose of the body. A cat and mouse game between Stewart and the two men ends in a struggle, during which Stewart locates the body. After denouncing them for their brutal act and for their smug assumption of superiority, Stewart, holding them at bay, summons the police.

Alfred Hitchcock directed it from a screen play by Arthur Laurents, based on the play by Patrick Hamilton.

Strictly adult fare.

"An Act of Murder" with Fredric March, Edmond O'Brien and Florence Eldridge

(Universal-International, September; time, 91 min.)

A powerful drama, with very good box-office possibilities because of the word-of-mouth advertising it will undoubtedly receive. The story is based on an unusual theme—the problem of mercy killings, but although it is on the cheerless side it has the ingredients for mass appeal in that it avoids the sensational, is simple and genuine, and has deep human interest and sympathetic characters. Moreover, the direction is outstanding, and the acting highly artistic. Both Fredric March, as a small-town judge, and Florence Eldridge, as his wife, contribute notable performances. Their devotion to one another is so deep and sincere that the spectator is moved emotionally by the tragedy that ends their beautiful relationship. The closing scenes, in which March is tried in his own court for the mercy killing of his wife, are gripping:

March, a judge in a Pennsylvania county court, rigidly and honestly carries out the letter of the law. Despite the pleas of defense attorney Edmond O'Brien, who was in love with his daughter, Geraldine Brooks, March refuses to consider motivating circumstances in sentencing one of O'Brien's clients to a severe jail term for the murder of his sweetheart. In the course of events, March learns from his close friend and family doctor (Stanley Ridges) that Florence, his wife, was incurably ill and that she will die within a short time in great pain. Ridges urges him to keep the truth of her condition from Florence so that she may live the remaining months of her life in comparative peace. March takes Florence to a seaside resort for a second honeymoon. Painful headaches and other symptoms of her illness seize Florence, and she asks March to take her home. As they speed homeward, the pain grows intense, and March, unnerved by her suffering, deliberately drives the car off the road. Florence dies, but March survives his injuries. He confesses his guilt to the district attorney and demands that he be held for trial. Geraldine, despite her father's determination to pay for his crime, desperately tries to save him. She enlists the aid of Douglas who, despite a barrage of legal objections from March, gets himself appointed by the court as the defendant's attorney. In a brilliant defense move, Douglas proves, through competent witnesses, that Florence's death was caused, not by the accident, but by an overdose of pain-relieving pills. The trial judge frees March, but only after castigating him as morally guilty although legally innocent. In a statement to the Court, March declares that, if permitted to resume the bench, he will henceforth judge a defendant by motives as well as by the law.

Jerry Bressler produced it and Michael Gordon directed it from a screen play by Michael Blankfort and Robert Thoeren, based upon the novel, "The Mills of God," by Ernst Lothar. Unobjectionable morally.

"Night Wind" with Charles Russell and Virginia Christine

(20th Century-Fox, October; time, 68 min.)

An ordinary low-budget program melodrama. Full review next week.

A CASE OF SOUR GRAPES

(Continued from back page)

of performing rights to music is present. Producers will not have to pay an exorbitant or monopolistically and privately fixed price for performing rights, since they will be able to purchase them in an open and free market where competition among copyright proprietors exists.

"I submit that there is no need of further argument to convince any reasonable or open minded person of the great benefit and advantage that this decision is to the exhibitor. The foregoing really, as we lawyers say, proves itself.

"Notwithstanding the foregoing I cannot help but refer to certain additional facts of the situation which additionally show up the invalidity of the advice of TOA. Thus the fact is that in a great majority of pictures studio created music written by employees of the producers is the only music contained in the film, and yet exhibitors had to pay ASCAP for the right to perform that music, which had been created by employees on the payroll of the producers. This exhibitors had to do because ASCAP, through its monopoly, forced the very employee of the producer who produced the music while on the producer's payroll, to assign the public performing rights to this music to ASCAP. And this employee, this music writer, and the producers by reason of

ASCAP's monopoly could not say it 'nay.' And further of great importance is the fact that a great deal of the music used in pictures is in the public domain and is specially arranged by employees of motion picture producers for use in motion pictures. These arrangements were likewise assigned to ASCAP and the exhibitor found himself paying for public performing rights to music which was in the public domain.

"The decision of Judge Leibell frees the industry from the claims of ASCAP. I am firmly convinced that TOA, wittingly or unwittingly, has rendered the exhibitors a great injury when it urged 'Exhibitors should not stop paying ASCAP.' Its conjecture so widely broadcast that failure to continue to pay ASCAP might subject an exhibitor to severe monetary penalties is unrealistic and uninformed. Mr. Levy and Mr. Sullivan should have read Judge Leibell's decision more carefully. They would have read there the following:

"The blanket licenses were a violation of the anti-trust law and were issued pursuant to an illegal combination. . . . The license agreements were unenforceable because of their statutory illegality."

"The license agreements issued to the plaintiffs by ASCAP were issued pursuant to an illegal conspiracy and were made to further the aims of an illegal combination and monopoly. Said license agreements are illegal."

"How anyone, in the face of the foregoing language can recommend the continued payment under the illegal licenses is beyond comprehension!

"The effect of the decision is so apparent that virtually all informed exhibitors and exhibitor associations are discontinuing the making of any payments to ASCAP. Paramount, which owns two publishing companies who are members of ASCAP, has advised Balaban & Katz, its circuit affiliate, to stop ASCAP payments. And according to the press, the other affiliated circuits, including Warner's, RKO, and Loew's have also discontinued further payments to ASCAP. In fact, according to reliable reports, ASCAP itself has not decided what action to take regarding non-payments from theatres, it being rather clear that under Judge Leibell's decision it is not entitled to enforce the existing licenses.

"The various trade associations throughout the country have advised their members to withhold future payments. . . .

"In conclusion, there can be no doubt that the stand taken by TOA and its spokesmen with respect to the ASCAP decision is not only contrary to the law, contrary to the dictum of the said decision itself, contrary to the knowledge with which TOA is properly chargeable, contrary to all economic and industry factors, but is, above all, contrary to the best interests of the exhibitors of the country.

"The reasons for TOA taking such a position is difficult to discern, unless it be that it is illiterate with the workings of the industry, unfamiliar with the detailed Findings of Fact and Conclusions of Law handed down by the Court, and ignorant of the Sherman Anti-Trust Law. The only other alternative is that it has taken such an indefensible position because the decision demonstrates the futility of TOA's negotiations with ASCAP only a few months ago, —after it was warned by Harry Brandt, as President of ITOA, that its duty was to militantly fight for right and justice, and to stand for the principle that the great exhibition industry should not supinely and cavalierly capitulate to the unjustified demands of ASCAP. Furthermore, Mr. Brandt advised TOA that while he was not a lawyer he had been advised by counsel that the position of ASCAP was indefensible. Notwithstanding these admonitions, TOA belittled and beclouded the advice rendered by Mr. Brandt, decried the position he took, denied the correctness of the legal advice he had received and asserted that the exhibitors must in order to end greater exactions make their peace with ASCAP and pay to it its increased demands.

"How far a misguided organization can go when it has been committed to an ill-advised judgment or policy, is further demonstrated by the report or intimation that TOA, reputedly an exhibitor organization, may intervene in the litigation to support the ASCAP position.

"In conclusion, it is my considered judgment that nothing TOA has said concerning the decision is worthy of credence. Whatever it has advocated has been without knowledge of the facts or law applicable to the situation.

"MY ADVICE TO EVERY EXHIBITOR IS 'DON'T PAY ASCAP FOR MUSIC PERFORMING RIGHTS. IF YOU MUST PART WITH YOUR GOOD MONEY, GIVE IT TO A POOR RELATIVE OR GIVE IT TO A WORTHY CHARITY.'"

interests, in the light of so plain a fact and statement as Judge Leibell's decision should advise the continued payment by our industry of sums to ASCAP. This in the face of the fact that the Court has held that such exactions are not collectible, and such sums are being exacted pursuant to contracts which are illegal and unenforceable, since they are the result of an unlawful monopoly and conspiracy. It is rather the purpose of this monograph to clear away such doubt, if any, as TOA, through its counsel and executive director, has created and to present the true picture plainly and unequivocally, with no self interest of the writer, who is motivated solely by a deep devotion to protect exhibitor interests.

"At the outset, the writer wishes to state that in his opinion there is nothing new or startling with regard to the decision in the ASCAP case. It is a reasonable and fair pronouncement of the law which had to be applied to the facts of the case. In the opinion of the writer, no Appellate Court will ever amend this decision to the detriment of the interests of the exhibitor. On the contrary, it is the opinion of the writer who has handled this matter personally from its inception six years ago to and through its trial that the decision will be made more effective and more sweeping by recourse of the plaintiffs to the Appellate Courts. Irrespective of whether or not the defendant, ASCAP, or its co-defendants appeal, the writer wishes the industry to know that the plaintiffs intend to appeal to obtain not alone damages, but even far more sweeping relief. It is the writer's opinion that such additional relief will be obtained in the Appellate Courts. Attention is called to the fact that the above is a sober reasoned opinion arrived at by the writer who personally handled the case from its inception, who tried the case before the Court, who wrote the briefs in the case, who drafted the Findings of Fact and Conclusions of Law and who has already drafted a proposed decree in accordance with Judge Leibell's decision. It is not an opinion from one who has only a superficial smattering or knowledge of the factual situation, of the decision, of the applicable law and who apparently has failed to read the Findings of Fact and Conclusions of Law made by the Court—notwithstanding his haste and willingness to issue statements to the public press with relation to the matter.

"The decision is simple and clear and can be relied upon by all exhibitors. It puts an end to the illegal music tax heretofore extracted from the pocketbooks of exhibitors, a great part of which flowed into the coffers of the producers through their ownership of music publishing members of ASCAP. No longer will exhibitors be forced to pay ASCAP's privately, personally and monopolistically fixed impositions for the privilege of showing a film they have already licensed from producers who have been paid therefor. Instead, the producers will acquire both synchronization rights and performing rights simultaneously from ASCAP members in exactly the same way they acquire both such rights from all other copyright proprietors. What a farce it would be if producers when buying a story, bought merely the right to record the said story or its picturization upon the film, and left the author with the right to exact of the exhibitor a further tax for the right of performing the said film for profit. Yet this is exactly the position that the exhibitor found himself in with regard to copyrighted music and ASCAP's exactions. This awkward, unrealistic practice is now abolished. By the decision the exhibition industry will now get all rights from the producer in one package without the necessity of resorting to ASCAP or any one else for additional rights. How anyone in good faith can criticize this simple procedure of obtaining films for exhibition is incredible to the writer.

"The Court's Findings of Fact, which apparently have not been studied perhaps not even examined by the readily quoted representatives of TOA, lucidly demonstrate not only the legal correctness of the decision, but the science and wisdom of clearance of all music rights at the source. . . .

"Recalcitrant TOA refuses to recognize the clearance of performing rights to the integrated music at the source by the producer as the only practical way to handle the problem. Heretofore (before this decision) ASCAP music was the only component part of a picture that could not be cleared at the source by the producer. Of course the producer cleared every other copyrighted material contained in the picture. He even cleared integrated music . . . when the music was not controlled by ASCAP. Only by reason of ASCAP's illegal monopoly—now destroyed by the decision—the producer found himself unable to clear ASCAP music. This decision marks the end of this absurdity. Now producers will be able to clear the performing

rights to ASCAP music exactly as in the case of music not controlled by ASCAP.

"Indeed, even fully refuting TOA's propaganda, the trade press has already reported that the motion picture producers are already acquiring both performing and recording rights simultaneously. Thus the trade press on August 12, 1948 reported that Columbia Pictures (which by the way is represented by the same counsel as ASCAP) is acquiring both rights simultaneously, that is, synchronization rights and performing rights, to all music. One news report stated:

"Setting a pattern which is expected to be adopted by other companies, Columbia will acquire performing as well as synchronization rights to music used in its productions—the company has already acquired both the exhibition and recording rights to the score for its sequel to the Jolson Story and will follow the same policy for all other pictures."

"Yet further, anyone acquainted with our industry or having a knowledge of its operations cannot fail to know that all producers will follow this course once adopted. Furthermore, no producer will invest many millions of dollars in production of motion pictures and, in the light of this decision, fail to obtain the performing rights to integrated music and thus cloak ASCAP or the copyright proprietors with the right to prevent a performance thereof. That this is true can be seen not alone from the release before quoted regarding Columbia Pictures, but in recent announcements of RKO and Eagle Lion that they are studying the problem of securing performing rights as well as recording rights.

"The writer is perfectly willing to act as a prophet and foretell that RKO within a very short time will obtain the performing rights to all music integrated in all of its productions if it has not already done so and it does not take the clairvoyance of a seventh son of a seventh son to foretell that all other producing companies will follow suit and do the same. The sum, substance and truth of the matter is that the exactions of ASCAP on an informed and enlightened industry is a thing of the past and no amount of propaganda or uninformed opinion or ill considered judgment can change or even affect the end of the illegal exactions of ASCAP.

"TOA realizing the lack of factual or legal basis for its tottering argument that this decision may be of questionable worth to the exhibitors, and no doubt realizing that a careful examination of the decision and applicable law would completely and adequately demonstrate the error of its statement, seeks to bolster its misconceived propaganda by gazing into a crystal ball and coming up with the conjecture that with the dissolution of the ASCAP monopoly, performing rights to music will cost the exhibitor more. In coming to such a crystal ball guess, TOA not only totally disregards the facts as proven and found by the Court on the trial, but flies in the face of all economic facts, reason and judgment. In the words of our Artemus Ward, 'It just ain't so.' The proof at the trial of the ASCAP case developed three cardinal facts, each one of which demonstrates the falsity of TOA's conjecture and makes meaningless its crystal ball gazing.

"The first fact is, that when a producer buys music other than ASCAP music he acquires the synchronization rights together with the public performing rights for one flat fee.

"The second fact is, that when a producer in such case has obtained public performing rights in addition to the synchronization rights, he passes them on to the exhibitor without separate charge therefor.

"And the third fact, which is known to every exhibitor is, that the distributor obtains from the exhibitor in every case all that the traffic will bear and as much as he can, irrespective of whether or not he gives the exhibitor the performing rights to music or not. Parenthetically it might also be said that not one in a hundred exhibitors honestly knows why or for what reason he had been paying this exaction to ASCAP.

"From the foregoing it is plain and clear that the decision is a benefit to the exhibitor without possible harm or loss, TOA and other vociferous champions of ASCAP, to the contrary notwithstanding. However, even if the plain facts were not present to refute TOA's claims, it is indeed difficult to understand how these defenders of ASCAP's exactions can close their eyes to the economic factors of the exhibition industry which they are supposed to serve. For by this decision, a great new and favorable position is opened up for producers, distributors and exhibitors; that is, now for the first time since the advent of sound, competition in the sale

(Continued on inside page)

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MAN BITES DOG

It is not news when one reads in the newspapers that a dog bit a man—that occurs very often; but to read that a man bit a dog, that is, indeed, news.

We have been accustomed to reading in the trade papers that exhibitors have and are suing the producer-distributors for violations of the Sherman and Clayton Anti-Trust Acts, but this is the first time in the history of the business, to the knowledge of this paper, that producers of motion pictures have sued exhibitors for violations of these acts, asking more than eight and-half million dollars in treble damages. The suit has been brought, as you undoubtedly know by this time, by the Society of Independent Motion Picture Producers and several of its top members against two large Detroit, Michigan, exhibitor groups: United Detroit Theatres, a 16-theatre chain controlled by Paramount, and Cooperative Theatres of Michigan, a booking and buying organization for approximately 125 independent theatres.

The complaint accuses both exhibitor groups of damaging both the public and the independent producers through a successful conspiracy to control both the first-run theatres in downtown Detroit, and the subsequent-run theatres in the neighborhood areas and suburbs. The plaintiffs allege that the two exhibitor groups suppress competition between themselves, and that Cooperative, by refusing membership to many theatres, denies competitive theatres equal access to films.

Whether SIMPP will be able to prove conspiracy to the satisfaction of the courts is a matter that cannot be determined until the jury renders its verdict and the courts have spoken the final word. But if the courts should find the defendants guilty as charged, such a decision might cause another upheaval in the motion picture business, for the owner of a single theatre will then be in a position to buy films on the same terms as a chain, whether independent or affiliated. Even the owner of two theatres will be unable to use his buying power to prevent his single-theatre owning competitor from buying and booking films on the same, or slightly better, terms.

The industry will, no doubt, watch the outcome of this suit with great interest, but it will be a few years before the trial is held and the verdict rendered. In the meantime, HARRISON'S REPORTS wishes to suggest to its subscribers to watch their step in their film buying and the restrictions they demand of the distributors against their competitors. Nothing may happen, but there is no harm in thinking that something may happen.

WILL HIS FACE BE RED!

In the July 10 issue of this publication, you were informed, by an editorial under the heading, "BLOWING HOT AND COLD," that, on June 21, Edward T. Cheyfitz, speaking at a luncheon

meeting of the Film Council of the American Federation of Labor in Hollywood, denied on behalf of Eric Johnston, whom he represented at the luncheon, that the American producers contemplated embarking on an extensive film production program abroad. Mr. Cheyfitz said that Mr. Johnston had made it clear that "reports of production in other countries are vicious nonsense."

According to an Associated Press dispatch from Paris, dated August 28, Darryl F. Zanuck has announced that his company, 20th Century-Fox, will spend \$24,000,000 next year for the production of twelve grade "A" American pictures in England, Sweden, Italy, Germany and possibly France. The dispatch states that Mr. Zanuck termed the foreign production program a sort of "Marshall Film Plan," to be launched immediately.

The purpose of the plan, Mr. Zanuck said, is primarily to use twelve million dollars worth of frozen currency, which is not the full amount of the currency frozen in foreign countries. He indicated that the European production program would involve a curtailment of the number of films scheduled for production in Hollywood.

HARRISON'S REPORTS wonders how Mr. Johnston will feel when he reads this dispatch. Or, better yet, how the AFL Hollywood Film Council will feel when it reads it!

SOUND ADVICE

A recent bulletin of the Allied Caravan of Iowa and Nebraska carries also the following item under the heading, "Prison":

"While we are talking about hoose-gows—an exhibitor who cheats a film company IS A DAMN FOOL: — not only is he involved with the film company but also the Federal Government. The days of taking your own adjustments are over. Investigators are working in Illinois now. Buy your pictures at terms you can live with . . . When they load up the patrol wagon and set off for Ft. Leavenworth we don't want any exhibitors to be passengers."

The advice Mr. Charles Niles, chairman of the Iowa-Nebraska Caravan, has given to his members could apply to many other exhibitors, who still go under the theory that a smile and a wink from the salesman means that he can cut a chunk out of the percentage receipts on the strength of the fact that he signed the contract at the figure set by the salesman and not by himself.

Many an exhibitor came to grief by signing such a contract. He was either unaware of the fact that the distributor has the right to examine his books, or was led to believe that he possessed no such right, with the result that the court compelled him to produce his books and, after a trial, made him pay dearly.

Mr. Niles advises exhibitors to buy their films at a price that will permit them to retain a profit without resorting to unethical practices. It is sound advice.

"The Luck of the Irish" with Tyrone Power and Anne Baxter

(20th Century-Fox, Sept.; time, 99 min.)

Very good in box-office possibilities because of the attractive title and the drawing power of the stars. As entertainment, its mixture of phantasy and romance should prove satisfying to those who can accept a story that has no semblance to reality, for its tale about how a good-natured Irish leprechaun guides an American newspaperman out of a romantic dilemma and helps him to regain his editorial integrity has many delightful bits of humor and considerable charm. As the newspaperman, Tyrone Power is capable in a straight dramatic role, while Anne Baxter as the Irish colleen with whom he falls in love, is completely winning. But the surprise of the picture is Cecil Kellaway, as the leprechaun; the characterization is "out of this world" and, as enacted by Kellaway, is full of sly mirth, giving the proceedings quite a lift. The action takes place both in Ireland and the United States, with the Ireland sequences tinted green:—

Motoring through Ireland on his way to America, Power has a breakdown on a country road. He encounters Cecil Kellaway, a queer little man, who directs him to a village inn operated by Anne Baxter. While waiting at the inn for transportation to America, Power tells of his meeting with Kellaway and is informed that it was a figment of his imagination, and that the queer little man was a legendary leprechaun who had many pots of gold. Late that night, Power, seeing Kellaway near the inn, chases him into the forest, overpowers him, and compels him to reveal the hiding place of the gold. He does not take the gold, however, winning Kellaway's undying gratitude. On the following morning, when Power relates his experience to Anne, she tells him that he had been dreaming. Returning to New York, Power is offered a job to write senatorial campaign speeches for Lee Cobb, an influential publisher. Power considers Cobb a charlatan, but he accepts the job because of the huge salary, and because he thought he was in love with Cobb's daughter, Jayne Meadows. Installed in a swanky apartment, Power is amazed when a valet engaged for him by Cobb turns out to be Kellaway, the leprechaun. Kellaway needles Power for writing speeches that were contrary to his convictions, and somehow leads him to Anne when she comes to New York to collect an inheritance. Their meeting ripens into a deep love, but she leaves him when she learns of his engagement to Jayne. Unhappy over her departure, and conscience-stricken over his association with Cobb, Power, under the sly guidance of the leprechaun, eventually denounces Cobb publicly and returns to Ireland to marry Anne.

Fred Kohlmar produced it and Henry Koster directed it from a screen play by Philip Dunne, based on a novel by Guy and Constance Jones. Suitable for the entire family.

"Walk a Crooked Mile" with Louis Hayward and Dennis O'Keefe

(Columbia, September; time, 91 min.)

A little less talk and more action would have benefitted this melodrama considerably, nevertheless it shapes up as a pretty good thriller, revolving around the efforts of the FBI to block the attempts of a Communist spy ring to obtain secret atomic energy information. Although it is not as hard-hitting as "T-Men," which was also made by Edward Small's producing organization, it draws comparison with that film both in type of story and the treatment, which is in the semi-documentary style. The methods employed by the FBI to detect, track down, and apprehend the spies is presented in a realistic way, making the action highly effective. An international cooperation angle has been worked into the plot by having a Scotland Yard agent work together with an FBI agent to crack the case. The melodramatics are a bit fanciful at times, but they are of the sort that create excitement and suspense:—

The mysterious assassination of a young FBI agent assigned to guard atomic bomb research at Lakeview, California, prompts FBI agent Dennis O'Keefe to begin an intensive manhunt for the murderer. He follows one important suspect (Philip Van Zandt) to a San Francisco rooming house, and when Van Zandt is murdered despite close sur-

veillance by FBI operatives O'Keefe becomes convinced that he was dealing with a Communist spy ring, which sought to obtain atomic bomb secrets. O'Keefe's superior introduces him to Louis Hayward, a Scotland Yard agent, who was in the United States on a special mission to track down an artist who had been exporting to London paintings which, under ultra violet lights, revealed atomic bomb secrets. Working together for their respective agencies, O'Keefe and Hayward trail the different spies and eventually establish that the information they obtained leaked out from a small group of top nuclear scientists who worked at the Lakeview Nuclear Research Laboratory. These included Art Baker, Carl Esmond, Charles Evans, Lowell Gilmore, and Louise Allbritton. A careful minute-to-minute checkup of their activities is undertaken by the two agents who, at great risk to themselves, eventually round up the spies and prove that they were directed by Evans, an American-born scientist, who had turned traitor against his country.

Grant Whytock produced it and Gordon Douglas directed it from a screen play by George Bruce, adapted from a story by Bertram Millhauser. The cast includes Onslow Stevens, Raymond Burr, Jimmy Lloyd, Tamara Shayne and others. Unobjectionable morally.

"An Innocent Affair" with Fred MacMurray and Madeleine Carroll

(United Artists, Sept. 17; time, 90 min.)

Good direction, writing, and acting have made this domestic comedy-farce highly entertaining, in spite of the fact that the story is cut from a familiar pattern. Designed for the enjoyment of sophisticated audiences, the comedy is very good throughout most of the action, and there are situations that provoke hearty laughter. Most of the complications stem from the fact that the heroine, wrongly suspecting her husband of philandering with another woman, engages a man to flirt with her to make him jealous, but through a mixup a man other than the one she engaged becomes involved. The proceedings are enlivened considerably by the witty dialogue. Madeleine Carroll, who returns to the screen after a lengthy absence, has lost none of her charm or beauty, and plays the role of the wife with zest. Fred MacMurray, as the misunderstood husband, is very capable, as is Charles "Buddy" Rogers, as the other man. The production values are extremely lavish:—

MacMurray, an advertising executive, spends considerable time with Louise Allbritton, a former sweetheart, in an effort to land her cosmetic advertising account, but he refers to her as a "businessman" in order to keep his wife, Madeleine, from becoming suspicious. Madeleine, convinced that he had found another woman, conspires with MacMurray's sister, Rita Johnson, to hire a handsome actor from an agency to flirt with her at a night club in order to make MacMurray jealous. Unknown to Madeleine, the agency head informs MacMurray of her plan. As Madeleine and MacMurray dine at the club, Buddy Rogers, a tobacco tycoon, is seated at the table reserved for the actor. Madeleine, carrying out her part of the bargain, starts to flirt with him, and MacMurray, playing along with the gag, encourages them, much to the bewilderment of Rogers, who is asked to join their table. Rogers introduces himself as the famous tobacco millionaire, secretly amusing both Madeleine and MacMurray who believe that the other is being taken in by an imposter. MacMurray even eggs Rogers into making a date with Madeleine for the following evening. Complications arise on the following day when both Madeleine and MacMurray discover that Rogers was not a fraud. Madeleine decides to go through with the date to teach MacMurray a lesson. In the course of events she catches MacMurray with Louise, and his bungled efforts to explain his relationship with her only leads to more confusion. After a series of merry mixups that involve all the principles in numerous complications, it all ends with a reconciliation between Madeleine and MacMurray, and with Rita snaring Rogers, while Louise is left to shift for herself.

James Nasser produced it and Lloyd Bacon directed it from an original screen play by Lou Breslow and Joseph Hoffman. The cast includes Alan Mowbray, Pierre Watkin and others. Adult fare.

"Bodyguard" with Lawrence Tierney and Priscilla Lane

(RKO, no release date set; time, 62 min.)

A pretty good program murder melodrama. Though the story presents nothing novel, it has plentiful action for the fans and holds one in suspense because of the constant danger to the hero. The story line is the familiar one about a man who is framed for murder and who is compelled to elude the police while attempting to establish his innocence. It has a touch of mystery in that the villain's identity is not made known until the end, but few patrons will have trouble identifying him long before the picture is half over. As in most pictures of this type, the story lacks human appeal:—

After a quarrel with Lieut. Frank Fenton, his overhearing superior, detective Lawrence Tierney resigns from the Los Angeles police force. Philip Reed persuades Tierney to accept a job as bodyguard to his aunt, Elisabeth Risdon, owner of a huge meat-packing plant, who had been receiving threatening letters. Shortly thereafter, Tierney is waylaid by an unseen assailant. He awakens to find himself in a car stalled on a railroad crossing, with the dead body of Lieut. Fenton alongside of him. He leaps to safety before a train bears down on him. Realizing that someone was trying to frame him for Fenton's murder, Tierney avoids his usual haunts and, with the aid of his fiancée, Priscilla Lane, a clerk at police headquarters, discovers that Fenton had investigated the supposed accidental death of a man at the meat-packing plant. Following up different clues, he establishes that the man's death had not been accidental, and that Miss Risdon's nephew, Reed, was not only involved in crooked meat deals but had committed the two murders to cover up his activities. Tierney arranges for the police to close in on Reed, but through a mixup Reed goes to the plant where he discovers Priscilla spying on him. He starts to shoot at her in darkened corridors, but Tierney arrives in time to rescue Priscilla and to subdue Reed in a savage battle, after which he turns him over to the authorities.

Sid Rogell produced it and Richard O. Fleischer directed it from a screen play by Fred Niblo, Jr. and Harry Essex, based on a story by George W. George and Robert B. Altman. The cast includes Steve Brodie, June Clayworth and others. Unobjectionable morally.

"Out of the Storm" with James Lydon and Lois Collier

(Republic, August 25; time, 61 min.)

Although the story construction is rather far-fetched this crime-does-not-pay melodrama measures up as an unpretentious but fair enough supporting feature. The action is for the most part slow-paced, but even so it manages to generate enough excitement to hold one's interest to a fair degree. The suspense is brought about by the fact that the hero, by stealing \$100,000 overlooked by gangsters in a payroll robbery, is pursued by both the gangsters and the police. James Lydon, as the low-salaried payroll clerk who absconds with the money and then sees the error of his ways, gives a fairly good performance although he does not succeed in making the characterization entirely believable. Richard Travis, as an insurance detective, is very good, as is Marc Lawrence, as a tough gangster:—

In love with Lois Collier, a fellow worker at a shipbuilding yard, James Lydon is unwilling to marry her because of his modest salary. Fate offers him a fool-proof chance at \$100,000 when gangsters, led by Marc Lawrence, hold up Lydon's department and escape with a small fortune, overlooking \$100,000. Lydon hides and manages to smuggle it out of the yard in a music box. He confesses the crime to Lois who, after failing to induce him to return the money, promises to stick by him. Meanwhile the police pick up Iris Adrian, Lawrence's moll, who does not give them any information about Lawrence's whereabouts but protests that the robbery netted Lawrence \$25,000 and not \$125,000. Intrigued by her statement, insurance detective Richard Travis investigates and finds reason to suspect Lydon. Aware that he was under suspicion, Lydon provokes his superior into discharging him so that he would have reason to leave town with Lois. Lydon and Lois go to the home of his mother, to whom he had mailed the music box as a

gift. Learning that she had sent the box to a jeweler for repairs, Lydon breaks into the shop to retrieve it. He is caught by the police but is released when he offers to pay for the broken window. Lawrence makes an appearance in town and kidnaps both Lydon and Lois, forcing Lydon to disclose that the money was concealed in the music box when he threatens to harm Lois. In a fit of anger, Lydon overpowers Lawrence and knocks him unconscious. He urges Lois to run away with him, but she refuses. After Lois convinces him that the stolen money will only bring them unhappiness, Lydon voluntarily returns the money to the District Attorney, who promises him leniency because of his aid in capturing Lawrence.

Sidney Picker produced it and R. G. Springsteen directed it from a screen play by John K. Butler, based on a story by Gordon Rigby. Unobjectionable morally.

"The Saxon Charm" with Robert Montgomery, Susan Hayward and John Payne

(Universal-International, Sept.; time, 88 min.)

Very good! An exceptionally fine performance by Robert Montgomery in an intelligently handled story makes "The Saxon Charm" one of the picture treats of the year. It is a fascinating study of a brilliant but self-centered theatrical producer, one who openly shows his contempt for people yet dominates them by sheer force of his dynamic magnetism and charm. Montgomery has never appeared to better advantage; although his part is unsympathetic, he plays it with such sincerity and with so much realism that one is fascinated by his every movement, despite the unhappiness he causes others. Though the picture may be classified as a drama, it offers many laughs, which are brought about by Montgomery's arrogant attitude towards others, causing them to flare up. The closing scenes, where he goes bankrupt and where those he had hurt tell him off and discard him to stew in his own juice, are powerful. John Payne, Susan Hayward, and Audrey Totter are excellent in major supporting roles:—

Payne, a successful novelist, is overjoyed when Montgomery agrees to produce his first play. Montgomery's erratic behaviour both amuses and confuses Payne, but does not please Susan, Payne's wife. Audrey Totter, Montgomery's girl-friend, warns Susan that Montgomery will try to completely dominate Payne, and that it would be best for him to break with Montgomery. Susan begs Payne to heed Audrey's advice, but he chooses to string along with Montgomery. Payne soon finds that Montgomery's demands on his time, and his insistence upon numerous revisions in the play were beginning to affect his happy marriage. He takes Susan to their island retreat for a holiday, but Montgomery follows him and compels him to return to New York immediately to help cast the play. Meanwhile Montgomery, who had suffered a financial setback with a flop play, goes to Mexico to romance with Heather Angel, his wealthy ex-wife, in the hope that she would finance Payne's play. He even coerces Payne into joining him in Mexico without giving him a chance to communicate with Susan. Montgomery drops Heather when he learns that she is broke, and heads for Hollywood to work out another scheme. Payne, upon his return to New York, becomes estranged from Susan when they quarrel over his absence. Failing in his mission to Hollywood, and by this time bankrupt, Montgomery resorts to trickery and bluff to maintain his position and dominate his friends. He even spreads vicious rumors about Audrey to prevent her from obtaining a Hollywood contract. In Mexico, Heather commits suicide. Audrey, learning of his perfidy, denounces Montgomery and breaks their engagement. Payne, recognizing Montgomery's genius, decides to stick by him, but, when Montgomery exults over his separation from Susan and makes disparaging remarks about her, Payne gives him a thrashing and leaves him flat. Aware that he was in the wrong, Payne begs Susan's forgiveness and their reconciliation is immediate.

Joseph Siström produced it and Claude Binyon directed it from his own screen play, based on the novel by Frederic Wakeman. The cast includes Henry Morgan, Harry Von Zell, Chill Wills and others. Adult fare.

"In This Corner" with Scott Brady and Anabel Shaw

(Eagle-Lion, September; time, 63 min.)

A passable prizefight melodrama, suitable as a supporting feature for undiscriminating audiences. Its story about the rise of a young prizefighter and about the unsuccessful efforts of a crooked fight manager to steer him wrong, offers little that is novel, but it moves along at a pretty snappy pace and offers enough excitement and well-staged bouts to please the action-minded fans. As the fighter, Scott Brady looks the part and arouses one's sympathy because of the beatings he suffers as a result of his unwillingness to hit his opponent with his right hand, which he had been tricked into believing was lethal enough to kill a man. The direction is competent, and the acting, despite some rather awkward dialogue, fair. The photography is sharp and clear:—

When Scott Brady's right arm is injured in a naval battle, the Navy doctors, to cure him, prescribe boxing training. Within a short time, Brady wins the Navy middle-weight championship and, following his discharge from the Navy, decides to enter professional boxing. He places himself in the hands of Charles D. Brown, a veteran trainer, and his ability catches the eye of Jimmy Millican, a crooked fight manager, who signs him to a contract. After a series of successful fights, Brady becomes a fistic sensation and Millican decides to take advantage of his success. He tries to induce Brady to throw his next fight, but Brady, incensed, walks out on him. Having already bet a sizeable sum against Brady, Millican works out a scheme to insure the bet: He arranges with Johnny Indrisano, a punch-drunk fighter, to work as Brady's sparring partner. Indrisano is knocked out during a workout, and later, on the night of the fight, Brady is told that Indrisano had died from the effects of the punch. Dispirited, and afraid to use his right hand, which he believes killed Indrisano, Brady loses the bout. He signs for a return match but does not bother to train, his only purpose for fighting being to give his end of the purse to Indrisano's family. In an effort to locate the family, Anabel Shaw, Brady's girl-friend, learns that there is no record of his funeral. She investigates and, on the night of the fight, locates Indrisano at a hideout where Millican had hidden him. She rushes him to the arena where Brady, still not using his right hand, absorbs a merciless beating. Seeing Indrisano and realizing that he had been tricked, Brady becomes the aggressor and wins the fight. As the referee raises Brady's hand in victory, the police, summoned by Anabel, close in on Millican.

David I. Stephenson produced it and Charles F. Reisner directed it from a screen play by Burk Symon and Fred Niblo, Jr. The cast includes Mary Meade, Robert Bice and others.

Unobjectionable morally.

"Night Wind"

(20th Century-Fox, October; time, 68 min.)

Ordinary. It is one of those minor, low-budget program melodramas, the kind that rates no better spot than the lower half of a mid-week double bill. Revolving around the exploits of a former war dog seeking to avenge the murder of his master, the story is a hackneyed and implausible tale involving villainous spies, a youngster's faith in the dog, and practically every other cliché that has been employed in countless other pictures of this type. Juveniles may find the proceedings fairly exciting, but it is doubtful if their elders, except perhaps the most undiscriminating, will find it satisfying. Another drawback is the fact that no one in the cast means anything at the box-office:—

Flame, an ex-paratroop dog with an enviable war record, lives quietly in the country with Gary Gray, his young master; Virginia Christine, Gary's mother; and Charles Russell, Gary's step-father, a scientist engaged in rocket research at a plant nearby. Gary's father, Capt. Charles Lang, had been killed in the war while on a mission with Flame, and Gary was so filled with pride over his heroic exploits that he could not become reconciled to his step-father. Konstantin Shayne, an exiled German scientist working with Russell, lives with the family. Returning from work one

evening, Russell and Shayne offer a lift to two duck hunters, John Ridgely and Guy Kingsford, who were in reality former Nazi agents spying upon the activities at the rocket plant. Ridgely inadvertently leaves his trench coat in Russell's car, and Flame, getting the scent from the coat, recognizes it as belonging to the man who had killed his master, Capt. Lang. The dog follows Shayne to Ridgely's hunting lodge when he returns the coat. In the course of events, Flame attacks and kills Kingsford, who had taken Ridgely's coat. The killing is attributed to a wild wolf dog, and a hunt is organized to search for him. Flame joins the hunt and becomes unmanageable when he sees Ridgely. Later, Flame attacks and kills another one of Ridgely's henchmen, who was wearing the coat, this time leaving a clue that leads to his discovery as the killer. The court orders the sheriff to shoot Flame. Meanwhile Shayne, suspicious over Flame's dislike of Ridgely, investigates and discovers that Ridgely was the man responsible for Lang's murder. An FBI agent is called to the scene, and Ridgely, aware that he had been found out, attempts to escape. But Flame, breaking away from the sheriff, halts Ridgely's flight and enables Russell to subdue him in a furious fight, in which he shows unrestrained courage. Flame is honored for his alertness in tracking down the spies, and Gary wholeheartedly accepts his step-father as his new hero.

Sol M. Wurtzel produced it and James Tinling directed it from a story by Robert G. North, who collaborated on the screen play with Arnold Belgard.

Suitable for the family.

"I Surrender Dear" with Gloria Jean and David Street

(Columbia, no release date set; time, 67 min.)

A fairly pleasing program picture. What may put it over as a second feature is Gloria Jean's pleasant voice, as well as David Street's good singing and his charming personality. As to the story, it is one of those inane Hollywood conceptions, dealing with a supposed famous band and its leader, with radio singing and disc jockeys, and with the usual romantic complications between the hero and the heroine. Despite the story's inanity, it has a laugh here and there and is on the whole sort of pleasant because of the melodious music. The picture's title is taken from the song of the same name:—

Gloria Jean aspires to become a radio singer, much against the wishes of her father, Robert Emmet Keane, a disc jockey on a Hollywood station. Learning that David Street, a famous band leader, was to audition several girl singers at the radio station, Gloria sneaks in through the back door and obtains an audition ahead of the other girls by charming Don McGuire, Street's publicity agent. Street likes her voice and engages her. Gloria agrees to go to Rio with the band, and conspires with her mother to make her father believe that she had gone to New York. In Rio, Gloria scores a success. She falls in love with Street, and they plan to marry. Returning to the United States after the engagement, Street accepts an attractive offer from the Hollywood radio station to replace Keane as the disc jockey, unaware that he was Gloria's father. Gloria, learning that her father was to lose his position, leaves Street without explaining and heads for Hollywood to help her father. She manages to save his job, and when Street reaches Los Angeles and finds her helping Keane on his program the complications begin. The station's owner tries to buy out Street's contract. Incensed because of Gloria's supposed perfidy, Street refuses to settle his contract, but when he learns that Keane is her father, and that his contract would force Keane out of his job, Street has a change of heart. It all ends well when McGuire, under an agreement with the radio station's owner, arranges for Street, Gloria, and her father, to go on the air as a team, backed up by Street's orchestra. Gloria and Street become reconciled.

Sam Katzman produced it and Arthur Dreifuss directed it from an original screen play by M. Coates Webster. The cast includes Jack Eigen, Dave Garroway, Peter Potter and others.

Unobjectionable morally.

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MITCHUM CASE EMPHASIZES THE NEED FOR BETTER INDUSTRY PUBLIC RELATIONS

The early morning raid last week in Hollywood, during which narcotic agents arrested Robert Mitchum and several others on the charge of smoking marijuana cigarettes, must have come as a welcome change of news to many newspapers if one is to judge by the lurid headlines as well as the highly colored stories intimating that the use of narcotics in the film capital is widespread.

Some of the newspaper accounts were so lurid and unfair that Dore Schary, as chairman of the Motion Picture Industry Council, which represents the Screen Actors' Guild, Screen Directors' Guild, Hollywood AFL Film Council, major studios and independent producers, issued the following statement:

"The published implications that any widespread or considerable use of narcotics exists in the motion picture industry are shocking, capricious and untrue.

"The accusations against one or two or even three individuals do not indict the entire working personnel of 32,000 well-disciplined and clean-living American citizens who labor in Hollywood in various capacities.

"The industry leaders and this council will continue to offer full cooperation to see that the complete facts are brought to light promptly without hysteria and exaggeration.

"This Council, representing management and labor in every field of endeavor in the motion picture industry, urges the public not to be misled by sensation-seeking commentators and columnists, but rather to consider the record of motion pictures in its entire history of contribution, entertainment and achievement."

A narcotic raid probably takes place at least once a day in different parts of the country and, as news, the newspapers either ignore it or give it insignificant coverage. But when such a raid takes place in Hollywood, particularly if it involves a famous personality, the newspapers turn on the spotlight in full strength. The same holds true for night club brawls, divorce proceedings, and the like, which are treated in similar fashion whenever Hollywood personalities are involved.

Except for the fact that some newspapers play up the occurrences with sensational stories that exceed the bounds of good taste and fair play, they are not to be blamed for giving prominence to news that involves Hollywood personalities. After all, those who live in the spotlight are news.

As Mr. Schary points out, the great majority of Hollywood workers are decent, respectable, clean-

living people. But the fact remains that the deplorable actions of a few serve to give a black eye to the industry as a whole, for many people, after reading lurid accounts of the occurrences, remain with a completely distorted picture of life in Hollywood.

And the unfortunate thing is that the industry can do nothing to control the wrongdoers, whose actions will always be a problem because the gossip mongers, the "sensation-seeking columnists and commentators," are ever-present to "dramatize" the facts.

Mr. Schary urges the public not to be misled by these columnists and commentators, "but rather to consider the record of motion pictures in its entire history of contribution, entertainment and achievement." It is a fine plea but, in the opinion of this writer, it is doubtful if more than one out of every thousand persons who read the sensational Mitchum stories bothered to read what Mr. Schary had to say.

If the motion picture industry is to offset unfavorable publicity, if it wants to impress the public with the contribution it has made and is making to society, it will have to dramatize the facts through a carefully-planned institutional advertising campaign, employing advertisements in national magazines and leading newspapers, radio shows, and other important advertising media. And above all it should utilize the great facilities of the industry itself by producing a documentary-type short subject that can be shown in every theatre in the country.

There is much our industry has to be proud of and, if the facts are properly dramatized, its virtues, its great contribution to the public welfare, will win so much good will that, on the rare occasion that some industryite does get out of line, his actions will be looked upon and dismissed as the shenanigans of a black sheep in a respectable family.

THEY TALK OF A CONSENT DECREE

According to a report in the September 8 issue of *Motion Picture Daily*, U. S. Attorney General Tom Clark has admitted that he had been approached by a representative of the distributor defendants in the New York anti-trust case regarding the Government's willingness to discuss a consent decree, and that he had agreed to such a discussion.

The report quotes Clark as saying: "I think that it's just talk. We construe the U. S. Supreme Court decision directly opposite from the attorneys for the motion picture companies. They would have to reverse their entire thinking to make a proposal which we would consider. I don't believe they are going to submit a proposal."

(Continued on last page)

"Station West" with Dick Powell and Jane Greer

(RKO, no release date set; time, 91 min.)

Dick Powell, whose "tough-guy" screen roles have won the fancy of many fans, comes through with another such characterization in "Station West," which is a fairly good Western that shies away from the routine plots commonly used in this type of film. The plot in this picture can be likened to the plots used in detective and "G-Men" melodramas, except for the settings and costumes of the old West. This time Powell plays the part of an undercover Government agent investigating gold shipment robberies that had brought about the murder of two soldiers. The acting is good, and the action is tough and fast all the way through. In addition to the mystery angle, it contains all the ingredients that are dear to the hearts of the western picture fans, such as furious fist fights, gun play, and the like. Where the picture misses is in the story, which fails to establish clearly the motivations of several of the characters. On the whole, however, it should satisfy generally, for it has plentiful suspense and excitement:—

Powell, a Lieutenant in the Military Information Department, is dispatched from Washington to investigate the murder of two soldiers guarding a gold shipment from the mining town of Rocky Pass. Powell reaches town in civilian garb and, after publicly quarreling with a soldier, secretly meets Capt. Tom Powers, commander of a nearby army post, from whom he learns that a mysterious gang of bandits had so terrorized the local miners that they no longer dared to ship their gold and stored it at the post instead. Learning that the town's bad element was controlled by Jane Greer, proprietor of a saloon and gambling palace, Powell picks a fight with one of her toughest henchmen and whips him in a savage battle. His victory awakens Jane's interest, and she gives him a job on her stage line, despite the objections of Gordon Oliver, her partner. Once on the inside of her organization, Powell plays his cards carefully and entices the bandits to rob a shipment of gold he was transporting so that he might get a line on them. He soon establishes that Jane and her organization were behind the robberies and killings. Jane, still unaware of his true identity and believing that he was trying to force himself on her as a partner, resorts to numerous tricks to dispose of him, in spite of the fact that she had fallen in love with him. Discovering that the outlaws planned to raid the army post, Powell prepares for a showdown. He is ambushed by Oliver but manages to kill him. Oliver's bullet, however, wounds Jane fatally, and she dies in Powell's arms. His mission completed, Powell rides slowly out of town.

Robert Sparks produced it and Sidney Lanfield directed it from a screen play by Frank Fenton and Winston Miller. The cast includes Agnes Moorehead, Burl Ives, "Big Boy" Williams and others.

Unobjectionable morally.

"Code of Scotland Yard" with Oscar Homolka

(Republic, August 30; time, 60 min.)

A fine performance by Oscar Homolka gives this otherwise routine English-made melodrama a considerable lift. Its story of murder and blackmail is rather slow-paced, and the editing is choppy, but it manages to hold one's interest fairly well and should get by as a supporting feature. Although he is depicted as a murderer and a "fence," Homolka wins some measure of sympathy because of his devotion to his daughter, as well as of the fact that the man he kills is a contemptible blackmailer who has designs on his daughter. There is some romantic interest, but it is incidental:—

Homolka, owner of a London antique shop, is outwardly a kindly old man whose main interests in life were the acquisition of beautiful things and the furthering of his daughter's musical career. Actually, Homolka was an escaped prisoner from Devil's Island, and his income was derived chiefly from the profits of robberies carried out by Manning Whiley, a suave, cultured crook. When Whiley decides to break up their partnership, Homolka, to silence his objections to the continuance of their arrangement, reveals his past life. His remarks are overheard by Kenneth

Griffith, a sneaking shop assistant who, under threat of revealing the secret to Homolka's daughter (Muriel Pavlow), progressively blackmails Homolka for more and more money. Homolka is provoked beyond endurance when Griffith demands also his daughter in marriage; he strangles him to death. Homolka then enlists the aid of Whiley to dispose of the body, but both are seen although not recognized by a country girl, who reports the incident to the police. Major Garry Marsh of Scotland Yard takes charge of the case and, putting different clues together, finds reason to suspect Homolka. He withholds arrest, however, because of lack of evidence. Marsh eventually obtains conclusive proof and, on the night Homolka's daughter makes her debut at a concert hall, stations a detective outside Homolka's box. Noticing the detective and realizing that the game was up, Homolka commits suicide. Marsh, to spare Muriel disgrace, reports that Homolka died of a heart attack and officially closes the case.

George King produced and directed it from a screen play by Katherine Strueby. The supporting cast is all-English.

Adult fare.

"Sealed Verdict" with Ray Milland and Florence Marly

(Paramount, November 5; time, 83 min.)

This is a rather heavy dramatic offering, revolving around the war criminal trials in post-war Germany. The theme is interesting insofar as it depicts the efforts of the Allied authorities to be fair and just in the handling of the trials, as well as what it has to say and show about unregenerate Nazis, but the story is so involved and the pace so slow that one's attention frequently wanders away from the screen. Moreover, the drab proceedings are unrelieved by touches of comedy. The picture's reception will depend heavily on the popularity of Ray Milland who, incidentally, does a very good job as the prosecuting attorney. A brilliant performance is turned in by John Hoyt as the fanatical German general on trial for having ordered a sadistic massacre of defenseless people. The film introduces to American audiences Florence Marly, a Czechoslovakian star, to whom the camera has been very unkind. Not much can be said for her acting:—

In the development of the story, Milland, despite his lack of documentary evidence, wins a conviction against Hoyt, who is sentenced to hang. After the trial, because of remarks made by his associates and others, Milland begins to wonder whether he had proved Hoyt's guilt or had won the case by virtue of his eloquence. To determine whether or not the case should be reopened in the interests of justice, Milland starts a reinvestigation of the facts and finds himself swayed first one way and then the other as a result of a series of incidents involving Miss Marly, a French girl who had testified in Hoyt's behalf, and Norbert Schiller, a violent anti-Nazi, whose testimony had been largely responsible for Hoyt's conviction. Milland had found sufficient reason to distrust Schiller, and though he was inclined to believe Miss Marly he soon begins to doubt her word when he learns that she was wanted in France as a collaborationist. Milland is further confused by the seemingly sincere feelings of Hoyt's aged mother, whose integrity was vouched for by anti-Nazis, and who maintained that her son was innocent. On the eve of Hoyt's execution, Milland, through a series of events involving the shooting of one of his aides by a German girl, learns that Hoyt's mother was concealing documents that would conclusively establish Hoyt's guilt. The old woman reveals her true Nazi feelings by burning the evidence, but Milland, through a clever ruse, tricks Hoyt into confessing his guilt, and then prevents him from becoming a "martyr" by removing from his person a concealed vial of poison, which he planned to swallow before the execution. Having discovered evidence that Miss Marly was really a patriot, Milland, by this time in love with her, accompanies her to France to act as her attorney at her trial.

