

All Change at Elstree: Warner Bros., ABPC and British Film Policy, 1945–1961

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On 23 January 1958, a brief announcement appeared in *The Daily Cinema*, the trade paper of the British film industry. ‘In order to free Mr. Robert Clark for other important work in connection with the future development of the Corporation’, it read, ‘the Board of ABPC have decided to relieve him of his executive responsibilities at Elstree studios. Mr. R. J. Wallis will be the executive in charge of the studios under the direction of the Managing Director, Mr. C. J. Latta’ [1].

Few at the time understood the significance of the announcement and those that did declined to elaborate. The only comment in the national press was a small item that appeared two days later, which noted that Clark was

a staunch champion of British films [who] showed a pronounced pro-British attitude to subjects and casting. He also insisted on keeping studio workers on the payroll, despite fluctuations in production [2].

‘These policies’, the author Edward Goring astutely observed, ‘led to conflicts between the quiet hard-bargaining strong-man and the American side of Associated British’ [3].

That was all. The British film trade was far more concerned about the steep decline in cinema attendances than in Clark’s personal future. Furthermore, the other directors of ABPC had already given the technicians at Elstree advance notice of the changes in management to ensure that there were no interruptions to production [4]. The incident represented the end of an era in British film production that can be traced back to the late 1920s. But the waters of time closed over the whole incident, hiding from history the unseemly stew of personal intrigue, corporate chicanery and political dubiety that lay behind it.

A Very British Film Company

In February 1927, John Maxwell, the founder of the Associated British Picture Corporation (ABPC), advocated the re-establishment of a British film industry that would provide manual work for the unemployed by using the economic approach of Geoffrey Keynes:

He urges the view that assuming a considerable proportion of our pre-war export trade is lost we must seek to replace it and find work for our million unemployed *inter alia* by creating new home industries. I consider the establishing of a substantial volume of British film production would be such an industry. Apart from employing actors and other workers of the higher grades, it would provide employment for many classes of manual workers [5].

The enactment of the Cinematograph Films Act later that year made Maxwell’s

proposals feasible, but the arrival of sound in 1929 meant that Maxwell had to modify his policy. Instead of making films whose 'standard was at the level of the world's best quality, he now made those that were 'aimed predominantly at the home market, with films being allocated the kind of budgets which could be recouped from a British release' [6]. During the 1930s, Maxwell doggedly pursued this policy, but when he died in 1940 his widow, Catherine Maxwell, had to sell off some of her ABPC shares in order to repay his debts and death duties [7].

ABPC's main asset was its circuit of ABC cinemas, at that time the largest in the country, which could guarantee a major American distributor a national outlet for its films. Max Milder, the Managing Director of Warner Bros. UK subsidiary, and Dr Eric Fletcher, Warner's British lawyer, therefore suggested to Jack Warner that Warner Bros. buy 25% of the ABPC shares [8].

The proposal immediately attracted adverse comment in the press and British political circles. ABPC's chairman sent a memorandum to the government's Chief Whip, arguing that Warner Bros. was not investing £900,000 in ABPC for commercial reasons, as ABPC had paid its shareholders no dividends since the war began. Instead, it would make its profits from showing its own films in all ABPC's cinemas [9].

The British Government was in a delicate position. It was clearly impossible on general political grounds to prevent Mrs Maxwell from selling her shares to Warner Bros [10]. King George VI was so concerned that he discussed the fate of the shares with Sir Kingsley Wood, Churchill's Chancellor of the Exchequer, when he dined with him at Buckingham Palace [11]. The latter then took the issue up with the President of the Board of Trade, Oliver Lyttelton, who persuaded Mrs Maxwell's solicitor to delay the sale until government approval had been obtained [12]. He also saw Milder, who gave assurances that Warner Bros. would continue and increase production, and discussed the issue with the Chancellor and the Governor of the Bank of England [13].

Significantly, when Lyttelton spoke to Fletcher, who was representing Warner Bros., no civil servant was present. Although this made it easier for Fletcher to present Warners' case, it also allowed Lyttelton, who was almost certainly exceeding his official powers, to impose conditions on the sale: in order to ensure that control of the ABC circuit did not pass into American hands, there would be a new Board of Directors consisting of two nominees of Mrs Maxwell, two nominees of Warners and an independent Chairman appointed by the government [14].

On the financial side, as the 1940/41 Anglo-US Film Agreement specifically forbade the American companies from using their UK film revenues to buy British cinemas, Warner Bros. had to find the money for the purchase from elsewhere. The Treasury finally agreed that Warner Bros. would pay \$1 million out of its remittable sterling, but it could borrow £900,000 from a British bank and pay the remainder from its unremittable sterling during the next two years [15].

In 1943, Hugh Dalton, the new President of the Board of Trade, obtained further undertakings from Warner Bros. and from Mrs Maxwell and her trustees that they would not sell any of their shares without consulting him. This was partly to prevent the expanding Rank empire from obtaining control of ABPC, and thus an effective monopoly of cinema exhibition, and partly to limit further control of British cinemas by American companies. When Catherine Maxwell wanted to sell half of her remaining shares to Warner Bros. in 1945, Dalton therefore insisted that although Warners could benefit from the dividends to those shares, the voting rights would remain with the Maxwells [16]. Thus, although half of the company's eight million shares were held by small shareholders, the real powers of decision-making were equally divided between

Warner Bros. and the Maxwells, who each owned the voting rights to two million shares.

The details were spelt out in a legal agreement signed between the parties on 18 July 1945, a schedule to which set out the future film policy of ABPC's Board of Directors as agreed with the Board of Trade. In brief, both Warner Bros. and the Maxwells were to retain their respective shareholdings for at least 10 years. If after that time, either party intended to sell its shares, then it had to give 6 months' notice to the President of the Board of Trade, who after consultation with Warner Bros. could also nominate the person by whom the voting rights should be exercised [17].

Mrs Maxwell and her trustees could nominate two directors, one of whom was to be the Chairman, while Warner Bros. would nominate another two, one of whom was to be Managing Director and the other, Deputy Chairman. No other directors were to be appointed, except by mutual consent. The schedule provided that Warner Bros. and ABPC would put up £2 million of their resources to produce pictures at the company's Elstree Studios. Warner Bros. would provide technicians and personnel from Hollywood and distribute half of these films in the USA; and Pathé Pictures, ABPC's UK distribution subsidiary, would become a first-class distribution organisation [18]. This complex set of interlocking arrangements became the foundation stone for the ABPC's production, distribution and exhibition policies during the next decade.

The New Board of Directors

Warner Bros. nominated Fletcher as Deputy Chairman of the new Board of Directors and Milder as Managing Director. Catherine Maxwell nominated her son-in-law, Sir Philip Warter, as Chairman. Her other nominee was Robert Clark.

Clark, who was one of John Maxwell's loyal Scots lieutenants, was determined to keep alive his vision of a British company that could sustain a stable output of indigenous production that could recoup its costs in the UK and thus keep the company's studio workers permanently employed. Born in 1904 in Paisley near Glasgow, Clark was the son of a sewing machine agent. He was the youngest of 14 children and received his moral education from the Plymouth Brethren, a fundamentalist sect that insisted on a literal 'plain-sense' interpretation of the Bible and which instilled into Clark, a mix of moral puritanism, financial austerity and a duty of care to one's brothers.

After graduating at Glasgow University and being called to the bar, Clark joined Elstree Studios under Maxwell's watchful patronage. He brought to film production the traditional qualities of the successful Lowland Scot—organising ability, hard work, knowledge of finance and disinterested service to the community. Personally, he was quiet and unassuming with a pawky sense of humour, and had a great ability for saying nothing until something was absolutely necessary [19].

Six years after his arrival at Elstree, Maxwell put Clark in charge of production at ABPC's small auxiliary studio in Welwyn. There, he quickly adopted a parsimonious attitude to buying the film rights to British novels and plays: a story only had what he termed 'a public value' if it had successfully been produced as a play or published as a book. Furthermore, the price paid should be modest, as the author could not fully realise that value until the story had been produced as a film [20]. Clark's financial caution with money became legendary: he was known as 'a man with short arms and long pockets who put more thought into signing a cheque than reading a script' [21]. Clark later stipulated that the task of ABPC's scenario department was to search and

sift for stories that would offend no-one and satisfy public taste [22]. He was particularly suspicious of scripts that were specially written for the screen. In his view, they made 'the least contribution' to his problem of finding new stories for the company to produce [23].

In 1945, Max Milder was still Managing Director. Born in Zanesville, Ohio, Milder was Warners' Eastern Domestic Sales Manager until he moved to Great Britain in 1931. A cigar-smoking Anglophile, he wanted Warner Bros. to make a film in which Winston Churchill played himself; during the war, on behalf of Warners, he gave the government £6218 for a Spitfire [24]. Milder was responsible for production; when he died in August 1948, Warners replaced him with C. J. Latta from its South American office. But, as Latta's experience was mainly in exhibition, Clark took over the responsibility for production at Elstree.

The second Warner Bros. nominee was the Deputy Chairman, Dr Eric Fletcher. He had helped Jack Warner to persuade the British courts that Warner Bros. contract of service with Bette Davis entitled it to prevent her from making a film with an independent producer. Fletcher was a man with a Rolls-Royce mind that he was prepared to put at the disposal of Jack Warner, a man whom he considered an engaging character, who was always full of humour and regarded film actors and actresses as so much 'cattle' [25]. But Fletcher, who was interested in politics as well as the law, also succeeded in getting himself elected as the Labour MP for the tough working-class area of Islington East, during Labour's landslide victory of 1945. He was reputed to keep an old banger of a car for constituency use, so that he could leave his Rolls Royce at home [26]. As Warner's lawyer, Fletcher was in regular contact with him about ABPC business. He also had extensive contacts in British political circles and soon became the power behind the chairman's chair, exerting substantial influence over the company's decisions [27].

The fourth member of the ABPC Board was the company Chairman, Catherine Maxwell's son-in-law, Sir Philip Warter, who had been knighted for his work during the war as Controller of Storage and Factory Space at the Board of Trade. Although initially loyal to Maxwell's production philosophy of film production when cinema audiences started to decline, Warter progressively sought to diversify into more lucrative areas in order to ensure that the Maxwell trusts continued to be well resourced.

These four men with their markedly different backgrounds and interests were responsible for the activities of ABPC for the next decade and a half. Their fellow director was Edward Maloney, a pessimistic accountant, who was replaced in 1955 by D. J. Goodlatte, the head of the ABC cinema circuit. The hidden director of ABPC, however, was Jack Warner, who lived 6000 miles away in California and increasingly sought to shape company policy and manipulate relations among its directors. Using Fletcher first as his representative and later as his fellow conspirator, Warner persistently tried to manipulate affairs within the Board of ABPC to his own advantage. In the end, this led to the removal of Robert Clark from any responsibility for production.

Born in Baltimore, Maryland, Jack Warner was the youngest son of Polish immigrant parents. He was brought up in London, Ontario, and Youngstown, Ohio, by his father, a butcher turned cobbler [28]. His real name was Jacob, not Jack, and he took his middle name, Leonard, from that of a minstrel he liked. Nor was his last name Warner [29]. Lacking formal education, Warner was cute and funny and a pest from the day he was born [30]. He also had a colourful personal life [31], and to compensate for his lack of friends surrounded himself with yes-men, [32].

It was Harry, Jack's eldest brother, who was trusted by the banks. He remained in

New York, while Sam and Jack were left to establish the business of film production in California. When Sam, the middle brother, suddenly died in 1927, Harry and Jack were left to run the company alone. Harry and Jack were constantly at odds with each other [33].

Clark and Warner took an immediate dislike to each other. 'About Robert Clark, I certainly do remember him, especially his being critically minded and having a suspicious outlook', Warner also told Fletcher in 1947. 'I explained to you in person that ... I never have contact with people who are suspicious and want to do business with me or vice-versa' [34]. Warner belittled Clark's abilities as filmmaker. 'He's smart but doesn't know much about making pictures', he told Vincent Sherman two years later [35].

Warner's Production Policies

In January 1947, Warner followed up the undertakings in the 1945 Agreement by organising an exclusive lunch at the Savoy Hotel to announce to a specially invited audience, including the President of the Board of Trade, Sir Stafford Cripps, that ABPC would produce a series of six pictures at Elstree budgeted at £300,000 each. Warners would supply the leading stars, directors and producers, and the films would be of Hollywood quality. The announcement was widely covered by the press on both sides of the Atlantic [36].

