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Themes and issues in the motion picture industry as seen through the Billboard, 1920-1930.

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THEMES AND ISSUES IN THE MOTION PICTURE INDUSTRY AS SEEN THROUGH THE BILLBOARD, 1920 - 1930

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ABSTRACT

THEMES AND ISSUES IN THE MOTION PICTURE INDUSTRY AS SEEN THROUGH THE BILLBOARD, 1920-1930.

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This thesis examines a variety of themes and issues in the motion picture industry as evidenced in The Billboard (now called Billboard magazine) in the 1920s. The research details the publication's coverage of and reaction to a number of unfair trade practices, governmental censorship, and the development of sound technology in the motion picture industry in the latter half of the decade. The project contends that The Billboard was the voice of the small, independent theater owner. The thesis casts the trade publication's alliance with small business owners as a contrast to the big business, pro-consolidation climate of the period. The Billboard also is shown to be adamantly opposed to governmental intervention in the private sector. These were the views of the complex and idiosyncratic founder of the magazine, William H. Donaldson.

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CHAPTER I

INTRODUCTION AND BACKGROUND

Billboard magazine is recognized throughout the world as the music industry's most esteemed and reliable source of weekly sales data and business figures. Its rankings of the week's most popular recordings are of considerable value to record companies, retailers, musicians, radio programmers, disk jockeys, and other industry professionals. Since its founding more than a century ago, Billboard has been the definitive source for the day to day "nuts and bolts" necessary to conduct business within the industry. Billboard has never been aimed at a mass, popular audience. Rather, this trade publication reports and comments upon the relevant industrial news of the day, to be read and interpreted by those whose livelihood depends upon such information.

While Billboard is widely known for its indispensable role in the music industry, many people do not realize that the magazine has a long and rich history of servicing all areas of the entertainment and amusement industries.[1] This thesis will explore one aspect of that history: The Billboard's (the "The" was dropped in 1961) unique coverage

of the motion picture industry from 1920 to 1930. During that decade, the motion picture industry was in an awkward, adolescent stage in its development.[2] Technological changes, the business culture of the decade, issues of religion and morality, and insatiable public demand for entertainment were reshaping the industry. The Billboard's coverage of these forces at play in the 1920s not only paints a revealing portrait of an industry in the midst of great change but also demonstrates the ideological and editorial position of the magazine itself.

First published in Cincinnati, Ohio, in the fall of 1894, Billboard Advertising was launched with the intent of reporting upon the interests of bill-posters, poster printers, advertisers, and secretaries of fairs.[3] Current managing editor Ken Schlager points out that its founders, William H. Donaldson and James H. Hennegan, saw not only the need for a publication to service these businesses and vocations but also as a way to advance the commercial interests of both the Donaldson and Hennegan family printing firms.[4]

The publication grew rapidly. By 1896, Billboard Advertising had hinted at its future transformation into a trade publication for the entertainment and amusement

industries when it added a Fair Department devoted to coverage of outdoor attractions.[5] By 1900, Donaldson had purchased Hennegan's share of the magazine, changed the frequency of publication from monthly to weekly, and shortened the magazine's name to The Billboard.[6]

By 1906, The Billboard was covering not only traveling outdoor amusements but the legitimate stage, musical theater, vaudeville, burlesque, and the emergent motion picture industry. The magazine also began offering its famous mail-forwarding system for traveling entertainers, which, as Schlager states, "created a link between Billboard and the creative community that remains unbroken."[7] As The Billboard steadily increased its circulation and cemented its reputation as one of the entertainment industry's leading trade publications, its coverage of the motion picture industry also increased. While still relegated to the back pages of the magazine in the years prior to the mid-1920s, coverage of the movies was both thorough and a frequent source of editorial comment. By 1914, advertising prices were high, the letter-box service was forwarding up to 1,200 letters a day, and weekly circulation had risen to 38,000 (only 10,000 copies below 1994 circulation figures).[8] Clearly, in

the years prior to the outbreak of the First World War, The Billboard had established itself as a major force in the realm of entertainment trade publications. Much like the entertainment and amusement industries of the period, business was booming for The Billboard. While subscription rates spiraled upward and advertising dollars increased, Donaldson's magazine also won the trust and respect of the industries which it serviced.

Although originally founded by two men, only one can claim to have set the overall tone and ideological position of The Billboard in the first decades of the twentieth century. Little published biographical information exists on the life of William H. Donaldson, the magazine's chief founder and central voice. Fragments found in a host of disparate sources point to a complex man driven by strong moral and political convictions.

William H. Donaldson was born in Dayton, Kentucky, on April 19, 1864. Following completion of his education in Dayton, he went to work for the family printing firm, the Donaldson Lithographing Company.[9] Upon establishing himself as the leading poster salesman in the country, Donaldson founded Billboard Advertising with James Hennegan in Cincinnati in 1894.[10] By the turn of the century, Hennegan

had retired and The Billboard had emerged as the leading force in reporting the daily inner workings of the entertainment industry. Never one to hide his feelings or beliefs, Donaldson made The Billboard known as much for its editorial bite as for its in-depth coverage of the entertainment industry.

Cursory glances at articles published in The Billboard under the editorial auspices of W.H. Donaldson allude to a thoughtful and somewhat forward-thinking man. In the early years of the twentieth century, Donaldson effectively used his magazine as a platform to call for voting rights for women and racial toleration. In fact, from 1920 to 1925, The Billboard became America's first white trade publication to devote an entire department to coverage of African-American entertainment.[11] Although it may seem appropriate to label Donaldson as a progressive, Ken Schlager is quick to point out that ". . . [The] Billboard's founders were hardly paragons of progressivism."[12] Rather, Donaldson appears to espouse an interesting mix of elements of late nineteenth century liberalism with elements of early twentieth century progressivism. He championed the plight of small, independent business owners who might be beleaguered by the

cutthroat and monopolistic practices of large corporations. On the other hand, he opposed government intervention in the marketplace, even if this was in the cause of trust-busting. This extended to government attempts to legislate morality via censorship; Donaldson preferred that the motion picture industry regulate itself. To facilitate change, Donaldson advocated the formation of trade associations or unions, a policy championed by then Secretary of Commerce Herbert Hoover.

Regardless of his views, Donaldson appears to have been admired and respected by those in the entertainment industry. In a tribute published shortly after his death on August 1, 1925, The Billboard stated: "Without the least doubt no man was better known in the theatrical and show world than William H. Donaldson. No man had a bigger heart for the showman, the actor, the actress, the artiste, the musician, the concessionaire, in fact all professional folk than he did. It was a real pleasure for him to forego pleasure for the purpose of serving Billboard readers."[13]

The era of the silent film (the most prolific form of motion picture production in the 1920s) was characterized by tremendously successful directors and film actors.[14] Artists such as Charlie Chaplin, Mary Pickford, Douglas

Fairbanks, and D.W. Griffith were among the most recognizable and bankable filmmakers and actors of the era.[15] Behind the screen, fierce competition and corporate mergers dominated the industry.[16] At the forefront of the big-business atmosphere in the movie industry were the "Big 5" film producers: Paramount, Fox, Universal, Pathe, and Metro-Goldwyn-Meyer.[17] Many production companies formed combinations with first-run exhibitor chains in efforts to control both the production and exhibition ends of the industry.[18] In his book, The Rise of the American Film (1939), Lewis Jacobs states that, during the 1920s, "independent corporations and individuals were eliminated or submerged as the operations of production, distribution, and exhibition became more and more interlocked and concentrated into the control of a few."[19]

By 1920, the motion picture business was a booming industry. In keeping with the spirit of the age, the motion picture industry in the 1920s was characterized by tremendous profits, corporate consolidation, and rapid expansion.[20] As millions scrambled to catch their favorite stars in the more than 20,000 picture houses scattered throughout the country by 1927, significant internal and

external forces were making their influence felt upon the film industry.[21]

The second chapter of this work, entitled "Practices, Procedures, and Problems," will detail a number of controversies that presented themselves not only within the motion picture industry itself but upon the pages of The Billboard. Issues as diverse as block booking, percentage booking, political influence on the screen, picture waste, screen trespassing, admission taxes, organization, and corporate consolidation were given extensive coverage and were often the subject of great scorn and consternation in The Billboard.

The third chapter, "Censorship and the Blue Laws," details The Billboard's coverage and attitude toward the legislation of morality in the motion picture industry during the 1920s. Censorship, an issue both internal and external to the industry, represented a revival of religious fundamentalism that helped to shape and define the decade. Donaldson's magazine staunchly advocated "clean" entertainment. He and his editorial staff crusaded for standards of motion picture decency, but in keeping with his idiosyncratic views, these were to be regulated by the industry, not the government. This chapter will

describe The Billboard's crusade against governmental film censorship.

The fourth chapter in this study, entitled "The Rise of the Talking Pictures," documents The Billboard's exhaustive coverage of one of the film industry's most turbulent periods. Covering the years from 1926 to 1930, this chapter will attempt to show both the profound crisis brought about by the arrival of Vitaphone (or "talkie") technology in 1926 and some of the unexpected results that occurred following the introduction of sound to the silent cinema.

This thesis is not intended as a history of the entire motion picture industry in the 1920s. It is intended to detail one trade publication's coverage of and reaction to the industry as it existed from 1920 to 1930. By focusing upon specific issues, both large and small, the reader will gain a sense of the major themes and issues of the industry in the study period and insight into the political and economic beliefs behind the entertainment industry's oldest and most trusted trade publication.

[1] Variety, a competing trade publication founded in 1905, continues to report upon developments in all areas of the entertainment industry to the present day.

[2] In his book Behind the Screen: The History and Techniques of the Motion Picture (New York: Dell Publishing, 1965), Kenneth Macgowan gives a good overview of the multitude of changes occurring in the film industry in the 1920s.

[3] Ken Schlager, "On the Boards, 1894-1920," Billboard: 100th Anniversary Issue, 1894-1994, November 1, 1994, 19.

[4] Ibid.

[5] Ibid., 20.

[6] Ibid.

[7] Ibid., 26.

[8] Ibid., 32.

[9] Joseph and June Bundy Csida, American Entertainment: A Unique History of Popular Show Business (New York: Billboard Publications, Inc., 1978), 14. The level of schooling completed by W.H. Donaldson in Kentucky is unknown.

[10] "In Memoriam: W.H. Donaldson," The Billboard, August 8, 1925, 7.