Robert Fellows produced it and Lewis Allen directed it from a screen play by Jonathan Latimer, based on a novel by Lionel Shapiro.

Adult fare.

**"My Dear Secretary" with Laraine Day,
Kirk Douglas, Keenan Wynn
and Helen Walker**

(United Artists, November 15; time, 94 min.)

A pretty good "wacky" type of comedy. The plot is thin and incredible, but what it lacks in story values is made up for in good comedy situations, particularly those in which Keenan Wynn appears. As a matter of fact, if it weren't for Wynn's laugh-provoking clowning, it is doubtful if the picture would be very satisfying for when he is not around the action is somewhat forced and choppy. Slapstick and broad gags are resorted to for comedy, but even though most of it is nonsensical one is made to laugh. The picture is a bit too sophisticated for children, but grownups should find it quite entertaining.

The story takes so many "wacky" twists and turns that a short synopsis cannot possibly set them down. Briefly, however, it revolves around Laraine Day, a secretary with aspirations to be a writer, who leaves her book store employer, Rudy Vallee, to accept a secretarial post with Kirk Douglas, a famous novelist, who judges the ability of his secretaries by their looks. Within a few hours after she starts work, Laraine sees enough incidents in Douglas' apartment to mark him as a thoroughly unreliable, vain fellow, always in debt and promiscuous with women. Her first week of work is taken up with gay times, and she finally resigns when she realizes that he wasn't serious about his writings. He pleads with her to give him another chance, and promptly proceeds to make love to her. She refuses to add her scalp to his long list of conquests, and runs off. He pursues her, and within a few days they elope. From then on complications ensue because of Douglas' debts and past love affairs, and his writing becomes so bad that his publisher rejects his latest novel. Meanwhile Laraine writes a novel of her own and, with Vallee's help, it becomes a best-seller. Douglas becomes jealous and more complications ensue when he accuses her of making love to Vallee. They separate, and Laraine, incensed at his accusations, does her utmost to make him more jealous. Eventually Douglas begs her forgiveness, and it all ends with him becoming her secretary. Wynn wanders in and out of the proceedings as Douglas' pal, who takes care of the household duties in his apartment.

Leo C. Popkin produced it, and Charles Martin wrote the screen play and directed it. The cast includes Florence Bates, Alan Mowbray, Irene Ryan and others.

**"Behind Locked Doors" with
Lucille Bremer and Richard Carlson**

(Eagle-Lion, no release date set; time, 61 min.)

A suspenseful but not very pleasant melodrama by reason of the fact that most of the action takes place in an insane asylum. Revolving around the adventures of a private detective who poses as a manic-depressive in order to gain admission to the asylum and thus track down a missing judge, the story is thin and contrived, but those who are not fussy about story values and who do not object to the depiction of demented characters should find it fairly exciting. It is an unpretentious production, but good direction and acting, as well as the creation of an effective eerie atmosphere, have given it an engrossing quality:—

On the trail of a great scoop for her newspaper, Lucille Bremer, a reporter, suspects that Judge Herbert Heyes, wanted by the police, is hiding in La Siesta Sanitarium. She enlists the aid of private detective Richard Carlson, promising him \$5000 if he locates the missing judge. Posing as a manic-depressive, Carlson is committed to the sanitarium, and Lucille, pretending to be his wife, is able to visit him. As the days go by, Carlson suffers from the abuse of Douglas Fowley, a brutal attendant. He manages to inspect the entire sanitarium but is kept away from the locked ward, where supposedly dangerous patients were held. Certain that the judge was hiding in the locked ward, Carlson sees to it that one of the patients starts a fire there, then helps put out the blaze. During the excitement, he finds the judge resting in one of the rooms. The judge, suspicious of the intrusion, sees to it that Carlson's effects are searched and discovers his identity. He then arranges with the head of the

sanitarium to put Carlson out of the way by putting him in a room with a punch-drunk ex-fighter, who had gone insane. When Lucille comes to visit Carlson she is told that he had met with a serious accident and could not receive visitors. Carlson, subjected to a vicious beating at the hands of the crazed fighter, loses consciousness. Meanwhile Lucille, suspecting foul play, notifies the police and forces her way into the sanitarium at the point of a gun. She manages to get Carlson out of the ex-fighter's cell, but the demented man, aroused, runs amok and strangles Fowley, who had frequently abused him. He then turns his attentions to the others, but the timely arrival of the police saves them from injury. With the judge apprehended, Lucille and Carlson decide to make their Mr. and Mrs. arrangement permanent.

Eugene Ling produced it and Oscar Boetticher directed it from a screen play by Malvin Wald and Mr. Ling, based on Mr. Wald's story.

Strictly adult fare.

**"Apartment for Peggy" with Jeanne Crain
and William Holden**

(20th Century-Fox, October; time, 99 min.)

Photographed in Technicolor, "Apartment for Peggy" is a thoroughly entertaining, heart-warming comedy-drama. It should go over well with all types of audiences, for its story about the trials and tribulations of a young expectant mother and her ex-G.I. student-husband, and about the rejuvenation of a retired professor who had lost the will to live, is a skillful blend of comedy and drama, expertly directed and acted, and presented in a warmly appealing way. The story has a timely angle in that it deals with the young couple's housing problem. How they move into the dispirited professor's home and renew his interest in life is told with innumerable heart-warming and amusing touches that make the spectator sympathetic to every one of the principal characters. Although the story treats of the young bride's pregnancy in a frank manner, at no time does the dialogue or the action exceed the bounds of good taste. Here and there the action has a lagging spot, but these are not serious enough to spoil one's overall enjoyment of the proceedings:

The action takes place on a university campus, which is filled with emergency housing projects to take care of the many student-veterans and their families. In the development of the story, Jeanne Crain, a garrulous but pleasant expectant young mother, talks Edmund Gwenn, a retired professor, into permitting her and her husband, William Holden, to take over the attic of his home as temporary living quarters. Gwenn, a widower, had planned to commit suicide because he felt that he could no longer lead a useful life, but Jeanne, in spite of the fact that she talked like a scatterbrain, wins his friendship by her cheerfulness and desire to make him comfortable, and before long he finds himself filled with renewed enthusiasm when she arranges for him to hold a lecture period on philosophy for the wives of the student-veterans. In the course of events, Jeanne's baby dies at birth, and Holden, blaming the tragedy on the fact that his allotment check was insufficient to provide her with proper care, quits the university to take a job in Chicago as a used car salesman, despite Jeanne's pleas that he continue his studies so as to realize his ambition to become an instructor. Holden's attitude creates a rift between Jeanne and himself, and Jeanne, feeling that he no longer wanted her, decides to go to the home of her sister. Depressed because of his inability to bring Holden back to the university, and because Jeanne was preparing to leave his home, Gwenn decides to go through with his suicide plan. He swallows a number of sleeping pills, unaware that his doctor, contemplating that he would one day make such a move, had seen to it that the pills were harmless. Meanwhile Holden had returned to the university. After considerable excitement during which Jeanne tries to "save" Gwenn's life, she becomes reconciled with Holden, who had been granted an instructorship at the university. Gwenn, happy in the thought that the couple would remain in his home as permanent boarders, takes a new lease on life.

William Perlberg produced it, and George Seaton directed and wrote the screen play, based on a story by Faith Baldwin. The cast includes Gene Lockhart and others. Suitable for the family.

Emphasizing that no formal talks have been held with the defense attorneys, and that no proposal of any kind has yet been submitted, Mr. Clark stated: "All they did was ask me if I would talk a consent decree. I said yes. If they want to talk, we'd be bull-headed to refuse. But I'm certainly not saying I'd agree to whatever they submit."

The firm stand taken by Attorney General Clark on a proposed consent decree should assure the independent exhibitors that the Government plans to follow through on the advantages it has gained under the ruling of the Supreme Court, which virtually ordered the lower court to revise its findings in a manner that will make possible the entry of an effective final decree that will break the defendants' monopolistic hold on the industry and insure free and open competition.

For the Attorney General to assume any other stand after bringing the case to the point where the Government's objectives are about to be attained, not only would break faith with the independent exhibitors who have backed the Government's stand to the limit but would make a travesty of the Sherman Act.

"Kidnapped" with Roddy McDowall and Sue England

(*Monogram*, Sept. 26; time, 80 min.)

Good for a double bill. Its value to an exhibitor lies in the fact that the story has been founded on Robert Louis Stevenson's classic, and in the charming romance of two youngsters, Roddy McDowall and Sue England. The action is slow by reason of the fact that it is explained by dialogue rather than by movement; for stretches at a time the actors stand facing each other, each explaining to the other his thoughts. Dan O'Herlihy looks and acts his part—that of a gentleman of old; he has a pleasing personality. The picture has been photographed mostly outdoors, and the scenery, enhanced by fine photography, is beautiful. The direction is very good:—

Roddy McDowall (as David Balfour), a young Scot, comes to Edinburgh in 1751 to claim his inheritance, the lands and title of the Laird of Shaws. Roddy's uncle, Houseley Stevenson (as Ebenezer), who had charge of the estate, plans immediately to do away with him. When Roddy becomes aware of his plan and accuses him of criminal intentions, Stevenson pays well to have him shanghaied aboard the brig of Roland Winters (as Captain Hoseason), who was to sell him as a slave in the Carolinas. Off the Scottish coast the brig, with a drunken mate on watch, runs down a small boat with two men in it. One drowns. Dan O'Herlihy (as Alan Brech), the survivor, comes aboard; he is a Jacobite who had defied the King's Disarming Act. Dan's gold-filled money-bag tempts the captain and the crew to kill him, but Roddy, overhearing the plot, warns Dan. When he is attacked, Dan, aided by Roddy, fights off the assailants. Both make their escape by swimming ashore. Dan slays the King's tax collector when he tries to capture him, and Roddy is suspected of having participated in the crime. He escapes and comes upon Sue England (as Aileen Fairlee), an innkeeper's daughter, who aids him. When Roddy is reunited with Dan, Sue's father treacherously informs the authorities of their whereabouts in an effort to win a

reward for their capture. But they manage to elude the soldiers and, accompanied by Sue, with whom Roddy has fallen in love, set out for Edinburg and Roddy's castle. Upon arriving there, Dan, through clever strategy, compels Stevenson to admit his guilt in Roddy's kidnapping, and forces him to engage Winters, his accomplice, in combat. The two kill one another. With Roddy in possession of his estate and title, he and Sue marry, while Dan sails to France for further adventure.

Lindsley Parsons produced and William Beaudine directed it from a screen play by W. Scott Darling.

Good for the entire family.

"Winner Take All" with Joe Kirkwood, Elyse Knox and William Frawley

(*Monogram*, August 28; time, 64 min.)

A good addition to the Joe Palooka series of prize-fight melodramas, with crooked gamblers as the heavies, and with young Stanley Clements around to put gray hairs in Joe Kirkwood's head. The action is fast and the interest is held tight all the way through. The ending is satisfactory even though it follows the regular fight-picture formula. The fights are staged well, particularly the one between Joe Kirkwood and Hal Fieberling, a regular boxer. Considerable comedy is contributed by Clements, who takes the part of a "fresh" kid. The photography is sharp:—

As Joe Kirkwood (as Joe Palooka), a champion prize fighter, prepares for a Milk Fund bout, his manager, William Frawley, receives an anonymous letter threatening the life of Elyse Knox, Joe's sweetheart. The threatening note was sent by John Shelton and his girl-friend, Mary Beth Hughes, who were scheming to lower the odds on Joe's coming title fight so that they could clean up. Frawley withdraws Joe from the fight without explaining anything to him and, in order to prove that Joe was not afraid, takes him on a cross-country tour to meet all comers. Stanley Clements, orphan brother of Joe's pal, who was still in the Army, accompanies them on the tour. Shelton and his crooked gang plant a formidable competitor against Joe during the tour, but Joe wins just the same, causing the gang to lose their bets. On Clement's birthday, Joe and Elyse plan a surprise birthday party for him, the surprise being the return of Clement's brother from an overseas post. At the airport, Joe and Elyse learn that his pal's plane would be delayed. The delay causes them to miss the party. Clements, who had promised his young friends that they would meet the champ, becomes so incensed over Joe's failure to show up that he accepts a crooked proposition offered to him by Shelton. At the big fight on the following evening, Clement's absence disturbs Joe and affects his fighting style. Meanwhile, at the headquarters of the crooks, Clements learns that his brother had arrived safely and realizes that his homecoming was the surprise that Joe and Elyse had planned for him. He escapes from the crooks and rushes to the arena. His arrival spurs Joe into winning by a clean knockout blow.

Hal E. Chester produced it and Reginald Le Borg directed it from a screen play by Stanley Rubin. The cast includes Sheldon Leonard, Frank Jenks, Lyle Talbot and others.

Unobjectionable morally.

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Minneapolis ASCAP Decision a Knockout Blow

Like a reeling punch-drunk fighter who is knocked down again before he has had a chance to recover from a previous blow, the American Society of Authors, Composers and Publishers took another licking on Friday, September 10, when Federal Judge Gunnar H. Nordbye, of the U. S. District Court in Minneapolis, ruled against several of the Society's music publisher members in their suit against Benjamin Berger and Mrs. Jessie L. Jensen, independent theatre owners, for non-payment of performing rights fees.

Berger, who is president of North Central Allied, has not paid a music tax since 1941 because of his contention that the collection of the tax was illegal.

In denying the plaintiffs' request for damages as well as an injunction to prevent future infringements on their copyrights, Judge Nordbye held that, although an individual copyright owner has a right to collect a fee for the public performance rights to his music, he cannot exercise such a right so long as he is a member of an illegal combination such as ASCAP which, in granting blanket licenses to the exhibitors for the performance rights to all music under its control, goes beyond the authority conferred in the Copyright Act when it combines one copyright with one or more other copyrights.

Judge Nordbye stated that to grant the petitions of the plaintiffs for damages and an injunction to restrain further infringements "would tend to serve the plaintiffs in their plan and scheme with other ASCAP members to extend their copyrights in a monopolistic control beyond their proper scope."

Judge Nordbye's 17-page opinion added that the arrangement under which the plaintiffs and other ASCAP members operated through ASCAP undoubtedly was prompted by a desire to protect their rights and facilitate the collection of performance fees. "But, notwithstanding these seeming beneficent purposes," continued the Judge, "the plaintiffs and their associates through ASCAP have obtained by these methods and practices which they have carried on over years a monopolistic control over the copyrighted films in which their music is integrated."

"ASCAP has the combined and potential power to deny to any theatre owner the right to carry on his business, because, without the right to exhibit films containing ASCAP music, no owner would be able to stay in business," pointed out Judge Nordbye, adding that "it would be possible under the practice to refuse a theatre a license or impose an exorbitant li-

cense fee—powers which can sound the death knell of every motion picture theatre in America."

Independent exhibitor leaders throughout the country are hailing the decision as another tremendous victory over ASCAP and, like the victorious 164 ITOA exhibitors in the New York case, Bennie Berger rates the thanks of exhibitors everywhere for the stalwart fight he has put up against the Society.

The effect of the decision is summed up adequately by Mr. Abram F. Myers, National Allied's general counsel, who is quoted by one of the trade papers as saying that "Judge Leibell's decision spelled the doom of ASCAP, Judge Nordbye's decision smashes ASCAP to smithereens."

Mr. Myers, in a telegram sent to HARRISON'S REPORTS on the day that the decision was handed down, had this to say:

"Have just received word Berger won cases against him by music publisher members of ASCAP. While I have not seen opinion its obvious meaning is that a copyright owner cannot himself sue for public performing royalties so long as he is himself a member of ASCAP. This is the complete answer to those who have gratuitously advised exhibitors to pay ASCAP."

According to reports that have reached this office, music tax payments to ASCAP have been suspended by the great majority of exhibitors as a result of the New York and Minneapolis decisions. The September 15 issue of *Motion Picture Daily* published an unconfirmed report that ASCAP, as a result of theatre collections coming to a virtual standstill, has instructed all its branch offices throughout the country to discontinue their efforts to collect performing rights fees from the exhibitors until the current litigation is finally adjudicated, a matter that may take as long as two years, depending on appeals. Legal circles within the industry, however, believe that there is little chance of either the New York or Minneapolis decisions being reversed on appeal. As a matter of fact, Louis B. Schwartz who, in association with Samuel P. Halperin, represented Berger and Mrs. Jensen in the Minneapolis case, is reported to be preparing a plan whereby the exhibitors will attempt to recover whatever fees they have paid to ASCAP.

There is a day of reckoning for all illegal monopolies, either through court action or legislation, and ASCAP was due for a "cleaning out" one way or the other. The independent exhibitors, who have for many years protested that the music tax was not only illegal but also unmoral, may rightly feel that their protests have not been in vain. It has been a long and hard fight, but victory is here.

**"Cry of the City" with Victor Mature,
Richard Conte and Shelley Winters**

(20th Century-Fox, October; time, 95 min.)

Expertly directed and acted, "Cry of the City" is a top-notch crime melodrama. The story, which revolves around the hunt for an escaped cop-killer, is presented in a way that is highly exciting and realistic. Victor Mature, whose fine work in "Kiss of Death" raised his stature as a dramatic actor, comes through with another arresting performance as a sympathetic detective who methodically tracks down the vicious gangster, skillfully portrayed by Richard Conte. There is deep human interest in the understanding and consideration Mature shows for Conte's family, whom the gangster uses for his own selfish ends, and in the effort he makes to steer Conte's teen-age brother to the side of law and order. Every ounce of suspense and excitement has been squeezed out of the fine screen play. Actual New York location shots give the proceedings an authentic ring:—

Wounded in a gun battle, during which he had killed a policeman, Richard Conte is apprehended and taken to a hospital. There he is visited by Berry Kroeger, a shyster criminal lawyer who, believing that he was about to die, offers him \$10,000 to sign a confession to another murder that had been committed in a jewel robbery; the lawyer sought to save the neck of a client accused of the murder. Conte refuses. His condition improves, and he is sent to the hospital ward of a jail, from which he manages to escape. Mature sets out after him and, through clever detective work, gets on his trail. Meanwhile Conte visits Kroeger to make a deal for the \$10,000. When the lawyer points out that the confession of an escaped convict was of no value, Conte forces him to open his safe, where he not only finds money but also the stolen jewels. A scuffle ensues, ending with Conte killing the lawyer. With Mature hot on his heels, Conte, weak from his bleeding wounds, involves his family and several acquaintances in an effort to elude capture. He eventually makes a deal with Hope Emerson, a shady character, to give her the stolen jewels in exchange for money and a way out of the country. He doublecrosses Hope by informing the police that she would pick up the jewels from a subway locker, but Hope, suspecting foul play, compels him to accompany her. When the police arrive, Conte manages to escape but Mature is shot in the exchange of bullets. Learning that Conte had arranged to meet a girl-friend in a church nearby, Mature leaves his hospital bed to apprehend him. He catches up with Conte, but the criminal, taking advantage of Mature's weakened condition, tries to escape. Mature shoots him down, killing him.

Sol C. Siegel produced it and Robert Siodmak directed it from a screen play by Richard Murphy, based on a novel by Henry Edward Helseth. Unobjectionable morally.

**"Moonrise" with Dane Clark, Gail Russell
and Ethel Barrymore**

(Republic, October 1; time, 90 min.)

"Moonrise" can boast of good direction and acting, and fine camera work, but it is a somber, depressing drama, hardly the type of entertainment picture-goers want to see today; it will probably have a difficult time at the box-office. Revolving around a moody young man who grows up from childhood tormented and persecuted by taunts about the fact that his father was hanged for murder, the story is more or less a psychological study of the young man's transformation into a murderer himself, of his unhappy romance with a schoolteacher, and of his ultimate decision to pay his debt to society when he becomes the object of a manhunt. As developed, however, the story is slow and repetitious, and though it seeks sympathy for the hero it fails to arouse any because his arrogant traits and uncontrollable temper lessen whatever feeling one might otherwise have for him. The story is handicapped also by the fact that the different characterizations are not clearly defined. The low-key photography and the Virginia swamp lands in which most of the action takes place make for an effective brooding atmosphere. It should be mentioned that Ethel Barrymore, who is billed as one of the stars, appears for a few brief moments in the closing scenes:—

Tormented since childhood about the fact that his father

had been hanged, Dane Clark finds himself provoked beyond endurance by Lloyd Bridges, a banker's son, at a dance one night. He kills Bridges in a furious fight over the attentions paid to Gail Russell, a schoolteacher, then hides his body in a swamp. Gail, unaware of the murder, succumbs to Clark's romantic overtures and falls in love with him, but she remains disturbed by the fact that she is unable to fathom the cause of his uneasiness. Bridges' disappearance starts an investigation, making Clark even more uneasy. The body is found after several days, and Allyn Joslyn, the sheriff, knowing that Bridges had been one of Clark's chief tormenters, concludes that Clark had committed the crime and eventually obtains positive proof. But, feeling sorry for Clark, he decides to give the young man a chance to give himself up so that he might enter a sound plea of self-defense. Gail, learning of the sheriff's plan, pleads with Clark to surrender. He refuses, and heads into the swamps to hide out. Trailed by the sheriff's bloodhounds, Clark makes his way to the mountain home of his grandmother (Ethel Barrymore), who convinces him that voluntary surrender would make his lot much easier. He heeds her advice.

Marshall Grant produced it and Frank Borzage directed it from a screen play by Charles Haas, based on the novel by Theodore Strauss. The cast includes Henry Morgan, Rex Ingram, David Street and others. Adult fare.

**"The Girl from Manhattan" with
Dorothy Lamour, George Montgomery
and Charles Laughton**

(United Artists, October 15; time, 80 min.)

A mixture of comedy and drama, "The Girl from Manhattan" shapes up as so dull and tedious an entertainment that it will try the patience of most picture-goers. At best, it belongs on the lower half of a double bill, in spite of the fact that there is marquee value in the names of the principal players. There is not one kind word that can be said for the production; the story is trite, the direction inept, and the acting sub-standard. The comedy, which barely evokes a chuckle, revolves around the zany antics of a group of boarders, but most of it is so forced that it falls flat. The story is the old one about the villain foreclosing the mortgage on the old homestead. How he is thwarted will come as no surprise to the spectator, for one guesses way in advance just what twists the plot will take:—

George Montgomery, who gave up a football career to enter the ministry, reports to his Bishop (Charles Laughton), who assigns him as the new minister in a town nearby, and arranges for him to live at a boarding house operated by Ernest Truex. At the same time, Dorothy Lamour, Truex's niece, who had become a famous Manhattan model, returns after an absence of five years to vacation with her uncle. It soon becomes obvious to her that the money she had been sending Truex to pay off the mortgage on his house had been used to support several non-paying boarders, including Hugh Herbert, Constance Collier, Frank Orth, and Howard Freeman, each of whom was busy on a different crackpot scheme to make money. A romance blossoms between Dorothy and Montgomery. In his first conference with the town's church leaders, Montgomery learns that Raymond Largay, one of them, had arranged to take over the old church property in trade for a larger property, on which stood Truex's building. Largay was about to foreclose his mortgage. In addition, Largay was donating \$10,000 towards the building of a new church. News of the pending foreclosure causes a breach between Dorothy and Montgomery because of his inability to do anything about it. To solve the situation, Montgomery secretly sends Truex enough money to pay off the mortgage. When Largay refuses to accept the money, Dorothy investigates and discovers that he stood to make an enormous profit by selling the old church property as a hotel site. Aided by Montgomery, she foils the scheme and compels Largay to accept payment of the mortgage. Later, when she discovers that Montgomery had sent the mortgage money to Truex, she accepts his proposal of marriage, kissing him under the benevolent eyes of Laughton, who had been concerned over Montgomery's courtship with a model.

Benedict Bogeaus produced it and Alfred E. Green directed it from an original story and screen play by Howard Estabrook. Unobjectionable morally.

**"Miss Tatlock's Millions" with John Lund,
Wanda Hendrix, Barry Fitzgerald
and Monty Woolley**

(Paramount, Nov. 19; time, 100 min.)

This is about as "wacky" a comedy as any yet brought to the screen, but if one is to judge its entertainment value by the laughs it provoked at a crowded New York trade-show it should go over very well. The story is a complete hodge-podge of nonsense, revolving around a Hollywood stunt man who is talked into posing as the missing idiotic heir to a family fortune. How he becomes involved with the eccentric but avaricious relatives, who conspire to get the fortune for themselves, and at the same time falls in love with his "sister," makes for complications that keep one laughing throughout, in spite of the fact that most of what happens is silly. The comedy ranges from riotous gags to slapstick clowning, and the players, who perform their parts in broad style, are very good.

In the development of the story, Barry Fitzgerald engages John Lund, a stunt man, to masquerade as the idiotic member of a wealthy family, whose presence was required at the reading of a will distributing the family fortune. Fitzgerald explains that the idiot had been in his charge but had disappeared in Hawaii. The family had not seen the poor fellow for years, and Fitzgerald, who had been accepting checks to maintain his charge, did not want to lose the lucrative income by letting the family know that he had disappeared. Lund agrees to the plan, and his masquerade, aided by hair dye and glasses, is undetected by the family, whose members included Wanda Hendrix, the idiot's sister; Monty Woolley and Ilka Chase, his aunt and uncle; and Robert Stack, Ilka's vain son. When the will is read, Lund finds himself the sole heir. As a result he becomes the object of numerous conspiracies involving everyone but Wanda, who had a genuine affection for her unfortunate "brother." Lund falls in love with Wanda but is compelled to control his emotions, which he finds hard to do when Stack, as part of one of the conspiracies, makes a romantic play for her. In the course of events, Ilka discovers Lund's deception and, under threat of exposing him to the police, attempts to use it to her advantage. Fitzgerald, however, discovers the real missing idiot, who had married a Hawaiian native and, after a series of zany events, foils the avaricious plans of the scheming relatives, and brings Wanda and Lund together.

Charles Brackett produced it and Richard Haydn directed it from a screen play by Richard L. Breen and Mr. Brackett, suggested by a play by Jacques Deval. Adult fare.

**"Smart Girls Don't Talk" with
Virginia Mayo, Robert Hutton
and Bruce Bennett**

(Warner Bros., October 9; time, 81 min.)

An ordinary gangster-type murder melodrama, slowed down by too much talk, but it has enough action and excitement to get by in double-billing situations, where audiences are not too discriminating. It is a stilted story, offering nothing startling in the way of novelty of plot or of action, relying for its "punch" on the usual ingredients that are typical of gangster films—that is, holdups, beatings, and cold-blooded killings. There is no human interest, and the leading characters do little to win one's sympathy. Even when the heroine switches to the side of law and order as a result of her brother's murder, one's feelings towards her are merely passive because of her previous display of dishonest traits. Virginia Mayo seems out of place in the role of the socialite heroine who teams up with a gambler; she lacks fire, particularly in the emotional scenes:—

When his gambling club is held up by thieves, Bruce Bennett offers to make good the losses of his patrons. Virginia Mayo, a penniless socialite, claims that she had lost jewelry worth \$18,000, but Bennett shrewdly proves that her claim was false. On the following morning, Virginia is questioned by Lieut. Richard Rober, of the homicide squad, who informs her that one of the thieves who staged the holdup had been killed by someone who had used her car. Recalling that she had left her car near the club, Virginia deduces that Bennett's henchmen had used it for the killing. She says nothing to Rober, but later consults with Bennett,

who diplomatically gives her a check for her pretended loss of jewels. She joins Bennett in a romantic association only to break with him later when her brother, Robert Hutton, an interne, denounces the relationship. In the course of events, Bennett kills Ben Welden for welching on a gambling debt but in the process is wounded himself. Hutton, present at the club, is compelled to remove the bullet from Bennett's shoulder. When he insists upon reporting the shooting to the police, Bennett's henchmen kill him. Rober, suspecting that Bennett and his mob were responsible for both killings, persuades Virginia to renew her association with the gambler to help the police trap him. She succeeds in obtaining incriminating evidence against the criminals but in the process finds her life at stake when they discover her tie-up with Rober. The police, however, come to her rescue, killing Bennett and his aides in a gun duel. It all ends with Rober in romantic pursuit of Virginia.

Saul Elkins produced it and Richard Bare directed it from a screen play by William Sackheim. Adult fare.

**"Johnny Belinda" with Jane Wyman,
Lew Ayres and Charles Bickford**

(Warner Bros., Oct. 23; time, 102 min.)

A powerful dramatic entertainment. The direction, acting, and photography are of a superior quality, but the outstanding thing about the picture is the exceptionally fine performance by Jane Wyman, an acting job that will undoubtedly make her a foremost contender for the Academy Award. Cast in the role of a hapless deaf mute, a drudge on her father's farm, Miss Wyman does not utter one word throughout the action, yet by mere expressions on her face and in her eyes, as well as the use of sign language, she conveys to the audience her every emotion, making the characterization credible and genuinely sympathetic. There is deep human interest in the story, particularly in the new lease she gets on life when a kindly doctor, sensitively portrayed by Lew Ayres, befriends her and devotes himself to teaching her how to read lips and use the sign language. The tragic complications that ensue as a result of her being raped by a village ruffian make for situations that are profoundly moving. It is not a picture for children, but adult movie-goers will find their emotions stirred deeply by its forceful dramatic impact:—

Newly arrived in a small community on Cape Breton Island in Nova Scotia, Lew Ayres, a doctor, becomes interested in Jane, for whom he feels compassion when he notices how shabbily she is treated by both her father, Charles Bickford, a farmer, and her spinster aunt, Agnes Moorehead. Bickford's wife had died at childbirth, and he had little feeling for Jane as a consequence. With Bickford's permission, Ayres makes Jane his patient, and before long she becomes proficient in lip reading and sign language. He brings about such a change in her that Bickford becomes proud of her and treats her with affection. Left alone on the farm one night, Jane is assaulted and raped by Stephen McNally, a drunken ruffian. She keeps silent about the incident, but Ayres eventually learns that she is pregnant. Informed of her condition, Bickford becomes incensed when she refuses to identify the man responsible, but Ayres calms him down. The baby is born and Bickford learns to love it. Meanwhile village gossips point to Ayres as the father, and he soon finds his practice ruined. One day Bickford discovers that McNally is the father, and McNally, fearful lest Bickford tell the villagers, kills him. In the course of events Jane finds herself completely alone when her aunt leaves the farm and Ayres takes a staff job in a Montreal hospital. The village authorities decide that Jane is unable to give her child proper care, and they authorize McNally, newly married to Jan Sterling, to adopt the child. When the couple come to claim the baby, Jane kills McNally. Ayres rushes to Jane's side at the trial and, just as she is about to be convicted, she is cleared by testimony offered by McNally's wife, who admits that her dead husband was the father of the child, and that Jane had killed him in self-defense. With Jane set free, Ayres in love with her, prepares to start life with her anew.

Jerry Wald produced it and Jean Negulesco directed it from a screen play by Irmgard von Cube and Allen Vincent, based on the play by Elmer Harris.

ASCAP RULINGS LONG OVERDUE

For many years, ASCAP, through clever management, rode roughshod over the exhibitors, justifying its existence and methods of doing business upon three theories: (1) That the license fees it exacted were not unreasonable; (2) that the performance of a musical composition is not trade or commerce and is, therefore, not within the anti-trust laws; and (3) that the fees are charges for licenses to perform copyrighted compositions, of which the copyright owner has a monopoly by law.

Way back in 1934, in the issue of September 8, there appeared in HARRISON'S REPORTS an article on ASCAP written by Mr. George S. Ryan, the prominent Boston attorney, who is well known to the readers of this paper for his highly informative articles entitled, "Anti-Trust Litigation in the Motion Picture Industry," which were published in these columns in 1936, and for his expert legal analysis of the decision of the Statutory Court in the New York equity case, which articles were published in this paper in 1946. Over the many years that he has been friendly with the editor, Mr. Ryan has contributed numerous other articles, all of which involved the legality of different industry practices. Invariably, his predictions and comments, whenever the different practices were challenged in court, have proved accurate.

The same holds true for what he had to say in the September 8, 1934 article on ASCAP, in which he discussed the legality of the aforementioned three theories upon which ASCAP justified its existence and methods of doing business. Limited space does not permit a reproduction of Mr. Ryan's detailed comments on each of the three theories, but suffice it to say that he pointed out the illegality of each theory, citing different court decisions to back his opinions.

At the conclusion of his article, Mr. Ryan predicted that the Society, if brought to court by the exhibitors, would be proved to be a combination in restraint of interstate commerce, insofar as it hinders the reproduction of music in motion picture films, and for that reason in violation of the anti-trust laws.

A reading of the 1934 article discloses that Mr. Ryan's opinions are substantially in agreement with the opinions handed down in the New York and Minneapolis ASCAP cases.

For example, Mr. Ryan, after pointing out that a theatre operator could not enter into a separate contract with any member of the Society for the performance of any specified musical composition, and that ASCAP's members themselves are restrained by the Society from individually licensing the performance rights to their music at prices satisfactory to them, had this to say:

"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 vs. 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."

Elsewhere in the article Mr. Ryan points out that "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 by combining with other copyright owners to restrain interstate commerce." He then goes on to prove the point by citations from different court decisions.

Mr. Ryan brought out numerous other legal points in the article, all of which tended to prove that ASCAP was an unlawful monopoly in restraint of trade, and most of which are substantiated in the decisions handed down by Judges Leibell and Nordbye in the New York and Minneapolis cases.

If the exhibitors had heeded the advice given to them by Mr. Ryan in 1934, they would have in all probability been rid of ASCAP a long time ago.

AND NOW THE COMICS!

The August issue of *The Readers Digest* published an article, which first appeared in the *Saturday Review of Literature*, by Dr. Fredric Wertham, on the demoralizing effect the comic magazines have on children. Dr. Wertham cites cases in which children manifested cruel traits, and these were traced to comic strips that appeared in the comic books. Burglaries and killings have been committed by juvenile criminals, who admitted that they took their lessons in crime from the comic books. The influence exerted by these comics on some youngsters has become so serious that in one case the authorities of a New York public school were compelled to seek the protection of the police to prevent possible violence against several teachers.

Recently this paper published an article citing what Paul Denis, the radio columnist of the *New York Post*, had to say about the harmful effect the crime stories in radio broadcasts had on the emotions of children.

The motion picture has never been as bad as either the radio crime stories or the comic strips in books. Moreover, the criminal has always been punished and the hero has always been shown triumphing over the villains.

The reformers are now turning their attention to radio and comics. But this is no reason for the motion picture industry to breathe easier, for the fact remains that the industry is still producing too many crime pictures, and even though the attention of the reformers is turned elsewhere just now it would be well if the studios turned out fewer crime pictures, lest there be a renewed wave of interference by reformers and misguided lawmakers.

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No. 39

CONSENT DECREE TALK LAMBASTED BY INDEPENDENTS

The published report that the distributor-defendants in the New York equity case had approached Attorney General Tom C. Clark about his willingness to discuss a consent decree, and that Mr. Clark had agreed to such a discussion, has been received with considerable apprehension by independents, both producers and exhibitors alike.

In a telegram sent to Mr. Clark, with a copy going to President Truman, the Society of Independent Motion Picture Producers protested vehemently against any settlement of the case through another consent decree, stating that there is absolutely no reason for the Government to make any deal with "these law violators," and urging Mr. Clark to see to it that the order of the Supreme Court is vigorously enforced and that the "full resources of the Government are thrown behind the completion of this case in open court and not behind closed doors."

The independent exhibitors' attitude towards the possibility of a consent decree settlement is reflected in the statement made by Mr. Abram F. Myers, Allied's general counsel, who told several trade paper reporters that he was not concerned about any settlement since he did not think that the Attorney General would accept any offer that fell short of the relief ordered by the Supreme Court. He pointed out that it would make no sense for the distributor-defendants to submit a proposal that would meet the terms of the Supreme Court's mandate since they might get a better break by arguing out the matter in court.

Mr. Myers served notice, however, that Allied would do everything in its power to block any consent decree settlement that failed to completely separate the defendants from their theatre interests.

Mr. Myers is quoted by *Motion Picture Daily* as saying: "There is really no precedent anyhow for a consent judgment based on a Supreme Court mandate. The compromise is usually before the case goes to trial. I do not think that there is any discretion left to the Attorney General to give away what the court said belonged to the independent exhibitors. I can't see a consent decree unless the other side wants to give in and agree to complete divestiture."

To add weight to his belief that Mr. Clark will make no concessions to the defendants, Mr. Myers cited the Reading case in 1920, in which the then Attorney General agreed to a consent decree that failed to separate the Reading Company from its ownership of a subsidiary company as ordered by the Supreme Court. A suit brought by the stockholders resulted in the Attorney General being "soundly spanked" by the Supreme Court for doing less than it had ordered.

Thus far, Attorney General Clark has given every indication that he will accept nothing less than what the Supreme Court ordered in any proposal for a consent decree settlement. His firm stand is reassuring, but just the same the protest of the SIMPP, and the attitude of Allied, as expressed through Mr. Myers, should go far in inducing Mr. Clark to remain firm.

GOOD ADVICE, BUT—

Recently Herbert J. Yates, head of Republic Pictures and of Consolidated Film Laboratories, went to Great Britain to study the market situation there. He found it very bad for American films as a result of restrictions by the British Government and of hostility by J. Arthur Rank.

Upon his return to the United States, Mr. Yates recommended that the American picture industry pull out of Great Britain. There will be so little money taken out of England, he said, that the American companies might just as well stop doing business in that country, since conditions are going to get worse instead of better.

Ordinarily, Mr. Yates' advice would have been sound. But conditions are not normal at present and pulling out of Great Britain just now, when the American Government is trying hard to bring about recovery in that country as well as in other Western European countries will be a mistake, particularly since those who will be hurt by such a move would be innocent parties—the exhibitors.

If Mr. Rank, backed by the British Government, is exerting great efforts to arbitrarily classify top American films as "B" productions and to use them as second features on double bills so that top money would go to a weak British picture, the way to remedy the situation has already been pointed out by the American distributors themselves, through their representative, Eric Johnston, who announced that, hereafter, because of the British restrictions on American films, no American picture will be booked on the same bill with a British picture. English exhibitors who operate theatres showing double bills will not be sold American pictures unless they agree to play two of them on the same bill.

Since Mr. Rank is bent on damaging the American picture industry to the benefit of his own films as well as of the theatres he operates, the American distributors might go still further to thwart his efforts: refuse the Rank theatres first-run films, giving preference to Rank's competitors, and follow through on such a policy even on second-runs, wherever Rank has a competitor. There is nothing wrong in such an attitude since Mr. Rank himself started to "squeeze" the

(Continued on last page)

**"Road House" with Ida Lupino,
Cornel Wilde, Richard Widmark
and Celeste Holm**

(20th Century-Fox, November; time, 95 min.)

Good! It is a strong triangle melodrama, strictly adult in appeal. It is not a cheerful story, but it is interesting and exciting. Moreover, the production values are good and the performances convincing. As the central figure in the story, Ida Lupino is outstanding in the role of a worldly-wise, sultry cafe singer, whose sincere love for Cornel Wilde, a night club manager, involves her in the sadistic machinations of their fanatically jealous employer, a stomach-turning characterization that is expertly portrayed by Richard Widmark. Miss Lupino's display of feminine pulchritude is, to say the least, eye-filling, and her rendition of several torch songs in a deep throaty voice is impressive. The closing scenes, where Widmark goes murderously beserk in a mountain cabin and is killed by Miss Lupino in self defense makes for a powerful climax that is loaded with suspense and excitement:—

Widmark, owner of a roadhouse near the Canadian border, engages Ida Lupino, a singer from Chicago. Aware that Widmark's interest in entertainers was not confined to their ability to sing, Wilde, manager of the roadhouse, makes no effort to conceal his disgust and tries to get Ida to leave. She angrily refuses. To Wilde's surprise, Ida's singing proves popular, causing business to boom. Meanwhile Widmark, unable to become intimate with Ida, falls madly in love with her. The animosity between Ida and Wilde eventually disappears and, during Widmark's absence on a hunting trip, they fall in love. Widmark returns from the trip with a license to marry Ida, but, when he learns of her love for Wilde, he becomes insane with rage and discharges him from his job. He then frames Wilde for robbing the roadhouse's weekly receipts. Wilde is convicted, but Widmark, assuming the air of a sincere man and pleading for leniency for Wilde, persuades the judge to parole him in his custody for two years, with the usual conditions whereby Wilde would have to serve a full ten-year term if he violated the parole by committing a crime. Widmark compels Ida and Wilde to resume work at the roadhouse, and does his utmost to provoke Wilde into doing something that would violate the parole. The more they despise him the more malignant and hateful he becomes. Widmark decides to spend a week at his mountain cabin, and compels Ida and Wilde, as well as Celeste Holm, his cashier, to accompany him. There, he becomes crazed with drink and abuses Ida. Provoked beyond endurance, Wilde gives Widmark a severe beating, then heads for the Canadian border with Ida lest the authorities jail him. Before Widmark regains consciousness, Celeste discovers in his pocket evidence showing that he had framed Wilde for the robbery. She goes after Wilde and Ida, with Widmark in hot pursuit. He catches up with Celeste and shoots her down. Wilde knocks the gun out of his hand but is beaten into unconsciousness in the struggle to retrieve it. Ida, having grabbed the weapon, shoots Widmark dead when he menaces her. With the evidence to clear him in his pocket, Wilde picks up Celeste and, with Ida at his side, heads back to town.

Edward Chodorov wrote the screen play and produced it from a story by Margaret Gruen and Oscar Saul. Jean Negulesco directed it. Adult fare.

"The Golden Eye" with Roland Winters

(Monogram, August 29; time, 69 min.)

This is another "Charlie Chan" murder mystery melodrama, no better and no worse than the others in the series. It is strictly a program filler for situations where audiences still find the exploits of the Chinese detective, his son, and his colored chauffeur intriguing and amusing. Those who are the least bit discriminating will probably find it pretty tiring, for the far-fetched story winds its way through a maze of so many clues that not even a master-mind will have the patience to figure it out. As in the other pictures in the series, a lengthy explanation by the detective is required at the finish to clear up the mystery. The feeble comedy does not help matters much:—

Charlie Chan (Roland Winters), accompanied by his son, Victor Sen Young, and his chauffeur, Manton Moreland, goes to the Lazy Y dude ranch to investigate attempts on the life of Forrest Taylor, the owner. Arriving there, Chan finds his old friend, Lieut. Tim Ryan, posing as a playboy while working on the same case. He visits Taylor and finds him bandaged and unconscious, the victim of an accident in his Golden Eye mine. Through Bruce Kellogg, an assayer, Chan learns that considerable gold is coming from the mine, but Taylor's daughter, Wanda McKay, claims that it barely meets expenses. Chan becomes suspicious of Evelyn Brent, Taylor's nurse, who was secretly in league with a gang that was smuggling gold in from Mexico and storing it in the mine for sale in the United States at a higher price. In the course of events, unsuccessful attempts are made on the lives of Ryan and Chan, and Taylor is murdered. Several other shootings take place in which Kellogg seemingly protects Chan and Wanda, but in the end Chan reveals that Kellogg himself was the master-mind behind the evil doings, having schemed to marry Wanda and gain control of her father's wealth.

James S. Burkett produced it and William Beaudine directed it from an original screen play by W. Scott Darling.

Unobjectionable morally.

**"The Gentleman from Nowhere"
with Warner Baxter**

(Columbia, Sept. 9; time, 66 min.)

Just fair. Years ago dual role subjects were interesting because they were novel. But their novelty nowadays has worn off and no longer interests picture-goers unless the story has some unusual twists. Not only is the story in this picture not unusual but it has a further fault—it is too complicated for even a seasoned reviewer to disentangle. And the picture-goer of today doesn't want to tax his brain to figure out character relations and their purposes. Warner Baxter is pleasant enough in his part, but he isn't helped by worthy motivations. The other players are so-so. The photography is sharp and clear:—

In the development of the story, Baxter, a night watchman in a New York warehouse, is wounded during a robbery and suspected of complicity in the crime. He manages to establish his innocence, but insurance detective Luis Van Rooten is struck by his resemblance to a missing chemical corporation's executive, wanted for swindle. Van Rooten, whose company had paid the missing man's life insurance to the chemical firm, visits the executives and informs them that he was still alive. They demand that he produce

him so that they may pay back the insurance money and thus avoid a scandal. Shortly thereafter, a lawyer representing one of the corporation's executives, whose identity he does not disclose, visits Van Rooten and offers him the insurance money and \$25,000 to keep silent. Puzzled, Van Rooten pretends to agree, then persuades Baxter to impersonate the missing man, offering him one-half of the \$25,000. Baxter, assuming the missing man's identity, visits the corporation's offices and offers to return the money he had supposedly stolen in exchange for a light jail sentence. The executives agree. In the complicated events that follow, during which several murders are committed, Baxter reveals that he is really the missing man, and manages to trick one of the executives into admitting that he and his secretary had framed him (Baxter) for the swindle to cover up losses in the firm's business. Worked into the proceedings is Baxter's problem of convincing his wife, Fay Baker, that he is really her husband. He does this by means of an old-fashioned kiss such as she had been accustomed to receive from him.

Edward Anhalt wrote the original story and screen play. Rudolph C. Flothow produced it, and William Castle directed it. The cast includes Charles Lane, Wilton Graff, Noel Madison, Victoria Horne and others.

Though there are no sex situations in it, the theme is hardly one for children.

**"Triple Threat" with Richard Crane,
Gloria Henry and Mary Stuart**

(Columbia, Sept. 30; time, 70 min.)

As a dramatic offering, this football picture is minor program fare, for the story is thin and trite. As a matter of fact, there is so little to the story that almost half the footage has been padded out with library clips of different football teams in action. But since it has considerable football action the picture should appeal to football enthusiasts, who may be drawn to the theatre by the fact that eleven of the nation's top professional football stars are featured, including such names as Sammy Baugh, Sid Luckman, Tom Harmon, and Bob Waterfield. They do not, however, take a prominent part in the action. The film offers some interesting sidelights on the building up and managing of a professional football team:—

The story revolves around Richard Crane and Pat Phelan, outstanding collegiate players, who sign up with the Los Angeles Ram to play professional football. Phelan, who had planned a medical career, had entered pro-football to make enough money to marry Mary Stuart. Crane, a cocky, egotistical individual, soon establishes himself as a problem to coach John Litel, and as an annoyance to Phelan, with whom he roomed. In addition to their personal rivalry on the field, a misunderstanding over Crane's innocent attentions to Mary keeps both men at loggerheads. Crane, however, falls in love with Gloria Henry, Phelan's sister, and in the course of events she brings about friendly relations between both men. Crane becomes a sober young man, but his past arrogance as a player and his disobedience of the coach's orders results in his being kept on the bench during the East-West All-Star game. Phelan, feeling sorry for him, pretends to be injured in the game, compelling the coach to send Crane in to replace him. Crane redeems himself by pulling the play that wins the game.

Sam Katzman produced it and Jean Yarbrough di-

rected it from an original screen play by Joseph Carole and Don Martin.

Suitable for the family.

**"Jungle Patrol" with Kristine Miller
and Arthur Franz**

(20th Century-Fox, no release date set; time, 71 min.)

Excellent! What raises it to heights is Frank Seltzer's happy choice of the young men who enact the parts of the fliers. It is a war story, taking place at an airstrip in the jungle near Port Moresby, New Guinea. There is not a single battle shown, yet the spectator feels all the thrills of actual battles as they come over the radio at the field. The story is very simple, but as handled it carries a powerful dramatic punch. What arouses the spectator's sympathy for the young fliers is their fine relationship. None of them shows a bad streak, and the spectator is made to feel that each would gladly give his life to save the others. Even their jokes are in good grace and taste—none of them tries to have fun at the expense of the other. They are real American boys in looks and in conduct as air officers. Christine Miller, too, is a happy choice for the feminine lead, for her behavior is at all times in the best of taste, her one aim being to make the boys feel happy and forget the dangerousness of their missions. Some stock shots have been incorporated, but they blend in so well with the rest of the action that not many spectators will notice them. The conversation and jokes of the boys are no different from the conversation and jokes of real fliers in time of war, helping to give the production an authentic flavor.

The action revolves around a flight squadron stationed at a temporary airfield near Port Moresby to protect Australia from attacks by Japanese bombers. All the boys are decorated aces but none of them brags about his accomplishments, and they even dislike seeing the scoreboard, which shows more than one hundred Jap planes downed to none of theirs. The boys are cheered considerably by the unexpected arrival of Kristine, a USO entertainer, who informs them that her troupe of girls would arrive on the following day to entertain them. But when Kristine learns that her troupe had been grounded she decides to entertain the boys herself. She sings to them and dances with them, winning their affection by her desire to cater to their needs. On the following morning a warning comes of a big Jap air raid and the boys dash for their planes. Kristine goes with Arthur Franz, a wounded flier with whom she had fallen in love, to Operations Radio, where Ross Ford, the squadron's 22-year-old "skipper," directs the fight over the radio. Battling against tremendous odds, the fliers go down one by one. Ford, unable to bear the helpless plight of his mates, turns his command over to Franz and takes off to join what is left of his squadron. Shortly thereafter Ford reports that the entire squadron is lost. He manages to land his damaged plane and sets out to get another. Just then headquarters announces that the squadron had accomplished its mission—holding back the Japs until a new airstrip was completed. This news is followed by a Jap raid that shatters the temporary airstrip.