But matters did not turn out as Warner promised. It took a year for ABPC and Warner Bros. to finalise their agreement. In it, there were some minor but crucial modifications to Warner's original announcement. Although Warners had the right to approve the stories, unless otherwise agreed, the stories and scripts would all have a British background or character, although they might, at Warner's discretion, be acquired in the USA. In return for its financial assistance, Warner Bros. would distribute the films throughout the world for a substantial proportion of the gross [37]. It could also recoup its negative costs, any costs and losses arising out of quota regulations, and any advertising and publicity costs. Furthermore, when assessing profits or losses, the six pictures were to be split into two groups of three and the net results were to be split 50-50 [38]. Thus, although the pictures were nominally joint productions to be shot at Elstree, ABPC would only benefit, if at all, when most of them had moved into profit.

The first of the six films to go on the studio floor was *The Hasty Heart* (d. Vincent Sherman, 1949), starring Ronald Reagan, Patricia Neal and ABPC contract star Richard Todd. Set in wartime Burma, it is the story of a dying Scots soldier who learns the true meaning of friendship. But Anglo-American relations in the film industry were changing fast, and with them Jack Warner's attitude to co-production. The 1948 agreement between the Motion Picture Association of America (MPAA) and the British government, which followed the MPAA's boycott of the British market, meant that for the next few years, the American film companies had to deal in two British currencies, remittable and unremittable sterling. The agreement limited the Americans' dollar remittances to the USA to \$17 million per year, but any earnings in excess of this sum could be invested in film rights, prints or the acquisition of studios [39].

This meant that Warner Bros. could no longer use its unremittable sterling to buy American or world rights to British films. Accordingly, in October 1948, Warner instructed Fletcher to tell ABPC that as a signatory to the Anglo-American agreement, Warner Bros. was obliged to terminate its original contract [40]. For ABPC, this was

clearly a major blow. Even so, it still wanted its films to be made with Warners' assistance [41].

The financial needs of the two companies were now quite different. Warner Bros. wanted to use its unremittable sterling for making British films, whereas ABPC needed to eliminate any losses at its Elstree studios [42]. Warners therefore insisted on modifying the original agreement with ABPC. As compensation for breaking its contract to make international films, it agreed to allow ABPC to distribute *The Hasty Heart* in the UK and its associated territories. In addition, its British company, Warner Bros. Pictures Ltd., would use its unremittable sterling revenues to shoot *Stage Fright* (d. Alfred Hitchcock, 1950), which had originally been announced as an ABPC film, and four further first class screenplays at ABPC's Elstree studios. All five would be British films. Two of the new projects would be started before 14 June 1950 and a further two completed by 30 September 1951 [43].

ABPC's Production Policies

Warner's decision to pull out of the original agreement left Clark and ABPC with two related problems. The first was to keep Elstree running as a viable enterprise, and the second to develop a profitable roster of British films to ensure that the company's cinemas could fulfil their quota obligations. To keep studio workers permanently employed, Clark ran Elstree on an extremely tight rein. His Scots accountants costed everything down to the last penny. Printed at the bottom of every one of the studio's memoranda sheets were the admonitory words, *No Verbal Orders to be Given or Accepted*. 'It was a dreadful place', Richard Attenborough recalled. 'It created nothing in terms of a feeling of commitment' [44]. Even so, 'the porridge factory', as some technicians derisively termed Elstree, provided permanent employment for some workers, at a time when many others were being laid off.

In February 1949, Clark announced a £2 million investment in 10 feature films, at least four of which would be released in the USA by Warner Bros. and two other major American distributors. The ABPC films were modestly budgeted compared with Warner's internationally oriented productions. By paying as little as possible for story rights, looking for subjects that could be produced in the studio with the minimum number of sets and imposing ruthless cost control on carefully costed projects, Clark kept production budgets as low as feasibly possible—normally not more than £150,000 per film. He was also able to stem ABPC's losses on production. From 1951/52 onwards, the company made a modest profit on its production as well as on its exhibition and distribution activities [45]. Many of Clark's stories were selected by his scenario editor Frederick Gotfurt, who frequently explored the role of the outsider in England [46].

Although ABPC still hoped for a joint production with its major shareholder, Warner rejected every one of Clark's proposals. He dismissed *Sarah*, a story set during the time of the Irish rebellion, because 'American audiences would not accept a story with that background' [47]. But he gave no reason for rejecting another historical subject, *The Governor's Lady*, a story about Warren Hastings, scripted by R. J. Minney, the co-screenwriter of *Clive of India* (Twentieth Century Fox, d. Richard Boleslawski, 1934) and subsequently producer of several Gainsborough melodramas [48]. Warner considered both *The Devil's Disciple* and *The Doctor's Dilemma* to be dated and only suitable for art theatres. *Pygmalion* (Gabriel Pascal, d. Anthony Asquith, 1938) was the only Shaw picture that had been successful in America [49]. He also rejected J. Lee



FIG. 1. A Hollywood star, but no screenplay. Robert Clark (left), Audrey Hepburn and Robert Lennard, ABPC's Casting Director, who discovered her (right). Sic.

Thompson's treatment of *The Good Companions*, J. B. Priestley's hugely successful novel about a British travelling theatre group [50].

The Battle over Audrey Hepburn

Although uninterested in ABPC's literary assets, Warner was definitely interested in its principal human asset, Audrey Hepburn. Clark, who was an outstanding authority on property [51], clearly understood the financial leverage a studio possessed once it had a star under contract. In 1936, he had carefully digested the legal implications of Warner's and Fletcher's legal victory over Bette Davis: a star could not work elsewhere, without the consent of her studio. Clark could now exercise those same rights over ABPC's principal stars, even at Warner's expense.

Although Robert Lennard, ABPC's casting director, discovered Hepburn, it was Clark who decided the terms on which she was loaned to other producers. He normally required the producer to shoot his picture at Elstree, as Walt Disney discovered when he wanted to use Richard Todd in *Rob Roy the Highland Rogue* (d. Perce Pearce, 1953) [52].

Initially, Hepburn had been reluctant to sign with ABPC, but Lennard persuaded her to sign a modest 3-year contract starting at £12 per week, one film a year guaranteed, with the right to continue her stage work. Her next film appearance was a bit part in *The Secret People* (d. Thorold Dickinson, 1952), a prestige political thriller that ABPC

had originally intended to finance, but from which Clark withdrew when he took over production at Elstree. Michael Balcon therefore took the project into Ealing [53].

Paramount's scouts soon spotted Hepburn's star value and suggested her to William Wyler for the leading role of Princess Ann in *Roman Holiday* (1953). After her successful screen test, Paramount wanted to buy Hepburn out of her contract for £100,000. But Clark demurred. He realised that if Paramount could turn her into an international star, ABPC could still have the right to use her in one picture a year. He therefore allowed Paramount to sign her to a seven-picture contract, one film a year to be made for Paramount or on loan-out to another studio. In return, ABPC would either receive a fee for each film that Hepburn made for them or ABPC would acquire the UK distribution rights to the film, potentially an even more valuable prospect for ABPC [54].

In February 1952, Clark proposed that ABPC acquire the rights to *The Moonraker*, a Cromwellian romance written by Arthur Watkyn, as a vehicle for Hepburn and either David Niven or Cornel Wilde [55]. As Warner liked the story, Warner who was visiting Warner in Hollywood, agreed, suggesting a joint production with Warners featuring Hepburn and Wilde [56].

Watkyn wanted £10,000 for the film rights to his play as it had broken box office records in the provinces, but as neither Clark nor Warner would meet his terms, he refused to sell until it opened in London [57]. But when it did, it was a complete disaster and had to be taken off after only four nights. Its sentiments were clearly behind the times for a London audience. *Variety* considered it to be 'definitely dated' [58], and when interviewed, Watkyn averred that 'I used to like this sort of play years but you don't see it nowadays and so the only way was to write it for myself' [59]. Even so, the two companies drew up a draft agreement to make the picture [60], although how much Clark finally paid for the film rights is unclear.

By November 1952, Paramount was so excited with Hepburn's performance in *Roman Holiday* that it proposed she star in a joint ABPC/Paramount production. But Warner and Latta both objected. In their view, ABPC had bought *The Moonraker* to be an ABPC-Warner Bros. production in which Hepburn would star as soon as she was available [61]. At the ABPC Board the next day, Fletcher therefore insisted that Clark do nothing until he had sent Warner a full report [62]. But why Clark and Warners never went ahead with a joint production is unclear [63]. Warner also rejected Clark's next suggestion for Hepburn, a script called *Claire*, written by Curtis Bernhardt and Hans Jacoby [64]. As Clark and Warner could not agree on a subject for Hepburn, her next picture was also made for Paramount: *Sabrina Fair* (US title = *Sabrina*) (d. Billy Wilder, 1953).

In March 1954, when Hepburn won the Academy Award for her performance in *Roman Holiday*, her value substantially increased and she acquired a new agent at MCA, Kurt Frings [65]. Under his tutelage, and encouraged by new boyfriend Mel Ferrer, she increasingly wanted a say in which films she would appear. Warner, who considered she would be an extremely attractive heifer for his cattle ranch, therefore entered into a firm agreement with ABPC to ensure that all Hepburn's future films would be first-class productions that Warner Bros. Inc. would distribute outside the UK [66]. But this agreement also meant that Warner could now veto all Hepburn's future projects with ABPC.

Throughout the Summer of 1954, Clark struggled to find a British subject that both Warner and Hepburn considered suitable for an international production. Walter MacEwen, Warners' scenario editor, turned down ABPC's first three suggestions as

'quite dubious for the American market' [67]. The three novels, *The Good Companions* (J. B. Priestley, 1929), *Love for Lydia* (H. E. Bates, 1952) and *The Gowk Storm* (Nancy Brysson Morrison, 1933) were all popular British works that had frequently been reprinted [68]. In all three, the principal characters are clearly identified as coming from specific regions of the British Isles: the three principal characters of *The Good Companions* come from Yorkshire, the Cotswolds and the Fens, respectively, the journalist-narrator of *Love for Lydia* comes from the fictional East Midlands town of Evensford, and *The Gowk Storm* is set in the Highlands of Scotland.

Instead, MacEwen suggested a story owned by Allied Artists called *Ariane*, which 'could conceivably be a tour de force for Miss Hepburn, and because of its preoccupation with love and sex, might have universal appeal' [69]. But Hepburn was only interested if Billy Wilder would produce and direct [70].

Clark's next proposal, a Graham Greene story called *Loser Takes All*, didn't excite MacEwen either [71]. Nor did a treatment by producer Anatole de Grunwald of Jean Anouilh's *Point of Departure*. Hepburn, on the other hand, was interested in Thomas Hardy's *Tess of the D'Urbervilles*. But as Clark pointed out, that project would require a large number of exteriors, which could not be shot before May or June the following year, when Hepburn would no longer be at their disposal [72]. Furthermore, the story rights were owned by David Selznick; and as Walter Mycroft, Clark's Chief Scenario Adviser, observed, the chief problem in adapting the novel for the screen was that Angel Clare could so easily become a detestable prig, an outcome which Hardy had only managed to avoid in the novel by constantly explaining Clare's thought processes [73].

Clark also tried to persuade both David Lean and Michael Powell to star Hepburn in two further projects, but neither came to fruition. The first was for her to play the half-Chinese girl in Richard Mason's *The Wind Cannot Read*, but Lean preferred a Japanese actress who he had met in Venice [74]. Clark also tried to persuade Powell and Pressburger to bring to ABPC and Warner Bros. their project of *Ondine*, in which Hepburn and Mel Ferrer would recreate their New York stage roles [75]. But Clark's offer was nowhere near as generous as that of Paramount [76]. However, the *Ondine* project finally collapsed because Pressburger wanted to update the script, and feature the Prince as a wet-suited scuba-diver [77]. In the end, therefore, Clark was unable to find a project that could satisfy both Hepburn and Warner.

Dino di Laurentiis and Carlo Ponti, the producers of Hepburn's next film, *War and Peace* (d. King Vidor, 1956), had to assign the US distribution rights in the film to Paramount and the UK rights to ABPC, as well as paying her salary and expenses. When the film was finally released in the UK, ABPC benefitted handsomely from Hepburn's talents as it was one of 1957's top 10 box office attractions. But Warner Bros. received nothing.

