

MOTION PICTURE PRODUCERS & DISTRIBUTORS OF AMERICA, INC.

28 WEST 44TH STREET

NEW YORK CITY

WILL H. HAYS
PRESIDENT
CARL E. MILLIKEN
SECRETARY

OFFICE OF THE PRESIDENT

February 27, 1939

Mr. Amon Carter,
Fort Worth,
Texas.

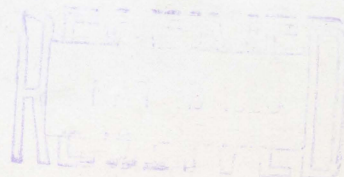
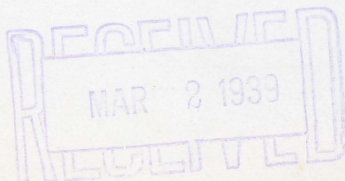
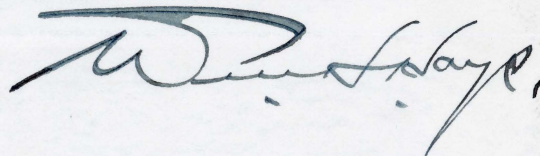
Dear Amon:

When in California last I received from here a copy of the press release which was to be used in connection with the gift from the Will Rogers Memorial Commission to the Infantile Paralysis Cause. I forwarded copy of this release to Mr. Lawler and Mrs. Rogers, and sometime later, on my return, I received a letter from Mr. Lawler relative thereto. A copy of that letter is enclosed.

Because of Mr. Lawler's interest and importance in the whole matter, and our desire that he be acquainted with everything, I have written him fully, copy of which is also enclosed.

With kindest personal regards, I am

Sincerely yours,



C
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Y

LAWLER, FELIX & HALL
Standard Oil Building
Los Angeles, Cal.

February 13, 1939.

Honorable Will H. Hays,
28 West 44th Street,
New York, New York.

Dear Will:

Thanks for yours of February 9 enclosing copy of letter to Mrs. Rogers of even date and memorandum approved by Mr. Hartfield concerning allocation of \$100,000.00 by the Will Rogers Memorial Commission as contribution to the National Infantile Paralysis Foundation.

Absence from the office prevented my telephoning and this letter is addressed to you at New York, anticipating your early arrival there.

With reference to the contribution to the Infantile Paralysis Foundation, do you not think that it is a departure establishing a precedent which will plague the Commission hereafter? Should not the use of the memorial funds be confined strictly to Will Rogers Memorial purposes? Are not contributions to the Infantile Paralysis Foundation, or any other equally worthy charity, so general in their nature as to entirely submerge any suggestion of memorial? Once the Commission departs from the memorial principle, will it not thereby be cast adrift and required to respond to applications for contributions upon the abstract basis of worthiness rather than association with the Will Rogers Memorial?

At the conference at the Rogers ranch attended by Mr. Jones, there were many suggestions for the allocation of the memorial funds. Most of these were considered not distinctive and the Will Rogers Memorial feature would be entirely submerged. Mr. Jones' suggestion for Will Rogers scholarships at the Universities of Oklahoma, Texas, and California received most favorable consideration and met the unqualified approval of Mrs. Rogers, largely, I think, because these scholarships are perpetual and the respective funds susceptible of augmentation, the Will Rogers Memorial feature being always maintained.

I appreciate how difficult it is for the members of the Commission to withstand the urgent appeals from all sorts of worthy charities; it seems to me, however, that hewing to the line of the Will Rogers Memorial feature will save much discussion and possible tribulation.

It was kind of you to ask an expression of my views. Liberty has been taken of communicating them to Mrs. Rogers, whose confidence I believe is not violated in saying that she is in accord therewith.

It was anticipated that meeting of the Regents of the University of California would be held on Friday last, and that the agreement concerning the Will Rogers Memorial Scholarship Fund at the University of California at Los Angeles would be then executed; inability of several of the Regents to attend forced a postponement until next Friday, February 17, at which time Mr. Calkins assures me the meeting will be held and the agreement executed.

With best wishes, I remain

Sincerely yours,

(sgd) Oscar Lawler

OL:HM

(cc-Mrs. Rogers)

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February 27, 1939

Mr. Oscar Lawler
Standard Oil Building
Los Angeles, California

Dear Oscar:

I have not been unmindful of your letter of the thirteenth relative to the newspaper announcement made by Major Thompson which had been forwarded to me in connection with the Will Rogers Memorial Commission's contribution to the National Infantile Paralysis Effort and which I had forwarded to you and Mrs. Rogers.

One cannot negative the force of your observations as to the probability of scattered gifts being more or less submerged and personally I would be pleased, and I think the others would be pleased, to have the Commission's percent of the money raised in the theatres added to the amounts which have been contributed to the State Universities or otherwise always spent in the manner most definitely connected with the original purposes of the Memorial.