Frank Seltzer produced it and Joe Newman directed it from a screen play by Francis Swann, based on the stage play by William Bowers. The cast includes Tom Noonan, Gene Reynolds, Richard Jaekel, Mickey Knox, Harry Lauter, Bill Murphy, G. Pat Collins and others.

Good for the entire family.

American companies by deciding to put the top American pictures at the bottom of a double bill, thus giving his own films, no matter how inferior, top money, and the American films, no matter how costly and how popular with the British public, bottom money. A decision such as this should bring immediate results, for the British movie-goers prefer the American pictures, and their non-attendance at Rank theatres that do not show American films will soon make Mr. Rank realize that he cannot operate his theatre domain without the drawing power of American films.

In whatever action the American distributors contemplate taking, their prime consideration should be the interests of the British exhibitors, who are entitled to support because they have already lined up with the American companies against Rank's tactics.

Let the American distributor think this matter over carefully.

AUSTRALIAN EXHIBITORS DEMAND PAYMENT FOR ADS

An air mail dispatch from Brisbane to the *Film Daily* states that the Motion Picture Exhibitors Association of Brisbane, Australia, voted at its convention to demand compensation for commercial advertisements inserted in newsreels. They threatened that, unless the members of the organization are paid for such ads, they will be instructed by their leaders not to show the newsreels as part of the entertainment.

Fortunately, the American exhibitors are not made to show commercial advertisements in newsreels exhibited here, except for an occasional trailer inserted in such reels to advertise a coming attraction. But how about the bold commercial advertising inserted in feature films? In some features not one but several advertisements appear.

Latest of the offenders is the United Artists' picture, "My Dear Secretary," in which two articles are advertised: Kentucky Tavern bourbon whiskey, and Remington Electric Typewriters.

In the case of the Remington typewriters, Rudy Vallee, one of the characters, says boldly to his secretary: "Be sure to order a Remington Electric Typewriter for the front office." There was no necessity for Mr. Vallee to have made such a remark, for it was not important to the action and certainly did not enhance the picture's dramatic values; some one put that plug in deliberately.

In the case of the Kentucky Tavern whiskey, there is an agent in Hollywood who represents a dozen firms or more, and whose business it is to insert plugs in pictures for the products he represents. He accomplishes this by presenting some one with either a case of whiskey or some other remembrance in exchange for the plug. In making such a deal, neither the advertiser's agent nor the producer's representative take into consideration the fact that the exhibitor's screen will be used for advertising purposes without his consent.

The concealed-advertising-in-pictures racket has been going on for years. Several months ago Eric Johnston's organization passed a resolution condemning the practice, but the evil persists. It is about time that Mr. Johnston renewed instructions to the producers to stop the practice at once, and if it is not discontinued then it is up to Allied and its friends to bring suit against one of the producer violators de-

manding payment for the unauthorized use that had been made of an exhibitor's screen. Perhaps that will put and end to the abuse.

"CRYPTIX" ENDORSED BY EXHIBITORS

At their annual convention held last week in Columbus, the Independent Theatre Owners of Ohio adopted a resolution endorsing "Cryptix," a new method of numbering theatre tickets, which gives the individual exhibitor his own ticket numbering system and enables him to have better control over, not only the handling of cash by his employees, but also the possibility of having his grosses revealed to unauthorized persons.

A detailed explanation of the "Cryptix" system, which was developed by Willis Vance, veteran Cincinnati exhibitor, and which substitutes alphabetical characters for conventional figures, was published in the June 26 issue of this paper, under the heading, "A Way to Keep Gross Receipts Confidential."

For some time Mr. Vance has been at odds with the Federal Bureau of Internal Revenue, which has forbidden the use of "Cryptix" on the grounds that it is "code numbering" and, therefore, against regulations. Mr. Vance, however, claims that the present regulations, if interpreted properly, do not disallow the use of his system.

The ITO's resolution calls upon the Bureau of Internal Revenue to approve the use of the "Cryptix" system by exhibitors on the grounds that it is more practical than the one now approved by the BIR, will not lend itself to fraud, and provides greater confidential possibilities.

According to Mr. Vance, the exhibitors of Kansas and Missouri have also demanded official recognition for "Cryptix."

The fact that two prominent exhibitor organizations fully endorse "Cryptix" indicates that the system has considerable merit.

BEWARE

United Artists lists among its productions awaiting release a Mexican-made picture entitled, "The Angry God," featuring Mexican players, which was originally scheduled for release in May but withdrawn. The picture has not yet been shown to the trade press for review.

It seems, however, that the picture is being sold, and if one is to judge its worth from the opinion of one exhibitor who bought and played it, the reasons why it has not been shown to the trade press and why it was withdrawn from the release schedule are not hard to understand.

The following report of the picture appeared in the September 17 bulletin of the Allied Caravan of Iowa and Nebraska, and is herewith reproduced for the guidance of those who have not yet bought the picture:

"ANGRY GOD (U. A.):—Space does not permit, nor common decency allow us to print what an Iowa member has to say about this stinkeroo released by United Artists. He says in brief—made up from the sweepings on the cutting room floor, the worst I have ever seen, a fraud to sell this to an exhibitor and a fraud for an exhibitor to show it. DON'T BUY IT—IF YOU HAVE BOUGHT—DON'T SHOW IT!!!"

IN TWO SECTIONS—SECTION ONE

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WHOM IS JOHNSTON "KIDDING"?

While on his present tour of the foreign markets, Eric A. Johnston, head of the producers' association, went to Russia to sell American pictures and, according to news dispatches, he hinted in Moscow that Russia would soon be buying American films. A deal, he said, had been "practically set," with the details of the agreement to be worked out in New York.

If Mr. Johnston went to Russia to get personal publicity for himself, he did a good job of it, for he received plenty of newspaper space; but if he went there to sell American films, that is another matter.

Let us try to analyze the Russian mind to determine whether Johnston could or could not sell American films to the Russians: The Russians know that the American film industry produces the best pictures in the world. But do the Soviet leaders want to show our pictures to their people? Do they want to show them that the American way of life is comfortable and luxurious in comparison with the Russian way of life? Do they want the Russian people to see that the Americans have plenty to eat, to drink, and to wear, with electric refrigerators even in poor homes, with running hot and cold water, with rugs on the floors, with the walls in the rooms of homes either painted or papered, with fat piles of uncensored newspapers available for reading, with children dressed in comfortable and warm clothes, wearing pajamas when ready for bed (something unheard of in Russia), with the mother tucking the children into comfortable beds in well appointed rooms, with people free to come and go as they please and to belong to different political parties or none at all, with workers employed on jobs of their own choosing, free to quit if they so desire, with law officers keeping the peace but not violating the rights of decent people—do the Russian leaders want to show such a bountiful, democratic life, as depicted in American films?

If any one thinks that the Politburo will allow such films to be shown to the Russian people, he must be out of his mind, for one of the main reasons why the Soviet leaders want to shut out the American pictures is that the American way of life depicted cannot help but make the Russian people dissatisfied with their miserable lot.

Oh, yes! There are circumstances under which the Russian government will buy American films to show to their one hundred and eighty million people—glad to do it. But what kind of films will these be? "Mr. Smith Goes to Washington" or "The Senator Was Indiscreet," which show American politicians and elected officials as crooks of the worst sort; "Roxie Hart," which depicts a rotten judiciary system; "Grapes of Wrath" or "Tobacco Road," which can be used to give the Russian people a distorted picture

of the American way of life; and dozens of other pictures with crime themes and vicious characters, which the Soviet leaders would like to exhibit to their people as perfect examples of the degeneration of American democracy so that the miserable life they lead will seem, by comparison, like heaven.

No one is more aware than Mr. Johnston of the impossible conditions under which the Soviet Union will agree to take in American films. Consequently, it is difficult to believe that he went to Moscow for the purpose of concluding a film agreement. As James M. Jerauld, editor of *Boxoffice*, pointed out in a recent column, "obviously he (Johnston) wasn't going on film business, because an assistant booker in any exchange could handle all the film business done between the American industry and Russia without shortening his lunch hour. And it probably was not the caviar, because it isn't necessary to fly halfway across the continent to get it."

There is considerable talk that Johnston is angling for a big job with the Dewey administration—that is, if Dewey is elected as president, and most industry observers feel that his trip to Moscow was more for the purpose of furthering his political aspirations than to sell film to the Russians.

Stop "kidding" us Mr. Johnston! Do something constructive for the industry. The foreign market situation has gone from bad to worse, putting a number of producers and distributors in the "red," and as if that isn't bad enough the industry at home is suffering from poor public relations. You have been with us a long time—long enough for you to have taken positive step toward winning the good will of the American people for the industry. The motion picture has done so much for the American public that you should have no difficulty finding a basis on which to build a solid public relations program that will more than offset the adverse publicity the industry is subjected to from time to time. But you have done nothing in this matter. On the contrary, the manner in which you acted before the Congressional Un-American Activities Committee in Washington during the hearings on Communism in Hollywood, and the statement you issued at the termination of the hearings, in which you claimed that the industry had been fully vindicated, in spite of the fact that the public, influenced by the behavior of the hostile witnesses, became convinced that Hollywood was a hotbed of Communism, brought discredit to the industry. Your efforts to swing public opinion to the favor of the industry failed, because the public, which is preponderantly against Communism, was in no mood to sympathize with any one who elected to defy the committee rather than to cooperate with it.

Stop "kidding" us Mr. Johnston—do something or get out!

**"Rogue's Regiment" with Dick Powell,
Marta Toren and Vincent Price**

(Univ.-Int'l, no release date set; time, 86 min.)

Just fair. It is an espionage-type of melodrama, revolving around an American intelligence officer who joins the French Foreign Legion to track down a high-ranking Nazi official still at large. The story and treatment follow a familiar pattern, and for the most part it is incredulous. But since it moves along at a pretty fast pace and has considerable excitement, it should get by with those who like plenty of action regardless of story values. As the American intelligence officer, Dick Powell once again is cast in the role of a quiet but tough hero, and he does the best he can with the ordinary material supplied him. His romance with Marta Toren, as a secret French agent, is pleasing, but it seems to have been dragged in by the ear. Vincent Price is properly sinister as one of the stereotyped villains, an ex-Nazi masquerading as a wealthy Dutchman. The action takes place in Saigon:—

In an effort to track down Stephen McNally, a top Nazi official wanted for war crimes, Dick Powell heads for Saigon to join the French Foreign Legion; clues had been found indicating that McNally, of whom no photograph was available, may have joined the Legion under an assumed name. En route by train, Powell meets Price and McNally, who kept his identity secret by assuming another name. In Saigon, Price invites McNally to stop at his apartment for a drink. There he discovers that McNally was a former Nazi S.S. trooper but does not learn his real identity. He arranges for McNally to have an identifying S.S. tattoo mark removed from his arm so that he could join the Legion. Later, McNally meets Henry Rowland, an ex-Nazi turned Legionnaire, who was formerly under his command. McNally threatens to kill him unless he keeps his identity secret. Meanwhile Powell had become a Legionnaire and had fallen in love with Marta Toren, a cafe singer, who was actually a secret French agent. He learns that Marta was making a play for Price, whom she suspected of being a Russian agent in the smuggling of arms to a radical faction of rebellious natives. Through an old photograph, Powell identifies Rowland as a former Nazi under McNally's command and, with the cooperation of the Legion's commander, he embarks on a scheme to frighten Rowland into betraying McNally's presence. During a gun battle between the Legionnaires and the rebellious natives, McNally, unnoticed by the others, shoots down Rowland. But before Rowland dies he reveals McNally's identity to Powell. Aware that he had been found out, McNally arranges with Price to supply him with a forged passport so that he may flee the country. Price, having learned McNally's true identity and having discovered that the Nazi carried a fortune with him in the form of mechanical tools forged out of platinum, demands the fortune in exchange for the passport. McNally kills him, but before he can make his getaway Powell catches up with him. The two engage in a terrific struggle, ending with Powell victorious.

Robert Buckner wrote the screen play and produced it from an original story by Robert Florey and himself. Mr. Florey directed it. The cast includes Edgar Barrier, Carol Thurston, Richard Loo, Philip Ahn, Richard Fraser and others.

Unobjectionable morally.

**"Unfaithfully Yours" with Rex Harrison,
Linda Darnell, Rudy Vallee**

and Barbara Lawrence

(20th Cent.-Fox, no release date set; time, 105 min.)

Preston Sturges, as writer, director and producer, has fashioned a unique and highly entertaining picture in this farce-comedy, which has touches of slapstick and the psychological, as well as a superior music score. It is, however, a sophisticated entertainment, best suited for adult audiences. Sturges' original screen play revolves around a famed but temperamental symphony conductor who mistakenly suspects his wife of infidelity. Most of the comedy stems from the depiction of the suspicious conductor's daydreams, in which he imagines himself carrying out plots of diabolical revenge against his wife and her supposed lover. The clever treatment makes the most of the stirring classical music in that it sets the mood for the conductor's fantastic daydreams, which take place as he leads a symphony orchestra at a concert. There is considerable hilarity in the closing reels where the conductor attempts to actually carry out the murderous schemes he had imagined only to have everything go wrong because of his clumsiness. Rex Harrison does a brilliant job as the conductor, proving himself extremely versatile by his deft handling of a difficult role. The others in the cast are very good. The whole picture is brisk and bright, with clever dialogue and luxurious production values:—

Returning to the United States from a successful European tour, Harrison is greeted affectionately by Linda Darnell, his beautiful wife, with whom he was madly in love. Also present to greet him are Barbara Lawrence, Linda's sister; Rudy Vallee, Barbara's stuffy millionaire husband; and Kurt Kreuger, Harrison's handsome secretary. Harrison's happiness at being reunited with Linda is upset when he learns that Vallee, whom he had asked to keep an eye on Linda during his absence, had taken the remark literally and had hired a detective to follow her. Indignant, he throws Vallee out of his apartment and tears up the detective's report handed to him by Vallee. But despite his unwillingness to know what was in the report, Harrison inadvertently learns from the detective (Edgar Kennedy) that he had seen Linda emerging from Krueger's room in a negligee. Deeply shaken, Harrison suspects that Linda and Krueger were having an affair. He becomes moody and quarrels with Linda without revealing his suspicions, and later that evening, as he conducts a symphony orchestra, the music affects his subconscious mind and he imagines several ways in which to handle the problem. One scheme has Harrison murdering Linda under a plan that finds Krueger with the murder weapon in his hand. Another scheme, envisioned to the accompaniment of tender music, shows Harrison giving Linda \$50,000 and sending her to Krueger with his blessing. A third scheme, to the accompaniment of a Tchaikovsky overture, shows Harrison settling the triangle through a game of Russian Roulette, played by spinning the cylinder of a gun containing only one bullet. That scheme ends with Harrison blowing his own brains out. Unnerved by his imaginations, Harrison rushes home after the concert to put into operation the schemes he had conceived. But everything goes wrong and, by the time Linda arrives, he is pathetically defeated. While trying to soothe his nerves,

Linda, without realizing what concerned him, explains the negligee incident by revealing that her sister, Barbara, was having an affair with Krueger, and that she had gone to Krueger's room to warn them that Vallee was on his way over. Harrison embraces Linda and begs her never to make him explain his peculiar behavior.

The cast includes Lionel Stander, Julius Tannen and others.

Adult entertainment.

A CENSOR WITH A HEAD

Recently there was brought to the attention of this paper an article on censorship in Australia, which was published in the July 10 issue of the *Daily Telegraph*, of Sydney, Australia. The article, under the heading, "Film Censor with No Use for a Halo," sets out the views of Mr. J. O. Alexander, the Commonwealth Film Censor, whose liberal approach to the problem of censorship of films could be read by many American censors with profit. The article, in part, follows:

"Victoria is the only State with effective legislation and set rules for film censorship; but all States are now passing uniform legislation, and, after January 1, 1949, the Censorship Board will be Australia's sole film censorship authority, and will censor all films, both imported and local.

"The board generally bans scenes depicting kicking or 'sinking the boot,' new angles on crime technique, close-ups of dead bodies or mutilations, inaccurate overseas commentaries, horror scenes.

"One strict rule is that any crime film must clearly indicate that crime does not pay.

"Mr. Alexander claims that in censorship there is no room for Mother Grundy thinking.

"He says that a censor should apply a ton of commonsense, 'allied with a sense of humor, a store of general knowledge, and an endeavor to keep pace with changing ideas, social conditions, the national outlook, and internal relations.' He adds:

"When interpreting the regulations, we try to make our approach as liberal, broad-minded, and adult as possible—always keeping in mind that young people are at liberty to see films, but not robbing adults of legitimate entertainment.

"Censorship is not a big stick. It is a social necessity which merits cooperation from all sections of the community. Used with judgment and discretion, censorship is a healthy thing."

"He says that to fix a rigid standard for film censorship is difficult, because each film must be treated impartially, on its merits. One scene, well directed and acted, can be good entertainment. The same scene, badly handled, can be crude, offensive.

"He is so keen on impartiality that he never reads a book that has been filmed until after he has seen the film.

"He says the board often passes the word *bloody* if its use isn't obviously offensive and is necessary to humour or dialogue.

"In the same way, he says it isn't the censor's job to ruin classics by raising a low-cut period bodice a few inches or by cutting out such an interesting word as *bastard* in a play like *Henry V* (the U. S. censors altered the work to *basket*).

"He doesn't believe that films do any real harm to children. He says: 'The harmful effect of films on the child mind is, in my opinion, negligible.

"The mature mind is able to absorb implications. The immature mind of the child enjoys the excitement of a film without absorbing the implications.

"Most films are above children's heads, but children may, and do, adopt technique from films for their games, as I did from *Deadwood Dicks* when I was a child.

"The basis of juvenile delinquency is not the film, but home environment and lack of parental control.

"I maintain that parents, not film exhibitors, should be responsible for the sort of films their children see.

"Under the uniform legislation which will operate from next year all film advertising, including trailers, must clearly indicate the censorship classification. The old "not suitable for general exhibition" will become "not suitable for children." This change has been made as a general guide, but particularly as a guide to parents.

"The child must be protected, but parents, not censorship, must protect the child. Censorship can only provide the guide. The parent must do the rest."

PUBLISHING GROSSES WITHOUT THE EXHIBITOR'S PERMISSION

Recent organizational bulletins of both the Associated Theatre Owners of Indiana and the Allied Caravan of Iowa and Nebraska criticize the action of the Selznick Releasing Organization, which mailed to exhibitors in their territories a circular letter showing comparative grosses of "Duel in the Sun" and "Spellbound" in theatres in small Iowa, Indiana, and Kansas towns, stating that it is quite likely that "one of our salesmen has not visited you." The letter was signed by Neil Agnew.

Charles Niles, chairman of the Iowa-Nebraska Caravan, called this company's act unethical and stated: "We have always felt that the gross in our town is our business."

The ATOI bulletin condemns the distributor for revealing an exhibitor's gross without his specific permission, stating that "a letter so broadcast may well have been read not only by exhibitors all over but by distributors, tax officials, other business men in your town and almost anybody else as well."

For years the exhibitors have been complaining that the distributors exchanged information as to the different exhibitors' intake on a given bracket of pictures. Invariably, however, the film companies denied the accusations. The type of information that was printed in the Selznick Releasing Organization circular letter for the purpose of convincing unsold exhibitors that its pictures are doing well at the box-office may be good publicity, but it is worse than exchanging information between distributors, for the confidential record of an exhibitor's grosses becomes public information, known not only to the different salesmen with whom he must negotiate film deals but also to his competitors and other persons who may use the information to some advantage.

The practice is unethical and should be discontinued at once.

CENTRALIZED DISTRIBUTION WON'T WORK

In a recent issue of *Daily Variety* there was printed a dispatch from New York stating that the major companies are thinking of dropping their exchanges in favor of centralized distribution. Says the dispatch:

"The end of film exchanges as presently constituted is under consideration by top officials of eight majors. Elimination of exchanges as traditionally set up would follow a plan calling for joint inspection and shipping of films by the companies through private agencies in 31 key cities. Plan, which is being considered to cut distribution costs, was proposed at a meeting of company prexies and would entail closing back room operations in all exchanges. As presently mulled, majors would not form a company similar to Confidential Reports, but instead, private shipping firms would be given contracts by film outfits participating in the system."

The subject of centralized distribution came up often before, but nothing was done about it, and the writer hopes that the distributors are not serious about adopting such a system at this time. If the news item, which was published also by weekly *Variety*, is not a figment of the reporter's imagination, then I hope that the major companies will drop the idea, for if they do set up a central distribution system the industry probably will see the worst jumble in receiving and shipping films that could ever be imagined. I had experience in the matter and I know what I am talking about, for in the old days I was assistant manager of the San Francisco office of the General Film Company for more than a year and can speak with authority. At that time W. W. Hodkinson had induced the General Film Company to extend its activities to San Francisco and I was transferred to that city to combine the Novelty Film Exchange with the Turner and Dunken Film Exchange. My job was to install a system that brought order out of chaos in the physical operation of the combined exchange. My experience in straightening out that situation convinces me that, if a central distribution system should be adopted, the exhibitors will be receiving some of the reels of a feature from one company and the remainder of the reels from the feature of another company.

Centralized distribution will have also another effect—to reduce the number of salesmen employed, although the *Variety* report does state that the plan does not envisage combining on selling. While it is true that some salesmen have acted in a manner detrimental to exhibitor interests, most of them have tried to be fair and helpful, particularly in times of stress. There are numerous cases where an exhibitor's faith and trust in a salesman was so complete that he would sign a blank contract, give the salesman a signed blank check, to be filled in by him at a later date, after consultation with the branch manager, with the salesman presenting the case of the exhibitor so forcefully that one would think that he himself was the exhibitor's representative. At times, such a relationship has been carried on for years without a break.

Some salesmen, in their zeal to better their records, have taken advantage of trusting exhibitors, but more often than not the unreasonable demands made by a salesman is a matter over which he has no control

because of orders issued to him by either his branch manager or the home office, insisting that he obtain increased film rentals.

A good salesman today is an asset to better distributor-exhibitor relations, and any disturbance of the equilibrium is destined to harm rather than help the interests of the distributors.

Let us hope that the distributors will abandon plans for centralized distribution if they have conceived any such plans.

THE FORTHCOMING "RED" HOLLYWOOD HEARINGS

A little over a month ago Representative J. Parnell Thomas, chairman of the House Un-American Activities Committee, told the press that he expected to resume the hearings on Communism in Hollywood during the month of September. He stated also that twenty-six film figures would be subpoenaed as witnesses.

That the Hollywood hearings had not been held was due, no doubt, to the fact that the Committee was busy with other hearings, just concluded, during which it uncovered sensational evidence of a Soviet plot to obtain atom bomb secrets. No one knows just when the Committee will get around to a resumption of the Hollywood hearings, but it seems certain that such hearings will be held.

When the hearings do take place, it is to be hoped that the experiences of the so-called ten "hostile" witnesses in the previous hearings will have served to sober up many of the hotheads who, like the Ten, may have planned to make martyrs of themselves as defenders of the American Constitution and its attendant definition of rights.

If the Thomas Committee were conducting a witch hunt aimed at the motion picture industry, this paper would be inclined to sympathize with those who would resist any supposed violation of their constitutional rights. But the Committee has not confined its investigation of Communist activities to the motion picture industry; it has carried its investigation into such fields as labor, science, and education, and through the different hearings it has conducted it has uncovered information which, in view of the Communist threat to the United States and the world in general, make it mandatory for every sincere defender of the cause of peace and liberty to cooperate fully with the Committee to the end that the guilty be exposed and the innocent cleared of suspicion.

It will be up to the heads of the different film companies to advise those who work for them, if any of them should be called as witnesses, to answer the questions put to them by the Committee honestly and sincerely. These potential witnesses should be told that, if they are Communists, they should be willing to admit it and stand by their convictions; but if they are not, they should say so straightforwardly instead of trying to assume the roles of martyrs.

The motion picture industry has suffered enough from the hot-headed attitudes of the first ten witnesses; a repetition of these attitudes on the part of any new witnesses will be, not only a disservice to the country, but also disastrous to the theatre box-offices.

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LET US AVOID ANOTHER PIPE DREAM!

Paul MacNamara, director of advertising and publicity for David Selznick, addressed the delegates at the TOA convention two weeks ago and advocated the formation of an organization to be known as the "Institute of Motion Picture Information and Advertising," the purpose of which will be to set up a public relations program to gain the good will of the American public for the motion picture industry.

Mr. MacNamara suggested that the organization be operated on an annual budget of \$2,000,000, this money to be contributed by producers, distributors and exhibitors on the basis of two and one-half per cent of their yearly advertising expenditures, which is estimated to be anywhere between \$80,000,000 and \$90,000,000.

A similar attempt to have all branches of the industry contribute to a common fund for public relations work was made before, but few exhibitors contributed and, as a result, the scheme failed miserably. That few exhibitors will want to contribute to such a fund at this time or in the future is not difficult to understand, for most of them feel, and rightly so, that the "smell" comes from Hollywood and, consequently, it is up to the producers to contribute the money required for the upkeep of an organization such as the one advocated by Mr. MacNamara. But that does not mean that the exhibitors will not help, for most of them are more than willing to do their share by lending their screens to any scheme that will benefit the industry as a whole.

But even if the producers, and of course the distributors, agreed to finance such an organization, any public relations program that it sets up would prove to be a "bust" if each of them persists, as they have in the past, in working into the program a plug for their pictures, good and bad alike. Nothing will alienate the public's good will faster than poor pictures. Any attempt to boost bad pictures on the same level with good pictures would arouse the public's ire. An attempt was made recently by the advertising-publicity committee of the producers' association to acquaint the public with the fact that more good pictures than ever before were in store for them, this being one phase of a new public relations plan to offset the public's unfavorable attitude towards Hollywood and its product, but the whole plan flopped because every producer-distributor member saw to it that the list included his atrocious pictures along with the good ones.

For many years HARRISON'S REPORTS has advocated the use of institutional advertising as a means of acquainting the public with the industry's accomplishments and thus gaining its good will. Motion pictures have done so much good to the nation, in war-time as well as peace-time, that those put in charge of a public relations program should not experience any difficulty in choosing the needed subjects upon which to build the industry's story.

But no matter how vast a public relations program is worked out, no matter how many millions of dollars may be spent on it, such a program will be worthless if it is not kept free from industry politics. And the only way to keep it free from industry politics is to place it in the hands of someone who will have enough authority and courage to reject any ideas that will tend to benefit a particular producer at the risk of weakening the public relations program as a whole.

The one person who would seem to be qualified to head and manage an intelligent public relations program is Max E. Youngstein, Eagle-Lion's wide-awake publicity chief, who is also president of the Associated Motion Picture Advertisers, whose membership is made up of men and women

employed in the advertising and publicity departments of the different film companies. Youngstein, it will be recalled by readers of this paper, recently labeled the industry's present public relations effort as "one of the worst butchered jobs in history" and, though he was not prepared to offer a definite program of his own, he pledged himself and the manpower of his organization to full cooperation with any industry group that would come forth with a constructive plan.

Last week, at an AMPA luncheon meeting, Mr. Youngstein again took up the matter of public relations. This is what he had to say in part:

"During the past three months I have covered approximately 20,000 miles visiting almost every state in the union. I have spoken to hundreds of newspapermen and other persons connected with the various outlets of communication. Let me give you my summary of what these people throughout the country think about the motion picture industry:

"(a) They believe that the motion picture industry is today going through one of the worst financial crises in history. This impression they gather from the stories coming out of both Hollywood and New York for the past two years, of drastic economies culminating in the recent barrage of firings. This impression in no way coincides with the true financial facts of our industry as disclosed by the companies' own financial reports.

"(b) People around the country feel that the motion picture industry is a hot-bed of anti-American activity. This conclusion is based upon the Government's investigation and procedure against 10 individuals out of an industry consisting of approximately 250,000 individuals. It is difficult for them to understand when they are asked point blank, why the story of the 250,000 individuals has never been told to the American public and why the welfare of these quarter-of-a-million persons should be stigmatized by charges against ten, especially when such charges have never been proven in a law court to be contrary to law.

"(c) People around the country believe that our industry has been rightly branded as morally subversive by churches of all denominations. The amount of material which they have received and are receiving daily regarding the lurid actions of a handful of people, far outweighs by a hundred fold, information they are receiving about the good that this industry does on a day to day basis.

"It is not our intention as an organization to claim that everything the motion picture industry does is right and good. We merely claim that our percentage of right doing is as high as any other industry but that the story has never been properly told either to the public or to the various outlets of communications which reach the public.

"(d) People around the country feel that we have, as an industry, permitted ourselves to be made ridiculous and censored by every type of organization ranging from honest well-intentioned groups who could properly serve a useful purpose under the right conditions, to local police chiefs and political hacks whose sole basis for censorship and control is graft. They cannot understand why an industry as important as ours should permit this to happen.

"(e) Women's groups around the country believe that we are correctly vilified as being responsible for the violation of every one of the Ten Commandments with a complete disregard for the fact that crime, juvenile delinquency, and even sex had existed prior to the invention of the motion picture. I could go on at much greater length believe me, when I tell you that this is substantially what a large segment of the population around the country thinks about our in-

(Continued on last page)

**"The Creeper" with Ralph Morgan,
Janis Wilson and John Baragrey**

(20th Century-Fox, September; time, 64 min.)

Fair for those who like horror melodramas, but much below the average for those who don't. The action, which centers mostly around the fright Janis Wilson feels from visions of a cat's enlarged paw that appears before her when she is awake as well as asleep, is considerably confusing. Many of the situations will give people, particularly children, the shivers. There is no comedy relief. The direction is fairly good and the acting realistic. The photography is dark and the atmosphere somber, in keeping with the subject matter:—

When a shipment of vials from the West Indies containing a serum that would enable scientists of a foundation to perfect it by means of phosphorous so that operations might be facilitated by lighting the insides of the persons to be operated on arrives in New York smashed, the nerves of scientists Ralph Morgan and Onslow Stevens become frayed. Morgan suggests that the experiments be dropped, but Stevens refuses. Janis Wilson, Morgan's daughter, pleads with Stevens not to import any more experimental cats from the West Indies, for she had an unaccountable fear of them. Stevens, however, ignores her plea. June Vincent, assistant to scientists John Baragrey and Eduardo Ciannelli, hopes that Baragrey will marry her and resents his interest in Janis. An attempt by Ciannelli to put the laboratory's cat into Janis' lap sends her into hysterics. Morgan is found murdered under circumstances that cause suspicion to fall on June, but she is released for lack of sufficient evidence. Janis, upset by her father's death, is visited by Stevens who tries to induce her to give him her father's secret laboratory notes necessary for his experiments, claiming that Morgan had promised to turn the notes over to him. But Janis calls him a liar, for she had overheard Stevens and her father quarrelling. In the course of events, two more murders are committed, including that of June's. Stevens eventually admits that he had committed the three murders. He tries to kill Baragrey, too, but only succeeds in wounding him. Unable to continue his experiments, Stevens injects the serum into his left arm, which turns into a huge cat's paw. He becomes a madman and attacks Janis. Baragrey regains consciousness in time to shoot him down before he can claw Janis to death.

Bernard Small produced it and Jean Yarbrough directed it from a screen play by Maurice Tombragel, based on an original story idea by Don Martin.

Unsuitable for children and many women.

**"Hills of Home" with Edmund Gwenn,
Tom Drake and Janet Leigh**

(MGM, December; time, 96 min.)

A good family entertainment. Set in Scotland and photographed magnificently in Technicolor, its heart-warming story draws considerable strength from the fine performance of Edmund Gwenn, as an aged Scottish country doctor who devotes himself to the care of neighboring sheep farmers, eventually sacrificing his life to answer a call of distress. The fact that the dog "Lassie" plays a major role in the proceedings gives the picture added box-office appeal. It has many situa-

tions that appeal to the emotions deeply, but there are also nice touches of gentle humor. Gwenn's devotion to and patience with Lassie, whom he changes from a weakling to a courageous dog, as well as his earnest desire to be of aid to his fellow-man, makes his characterization extremely sympathetic:—

Angered at Lassie because the dog had not been alert while tending his sheep, Rhys Williams, a farmer, almost drowns the animal in punishment then cannily trades her to Gwenn, the only doctor in the isolated hills of Glen Urtach. Gwenn's temper flares when Lassie shows cowardice towards water, but aided by Tom Drake, Williams' son, who was secretly studying medicine under Gwenn against his father's wishes, he sets about to teach Lassie how to swim. Undecided between following his desire to study medicine or his father's demand that he become a farmer, Drake's mind is made up for him by his sweetheart, Janet Leigh, when Gwenn saves her mother's life in a delicate operation. She urges Drake to prepare to carry on for the aging Gwenn. But convincing Williams is another matter, until Drake, stricken with appendicitis, requires an emergency operation to save his life. Williams refuses to allow Gwenn to use chloroform, a new anesthetic, without which Gwenn dared not operate. In desperation, Gwenn successfully tests the chloroform on Lassie, after which Williams gives his consent. The operation is successful, and Gwenn, in accordance with a promise he had extracted from Williams, sees to it that Drake goes to Edinburgh to study medicine. With the passing years, Gwenn's health begins to fail and, despite the efforts of his friends to keep him inactive, he insists upon answering a call from a distant neighbor in the midst of a severe storm. He meets with an accident and, though Lassie courageously succeeds in bringing help, he dies shortly afterwards from his injuries. He is buried with great honors by his many friends, after which Drake returns from Edinburgh to take his place as doctor of the Glen.

Robert Sisk produced it and Fred M. Wilcox directed it from an original screen play by William Ludwig, suggested by the Ian MacLaren sketches, "Doctor of the Old School." The cast includes Donald Crisp, Reginald Owen, Alan Napier and others.

Suitable for the entire family.

**"No Minor Vices" with Lilli Palmer,
Dana Andrews and Louis Jourdan**

(MGM, November; time, 96 min.)

This is a gay, sophisticated comedy, the sort that should go over pretty well in big-city theatres, particularly with class audiences. It probably will have scant appeal to audiences in small-town theatres and action houses, for the smart and witty dialogue, as a matter of fact the idea behind the story, has a subtlety that may go over their heads. There are many laughs in the cleverly written screen play, which has Louis Jourdan, as a completely uninhibited, Bohemian-like artist, raising havoc with the orderly professional and married life of a prominent doctor, played by Dana Andrews. Jourdan handles a comedy role very well. His efforts to prove that Andrews' wife, Lilli Palmer, was leading a tragic life although seemingly happy result in an amusing triangle from which most of the comedy stems. All in all it is quite mirthful, and

those who like their entertainment spicy should find it very engaging:—

Andrews, a successful pediatrician, is a smoothly regulated individual whose orderly existence is shared by his medical staff and wife alike. A chance meeting with Jourdan, whose studio was filled with all the unexplicable appurtenances of a modernistic artist, brings Andrews to the conclusion that Jourdan led an unordered life and had a chaotic mind. He belittles Jourdan's ability as an artist and invites him to come to the clinic to sketch people as they really are. At the clinic, Jourdan meets Lilli, who also acted as Andrews' receptionist. He makes his way to Andrews' private apartment above the clinic to become better acquainted with Lilli, who finds him amusing because of his lack of sombreness and disregard for conventions. Because of the extreme care she takes in the preparation of Andrews' meals, Jourdan sees Lilli as a kitchen slavey in bondage and prompts her to change her routine, much to Andrews' disturbance. In the events that follow, Andrews finds his married life completely complicated as a result of Jourdan's interference, particularly his desire to paint Lilli, but he agrees to let Jourdan paint her lest she get the impression that he was jealous. With Lilli spending considerable time at Jourdan's studio, Andrews begins to sulk and worry, and a self-examination brings him to the realization that there was considerable truth in Jourdan's remark that he was a stuffed shirt. He finally rushes to Jourdan's studio to put an end to the events that were wrecking his life. There he finds that Jourdan had put on canvas not only Lilli but also the one thing that was making their married life empty and tragic—the lack of a child. This revelation leads to a reconciliation between Lilli and Andrews, while Jourdan walks out of their lives.

It is an Enterprise picture, produced and directed by Lewis Milestone from an original screen play by Arnold Manoff. The cast includes Jane Wyatt, Norman Lloyd and others.

Adult entertainment.

ALLIED'S FORTHCOMING CONVENTION

W. A. Prewitt, Jr., president of the Allied Theatre Owners of the Gulf States and Convention Chairman of the forthcoming National Allied Convention, which will be held at the Roosevelt Hotel in New Orleans on November 29-30 and December 1, reports that, on the basis of advanced reservations received to date, past attendance records at previous Allied conventions should be shattered.

Mr. Prewitt feels that the unusual interest in the meeting is due to the events of the past year, such as the U. S. Supreme Court decisions in the different anti-trust cases, the devastating ASCAP court rulings, the advance of television, and the declining box-office receipts, all of which either have had or will have a decided effect on the operations of the independent exhibitors. "These," said Mr. Prewitt, "as well as many other subjects and problems of importance, are slated for discussion at the meeting in a manner that has made very Allied convention an exhibitors' convention, for the reason that every exhibitor can speak his mind freely and openly."

He added that, although the shaping of policies that will insure a maximum of protection for independent exhibitors is the important work to be accomplished at the three-day meeting, the conclave will not be one of all work and no play. Arrangements have been completed for the social end of the program, which Mr. Prewitt calls "a program that could only be carried out in fabulous New Orleans."

There will be special events for the ladies, such as a tour of the Vieux Carre (the old French Quarter), as well as an afternoon fashion show. An outstanding social event should be a party entitled "Old Man River," which will take place aboard a huge riverboat, a la show boat fashion, while it plows up and down the Mississippi River.

As Mr. Abram F. Myers recently pointed out, this is a convention no alert exhibitor, interested in the

STATEMENT OF OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912, AS AMENDED BY THE ACTS OF MARCH 3, 1933, AND JULY 2, 1946, OF HARRISON'S REPORTS, published Weekly at New York, N. Y., for Oct. 1, 1948.

State of New York.
County of New York.

Before me, a Notary Public, in and for the State and County aforesaid, personally appeared Al Picoult, who, having been duly sworn according to law, deposes and says that he is the Managing Editor 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 August 24, 1912, as amended by the acts of March 3, 1933, and July 2, 1946 (section 537, Postal Laws and Regulations), printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:
Publisher, *Harrison's Reports, Inc.*, 1270 Sixth Ave., New York 20, N. Y.
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4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders 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 trustee 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 a bona fide owner; 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.

5. That the average number of copies of each issue of this publication sold or distributed, through the mails or otherwise, to paid subscribers during the twelve months preceding the date shown above is 2442.

(Signed) AL PICOULT,
(Managing Editor).

Sworn to and subscribed before me this 30th day of September, 1948.

JOHN RUSS

(My commission expires March 30, 1950.)

dustry. Again let me ask how such conditions exist if it were not for the worst butchered public relations job in history. Let those who disagree with me prove that the facts that I describe are incorrect. I would like nothing better than to be proven wrong, because to be proven wrong in this instance would mean only greater strength for our industry.

"I believe that motion pictures are the greatest medium yet devised by man for information and entertainment, I believe that the 250,000 people who make up the manpower of the motion picture industry are as good or as bad as the manpower of any other industry in this country. I believe that we have an obligation as an organization to see to it that their story is told to the American public so that the plusses get at least as much publicity as the minuses. . . ."

Mr. Youngstein's keen observations on what the public thinks about the industry show that he has a clear understanding of what is wrong with our public relations and what should be done to correct it. Although he has pledged that AMPA will strive with all the power at its command to present to the public a true picture of the motion picture industry, he wisely realizes and admits that AMPA cannot do the job alone because there are many limitations on its authority and its money. He does say, however, that his organization has the manpower and ability, and that it is ready to lend that manpower and ability to any intelligent public relations plan.

In labeling the present public relations effort as one of the worst in history, Max Youngstein cannot help but step on many tender toes, but the welfare of the industry as a whole is bigger and much more important than the injured feelings of a few personalities, and if the producer-distributors and their publicity chiefs will get behind Youngstein and his organization in a sincere effort to win the public's good will, this paper is certain that the results will redound to the benefit of every one connected with the motion picture industry.

As for Mr. MacNamara, if he wants to do something constructive and is not seeking personal glory, he should endorse AMPA's efforts; otherwise he will be splitting the strength.

THE ILLEGALITY OF EXHIBITION CONTRACTS AS A DEFENSE IN FRAUD ACTIONS

A main line of defense that has been set up by exhibitors who find themselves defendants in suits charging fraudulent percentage returns is that the suing distributors have no right to proceed against them because the exhibition contracts involved in the suits contain clauses that are in violation of the anti-trust laws.

Several weeks ago, in a case involving the Alger Theatre Circuit, which is being sued by eight distributors, Federal Judge William Campbell, of the U. S. District Court in Chicago, granted the circuit's motion for a separate hearing on the question of whether or not the contracts were legal, basing his ruling on the ground that, if they were illegal, there would be no need for a trial.

It is a highly important development in a case of this kind, one that has been given considerable attention by Mr. Abram F. Myers, National Allied's general counsel, who had this to say in a bulletin issued last week, under the heading, "Judge Campbell Opens the Way to a Defense of the Auditing Suits":

"Several years ago the major distributors apparently gave the individuals constituting the Copyright Protection Bureau full authority to wage a campaign against the theatre owners to check their books and records and to institute suits for alleged shortages on percentage engagements. The right to make such audits was reserved in the exhibition contracts, but for varying periods of from six months to two years. In anticipation of this campaign the companies a few years ago simultaneously omitted all time limitations from their contracts; dropped the clauses prohibiting the employment of local checkers and also eliminated the confidential clause which was a part of the auditing provision.

"While deliberate falsification of records is not to be condoned it appeared that in many of the cases there were extenuating circumstances and equitable considerations which the exhibitor in all fairness should have been allowed to establish. Among these were promises made by distributor representatives at the time exorbitant percentage engage-

ments were entered into, corrupt deals proposed by the checkers who were the employees and agents of the distributors, plus the imposition of terms too heavy for the exhibitors to bear. At the very least, the audits should have been conducted pursuant to the terms and limitations of the exhibition contracts.

"But the distributors in their organized, aggressive attacks on the exhibitors have sought to blot out all equitable considerations by blanket allegations of fraud, and have demanded not only full recovery but punitive damages also. This was in accordance with the general rule that fraud vitiates everything and that once the charge has been made all other issues are put aside until that issue is determined. The filing of these fraud actions has been accompanied by stimulated publicity in the trade press and newspapers and exhibitors who have resisted at any point have had their reputations blasted not only in the industry but among their friends, neighbors and customers.

"Thus by the simple expedient of ignoring their own contracts which controlled in detail the relations between the distributor and the exhibitor, and by raising the hue and cry of fraud, the distributors have sought not only to deprive exhibitors of the benefit of the limitations above-mentioned but have sought to escape the effects of their initial wrong in imposing on the exhibitors contracts which probably are now unenforceable because they contain provisions for price-fixing, compulsory block-booking, unreasonable clearances and other provisions which have been condemned by the courts.

"Several courts blinded by the charges of fraud have virtually denied the exhibitors the right to make a defense. Now the tide seems to be turning. In a recent case in West Virginia, the court, after a full trial, entered judgment for the exhibitor. But the most hopeful development was the entry by United States District Judge Campbell in Chicago, of an order in the Alger Cases on September 16 granting the exhibitors a separate trial before a master on the question whether or not the exhibition contracts were illegal and, if so, whether that finding will prevent the distributors from recovering. This action by Judge Campbell is merely a reference to a master, not a ruling, and up to this point settles nothing. But at least he recognized the seriousness of defendants' contention and decided to look into it before proceeding to a trial on the distributors' charges.

"In his memorandum Judge Campbell said:

"The defendants counter with motions under Federal Rule 42 (b) for a separate trial as to the issue of illegality of the plaintiffs' licensing agreements. They also ask the Court to reserve its ruling on plaintiffs' motion (for the production of books and records) until the issue of illegality has been determined.

"Being within the discretionary powers of the Court, I feel that the defendants' motion for a separate trial should be granted. It is reasonable to presume that the time devoted to trial might be considerably reduced by such action, since a possible determination that the licensing agreements were illegal would dispose of the entire litigation."

"There can be no mistake as to what Judge Campbell had in mind since in his opening paragraph he describes the answer which the defendants make to the allegations of fraud, as follows:

"Plaintiffs bring these actions against the defendants, alleging that the defendants had submitted fraudulent reports of gross receipts to plaintiffs which resulted in plaintiffs renting movie films to them at less than the just price. The defendants answer alleging that their license agreements contained illegal price-fixing covenants, and that their illegality was determined in a decision handed down by the United States Supreme Court on May 3, 1948 in the case of United States v. Paramount Pictures, Inc., in which the present plaintiff was also a party defendant."

"Thus in the Alger Cases the way has been opened for the exhibitor to test the very foundations of the distributors' actions. With all due respect to the ancient maxims concerning fraud, it seems to us that the exhibition contracts should govern in these cases, because the entire controversy arises out of those contracts. This view is reinforced by the fact that the exhibition contracts are substantially uniform, have been drawn by the distributors in their own interest and govern every detail of the engagements. If these contracts were illegal the distributors should not be allowed to escape the consequences of their own wrong merely by emitting shrill cries of 'we wuz robbed.'"

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REFORMS IN CLEARANCES

Clearances, which for many years have been a storm center of controversy and litigation, are being adjusted so that the exhibitor will now get his films quicker than at any other time in the history of the industry, except, of course, during the single-reel days when there existed confusion.

When one recalls the days when he had to wait anywhere from six months to a full year to get his films, and compares those days with his ability to get pictures now either immediately after the prior run or a few days following the completion of such a run, one cannot help being struck by the changing ways of the business.

In the old days the practice was known as "protection," but in recent years it became known as "zoning and clearance," meaning that the distributor, in licensing a film to a theatre, guaranteed that he would not permit the exhibition of that film in any other theatre within a specified area and for a stipulated period of time following the last showing of the picture in the licensed theatre. Today, the term clearance means time and area.

Not only was the area embraced by clearance too extensive in the old days, but also the waiting time of from six to twelve months. It was out of reason and did not serve the interests of the producers themselves. But that was the system instituted by the powerful affiliated circuits to protect themselves from competition, and the producer-distributors, dependent on their bookings, could do nothing but fall into line.

It was not the affiliated circuits alone that the distributor had to satisfy; the clearance demands of many large independent circuits were just as bad and in some cases even worse.

The change that is now taking place is, of course, decided, and it cannot help benefitting the entire industry.

Unfortunately, it was not reason that prompted the distributors as well as the large theatre circuits to bring about reforms in the clearance system; it was the courts that effected it.

When one considers that the revolutionary changes in the distribution and exhibition of pictures have been brought about through court proceedings, one wonders about the thoughts of those industryites who cried: "Don't bring the Courts and the Government into our business; we can adjust our differences among ourselves." As a matter of fact, that was the slogan during the memorable days when Will H. Hays was the head of the producers' organization. But the fact remains that throughout the years the many attempts to adjust differences within the industry ended in

failure because of the producer-distributors' unwillingness to release their monopolistic grip, and it remained for the Government and the Courts to step in and loosen that grip so as to bring about the badly needed reforms.

The effect that anti-trust litigation has had and will have on the industry is summed up constructively by Mr. Abram F. Myers, National Allied's general counsel, who had this to say in a recent organizational bulletin:

"... Court proceedings both public and private are gradually ridding the industry of its monopolistic shackles. Despite the wailing and gnashing of teeth in some quarters this is entirely constructive and for the lasting good of the industry. By now every thoughtful person must realize that there cannot be any industrial stability or security that is not founded on law. Any industry that operates beyond or outside the law is sitting on a powder keg that may be set off at any time.

"The motion picture industry will attain peace, security and real prosperity, and will be united in the effort to meet and overcome the growing competition of rival forms of entertainment when the elements now affected by anti-trust litigation abandon the struggle to evade, cheat or ignore the law and become reconciled to the fact that they, like all other branches of American industry, must conform to the policies that Congress has prescribed for the regulation of interstate and foreign commerce...."

THE SMITH-BERGER CONCILIATION PLAN

The conciliation plan established several months ago by Bennie Berger, president of North Central Allied, and Andy W. Smith, Jr., general sales manager of 20th Century-Fox, has been adopted by the Allied Theatre Owners of New Jersey, and by the Independent Theatre Owners Association of New York.

By this plan, disputes between the exhibitors in the Minneapolis territory and 20th Century-Fox are submitted to a grievance committee made up of three independent exhibitors. If the exhibitor's complaint is found by the committee to be justified, it is referred to properly designated Fox officials with recommendations.

The idea behind the plan is to settle exhibitor-distributor differences promptly, and in a spirit of fairness and open-mindedness. Moreover, any exhibitor who submits his grievance for settlement through mediation does not forego any of his legal rights.