[11] Anthony D. Hill, Pages from the Harlem Renaissance: A Chronicle of Performance (New York: Peter Lang Publishing, 1996), 1. "J.A. Jackson's Page" covered all areas of black entertainment from 1920 to 1925. J.A. Jackson was himself an African-American who by the 1920s had a long and distinguished career as both a performer and as a journalist. Professor Hill's book offers an illuminating look at Jackson's life and the influence of his weekly page in The Billboard.

[12] Schlager, "On The Boards, 1894-1920," 20.

[13] "In Memoriam," 7.

[14] Lewis Jacobs, The Rise of the American Film: A Critical History (New York: Harcourt, Brace and Company, 1939), 288.

[15] Incidentally, Chaplin, Fairbanks, Pickford, and Griffith formed the nucleus of United Artists which was founded in 1919 as the first major artist-owned film corporation in the United States.

[16] Jacobs, The Rise of the American Film, 291.

[17] "Big Five of Films After Talkies," The Billboard, September 10, 1927, 7.

[18] Jacobs, The Rise of the American Film, 290.

[19] Ibid., 291.

[20] Kenneth Macgowan, Behind the Screen: The History and Techniques of the Motion Picture (New York: Dell Publishing, 1965), 245.

[21] Will H. Hays, See and Hear: A Brief History of Motion Pictures and the Development of Sound (New York: Motion Picture Producers and Distributors of America, Inc., 1929), 16.

CHAPTER II

PRACTICES, PROCEDURES, AND PROBLEMS

Will H. Hays, President of the Motion Picture Producers and Distributors of America, reflects in his memoirs that the film industry in the 1920s ". . . had grown like a mushroom, more in scope than in self-control."[1] Hays goes on to remember the decade by stating: "Tougher or more ruthless competition would have been hard to find. . . . very few rules of the game - fair trade practices - had yet been built up. Jealousy and suspicion colored the whole chaotic process of production, distribution, and exhibition. Motion pictures were suffering from the rashness of youth and a bad case of growing pains."[2] This chapter will explore a number of these highly competitive trade practices and the reaction to them in the pages of The Billboard. It will also explore some key issues (most of which are not directly related to trade practices) that shed light upon the business and political climate of the movie industry in the 1920s.

Throughout much of the 1920s, The Billboard indeed paints a portrait of "ruthless competition" and a "chaotic process of production, distribution, and exhibition" in the

motion picture industry. As both Hays and The Billboard point out, the film industry was in desperate need of standardization, organization, and regulation. By all accounts, this was an industry spinning wildly out of control. Antagonism between exhibitors and producers, threats of federal investigation and intervention, and demands for change within the industry helped to define the character of the movie business throughout the decade. In the 1920s, the motion picture industry was in the midst of great expansion and proliferation yet was besieged by controversies both internal and external.

From the opening days of the decade, corporate consolidation within the movie industry was a common occurrence and a major concern. Billboard writers viewed acquisitions and mergers with great suspicion. To W.H. Donaldson and his staff, monopoly was considered both a menace to the industry and an impediment to free trade and fair competition.

Hostility toward large corporate mergers and acquisitions was advanced in The Billboard as early as January 1920. In the first week of the decade, Marcus Loew, a powerful force within the theatrical and vaudeville industries, purchased the Metro Company (a movie studio)

for a sum of three million dollars.[3] The Billboard saw this acquisition as a threat to independent exhibitors, producers, and distributors, because the combination would allow Loew to add to his own vast theater chain a sizeable and reputable production company with the purchase of Metro.[4] The magazine viewed the merger as the potential first step in a trend toward corporate consolidation of both the producing and exhibiting branches of the film industry. The publication pointed out the threat to independents, as the merger would allow Loew houses to become a permanent market for Metro pictures. The Billboard wrote that the "first evil result" of producer-exhibitor consolidation would be the elimination of the independent producer and exhibitor.[5] The magazine went on to state, ". . . if two or three of these producer-exhibitors get together, there is nothing in the world to prevent them from dividing the film industry among them[selves]."[6] The Billboard stressed organized exhibitor action against the "monopolists," claiming that "if a producer or group of producers buy enough theaters in any given territory, . . . the independence of the exhibitors in that territory is at an end."[7] Van B. Powell, a Billboard writer, alluding to the U.S. military position before World

War I, called for exhibitor solidarity and action by stating that "its 'preparedness' all over again."[8]

In July 1921, The Billboard reported that the Motion Picture Theater Owners of America pledged to raise two million dollars in a "gigantic war against a tyrannical monopoly by a group of producers."[9] In further efforts to protect the independent theater owners, distributors, and producers against corporate producer-exhibitor consolidation, the Associated First National Exhibitor's Circuit and the Associated Producers combined fifty million dollars worth of independent motion picture interests in September 1921. The merger, considered to be the largest independent consolidation of its time, was designed primarily as a defensive action against the enormous producer-exhibitor chains.[10]

As consolidation continued at an alarming rate throughout the decade, Paramount's Famous Players-Lasky Corporation found itself embroiled in one of most sensational and lengthy anti-trust investigations of the age.[11] On August 31, 1921, the Federal Trade Commission charged the corporation with unfair competition under the Clayton Act. The Commission claimed that Famous Players "dominated competition by buying up the businesses of its

competitors and now has a monopoly over the entire motion picture industry."[12] From 1921 to the ruling on the investigation in 1927, The Billboard followed the case carefully. While the editorial content of the magazine was strongly opposed to the corporation's apparent trust activity, The Billboard was suspicious of the government's role in the investigation. Billboard writers were not necessarily opposed to the federal government's role in this particular case but argued that trusts can best be broken by public knowledge of their existence. The magazine stated that "monopolies have no chance when the public is put wise to them. . . . [they are] an easy matter to overcome if they are attacked in the right spot - through the public."[13] In 1927, the Federal Trade Commission found Famous Players-Lasky guilty of restraint of trade and ordered it to cease block booking, coercion of exhibitors, and a host of other monopolistic tactics.[14]

Throughout the decade, there were a number of issues that helped to create an atmosphere of open resentment and hostility between motion picture exhibitors and producers. Many of these controversies were given considerable coverage by The Billboard. One of the earliest disagreements between exhibitors and producers to surface

in the 1920s centered on screen advertising. In January 1920, The Billboard lashed out against producers who were forcing exhibitors to project unwanted advertisements on their screens. Often referred to as "screen trespassing," this practice typically involved the careful placement of advertisements and close-ups of commercial products on the film itself. Despite the obvious detriment to the artistic merits of the motion picture, The Billboard was more concerned with the inherent risks to exhibitors that such advertising posed. The magazine boasted that it had started the agitation against this practice and that it was firmly on the side of the exhibitor.[15] The publication charged that such advertising was "unfair" and claimed that only exhibitors, with "their knowledge of patrons' tactics and wishes," were best suited to decide what, if any, advertising should be displayed upon their screens.[16] To The Billboard, it was apparent that by placing advertisements on their films, producers had everything to gain while the exhibitors were forced to face the possible loss of revenue as a result of unwanted, misplaced, and/or offensive messages. In efforts to bring the matter to a boil, The Billboard published a full-page attack against screen trespassing penned by the Motion Picture Theater Owners of

America (M.P.T.O.A.). The attack, a call to arms for united action, suggested that exhibitors display signs above their screens reading "No Trespassing Allowed."[17] The attack stated: "Our screens are our property. Under no conceivable circumstances will we surrender the control and supervision of our screens to any producer or distributor."[18] The Committee for the Protection of the Screen (a special committee formed by the M.P.T.O.A.) waged open warfare against improper advertising, claiming that the exhibitors were victims of "unscrupulous producers" and that ". . . many national advertisers [had] gained access to [motion picture] screens through certain producers who have profited by the use of our property without any accounting to us."[19]

Marshall Neilan, a Hollywood producer, allied with exhibitors by using The Billboard to call for other producers and directors to cease the practice of "injecting" advertising into films and "collecting at both ends."[20] Neilan points out that "the advertising possibilities of the screen are wonderful. However, this is a distinct field and [advertisements] should not be embodied in motion pictures prepared for entertainment purposes."[21] The producer thoughtfully argues that the

American public hates to be fooled and when it learns that it has been deceived, the exhibitor, not the producer, will bear the harsh consequences. Neilan compared watching a motion picture to reading the Saturday Evening Post. He argued that when an individual sits down to read a story, he or she does not want to "read arguments [as to] why the hero [used] a Stetson hat or . . . be told in the middle of a tense chapter that the suit the villain [wore] was made by Moe Levy."[22] Rather, Neilan reasoned, if the exhibitor chose to run an advertisement, "he want[ed] it to be an out-and-out advertisement."[23] The Billboard concurs with Neilan that the exhibitor must refrain from fooling the public by showing a film that is intended to tell a story but instead "flashes closeups of Goodyear tires throughout the course of the presentation."[24] Both Neilan and the magazine asserted that only the exhibitor (not the producer) faced peril by screen trespassing and that this practice of selling both ends to the middle must be discontinued.

By February 1920, the Screen Protection Committee, with the help of The Billboard, had scored an important victory. In North and South Carolina, 75 leading motion picture exhibitors passed a resolution approving of the

activities of the Screen Protection Committee and signed contracts stating that revenues derived from all screen advertisements would be turned over to the North and South Carolina state treasuries to combat legislation deemed hostile to the motion picture industry.[25] It is unknown, however, how successful the Committee was in other states as The Billboard inexplicably dropped coverage and discussion of the controversy following the victories in North and South Carolina.