Hepburn's next two films were Paramount's *Funny Face* (d. Stanley Donen, 1956) and Allied Artists' *Love in the Afternoon* (d. Billy Wilder, 1956). Her contract with ABPC was extended, provided that her last film was started by 1 October 1957 [78]. Warner therefore revived his interest in producing a film of *L'Aiglon* (*The Eaglet*), Edmond Rostand's six-act verse drama about Napoleon's son and the Empress Marie Louise, for William Wyler to direct in England [79]. Even though Warner had no plans for this to be an ABPC co-production, Clark undertook not to assign Hepburn's last commitment without advising him first [80]. But when Clark told Warner the terms under which he had loaned Hepburn to Allied Artists for *Love in the Afternoon*, Warner realised he was dealing with a very tough negotiator indeed [81]. Having wryly observed

that Clark's terms were very good, he cautioned, 'I feel you should not be as severe as this when dealing with Warner Bros.' [82].

Clark's next suggestion for Hepburn was another Scottish story, Neil Paterson's *Behold Thy Daughter*, which Warner immediately dismissed as 'Scotch' [83]. All he told Clark, however, was that he was 'reserving his position' [84]. What he had really decided was that he had to outmanoeuvre Clark if he was to acquire ABPC's prize actress for Warner Bros.'s next picture.

Diversification into Television

Meanwhile, the advent of commercial television in Great Britain initially caused a rift between the Maxwell and the Warner interests on the ABPC Board. As early as March 1953, Warner felt uncertain about the future of the film industry. He resented Warners having a majority holding and wanted to liquidate his wife's holding or move into commercial TV [85]. The other advocate for commercial TV was Howard Thomas, the Head of Associated British Pathé, the company's newsreel and documentary subsidiary. To him, it was obvious that television would reduce cinema audiences and reduce profits. The answer was for ABPC to become a programme contractor, make programmes, sell advertising time and maintain group profits [86]. Thomas also gained Clark's support, but the main opposition came from Fletcher, who not only represented Warner Bros., but had spoken extensively against the introduction of commercial television in the House of Commons [87].

In February 1955, Warner and Thomas gave the Post Master General the impression that ABPC was genuinely interested in the possibility of forming a programme company, and that they had adequate financial and material resources for it [88]. But when the Independent Television Authority (ITA) interviewed ABPC's senior executives, it considered them so half-hearted that it turned down their application [89]. In its Annual Report, the ABPC Board misleadingly told its small shareholders that 'the re-equipment and modernisation of the cinemas demanded much of the company's resources in manpower and money and the Board decided not to take part [in commercial TV] for the time being' [90]. Three months later, however, Warner informed the Board of Trade that his fellow directors had rejected his proposal to follow the Bernsteins into television [91].

In March, however, Kemsley-Winnick Group, to which the ITA had initially awarded the contract for the Northern and Midlands weekends, withdrew its application. Desperate for a new contractor, Sir Robert Fraser, the ITA's Director-General, decided to make a personal effort to persuade ABPC to reapply for the vacant franchise in a more positive and convincing manner. One day, while waiting to see Warner, Fraser caught sight of Latta in the corridor and on impulse persuaded him to telephone the Warner Bros. executives in America and convince them of the commercial benefits of a move into television [92]. In the end, the only director to oppose the move was the pessimistic Edward Maloney, who insisted that his prediction of failure should be minuted [93].

Restricting American Ownership

ABPC's move into television had wider ramifications for Warner Bros. The fact that the 1945 agreements were only guaranteed for 10 years was never far from the minds of any of the major players. Robert Clark wanted to free the company from its American

stranglehold completely. He was becoming an established figure in British film circles and he wanted matters to stay that way. In July 1953, he was elected President of the British Film Producers Association; and a month later he represented Britain at the meetings of the International Federation of Film Producers Associations [94]. By April 1954 he thought he could acquire Warners' shares for between £2 million and £3 million. But even though he made a formal offer, Warners would not sell [95]. It regarded its investment as a very good one, since it drew over £1 million in film hire during 1954 [96].

The Board of Trade had more modest ambitions. Its first aim was to ensure that there continued to be an effective cinema circuit to compete with Rank. The second was to keep the American influence on ABPC to a minimum, even though both the film industry and the City of London already considered the company to be an American concern [97]. The Board had already relied on the 1945 agreement to reject a proposal from Sir John Keeling of the London and Yorkshire Trust to take over ABPC and merge it with a group linked to the ailing British Lion, financed by a special loan from the National Film Finance Corporation (NFFC) [98].

Even so, the Board of Trade was uncertain what powers it would actually have to prevent either the Maxwells or Warner Bros. from selling their shares, when the original agreement ran out in July 1955. It was the ITA who came to the Board's rescue. Fraser undertook to insert clauses in any contract with ABPC to ensure that neither Warner Bros, nor indeed any other American interest, could have control, or even increase its interest in the corporation [99]. The Authority's contract, signed a fortnight later, specified that ABC (Television) Ltd., an ABPC subsidiary, would be placed entirely under the ITA's control in the event of any change of control unacceptable to the Authority. It could even terminate the contract if ABPC itself were to come under a greater measure of control by Warners [100]. This provision also meant that it would be virtually impossible for the Maxwells to sell their shares to an American buyer.

Elstree Loses *The Prince and the Showgirl*

Despite the regulatory manoeuvres of the ITA and the Board of Trade, decisions taken in the USA continued to affect ABPC's future. Clark's strict management of Elstree Studios often alienated producers, some of whom tried to take their films elsewhere. But if ABPC had any financial involvement in a film, Clark always insisted that it was made at Elstree. Warner Bros. also made all its British films there.

In 1956, however, when Warner Bros. financed a film version of *The Sleeping Prince* (later retitled *The Prince and the Showgirl*), starring and produced by Laurence Olivier and Marilyn Monroe, the company allowed it to be shot at Pinewood Studios, which were owned by ABPC's main rival, the Rank Organisation. Officially, this was because Roger Furse, Olivier's art director, worked there and Monroe wanted to live near the studio. But to Clark, these reasons seemed unpersuasive [101]. According to Steve Trilling, Warner's assistant, this was because Warners could not 'break the Pinewood Hold on "KING RICHARD"' [102]. Two years later, however, after the Board had relieved Clark of his responsibilities at Elstree, Warner claimed that Olivier had insisted that the film should not be made there, because of the difficulty he had in working with Clark [103]. Whoever was responsible, the ABPC Board was clearly upset that the studio facilities for the film had been lost to Rank.

By 1955, Jack and Harry Warner got along so badly that a separation became necessary. Harry was upset because Jack was not looking after the business

properly [104]. Jack convinced Harry to sell their shares in Warner Bros. to Si Fabian and Ben Kalmenson, the two principals of Stanley Warner Theatres. The day after the deal went through, Jack bought back his share in the company and thus became the sole President of Warner Bros. According to the trade press, this was because if Fabian had become President as originally intended, the US Justice Department would have limited his family holdings in order to prevent the re-merger of Stanley Warner Theatres and Warner Bros., which the Department had separated several years earlier, following the US Supreme Court's *Paramount* anti-trust judgement [105]. Jack had also gotten rid of his brother Harry [106], who suffered a severe stroke when he found out that Jack had double-crossed him [107].

The Film Rights to Churchill's Early Life

At this point, something heightened Kalmenson and Warner's mistrust of Clark and encouraged Fletcher to conspire actively against him. In June 1941, Max Milder and Fletcher had acquired the film rights to Sir Winston Churchill's autobiography, *My Early Life and Years* (US title = *A Roving Commission*). Brendan Bracken, Churchill's Private Secretary, had helped to smooth the negotiations [108]. It had seemed a way for Warner to overcome the political controversy surrounding his first purchase of ABPC shares [109].

Shortly after Kalmenson had taken over, Clark asked Warner if he would be interested in selling the rights in Churchill's book to ABPC, or alternatively working out an arrangement for ABPC to produce the film in Britain, which Warners would distribute worldwide [110]. When Warner received a similar letter from Bracken, asking if Warners wanted to sell the rights back to the Churchill estate, he immediately suspected collusion [111]. 'By any chance', he asked Clark, 'are you and the Viscount working on this enterprise?' However, he also kept open the possibility of a joint venture between Warners and ABPC [112].

Clark denied collusion. Excited by the possibility of making a film about Britain's greatest living Englishman, he immediately proposed to prepare a scenario and a draft budget so that he and Warner could discuss the options for sharing the costs and the distribution rights [113]. Warner wanted to wait until Clark came to Hollywood the following month [114]. Clark contacted Bracken to let him know what was happening [115].

When Kalmenson and Warner met Clark in Burbank, Warner's immediate response was apparently spontaneous and generous: Sir Winston was such a wonderful man that he wanted to help him to the greatest extent possible. Clark was more cautious. He suggested that Warners would not be too happy if, on returning the rights to Churchill, they found someone else making a film of his early life [116]. It was agreed that Clark should talk to Bracken and Churchill. He met Bracken on 14 December and saw Churchill 3 days later. He told him that Warner would be prepared to revise the 1941 contract on generous terms, if he could buy the rights to make a film of the rest of Churchill's life after 1906 [117].

When Clark told Churchill that Warner would be 'very unhappy' to see the rights disposed forthwith to a rival company, the truth emerged [118]. MGM had already approached Churchill in order to make a film about his early life, but his former solicitors had lost the correspondence relating to the 1941 transaction. As Churchill was short of money, Montague Browne, Churchill's current Private Secretary, had asked Bracken to sort matters out [119]. When Clark reported back to Warner, he

therefore indicated further negotiating points that Warner might want to consider [120].

When Fletcher found out, he was extremely disturbed that Clark was not only acting as an intermediary between Warner and Churchill, but also advising Warner how to negotiate with him. Fletcher considered these his responsibilities, and expressed his concern to Warner.

You will remember Max Milder and I negotiated the purchase of the film rights to Churchill's *My Early Life* in 1940. Sir Winston Churchill would now like these given back to him, the reason being, it appears, that Metro would then make a film. I do not think this would please you very much.

I am not sure I have got the full story from Robert, but my belief is a much better deal could be arranged whereby you keep the rights you have got and also take an option one day to acquire the film rights in Churchill's later book [121].

After a three-way telephone conversation with Fletcher and Clark, Warner effectively sidelined Clark and Fletcher took over the negotiations [122]. In the event, nothing could be resolved until September, when Warner and Churchill met at a private lunch held at Lord Beaverbrook's villa on the Cap d'Antibes [123]. Warner allowed Churchill to buy back the rights to his book for approximately the same sum that he had originally paid for them [124].

Warner Bros. Attempts to Gain Control of ABPC

Warner Bros. initially appeared ready to sell the company's holding in ABPC to the Bernsteins' Granada Group, but the new Board of Directors could not agree [125]. By October, it had definitely decided not to sell [126]. That meant the company had to acquire more voting rights in ABPC. Accordingly, Warner explored on what terms he could sell the Maxwell shares. His principal concern was that if he sold all of them, he would have to give up his seat on the Board. He therefore suggested to Fletcher that he should sell only 10% of the company and retain the other 2.5%. This would leave him free to stay on the Board, although he would give up his executive functions as soon as possible. But Fletcher and Latta considered that if Warner wanted to stay, he must help them to remove Clark [127]. Warner agreed: if Warner wanted to retain his position on ABPC's Board of Directors, he would have 'to be on our side concerning Robert Clark' [128].

When Fletcher sounded out Sir Frank Lee, the Permanent Secretary at the Board of Trade, about buying the Maxwell holdings, he presented a sanitised version: Warner Bros. wanted to strengthen its control over ABPC in order to increase film production and possibly to acquire another distribution company. Would the government, Fletcher asked, have any views about the proposed transaction and would it wish to suggest any special points which might obtain after the sale of the shares [129]?

