

# City of Superb Democracy: The Emergence of Brooklyn's Cultural Identity During Cinema's Silent Era, 1893-1928.

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“CITY OF SUPERB DEMOCRACY:”  
THE EMERGENCE OF BROOKLYN’S CULTURAL IDENTITY DURING CINEMA’S  
SILENT ERA, 1893-1928

by

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B.A. East Stroudsburg University, 2009

A thesis submitted in partial fulfillment of the requirements  
for the degree of Master of Arts  
in the Department of History  
in the College of Arts and Humanities  
at the University of Central Florida  
Orlando, Florida

Spring Term  
2014

Major Professor: Amy Foster

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## **ABSTRACT**

This study discusses how motion picture spectatorship practices in Brooklyn developed separately from that of any other urban center in the United States between 1893 and 1928. Often overshadowed by Manhattan's glamorous cultural districts, Brooklyn's cultural arbiters adopted the motion picture as a means of asserting a sense of independence from the other New York boroughs. This argument is reinforced by focusing on the motion picture's ascendancy as one of the first forms of mass entertainment to be disseminated throughout New York City in congruence with the Borough of Brooklyn's rapid urbanization. In many significant areas Brooklyn's relationship with the motion picture was largely unique from anywhere else in New York. These differences are best illuminated through several key examples ranging from the manner in which Brooklyn's political and religious authorities enforced film censorship to discussing how the motion picture was exhibited and the way theaters proliferated throughout the borough. Lastly, this work will address the ways in which members of the Brooklyn community influenced the production practices of the films made at several Brooklyn-based film studios. Ultimately, this work sets out to explain how an independent community was able to determine its own form of cultural expression through its relationship with mass entertainment.

## ACKNOWLEDGMENTS

This work is the result of a long protracted search for a topic in an increasingly crowded field of study. First and foremost I must thank Dr. Judith Thissen for helping redirect the focus of my work from the realm of “historical leftovers,” to the groundbreaking topic I since developed. I also must thank Drs. Ross Melnick, Kathy Fuller-Seeley, Richard Koszarski, Tim Lacy, and Gregory Waller for taking time out of their busy schedules to provide important suggestions on where the direction of my work should go, as well as sharing useful tips on where to locate primary sources. In addition I must thank Cezar Del Valle of Theatre Talks and Nellie Perera of the Urban Memory Project, both were incredibly generous in sharing primary source materials and their research findings in relation to Brooklyn’s early motion picture history. Furthermore Lindsay Turley of the Museum of the City of New York, Lenny DeGraaf and Paul Israel of the Thomas A. Edison Papers, June Koffi of the Brooklyn Public Library, and Jeff Edelstein of the Brooklyn Historical Society, were each invaluable in their assistance in helping me to flesh out my sources.

Many instructors at the University of Central Florida serve as an inspiration and a guiding light in my development as a researcher. I sincerely want to thank Dr. Scot French for granting me the opportunity to share my findings with his classes. And Dr. Hong Zhang for providing me with a multitude of resources that significantly helped to shape the direction of my research. Lastly I wish to give my deepest thanks to my thesis adviser Dr. Amy Foster for patiently reviewing and assessing each draft I submitted. Her insights and ability to provide me with much

needed perspective on my writing has served as the greatest influence on the final outcome of this work.

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## LIST OF ACRONYMS

ANPU	Actors National Protective Union
BOA	Box Office Attractions
EMC	Edison Manufacturing Company
FPC	Famous Players Company
FPLC	Famous Players-Lasky Company
GNYFRC	Greater New York Film Rental Company
ICNYCC	Interdenominational Committee of New York Church Clergy
INC	International Novelty Company
IRB	International Reform Bureau
MPEL	Motion Picture Exhibitors League
MPPC	Motion Picture Patents Company
MPPDA	Motion Picture Producers and Distributors of America
NYBC	New York Board of Censorship
NYSCM	New York State Conference of Mayors
SOAKC	Sunday Observance Association of Kings County
VCA	Vitagraph Company of America
VLSE	Vitagraph-Lubin-Selig-Essanay

## **INTRODUCTION: THE SEARCH FOR BROOKLYN’S CULTURAL IDENTITY AT THE MOVIES AFTER “THE GREAT MISTAKE OF 1898”**

I find in this visit to New York, and the daily contact and rapport with its myriad people, on the scale of the oceans and tides, the best, most effective medicine my soul has yet partaken – the grandest physical habitat and surroundings of land and water the globe affords – namely, Manhattan Island and Brooklyn, which the future shall join in one city – city of superb democracy, amid superb surroundings.

– Walt Whitman, “Human and Heroic New York.”<sup>1</sup>

At the stroke of midnight on January 1, 1898, the third largest city in the United States ceased to exist. After a decades-long debate between members of the New York State Assembly and the Board of Alderman of the City of New York, it was determined that the City of Brooklyn was to be absorbed into the newly formed Greater City of New York. After the 1898 consolidation all that remained of the City of Brooklyn was a fierce sense of civic pride among its inhabitants that was most often expressed through the former city’s many cultural institutions.<sup>2</sup> Brooklyn’s fate was sealed several months earlier on May 5, 1897, when New York Governor Frank S. Black signed into law “an act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York Harbor including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and the county of Queens, and to provide for the government thereof.”<sup>3</sup> Governor Black’s decision to merge the cities of New York and Brooklyn was influenced by a

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<sup>1</sup> Walt Whitman, *Prose Works, 1892*, ed. Floyd Stovall (New York: New York University Press, 1962), 171-172.

<sup>2</sup> David Ment, *Building Blocks of Brooklyn: A Story of Urban Growth* (New York: Brooklyn Rediscovery – Brooklyn Educational and Cultural Alliance, 1978), 35; Montrose Morris, “Walkabout: ‘The Great Mistake’ Part One,” *Brownstoner: Brooklyn Inside and Out*, last modified Nov 29, 2011, last accessed Feb 01, 2014, <http://www.brownstoner.com/blog/2011/11/walkabout-%E2%80%9Cthe-great-mistake%E2%80%9D-part-1/>.

<sup>3</sup> Charles Z. Lincoln, ed., *State of New York: Messages From the Governors, Volume IX* (Albany, NY: J.B. Lyon Company, 1909), 871.

popular referendum conducted in both cities. In Brooklyn the vote for consolidation passed by a narrow margin of 1,400 of the 125,000 ballots cast. The referendum resulted in the official formation of the City of New York, which with the addition of Kings, Queens, and Richmond counties was then ranked as the second largest city in the world by population.<sup>4</sup> A significant percentage of Brooklyn's population actively protested the choice to unite the two cities. While the 1898 consolidation was widely celebrated in Manhattan as an assertion of the borough's dominance over the Greater New York area, many of Brooklyn's inhabitants mourned the loss of their political identity. Despite the prestige that accompanied the merger between Brooklyn and the other four boroughs, a large number of Brooklynites referred to the decision to link Brooklyn and Manhattan as "The Great Mistake of 1898."<sup>5</sup>

For much of the early twentieth century Brooklyn was vexed with an identity problem. Though officially deprived of its own municipal status, many Brooklynites continued to view their borough as a city onto itself. Unlike the outer boroughs of the Bronx, Staten Island, and Queens, where its citizens identified themselves by their neighborhood instead of by the borough, in Brooklyn the borough overshadowed the neighborhood as an identifying marker.<sup>6</sup> Because Manhattan's political and cultural elite took control of the future development of the Borough of Brooklyn, Brooklynites sought to assert an identity separate from the rest of New York. The most famous example of this expression of cultural independence can be found in the

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<sup>4</sup> Brian J. Cudahy, *Over and Back: The History of Ferryboats in New York Harbor* (New York: Fordham University Press, 1990), 144; Milton M. Klein, *The Empire State: A History of New York* (Ithaca, NY: Cornell University Press, 2005), 491. As a result of the 1898 consolidation, the "County of Richmond" was transformed into the present day Borough of Staten Island. The Bronx was previously annexed into the City of New York in 1895.

<sup>5</sup> "In Commemoration: The Passing of the City of Brooklyn," *Brooklyn Daily Eagle*, Dec 31, 1897, 1 (Hereafter *Eagle*); "Year of Consolidation," *New York Evening Post* (hereafter *Evening Post*), Dec 31, 1898, 3; "A.C. Chapin Led Brooklyn Merger Battle," *Eagle*, Apr 8, 1934, A9.

<sup>6</sup> Elliot Willensky, *When Brooklyn Was the World, 1920-1957* (New York: Harmony Books, 1986), 24-25, 39; John Manbeck and Robert Singer, "The Brooklyn Film," in *The Brooklyn Film: Essays in the History of Filmmaking*, eds. John Manbeck and Robert Singer (Jefferson, NC: McFarland and Company, Inc., 2003), 7-15.

borough's devout support of its amusement franchises, which most notably include the Brooklyn Dodgers, the amusement parks of Coney Island, prominent theatrical institutions such as the Brooklyn Academy of Music, and the borough's motion picture theaters.<sup>7</sup>

Prior to the 1890s the City of Brooklyn was a series of interdependent, but unconnected towns. Despite Brooklyn's status as the third largest city in the United States, it still had a distinct small town feel about it. This is evidenced by Brooklyn's national reputation as the "city of homes and churches."<sup>8</sup> In an effort to fight against urbanization and maintain its reputation as a partially rural, religious, conservative community, many of Brooklyn's politicians, clergymen, and entrepreneurs set out to find ways to distance their association with the burgeoning metropolis of Manhattan. Due to Brooklyn's loss of its political autonomy, its community leaders actively sought to resist efforts made toward the cultural and social assimilation of the borough into the Greater City of New York.

In the late nineteenth century Brooklyn was home to the second largest theatrical district in the United States, after Manhattan. The largest concentration of theaters in Brooklyn was located along Pitkin Avenue. The completion of the Brooklyn Bridge and the L Subway Line (also known as the "El") in 1883 – which connected Manhattan and Brooklyn for the first time – made it easier for Brooklyn theatergoers to travel to Manhattan's Broadway. As Pitkin Avenue's theaters declined in attendance, the district's theater owners decided to branch out beyond traditional theatrical amusements as a means of sustaining themselves. These exhibitors turned to

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<sup>7</sup> John F. Kasson, *Amusing the Million: Coney Island at the Turn of the Century* (New York: Hill and Wang, 1978), 109-112; Peter Golenbock, *Bums: An Oral History of the Brooklyn Dodgers* (Mineola, NY: Courier Dover Publications, 2000), 63-64; Barbara Parisi and Robert Singer, *Brooklyn's Three Major Performing Arts Institutions* (Lanham, MD: Scarecrow Press Inc., 2003), 7-17; Roger Kahn, *The Boys of Summer* (New York: HarperCollins Publishing, 2011), 19, 30.

<sup>8</sup> Ment, *Building Blocks of Brooklyn*, 35.

the newly invented medium of motion pictures to provide audiences with a unique attraction.<sup>9</sup> As a result Brooklyn theater owners invested heavily in including motion picture exhibition as either a primary or supplementary attraction for their audiences.

While many Manhattan exhibitors initially thumbed their noses at the motion picture's application as a popular amusement, Brooklyn exhibitors immediately embraced it. The motion picture's relationship to Brooklyn serves as an indication of the efforts made by the borough's cultural arbiters to assert a social and cultural identity separate from Manhattan. Consequently the Borough of Brooklyn became an important ally to the burgeoning medium as it struggled to establish itself during the early twentieth century. In the span of less than thirty years the motion picture transformed from a minor parlor house amusement to the most pervasive form of entertainment in the United States. The growth and development of the American motion picture industry can also be reflected in the increased urban buildup within the Borough of Brooklyn. In the 1890s the majority of Brooklyn's population was concentrated along the East River, with open pastures and woodlands consisting of much of the territory directly outside the city limits. By the late 1920s Brooklyn had the highest urban population in the United States at 1.1 million inhabitants.<sup>10</sup> By 1928 Brooklyn was home to over 200 movie houses, more than any other urban center in the United States. Also in 1928 the Fulton-Flatbush Theater district was completed, which was home to three of the largest movie houses in the United States. The Fulton-Flatbush Theater District established Brooklyn as the undisputed "movie house capital of America," and

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<sup>9</sup> Parisi and Singer, 2-6; Cudahy, *How we Got to Coney Island: The Development of Mass Transportation in Brooklyn and Kings County* (New York: Fordham University Press, 2002), 218-222.

<sup>10</sup> Willensky, 42-52.

cemented the borough's ties with the burgeoning medium.<sup>11</sup> This work sets out to explain why motion picture exhibition practices in the Borough of Brooklyn developed separately from the rest of New York City. The relationship between the early motion picture industry and Brooklyn reflects how Brooklynites utilized the motion picture to assert a cultural identity independent from the rest of New York City.

### Terminology and Definitions

For the purpose of this study several key terms and concepts must be clarified, particularly the distinction between the use of terms such as “motion picture” and “cinema.” *Motion picture* is a series of photographic images presented in rapid succession. These images can be displayed in a variety of formats and do not have to be connected to popular entertainment. *Cinema* is the artistic representation of the motion picture as told through a narrative story. Additional terms that often accompany subjects relating to either the motion picture or cinema must also be elaborated upon. The use of the word “*movies*” was not popularized until the early 1920s, and therefore either “moving image” or “motion picture” will be used depending on the circumstance. *Moving image* describes all forms of successive images, regardless of whether they are photographed or not. It additionally should be noted that several terms, which are widely used in the present day film industry, had a different connotation during the period addressed within this work. *Film* is both the means of recording motion pictures, as well as the term used to describe individual motion picture presentations. A *feature film* is a cinematic work that has an extended running time, typically forty-five minutes or longer.

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<sup>11</sup> Cezar Del Valle, “Brooklyn Moviegoing: A Short History from a Fan’s Perspective,” in *The Brooklyn Film: Essays in the History of Filmmaking*, eds. John Manbeck and Robert Singer (Jefferson, NC: MacFarland and Company Inc., 2003), 117.

This work also makes mention of several types of popular amusements that were used in conjunction with the motion picture. *Vaudeville* was a live theatrical performance of separate unrelated acts ranging from musical performances, magic acts, to motion picture exhibitions, all shared on a common bill. A *storefront theater* was a non-traditional entertainment venue converted into a theater for the purpose of motion picture exhibition. The films shown at these early theaters were typically short sequences from everyday life or secondhand reels received from vaudeville theaters. *Nickelodeons* were an improvement on the storefront theater, in that the films shown at these locations were presented on a regimented schedule (5 cents per hour). This required nickelodeon owners to constantly switch out its program a minimum of once a week. *Movie palaces* were ornate and lavishly decorated movie theaters designed specifically for the exhibition of motion pictures and the integration of live stage and radio performances.

### Historiography

The study of motion picture history can be broken up into several distinct schools. The field was initially divided into two separate methodological approaches. The first school focused on the “inventor’s history,” concentrating on how inventors and innovators shaped motion picture technology. These historians debated over who was the “true inventor of the motion picture.” This discussion typically traces the motion picture’s origins from the first recordings of successive images conducted by photographic pioneers such as Eadweard Muybridge and Etienne Marey, on through to the development of the first motion picture viewing apparatuses developed by Thomas Edison and his assistant W.K.L. Dickson.<sup>12</sup> The second school

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<sup>12</sup> Terry Ramsaye, *A Million and One Nights: A History of the Motion Picture* (New York: Touchstone Books, 1926), 1; Gordon Hendricks, *The Edison Motion Picture Myth* (Berkeley, CA: University of California Press, 1961), vii; Joseph North, *The Early Development of the Motion Picture, 1887-1909* (New York: Arno Press, 1973), 3.

emphasized the transition from still images to the first motion pictures, highlighting the contributions made by early filmmakers towards the creation of “narrative cinema.” We can think of this as an “auteur’s history,” which focused on the filmmakers, movie stars, and moguls as agents over the development of the motion picture industry. Despite the differences in their methodologies, both schools apply a similar “grand narrative” approach to describe the major figures and events relating to early motion picture history.<sup>13</sup>

Robert Sklar’s *Movie-Made America* (1975) and Garth Jowett’s *Film: The Democratic Art* (1975) served as the impetus behind the formation of a third school of early motion picture history, which explored the social construction of motion picture technology in American society.<sup>14</sup> Both works led to a heightened interest among film historians in the area of early motion picture history, particularly focusing on the origins of shared culture development of turn-of-the-century amusements. Russell Merritt’s 1976 chapter, “Nickelodeon Theatres: 1905-1914; Building an Audience for the Movies,” further emphasized the need for film historians to discuss the degree of agency that can be attributed to the audience in the motion picture’s development as a medium of mass entertainment.<sup>15</sup>

Robert C. Allen’s groundbreaking article, “Motion Picture Exhibition in Manhattan, 1906-1912: Beyond the Nickelodeon,” published in 1979, was the first major work to focus on the conditions of early motion picture exhibition in Manhattan. Allen selected Manhattan as the

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<sup>13</sup> Benjamin Hampton, *A History of the Movies* (New York: Arno Press, 1931); Lewis Jacobs, *The Rise of the American Film: A Critical History* (New York: Harcourt Brace, 1939), 3; A. Vardac, *From Stage to Screen: Theatrical Method from Garrick to Griffith* (Cambridge, MA: Harvard University Press, 1949), xxiv; Albert E. Smith, *Two Reels and a Crank* (Garden City, NY: Doubleday Publishing, 1952), 2.

<sup>14</sup> Robert Sklar, *Movie-Made America* (New York: Random House, 1975); Garth Jowett, *Film: The Democratic Art* (Boston, MA: Little Brown and Company, 1975).

<sup>15</sup> Russell Merritt, “Nickelodeon Theaters 1905-1914: Building an Audience for the Movies,” in *The American Film Industry*, ed. Tino Balio (Madison, WI: University of Wisconsin Press, 1976), 60.



basis of his study because much of the mythology of early motion picture exhibition originated there. Allen argues against the application of a “great man” emphasis when discussing the topic of early exhibition history.<sup>16</sup> He also called for a reevaluation of historians’ understanding of how films were exhibited during the nickelodeon era. Prior to Sklar, Jowett, and Merritt’s works, historians typically viewed the motion picture as a working-class amusement that exclusively attracted Jewish or Italian immigrants. In “Motion Picture Exhibition in Manhattan,” Allen redefines the motion picture’s role as a popular amusement, as well as our understanding of the composition of the first film audiences. “All movie theaters were not located in immigrant ghettos, not all of them were small, sawdust-floored dives of legend. Enterprising entrepreneurs saw that huge profits could be made by converting large-capacity theaters into movie houses, where audiences not only enjoyed not only movies but the trappings of theatrical entertainment.”<sup>17</sup>

Several significant works were published during the 1980s that further expanded on the connection between motion picture spectatorship and urbanization in the United States during the late nineteenth and early twentieth centuries. Lary May’s *Screening Out the Past* (1980) expanded on Allen’s findings by exploring the social-cultural dynamics of Victorian-era society and how it shaped the manner in which films were exhibited.<sup>18</sup> May argued, “Between 1900 and 1920, producers had to be skilled not just at responding to the demands of the market, but at devising personal solutions to the major alterations in work, sexual roles, and consumption.”<sup>19</sup>

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<sup>16</sup> Robert C. Allen, “Motion Picture Exhibition in Manhattan, 1906-1912: Beyond the Nickelodeon,” 18 no. 2 (Spring, 1979): 3.

<sup>17</sup> Allen, “Motion Picture Exhibition in Manhattan,” 9-10.

<sup>18</sup> May, *Screening Out the Past: The Birth of Mass Culture and the Motion Picture Industry* (Oxford, U.K.: Oxford University Press, 1980), 27.

<sup>19</sup> *Ibid.*, xiv.