That the plan has considerable merit is evidenced

(Continued on last page)

"Macbeth" with Orson Welles*(Republic, no release date set; time, 107 min.)*

Like Laurence Olivier's "Hamlet" and "Henry V," Orson Welles' production of Shakespeare's "Macbeth" is an attraction that requires special selling to select audiences. Although it is a picture that is best suited for art houses, it may fit into regular theatres as a special attraction wherever tie-ups can be made with groups that are lovers of Shakespeare. But whether those who go for Shakespeare will be pleased with Welles' version of this tragic play is another matter, for he not only has deviated from the original but he and the other actors speak the Shakespearian prose with such a thick Scottish burr that even a student of Shakespeare's works will have a difficult time following the dialogue. As Macbeth, the ambitious Scot general who murders the king and takes his crown, Welles' performance is, in the opinion of this reviewer, as "hammy" as any that has ever been seen on the screen; he hogs the camera throughout, and his every move and reaction is so vigorously flamboyant that one cannot help snickering. The production is not, however, without its masterful touches; the background music is impressive, and the camera work is full of trick angles, some of which are highly ingenious. The settings, too, are impressive, with the dour castle of 11th Century Scotland, the moors and crags, and the low-key photography effectively creating a mood that is in keeping with the somberness and starkness of the play:—

Moved by his own ambition and that of his unscrupulous wife (Jeanette Nolan), Macbeth murders Duncan, King of Scotland (Erskine Sanford), and takes his crown, thereby fulfilling a witches' prophecy that he will be King. The King's son, Malcolm (Roddy McDowall), and Macduff (Dan O'Herlihy), a nobleman, escape to England. But the prophecy had also stated that the son of Banquo (Edgar Barrier), a general, would succeed Macbeth. To prevent this, Macbeth orders the murder of Banquo and his son, but the youth escapes. Plagued by visions of Banquo's ghost, and warned by the witches to beware of Macduff, Macbeth's nerves become shattered; he orders the execution of every person who might learn of his murder of the King, including women and children. His vicious crimes soon affect his wife's mind and she kills herself. Meanwhile Malcolm and Macduff return with an army against Macbeth. The army, screened behind boughs from Birnam Wood, overcome Macbeth's forces, thereby fulfilling a prophecy that Macbeth would be safe until Birnam Wood came to his castle. Macduff engages Macbeth in a duel and slays him, thus enabling Malcolm to assume his rightful place on the throne.

It is a Charles K. Feldman-Mercury production, produced and directed by Orson Welles.

Adult fare.

"The Return of Wildfire" with Richard Arlen and Patricia Morison*(Screen Guild, Aug. 13; time, 81 min.)*

A very good picture of its kind. It is a follow-up to "Wildfire," produced by Screen Guild several months ago. There is plentiful action, and Wildfire, a spirited intelligent stallion, is beautiful to behold in his wild roamings. The outdoor scenery, which shows the rocky country in the desert, is pleasing, particularly because of the Sepiatone photography. As to the story, it is stereotyped—the acts of the villain and his henchmen are arbitrary, and the brutality does not help matters. But it should prove acceptable to the action fans. The acts of Mary Beth Hughes are not logical for a girl living in the Western country, for she is sort of shameless in her conduct, but she adds the sex appeal that many adults enjoy:—

James Millican, foreman of a ranch owned by Stanley Andrews, suffers heavy losses in a gambling place operated by Reed Hadley, to whom he gives IOU's. Under threat of demanding immediate payment, Hadley compels Millican to induce Andrews to sell him his horses at a good price, his purpose being to corner the market. When Andrews refuses, Millican, acting on Hadley's orders, kills him. Hadley then compels Millican to induce Andrews' two daughters, Patricia Morison and Mary Beth Hughes, to sell him their five hundred horses. Mary Beth, whose flirty ways had led Millican

to believe that she was in love with him, agrees to sign the papers completing the sale. Richard Arlen, a recently-hired ranch hand, objects, but he is told to mind his own affairs. Stung, Arlen leaves the ranch. Soon after his departure the girls learn that their father had sold the horses to another man. They set out after Arlen and beg for his assistance. He agrees to return. But when he confronts Hadley and demands the return of the horses, he is slugged. Aided by the girls, Arlen decides to round up five hundred wild horses for the original purchaser. But Hadley and his henchmen interfere with their plans, even killing Millican when he objects. Hadley's henchmen then open the corral and free the horses. Believing that Wildfire had set the horses free, Arlen sets out after the animal, but he calls off the hunt when he learns that Hadley was responsible. He sets out after Hadley and finds him in a wilderness, where a spectacular fight ensues between the two, ending in Hadley's death when he slides down a rocky slope. With the terms of the original contract fulfilled, Patricia and Arlen start life as man and wife, with Mary Beth's blessings.

Ray Taylor directed it and Carl K. Hittleman produced it from his own screen play, written in collaboration with Betty Burbridge. Suitable for the family.

"The Gallant Blade" with Larry Parks and Marguerite Chapman*(Columbia, November; time, 81 min.)*

Good for the undiscriminating action fans, but boresome for others. Photographed in Cinecolor, it is another one of those swashbuckling adventure melodramas set in 17th-Century France, in which a dashing young officer, the best swordsman in France, no less, foils the treacherous machinations of a scheming, leering nobleman and thus saves the French people from being plunged into an unwanted war. It is a hackneyed tale, one that has been done many times, and the best that may be said for it is that the action moves along at an exciting pace, with plentiful swordplay, in a manner that should satisfy those who are not concerned with either realism or logic. Worked into the juvenile-like plot is the hero's romance with a sultry spy, with the usual complications that cause him to suspect her of treachery until she proves her loyalty to his cause:—

Exhausted at the end of the Thirty Years War in 1648, the destitute people of France receive the news of peace with great joy. But Marshal Victory Jory, military head of the Queen's government, sees the peace as a threat to his personal ambitions and plans to invade Spain. He orders General George Macready to march his troops to the Spanish border. Macready, who had led the victorious French armies and now desired only peace for France, heads for Paris with his aide, Lieut. Larry Parks, to dissuade Jory from going through with his mad plan. When Jory refuses to yield, Macready demands an audience with the Queen. Jory sets the hour for the meeting, then secretly arranges to assassinate Macready as he drives to the palace. To carry through the scheme, he arranges with Marguerite Chapman, his girlfriend and spy, to entertain Parks and detain him. Marguerite, however, falls in love with Parks and warns him that Macready's life is in danger. Parks rescues Macready, but Jory locates their hideout and places Macready under "protective" arrest. Meanwhile Parks escapes and joins the members of an underground movement that sought to save France from further wars. Marguerite helps Parks to escape from Paris, but his whereabouts are betrayed by her greedy aunt. He is ambushed by a detachment of Jory's soldiers and left for dead. Parks survives his injuries and suspects Marguerite of double-crossing him, but he becomes convinced of her love and loyalty when she aids him and his followers to gain entrance to the fortress where Macready was imprisoned. While Parks effects the rescue of Macready, Jory, having discovered Marguerite's duplicity, goes to her home to kill her. But Parks arrives in the nick of time, killing him in a bitter duel. Macready rewards Parks by making him a full colonel prior to his marriage to Marguerite.

Irving Starr produced it and Henry Levin directed it from a screen play by Walter Ferris and Morton Grant, based on a story by Ted Thomas and Edward Dein.

Unobjectionable morally.

**"Kiss the Blood Off My Hands" with
Joan Fontaine and Burt Lancaster**

(*Universal-Int'l, November; time, 79 min.*)

A well-produced melodrama, loaded with suspense, but the material is somber and the action frequently nerve-wracking. The plot, however, which centers around a war veteran whose uncontrollable temper involves him in a murder, which in turn makes him the victim of a blackmailer, grips one's interest to the very end. There is an extremely thrilling chase right at the beginning where the hero, after accidentally killing a man, eludes the pursuing police. It is one of the best chase sequences ever filmed. Burt Lancaster acts the part of the hero with force and conviction and, despite his violent temper, manages to win a measure of sympathy because of his willingness to lead a lawful life, as well as his efforts to protect Joan Fontaine, his sweetheart, who had fatally stabbed the blackmailer in self defense. Miss Fontaine is an appealing heroine, winning one's sympathy because of her efforts to rehabilitate Lancaster. Robert Newton, as the blackmailer, makes a slimy villain. There is no comedy to relieve the tension. The story's locale is London:—

Pursued by the police when he kills a saloonkeeper accidentally, Burt Lancaster escapes by climbing through the window of a room occupied by Joan Fontaine, a nurse. He prevents her from making an outcry and, after telling her that he must not be found because he had jumped ship, he releases her. Convinced that she would not inform the police, Lancaster permits her to go to work at her clinic on the following morning. He slips out of the room at nightfall and robs a man to get enough money to buy decent clothes. Later, he waits for Joan outside her clinic to thank her for her help. He wins her sympathy when she learns that he had been in a Nazi prison camp for two years and, after he makes a vague explanation of why the police were after him, she agrees to go out with him to a race track. There, Lancaster is approached by Robert Newton, who tells him that he had been an eye-witness at the murder but did not intend to give him away since he might one day be useful to him. Returning home, Lancaster gets into a fight with a train passenger, and Joan, frightened by his violent temper, rushes away. The scrape brings about his arrest and a six-month jail sentence. Upon his release, Joan, by this time in love with him, arranges for him to be employed as a truck driver at the clinic. Lancaster is contented with his work until found out by Newton who, under threat of exposing him, demands that he turn over to him in a fake holdup the valuable drugs transported in his truck. When Lancaster stalls, Newton visits Joan and tells her about Lancaster's past. He becomes angry when Joan orders him to leave and attempts to assault her. She stabs him with a pair of scissors in self defense. Frightened and dazed, she turns to Lancaster, who removes the dying Newton to his own room so that he would not be found in Joan's room. Lancaster then arranges for Joan to flee with him to the United States. But Joan, realizing that they will always be hunted, induces Lancaster to join her in giving themselves up so that they might one day start life anew.

Richard Vernon produced it and Norman Foster directed it from a screen play by Leonardo Bercovici. Adult fare.

**"Million Dollar Weekend" with
Gene Raymond, Francis Lederer
and Stephanie Paull**

(*Eagle-Lion, no release date set; time, 73 min.*)

Not only is this a run-of-the-mill program melodrama, but it seems as if it was made for the sole purpose of advertising United Airlines, Gruen watches, and Napoleon brandy. The rather weighty story is not helped any by the heavy-handed direction, and the action, a considerable part of which takes place aboard a plane, is so slow-moving that one loses interest in the outcome. There is no human interest in the story, and nothing that happens moves one. Even the performances lack spark:—

Worried over his business affairs, Gene Raymond steals \$1,000,000 from his firm and boards a plane for Honolulu. On the plane he meets Stephanie Paull, a young widow, who pleads with him to protect her from Francis Lederer, a

fellow passenger, who was attempting to blackmail her for half of her husband's insurance money, claiming that she had murdered him. Actually, the man had died in an accidental fall. Raymond's interference infuriates Lederer. In Honolulu, Stephanie and Raymond fall in love. Meanwhile Lederer discovers the stolen money in Raymond's briefcase and, when Raymond is unable to explain where he got it, the blackmailer takes it from him at gunpoint, knowing that he would not dare complain to the police. Lederer returns to San Francisco and vanishes with the money. But through a series of unbelievable incidents, Raymond tracks him down, recovers the money, and returns it to his firm's vault before it is missed. He then joins Stephanie in Honolulu to start a new life.

Matty Kemp produced it and Gene Raymond directed it from a screen play by Charles S. Belden, based on an original story by Messrs. Kemp and Raymond.

Adult fare.

**"The Three Musketeers" with Lana Turner,
Gene Kelly, June Allyson and Van Heflin**

(*MGM, November; time, 125 min.*)

MGM has spared no expense on this extremely lavish Technicolor version of the Alexandre Dumas classic (the fourth time it has been filmed), and it has come up with a winner, for it is one of the most highly entertaining costume adventure melodramas ever brought to the screen. It has almost everything that the rank-and-file picture-goer enjoys—lightning-like action, hilarious comedy, romance, and some drama. The one mild criticism that may be made is that the picture has a tendency to become ponderous when the story hits a serious note, but such a criticism is minor in view of one's overall enjoyment of the proceedings, which for the most part has been given a light tongue-in-cheek treatment. Gene Kelly, as D'Artagnan, is excellent; he handles his comedy chores in a highly amusing way, and his acrobatics and the way he hops around with a flashing sword makes the late Douglas Fairbanks seem slow by comparison. His encounters with Lana Turner, as the beautiful but villainous Lady de Winter, give the film some choice comedy sequences, and when he and his Musketeer friends clash with the forces of the treacherous Cardinal Richelieu the action becomes so fast and wild that it leaves one breathless. The array of talent, which aside from Kelly and Miss Turner, includes June Allyson, Angela Lansbury, Frank Morgan, Van Heflin, Vincent Price, and Keenan Wynn, coupled with the fact that it is the sort of entertainment that will go over with the masses in a big way, should make the picture an outstanding box-office hit:—

Leaving his farm house to make his way in the world, D'Artagnan heads for Paris where his prowess with a sword soon wins him the friendship of Athos, Porthos and Aramis (Van Heflin, Gig Young and Robert Coote), musketeers to King Louis XIII (Frank Morgan). D'Artagnan learns that Richelieu (Vincent Price), who sought to control France by fomenting war with England, was trying to discredit the Queen (Angela Lansbury), who was in love with the English Duke of Buckingham (John Sutton). Aware that the Queen had given Buckingham her famous diamond brooch, Richelieu had induced the King to order her to appear at a royal banquet wearing the brooch. Constance pleads with D'Artagnan to recover the brooch and save the Queen from exposure. Richelieu, learning of D'Artagnan's mission, enlists the aid of Lady de Winter to prevent recovery of the brooch. But D'Artagnan outwits her and, despite the many obstacles placed in his way, obtains the brooch and returns it to the Queen in time for her to wear it at the banquet. The further efforts of D'Artagnan and his friends to protect the King and Queen from Richelieu's machinations involve them in numerous adventures, in the course of which Constance, whom D'Artagnan had married secretly, is murdered by Lady de Winter. But in the end the musketeers expose Richelieu for his plots against the throne, while Lady de Winter pays for her perfidies by being beheaded. All are suitably rewarded by the King.

Pandro S. Berman produced it and George Sidney directed it from a screen play by Robert Ardrey.

Suitable for the entire family.

by the fact that, since it was adopted in the Minneapolis territory, North Central Allied, which does not pull its punches when it considers that a distributor is getting out of line, has not voiced any protest against the Fox methods of doing business.

On the basis of what has happened thus far in the Minneapolis territory, it seems that the plan is highly beneficial in that it has enabled 20th Century-Fox and the exhibitors in that area to settle their differences without leaving any scars.

Litigation is often the only means by which a dispute between an exhibitor and a distributor can be resolved because they are so far apart on their thinking, but there are many disputes that need never reach the courts since they are of the sort that can be settled in amicable fashion around a conference table. The Smith-Berger conciliation plan seems to be the answer, and exhibitor organizations in every territory would do well to adopt it. Moreover, they should make every effort to conclude similar agreements with other distributors.

"Smuggler's Cove" with the Bowery Boys

(Monogram, Oct. 10; time, 66 min.)

This latest "Bowery Boys" comedy-melodrama is a fair addition to the series. The story is completely nonsensical, but the boisterous humor and the constantly moving action should make it a satisfactory supporting feature wherever something light is needed to round out a double bill. This time the boys match wits with diamond smugglers, with most of the action taking place in an isolated mansion, which has the usual quota of secret passages and sliding doors to complicate matters. In common with the previous pictures, most of the comedy stems from Huntz Hall's "goofy" antics and from Leo Gorcey's misuse of the English language. There is nothing subtle about their brand of humor, but they work hard and manage to be considerably funny:—

While employed as a maintenance worker in an office building, Leo Gorcey, by mistake, accepts a special delivery letter bearing his name, unaware that it was intended for a Wall Street tycoon (Paul Harvey) who had the same name. The letter discloses that the tycoon had inherited a large estate on Long Island, and Gorcey, believing himself to be the heir, rounds up his gang and heads for the estate. There, after gaining admittance, the boys discover that the isolated mansion was being used as a hideout by a diamond smuggling ring headed by Martin Kosleck, who locks them up when he catches them eavesdropping. Meanwhile Harvey, the real heir, is induced by his daughter, Amelita Ward, to go to the estate for a vacation. In the events that follow the boys manage to free themselves and become involved with a sultry smuggler (Jacqueline Dalya), who slips a valuable diamond into Huntz Hall's pocket in an effort to prevent Kosleck from getting it. A chase ensues through the mansion, during which the boys mistake Harvey as one of the smugglers, but his identity is eventually cleared up and all join in a climatic free-for-all in which the smugglers are subdued.

Jan Grippio produced it and William Beaudine directed it from an original screen play by Edmond Seward and Tim Ryan. The cast includes Gabriel Dell, Billy Benedict, David Gorcey and others.

Unobjectionable morally.

A COMMENDABLE CAMPAIGN

By action of its Board of directors, National Allied has proposed that the motion picture industry conduct a campaign on its theatre screens urging the public to vote on November 2.

As pointed out by Mr. Abram F. Myers, Allied's general counsel, the Get-Out-the-Vote campaign is an unselfish, non-partisan public service that will be welcomed by all political parties, by all candidates, and by all good Americans, for in these days, when the enemies of American democracy are trying to make it appear as if ours is an out-moded form of government that does not represent the people and does not have their support, a huge vote on Election Day will serve notice on our detractors that the American people can and do govern themselves.

To do the job effectively, Allied has proposed that the producers of all the newsreels between now and November 2 include in each issue a clip urging the people to go to the polls and vote for the candidates of their choice. Mr. Myers cautions, however, that there should be no suggestion or even a hint as to how members of the audience should vote, for any partisanship would, of course, discredit the campaign.

Quick and enthusiastic endorsement of Allied's proposal has been received from such major company executives as Nicholas M. Schenck, of Loew's, Ned E. Depinet, of RKO, Spyros Skouras, of 20th Century-Fox, and Nate J. Blumberg, of Universal, all of whom have advised Mr. Myers that their newsreels will carry the message urging the public to vote.

Numerous public officials, including such men as Secretary of Defense James Forrestal and Attorney General Tom C. Clark, have endorsed the campaign with glowing words of praise and encouragement. Included in the endorsements is a message from the White House.

HARRISON'S REPORTS heartily endorses this worthwhile campaign and urges every exhibitor to do his utmost to make it a success. By participating in such a campaign the exhibitor will be performing a public service that will redound to the credit of not only himself but also the entire industry.

THE INDEPENDENT THEATRE OWNERS OF OHIO
55 East State Street
Columbus 15, Ohio

October 11, 1948

HARRISON'S REPORTS
1270 Avenue of the Americas
New York 20, N. Y.

Gentlemen:

You are to be commended for the item in your issue of October 2nd relating to the unethical manner in which S.R.O. broadcast the grosses of certain theatres on some of their releases.

It will interest you to know that under date of September 21, we wired David Selznick as follows:

"Your company's circular letter signed by Neil Agnew reaches an absolute low in ordinary business ethics and shows your complete lack of respect for the confidential relationship between you and your customers."

To date, Mr. Selznick has not had the courage to respond.

Cordially yours,
(signed) P. J. WOOD
Secretary

HARRISON'S REPORTS

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A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XXX

SATURDAY, OCTOBER 23, 1948

No. 43

IN DEFENSE OF ERIC JOHNSTON

I have received from Kenneth Clark, an old newspaperman and at present public relations director of the Washington office of the Eric Johnston organization, a letter dated October 6, objecting to my remarks about Mr. Johnston in my October 2 editorial, under the heading, "WHOM IS JOHNSTON 'KIDDING?'"

Before copying the parts of his letter that refer to my criticism of Mr. Johnston, allow me to say that, during the war, Ken Clark was a Lieut. Colonel engaged in psychological warfare in Italy. He distinguished himself in that work, the proof of his usefulness to the U. S. Army being his rapid promotion. Ken is an old friend of mine and I would not have copied parts of his letter and replied to them were it not for the fact that he suggested that I copy his letter. I can say this about Ken Clark: Fundamentally he is sincere and honorable, but economically he is influenced by the check he receives every week. Had he been on this side of the fence he would certainly have applauded that editorial, as it has been applauded by others.

In order to keep the issues clear, I shall comment on each letter extract as it appears in print.

Mr. Clark says:

"You talk knowingly about selling pictures to Russia—without, of course, knowing anything about the details or the arrangements. Neither do I, and obviously I won't until Mr. Johnston returns, but I'm not popping off. You are. But this I do know!

"The American public is pretty vitally interested in trying to get the story of democracy and freedom to the people back of the Iron Curtain. I am. I've read words from you saying you are. This about makes it unanimous. I don't know any better medium to tell this story than the motion picture. Do you? I'm pretty excited, therefore, over the prospect of getting the democratic story into Russia and Iron Curtain countries by way of American motion pictures. I'm astonished that you apparently aren't."

Dear Ken:

Since you yourself, at the time you wrote your letter, did not know anything about the details of the arrangement made by Mr. Johnston with Russian government officials regarding the purchase of American pictures to show to their people, your criticism of me is gratuitous. I am, however, passing this up and will confine myself to your question of whether I know of any better medium than motion pictures to present the democratic case to the Russians and to the people of other nations behind the Iron Curtain. I must admit that I DO NOT! But if you think that the Russians will permit, as I stated in my October 2 editorial, the exhibition of American pictures that show the successful operation of democracy in our country, I shall believe that you are either naive or influenced too much by your weekly check.

Personally, I don't have to possess any details of the arrangement to know that the Russian officials will never permit the entry to their country of American pictures, or of any other pictures, for that matter, that glorify democracy. In adopting such a viewpoint, I am guided solely by logic. But have patience—Mr. Johnston has returned from his European trip and once he makes known the list of pictures Russia is willing to exhibit to its people, we will then know which one of us is wrong.

You say:

"Even the most ardent supporters of the Thomas Committee, Pete, wouldn't go along with you in your comments on the results of the Hollywood hearings. No, not even the ardent supporters!

"Do you think the industry wasn't vindicated in showing that un-American propaganda does not infest our films?

"Do you think the industry wasn't vindicated in showing that Hollywood is not a hotbed of communism, but instead that the overwhelming majority of its people are as patriotic as can be found anywhere?"

Ken! I shall let Max Youngstein answer these questions. Mr. Youngstein, as you no doubt know, is publicity and advertising director of Eagle-Lion Films, a person who cannot be called biased against your side, for he stands on your side of the fence.

At a recent meeting of AMPA (Association of Motion Picture Advertisers), of which he is president, Mr. Youngstein stated partly the following:

"During the past three months I have covered approximately 20,000 miles visiting almost every state in the union. I have spoken to hundreds of newspapermen and other persons connected with the various outlets of communications. Let me give you my summary of what these people throughout the country think about the motion picture industry:

"A) They believe that the motion picture industry is today going through one of the worst financial crises in history . . .

"B) People around the country feel that the motion picture industry is a hotbed of anti-American activity. This conclusion is based upon the government's investigation and procedure against 10 individuals out of an industry consisting of approximately 250,000 individuals. It is difficult for them to understand when they are asked point blank, why the story of the 250,000 individuals has never been told to the American public and why the welfare of these quarter-of-a-million persons should be stigmatized by charges against ten especially when such charges have never been proven in law court, to be contrary to law."

Mr. Youngstein's observations included also significant remarks on how people around the country believe that our industry has been rightly branded as morally subversive by churches of all denominations; that we have permitted ourselves to be made ridiculous and censored; and that we are correctly vilified as being responsible for the violation of every one of the Ten Commandments, but since your letter does not concern itself with these issues I'll pass them up.

After reading Youngstein's accusation that people around the country feel that the industry is a hotbed of anti-American activity, do you, Ken, still believe that the industry has been vindicated? Remember that the accusation has been made, not by an exhibitor organization; not by an individual exhibitor; not by a representative of the church—any church; not by a public official, but by a person who, like you, is making his living by working for producers and distributors.

Now, Ken, you make a pointed remark about my belief that Johnston did considerable harm to the industry in his appearance before the Thomas Committee. Everybody, with the exception, perhaps, of Eric Johnston, knew and still knows that J. Parnell Thomas was and still is a publicity

(Continued on last page)

"Joan of Arc" with Ingrid Bergman

(RKO, no release date set; time, 145 min.)

"Joan of Arc" is a great spectacle, a truly superb feature that deserves to take its place as one of the finest ever produced in the history of the motion picture industry. Exquisitely photographed in Technicolor, the production is impressive and magnificent, and its combination of spectacularity, devout faith, and high courage has been handled with infinite care by both Walter Wanger, the producer, and Victor Fleming, the director.

From the opening scene in 1427 in the village of Domremy, where Joan, a 16-year-old peasant girl, is inspired by "voices from Heaven" to go forth and lead the legions of France to victory over the English invaders, to the closing scene three years later when she is burned at the stake in the market place at Rouen, after being charged with heresy by the Church, the sweep and pageantry of the era depicted, coupled with the strong emotional appeal of the powerfully dramatic story, grips the spectator's interest throughout its 145 minutes running time.

The picture has all the ingredients that make for a smash hit, nevertheless there is a possibility that it will meet with considerable resistance because of the fact that the Catholic Church is depicted as the villain in terms that are most uncomplimentary. Even though what is shown is historically true, many Catholics may be offended by the depiction of the complete lack of humaneness and justice displayed by high-ranking Catholic Church officials who resort to all sorts of political trickery and other base machinations as they put Joan to inquisition and eventually order her burned at the stake. To what extent such resentment may affect the box-office cannot be foretold, but exhibitors will do well to watch the picture's performance in the early runs.

Briefly, the story depicts how Joan, heeding a heavenly command to lead the soldiers of France against the British invaders, and to bring about the coronation of the Dauphin, France's uncrowned king, makes the journey to the court of the Dauphin in Chinon, accompanied by thousands of superstitious and religious peasants who, aware of her strange mission, see in her the fulfillment of an old prediction that France would be saved by a maiden from Lorraine. She convinces the Dauphin of the sacredness of her mission and wins his support despite the opposition of his scheming counsellors. Clad in a suit of white armor, Joan wins the confidence of the army leaders and sets out to relieve Orleans, besieged by the English and their continental allies, the Burgundians. A raging battle ensues as Joan leads the troops in an attack on Fort des Tourelles, ending in a French victory. Her army wins successive victories in other parts of France, and in due time she brings about the Dauphin's coronation at Rheims. Joan and her followers prepare to march on Paris to complete the liberation of France, but the weak Dauphin, controlled by his counsellors, accepts a bribe to sign a truce with the British and forbids her to continue the fight. But Joan, still heeding her heavenly command, continues the attacks. She is captured by the Burgundians and sold to the British, who turn her over to their tool, Cauchon, French Bishop of Beauvais, so that legally she will appear to be a prisoner of the Church. Cauchon takes her to Rouen to be tried as a heretic and burned at the stake so as to discredit the Dauphin's title to the French crown. Held in jail for two months and tormented, Joan is finally brought to trial before eighty prosecuting church dignitaries. She gallantly fights every attempt to force her to deny that she had received a command from heaven but, through trickery, Cauchon succeeds in committing her to be burned at the stake for heresy.

The costumes, the colorful royal courts, the various encampments on the road to Orleans, the highly melodramatic battle sequences, the burning at the stake in the market place—all these, as well as other memorable scenes, have been beautifully staged with fine accuracy of detail. Moreover, expert use has been made of the color photography to match the mood of the different scenes.

Ingrid Bergman's sensitive portrayal as the martyred maid is nothing short of magnificent. Whether she is leading her troops in battle, or seeking guidance from "the voices from Heaven," or suffering unbearable persecution both physically and mentally, she at all times makes the characterization totally believable and deeply sympathetic. In less experienced hands, the difficult role might well have been "hammed" up. The supporting cast, which includes thousands of extras, is excellent. Jose Ferrer is exceptionally good as the weak

Dauphin, as is Francis X. Sullivan, as the tricky and wicked Cauchon. J. Carrol Naish, Ward Bond, Cecil Kellaway, Hurd Hatfield, Gene Lockhart, John Emery, George Coulouris, Irene Rich, Roman Bohnen, Richard Ney, Selena Royle and George Zucco are among the other players who appear in brief but effective bit parts.

Maxwell Anderson and Andrew Solt write the screen play, based on Mr. Anderson's stage play, "Joan of Lorraine."

"The Red Shoes" with Anton Walbrook, Marius Goring and Moira Shearer

(Eagle-Lion, no release date set; time, 133 min.)

Produced in England, this beautifully conceived Technicolor romantic drama, revolving around the backstage life of a prominent ballet troupe, is an artistic achievement that should win wide critical acclaim. Its appeal, however, will be limited to cultured audiences, for it is not the sort of picture that the masses will find to their taste. The story, which has as its theme the Hans Christian Andersen fairy tale about a young girl whose red shoes would not stop dancing when she wanted to take them off, revolves around an exciting young ballerina who dances her way to fame only to be tormented by the conflict between her deep love for a young composer, her husband, and her burning ambition to become another Pavlova under the guidance of her ruthless director, who demanded the complete dedication of her life to the dance. She ultimately finds peace in death by hurling herself under the wheels of a train. The story itself is rather trite and long drawn out, but it holds one's interest throughout because it is played against a fascinating background of backstage ballet life, giving one an insight on how ballets are conceived and created, and how intense is the devotion of those who are associated with the art.

The high point of the production is "The Red Shoes" ballet, a superb, pictorially beautiful sequence that should prove to be a feast to the ballet lovers. In addition to this specially created ballet, parts of other ballets have been incorporated into the story. The magnificent settings and costumes, the rich color photography, the brilliant music score, and the inspired choreography have been blended with such artistic imagination that those who will see the picture will leave the theatre fully satisfied that they have witnessed a cinematic treat, a great step forward in the motion picture art.

The cast, headed by Anton Walbrook, as the temperamental impressario, Moira Shearer, as the young ballerina, and Marius Goring, as the young composer, is excellent. It was written, produced and directed by Michael Powell and Emeric Pressburger.

Mature entertainment.

"Disaster" with Richard Denning and Trudy Marshall

(Paramount, Dec. 3; time, 60 min.)

This is a run-of-the-mill action melodrama, undistinguished in every department—writing, direction and acting. There is nothing much to the story, which attempts to be mystifying, and which does not take shape until the picture is more than half over. Even then, it is all so ordinary and far-fetched that one loses interest in the outcome. As a matter of fact, the story is so thin that the producer had to resort to considerable padding on trivial and uninteresting incidents and dialogue to give the film its one-hour running time. It depends for its thrills on the activities of steeplejacks working on high buildings, but so much hokum has been put into these scenes, which for the most part have been staged crudely, that only the very naive among the picture-goers will find it satisfactory:—

Wanted for murder, Richard Denning ducks detective Damian O'Flynn by climbing to the top of a church dome to make it appear as if he was one of the steeplejacks working there. He explains his presence to Bill Wright, the head steeplejack, by stating that he was looking for a job. Wright hires him. Denning becomes friendly with Trudy Marshall, Wright's daughter, much to the distaste of James Millican, who, too, worked for Wright. In the course of events Denning confesses to Wright that he was wanted for murder, claiming that he was framed by Jack Lambert, a fellow worker, for the killing of a construction job foreman. Lambert had disappeared, and Denning was searching for him to prove his innocence. Denning's problem resolves itself when an airplane crashes into a skyscraper, loosening the

structure. Wright attempts a dangerous assignment and is caught beneath a girder. Denning goes to his rescue, but in doing so is captured by O'Flynn. Just as O'Flynn is about to take him away, Denning spots Lambert among the workers who had rushed to the emergency work. He leaps on Lambert and compels him to confess in the presence of O'Flynn. Cleared of the murder charge, Denning turns his attention to Trudy.

It is a Pine-Thomas production directed by William Pine from an original screen play by Thomas Ahearn. Unobjectionable morally.

"The Paleface" with Bob Hope and Jane Russell

(Paramount, Dec. 24; time, 89 min.)

Bob Hope's fans will find him extremely amusing in this burlesqued version of an Old West epic, which has been produced on a fairly large scale and photographed in Technicolor. The fact that there is little rhyme or reason to the threadbare plot means nothing, for Hope's rib-tickling brand of clowning keeps the action moving at a merry pace. At times, the comedy becomes wildly slapstick. All the standard Western-picture clichés are satirized in broad fashion, with considerable comedy stemming from the fact that Hope, inwardly a coward, is mistakenly lauded as a fearless hero, the result of Jane Russell's unseen but expert shooting. The false bravado he assumes to justify his reputation is highly amusing. Miss Russell, who uses Hope as bait to trap a gang of renegades, is very good in a sulky portrayal of a tough, "two-gun gal":—

The story, laid in the 1870's, begins with Jane being released from prison by the authorities on condition that she help track down a gang of renegades smuggling guns to the Indians. She becomes involved in a gun fight with the renegades at a trading post, and makes her escape by hiding in a covered wagon driven by Hope, a correspondence school dentist, who had been ordered out of town by an anguished patient. Realizing that she will attract less attention as a married woman, Jane has no trouble persuading Hope to marry her. She then compels him to join a wagon train headed deep into the Indian country, and decides to use him as bait to trap the renegades by hinting that he is a government agent. Hope's wagon and two others become separated from the main wagon train, and they are attacked by Indians. Jane's expert shooting drives the Indians off, but Hope is mistakenly acclaimed as the hero. Arriving in the town of Cheyenne Pass, Hope plays his hero role to the hilt only to find himself forced into a gun duel with a fast-shooting ruffian. Jane comes to his rescue once again, but the townspeople do not notice her aid, causing them to heap fresh laurels on Hope. In the course of events Jane and Hope discover where the smuggled guns and ammunition are cached, but before they can take action both are captured by the Indians and sentenced to death by torture. Hope effects his escape and, by masquerading as an Indian medicine man, rescues Jane. Their wild dash for freedom is climaxed by an explosion of a wagon-load of dynamite, which sends the renegades to destruction.

Robert L. Welch produced it and Norman Z. McLeod directed it from an original screen play by Edmund Hartmann and Frank Tashlin. The cast includes Iris Adrian, Robert Armstrong, Clem Bevans and others.

Unobjectionable morally.

"The Return of October" with Glenn Ford and Terry Moore

(Columbia, November; time, 87 min.)

Photographed in Technicolor, this whimsical comedy-drama shapes up as a fairly good family entertainment. The story, which revolves around a young girl's belief that a certain racehorse is a reincarnation of her uncle, is rather lightweight, but it cleverly avoids fantasy and has some amusing twists whereby the girl becomes the unwitting subject of a young professor's psychological report, which in turn is used by greedy relatives who charge her with insanity in an attempt to cheat her out of an inheritance. A light touch prevails throughout the proceedings and, except for the machinations of the grasping relatives, it is pleasing, with considerable mild comedy and wholesome sentiment. Terry Moore, a newcomer, is charming as the heroine Glenn Ford turns in an amusing portrayal as the young professor who falls in love with her and proves her to be completely sane despite his report to the contrary. Several thrilling horse races are worked into the action:—

James Gleason, a veteran horse trainer, drops dead when his horse, frightened by a paper airplane thrown by a boy, loses an important race. His niece, Terry, whom he had brought up to her 18th year, goes to live with her wealthy but tyrannical aunt (Dame Mae Witty), who disapproved of racetrack life. During her stay with the aunt, Terry attends a horse auction, where she sees a horse wearing a battered hat and munching a straw, reminding her of her uncle. Recalling that Gleason had said that if he ever returned it would be in the form of a horse to win the Derby, Terry becomes obsessed with the idea that the horse, October, is a reincarnation of Gleason. She wins him at the auction by outbidding Ford, who wanted the animal for psychological experiments. Not having sufficient funds, she inveigles Ford into lending her the purchase money. As a result, Ford gets into a mess with the school authorities for lending college funds, but he soothes them by offering to write a book for the school based on a psychological study of Terry's delusion. He completes the book, and in the process falls in love with Terry. Meanwhile the aunt dies, leaving everything to Terry. Greedy relatives contest the will, using Ford's book to prove that Terry is insane because of her belief that October is her uncle. Despite Terry's refusal to have anything to do with him, Ford defends her in court and convinces the judge and jury that the conclusions in his book were wrong. It all ends with October winning the Derby, and with Terry and Ford reconciled.

Rudolph Mate produced it and Joseph H. Lewis directed it from a screen play by Melvin Frank and Norman Panama, based on a story by Connie Lee and Karen DeWolf. The cast includes Henry O'Neill, Nana Bryant, Lloyd Corrigan and others. Suitable for the family.

"June Bride" with Bette Davis and Robert Montgomery

(Warner Bros., Nov. 13; time, 97 min.)

A highly entertaining comedy farce. The comical gags and situations are well conceived, and the picture is loaded with snappy repartee that keeps one laughing throughout. Moreover, the story has some human interest, and the romantic angles are both appealing and amusing. As the editor of a slick woman's magazine, Bette Davis, who has been steeped in heavy dramatic roles for quite some time, does very well in a light comedy role, and the change of pace should help to reestablish her popularity with the fans. But it is Robert Montgomery, as an ace foreign correspondent assigned to write feature stories for Bette's magazine, who is responsible for most of the hilarity. His efforts to inject color and drama into a routine story about a June wedding in a typical Indiana home, to which he, Bette, and other members of her staff had journeyed, raise havoc with Bette's well-laid plans in a manner that is highly amusing. An hilarious sequence is the one where Montgomery gets drunk on iced apple cider after believing it to be an impotent drink. The picture has some sophisticated touches, but on the whole it is good, clean fun:—

Despite his aversion to the idea, Montgomery permits his editor (Jerome Cowan) to maneuver him into accepting the unwanted assignment of feature writer on a family magazine edited by Bette, an old flame, whom he had walked out on four years previously. Bette repulses Montgomery when he tries to rekindle their old love, but agrees to accept him as her assistant on a strict employer-employee basis. She outlines their immediate job—that of journeying to a small Indiana town to do a feature story on a small-town wedding and a home-life layout on a typical American family. Arriving at the home of Tom Tully and Marjorie Bennett, Montgomery meets their two daughters, Barbara Bates, the bride, and Betty Lynn, her teen-aged sister. Complications arise when Montgomery discovers that Barbara did not love her prospective groom, Raymond Roe, but was really in love with his brother, Ray Montgomery. Young Betty, acting on a suggestion made by Montgomery, arranges for Ray to return to town and, as a result, Barbara elopes with him, thereby upsetting Bette's feature story. Bette, furious, fires Montgomery, but before he departs he maneuvers young Betty into agreeing to marry the rejected groom so that Bette will have her story. The wedding ceremony awakens Bette's love for Montgomery; she rushes to New York, tenders her resignation to Cowan, and practically begs Montgomery to forgive her and marry her.

Henry Blanke produced it and Bretaigne Windust directed it from a screen play by Ralald MacDougall, based on a play by Eileen Tighe and Graeme Lorimer. Suitable for the family.

hound, trying to shout even Drew Pearson, because that famous columnist, in his syndicated columns, made statements that Mr. Thomas has not seen fit, either to answer, or to sue him for libel. In the hope that he would get applause from those whom he could not satisfy by answering Pearson, and thus appear to them as a great patriot, Mr. Thomas sought out a villain—the motion picture industry—which offered him an opportunity to yell to high heaven. And he made the most of it. What did Mr. Johnston do during the hearings of the Hollywood Ten? He literally handed to Mr. Thomas cans of oil which he, Mr. Thomas, threw into the flames. A smart man would have confronted Thomas and, instead of accusing him of being unfair to the motion picture industry, an accusation Thomas no doubt relished, would have said:

"Mr. Chairman, I represent the motion picture industry and my instructions are that I offer your Committee full cooperation to the end that Communism, if any exists in the motion picture industry, or any other industry, for that matter, be exterminated. If we possess any information that may help the Committee, we are more than willing to offer it to you to ferret out guilty persons; if we do not possess such information, rest assured that we are ready to do everything within our power to aid you in getting the facts."

What is wrong with such reasoning, Ken? If Mr. Johnston had adopted such an attitude, he could have spiked Thomas' guns, and the industry would not have been disgraced by the Ten hostile witnesses, for they would have been looked upon by the American public as individual cases, such as exist in many other industries. But he failed to resort to this simple reasoning, with the result that Hollywood, today, is considered by the American public as a hotbed of communism.

It will require hard work by us to undo the damage Eric Johnston did to the industry, a damage that will be difficult to overcome even if he succeeds in putting American pictures in every theatre in the world.

Very sincerely yours,
P. S. HARRISON

WILL THE AMERICAN DISTRIBUTORS TAKE A POSITIVE STAND AGAINST J. ARTHUR RANK?

In a statement issued to his stockholders in London on October 4, J. Arthur Rank blasted the American picture industry for its attitude towards British films. He stated that the British and American pictures should be seen together all over the world, and that such a result should be achieved on a friendly, yet competitive, basis. "I still wish," Mr. Rank said, "to operate on this basis in spite of what has happened over the last twelve months."

Further on in the statement, Mr. Rank said: "I am equally satisfied that there can be no peace or real understanding between the American industry and the British industry until our films receive reasonable playing time in the U.S.A., which they are not doing today."

If we are to assume that Mr. Rank is inspired with the best of motives and the kindest of feelings towards the American industry, let us ask him to explain whether his determination to put top American pictures at the bottom of a British-American double-bill in his and other English theatres is a demonstration of his kindly feelings, as are his efforts to shut out a greater percentage of American films from the British market? If so, Mr. Rank proceeds to show his good will in a very peculiar way.

Mr. Rank insists that the American theatres give more playing time to British films, no matter whether they make money for the exhibitors or not.

Do the British pictures, with the exception of an occasional top British film, draw the American people to the box-offices of the American theatres? Let us look at the facts:

For more than two years Mr. Rank rented the Winter Garden on Broadway, in New York City, for the exhibition of his films. How these films fared at the box-office may be answered by the fact that, several weeks ago, Mr. Rank was compelled to give up operation of that theatre because it proved unprofitable.

How, then, can Mr. Rank, in the name of common sense,

claim that there is an "invisible quota" on British films in American theatres when he himself, using his own pictures, has failed to make the operation of a theatre in the United States profitable?

Does he still think that there is a dire plot against the showing of British films in the American theatres owned by the producer-distributors? If he should be patient enough he will have a chance to convince himself: soon the United States courts, according to present indications, will order the American producer-distributors to divest themselves of their theatre holdings. When this comes to pass, Mr. Rank will be able to make a booking appeal to exhibitors who will have no producing ties. I venture to say that, unless there is a decided improvement in both the entertainment and commercial qualities of his pictures, Mr. Rank will find little if any increase in the playing time he now enjoys.

Whether Mr. Rank believes it or not, the American independent exhibitors have no preference as to who makes a film so long as it will make them money. A picture may have been produced in the Arctic Circle, by persons of any nationality, yet the independent exhibitors in the United States will book it if it entertains his patrons.

One of the chief faults with British films, insofar as the American exhibitors are concerned, is that they lack star value. The American picture-goers, who are in the main star-conscious, do not know the British stars, and naturally they are not attracted to the box-office by them. When the British producers come to the realization that, before their pictures will sell in the American market, they must first sell their stars to the American public, they will not have to worry about getting playing time for their pictures here, for the pictures will then sell themselves. What exhibitor will refuse to book a picture that will make him money? None of them will stop to consider its origin. As a matter of fact, the American exhibitors are more than happy to book pictures from sources other than Hollywood, providing such pictures entertain, for by creating a greater number of film sources they will become less dependent on the limited Hollywood source. Besides, the greater the competition for an exhibitor's playing time, the better are his chances for reasonable film deals.

What Mr. Rank seemingly fails to realize is that it is not the American exhibitors but the American public that determines whether or not a particular British film should be booked. Mr. Rank may rest assured that the American public is not interested in the wranglings between the American distributors and himself. They are interested only in the entertaining quality of British pictures, and the proof of it is their reception of such films as "Great Expectations," which appealed to the masses, and Laurence Olivier's "Henry V" and "Hamlet," which are drawing the cultured picture-goers in droves. If Mr. Rank will check the record, he will find that, throughout the years, whenever a British producer made a picture that appealed to the American public, such a picture enjoyed the fullest playing time possible in American theatres. The answer, of course, is that the American exhibitor is guided, not by nationalistic feelings, but by the desires of his patrons.

As to Mr. Rank's efforts to arbitrarily classify top American pictures as "B" pictures, and to use them in his theatres on the lower half of a double-bill so that top money would go to a weak British picture on the same bill, the American producers have a remedy, as HARRISON'S REPORTS pointed out recently—refuse their pictures to the Rank theatres first run, favoring Rank's competitors.

But before Rank's competitors will change their runs to book the American pictures first run, they must be assured that they will receive the American films ahead of Rank all along. Otherwise, they may refuse to change their runs, for they will say to themselves that, when the American distributors settle their differences with Rank, the run will be taken away from them. And that will not be good business, for if Mr. Rank continues to undermine the American film industry in Great Britain the sooner the American companies give their answer to him in positive terms the better it will be for their interests.

This is the time for the American producers to determine what they should do—whether they will bow to J. Arthur Rank or remain independent.

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THE HOLLYWOOD BLACK SHEEP

Charged with being "drunk, noisy, loud and boisterous," and belligerent to the point of wanting to fight five police officers, screen actor Robert Walker has won for himself the dubious distinction of being the latest of Hollywood's misbehaving stars to hit the front pages of the nation's newspapers in a scandalous episode. Walker, who pleaded guilty and paid a \$50 fine in a Los Angeles police court, is quoted by the arresting officer of having said: "Why, I've been drunk for 25 years!"

Newspapers throughout the country reproduced an uncomplimentary photo of Walker in police court, obviously drunk and clothes disheveled, showing him snapping his fingers in a devil-may-care pose while his shirttail hangs out of his trousers.

His companion in this escapade was Pat Dane, a starlet, who pleaded guilty to drunken driving and paid a fine of \$150 as an alternative to thirty days in jail. Miss Dane, it will be recalled, last hit the headlines when she became involved in a brawl between her former husband, Tommy Dorsey, and Jon Hall.

This latest escapade involving the misconduct of a Hollywood star is significant in that it comes on the heels of a statement issued by National Allied's Executive Committee, which blasted Hollywood for its attitude towards misbehaving stars and announced that it intends to recommend to the forthcoming Allied convention that the exhibitors take steps to solve the problem. The statement, which was issued following the Committee's meeting in Washington on October 16 and 17,—prior to the Walker incident—had this to say in part:

"The Executive Committee took note of the rising tide of criticism of the motion picture industry in many quarters which is reminiscent of the rumblings which preceded the outburst in 1934. The view was expressed that this public criticism cannot be silenced by the raising of huge sums of money to divert public attention from the faults of the industry by advertising and exploitation campaigns.

"The only effective way by which to end public dissatisfaction is to remove the cause therefor. The industry must clean up the filth wherever it is found; it cannot get by merely by spreading the formaldehyde.

"A chief cause of bad public relations has been the misbehavior of Hollywood stars. There have been so many flagrant examples of this in recent years that it is not necessary to cite specific instances.

"It often happens that when the misconduct of a star is revealed and it becomes a nation-wide scandal, his employer has on hand one or more films featuring that star and, therefore, feels it necessary to defend such misconduct instead of penalizing it.

"Thus the public looks in vain for stern action by the industry's reputed Tsar [Eric Johnston] and, instead, hears only of frantic calls for Jerry Giesler.

"Motion picture stars exercise enormous influence on the manners and morals of the public, especially on the youth of the nation. That is why they are paid by the manufacturers of all manner of products to endorse the same. Their

clothes, their hair-dos, their mannerisms and their behavior set a pattern for many millions of their admirers.

"Because of this—and especially because they owe their high station to public support—the stars are not mere private citizens. They are public figures, just as much so as though they had been chosen by popular ballot. Public officials when they go wrong can be punished by impeachment, recall or the denial of re-election.

"Some method must be devised for the disciplining of the erring stars instead of condoning their misdeeds. And this must be done by the motion picture industry itself, if it is to retain the confidence of the American people.

"The Executive Committee considered a solution of this problem proposed by Joseph P. Finneran, an Indiana exhibitor, which it tentatively approved in principle. The General Counsel [Abram F. Myers] was directed to devise practical machinery for carrying the proposal into effect and to report the results of his study to the Board of Directors in New Orleans.

"If the proposal in final form is approved by the Board, it will be reported to the Convention for its consideration and advice."

HARRISON'S REPORTS has for many years advocated the use of institutional advertising to offset the industry's unfavorable publicity, and it still believes that such a campaign, intelligently applied, will do much to win the public's good will and confidence. But there is no denying that Allied is right in expressing the view that public criticism cannot be silenced by diverting public attention from the faults of the industry through advertising and exploitation campaigns, for such a method is just like curing the effect but leaving the cause. There must be an operation performed to remove the cause. And such an operation can be performed only by the industry itself through the adoption of a practical plan whereby the erring stars will be penalized for their misdeeds, even to the extent of being banned from the industry.

The idea of an industry adopting and enforcing rules to control the moral conduct of its people is not new. The professional baseball industry has successfully employed such control for many years, ever since 1921, following the notorious Chicago Black Sox scandal. As a result of that scandal, professional baseball had fallen into disrepute and, to save the game and win back the public's confidence, the baseball magnates agreed to place the conduct of their operations and their players under the jurisdiction of a baseball commissioner, whose authority included, and still includes, the penalizing of players for misconduct both on and off the playing field. The absolute authority vested in the Commissioner resulted in the cleaning out of all the bad elements in professional baseball, and as a consequence professional baseball today enjoys the highest respect and confidence of every lover of the sport.

The reason why self-industry control has worked out so well for baseball is that the offending player, manager, coach, umpire—in fact, any one connected with the game—is dealt with so promptly and severely that baseball fans accept the offense, not as an indictment of baseball as a whole, but as the misdeed of the individual offender.

The motion picture industry is badly in need of a somewhat similar system of self-industry control, and this paper

(Continued on last page)

"Let's Live a Little" with Hedy Lamarr and Robert Cummings

(Eagle-Lion, no release date set; time, 85 min.)