Fletcher's request produced a division of opinion in British official circles. Doubtless aware of the ITA's robust hostility to further foreign ownership of ABPC, the Civil Servants at the Board of Trade could see no adequate grounds for objecting to the proposed transaction [130]. But the National Film Finance Corporation (NFFC) was strongly opposed to the sale, as British films shown on the ABC cinema circuit might receive less favourable fees if ABPC were controlled by Warner Bros. Sixty percent of British Lion films had been released through the ABC circuit, accounting for 26 out of

the 32 non-ABPC British first features shown there [131]. Furthermore, despite its promises to ABPC, Warner Bros. had made no energetic attempts to promote British films in the USA, nor had it lived up to its undertaking 'to enter into film production on a large scale'. If it were impossible to secure a UK buyer for the shares, the government should impose conditions designed to ensure that ABPC increase its production of British films, particularly by giving assistance to independent producers and ensuring that at least one representative on the Board was sympathetic to British films [132].

The Bank of England was unconcerned. Both the film industry and the City of London already considered ABPC to be an American concern. The existing American holding was quite adequate to ensure American control. The share transfer was therefore a matter of public relations rather than one of substance [133].

A preliminary meeting between the Board of Trade, the Bank of England and the NFFC got nowhere, because Warner Bros. had apparently changed its mind yet again and put its own shares in ABPC back on the market [134]. It offered them first to the Bernsteins [135]; and a fortnight later, the company's representative in New York telephoned Clark, giving him a week to buy the shares at 17/6d. each. He could only raise £750,000 of the £2.75 million asked however [136]. Clark now feared that the new owners of Warner Bros. would want to cut out any remaining film production and replace the distribution functions of A.B. Pathé by their UK subsidiary. If this happened, it would have severe consequences for British film production and for British Lion [137]. He was soon to be proved right.

A Conspiracy is Hatched

By the end of 1956, a number of Warner's grievances were coming to a head. In addition to laying down his terms for allowing Warner to sell only some of the Maxwell shares, Warner also asked Fletcher to brief him on several issues for him to report to the next meeting of the Board of Warner Bros. on 24 January 1957 [138]. Fletcher proved a more than a willing ally and, after discussing the Clark situation with Latta, sent Warner a long and detailed reply [139]. Fletcher was optimistic that Warners would be able to buy the Maxwell shares from Warner. Sir Frank Lee had confirmed that the government would not raise any objections, or attach any conditions. Although the Board of Trade was not enthusiastic about the sale, it would be prepared to withstand any public criticism; and even though Sir David Eccles had recently replaced Peter Thorneycroft as President of the Board, Fletcher knew him well [140].

Fletcher had not yet spoken to Warner about Clark, as the Board's apparently relaxed attitude to the share transfer meant it would be unnecessary to pursue Warner's idea of only buying some of the Maxwell shares. Meanwhile, he and Latta, together with considerable assistance from Jack Goodlatte, had sufficient strength to impose their wishes on vital matters of policy. The way for Warner Bros. to get its way on the Board was to cooperate with Warner and isolate Clark. With Warner's goodwill and despite every objection from Clark, the Board was prepared to cooperate on releasing Hepburn, and again with Warner's help, it should be possible to push through the merger of Warner Bros. and ABPC's distribution operations in the UK [141].

In addition, Fletcher made two further suggestions of his own, with which Latta concurred. If Warners were to notify the Board of Trade formally that it wanted to terminate the 1945 agreement forthwith and unfreeze the voting rights attached to its shares, it would give Warners a huge moral advantage. Warner Bros. would no longer

be obliged to use those rights to support the Maxwell directors at ABPC's Annual General Meeting. Furthermore, if they delayed the AGM by a month, the 6 months notice would have expired by the time it arrived [142].

Fletcher also wanted to make changes at Elstree. Although some people there were very good, others were redundant. He was also unhappy about the choice of film subjects and believed the studios could be let much more profitably and Warners would have more influence if Clark were removed from Elstree and Latta as Managing Director took charge there. If all this were to happen, Warner could get his way without having to buy any additional Maxwell shares from Warter [143].

A week later, after the Warner Bros. board meeting, Jack Warner told Fletcher to give the Board of Trade the 6 months notice necessary to terminate the Voting Trust. He also asked him to find out the minimum price Warter would take for the Warter and Maxwell shares. In addition, he finalised the terms on which Warners could use Hepburn and established a medium-term strategy to isolate Clark and wrest the management of Elstree from his hands [144].

Hepburn had finally found a property in which she wanted to star: Kathryn Hulme's best-selling novel, *The Nun's Story*, based on the true story of a missionary nun who had left her order after 17 years. Fred Zinnemann wanted to direct, but none of the studios shared his enthusiasm until Hepburn agreed to star in it. Despite the caution of the Catholic Church, which insisted on vetting the script line by line, Warner enthusiastically undertook to finance the project [145]. His only problem was to agree with ABPC the terms under which he could use Hepburn.

According to Trilling, Clark was ready for ABPC to step aside for Warners on Hepburn's commitment to them in return 'for a fixed payment of \$50,000 and [it] would forego any percentage of profits and/or participation and distribution in Great Britain' [146]. Warner therefore contacted Latta directly, offering ABPC \$50,000 for and a rental fee for the use of Elstree studios [147]. Mindful of the loss to Pinewood of *The Prince and The Showgirl*, the ABPC Board agreed to release her, provided the picture was filmed at Elstree and ABPC had some profit participation [148]. But Warner refused any profit participation, although he did agree to produce the picture at Elstree if it were filmed in England [149]. The Board of ABPC finally agreed to his terms, despite Clark's opposition, which he insisted be recorded in the minutes [150].

Warner was affronted. It was Trilling's original formulation that had caused him to approach Latta, and he insisted that Fletcher read his version into the minutes of the ABPC Board [151]. On close examination, it is clear that the original formulation agreed by Clark and Trilling was ambiguous about ABPC's participation in any profits the film made outside Great Britain. In the end, all ABPC got for Hepburn was \$50,000, as Warner decided to make *The Nun's Story* not at Elstree, but at Burbank and on location in the Belgian Congo.

Warner also wanted a more subtle strategy than Fletcher had originally envisaged to wrest the management of Elstree from Clark's hands. There were to be no immediate changes, but Latta was to visit the studios once a week. In addition, Fletcher would talk to Erik Maxwell, John Maxwell's only son and Warter's fellow trustee on the Maxwell trusts [152]. At this point Fletcher discovered that Maxwell, not Warter, was the senior trustee in the Maxwell trusts and that he would be the person who would decide whether or not to sell the trusts' shares to Warners. According to Fletcher, Maxwell quite understood 'the necessity of dealing with the Robert Clark situation' [153]. By the end of March, Fletcher had talked Warter into co-operating: 'the most cordial relationship' now existed between Warter, Latta and himself [154].

Warter Changes Tack

In February, Fletcher formally gave the Board of Trade 6 months' notice that Warner Bros. wanted to terminate the 1945 Voting Agreement. In July, he carefully explained to the Secretary that Warner Bros. no longer wanted two Maxwell nominees on the board because of 'the difficulty they had from time to time with Mr. Robert Clark' [155]. On the financial front, although ABPC's television interests had begun to pay, it had gone slow on maintaining cinemas [156]. But a month later it was clear that the television franchise was a licence to print money and Warter told the Board of Trade that ABPC's television activities were doing so well that it was spending nearly £1 million a year on cinemas from its TV profits. This therefore made it unlikely that Warter would sell the Maxwell shares to Warners. Furthermore, Clark's future could now be separated from that of ABPC. 'If Warners put a point of issue *on the board* (eg the future of Robert Clark as director), they might be able to carry the day, but they would be unable to bring about any far-reaching or crucial changes' [157].

On the other hand, Clark was still interested in buying the Maxwell shares from Warter, but only if the Board of Trade could guarantee a majority of voting rights over the Warner interests. The earlier deal had fallen through because Warter had played him off against Warner Bros. until the share price had reached a level Clark could not afford [158].

In September, when Jack Warner visited London to assess the situation for himself, he accepted Latta's proposal that they set up an industry lunch for him [159]. The most important decision was to request formally that the President of the Board of Trade allow Warner Bros. to transfer its share certificates into its own name. This Fletcher did in October, emphasising that there was no intention of any change in the management of ABPC and that Warter would continue as Chairman [160].

Fletcher's request to transfer the share certificates caused confusion in the Board of Trade and within the government generally. Although many of the civil servants in the Board's Films Branch took the opposite view, Sir Frank Lee, the Permanent Secretary, advised Sir David Eccles to approve Fletcher's request. But when Harold Macmillan heard about the proposal, he immediately referred the issue back to the government's Economic Policy Committee [161]. The Treasury, which was also doubtful about the transfer, felt that the embargo should be maintained [162]. A major split was opening up in British policy between those in government who wished to maintain the traditional Keynesian approach to the film industry and those who wanted to remove protectionist barriers in order to encourage free trade and inward investment into the UK by the American majors.

Clark Takes a Step Too Far

Meanwhile, Clark took part in a dinner at which the British Film Academy brought together a number of senior figures in the British film industry to discuss the legal definition of a British film, as the 1948 Cinematograph Films Act was due to expire in the following year. The event was to prove Clark's undoing, for it brought into the open the fundamental differences between the Keynesian approach on which he and Maxwell had built ABPC and the free trade attitudes espoused by Warner Bros., the Board of Trade and most independent producers and directors.

The 1948 Act required every cinema to show a quota of British films annually and earlier that year a second Act had turned the film industry's voluntary self-help scheme,

colloquially known as the Eady levy, into a statutory levy. Under the scheme, cinema exhibitors paid a levy on every seat sold into a fund which redistributed the money to producers of British films in proportion to their commercial success [163]. The more successful the film, the more it recouped from the Eady fund.

Both Acts used the same definition for a British film. To qualify, a film had to be shot by a British company in a British or Dominion film studio and the requisite proportion of labour costs paid to British citizens [164]. Although the Eady scheme was originally established to support indigenous British productions, the American majors quickly realised that their international films could benefit from the subsidy, provided they employed sufficient British personnel and shot the film in a British studio. The more films they made in Britain, the greater their share of the Eady levy and thus the lower the subsidy for an indigenous producer like Robert Clark. Warner Bros., for instance, had already recouped £300,000 from the fund for their five British pictures, some 15.5% of their sterling cost [165].

Furthermore, faster film stocks and lighter recording equipment often made it possible to shoot in exotic locations, and so the requirement to use a British studio was becoming progressively less important. Indeed, *Island in the Sun* (Twentieth Century Fox, d. Robert Rossen) and *The Bridge on the River Kwai* (Columbia/Horizon Pictures, d. David Lean), which were shot in Bermuda and Sri Lanka, respectively, had both been registered as British pictures.

The danger for the British film industry was that although American film capital could be financially lucrative, it was also footloose, going wherever it was financially most advantageous. As Clark warned the British Film Academy:

What we have to do is to guard against a situation where America runs into trouble and withdraws production from this country, and I think that what we have to do is to make sure that in no circumstances—common market and the like—are we ever tempted into abandoning the British Quota Act. I think that we must always insist that there is a differentiation between a British film for the Eady Fund and for the Quota Act. I frankly can see no justification whatever for a film made abroad by American companies like *Island In The Sun* and *The Bridge On The River Kwai* and the like being treated as British pictures. I know that Sir Michael Balcon and others will be concerned, but I think it is a question we have to take on balance. A few British pictures are likely to suffer, but I think it is better that these few pictures should suffer than very many more American films made in Bermuda and the like should rank as British films for Eady purposes [166].

He continued,

‘If it were not for the fact that I would be labelled an informer, I would like to challenge the validity of the certificate granted to *The Bridge on the River Kwai*. All I am saying is that there is no justification in allowing many of these pictures to participate in the Eady Fund, which was brought into existence as a subsidy in order to subsidise us in the same way as a manufacturer of tyres. I personally object to films being made in Bermuda under the guise of British pictures. Our job in this industry is not only to make pictures it is to keep a certain number of people in employment. That is, during the Winter months in this country you can’t keep men in continuous employment [167].

It was a setp too far. Clark had opened up the class divide between the others at the dinner, who were mostly artisanal producers and directors who were happy to work on

international productions and the ordinary studio workers who had not been invited [168]. As Clark told Frank Launder, who argued that all sorts of technicians were being employed outside Britain on films that had nothing to do with the country,

I am not so much interested in those people. My trouble is that we have six or seven hundred people who are not technicians and don't get the same money as technicians. That's the problem. These men are painters, carpenters and so on [169].