Although Lewis A. Erenberg's *Steppin' Out* (1981) does not focus solely on motion picture exhibition, his examination of popular scandals and reform crusades surrounding New York's entertainment scene offer an insightful perspective on the social and personal aspirations of the first moviegoers.<sup>20</sup> Daniel Czitrom, Roy Rosenzweig, and Kathy Peiss each dedicate a chapter to early motion picture exhibition within their works in connection to the origins of shared culture within the United States.<sup>21</sup>

Most of the above-mentioned works emphasized early exhibition practices in major urban centers. Gregory Waller's *Main Street Amusements* (1995) set out to answer Robert C. Allen's call for a new generation of film historians to uncover the history of moviegoing in their local communities, by focusing on the history of commercial entertainment in the rural town of Lexington, Kentucky.<sup>22</sup> Waller argued that movies should be seen within the context of other popular amusements used during the 1890s and 1920s. He also accuses previous works on the social construction of moviegoing of succumbing to "the problem of locality and leisure," arguing that "the social and cultural frame within which moviegoing is placed varies considerably from city to city."<sup>23</sup> Waller's work stresses the importance of daily newspapers in contextualizing the cultural significance of movie theaters within the city of Lexington during his period of study.<sup>24</sup> Between Allen's utilization of city directories, Erenberg's focus on popular scandals and crusades, and Waller's application of advertisements, promotional notices, and

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<sup>20</sup> Lewis A. Erenberg, *Steppin' Out: New York Nightlife and the Transformation of American Culture, 1890-1930* (Westport, CT: Greenwood Press, 1981), xiii-xiv.

<sup>21</sup> Daniel J. Czitrom, *Media and the American Mind: From Morse to McLuhan* (Chapel Hill, NC: University of North Carolina Press, 1982), 43; Roy Rosenzweig, *Eight Hours for What We Will* (Cambridge, MA: Cambridge University Press, 1983), 199; Kathy Peiss, *Cheap Amusements: Working Women and Leisure in Turn of the Century New York* (Philadelphia, PA: Temple University Press, 1986), 154.

<sup>22</sup> Gregory A. Waller, *Main Street Amusements: Movies and Commercial Entertainment in a Southern City, 1896-1930* (Washington D.C.: Smithsonian Institution Press, 1995), xi.

<sup>23</sup> *Ibid*, xvi.

<sup>24</sup> *Ibid*, xvi-xviii

reviews in city newspapers, a much more vivid depiction of early film spectatorship had begun to emerge.

Coincidental to the publication of *Main Street Amusements*, a series of articles were published in *Cinema Journal* revisiting the topics covered Robert C. Allen's "Motion Picture Exhibition in Manhattan." Known among film historians as the "Singer-Allen Controversy," the first article by Ben Singer, "Manhattan Nickelodeons: New Data on Audiences and Exhibitors," targets Allen's use of city directories as an unreliable source in determining either the actual number of theaters in Manhattan or the social makeup of early moviegoers. Mimicking Erenberg and Waller's utilization of alternative sources – including newly uncovered census data – Singer claims to have discovered nearly three times as many theaters in operation in Manhattan in 1908 than Allen did in "Motion Picture Exhibition in Manhattan."<sup>25</sup> Singer argues that since storefront theaters were constantly in a state of flux, the use of city directories could not accurately determine either the number of theaters in existence at any given time or the demographics of the moviegoers in the theaters. Singer ends his article with a call for film historians to "delve deeper into demographic data and commercial records" in an effort to gain a concrete idea of the dynamics of early motion picture spectatorship.<sup>26</sup>

Allen responded to Singer's article by reproaching his inability to understand the difference "between accuracy and adequacy."<sup>27</sup> Allen does concede that Singer was correct in arguing that Manhattan's neighborhoods in fact undergoing rapid change during the nickelodeon period, and that "attempting to divide these areas into 'working class' or 'middle-class' yields no

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<sup>25</sup> Ben Singer, "Manhattan Nickelodeons: New Data on Audiences and Exhibitors," *Cinema Journal* 34 no. 3 (Spring, 1995): 7.

<sup>26</sup> *Ibid* 27-28.

<sup>27</sup> Allen, "Manhattan Myopia; Or Oh! Iowa! Robert C. Allen on Ben Singer's 'Manhattan Nickelodeons: New Data on Audiences and Exhibition,'" *Cinema Journal* 34 no. 3 (Spring, 1995): 76.

explanatory gain.”<sup>28</sup> Allen defends his use of trade journal articles and makes the case that they remain the best source for contextualizing major questions relating to early film exhibition. He also derided Singer’s belief that New York City was the most important site in the United States for film exhibition during the nickelodeon period. In spite of the fact his first article focused exclusively on Manhattan exhibition, Allen states, “If we were forced to choose only one locality to represent the way movies became a part of most communities in America, we would have more reason to choose Anamosa, Iowa than New York.”<sup>29</sup> In a follow-up article published in 1996, Singer criticizes Allen of “misconstruing the objective of my exposition.”<sup>30</sup> Singer then reiterated his initial argument by stating that the biggest historiographic problem with revisionist historians was that they tended to be strongly biased based on the research they gathered from trade journals and magazines.<sup>31</sup> Singer also defended his position on the importance of studying Manhattan motion picture exhibition by expressing his surprise that “any historian could suggest that there is something wrong with studying Manhattan exhibition just because such a study cannot provide some grand overview of every type of exhibition that materialized throughout the country.”<sup>32</sup>

Several leading experts on New York motion picture exhibition have added their own perspective on the Singer-Allen controversy. The overall consensus among these authors has been in support of Singer’s argument in favor of studying early moviegoing patterns in New York at the turn of the last century. Although each expert provides a different answer to the “Why New York?” question, each agrees that future historians need to make greater use of the

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<sup>28</sup> Allen, “Manhattan Myopia,” 78.

<sup>29</sup> Ibid, 96.

<sup>30</sup> Singer, “New York, Just Like I Pictured It...Ben Singer Responds,” *Cinema Journal* 35 no. 3 (Spring, 1996): 106.

<sup>31</sup> Ibid, 115.

<sup>32</sup> Ibid, 122-123.

wide array of materials found in the various New York City archives.<sup>33</sup> The Singer-Allen Controversy shows that there is no clear-cut method available to determine the social composition of New York's first moviegoers. Instead there exists a need to combine a broad array of methodological approaches with the use of source materials ranging from trade press magazines to government documents. Ben Singer follows up the conclusions made by his colleagues by stating, "I hope some future historian will have the right combination of tenacity and masochism to undertake the project."<sup>34</sup>

Since the Singer-Allen Controversy few works have extensively explored the social composition of New York's motion picture audiences during the silent era. In a 1998 *Reviews in American History* article, urban historian Timothy Gilfoyle makes the argument that much of American urban history has remained primarily "Gothamcentric" in that most social constructed histories on urban history have exclusively centered on the major urban centers of New York, Chicago, and Los Angeles.<sup>35</sup> In 2008 Robert C. Allen set out to rework Gilfoyle's definition of "Gothamcentrism" within the field of early motion picture history. Allen defines "Gothamcentrism" as referring to the tendency by early film historians "to place the metropolis at the center of historical narratives of moviegoing and to encourage the assumption that patterns of movie exhibition and moviegoing found there can be mapped to a greater or lesser degree upon smaller cities and towns in all parts of the United States at any given moment in the history

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<sup>33</sup> Sumiko Higashi, "Manhattan's Nickelodeons, Sumiko Higashi on Ben Singer's 'Manhattan Nickelodeons: New Data on Audiences and Exhibitors,'" *Cinema Journal* 34 no. 3 (Spring, 1995): 72-74; William Uricchio and Roberta E. Pearson, "Manhattan's Nickelodeons: New York? New York! William Uricchio and Roberta E. Pearson Comment on the Singer-Allen Exchange," *Cinema Journal* 36 no. 4 (Summer, 1997): 98-102; Judith Thissen, "Oy, Myopia! A Reaction from Judith Thissen on the Singer-Allen Controversy," *Cinema Journal* 36 no. 4 (Summer, 1997): 102-107.

<sup>34</sup> Singer, "Manhattan Melodrama: A Response from Ben Singer," *Cinema Journal* 36 no. 4 (Summer, 1997): 112.

<sup>35</sup> Timothy J. Gilfoyle, "White Cities, Linguistic Turns, and Disneyland: The New Paradigms of Urban History," *Reviews in American History* 26 no. 1 (Mar, 1998): 179.

of American cinema.”<sup>36</sup> In the case of continuing to study Manhattan, Allen argues that the borough’s disproportionately high immigrant population does not bring us closer to an understanding of the total experience of American moviegoing at the turn of the century. Instead Allen suggests the need to decenter the metropolis from the study of the social experience of moviegoing to smaller cities in an effort to determine the motion picture’s role as a social phenomenon.<sup>37</sup>

In contrast to Allen’s push to decenter early motion picture history away from New York, Richard Koszarski states in his book *Hollywood on the Hudson* (2008) that most works on the film industry based in New York have suffered from what he defines as the “spotlight theory.”<sup>38</sup> According to this principle, Koszarski argues that the history of New York film production and exhibition after 1910 has been severely underrepresented due to film historians’ tendency to shift the focus of their interest from one geographic region to the next. The “spotlight theory” describes the tendency among film historians to shift their focus on the first film productions and exhibitions based in the Greater New York area between the 1890s and 1910s to the emergence of the Hollywood Studio system between the 1910s to the 1960s.<sup>39</sup>

Judith Thissen’s research on motion picture exhibition in New York’s Jewish neighborhoods is a superb example of Koszarski’s call to refocus the spotlight of early motion picture studies on New York. By incorporating the use of local newspapers to determine the cultural and moral impact the motion picture had on Jewish audiences, Thissen echoes Waller

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<sup>36</sup> Allen, “Decentering Historical Audience Studies: A Modest Proposal,” in *Hollywood in the Neighborhood: Studies of Local Moviegoing*, ed. Kathryn Fuller-Seeley (Berkeley, CA: University of California Press, 2008), 20.

<sup>37</sup> Ibid, “Decentering Historical Audience Studies,” 22-23.

<sup>38</sup> Richard Koszarski, *Hollywood on the Hudson: Film and Television in New York from Griffith to Sarnoff* (New Brunswick, NJ: Rutgers University Press, 2008), 6.

<sup>39</sup> Koszarski, *Hollywood on the Hudson*, 6-9.

and Allen's call for the use of tertiary sources in gaining a broader understanding of early motion picture spectatorship.<sup>40</sup> However, she describes Allen's definition of "Gothamcentrism" as problematic in that by "proposing to decenter historical audience studies to the American heartland he runs the risk of throwing out the proverbial baby with the bath water."<sup>41</sup> She goes on to argue that there exists a need for greater insight into the multifaceted history of film exhibition in New York City, which first must start through "reexamining the hackneyed account of the motion picture's emergence in immigrant neighborhoods."<sup>42</sup>

The decision to focus this study on Brooklyn as opposed to Manhattan represents an effort to find a middle ground between studies on urban and rural motion picture exhibition history. Shifting the reader's attention away from Manhattan to the Borough of Brooklyn serves three fundamental purposes. First, it acknowledges Robert C. Allen's call to center early motion picture studies away from major urban centers such as Manhattan, while still recognizing Koszarski and Thissen's call for the need of further insight into early exhibition history in New York. Second, it initiates a wider historical discussion about the dynamics of intraurban motion picture spectatorship between the 1890s and 1920s, particularly how exhibition practices in urban centers such as Brooklyn compare to other major and minor cities throughout the United States during the period in question. Third, this work seeks to show how urbanization and an

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<sup>40</sup> Judith Thissen, "Leshono habo 'Bimoving Piktshurs (Next Year at the Moving Pictures): Cinema and Social Change in the Jewish Immigrant Community," in *Going to the Movies: Hollywood and the Social Experience of Cinema*, ed. Richard Maltby, Melvyn Stokes, and Robert C. Allen (Exeter, U.K.: University of Exeter Press, 2008), 115.

<sup>41</sup> Thissen, "Early Cinema and the Public Sphere of the Neighborhood Meeting Hall: The Longue Duree of Working-Class Sociability," in *Beyond the Screen: Institutions, Networks and Publics of Early Cinema*, eds. Charlie Keil, Marta Brown, Rob King, and Louis Pelletier (Eastleigh, U.K.: John Libbey Publishing, 2012), 298.

<sup>42</sup> *Ibid*, 298.

overall demographic shift within the Brooklyn ultimately influenced the proliferation of motion picture exhibition venues during the late nineteenth and early twentieth centuries.

### Research Questions

Several overarching questions must be raised in order to gain a clearer understanding of why Brooklyn's cultural arbiters felt it necessary to assert an identity separate from that of any other New York borough. The most pressing questions to be asked are: How did motion picture exhibition practices in Brooklyn differ from the rest of New York City, particularly within the Borough of Manhattan? What factors served as the basis for the division of motion picture spectatorship within Brooklyn itself? To what extent were Brooklyn's first moviegoers separated from one another based on factors such as race and class? Furthermore how did political, social, and corporate leaders ultimately determine the motion picture's role as one of Brooklyn's primary cultural institutions?

This work will also address the many parallels between the development of the motion picture as a popular amusement alongside the urbanization of Brooklyn from the 1890s and 1920s. As a means of uncovering the parallels between the emergence of cinema and Brooklyn's urban development, these questions are raised: In what ways did the 1898 consolidation help to politicize issues related to motion picture censorship and exhibition regulations? How did Brooklyn's demographic shift from predominantly Anglo-Saxon Protestant neighborhoods in the nineteenth century to multiethnic immigrant neighborhoods during the early twentieth century influence the borough's relationship with motion pictures? How did Brooklyn's immigrant groups relate to popular amusements in contrast to their Manhattan counterparts?



Lastly Brooklyn's special relationship with the motion picture industry during its formative years helped to foster a sense of community and cultural homogeneity unique to any other section of New York during the late nineteenth and early twentieth centuries.

Understanding how and why the motion picture became such a significant source of civic pride for Brooklynites, the following questions must be asked: What were the social and political circumstances that allowed for Brooklyn's transition from "the city of homes and churches" to "the movie palace capital of America?" To what extent did the rise of mass media in the 1910s and 1920s influence the way Brooklynites interacted with their representations on the screen? Finally, how did Brooklyn's relationship with the motion picture as a popular amusement change in conjunction with significant technologic and commercial developments within the motion picture industry?

### Chapter Outline

Chapter One examines the controversial censorship practices of the National Board and how a disparate group of Brooklynites worked not to only undermine its policies, but expose a ring of corruption that ultimately forced the board to relinquish its role as the American motion picture industry's primary censoring body. The relationship between the Borough of Manhattan and the Borough of Brooklyn remained contentious succeeding the 1898 consolidation. In the years after 1898 the wants and needs of Brooklynites increasingly took a back seat to the agenda of Manhattan-based reform groups, such as the National Board. The board regularly ignored input suggested by Brooklyn-based civic leaders, theater owners, and everyday citizens, in favor

of the demands of the Manhattan-based film manufactures and social elite.<sup>43</sup> The board's continual rebuff of Brooklyn moviegoers resulted in a coordinated effort between religious leaders, journalists, and theater owners to protest the board's practices and policies, culminating in a series of scathing articles published in 1921 by *Brooklyn Eagle* columnist Fredrick Boyd Stevenson. Stevenson's investigation helped uncover a bribery ring linked to several of the National Board's most prominent members. Stevenson's investigation and the continual protests by Brooklynites ultimately sounded the death knell for the National Board's influence as a censoring body, as it caused a public relations crisis from which the organization was never fully able to recover.<sup>44</sup>

Chapter Two addresses the emergence of the motion picture as a popular amusement in Brooklyn between 1893 and 1928. Over a period of thirty-five years the motion picture progressed from a curiosity item to the most influential form of entertainment in the United States. During this time Brooklyn served as an important battleground, first between the Motion Pictures Patents Company (MPPC) and the "independent outlaws," then later among the first generation of movie moguls for supremacy over film production and exhibition practices in New York and across the country.<sup>45</sup> The motion picture exhibition venues underwent an equally dramatic transformation as they transitioned from penny arcades to storefront theaters –

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<sup>43</sup> Charles Matthew Feldman, *The National Board of Censorship (Review) of Motion Pictures, 1909- 1922* (New York: Arno Press, 1977), 18-19, 215.

<sup>44</sup> Stevenson, "How Brooklyn is Getting into Action for Campaign Against Unclean Movies," *Eagle*, 13; "The Standards of the National Board of Censorship of Motion Pictures," [n.d.], in MFL n.c. 349 file, BRPAC.

<sup>45</sup> Kalton C. Lahue, *Dreams for Sale: The Rise and Fall of the Triangle Film Corporation* (South Brunswick, NJ: A.S. Barnes, 1971), 19-22; J.A. Aberdeen, "The Edison Movie Monopoly: The Motion Picture Patents Company vs. the Independent Outlaws," *Hollywood Renegades Archive*, 2005, last accessed Nov 1, 2013, <http://www.cobbles.com/simpparchive/edisontrust.htm>.

affectionately referred to as “itches and dumps.”<sup>46</sup> Later the massive outdoor “airdrome” exhibitions held at Ebbets Field and Coney Island and the construction of the nation’s three largest movie palaces along Pitkin Avenue helped to cement the Borough of Brooklyn’s reputation as the “movie house capital of America.”<sup>47</sup>

Chapter Three discusses the relationship between the Vitagraph Company of America (VCA) and Brooklyn’s Midwood neighborhood, where the company’s largest production studio was located. The relationship between VCA and the Borough of Brooklyn was unique from other production companies in that despite the nationwide popularity of Vitagraph’s films, the content of the films produced by Vitagraph were directly influenced by the cinematic preferences of one specific urban center. In contrast to the national aspirations of the leading production companies of the period such as Twentieth Century Fox, Paramount, and Universal, which set out to attract the broadest audience possible, VCA’s films were targeted at a specific niche group geared toward members of the Midwood community. As a result of the VCA’s alliance with theater owners and movie spectators in Brooklyn, the Vitagraph studio in Midwood became one of the borough’s most recognizable cultural institutions, and through the production Vitagraph’s quality films Brooklynites had a significant means of sharing their unique cultural identity with the rest of the United States.<sup>48</sup>

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<sup>46</sup> Del Valle, “Brooklyn Moviegoing,” 116.

<sup>47</sup> Ibid 117-118; Parisi and Singer, 2-6. For additional information on Brooklyn’s early theatrical history see Brendan O’Malley, *From Wagner to Vaudeville: Performance Culture in Brooklyn Around 1900* (New York: Brooklyn Public Library/City University of New York Graduate Center, 2006).

<sup>48</sup> Urrichio and Pearson, *Reframing Culture*, 55.

**CHAPTER ONE: “FOR THE SAKE OF THE WOMEN AND CHILDREN:” THE  
SHOWDOWN BETWEEN THE INTERNATIONAL REFORM BUREAU AND THE  
NATIONAL BOARD OF CENSORSHIP**

Motion Pictures are not dead things to be regulated like commodities such as freight and food. It is unjust to compare the demand for censorship power to government regulation on the deleterious substances of which no two minds differ after science has given its verdict.  
– Will Hays, President of the Motion Picture Distributors of America<sup>1</sup>

On March 17, 1921, Reverend Wilbur F. Crafts, a long-standing crusader for the reform of motion picture censorship practices and the superintendent of the International Reform Bureau (IRB) made his final Congressional appearance. The purpose of Craft’s appearance before Congress was to garner support in sponsoring a bill to create a “Federal commission to pass on moving pictures and serve as a sort of national censor.”<sup>2</sup> Crafts’ testimony represents the climax to a twelve-year effort by the IRB to bring the motion picture industry under Federal regulation. Between the years 1909 and 1921 the motion picture industry made a pronounced effort toward voluntary censorship through its affiliation with the National Board of Review – formerly The National Board of Censorship.<sup>3</sup> Anti-vice crusaders such as Reverend Crafts accused the National Board of not being strict enough with its censorship regulations, instead favoring the demands of the powerful moguls within the motion picture industry.<sup>4</sup> The success of the IRB hearings helped lead to the National Board’s decline as the nation’s preeminent censoring body. This transition marked the beginning of a period of government intervention in film exhibition

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<sup>1</sup> Will H. Hays, “Motion Pictures and their Censors,” *American Review of Reviews* (April 1, 1927), 393.

<sup>2</sup> “Proposes Federal Film Censorship: International Reform Bureau Sponsors Bill to Create an Interstate Commission,” *New York Times*, Mar 18, 1921, 32 (Hereafter *Times*). The IRB was a Washington D.C.-based reform organization founded and operated by Wilbur Crafts in 1895 until his death in 1922.