Another issue involving the content of motion pictures intended solely for entertainment purposes was the influence of politics on the screen. In early 1920, The Billboard reported that two major Hollywood producers had signed contracts with the national committees of the Republican and Democratic parties with the intent of "securing the services of the screens of the country during the coming Presidential campaign."[26] For reasons similar to those in the screen trespassing controversy, The Billboard argued strongly against the infiltration of politics onto movie screens. As in the trespassing dilemma, the editorial staff of The Billboard believed that the producers who entered into agreements with political parties would insert political propaganda onto films in

much the same manner as advertising was placed throughout motion pictures. The magazine again stressed the potential risk to exhibitors. In a letter published in The Billboard, Sydney S. Cohen, president of the Motion Picture Theater Owners of America, stressed that "the motion picture screens of the country belong entirely to the motion picture theater owners, and that no manufacturer or distributor or press agent or manipulator has any right whatsoever to pledge our screens [to political candidates]."[27]

By the summer of 1921, The Billboard reported that a number of exhibitors were lining up in support of screen participation in politics.[28] Ardently opposed to such participation, the publication stressed that "politics and the screen cannot hope to mix successfully."[29] Calling the merger of entertainment and political interests "more dangerous than censorship," The Billboard argued that to "place the screen at the disposal of political groups is bound to resolve itself into the most dangerous force for propaganda."[30] Marion Russell, a Billboard editor, claimed that "the purpose of the screen is to entertain, not to force the public to gaze upon the features of every penny politician who can buy a slide to exploit his candidacy for

office."[31] The Billboard stated that "the motion picture business, if controlled by political leaders, would cease to be free, and anything to succeed must be free and unchecked by coercion, obligation, and intimidation."[32]

The controversy surrounding the role of politics in cinema raged throughout the decade. Although it appears as if little was actually implemented in efforts to stem the infiltration of politics onto the screen (legislation was introduced in New York in 1922 to prohibit political films), The Billboard remained resolute in exposing alleged political films and prominent individuals within the industry suspected of aligning the movie business with political interests. Interestingly, both Will H. Hays, a central figure and ally in The Billboard's crusade against censorship, and Sydney Cohen, president of the M.P.T.O.A., were suspected by Billboard writers of yielding to political infiltration of the motion picture industry in 1922 and 1926 respectively.[33]

The antagonism between exhibitors and producers was also evident in another pressing issue throughout the decade - production waste. In the early 1920s, The Billboard gave extensive coverage to "anything that costs good money and doesn't show in the film."[34] It is well

documented that throughout the decade, production budgets for motion pictures became significantly more lavish.[35] Much to the consternation of exhibitors and The Billboard staff, higher production costs were passed along to theater owners in the form of higher rental fees. As the magazine pointed out, when an exhibitor rents a film, the rental covers "the expense and profit of production . . . if there is waste in the producing end, [the] film rental covers that too."[36] To The Billboard, production waste (also referred to as "picture waste") was an unnecessary practice or procedure that caused film budgets to rise which, in turn, led to higher rental fees and higher admission prices for the public. The rental fee was of primary importance because this fee paid for the maintenance of production plants, director fees, actor salaries, editing, developing, printing, advertising, distribution, maintenance of projection equipment, set construction, and story development.[37] As in the past, Billboard writers fell squarely behind exhibitors in the fight to reign in bloated picture costs and maintain rental fees that would benefit theater owners and keep admission prices at affordable rates.

The Billboard offered a variety of solutions to the high film rental problem. One way in which waste could be eliminated, according to the magazine, was by trimming costly introductory footage. The Billboard claimed that the audience cared little about title sequences and credits stating that the audience pays to see the picture "not all the people who had a hand in making [it]."[38] The publication also cited "temperamental" stars and directors who draw big salaries and slow production by throwing "tantrums" as a prominent source of picture waste.[39] The Billboard was convinced that the main source of picture waste lay in the purchase of the story to be developed into a motion picture. Billboard writers claimed that producers were paying exorbitant prices for screen rights to stories written by well-known authors. The magazine stated, "the exhibitor has been educated to think that his audiences come to see a picture because it has the name of some big author tacked onto the story."[40] Billboard advocated that the exhibitor insist on getting quality stories and demand that producers pay authors according to the "screen value" of the story.[41] Furthermore, in efforts to keep down waste in story buying, producers should invest only in stories

written especially for the screen rather than adaptations of existing stories, novels, and plays.[42]

As rental fees soared and admission prices rose accordingly, many exhibitors believed that producers were consciously raising fees in efforts to force theater owners to sell their businesses.[43] In a Billboard interview with Issac Silverman, a Pennsylvania theater owner, the exhibitor called for united action among exhibitors to resist the rental rates. Silverman argued that "unless [the exhibitors] get together . . . I am afraid that many of them will simply have to go out of business or raise their admissions, and in many cases, raising the price of admissions is pretty much the same as going out of business."[44] The theater owner speculated that by driving exhibitors out of business ". . . this is what the producers are aiming at. . . . perhaps their idea is to weaken our hold on our investment, to discourage us as much as possible, and then get possession of our theaters."[45] While there is no conclusive evidence to justify Silverman's accusations, his views are representative of the distrust and resentment harbored between exhibitors and producers.

In 1923, The Billboard claimed that rental fees were so high that at the present rate "the motion picture industry is headed straight for the rocks."[46] In efforts to keep small exhibitors from closing their doors, the magazine emphasized rentals of lesser-known, less costly productions that carried significantly lower rental rates. Claiming that exhibitors were being "fleeced" by producers who charged tremendous rates for expensive productions of little quality, The Billboard stressed the rental of modestly produced pictures of passable quality.[47] The publication refuted the exhibitors' belief that audiences flocked only to see expensive, opulent productions. H.E. Shumlin, a Billboard writer and editor, asserted, "After seeing a certain picture that cost only $24,000 to produce, I am convinced that the producers who have been crying about the 'high cost' of production deserve no sympathy. They have themselves to blame if their pictures are costing too much money."[48] He went on to state, "If a picture such as the one I saw can be made for $24,000, then the exhibitors have been mercilessly fleeced for years. . . . you exhibitors are being gypped."[49] Shumlin contended that that the high-priced/high rental pictures, typically produced by the "so-called high-class companies," were

commonly more artistic than what the public at large demanded.[50] He cited a number of exhibitors who agreed that the more modestly priced "second class" films, while often crude compared to the expensive productions, were preferred by audiences throughout the country.[51]

By 1929, it was apparent that high rental fees and elevated admission prices were taking their toll on independent theater owners. As talking pictures filled theaters in the latter half of the decade, the high cost required to produce sound pictures and the projection equipment needed to present them further inflated rental and admission prices. The Billboard continued to insist that even with the high production costs of talkies, much of the source of the rental figure continued to be production waste. Tremendous rental fees, a "devitalizing force within the industry," were partially responsible for motion picture chain houses gaining control of 75 percent of movie screens by 1929.[52]

The ill will between exhibitors and producers was especially heated with regard to the booking of motion pictures. Percentage booking, a practice in which film producers collect both a rental fee *and* a percentage of the box-office receipts, was met with great alarm by theater

owners and their closest ally, The Billboard. The producers' push for industry wide implementation of percentage booking in the early 1920s was deemed unfair to exhibitors as The Billboard predictably called for united exhibitor action against this seemingly draconian business practice.

The fight against percentage booking was little more than a prelude to the bitter struggle against block booking. This form of booking was among the most detested industry practices imposed upon motion picture exhibitors.[53] Block booking was a common practice in which most of the leading film producers sold their films only in blocks, typically a season's worth, to exhibitors sight unseen.[54] According to film historian Tino Balio, compulsory block booking allowed the major film studios to "function at capacity with the assurance that even the poorest picture would be bought."[55] The struggle surrounding this form of picture booking extended beyond the 1920s. The Billboard stood firmly against this practice and fought vigorously for its discontinuance.

Although major producers such as Paramount and Warner Brothers claimed that block booking was advantageous to the exhibitor because it reduced rental fees and kept a

revolving stock of product on their screens, The Billboard was immovable in its stance against the practice. To the editors of Billboard, block booking was a further example of the cutthroat tactics of the major studios and another blow to the discretion of the independent theater owner. In a particularly belligerent editorial, H.E. Shumlin stated that "block booking of motion pictures is block-headed booking."[56] The practice appeared to be waning in 1923 when Paramount's Famous Players-Lasky division initiated a demonstration program in which individual films were sold to independent houses based upon their own merits. By 1924, however, the demonstration program was abandoned and block booking was again thriving. The fight against block booking is a long and complicated affair that became a key component in an equally long and tortuous battle over uniform contracts. Block booking was eventually declared illegal following a lengthy investigation by the Federal Trade Commission in 1927.[57]

Union organization was another area that garnered much response from The Billboard. In efforts to avoid governmental intervention in the private sector, The Billboard strongly supported united action to achieve favorable results by those who felt that they were

oppressed. Billboard writers stressed solidarity through associations and unions. Efforts to unionize the motion picture industry had been underway throughout the first half of the decade. In 1926, the American Federation of Labor threatened a general strike of all organized labor within the film industry if it were not fully unionized by December 1, 1926. While the strike never materialized, efforts to unionize and threats to strike were rampant throughout the 1920s. The Actor's Equity Association, one of the strongest and most influential talent unions in the entertainment industry, attempted unsuccessfully to unionize film actors in 1927, 1928, and 1929. The Billboard supported the efforts of the Actor's Equity Association by stating that "the motion pictures will profit with Equity in the studios" but conceded that "organization is a hard thing to accomplish . . . [as] there is always too much individual opinion and too little willingness to compromise and submit to the will of the majority."[58] Regardless of the relative failure of organized protection in the industry, The Billboard staff continued to support such professional organizations as the Motion Picture Theater Owners of America in their efforts

to maintain fair trade practices for independent picture exhibitors.

In 1921, The Billboard launched a series of attacks against federal amusement taxation. Film rental and admission taxes were viewed as both exorbitant and unfair by the magazine. While the five percent rental taxes were abolished by the U.S. Senate in November 1921, the admission tax remained in effect until its partial repeal in 1926. The Billboard argued that the admission tax was a luxury tax and that the "amusement business [is no more] a luxury than, for example, the silk hosiery business or the phonograph manufacturing business."[59] The publication argued that motion pictures were hardly a luxury as they "are the entertainment of the great masses [who are] not in a position to afford much of the more expensive amusements. . . . the movies are as much a necessity as sugar in your coffee - they sweeten existence."[60] Billboard writers charged that the tax hurt independent and small exhibitors who could not afford to raise ticket prices in efforts to absorb the taxes while the larger chain houses in major markets most likely could offset the tax due to their larger seating capacity and more high-profile motion pictures. The Billboard called the admission tax "one of

the handsomest sources of revenue available to the government" and insisted that such taxes were "killing" the entertainment industry.[61] The magazine called for "all showmen and showfolk" to get in touch with their Congressmen and state legislatures to voice their opposition to such taxes. To The Billboard, the admission taxes were considered both unwarranted governmental intervention in the industry and a further source of concern for smaller, independent motion picture exhibitors.

These practices, procedures, and problems evident in the motion picture industry in the 1920s illustrate both the cutthroat, draconian business practices of the decade and allude to the growing concern for the standardization and organization of fair trade practices within the industry. These issues also demonstrate The Billboard's unwavering support of independent business interests and its suspicion and hostility toward monopolistic practices and governmental intervention. Billboard writers felt strongly that free and equitable trade should not be perverted or obstructed in any way. However, these conflicts pale in comparison to the magazine's longest and most heartfelt battle - the crusade against governmental censorship.