It was almost exactly what John Maxwell had said in 1927; and Clark's next remark was also uncannily reminiscent of Maxwell's response to the arrival of sound in Great Britain. 'I take a different view from the rest of you round this table', he countered:

I have no international ambitions. I feel myself that this is the thing that has led British producers so far astray. There are very few people—if you are honest with yourselves—who can say they ever made much money out of an international picture: most of you have made more money out of catering for British audiences throughout the country than with an international picture [170].

Clark's differences with Warner, Fletcher and the other members of the ABPC Board, could no longer be ascribed to clashes of personality. He had laid down a fundamental challenge to the changing consensus on British film policy which wanted to encourage American investment in British films, however unstable and unpredictable that might prove to be.

Fletcher and the Board Make Their Move

Clark had overstepped the mark in two ways. First, he had appeared to accuse the makers of *The Bridge on the River Kwai* of giving the Board of Trade false information when they registered the film as British in order to claim Eady revenues. Three weeks later, he received a letter from M. J. Frankovich, the head of the Columbia's UK operations, saying that his remarks about *The Bridge on the River Kwai* seemed to be libellous [171]; and a month after that he had to apologise to producer Sam Spiegel, 'retracting the construction that [Spiegel] had placed on them and taking steps to have them deleted from the transcript' [172]. In the event, the version of the transcript that was published by the Academy contained no mention at all of Clark's participation in the discussion. Not only his views, but his very presence at the discussion had disappeared from the published record [173]. The British film establishment sought to erase his views from history.

Secondly, Clark had made his anti-American attitude public. Predictably, it was Fletcher who raised the matter at the next meeting of the Board of Directors a month later. He wrong-footed Clark by raising it without notice as an item of any other business, under the heading 'Co-ordination of policy in trade matters'. Clark's views, he claimed, were 'contrary to the policy of the Corporation, which views were supported by observations which have brought the Corporation into discredit'. Unfortunately for Clark, this was his second Board Meeting of the day and, as he had a prior lunch engagement, he could not participate in the discussion. Fletcher's motion was therefore passed unanimously [174].

At the following meeting, Clark tried to amend the minutes of the earlier meeting, but failed [175]. At a Special Meeting held on 20 January 1958, he refused to be bought off and sever all connections with company in return for £25,000. Accordingly,

it was resolved (with Clark dissenting) that he be relieved of his executive duties and freed to take up other duties the Board might entrust to him [176]. Two days later, the other directors agreed that a meeting should be held at the studios and an announcement drafted by Latta issued to the trade press [177], which dutifully printed it without further comment or enquiry [178].

Aftermath

At first, the Warner faction on the ABPC Board appeared to have won. Latta immediately sent copies of all the relevant documents to Warner [179], who wholeheartedly supported the Board's action. Despite his plot to get rid of Clark, Warner fulminated,

it appears that Mr. Clark has nothing more in his mind than to besmirch the name of Warner Bros. as Americans who want to dominate ABPC. This is ridiculous, far-fetched and uncalled for, unwarranted and untrue. We acquired our first shares of ABPC during the Battle of Britain and at that time, we were told in no uncertain times by everyone that England would fall to the Germans within six weeks. My brothers [sic] and I had faith that this would not happen and our faith has been more than justified. This is now history [180].

He instructed Latta, 'be sure to get "on the record" at the next Board of Director's meeting that no-one from Warner Bros. had anything to do with Clark's leaving' [181].

Latta took over at Elstree, where, according to Fletcher, under his leadership and guidance 'an entirely new atmosphere of goodwill and co-operation is being created at the studio' [182]. Industrial relations were good too. When the Shop Stewards asked Wallis for a meeting to find out what had happened to Clark and the future plans of the Corporation, they were completely satisfied [183].

During 1957, Warner had been casting envious eyes over ABPC's other human assets. In May, he expressed an interest in sharing ABPC's contract for Carole Lesley, giving her some schooling, using her in some pictures and trying to give her an important part [184]. And in December, his eyes settled on film director Michael Anderson, who had risen from being a tea-boy to become one of ABPC's principal assets, having directed *The Dam Busters*, the top British box office attraction for 1955, and subsequently on loan-out to Mike Todd, *Around the World in Eighty Days*, the Todd-AO spectacular which had won the 1956 Academy Award for Best Picture.

Warner had cabled Clark in December 1957, telling him that he wanted Michael Anderson to direct a film at Burbank [185]. But he was immediately suspicious when Clark informed him that Anderson would be tied up for all of 1958 [186]. Instead, Clark suggested J. Lee Thompson, 'who many people felt was an even better director than Mr. Michael Anderson'. [187] Although Warner suspected that Clark was inventing commitments for Anderson, the discreet enquiries that he set in motion about the true position on Anderson's availability had revealed nothing untoward [188]. Immediately Clark had been removed from Elstree, however, the ABPC Board acceded to Warner's request to release Anderson to work for him at Burbank on a project entitled *Letter to Peking* [189], for half the amount that the Rank Organisation had offered for him a few months earlier [190]. Five months later, however, Warner shelved the project as he was unable to get a proper cast for it [191].

At Elstree, several of Clark's films had either been completed, or were so far

advanced that Latta could not cancel them. *The Moonraker*, for which Clark was credited as ‘Director of Production’, *Ice Cold in Alex* (p. William Whittaker, d. J. Lee Thompson), and *She Didn’t Say No!* (p. Josef Somlo, Sergei Nolbandov, d. Cyril Frankel) were finished. *Girls at Sea* (p. Vaughan Dean, d. Gilbert Gunn) was being edited and the independent production, *No Trees in the Street* (Allegro, s. Ted Willis, d. J. Lee Thompson) was being shot [192]. Another project that escaped the Latta axe was *The Young and the Guilty* (s. Ted Willis, d. Peter Cotes), a low-budget second feature that enjoyed a huge success in Japan [193].

Latta scrapped several of Clark’s projects that were in development, however. The most advanced was *HMS Ulysses*, for which Clark had already paid his fellow Scot Alistair MacLean the substantial sum of £30,000 for the film rights to his best-selling novel [194]. Clark had planned this as Elstree’s biggest film of the year, and he intended it to do for the Royal Navy what *The Dam Busters* had already done for the Royal Air Force. But Latta scrapped it as Warner wanted Anderson in Hollywood. He also dropped two other Anderson projects, *Wild Fire at Midnight*, a drama of the Scottish Highlands, and an adaptation of David Divine’s novel *The Golden Fool*, which was set in South Africa in the 1870s [195].

In Warner’s view, unless an ABPC film could ‘get a profit out of the United Kingdom and colonies’, it was better to rent the studio space at Elstree to American companies such as Columbia or Fox [196]. Latta therefore axed two further Clark projects: *Cinderella Nightingale*, Robert Muller’s tale of an ambitious shop-girl who becomes Britain’s favourite pin-up, which was to have starred Carole Lesley and been directed by J. Lee Thompson [197]; and an original story that Clark had commissioned from scriptwriter Ted Willis about the trials and tribulations of a British family that emigrates to Australia. Provisionally entitled *The Wide Brown Land*, Clark had already agreed that Willis could spend 4 months conducting research and travelling 12,000 miles on a ship full of migrants travelling to Australia on assisted passages [198]. All of these subjects could have been expected to appeal to UK and Commonwealth audiences, although their attraction for American audiences was more doubtful.

During the next 7 months of 1958, Wallis sent several ABPC properties to Burbank for consideration as joint ventures, but they were all rejected [199]. In addition, the company also sent several properties to Warners’ New York office between May 1958 and June 1959, but they too were all rejected [200].

The only British story on which ABPC and Warners did manage to agree was *Look Back in Anger* (Woodfall, d. Tony Richardson, 1959), for which the producer Harry Saltzman managed to extract a budget of between £200,000 and £250,000 from the two companies. This was a particularly good deal for Warners, since for a minimal additional outlay, it acquired a film of a play with an international reputation that featured Richard Burton, who at that time was a middle-rank Hollywood star that it had under contract, and to whom it would have had to pay \$125,000 anyway [201]. ABPC’s costs were modest. It only put up £87,500 in return for the distribution rights to the rest of the world, and cross-recoupment rights to any shortfall from North American rentals [202]. Claire Bloom, Burton’s co-star, received only £10,000, playwright John Osborne obtained only £2500 deferred for the rights to the play and Tony Richardson received nothing at all for directing [203].

After that, Latta increasingly rented Elstree out to independent producers and limited ABPC’s productions to cheap comedies featuring British television stars, such as Charlie Drake, Tony Hancock, Ronald Fraser and Harry H. Corbett, none of which did well at the box office [204].

The other British producer to be caught in the power struggle between Warners and Clark was Michael Balcon. In 1958, after much heart-searching, he had sold all the assets of his ailing Ealing group of companies to ABPC, as Warter and Fletcher led him to understand that he could actively continue producing there. Indeed, the press release announcing the takeover had specifically said so [205]. Balcon's most developed project was *The Siege of Pinchgut*, for which he wanted an American artist to star with Van Heflin [206]. ABPC proposed that Warner Bros. should co-finance his project on the same terms as *Look Back in Anger*, but without the minimum guarantee of £37,500 [207]. But Warners was not interested and ABPC had to finance the project on its own. In the end, the film, which was directed by Harry Watt and starred Aldo Ray, turned out to be a failure [208].

Balcon's other project was an adaptation of *If Chance a Stranger*, a Charles Fullerton novel about a British prisoner of war who escapes from a Japanese camp and is hidden and nursed back to health by a Japanese family. Wallis first sent it to Burbank in June 1958 [209]. By July 1960, Balcon and his scriptwriter John Hunter had developed two draft screenplays. Although the project was recommended by Warner's London office, the company again refused to participate, partly because Laurence Harvey would be unable to star and partly because the Burbank office felt there were too many pictures being made with Japanese backgrounds [210]. By ousting Clark, the Board of ABPC had not only halted Clark's own productions, but those of Balcon as well.

As for Clark himself, he was apparently shattered. He told Balcon that the Board had given him no reason for its action other than that a change was desired. Film production was the side of the business that he understood and liked best and the studios at Elstree had never been in better condition, more in demand or turning out films more acceptable to the exhibitors and the public. In addition, the studios were fortified with talents of all grades, including top directors, first-class star material, some of the most promising talent in all branches of the production field and ambitious and cooperative staff in all departments [211].

The other members of the Board were more caustic, however.

Warter informed the Board of Trade that Clark suffered from

a strong anti-American complex which has been responsible in large measure for the failure of Warner Brothers to play a bigger part in making films here in conjunction with ABPC [212].

According to Latta, Clark thought 'the whole industry would rally round him whereas it has been just the opposite and nobody seems to care' [213]. Fletcher concurred:

Clark is a very unhappy man.... He is unhappy because he realises he has been a failure, and what distresses him most is the recognition that he has been unable to get on with his colleagues. He has all the money he wants, but that does not give him happiness. He is looking for an outlet for his activities and is proposing to retire from the Board [214].

It seemed therefore that Warner and his fellow conspirators on the ABPC Board had won. Clark had been isolated, industrial relations had been stabilised and a number of his projects, principally designed for British and Commonwealth cinemagoers, had been cancelled. By 1960, the distribution arms of Warners and ABPC were merged into a single company, Warner-Pathe Distributors. Two major issues remained to be resolved, however: Clark's future with the corporation and the future of the 1945 voting trust.

End Game

As soon as ABPC's press release about his future appeared in *The Daily Cinema*, Clark wrote privately to the Board of Trade dissociating himself from it and asked the Board not to allow Warner Bros. to acquire the voting rights of the one million shares that it wanted to transfer into its own name. These, he pointed out, had been acquired on definite understandings and undertakings given by Sir Stafford Cripps in 1947 [215]. This completely wrong-footed the Board's civil servants who were unaware of the undertakings to which Clark referred. Accordingly, the Economic Policy Committee agreed that the Board would re-examine what undertakings Cripps had given when Warners first purchased the shares [216].

The Board discovered that in 1946 Cripps had informed the Association of Cinematograph Technicians, the film trade union, that the 1945 agreement safeguarded British control of ABPC; and that in January 1947, during Warner's celebratory launch for his film programme at the Savoy Hotel, Cripps had claimed that 'there must be no intention of transforming ABPC into an American corporation'. Although it was arguable whether Cripps's statements amounted to a government undertaking, it was now clear that what the Board of Trade had previously considered to be a simple trade issue was in danger of turning into a large-scale political row [217].

