

of patented projection machines at those theaters. The Orpheum Company, having declined to pay the license fee, the Vitagraph Company of America, one of the associated firms of film manufacturers which had hitherto supplied the Orpheum Company's theaters with films, cut off the supply. Whereupon it was sought to compel the Vitagraph Company to continue furnishing films, and to prevent the Motion Picture Patents Company from sustaining the former company in its refusal. In other words, the contention was that the Vitagraph Company had no choice but to break its license agreement with the Motion Picture Patents Company.

The Court refused to grant the injunction asked for, which consequently proves that the Motion Picture Patents Company is within its rights in insisting that its licensed films only shall be used in projection machines which it has also licensed.

As a test case this is of extreme significance in view of the loose comments of ignorant speakers and writers that have been very prevalent during the past few weeks. There appears to be an impression that the imposition of license fees for the use of patented articles is contrary to law and custom. It is not demonstrably illegal, although its abstract expediency may be open to discussion, and that it is customary if not common for a user to pay a license fee, when demanded, can be proved by specific instances. We cite the case, chosen at random, of a patented platinum photographic printing process, introduced some years ago, the users of which were required to pay, and did pay, a license fee for being permitted to work the process.

The legal aspect of this case, moreover, illustrates the common sense of the commercial policy inaugurated by the Motion Picture Patents Company. Their success in eliminating unprofitable competition; suppressing objectionable films and uplifting a popular form of entertainment depends upon the rigid enforcement of their legal rights. If these may be infringed or ignored by persons who are mentally incapable of recognizing them, the condition of the moving picture industry, so far from being improved, will be made worse than before, when the business was ceasing to be either popular or profitable, from causes which it is the object of the company to destroy or render non-recurrent. The refusal of the injunction sought by the Orpheum Company merely shows that law, as a rule, is on the side of common sense.

The Theatrical Ad. Co., of 34 East Fourteenth street, this city, are doing a thriving business in furnishing display signs for theater fronts. The crowds of people that throng the office in the morning hours prove that the business, though young, is one for which there is a field and the work that they are turning out is varied and attractive.

The Independent Film Exchange, Reading, Pa., report that they are buying twelve new reels of Independent film per week and that their business has grown beyond their expectations.

The American Film Service, Chicago, has removed to more spacious quarters on the third floor of the Unity Building, where they occupy a magnificent suite of offices. Mr. Van Runkel, the general manager, assures us that no expense will be spared to make the service the best in America. They have large standing orders with the licensed manufacturers and also buy largely of special or feature subjects.

Selig issues this week a special film, the first of a series entitled "With Taft in Panama." This series should be of great interest and educational value, as it will show more clearly and correctly than newspaper reports what progress is being made in digging the great ditch. This series, it should be noted, is special and does not interfere with the regular weekly issue of their dramatic subjects for which they are justly famous. Selig's films are usually headliners.

MOVING PICTURES IN NATURAL COLORS.

BY THOMAS BEDDING, F.R.F.S.

Specially written for the Moving Picture World.

My recent review of the Smith process of making moving pictures in natural colors reminds me that this inventor was not the first to publicly show the possibilities of illustrating motion in this way. The honor unmistakably belongs to W. Friese Greene, of Brighton, Eng., who at Southampton in that country in July, 1906, gave an exhibition of natural color moving pictures by a system of which he is the patentee. Moreover, and this is of importance to my American readers, I twice saw the results on the screen, in Mr. Greene's own studio, and I was impressed by their encouraging qualities and the undoubted possibilities of the process, which, like that devised by G. Albert Smith, contains the germs of valuable ideas.

THE FRIESE GREENE PROCESS.

Greene's process is not yet made commercially practicable—or, at any rate, it has not entirely passed out of the experimental stage; but besides having seen the results I have carefully studied the patent specification, and with that knowledge I am fully equipped for passing an opinion upon its everyday feasibility and for telling your readers who are interested in the subject—and which of them is not?—just how near it is likely to come to being of use in an ordinary moving picture plant. That is the test by which any process must stand or fall.