[1] Will H. Hays, The Memoirs of Will H. Hays (New York: Doubleday & Company, 1955), 330.

[2] Ibid.

[3] Philip French, The Movie Moguls: An Informal History of the Hollywood Tycoons (Chicago: Henry Regnery Company, 1969), 146. Metro was merged with the Goldwyn and Mayer companies to form Metro-Goldwyn-Mayer (M-G-M) in 1924.

[4] W. Stephen Bush, "Marcus Loew Acquires Metro Company," The Billboard , January 17, 1920, 78.

[5] Ibid.

[6] Ibid.

[7] Ibid.

[8] Van B. Powell, "Picture Exhibitors May Need to Look Into Their Future if They Expect to Have Any Future," The Billboard, February 21, 1920, 25.

[9] Marion Russell, "To Stamp Out Alleged Monopoly," The Billboard, July 9, 1921, 104.

[10] "Big Picture Merger," The Billboard, September 10, 1921, 5.

[11] For a detailed analysis of the Famous Players-Lasky antitrust case and a general history of trusts in the motion picture industry see: Michael Connant, Antitrust in the Motion Picture Industry (New York: Arno Press, 1970).

[12] "Big M.P. Firm is Accused of Monopoly," The Billboard, September 10, 1921, 96.

[13] D.C. Gillette, "Editorial Comment," The Billboard, August 4, 1928, 41.

[14] D.C. Gillette, "Famous Players-Lasky Guilty; Ordered to Cease Conspiracy," The Billboard, July 16, 1927, 5.

[15] W. Stephen Bush, "The Editor's Say of the Doings of the Day," The Billboard, January 10, 1920, 80.

[16] "Standards in Advertising Films," The Billboard, January 10, 1920, 80.

[17] Motion Picture Theater Owners of America, "To the Motion Picture Owners of America," The Billboard, January 10, 1920, 82.

[18] Ibid.

[19] Ibid.

[20] "Marshall Neilan Scores Smuggled Ads," The Billboard, January 31, 1920, 82. By "collecting at both ends" Neilan is referring to the revenue garnered by producers from collecting film rental fees from exhibitors and the advertising dollars brought in from advertising fees.

[21] Ibid.

[22] Ibid.

[23] Ibid.

[24] Ibid.

[25] "Endorse Stand of Screen Protection Committee," The Billboard, February 7, 1920, 78.

[26] W. Stephen Bush, "Political Film Deal Rumored," The Billboard, March 27, 1920, 80.

[27] Sydney S. Cohen, "To All Candidates and Politicians," The Billboard, July 13, 1920, 113.

[28] Marion Russell, "Politics to Enter the Screen?," The Billboard, July 30, 1921, 112.

[29] Ibid.

[30] Ibid.

[31] Ibid. The "slide" mentioned by Russell most likely refers to a placard containing messages. These placards or "slides" were commonplace in silent films.

[32] Marion Russell, "Billboard First to Declare Against Politics Entering Screen," The Billboard, October 15, 1921, 96.

[33] The Billboard's initial distrust of Will Hays was not unwarranted. Hays had long-standing political connections with the Republican Party. As Chairman of the Republican National Committee, he was a driving force in the nomination of Warren Harding for the presidency in 1920. Following Harding's election, Hays was appointed Postmaster General.

[34] Van B. Powell, "Picture Exhibitors Show Keen Interest in Subject of High Film Rentals by Questions They Ask," The Billboard, February 14, 1920, 27.

[35] For an interesting discussion of the expense and quality of Hollywood studio films in the 1920s see: David Shipman, The Story of Cinema (London: Hodder and Stoughton, 1982).

[36] Van B. Powell, "Picture Waste: How Does It Affect the Exhibitor? What Is It and Why Is It?," The Billboard, February 28, 1920, 25.

[37] Powell, "Picture Exhibitors Show Keen Interest," The Billboard, March 6, 1920, 27.

[38] Ibid.

[39] Ibid.

[40] Van B. Powell, "Picture Waste Makes Film Rentals High and Starts When the Story is Bought," The Billboard, March 6, 1920, 25.

[41] Ibid.

[42] Ibid.

[43] W. Stephen Bush, "Crisis In Prices Impending," The Billboard, April 24, 1920, 82.

[44] Ibid.

[45] Ibid.

[46] H.E. Shumlin, "It Strikes Me," The Billboard, October 13, 1923, 60.

[47] H.E. Shumlin, "It Strikes Me," The Billboard, December 8, 1923, 60.

[48] Ibid.

[49] Ibid.

[50] H.E. Shumlin, "It Strikes Me," The Billboard, September 20, 1924, 53.

[51] Ibid.

[52] D.C. Gillette, "Editorial Comment," The Billboard, August 3, 1929, 43; "Chains Getting 75 Percent of Biz from Films," The Billboard, August 17, 1929, 20.

[53] Tino Balio, ed. The American Film Industry (Madison: University of Wisconsin Press, 1985), 258.

[54] Ibid.

[55] Ibid.

[56] H.E. Shumlin, "It Strikes Me," The Billboard, August 4, 1923, 56.

[57] The battle against block booking did not end in 1927. In fact, the practice continued through the 1940s.

[58] D.C. Gillette, "Editorial Comment," The Billboard, July 27, 1929, 45; Ibid., May 7, 1928, 44.

[59] H.E. Shumlin, "It Strikes Me," The Billboard, August 25, 1923, 55.

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[60] Ibid.

[61] D.C. Gillette, "Too Much Taxation and Legislation Killing the Amusement Business," The Billboard, February 19, 1926, 5.

CHAPTER III

CENSORSHIP AND THE BLUE LAWS

The common image of the 1920s - flappers, speak-easies, loose morals, and fast cars, all set to a jazz rhythm, is more myth than reality. While there was indeed, as Frederick Lewis Allen points out, a "revolution in manners and morals" during the 1920s, the decade is best described as years of political conservatism and religious fundamentalism.[1] In his book The Perils of Prosperity, noted historian William E. Leuchtenburg claims that "despite prosperity, the United States in the postwar years felt deeply threatened from within."[2] Leuchtenburg cites reaction to the devastating World War, the rise of Socialism and Communism, the continued influx of immigrants into the country, the challenge to rural life represented by metropolitan urban areas, and growing disillusionment with the basic tenets of democracy and religion for the reactionary political and intellectual climate of the decade.[3] He points to the spread of xenophobia, lack of individualism, Constitution worship, racism, and Protestant fundamentalism as obvious results of the atmosphere of unease and distrust.[4]

The conservatism of the 1920s is best represented in the legislation of morality. Prohibition, the most high profile and controversial example of federally legislated morality, was in effect (with varying degrees of success) from 1920 to 1933. The well-publicized Scopes Trial, in which the evolutionary theories of Charles Darwin were challenged in 1925, served as another highly visible example of the powerful influence of the fundamentalist lobby.

The push for governmental censorship, especially with regard to the motion picture industry, was a predictable outgrowth of the political, intellectual, and social attitudes of the 1920s.[5] In his book, Censorship of the Movies: The Social and Political Control of a Mass Medium, Richard S. Randall contends that the heightened calls for motion picture censorship in the early 1920s by "reformers" were, in a sense, "the defense of a way of life made insecure by change."[6] Randall is quick to point out that the motion picture industry did little to shield itself from the searing spotlight of the reformers. He argues that the industry showed little sense of public responsibility and did even less to anticipate the reaction to its product.[7] Vice and immorality, best exemplified on

the screen as erotica and crime, made money and the movie industry was more than willing to give the ticket buying public what it wanted.[8]

Following a series of sex and murder scandals in the early years of the decade, the motion picture industry came under increasing fire from clergymen and civic groups concerning the moral tone of the movies.[9] On the surface the industry appeared to be dominated by debauchery and hedonism both on the screen and off it. Reformers intensified their demands for regulation of motion picture content as those in the industry appeared to mimic the vice and immorality evident upon the screen.

Those who favored governmental censorship of motion picture content called for the enforcement of blue laws and the creation of government censors to set and enforce standards of screen morality. Blue laws, or Sunday closing laws, can be traced to ancient times.[10] Although the precise origin and meaning of the term "blue law" is unclear, prohibitive Sunday laws had been implemented in the United States in some form since the earliest colonial settlements.[11] Sunday has commonly been recognized as a day of rest and has been long associated with the Sabbath in Christian tradition.[12] Sunday closing laws in the United

States typically have been left to the discretion of the individual states and local governments. A look at Billboard articles from 1920 to 1930 shows that blue laws prohibiting the exhibition of motion pictures and other forms of amusement were common throughout the country. To the film industry and the staff of The Billboard, blue laws were a dangerous form of censorship, and they pushed vigorously for their abolition. Billboard writers saw Sunday closing laws as a form of legislated morality by the government. They felt that the government had no right to intervene in matters that involved personal and religious values. The Billboard viewed reformers who championed the existence of blue laws as "fanatics" who preyed upon the "cowardice of legislators" in order to "coerce public opinion."[13]

In 1921, nearly one hundred bills designed to censor motion pictures were introduced in thirty-seven states.[14] Because communities differed in their opinions concerning screen decency, existing and proposed censorship legislation was far from standardized. In Oregon, for example, censorship legislation proposed to "make it unlawful to show in any public place an act, scene, or episode . . . which, if actually performed in real life

would amount to felony under [state] law."[15] In West Virginia, a bill sought to ban pictures that displayed the results of medical malpractice and counterfeiting.[16]

Richard S. Randall contends that by 1922, motion picture censorship had fallen into a predictable pattern - governmental control at the state and local levels and some degree of self-regulation at the production level.[17] He points out that neither legislation nor self-regulation completely satisfied the critics of film content, but self-regulation was probably more effective in quelling protests as it had more popular support than governmental censorship.[18]

In 1922, Will H. Hays, Postmaster General in the Harding administration, helped to lead the newly formed Motion Picture Producers and Distributors of America (M.P.P.D.A.) "through the labyrinth of fickle public standards of moral acceptability."[19] The M.P.P.D.A. was essentially a trade association formed by the motion picture companies to ward off the threat of governmental censorship by the establishment of a "formula" designed to self-regulate the content of motion pictures. This formula involved the submission of screenplays to members of the association, who in turn, either approved the project or

denied production based upon the presence of objectionable material.[20] From 1922 to 1930, the M.P.P.D.A. was a powerful public relations tool utilized by the industry in its efforts to keep legislated morality at bay.