<sup>3</sup> Sklar, 31.

<sup>4</sup> George Wentworth, “The Picture Battle in Congress,” *Photoplay* 9 No. 5 (Apr, 1916): 31-35.

practices on the state and federal level that continued well until the 1960s. Although no official federal legislation was ever enacted in regards the censorship of films, the political debate between industry leaders, state and city government officials, and civic organizations over how motion pictures should be regulated, served as the driving force behind the politics of the movies for much of the medium's early history.

Historians previously have presented the National Board as an agency that openly cooperated with charitable organizations and religious leaders in an effort to achieve a middle ground between censorship and artistic expression.<sup>5</sup> Charles Feldman in particular, argues that the board believed its working relationship with the film industry was based on constructive criticism and review, molded by public opinion, and implemented through cooperation rather than coercion.<sup>6</sup> This chapter sets out to counter the argument that the policies and actions of the National Board were driven by public opinion and the needs of theater owners. Instead by analyzing the manner in which Brooklyn based reform groups protested the National Board's policies, a case can be made that the National Board's policies were in fact shaped by members

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<sup>5</sup> See Sklar, 32; May, *Screening Out the Past*, 55-57; Nancy J. Rosenbloom, "Between Reform and Regulation: The Struggle Over Film Censorship in Progressive America, 1909-1922," *Film History* 1 No. 4 (1987): 307-325; Robert Amour, "The Effects of Censorship Pressure on the New York Nickelodeon Market, 1907-1909," *Film History* 4 no. 2 (1990): 120-121; Andrea Friedman, *Prurient Interests: Gender, Democracy, and Obscenity in New York City, 1909-1945* (New York: Columbia University Press, 2000), 32-33, 36. Sklar discusses how the cultural establishment in New York City was highly supportive of the National Board's policies, and as a result started to give movies more attentive and favorable notice. Feldman presents the National Board as a significant progressive movement dedicated to winning First Amendment status for the motion picture by creating an open communication channel between the movie-going public and the film industry. May shows readers that the standards established by the National Board were not only accepted by producers, but also by the police and city government. Rosenbloom discusses the board's relationship with the motion picture industry and its efforts to avoid a formal structure of centralized film censorship. Amour explains Friedman argues that the National Board sought to establish its authority through its ability to bridge the gap between the public's understanding of moral standards and the film manufacturers understanding of what should be considered as acceptable content.

<sup>6</sup> Feldman, 206-218.

of Manhattan's social and political elite, with little consideration offered from reformers elsewhere in New York or the United States.

### Censorship Efforts Before the National Board

In order to discuss the relationship between the National Board and the Borough of Brooklyn, the circumstances surrounding the board's creation must first be examined. After storefront theaters started to proliferate across the Greater New York area in 1903, religious leaders and progressive reformers immediately set out to regulate the emerging popular amusement. Journalists and trade press writers further expressed their concerns that movies were undermining the country's morals.<sup>7</sup> These early theaters successfully integrated theatrical amusement into the daily lives of the working class. The growing popularity of motion pictures among the working class raised concerns among religious and social reformers who sought to "uplift" the movies. Social historians have argued that middle-and upper-class reformers reacted less to the content and conditions of the storefront theaters and more to the effect that a large gathering of working class men and women had on their senses. It can additionally be argued that Protestant religious leaders were equally suspicious of the nickelodeon as they were of all visual media. This was based in the Protestant tradition's denial of the visible as a "distraction of the senses."<sup>8</sup>

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<sup>7</sup> Frank Walsh, *Sin and Censorship: The Catholic Church and the Motion Picture Industry* (New Haven, CT: Yale University Press, 1996), 7.

<sup>8</sup> The moral and social "uplift" of films was a continual goal of middle and upper class reformers since the medium's invention. Additional discussions on class conflict in early film exhibition and "social uplift" can be found in: Sklar, *Movie-made America*, 23-32; Czitrom, 30-59; Rosenzweig, 199-204; Peiss, 139-162; Charles Musser, *The Emergence of Cinema: The American Screen to 1907*, (New York: Charles Scribner's Sons, 1990), 424-447; Eileen Bowser, *The Transformation of Cinema, 1907-1915* (New York: Charles Scribner's Sons, 1990), 45-55; Ian Christie, *The Last Machine: Early Cinema and the Birth of the Modern World*, (London: BBC Educational Development, 1994), 124; Rob King, "Made for the Masses with an Appeal to the Classes: The

New York's religious authorities were not especially concerned by the "social threat" posed by working-class gatherings in theaters or overly zealous in the Protestant tradition's denial of the visible. Instead the majority of New York pastors stated their greatest trepidation toward the medium was in respect to the exhibitor's blatant disregard of a citywide blue law against the exhibition of stage shows on Sundays. For much of the decade of 1900, exhibitors sought out an exemption from the Sunday blue law. Since motion picture performances did not require a stage, storefront theater operators felt that they were not liable to the same set of regulations as their theatrical counterparts.<sup>9</sup> What followed was a heated exchange between reformers and exhibitors culminating in the arrest of three employees of William Fox's Comedy Show Theater at 1155 Broadway in Brooklyn, for the violation of the Sunday blue laws on December 23, 1906.<sup>10</sup>

The following year, on December 3, 1907, New York Supreme Court Justice James A. O'Gorman sustained the Sunday blue law in a case against Manhattan's Victoria Theater in Manhattan, by invoking an obscure blue law from 1860.<sup>11</sup> Justice O'Gorman's ruling was reinforced by an ordinance put forth by the Board of Alderman of the City of New York that

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Triangle Film Corporation and the Failure of Highbrow Film Culture," *Cinema Journal* 44 No. 2 (Winter, 2005): 3-33.

<sup>9</sup> Musser, *Before the Nickelodeon: Edwin S. Porter and the Edison Manufacturing Company* (Berkeley, CA: University of California Press, 1991), 326-328; Musser states that by early 1906 New York was assumed to have more nickelodeons than in any other American city. The largest concentration of theaters was based in lower Manhattan along Park Row and the Bowery. May, *Screening Out the Past*, 61-62; May states that while historians have correctly observed that the material interests of these two groups were often at odds, the way in which they interacted suggests that they were capable of uniting in a common cultural crusade: the regulation and censorship of the motion picture industry.

<sup>10</sup> Del Valle, *The Brooklyn Theatre Index, Volume I: Adams Street to Lorimer Street* (New York: Theater Talks LLC, 2010), 72.

<sup>11</sup> "News and Notes," *Liberty: A Magazine of Religious Freedom* 3 No. 1 (1908): 45; Czitrom, "The Politics of Performance: Theater Licensing and the Origins of Movie Censorship in New York," in *Movie Censorship and American Culture*, ed. Francis G. Couvares (Washington D.C.: Smithsonian Institution Press, 1996), 22-24.

effectively banned the exhibition of all forms of popular amusements that were not of a religious or educational nature.<sup>12</sup>

Disturbed by the inconsistencies in enforcement between New York's many police districts, Mayor George B. McClellan appointed Police Commissioner Theodore A. Bingham to enforce Justice O'Gorman's ruling. Bingham held inspectors and all commanding officers of the Police Department responsible for the enforcement of the blue Sunday.<sup>13</sup> The commissioner informed inspectors that the Sunday closing law covered everything from "the symphony concerts at Carnegie Hall to the five cent vaudeville shows," and that any attempt to evade the statute must be met with arrest. The majority of theater managers and showmen pledged to obey the law, however several Brooklyn exhibitors quickly filed injunctions against police interference of Sunday performances. An article in the *Los Angeles Herald* stated, "The only places in Greater New York where lights will shine and wheezy pianos beat out a defiance to the police, will be in Brooklyn."<sup>14</sup>

Frustrated exhibitors in several neighborhoods responded to the injunction by publicly tearing up the ordinances relating to public behavior that were posted across the borough. In several instances this act was committed in plain sight of indifferent police officials. In other sections of the borough the ordinance was strictly enforced, it simply depended on how the precinct captain understood the law and whether or not he agreed with its terms. A *New York Times* article described Brooklyn as being in "a state of mind bordering upon open rebellion."<sup>15</sup>

The response from the Brooklyn authorities can be summarized in the case of the Majestic

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<sup>12</sup> Sections I and II of the "Sunday Blue Law Ordinance" can be found in: "One More Sunday Under Blue Law," *Times*, Dec 11, 1907, 1.

<sup>13</sup> "Police Get Orders to Enforce Blue Law," *Times*, Dec 6, 1907, 3.

<sup>14</sup> "Blue Laws, Lid on Tight in New York," *Los Angeles Herald*, Dec 8, 1907, 1.

<sup>15</sup> "Few Arrests Under New Sunday Law: The Day in Brooklyn," *Times*, Dec 23, 1907, 3.



Theater at 651 Fulton Street. During a Sunday matinee police officials arrested the ticket-seller, ticket-taker, and projectionist. The performance, however, was allowed to continue, and the theater manager was simply issued a fine.<sup>16</sup>

On December 9, 1907 the managers of five moving picture houses successfully secured injunctions against the Sunday blue law, however Commissioner Bingham responded by ordering the Brooklyn inspector to ensure that the injunctions were obeyed.<sup>17</sup> Emboldened by the defiance of additional exhibitors throughout the borough, William Fox – of the Fox Amusement Company – sought an injunction for the nine nickelodeons he operated in Brooklyn. Justice Josiah Marean of the Brooklyn Appellate Court granted Fox an injunction based on the grounds that nickelodeons did not fit within the parameters of Justice O’Gorman’s ruling or the ordinance put forth by the Board of Aldermen. A week prior to granting Fox his injunction, on November 29, Marean ruled in favor of the three exhibitors arrested at Fox’s Comedy Show Theater in December 1906. Justice Marean’s ruling allowed motion picture exhibitors throughout the greater New York area to successfully file similar injunctions to keep their theaters open on Sundays, on the grounds that the Sunday blue law, otherwise known as Section 263 referred to outdoor and not indoor shows.<sup>18</sup>

On December 18, Alderman Reginald S. Doull proposed a clause within the Sunday blue law ordinance to allow for “sacred or educational concerts, lectures and entertainments that do

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<sup>16</sup> Del Valle, *The Brooklyn Theatre Index, Volume I*, 318-319.

<sup>17</sup> “Blue Laws, Lid on Tight in New York,” *LA Herald*, Dec 8, 1907, 1.

<sup>18</sup> “Picture Shows to Test Blue Law,” *Times*, Dec 7, 1907, 12; “Aldermen Vote to Inflict Another Sad Sunday on Us,” *The Tammany Times*, Dec 17, 1907, 4; Episcopal Church: Diocese of Long Island, “Proceedings of the Forty-Second Convention,” *Journal of the Forty-Second Convention of the Protestant Episcopal Church in the Diocese of Long Island*, 42 (May 20, 1908): 75.

not disturb the peace.”<sup>19</sup> The Doull ordinance additionally called for the omission of the phrase “or any other entertainment of the stage.”<sup>20</sup> It was this omission that created a loophole that allowed for motion picture exhibition. The issue was only temporarily settled, for on March 23, 1908 the New York State Assembly passed a bill that placed the licensing of motion picture shows in the hands of local police departments. By June 1908, the New York Supreme Court officially denied all injunctions previously sustained by the Doull ordinance but gave no decision as to the legality of Sunday moving picture shows. The Appellate Division’s ruling led to a series of debates over what types of exhibition should be defined as harmless amusement or educational entertainment, and the definition of what the religious authorities deigned to be “degraded amusement.”<sup>21</sup>

### The New York Nickelodeon Ban

After the Doull ordinance was put into effect, New York experienced a series of what historian Lee Greiveson terms as “pale blue Sundays,” in that many popular amusements were blacked out, yet the movies and other amusements that did not fall directly within the parameters of the Sunday blue law ordinance were allowed to remain open.<sup>22</sup> Many police precincts in Brooklyn were unwilling enforce the Sunday blue law requirements. The inconsistencies in the enforcement of blue laws within the different boroughs caused increased pressure on Mayor McClellan’s administration from various reform groups. The anti-vice crusaders who were

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<sup>19</sup> “Broader Sunday Now: Pass Doull Ordinance,” *New York Tribune*, Dec 18, 1907, 1 (Hereafter *Tribune*).

<sup>20</sup> “Open Sunday Law is in Force Now,” *Times*, Dec 20, 1907, 7.

<sup>21</sup> National Reporter System, “The New York Supplement: Containing the Decisions of the Supreme and Lower Courts of New York State,” *New York State Reporter* 144 (Jun 1 – Jul 6, 1908): 1188. The report cites the cases of *Shepard vs. Bingham*, *Keith and Proctor Amusement Company vs. Bingham*, and *Schimkevitz vs. Bingham*.

<sup>22</sup> Lee Grieveson, *Policing Cinema: Movies and Censorship in Early-Twentieth Century America* (Berkeley, CA: University of California Press, 2004), 84.

central to the development of the original Sunday blue law ordinance felt that the loophole in the Doull Ordinance that allowed for Sunday motion picture exhibition needed to be corrected. In an effort to settle the blue law debate once and for all, on Christmas Eve, 1908 McClellan issued his infamous citywide nickelodeon ban. The ban called for the immediate closure of all nickelodeons and storefront theaters in the city that refused to operate in accordance to the original tenets of the Justice O’Gorbman’s ruling that no films were to be exhibited on Sundays. Over the next four weeks exhibitors across the city were systematically arrested and fined in accordance to Mayor McClellan’s decree.<sup>23</sup>

William Fox led the charge against McClellan’s nickelodeon ban by receiving an injunction from Justice William Gaynor, effectively suspending the mayor’s revocation license decree. The Gaynor injunction stated, “The hundreds of moving picture places which lost their licenses by the mayor’s order will be able to do their business as legitimate.”<sup>24</sup> During the spring of 1909 McClellan once more challenged Fox’s interests by refusing to issue seven-day licenses to Coney Island Amusements, a subsidiary of Fox Amusement Company. Fox again approached Justice Gaynor who at the time was actively campaigning for the Democratic nomination for mayor of New York, and more than happy to undermine McClellan’s authority. Historian Nancy Rosenbloom describes Gaynor as “sympathetic to Brooklyn interests and the aspirations of New York’s ethnic minorities,” and that he “rejected the idea there should be discrimination against

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<sup>23</sup> “Picture Shows All Put Out of Business,” *Times*, Dec 25, 1908, 1; May, *Screening Out the Past*, 60; Bowser, 48; Grieveson, 96.

<sup>24</sup> “New York Picture Theaters R-Opened,” *LA Herald*, Dec 27, 1908, 4; Charles H. Mills, *The New York Criminal Reports: Reports of Cases Decided in all Courts of the State of New York, Volume 23* (W.C. Little and Company, 1910), 406-407.

one class of amusements, making it clear that he championed the rights of labor in supporting Sunday shows and opposing Sunday closings.”<sup>25</sup>

In July 1909 Commissioner Bingham, McClellan’s biggest enforcer, was forced to resign his post after being linked to the Mafia assassination of NYPD Lieutenant Joseph Petrosino. Lt. Petrosino was the first Italian-American to serve as the leader of the NYPD’s Homicide division. Historians have suggested that the circumstances surrounding Petrosino’s assassination can be tied directly to Bingham’s feelings toward Italian immigrants.<sup>26</sup> In addition to the fallout from the Petrosino scandal, Mayor McClellan suffered a public relations crisis after the failure of his 1908 nickelodeon ban. In an effort to save face, the Tammany Hall leadership nominated William Gaynor over McClellan as the Democratic candidate for mayor in 1909. Gaynor won the November election and was inaugurated as mayor on January 1, 1910. It has been argued that the basis for both Commissioner Bingham’s severe crackdown on Sunday amusements and Mayor McClellan’s nickelodeon ban were rooted in both men’s anti-Semitic sentiments toward New York’s Jewish theater owners. It has also been suggested that the entire “Blue Sunday” movement was a Protestant-based effort to undermine and control the city’s large Jewish movie-going population, though it should be acknowledged that the second largest movie-going population in New York consisted of Catholic Italian immigrants.<sup>27</sup>

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<sup>25</sup> Rosenbloom, “From Regulation to Censorship: Film and Political Culture in New York in the Early Twentieth Century,” *The Journal of the Gilded Age and Progressive Era* 3 No. 4 (Oct, 2004): 375.

<sup>26</sup> Mike Dash, *The First Family: Terror, Extortion, and the Birth of the American Mafia* (New York: Random House LLC, 2009), 181-196. Dash explains that Commissioner Bingham immensely disliked Petrosino because of his immigrant background and personal friendship with Theodore Roosevelt.

<sup>27</sup> Norman Bentwich, *For Zion’s Sake. A Biography of Judah L. Magnes: First Chancellor and First President of the Hebrew University of Jerusalem* (Philadelphia: The Jewish Publication Society of America, 1954), 77; Robert Fisher, “Film Censorship and Progressive Reform,” *Journal of Popular Film* 4 (1975): 143-156; Musser, *Before the Nickelodeon*, 326; Jowett, “A Capacity for Evil: The 1915 Supreme Court Mutual Decision,” in *Controlling Hollywood: Censorship and Regulation in the Studio Era*, ed. Matthew Bernstein (New Brunswick, NJ: Rutgers University Press, 1999), 16-40; Thissen, “Leshono Habo Bimuvng Piktshurs,” 122-128.

Commissioner Bingham's actions against Lt. Petrosino and Mayor McClellan's anti-immigrant rhetoric show that the efforts made by New York's political elite to control motion picture exhibition were not simply religiously based, but instead were rooted in nativist sentiments against immigrant groups.<sup>28</sup> Deputy Commissioner William F. Baker – a Brooklyn native who actively defied the enforcement of the Sunday blue laws and nickelodeon ban – replaced Bingham as Commissioner. In contrast to the anti-amusement policies of McClellan and Bingham, Gaynor and Baker were more concerned with the physical safety of moviegoers, an issue that will be addressed later in this chapter, than in protecting the moral sanctity of the city's popular amusements.<sup>29</sup> By 1910 it appeared that motion picture exhibition in New York had turned a corner as individual municipalities were once again able to regulate popular amusements for themselves.

### The National Board of Censorship

In response to Mayor McClellan's 1908 nickelodeon ban, industry leaders in New York were compelled to form two important self-regulatory organizations in a localized effort to protect motion picture exhibitors from future financial loss, should another statutory censorship ordinance be issued against moving picture shows. The Motion Picture Patents Company (MPPC) was created in December 1908 as a measure to protect the patent claims of Thomas Edison by consolidating control over all the major manufacturers, distributors, and film stock

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<sup>28</sup> Georgio Bertellini, "Shipwrecked Spectators: Italy's Immigrants at the Movies in New York, 1906-1916," *The Velvet Light Trap* 44 (Fall, 1999): 42-46.

<sup>29</sup> "The New Commissioner of New York's Police," *Times*, Jul4, 1909, SM1; "William F. Baker, New Head of New York's Police Force," *Los Angeles Herald*, Jul 8, 1909, 3. When Baker refused to close a number of movie houses in Brooklyn, Commissioner Bingham transferred him to Manhattan, and this is believed to have aroused several Brooklyn Aldermen against Bingham. Baker was the only one of the city's deputy commissioners who was not asked to resign in the aftermath of the Joseph Petrosino's assassination.

providers in the motion picture industry. By July 1909 the MPPC supplied film reels for over five thousand theaters across the country.<sup>30</sup>

In holding such a wide sphere of influence MPPC leaders recognized the need to regulate the content of their films in order to prevent local governments from developing restrictive regulations against their films. In March 1909 several reform organizations and industry leaders created the New York Board of Censorship (NYBC), an organization based upon the principle of “voluntary censorship.”<sup>31</sup> The NYBC existed as an extension of the New York People’s Institute, an organization founded by Charles Sprague Smith in 1897 with the goal of “bridging the gap between the patriotic rich and the poor to avert class warfare.”<sup>32</sup> The Institute also sought to teach New Yorkers “how to help themselves, not only physically and mentally, but morally and emotionally.”<sup>33</sup>

The National Board followed a doctrine similar to the People’s Institute in that its primary aim was to act as a regulative force between the film producers and the public. Although Smith served as the executive chairman of both the People’s Institute and the NYBC, the board’s operation remained independent of the Institute. Instead Manhattan-based film manufacturers

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<sup>30</sup> Bowser, 29-36; David Robinson, *From Peep Show to Movie Palace: The Birth of the American Film* (New York: Columbia University Press, 1996), 167.