We remember that from each theatre drive there is first deducted the cost of the drive; then \$100,000 is allocated to the Will Rogers Memorial Hospital to apply on the year's current expenses; then of the next \$200,000, 80 percent goes to the Will Rogers Memorial Hospital Fund and 20 percent to the Commission itself (for whatever purpose it chooses in line with its objectives); then all above this amount is divided 60 percent to the Will Rogers Hospital Fund and 40 percent to the Commission. In the drives concluded, a substantial sum has gone to the Commission from this percentage, and some of that has been added to the amount to be used in making the gifts to the universities.

Last spring it was decided that from this particular accumulation resting in the Commission, an amount of \$50,000 would be spent "for the benefit of handicapped children, distributed through local institutions." It was natural to do this both because of the Commission's original purpose and because this purpose had been announced to the public in the publicity of the drive last year when the advertising



matter mentioned the fact that the collections would go for the Will Rogers Memorial Hospital and for the benefit of handicapped children. Thus advising the public carried both the privilege and the responsibility of using some of the money collected in the theatres for the benefit of handicapped children.

It was further thought advisable that this \$50,000 be distributed through local institutions as such course both carried out the purpose and would aid in the stimulation of the giving in the next drive. This latter reason was quite compelling to the Executive Committee when the money was appropriated in this manner because of the assurance of its value to that end by the Theatre Committee conducting and responsible for the success of the drives. It was the Executive Committee's idea that such Theatre Committee might very advantageously advise with the Executive Committee as to the local institutions where the greatest benefit would result upon the receipt of such gifts based on where the greatest need obtained.

Accordingly, the Theatre Committee was called in for such purpose and spent some time in the consideration of the most beneficial distribution of this \$50,000, consulting with each other and with the representative designated by the Executive Committee, Mrs. Roberta Lawson. It was the view of the Executive Committee, too, that this type of distribution, in addition to its value by way of stimulating future drives, very definitely was within the scope of the purpose of the original drive by the Commission and would be recognized by the public as a discharge of that purpose, and would be in itself a memorial action current and alive.

It was during the consideration of where this \$50,000 would be given that circumstances arose which caused the Infantile Paralysis machinery and objective to be used. The development of this was both unexpected and unusual, but from all the circumstances seemed to the Executive Committee to be the proper course to take. The principal causative elements entering into this conclusion were the insistence by the Infantile Paralysis people that collections be taken in all the theatres during Infantile Paralysis Week for the benefit of that cause, and that this be a thorough and earnest effort; also the feeling on the part of some of the important motion picture theatre folks that this should be done, notably Mr. Joseph M. Schenck, Chairman of Twentieth Century-Fox, controlling a large number of theatres, and himself the Vice-President of the whole Infantile Paralysis Drive; the belief of many that such an Infantile Paralysis Drive could

not be avoided in at least a large number of the affiliated theatres and the conviction of almost everyone concerned that if such drive was made, it would most seriously affect the total collected in the Will Rogers Hospital Drive in April. This last opinion was so strong in the Theatre Committee itself that Major Thompson, who has been chairman of each of the drives and who is chairman of this year's drive and on whom rests the very greatest responsibility, announced that if the Infantile Paralysis Drive was held in the theatres it would so damage the success of the Will Rogers Hospital Drive that he would resign and refuse to be responsible for the latter effort.

This situation became quite serious and it was decided that inasmuch as it had developed to be entirely impossible to avoid the drive in the theatres for the Infantile Paralysis Cause, an effort be made to avoid such drive by a contribution in lump sum from the Commission's surplus accumulated from monies collected in the theatres and which monies were actually collected partly for the benefit of handicapped children. There was no doubt that a gift through the Infantile Paralysis organizations to local institutions to be used for children handicapped with infantile paralysis was a complete discharge of the responsibility and privileges for which the money was collected -- it was just a matter of using that machinery instead of our own to get it into the service intended -- and that its usefulness in the stimulation of collections in the next drive might be quite definite.

It was therefore first proposed for the Commission to give the \$50,000 already collected and already appropriated out of the monies collected in the theatres. It developed, however, that it was impossible to avoid collections in the theatres for infantile paralysis with the gift of \$50,000 because of the claim of the infantile paralysis people that very much more could be collected. Whether that was true or not, the worry was not lessened as to the effect on the April drive for the hospital, and the matter was concluded by the Commission promising \$50,000 at once to be spent through the local chapters in local institutions for the benefit of children handicapped with infantile paralysis, together with an additional \$50,000 to be paid out of the monies collected in the theatres in the April drive and flowing into the surplus of the Commission through its percentage to be used as it sees fit.