Clark's future and his ability to cause political trouble therefore loomed heavily over the meeting between Fletcher and Sir David Eccles on 13 February. Eccles initially suggested that the transfer of the shares was unnecessary as Warner Bros. was already getting the dividends, but that he did not want interfere in the exercise of the voting rights in those shares as this would affect the operations and management of ABPC. Fletcher, however, claimed that Warner Bros. only wanted the shares registered in its name so that it could raise money on its shareholding, not to exercise the voting rights attached to them [218].

Fletcher emphasised that ABPC's decision about Clark's position was unanimous and not in any way the result of any pressure or suggestion from Warners [219]. Indeed despite the difficulties with him, Warner Bros. was committed to voting for his re-election as a director of the company. Furthermore, Fletcher would be prepared to submit to the Board of Trade for its approval any new director which Warners decided to try to install in Clark's place. But Eccles declined to be drawn, emphasising that the Board had no wish to interfere in the normal business of ABPC [220]. Furthermore, it would be politically impossible for the Board to agree to a transfer of voting rights without making a statement to the House of Commons, which would probably provoke strong criticism from anti-American opinion, as it was likely that Clark would try to engineer such criticism. The Board would therefore wait for Fletcher to submit proposals on how the joint control of the voting rights should be exercised with the least detriment to Warners' ownership of the shares [221].

After the fateful meeting, Fletcher and Latta decided to press matters no further, as Clark could stir up trouble in the press or arrange for an awkward question in the House of Commons [222]. As for the Board of Trade, it waited for 10 weeks for a response from Fletcher, but nothing happened. At the end of April, Lee realised that Clark's personal situation had put the Board of Trade in an impossible position. If Clark was really being as non-cooperative and obstructive as it was alleged, Warners could well be keeping Clark on the Board of ABPC because of the Board's inaction over their shareholding. On the other hand, if the Board did agree to transfer the voting rights in the shares to Warners and there were an open row over Robert Clark's future,

he could pose as the champion of British production interests standing out against the machinations of an American group. This would leave the Board of Trade open to considerable political criticism for transferring the voting rights of over one million shares to an American group [223].

The following week, Sir Philip Warter, who had not been present at the meeting, told Lee that he doubted whether there would be any further response from Fletcher. There had been no discussion at all within ABPC about just how the voting rights to the block of shares should be exercised [224]. Warter and Fletcher clearly discussed the issue, for on the same day, Fletcher reported to Warner that if the transfer went ahead it would precipitate a public debate that would not be in Warners' interest. Any statement that (Sir David) Eccles made to Parliament could precipitate a change in the ITA's attitude to ABPC's television subsidiary. For the same reason, it would also be a mistake to deal with the Clark situation at ABPC's AGM. Indeed this might not be necessary as Clark was looking for a way of retiring gracefully. Furthermore, there was the question of who they should appoint to replace him. Warter wanted Erik Maxwell, but of course this would have to be agreed with Warners [225]. On at least two occasions, Fletcher had already tried to get rid of Clark without a fuss, but on both occasions he failed [226]. Ultimately Clark refused to resign, and so the question of who should replace him on the Board of Directors never had to be resolved.

In Hollywood, the two Warner Brothers were on their way out, although there was no love lost between them. Harry died on 27 July 1958, but Jack refused to go to the funeral. One evening, while returning to his villa on the Cap d'Antibes from the Palm Beach Casino in Cannes after a marathon 6-hour session of baccarat where he had just won 2 million francs, Jack ran off the road in his 1947 Alfa-Romeo. His life hung by a thread; it was many months before he could return to the studio and he gradually ceded control to younger men [227].

Almost immediately after Harry's death, Warter consulted the Board of Trade, as the Maxwell Trustees were thinking of selling off some of their shares to banks or insurance companies [228]. Six months later, after getting the approval of the ITA, the shares were duly offered for sale [229]. A fortnight after that, the Board of Trade learned that Warner Bros. was negotiating in New York to sell its ABPC shares to the British property magnate Charles Clore. This time, the ITA categorically refused to authorise the Warner deal in any shape or form [230]. It was ready to terminate ABPC's television contract if Clore acquired the Warner shares [231]. Needless to say, the deal was aborted.

It was not until 1961 that Warners and the Board of Trade finally managed to resolve matters. After a visit to London, Wolfe Cohen, the new President of Warner Bros. Pictures International, offered to place them with a number of UK institutions and undertook to observe the same voting and other restrictions as those that Warner Bros. Pictures had previously observed, until the sale was completed [232]. As the change meant a reduction in the American ownership of ABPC, the Board decided that it was unnecessary for it to tell the House of Commons and both the Board and the ITA quietly agreed to Cohen's proposal [233].

As for Robert Clark, he replaced Eric Fletcher as Deputy Chairman of ABPC in 1964, when Harold Wilson appointed Fletcher to be Minister Without Portfolio in the new Labour government [234]. Although Clark retained his interest in film production, nothing came of it. In March 1959, as MGM had now withdrawn, he had considered acquiring the film rights to Churchill's *My Early Life* [235]. He told Michael Anderson, who was working in Hollywood shooting pre-production material for *The Wreck of the*

Mary Deare and who he wanted to direct the picture, that he felt the subject matter would be a resounding success in the UK, throughout the Empire and in all other parts of the world, but the American market might be a little more difficult [236]. But Anderson declined. The view in Hollywood was that the subject would not have much success in the American market, unless *the story* could stand up on its own, regardless of its association with Churchill [237].

Early in 1969, Clark was also interested in acquiring the rights to Alastair MacLean's *Puppet on a Chain*. He therefore prepared a rough script for Maurice Silverstein of MGM [238]. But nothing came of that project either. Within a few weeks EMI, who had just bought a controlling interest in ABPC, ousted Clark from the company. When he died in 1984, his estate was worth £855,000 [239].

Conclusion

Despite Jack Warner's brave promises in 1947, the only film that he finally coproduced with ABPC was *The Hasty Heart*. He made all Warners' other British productions through the company's wholly-owned own subsidiary, Warner Bros.–First National. After the disagreement over the rights to *The Moonraker*, Warner Bros. rejected every other British story suggested by ABPC. Instead Jack Warner wanted, and got, first Audrey Hepburn, and then Michael Anderson, for his own productions. Despite his insistence that Latta put on the record that no-one at Warner Bros. had anything to do with Clark's departure from Elstree, the evidence clearly shows that Warner and Fletcher actively conspired to get rid of Clark in order to obtain overall control of ABPC's operations at Elstree.

The removal of Clark from office, on the heels of the demise of Michael Balcon's unit at Ealing, represented the end of an era for British film production. In future, no British films, apart from cheap bawdy comedies, would recoup their costs in the domestic and Commonwealth markets. In future, they would have to be international productions, financed on an individual basis and designed to appeal to the American market. No longer would there be any permanent employment for technicians.

Sir Frank Lee and the civil servants at the Board of Trade proved inept in their defence of British production interests. It was only when Clark threatened to make public Warner Bros. intention to take control of ABPC that Sir David Eccles prevented Warners from doing so. It was the robust attitude of his Labour predecessors, Hugh Dalton and Sir Stafford Cripps, and later Sir Robert Fraser, the Director-General of the ITA, that limited Warner Bros. influence at ABPC. Even so, the views of ABPC's Board of Directors on trade policy now became those of the Warner Bros. faction, not those of Clark.

The conspiracy of silence by ABPC's directors about Clark's removal from Elstree, the failure by the British trade press to enquire or comment upon the lambent phrases in the company's misleading press release, and the removal by the British Film Academy from its printed record of Clark's anti-American views about the future of British film production, all stifled public debate about an important dimension of future British film policy, namely, whether to revise the definition of a British film in the 1960 Films Act. The story of Clark's dogged attempts to keep alive John Maxwell's vision of a British film studio that would produce films that could recoup their costs in British and Commonwealth markets was therefore virtually expunged from the historical record. Until now, the full story of that struggle has lain hidden in archives situated in both Kew and Los Angeles.

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NOTES

- [1] Robert Clark relieved of executive responsibility at Elstree, *The Daily Cinema*, 7950, 23 January 1958, p. 6. A week later, the same announcement was printed verbatim, under the title 'ABPC executive changes' at the bottom of the page by *Kinematograph Weekly* (30 January 1958, p. 11).
- [2] Edward Goring, Star maker loses film job, *Daily Mail*, 25 January 1958.
- [3] *Ibid.*
- [4] Jack L. Warner Collection, University of Southern California (hereafter JLW): 68:29, extract from minutes of ABPC Board of Directors, 22 January 1958.
- [5] *The Nation*, 26 February 1927, cited by Linda Wood in her *British Films 1927-1939* (London, 1986), p. 7.
- [6] Linda Wood, *op. cit.*, p. 15.
- [7] Public Record Office, Kew (hereafter PRO): BT 258/446 Associated British Picture Corporation; controlling interests; policy; item 9, memorandum by W. O Newsam, 24 August 1949.
- [8] The Right Honourable Lord Fletcher LLD, *Random Reminiscences of Lord Fletcher of Islington* (London, 1986), p. 25.
- [9] PRO: BT 258/446, *op. cit.*
- [10] *Ibid.*
- [11] PRO: T 172/1957: Sir Alan Lascelles (Private Secretary to HM the King) to Sir Kingsley Wood, 14 June 1941.
- [12] *Ibid.*, unsigned manuscript note.
- [13] *Ibid.*, H. Wilson Smith (Private Secretary to Chancellor of Exchequer) to H. J. B. Lintolt (Private Secretary to President of Board of Trade), 19 June 1941.
- [14] Fletcher, *op. cit.*, p. 25.
- [15] PRO: BT 258/446, *ibid.*
- [16] *Ibid.*
- [17] PRO: BT 258/446, item 21.
- [18] *Ibid.*
- [19] Anon., The quiet leader, *Kinematograph Weekly*, 9 July 1953, p. 5.
- [20] Norman Lee, *Money For Film Stories* (London, 1937), p. 191.
- [21] Ted Willis, *Evening All. Fifty Years Over a Hot Typewriter* (London, 1991), p. 164.
- [22] Robert Clark, Making a picture 1: finding the story, *ABC Film Review* (February 1951), p. 13.
- [23] *Ibid.*
- [24] Express Staff Reporter, He aimed to star Churchill, *Daily Express*, 2 August 1948.
- [25] Fletcher, *op. cit.*, pp. 24-25.
- [26] Willis, *op. cit.*, p. 164.
- [27] Howard Thomas, *With an Independent Air: encounters during a lifetime in broadcasting* (London, 1977), p. 125.
- [28] Oral testimony of Betty Warner Sheinbaum (Harry Warner's daughter) to Jean Stein, for her