Having every desire to act fairly towards the process of Mr. Greene, who is a personal friend of mine, I will follow the example I set myself in writing of the Smith method. I will briefly describe the Greene system, and then discuss it from a practical standpoint. My information is derived from Mr. Greene's own description as given in his patent specification.

First of all, an orthochromatic film is placed in the camera for exposure. In the axis of the lens—that is, behind it and in front of the film—there is also fixed a prism of 20 degrees; next, immediately in front of the film are placed a red and a green screen, in the same plane as the image, that is, one above the other. So there we have the essential factors in the following order: 1, lens; 2, prism; 3, screens; 4, film.

The action of the prism is roughly to assist in passing two images instead of one to the image plane; this it does in virtue of the fact that it refracts some rays of light more than others, and consequently part of the image which passes through the primary lens is deflected to form the second of the two pictures placed one above the other. Both images pass through the screens, and when the positive is made from the negative those images in their turn are passed through other screens and a prism. Roughly the system for exposing the negative is that for projecting the positive.

THE PROCESS CRITICISED.

The patent is singularly lacking in perspicacity. An orthochromatic film is specified; how it is orthochromatized is not stated. About 3,000,000 dyes are available. The use of the prism is decidedly ingenious; I have not tried it, but I doubt if it will transmit a perfectly achromatic image. One of the pictures cannot therefore be sharp. With regard to the screens nothing is said as to the particular kind of dyes that are used. The patent is loosely drawn; ambiguous, and incomplete.

Mr. Greene probably could produce good results according to the data given; I doubt if anybody else could. Nobody else has as yet. The one distinct novelty in it is the use of a prism for forming a second image, and there is doubt if that is wholly effective.

PRACTICAL OBJECTIONS.

To use an orthochromatic film in moving picture work would entail special developing precautions, as the film is more or less sensitive to red rays, which an ordinary film is not. Then again, the exact reasons why an orthochromatic film is specified are not given. I cannot discover—for Mr. Greene does not say—what relationship it bears to the prism and the vaguely described colored screens. The process here is obscure and unworkable. Now to the vital novelty of the system—the prism. It is doubtful if this can form a well defined second image, and if this is so the resulting picture on the screen cannot be quite sharp. The position of the prism would have to be carefully adjusted, a matter hardly to be left to the discretion of an inexperienced photographer. Optically the idea is so much of a novelty that more information on the point is necessary before a definite idea can be given of its practical value; but I incline to the view that it is not commercially workable. No information is given as to what colors are used in the taking and viewing films; a fatal omission, which needs no comment.

On the whole, then, it must be said that though the Friese Greene process is clever, and is possibly susceptible of being made commercial, in its present form it can only be compared to the Smith process, namely, as experimentally interesting. The use of a prism for forming a second image, thus making the process a two-color one, is the outstanding novelty of Mr. Greene's invention, and I have to be convinced that this will be found of value in actual work.

Further particulars of the Smith and Greene processes will be awaited with interest; the readers of the Moving Picture World know all that can be known up to now, a knowledge which is of negative value at any rate. It amounts to this, that neither process is at present of much practical value in producing moving pictures in natural colors.

DULUTH BUILDING INSPECTOR MAKES SOME SENSIBLE SUGGESTIONS.

The Duluth, Minn., Council has approved a report on the moving picture shows made by Building Inspector S. M. Kielley.

Mr. Kielley says in his report that all places, where there are moving picture exhibitions, should be required to maintain not less than two exits in the rear, or at least one in the rear and one in the side of the building. These exits should open on a street, alley or court yard which must not be less than eight feet in width.

He recommends that no license be issued for a moving picture show unless it is in a brick building. His third proposal is that no part of a building in which a moving picture show is held, shall be heated by a stove or a hot air furnace and that the operators shall be required to have a license from the city electrician certifying that they are competent electricians.

The inspector thinks that the operator's stand should be constructed of iron posts and galvanized iron sheeting, making it absolutely fire proof and that the stand should be properly ventilated.