This is a breezy, "whacky" type of comedy-farce, the sort that should go over pretty well with the rank and file, for it is filled with good gags and comedy situations, particularly in the first half. In the second half, however, the comedy situations are stretched too thin, causing the action to become somewhat draggy. Nevertheless, one is kept laughing throughout most of the ludicrous but gay story, which revolves around the romantic misadventures of a high-strung advertising executive who becomes involved with two female clients, one a psychiatrist and the other the passionate head of a cosmetic firm. The comedy is subtle in the way it pokes fun at psychiatrists and at advertising people, but for the most part it is broad and exaggerated to the point of slapstick. Robert Cummings does a very capable job as the advertising executive, putting over his comedy chores with a maximum of merriment. Hedy Lamarr lends the right amount of glamour as the psychiatrist, and Anna Sten is highly amusing as the amorous cosmetic firm proprietress:—

Cummings, top account executive for an advertising agency, becomes a nervous wreck as the result of the stratagems employed by Anna, who held out for a resumption of their once-torrid romance as the price for signing a renewal of her one million dollar advertising account. Noticing Cummings' harried condition, his employer agrees to relieve him of Anna's account for a short time, and suggests that he start work on a promotion campaign for a new book written by Hedy Lamarr, a prominent psychiatrist. His meeting with Hedy ends in a consultation about his nervous condition, which she traces to Anna's refusal to renew the contract. She suggests that he try a new tactic with Anna—to take her to a night-club and shower her with affection. Hedy attends the club to observe his progress. When Anna meets her, she suspects that more than a physician-patient relationship existed between them. Furious, she starts a free-for-all fight from which Cummings emerges with his nerves completely shot. Hedy, deciding that he needs a complete rest, takes him to a rural retreat, where both fall in love, much to the dismay of Robert Shayne, Hedy's associate, who was in love with her himself. One day Cummings hears himself described by Hedy as a "guinea pig" in an experiment she had carried on. Incensed, he breaks with Hedy and resumes his association with Anna, who makes him agree to her marriage proposal before she signs the contract. This turn of events so upsets Hedy that she becomes a nervous wreck in much the same manner as Cummings had been. Shayne attempts to turn the situation to his advantage, but this only serves to rile Cummings and, after a series of madcap mixups, it all ends with Hedy in Cummings' arms, while Anna pairs up with Shayne.

Eugene Frenke and Robert Cummings produced it and Richard Wallace directed it from an original screen play by Albert J. Cohen and Jack Harvey. The cast includes Mary Treen, Harry Antrim and others.

Mature entertainment.

"Ladies of the Chorus" with Adele Jergens and Marilyn Monroe

(Columbia, no release date set; time, 59 min.)

A minor but fairly entertaining comedy-drama with music, suitable as a program filler in double-billing situations. The story, which revolves around a socialite's acceptance of a chorus girl's marriage to her son, has been done many times, but this version is tolerable, for it has a pleasing romance, touches of human interest, some comedy, and several songs. The idea of having the heroine's mother dancing in the same chorus line with her daughter is rather absurd, but since the mother (Adele Jergens) is even more attractive than the daughter, the incongruity is not too hard to take. The direction and acting are passable:—

Given an opportunity to replace the temperamental burlesque queen of her show, Marilyn Monroe, a chorus girl, becomes a sensation and is hailed as a new star. Her mother,

Adele Jergens, a member of the chorus in the same theatre, keeps a careful watch on Marilyn to protect her from stage door "wolves." Rand Brooks, a wealthy young socialite, woos Marilyn and wins her love. He proposes marriage, but Adele rejects the idea because of her belief that his mother and friends would not accept a burlesque queen in their circle. She then explains that her own marriage had gone on the rocks for just such a reason. Brooks insists that his mother (Nana Bryant) will love Marilyn, and Adele finally consents to go to his Cleveland home with Marilyn upon his promise to tell his mother the truth about Marilyn's background before their arrival. Brooks, however, lacks the courage to speak to his mother, and later, at a party announcing their engagement, the orchestra leader recognizes Marilyn and inadvertently reveals that she is a burlesque queen. The horrified guests begin to whisper among themselves, but Brooks' mother takes matters in hand and, by pretending that she herself was in the chorus as a young girl, she makes the guests realize that an actress can be socially acceptable. All present forget their snobbishness and crowd around Marilyn and Brooks to wish them happiness.

Harry A. Romm produced it and Phil Karlson directed it from a screen play by Harry Sauber and Joseph Carole, based on Mr. Sauber's story. The cast includes Eddie Garr, Steve Geray, the Bobby True Trio and others.

Unobjectionable morally.

"The Strange Mrs. Crane" with Marjorie Lord and Robert Shayne

(Eagle-Lion, no release date set; time, 60 min.)

A mediocre program murder melodrama. There is little to recommend in it, for the story is extremely thin and unbelievable, and it drags through most of its unfolding, barely holding one's interest. Moreover, the main characters are unsympathetic. The action never strikes a realistic note, for the story resorts largely to coincidence to tie in the different events. The closing courtroom scene, where the heroine inadvertently reveals herself as the murderess, is so implausible that instead of being taken seriously by audiences it will probably cause them to laugh. The direction is ordinary, and the performances no more than adequate:—

Married to Pierre Watkin, a candidate for the governorship, Marjorie Lord's past begins to catch up with her when she meets Robert Shayne, a former sweetheart, with whom she had been partners in a blackmail racket. Shayne had deserted her several years previously, when the authorities got on their trail. He convinces her that he was still in love with her, and she embarks on a clandestine affair with him. He soon reveals his true intentions, however, when he attempts to blackmail her to keep silent about her past. She breaks off the affair and threatens to kill him if he bothers her again. That evening, he sends a note to her home demanding that she visit him that night lest he tell her husband the whole story. Stuffing the note into the pocket of her coat, Marjorie hastens to Shayne's apartment, arriving there shortly after he had had a quarrel with Ruthe Brady, a model he had been courting. Infuriated by Shayne's demands, Marjorie stabs him to death. Ruthe is arrested for the killing when witnesses place her in Shayne's apartment on the night of the murder. By a grim quirk of fate, Marjorie becomes the forelady of the jury that tries Ruthe for her life, and when the jury retires to weigh the verdict she takes the lead in convincing the others of Ruthe's guilt. The jury reaches a unanimous verdict of murder in the first degree, and Marjorie, as forelady, fills out the verdict slip and puts it into her coat pocket. Returning to the courtroom, Marjorie proceeds to announce the verdict, but the judge interrupts and tells her to hand the verdict slip to the clerk. Hastily fishing in her coat pocket, Marjorie hands a slip of paper to the clerk without realizing that it was the blackmail note that Shayne had sent her. The reading of the note produces a sensation, resulting in Marjorie's arrest while Ruthe is set free.

John Sutherland produced it and Sherman Scott directed it from a screen play by Al Martin, based on a story by Frank Burt and Robert Libott.

Adult fare.

**"Belle Starr's Daughter" with
George Montgomery, Rod Cameron
and Ruth Roman**

(20th Century-Fox, November; time, 86 min.)

A fair program Western melodrama. Although it can boast of better-than-average production values, as well as star names that should mean something at the box-office, it remains an over-size picture of its kind, burdened by a basically routine plot that does not warrant an eighty-six-minute running time. It should go over with the avid western fans, for it has all the customary fast-riding, gunplay, and fisticuffs, but stretching the story has served to slow down the action and decrease the suspense. The performances, however, are of a caliber to sustain one's interest through the slower spots. The outdoor photography is particularly good:—

Furious because Rod Cameron, one of her henchmen, had murdered the marshal in nearby Antioch, thus breaking a truce between the town and her band of outlaws, Isabel Jewell, a bandit queen, prepares to turn Cameron over to a posse headed by George Montgomery, the new marshal. Cameron, however, kills Isabel under circumstances that lead Ruth Roman, her daughter, to believe that Montgomery was responsible. With the outlaws driven out of the territory, Ruth goes to work as a waitress in town. Montgomery falls in love with her, but she rejects his attentions because of her belief that he had killed her mother. In the course of events, Cameron, now a notorious bandit, rides into town with several of his henchmen for the express purpose of killing Wallace Ford, Isabel's former foreman, whom Cameron suspected of knowing too much about her death. Ruth, fascinated by Cameron, helps to hide his identity from Montgomery. Later, when Cameron kills Ford in a shooting fray, Ruth foils Montgomery's attempt to arrest him, then rides off with the outlaw and his henchmen, helping them to commit a series of robberies. Meanwhile Montgomery sets out on their trail and, with the aid of several posses, begins to tighten a net around the fugitives. Hard pressed to escape capture, Cameron heartlessly abandons one of his injured henchmen, despite Ruth's protests. That same night, as Cameron and the others sleep, Ruth steals away and rides back to aid the injured bandit. Grateful, the dying man reveals to her that Cameron had killed her mother. Cameron catches up with Ruth just as he himself is caught by Montgomery. A gun battle ensues between the two men, ending in Cameron's death. Ruth surrenders to Montgomery, fully aware that he will turn her over to the law but happy in the thought that he will be waiting for her.

Edward L. Alperson produced it and Lesley Selander directed it from an original screen play by W. R. Burnett. Jack Jungmeyer, Jr. was associate producer. The cast includes Charles Kemper, William Phipps, Jack Lambert and others. Unobjectionable morally.

"The Angry God" with an all-Mexican cast

(United Artists, no release date set; time, 57 min.)

In the September 25 issue of this paper, under the heading, "Beware," there was published an opinion of "The Angry God" as reported in a bulletin of the Allied Caravan of Iowa and Nebraska. The Caravan member who sent in that opinion thought that the picture was so poor that he urged the other Caravan members not to buy it and, if they had bought it, not to play it. After seeing the picture, this reviewer is inclined to agree with that opinion, for there is little in the picture that comes under the heading of entertainment.

It can best be summed up as a dull, third-rate travelogue of rural Mexico, around which has been built an even duller folk tale revolving around a legendary "fire god," who assumes the shape of mortal man and falls in love with a peasant girl. When she rejects his attentions, he wreaks his vengeance on the girl and her neighbors by causing a volcano to erupt so as to destroy them and their homes. All are saved, however, when his machinations incur the wrath of Almighty God, and he is imprisoned forever in the smoking volcano.

The acting of the native cast is amateurish, and matters are not helped much by the dubbed-in dialogue, which not only is uninteresting but is not synchronized with the lip movements of the players. The color photography, a process called Fullcolor, is very poor; everything, including the players and the scenery, has a coppery tint.

It is an Edward J. Peskay production, filmed in Michoacan, Mexico, near the site of the new volcano that emerged from a cornfield several years ago. Van Campen Heilner directed it.

**"You Gotta Stay Happy" with
Joan Fontaine and James Stewart**

(Univ.-Int'l, no release date set; time, 100 min.)

"You Gotta Stay Happy" is an enjoyable romantic comedy, with a story line that is somewhat imitative of "It Happened One Night" in that here, too, a wealthy girl flees from her unwanted husband on her wedding night and becomes involved in a cross-country romance with another man. Although this picture does not match the entertainment values of the Capra classic, it should go over pretty well with mass audiences, for its plot, though highly improbable, is crammed with mirthful incidents that keep the laughs coming at a steady rate. Some of the doings are on the "dippy" side, but on the whole it retains a congenial, pleasant flavor. James Stewart and Joan Fontaine make a good light-comedy team, and amusing characterizations are contributed by Eddie Albert and Percy Kilbride. For the most part the proceedings move along at a brisk pace, but here and there it is slowed down by comedy situations that are drawn out beyond their worth; some rigid editing would help matters:—

Having married Willard Parker because she had no reason for not marrying him, Joan Fontaine, a wealthy heiress, decides that she had made a mistake. She quarrels with Parker and, in her pajamas, flees their honeymoon suite and seeks refuge in the room of James Stewart, president and chief pilot of a two-plane airline. Unaware that the man she had fled from was her husband, Stewart lets her spend the night in his suite. In the morning, however, he finds himself unable to wake her because of an overdose of sleeping pills she had taken. With the hotel manager insisting that he vacate the suite immediately for a waiting guest, Stewart, aided by his co-pilot, Eddie Albert, dresses Joan in one of his flying suits and spirits her out of the hotel. Arriving at the airport, Joan talks Stewart into taking her to California on his cargo plane. She finds herself in the company of three other passengers, Marcy McGuire and Arthur Walsh, giddy newlyweds, and Porter Hall, an embezzler, who was in a hurry to get out of town; Albert had illegally sold passage to all three to bolster the airline's low finances. During a stop-over in Chicago, Joan hurries to a bank to get some money, and during her absence Stewart is asked by a detective if he had seen anything of a blonde and a man who were wanted for embezzlement. He becomes suspicious of Joan when she returns with new clothes and plenty of cash. They resume the flight only to be forced down by bad weather on a farm owned by Percy Kilbride. There, the scenes of domesticity have a corrective effect on Hall, who confesses to Stewart that he was the embezzler the police were seeking, and that the missing blonde was his secretary. Aware that he had misjudged Joan, with whom he had fallen in love, Stewart checks on her identity and is shocked to learn that she is a famous heiress, recently married. Furious, he puts her off the plane when the trip is resumed. Undaunted, Joan arranges for an annulment of her marriage to Parker, then buys out several of Stewart's partners to gain control of the airline. Stewart, still furious with her, threatens to resign as president, but when he sees a new Constellation that Joan had bought for the company, his resistance towards her vanishes.

Karl Tunberg wrote the screen play and produced it, based on a story by Robert Carson. H. C. Potter directed it. The cast includes Roland Young, Paul Cavanagh, William Blakewell and others.

Unobjectionable morally.

is highly gratified that Allied has taken the lead to bring such control about.

Although Allied is withholding details of its proposal until a close study has been made of the problem, several reports state the the plan will call on the exhibitors to boycott pictures featuring erring stars in cases where the producers fail to take proper action against them for their misconduct. Presumably, no boycott will be declared against a picture in the case where a producer no longer has the star under contract, unless, of course, it is an old picture that is being reissued to cash in on the notoriety involving one of the players.

Whatever the final form of the plan, this much is clear: Allied has put Hollywood on notice that the exhibitors will no longer tolerate inaction against those stars who are responsible for the ever-increasing press and public criticism of the industry. The producers had better heed that warning, for the exhibitors' boycott of an offending star's picture is bound to win the approval of the public.

What is required is more rigid enforcement of the morality clauses in the players' contracts, with drastic action taken against those who misbehave. It is the only way to bring other stars to the realization that their jobs depend on their continued good behavior. Once that is accomplished, they will think twice before following in the footsteps of the Walkers, the Mitchums and the Tierneys.

ERIC CAN'T BE THIS GULLIBLE

Under the above heading, Pete Wood, secretary of the Independent Theatre Owners of Ohio, had this to say in a recent organizational bulletin:

"According to the trade papers, Eric Johnston, President of the M.P.A.A., returned from Europe this week and broke the news to his members that he had sold some pictures to Russia and Yugoslavia. The Russian deal was on a flat rental basis, but the one to Yugoslavia was on percentage. Johnston did not say who would do the checking, but we hope, in order that they may enjoy a long life, that all of the checkers will be paid up card-carrying members of the Communist Party.

"In explaining the deal he had made, Johnston assured the members of the M.P.A.A. that Russia had *agreed* and *promised* not to add anything to the films they had purchased. We don't know who made those promises to Eric and we can't believe that he is gullible enough to believe them, but if he thinks that any of the promises will be kept, or if any of his members think likewise, then two things should be done: (1) Mr. Johnston should be replaced as head of the M.P.A.A. and (2) the executives of the companies who think as Mr. Johnston does, should retire immediately in order not to be influenced any longer by the hypnotic eyes and voice of Mr. Johnston.

"Notwithstanding the promises mentioned by Mr. Johnston, we are in favor of having the 'home office'—the United States Government—disapprove these deals on the basis that the purchasers are 'undesirable accounts.'"

BOX-OFFICE PERFORMANCES

The previous box-office performances were published in the issues of April 10 and 17.

Columbia

"Wreck of the Hesperus": Fair-Poor
 "Adventures in Silverado": Fair
 "The Mating of Millie": Good-Fair
 "My Dog Rusty": Fair-Poor
 "Port Said": Fair-Poor
 "The Lady from Shanghai": Good-Fair
 "Trapped by Boston Blackie": Fair-Poor
 "The Fuller Brush Man": Very Good-Good
 "Blondie's Reward": Fair
 "Coroner Creek": Good

"Thunderhoof": Fair
 "The Black Arrow": Fair
 "Lulu Belle": Poor
 "Gentleman from Nowhere": Fair-Poor
 "Black Eagle": Fair-Poor
 "Walk a Crooked Mile": Good-Fair
 "Triple Threat": Poor

Seventeen pictures have been checked with the following results: Very Good-Good, 1; Good, 1; Good-Fair, 3; Fair, 4; Fair-Poor, 6; Poor, 2.

Eagle-Lion

"Take My Life" (British): Fair-Poor
 "The October Man" (British): Fair-Poor
 "Seven Sinners" (reissue): Fair-Poor
 "Sutter's Gold" (reissue): Fair
 "The Enchanted Valley": Fair-Poor
 "Ruthless": Fair
 "The Noose Hangs High": Fair
 "The Cobra Strikes": Poor
 "Assigned to Danger": Fair-Poor
 "Raw Deal": Good-Fair
 "Sword of the Avenger": Fair-Poor
 "Close-Up": Fair
 "Mickey": Fair
 "Canon City": Good-Fair
 "Shed No Tears": Fair-Poor
 "The Spiritualist": Fair
 "Lady At Midnight": Poor
 "Olympic Games of 1948": Fair-Poor
 "In This Corner": Fair

Nineteen pictures have been checked with the following results: Good-Fair, 2; Fair, 6; Fair-Poor, 8; Poor, 2.

Metro-Goldwyn-Mayer

"B. F.'s Daughter": Good-Fair
 "Tarzan's Secret Adventure" (reissue): Fair
 "State of the Union": Good
 "Tarzan's N. Y. Adventure" (reissue): Fair
 "Summer Holiday": Fair
 "Homecoming": Good-Fair
 "The Big City": Fair
 "The Pirate": Good
 "On an Island with You": Very Good-Good
 "Easter Parade": Very Good
 "A Date with Judy": Very Good-Good
 "The Search": Fair
 "Luxury Liner": Good
 "A Southern Yankee": Good-Fair

Fourteen pictures have been checked with the following results: Very Good, 1; Very Good-Good, 2; Good, 3; Fair-Good, 3; Fair, 5.

Paramount

"Mr. Reckless": Fair-Poor
 "Unconquered" (general release): Fair
 "The Big Clock": Good-Fair
 "The Sainted Sisters": Fair
 "Hazard": Fair
 "Speed to Spare": Fair-Poor
 "Hatter's Castle" (British): Poor
 "Shaggy": Poor
 "Waterfront at Midnight": Fair-Poor
 "Emperor Waltz": Very Good-Good
 "Dream Girl": Fair-Poor
 "Big Town Scandal": Fair-Poor
 "So Evil My Love": Fair
 "A Foreign Affair": Good
 "Beyond Glory": Good
 "Sorry, Wrong Number": Good

Sixteen pictures have been checked with the following results: Very Good-Good, 1; Good, 3; Good-Fair, 1; Fair, 4; Fair-Poor, 4; Poor, 3.

(continued next week)

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AN EXHIBITOR ORGANIZATION LOSES A GOOD MAN

Robert Poole, Executive Secretary of the Independent Theatre Owners of Southern California and Arizona, and of the Pacific Coast Conference of Independent Theatre Owners, has resigned from his position to enter a "new field of endeavor," his resignation to take effect December 1.

Mr. Poole did not announce what his new affiliation will be, but it must be a highly profitable one if we are to judge by the fact that the organization's board of directors has released him.

At the annual meeting, held in Los Angeles on October 26, the board of directors of ITO of Southern California and Arizona passed a fine resolution regarding Mr. Poole. From it we learn that Mr. Poole formed the organization in 1934 and has served as its Executive Secretary and Manager since that time, and that in 1939 he was primarily responsible for the forming of the PCCITO, which now comprises the ITO of Southern California and Arizona, the ITO of Northern California and Nevada; the ITO of Washington, Northern Idaho and Alaska; the ITO of Utah and Southern Idaho; and the ITO of Montana.

Since the organization of the PCCITO, Mr. Poole has served as its Executive Secretary and is now its Executive Director.

In their very flattering resolution paying tribute to Bob Poole, the board of directors should have added that he collaborated with the Allied organization in all national matters.

The last paragraph of the resolution reads as follows:

"Now, Therefore, Be It Resolved, that it is with regret that we accept his resignation, but that we enjoy with him the fact that he has a golden opportunity to better his own personal interests and position, and do hereby wish him continued good health, greater prosperity and unlimited happiness for himself and his dear wife, and may God bless them both."

HARRISON'S REPORTS regrets Bob Poole's leaving the picture business, but rejoices that his personal position will be improved highly and wishes him all that his heart desires. He has been a good servant of the exhibitors.

"JOAN OF ARC" ENDORSED BY CATHOLICS

In the review of "Joan of Arc," published in the October 23 issue, this paper pointed out that the picture, although one of the finest produced, may meet with resistance from many Catholics because of the uncomplimentary though historically accurate depiction of high-ranking Catholic officials, who put Joan to inquisition and ordered her burned at the stake.

Having thus cautioned the exhibitors against possible Catholic resentment, HARRISON'S REPORTS is pleased to report that the picture has received high praise from influential Catholic spokesmen, publications, and organizations, whose endorsement should serve to assure the picture's acceptance by those of the Catholic faith.

Among those who have boosted the picture is *The Sign*, the widely-read national Catholic magazine, which not only

devotes the front cover of its November issue to a picture of Ingrid Bergman, as Joan, but also features prominently a top review of the picture by Jerry Cotter, its drama critic, as well as a highly interesting three-page article by Father Paul Doncoeur, a French Jesuit priest and historian of Joan, who served as technical adviser on the production to insure theological accuracy.

In his article, Father Doncoeur points out that "it is not merely solicitude for historical accuracy which induced them [Walter Wanger, the producer, and Victor Fleming, the director] to invite me, a historian of Joan, to assist the director; they desired the collaboration of a Catholic priest in order not to offend in any way, in a difficult subject, the Catholic Church."

Elsewhere in the article, he says: "Catholics owe it to themselves to insure this film the success it merits. It is an outstanding work of art which does honor not only to the Church, but also to those who dedicated their work and their money, together with their talent, so generously and successfully."

The *Sign's* drama critic, Mr. Cotter, had this to say after acclaiming the picture: "It is the motion picture screen at its peak and we urge you to see it at the first opportunity."

Another very important boost for the picture comes from Mrs. James F. Looram, chairman of the motion picture committee of the International Federation of Catholic Alumnae, who has been an active and leading figure in the Legion of Decency since its inception in 1934. Mrs. Looram has called on "every supporter of the Legion of Decency" to see "Joan of Arc," stating that it has universal appeal for Catholics, Protestants and Jews, and even for those without religion.

THE RUSSIAN EXAMPLE OF WHAT CONSTITUTES "SINISTER INFLUENCE"

Under the heading, "MOSCOW: NO BAMBI," the October 25 issue of *Life* states the following:

"Walt Disney's deer Bambi, and any animals of similar sinister influence, will have to disappear from Moscow movie houses under an edict issued this month by Critic Mikhail Believsky. He found to his dismay that even Russian-made cartoons were imitating Disney, creating an 'Americanized' version of the animal world and squeezing 'Soviet substance into an organically alien form.'"

One of the statements that Eric Johnston made upon his return from abroad is that, in making a deal to sell American pictures to Russia, he granted the Russian leaders the right to dub in their own dialogue and to delete whatever did not meet with their approval. If the Russian leaders see poor little Bambi as a "sinister influence," just imagine what will happen to the American pictures they buy after they get through with their dubbing and cutting. And these American films are being sold to Russia, according to Mr. Johnston, on their value as a force for world peace and understanding.

Any one who thinks that the Russian leaders will permit American films to teach the common people of Russia the value of democracy as practiced in the United States is under an illusion.

Incidentally, this writer doubts whether the Russian leaders will get the irony of *Life's* use of the word "sinister"; it is too subtle for the Russian mind.

✓ "When My Baby Smiles at Me" with Betty Grable and Dan Dailey

(20th Century-Fox, November; time, 98 min.)

Good mass entertainment. Lavishly produced and photographed in Technicolor, the story is an adaptation of the stage play, "Burlesque," dealing with the rise, fall and re-rise of a talented burlesque-show comedian, whose troubles stem from his addiction to drink. The story is not new, having been put into pictures several times, but the expert direction and the good acting of Dan Dailey, as the comedian, and Betty Grable, as his faithful wife, put it over. Moreover, it has enjoyable music, dancing, and singing, and some very good comedy. Basically, however, it is a dramatic tale, with moments of deep appeal. Most of the human interest is aroused by the love and loyalty that Betty shows for Dailey, despite his faults. Jack Oakie, James Gleason, and June Havoc, as close show-friends of the couple, contribute much to the picture's entertainment values:—

Although very much in love with Dailey, Betty's happiness is marred by his addiction to drink and his devil-may-care attitude towards improving himself. When a New York agent offers Dailey a part in a Broadway show, he prefers to remain in burlesque with Betty, but she persuades him to accept the offer even though the thought of parting made them both unhappy. Dailey wins rave notices in New York, but success goes to his head; he drinks and carouses at all-night parties, and neglects to communicate with Betty. When she learns that Jean Wallace, a chorus girl, was his constant companion, Betty files suit for divorce. Dailey, feeling that she deserved to be rid of him, does not contest the divorce. Betty becomes engaged to Richard Arlen, a millionaire rancher, who was deeply in love with her. This news so disheartens Dailey that he takes to drink in earnest, ruining his career and becoming a physical wreck. James Gleason, a close friend and veteran showman, offers Dailey the comedian's spot in his new burlesque show in the hope that it would give him a fresh start. Grateful, Dailey solemnly promises to give up drink. But the urge persists so strongly that opening night finds him in no condition to take his place on the stage. Betty, summoned by Gleason, rushes to the theatre. Shaken and ill, Dailey breaks down when he sees her. She undertakes to put him in condition despite his protests that he was unable to go on. Gently whispering words of encouragement, she joins him in the act and adroitly covers up his faltering steps as he struggles to steady himself. But when she whispers to him that she had not married Arlen, and that she wanted to come back as his wife, Dailey, gloriously happy, becomes his old self and finishes his singing and dancing in an inspired way.

George Jessel produced it and Walter Lange directed it from a screen play by Lamar Trotti, based on the play by George Manker Watters. Unobjectionable morally.

"High Fury" with Madeleine Carroll and Ian Hunter

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

A passable program melodrama, produced and photographed in Switzerland. Revolving around the travails of a Swiss innkeeper whose strong attachment for a displaced French orphan displeases her philandering husband, the story, though contrived, has considerable human interest and manages to hold one's attention fairly well. An interesting feature about the picture is the authentic backgrounds, particularly the picturesque scenery showing the towering peaks of the Swiss Alps. The mountain climbing sequences, especially the one where the husband sacrifices his life to save the youngster after both are injured in a fall, are thrilling. The performances are capable, with Madeleine Carroll highly sympathetic in the role of the innkeeper:—

Having become deeply attached to Michael McKeag, a 14-year-old war-orphaned French boy, Madeleine seeks to adopt him to save him from a French orphanage. But her husband, Michael Rennie, a shiftless, philandering fellow, resents the boy's presence and refuses to sign the adoption papers. Compelled to board a special train with other French

evacuee children who had been sheltered in the village during the war, the boy jumps from the train as it pulls out of the station and makes his way, unseen, back to the inn. Madeleine conceals the lad, but her husband eventually discovers him. She renews her pleas to Rennie, and he finally agrees to sign the adoption papers, provided she deed title of the Inn to him. Rennie celebrates the acquisition with an ostentatious party and, in his drunken magnanimity, even shows a liking for the boy. The youngster, anxious to dispel Rennie's belief that he was a coward, persuades him to take him on a climb of a nearby peak. The proposed ascent makes Madeleine fearful for the boy's safety, but Ian Hunter, the village doctor, who was secretly in love with her, convinces her that the climb was essential to the lad's happiness. During the climb, young Michael misses his footing and falls to a ledge. Rennie rushes to his aid, but is himself injured by falling rocks and finds himself dangling in space from a rope tied to the youngster's waist. Realizing that the boy did not have enough strength to hold him indefinitely, Rennie cuts the rope and plunges to his death. The boy is rescued by Hunter and Madeleine, and all return to the village to find new happiness, united in the belief that Rennie's last self-sacrificing gesture had more than wiped out his past misdeeds.

Ivor McLaren produced it and Harold French directed it from his own story and screen play, written in collaboration with Lesley Storm. The supporting cast is made up of European players unknown in this country.

Unobjectionable morally.

"The Plunderers" with Rod Cameron, Ilona Massey and Adrian Booth

(Republic, December 1; time, 89 min.)

Photographed in Trucolor, "The Plunderers" is a good Western melodrama, the sort that should go over very well with the action fans, for it abounds in exciting action, suspense, and thrills. The story idea—that of an undercover army officer posing as a desperado in order to track down an outlaw, is not new, but it has enough novel twists to hold one's attention well throughout the fast-paced proceedings. There is plenty of hard-riding, gunplay, and fisticuffs, with most of the excitement taking place in the closing reels where hostile Sioux Indians launch a vicious attack on an isolated frontier fort. It has considerable comedy, too. The direction and performances are good, and the Trucolor photography enhances the production values:—

Determined to capture Forrest Tucker, a notorious outlaw, Rod Cameron, an army officer, poses as a desperado with a price on his head and, after a fake duel with Sheriff George Cleveland, "escapes" into the hills. Having thus established his "wicked" reputation, Cameron has no trouble locating Tucker and winning his confidence. He agrees to enter into a scheme whereby he marries Adrian Booth, Tucker's dance-hall sweetheart, in a fake ceremony, in order to reunite her with Tucker. In the process, he falls in love with Ilona Massey, another dance-hall queen. Cameron and Tucker save each other's lives on several occasions, and Cameron finds it difficult to dislike the good-natured outlaw, with whom he remains associated in order to learn the identity of his confederates. Tucker is eventually captured for horse-stealing and taken to Fort Jefferson for trial. There, a furious mob, incited by Taylor Holmes, a banker and Tucker's secret partner, attempts to hang Tucker, but Cameron, his identity now revealed, halts the hanging just as the Sioux Indians attack the fort. In the absence of the fort's cavalry, Cameron organizes the civilians for a defense of the outpost, but the overwhelming power of the Indian forces makes their position precarious. Eager to enter the fight, Tucker pleads with Cameron to release him so that he may go to a building nearby and trap the Indians in a crossfire. Cameron agrees, joining him on the dangerous mission. Together, their bravery heads off the attack until the Cavalry arrives to the rescue. Tucker loses his life in the effort, saving Cameron the painful duty of delivering him to the law.

Joe Kane produced and directed it from a screen play by Gerald Geraghty and Gerald Adams, based on a story by James Edward Grant. Unobjectionable morally.

**"The Countess of Monte Cristo" with
Sonja Henie and Olga San Juan**

(Universal-Int'l, November; time, 77 min.)

A weak comedy with some music, bolstered by several well-staged ice-skating routines that are executed with grace and skill by Sonja Henie, but even these are not enough to lift the picture above the level of program grade or to save it from being generally tedious. Based on a mistaken identity theme, the story is a slight, fluffy run-of-the-mill affair, treated without much imagination, which for the most part merely serves as an excuse to fill in time between the skating routines. At best the comedy is only mildly amusing, with most of it falling quite flat. Not much can be said for either the direction, the acting, or the dialogue:—

Sonja Henie and Olga San Juan, barmaids in Oslo, Norway, obtain bit parts in a movie being made there, with Sonja cast in the role of a countess, and Olga cast as her maid. Berated by the director for ruining a scene, Sonja, dressed in all her finery, angrily drives off the set in the movie company's expensive car, accompanied by Olga. Once on the open road, Sonja decides to head for a swanky winter resort for a fling of real living until the police catch up with them. She registers at an exclusive hotel as the Countess of Monte Cristo, with Olga posing as her maid, and is given luxurious quarters by Arthur Treacher, the hotel manager. There, Michael Kirby, a wealthy army officer and nobleman, becomes smitten with Sonja, who shivers lest her masquerade be found out. Complications set in when Hugh French, a suave jewel thief and confidence man, posing as a Count, learns the identities of the girls from newspaper accounts of their flight from the studio. He intimidates them into doing his bidding by having them file a false claim with the hotel for articles supposedly stolen from their suite, including a huge sum of money, all of which the management replaces to avoid a scandal. In the course of events, French orders the girls to accompany him to other resorts to try the same scheme, threatening to expose them if they refuse. He agrees, however, to wait until Sonja's participation in a skating festival. Meanwhile insurance company representatives come to the hotel to investigate the supposed robbery and discover French's presence. They take him into custody and prepare to do the same with Sonja and Olga, but when Kirby learns the truth about the girls he takes matters into hand and clears them, after which he proposes marriage to Sonja to prove his love.

It is a Westwood picture produced by John Beck and directed by Frederick De Cordova from a screen play by William Bowers, based on a story by Walter Reisch. The cast includes Dorothy Hart, Freddie Trenkler and others.

Unobjectionable morally.

**"The Plot to Kill Roosevelt" with
Derek Farr and Marta Labarr**

(United Artists, October 22; time, 83 min.)

This British-made spy melodrama may get by as an exploitation picture on the strength of its sensational title, but as entertainment it is a dud. The story, which concerns itself with a supposed plot to assassinate the late President Roosevelt at the time of his 1943 meeting with Churchill and Stalin in Teheran, is a poorly-written, far-fetched yarn that barely holds one's interest. As a matter of fact, the plot is so confusing that even a master mind would have difficulty trying to figure it out. Involved in the fantastic proceedings are a young British war correspondent and a glamorous Russian ballerina, his former sweetheart, who, for reasons that are not made clear, had left him to become the mistress of an influential Persian merchant. The mixed-up story weaves its way in and out of numerous incidents involving an assortment of mysterious and sinister characters until it finally gets down to the business of how the correspondent discovers that the Persian merchant is the secret head of a spy ring, which planned to assassinate the President upon his arrival in Teheran, and of how he foils the plot at the last minute, aided by the ballerina. All this unfolds in a

manner that will tax the credulity of most every spectator. It has a considerable amount of action, but there is little suspense since one loses interest in the outcome. Not only are the players unknown to American audiences, but their acting is for the most part amateurish.

It is a Selected Films production, directed by William Freshman from his own screen play, written in collaboration with Akos Tolnay, and based on an original story by Dorothy Hope. The supporting cast is all-British.

Unobjectionable morally.

**"The Snake Pit" with Olivia de Havilland,
Mark Stevens and Leo Genn**

(20th Century-Fox, no release date set; time, 108 min.)

A great picture! Revolving around a young woman in a mental institution who regains her sanity through modern psychiatric and psychological methods, the story is of the kind that people usually do not want to see because of its morbid and shocking nature, but this picture should prove to be an exception, for its powerful dramatic impact, and the fascinating way in which it unfolds, will undoubtedly create word-of-mouth advertising that should put it over at the box-office in a big way. The screen play, the treatment, the direction, the acting—all are magnificent achievements. Every one in the cast, from the stars to the last extra, is most capable. But the outstanding performance, one that may very well earn her a second Academy Award, is that of Olivia de Havilland's. As the demented young bride, Miss de Havilland comes through with a pathetic portrayal that is nothing short of remarkable, for through her superb artistry she makes one feel deeply the emotional upheavals she experiences as she alternates between spells of insanity and lucidity. A highly sympathetic performance is turned in by Leo Genn as the kindly and understanding psychiatrist who brings her back to normalcy.

Most of the action takes place in the mental institution, except for brief flashbacks having to do with the demented girl's earlier life as the psychiatrist probes the causes that brought about her condition. Briefly, the story shows how Olivia, an aspiring young writer, meets and falls in love with Mark Stevens, a young editor. Shortly after their marriage, she suffers from melancholia and mental lapses, at times becoming violent. Stevens reluctantly confines her to a mental institution, where, under the patient treatment administered by Genn, she slowly returns to normalcy. The horrors of life in the asylum, however, cause her to suffer numerous relapses. Probing into her past life, Genn learns that her illness was the result of a father fixation, and of a consuming sense of guilt that she had been responsible for, not only her father's death, but also the accidental death of another man who wanted to marry her. Guided by this revelation, Genn succeeds in leading Olivia out of her mental fog. It ends with her complete recovery, and with her being reunited with Stevens to start life anew.

What is outstanding about the picture is the realistic manner in which life in an insane asylum is depicted. The ravings and rantings of maniacal patients; the different shock treatments they undergo to restore their unbalanced minds; the straightjackets; the irritability of nurses trying to cope with crowded conditions—all this, and more, is depicted with a realism that is grim and frequently shocking, but it is so dramatically powerful and profoundly moving that one's attention is gripped throughout every moment of its unfolding. It is a masterpiece of picture-making, as well as a highly intelligent, sympathetic presentation of a most difficult subject.

Anatole Litvak directed it and co-produced it with Robert Bassler from an excellent screen play by Frank Partos and Millen Brand, based on the novel by Mary Jane Ward. The fine supporting cast includes, among others, Celeste Holm, Glenn Langan, Helen Craig, Lief Erickson, Beulah Bondi, Lee Patrick, Howard Freeman, Ruth Donnelly, Minna Gombell, June Storey, Damian O'Flynn, and Betsy Blair.

Mature screen fare.

FEATURE AT EIGHT

Mrs. Rufus M. Gibbs, of Baltimore, Md., who for many years has been a leader in that state in efforts to secure more wholesome screen fare for the public, has sent to this office a poem entitled "Feature at Eight," inspired by a news item in a Baltimore newspaper, which pointed out that "a tour of nine downtown first run theatres . . . would have disclosed a total of nineteen murders, a crime wave," etc.

The poem, which was clipped from an undisclosed newspaper, should be studied by the producers, for therein lies one of the chief reasons why many films today are being released to the detriment of the box-office. The poem follows:

I walked into a movie house, expecting to relax,
Upon the screen a murderer had used a rope, and ax!
I went into another one: this time a foreign spy
Was getting all his "just desserts" (t'was death) from FBI!
And still another film I tried; and here gunmolls and men
Were shooting up some premises, which seemed a gambling den!
Around the corner then I rushed; and there a bunch of crooks,
Disguised as office personnel, were "tampering with the books!"
I staggered forth into one more—in time to see a wife
Withdraw with nonchalance, and ease, from hubby's back—
her knife!
My eyes grew glazed: "Stop, stop," I shrieked. "From rope,
and knife, and gun.
"Or from a 'fate that's worse than death,' can't you save ANYONE?"
I went into convulsions then, I drooled, I tore my hair—
They call THIS "entertainment" H-E-L-P! We'll all end
in THE CHAIR!!!

—AMY GRIEF

BOX-OFFICE PERFORMANCES

(Continued from last week)

RKO

"Tarzan and the Mermaids": Good-Fair
"I Remember Mama": Good-Fair
"Fort Apache": Very Good
"Berlin Express": Good-Fair
"Fighting Father Dunne": Fair
"Return of the Bad Men": Good-Fair
"Bring 'Em Back Alive" (reissue): Fair-Poor
"Melody Time": Good
"The Velvet Touch": Good-Fair
"The Twisted Road": Fair
"Race Street": Good-Fair
"Mystery in Mexico": Fair
"Rachel and the Stranger": Good-Fair
"Variety Time": Fair
"Good Sam": Very Good-Good

Fifteen pictures have been checked with the following results: Very Good, 1; Very Good-Good, 1; Good, 1; Good-Fair, 7; Fair, 4; Fair-Poor, 1.

20th Century-Fox

"The Challenge": Fair-Poor
"Sitting Pretty": Very Good
"Scudda Hoo, Scudda Hay": Good
"Meet Me At Dawn" (British): Fair-Poor
"Let's Live Again": Fair-Poor
"13 Lead Soldiers": Fair-Poor
"Fury At Furnace Creek": Good-Fair
"The Iron Curtain": Good
"Arthur Takes Over": Poor
"Anna Karenina": Fair-Poor
"Green Grass of Wyoming": Good
"Give My Regards to Broadway": Good
"The Counterfeiters": Fair-Poor
"Belle Starr" (reissue): Good-Fair
"Frontier Marshal" (reissue): Good-Fair
"The Street with No Name": Good
"Mine Own Executioner" (British): Poor
"The Checkered Coat": Fair-Poor

"Rose of Washington Square" (reissue): Fair
"Slave Ship" (reissue): Fair
"The Walls of Jericho": Fair
"Fighting Back": Poor
"The Winner's Circle": Poor
"Forever Amber" (general release): Fair
"Luck of the Irish": Fair
"Escape" (British): Fair-Poor
"The Creeper": Poor
"The Gay Intruders": Fair

Twenty-eight pictures have been checked with the following results: Very Good, 1; Good, 5; Good-Fair, 3; Fair, 6; Fair-Poor, 8; Poor, 5.

United Artists

"Man of Evil" (British): Fair-Poor
"Arch of Triumph": Fair-Poor
"Here Comes Trouble": Poor
"Who Killed 'Doc' Robbin?": Poor
"On Our Merry Way": Fair
"So This is New York": Fair-Poor
"Four Faces West": Good-Fair
"The Time of Your Life": Fair
"The Pitfall": Good
"Texas, Brooklyn & Heaven": Poor
"Vicious Circle": Fair-Poor
"Red River": Very Good
"Olympic Cavalcade": Poor
"Urubu": Poor

Fourteen pictures have been checked with the following results: Very Good, 1; Good, 1; Good-Fair, 1; Fair, 2; Fair-Poor, 4; Poor, 5.

Universal

"Black Bart": Fair
"Casbah": Fair
"Are You With It": Fair-Poor
"Dear Murderer" (British): Poor
"All My Sons": Good
"Letter From an Unknown Woman": Fair-Poor
"River Lady": Fair
"Another Part of the Forest": Fair
"Up in Central Park": Fair
"Bad Sister" (British): Poor
"Abbott & Costello Meet Frankenstein": Very Good-Good
"Man Eater of Kumoan": Poor
"Feudin', Fussin' and A'Fightin'": Fair
"Tap Roots": Good
"Mr. Peabody and the Mermaid": Fair
"Larceny": Fair
"One Touch of Venus": Good-Fair
"The Saxon Charm": Fair
"For the Love of Mary": Fair-Poor
Nineteen pictures have been checked with the following results: Very Good-Good, 1; Good, 2; Good-Fair, 1; Fair, 9; Fair-Poor, 3; Poor, 3.

Warner Brothers

"April Showers": Good
"To the Victor": Fair-Poor
"Winter Meeting": Poor
"Valley of the Giants" (reissue): Fair
"The Fighting 69th" (reissue): Fair
"The Woman in White": Fair
"Silver River": Good
"Wallflower": Fair
"The Big Punch": Fair-Poor
"Romance on the High Seas": Good
"God's Country & the Woman" (reissue): Fair-Poor
"Flowing Gold" (reissue): Fair-Poor
"Key Largo": Very Good-Good
"Life With Father" (general release): Fair
"Two Guys from Texas": Good
"Rope": Very Good-Good
Sixteen pictures have been checked with the following results: Very Good-Good, 2; Good, 4; Fair, 5; Fair-Poor, 4; Poor, 1.

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No. 46

THE GOVERNMENT RESUMES ITS FIGHT FOR DIVORCEMENT

The industry's ten-year-old anti-trust suit entered a new phase on Monday of this week with the resumption of hearings in New York before the three-judge District Court, comprised of Senior Judge Augustus N. Hand and Judges Henry W. Goddard and Alfred J. Coxe, to whom the Supreme Court had remanded the case with general directions to correct and enlarge the findings and to formulate and enter a final decree that will effectively break the backbone of the motion picture trust.

After three days of hearings, the first of which was marked by the court's approval of a consent decree between RKO and the Government, thus eliminating the film company as a defendant (details of this decree appear elsewhere on these pages), the Court adjourned the hearings until November 29 to give the remaining defendants and the Government an opportunity to thrash out their differences on the question of the disposition of theatres owned jointly by the defendants and independents. Agreements will be sought, to the fullest extent, on which theatres must be sold and which may be retained.

Additionally, the adjournment was granted to permit the defendants to compile stipulated testimony from its witnesses so that none will have to testify personally at the trial.

The Court granted the postponement for these purposes in the hope that it will serve to speed up the trial.

The Government, basing its suggested decree on its interpretation of the Supreme Court's decision, is insisting upon a ban on cross-licensing among the major defendants, divorcement from their wholly-owned theatres, and divestiture of their interests in partly-owned theatres as the only remedies available to end the defendants' "illegal domination of the industry," stating that "a substantial divestiture of theatre interests to end continuing restraint of competition between the exhibitor-defendants and other exhibitors has been expressly directed by the Supreme Court."

The defense attorneys are, of course, opposing the Government's stand, maintaining that the high court had remanded the case to the lower court for the specific purpose of a full inquiry into theatre acquisitions and operations to determine the extent, if any, of their monopolistic control. They contend that the Government has not offered sufficient evidence to prove that a monopoly exists, and that they are prepared to argue the issue theatre by theatre to disprove the Government's claims. Such a procedure would, of course, require much testimony and consume considerable time, but it is doubtful if the defense at-

torneys will succeed in employing such dilatory tactics since Judge Hand has several times stated that the Court is in no mood to sit through protracted testimony.

On the first day of the trial, Judge Hand stated: "I do believe that the opinion of the Supreme Court spells divorcement, but not complete divorcement. The Supreme Court has told us that there is an illegal conspiracy and that the proposed remedy [competitive bidding] is bad. Their opinion indicates not a wholesale divorcement but suggests it as a remedy."

From the way some of the trade papers have played up this statement, one could be led to believe that the ultimate outcome of the case would be just partial divorcement, with the defendants left with most of their theatre-holdings. But such a belief would hardly seem to be consistent with the Supreme Court's decision which, in the opinion of not only this paper but also Mr. Abram F. Myers, Allied's general counsel, as well as numerous other lawyers, points to divestiture in a big way.

As Mr. Myers pointed out in his very fine analysis of the decision, which appeared in the May 8 issue of this paper, the Supreme Court was highly critical of the District Court for finding that there was no monopoly because the defendants individually and collectively controlled only a small fraction of the total number of theatres in the country, particularly criticizing its failure to find the presence or absence of monopoly of the first-runs in the entire country or the first-runs in the 92 largest cities, in view of the fact that the first-run field "constitutes the cream of the exhibition business" and is the core of the present case.

The Supreme Court, said Mr. Myers, "pointedly reminded the lower court that Section 2 of the Sherman Act condemns monopoly of 'any part' of trade or commerce, and that these words have been construed to mean 'an appreciable part of trade or commerce.' The figures cited in the opinion as to the number of first-runs controlled by the defendants and the percentage of film rental derived by all distributors from those runs, plus the above quoted observation as to the importance of such runs together constitute a virtual direction to the lower court to find such a monopoly and dissolve it."

"Even more important," pointed out Mr. Myers, "is the Supreme Court's ruling that where, as in these cases [Paramount, Schine and Griffith], the starting point is a conspiracy to effect a monopoly—and the Court refers to this conspiracy throughout its opinions—it is relevant to determine what the results of the conspiracy were even if they fell short of monopoly." In other words, assuming that there was

(Continued on last page)

**"He Walked By Night" with
Richard Basehart and Scott Brady**
(*Eagle-Lion, November; time, 79 min.*)

Very good! It is a crime melodrama with a wallop, as good, and in some respects, even better than "T-Men" and "Canon City." The story—that of an intense police hunt for a shrewd murderer, is simple, but expert handling in straight documentary style has made it an unusually exciting and fascinating melodrama of its kind, tense from beginning to end. Towards the finish there is a furious chase sequence that takes place in a storm sewer system under Los Angeles. This chase has been staged in so exciting a manner that it will keep the spectator on the edge of his seat. There is no phoney comedy or romantic angles to slow up the action, and the performances of the entire cast are first-rate. Richard Basehart, as the elusive, resourceful murderer, is exceptionally good:—

Halted by a policeman who had seen him trying the door of a closed radio shop, Basehart shoots down the officer and escapes. Sergeant Roy Roberts, aided by detectives Scott Brady and Jim Cardwell takes charge of the investigation, but despite their thorough efforts the killer, of whom they had only a brief description, remains at large. Meanwhile Basehart, posing as an inventor, burglarizes radio shops and sells the loot to Whit Bissell, unsuspecting owner of an electronic laboratory. A stolen television set is traced to the laboratory and an elaborate plan laid to trap Basehart when he calls for monies due him. But he manages to shoot his way to freedom, and continues his career of robbery and murder. After seven months of extremely efficient police work, Basehart continues to elude capture. But his ability to anticipate every police move sets Brady to thinking and he comes up with a hunch that the killer might even be a policeman. He begins a painstaking check of every police station in the vicinity and eventually discovers that Basehart had been a civilian dispatcher in the Glendale police department before the war. With Basehart's photograph and last known address to guide him, Brady succeeds in tracing him to his cottage hideout in a Los Angeles suburb. An elaborate police trap is set to capture him, but Basehart escapes from the cottage through a secret passage and darts down a sewer drain amid a hail of bullets. The police quickly block every drain in the system, while a squad led by Brady and Roberts descends into the sewer and gives chase through the dark passageways. They eventually block all the outlets and trap him like a rat in a hole, killing him when he elects to shoot it out.

Robert T. Kane produced it and Alfred Werker directed it from a screen play by John C. Higgins and Crane Wilbur, based on Mr. Wilbur's original story. Mature screen fare.