<sup>31</sup> Bowser, 49; The NYBC consisted of representatives from the following reform organizations: The Public Education Association, Federations of Churches, Women’s Municipal League, Ethical-Social League, Society for the Prevention of Crime, Neighborhood Workers Association, and League for Political Education.

<sup>32</sup> For more information on Smith and the People’s Institute see Tim Lacy, “Fostering Unity Amidst Diversity: The People’s Institute and the Great Books Idea, 1897-1930” (paper presented at the annual meeting for The Historical Society (Boston University), Baltimore, Maryland, Jun 5-8, 2008); and Lacy, *The Dream of a Democratic Culture: Mortimer J. Adler and the Great Books Idea*, (Basingstoke, U.K.: Palgrave Macmillan, 2013). The National Board’s first secretary was social reformer John Collier served as the first General Secretary for the National Board of Censorship. For more information on Collier’s social reform efforts see Michael M. Davis, *The Exploitation of Pleasure: A Study of Commercial Recreations in New York City* (New York: Department of Child Hygiene, 1911) 41-47; Rosenbloom, “In Defense of Moving Pictures: The People’s Institute, The National Board of Censorship and the Problem of Leisure in Urban America,” *American Studies* 33 No. 2 (Fall, 1992): 41-45; May, *Screening Out the Past*, 57.

<sup>33</sup> Erenberg, 71-81.

supplied the majority of its operating expenses. The board was originally created as a three-month experimental attempt in film regulation, at the end of its three-month trial run in June 1909, the board received the endorsement of the MPPC and acquired the membership of nearly 170 motion picture theaters who each paid approximately \$300 per month in membership fees. Smith sensed that the organization had the potential to become a national movement based on the large number of theaters the NYBC had been able to license. He sought additional funding from the operational costs for this new endeavor.<sup>34</sup> After the MPPC producers agreed to submit to the self-censorship policies proposed by the board, the New York Board of Censorship changed its name to the National Board of Censorship in an effort to match the nation-wide influence of the MPPC.

The National Board consisted of volunteer members from leading reform organizations in Manhattan. Despite its close ties to the MPPC, one of the National Board's fundamental tenets stated, "no member is allowed to have any vested interest, financial or otherwise, in the motion picture industry."<sup>35</sup> Initially theater owners in Brooklyn complied with the standards put in place by the National Board, especially after the organization started to reach out to community leaders outside of Manhattan. For much of the decades of the 1900s and 1910s exhibitors had limited control over the films they were allowed to show in their theaters. Most theaters during the late nickelodeon period were under contract to a specific film company or distributor and were expected to exhibit the films selected for them. After the blue law battles of 1906-1908, many theater owners welcomed the formation of a self-regulatory censorship agency within the film

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<sup>34</sup> "Censors See 18,000 Feet of Films," *Moving Picture World*, Mar 27, 1909, 365 (Hereafter *MPW*); "The Board of Censorship," *MPW*, May 15, 1909, 630; Feldman, 24-35; Rosenbloom, "Between Reform and Regulation," 313-314; Bowser, 49-50.

<sup>35</sup> Feldman, 7-8; William Davis, "To Make the Better Film: Movies, Women's Clubs, and the Fight Over Censorship in the American South, 1907-1934" (Master's thesis, University of North Carolina at Wilmington, 2008), 20-38.

industry, since they were the ones who were being arrested by local precincts for showing “indecent” films, a factor that they did not have the slightest degree of control over.<sup>36</sup> During the height of the National Board’s influence between 1909 and 1922, its volunteers inspected between 97 and 99 percent of all motion pictures produced in the United States.<sup>37</sup>

Once a week the National Board’s review committee issued a bulletin containing a detailed list of the films it inspected. The review committee consisted of 150 civic leaders living in or near New York City, with over two-thirds of its members residing in Manhattan. An advisory committee containing members from outside of New York supplemented the review committee. Members of both committees were asked to reply to questionnaires sent to them regarding the reception of films exhibited within their communities.<sup>38</sup> The bulletin was then distributed to mayors, chiefs of police, censoring organizations, and anti-vice groups who each agreed to enforce the decrees of the board. Contemporary social activists such as Donald Ramsey Young believed that the open line of communication between the National Board and local exhibitors through the use of weekly bulletins implied a shared cooperation between local censorship organizations members of the National Board.<sup>39</sup> The board’s review committee regularly ignored the input made from members of the Brooklyn chapter of their advisory

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<sup>36</sup>Amour, 118-121.

<sup>37</sup> National Board of Censorship, *Report of the National Board of Censorship of Motion Pictures* (New York: National Board of Censorship, 1913), 2; Additional reports from 1914 to 1921 cite similar numbers. The films not reviewed by the National Board typically were imported films used for home exhibition.

<sup>38</sup> Fredrick C. Howe, “What to Do With the Motion Picture Show: Shall it be Censored?,” *Outlook*, Jun 20, 1914, 4; Feldman, 8; Richard Salvato and Cherie Meyers, “National Board of Review of Motion Pictures,” 1984. Finding aid at The New York Public Library Humanities and Social Sciences Library Manuscripts and Archives Division, New York, 8 (Hereafter NYPLHSSL). Members of the National Board’s advisory committee were represented by civic leaders from across the United States, especially in cities where the MPPC had a pronounced influence.

<sup>39</sup> Donald Ramsey Young, *Motion Pictures: A Study in Social Legislation* (Philadelphia, PA: Westbrook Publishing Co., 1922), 47-51.



committee.<sup>40</sup> Religious leaders and theater owners throughout the borough responded by attacking the National Board from several different fronts. One of the most frequent sources of attack were through editorial comments in popular trade presses, where the National Board was consistently ridiculed for its conceited and out of touch judgments on the moral character of the films they were charged with assessing. As a 1912 *Dramatic Mirror* article puts it, “The comical soberness, even solemnity, with which they have pondered over the moral problems that have entered into photoplays of the day has never been anything but a huge joke, perfectly apparent to any sane observer.”<sup>41</sup>

### Brooklyn and the “Civil Sabbath”

One of the National Board’s most outspoken opponents was Reverend Dr. William Sheafe Chase, the rector of Christ Church at 481 Bedford Avenue in Brooklyn. Reverend Chase was best recognized in Protestant reform circles as President of the Sunday Observance Association of Kings County (SOAKC) and Vice President of the New York Society for the Prevention of Crime. He was one of the leading voices behind the enforcement of Sunday blue laws and the orchestrator of Mayor McClellan’s 1908 nickelodeon ban.<sup>42</sup> Chase was later known as the principal author behind the creation of the New York State Motion Picture Commission, formed in 1921 as a subsidiary of the New York Department of Education. Dissimilar to contemporary religious reformers who viewed the motion picture as a social evil that must be eliminated, Chase embraced the medium and argued, “The moving picture used in a church to

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<sup>40</sup> “The Standards of the National Board of Censorship of Motion Pictures,” BRPAC.

<sup>41</sup> “The Spectator,” *New York Dramatic Mirror*, May 12, 1912, 25.

<sup>42</sup> “Picture Shows to Test Blue Law,” *Times*, Dec 7, 1907, 12; “Churches Rally for Blue Sunday,” *Times*, Dec 14, 1907; “Blue Sundays at an End Here,” *Times*, Dec 18, 1907.

illustrate the life of Christ is exactly like the sermon.”<sup>43</sup> He also regularly integrated “Passion Plays” into his Sunday sermons. The Reverend’s objection to the motion picture had little to do with a desire to filter out obscenities from the films, but instead he sought to see the medium transformed into a tool that could be used to further his crusade of education and moral uplift.<sup>44</sup>

The SOAKC sought to achieve the following goals for all Brooklyn parishioners: First, “To defend the rights of every person to Sunday as the one day in seven for rest, religious education and worship.” Second, “To prevent any person from increasing his own personal pleasure or financial gain by robbing another of his Sunday.” Third, “To preserve such customs and thoughts on Sunday as to inspire children to noble character.” Reverend Chase’s concern over Sunday motion picture exhibitions was mainly rooted in the medium’s popularity among school children.<sup>45</sup> Another prominent member of SOAKC was Reverend Dr. John F. Carson of the Central Presbyterian Church at 1200 Dean Street. Carson and Chase also were the founding members of a city-wide organization to eliminate Sunday amusements known as the Interdenominational Committee of New York Church Clergy for the Suppression of Sunday Vaudeville (ICNYCC). During an ICNYCC meeting held on January 18, 1909, Reverend Carson openly spoke out against the “Sabbath violations” of motion picture exhibitors. According to Carson the basis for enforcement of a Sunday blue law was to prevent children from taking “their first step downward on a desecrated Sabbath in one of those degrading places of amusement.” Carson went on to state that the ICNYCC was “not pleading for a Puritanical Sabbath,” but

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<sup>43</sup> William Chase, *Catechism on Motion Pictures in Inter-state Commerce* (Albany, NY: The New York Civic League, 1922), 21-25, 72-120.

<sup>44</sup> Chase, *Catechism on Motion Pictures*, 21-25, 72-120.

<sup>45</sup> “Canon Chase Wants No Sunday Concerts,” *Times*, Jun 15, 1910, 8; William D. Romanowski, *Reforming Hollywood: How American Protestants Fought for Freedom at the Movies* (Oxford, U.K.: Oxford University Press, 2012), 17.

instead simply wanted to regulate children's attendance at Sunday matinees. Chase later stated, "I do not stand for an extreme censorship, but rather a modified form."<sup>46</sup>

Both Reverends Carson and Chase's call for "modified censorship" represents a sharp contrast to the "extreme censorship" policies of Tammany Hall and the Manhattan clergy.<sup>47</sup> After the formation of the National Board, Reverend Chase quickly shifted his attention from issues relating to Sunday blue laws to monitoring the quality of the censorship policies of the National Board. Chase became a major advocate of localized censorship and voiced the need for Brooklyn exhibitors to regulate themselves in accordance to the needs of each individual neighborhood. Unable to successfully organize local exhibitors or parishes outside of Brooklyn, Chase concluded that the only way to undermine the influence of both the National Board influenced film producers and reformers was to advocate for a federal film censorship bill. In January 1916, Reverend Chase joined Reverend Wilbur Crafts at a Congressional hearing held to discuss the position of the National Board. Crafts and Chase were the initiators of this federal proposal and acted as spokesmen for various religious, welfare, and reform societies across the United States.<sup>48</sup>

The alliance between Reverends Chase and Crafts represents an interesting turn of events in the careers of both men. Thirty-three years earlier, in 1883 Crafts was forced to resign his post at the Lee Avenue Congregational Church due to "the dissatisfaction in certain circles of his

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<sup>46</sup> "Pastors Open War on Sunday Shows," *Times*, Jan 19, 1909, 8. Reverend Carson states that he previously watched a Sunday audience emerge from a fifteen-cent theater in upper Brooklyn in which 90 percent of moviegoers were under twenty years of age. William S. Chase, "The Arguments for Stage Censorship," *American Review of Reviews*, (n.d.): 203.

<sup>47</sup> *Amour*, 118.

<sup>48</sup> Feldman, 91-93.

congregation regarding the orthodoxy of his doctrines.”<sup>49</sup> Ironically Crafts was forced out of his parish for encouraging his parishioners to observe the Sabbath. In his book *The Sabbath for Man* Crafts argues that effective Sunday laws did not violate the separation of church and state because they did not impose religion. He goes on to state the case that a “civil Sabbath” stopped all work on Sunday “to promote public health and education, reduce crime, and preserve home and nation.”<sup>50</sup> Crafts’ ongoing campaign to promote Sunday blue laws ultimately forced him out of New York and led him to Washington where he later established the IRB.

In contrast to the career of Reverend Crafts, William Chase was extremely popular among his parishioners as a result of his fight for the regulation of motion pictures. Chase’s detractors accused him of placing greater emphasis on his anti-vice crusade than the upkeep and care of his own parish. James R. Quirk, of *The American Mercury* described the Christ Church as “an obscure parish with an inconsiderable and gloomy basilica sadly in need of ventilation and janitor work. Canon Chase’s heart is not there, his real parish is page one.”<sup>51</sup> Despite criticism from industry supporters, the deacons and parishioners of Christ Church did not seem to have the same complaints in regards to the condition of their church, and regularly asserted that Reverend Chase was indeed “carrying out God’s work.”<sup>52</sup>

Why did Reverend Crafts’ congregation reject his advocacy of a “civil Sabbath,” and Reverend Chase’s parishioner’s embrace it? Both Crafts and Chase’s parishes were located in Brooklyn’s Williamsburg neighborhood, less than half a mile from one another. Aside from a

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<sup>49</sup> “The Reverend Wilbur F. Crafts: Action of His Church in Accepting His Resignation,” *Times*, Mar 30, 1883, 8.

<sup>50</sup> Wilbur F. Crafts, *The Sabbath for Man*, 6<sup>th</sup> ed. (New York: Baker and Taylor, 1892), 196; Gaines M. Foster, “Conservative Social Christianity, the Law, and Personal Morality: Wilbur F. Crafts in Washington,” *Church History* 71 no. 4 (Dec, 2002): 802-809.

<sup>51</sup> James R. Quirk, “The Wowsers Tackle the Movies,” *American Mercury* (Jul, 1927): 349.

<sup>52</sup> “William Chase Fights Against the Sunday Show,” *Eagle*, Jan 21, 1907.

demographic shift in the social and cultural make-up of Williamsburg's inhabitants between 1900 and 1920, what other factors affected this neighborhood's shift in perspective regarding the regulation of popular amusements? Based on James Quirk's description of the poor condition of Chase's Christ Church, it can be argued that the majority of Chase's congregation consisted of parishioners from the lower middle-class and possibly working-class. It is likely that former members of Reverend Crafts' congregation likely attended mass at Reverend Chase's Christ Church. The case study of these two Williamsburg parishes indicate that the class constitution of parishioners had little to no bearing on whether or not they did not support the enforcement of a "Civil Sabbath" or the regulation of popular amusements.

#### "Deadly But Legal:" Brooklyn and Manhattan Fire Code Regulations

Though the operation of the National Board appeared to be running smoothly for much of 1910 and 1911, the review committee continued to receive criticism from theater owners. The main grievance raised by exhibitors was that if the board passed an objectionable picture, it was they were still liable to criminal charges of indecency. Since the National Board was technically a "volunteer" organization and unable to force the film manufacturer's compliance, it more often than not elected to defer to the film producer's best judgment.<sup>53</sup> The board was further chastised for failing to hold its exhibitor members responsible for the unsafe conditions found in many of the city's theaters, but once again the board's leadership felt this problem was best left in the hands of the local authorities.<sup>54</sup> Charles Feldman argues, "The idea that the board would cooperate with local boards on censoring standards is somewhat contradictory. It was the

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<sup>53</sup> The National Board of Censorship of Motion Pictures, *Report of the National Board of Censorship of Motion Pictures* (New York: People's Institute, 1911), 3-16; Feldman, 52.

<sup>54</sup> John Collier, "Should Government Censor Moving Pictures?," *Playground* (Jul, 1912):129-131; Feldman, 47.

National Board's goal to be the sole authority in judging the content of motion pictures."<sup>55</sup> One area where the board's rhetoric of shared cooperation with its exhibitor members utterly failed was in providing a comprehensible set of standards for regulating the unsanitary and unsafe conditions found in many urban theaters during the 1910s.

The Board's inability to enforce a standardized set of fire codes or public safety regulations for its member theaters ultimately caused Mayor Gaynor to withdraw his support for the organization.<sup>56</sup> The first concentrated effort to develop fire codes in New York came about in response to the Rhoads Opera House fire in Boyertown, Pennsylvania on January 13, 1908, where an estimated 171 theatergoers were died in the fire. A large number of those killed were crushed against the locked theater doors. The lack of clearly marked fire escapes and improper ventilation were attributed as the primary causes for many of the lives lost in the fire.<sup>57</sup> In reaction to the Boyertown tragedy the Actors National Protective Union (ANPU), a New York-based union of vaudeville performers and theater lecturers, approached the New York Board of Aldermen to assess the conditions of the city's vaudeville theaters and nickelodeons in the hopes of preventing a similar tragedy from taking place in New York. However since the majority of nickelodeon theaters were primarily located on the first floor of low-income Italian and Jewish tenement housing, the nativist leaning Mayor McClellan chose not to acknowledge the proposal raised by the ANPU.<sup>58</sup>

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<sup>55</sup> Feldman, 57-58.

<sup>56</sup> May, *Screening Out the Past*, 112.

<sup>57</sup> "Boyertown Horror Grieves Falliers," *Times*, Jan 19, 1908, 8; "Theater Victims Locked In," *Times*, Jan 21, 1908, 4.

<sup>58</sup> Sara E. Wermiel, "No Exit: The Rise and Demise of the Outside Fire Escape," *Technology and Culture* 44 No. 2 (Apr, 2003): 259-264. Eric Olund, *White Watching: Cinema, Race, and Regulation in the Progressive-Era United States* (Ph.D. Dissertation, University of British Columbia, 2006), 117-137; Brian Dolber, "Lights Out! The Political Economy of Motion Pictures and Jewish Working-Class Culture in Progressive Era New York" (paper presented at

Brooklyn fire officials were especially cautious of the threat theater fires posed long before the Boyertown fire. Their concerns stemmed back to the Great Brooklyn Theater Fire of 1876, which resulted in the death of nearly three hundred theatergoers. Since then Brooklyn fire officials developed a series of regulations for theaters that were carried out by local precincts even after the borough's annexation to New York City.<sup>59</sup> The success of Brooklyn's fire ordinances is best evidenced in the case of the November 12, 1908 Park Theater fire. Located on the corner of Fulton and Adams Streets, the Park Theater was completely destroyed after a fire broke out during a matinee performance. As a result of proper ventilation and well-marked fire exits, theatergoers were safely ushered out of the theater entirely unaware that a fire had broken out. Despite the fact that no deaths or injuries were suffered from the Park Theater fire, the extensive damage to the building and surrounding area ranks it as the second-largest fire in Brooklyn's history.<sup>60</sup> The sharp contrast in the circumstances and aftermath of the Rhoads Opera House fire and Park Theater fire highlights the success of the mutual cooperation between Brooklyn fire officials and theater owners in regards to fire regulations.

In contrast the Borough of Manhattan was in dire need of a strictly enforced set of fire regulations. After the McClellan administration failed to enact a citywide fire ordinance for nickelodeon theaters, members of the ANPU approached John Collier, secretary of the National Board to provide an independent assessment on the conditions of Manhattan theaters. Collier hired M.H. Brubaker to investigate the conditions of 125 theaters in Manhattan, most of which

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the annual meeting for the National Communications Association (94<sup>th</sup> Annual Convention) San Diego, California, Nov 20, 2008), 16-17.

<sup>59</sup> The majority of deaths from the fire came from theatergoers in the "family circle" section of the theater. The "family circle," was a section designed exclusively for working class audiences. For more information on the Brooklyn Theater Fire see: Del Valle, *The Brooklyn Theatre Index, Volume II: Manhattan Avenue to York Street* (New York: Theater Talks LLC, 2010), 213-217.

<sup>60</sup> Del Valle, *The Brooklyn Theatre Index Volume I*, 283.

were located in Italian and Jewish neighborhoods on the Lower East Side. Brubaker found that although fire regulations were generally observed, many of the theaters were subject to overcrowding, as well as poor ventilation and sanitation, the leading cause behind many of the most devastating theater fires in the country. Despite Brubaker's findings, the film manufacturers affiliated with the National Board, felt that it would be too expensive to make changes in local fire codes. As a result of this incident the National Board had no choice but to yield to demands of the film industry in favor of public organizations.<sup>61</sup>

Following the Triangle Shirtwaist Factory fire on March 25, 1911, which resulted in the deaths of 146 garment workers who were locked out of the building's stairwells and exits, the Board of Aldermen realized the need for more stringent fire regulations in all city buildings.<sup>62</sup> Ralph Folks, the Republican majority leader of the New York Board of Aldermen proposed a measure to improve the safety conditions of motion picture theaters throughout the city. Although the Board of Aldermen passed the legislation, Mayor Gaynor then promptly vetoed it.<sup>63</sup> Gaynor's veto was a result of nativist pressure from conservative factions in the Democratic Party, who did not see the value in spending tax dollars on working-class amusements. Reverend Chase and members of the SOAKC were one of the leading opponents against Folks' ordinance. Historians Garth Jowett and Brian Dolber have argued that Reverend Chase's motivation to prevent the Folks ordinance passing was largely motivated by his anti-Semitic views toward the Jewish immigrants living in New York's Lower East Side.<sup>64</sup> Although it is true that Reverend Chase's rhetoric regarding New York's Jewish population is blush-worthy in the eyes of present

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<sup>61</sup> Dolber, 17.