- 'Annals of Hollywood, West of Eden, the rise and fall of Jack L. Warner's paradise', *The New Yorker (California Issue)*, 23 February and 2 March, 1998, pp. 150–170, at p. 152.
- [29] Oral testimony of Jack Warner Jr. (son of Jack Warner, by his first wife, Irma Solomon), *ibid.*, p. 153.
- [30] Sheinbaum, *ibid.*
- [31] Testimonies of Jack Warner Jr. and Jean Howard (a close friend of Ann Warner), in Stein, *loc. cit.*, pp. 153, 163.
- [32] Sheinbaum, *loc. cit.*, p. 162.
- [33] Sheinbaum, *loc. cit.*, p. 156.
- [34] Warner Bros. Archive, University of Southern California (hereafter WBA): 2851, letter from J. L. Warner to Eric Fletcher, 13 May 1947.
- [35] Vincent Sherman, *Studio Affairs: my life as a film director* (Lexington, KY, 1996), p. 177.
- [36] For details of press coverage, see JLW: 1948 Scrapbook.
- [37] WBA: 12746, agreement of 31 December 1947. The percentages were: 20% of the UK gross, 25% of the USA gross, and 30% from the rest of the world.
- [38] *Ibid.*
- [39] Great Britain: Board of Trade, *Memorandum of Agreement between His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Motion Picture Industry of the United States of America Dated 11th March, 1948* (Cmd. 7421), (London, 1948).
- [40] WBA: 2851, minutes of Meeting of Directors of ABPC, 26 October 1948.
- [41] WBA: 2851, Fletcher to Warner, 29 October 1948.
- [42] WBA: 2851, Sam Schneider (Warner Bros. Pictures Ltd.) to Jack Warner, 11 July 1949.
- [43] PRO: BT 64/258/446, item 24, amended contract between Associated British Picture Corporation and Warner Bros. Pictures Inc., 10 August 1949. Whether this was agreed by the Board of Trade is not clear. [The other four films were *Captain Horatio Hornblower* (d. Raoul Walsh, 1951), *Where's Charley?* (d. David Butler, 1952) *The Crimson Pirate* (d. Robert Siodmak, 1952) and *The Master of Ballantrae*. (d. William Keighley, 1953).]
- [44] Richard Attenborough, in Brian McFarlane (ed.), *An Autobiography Of British Cinema* (London, Sydney, Auckland and Parktown, 1997).
- [45] For details, see Vincent Porter, The Robert Clark account, 20 (4) (October, 2000), pp. 469–512.
- [46] For further details, see Vincent Porter, Outsiders in England: the films of the Associated British Picture Corporation, 1949–1958, in Justine Ashby and Andrew Higson (eds), *British Cinema, Past and Present* (London, 2000), pp. 152–165.
- [47] JLW: 62:18, Warner to Clark, 6 April 1950.
- [48] JLW: 65:8, Warner to Clark, 30 May 1952.
- [49] JLW: 62:18, Warner to Clark, 12 August 1950.
- [50] JLW: 65:8, Sir Philip Warter to Clark, 5 March 1952. In 1957, Clark turned the story into an ABPC film starring Eric Portman and Celia Johnson, directed by J. Lee Thompson.
- [51] Howard Thomas, *op. cit.*, p. 125.
- [52] Richard Todd, *In Camera* (London, 1989), p. 28.
- [53] Lindsay Anderson (chronicler and ed.), *Making a Film: the Story of Secret People* (London, 1952), p. 15; and Alexander Walker, *Audrey* (London, 1994), p. 43.
- [54] Alexander Walker, *op. cit.*, p. 59.
- [55] JLW: 65:8 Clark to Warter (in Hollywood), 21 February 1952. Watkyn was the pseudonym of A. T. L. Watkins, the Secretary of the British Board of Film Censors.
- [56] JLW: 65:8: Warter to Clark, 5 March 1952.
- [57] JLW: 65:8, Clark to Warner, 13 March 1952; and Warner to Clark, 15 March 1952. JLW: 13:28, Clark to Warner (copied to Steve Trilling), 27 April 1952. Clark was prepared to offer £7500, but Warner would only offer £5000.
- [58] *Variety*, 21 May 1952.
- [59] *Daily Mail*, 8 May 1952.
- [60] WBA: 12666A, draft agreement between Warner Bros. Pictures Inc. and ABPC, dated 1952.
- [61] JLW: 13:28, record of telephone call, Gerry Blattner (Warner Bros., Teddington) to Steve Trilling (Warner Bros., Burbank), 4 November 1952; and telegram, Trilling to Blattner, same date.
- [62] JLW: 13:28, Blattner to Trilling, 5 November 1952.
- [63] Clark finally made *The Moonraker* in 1958 as an ABPC production starring George Baker and Sylvia Syms and directed by David MacDonald.
- [64] JLW: 65:8, Clark to Warner, 1 December 1952.

- [65] WBA: 2949, Warner to Latta, 20 April 1954.
- [66] WBA: 29:49, Clark to Sam Schneider (Warner Bros., New York), 26 April 1954.
- [67] JLW: 16: 19, Walter MacEwen (Warner Bros., Burbank) to Frederick Gotfurt (ABPC, Elstree), 11 May 1954.
- [68] *The Good Companions* was reissued in 1931 and 1936, filmed in 1933 by Gaumont–Welsh–Pearson (d. Victor Savile) and turned into a play in 1935; *Love for Lydia* was republished in paperback in 1956; *The Gowk Storm* went through many impressions and was reissued in 1950.
- [69] JLW: 16:19, MacEwen to Gotfurt, op. cit.
- [70] JLW: 16:19, Clark to Schneider, 29 July 1954. In fact, Allied Artists and Billy Wilder subsequently produced *Ariane* under the title *Love in the Afternoon*.
- [71] JLW: 16:19, Clark to MacEwen, 3 August 1954; MacEwen to Clark, 10 August 1954.
- [72] Clark to MacEwen, 24 August 1954.
- [73] JLW: 16:19, Walter C. Mycroft to Robert Clark, 6 September 1954.
- [74] JLW: 16:19, Clark to Steve Trilling (Jack Warner's assistant), 14 September 1954. The story was produced for Rank by Betty Box and Ralph Thomas in 1958, starring Yoko Tani as Suzuki San.
- [75] JLW: 16:19, Alan Goatman (General Studio Manager, Elstree) to Kurt Frings, 17 November 1954. Clark offered to forego ABPC's contractual right for Hepburn to appear in one of its films, and advance between £50,000 and £75,000 on delivery, provided the picture was shot at Elstree, the British Empire distribution rights went to A. B. Pathé, and Warner Bros. was given first offer to acquire the non-Empire rights.
- [76] Michael Powell, *Million Dollar Movie* (London, 1992), pp. 251–254. Paramount was prepared to put up £250,000 of the film's £375,000 budget.
- [77] Michael Powell, op. cit., pp. 276–277; Kevin Macdonald, *Emeric Pressburger* (1994), p. 354.
- [78] JLW: 65:70, Clark to Warner, 20 September 1956.
- [79] JLW: 65:70, Warner to Clark, 18 September 1956 (copy in JLW 17:23).
- [80] JLW: 65:70, Clark to Warner, 20 September 1956.
- [81] JLW: 65:70, Clark to Warner, 21 September 1956. Allied Artists had to agree to use Elstree Studios if the film were made in England, to grant Associated British Pathé the right to distribute the film in England for 25% of the gross, plus the costs of prints and publicity, and to pay ABPC 10% of the film's worldwide profits, including £50,000 on account—as well as paying Hepburn herself a fee of between \$250,000 and \$300,000 on account of 7.5% of the distributors gross.
- [82] JLW: 65:70, Warner to Clark, 3 October 1956.
- [83] JLW: 65:70, Clark to Warner, 15 October 1956, (plus marginal manuscript note by Warner).
- [84] JLW: 65:70, Warner to Clark, 19 October 1956.
- [85] PRO: BT 258/446 G. F. Bolton, minute of a conversation with Sir Philip Warter, 31 March 1953. Catherine Maxwell had died in 1951.
- [86] Thomas, op. cit., p. 143.
- [87] Thomas, *ibid.*; for Fletcher's contributions to the television debate, see *Parliamentary Debates*, fifth series: 527 (3–21 May 1954), cols 2183–5, 2301–2 and 2353–8; 528 (24 May–18 June 1954), cols 528, 656, 692–3, 905–8, 917 and 1114; 529 (21 June–9 July 1954), cols 159 and 167.
- [88] General Post Office, note of 26 February 1954, cited in Bernard Sendall, *Independent Television in Britain, Volume 1, Origin and Foundation 1946–62* (London, 1982) at p. 82. Howard Thomas went on to become Managing Director of ABC Television.
- [89] Sendall, op. cit., p. 83.
- [90] *Annual Report of the Associated British Picture Corporation, Year Ending 31 March 1955*.
- [91] PRO: BT 258/446, Item 28, Sir Frank Lee to A C Hall, 20 June 1955. Cecil and Sidney Bernstein, who owned the smaller Granada group of cinemas, had been awarded the commercial television franchise for the North of England.
- [92] Sendall, op. cit, pp. 83–84; and Fletcher, op. cit., p. 176.
- [93] Thomas, op. cit., p. 147.
- [94] *Today's Cinema*, 13 July 1953, p. 3; and 10 August 1953, p. 5.
- [95] PRO: BT 288/446, S. Golt, minute, 14 April 1954.
- [96] PRO: BT 258/446, minute by (Sir) Frank Lee, 10 January 1955.
- [97] PRO: BT 258/446, item 53, George Bolton (Bank of England) to Sir Frank Lee, 21 December 1956.
- [98] PRO: BT 258/446, Minute 2, P. B. M. James, 4 January 1954.
- [99] PRO: BT 258/446, Minute 15, G. S. Knight (Films Branch) to Miss Elizabeth Ackroyd, 30 August 1955.

- [100] PRO: BT 258/446, Minute 19, G. S. Knight to Miss (later Dame) Elizabeth Ackroyd, 16 September 1955.
- [101] JLW: 65:70, Clark to Warner, 12 March 1956.
- [102] JLW: 17:23, Trilling to Clark, 20 March 1956. ('King Richard' is a pseudonym for Laurence Olivier, who had previously produced, directed and starred in Shakespeare's *King Richard III*.)
- [103] PRO: BT 258/447/18, confidential minute by G. S. Knight, Films Branch, Board of Trade, of meeting between Warner and the Parliamentary Secretary, 28 January 1958.
- [104] Sheinbaum, in Stein, loc. cit., p. 162.
- [105] Harry got \$30; Jack may stay, *Variety*, 30 May 1956.
- [106] Dennis Hopper, in Stein, loc. cit., p. 162.
- [107] Sheinbaum and Jack Warner Jr., in Stein, loc. cit., p. 162.
- [108] JLW: 65:70, Lord (Brendan) Bracken to Warner, 11 September 1956. [Fletcher gives the date as 1940 (see *infra*. note 121).]
- [109] At one point, however, Warner apparently envisaged that Charles Laughton would play the main role. (JLW: 59:6, Milder to Warner, 30 December 1941.)
- [110] JLW: 65:70, Clark to Warner, 10 August 1956.
- [111] JLW: 65:70, Bracken, *ibid.* and Warner to Clark, 3 October 1956.
- [112] JLW: 65:70, Warner to Clark, 3 October 1956.
- [113] JLW: 65:70, Clark to Warner, 8 October 1956.
- [114] JLW: 65:70, Warner to Clark, 19 October 1956.
- [115] Churchill Archive Centre, Cambridge (hereafter, CAC): CHUR 4/447/58, Bracken to Churchill, 23 October 1956.
- [116] JLW: 65:70, Clark to Warner, 21 December 1956.
- [117] JLW: 65:70, Clark to Warner (copied to Kalmenson and Fletcher), 21 December 1956.
- [118] CAC: CHUR 4/447/68, Churchill to Arthur Loew (MGM), 24 December 1956.
- [119] Anthony Montague Browne, *Long Sunset. Memoirs of Winston Churchill's Last Private Secretary* (London, 1995) p. 234. See also CAC: CHUR 4/447/1-19.
- [120] Clark to Warner, 21 December 1956.
- [121] JLW: 65:70, Fletcher to Warner, 20 December 1956.
- [122] JLW: 67:18, notes of a telephone conversation with Eric Fletcher and Robert Clark, 2 January 1957.
- [123] JLW: 67:25, Folder C, Montague Browne to Warner, 14 August 1957; Telegram, Montague Browne to Warner, 22 August 1957.
- [124] CAC: CHUR/4/447/118, Churchill to Warner, 7 September 1957; and 4/447/121, Warner to Churchill, 13 September 1957. (Warner originally bought the rights for £7500 and Churchill bought them back for £15,000, which was approximately the same amount, bearing in mind the fall in the value of money since 1941.)
- [125] Granada Angling for WB 37.5% in Associated Brit; Semenenko deal a factor, *Variety*, 20 June 1956.
- [126] We're not selling. Semenenko ends ABPC rumours & bid, *The Cinema*, 3 October 1956.
- [127] JLW: 65:70, Fletcher to Warner, 28 December 1956.
- [128] JLW: 65:70, Warner to Fletcher, 31 December 1956.
- [129] PRO: BT 258/446, Minute 32, Sir Frank Lee, 5 November 1956.
- [130] PRO: BT 258/446, Sir Frank Lee to Hilary Scott (NFFC), 12 December 1956.
- [131] BT 258/446/51, memorandum from the NFFC re ABPC Bid, 21 December 1956 [see also Porter (2000) (note 45)].
- [132] *Ibid.*
- [133] PRO: BT 258/446/53, Sir George Bolton (Bank of England), to Sir Frank Lee, 21 December 1956.
- [134] PRO: BT 258/446/54, Minute, 7 January 1957.
- [135] PRO: BT 258/446, President's Office Minute, 2 January 1957.
- [136] PRO: BT 258/446, Minute 47, 17 January 1957.
- [137] PRO: BT 258/446, Minute 46, Sir Frank Lee, 14 January 1957.
- [138] JLW: 65:70, Warner to Fletcher, 31 December 1956.
- [139] JLW: 67:18, Fletcher to Warner, 18 January 1957.
- [140] *Ibid.* (On 10 January 1957, Harold Macmillan had replaced Sir Anthony Eden as Prime Minister. He had appointed Peter Thorneycroft as Chancellor of the Exchequer and replaced him with Sir David Eccles.)