The staff of The Billboard, in their crusade against governmental censorship, embraced the creation of the M.P.P.D.A. but initially was suspicious of its leader, Will Hays. Shortly after Hays' appointment, The Billboard charged that the former Postmaster General represented little more than political interest in the motion picture industry.[21] The magazine argued that Hays had no experience in the movie business and that "it [was] only those who wish[ed] to grasp politically who sanction[ed] the introduction of a political leader for the films."[22] In other words, Billboard writers initially viewed Hays as little more than a Republican political operative funded by wealthy motion picture coffers. Following a meeting of motion picture exhibitors in New York concerning the newly formed M.P.P.D.A., The Billboard reported that Hays gave no definite answers to exhibitor questions and replied with ". . . flattery, evasive remarks, and empty compliment."[23] Hays, the "czar of the movies," was also ridiculed for his hefty $100,000 annual salary.[24]

By April 1922, suspicion and hostility toward Hays had declined substantially. Following a "stirring address" before an assembly of motion picture exhibitors in New York City, Hays effectively won the support of The Billboard.[25] The address, given at the Astor Hotel on April 12, 1922, called for full cooperation of the exhibitor body in combating governmental censorship and for a concerted effort to gain public confidence toward the industry.[26] Upon printing excerpts from the Hays speech, The Billboard claimed that the address marked "a momentous [day] in the annals of the motion picture industry."[27] While it seems possible that the Billboard staff may have been moved by the Hays address, the threat of the creation of forty-eight conflicting state censorship boards also may have swayed the magazine's position. By the spring of 1922, the censorship issue had exploded across the country. To W.H. Donaldson and his staff, the M.P.P.D.A., under the auspices of Will Hays, may have appeared to be the best hope in effectively combating legislation believed to be adverse to the motion picture industry.

In the early 1920s, The Billboard printed a number of testimonials by clergymen, politicians, and other civic leaders in efforts to make those who favored governmental

censorship appear to be a small minority of fanatics, zealots, and hypocrites. The Billboard quoted Rabbi Marius Rasinsky of New Jersey as stating, "I am ashamed to be classed with those narrow minded clergymen . . . who believe in compelling men to be religious [by] prohibiting them from enjoying themselves. Law can deter . . . but it cannot compel [people] to be idealistic."[28] Judge John Brackett of Boston claimed that "censorship reeks of the Middle Ages. It is getting away from Americanism."[29] New York Governor Al Smith argued that "state interference with literary or artistic production . . . is contrary to the fundamental principles of democratic government."[30]

The Billboard followed governmental and blue law censorship at the municipal, state, and federal levels. A proposed censorship bill in Massachusetts gained considerable coverage on the pages of the magazine in the early 1920s. The Massachusetts situation was viewed by the magazine as a critical battle in the fight against governmental censorship. The Billboard reported that exhibitors were cooperating in unified action as the outcry against immoral screen content began to subside in the state by October 1920.[31] In fact, a previous censorship bill was killed by Governor Calvin Coolidge earlier that

year. In November 1920, the magazine detailed the continued strengthening of anti-censorship forces in the state. At a conference of New England mayors, a resolution was drafted that confirmed the suspicions put forth in The Billboard that support for state censorship in Massachusetts was waning. The resolution stated that the New England mayors saw the motion picture as "an amusement belonging to the people" and contended that the moral effects of the movies were "debatable in nature and not to be decided except by an expression of the people themselves."[32] In Massachusetts, the debatable nature of the moral effects of motion pictures was believed to be best decided by public referendum. The Billboard considered the Massachusetts censorship contest to be critical because "intellectually Massachusetts is the Keystone State of the union as much so as Pennsylvania is industrially."[33] In other words, Billboard writers took a domino theory approach to censorship legislation. They believed that if Massachusetts were to fall victim to such legislation, then it could be expected that state censorship bills would sweep through state legislatures across the country. While there is little proof to substantiate such a dramatic theory, this approach explains

the seriousness with which The Billboard monitored the situation in Massachusetts.

In November 1922, the censorship question came to a public vote in Massachusetts. The Billboard reported that voters viewed governmental censorship as "unnecessary, unconstitutional, and un-American."[34] Censorship proponents were defeated by an overwhelming majority. The Billboard declared that the victory in Massachusetts "will have a tremendous effect throughout the country wherever the discussion of censorship arises and will affect the effort of those who wish to place the ban upon any state."[35] The magazine reprinted a New York Times report that claimed that the 545,000 people who voted against the censorship measure represented the largest group that turned out to vote against an issue in the history of the state of Massachusetts.[36] The piece went on to state that the "verdict was clear and decisive" and that it was a severe setback for "the inspired lawgivers who hand down stipulations as to what the public may or may not see."[37]

The referendum vote in Massachusetts appeared to bolster The Billboard's notion that if given the opportunity, the public would make known its distrust and hostility toward governmental censorship. The vote in

Massachusetts marked the only time that the censorship issue was put directly to the people.[38] As censorship was soundly defeated in Massachusetts in 1922, it appeared likely that New York, which was concurrently debating a state censorship measure, would follow suit. The return of censorship foe Al Smith as Governor and the state's participation in the New England mayors conference gave Billboard writers hope that the verdict in Massachusetts had helped to turn the tide against censorship legislation. Unlike Massachusetts, the censorship issue in New York never went directly before the people and was a hotly contested issue throughout the decade.

In April 1921, the Clayton-Lusk motion picture censorship bill was passed by the New York State Senate. This measure, called by The Billboard "the most dramatic [bill] ever proposed in any legislative body," created a commission of three members to be appointed by the governor to inspect every motion picture submitted for exhibition in the state of New York.[39] All films were to be reviewed by the commission for "obscene, indecent, immoral, inhuman, [and/or] sacrilegious" material and were also subject to a three-dollar license fee for every 1,000 feet of film to be examined.[40] W.H. Donaldson wrote, "the fight is over . . .

we lose. We have been fairly and squarely licked."[41] He went on to warn that "New York is the Empire State and its example means much. We might as well prepare for many more states following suit."[42]

By May 1921, the defeatist tone of The Billboard was replaced with a sense of renewed hope and vigor. Following a petition signed by the majority of motion picture producers urging the veto of the Clayton-Lusk censorship bill, New York Governor Nathan L. Miller remarked: "censorship . . . in my opinion, [is] a thing to be avoided unless some greater evil is caused by its avoidance."[43] The Billboard staff hoped that the combination of the petition and the Governor's hesitation toward signing the bill would lead to some kind of compromise. On May 15, 1921, however, Miller signed the bill into law. Again disappointed, W.H. Donaldson reiterated the possible consequences of the action in New York: "Soon we will have a multitude of state censorship boards, all uncoordinated and working at cross-purposes."[44]

The passage of the Clayton-Lusk motion picture censorship bill in New York did little to close the door on the debate surrounding governmental censorship in the state. In January 1922, New York State Senator James J.

Walker accused Senator Clayton R. Lusk (co-sponsor of the Clayton-Lusk bill) of harboring knowledge of alleged bribes taken by state censors from motion picture producers.[45] At the same time, The Billboard reported on the increasing antagonism directed toward Governor Miller by censorship opponents. The magazine attempted to prove the absurdity and inefficiency of the New York censors by pointing out a number of instances in which highly objectionable material was shown to the public with the official stamp of the State Censor Commission. The Billboard charged that a film depicting the graphic rape of a young girl was approved by the commissioners. The magazine challenged the Governor in a published letter to prove that it was his intention to "protect the morals of the community . . . and to safeguard the young" by the approval of such material.[46] The Billboard asserted that the existence of the State Censor Commission was ludicrous, as it could not properly censor even the most overtly objectionable material.[47] Marion Russell, editor of The Billboard's "Motion Picture Field" page, went so far as to drop hints that everyone from the censors to the governor were paid by movie producers to ignore material which would typically be censored.[48]

In 1923, Alfred E. "Al" Smith was reinstated as Governor of New York. Smith, a close ally of anti-censorship forces, was welcomed upon his return by The Billboard which stated that Smith was one of "those who can be depended upon when times are tough in show business."[49] In 1924, the situation in New York again came to a head as a bill was introduced to repeal the existing censorship law. State Democrats had attempted to pass a similar bill the previous year, but hopes were running especially high for the 1924 legislation. In March, The Billboard reported that censorship repeal in New York was "confidently expected."[50] The magazine claimed that the state assembly had garnered enough Democratic and Republican support to ensure passage of the Davison Bill which would effectively put an end to governmental censorship in the state of New York.[51] The confidence surrounding the passage of the repeal bill began to subside as exhibitors protested the legislation because it called for misdemeanor charges to be filed against any exhibitor caught displaying objectionable material on their screens.[52] While the bill did allow for self-regulation of motion picture content, exhibitors felt that the legislation allowed judges to essentially discern what material was objectionable.[53] Even with the backing of

Will Hays and Governor Smith, the Davison Bill was met with opposition from exhibitors. In April 1924, exhibitors supported the Walker Repeal Bill, which substantially softened the penalties to be endured by exhibitors accused of showing indecent motion pictures. With the two bills and a third competing censorship repeal bill before the legislature at the same time, all three were defeated and the existing three-man censorship commission remained in place.

In 1926, New York handed the duty of motion picture censorship over to the Department of Education. By 1927, the censorship battle in New York was running out of steam. In that year, both sides of the censorship issue won partial victories. The Board of Regents was given the responsibility of issuing licenses concerning film content, and the State Censor Commission was abolished.

Although a decisive victory against governmental censorship in New York was never achieved, the battle against federal censorship was a resounding success for the motion picture industry.[54] In 1923, five different religious denominations, fronted by the International Reform Bureau, asked Congress to enact a federal law for the regulation of motion pictures. The Billboard ridiculed

the notion of federal censorship of the movies and predicted that Washington D.C. would become "the scene of pitched battles for new legislation for and against the motion picture industry."[55] In December 1925, the magazine reported that the Motion Picture Regulation Bill of 1926, which intended to set up a commission for federal motion picture censorship, was to be introduced in Congress. The bill, however, failed to gain support of several prominent reform organizations and died in committee in the House of Representatives in April 1926.