<sup>62</sup> For more information on the Triangle Shirtwaist Fire see: David von Drehle, *Triangle: The Fire that Changed America* (New York: Grove Press, 2004).

<sup>63</sup> "Motion Picture Law May Pass Today," *Times*, May 14, 1912, 9.

<sup>64</sup> Dolber, 19; Jowett, "A Capacity for Evil," 23-24.



day readers, it had absolutely no bearing on his resistance to the Folk's ordinance. It should be noted that Reverend Chase was in favor instituting fire regulations in low-income theaters with the request that a caveat be made within the ordinance to allow for the municipal censorship of the films exhibited in the city's theaters. Reverend Chase's call for municipal censorship was based in his ongoing struggle to restore local censorship policies to the Borough of Brooklyn. It can be argued however, that Chase was likely ambivalent to the improvement of working-class and immigrant theaters and was far more concerned with allowing Brooklyn exhibitors and municipal authorities to censor themselves.<sup>65</sup>

The debate surrounding the Folks ordinance came to a head on February 2, 1913, when a fire panic at Houston Hippodrome located on 141-143 East Houston Street in Manhattan resulted in the death of two women and injured 32 others.<sup>66</sup> Although Fire Commissioner Joseph Johnson determined the building to be in compliance with all of the safety regulations of the time, he suggested that the current municipal safety codes were insufficient. As one *New York World* editor put it, the current safety regulations in New York's theaters were "deadly, but legal."<sup>67</sup> Because of their failure to enact the Folks ordinance both Mayor Gaynor and the conservative members of the Board of Aldermen absorbed the brunt of the blame for the Houston Hippodrome fire. In a January 1913 edition of *Insurance Engineering*, the editor suggests that it

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<sup>65</sup> "Plea for Folks Law to Govern Movies," *Times*, Dec 17, 1912, 7.

<sup>66</sup> "2 Slain, 32 Hurt in Movie Panic," *Tribune*, Feb 3, 1913, 1. A small fire broke out in the theater's projection booth, a young boy in the balcony reacted by shouting "fire!" In the ensuing panic audience members were crushed against several blocked off exits and stairwells.

<sup>67</sup> Alyssa DesRochers, "Fire! At the Houston Hippodrome," *Researching Greenwich Village History*, last modified Dec 4, 2012, last accessed Oct 7, 2013, <http://greenwichvillagehistory.wordpress.com/2012/12/04/fire-at-the-houston-hippodrome/>.

is the responsibility of the city and state authorities to see that all motion picture theaters are compliant to the “five factors of safety.”<sup>68</sup>

During a *New York Times* interview on February 4, Alderman Folks blamed Reverend Chase’s insistence of a municipal censorship provision as the reason the Houston Hippodrome fire was able to happen. “Canon Chase and such men were indirectly responsible for the loss of life Sunday night. Those who wanted censorship or nothing beat the resolution. Religious fanaticism such as burned men at the stake in the fifteenth century should not be tolerated to burn people today in moving picture shows.”<sup>69</sup> Had Reverend Chase’s Sunday blue law campaign had succeeded, then the Houston Hippodrome would have been closed on February 2, thus preventing the fire altogether. Chase responded to Folks’ accusations in a letter to the editor submitted on February 6. “Mr. Folks knows that my objection and that of many citizens to his ordinance is that it pretends to protect the public but that in reality it is a special legislation designed to increase the receipts and power of the Motion Picture Trust.”<sup>70</sup> The fallout from the Hippodrome fire was enough to motivate the Gaynor administration to pass a motion picture ordinance very similar to the one proposed by Alderman Folks. Gaynor’s motion picture ordinance was essentially a carbon copy of the Folks ordinance. In addition to providing new fire safety measures, the ordinance also clearly stated that no additional provision addressing the censorship of pictures should be added. Much to Reverend Chase’s chagrin, the Gaynor

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<sup>68</sup> “Motion Picture Theaters: Dangerous Places Unless Public Authorities Require and Exhibitors Provide Conditions of Safety,” *Insurance Engineering* 25 No. 1 (Jan, 1913): 1-2. The “five factors of safety” are as follows: A projection machine equipped with all necessary devices to prevent the combustion of ignitable film; the proper installation of the machine and its accessory equipment; the competency of the operator; the enclosure of the equipment in a booth or operating room; and the movie house’s construction, arrangement of seats, aisles, and fire exits.

<sup>69</sup> “Blames Canon Chase for Movie Horror,” *Times*, Feb 4, 1913, 8.

<sup>70</sup> “Blame for Deaths: Canon Chase Answers Motion Picture Fire Charges,” *Times*, Feb 6, 1913, 10.

ordinance continued to uphold the city's right to "prevent the display of immoral and indecent productions," as opposed to providing a provision to allow for municipal regulation.<sup>71</sup>

### The Smith-Hughes Bill and the Federal Motion Picture Commission Hearings

The Gaynor ordinance proved a tremendous blow for Reverend Chase's efforts to restore Brooklyn's self-censorship policies. On September 10, 1913 Mayor Gaynor died from complications of an assassination attempt in 1910. In 1914 Fusion Party candidate John Purroy Mitchel replaced him as mayor.<sup>72</sup> Mitchel was known to be far more ambivalent to the social impact of the movies than his predecessors. By 1914 most Protestant reformers in Brooklyn – Reverend Chase included – concluded that municipal film censorship was no longer an option.<sup>73</sup> This change in tactics led to Chase's alliance with Reverend Crafts to propose a federal motion picture commission. Senator Hoke Smith of Georgia first introduced the bill in the United States Senate, while Dudley Hughes, also of Georgia, presented a similar measure to the House of Representatives. In essence both bills called for President Woodrow Wilson to "appoint five persons to a federal motion picture commission with the authority to license all motion pictures entering interstate commerce and bar all objectionable films judged immoral, indecent, obscene, or depicting a prize or bullfight."<sup>74</sup> Prior to the bill's inception Crafts conducted a vigorous censorship campaign in the state of Georgia. Charles Feldman explains the reason why Crafts

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<sup>71</sup> "New Film Law in Effect," *Times*, Aug 9, 1913, 9; Dolber, 20.

<sup>72</sup> Jeff Richman, "The Assassination of William Jay Gaynor," *Greenwood Historian Blog*, last modified Aug 9, 2010, last accessed Oct 12, 2013, <https://www.green-wood.com/2010/assassination-mayor-william-j-gaynor/>.

<sup>73</sup> W. Stephen Bush, "The Birth of a Nation," *MPW*, Mar 13, 1915, 1586-1587; Janet Staiger, *Bad Women: The Regulation of Female Sexuality in Early American Cinema* (Minneapolis, MN: University of Minnesota Press, 1995), 114; Melvyn Stokes, *D.W. Griffith's The Birth of a Nation: A History of the Most Controversial Picture of All Time* (Oxford, U.K.: Oxford University Press, 2007), 104. The only incident John Mitchel was known to be involved with regarding film censorship took place in 1915 when Mitchel personally called for the removal of several highly racist scenes from D.W. Griffith's *The Birth of a Nation*.

<sup>74</sup> "The National Censorship Bill," *MPW*, Apr 11, 1914, 109.

selected Georgia and its congressmen as a launching point for federal film control is a mystery.<sup>75</sup> Although Congressmen Smith and Hughes' names were attached to the Smith-Hughes Bill, their actual involvement in the federal motion picture hearings were nominal at best. Crafts and Chase wrote the original draft of the federal bill, with the goal that a federal board would supersede the influence of the Manhattan National Board members.<sup>76</sup>

On February 16, 1915, the House Committee on Education voted unanimously for the passage of a federal motion picture commission. However a week after the House report was issued, the Supreme Court ruled "films were mingled with other property in interstate commerce and therefore subject to police regulation."<sup>77</sup> The Supreme Court ruling suggested a possible return to local censorship in Brooklyn, but as indicated earlier in this chapter, the NYPD was highly susceptible to the influence of Manhattan's National Board members. For much of 1915 Reverends Chase and Crafts resorted to an extensive letter-writing campaign to lobby Congress to reconsider their proposal. For almost a year the Smith-Hughes Bill remained dormant, until January 1916, when a series of Congressional hearings were held to discuss the reintroduction of the bills in favor of instituting a federal motion picture committee.<sup>78</sup> During the Congressional hearings, Reverend Chase reiterated his position of instituting a municipal regulation for Brooklyn's theaters by stating that he "would rather deal with films of sin than submit to any 'superior authority.'" The "superior authority" in question was the Manhattan leaders of the

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<sup>75</sup> Richard Randall, *Censorship of the Movies: The Social and Political Control of a Mass Medium* (Madison, WI: University of Wisconsin Press, 1970), 13; Feldman, 67-68.

<sup>76</sup> W. Stephen Bush, "For National Censorship," *MPW*, May 9, 1914, 793-795; "Fit Motion Pictures: Dr. Crafts States the Case for a Federal Board of Censorship," *Times*, May 19, 1914, 8.

<sup>77</sup> United States Congress: House of Representatives, *Report of the Committee on Education*, Report No. 1411, 63<sup>rd</sup> Congress, 3<sup>rd</sup> Session, 1915, 1-2; Feldman, 84-85. For more information on *Mutual vs. Ohio* case see Jowett, "A Capacity for Evil," 25-37.

<sup>78</sup> Feldman, 90-91.

National Board. Reverend Crafts, added to Chase's statement by voicing his concern that the Board's secretaries were being paid off by film manufacturers to insure the passage of nearly every film submitted to them.<sup>79</sup>

The National Board's new chairman Reverend Cranston Brenton, former minister and professor at Trinity College, provided the strongest challenge to Chase and Crafts' testimonies. Throughout the Congressional hearings Brenton referred to the board as the "National Board of Review." On March 29, 1916, Brenton put forth a press release formally announcing the removal of the word "censorship" from the organization's title.<sup>80</sup> In changing the board's title, Brenton indicates the interests of the film industry and not the public. In response to allegations of bribery between film manufacturers and the board's secretaries, Brenton stated that, "No one who receives one cent of money has any voice whatsoever in our board or has ever had any voice whatsoever in the passing of any film."<sup>81</sup> Despite Reverend Brenton's spirited defense of the National Board's position as an advisory agency that worked in voluntary cooperation between both the film industry and local censorship organizations, the House Committee on Education passed the Smith-Hughes Bill once again on May 22.<sup>82</sup>

As proposed, the bill granted federal authority to establish offices throughout the United States with the intention of preventing the interstate commerce of any film deemed to be

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<sup>79</sup> United States Congress, House of Representatives, Federal Motion Picture Commission, *Hearings Before the Committee on Education, House of Representatives, on H.R. 456, A Bill to Create a New Division of the Bureau of Education to be Known as the Federal Motion Picture Commission, and Defining its Powers and Duties*, House Resolution 456, 64<sup>th</sup> Congress, 1<sup>st</sup> Session, 1916, 156.

<sup>80</sup> Feldman 112.

<sup>81</sup> Federal Motion Picture Commission, 40-50; Cranston Brenton, "Motion Pictures and Local Responsibility," *American Century* 26 No. 2 (Feb, 1917): 125-131; Brenton, "Sidelights on Movies," *Deseret News*, Mar 31, 1917, 5. Brenton mentions in both the Congressional hearing and in subsequent articles that the National Board is a public organization that performs the service of advising film manufacturers on the content of their films.

<sup>82</sup> Feldman, 90.

immoral by the federal motion picture committee.<sup>83</sup> While the Smith-Hughes bill underwent its final series of revisions in Congress, leading film industry executives began a campaign to mobilize against the passage of the bill. Carl Laemmle of Universal Pictures and a delegation from the California-based Motion Picture Exhibitors League (MPEL) met with President Wilson on October 3, to discuss the details of the proposed bill. The case made by Laemmle and other industry leaders was enough to convince Wilson to make a statement in opposition to the proposed federal motion picture censorship legislation. The President's intervention in the enactment of the Smith-Hughes bill assured industry leaders and the National Board that the bill's chances of approval were near impossible as long as Wilson was in office.<sup>84</sup>

#### Fredrick Boyd Stevenson's Brooklyn Eagle Campaign

The failure of the Smith-Hughes bill had two important results. The first was that it caused the first fissure in the relationship between the film industry and the National Board, and the second was that it represented the beginning of an effort among members of the New York State legislature to enact a separate state censorship bill. For the remainder of the 1910s and the early 1920s numerous civic, municipal, and state censorship reports across the country indicated that National Board was not successful in its efforts toward "moral coercion."<sup>85</sup> As local censorship reports continued to highlight the National Board's inability to regulate the content of the films it reviewed, industry leaders realized that in order to prevent another federal censorship

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<sup>83</sup> "Urges Film Censorship," *Times*, May 18, 1916, 9; "A Great Historic Document," *MPW*, Jun 3, 1916, 1666; "Hughes Bill Reported Favorably," *MPW*, Jun 3, 1916, 1667; Feldman, 104-106.

<sup>84</sup> "President Leaves on Trip to Omaha: Sees Moving Picture Men and Cheers Them by Attitude on Federal Censorship," *Times*, Oct 4, 1916, 1; "President Against Censorship," *MPW*, Oct 21, 1916, 371; "Taft Defends Hughes on His Record," *Times*, Oct 5, 1916, 4.

<sup>85</sup> Ruth A. Inglis, *Freedom of the Movies* (Chicago, IL: University of Chicago Press, 1947), 76; Shelley Stamp, "Moral Coercion, or The National Board of Censorship Ponders the Vice Films," in *Controlling Hollywood: Censorship and Regulation in the Studio Era*, ed. Matthew Bernstein (New Brunswick, NJ: Rutgers University Press, 1999), 43.

bill from passing in Congress, they needed to work with the government rather than against it. Ironically for much of the period between 1916 and 1921 the National Board directed the brunt of its efforts toward defeating the numerous censorship bills that were being enacted by state and city legislatures across the country.<sup>86</sup>

Throughout this period Reverends Chase and Crafts continued to condemn the National Board as a deception employed by the industry to mislead and silence its critics. Following the failure of the Smith-Hughes bill, William Chase once again refocused his efforts by bringing the censorship debate to the floor of the New York State Assembly by initiating a fierce letter writing campaign to assembly members and the governor's office. Chase's campaign culminated on December 23, 1919, when William P. Capes, Secretary of the New York State Conference of Mayors (NYSCM), announced the appointment of a special committee to review the National Board's practices.<sup>87</sup> Roughly one third of the committee members were representatives of the motion picture industry, including Everett D. Martin, the National Board's new chairman. With such an apparent bias toward the National Board in mind, it comes as no surprise that when the state conference convened on February 24, 1920, the special committee called for the continued support of the National Board. The committee ultimately concluded that "owing to the nature of the motion picture art, state censorship in any form is undesirable, and the only promising method of regulating the production and exhibition of motion pictures so that the public shall receive the greatest possible good from this art, is now in operation in the form of the National Board of Review."<sup>88</sup>

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<sup>86</sup> Feldman, 87-96.

<sup>87</sup> "Special Committee on Censorship to Meet in New York in January," *MPW*, Jan 3, 1920, 140; Feldman 163-164.

<sup>88</sup> New York State Conference of Mayors, *Motion Pictures: Report of the Special Committee of the New York State Conference of Mayors Appointed to Make an Investigation into the Matter of the Regulation of Motion Pictures*

The NYSCM's endorsement of the National Board should have secured the organization's position as the supreme censorship body in the United States. However almost one year later Wilbur Craft's IRB hearings brought an end to the National Board's influence over the film industry and motion picture exhibitors and a state film censorship bill would in the New York State Assembly that officially supplanted the National Board's influence in New York City. The board's decline was the direct result of a series of articles published between the months of January and February 1921 by *Brooklyn Eagle* journalist Fredrick Boyd Stevenson. Stevenson's attack on the National Board "accomplished what other reformers had only intimated by providing verifiable evidence, gathered from within the ranks of the National Board, of an inconsistency between the board's public and private policy."<sup>89</sup>

Stevenson's attack on the National Board originated in a less-than-favorable review of the Lon Chaney film *The Penalty*. Stevenson argued that the film's blatant depiction of sex, violence, and morally ambiguous message, should not have passed the board's review committee. In an interview with Everett Martin, Stevenson asked what efforts the board made to revise *The Penalty*. Martin responded by stating that the censors recommended to the filmmakers that a prolonged kissing scene and a scene depicting a nude woman be cut from the film. Of the board's recommendations the only item removed from the film was the nude scenes. When asked how the film was deemed fit for the National Board's seal of approval, Martin responded, "We reach our conclusions by a psychologic (sic) study of our audiences." However he was unable to

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(Albany, NY: Semi Annual Meeting of the New York State Conference of Mayors, Feb 24, 1920), 12. Everett D. Martin replaced Cranston Brenton as the National Board's chairman in 1919. The special committee also included: Albert E. Smith, President of the Vitagraph Company who represented motion picture producers, Gabriel L. Hess of the Goldwyn Distributing Corporation, who represented motion picture distributors, and Walter Hayes of the Strand Theater Interests, who represented motion picture exhibitors.

<sup>89</sup> "Feldman, 168.



explain to Stevenson how these “psychological experts” assessed the thoughts and opinions of audience members.<sup>90</sup>

Martin’s *Daily Eagle* interview strengthened Stevenson’s belief that the board was unable to properly judge the content of the films they reviewed. The interview also caught the attention of Mayor John F. Hylan, who responded to Stevenson’s article by stating that he was “determined to take some course that will prevent the suggestion of crime to young boys and young girls and to older people who are easily influenced.”<sup>91</sup> Prompted by Mayor Hylan’s endorsement, Stevenson conducted a series of interviews with the Brooklyn board members who approved *The Penalty* for distribution. These board members revealed that they were paid off by the film’s producers to overlook several scenes that contained questionable content, in order for the film to be approved. The spokesmen for the National Board refused to directly respond to Stevenson’s accusations of corruption and bribery within their organization.<sup>92</sup> Unable to refute the charges of corruption, internal pressure on review decisions, and uneven regulation standards, the board’s reputation was significantly marred as a result of Stevenson’s campaign. Numerous social, civic, and religious organizations across the Borough of Brooklyn responded to

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<sup>90</sup> Stevenson, “Are Dramas of Crime in the Movies a Menace to Public Welfare?,” *Eagle*, Jan 9, 1921, Music and Art, Theaters and Fashions, 1.

<sup>91</sup> Stevenson, “Hylan to Take Action on the Movies that are Depicting Crime and Vice,” *Eagle*, Jan 16, 1921, Music and Art, Theaters and Fashions, 3. Hylan was a longtime resident of Brooklyn’s Bushwick neighborhood, and an opponent of the 1898 consolidation. See “City’s Hub Placed in Bushwick Yard,” *Times*, Mar 26, 1937, 23.