Mr. Kielley has no fault to find with the theater managements. He says that he visits the "legitimate" show houses at least once a week, and that he has found the managers ready and willing to comply with any request which he may make to promote the safety and comfort of the patrons. On one or two occasions he has found that standing room has been sold, but when he informed the managers that such a practice is in violation of the ordinance, it was not repeated.

OBSERVATIONS BY OUR MAN ABOUT TOWN.

The words "trust" and "anti-trust" have been freely used by the so-called Independents in their campaign. This might have some weight if they would first prove the existence of a "trust" in the generally accepted sense of the term. In this case it is a misnomer. It has also been alleged that it is the aim of the combine to eventually exhibit their own films if the exhibitors do not accede to their terms. The absurdity of this will be seen when it is known that the charter of the company provides for no such course and that it was purposely evaded. They will never go after the business of the exhibitor, nor that of the exchange man.

At the same time it may be well to warn all exchange men and exhibitors who have been licensed that no offense will be condoned—no apologies accepted—no "will not do it again" plea will be listened to. The licensee who violates any of the terms of his agreement is cut off promptly from service—that is all.

* * *

Have you noticed the lull in the moving picture field? Much of the independent spirit that throbbled so audibly in the breasts of some enterprising men seems to have oozed out and sought some dark corner. At all times and in all quarters there is a well defined sentiment against the creation or promotion of anything that looks like a trust. There is a natural combative spirit in all quarters of the globe against combination of that sort, but, after all, what does it amount to? A momentary flurry, and then all is over, except the murmuring protest. We soon find the spellbinders wearing trust clothing, eating trust beef cooked with trust coal and drinking trust coffee sweetened with trust sugar. Much is heard of public spirited men who stand ready to throw a million or two of dollars to fight the trust, but there it ends. In nine cases out of ten where the money is put up we find the case a spasmodic one that soon submits to a treatment of premiums on the investment from the attacked quarters. When the statement is made that half a dozen or more men are ready to invest a hundred or more thousand dollars each to launch moving picture manufacturing plants against the patents combine I am inclined to believe that it is a true statement, so far as it goes. There are more people anxious to "butt into" that line of manufacture than there are consumers. They see big returns on the investment as conditions exist to-day, but you don't see any money rolling into the project just now, do you? No indeed. All the fellows with the money stand ready, but to be ready and to let go of the yellow backs are two different propositions. No matter how wealthy the man may be, you do not find him anxious to buy law suits, and if he sees that an open market is going to make a cut-rate field in the manufacturing, renting and exhibiting business he will take time to figure on how much the testing of patents is going to cost and how big a cut in profits an open market will make.

* * *

I felt a week ago that the so-called independent movement was on the wane, and I think to-day it is still waning. During the past week I have neglected the exhibition field almost entirely in order to test the pulse of the licensed manufacturers and film exchanges. The results have been surprising to me. Two weeks ago the licensed manufacturers were deluged by notices of cancellations of standing orders from the film exchanges they were supplying. Not more than ten per cent. of the exchanges failed to safeguard themselves by filing these notices. Each exchange explained that they were guarding against a sudden slump in business on account of so many exhibitors declaring they would not take a license from the Motion Picture Patents Company. Take it from me as a fact, all these cancellation notices have been withdrawn. I will admit that the concession of the Patents Company giving exchanges the privilege of cancelling their standing orders on three days' notice brought about the wholesale withdrawal of cancellations, but at the same time I contend that the most important factor in the restoration of confidence has been the return of so many exhibitors from the independent service to the licensed one. I do not pretend to say that this turn of affairs is due to poor service given by the independents. I do not claim that the subjects furnished by the independents are poor. It is not a question of quality so much as it is of variety. From what I have seen and heard I am convinced that no nickelodeon can hold its patronage by throwing on the sheet day after day only films of foreign manufacture. The audiences demand something with a home color to it and while it is quite true that some independent sources have succeeded in delivering both grades of goods, it is also true that the home color is not sufficient to hold the trade. I laid particular stress upon this in conversation the other day and was assured that it