Interestingly, Billboard writers also viewed the Sunday closing laws as a form of class-based discrimination. The Billboard staff appeared to share the views of Rabbi Marius Rasinsky when he argued that blue laws discriminate against the working man.[56] The Rabbi contends that a person of means could simply avert Sunday closing laws by taking himself and his family to another town or state that did not have such laws.[57] He states that "the poor man who has worked hard for six days of the week is persecuted and oppressed by the Sunday laws that prevent him from playing baseball, . . . entering a saloon, or witnessing a motion picture performance."[58] The Rabbi felt strongly that only the wealthy could afford to enjoy

themselves as they saw fit while the working man was oppressed by legislated morality on his one day of rest.[59] Following Rabbi Rasinsky's remarks in 1920, The Billboard used the class discrimination argument with great frequency in its attacks against Sunday closing laws.

The battle surrounding screen morality continues, in modified form, to the present day. In 1930, the Production Code was written and the Production Code Administration (P.C.A.) was founded to enforce it in 1934. Similar to the M.P.P.D.A., this organization was an industry-created board designed to self-regulate the content of motion pictures.[60] Billboard magazine continues to rally against governmental censorship at the end of twentieth century. In a reply to a letter to the editor published in March 1999, current Editor in Chief Timothy White wrote, "Billboard opposes censorship, believing that no law or writ could ever ensure that the arts are moral or righteous . . . Billboard prefers to encourage readers to heed their own consciences and act accordingly."[61] While the magazine may have narrowed its focus to the music industry in recent decades, its position on governmental censorship appears to remain unchanged.

[1] Frederick Lewis Allen, Only Yesterday: An Informal History of the 1920s (New York: Harper and Row, 1931), 73.

[2] William E. Leuchtenburg, The Perils of Prosperity, 1914-1932 (Chicago: University of Chicago Press, 1958), 204.

[3] Ibid.

[4] Ibid., 205, 206, 217.

[5] Although calls for motion picture censorship intensified in the 1920s, several states maintained film review boards prior to the decade.

[6] Richard S. Randall, Censorship of the Movies: The Social and Political Control of a Mass Medium (Madison: University of Wisconsin Press, 1968), 14.

[7] Ibid.

[8] Ibid.

[9] Ibid. Perhaps the best known and most widely publicized movie scandal of the 1920s involved murder charges leveled against screen comedian Roscoe "Fatty" Arbuckle.

[10] David N. Laband and Deborah Hendry Heinbuch, Blue Laws: The History, Economics, and Politics of Sunday Closing Laws (Lexington: D.C. Heath and Company, 1987), 7.

[11] Ibid.

[12] Ibid., 8.

[13] W.H. Donaldson, "How to Fight the Fanatics," The Billboard, December 18, 1920, 44.

[14] Leonard J. Leff and Jerold L. Simmons, The Dame in the Kimono: Hollywood, Censorship, and the Production Code from the 1920s to the 1960s (New York: Grove Weidenfield, 1990), 4.

[15] W.H. Donaldson, "Censorship Gone Mad," The Billboard, February 2, 1920, 78.

[16] W. Stephen Bush, "The Censorship Bill in West Virginia," The Billboard, April 9, 1921, 96.

[17] Randall, Censorship of the Movies, 17.

[18] Ibid.

[19] Martin Robert Francis III, "Celluloid Morality: Will Hays' Rhetoric in Defense of the Movies, 1922-1930" (Ph.D. diss., Indiana University, 1974), iii.

[20] Will Hays gives an illuminating summary of the M.P.P.D.A.'s "formula" in his book See and Hear (New York: Motion Picture Producers and Distributors of America Inc., 1929).

[21] W.H. Donaldson, "A New Movie Boss," The Billboard, January 21, 1922, 93.

[22] Ibid.

[23] Marion Russell, "Exhibitors Desire Information," The Billboard, March 25, 1922, 92.

[24] Marion Russell, "New Combine in Motion Picture Industry Planned," The Billboard, December 17, 1921, 92.

[25] W.H. Donaldson, "Hays Makes Stirring Address," The Billboard, April 22, 1922, 97.

[26] Ibid.

[27] Ibid.

[28] W. Stephen Bush, "Jersey Sunday Fight Lagging," The Billboard, March 13, 1920, 78.

[29] W. Stephen Bush, "Film Censorship Denounced," The Billboard, October 30, 1920, 88.

[30] H.E. Shumlin, "Bright Hopes for N.Y. Censorship Repeal," The Billboard, January 12, 1924, 58.

[31] W. Stephen Bush, "Fighting Censorship in Massachusetts," The Billboard, October 16, 1920, 82.

[32] W. Stephen Bush, "Mayors Condemn Censorship," The Billboard, November 3, 1920, 88.

[33] W.H. Donaldson, "Editorial Comment," The Billboard, August 26, 1922, 44.

[34] Marion Russell, "Massachusetts Defeats Proposed Censorship Measure," The Billboard, November 18, 1922, 52.

[35] Ibid.

[36] "One Censor Less," The Billboard, December 9, 1922, 111.

[37] Ibid. It is worth mentioning that Will Hays and the M.P.P.D.A. financed a considerable publicity campaign in efforts to defeat the censorship measure in Massachusetts.

[38] Hays, See and Hear, 34.

[39] W. Stephen Bush, "Censorship Battle On at Albany," The Billboard, April 9, 1921, 96.

[40] W.H. Donaldson, "Censorship Bill Passed By New York Assembly," The Billboard, April 23, 1921, 5.

[41] W.H. Donaldson, "Editorial Comment," The Billboard, April 30, 1921, 46.

[42] Ibid.

[43] Marion Russell, "Governor Miller Non-Committal," The Billboard, May 7, 1921, 104.

[44] W.H. Donaldson, "Motion Picture Censorship Bill Signed by Governor Miller," The Billboard, May 21, 1921, 5, 114.

[45] The allegation was never proven. Senator James "Jimmy" Walker maintained a long association with anti-censorship forces and was general counsel to the Motion Picture Theater Owners of New York in the early 1920s. He was also the Democratic mayor of New York City from 1926 to 1932.

[46] Marion Russell, "Governor Miller Challenged to Prove that Censorship is Adequate," The Billboard, January 21, 1922, 92.

[47] Marion Russell, "Inefficiency of Censorship," The Billboard, February 11, 1922, 92. The film depicting the scene in question is entitled "Foolish Wives."

[48] Ibid. This allegation also was never proven.

[49] "Smith Fights Censorship and Hays Untangles Snarl," The Billboard, January 13, 1923, 11.

[50] H.E. Shumlin, "N.Y. Censorship Repeal is Confidently Expected," The Billboard, March 22, 1924, 77.

[51] Ibid.

[52] H.E. Shumlin, "N.Y. Exhibitors Protest Against Contemplated Bill," The Billboard, March 29, 1924, 52.

[53] Ibid.

[54] The New York system was, however, struck down by the Supreme Court in 1962.

[55] H.E. Shumlin, "More M.P. Legislation Aimed at Congress," The Billboard, January 5, 1924, 58.

[56] W. Stephen Bush, "Jersey Sunday Fight Is Lagging," The Billboard, March 13, 1920, 78.

[57] Ibid.

[58] Ibid.

[59] Ibid.

[60] See Leff and Simmons' book The Dame in the Kimono: Hollywood Censorship, and the Production Code from the 1920s to the 1960s for an in-depth look at the career of Will Hays and the Production Code. Interestingly, the

P.C.A. is often referred to as "The Hays Office" although Hays remained President of the M.P.P.D.A.

[61] Timothy White, "Letters," Billboard, March 20, 1999, 3.

CHAPTER IV

THE RISE OF THE TALKING PICTURES

There are many myths and inaccuracies that surround the development of sound technology in the motion picture industry. Among the most prominent misconceptions is that the shift from silent to sound cinema occurred virtually overnight. Another common inaccuracy is that the transition to "talkies" was smooth and seamless. The rise of the talking picture was a long process of innovation and invention. When a viable sound system was developed in the mid-1920s, the result yielded drastic and destabilizing effects upon the industry. Although the premiere of the Warner Brothers production of "The Jazz Singer" in 1927 is often cited as the birth of the talkies, experimentation and development of techniques designed to bring sound to the screen extends back to the opening years of the twentieth century.[1]

The Billboard followed the development of talking pictures closely and detailed advances in motion picture sound technology as early as 1904.[2] By the mid-1920's, the talking film was no longer considered a mere novelty but a commercial reality. To an industry characterized by corporate consolidation, unfair trade practices,

disorganization, and brutal competition, the advent of a viable form of motion picture sound technology brought intensified chaos and change. The Billboard not only followed the multitude of changes within the industry brought about by sound but also paid considerable attention to the unexpected, and often unfortunate, results of such massive destabilization.

One needs only to glance at the pages of The Billboard from 1926 to 1930 to gain insight as to the importance of sound in the movies. In these years, the rise of the talking pictures dominated nearly every inch of space devoted to the motion picture industry in The Billboard. Pressing issues such as governmental censorship were relegated to secondary status beginning with the summer of 1926. If the pages of The Billboard can be utilized to gauge the importance and impact of an issue in the entertainment industry, then the advent of the talkies was nothing short of a revolution in the motion picture business.

In a 1928 article, The Billboard pointed out that talking pictures first were exhibited in New York City in 1906.[3] The publication claimed that motion picture sound was initially achieved through the use of a Columbia

phonograph and wax-cylinder records.[4] Although this crude form of picture sound became an apparent fad, The Billboard stated that by 1907, the novelty had ceased to attract public attention due to poor sound quality and inadequate amplification.[5] For nearly two decades, professionals and amateurs experimented with makeshift devices designed to bring sound to the silent screen.