Those responsible for conducting the drive this year believe that the total collected will be increased considerably by the announcement that some of the funds collected will

be used for infantile paralysis. I am advised that it is planned only to make such reference to such purpose as is proper to acquaint the giver with the fact that such is one of the objectives of the gift, just as last year it was announced that in addition to the gift going to the benefit of the Will Rogers Memorial Hospital for the needy of stage and screen, a portion would be used for the benefit of handicapped children. As it was believed then that the announcement of that added purpose of handicapped children stimulated the giving, so it is believed now that the added announcement of the Infantile Paralysis Foundation will stimulate this year's drive. Thus it is thought that while the gift is a substantial amount from the Commission's funds, it performs not only its definite purpose for a good cause worthy of the Memorial, but, as a practical matter, it may possibly help in the total amount collected.

In connection with reviewing the matter, since my return I have made inquiry at the Will Rogers Memorial Commission office as to the amounts collected at different times and through different avenues, and am noting them here because I think the information may be of interest to you.

In the original 1935 Will Rogers Memorial national drive, the gross collected was \$266,786.68. The expenses of this drive were \$65,331.89. Of this expense the sum of \$50,000 was paid by the aviation industry, which \$50,000 was not included in the \$266,786.68 noted above as the gross collection. This left \$15,331.89 expense of drive necessary to be paid in some manner other than taking it from the \$266,786.68 because of the plan announced that all monies collected would go to the cause. It was thought in the beginning that the aviation industry would pay all the expenses, but, as it worked out, they only paid \$50,000.

You will remember that when the Theatre Circuits gave to the Commission the hospital which originally cost \$1,045,000, they pledged the sum of \$500,000 cash, payable \$100,000 a year for five years, with the understanding that in lieu of such cash payment of \$100,000 for five years, drives might be held each year for the five years with a view of increasing this guaranteed amount. This course was very much desired, of course, by the Commission and has been the plan followed to date.

The 1936 theatre drive resulted in:

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Total Collections	\$402,883.25
Expenses of Drive	<u>19,931.81</u>
Net Collections	\$382,951.44

Of this the Commission got as its percentage for any use desired, the sum of \$60,248.13. This exact amount was the result of certain settlements, additional expenses, etc.

The 1937 theatre drive resulted in:

Total Collections	\$391,407.31
Expenses of Drive	<u>33,672.81</u>
Net Collections	\$357,734.50

Of this the Commission got as its percentage under the contracts the sum of \$63,093.80.

The 1938 theatre drive resulted in:

Total Collections	\$389,894.11
Expenses of Drive	<u>32,180.05</u>
Net Collections	\$357,714.06

Of this the Commission got as its percentage under the contracts the sum of \$75,957.64.

Thus, the total amount which has come to the Commission itself as its percentage from the three drives, after the amounts have gone for the maintenance and sinking fund of the hospital, the sum of \$199,299.57.

I find the Commission has either paid out or plans to pay the following:

To California: for the university	\$125,000	
To Texas: for the university	60,000	
To Oklahoma: for the university ..	\$76,620.67	
for the museum	23,379.33*	
to Murrow Indian		
Orphan Home	<u>25,000.00</u>	<u>125,000</u>
Total		\$310,000

* This is the amount contributed by Oklahoma.

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For the payment of this \$310,000 the Commission is using the \$266,786.68, the total amount collected in the original national drive (less \$3,728.77 thereof which was used for administration expenses incurred from May 15, 1936, to December 31, 1936), together with \$46,942.09 from the percentage that has come to the Commission from its percentages of the theatre drives, i.e., from the total of \$199,299.57, thus accumulated.

In addition, out of the money which has come to the Commission from the theatre drives, the Commission has appropriated the \$15,331.89 necessary to conclude the payment of the balance of the expenses of the original drive not paid by the aviation industry, thus making good on the statement made at the time of the original drive that the expenses thereof would be paid otherwise than out of monies collected in the original drive itself.

This review convinces us further, of course, as to the significance of the amount and the usefulness of the monies collected in these theatre drives, and rather indicates the propriety of avoiding the worry expressed by those responsible for the success of the drive that an additional drive in the theatres shortly preceding the drive planned for the hospital this year would be quite disastrous to the success of the theatre hospital drive. We are very anxious, of course, that the two additional drives this year and next be very successful.

I went over the matter before I left with Mrs. Rogers and indicated to her, too, the worry that the whole new development caused us initially, but expressed to her as I do now to you my opinion that the course taken finally by the Executive Committee was the best for the whole situation under all the circumstances. It is to be remembered, of course, that the money given to the Infantile Paralysis Cause comes out of money which will be usable to that end under the announced purpose of the collections and under the whole purpose and record. These facts do not lessen the certainty of your observation that there is more impression made if larger sums had gone or could go to the universities or to other pertinent enterprises that would carry a continuing Memorial emphasis.

There is no pledge, as I understand it, anywhere which involves any other gifts to any cause. It is to be noted, however, that Secretary Hurley has expressed the earnest hope that another gift might some time be made to the Murrow Indian Orphan Home.

With kindest personal regards, I am

Sincerely yours,

(sgd) Will H. Hays