<sup>92</sup> Stevenson, “Why the National Board of Review Does Not Want ‘Movie’ Censorship,” *Eagle*, Jan 30, 1921, Music and Art, Theaters and Fashions, 1; Stevenson, “Who Reviewed Photoplay ‘The Penalty’?” National Board of Review is Keeping it a Secret,” *Eagle*, Feb 6, 1921, Music and Art, Theaters and Fashion, 1. The two primary whistleblowers of the National Board’s review policies were

Stevenson's articles by petitioning the New York State Assembly to again revisit the topic of a state film censorship law.<sup>93</sup>

### The Clayton-Lusk Bill and the Motion Pictures Producers and Distributors of America

Emboldened by Stevenson's attack on the National Board, on February 16, 1921 Brooklyn Assemblyman W.F. Clayton called for the need of a state film censorship commission to supplant the duties of the National Board. On the same day New York State Senator Clayton R. Lusk proposed a similar bill before the state senate.<sup>94</sup> Using the momentum gained by Stevenson's *Daily Eagle* campaign and the proposal put forth by Assemblyman Clayton, Reverend Chase once again approached the now ailing Wilbur Crafts to sponsor another proposal for federal film censorship. On March 14, Crafts arranged a two-hour conference with industry leaders, during which time both parties reached the conclusion that the National Board needed to be done away with determined it. Three days later on March 17, Reverend Crafts made his final appearance before Congress to sponsor a revised federal film censorship bill that proposed to grant six federally appointed commissioners the authority to censor all motion pictures.<sup>95</sup>

The next month New York Governor Nathan L. Miller signed the Clayton-Lusk Bill into law. The Clayton-Bill effectively ended the National Board's influence in New York State and

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<sup>93</sup> Stevenson, "How Brooklyn is Getting into Action for Campaign Against Unclean Movies," *Eagle*, Feb 13, 1921, Music and Art, Theaters and Fashion, 1; Stevenson, "Members of the Motion Picture Board Will Demand Thorough Investigation," *Eagle*, Feb 20, 1921, Music and Art, Theaters and Fashion, 1.

<sup>94</sup> "Proposes Film Censor," *Times*, Feb 17, 1921, 3; "Long Expected Censorship Bill at Last Is Introduced in New York Legislature," *MPW*, Feb 26, 1921, 1025; Feldman, 183; Stevenson, "Forty-Four State Legislators Ready to Act on 'Movie' Censorship Bills," *Eagle*, Feb 27, 1921, Music and Art, Theater and Fashion, 1. One additional tenant of Clayton's proposal requested that the commission charge filmmakers a licensing fee of three dollars per five hundred feet of film.

<sup>95</sup> "Proposes Federal Film Censorship: International Reform Bureau Sponsors Bill to Create an Interstate Commission," *Times*, Mar 18, 1921, 26; "Brady Wants Trade to Reform Movies," *Times*, Mar 21, 1921, 11. For more information on both the Clayton-Lusk Bill and IRB Hearings, see Feldman, 183-200.

replaced it with a three-man censorship commission appointed to five-year terms by the governor. As the National Board's influence as a censoring body began to dissipate, industry leaders realized that they needed a new plan to stave off the censorship bill proposed by Chase and Crafts. On January 18, 1922 President Warren Harding's Postmaster-General Will Hays was selected to head a new national self-regulatory organization of producers and directors known as the Motion Picture Producers and Distributors of America. (MPPDA) One of Hays's first acts as chairman of the MPPDA was to effectively shut down Chase and Crafts' censorship proposal. In June 1922 Hays held a conference of social and religious reformers from across the country to develop a counter-proposal to the enactment of a federal film censorship law.<sup>96</sup>

Reverend Chase continued to crusade against Hays and the MPPDA with the same fervor as they had the National Board. However his efforts suffered a significant setback after Wilbur Crafts died from complications of pneumonia on December 28, 1922. Any hope he may have had to develop a federal film censorship law seems to have died with Crafts. To Brooklyn reformers and exhibitors alike, the decline of the National Board represented the end of Manhattan's influence over the borough's popular amusements. One reason why Reverend Chase's fight against the MPPDA never gained as much traction in Brooklyn as his campaign against the National Board was that since the MPPDA was a national organization, it placed Brooklyn exhibitors on an equal footing as their Manhattan counterparts. In February 1932 Chase resigned from his post as rector of Christ Church to work full time at the IRB headquarters in Washington D.C.<sup>97</sup> For the remainder of the 1920s Brooklyn exhibitors struggled to maintain

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<sup>96</sup> "Hays Will Head Picture Organization: Contract Signed Wednesday in New York," *MPW*, Jan 28, 1922, 369; Inglis, 100-103.

<sup>97</sup> "Canon Chase Quits as Brooklyn Pastor," *Times*, Feb 2, 1932, 27; Jowett, 36-37.

an independent movie-going identity in the face of increased corporatization within the film industry. In lieu of the censorship battle, theater owners faced the threat of having their identity eclipsed by assimilation into a national movie-going culture, a culture that was refined and developed by two Brooklyn natives who would go on to become two of the most powerful moguls in film history.

## CHAPTER TWO: FROM “ITCHES AND DUMPS” TO AIRDROMES AND PALACES: THE CORPORATIZATION OF MOTION PICTURE EXHIBITION IN BROOKLYN

They controlled the majority of the theaters in the country. They had driven out of business, legally or illegally, every man who had started in this business ten years prior. There were 120 of these men and 119 of them they had driven out or bought out.<sup>1</sup>

– William Fox on the Motion Pictures Patents Company

At 8:30 PM on the evening of March 11, 1927 the golden age of the “movie-palace era” came to its extravagant climax with the opening of the massive Roxy Theater at 153 West 50<sup>th</sup> Street in Manhattan. Although the film selected for the Friday premiere, *The Love of Sunya*, was largely unmemorable, what was unforgettable was the immersive multi-media presentation that accompanied the film’s exhibition. The Roxy Theatre sat 5,920 people, making it the largest purpose-built motion picture theater yet constructed. At \$11 per ticket (approximately \$150 in 2013), the price was steep and limited access to the theater to a high-end clientele.<sup>2</sup> Despite its high cost, the audience members who were fortunate to attend the Roxy that evening took part in a theatergoing experience that eclipsed all of its contemporaries both on stage and screen.<sup>3</sup>

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<sup>1</sup> William Fox, “Reminiscences and Observations,” in *The Story of Films*, ed. Joseph P. Kennedy (Chicago: A.W. Shaw Company, 1927), 303-304.

<sup>2</sup> Naryana Kocherlakota, “What is a Dollar Worth? Consumer Price Index Calculator,” *Federal Reserve Bank of Minneapolis, Ninth District*, last accessed Nov 1, 2013, <https://www.minneapolisfed.org>.

<sup>3</sup> Bosley Crowther, “Screen: The Lieutenant Wore Skirts,” *Times*, Jan 12, 1956, 22; Ben Hall, *The Best Remaining Seats: The Story of the Golden Age of the Movie Palace* (New York: Clarkson N. Potter Inc., 1961), 1-10; Ross Melnick, *American Showman: Samuel ‘Roxy’ Rothafel and the Birth of the Entertainment Industry, 1908-1935* (New York: Columbia University Press, 2012), 251; John T. Soister et al, *American Silent Horror, Science Fiction, and Fantasy Films, 1913-1929* (Jefferson, N.C.: MacFarland Books, 2012), 347. Several different figures exist in regards to the seating capacity at the Roxy, advertisements from the period claim the theater could hold up to 6,200 theatergoers at one time, this figure is upheld by Ben Hall in *The Best Remaining Seats*. However recent scholarship has found that the theater had a capacity of 5,920, as shown in Ross Melnick’s *American Showman*. The theater was the largest of its kind constructed at the time. Crowther, Hall, and Melnick each argue that the opening of the Roxy in 1927 represents the pinnacle of the movie palace era.

The 110-member symphony orchestra conducted by world-renowned composer Hugo Münsterberg and the world's largest pipe organ – played simultaneously by three organists on three separate consoles – provided audience members with a musical accompaniment on a level never before achieved. The evening's performance also included a concert from the theater's one-hundred member choral group, a recital of fifty female line dancers known as the "Roxyettes," as well as a series of elaborate stage spectacles. The theater's pre-show performances were featured as a radio program called *The Roxy Hour*, which was broadcasted to listeners across the United States.<sup>4</sup> A 1927 *New York Times* advertisement stated, "We cannot find adjectives and superlatives strong enough to describe the thousand and one wonders and innovations of the Roxy, truly the most sumptuous and stupendous theater ever erected."<sup>5</sup>

Broadway showman Samuel "Roxy" Rothafel was the brainchild behind the Roxy. During the 1910s and 1920s Rothafel perfected the use of integrated performances in each of the theaters he managed, and in doing so developed a model for motion picture exhibition that was adopted by theater programmers throughout New York City.<sup>6</sup> As a result Rothafel's name became synonymous with New York nightlife, and secured his place in history as "the father of motion picture exhibition."<sup>7</sup> Rothafel's reign as New York's premier exhibitor was short lived. Less than two weeks after the Roxy opened, motion picture producer and exhibitor William Fox acquired a controlling interest in the Roxy Theater. Fox felt that Rothafel was "the greatest

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<sup>4</sup> Ken Bloom, *Broadway: Its History, People, and Places – An Encyclopedia* (New York: Routledge Publishers, 2004), 462; Koszarski, *Hollywood on the Hudson*, 130-133.

<sup>5</sup> "A Trip Through the New Roxy Theater," *Times*, Feb 27, 1927, 7.

<sup>6</sup> Eric T. Clarke, "An Exhibitor's Problems in 1927," *Transactions of the Society of Motion Picture Engineers*, 11 no. 31 (1927): 450-457.

<sup>7</sup> W.R. Wilkerson, "Tradeviews," *Hollywood Reporter*, Jan 21, 1936. For a more in depth discussion on Rothafel's career as a showman in New York, see: Hall, *The Best Remaining Seats*; Melnick, "Rethinking Rothafel: Roxy's Forgotten Legacy," *Moving Image* 3 no. 2 (Fall, 2003): 62-95.

genius we have in the standpoint of exhibiting,” and viewed his acquisition of the Roxy as “the supreme achievement of his life.”<sup>8</sup> The purchase of the Roxy Theater marked not only a personal triumph for Fox, but represented the end of a decades-long struggle between Manhattan and Brooklyn-based film exhibitors over the licensing and distribution of motion pictures in each respective borough. Several of Brooklyn’s first motion picture exhibitors became important figures in the motion picture’s development of as a form mass entertainment during the 1910s and 1920s. The standardization of motion picture exhibition during this period inspired the shift toward large venue exhibitions that culminated in the proliferation of movie palaces throughout the greater New York area during this period.

#### Brooklyn’s First Motion Picture Venues

On the evening of May 9, 1893, Thomas Edison and his assistant William Kennedy Laurie Dickson attended the monthly meeting at the Brooklyn Institute of Arts and Sciences, and unveiled the latest wonder developed out of Edison’s West Orange Laboratory: the kinetoscope. This event is widely believed to be the first public demonstration of moving images. The kinetoscope was not a projection device, but a large wooden box designed for films to be viewed through a “peephole” located at the top of the machine. First described in theoretical terms by Edison in 1888, the device itself was developed and perfected by Dickson.<sup>9</sup> While at the Brooklyn Institute of Arts and Sciences Edison and Dickson lectured on the process and workings of their latest invention and then afterwards allowed audience members to look into the

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<sup>8</sup> “Fox Purchases Roxy Chain; Rothafel Stays as Manager: \$20,000,000 Paid for Roxy Theater in New York City,” *Miami Herald*, Mar 26, 1927, n.p. (Museum of the City of New York: New York Entertainment Collection, folder 1, hereafter MCNYEC); “Roxy Theatre Added to Fox Chain,” *Motion Picture News*, Apr 8, 1927, 1254; *American Showman*, 279-80; Fox, “Reminiscences and Observations,” 314.

<sup>9</sup> Robinson, 39.

oak cabinet for themselves. Although the film selected for the demonstration, *A Blacksmith Scene*, had only a thirty-four-second running time, it took three hours for all of the audience members in attendance to step up to the device and view the film.<sup>10</sup>

The first location to exhibit motion pictures for a fee was the Holland Brothers' Kinetoscope Parlor at 1155 Broadway on April 14, 1894.<sup>11</sup> For the price of 25 cents a customer could view five films. The panic of 1893 caused a drastic reduction in the daily wages in the United States to the extent that the average weekly income in New York in 1894 was \$2.46,<sup>12</sup> making a visit to the kinetoscope parlor a luxury the working-class could not readily afford. It is uncertain how soon public interest in the kinetoscope was piqued. However by June 1894, several more parlors opened along Broadway and in downtown Manhattan as well as in cities throughout the United States and Europe.

Brooklyn's first kinetoscope parlor opened in August 1894 at 457 Fulton Street. At this location customers paid a reduced price of 5 cents to view five films on one machine. The reduced fee and constantly changing weekly bill of films helped make the Fulton Street parlor become just as successful as the Manhattan parlors. Although the kinetoscope experienced a string of early successes, the novelty of thirty-to-sixty second clips soon lost its luster. In 1895, inventors based out of England, France, Germany, and the United States each began to work on

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<sup>10</sup>*The Fifth Yearbook of the Brooklyn Institute of Arts and Sciences, 1892-1893* (Brooklyn, NY: Brooklyn Institute of Arts and Sciences, 1893), 183; Hendricks, *The Kinetoscope: America's First Commercially Successful Motion Picture Exhibitor* (New York: Theodore Gaus' Sons Inc., 1966), 35-39; Del Valle, "Brooklyn Moviegoing," 108; Paul Spehr, *The Man Who Made Movies: W.K.L. Dickson* (Eastleigh, U.K.: John Libbey Publishing, 2008), 296.

<sup>11</sup> Howard Lamarr Walls, *Motion Pictures, 1894-1912: Identified from the Records of the United States Copyright Office* (Washington D.C.: Library of Congress Copyright Office, 1953), vii; Spehr 308. Inside the parlor ten kinetoscopes were set up in the center of the parlor in back to back rows of five machines each. The rows had a space between them so the machines could be serviced from behind.

<sup>12</sup> Isabel Eaton, "Receipts and Expenditures of Cloak-makers in Chicago Compared with Those that Trade in New York," in *Hull House Maps and Papers*, ed. Jane Addams (New York: Thomas Y. Crowell and Company, 1895), 79.



and develop a projection apparatus for moving images. The “vitascope” effectively launched the phenomenon of projected motion pictures in the United States. It was a projection device developed by Thomas Armat and Charles Francis Jenkins, who sold their patent to Thomas Edison. Several other projection devices were also developed during this period. The most well known device was the “cinematographe” a projection device developed by French inventors August and Louis Lumiere, and widely distributed throughout Europe in the 1890s. Grey and Ottway Lantham also created a projection device called the “eidoloscope,” which served as the forerunner of all subsequent motion picture projectors.<sup>13</sup> This method of exhibition allowed for a much larger number of customers to view the images, as opposed to the singular experience of the kinoscope. By the year’s end, the kinoscope was obsolete.<sup>14</sup>

### The Patent Wars

The seeds for what would be known as the “Patent Wars” were first sewn after the vitascope made its debut at Koster and Bial’s Music Hall in Manhattan on April 23, 1896. The projection apparatus was an immediate sensation and established the vitascope as an integral part of vaudeville performances across the city. Edison required a hefty fee from any theater looking to purchase or rent the “Edison Vitascope.” Because of the high royalty fees and operation costs, many New York exhibitors designed their own imitation projection devices.<sup>15</sup> One notable example uncovered by Brooklyn theater historian Cezar Del Valle describes two rival theaters in

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<sup>13</sup> Nasaw, 130-134.

<sup>14</sup> Hendricks, *The Edison Motion Picture Myth*, 140-143; Musser, *The Emergence of Cinema*, 89-105.

<sup>15</sup> Allen, “The Movies in Vaudeville: Historical Context of the Movies in Popular Entertainment,” in *The American Film Industry*, ed. Tino Balio (Madison, WI: University of Wisconsin Press, 1985), 65-66; Ray Phillips, *Edison’s Kinoscope and its Films, A History to 1896* (Westport, CT: Greenwood Press, 1997), 65-71; Mary C. Henderson and Gerald Schofield, *The City and the Theater: The History of New York Playhouses* (New York: Watson-Guption Publishing, 2004), 128.

Bergen Beach and Coney Island. The Edison Vitagraph Theater at Bergen Beach is believed to be the first building in New York – and arguably the United States – designed exclusively for the exhibition of motion pictures. The vitascope’s success at Bergen Beach quickly caught the attention of showmen at the burgeoning seaside resort of Coney Island. Unable to afford the fees attached to the vitascope, the exhibitor at Coney Island unveiled “the genuine and only ‘vidiscope,’ the renowned and successful invention that captured New York City.”<sup>16</sup> It remains unclear exactly what the vidiscope was, but Long Island Vitascope – an Edison subsidiary – noticed the similarity between the names and filed an injunction against the showman, causing him to shut down the vidiscope exhibition.<sup>17</sup>

The case of the Coney Island “vidiscope” was one of many injunctions filed by Edison Vitascope against infringing film exhibitors and producers during this period. In late 1894 Edison’s protégée, W.K.L. Dickson started work on his own projection device, but was ordered by Edison to withdraw from the project. However Dickson continued to work on the project in secret with the Lantham brothers. After Edison learned of Dickson’s “dishonorable relationship” with the Lanthams, Dickson was asked to resign from his position at the West Orange Laboratory. After striking out on his own, Dickson formed the American Mutoscope Company where he went on to invent the eidoloscope, and the biograph, both forerunners of all subsequent motion picture projectors.<sup>18</sup> Edison and Dickson engaged in a series of court battles for much of the late 1890s and early 1900s over control of the various patents held on the motion picture. Throughout this period various exhibitors set out to find ways around the Edison’s strict

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<sup>16</sup> Del Valle, “Brooklyn Moviegoing,” 109.

<sup>17</sup> Del Valle, email correspondence with author, Nov 11, 2013.

<sup>18</sup> Deac Rossell, *Living Pictures: The Origins of the Movies* (Albany, NY: State University of New York Press, 1998), 124-129.

patent laws by designing generic camera and projection apparatuses.<sup>19</sup>

### The Chaser and Nickelodeon Periods

Historians of early cinema define the “chaser period” as the period between 1897 and 1905 – a time when motion picture exhibition was conducted primarily as a part of vaudeville performances.<sup>20</sup> Films continued to follow a very basic format of displaying scenes from everyday life called “actualities,” or provided audiences with a “visual newspaper,” depicting major news events such as the election of 1896 and the Spanish-American War. The cinema’s transition from peep show to projector, along with its incorporation into vaudeville performances is widely viewed among film historians as a period of contraction in the motion picture’s development. Disfavor has generally been attributed to a jaded audience tiring of actuality scenes and news footage.<sup>21</sup> An exception to this viewpoint can be found in the various exhibition venues along Coney Island’s beer halls and amusement pavilions. Between 1903 and 1905 the most popular attraction at Luna Park was an attraction called the “scenic railway,” which combined the use of panorama scenes, moving images, and an open-air boxcar. Although motion pictures only played a partial component of this attraction, it represented a significant forerunner to the integrated multi-media performances of the nickelodeon and movie palace eras.<sup>22</sup>

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<sup>19</sup> For more information on the “First Patent War” between Edison and Dickson see Hendricks, *Beginnings of the Biograph: The Story of the Invention of the Mutoscope and the Biograph and Their Supplying Camera* (New York: Theodore Gaus’ Sons Inc., 1964), 1-65; Spehr, *The Man Who Made Movies*, 407-443.

<sup>20</sup> Allen “Contra the Chaser Theory,” in *Film Before Griffith*, ed. John L. Fell (Berkeley, CA: University of California Press, 1983), 105.

<sup>21</sup> Jacobs, 3-21; North, 184-185; Jowett, *Film: The Democratic Art*, 29; Sklar, 14; Musser, *Before the Nickelodeon*, 195; Jonathan Auerbach, “McKinley at Home: How Early American Cinema Made News,” *American Quarterly* 51 no. 4 (Dec, 1999): 797-832.

<sup>22</sup> Fredric Thompson and Elmer Dundy, *Luna Park: Souvenir and Programme Book, 1905* (MCNYEC), 12; Tom Gunning, “The World as Object Lesson: Cinema, Audiences, Visual Culture, and the St. Louis World’s Fair, 1904,” *Film History* 6 no. 4 Audiences and Fans (Winter, 1994): 435-437.