In 1921, The Billboard reported that the synchronization of sound to screen had been perfected.[6] While the invention was said to be "a considerable advance in the art of motion picture production," the inventors had little idea as to how to adequately amplify the sound for audiences.[7] Throughout the early 1920s, The Billboard reported upon new devices and systems designed to bring sound to the motion pictures, none of them amounting to the revolution in the film industry that their inventors predicted. In 1922, American inventor Lee De Forest perfected the first motion picture sound system based on the principle of sound recorded directly onto the film itself rather than on phonograph records.[8] Billboard writers were skeptical that De Forest's invention would have a noticeable impact on the movie industry but were enthusiastic concerning the invention's use of recorded

light impulses to record sound onto the film.[9] De Forest's system, called "Phonofilm," represented both a major step forward in the sophistication of modern electronics and laid the groundwork for the dramatic rise of talking pictures.[10]

By 1925, the De Forest Phonofilm Corporation was responsible for the production of a variety of short features that included dialogue and musical accompaniment. The Billboard, however, remained unconvinced that Phonofilm was an artistically and commercially viable invention. In an attempt to dismiss both De Forest's and countless speculators' claims that Phonofilm technology would revolutionize the film industry, a Billboard writer argued that "the most sure-fire benefit that the invention will bring about lies in the prospects of exhibitors in the smallest of towns providing their patrons with metropolitan music at the movie show."[11] The magazine praised the invention's sound quality and excellent synchronization but remained resolute that Phonofilm's greatest accomplishment would be to bring "the voices of the greatest operatic stars to the most isolated of hamlets at a price within the reach of the average person."[12]

In the summer of 1926, Warner Brothers premiered a synchronized talking device known as "Vitaphone."[13] Like De Forest's Phonofilm, the Vitaphone was based upon the principle of recording sound directly onto the film. The introduction of the Vitaphone caused a tremendous stir both within the industry and among the public. Following a demonstration in Madison, Wisconsin, The Billboard reported that "those who attended . . . noted that [the] speech from the loudspeaker was loud, clear, and distinct."[14] The writer also pointed out that there was "perfection in the synchronization between lip movement, gestures of the actors on the screen, and the sound that [came] from the loudspeaker suspended above the stage."[15] Upon the premiere of the Vitaphone in New York City, public demand was so favorable that tickets sold for up to ten dollars, a rate which "eclipsed all prior scales for special runs on Broadway or anywhere else."[16]

Following the debut of the Vitaphone, an explosion of interest surrounding talking pictures ensued. As with the Phonofilm in the early 1920s, the Billboard staff maintained an enthusiastic yet cautious approach to the invention. Shortly after the introduction of Vitaphone to the public, an article in The Billboard stated that the

invention is nothing short of a technological "revelation" yet expressed concern that the high cost of Vitaphone productions and equipment would put the average exhibitor at a disadvantage.[17] The Billboard's new editor, D.C. Gillette called the invention "a clever, scientific substitute . . . [that] cannot provide the magnetic touch . . . and the assurance of reality supplied to audiences by the legitimate stage."[18]

Despite this criticism, the magazine praised the invention for opening up the motion picture field to a host of Vaudeville, musical, and novelty acts.[19] In another editorial, the Vitaphone was deemed entirely unnecessary as The Billboard argued that "the movies owe their great success to the fact that they can be understood and absorbed . . . by even the lowest order of mentality."[20] Furthermore, the magazine added, "the minute [the movies] add conversation they will become too complicated for the tremendous percentage of movie patrons."[21] Whether out of support for independent picture houses which most likely could not afford Vitaphone equipment or a sincere belief that film audiences were not intellectually capable of understanding dialogue, The Billboard's attitude toward the

talkies was as chaotic and complex as the device's effects upon the industry.

By the end of 1926, other producers and corporations were in competition with Warner Brothers' exclusive use of Vitaphone technology. The Fox Film Corporation signed contracts with R.C.A. to develop the "Pallophotophone" in efforts to bring sound to its productions.[22] General Electric premiered a talking device known as "Phototone" in January 1927.[23] Keith-Albee, a long-established vaudeville production firm, began development on its own "Audiophone" that same year.[24]

By 1927, it was clear that the talking film was much more than a novelty. In the fall of that year, The Billboard reported that the installation costs of sound equipment had decreased by one-third and that high-ticket prices to sound pictures had declined substantially.[25] Nevertheless, The Billboard maintained its critical position toward sound. The magazine's initial area of concern surrounding the development of sound pictures was with the theater musicians who faced unemployment due to the proliferation of the talkies. The Billboard argued that the talking picture "would eventually supplant the musician in the theater."[26] In 1928, the American

Federation of Musicians published an open letter in a number of newspapers and trade publications in an effort to bring attention to "the evils of substituting mechanical devices for personal appearances," and to protect the jobs of its members.[27] The Billboard, however, gave only partial support to the musicians' union. In an editorial, the magazine took the position that musicians had "plenty of basis in the contention that machine music may gradually and unwittingly come to be expected by the public" but asserted that "there are scores of legitimate theaters on Broadway and in other metropolitan cities . . . that would be glad to use orchestras at reasonable terms."[28] In response to the growing criticism of "canned music," The Billboard published a letter to the editor by a frequent movie patron. The spectator stated that "Vitaphone orchestral accompaniment . . . brings back the good old days of full orchestral accompaniment. With the mechanical devices, the exhibitor is able to give his audience the best music at every showing of the feature."[29] He went on to argue that good musicians will increasingly find employment at radio."[30]

By mid-1929, recorded or "canned" music had created significant unemployment among musicians. The Billboard

wrote that "the situation brought about by the advent of mechanical music synchronized with motion pictures has thrown many musicians out of regular theatrical work. . . . the situation is one of widespread gravity."[31] The unemployment prospects for motion picture musicians continued to dim throughout the balance of the decade. The development of improved electrical sound equipment in late 1929 added to the desperate conditions for screen musicians.[32]

Another area where talking pictures created a crisis was in the legitimate theater.[33] Dramatic stage producers were initially encouraged by the prospects of sound technology in motion pictures. The Billboard stated that "for awhile, a number of Broadway managers believed that there would be a fine outlet for plays in the talkies."[34] The magazine argued that theatrical productions would inevitably fail as motion pictures because authors and directors who specialized in the dramatic stage would be unable to overcome "the important technical and mechanical necessities" that characterize the production of sound pictures.[35] The Billboard further argued that dramatic stage productions and motion pictures appealed to a different audience; therefore, legitimate stage productions

as sound features could be expected to be commercial failures.[36]

The magazine also was concerned with the effect the talkies would have upon the motion picture actors themselves. In a 1928 interview with The Billboard, William Haines, a movie actor, said that "working in talking pictures is terribly nerve-wracking."[37] Haines contended that only those with "the toughest of constitutions will survive the strain of making 'canned movies'."[38] The actor stated that because sound pictures were shot on airtight, soundproof sets, "you can hardly breathe and in hot weather, it's like working in a boiler room."[39] He argued that sound productions were irritating to the actors because the "grinding of the camera" was significantly more audible than in silent productions.[40] Haines commented that sound pictures were difficult to produce because "everything had to be laid out beforehand" and that the silence required on the set was "terribly nerve-wracking."[41]

Of greater concern to the Billboard staff was not the alleged adverse working conditions on soundstages but the dangers posed to film actors who could not speak or had poor voices. In 1928, Paramount issued a statement that

all of its films to be produced in the immediate future would be made only with "casts that can talk."[42] Paramount concluded that stage-trained actors typically maintained the best voices and that the company would try to cast only actors who had training on the stage in their pictures.[43] The Billboard responded by stating that "the most severe tests are now facing those who would play in Paramount talkies."[44] The magazine went on to argue that "there is a strong possibility that stars, no matter how big they are, will not stand a ghost's chance in talking roles if their voices are not properly trained for proper reproduction."[45] By 1929, film actors who either refused to make talkies or had inferior voices were facing unemployment. Notable actors such as Lon Chaney, Marion Davies, and William Haines found themselves released from their contracts with M-G-M due to problems surrounding sound features.[46]

The Billboard also called attention to some of the beneficial effects of sound on the motion picture industry. Not only did talking pictures open up the motion picture field to a variety of new acts, it also created more work and higher wages for a number of technical vocations. The magazine reported that contrary to beliefs that the talkies would have a detrimental effect, stagehands were

experiencing a surge in demand and wages.[47] The Billboard pointed out that due to the temperamental nature of the mechanical devices and the rapid proliferation of talking screens, skilled technicians always would be in demand.[48] The publication also recognized that a number of silent screen "old-timers" were able to stage successful comebacks following the introduction of sound.[49] The Billboard alluded to a number of silent screen stars previously "relegated to the scrap heap" who were again in high demand in the late 1920s because they often agreed to take smaller, supporting roles for nominal salaries.[50]

The shift from silent to sound cinema was well underway by mid-1927, although The Billboard maintained its view that the talkies were little more than a fad. A characteristic Billboard editorial stated that "the best reasoning indicates that the talkies will not last very long beyond their period of novelty."[51] The magazine did not predict how long the novelty would last but did support the general prosperity that the talking pictures had brought to the industry.[52]

Despite The Billboard's pessimistic attitude toward the development of sound in the motion picture industry, an article published in September 1927 demonstrates the high

level of interest among film producers toward sound technology. The article reported that the "Big Five" producers - Paramount, Metro-Goldwyn-Meyer, Universal, Pathe, and Fox - were investing millions of dollars into mechanical devices intended to bring sound to the screen.[53] By November, both United Artists and First National had announced plans to invest in sound features.[54] In 1928, Carl Laemmle, President of the Universal Pictures Corporation, stated that although the talking picture "has caused the industry uncertainty, anxiety, and misgiving . . . I am one who firmly believes that talking pictures have now come to stay."[55]

As Laemmle pointed out, the talkies were indeed here to stay. By late 1928, Universal announced that it was producing one out every five pictures with sound.[56] Paramount led the charge in sound productions with seventeen talkies produced in 1928.[57] Warner Brothers and Pathe followed with thirteen while Universal produced eleven.[58] In March 1929, Fox announced that it was abandoning the production of silent films altogether in order to concentrate resources solely upon the development of talkies.[59]

Despite the rise of the popularity of the talkies and Fox's announcement to cease production of silent features, silent film production did not grind to a halt at the end of the 1920s. In 1929, The Billboard announced that 414 silents were slated to be released in 1930.[60] The magazine stated that more than 14,000 movie theaters in the United States and 27,000 more in Europe were not yet wired for sound.[61] By the end of the decade, the conversion to sound was far from complete. The Billboard pointed out that while talking pictures were the catalyst for great change within the industry, by August of 1929, only 3,000 out of nearly 30,000 theaters in the United States had completed the installation of sound equipment.[62] The magazine also stated that of the relatively small number of sound-equipped theaters, nearly all of them were owned or controlled by a major theater chain.[63]

The Billboard's refusal to accept talking pictures as a permanent and eventually dominant form of motion picture production is curious. One can speculate that the magazine's long standing commitment to the business interests of small, privately owned motion picture houses may have been at the root of its skeptical and inconsistent attitude toward the talkies. Billboard writers may have

fostered a negative view of sound pictures due to their expense and domination by the major Hollywood production firms. To a Billboard staffer in the 1920s, the threat of a new and corporate controlled technology in the motion picture industry would most likely foretell ruin for already beleaguered independent houses. Although this explanation appears reasonable on the surface, The Billboard's inconsistent stance on sound pictures remains unexplained.