**"Dulcimer Street" with
Richard Attenborough and Alastair Sim**
(*Univ.-Int'l, no release date set; time, 112 min.*)

This British-made picture is an odd mixture of domestic comedy, farce, and murder melodrama, entertaining in some stretches and dull in others. On the whole it shapes up as a fair entertainment, but it is doubtful if it will do much at the box-office, for the players are unknown in this country, and the running time is much too long for what it has to offer. The rambling, episodic tale, which can stand considerable cutting, is a combination of three interwoven stories dealing with the problems in the lives of a number of people who live in the same rooming house in a middle-class London neighborhood. There is consider-

able human interest and comedy in some of the incidents, as well as a highly melodramatic sequence involving a brutal slaying. The performances are good, but somehow most of the characters are not real—they are more like caricatures. A richly comic portrayal is provided by Alastair Sim, as a fake spiritualist, a charlatan who preys on silly widows:—

Among those residing in a rooming house owned by Joyce Carey, a widow, are Ivy St. Clair, a frousy hatcheck girl; Gladys Henson and her only son, Richard Attenborough, a garage mechanic; and Susan Shaw, who lived with her parents, Fay Compton and Wylie Watson, who found it difficult to resign himself to a life of retirement. Young Attenborough, attracted to Susan, is not encouraged by her. To earn more money so as to impress her with a good time, he takes to stealing cars. He becomes mixed up with an old girl-friend, who insists that he give her a lift home. She realizes that the car was stolen when he refuses to stop for a policeman. Panicky, she tries to make him stop the car, and in the struggle he strikes her, causing her to fall out of the car to her accidental death. He escapes from the scene and is not suspected of the crime until months later when Andrew Crawford, a young detective who had become interested in Susan, recognizes in her home a mounted radiator cap that Attenborough had given to her as a gift. The discovery and subsequent investigation result in Attenborough's arrest and conviction for the murder, despite the efforts of his neighbors to save him. Susan's uncle, Stephen Murray, a politically-minded agitator who believed in lost causes, organizes a drive to obtain signatures on a petition demanding Attenborough's reprieve, but their efforts go for naught when the young man is reprieved without their assistance.

It is a *Lauder-Gilliat* production, directed by Sidney Gilliat from a screen play written by himself and J. B. Williams.

Unobjectionable morally.

**"Black Eagle" with William Bishop
and Virginia Patton**

(*Columbia, Sept. 16; time, 76 min.*)

Fairly good for a double bill. Although the story has been adapted from O. Henry's "The Passing of Black Eagle," which dealt with the life and doings of a spirited horse, the plot concerns itself mainly with a young man who seeks to avoid trouble only to become embroiled in a feud between horse ranchers. The plot is rather complicated, but the acting is good, the action pretty fast, and there are some lively fights. Since villainy plays a prominent part in the proceedings, it can hardly be considered suitable for children, but it should go over with those who like their Westerns strong:—

Running away from everybody because of bitter experiences with people, William Bishop decides to head South and hops on a box car containing Black Eagle, a frightened thoroughbred, and an upset crate of rifles. The horse had been beaten by a villainous fellow, who had tossed a young man out of the car, killing him. Bishop wins Black Eagle's confidence and, as the train grinds to a halt in Texas, he is met by Virginia Patton, who persuades him to help her unload the rifles and the horse and to take them to the ranch of her brother. It comes to light that the rifles were intended for a group of horse ranchers who suspected that they were being swindled by James Bell, an agent for a horse buyer. In the course of events, Bishop learns that the young man who was killed in the fall from the box car was Virginia's

other brother, and that Edmund MacDonald, Bell's right hand man, was the murderer. Bell compels Bishop to work for him by threatening to frame him for the murder. This gives Bishop an opportunity to learn how Bell was cheating the ranchers, and Bell, suspecting a double-cross, orders MacDonald to kill him. MacDonald goes after Bishop in a horse corral, where Black Eagle, recognizing him as the killer of Virginia's brother, rushes him over the brink of a canyon to his death. Bishop exposes Bell's unlawful activities, and Bell, attempting a getaway, stampedes the horses and dies under their hoofs. Having had one more bitter experience with humans, Bishops takes to the road again.

Robert Cohn produced it and Robert Gordon directed it from a screen play by Edward Huebsch and Hal Smith.

"Blood on the Moon" with Robert Mitchum and Barbara Bel Geddes

(RKO, no release date set; time, 88 min.)

"Blood on the Moon" is an above-average Western melodrama, with more than a fair share of the customary fisticuffs and gunplay, but somehow it misses fire because of a long drawn out story, which is a weighty variant of a commonplace cattlemen-versus-homesteaders plot. Moreover, the overall pace is too leisurely. The performances, however, are of a caliber that help to sustain one's interest through the slow spots, and occasionally there is a burst of excitement worth waiting for. It should get by with the Western-picture fans, but it is doubtful if it will have any special appeal for those who generally stay away from this type of picture:—

Robert Mitchum, a cowhand, rides into a western cattle region in response to a call for aid from his pal, Robert Preston who, in cahoots with Frank Faylen, a government agent at an Indian reservation, had hatched a plot to compel Tom Tully, a cattle baron, to sell him his herds at a ridiculously low price by forcing him off the Government's range lands. Preston had cleverly maneuvered the homesteaders in the territory into organizing against Tully, and he needed Mitchum's skill with a gun to combat Tully's cowhands. Mitchum accepts a partnership in the deal, but not before he has an encounter with both Tully and his daughter, Barbara Bel Geddes, who warn him to leave the territory. Through a clandestine affair with Tully's other daughter, Phyllis Thaxter, Preston learns of her father's cattle movements and leads the homesteaders in a clash with Tully's forces, during which the son of Walter Brennan, an elderly homesteader, is killed. Disturbed by the young man's death, Mitchum becomes disgusted when he finds it necessary to stop two of Preston's henchmen from killing Tully in cold blood; he decides to abandon the deal. Preston, aided by a hired killer, tries to stop Mitchum from leaving, but he gives them a sound thrashing. Angered at Preston's treachery, Mitchum rides to Tully's ranch and suggests a counter-scheme to foil Preston's plot. Tully rebuffs Mitchum, but Barbara, by this time in love with him, persuades him to try his plan. Mitchum kidnaps the Government agent after tricking him into officially extending the date on which Tully's cattle would have to be driven off the range, thus giving Tully time to convince the homesteaders that Preston had used them to his own advantage. Meanwhile Preston tracks down Mitchum and, in the ensuing gun battle, is shot dead along with the agent. The homesteaders make peace with Tully, while Barbara and Mitchum make wedding plans.

Theron Warth produced it and Robert Wise directed it from a screen play by Lillian Hayward, based on a novel by Luke Short.

Unobjectionable morally.

"Every Girl Should Be Married" with Cary Grant, Franchot Tone, Diana Lynn and Betsy Drake

(RKO, no release date set; time, 84 min.)

In spite of the fact that it has some weak spots, this romantic comedy is good mass entertainment. Revolving around an aggressive, matrimonially-minded shopgirl who sets out to snare a prominent bachelor doctor for a husband, the story has its shortcomings in that several sequences are too long drawn out, but on the whole it has the ingredients for popular appeal in that the romantic interest is humorously charming, the dialogue witty, and the acting ingratiating. The comedy is of the chucklesome rather than of the uproarious sort, with most of it stemming from the strategy and ruses employed by the heroine in her efforts to rouse the doctor's interest. As the persistent heroine, Betsy Drake, a newcomer to the screen, does good work, although there is room for improvement; she has a pleasing, fresh personality, and should attain popularity. Cary Grant is very good as the doctor who looks upon her tactics with amused indifference only to surrender in the end:—

Firmly believing that a girl should be able to select the man she wants to marry and lead him to the altar, Betsy, a salesgirl in a huge department store owned by Franchot Tone, decides to put her theory into practice. She singles out Grant, a prominent baby doctor and bachelor as well, and plans a careful campaign to snare him. She accumulates data on his personal habits and preferences, and waylays him on the street and in restaurants in an effort to arouse his interest. But her tactics only amuse him. She then tries to arouse his jealousy by pretending that Tone, her "wolfish" employer, was wooing her, but this leads her into complications when Tone discovers the ruse and plays along with her story. She has considerable trouble warding off Tone's advances, but decides to use him to pique Grant. Her scheme, however, backfires when she gets plenty of unwanted newspaper notoriety as Tone's new girl-friend. She next succeeds in inviting Grant to a home-cooked dinner in the hope that it will inspire him with a yearning for domesticity, but her hopes are shattered when he gently but firmly informs her that he was not interested in matrimony, and advises her to return to her home-town to marry a childhood admirer. In a last desperate scheme, which she concocts with the aid of her girl-friend, Diana Lynn, Betsy arranges for an intimate dinner at her home with Tone, while Diana visits Grant and expresses her concern in view of Tone's reputation. Grant rushes there, much to Tone's annoyance, and while both argue Eddie Albert arrives and presents himself as Betsy's childhood admirer, announcing that he was going to marry her. Tone leaves, but Grant bluntly informs Betsy that he wants to marry her himself. Albert nobly bows out of their lives, and as Grant takes Betsy in his arms he lets her know that he had not been fooled, for he had recognized Albert as a radio actor, whom she had hired to pose as her home-town admirer.

Don Hartman produced and directed it, and wrote the screen play in collaboration with Stephen Morehouse Avery, based on a story by Eleanor Harris.

Unobjectionable morally.

no monopoly in the strict sense of the word, the ownership of even a single theatre might be legally vulnerable 'if the property was acquired, or its strategic position was maintained, as a result of practices which constitute unreasonable restraints of trade.' 'Hence,' says the Court, 'the problem of the District Court does not end with enjoining the continuance of the unlawful restraints nor with dissolving the combination which launched the conspiracy. Its function includes undoing what the conspiracy achieved.' "

It will be recalled that the lower court ordered each defendant to terminate its joint ownership with an independent of an interest in any theatre greater than five per cent, unless its interest was ninety-five per cent or more, and that such ownership should be dissolved either by a sale to or purchase from the co-owner. In buying out the interest of a co-owner, a defendant was required to establish to the satisfaction of the Court that the acquisition would not restrain competition.

The Supreme Court reversed the lower court's judgment on this provision, stating in part:

"We have gone into the record far enough to be confident that at least some of these acquisitions by the exhibitor-defendants were the products of the unlawful practices which the defendants have inflicted on the industry. To the extent that these acquisitions were the fruits of monopolistic practices or restraints of trade, they should be divested. And no permission to buy out the other owner should be given a defendant. . . . Moreover, even if lawfully acquired, they may have been utilized as part of the conspiracy to eliminate or suppress competition in furtherance of the ends of the conspiracy. In that event divestiture would likewise be justified.

"Furthermore, if the joint ownership is an alliance with one who is or would be an operator but for the joint ownership, divorce should be decreed even though the affiliation was innocently acquired. For that joint ownership would afford opportunity to perpetuate the effects of the restraints of trade which the exhibitor defendants have inflicted on the industry."

In his analysis, Mr. Myers pointed out that "this can only mean that in all cases of joint ownership where the independent partner is a theatre operator, or but for the affiliation would be a theatre operator, there must be divorcement regardless of any other factors."

The only jointly-owned theatres the defendants may retain are described by the Court as those that "involve no more than innocent investments by those who are not actual or potential operators." "If in such cases," the Court added, "the acquisition was not improperly used in furtherance of the conspiracy, its retention by defendants would be justified absent a finding that no monopoly resulted." The Court concluded that "in such instances permission might be given the defendants to acquire the interests of the independents on a showing by them and a finding by the court that neither monopoly nor unreasonable restraint of trade" would result.

The directions given by the Supreme Court to the lower court are so unmistakably clear that one need not be a lawyer to understand that the lower court can hardly avoid ordering almost total divorcement, for few, if any, of the partnership theatres will be

found not to have in some way run afoul of the Sherman Act in accordance with what the Supreme Court declares is a violation.

In summarizing his analysis, Mr. Myers stated that, "when the proceedings ordered by the Supreme Court have been carried out the percentage of affiliated theatres will be reduced to insignificance and any that remain will have to operate on their own merits and without the preferences and discriminations they have enjoyed in the past." HARRISON'S REPORTS will go along with the prediction.

THE RKO CONSENT DECREE

As reported elsewhere in these columns, the New York District Court has approved and entered a consent decree for RKO, thus eliminating the company as a defendant in the ten-year-old anti-trust suit.

Under the voluntary agreement signed with the Government, RKO has agreed to complete divorcement. The pact provides for the separation of RKO's production and distribution interests from its theatre interests, this is to be accomplished through a reorganization plan that will split the present RKO set-up into two separate independent companies, one to deal exclusively in exhibition, and the other to confine itself to production and distribution.

Each company will operate wholly independent of the other, and will have different officers, directors, and employees. Both companies, however, may be owned by the existing stockholders, with the exception of Howard Hughes, the controlling stockholder, who has agreed to dispose of his interest in one of the companies within a year after the entry of the decree. Hughes is expected to divest himself of the theatre stock.

The agreement provides for RKO to dispose of its interests in 241 out of 271 theatres owned jointly with independents, and to either acquire or sell its interests in the remaining 30 jointly-owned theatres. Under no circumstances, however, may it dispose of any interest in a theatre to a party affiliated with a defendant in the anti-trust suit.

The new theatre company will consist of 79 wholly-owned theatres, giving it a potential of 109 theatres if it acquires the 30 aforementioned jointly-owned theatres. Limitations, however, have been placed on the acquisition of these thirty theatres so that none will serve to restrict competition.

The decree provides also for each of the companies to be bound by the decision of the Supreme Court regarding trade practices, with the distribution company agreeing to be bound by any further decisions that may affect Columbia, Universal and United Artists, as non-theatre owning defendants, and with the theatre company required to obtain court approval on all future theatre acquisitions.

The decree is subject to the approval of the RKO stockholders within 90 days, but such approval seems to be assured.

The settlement with RKO is a major Government victory, not only because it makes divorcement a reality, but also because it breaks the solid front of the theatre-owning defendants, and establishes a precedent that should carry considerable weight in any future settlements the Department of Justice may undertake with the remaining four theatre-owning defendants.

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THE CASE OF JOAN LESLIE

In March, 1942, the parents of Joan Leslie, a minor at that time, signed a seven-year contract in her behalf to appear as a player for Warner Brothers at a salary starting at \$600 and eventually rising to \$2,500 per week.

Early in 1946, Miss Leslie gave notice to Warners that, having reached her majority, she had decided to terminate the contract.

In April of that year, Warners moved to restrain Miss Leslie from working for any other company without their consent. Miss Leslie filed a demurrer and was sustained in Los Angeles Superior Court, the judge ruling that she could disaffirm the contract.

Warners carried the matter to the District Court of Appeals, which upheld the lower court. The company then petitioned the Supreme Court of California for a re-hearing, in which court it won the right to proceed against Miss Leslie with the breach of contract action.

Miss Leslie then petitioned the United States Supreme Court for a writ of certiorari, claiming, through her attorneys, that the California State Legislature, influenced by lobbyists from the movie industry, had amended the state law under which she had the legal right to cancel her contract. The law, as now amended, makes it impossible for a minor to break his or her contract upon reaching majority.

Several weeks ago the U. S. Supreme Court refused to review the California Supreme Court's decision, thus automatically upholding Warners' right to sue Miss Leslie.

According to *Daily Variety*, Miss Leslie filed a new appeal to the U. S. Supreme Court on November 1, claiming that the California Supreme Court has deprived her of due process of law in connection with her legal battle with Warners. There the matter now stands.

It is not the purpose of HARRISON'S REPORTS to render judgment either for or against Miss Leslie on her action, but merely to point out that, if every minor were to break his or her contract upon reaching majority, there will be fewer minors boosted to stardom, for not many producers would want to risk their efforts and money to build a juvenile player into a box-office attraction only to be deprived of the fruits of their labor and investment. Consequently, Miss Leslie is doing harm to the acting profession.

If a producer is to exert his efforts and spend huge sums of money to bring new faces to the screen, he is entitled to some reasonable assurance that the player he builds into a star will honor his or her contract upon reaching majority. There must be some stability in the honoring of contracts made with minors, and such stability may be effected in a large measure by the Screen Actors' Guild. Fledgling actors should be told by the Guild that they cannot proceed to cancel their contracts just because some other producer offers them greater inducements. On the other hand, if an injustice should be done to the player by the producer, the player should be assured that the matter will be settled by means of arbitration between the SAG and the studio concerned

Since we know of the temptations put in the way of young players who become box-office assets, the SAG should take steps at once to stop the youngsters from dishonoring their contracts. In the case of Miss Leslie, the loss she has thus far sustained in salaries and the loss she will sustain in popularity because of the interruption of her appearances before the public in new pictures cannot be offset by the increase in future benefits. Moreover, the producers, distributors and exhibitors themselves are sustaining a loss.

ALLIED TO CONSIDER ALL-OUT DRIVE AGAINST PERCENTAGE PICTURES

National Allied's forthcoming convention in New Orleans on November 29-30 and December 1 promises considerable fireworks if one is to judge from the subjects that are slated for discussion.

According to a bulletin issued this week by Abram F. Myers, Allied's general counsel, the board of directors will meet in New Orleans on November 27 and 28, and among the topics on the agenda of the meeting will be a consideration of "whether the time has arrived for an all-out drive against forced percentage playing; that is, against the distributors forcing themselves into an unwanted partnership with the independent exhibitors." Mr. Myers indicated that special attention will be paid to "the abandonment by Metro of its sliding scale and its insistence upon a minimum of 40 per cent on percentage pictures."

Other topics that will come up for consideration are legislation to set up anti-trust courts; the plan suggested by J. P. Finneran for the disciplining of erring stars; the possibility of repealing the Federal admissions tax; ways and means of combatting the release of feature pictures to television in competition with established theatres; an amendment to the Robinson-Patman Act to include film rentals; and whether the Smith-Berger conciliation plan now in operation in the Minneapolis territory shall be confined to local areas or tried on a national scale.

Additionally, reports will be made on the Paramount, Schine and Griffith anti-trust cases, as well as on the activities of Allied's Caravan Committee.

At the time Mr. Myers issued his bulletin, more than 575 independent exhibitors had registered for the convention, and a total attendance of well over 600 is expected.

The convention will mark Allied's 20th anniversary, and special honors will be paid to the past and present leaders who helped to build Allied to its present strength. Included among those who will be presented with testimonials at the convention's closing banquet are honorary Life Councilor Herman A. Blum, President William L. Ainsworth, and Past Presidents Abram F. Myers, James C. Ritter, Sidney E. Samuelson, Nathan Yamins, Col. H. A. Cole, Morris A. Rosenberg, Martin G. Smith and Jack Kirsch. These men, as well as the other top Allied leaders, richly deserve all the honors that will be heaped upon them, for through the years, at great sacrifice to themselves, they have worked hard and have accomplished much for the independent exhibitors.

**"The Boy with Green Hair"
with Dean Stockwell
Pat O'Brien and Robert Ryan**

(RKO, no release date set; time, 82 min.)

A fine human-interest drama, photographed in Technicolor. It is a story with a message—that of children being the real sufferers of warfare—told in terms that are most unusual but nevertheless fascinating and profoundly moving.

Briefly, it centers around an appealing youngster who, unaware that his parents had been killed in a London bombing raid, is taken into the home of his kindly old grandfather. While participating in a clothing drive his school was putting on for the benefit of European war orphans, the youngster accidentally learns that he, too, was a war orphan. His understanding grandfather and schoolteacher help him to bear the shock.

At this point the story, which is part fantasy, takes an unusual twist in that the boy awakens one morning and finds that his hair had turned green. The local doctor is unable to explain the phenomenon, and he becomes the object of everyone's stares, with some people believing that either the water or milk supply was contaminated, while others keep their children away from him out of fear that he had a contagious disease.

Depressed, and seeking to escape the jeers and taunts of his playmates, the boy runs into the woods. There, in a dream sequence, he is visited by war orphans depicted on posters in the school who inform him that they had turned his hair green so that he would attract attention as a war orphan and tell people that war is bad for children and that it must cease.

Deeply impressed, the youngster returns to town to spread his message, but everyone ignores what he has to say and all insist that he have his head shaved. Unable to resist the pressure, he unwillingly consents, then runs away from home because of a feeling that he had betrayed the war orphans. He is picked up by the police and returned to his grandfather, who tells him that his parents had died to protect others and that the living must be continually reminded of why they had died. The youngster accompanies his grandfather home, determined to carry on his crusade against war.

While the film is primarily a preachment against war, it makes a poignant plea for more tolerance and child understanding. The story, of course, has its tragic implications, but it is by no means depressing, for the brilliant treatment makes the most of its lighter moments without detracting anything from its heart-stirring dramatic content. Young Dean Stockwell, one of the most appealing youngsters on the screen, gives a faultless performance as the sensitive war orphan, as does Pat O'Brien, as his kindly grandfather. Skillful characterizations are turned in by Robert Ryan, as a police psychiatrist, and Barbara Hale, as the understanding school teacher. Although the story seems best suited for class audiences, its human appeal should put it over also with the masses.

Stephen Ames produced it and Joseph Losey directed it from a screen play by Ben Barzman and Alfred Lewis Levitt, based on a story by Betsy Beaton. The cast includes Walter Catlett, Regis Toomey, Samuel S. Hinds and others. Suitable for the entire family.

"Bungalow 13" with Tom Conway

(20th Century-Fox, November; time, 66 min.)

Mediocre. It is a low-budget program murder-mystery melodrama, the sort one forgets immediately after leaving the theatre, for there is nothing outstanding or interesting in the entire picture. The confusing and, for the most part, illogical story has several murders and countless suspicious characters who do nothing but gab in an effort to explain the mysterious doings. The excessive talk, coupled with much ineffectual comedy, so wearies the spectator that he loses interest in the outcome long before the final reel. Tom Conway, a capable performer, tries hard to make something of his private detective role, but the weak script doesn't give him half a chance:—

The story revolves around Conway's search for a stolen

antique called the Jade Lion, and opens with his following a man suspected of stealing it. This man is killed by the police when he attempts to shoot Conway. Through a matchbook found in the dead man's pocket, Conway finds reason to believe that he may learn something by going to a bungalow colony on the outskirts of Los Angeles. There he becomes friendly with Marjorie Hoshelle, a sleek divorcee, who gives him reason to suspect that she knew of the Jade Lion's whereabouts. He soon finds himself caught up in a series of sinister events, in which several murders are committed. The police suspect Conway along with others, but he manages to gain their unwilling cooperation in an effort to solve the crimes. He eventually discovers the Jade Lion concealed in a brick, and decides to use it to lure the killer to his bungalow. The trap works, but almost at the cost of Conway's life when the killer turns out to be Marjorie's divorced husband, a jealousy-crazed bartender working at the bungalow resort.

Sam Baerwitz produced it from a story and screen play written by himself and Richard G. Hubler. Edward L. Cahn directed it. The cast includes Margaret Hamilton, James Flavin, Richard Cromwell and others.

Adult fare.

**"Fighter Squadron" with Edmond O'Brien,
Robert Stack and John Rodney**

(Warner Bros., Nov. 27; time, 96 min.)

A good Technicolor war picture, not so much because of the story, but because of the exceptionally impressive air battle sequences, into which the producer has expertly incorporated Army footage of actual combat scenes. The zooming of the fast fighter planes as they engage in battles, some being downed and falling to the earth in flames; the bombardment of enemy airfields and munition dumps; the blowing up of a speeding munitions train; the devastating air cover furnished the Allied forces on D-Day—all these scenes make one gasp for breath. Not so impressive, however, is the rather routine story about disagreements between officers of the same air squadron, and about their opposition to regulations that hamper rather than aid the efforts of flyers. Even the heroics of the different characters are not too impressive, for the reason that the story lacks the quality of real drama. There is some comedy but no romantic interest. The cast is all-male:—

Revolving around the exploits of the 17th Fighter Squadron of the 3rd Fighter Group based in England, the story casts Edmond O'Brien as a daring pilot who disregards regulations and risks his life in successful attacks on enemy planes. When John Rodney, O'Brien's Squadron Commander, is put in charge of a new fighter Group, O'Brien is moved up as commander of the squadron, despite his efforts to avoid the responsibility. Complications ensue when Robert Stack, O'Brien's buddy, decides to return to the United States to be married before signing up for another tour; the squadron had a no-marriage rule and pilots who wed were asked to resign so that they would not endanger unmarried pilots by being too cautious in combat, but Stack expected that O'Brien would rescind the rule in his case. O'Brien, however, insists that the rule remain in effect, and Stack resigns rather than forego his marriage. Through his close friendship with Henry Hull, the commanding general, O'Brien obtains a revision of regulations that hampered his pilots, thus enabling him to lead them to greater victories. Meanwhile Stack returns and asks to rejoin the squadron. O'Brien rules that he must transfer to another group because of his married status but grants him permission to fly on one more mission before departing. This mission costs Stack his life. Shortly thereafter, Hull promotes O'Brien to an important staff post and orders him to discontinue combat flying, but he grants O'Brien's plea that he be permitted to complete his current tour of duty. He flies his last mission on D-Day, dying when a burst of flack hits his plane and sends it spiraling down to earth.

Seton I. Miller wrote the original screen play and produced it, and Raoul Walsh directed it. The cast includes Tom D'Andrea and others.

Unobjectionable morally.

"The Accused" with Loretta Young, Robert Cummings and Wendell Corey

(Paramount, Jan. 14; time, 101 min.)

This psychological murder melodrama is a fairly interesting picture of its kind, well produced and ably acted. But even though the story maintains a feeling of suspense throughout its unfoldment, it somehow fails to be convincing, for it is difficult for one to accept the premise that the heroine, a highly intelligent professor of psychology, would lie and resort to deceit to conceal a murder she had committed in self-defense. If one accepts this premise, however, he should find the plot developments quite absorbing because of the clever way in which the heroine conceals the crime, as well as of the methods and technical devices employed by the police to unravel the clues that eventually compel her to admit her guilt. The ending, where the heroine is acquitted on a hazy self-defense plea made in court, is very weak. All in all, the ethical values are poor, for the story awakens sympathy for a woman who confesses her guilt only after she is trapped. The romantic interest is mild:—

Loretta Young, a psychology professor at a western university, finds herself distracted by the attentions of Douglas Dick, a perverse young student, who, taking advantage of her status as his faculty adviser, pleads a need for advice and persuades her to have dinner with him. After dinner, he drives her to a secluded spot on the coast and starts to make violent love to her. Terrified, she strikes him with a blunt object, killing him. She carefully removes all evidence of her presence and manages to make her way home. Police investigator Wendell Corey, aided by Robert Cummings, the dead student's attorney and guardian, investigates the killing and centers his attentions on Suzanne Dalbert, a co-ed, whose love Dick had rejected. Loretta, having been Dick's adviser, is consulted frequently by both Corey and Cummings, but cleverly manages to conceal her involvement in the crime. Meanwhile Cummings falls in love with her. Having eliminated Suzanne, Corey, through clever deductions, sees Loretta as a possible suspect but is unable to find any evidence of her guilt. Aware that Corey's line of investigation was pointed her way, Loretta frantically takes every precaution to conceal her guilt, but she overreaches herself and the wily Corey soon traps her. Compelling her to confess, Cummings, satisfied that she had committed the crime in self-defense, stands by her and, through an impassioned plea to the jury at her trial, wins her acquittal.

Hal Wallis produced it and William Dieterle directed it from a screen play by Ketti Frings, based on a novel by June Truesdell. The cast includes Sam Jaffe and others.

Adult fare.

"The Man from Colorado" with Glenn Ford, William Holden and Ellen Drew

(Columbia, December; time, 99 min.)

A lusty western-type melodrama, packed with suspense and thrills, and set against beautiful outdoor scenery that is enhanced by the Technicolor photography. Laid in the days immediately following the Civil War, and revolving around the feuds between veteran Union soldiers and their former commander, a judge, whom the war had left with paranoid tendencies, the story is somewhat illogical and does not register strongly as a psychological study of a man with an uncontrollable urge to kill; nevertheless it grips one's interest throughout and more than fills the bill in the way of exciting action. It should go over very well with those who like their entertainment virile, for there is plentiful gunplay, hard-riding, and fisticuffs, with a spectacular fire at the finish. A fairly interesting romantic triangle is worked into the proceedings, which in some respects involves problems that are faced by ex-servicemen today. The production values are very good, the direction expert, and the acting first-rate:—

Glenn Ford, a Union Army Colonel, slaughters a band of Confederate soldiers with cannon fire, in spite of the fact that they had raised the white flag. William Holden, his

aide and best friend, takes notice of his disorderly mind. Returning to camp, Ford finds the Unionists celebrating Lee's surrender at Appomatox, but ever a strict disciplinarian he orders the arrest of Sergeant James Millican for leaving his sentry post unguarded. Ford and his victorious soldiers return to their home town, where Ford is appointed a judge and marries Ellen Drew, for whose love Holden had been his rival. Meanwhile Millican, fearful of a court-martial, escapes. Ford appoints Holden as his marshal, and the first case before them is over mining claims of the veterans, who charge Ray Collins with stealing claims they had staked out before the war. Under the law, Ford is compelled to find in favor of Collins. Several of the disgruntled miners join Millican and help him to prey on Collins' mining company. Their unlawful acts excite Ford's uncontrollable urge to kill, and he embarks on a wild career of indiscriminate shooting and hanging in the name of the law. Holden, infuriated, resigns as marshal and takes sides with the disgruntled miners. Ford begins to imagine that Ellen was in love with Holden, and he captures his former pal through trickery. Ellen, by this time completely disillusioned with her husband, helps Holden to escape and hides with him in the miners' section of town. Insanely jealous, Ford decides to burn down the section in order to smoke them out, but at the finish he is trapped in the fire of his own making and perishes in the flames.

Jules Schermer produced it and Henry Levin directed it from a screen play by Robert D. Andrews and Ben Maddow, based on a story by Borden Chase. The cast includes Edgar Buchanan and others. Unobjectionable morally.

"The Kissing Bandit" with Frank Sinatra and Kathryn Grayson

(MGM, January; time, 99 min.)

A pleasing entertainment although nothing sensational. It has been photographed in natural colors by the Technicolor process. The direction and acting are good, particularly the performance of J. Carrol Naish, as the Kissing Bandit's right-hand man. Frank Sinatra contributes considerable comedy as the awkward young bandit, and Kathryn Grayson is charming as the object of his affections. There are several songs sung, some of which are good but others only fair. The picture's outstanding feature is the dance number, "Dance of Fury," interpolated by Ricardo Montalban, Ann Miller and Cyd Charisse. The photography is exquisite:—

Set in the days when California was a Spanish colony, the story depicts Sinatra as the timid Boston-bred son of a notorious brigand known as the Kissing Bandit, brought west by Naish, his late father's faithful lieutenant, who wanted him to re-establish the fame and fortunes of his father's followers. Despite Sinatra's protests that he is not ferocious and cannot even ride a horse, let alone be a bandit, Naish induces him to dress the part and lead the men on a stage holdup. The shy and unassuming Sinatra disappoints the bloodthirsty gang, but Naish induces them to allow Sinatra to remain so that they may do the robbing while he is taught to do the kissing. They decide to rob a stage coach carrying Kathryn, the Governor's daughter. The holdup is staged in grand style, but Sinatra, overwhelmed by Kathryn's beauty, hasn't the courage to kiss her. This shocks Kathryn, who had expected greater dash from him, and that night, safe at home, she begins to doubt her charms. Meanwhile Sinatra dreams about her. When tax collectors Carleton Young and Billy Gilbert stop at an inn while en route to the Governor's palace, Sinatra and Naish overpower them, don their clothes, and present themselves to the Governor as the expected emissaries of the King of Spain. Both are given a royal welcome, and by the time the real tax collectors escape from the inn and arrive at the palace, Sinatra wins Kathryn's heart while Naish is captivated by the Governor's sister (Mildred Natwick). The Governor, having become fond of Sinatra and Naish, orders the real tax collectors to return to Spain and appoints Sinatra and Naish to their posts.

Joe Pasternak produced it and Laslo Benedek directed it from an original screen play by Isobel Lennart and John Briard Harding. The cast includes Mikhail Rasumny, Sono Osato and others. Good for the entire family.

"Leather Gloves" with Cameron Mitchell, Virginia Grey and Jane Nigh

(Columbia, Nov. 11; time, 75 min.)

Just a fair prizefight picture, suitable for the lower half of a double bill. The trouble with it is, not only a weak story, but also too much gabbing. The only worthwhile feature is the fight, which has been staged realistically. It is evident that the character portrayed by Virginia Grey was brought into the picture for the purpose of introducing some harmless sex in it, but primarily it serves to pad the story so as to give it an impressive length. The actors do the best they can with an inane story. The photography is excellent:—

Running away from a big city where he had been a top prizefighter, Cameron Mitchell, now seedy and broke, goes west. He stumbles into a Southwestern town and goes to a saloon to look for a job. Sam Levene, owner of the saloon as well as the local fight promoter, is convinced by Mitchell that he is a fighter. Levene offers him \$200 to fight Blake Edwards, the local pride. Henry O'Neill, an amiable old man addicted to drink, becomes his manager. Mitchell meets Jane Nigh, an attractive waitress, and tries to get next to her. Jane, who wanted to marry Edwards, pleads with Mitchell to beat him, explaining that, if Edwards should lose the fight he would remain in town, whereas if he should win he would go to a bigger city to become a famous fighter. Meanwhile Virginia Grey, a wealthy divorcee, makes every effort to induce Mitchell to lose the fight and then marry her. Mitchell approaches Edwards and proposes to lose the fight for a consideration of \$100. Edwards is at first reluctant to make a crooked deal, but agrees after Mitchell points out the advantages. Mitchell then obtains a \$100 advance from Levene, and instructs O'Neill to bet the entire \$200 on Edwards. Learning that Mitchell planned to throw the fight, Levene and his friends bet heavily on Edwards. In the ring, Mitchell boxes through the first few rounds with his former skill in order to make a good showing before losing, but when he sees anxiety in the eyes of Jane he determines to win and knocks out Edwards in the next few rounds. Levene and his infuriated friends attempt to enter Mitchell's dressing room to beat him up for double-crossing them, but he escapes with the aid of O'Neill and Virginia and heads for parts unknown.

The picture was co-produced and co-directed by Richard Quine and William Asher from a screen play by Brown Holmes, based on a story by Richard English.

Unobjectionable morally.

"The Untamed Breed" with Sonny Tufts and Barbara Britton

(Columbia, October; time, 79 min.)

A couple of fights between the hero and the villains, an attempt of one of the villains to crush the hero under a horse's hoofs, the rampages of a supposedly ferocious bull, coupled with the considerably beautiful Cinecolor photography, help to give this Western a lift, but even these are not enough to save it from being a dull entertainment, for the story is trite and disjointed. It revolves chiefly around the doings of a Brahma bull, and whether or not the bull should be shot for being too ferocious. Everything else in the story centers around this basic idea, even the love of the hero for the heroine. One saving characteristic is the heroine's good sense in marrying the hero even though his character looked black for a while. It is doubtful if the picture will go over even in the action houses:—

Sonny Tufts leaves Texas under some sort of cloud and goes to the Pecos country to buy a ranch and settle down. Edgar Buchanan, an old friend of Tufts' father and dean of the valley's ranchers, backs up Tufts' modern ideas on breeding, and the two persuade the other ranchers to buy a Brahma bull on a cooperative basis so that they may improve their cattle strain. Through the carelessness of George "Gabby" Hayes, the bull escapes on the night of its arrival and does much damage to property. William Bishop, a young rancher in love with Barbara Britton,

"Gabby's" foster-daughter, witnesses the escape, but, because he is jealous of Tufts as a rival for Barbara's love, he fixes the blame on him. "Gabby," a braggart and weakling, keeps silent. Goaded by Bishop, the ranchers, including Bishop's elder brothers (Joe Sawyer and Gordon Jones), turn against Tufts. Barbara learns the truth, but she, too, keeps silent out of loyalty to "Gabby." She eases her conscience, however, by being nice to Tufts. The bull ravages the countryside and the ranchers want to kill it on sight, but Tufts, aided by Buchanan, persuades the ranchers to give him time to capture the animal. Unable to hold the bull after he succeeds in lassoing him, Tufts sets out to capture a famous wild stallion, known to be strong enough to hold the bull. He succeeds in capturing and training the animal in secret. Meanwhile Bishop and his brothers plot to burn down Tufts' ranch house and to run him out of the territory, but Barbara, learning of the plot, stops them by marrying Tufts. But when Tufts learns why she had married him, he refuses to live with her despite his deep love for her. In the course of events, Bishop, still vindictive, discovers that Tufts had captured the wild stallion; he frees the animal in order to prevent Tufts from capturing the bull. Tufts thrashes Bishop in a fair fight, increasing the brothers' hatred of him. The stallion, however, returns to Tufts, helping him to capture the bull and win the ranchers' respect. By this time "Gabby" gets up enough courage to confess responsibility for the bull's escape. Bishop's elder brothers, enraged at the blot their lying brother had brought on the family honor, maul him unmercifully, while Barbara and Tufts look forward to a happy future.

Harry Joe Brown produced it and Charles Lamont directed it from a screen play by Tom Reed, based upon a Saturday Evening Post story by Eli Colter.

Harmless for children.

"Dynamite" with William Gargan, Richard Crane and Virginia Welles

(Paramount, Jan. 28; time, 68 min.)

Ordinary program fare. It is a routine, low-budget melodrama, offering little that is original in the way of story or treatment. It may, however, get by with the indiscriminating action fans, for the story, which revolves around the activities of men who work at blasting with dynamite, has a fair share of suspense and excitement. An unimportant romantic angle is dragged in by the ear. Not much can be said for either the direction or the performances, but they are acceptable considering the weak story material:—

Irving Bacon, head of a blasting company, is dogged by accidents that result in the cancellation of several of his contracts. Bacon is given an opportunity to get back on his feet when Douglas Dumbrille, head of a construction company building a railroad tunnel, grants him a contract to blast the tunnel through the side of a mountain. Bacon's crew is joined by Richard Crane, who had quit college despite the protests of his mother, Mary Newton; her husband, a dynamite man, had been killed in an accident, and she feared for the safety of her son. William Gargan, an old hand with Bacon's crew, resents Crane because of his attentions to Virginia Welles, Bacon's daughter. The feud between them is heightened when Crane attempts to employ new methods in blasting operations. Gargan's refusal to follow Crane's advice results in an accident that causes the death of Frank Ferguson, a fellow worker. Dejected, Gargan quits his job. On the following day, an accidental blast seals the tunnel entrance and traps Crane on the inside. With the available machinery unable to remove the mountain of earth in time to save Crane from suffocating, Virginia locates Gargan and urges him to blast away the earth. Gargan undertakes the ticklish operation and succeeds in clearing the entrance with carefully placed dynamite charges that leave Crane unharmed. It all ends with Gargan and Crane becoming fast friends, and with Virginia claiming Crane as her husband.

It is a Pine-Thomas production, directed by William H. Pine from an original screen play by Milton Raison.

Unobjectionable morally.

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ALLIED'S TWENTIETH ANNIVERSARY

Under the heading, "Twenty Glorious Years," National Allied has published as a souvenir of its 1948 convention an absorbing 42-page brochure, which it describes as "a narrative of the organization, activities and accomplishments" of the association. The convention will be held in New Orleans on November 29-30 and December 1.

Covering the history of Allied from the time it was organized in December, 1928, to the present day, the narrative makes fascinating reading as it recounts the struggles of its leaders to organize the independent exhibitors so as to put up an effective defense against all hostile forces, and the valiant fight they carried on to bring about free and open competition in the exhibition business.

Even a brief outline of Allied's honorable history transcends the space limitations of this paper. Suffice it to say, however, that Allied, though it is a powerful organization today, was not born with a silver spoon in its mouth. Unlike other exhibitor organizations which, at birth, were backed by the immense power and wealth of the producer-distributors, Allied was born in poverty. But it was rich in the indomitable courage of men who woke up to the danger that threatened the interests of the independent exhibitors.

The late Al Steffes, of Minnesota, H. M. Richey, of Michigan, and Colonel H. A. Cole, of Texas, were the prime movers in the movement to organize a strong national independent exhibitor organization, and to them goes the credit for having had the foresight and good judgment to engage as their leader Mr. Abram F. Myers, who at that time was Chairman of the Federal Trade Commission. They recognized Mr. Myers' ability because of his impartiality and of his grasp of the independent exhibitors' problems during the Trade Practices Conference held in New York in 1927, and they knew that he would be acceptable to the exhibitors at large.

That they were not mistaken in their judgment is evidenced by the fact that Mr. Myers, more than any other individual representing the independents, is responsible for curbing the monopolistic practices of the producer-distributors. During the early days of Allied any other person might have been discouraged and thrown in the towel, for the distributors, through their affiliated theatres and representatives of the Hays organization, did everything they could to divide the independent exhibitors with a view to either preventing affiliation with Allied or breaking up the organization itself. But Abram F. Myers was not one to be discouraged; his perseverance and tenacity en-

couraged the exhibitors and aroused them, and they rallied around him, determined to give him their full cooperation.

Under Mr. Myers' inspired leadership, the Allied leaders—Steffes, Cole, Richey, Sidney Samuelson, Nathan Yamins, Jim Ritter, Herman Blum, Fred Herrington, William L. Ainsworth, Martin G. Smith, M. A. Rosenberg, Ray Branch, Pete Wood, Jack Kirsch and many other prominent exhibitors battled desperately to protect the interests of the independent theatre owners. They fought against block booking, blind-selling, dictating the days on which an exhibitor must show his pictures, forcing of shorts with the features, unreasonable protection, over-buying, score charges, construction of additional theatres, unfair exhibition contracts, unfair arbitration, and ever so many other abuses which, if corrected, would give every exhibitor's business a new lease on life. And the wonder of it all is that they did not lose courage because of the amazing indifference shown by many exhibitors whose interests they were trying to protect.

But their fight has not been in vain, for after twenty memorable years Allied, to quote from the brochure, "has led the independent exhibitors from bondage into the promised land."

Just how much Allied has done for independent exhibition is pridefully summed up in the following part of the narrative, which was prepared by Mr. Myers with the collaboration of Col. Cole:

"In measuring Allied's accomplishments, exhibitors will reflect that as the result of its resourcefulness and untiring efforts they now enjoy a security in their property and business which twenty years ago would have been branded as the pipe dream of a gang of crackpots. Gone or in the process of solution are such serious problems as affiliated chain expansion, chain invasion of independent situations, the systematic selling away from independents of products and runs, compulsory block-booking and blind-selling, increased admission price pictures, unreasonable clearances, ASCAP and many others. A score of years may seem like a long time, but the obstacles to be overcome were great and the harvest has been a rewarding one...."

Allied and its leaders have every right to "crow," for it is primarily through their fearlessness and willingness to undergo sacrifices that a new day has dawned for the independent exhibitors. They deserve the thanks of every independent theatre owner, for they carried on the brave fight against monopolistic practices in the face of great odds, proving that wealth

(Continued on back page)

X **"That Wonderful Urge" with Gene Tierney and Tyrone Power**

(20th Century-Fox, no rel. date set; time, 82 min.)

An amusing sophisticated comedy, with pretty good box-office possibilities because of the popularity of the players. The story is thin and implausible, for the idea of an ace reporter not being able to prove that he is not married to a famous heiress is naturally ludicrous. But once the spectator accepts the story as being neither serious nor sensible, he should enjoy it, for the action is breezy, and it has good comedy situations, gags, and smart dialogue. On occasion, the comedy borders on the slapstick. Both the dialogue and the action are suggestive in spots, but not to the extent that they might prove offensive:—

Tyrone Power, an ace reporter, feeds the insatiable curiosity of his tabloid paper's readers with unflattering stories about the daily life of Gene Tierney, heiress to a fabulous fortune. To secure additional material about Gene, Power follows her to Sun Valley, where he makes her acquaintance under an assumed name and tricks her into spending several hours with him in an abandoned cabin. Posing as a small-town newspaperman who wanted to combat the unflattering stories written about her, Power learns of the more human side of her life and falls in love with her in the process. He departs from Sun Valley without bidding her goodbye, determined to right the wrongs he had written about her. Gene, learning of his departure and discovering his identity, determines to "fix" him. She flies to New York and, at the airport, nonchalantly informs the reporters that she had married Power and had settled a million dollars on him. When the rival newspapers scoop his own paper with the sensational story, Power's editor, furious, fires him. Power pleads with Gene to explain that it is all a gag, but she refuses, determined to show him how it feels to be a "public freak." To prove that he is not married to Gene, Power persuades Arlene Whelan, a girl reporter, to marry him, but he is refused a license at the marriage bureau when Gene appears and accuses him of trying to commit bigamy. Angered, he decides to change his tactics by playing the part of her husband. This causes her no end of embarrassment, reaching a climax when he invades her bedroom. She finally agrees to admit the truth to Power's editor, but on the way to his office she involves Power in a brawl with several truckmen in order to escape from him. Power eventually convinces his editor that he is not married, and agrees that the newspaper attorney start a libel suit against Gene in his behalf. Meanwhile Gene, having decided to end the gag, arrives at the newspaper office only to find herself served with a summons. Furious, she permits the case to go to trial, at which her attorney makes Power look silly by compelling him to admit that he had suffered from lapses of memory. After much wrangling, during which Power is unable to disprove Gene's claim of marriage, they both realize that they were really in love, and it all ends with Gene agreeing to a "second" marriage to ease Power's mind.

Fred Kohlmar produced it and Robert B. Sinclair directed it from a screen play by Jay Dratler, based on a story by William R. Lipman and Frederick Stephand. The cast includes Reginald Gardiner, Lucille Watson, Gene Lockhart and others.

Adult fare.

"Homicide for Three" with Audrey Long, Warren Douglas and Grant Withers

(Republic, Dec. 8; time, 60 min.)

A pretty feeble program murder-mystery melodrama, with the accent on comedy. Revolving around a young navy officer who finds himself implicated in several murders while trying to enjoy his honeymoon on a 36-hour leave, the story offers a hodge-podge of nonsense that may get by with the indiscriminating because of its flippant treatment. But it will try the patience of the more critical because of the inanity of the doings and the simple-mindedness of the principal characters. Moreover, it is all talk and no action, and there is little suspense since one guesses the identity of the murderer long before it is disclosed at the finish. The performances are adequate considering the fact that the players were handicapped by trite material and silly dialogue:—

Given a 36-hour leave to enjoy his long overdue honeymoon with Audrey Long, his bride, Warren Douglas, a navy lieutenant, frantically seeks a room in one of Los Angeles' crowded hotels. Stephanie Bachelor, a stranger on her way to a week-end elopement, overhears the young couple's plight and offers them her suite during her absence. No sooner do they get settled in the suite than the telephone rings and a sinister voice inquires after Audrey's cousin, whom she resembled closely. The sinister voice leaves Audrey jittery. Douglas scoffs at her, but he changes his tune when a mysterious man with the same voice steals his uniform while he takes a turkish bath in the hotel's steam room. In the events that follow, two women are murdered by the mysterious man wearing Douglas' uniform, and he obtains the aid of two private detectives (Grant Withers and Emmanuel Catt) to help solve the crimes and clear him of suspicion. After numerous happenings in which the young couple becomes involved with Lloyd Corrigan, a drunken criminologist, and in which all three save Stephanie from becoming the third victim, the killers are unmasked as the private detectives, who sought to avenge themselves against the three women because, years previously, their testimony had convicted them of a crime.

Stephen Auer produced it and George Blair directed it from a screen play by Bradbury Foote, based on a novel by Patrick Quentin.

Unobjectionable morally.

"Sons of Adventure" with Lynn Roberts, Russ Hayden and Gordon Jones

(Republic, Sept. 1; time, 60 min.)

Passable program fare. The one thing that may be said for this melodrama is that it has plenty of action throughout even though the happenings in the early reels have nothing to do with the main story, which is a routine murder-mystery that throws suspicion on several characters before the guilty one is trapped at the finish. As a matter of fact, the story itself is so mixed up that it is difficult for one to follow. The early sequences that have nothing to do with the main story involve flashbacks that depict the heroic exploits of the hero and his pal while serving in the South Pacific, and clips of exciting war sequences have been expertly integrated by the director, giving the picture production values that belie its modest budget. The fact that the hero is a movie stunt man, and that most of the action takes place on movie sets during the filming of a western, adds to the interest:—

Through the efforts of Russ Hayden, his pal,

Gordon Jones obtains a job as a stunt man with Mammoth Pictures. He is put to work in a western and is assigned to fire a prop gun at John Holland, the picture's unpopular star. Holland falls dead, killed by a bullet that had been substituted for the blank cartridge. Jones is fired, and Hayden, resentful, finds a threatening note addressed to Holland and becomes convinced that his death was not an accident but murder. He determines to get at the bottom of the crime, but in his self-appointed role as detective, Hayden, a stunt man, too, finds himself confronted with many dangers that appear to be deliberate attempts on his life. He finds reason to suspect a number of people connected with the making of the picture, but with the aid of his girl-friend, Lynne Roberts, and Jones, he narrows down the list of possible suspects. A break in the case comes when the company celebrates the finish of the picture at a studio party. Hayden finds himself trapped in the vast darkness of a huge sound stage, used as a target by an unseen assailant who pins him in the beam of a spotlight. In a battle of wits and agility, Hayden subdues his attacker, who turns out to be the assistant director of the film; the man confesses that he had substituted the bullet that had killed Holland to avenge the actor's rotten treatment of his sister. The director tries to escape, only to fall to his death from a catwalk.

Franklin Adreon produced it and Yakima Canutt directed it from a screen play by Mr. Adreon and Sol Shor. The cast includes Grant Withers, George Chandler, Roy Barcroft, Stephanie Bachelor and others. Unobjectionable morally.

**"Manhattan Angel" with Gloria Jean,
Ross Ford and Patricia White**

(Columbia, no release date set; time, 68 min.)