A heated exchange between historians Charles Musser and Robert C. Allen took place during the 1980s over the causes of the cinema's shift from "actualities" to acted "features."<sup>23</sup> The full extent of the motion picture's popularity in New York in the late nineteenth and early twentieth centuries remains a hotly contested subject among historians of early cinema and is beyond the scope of this study. What can be gleaned from the Musser-Allen exchange is the identification of two distinct phases in the motion picture's progression as a medium of mass entertainment. The first phase, between 1895 and 1905 witnessed the establishment of moving images in pre-existing venues, such as music halls and theatrical houses. At these locations the motion picture served as a secondary supplement to the main attraction of live stage performances.<sup>24</sup> The second phase, between 1905 and 1915, witnessed the establishment of nickelodeons and theaters specific to motion picture exhibition. Nickelodeons created a new kind of spectator called the "moviegoer" – a devoted patron of nickelodeons and storefront theaters – whose regular attendance required theater owners to continually change their programming on a weekly or daily basis.<sup>25</sup>

Storefront theaters began to proliferate in various urban centers across the United States as early as 1903. Despite the nickelodeon's immediate popularity in cities such as Boston, Chicago, Pittsburgh, and San Francisco, its expansion in New York is strangely uneven.<sup>26</sup>

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<sup>23</sup> Allen, "Contra the Chaser Theory," 105-115; Musser, "Another Look at the Chaser Theory," *Studies in Visual Communication* 10 no. 4 (Fall, 1984): 24-44. "Actualities" refer scenes of every day life or very short clips ranging from thirty seconds to three minutes. "Feature" presentations refer to films with a ten-minute plus running time, often with a story arc and narrative.

<sup>24</sup> Douglas Gomery, *Shared Pleasures: A History of Movie Presentation in the United States* (Madison, WI: University of Wisconsin Press, 1992), 17-21.

<sup>25</sup> *Views and Film Index*, Dec 1, 1906, 3; Merritt, "Nickelodeon Theaters 1905-1914," 59-82; May, "Apocalyptic Cinema: D.W. Griffith and Aesthetics of Reform," in *Movies and Mass Culture*, ed. John Belton (New Brunswick, NJ: Rutgers University Press, 2000), 29-30.

<sup>26</sup> Charlotte Herzog, "The Nickelodeon Phase (c.1903- c.1917)," *Marquee* 13 (First Quarter, 1981): 5. Herzog explains that the creation of storefront theaters coincided with the development of the film exchange in 1903. She

Charles Musser argues, “Although nickel theaters were recognized [in the United States] as important outlets by early 1906, New York City did not feel their presence until the spring.”<sup>27</sup> In contrast, Brooklyn was home to several hundred storefront theaters in 1903 with over twenty theaters opening along Pitkin Avenue in a two-month period.<sup>28</sup> So why did Brooklyn have more motion picture theaters than Manhattan between during the early nickelodeon era?

Perhaps theater owners in Manhattan were apprehensive of the apparatus’ success due to the motion picture’s poor reputation during the “chaser period.” More than likely the issue was relative to the motion picture’s limited appeal outside of immigrant groups during this time. When the nickelodeon boom did come to Manhattan, theaters primarily appeared in immigrant working class districts such as the Lower East Side and Jewish Harlem. During this time Manhattan theaters appealed almost exclusively to Jewish and Italian immigrants, and as a result developed specialized programming that catered to the inhabitants of each particular neighborhood.<sup>29</sup> In Brooklyn the first storefront theaters were owned and operated by first and second-generation immigrants who would ultimately become the first moguls of the early motion picture industry.<sup>30</sup>

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also explains that nickelodeon theaters began to operate successfully in New York as around 1904, one year before the McKeesport nickelodeon opened.

<sup>27</sup> Musser, *Before the Nickelodeon*, 327. Musser’s definition of “New York City” only entails the Borough of Manhattan.

<sup>28</sup> NYPL Brooklyn Fire map; Del Valle, “Brooklyn Moviegoing,” 112.

<sup>29</sup> Jeffrey S. Gurock, *When Harlem Was Jewish, 1870-1930* (New York: Columbia University Press, 1979), 52-57; Thissen, “Jewish Immigrant Audiences in New York City, 1905-1914,” in *American Movie Audiences: From the Turn of the Century to the Early Sound Era*, eds. Melyvn Stokes and Richard Matlby (London: British Film Institute, 1999), 16; Allen, “From Exhibition to Reception: Reflections on the Audience in Film History,” in *Hollywood: Social Dimensions, Technology, Regulation and the Audience*, ed. Thomas Schatz (London: Taylor and Francis, 2004), 349. These exhibitions included the hiring of a translator to read the title cards in later exhibitions, as well as the live performance in Yiddish or Italian of folk songs and vaudeville acts.

<sup>30</sup> Allen, “Motion Picture Exhibition in Manhattan,” 7-10; Judith Mayne, “Immigrants and Spectators,” *Wide Angle* 5 no. 2 (1982): 32-41; Singer, “Manhattan Nickelodeons,” 9-12; Giorgio Bertellini, “Shipwrecked Spectators,” 40-42.

## The Emergence of Brooklyn's Movie Moguls

According to William Fox the Brooklyn public did not know what moving pictures were until he arrived in the borough.<sup>31</sup> In 1904, Fox opened a small storefront theater at 700 Broadway in Brooklyn. Within a week of its opening, Fox's nickelodeon became so popular that the police had to be called to control the overcapacity crowds.<sup>32</sup> After the success of his first storefront theater, Fox started to purchase properties throughout Brooklyn and Pitkin Avenue. By 1906 he owned and operated a chain of fifteen nickelodeon theaters stretching from Red Hook to Coney Island.<sup>33</sup> Fox's role in defeating the Sunday blue law ordinances that same year helped establish him as one of the leading spokesmen for New York film interests.<sup>34</sup> Due to the strict fire ordinances put in place by borough officials, each of Fox's early theaters could not exceed 299 seats. After the New York State Assembly passed the Doull Ordinance in 1908 – which allowed motion picture theaters to exceed the 299-seat capacity restriction – Fox purchased the 700-seat vaudeville house, the Gaiety Theater at 194 Grand Street.<sup>35</sup> Similar to his initial venture along Broadway, the Gaiety was an instant sensation, primarily due to Fox's integration of live action performances with motion pictures. Fox next branched out from Brooklyn to form the Greater New York Film and Rental Company (GNYFRC), a vertically integrated company that

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<sup>31</sup> Fox, "Reminiscences and Observations," 309-310; Upton Sinclair, *Upton Sinclair Presents William Fox* (Los Angeles: last modified by the author, 1933), 34-35.

<sup>32</sup> Del Valle, "Brooklyn Moviegoing," 111-112; Aubery Solomon, *The Fox Film Corporation, 1915-1935: A Historiography and Filmography* (Jefferson, NC: McFarland and Company Inc., 2011), 11. Both Sinclair and Del Valle place Fox's first nickelodeon at 700 Broadway, Solomon argues that the theater was located at 200 Broadway.

<sup>33</sup> R.W. Sexton, *American Theatres of Today, Volume II* (New York: Architectural Book Publishing Company, 1930), 18; Sinclair, 219; "Brooklynites Bid a Nostalgic Farewell to the Fox," *Times*, Jan 4, 1971, 38.

<sup>34</sup> "Picture Shows to Test Blue Law," *Times*, Dec 7, 1907, 12; "Aldermen Vote to Inflict Another Sad Sunday on Us," *The Tammany Times*, Dec 17, 1907, 4.

<sup>35</sup> "Few Arrests Under New Sunday Law: The Day in Brooklyn," *Times*, Dec 23, 1907, 3. "Broader Sunday Now: Pass Doull Ordinance," *Tribune*, Dec 18, 1907, 1; Sinclair, 38; Solomon, 11.

controlled the production, distribution, and exhibition of both its own motion pictures and trust-affiliated productions in Brooklyn, Manhattan, the Bronx, and eastern New Jersey.<sup>36</sup>

Analogous to William Fox, Marcus Loew – known to his rivals and friends alike as the “Little Napoleon” – established several of his earliest motion picture ventures in Brooklyn during the chaser period.<sup>37</sup> Loew and his partner David Warfield formed the People’s Vaudeville Company in 1904, and subsequently opened chains of penny arcades across Brooklyn and Manhattan. By early 1906 People’s Vaudeville operated eight theaters in the Greater New York Area and had a total net worth of \$100,000.<sup>38</sup> In 1905 Loew expanded his arcade chain to include the Penny Hippodrome in Cincinnati, Ohio. It was at this location that Loew ordered the arcade’s manager to set up a projector in the empty room upstairs to exhibit the Biograph comedy *Hot Chestnuts*, and provide a detailed comedic narration of the film’s action. Unhindered by New York’s restrictive fire codes and Sunday blue laws, the Penny Hippodrome was able to attract nearly 100,000 customers in its first two weeks of operation.<sup>39</sup>

Loew attempted to reproduce the success of his Cincinnati Penny Hippodrome in each of his Manhattan arcades with limited success. The heightened influence of Mayor McClellan’s “anti-amusement” policies in the Borough of Manhattan caused Loew to establish his first exhibition venue in the Borough of Brooklyn. During the summer of 1907, Loew purchased a secondhand theater called Watson’s Cozy Corner in the downtown section of Brooklyn at the

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<sup>36</sup> Fox, “Reminiscences and Observations,” 304; Solomon, 11.

<sup>37</sup> Crowther, *The Lion’s Share: The Story of an Entertainment Empire* (New York: E.P. Dutton and Company Inc., 1957), 33.

<sup>38</sup> Association of American Directory Publishers, *The Trow Co-partnership and Corporation Directory of the City of New York* (New York: Trow Directory, Publishing, and Bookbinding Company, 1906), 572; Allen, “Motion Picture Exhibition in Manhattan,” 12.

<sup>39</sup> Crowther, *The Lion’s Share*, 24-25; Neal Gabler, *An Empire of Their Own: How the Jews Invented Hollywood* (New York: Random House Publishers, 1988), 21; Ross Melnick and Andrea Fuchs, *Cinema Treasures: A New Look at Classic Movie Theaters* (London: Voyageur Press, 2004), 13.

intersection of Pearl and Willoughby streets.<sup>40</sup> He was able to purchase the theater at a premium price because of its previous reputation as a burlesque house. In an effort to attract a more respectable clientele, Loew changed the name of the theater to “The Royal” and decided that with some “fumigating,” the former Watson’s Cozy Corner could become the motion picture-vaudeville theater he originally hoped to develop in Manhattan.<sup>41</sup> In a 1927 lecture to a group of Harvard business students, Loew described the circumstances surrounding his acquisition of Watson’s Cozy Corner, “I started after theatres, and the only kind of theatre I could get was the one that they thought was gone forever and no good for anything else. It was the best thing I could do, so I took it and developed it until I finally got the theatre on such a high plane that it was not only looked up to but patronized by the very best people.”<sup>42</sup> As a result of William Fox’s aspirations to develop a corporate network of theaters across New York City and Marcus Loew’s vision of “uplifting” the motion picture, by the end of 1906 clusters of nickelodeons and storefront theaters appeared throughout New York. The largest concentration of these theaters were located along Park Row, the Bowery, and Union Square in Manhattan, and along Pitkin Avenue, Coney Island, and Williamsburg in Brooklyn.<sup>43</sup>

During Manhattan’s nickelodeon boom between 1906 and 1908, Brooklyn’s storefront theaters experienced a significant contraction. As storefront theaters began to consolidate throughout the borough’s working class neighborhoods, middle-and upper- class neighborhoods such as Bayridge and Park Slope made a pronounced effort to exhibit high-end motion picture

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<sup>40</sup> Frank Caso, “Marcus Loew (1870-1927),” *Immigrant Entrepreneurship: German-American Business Biographies, 1720-Present*, ed. Jeffrey Fear, German Historical Institute, last modified Sept 22, 2011, last accessed Dec 1, 2013, [http://www.immigrantentrepreneurship.org/entry.php?rec=88#\\_edn12](http://www.immigrantentrepreneurship.org/entry.php?rec=88#_edn12).

<sup>41</sup> Crowther, *The Lion’s Share*, 30.

<sup>42</sup> Marcus Loew, “The Motion Picture and Vaudeville,” in *The Story of Films*, 288.

<sup>43</sup> Musser, *Before the Nickelodeon*, 327.



productions.<sup>44</sup> One method these exhibitors used to connect the motion picture with middle and upper class sensibilities was to eliminate its association with vaudeville, which was often considered to be disorderly and vulgar. We see examples of these efforts in several advertisements for the Electra Theater in Bayridge, which explicitly states “positively no-vaudeville.”<sup>45</sup> Some theaters in the borough did not entirely remove vaudeville from their program, but instead attempted to improve the quality of their presentations. Two Brooklyn theaters, the Savoy Theater at 852 Flatbush Avenue and the Pictureland Theater at 1468 Broadway set out to provide their audience with “high end vaudeville,” that showcased nationally acclaimed performers, as well as providing viewers with “a series of thrilling and educational pictures.”<sup>46</sup>

Admission to movie and vaudeville houses in Brooklyn averaged between 30 to 75 cents (approximately \$10 and \$20 in 2013).<sup>47</sup> By the early 1910s several of Brooklyn’s city planners prompted a borough-wide initiative to demolish many of the storefront theaters and replace them with high end “movie houses.” several working-class Brooklyn neighborhoods such as Williamsburg and Bushwick continued to retain their neighborhood theaters and preference toward a vaudeville-combination performance, by operating “itches” and “dumps.”<sup>48</sup> The Motion Picture Patents Company served as the primary influence behind the drive to improve the quality of motion picture exhibition in the Greater New York area. The Edison trust aspired to provide

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<sup>44</sup> Ment, *Building Blocks of Brooklyn*, 75; “Digitized Brooklyn City Directories,” *Brooklyn City Directories and Telephone Directories, 1796-1986*, Brooklyn Public Library: Brooklyn Collection (hereafter BPLBC): 1906 A-Kresn to 1908 L-Z, last accessed Nov 16, 2013, <http://www.bklynpubliclibrary.org/brooklyn-collection/digitized-brooklyn-city-directories>.

<sup>45</sup> Del Valle, email correspondence with author, Jul 24, 2013.

<sup>46</sup> “Movie Theaters Taking Hold,” *Eagle*, Nov 26, 1911, Theater Section, 12.

<sup>47</sup> “Vaudeville Still ‘It’ In Brooklyn,” *Eagle*, Jul 27, 1920, news clipping, BPLBC, Film Industry Folder 2; “On This Day in Brooklyn History,” *Eagle*, Jul 27, 2000, Theater History, 12; Kocherlakota, “What is a Dollar Worth? Consumer Price Index Calculator.”

<sup>48</sup> Del Valle, “Brooklyn Moviegoing,” 116.

quality films for its audience, and encouraged the separation of the motion picture from its association with vaudeville and any other amusement that might be considered “low entertainment.”<sup>49</sup> As was the case in the National Board of Censorship’s attempts to regulate the content of the films exhibited in Brooklyn’s theaters, the MPPC set out to standardize and control the quality of the exhibition of their films in Brooklyn’s theaters. The relationship between the MPPC and the Borough of Brooklyn was similar to that of the National Board in that the film producers, distributors, and exhibitors throughout the borough adamantly resisted the MPPC’s efforts consolidation and standardization.

#### The MPPC Consolidates Power in New York

Between 1897 and 1908 the Edison Manufacturing Company (EMC) filed a series of lawsuits against any producer, distributor, or exhibitor who had not purchased equipment, films, or projectors from the EMC or one of its affiliates. After a lengthy series of negotiations with his chief competitor, W.K.L. Dickson, In January 1909, Frank Dyer set a deadline for all unlicensed film exchange companies to comply with the trust’s demands for regulation. Unlicensed independent filmmakers – formerly under the Film Service Association – protested the trust and carried on with the production and distribution of their films without paying the required licensing fees, thus establishing the first generation of “independent outlaws.” By July over 6,000 theaters paid a \$2 a week licensing fee to the MPPC, and another 2,000 remained independent.<sup>50</sup> Across the country a large minority of producers and theater owners used illegal equipment and imported film stock to create their own underground market. Between 1909 and

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<sup>49</sup> Bowser, 31.

<sup>50</sup> “New Companies,” *MPW*, Mar 7, 1908, 211; Aberdeen, “The Edison Movie Monopoly,” *Hollywood Renegades Archive*; Spehr, 468.

1917, the trust sent out agents to film studios and theaters across the United States to spy on productions and exhibitions suspected of using filming with unlicensed equipment or exhibiting unlicensed films.<sup>51</sup>

The MPPC responded to the independent movement by forming a subsidiary called the General Film Company to enforce the payment of the trust's licensing fees. The most important tasks of General Film was to collect royalties, to see that licensees abided by their contracts, and prevent the infringement of patent rights. They enforced these tasks by confiscating unlicensed equipment and discontinuing the supply of film stock to theaters that exhibited unlicensed films.<sup>52</sup> Contemporary journalist and early film historian Terry Ramsaye stated the case that the fight between the independents and trust was not confined to the courts. In his history of the motion picture industry *A Million and One Nights*, Ramsaye referenced several instances where "cameras vanished from underneath the noses of guards, and mysterious chemical explosions happened in the laboratories resulting in the loss of costly negatives."<sup>53</sup>

In Brooklyn, independent filmmaker William F. Haddock recalled, during his production of *The Boots He Couldn't Lose* he had to hire at least three "strong arm men whose duty it was to see that no one went close enough to the camera to inspect the works and discover the make."<sup>54</sup> Occasionally these encounters between the "strong arm men" and General Film agents often turned into a full-on brawl. Haddock recalled that, "Any day these guards discovered a Patent's

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<sup>51</sup> "Moving Picture Men in Row," *Times*, Jan 10, 1909, 3; Allen, "The Decay of the Motion Picture Patents Company," 123.

<sup>52</sup> Bowser, 29-31; Stephan Kinsella, "The Effects of Patent and Copyright on Hollywood Movies," *Center for the Study of Innovative Freedom*, last modified Nov 28, 2010, last accessed Dec 3, 2013, <http://c4sif.org/2010/11/the-effects-of-patent-and-copyright-on-hollywood-movies/>.

<sup>53</sup> Ramsaye, *A Million and One Nights*, 525-533.

<sup>54</sup> William F. Haddock, "Those Were Happy Days," (undated manuscript): 11, Merritt Crawford Papers Reel IV, 00247.

Company spy and took a punch at him, they got five dollars extra, and many free-for-all fights took place that were equal to any of the present-day battles in Madison Square Garden.”<sup>55</sup>

According to Ramsaye, the violence between the independent’s “strong arm men” and General Film agents reached its climax during an independent film shoot at Whitestone Landing in Queens.<sup>56</sup>

“This impressive spectacle called for a total of twenty extra people, a vast army for that time. Just as the critical dramatic moment in the scene came, a riot broke out among the extras. Rocks and clubs and fists flew. It was a fight apparently over nothing. Nine of the extras fought together as a clan. When the dust of the battle settled, they were found to be professional gunmen and gangsters. Some mysterious agency had sent them out to make a riot instead of a picture. Five of the actors went to the hospital out of the engagement.”<sup>57</sup>

In addition to provoking on set scuffles, raiding squads from General Film seized any film stock that was found in the hands of unlicensed independent exchanges. When licensed pictures appeared in unlicensed theaters, trust agents stole the prints from the theaters and launched an investigation to discover where and how the film was first acquired.<sup>58</sup>

### Brooklyn Fights Back

By 1912 only two motion picture exchanges remained in the New York City metro area, Frank Dyer’s General Film and William Fox’s GNYFRC – renamed Box Office Attractions

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<sup>55</sup> Ibid, 11.

<sup>56</sup> Carlos Clarens and Foster Hirsch, *Crime Movies: An Illustrated History of the Gangster Genre from D.W. Griffith to Pulp Fiction* (Cambridge, MA: Da Capo Press, 1997), 22.

<sup>57</sup> Ramsaye, *A Million and One Nights*, 533-534.

<sup>58</sup> Ibid, 525.