In actuality, the talkies may have insured the survival of independent movie houses beyond the 1920s. In January 1929, The Billboard reported that a "mad scramble [was] on to undersell on sound."[64] The magazine stated that manufacturers were selling sound equipment as low as $350.00.[65] Independent manufacturers of sound equipment sold their devices (many of questionable quality) to independent theaters, dancehalls, gymnasiums, and ballrooms across the nation. While there is little discussion of the legal ramifications concerning sound system knock-offs in The Billboard, the magazine dubbed the talkies the "saving grace for independent producers and exhibitors."[66] Despite their reoccurring hostility toward the talkies, Billboard writers praised the advent of sound because it enabled

independent movie houses to maintain their commercial viability as the tide shifted away from silent features.

The high price of production, distribution, and exhibition of talking films appeared to decline by the end of the decade. Clarence Brown, a film director under contract to M-G-M, contended that in 1929, "the production of talking pictures is not more expensive than the making of the silent variety."[67] Brown argued that talkies were typically less expensive than silents because sound pictures "demand very little preparation, even allowing for the time consumed in preparing lines."[68] Furthermore, the director stated that in sound features, the dialogue was the central focus which allowed for less time and money to be spent upon the creation of numerous film sets.[69]

The rise of the talking pictures marked a revolution within the motion picture industry. To The Billboard, the advent of sound technology was a mixed blessing. The Billboard was wildly inconsistent in its assessment of this new technology in the 1920s. The magazine staff praised the financial profits reaped by the movie industry following the introduction of sound and its beneficial effect upon independent exhibitors, yet maintained that talking pictures were merely a fad that would quickly

disappear once the public tired of the novelty of hearing their favorite actors speak. The development of sound pictures in the 1920s represented a new era in the film industry. The Billboard stood on the sidelines of the revolution, offering cautionary advice to an industry emerging from a troubled adolescence.

[1] For a detailed analysis of the development of sound technology in the motion picture industry, see Alexander Walker's book, The Shattered Silents: How the Talkies Came to Stay (London: Elm Tree, 1978).

[2] Seth Goldstein, "Home is Where the Art Is," Billboard: 100th Anniversary Issue, November 1, 1994, 180.

[3] P.A. Powers, "Perfection of Talkies," The Billboard, December 8, 1928, 92.

[4] Ibid.

[5] Ibid.

[6] Marion Russell, "Screen to Talk," The Billboard, October 22, 1921, 96.

[7] Ibid.

[8] Douglas Gomery, "The Coming of Sound: Technological Change in the American Film Industry," in The American Film Industry, ed. Tino Balio (Madison: University of Wisconsin Press, 1985), 233.

[9] W.H. Donaldson, "Describes Talking Pictures," The Billboard, September 30, 1922, 8.

[10] Gomery, "The Coming of Sound," 233.

[11] Arthur W. Eddy, "Phonofilm Produces Interesting Effects," The Billboard, March 21, 1925, 85.

[12] Ibid. It seems likely that the *Billboard* staff would have been aware that the phonograph and radio were both bringing "fine" music to masses by this time.

[13] Warner Brothers is often cited as the sole sponsor of the Vitaphone. In actuality, Warner Brothers were co-sponsors with AT&T in the development of Vitaphone technology.

[14] Ray Chartier, "Warner's' 'Vitaphone' Successfully Tried," The Billboard, July 3, 1926, 36.

[15] Ibid.

[16] Roy Chartier, "$10 Top for Premiere of Vitaphone Picture," The Billboard, July 31, 1926, 32. "Don Juan," starring John Barrymore, was the first film shown to the public that utilized Vitaphone sound technology.

[17] Roy Chartier, "Vitaphone Given as a Cause of Stock Jump," The Billboard, September 4, 1926, 36. The magazine placed the cost of Vitaphone sound equipment at $10,000 per theater.

[18] D.C. Gillette, "Editorial Comment," The Billboard, September 4, 1926, 44.

[19] Roy Chartier, "Vitaphone Opens New Field To Acts," The Billboard, September 11, 1926, 36.

[20] D.C. Gillette, "Vitaphone and Music," The Billboard, October 23, 1926, 46.

[21] Ibid.

[22] Roy Chartier, "Fox's Pallophotophone to Vie With Vitaphone," The Billboard, November 6, 1926, 36.

[23] D.C. Gillette, "Talking Movies Become Reality," The Billboard, February 5, 1927, 5.

[24] D.C. Gillette, "The Audiophone, K.-A.'s Talkie," The Billboard, July 9, 1927, 8.

[25] D.C. Gillette, "Many Changes Mark New Season," The Billboard, September 24, 1927, 11.

[26] D.C. Gillette, "Killing the Goose," The Billboard, October 22, 1927, 48.

[27] "Musicians Union Launches Fight On Canned Music," The Billboard, July 21, 1928, 5.

[28] D.C. Gillette, "Canned Music," The Billboard, July 28, 1928, 43.

[29] Aaron E. Bishop, "In Defense of Canned Music," The Billboard, August 18, 1928, 43.

[30] Ibid.

[31] D.C. Gillette, "Grave Problems Before Musicians," The Billboard, May 25, 1929, 3.

[32] "Canned Pit Accompaniment Coming Soon," The Billboard, August 10, 1929, 9.

[33] The term "legitimate theater" appears to refer to live dramatic productions of high artistic merit.

[34] D.C. Gillette, "Broadway Plays Cannot Find Outlet in Sound Pictures," The Billboard, September 22, 1928, 9.

[35] Ibid.

[36] Ibid.

[37] Roy Chartier, "Strain of Acting in Talkies Awful, Says William Haines," The Billboard, October 13, 1928, 10.

[38] Ibid.

[39] Ibid.

[40] Ibid.

[41] Ibid.

[42] D.C. Gillette, "Lasky Slogan Spells Danger to Film Star Who Can't Talk," The Billboard, October 27, 1928, 14.

[43] Ibid.

[44] Ibid.

[45] Ibid.

[46] "Talkies May Crowd 6 M-G-M. Stars Out," The Billboard, April 13, 1929, 21.

[47] D.C. Gillette, "Talkies Mean More Wages for Stagehands," The Billboard, July 21, 1928, 3.

[48] Ibid.

[49] "Talkies Help Some Oldtimers to Stage Knockout Comebacks," The Billboard, June 8, 1929, 21.

[50] Ibid.

[51] D.C. Gillette, "The Sound Screen," The Billboard, July 28, 1928, 43.

[52] Ibid.

[53] "Big Five of Films After the Talkies," The Billboard, September 10, 1927, 7.

[54] D.C. Gillette, "Big Film Companies Ready to Bow to Talking Pictures," The Billboard, November 5, 1927, 9.

[55] Carl Laemmle, "Talking Motion Pictures are Here to Stay," The Billboard, December 8, 1928, 104.

[56] "Universal Remaking With Talk Film Originally Made as Silents," The Billboard, December 22, 1928, 20.

[57] Roy Chartier, "Paramount Leads in Talkie Output," The Billboard, March 2, 1929, 20.

[58] Ibid.

[59] "Talkies Only for Fox Film," The Billboard, March 30, 1929, 3. Fox apparently recanted this statement as it produced forty-eight silent films in 1930.

[60] "414 Silents," The Billboard, August 10, 1929, 19.

[61] Ibid.

[62] Ibid.

[63] Ibid.

[64] D.C. Gillette, "Mad Scramble is on to Undersell on Sound," The Billboard, January 5, 1929, 19.

[65] Ibid.

[66] Roy Chartier, "Talkies Saving Grace for Independent Producers," The Billboard, January 12, 1929, 18.

[67] Roy Chartier, "Talkies Economical Says M-G-M Director, The Billboard, February 2, 1929, 22.

[68] Ibid.

[69] Ibid.

CHAPTER V

CONCLUSION

The Billboard offers a unique perspective on the motion picture industry in the 1920s. The magazine's commitment to generally small, independent business owners, intense distrust of corporate consolidation and monopolistic practices, support of trade organizations and unions, hatred of unfair business practices, and staunch belief that the government should keep out of private affairs seems to contain elements of both liberal and progressive political philosophies. Although The Billboard's ideological position and that of its founder William H. Donaldson may appear to be something of a holdover from the Victorian period, its perspective was not inconsistent with the 1920s pro-business administrations of Harding and Coolidge and the emphasis upon trade associations that characterized the era. One would only expect this from a man whose life spanned both the "Gilded Age" of liberalism during the closing decades of the nineteenth century and the hallmark years of progressivism during the early decades of the twentieth century. In a sense, The Billboard maintained views and opinions that were both forward looking and old fashioned.

To The Billboard, the motion picture industry in the 1920s was at once out of control while expanding at an unprecedented rate in the midst of great social and technological change. The magazine's close attention to unfair trade practices and corporate consolidation illustrates the competitive, big business climate that came to characterize the decade. Such practices as block booking, screen trespassing, and high rental fees charged by producers raised the ire of the publication's editor. The Billboard's crusade against governmental censorship in the first half of the decade demonstrates both the considerable power wielded by the religious lobby and Billboard's determination to oppose it. Donaldson and his writers tried to prove that those who favored governmental censorship were largely religious fanatics and dishonest public servants who represented a minority of the public will as evidenced in legislative battles in Massachusetts and New York. The development of screen sound and The Billboard's reaction to it shows both the turmoil caused by technological innovation in the motion picture industry and the magazine's inability to fully embrace what would become a revolution in modern communications. The reaction to the rise of the talking pictures typifies the publication's

cautious and often skeptical approach to developments spearheaded by corporate interests in the motion picture industry. Ironically, a magazine that now devotes its attention to current trends in sound entertainment had considerable difficulty coming to terms with similar trends in the 1920s.

Today, Billboard devotes its attention to the music and video industries while publications such as Variety continue to deliver in-depth coverage of the entertainment industry as a whole. Under the guidance of its founder and original editor, W.H. Donaldson, The Billboard displayed an uncompromising commitment to thorough coverage of all areas of the entertainment and amusement industries. While the focus of the magazine may have changed in the 105 years since the publication of its first issue, Billboard continues to maintain its role as a vital and powerful voice in the entertainment industry into the twenty-first century.

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