Just a moderately entertaining comedy-drama with musical interludes. The story is thin, offering little that is novel in the way of plot development, but it should get by as a supporting feature with audiences who are not too demanding in their choice of entertainment. The musical interludes are pleasant, but they are not strong enough to carry the picture. There is a routine romance:—

Gloria Jean, employed as a copywriter in an advertising agency, spends most of her free time as leader of a Youth Center on New York's East Side. Her fiance, Ross Ford, a young attorney, assists her with her work. Complications arise when the building housing the Center is sold to Thurston Hall, owner of a fashionable dress establishment, who planned to demolish it to make way for a new factory. Since her firm handled Hall's advertising account, Gloria manages to get into his office and pleads with him to build his factory elsewhere. Hall, an irascible old man, turns down her request, but since he liked her advertising ideas very much she dreams up a scheme to get new funds for the Center. She works out a sub-deb beauty and fashion contest to boost his wares, with the winner to get a \$25,000 prize. She then arranges with Patricia White, a girl-friend, to pose as a society girl and enter the contest. Patricia wins the contest according to plan and, in accordance with her agreement with Gloria, prepares to give the prize money to the Center. But the hoax is discovered at the last minute and the prize money withdrawn. Gloria quits her advertising chores, and her fiance steps in to heal the breach between her and Hall. His efforts wear

down Hall and, on Christmas Eve, the millionaire visits the Center, gives Patricia her check, employs Gloria as his advertising director, and buys another building from her fiance.

Sam Katzman produced it and Arthur Dreifuss directed it from a screen play by Albert Derr, based on a story by George H. Plympton and Mr. Derr. The cast includes Benny Baker, Russell Hicks, Jimmy Lloyd and others. Unobjectionable morally.

**"Yellow Sky" with Gregory Peck,
Anne Baxter and Richard Widmark**

(20th Century-Fox, December; time, 97 min.)

Although it is overlong, "Yellow Sky" shapes up as a fairly good big Western. The production values are good, and the outdoor black-and-white photography superb, but the story is not unusual; nor is the action particularly thrilling, with the exception of several exciting sequences, the outstanding one being the pursuit of a band of bank robbers by a troop of U. S. Cavalry. Considerable attention has been paid to characterizations, with the result that, at times, the action is decidedly slow for a picture of this type. What the story lacks more than anything else is human appeal for, with the exception of the heroine and her grandfather, the other characters are motivated by lust and greed, and so one is not sympathetic towards them. In the picture's favor, from the box-office point of view, is the drawing power of the stars:—

Roaming about the country after the close of the Civil War, Gregory Peck, a Union veteran, and six pals (Richard Widmark, John Russell, Robert Arthur, Charles Kemper, Henry Morgan and Bob Adler) rob a bank and are chased by a posse into the Arizona badlands. Realizing that their only hope of escape is the seventy miles of blistering, dry desert ahead, Peck and his gang begin the torturous trek. Days later, perishing of thirst, they come to the ghost town of Yellow Sky and find it inhabited by Anne Baxter, a hostile young lady, and James Barton, her grandfather. Anne agrees to give them food and drink in return for their promise to move on. While his pals rest and refresh themselves, Peck, noticing the lust in their eyes, warns them to keep away from Anne. Later, however, Peck himself attempts to take advantage of her, but he keeps his distance when she grazes his head with a bullet. Meanwhile Widmark discovers that the girl and her grandfather had been working an abandoned gold mine. On the following day, the bandits, intent upon getting the gold, subdue Anne and Barton in a gunfight and threaten to kill the old man unless he reveals where the gold is hidden. He finally makes a deal to split the gold—\$50,000 worth—with them. As the outlaws unearth the gold from its hiding place, a band of Apache Indians, friends of Barton, visit him. The outlaws figure that Barton will turn the Indians against them, but the old man sends them away, keeping his part of the deal. Widmark starts shooting at Peck who, aided by Anne, gains the safety of her home. In the gun battle that follows, Kemper and Morgan take sides with Peck while all the others lose their lives. Several weeks later, Peck and his two remaining henchmen ride back to the bank and return the stolen money. They then rejoin Anne and Barton to lead a decent life. Peck, by this time, had won Anne's love.

Lamar Trotti wrote the screen play and produced it from a story by W. R. Burnett. William A. Wellman directed it. Adult fare.

and political influence do not always win out. They are now having the satisfaction that comes from a well-earned victory.

But Allied, wisely, does not intend to rest on its laurels; at the close of the narrative it is stated that "eternal vigilance is the price of liberty and Allied must remain mobilized and armed in order to protect the gains already made; in order to service the exhibitors in their everyday operations, and in order to educate and aid them in exercising their rights under the new freedom that has been conferred on them."

HARRISON'S REPORTS congratulates Allied on its twentieth anniversary, and it is indeed proud to have been one of its staunchest supporters throughout its eventful and honorable history, fighting side-by-side with it on many issues.

COLOR GRADUALLY GAINING FREEDOM

The Eastman Kodak Company, which is a co-defendant with Technicolor in an anti-trust action filed by the Department of Justice in 1947 in the Federal District Court in Los Angeles, has agreed to sign a proposed consent decree, which has been taken under advisement by the Court. Technicolor is not a party to the consent arrangement.

The Government charged that, from 1934 to 1945, the two companies had engaged in a conspiracy that has enabled Technicolor to monopolize the manufacture of three-color release prints of feature motion pictures.

The proposed decree will require Eastman Kodak to "license all its current patents to any applicant royalty free, and to license all patents it may acquire in this field during the next five years on a reasonable royalty basis; also to furnish technical information and know-how to all licensees and to sell professional motion picture color film to all applicants without discrimination and without the imposition of burdensome conditions."

According to Assistant Attorney General Herbert Bergson, "the judgment will serve to remove trade barriers in the development of the art of professional cinematography, and should also be helpful in restoring competition in the business, over 90 per cent of which has been controlled by Technicolor, aided by its agreement with Eastman."

Once the decree is approved by the Court, color film will gain a greater freedom, a freedom it would have had long ago had not Eastman Kodak and Technicolor come to an understanding to stay clear of each other's territory—the one to keep out of the private field, which Eastman is now enjoying through Kodachrome, and the other to keep out of the motion picture field, which is dominated by Technicolor.

There seems to be no earthly reason why Eastman Kodak cannot manufacture 35mm Kodachrome films for use by the motion picture industry. With such films available to the producers, the cost of producing films in natural colors will become, not only simplified, but also less costly.

When the cost of production of color films comes down, it is fairly certain that ninety per cent of all feature pictures will be produced in color. For every

producer in Hollywood wants to use color in his pictures but is unable to do so, not only because of the high cost, but also because of the hold that Technicolor has had ever since color was introduced in feature films.

There are several other color processes available to the producers, but none of them is less costly to an appreciable degree, and most of them have not yet been developed to the point of giving satisfactory results.

When Eastman Kodak releases its patents for general use, and if it decides to manufacture 35mm Kodachrome film, the number of feature pictures produced in color will be many times more than they are now, and the cost of them will be smaller. All this cannot help benefitting the entire industry.

THE RUSSIANS AND THE AMERICAN MOVING PICTURES

Part of a United Press dispatch from Moscow, dated November 22, reads as follows:

"Hollywood better not count on exporting any sex to Moscow under Eric Johnston's new deal to sell American films to the Soviet.

"Russia is not interested.

"It wants films with a message—a message of the *inequalities and shortcomings of capitalism*. (Italics ours.) If not that, maybe some Disney productions. The 'Three Little Pigs' has been one of the smash hits of the last ten years in Russia. . . .

"An American asked a couple of Soviet directors what films they would like to see. They thought for a moment, then suggested 'Tobacco Road,' a bitter portrayal of the life of the Southern sharecroppers, and 'Grapes of Wrath,' the grim story of the struggle of the Southwest okies to eke out a living. . . ."

The Russian desire for pictures that distort the American way of life, as expressed by the aforementioned Soviet directors, is just what this paper has stressed in the articles that commented on Mr. Johnston's closing a deal with the Russian leaders for the showing of American films in their country.

According to the terms of the agreement, the Soviet leaders will have the right to dub the American pictures with Russian sound tracks but will not have the right to alter the subject matter.

If the Russians carry out the terms of the agreement by reproducing the exact meaning of the dialogue and by leaving the situations in every picture intact, the people of the United States will owe Mr. Johnston a debt of gratitude for having rendered the nation a great service by introducing into Russia films that teach democracy as it is practiced in this country. But judging the Russians by past and present performances, we will not be surprised if they should give a different interpretation to the terms of the agreement, giving certain words a different meaning than the Americans intended to give them. And you cannot argue with the Russians when it comes to the meaning of words.

Moreover, this paper doubts whether the Russian leaders will present to their people the American films unaltered, for they will not want them to see how well off the Americans are under capitalism.

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THE SCREEN ACTORS GUILD'S ATTITUDE ON MINORS

The following letter, dated November 24, 1948, has been sent to this paper by Mr. John Dales, Jr., Executive Secretary of the Screen Actors Guild:

"We have read with interest your editorial in the issue of November 20 regarding 'The Case of Joan Leslie.'

"Without discussing the pros and cons of Miss Leslie's case, we hope you will allow us to correct the implication in your editorial that the Screen Actors Guild is lax in not settling such disputes by arbitration with the studio, rather than allow the individual actor to take the matter into the courts.

"The Guild would like nothing better than to have such matters settled by arbitration and on a number of occasions in our contract negotiations with the producers during the last eleven years, we have made such a proposal. The studios have consistently refused to agree to arbitrate most matters concerning term contract players. Thus, if an actor feels that his personal service contract with the studio was fraudulently obtained or is illegal, the only recourse he has is to sue in the courts. The law does not allow the Guild—nor would the Guild wish—to deprive a member of his 'day in court' on a dispute which is not subject to arbitration under the Guild's contract with the producers. We hope that the studios will follow your suggestion, reverse their previous stand and agree to arbitration of all such matters."

If the producers want to feel sure that a minor, whom they have built into an outstanding box-office attraction at great expense and effort, will not, after reaching his majority, try to break his contract through either the courts or a "sit-down" strike, they had better come to an understanding with the Screen Actors Guild for an arbitration clause in the contract.

As Mr. Dales points out, the Guild cannot deprive a player of his day in court in the event he felt that his contract with the producer is illegal; but with an arbitration clause inserted in all actor contracts, much can be done to prevent an injustice to either the actor or the producer.

A contract between a minor and a producer could prove far more binding if there should be inserted still another clause giving the guardians of the minor, or the minor himself, if that were legal, the right to protest within a given length of time against inequalities in the contract, asking for a readjustment of the contract terms. With such a clause in the contract, in addition to an arbitration clause, both the young player and the producer will have reasonable protection against injustices.

The producers know very well that most every time a young player tries to break his contract upon reaching majority he tries it on the advice of his agent. As a general rule it is the agent who incites the minor to break his contract unless an increase of salary is made, for the agent stands to benefit from the increased salary.

And the producers themselves could prevent such contract breaches by being wise enough, when a young player becomes a valuable asset at the box-office, to tear up the old contract and write a new one. The theory that a player signed a contract and must live up to its terms is a poor excuse for the injustice some studios commit against players who make millions for them while working for comparatively paltry wages. It is not in the human nature of an agent to sit still while the studio realizes huge profits on his underpaid star. But by readjusting the contract voluntarily the producers will not only disarm the agent but also keep the young star contented and happy.

ALLIED ADOPTS PLAN TO DISCIPLINE ERRING STARS

At the initial meeting of the organization's 15th annual convention, held in New Orleans this week, National Allied adopted a resolution calling for an amendment to the Production Code to control the moral conduct of motion picture players.

The resolution, which is based on a proposal by Joseph P. Finneran, of Franklin, Indiana, castigates the producers who have "condoned and even defended the stars' misdeeds," and it calls upon them to ban misbehaving players from the screen until they have cleared their names.

Under the suggested amendment to the Production Code, any player who has gained public notoriety will, in order to continue working in pictures, be required to obtain court acquittal in the event the offense is a crime. In the event the wrong-doing is not a crime, the player will require exoneration by an industry committee set up to handle such matters. It is also proposed that suitable penalties be imposed for lesser offenses.

As first suggested by HARRISON'S REPORTS in the October 30 issue, the resolution proposes that a procedure similar to the system maintained in organized baseball should be employed by the motion picture industry for disciplining those who get out of line.

Endorsed also by the convention was a resolution proposed by Sidney Samuelson, of Eastern Pennsylvania Allied, condemning distributors who, for the obvious purpose of cashing in on the notoriety, reissue pictures featuring players involved in scandals.

(Continued on back page)

"3 Godfathers" with John Wayne, Pedro Armendariz and Harry Carey, Jr.

(MGM, January; time, 106 min.)

A fairly good western, photographed in Technicolor, but it is overlong. Founded on Peter B. Kyne's story, which MGM produced in 1936, and Universal in 1916 and 1930 (as "Hell's Heroes"), this version has some plot changes but the story is basically the same—that of three hunted badmen who become regenerated out of a sincere desire to save an orphaned baby born on the desert. The story on the whole is heavy, for it is not pleasurable to watch the principal characters suffer from thirst as they wearily trudge across the desert, but it has considerable human interest because of their anxiety over the child's welfare and of the sacrifices they endure to save the infant. With the exception of the opening reel, where the badmen rob a bank and escape, it has none of the exciting action that is common in most westerns, but even though the pace is slow it has moments of high tension. Like most John Ford productions, this one has unusual backgrounds and impressive photography:—

After robbing a bank in a Western town, John Wayne, Pedro Armendariz, and Harry Carey, Jr., head for the desert to escape a pursuing posse led by Sheriff Ward Bond, who wounds Carey before they make their getaway. Bond, assuming that the three badmen would head for one of two railroad water tanks in the desert, posts guards at both tanks to trap them. His clever tactics compel the parched bandits to double back on their tracks, this time heading for a water hole to the South. The loss of their horses in a sandstorm makes the trek unbearable. Upon reaching their destination, they find a covered wagon stalled in the sand, and the water hole dried up, the result of being dynamited by the emigrant, who had gone off in a further search for water and had perished. Even more surprising is their discovery of an expectant mother in the wagon. The three take pity on her. Armendariz delivers the baby, but the mother dies. Before her death, however, she makes them the child's godfathers and obtains their promise to protect the baby, who, unaware to them, was the sheriff's grandson. Realizing that the baby would die without proper care, the bandits decide to bring the child back to town even though it meant their arrest. The gruelling trek across the desert exhausts the wounded Carey, who dies, and later, when Armendariz falls and breaks his leg, he shoots himself rather than to become a burden. Wayne, completely delirious by this time, uses his remaining strength in a heartbreaking struggle to bring the baby to town. The baby is saved and Wayne eventually regains his health. He is tried for the robbery, but his struggle to save the baby had made him a hero, resulting in his receiving a minimum sentence.

It is an Argosy production produced and directed by John Ford, from a screen play by Laurence Stallings and Frank S. Nugent. The cast includes Mae Marsh, Mildren Natwick, Guy Kibbee, Jane Darwell and others.

Unobjectionable morally.

"Strike it Rich" with Rod Cameron, Bonita Granville and Don Castle

(Allied Artists, November 26; time, 81 min.)

In theatres where action pictures are popular, this one, too, should go over well as part of a double bill, for the action is fast and exciting. But there is nothing unusual about the story; it revolves around the Hollywood formula idea of pitting one friend against another, because of the love of each for the same girl, and of having a ferocious fight so as to cause the crowd to say, "ah," and "oh!" Yet the picture is more impressive than the average action picture, for greater efforts have been expended on it, and it has been produced at greater cost. The picture should appeal also to those who like outdoor photography:—

After having one failure after another digging oil wells in Texas, wild-catters Rod Cameron, Don Castle, and Stuart Erwin decide to try their luck in the eastern part of

the state. They reach a small town, where they promote local financing to dig for oil, and where they meet Lloyd Corrigan, a newspaper editor, and Bonita Granville, his pretty daughter. Cameron and Castle become rivals for Bonita, but she prefers Cameron, the wilder of the two. After digging several thousand feet and finding no oil, Cameron suggests to his partners that they take what money is left and skip town. When Castle insists that they carry out their agreement with the town's investors, Cameron takes his share of the money and goes away to try his luck elsewhere. Bonita follows and marries him, leaving Castle disconsolate. Castle continues digging and, after going down several hundred feet more, brings in a gusher. Cameron, too, strikes it rich and becomes one of the wealthiest men in Texas. To harass Castle, Cameron influences the legislature to pass a law prorating the amount of oil that may be taken from each well. The independent oil operators, including Castle, see their ruination in the law and refuse to comply with it. Cameron induces the Governor to send the militia to the barricaded oil fields. But when he visits the fields himself, Cameron decides to settle the matter without the aid of the troops. He and Castle engage in a terrific fight, in which both their lives are endangered, but in the end the air is cleared and they become staunch friends once again.

Jack Wrather, an oil millionaire himself, produced it, and Lesley Selander directed it from an original screen play by Francis Rosenwald.

Harmless for the family circle. Children should enjoy it.

"The Decision of Christopher Blake" with Alexis Smith and Ted Donaldson

(Warner Bros., December 25; time, 75 min.)

A fairly interesting drama, but it is doubtful if it will do more than moderate business, for its odd mixture of realism and fantasy may prove too intricate for the average picture-goer. Revolving around the emotional confusion of a 12-year-old boy who, upon learning that his parents were to be divorced, finds himself faced with the unhappy task of deciding whether he should live with his mother or father, the realistic part of the story is strong in dramatic content. But the fantasy part of the picture, which takes in several dream sequences that reveal, in fanciful terms, the troubled boy's thoughts as to the fate that awaits him as the child of divorced parents, has a serio-comic quality that tends to divert the spectator's compassionate feeling for the youngster, resulting in a weakening of the story's emotional punch.

Being a story of divorce and its effect on children, the subject matter has been handled intelligently in that sympathetic treatment is given to the parents' difficulties; each is depicted as being devoted to the boy and going or saying nothing that would win his love away from the other. Moreover, their bickering is done on a high level and in privacy, out of ear-shot of the boy. The most powerful part of the story takes place in the closing reels during the courtroom divorce proceedings, at which time the youngster is faced with the problem of choosing one of his parents. Unable to make a choice, he breaks down. The kindly judge declares a recess, during which time he takes the youngster into his chambers and tells him of his belief that nothing but pride prevented a reconciliation between his parents. He then concocts a plan whereby the boy informs his mother that he had chosen to remain with the father, and then informs the father that he had decided to remain with the mother. Both parents are so shaken by his decision that they come to their senses and become reconciled. These closing scenes are quite powerful and should evoke many tears.

Ted Donaldson, as the boy, is effective, as are Alexis Smith and Robert Douglas, as his parents, and Cecil Kellaway, as the understanding judge.

Ronald MacDougall wrote the screen play and produced it, based on the stage play by Moss Hart. Peter Godfrey directed it. The cast includes Harry Davenport, John Hoyt, Mary Wickes, Art Baker and others.

Unobjectionable morally.

"Mexican Hayride" with Abbott and Costello

(Universal-International, December; time, 77 min.)

A typical Abbott and Costello entertainment, best suited for those who enjoy their brand of "corny" slapstick comedy. It has very little story, and what there is of it makes little sense, but it serves well enough as a framework for the broad gags and situations, many of which are quite funny. As usual, the roly-poly Costello carries the burden of the comedy and, even though much of what he does is forced, his appearance alone is enough to make one laugh. The height of the slapstick action takes place during a bullfight sequence in which Costello, trapped in the ring, is chased by an enraged bull. There is some music, but it is undistinguished and incidental:—

When Bud Abbott, a confidence man, uses him as an unwitting tool in an oil stock swindle, Lou Costello pursues him to Mexico City and locates him in a bullfight arena managing Virginia Grey, a female Toreador. As a gesture of good will between the United States and Mexico, John Hubbard, a counsel attache, had asked Virginia to launch Amigo Americano week by tossing her hat to an American in the crowd, the receiver to be honored as the good will ambassador. Abbott had instructed Virginia to toss the hat to Frank Fenton, a fellow confidence man, through whom he planned to sell fake mining stock to unsuspecting tourists. The hat, however, is inadvertently caught by Costello, who is hailed by the Mexicans. Compelled to change his plans, Abbott takes Costello in hand and dupes him into recommending the fake stock to gullible tourists. Meanwhile two American detectives get on their trail and arrest them. Costello, having wisely hidden the money Abbott had obtained from the sale of the stock, decides to return it to the authorities only to learn that it had been stolen by Luba Malina, Fenton's Mexican sweetheart. He manages to escape from the detectives and goes in search of Luba. He finds her in a bullfight arena where, after becoming involved with an enraged bull, he retrieves the money and returns it to the authorities.

Robert Arthur produced it and Charles T. Barton directed it from a screen play by Oscar Brodney and John Grant, based on a play by Herbert and Dorothy Fields and Cole Porter. The cast includes Fritz Feld, Tom Powers and others. Unobjectionable morally.

"Jiggs and Maggie in Court" with Joe Yule and Renie Riano

(Monogram, December 12; time, 70 min.)

Good hokum, but there are no sensational comedy situations. It is the third in the "Bringing Up Father" series, and it varies little over the other two. The story is very thin, depending on comedy gags, such as throwing a pie in some one's face, to put it over. This time the story revolves around Miss Riano's becoming sick and tired of having people remark about her resemblance to the Maggie in George McManus' cartoon strip, and around her decision to take him to court to stop him from caricaturing her. Mr. McManus appears in several of the scenes and he is no "ham"; he acts like an experienced player. The picture should appeal to children and to those adults who follow the cartoon strip:—

After many jeers and laughs over her resemblance to McManus' cartoon character while on a shopping tour, Renie Riano, thoroughly angered, throws a pie in a baker's face. She is fined \$300 in court and placed on probation in her husband's (Joe Yule) custody for 30 days. Renie becomes further enraged when a literary society rejects her application for membership because of the arrest and of her resemblance to the cartoon character. Lest she lose her social prestige, she appeals to McManus, but he refuses to stop drawing the character. Robert Lowell, a young attorney interested in June Harrison, Renie's daughter, takes the case and sues McManus for \$250,000. June's childhood friend, Riley Hill, now a lawyer and also interested in her, defends McManus, who is his uncle. While Renie goes away for a

rest, her husband throws a party for his saloon cronies, but the party breaks up when she returns unexpectedly. In court, Hill gets Renie to reveal that she is thirty-five years old, and when McManus discloses that he had started drawing his cartoons one year before she was born, the case is dismissed. But the cartoonist befriends Renie when he tells her that the comic-strip character she resented is a composite picture of all the beautiful women in the world—when they are mad. Renie finds real happiness in this knowledge.

Barney Gerard produced it and William Beaudine and Eddie Cline directed it. Mr. Gerard and Mr. Cline collaborated on the writing of the original screen play.

Suitable for the family.

"A Letter to Three Wives" with Linda Darnell, Jeanne Crain and Ann Sothern

(20th Century-Fox, no release date set; time, 103 min.)

A combination of good writing, expert direction, and capable acting, this shapes up as a very good comedy-drama, with an original story idea that has been given a deft flashback treatment. It should go over pretty well, for it is rich in humor and touches of drama. Located in a New York suburban community, the story revolves around the insecurity felt by three wives—Linda Darnell, Ann Sothern, and Jeanne Crain—when they receive a cryptic note from a mutually-despised girl-friend informing them that she had run off with one of their husbands but does not specify which one. The amusing angle is that all three wives are away from home on an excursion boat at the time they receive the message and, though each finds reason to believe that her husband had been stolen, each makes an effort to hide her concern.

As the boat sails down the river, each wife reviews her own marital history, which is unfolded by the flashback method, and each finds reasons that might have caused her husband to leave her. In each case the despised girl-friend, who is never seen on the screen, had been a love rival. Miss Crain, married to Jeffrey Lynn, a stockbroker, fears that he mentally compared her simple farm background with the cosmopolitan life led by her chic girl-friend, and that he wished he had married her instead. Miss Sothern, married to Kirk Douglas, a schoolteacher, feared that the reason he might leave her is that he resented the fact that she earned more money as a writer of radio "soap operas" than he did as a teacher. Miss Darnell, married to Paul Douglas, a gruff chain store owner, had married him for his money, a fact he was well aware of, and though she now loved him sincerely she could not convey her feelings because he felt that he had not won her love but had "bought" her. After the excursion trip, the three women rush home, each sure that it is her husband who has left her but hoping to be proved wrong. Jeanne is the one who finds her husband missing, but her fears are soon dispelled by Douglas, who admits that he had planned to run off but had found it impossible to leave Linda. His declaration brings Linda to the realization that he truly loved her, making it easy for her to declare her own feelings.

A brief synopsis cannot do justice to the story, which is richly comic in incident and dialogue. For example, an hilarious gag, which is repeated several times, has to do with the vibrating of Miss Darnell's dingy home (before her marriage) every time a train rumbles by. As said, the acting of every one in the cast is very good, but special mention should be made of Paul Douglas, a newcomer to the screen, who does exceptionally good work as Miss Darnell's husband, and particularly of Thelma Ritter, as a maid, who steals every scene in which she appears; she is extremely funny. The picture rates an adult classification because of the suggestive situations involved in the campaign Miss Darnell wages to snare Douglas for a husband.

Joseph L. Mankiewicz wrote the screen play and directed it, based on a novel by John Klempner. Sol C. Siegel produced it. The cast includes Barbara Lawrence, Connie Gilchrist, Hobart Cavanaugh, Florence Bates and others.

The Allied proposal for disciplining erring players is sound. Eric A. Johnston should give the plan his serious consideration and should make every effort to induce the producers to accept it. But mere acceptance will not be enough; rigid enforcement will be the essential thing, for only then will the stars come to the realization that the motion picture industry is too important and its responsibility to the public too great to tolerate the shenanigans of irresponsible players. Once the players are shown that they will be treated with promptly and severely for their misdeeds, they will realize that, like Caesar's wife, their behavior in public must be exemplary.

CONCILIATION BEFORE ARBITRATION

The arbitration system that is being drafted by the attorneys for the distributor defendants in the U. S. Government's equity suit will, according to trade paper reports, have "teeth" in it.

The Supreme Court left the establishment of a new arbitration system to the District Court, to which it remanded the case, and, though the high court specified that such a system could not be mandatory, the defense attorneys have urged the lower court to embody one in the final decree.

HARRISON'S REPORTS does not know what kind of "teeth" the proposed arbitration system will have, nor does it know whether these "teeth" will be for the purpose of "biting" the distributors or the exhibitors, but whatever the purpose the new arbitration system cannot be as kindly to the exhibitors as can a system of conciliation, for the simple reason that, under an arbitration system, the distributor is able to engage expensive legal talent to protect his interests whereas the exhibitor will be at a disadvantage—he hasn't the means to engage the same kind of legal talent.

But under a system of conciliation, such as the Smith-Berger plan introduced in Minneapolis and adopted in other territories, many grievances can be resolved at no expense to either the exhibitor or distributor, and no scars will be left after the conciliation board makes its decision.

A most important point in favor of conciliation is that an exhibitor who brings a dispute before the board does not forego any of his legal rights. If the exhibitor should feel dissatisfied with the decision, he need not accept the ruling as final; he can still resort to, either litigation, or arbitration, provided that such a system will be embodied in the final decree to be handed down by the District Court.

The exhibitors owe a debt of gratitude to both Bennie Berger, president of North Central Allied, and Andy Smith, general sales manager of 20th Century-Fox, for having started the conciliation idea. The other distributors and all exhibitor organizations should adopt it.

DAVID SELZNICK SHOULD GIVE UP DISTRIBUTING

The United Artists-David Selznick distribution deal has not materialized. The negotiations fell through because Mr. Selznick wanted terms that Grad Sears, United Artists' president, could not see

his way of granting. He is now seeking to make a deal with some other distributing company.

Obviously, Mr. Selznick must have found out by this time that it is too costly to run a distributing organization on only a few pictures, and he must realize that, unless he opens the facilities of his organization to other producers, he will be compelled to give up distributing his own pictures.

Mr. Selznick should give up distributing his own pictures, not only because it is unprofitable, but also because it will enable him to devote more time to producing pictures. Conducting a distributing organization requires him to devote time that could be better utilized in improving his pictures. Even if he should employ the best distribution brains available, he cannot help worrying about what comes in, and when the balance sheet does not show a decent profit after operating expenses are deducted he undoubtedly becomes concerned. Such worries can only serve to retard his ability as a producer.

THE INDUSTRY NEEDS MORE THAN ITS OWN SCREENS

The Motion Picture Association of America, of which Eric A. Johnston is president, has announced that, in connection with the public relations program it has formulated, four institutional short subjects will be released soon to the exhibitors for showing on their theatre screens. The titles of the four subjects, which are the first of an annual series of six to eight shorts, are "Let's Go to the Movies," "This Theatre and You," "Movies are Adventure," and "The Art Director."

The idea behind the series of shorts is to give the public behind-the-scenes information on what makes the motion picture industry tick so that they will have an accurate view of the techniques, skills and administrative operations that go into the making, distributing, and exhibiting of motion pictures.

Utilizing the nation's theatre screens to tell the story of our industry and to give the public first-hand knowledge of the fact that ours is a hard-working, sober-minded business is, indeed, commendable, and it should do much to offset many misconceptions that the public has about us.

But the use of the screens alone will not be sufficient to gain the good will of the general public, for millions will not see the all-industry shorts because they are now abstaining from attending picture theatres as a result of the unsavory publicity the industry has received through either the sessions of the Un-American Activities Committee or other causes such as the Mitchum marihuana incident. What is needed also is institutional advertising in newspapers and national magazines, as well as on the radio. This type of advertising should bring back to the theatres millions of picture-goers, and its cost will undoubtedly be overcome by the increased income to the theatres. The producer-distributors will in turn be repaid in the form of increased film rentals.

HARRISON'S REPORTS hopes that Mr. Johnston will be able to sell the heads of the motion picture companies on the feasibility of the institutional advertising idea.

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SOME ADDITIONAL DETAILS IN THE HISTORY OF ALLIED

The Allied brochure, "Twenty Glorious Years," published as a souvenir of Allied's 1948 National Convention, is a history of the association from its inception to the convention in New Orleans.

Mr. Abram F. Myers, the narrator, finds it difficult to give all the details. He expresses inability, for that matter, to say when Allied States Association, as it exists today, was founded.

There are some additional details that this writer can supply so that the record may be as complete as possible.

Allied States Association was formed, in spirit if not in name, in Washington, D. C., on May 10, 1922, during the convention of the Motion Picture Theatre Owners of America (MPTOA), then headed by the late Sydney S. Cohen, when a split occurred between the Sydney Cohen forces and those of the late Mayor James J. Walker, at that time a State Senator. It was there that the late Mike Comerford, the nationally known circuit theatre operator in the coal fields of Pennsylvania, veritably captured MPTOA. Sydney Cohen in order to retain his leadership, allied himself with Mr. Comerford.

Shortly thereafter, Mike O'Toole, Cohen's right-hand man and an employee of Mr. Comerford's, became president of MPTOA.

From that time on the late Al Steffes and other independent leaders realized that there was no possible way by which they could cooperate with MPTOA. This became evident more and more during the Trade Practice Conference, in October 1927, in New York, which conference was presided over by Mr. Abram F. Myers, then Chairman of the Federal Trade Commission. What prevented the producer forces from putting over all their own ideas at the time was, not only Mr. Myers' uncanny ability to grasp the problems faced by the independent exhibitors, but also Charles L. O'Reilly's intelligent maneuvers in capturing the chairmanship of the Rules Committee by putting his own man in it. Mr. O'Reilly, who now heads the Sanitary Automatic Candy Corporation, was one of the ablest exhibitor leaders of his time.

Having despaired of getting anywhere with the producer-controlled MPTOA, the independent leaders decided to form a new organization, an idea which they had nurtured for a long time.

Early in the fall of 1928, Al Steffes came to New York and, as was usually the case every time he came to the city, called me up and we got together.

In the course of the conversation, by which I was informed of the decision of himself and other exhibitor leaders to form a new organization at once, Al told me that they had decided to engage an outside man to head the new organization. He presented me with three names and asked who, in my opinion, would do the work for the independent exhibitors best. The one name was that of Alfred E. Smith, ex-Governor of New York State, the other was that of William Howard Taft, ex-President of the United States, and the third one that of Abram F. Myers.

Without any hesitation I told Al Steffes that, in my opinion, Mr. Myers should be the one he and the other

leaders should approach. I told him that I had watched Mr. Myers during the Trade Practice Conference and had noticed how fair-minded he was, for he did not let the other side get away with anything—he was bent upon seeing that both sides were heard.

Upon his return from Washington, Al told me that he and the other leaders had approached Myers and that he had asked for time to consider the matter. That he accepted the office was and still is Allied's good fortune.

Another episode worth recording is the following:

On Saturday morning, July 6, 1929, Col. H. A. Cole came to my office despondent and told me of the cheap political trick that had been engineered against Allied by the late C. C. Pettijohn, of the Hays Association, and Pete Woodhull, president of the MPTOA, on the occasion of a conference called by Allied in Washington on July 2 of that year.

The conference was called for the purpose of discussing what measures should be taken to bring relief to the independent exhibitors, and all exhibitors were invited to attend regardless of whether they were or were not affiliated with Allied.

Among the main topics slated for discussion was the Brookhart Bill which, if enacted, would have made unlawful the unfair oppressive measures employed by the producers and distributors in their competitive warfare against the independents. Among other things, the bill was designed to outlaw the one-sided exhibition contracts, compulsory arbitration, blind-selling and block-booking, and the arbitrary allocation of films.

On the day of the conference, a few executives of exhibitor organizations not affiliated with Allied, arrived in Washington and registered at the Mayflower Hotel, where the meeting was to be held; but instead of meeting with the Allied leaders, they met in a separate hall, in the same hotel, on the same day, and almost at the same hour. Meeting under the chairmanship of Pete Woodhull, these executives, posing as independent exhibitors and claiming to represent the independent exhibitor sentiment, issued a statement to the newspapers attacking Mr. Myers and denouncing the Brookhart Bill.

The plot to wreck the Allied conference and discredit Mr. Myers was so unfair that a strong resentment arose in me, out of which culminated the editorial, "A Most Contemptible Political Trick," which appeared in the July 13, 1929 issue of HARRISON'S REPORTS, and which, to quote Mr. Myers, "gained much sympathy for Allied and put MPTOA on the defensive."

During our talk, Col. Cole acquainted me with the fact that the organization had delegated him to find new sources of financing. He informed me that they had already made a deal with Oscar R. Hanson, general manager of Tiffany, out of which Allied was to receive \$30,000 for putting over a franchise deal between Tiffany and members of Allied, and asked me if I had in mind another company with which they could make a similar deal.

I sat down immediately and wrote a letter to Mr. David Sarnoff, president of the Radio Corporation of America and at that time Chairman of the Board of Directors of RKO, informing him that Col. Cole, representing Allied

(Continued on back page)

“Enchantment” with David Niven, Teresa Wright and Evelyn Keyes

(RKO, no release date set; time, 102 min.)

The term, “a woman’s picture,” adequately fits this romantic drama, for its sentimental story of a love that was never fulfilled has ingredients that should appeal to the ladies. Nevertheless, it is just a fair entertainment, with very little appeal to men, for the pace is extremely slow-moving and the action void of any excitement. Moreover, there is nothing unusual about the story, which is old-fashioned and depressing. Actually, it revolves around two romances, one in the present and the other in the past, with the latter being handled by the flashback method. The story constantly shifts between the past and the present, and though the shifts have been handled deftly they are somewhat disconcerting and serve to confuse the proceedings. Technically, the production is of a superior quality insofar as photography, direction, and acting are concerned. The main trouble seems to be in the languid quality of the story, which at no time stirs one’s emotions to an appreciable degree even though one feels sympathetic to the principal characters. The picture should fare best in big-city first-run theatres; it may not do so well in subsequent-run and small-town theatres where patrons like their action robust:—

The story opens in London during the war, and centers around David Niven, an elderly English nobleman, who lived a lonely life haunted by memories of the past. When Evelyn Keyes, a volunteer American ambulance driver, and Farley Granger, a Canadian soldier, both distantly related to him, come to his home, Niven recalls his earlier days when he lived in the mansion with his sister, Jayne Meadows, his brother, Philip Friend, and an orphan, Teresa Wright. Jayne had resented Teresa from the day their widowed father had adopted her as a child, and in later years, when Teresa had blossomed into a radiant young woman, Jayne’s resentment had turned into hatred. Niven, along with his brother and Shepperd Strudwick, an Italian nobleman, had fallen in love with Teresa, but Teresa had eyes only for him. They had decided to marry at once, but Jayne, fearing that Teresa would take her place as head of the household, had cunningly separated them with the help of a monstrous lie, and Teresa had married Strudwick as a consequence. Back in the present, Niven notices that a romance had developed between Evelyn and Granger, and learns that she had declined his marriage proposal on the eve of his departure for the battlefield. Remembering his own grief, Niven urges her to join Granger while there is still time. She locates Granger during an air raid and, as they embrace in the midst of a bombardment, one of the bombs shatters Niven’s home, killing him.

Samuel Goldwyn produced it and Irving Reis directed it from a screen play by John Patrick, based on the novel by Rumer Godden. The cast includes Leo G. Carroll, Gigi Perreau and others. Unobjectionable morally.

“Chicken Every Sunday” with Dan Dailey and Celeste Holm

(20th Century-Fox, February; time, 93 min.)

An agreeable domestic comedy-drama, based on Rosemary Taylor’s widely-read novel of the same name, which enjoyed a successful run on Broadway as a play. Set in the early 1900’s in Tucson, Arizona, the story, told in flashback, is an amusing and at times hilarious account of a well-meaning family man who spends his life making rash investments, while his persevering wife, seeking security, takes in boarders to pay the bills he is unable to meet. The story itself is slight; yet it is entertaining due to the fact that it has a heart-warming, tender quality, colorful characterizations, fast-moving action, and many comical situations. Many laughs are provoked by the boarders who overrun the family’s home and keep it in a constant state of mad confusion. Dan Dailey and Celeste Holm are very good in the principle roles, and the supporting cast, too, is outstanding:—

Briefly, the story opens in 1910 with Celeste indignantly asking a lawyer for a divorce from Dailey on the grounds of non-support. By means of flashback, she relates that, from the time they were married twenty years previously, she had been compelled to take in boarders to pay the family bills because of Dailey’s penchant for plunging into wild ventures that never paid off. These had included a horse-car line, a brewery, a hotel, a creamery, an opera house, a mercantile house, and finally a copper mine. During all these ventures three children had been reared by them in a home that was constantly filled with a variety of eccentric boarders, without whom she could not make ends meet. Through painstaking efforts she had finally succeeded in paying off

the mortgage on their home only to find that Dailey had mortgaged it again without her knowledge, and had even borrowed money on their furniture to finance the working of the copper mine. But water instead of copper had been struck by the drillers, and even as she related her story the furniture was being moved out of her house. Having arranged with the lawyer to draw up the necessary divorce papers, Celeste returns home and finds several men carrying the furniture back into the house. She learns that Dailey’s many friends had made it possible to get the furniture back, and comes to the realization that, though he was a failure in business, he was a great success as a human being. She cancels the divorce plans and becomes reconciled with Dailey, satisfied with the security offered by his love, their home, and the children.

George Seaton directed it and collaborated on the screen play with Valentine Davies. William Perlberg produced it. The cast includes Colleen Townsend, Alan Young, Natalie Wood, William Frawley, Connie Gilchrist, Veda Ann Borg and others. Good family entertainment.

“One Sunday Afternoon” with Dennis Morgan, Janis Paige, Don DeFore and Dorothy Malone

(Warner Bros., Jan. 1; time, 90 min.)

Although this remake of “The Strawberry Blonde” is fairly enjoyable, it does not attain the entertainment values of the 1941 production, in spite of the fact that it has been embellished with music and Technicolor photography. For one thing, the pace is slower, and for another, the players, with the exception of Dorothy Malone, do not enact their roles with the same zest as James Cagney, Alan Hale, Rita Hayworth and Olivia de Havilland in the earlier version. The comedy is, for the most part, pretty flat, and the songs, though pleasant, are not the sort that remain in one’s mind. But even though it is not as effective as “The Strawberry Blonde,” it should get by fairly well with most audiences, for it is colorful, has human interest, and several situations that are quite touching. Told in flashback, the story takes place in the early 1900’s:—

Dennis Morgan vies with his friend, Don DeFore, for the attentions of Janis Paige, a neighborhood flirt. DeFore wins a date with Janis and promises to bring along Morgan for her friend, Dorothy Malone. Morgan accompanies him with the understanding that Janis will be his date, but the crafty DeFore sticks him with Dorothy. Janis, however, continues to flirt with Morgan and leads him to believe that she will marry him, but she marries DeFore instead. When Dorothy tries to console him, Morgan realizes his love for her. He marries her and studies to become a dentist. Meanwhile DeFore becomes wealthy in the construction business. As a token of his friendship, DeFore makes Morgan a vice-president of his company, then frames him on a crooked construction deal, with the result that Morgan is sentenced to jail. Released after eight months, Morgan, his dental course completed, moves to a new neighborhood for a fresh start in life. He gets his opportunity for revenge several years later when DeFore, suffering from a painful toothache, comes to his office for relief, accompanied by Janis. He yanks the tooth without the use of gas. Noticing that Janis had become coarse and vulgar, and that she argued constantly with DeFore, Morgan realizes how lucky he was to have married Dorothy.

Jerry Wald produced it and Raoul Walsh directed it from a screen play by Robert L. Richards, based on the play by James Hagan. The cast includes Ben Blue, Alan Hale, Jr., and others. Suitable for the family.

“An Old-Fashioned Girl” with Gloria Jean and Jimmy Lydon

(Eagle-Lion, no release date set; time, 82 min.)

Mediocre program fare. Based on Louisa May Alcott’s classic romantic story, the material offered an opportunity for a charming picture, but it has turned out to be most ordinary because of the inept screen play, the amateurish direction, and the wooden acting. It is a wholesome entertainment, played with all the old-fashioned manners that were traditional in Boston in the 1870’s, but it is all done in so starchy a manner that one feels as if he is watching a high school play. A lift is given to the proceedings by Gloria Jean’s singing of several songs, and by a superb rendition of Mendelssohn’s “Violin Concerto,” played by Sandra Berkova, a talented teen-aged violinist, but even these bright spots cannot overcome the ineptness of the production as a whole:—

Gloria, a farm girl, comes to Boston where she teaches

music for a livelihood rather than depend on her rich aunt and uncle (Irene Ryan and Douglas Wood) for support. Although the aunt and uncle, particularly their son and daughter (Jimmy Lydon and Frances Rafferty) are shocked by the fact that she worked for a living, they invite her to their social gatherings. Secretly in love with Jimmy, Gloria learns that he is engaged to Barbara Brier, a snobbish society girl. Barbara, seeing Gloria as a threat to her self-engineered romance with Jimmy, belittles her at a party because she "works." Infuriated, Gloria decides to leave, but John Hubbard, a young engineer, takes her in tow and prevails on her to remain. Frances, in love with Hubbard, resents his attentions to Gloria. Relations between the two girls become strained, but they become friendly again when Gloria makes it clear that she had no designs on Hubbard. Disaster strikes Gloria's wealthy relatives when their fortune is wiped out and the family is compelled to move to a small cottage. As a result, Barbara breaks off her engagement to Jimmy. Gloria does her best to cheer them up and, after many trials and tribulations, the family recoups its fortune through the aid of Hubbard, who by this time declares his love for Frances. Meanwhile Gloria had become ill because of her unrequited love for Jimmy. But all turns out well on Christmas Eve when Jimmy, who had gone off to work at a lumber camp, returns and proposes marriage to her.

Arthur Dreifuss produced and directed it, and collaborated on the writing of the screen play with McElbert Moore. Suitable for the family.

"So Dear to My Heart" with Bobby Driscoll, Beulah Bondi and Burl Ives

(RKO, no release date set; time, 82 min.)

This is a charming Walt Disney live action-animation feature, in Technicolor, excellent for children and fair for adults. It should fare best in small-town and neighborhood theatres that cater to family audiences; sophisticated patrons may find its sentimental story trying.

Based on Sterling North's novel of the same name, the story, set in rural Indiana at the turn of the century, is a heart-warming tale about the trials and tribulations of a young boy who lavishes his affection and attention on a pet black lamb, rejected at birth by its mother, in the hope that his grandmother will take him to the County Fair, there to exhibit the lamb and win the Blue Ribbon Award. Most of the lad's troubles, and considerable comedy, too, stem from his inability to cope with the damage done to the farm and farmhouse by his mischievous pet, thus infuriating his grandmother. A touching episode is the one in which the lamb runs away and is lost in the woods, causing the heart-broken lad to promise the Lord that he will forget about the Fair and the award if the pet is returned to him safe. But when the lamb is found, the youngster's grandmother reveals that she had promised the Lord that they would go to the Fair, and that it was quite in order since she had known the Lord for a longer time. The special award won by the lad at the Fair and his triumphant return to the farm make up the rest of the story.

About one-fifth of the picture is made up of animated dream sequences in which a wise old owl, by relating the story of Columbus, and of Robert Bruce and the spider, encourages the boy to overcome obstacles one faces in life. These sequences are up to the usual fine Disney technique as regards animation and color work.

Much of the picture's charm is owed to the excellent work of the players. Bobby Driscoll, as the boy, is completely natural, and Beulah Bondi, as his God-fearing, hard-working grandmother, is strict but warm and human. Expert characterizations are contributed by little Luana Patten, as Bobby's playmate; Burl Ives, as an affable village blacksmith who connives with the children to gain the grandmother's consent to take them to the Fair; and the late Harry Carey, as the kindly stock judge who arranges for Bobby to receive a special prize. Worked into the proceedings are eight melodious songs, of which "Lavender Blue" and "So Dear to My Heart" are outstanding.

John Tucker Battle wrote the screen play, and Harold Schuster directed it.

"Family Honeymoon" with Claudette Colbert and Fred MacMurray

(Univ.-Int'l, January; time, 90 min.)

A pretty good family comedy, suitable for all types of audiences. The story, which revolves around a college professor's marriage to an attractive widow with three children, is wholesome, pleasant, and amusing, with most of the laughs stemming from the situations that arise when circumstances

compel the newlyweds to take the children along on their honeymoon. It is not what one might call an hilarious comedy; yet it has so many amusing angles, and the direction and acting are so good, that one is kept chuckling throughout. Claudette Colbert is charming and appealing as the youthful widow, and Fred MacMurray highly amusing as her harassed groom:—

Claudette, widowed mother of three children (Gigi Perreau, Jimmy Hunt and Peter Miles), sets the date for her marriage to MacMurray. On the day of the wedding, an accident suffered by her sister leaves Claudette with no one to care for the children, compelling her to take the children along on her honeymoon trip to the Grand Canyon. The trip is marked by considerable confusion and delay when the children get off the train at a small way station and are left behind. After a hectic search they eventually locate the youngsters in the home of a farmer (Irving Bacon). They are compelled to spend the night at the farm, Claudette sleeping with the children and MacMurray with the hired hand. After a long trip by day coach, they finally reach the Grand Canyon, where Claudette, to her consternation, finds among the guests Rita Johnston, a predatory blonde who had been her rival for MacMurray's love. Between Rita's machinations and the children's mischievous pranks, Claudette and MacMurray are unable to get together for a few moments of conjugal privacy. He finds it necessary to discipline the children with a sound spanking when they get out of hand. This, however, leads to a violent quarrel with Claudette. He calls off the honeymoon and both make their way home separately. Claudette, arriving first, finds that Rita had preceded her and had deliberately arranged a welcome-home party for the purpose of embarrassing her. But through clever maneuvering, Claudette does not make her presence known until MacMurray arrives hours later, at which time she becomes reconciled with him so that they may enter the house together and foil Rita's game.

John Beck and Z. Wayne Griffin produced it and Claude Binyon directed it from a screen play by Dane Lussier, based on the novel by Homer Croy. The cast includes Hattie McDaniel, Lillian Bronson, Chill Wills, Paul Harvey and others.

"Words and Music" with Mickey Rooney, Tom Drake and other stars

(MGM, December; time, 119 min.)

This elaborate Technicolor musical is good mass entertainment. Supposedly biographical of the careers of Richard Rodgers and the late Lorenz Hart, the eminent song writing team, the story itself is very ordinary and is, as a matter of fact, the least interesting part of the film; nevertheless, it serves well enough as a framework for the well-staged musical numbers featuring twenty-two of the song hits written by the famous team, and either sung or danced to by a galaxy of stars whose marquee value alone assures the picture's box-office success. These include June Allyson, who sing "Thou Swell," from "A Connecticut Yankee"; Judy Garland, who sings "Johnny One-Note" alone and joins Mickey Rooney in the singing of "I Wish I Were in Love Again"; Lena Horne, who sings "Where or When" and "The Lady is a Tramp"; Gene Kelly and Vera-Ellen, who do magnificent work in the ballet number, "Slaughter on 10th Avenue"; Ann Sothorn, who sings and dances to "Where's That Rainbow?"; Cyd Charisse, who executes several dance routines; and Perry Como and Mel Torme, and Betty Garrett, who sing several of the other Rodgers & Hart ballads. The music is the best part of the picture, and all the players do well with their individual specialties. Not the least of the picture's assets are the lavish sets, on which MGM has spared no expense.

Tom Drake and Mickey Rooney play the parts of Rodgers and Hart, respectively, and the story traces their careers from their first meeting in their early twenties, at which time they form a partnership and attain success after a brief struggle. Drake, the more sedate of the two, falls in love with Janet Leigh and marries her, while Rooney falls in love with Betty Garrett only to be rejected by her. In the ensuing years the partners enjoy one success after the other and, while Drake rears a happy family, Rooney continues to carry a torch because of his unrequited love for Betty. His spells of loneliness eventually affect his health and he comes to a tragic end at a comparatively early age. Rooney's frustration provides him with several strong dramatic moments, but on the whole he fails to impart reality to the role, for the way he bounces about, rubbing his hands and puffing on big cigars, he reminds one more of Rooney than of Hart.