- [141] Ibid.
- [142] Ibid.
- [143] Ibid.
- [144] JLW: 67:18, notes of a telephone conversation with Eric Fletcher, 29 January 1957.
- [145] Fred Zinnemann, *An Autobiography* (London, 1992), p. 155.
- [146] JLW: 67:18, personal dictation by Trilling, cited in, Warner to Fletcher, 12 February 1957.
- [147] JLW: 67:39, Warner to Latta, 4 January 1957.
- [148] JLW: 67:39, Latta to Warner, 14 January 1957.
- [149] JLW: 67:18, Jack Warner, notes on telephone conversation with Eric Fletcher, 29 January 1957 (op. cit.).
- [150] JLW: 67:18, Fletcher to Warner, 8 February 1957.
- [151] JLW: 67:18, Warner to Fletcher, 12 February 1957.
- [152] Ibid. (Erik Maxwell, who was only 20 in 1945, had not finished his university education when Clark was appointed to the Board of ABPC.)
- [153] JLW: 67:18, Fletcher to Warner, 21 February 1957. According to Flora Maxwell, Erik Maxwell's widow, Erik Maxwell was very close to Robert Clark and wanted him to get control of Elstree (conversation with the author, 16 June 2000). It is unclear, therefore, precisely what weight to give to Fletcher's report of his conversation with Maxwell.
- [154] JLW: 67:18, Fletcher to Warner, 28 March 1957.
- [155] PRO: BT 258/446, Minute 50, Fletcher to R. C. Bryant, 23 July 1957.
- [156] Ibid.
- [157] PRO: BT 258/446, Minute 54, Warter to Sir Frank Lee, 28 August 1957.
- [158] PRO: BT 258/446/58, record of a conversation by Mrs Phyllis James, 28 August 1957. (In March, Warter had wanted 20/- per share from 'Warner Bros. or anyone else of substance'; see JLW: 67:18, Warter to Warner, 29 March 1957.)
- [159] JLW: 67:18, Warner to Latta, 18 July 1957.
- [160] PRO: BT 258/447/1, Fletcher to Lee, 28 October 1957.
- [161] PRO: BT 258/447/10, Birch (10 Downing Street) to Neale (Board of Trade), 13 December 1957.
- [162] PRO: BT 258/447/12, A. T. K. Grant (Treasury) to R. C. Bryant (Board of Trade), 20 December 1957.
- [163] Great Britain: *Cinematograph Films Act, 1957*; and *SI 1957/1342, Cinematograph Films (Distribution of Levy) Regulations (1957)*.
- [164] The requisite proportion was defined as 75% of the labour costs excluding the money paid to one person; or 80% of the labour costs, excluding the money paid to two persons, one of whom was to be an actor or actress.
- [165] JLW: 18:27, eady returns on Warner Bros. British quota pictures, Gerry Blattner (Manager, Warner Bros. First National Productions, UK) to Trilling, 11 January 1956. The individual returns were: *Captain Horatio Hornblower* £110, 273; *Where's Charley?* £26, 703; *The Crimson Pirate* £63, 335; *The Master of Ballantrae* £51, 543; and *His Majesty O'Keefe* £45, 809.
- [166] JLW: 68:29, transcript of a discussion held at the British Film Academy, 'What is a British film?', 11 November 1957, p. 8. [A heavily edited version of the same discussion was published by the BFA under the same title in *Journal of the British Film Academy*, 14–15 (1958), pp. 1–17 (see infra).]
- [167] Ibid., pp. 8–9.
- [168] Other participants at the dinner were: Sir Michael Balcon (film producer), Sir Henry French (British Film Producers Association), Anthony Havelock-Allan (film producer), David Kingsley (Managing Director, National Film Finance Corporation), Frank Launder (film producer), John Lawrie (film producer and former Managing Director, National Film Finance Corporation), Basil Litchford (Twentieth Century Fox), Alexander Mackendrick (film director), Maxwell Setton (film producer) and John Woolf (film producer).
- [169] Ibid., p. 11.
- [170] Ibid.
- [171] JLW: 68:29, Frankovich to Clark, 4 December 1957.
- [172] JLW: 68:29, Clark to Spiegel, 16 January 1958.
- [173] For the official version, see *Journal of the British Film Academy*, op. cit. (supra).
- [174] JLW: 68:29, memorandum concerning draft minutes of meeting of 18 December 1957, Clark to Warter, 8 January 1958. Clark's first board meeting on 18 December was that for ABC Television Ltd. in the same building.

- [175] JLW: 68:29, minutes of meeting of ABPC Board of 8 January 1958.
- [176] JLW: 68:29, minutes of Special Meeting of Directors, 20 January 1958.
- [177] JLW: 68:29, extract of the minutes of a meeting of ABPC Board of Directors, 22 January 1958.
- [178] See note 1 (supra.).
- [179] JLW: 68:29, Latta to Warner, 27 January 1958.
- [180] JLW: 68:59, Warner to Latta, 5 February 1958. Jack and Harry were the only two Warner brothers still alive in 1941.
- [181] Ibid.
- [182] JLW: 68:29, Fletcher to Warner, 4 February 1958.
- [183] JLW: 68:29, Latta to Warner, 19 February 1958.
- [184] JLW: 67:18, Warner to Clark, 22 May 1957. Carole Lesley was an ABPC starlet, who had previously appeared in *These Dangerous Years* (Everest/Anna Neagle for ABPC, d. Herbert Wilcox, 1957) and *Woman in a Dressing Gown* (ABPC, d. J. Lee Thompson, 1957).
- [185] JLW: 67:18, Warner to Clark, 3 December 1957.
- [186] JLW: 67:18, Clark to Warner, 4 December 1957. (Until May, Anderson would be preparing and shooting *HMS Ulysses*, ABPC's big picture for 1958; next he would be directing a thriller called *Wildfire at Midnight*, and finally *The Golden Fool*.)
- [187] JLW: 67:18, Clark to Warner, 5 December 1957.
- [188] JLW: 68:29, Gerry Blattner (Warner Bros. Ltd.) to Warner, 7 January 1958.
- [189] JLW: 68:29, Latta to Warner, 31 January 1958; Latta to Warner, 4 February 1958.
- [190] JLW: 18:32, Wallis to Trilling, 29 January 1958.
- [191] JLW: 68:59, Warner to Latta, 8 May 1958.
- [192] Ronald Morris, A bold policy for the future, *Picturegoer*, 29 March 1958, p. 13. (Morris refers to *She Didn't Say No!* by its original title, *We Are Seven*.)
- [193] Willis, op. cit., p. 142.
- [194] Jack Webster, *Alistair MacLean: a life* (London, 1991), pp. 73, 236. In 1969, ABPC sold the film rights to Count Giovanni Volpi, who commissioned David Osborn to write a screenplay. The project, which was budgeted at £12 million by producer George Brown, was never made.
- [195] Morris, op. cit.
- [196] JLW: 68:59, Warner to Latta, 18 March 1958.
- [197] Morris, op. cit.
- [198] Willis, op. cit., pp. 150, 165–166.
- [199] JLW: 18:32, Wallis to Trilling, 24 February 1958; Trilling to Wallis, 19 March 1958; and Wallis to Trilling, 21 August 1958.
- [200] WBA: 2763, whole file: Wallis to Walter NacEwen and B. Luxton to Harry Meyer, various dates.
- [201] Alexander Walker, *Hollywood England* (London, 1974), pp. 57–58.
- [202] JLW: 68:59, Latta to Wolfe Cohen (Warner Bros., Burbank), 6 May 1958.
- [203] Walker, Ibid.
- [204] They included *Sands of the Desert* (d. John Paddy Carstairs, 1960), *The Rebel* (d. Robert Day, 1961), *Petticoat Pirates* (d. David Macdonald, 1961) and *Go to Blazes* (d. Michael Truman, 1962).
- [205] ABPC bid for ATP and the FIDO implications, *Kinematograph Weekly* 2663, 28 August 1958, p. 3; Michael Balcon, *Michael Balcon presents ... A Lifetime of Films* (London, 1969), p. 189. (Balcon incorrectly gives the date as 1957.)
- [206] JLW: 18:32, Wallis to Trilling, 19 September 1958. At this point, the project was simply called *The Siege*.
- [207] JLW: 18:32, Wallis to Trilling, 26 September 1958.
- [208] Michael Balcon, op. cit., p. 169.
- [209] JLW: 18:32, Wallis to Trilling, 2 June 1958.
- [210] JLW: 20:1, Trilling to Wallis, 26 July 1960.
- [211] British Film Institute, London, Special Collections, Aileen and Michael Balcon Collection (hereafter MEB): I/21, Clark to Balcon, 29 January 1958. (Clark cited directors Michael Anderson, Cyril Frankel and J. Lee Thompson; and stars George Baker, John Fraser, Janette Scott, Sylvia Syms and Richard Todd.)
- [212] PRO: BT 258/447/18, confidential memo by G. S. Knight (Films Branch) following a meeting between the Parliamentary Secretary and Sir Philip Warter, 28 January 1958.
- [213] JLW: 68:29, Latta to Warner, 19 February 1958.

- [214] JLW: 68:29, Fletcher to Bareford, 24 April 1958.
- [215] PRO: BT 258/447/16, Clark to Lee, 25 January 1958.
- [216] PRO: BT 258/447/21, Swindlehurst (Economic Policy Committee) to Knight (Board of Trade), 6 February 1958.
- [217] PRO: BT 258/447/22, brief for the President by E. V. Marchant (Board of Trade), 12 February 1958.
- [218] PRO: BT 258/447/25, minute of meeting between the President and Dr. Eric Fletcher, 23 February 1958. Fletcher's account of the same meeting is broadly the same (see JLW: 68:29, Fletcher to Warner, 18 February 1958).
- [219] JLW: 68:29, Fletcher to Warner, 18 February 1958.
- [220] PRO: BT 258/447 Loc. cit. These points are not covered in Fletcher's account.
- [221] Ibid.
- [222] JLW: 68:29, Fletcher to Warner, 18 February 1958.
- [223] PRO: BT 258/447, Minute 28, Sir Frank Lee, 30 April 1958.
- [224] PRO: BT 258/447, Minute 31, Sir Frank Lee, 5 May 1958.
- [225] JLW: 68:29, Fletcher to Warner, 5 May 1958.
- [226] JLW: 68:29, Fletcher to Bareford, 2 April 1958; and 24 April 1958.
- [227] Cass Warner Sperling and Cork Millner with Jack Warner Jr., *Hollywood Be Thy Name* (Rocklin, CA, 1994), p. 314.
- [228] PRO: BT 258/447, Minute 31, 5 August 1958.
- [229] JLW: 69, Warter to Warner, 5 February 1959. PRO: BT 258/447, Minute 40, 5 February 1959.
- [230] JLW: 69, Fletcher to Warner, 23 and 26 February 1959; Robert Fraser (Director ITA) to Warter, 25 February 1959; Warter to Fraser, 25 February 1959.
- [231] PRO: BT 258/447, Minute 50, 3 March 1959; and Minute 52, 4 March 1959.
- [232] PRO: BT 258/447/53 and 53a, Fletcher to Sir Richard Powell, and Cohen to Sir Richard Powell, both 16 February 1961.
- [233] PRO: BT 258/447, Minute 58, 24 February 1961.
- [234] Thomas, op. cit., p. 125.
- [235] CAC: CHU 4/448A/263, 3 March 1959.
- [236] CAC: CHU 4/449A/7, Robert Clark to Michael Anderson, 4 March 1959.
- [237] CAC: CHU 4/449A, Anderson to Clark, 7 April 1959.
- [238] Webster, op. cit., p. 153.
- [239] Information from Colin Clark, Robert Clark's son. Daniel Angel's estimate of £84 million was therefore wildly inaccurate. See Brian McFarlane (ed.), *An Autobiography of British Cinema* (London, 1997), p. 23.

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