Arthur Freed produced it and Norman Taurog directed it from a screen play by Fred Finklehoffe, based on a story by Guy Bolton and Jean Holloway. Suitable for the family.

States Association, was staying at the Picadilly Hotel in New York City, and asked him if he could see him so that he might talk to him about the franchise idea.

On the following Monday morning Mr. Sarnoff's secretary communicated with Col. Cole and set Tuesday afternoon as the time that Mr. Sarnoff could see him.

Col. Cole communicated with H. M. Richey, then secretary of Michigan Allied, in Detroit, Al Steffes, in Minneapolis, and Mr. Myers, in Washington. All three joined Col. Cole in New York in time to take part in the meeting, out of which an agreement was reached whereby RKO was to pay Allied \$30,000 in return for its help in putting over the franchise idea with the exhibitors. (The deal for the selling of RCA Photophone instruments to small exhibitors at a price that was far below the price charged by Electrical Research Products, Inc., and for servicing terms that were far more reasonable, came afterwards.)

Not much came out of the selling of the RKO franchises to the exhibitors, but that was not the fault of the Allied leaders. At that time the sales head of RKO was Marcus Lee, and Marcus sabotaged the deal.

During all these years, several indirect approaches were made to this writer to stop supporting Allied on the ground that the Allied leaders were not very far-sighted. My answer has always been that, in supporting the Allied leaders, I was supporting the Allied principles.

This much I can say now: before the advent of Allied, national exhibitor organizations were formed many times, with Fred Herrington, of Pittsburgh, erstwhile secretary of Allied of Western Pennsylvania, being the first to organize the independent exhibitors. His activities as an organizer date back to 1909, when he organized the Motion Picture Exhibitors League of Pennsylvania. In 1911, he formed the Motion Picture Exhibitors League of America, the first national exhibitor association. But of all the national exhibitor organizations formed, only Allied has survived and progressed, for it is a truly independent exhibitor organization and has stood steadfast by its original principles. True, there have been differences of opinions among the Allied leaders at various times, but they agreed in the end. And the main factor in Allied's success, more than any other, is that it functioned under the superb leadership of Abram F. Myers.

Personally, I am proud to have contributed to the success of Allied, not only by recommending the only leader who could have kept the organization together all these years, but also for having battled for its principles.

"My Own True Love" with Melvyn Douglas and Phyllis Calvert

(Paramount, Feb. 4; time, 84 min.)

Just moderately interesting. It is an overlong and generally dreary romantic triangle drama, set in post-war London, which delves also into the psychology of embittered mental and physical casualties of World War II. The performances are good, but the direction is uneven, the writing disjointed, and there is entirely too much talk, with the result that one becomes wearied. Moreover, it introduces several characters that mean nothing to the main plot, all of which serves to unduly extend the picture's running time. The idea of a father and son vying for the love of the same woman is not very pleasant; yet it could have been intriguing had there been less of a discourse on the emotional problems of the son, a former prisoner of war. The production values are good:—

Melvyn Douglas, a personable widower, falls in love with Phyllis Calvert, a member of England's ATS corps, after a meeting engineered by his daughter, Wanda Hendrix, who, too, belonged to the ATS. Phyllis, separated from her husband, waits for her divorce to come through in order to marry Douglas, hoping at the same time that she will help fill the void in his life caused by the report that his son, Philip Friend, was missing in action. Philip, however, returns, minus a leg. Embittered at the world, the young man creates an invisible wall between himself and his father, but Phyllis, who had been a prisoner of war herself, sympathizes with Philip and tries to probe his mind. She learns that his

native wife and child had been killed by the Japs in Malaya. Feeling compassion for him, she consoles him with a sympathetic embrace just as Douglas enters the room unexpectedly. He misunderstands the situation, but Phyllis eventually convinces him that the embrace was merely platonic. Philip, however, falls in love with her, too. To resolve the ugly situation, Phyllis decides to step out of their lives rather than cause a split between Douglas and his son. Douglas becomes despondent, and Philip determines to commit suicide. After a good deal of soul-searching on the part of the three principles, Phyllis stops Philip from doing away with himself by convincing him that he was only feeling sorry for himself. It ends with the young man deciding to return to the University to resume his education, interrupted by the war, and with Phyllis and Douglas going through with their wedding plans, secure in the thought that Philip had seen the light.

Val Lewton produced it and Compton Bennett directed it from a screen play by Theodore Strauss and Josef Mischel, based on a novel by Yolanda Foldes. The cast includes Binnie Barnes, Alan Napier, Arthur Shields and others.

Best suited for mature audiences.

"Whispering Smith" with Alan Ladd, Robert Preston and Brenda Marshall

(Paramount, Feb. 18; time, 88 min.)

A good Western melodrama, photographed in Technicolor. Produced twice before, in 1916 and 1926, the story, which revolves around railroad people in the year 1890, should satisfy those who enjoy red-blooded entertainment, for there is action aplenty and considerable shooting and killing. Alan Ladd, as a two-gun railroad detective who combats a gang of train wreckers, makes a fine silent but strong hero. His desperate but futile efforts to regenerate his former pal turned outlaw, coupled with the fact that he was in love with his pal's wife, gives the story situations that are thrilling as well as sympathy arousing. The color in the outdoor photography is good, but the interior shots give a deep "coppery" hue to the faces of the players:—

Headed for a Western railroad junction to investigate the unusual number of train wrecks and robberies, Ladd's horse is shot down from under him by three desperadoes. He flags down a train, which is later held up by the three badmen. Ladd foils the robbery, killing two of the desperadoes while the third one escapes. Wounded himself, Ladd is taken to the ranch of his pal, Robert Preston, foreman of a railroad wrecking crew. While Ladd recuperates, Preston tries to persuade him to give up his dangerous detective work and become foreman of his ranch. But Ladd declines, first because he suspected that Preston had bought the ranch with ill-gotten gains, and secondly, because he did not care for Preston's friends, Donald Crisp, Frank Faylen and others, whom he suspected of being involved in the wrecks and robberies. Meanwhile it is revealed that Preston's wife, Brenda Marshall, had been Ladd's sweetheart before her marriage. Complications ensue when Preston, supervising the clearing of the latest train wreck, is discharged by John Eldredge, a railroad official, for attempting to confiscate undamaged goods. Ladd attempts to save his job but is unsuccessful. Infuriated, Preston joins Crisp and Faylen in a series of train wrecks and robberies, which culminate in the killing of a railroad postal clerk. Ladd, unable to regenerate his erring friend and accused by him of making love to Brenda, goes gunning for him and his gang. A posse headed by Ladd catches up with the outlaws after a furious chase and kills most of them. Preston, wounded fatally, heads back to his ranch, where he is trapped by Ladd. Despite Ladd's efforts to help him, Preston attempts to shoot him, but he dies before his gun goes off. With the region cleared of the renegades, Ladd and Brenda look forward to a new life together.

Frank Butler and Karl Lamb wrote the screen play, based on the Frank H. Spearman novel. Mel Epstein produced it and Leslie Fenton directed it. The cast includes William Demarest, Fay Holden and others.

Unobjectionable morally.

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A REVIEWING SERVICE FREE FROM THE INFLUENCE OF FILM ADVERTISING

Vol. XXX

SATURDAY, DECEMBER, 18, 1948

No. 51

A MOVE IN THE WRONG DIRECTION

Warner Brothers has confirmed a report in the December 14 issue of *Film Daily* that, effective immediately, it will discontinue all cooperative advertising, a move that will save the company an estimated \$500,000 to \$600,000, and which will place the full financial obligation for theatre advertising on the exhibitor.

The major distributors' abandonment of cooperative advertising of their pictures with the exhibitors has been a subject of discussion in these columns many times, and HARRISON'S REPORTS will say to Warners what it has said on previous occasions: that such a policy is mistaken economy, and that it certainly is contrary to the simple rule of logic that, when business is in a slump, that is the time to merchandise pictures through expanded advertising and exploitation so as to create in the public a desire to see a given attraction.

The five or six hundred thousand dollars Warners hopes to save by discontinuing cooperative advertising will be, in all probability, more than lost in decreased box-office receipts.

The news item in *Film Daily* also states that, after research, Warners based its decision to abandon cooperative advertising on the conclusion that the country's theatres are earning heavy profits and are, therefore, in a position to take over the local advertising budgets 100 per cent.

Warners, no doubt, will have a pretty difficult time trying to convince the theatre owner that his profits are huge enough for him to pay for all advertising costs. If anything, Warners unwillingness to share advertising costs may very well be met with a demand for lower film rentals. And, failing that, the exhibitor probably will give the attraction no more than a perfunctory advertising campaign, a move that will be detrimental to the interests of both.

The point to consider is that the cooperative advertising arrangement is generally employed where pictures are sold on a percentage basis. In such cases, the distributor has a direct, immediate, and continuing interest in the successful exhibition of the picture. Also to be taken into consideration is that a good cooperative advertising campaign in a key-run theatre aids the distributor in selling the picture in the territory to subsequent-run theatres, for such theatres are eager to benefit from the publicity given the film in the prior-run. It is logical, therefore, that the distributor, for the protection of his own interests, should play an important part both in the financing and exploitation connected with a picture in its key-run.

Still another reason why a distributor should take a direct interest in financing and exploiting a picture in its key-run is that many exhibitors, no matter how willing, are not qualified to do so good a job in the preparation of advertising and publicity material as can the distributor, who not only knows the picture better but also has available an array of advertising talent that no individual exhibitor can afford.

Logic dictates that a distributor, rather than cut down on cooperative advertising costs, should do his utmost to increase the monies allocated for individual engagements, for in these days of declining box-office receipts it is necessary that he attain the maximum in an advertising and exploitation campaign that will attract patrons to the theatre in order that, through the success of the picture, he may receive a larger rental. Any other policy would be inconsistent with sound business reasoning.

THE MACNAMARA PUBLIC RELATIONS PLAN A DUD

Under the heading, "MacNamara PR Plan Looks Washed Up," a news item in a recent issue of *Motion Picture Daily* reads, in part, as follows:

"The so-called 'MacNamara Plan' for industry public relations, involving allocation of two and one-half per cent of all companies' advertising budgets for a general industry promotional campaign, appears unlikely to be adopted, if it is not already a dead issue.

"The plan, advanced by Paul MacNamara, advertising-publicity director of Selznick Releasing Organization, was not acted on by top industry executives at the three days of meetings on industry problems, presided over by Eric Johnston, Motion Picture Association of America president. . . .

"Although approved by Theatre Owners of America . . . the 'MacNamara Plan' has been received with indifference by exhibitors in the field."

Motion Picture Daily's reporter showed great kindness, indeed, when he said that the MacNamara Plan "appears unlikely to be adopted"; he should have said that the plan "never had a chance of being accepted by the industry."

If Mr. MacNamara had read HARRISON'S REPORTS, he would have known that his plan never had a chance of seeing daylight.

As said by this paper in a number of editorials over a period of years, the only public relations plan that can succeed is the institutional kind, the type that disregards the individual companies or their pictures and concentrates on telling the public, through advertise-

(Continued on back page)

**"Siren of Atlantis" with Maria Montez,
Jean Pierre Aumont and Dennis O'Keefe**

(United Artists, Dec. 17; time, 75 min.)

Poor! Not only is the story unpleasant and fantastic, but the direction is so inept, the acting so wooden, and the dialogue so stilted that supposedly dramatic situations become farcical. Moreover, it reeks with suggestive sex situations, making it unsuitable for either children or adolescents. The picture is supposed to be a heavy drama, but it has been handled so badly that audiences will laugh where no laughter is intended. The incredible doings remind one of pictures that were made in the old silent days. An attempt has been made to hide the mediocrity of the story with good production values and an exotic mood, but the final effect on the spectator is that of boredom, for it creaks with staginess and the acts of the different characters are too theatrical:—

The story is a flashback affair in which Jean Pierre Aumont, a French Legionaire, sole survivor of an ill-fated expedition, relates his fantastic experiences to a board of inquiry. Together with Dennis O'Keefe, another Legionaire, he had gone in search of a French archaeologist who had set out to find the lost continent of Atlantis, which he believed to be located in a mountainous region deep in the Sahara. Aumont and O'Keefe had made their way to the foot of the mountains in a driving sand storm and, during the night, while they slept, had been captured by a band of men who had taken them blindfolded to the ruins of a vanished civilization, ruled over by Maria Montez, a cruel but beautiful Queen, who made men fall in love with her and, after tiring of them, goaded them into killing one another and preserved their corpses in gold. Despite his feeling of revulsion, Aumont had fallen in love with her. O'Keefe, unwilling to succumb to her seductive powers, had begged Aumont to attempt an escape with him, but Aumont, enslaved, had refused. Angered by her inability to entice O'Keefe, the Queen had imprisoned him and had seen to it that Aumont, plied with liquor, had been inflamed with insinuations that she had transferred her affections to O'Keefe. She then had arranged for both men to meet, and Aumont, in a drunken jealous rage, had stabbed O'Keefe to death. Horrified by his act, Aumont had managed to escape. His fantastic tale finished, Aumont insists that he be court-martialed for his crime, but the board believes him to be temporarily deranged and acquits him of any wrong-doing. Weeks later, unable to get Maria out of his mind, Aumont sets out to locate the lost continent only to die in the swirling sands.

Rowland Leigh and Robert Lax wrote the screen play, based on the novel, "L'Atlantida." Semour Nebezal produced it and Gregg G. Tallas directed it. The cast includes Henry Daniell, Morris Carnovsky, Alexis Minotis and others. Strictly adult fare.

**"Racing Luck" with Gloria Henry
and Stanley Clements**

(Columbia, Nov. 18; time, 65 min.)

Just a moderately entertaining program melodrama, suitable for the lower half of a double bill in secondary situations where audiences are not too particular. Although it is a race-horse picture, it is not particularly exciting, the reason for it being that the plot itself is pretty weak, presenting little in the way of novelty and ending in an obvious way. Moreover, it moves rather slowly. The performances are adequate

considering the fact that the players had little to work with:—

Orphaned by the death of their father, Gloria Henry and her young brother, Stanley Clements, find themselves left with two race horses and many debts. Charm Boy, Gloria's horse, is the more promising of the two, but refuses to run unless Flasher, Clements' horse, is entered in the same race. Charm Boy wins an important race at Santa Anita, but when Gloria goes down to the winner's circle she is shocked to discover that he had been purchased before the race by David Bruce, a wealthy sportsman, whose purchase was legitimate since it had been a claiming race; Gloria had not anticipated that anyone would buy her unknown horse. She appeals to Bruce to sell back Charm Boy, whom he had bought for Paula Raymond, his fiancee. He agrees to consult Paula and wins her consent. On the following day, when Gloria hears the good news from Bruce, she embraces him in gratitude just as Paula appears on the scene. Misunderstanding the situation, Paula, incensed, refuses to sell the horse and breaks her engagement to Bruce. With the money received for the sale of the horse gone into the payment of debts, Gloria and Clements operate a small race track lunchroom to make a living. Meanwhile Paula, realizing that Charm Boy will not run without Flasher, tries to buy the other horse from Clements. He refuses to sell, but agrees to enter Flasher in a race with Charm Boy, with the understanding that the winner will take both horses. On the eve of the race, Clements suffers severe burns in a stable fire, but despite his injuries he rides Flasher to victory, thus winning Charm Boy back for Gloria, who in turn had won Bruce for a fiancee.

It was produced by Sam Katzman and directed by William Berke from an original screen play written by Joseph Carole, Al Martin, and Harvey Gates. The cast includes Harry Cheshire, Dooley Wilson and others. Suitable for the family.

"Just William's Luck" with all-British cast

(United Artists, Dec. 10; time, 88 min.)

A mediocre and overlong British-made comedy, revolving around the adventures and escapades of a group of English youngsters, particularly around one boy whose capers cause no end of embarrassment to his family. One might call it a British version of an "Our Gang" comedy, but in this case the juvenile pranks fail to click. Adults, no doubt, will find it quite tiresome, while the juvenile trade, to whom the picture seems best suited, will find the comedy too British and the players' accents too thick. On merit alone the film will be a tough one to sell to American audiences, but the fact that no one in the cast is known in this country is going to make it all the more difficult to sell:—

William Graham, a fourteen-year-old boy, causes no end of embarrassment to his family because of his many pranks. He and several friends form a boyish band called the "Knights of the Square Table," and dedicate themselves to right all wrongs and help people in distress, but somehow their activities seem to achieve the opposite results. When one of the boys inherits his older brother's bicycle after the latter gets married, the others determine to obtain their bikes in a similar manner. They set out on a campaign to marry off their older brothers, but their matrimonial intrigues are brought to an abrupt end when William's father involuntarily becomes involved with a movie

queen as a result of their schemes. Warned to divert their energies elsewhere, the Knights direct their attention to a mysterious newcomer who had rented a long unoccupied mansion on the outskirts of the town. They sneak from their respective homes after bedtime and invade the spooky mansion, which they discover to be the hideout of a band of fur thieves. They telephone the police, but the crooks pounce on the lads before they can escape, bundle them into a huge truck with a load of stolen furs, and speed away to a new hideout. But William, having discovered a sack of flour in the truck, pierces it and allows the flour to sift through the floor boards, thus leaving a tell-tale trail that enables the pursuing police to capture the gang. William's heroic part in the capture leaves his family in the odd position of condoning one of his escapades.

The screen play was written and directed by Val Guest, and produced by James A. Carter. The supporting cast is all-British.

**"Parole, Inc." with Michael O'Shea,
Turhan Bey and Evelyn Ankers**
(Eagle-Lion, December; time, 71 min.)

A good program crook melodrama, revolving around the selling of paroles. One's interest is held from the beginning to the closing scenes. The direction and acting are first class. Michael O'Shea, the hero, wins the spectator's sympathy, and his romance with Virginia Lee, though not outstanding, is pleasant. The photography is excellent. The one fault that can be found with the production is the fact that O'Shea, lying in a hospital bed with his head battered, dictates what happened, thus the action takes place, in a way, through flashbacks. The story could have been told more effectively in chronological order:—

Through the machinations of three crooked members of a five-member Parole Board, paroles are sold to habitual criminals through a syndicate. Crime becomes so rampant in the city that the police commissioner appeals to the FBI, which assigns Michael O'Shea to the task of uncovering the unfaithful members of the board. Posing as a parole violator, O'Shea establishes contact with the underworld and succeeds in convincing Evelyn Ankers, head of the syndicate, that he was a notorious criminal. To learn the identity of the crooked board members, O'Shea asks for a parole for Charles Jordan, a supposed friend of his, whom he had sent to prison months previously. Meanwhile he approaches Charles Bradstreet, one of the crooks, and bribes him for information about the guilty board members. But Bradstreet is assassinated before he can talk. O'Shea then persuades Virginia Lee, Bradstreet's widow, to collaborate with him to avenge her husband's murder. He obtains Jordan's parole from Evelyn by the payment of \$1,000, then arranges with the police commissioner to rearrest Jordan upon his release. In the meantime O'Shea goes to a farm used as a rendezvous by the criminals and is allowed to wait for Jordan's arrival. While waiting he instructs Virginia by telephone to send telegrams to each Parole Board member, signed by the secretary of Turhan Bey, the syndicate's lawyer, inviting them to come to the farm. By this strategy, O'Shea meets the guilty members, who are the only ones who appear. But when they learn that Bey had not invited them, they discover O'Shea's duplicity, plan to do away with him, and send gangsters to exterminate Virginia. The police, however, rescue Virginia from

the gangsters, then rush to the farm to aid O'Shea. Warned by the police siren, the crooks hide behind a concealed wall with the battered and gagged O'Shea. The police are unable to find them until O'Shea, by a bold move, turns on a light switch and makes his presence known. The gangsters exit and are arrested. O'Shea, by this time in love with Virginia, marries her.

Sherman L. Lowe wrote the screen play from an original story by himself and Royal K. Cole. It was produced by Constantine J. David and directed by Alfred Zeisler. The cast includes Lyle Talbot, Michael Whalen and others.

Unobjectionable morally in view of the fact that crime is punished and virtue triumphs.

**"Angel in Exile" with John Carroll
and Adele Mara**

(Republic, Sept. 3; time, 90 min.)

Although it does not rise above the level of program fare, this is a fairly good gangster melodrama with a western background. Human interest is mixed with the melodrama, and though the hero arouses no sympathy at first, because he is a crook, one feels some respect for him when he decides to reform so as to help the poor, simple-hearted people of a remote mountain village. Suspense is well sustained throughout because of the murderous nature of two gangsters who force the hero to cut them in on his scheme to market stolen gold. There is plentiful excitement in several situations, particularly in the closing scenes where the hero shoots it out with his unwanted partners before giving himself up to the law. The romantic interest is mild but pleasant:—

Released from prison, John Carroll, a former gang leader, is met by Art Smith, a loyal henchman, who informs him that he had hidden the proceeds of their last robbery—a million dollars in gold dust—in an abandoned mine in Arizona. Rival gangsters Barton MacLane and Paul Fix, aware that Carroll and Smith had hidden the gold, trail them to an Arizona town, where Carroll files a claim on the abandoned mine. Recognizing Carroll, the claim clerk, Howard Chamberlin, follows him to the abandoned mine and blackmails him into using his services to market the stolen gold, under a plan that called for them to salt the old mine with the gold dust and hire men to dig it out so as to make it appear as if it came from a newly discovered lode. MacLane and Fix catch up with Carroll and force him to cut them in on the scheme. When the poor natives of a mountain village nearby see samples of gold, they conclude that the discovery is a modern miracle, the work of "The Blue Lady," the area's legendary saint who bestowed her favors on good people only. Carroll becomes a local idol, revered by the simple-hearted natives, who work hard to help him mine the gold. He falls in love with Adele Mara, a native girl. With the work nearly completed, MacLane, Fix and Chamberlin plot to kill Carroll and Smith. Meanwhile Carroll, moved by a desire to aid the poor natives who idolized him, decides to reform. Aided by Smith, he risks his life finishing off MacLane and Fix, who had already killed Chamberlin in a double-cross, then gives himself up to the Sheriff with a request that the reward be turned over to Thomas Gomez, Adele's father, the local doctor, for his public welfare work. Carroll goes off with the Sheriff, promising to return to Adele.

Allan Dwan and Philip Ford directed it from an original screen play by Charles Larson. No producer credit is given. Unobjectionable morally.

ments in reputable magazines and newspapers, as well as radio broadcasts, what the motion picture has done and is doing.

What the industry accomplished during the war, for example, is something we have a right to be proud of, and it is a story that should be told to the public, for no other industry did as much for the war effort in putting across messages and in participating in such drives as the Red Cross, salvage, enlistments, rationing, and the sale of War Bonds. Let us tell the public of the great contribution made by the industry in sending films to the fighting fronts for the relaxation of the GI's. Among other things, the public should be told of what motion pictures are doing for the children of America in that they are educational and frequently inspirational and uplifting.

A plan such as this, which tells of the merits and the accomplishments of the motion picture industry, will succeed, for it will bring a new respect for the industry and increase patronage at the box-office. Any other plan, such as the one advocated by Mr. Mac-Namara, which would give the different companies a chance to work in a plug for their individual pictures, good and bad alike, is doomed to failure.

Need we mention in corroboration of these thoughts the attempts made early this year by the producers' association to inform the public of the wonderful pictures in store for them, this being one phase of a new public relations program to offset the public's unfavorable attitude towards Hollywood and its product? Some of the pictures listed in the publicity release were so poor that the plan failed of its purpose. And the reason for it was that the pictures listed were selected, not for merit, but for the appeasement of the different companies that are members of the association.

If the producers want to bring the people back to the theatres they had better adopt a genuine institutional advertising plan, and very soon, too, for now is the time when it can do the most good.

TAKING A POSITIVE STAND

A cable dispatch from London to the *Film Daily* confirms reports that several of the American distributors are selling away from the J. Arthur Rank circuits in favor of independent theatres.

According to the report, Paramount has booked eight of its top features with non-Rank theatres, while Twentieth Century-Fox has sold six of its pictures to independents for January-March bookings. The report states also that MGM, too, is considering booking productions in opposition to Rank.

The moves made by the aforementioned companies is exactly what HARRISON'S REPORTS has advocated in several editorials as the remedy available to the American distributors to combat Mr. Rank's persistent efforts to undermine American motion pictures in the British market.

It is to be hoped that the other American distributors, too, will do their utmost to thwart Mr. Rank by giving preference to his competitors in the sale of their films. Mr. Rank is the one who started to "squeeze" the American film companies, and the sooner he is given a dose of his own medicine the sooner he will be brought to the realization that, if for nothing else but to protect his own selfish interests, it will pay him to see to it that the American companies once again do business in Great Britain on a compatible basis.

THE PAY-OFF OF SELFISHNESS

For years the American Society of Composers, Authors and Publishers kept collecting from the exhibitors royalties. The fact that the exhibitors complained on the ground that they had no choice as to whether they wanted to play the music recorded on film or not made no difference—ASCAP wanted its pay.

But like many others who have used their power injudiciously, ASCAP was not satisfied to let well enough alone. Having succeeded in imposing on the exhibitors a higher music tax rate in the early 1930's, the Society felt that it could again get more. So it decided to impose an increase that ranged from 200% to 1500%, depending on a theatre's seating capacity.

But what happened? One hundred and sixty-four New York exhibitors, members of the ITOA, brought suit against the Society, and Judge Vincent L. Leibell, of the Federal District Court in New York, decided that ASCAP was a monopoly and had no right to collect royalties from the exhibitors. And that decision was strengthened by another Federal Judge, Gunnar H. Nordbye, of the Minneapolis District Court, who rendered a similar decision in a case brought before him by Bennie Berger, president of North Central Allied.

Does it pay to be selfish and insatiable?

STOPPING VANDALISM IN THEATRES

According to Jay Emanuel in his *Exhibitor* of recent date, Chet Miller, of Intermountain Theatres, sells tickets to students at reduced rates provided that they sign a "Good Behavior Pledge." He then places the pledges on a board in the lobby with the reminder: "Remember Your Pledge."

It is, no doubt, a good idea for reducing damage to theatre property, but it does not affect those who have not signed the pledge.

Another way by which damage to theatre property may be lessened if not eliminated entirely would be for the exhibitor to form a boys' club from among his young patrons, with a prize given to each member for his efforts in helping to protect the theatre's property. Some system could be devised whereby the youngsters, based on the record of their own good behavior, as well as their efforts to control others, would be given passes admitting them to the theatre free of charge with the exception of the admission tax.

Perhaps a plan of this kind will have greater influence in stopping vandalism in the theatres than any other plan.

COMET THEATRE
4106 FINNEY AVENUE
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December 12, 1948

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Keep up your marvelous strides for a better intra-movie industry understanding.

Sincerely yours,

THOMAS JAMES

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GOVERNMENT RENEWS DEMAND FOR TOTAL DIVORCEMENT

The Government's anti-trust suit against the major companies was resumed on Monday of this week in New York and, after one and one-half days of hearings, was adjourned until March 30.

For the most part the hearings were taken up with the question of the disposition of theatres owned jointly by the defendants and independents.

The following agreements were reached between the Department of Justice and several of the defendants, and approved by the Court:

The agreement with 20th Century-Fox provides for National Theatres, the company's wholly-owned subsidiary, to liquidate its holdings in approximately 260 theatres within one year. In view of the fact that, with certain exceptions, National Theatres may either sell its interests in the jointly operated companies or divide the assets, it cannot be ascertained as to how many of these theatres will eventually be retained by National. In any event, all acquisitions will require Court approval.

The agreement with Warner Brothers involves twenty-five jointly-owned theatres, of which the company, under the terms of the settlement, will be able to retain a maximum of ten theatres.

The agreement with Loews, Inc., involves approximately thirty theatres, of which the company will be permitted to retain sixteen. Of these sixteen, the Government concedes that five are not jointly-owned theatres within the meaning of the Court's ruling.

Each of the agreements provides that no defendant shall dispose of his interest in a jointly-owned theatre to any person or corporation affiliated with any other defendant. Moreover, the settlements do not prejudice the Government in its efforts to obtain total divorcement, nor will they affect later rulings of the Court with regard to wholly-owned theatres.

Paramount is the only theatre-owning defendant that has not yet reached an agreement with the Government on the dissolution of jointly-owned theatre interests. Although the company is willing to terminate its joint ownership in approximately 620 theatres, it is taking issue with the Government on an additional 320 jointly-owned theatres which, for a number of reasons, it claims are exempt from the ruling ordering dissolution of such interests.

At the close of the hearings, after both sides had completed presentation of testimony, the Court ad-

joined the case until March 30, at which time it will hear oral arguments. Meanwhile, the defendants are to submit their briefs and proposed findings by January 31, and the Government is given until March 1 to reply.

At the closing session, Robert L. Wright, the Government attorney in charge of the case, renewed his demands for total divorcement, despite settlement of the joint ownership issue. He pointed out that the defendants still had the power to control the market, and scored their claim that the reforms thus far effected in the licensing of films, and the concessions made in the dissolution of jointly-owned theatres, offered adequate relief, and that there now exists a free market in motion picture exhibition.

From Wright's remarks to the Court, it is apparent that the Government has not backed down one iota in its insistence on complete divorcement.

PREMIUMS IN THE PICTURE BUSINESS

There are in the motion picture industry people who decry the giving away of premiums. They say that it is better for exhibitors to use the money towards exploiting a picture rather than to spend it on premiums.

Let us look at another amusement industry—radio—to find out whether the giving away of premiums is sensible or not. The radio programs that give away premiums draw the greatest number of listeners. This is so particularly with the program, "Stop the Music." These giveaway programs have practically killed the big names in radio, for the majority of the radio listeners prefer to tune in on the programs that give away premiums whenever such programs are broadcast at the same time as a big-name show.

What draws listeners to the premium-giving programs is, first, the hope that the listener may be one of the lucky persons to whom a telephone call will be made; and even if a listener is not among the lucky persons called, he still gets pleasure vicariously from hearing some one else win a prize. And he is sustained by the hope that some day he, too, will be among the lucky ones.

The public likes to get something for nothing, and since the exploitation of that feeling brings in customers, why shouldn't the exhibitors take advantage of it? If they are able to fill their houses for several nights by giving away premiums, why not do it?

(Continued on back page)

HARRISON'S REPORTS extends to its subscribers and readers Greetings of the Season

"Whiplash" with Dane Clark, Alexis Smith and Zachary Scott

(Warner Bros., January 15; time, 91 min.)

A fairly interesting prizefight melodrama. Its mixture of prizefighting, gangsterism, and romance is more or less routine, but it presents some novel twists and holds one's interest fairly well because there is human interest in the story, brought about by the persecution of the heroine by her sadistic husband, the hero's manager. Both the hero and heroine are sympathetic characters, but the story is weak in that the heroine suffers her husband's abuses for an unbelievable reason. There are some touches of comedy furnished by Eve Arden and S. Z. Sakall, but on the whole it is a cheerless picture with considerable violence. The fight sequences are staged in an exciting manner. The production values are good, and the direction and acting adequate:—

Dane Clark, a struggling artist, falls in love with Alexis Smith when she buys one of his paintings. She leaves him without an explanation after a whirlwind one-day romance. Learning that she had gone to New York, he follows her. After many days of fruitless searching he finds her singing in a night club and goes backstage to see her. He refuses to heed her pleas that he leave at once and finds himself in a fight with several toughs who eventually subdue him. He comes to in the office of Zachary Scott, the night-club owner, who reveals that he is Alexis' husband. Scott, once a great fighter but now a cripple, sees in Clark a reincarnation of himself and offers to guide him to a championship. He accepts the offer, despite Alexis' warning, and under Scott's ruthless coaching wins a string of important victories, earning a match with the leading contender for the middleweight crown. Meanwhile Clark reflects his bitterness towards Alexis by his viciousness in the ring. On the eve of the fight, Clark learns that Alexis endured a rotten life with Scott out of fear that he will harm her brother, Jeffry Lynn, once a brilliant doctor now a drunkard, whom he blamed for his condition as a cripple. Infuriated, Clark threatens to throw the fight unless Scott agrees to give Alexis a divorce. Scott's bodyguard attacks Clark, causing him to suffer a brain concussion. Lynn warns against permitting him to fight lest a blow on the head kill him, but Scott, seeing an opportunity to win the championship and still retain Alexis, accepts Clark's terms. He wins the fight, collapsing at the finish. Meanwhile Lynn, kept prisoner so as not to inform the ring officials of Clark's condition, escapes and rushes to the arena, where he engages Scott and his bodyguard in a gun duel that ends with the death of all three. An operation that night saves Clark's life and reunites him with Alexis.

William Jacobs produced it and Lew Seiler directed it from a screen play by Maurice Geraghty and Harriet Frank, Jr., based on a story by Kenneth Earl. Adult fare.

"Act of Violence" with Van Heflin, Robert Ryan, Mary Astor and Janet Leigh

(MGM, February; time, 82 min.)

A grim but gripping melodrama. Those who seek realism in motion pictures should find it surprisingly effective, for it leaves nothing to be desired in the way of writing, direction, acting and camera work. Given a first-rate semi-documentary treatment, the tightly-knit story, which revolves around the relentless efforts of a veteran to track down and kill his former commanding officer, who had been responsible for the massacre of several prisoners of war, has a cumulative suspense which, at the violent finish, leaves the spectator limp. It is a heavy and tragic tale, with no comedy to relieve the tension, but excellent performances by the entire cast and deft directorial touches have gotten the most out of its potent dramatic qualities:—

Van Heflin, a respected veteran living in a small California community with his wife (Janet Leigh) and their child, learns that Robert Ryan, a crippled veteran, had arrived in town determined to kill him. Panic-stricken, Heflin succeeds in hiding from Ryan but does not explain his actions to his bewildered wife. Ryan, however, persistently trails him, and in due time Heflin confesses to his wife that, during the war, Ryan had engineered a Nazi-prison escape attempt in which he (Heflin) had betrayed him and his buddies to the Nazi command to save them from a sure death. He confesses also that the betrayal was

motivated, in part, by his hunger and ill treatment. Now Ryan, sole survivor of the escape attempt, was out to avenge the death of his buddies. To escape Ryan, Heflin goes to a contractor's convention in Los Angeles, but Ryan traces him there. Terrified, Heflin runs from the convention hall and ends up exhausted and confused in a slum district, where he is picked up by Mary Astor, a prostitute, who gives him refuge. When Mary learns of his problem and of the fact that he owned a flourishing business, she takes him to Berry Kroeger, a professional killer, who talks the confused Heflin into paying him a fee to dispose of Ryan. Kroeger arranges a meeting with Ryan, planning to ambush and kill him. Meanwhile remorse overtakes Heflin and he decides to face Ryan and warn him of the impending attack on his life. He meets Ryan just as Kroeger drives up in an automobile with gun in hand. He steps in front of the gunfire to save Ryan and grapples with Kroeger as he steps on the gas for a getaway. The careening car smashes into a post, killing both Heflin and Kroeger.

William H. Wright produced it and Fred Zinneman directed it from a screenplay by Collier Young. The cast includes Phyllis Thaxter, Nicholas Joy and others.

Adult fare.

"Adventures of Don Juan" with Errol Flynn and Viveca Lindfors

(Warner Bros., January 29; time, 110 min.)

Warners has spared no expense in the production of this lush Technicolor costume melodrama; the settings are magnificent. Its swashbuckling tale of adventure in the early 17th Century may not win critical acclaim, for it is trite both in story and in treatment, but though it may not gratify the fastidious it should go over pretty well with those who enjoy colorful pageantry with plenty of glittering swordplay and exciting chases. As Don Juan, the fabulous Spanish lover and adventurer, Errol Flynn plays the role with a swashbuckling agility that is in the best Hollywood style; whether he duels with one or fifteen men, he always emerges victorious, and with nary a scratch. Dramatically, it is not very potent, for the story is ordinary and obvious. As a matter of fact, the picture suffers when it attempts to get serious. It is at its best when it sticks to the rousing though exaggerated heroics, with occasional touches of robust humor:—

Notorious for his romantic exploits, Don Juan is summoned home to Spain when he breaks up a marriage of state in England. The Queen (Viveca Lindfors) admonishes him for his behavior then appoints him as an assistant to the royal fencing master (Fortunio Bonanova). Don Juan soon learns that the King (Romney Brent) was a weak-minded man, influenced by his Prime Minister (Robert Douglas), who was secretly preparing for an unwanted war with England and planned to take over control of Spain. To carry out his scheme, the Prime Minister arranges for the recall of the Ambassador to Spain (Robert Warwick), a dear friend of Don Juan's, whom he captures upon his arrival in Spain and throws into a dungeon without the knowledge of the King or Queen. Meanwhile a strong dislike grows between Don Juan and the Prime Minister, which increases when Don Juan declines his offer for a high navy commission in return for training youths for war. Shortly thereafter, Don Juan becomes involved in a romantic escapade that scandalizes the Court and results in an order that he be banished to the New World. He decides to escape, but in the process discovers that his friend, the Ambassador, had been imprisoned. He reports this discovery to the King and Queen, thus setting off a series of events in which the Prime Minister takes over control of the palace and makes Don Juan his prisoner. But Don Juan escapes with the aid of Alan Hale, his trusted servant, after which he rallies his fencing pupils and puts down the insurrection, killing the Prime Minister in a duel. The Queen, by this time madly in love with Don Juan, wants to run away with him, but he dissuades her on the grounds of duty to her country. He sets out for new adventures.

Jerry Wald produced it and Vincent Sherman directed it from a screen play by George Oppenheimer and Harry Kurnitz, based on a story by Herbert Dalmas. The cast includes Ann Rutherford, Mary Stuart, Raymond Burr and others. Unobjectionable morally.

**"Mr. Perrin and Mr. Traill"
with an all-British cast**

(Eagle-Lion, no release date set; time, 91 min.)

This is an absorbing British-made comedy-drama, well directed and acted. Adapted from Hugh Walpole's novel of life in an English public school steeped in tradition, the story is rich in characterization, particularly the one portrayed by Marius Goring, as a frustrated, brow-beaten middle-aged school master who, because of his seniority, tries to overcome an inferiority complex by being dictatorial and arrogant with his associates. Although the picture seems best suited for select audiences, it should go over fairly well also with the masses for, in addition to being humorous, it is human and moving. The unattractive title, however, as well as the fact that the players are unknown, may make it difficult to sell to American audiences; nevertheless it is a picture worth selling:—

Just out of the army, David Farrar, a former college athlete, takes a teaching berth at Banfield's, a tradition-bound school for boys operated by Raymond Huntley, a tyrannical headmaster. A congenial, progressive chap, Farrar finds it difficult to get along with his stuffy colleagues, particularly Marius Goring, a pompous, frustrated martyr to Huntley's despotic rule. Secretly in love with Greta Gynt, the school nurse, Goring lacks the courage to ask her to marry him. She, in turn, feels only pity for him. But when Greta falls in love with Farrar, Goring's dislike of the newcomer turns to hate. He deliberately provokes a series of quarrels when Farrar questions his authority and refuses to pander to his whims. Obsessed with the idea that Farrar had purposely wrecked his whole existence, Goring becomes partially deranged when the young man's engagement to Greta is announced. He follows Farrar to a cliff nearby and lunges at him with a knife. In avoiding his maddened adversary, Farrar loses his footing and topples over the cliff's edge to the sea-lashed rocks below. Goring, regaining his senses, clammers down the steep cliff and saves Farrar's life at the cost of his own. Following Goring's sacrifice, Farrar quits the school, but not before he castigates the bullying headmaster for having made Goring's life miserable.

Alexander Galperson produced it and Lawrence Huntington directed it from a screen play by L. A. G. Strong. Unobjectionable morally.

**"Angel on the Amazon" with George Brent,
Vera Ralston, Brian Aherne and
Constance Bennett**

(Republic, November 1; time, 86 min.)

Although it has a fairly big cast, this is just a moderately entertaining program picture, hampered by an implausible story about a woman who, though fifty-years-old, retains the beauty of a twenty-year-old girl, the result of a tragic shock suffered in her early youth. There is some suspense for, from the very beginning, the heroine harbors her secret, which is not disclosed to either the hero or the audience until the end, but once it becomes known the spectator is left with a feeling of exasperation rather than surprise. Numerous incidents are woven into the plot, part of which unfolds in flashback, including a highly exciting sequence in which a ferocious black panther attacks the heroine and her husband in the jungle, but it all adds up to much ado about nothing, leaving the spectator cold. Even the performances are not convincing:—

Accompanied by Constance Bennett, a woman doctor, and several other close friends, George Brent, traveling to Rio in his private plane, is forced down in the Amazon jungle, where all are rescued by Vera Ralston, a mysterious huntress. Brent falls desperately in love with her, but she flees to Rio to escape him. He locates her there and begins a romantic pursuit. She eventually warms to his attentions, but their romancing comes to an end when she becomes shocked at meeting Fortunio Bonanova, an old friend, and falls into a long illness. Bonanova informs Brent that he had known Vera's mother when she had honeymooned in the jungle with Brian Aherne, her adventurer-husband, and that he had been present when she had killed a panther that had attacked him. The incident, he recalled, had plunged

her into hysteria. Unable to understand why her mother's experience should affect Vera, Brent follows her to her California home. There, Aherne, whom Brent believed to be her father, discloses that he is her husband and that she is fifty years old. He explains that the shock she suffered in the jungle years previously had left her in a state of agelessness, and that her changeless beauty had become a curse when her grown daughter's fiance had made violent love to her. The daughter (also Miss Ralston), blaming her mother's eternal youth, had killed herself. Vera, despondent, had taken refuge in the jungle. The shock of seeing Bonanova again had suddenly aged Vera, but the long-delayed maturity had brought her happiness and contentment with Aherne. Bewildered by the strange happening, Brent seeks solace with Constance.

John H. Auer produced and directed it from a screen play by Lawrence Kimble, based on a story by Earl Fenton. Adult fare.

**"Command Decision" with an all-star cast
(MGM, February, time, 112 min.)**

Based on the highly successful Broadway play of the same name, "Command Decision" has been made into a powerful picture. Although it is a war story, the actual horrors of war are not shown, for all the action takes place at the headquarters of an American Bombardment Division in England during the war in 1943. In spite of the fact that it has an all-male cast and no romantic ingredients, it should do well at the box-office, not only because of the popularity of the outstanding stars, but also because of the fact that the story is powerfully dramatic, gripping one's interest from start to finish.

Briefly, it revolves around the determined efforts of an aggressive brigadier-general in command of the base to carry out "Operation Stitch"—a daring plan to obliterate in three successive days several Nazi jet-plane manufacturing plants, whose production, at the time, placed the Allied air forces in jeopardy. In order to complete the plan, the brigadier-general finds it imperative to take immediate advantage of the favorable weather. But, because the plan entailed heavy losses in men and bomber planes, which could not reach the distant targets with the aid of fighter-plane support, he finds himself hamstrung by his superior officer who, yielding to congressional pressure and criticism from the high command in Washington, reluctantly relieves him of his command after he successfully completes the first two days of the campaign. In the end, however, he wins the satisfaction of seeing the campaign completed by his successor who, after several hours of indecision, concludes that his predecessor was right in his belief that the men and machines were expendable if the war against the Nazis was to be prosecuted successfully.

A brief outline of the story cannot convey the mental torture undergone by the brigadier-general and his associates who try to look upon their military maneuvers in an impersonal way but who do not relish assigning men to missions from which they might not return. Despite the wordiness of the script and the limited space in which the action takes place, intelligent handling has given the picture a sense of movement and considerable suspense. There is some good comedy relief furnished by Van Johnson, as a technical sergeant given to making caustic remarks, and there is considerable dry fun and bite in the sly digs aimed at bungling politicians and arm-chair generals.

The performances are first-rate. Clark Gable, as the determined brigadier-general, is completely convincing, and Walter Pidgeon, as his vacillating superior officer, is excellent. Among the others who turn in impressive performances are Brian Donlevy, as the general who succeeds Gable; Charles Bickford, as a trusted war correspondent; John Hodiak as a colonel and close pal of Gable's, who dies in combat; and Edward Arnold, as a pompous, bungling congressman. Sam Wood's direction is expert.

Sidney Franklin produced it from a screen play by William R. Laidlaw and George Froeschel, based on the play by William Wister Haines. The cast includes Marshall Thompson, Richard Quine, Cameron Mitchell, Clinton Sandburg, Ray Collins and many others. Unobjectionable morally.

If a motion picture exhibitor finds it necessary to resort to the giving away of premiums in order to fill his theatre, the answer pure and simple is that he is not getting enough good pictures from the producers to accomplish the same purpose. There are not enough pictures produced today to draw people to the box-office in numbers sufficient to warrant an exhibitor's abandonment of the premium-giving practice. Such pictures are, in fact, so few that many exhibitors have been double billing two top features to draw people in, while others, in addition to showing two top features on the same bill, have been giving away automobiles as an added incentive for greater attendance.

It is possible that the producers, after they divest themselves of their theatres, will be producing far better pictures than they are now, by reason of the fact that they will be devoting all their time to producing and selling pictures instead of studying the records of the box-office of the theatres they own.

MGM SLIDING SCALE NOT ABANDONED

In what appears to be a direct answer to Allied States Association's charge that Metro-Goldwyn-Mayer had abandoned its sliding scale policy and that it is insisting upon a minimum of 40 per cent on percentage pictures, William F. Rodgers, MGM's general sales manager, issued the following statement to the trade press at a luncheon on Friday, December 17:

"Reports to the contrary notwithstanding, Loew's has not abandoned the sliding scale policy as a basis of rental terms for the use of MGM product. As a policy, it has been considered by us and thousands of our customers to be eminently fair.

"Having faith in our product and the future of this business, we intend to aggressively solicit even a greater number of our pictures on this proven method of fair merchandising.

"We have not adopted a policy of specific percentage terms except where we are unable to mutually agree upon a basis to govern a sliding scale arrangement.

"Loew's has not changed its sales policies except that we are prepared to even expand, if necessary, our existing policy of special consideration for some small operators who find it difficult and sometimes impractical to play our pictures at the present time on a participating arrangement."

ALLIED'S TWENTIETH REGIONAL UNIT

Allied Independent Theatre Owners of the Mid-South, the twentieth regional unit of National Allied, was officially organized in Memphis on Monday of this week at a meeting attended by seventy-five exhibitors in that territory.

Elected as officers were Edward O. Cullins, of Memphis, president; John C. Mohrstadt, of Hayti, Mo., vice-president; and Mrs. Clara M. Collier, of Drew, Miss., secretary-treasurer. The board of directors include J. A. West, T. A. Ballas, David Flexer, Lyle Richmond, W. L. Landers and W. Emalin.

HARRISON'S REPORTS wishes the new organization and its officers great success. The independent exhibitors in Mississippi, Arkansas, and Tennessee are indeed fortunate in that they will now have an opportunity to join an Allied unit and thus come under the banner of a truly independent exhibitor organization.

"Jungle Jim" with Johnny Weissmuller

(Columbia, December; time, 72 min.)

Very good entertainment for those who like action melodramas. One is held in tense suspense all the way through. At times one is made to gasp for breath. There is, for instance, the introductory scenes where a native fights a leopard to save himself from being mangled, followed immediately by scenes showing Johnny Weissmuller fighting and killing the leopard behind the trunk of a fallen tree so that the audience does not see the actual killing. Another breath-taking situation is where a huge alligator crawls out of the water and approaches the unsuspecting heroine. Still another such situation is where an alligator twines his tail around the heroine's leg while she is swimming. The scenes that show the stampede of the elephants, followed by a stampede of all the wild animals in the forest, with the monkeys leaping up into the trees in fright, too, are thrilling. There is also plentiful comedy. One laugh-provoking situation is where the ape goes to a bee hive to eat honey and is stung by a myriad of bees. The combined efforts of the crow and the dog, too, are a source of merriment, particularly in the scenes that show the crow attempting to type-write. William Berke, the director, has done a fine job of blending the different situations. He does not allow the spectator to relax, for he has seen to it that one thrilling situation follows another:—

Weissmuller (as Jungle Jim), while wandering about the jungle at Nagandi, in Africa, bravely but unsuccessfully tries to rescue a native from an attacking leopard. He retrieves a vial from the clutched hand of the dead native and takes it to Holmes Herbert, the District Commissioner. Holmes sends it to the Archaeologist Department and learns that it contained gold as well as a poison that cured polio, and that it had probably come from Zimbalu, a lost pyramid. Virginia Grey, a scientist, arrives to search for the source of the curative poison, and Johnny is persuaded to organize a safari of tribesmen and head the expedition. In the course of events, while camping at night, the vial is stolen from Virginia's tent. With the aid of Rick Vallin, his trusted native friend, Johnny sets up booby traps to awaken the camp in case of intruders and in that way catches George Reeves, a photographer, who pretends that he had been lost in the jungle. Virginia, against Johnny's better judgment, agrees to take Reeves along on the expedition. On the way, Reeves unsuccessfully attempts to kill Johnny, accident-like. Just as the expedition sights the pyramid, they are attacked by the "devil doctors" of Zimbalu. As all run to escape the attackers, Vallin stumbles into a pit that contained a lion. Johnny rescues him, killing the lion. Meanwhile the others are captured. Investigating, Johnny finds the "devil doctors" preparing to kill their captives, while Reeves ingratiates himself with the natives, whom he had awed with pictures taken of them. But he loses his magic power over them when Johnny's pet crow pecks open the camera and flies away with the lens. In the turmoil that follows, Johnny liberates his friends and helps them to overpower the natives. He then overtakes Reeves, fleeing with much treasure, and in the struggle Reeves falls to his death.

Sam Katzman produced it from a story and screen play by Carroll Young.

Suitable for the entire family.