(BOA). That year General Film attempted to purchase BOA, Fox demanded that Dyer pay \$750,000 for the exchange.<sup>59</sup> General Film previously had purchased exchanges similar in size to BOA for less than half this price, and countered with a significantly lower amount. Fox refused to budge on his number, and as a result General Film cancelled Fox's distribution license. Fox retaliated by filing a \$600,000 lawsuit in damages against General Film, claiming the organization to be in violation of the Sherman Anti-trust Act. Vitagraph Studio producer Albert Smith recalled in his memoir that Fox was the true impetus behind the government's effort to break up General Film. "He made what turned out to be a historic stand against General Film. Unwittingly he turned the government's attention to Patents-General Film and for the first time we heard a disturbing word – 'anti-trust.'"<sup>60</sup>

After an extended stalemate in the courts, Frank Dyer paid Fox a \$350,000 settlement and the case was dropped. In return for settling out of court, Fox was granted "permission" by the trust to operate his exchanges without the necessary licenses.<sup>61</sup> This opened the door for other distributors to find loopholes in avoiding General Film's royalty fees. William F. Steiner was a motion picture distributor, ran an independent film exchange out of Coney Island between 1906 and 1909. When Steiner refused to pay the required licensing fees, General Film ran his exchange out of business. Steiner used his remaining savings to form the North American Film Corporation, based out of his former exchange building in Coney Island. By 1913, the North American controlled twenty of its own exchanges and had established itself as a formidable

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<sup>59</sup> Susan Fox and Donald G. Rosellini, *William Fox: A Story of Early Hollywood, 1915-1930* (Baltimore, MD: Midnight Marquee Press, 2006), 14-15.

<sup>60</sup> Smith and Koury, 239.

<sup>61</sup> Fox, "Reminiscences and Observations," 304-305; Sinclair, 46; Solomon, 12.

opponent of the MPPC.<sup>62</sup> Unlike the MPPC's policy of coercive distribution, Steiner believed that the films could sell themselves. Steiner explained his distribution philosophy in a 1924 issue of *Moving Picture World*, "My producing units make every effort to produce pictures of commercial value to the exchange men; who has to cater to managers who want good films at moderate prices, first runs, instead of hooking commercial junk."<sup>63</sup>

The success of Steiner's North American as an independent exchange was ensured after he successfully defended his operation from a patent infringement lawsuit filed by General Film. Steiner insisted that he was entitled to produce and distribute his own films due to the fact that he discovered an "absolutely new and non-infringing camera that did not embody any of the features of the Motion Pictures Patents Company."<sup>64</sup> This of course was not the case, as all of North American's productions were filmed on Edison cameras. When Steiner was ordered by the court to produce the camera, he provided a nonoperational decoy camera he constructed out of spare machine parts the night before. The judge ordered a test that required Steiner to film a sequence with the camera, and then ordered to have the film developed under the supervision of two court-appointed "experts." The day before the test was ordered Steiner had two actors pre-record a scene on the working Edison camera, and the following day had them reenact the same sequence on the decoy camera in front of the judge and court-appointed supervisors. He placed the pre-recorded film stock inside the camera and pretended that the sequence was being filmed in real time. He then had the pre-recorded film developed in front of the supervisors, who

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<sup>62</sup> "Big Bill Steiner," *Motion Picture News* (hereafter *MPN*), Nov 01, 1913, 1; Ramsaye, "The Romantic History of the Motion Picture," *Photoplay* (Dec, 1923): 118-119.

<sup>63</sup> "Steiner Productions Sold Among Most Unique Lines," *MPW*, Dec 20, 1924, 734.

<sup>64</sup> Ramsaye, "The Romantic History of the Motion Picture," 119.

determined that his decoy camera was in fact operational. The judge then threw out the case, and Steiner was allowed to continue to operate independently of the trust.<sup>65</sup>

The arrangement between Dyer and Fox, along with the undermining tactics of distributors such as Steiner, ultimately led to a series of anti-trust suits filed against the MPPC, culminating in the landmark Supreme Court case filed by Universal Studios' founder Carl Laemmle. *Motion Pictures Patents Company vs. Universal Manufacturing Film Company (1917)* resulted in the Supreme Court's ruling that the MPPC was a monopoly, and ordered that the conglomerate be disbanded.<sup>66</sup> Previous histories on the "independent wars" primarily focused on the courtroom battles between Carl Laemmle and the MPPC, and as a result little has been written on Fox's fight against the MPPC in New York.<sup>67</sup> One notable exception is found in early film historian Merritt Crawford's unpublished biography, *In This Corner: William Fox!* (c. 1934) in which Crawford credits Fox with freeing the motion picture industry from the trust's control. "The story is too long to set down here but the records of the U.S. courts in the years from 1909-1914 amply attest how daringly and effectively Fox played David to this greedy movie Goliath, and in the end assured the film industry of a free and untaxed screen."<sup>68</sup> The heightened interest on Laemmle's struggle against the trust as opposed to Fox's plight in New York is prime

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<sup>65</sup> Ibid, 119.

<sup>66</sup> *Motion Pictures Patents Company vs. Universal Manufacturing Film Company*, U.S. Supreme Court, 243, 502 (U.S.S.C. 1917), <http://supreme.justia.com/cases/federal/us/243/502/>; John Drinkwater, *The Life and Adventures of Carl Laemmle, Volume I* (New York: G.P. Putnam and Sons, 1931), 70, 105, 115; "From Oshkosh to Universal City," *Milwaukee Journal* Jul 22, 1931, 2; Curtis, 249-253.

<sup>67</sup> Jacobs, 160; Ralph Cassady Jr., "Monopoly in Motion Picture Production and Distribution: 1908-1915," *Southern California Law Review* 32 no. 4 (Summer, 1959): 352-355; Patricia Erens, *The Jew in American Cinema* (Bloomington, IN: Indiana University Press, 1988), 52; Keil, "Advertising Independence: Industrial Performance and Advertising Strategies of the Independent Movement, 1909-1910," *Film History* 5 no. 4 (1993): 475; Abel, *Americanizing the Movies and "Movie-mad" Audiences, 1910-1914* (Berkeley, CA: University of California Press, 2006), 16-23; Max Alvarez, "The Motion Picture Distributing and Sales Company," *Film History* 19 no. 3 (2007): 247-270.

<sup>68</sup> Merritt Crawford, "In This Corner: William Fox!" undated manuscript (c. 1934), 9, Merritt Crawford Papers, Reel II 00061.

example of Richard Koszarski's "spotlight theory." According to Koszarski, the majority of film histories tend to begin their focus on the early East Coast productions, and then after the independent wars shift focus to Hollywood and the emergence of the studio system.<sup>69</sup> As a result, much of New York's production and exhibition history seems to be completely eclipsed by Hollywood in the period after 1913. Even as the major East Coast studios relocated to the West Coast, the framework for the new motion picture industry started to take shape in Brooklyn.<sup>70</sup>

### Loew's Theaters in Brooklyn

In New York the MPPC was rendered ineffective as early as 1913, following the settlement agreement between General Film and BOA. As soon as the trust's influence was dissolved, many of the major film exhibitors in New York started to enter into film production. The power vacuum that the MPPC left behind allowed for an incipient class of showmen to ascend to the top of New York's entertainment industry. Loew's vision of attracting "the very best people," was reflective of contemporary exhibitor's attempts toward uplifting motion picture exhibition to attract middle class audiences. Despite an intensive advertising campaign to draw in a middle-class family audience, the Royal experienced a series of early setbacks. In his history of the Metro-Goldwyn-Mayer Film Corporation, *The Lion's Share*, author Bosley Crowther describes the Royal's inauspicious beginning. "The story of that opening was oft repeated by Loew – how one customer turned up in the theatre for the opening show, how Loew himself

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<sup>69</sup> Koszarski, *Hollywood on the Hudson*, 7.

<sup>70</sup> Bowser, 1; Keil, *Early American Cinema in Transition – Story, Style, and Filmmaking (1907-1913)* (Madison, WI: University of Wisconsin Press, 2001), 15-20; Koszarski, *Hollywood on the Hudson*, 12-13. The independent wars of 1907-1913 marked a tumultuous period in cinema history known as the "transitional era," the period between 1913-1927 is referred to as the "classical era."



went to this customer and evasively tried to explain that this was a dress rehearsal, how the customer said he'd gladly pay ten cents to see a dress rehearsal and how the show thus had to go on. The first day's business was awful."<sup>71</sup> Regardless of his early setbacks, by 1908 the Royal operated with a profit of \$60,000 (approximately \$1.5 million in 2013) a year. The Royal's success compelled Loew to purchase the Bijou Theatre at 26 Smith Street in 1912, and the Nostrand Theatre at 657 Nostrand Avenue in 1913. With a seating capacity of 600 seats the Nostrand was one of the first theaters in New York to operate outside of the common show license put in place by Mayor William Gaynor.<sup>72</sup> By the following year, film exhibition venues such as the Flatbush Theater, regularly exceeded 2,000 seats. By the end of 1914 Loew's theater chain owned and operated a dozen theaters with a seating capacity of over 2,000 patrons.<sup>73</sup> The increased seating capacity at the Nostrand Theatre helped to lay the groundwork for the proliferation of movie palaces in New York after 1914.

As early as the decade of the 1900s, New York exhibitors attempted to attract larger crowds by presenting their films outside. These outdoor movie theaters were called airdromes, and were immensely popular during the summer evenings. Before air conditioning became the norm in summer exhibition, legitimate theaters would close between the summer months of June and August. The early movie houses remained open or moved to an outdoor space nearby or on the roof.<sup>74</sup> Most airdromes were loosely put together exhibitions that contained a few benches, a

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<sup>71</sup> Crowther, *The Lion's Share*, 30-31.

<sup>72</sup> George Blaisdell, "At the Sign of the Flaming Arcs," *MPW*, Nov 8, 1913, 268; Del Valle, *The Brooklyn Theatre Index, Volume II*, 57, 136.

<sup>73</sup> "Flatbush Theater Opens Auspiciously," *Eagle*, Sept 4, 1914, n.p., BPLBC, Film Industry Folder 1; Ramsaye, *A Million and One Nights*, 676.

<sup>74</sup> Ernest Alfred Dench, *Motion Picture Education* (Cincinnati, OH: Standard Publishing Company, 1917), 215-216; "New Brighton Theatre: Brighton Beach, Coney Island," theater program, Jul 2, 1923, in New York University Fales Library: Billie Rainsford Collection, folder eight (hereafter NYUFL); Del Valle, "Brooklyn Moviegoing," 115;

screen and projector, with few additional amenities. One notable exception is found in the efforts of Coney Island icon Charles Feltman, supposed inventor of the hot dog and owner of Feltman's Ocean Pavilion on Surf Avenue. In the summer of 1913, Feltman opened two airdromes at 1049 Flatbush Avenue, and the other at Feltman's Ocean's Pavilion on Surf Avenue.<sup>75</sup> Feltman's Surf Avenue location exhibited first run motion pictures at a ten-cent admission price and attracted on average 2,200 visitors for each evening's performance. The Seaside Garden also contained a full orchestra and had two projectors so that audiences did not have to wait in between exhibitions.<sup>76</sup>

Marcus Loew also recognized the financial rewards of airdrome exhibitions. In June 1914, Loew offered a "colossal carnival" to over 30,000 spectators at Ebbet's Field. For the admission price of ten cents, visitors experienced a combination vaudeville-motion picture performance that also included circus acts and a miniature Wild West shows. For the motion picture exhibition Loew installed two screens in the grandstand that ran duplicate films simultaneously. A 100-piece orchestra accompanied the films from an enormous covering beneath the screen.<sup>77</sup> An *Eagle* article from June 30, 1914 best summarized the popularity of Loew's early airdrome exhibitions. "The immense audiences at this new Marcus Loew venture constitute a show in themselves, for never in local history has such throngs been gathered for a

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Del Valle, "Airdromes," *Theatre Talks: From Victorian Opera Houses to Opulent Movie Palaces*, last modified Jul 27, 2011, last accessed Dec 1, 2013, <http://theatretalks.wordpress.com/2011/07/27/airdromes/>.

<sup>75</sup> Michael Immerso, *Coney Island: The People's Playground* (New Brunswick, NJ: Rutgers University Press, 2002), 24-25; Del Valle, "Brooklyn Movie Moviegoing," 115; Del Valle, *Brooklyn Theatre Index, Volume I*, 233.

<sup>76</sup> "Felman's Coney Island," *New York Clipper*, (hereafter *Clipper*) Jul 11, 1914, 5; "'Splash Me' a Hit at the Shelburne: Wayburn's New Seaside Diversion an Elaborate Production," *Eagle*, Jun 9, 1915, 9; Del Valle, "Feltman's Seaside Garden, Coney Island, Brooklyn, New York," *Bijou Dream*, last modified Jul 13, 2013, last accessed Dec 1, 2013, <http://bijoudream.wordpress.com/2013/07/15/felmans-seaside-garden-coney-island-brooklyn-ny/>.

<sup>77</sup> "These Summer Nights Go To Marcus Loew's Gigantic Show," *Eagle*, Jul 12, 1914, 2; Del Valle, *Brooklyn Theatre Index, Volume II*, 149-150.

variety performance.”<sup>78</sup> Loew and Feltman’s airdromes attracted thousands of visitors per evening. By this time motion picture production had evolved into feature length productions. This transition resulted in less audience turnover, meaning that admission prices needed to increase in order to maintain the same profit margin. Where in 1905 Loew’s Penny Hippodrome could bring in over 10,000 customers in one day, the increased intervals between shows caused a marked decline in individual ticket sales.<sup>79</sup>

### The Showdown Between “Little Napoleon” and “Creeping Jesus”

New York in 1915 had many large theaters capable of seating between 1,000 to 3,000 patrons. William Fox and Marcus Loew’s theater chains were responsible for the construction of a large number of these theaters. These venues typically combined vaudeville and the new movie houses, which corresponded to the class and taste of the theater’s surrounding neighborhood.<sup>80</sup> Some of Fox and Loew’s theaters hardly exhibited films at all, while others rarely contained vaudeville performances. During his 1927 Harvard lecture, Loew described the process he underwent in selecting the programming for each theater in his chain.

We started with vaudeville and pictures and then went back in some places to the straight pictures, because we found that the class of vaudeville we were then playing did not appeal to the very highest type of people and we wanted all classes. So when we got to a neighborhood where they wanted the very high type, we gave them pictures only and left

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<sup>78</sup> Del Valle, *Brooklyn Theatre Index, Volume II*, 150.

<sup>79</sup> Fuller-Seeley, “You Can Have the Strand in Your Own Town: The Marginalization of Small Town Film Exhibition in the Silent Film Era,” *Film History* 6 no. 2 (Summer, 1994), 167; Keil and Stamp, *American Cinema’s Transitional Era: Audiences, Institutions, Practices* (Berkeley, CA: University of California Press, 2004), 1-9.

<sup>80</sup> Melnick, *American Showman*, 82.

the vaudeville out. Where we found the masses attending the theatre we gave them vaudeville and pictures.<sup>81</sup>

The Regent and Strand theaters in Manhattan were the first theaters in the United States built and designed exclusively for motion picture exhibition. In conjunction with the creation of the first purpose-built movie houses, a distinct type of programmer emerged known as the movie showman. These “showmen” did not think of themselves as film programmers, but as entertainers who “did not feel wholly dependent on that part of their show which arrived in a can.”<sup>82</sup> According to a 1922 exhibitor’s poll in *Motion Picture News*, the feature motion picture on average supplied 68 percent of the total “attraction,” while 17 percent of the evening’s presentation contained short vaudeville acts, and another 15 consisted of orchestral performances.<sup>83</sup> The quality of the selected feature seldom mattered to either the showmen or audience. What did matter were the quality of the supplemental performances, the service at the theater, and the palace’s ability to transport its visitors to a world of extravagant comfort and luxury. Marcus Loew best summarized the consensus of view of exhibition during the movie palace era in his oft-quoted saying, “We sell tickets to theaters, not movies.”<sup>84</sup>

The success of the Regent and Strand theaters is credited to the management of Roxy Rothafel. Roxy worked to make sure that his theaters were not just filled with working class moviegoers, but also with the upper and middle classes who were lured to the movies by the new

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<sup>81</sup> Loew, “Motion Pictures and Vaudeville,” 288-289.

<sup>82</sup> Koszarski, *An Evening’s Entertainment*, 9.

<sup>83</sup> L.C. Moen, “Statistics of the Motion Picture Industry,” *Motion Picture News* (hereafter *MPN*), Dec 2, 1922, 2772; Koszarski, *An Evening’s Entertainment*, 9, 330.

<sup>84</sup> David Naylor, *American Picture Palaces: The Architecture of Fantasy* (New York: Van Nostrand Reinhold Company, 1981), 11.

upscale amenities.<sup>85</sup> It did not take long for Roxy's exhibition philosophy to cross the East River into Brooklyn. Opening night for the Rialto Theatre at the corner of Flatbush Avenue and Cortelyou Road in Flatbush took place on March 19, 1916. Even with a capacity of 1,550 seats, the Rialto was unable to accommodate the overzealous crowd, from which the line extended out for several city blocks along Flatbush Avenue. When management announced that the performance had sold out, the moviegoers responded by rushing the theater doors. The near-riot that ensued resulted in the injury of several women and children.<sup>86</sup> In his autobiography *King of Comedy*, legendary producer Mack Sennett recalls a similar incident when his film *Mickey* premiered at a theater in Bay Ridge. "That astonished manager had to cope with a line of people that angled around the block. By nightfall the police department had to lend a hand. Some customers arrived because they saw the crowds and thought there was a fire."<sup>87</sup>

Upon opening, the Rialto's owner – future movie mogul Adolph Zukor of the Famous Players Company (FPC) – boasted the theater as "the largest movie house in Brooklyn devoted solely to motion pictures."<sup>88</sup> His business associates knew him as the "Creeping Jesus," for his soft-spoken manner and light gait. Zukor, the former treasurer of Loew's enterprises, severed ties with Loew in 1912 to establish the FPC. In 1916, FPC merged with the California-based Jesse L. Lasky Play Company to form Famous Players-Lasky Corporation (FPLC), and subsequently

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<sup>85</sup> Matthew Steigbigel, "Playing the Palace: A History of Motion Picture Palaces," last modified Apr 15, 2013, *The Credits*, last accessed Dec 3, 2013, <http://www.thecredits.org/2013/04/playing-the-palace-a-history-of-motion-picture-palaces/>. Rothafel's management philosophy was reminiscent of William Fox and Marcus Loew's "family trade" view on motion picture exhibition that emphasized the inclusion of all class, age, and ethnic groups.

<sup>86</sup> "New Rialto Theater Opening Soon in Flatbush: A Luxurious Picture House," *Eagle*, Feb 27, 1916, 10; "New Rialto Theater Opened in Flatbush Last Night," *Eagle*, Mar 19, 1916, 11; Del Valle, *Brooklyn Theatre Index, Volume I*, 234; Advertisement in *The Rutherfordian* (March, 1920), n.p. in NYUFL, folder seven; Morris, "Past and Present: The Rialto Theater," *The Brownstoner: Brooklyn Inside and Out*, last modified Oct 12, 2012, last accessed Dec 3, 2013, <http://www.brownstoner.com/blog/2012/10/past-and-present-the-rialto-theater/>.

<sup>87</sup> Mack Sennett and Cameron Shipp, *King of Comedy* (San Francisco, CA: Mercury House Inc., 1954), 210.

<sup>88</sup> Del Valle, "Brooklyn Moviegoing," 114.

form the Paramount Pictures production agency. The FPLC's vertical integration policy of control over its product is believed to have served as the forerunner of the Hollywood studio system that prevailed between the 1920s and 1960s.<sup>89</sup>

After its formation in 1916, FPLC immediately started to expand its influence by constructing a chain of movie palaces across the United States. Zukor's agents were referred to as the "dynamite squads," for between the years 1916 and 1919, they were able to consolidate control of several thousand theaters across the nation.<sup>90</sup> The Rialto in Flatbush was just one of many examples of the FPLC's nation-wide theater building initiative. Rothafel's management of the Regent and Strand theaters in Manhattan directly inspired Zukor and Lasky's approach to exhibition in Brooklyn. A *Daily Eagle* from 1916 explains how Rothafel's exhibition philosophy influenced the Rialto's own presentation, "The general scheme of programme will not be unlike that of the Strand in Manhattan as there will be high-class selections between the screen presentations, and the feature presentation will have the accompaniment of a symphony orchestra."<sup>91</sup>

The incredible popularity of the Rialto caused Marcus Loew to reevaluate his philosophy of purchasing and refurbishing pre-existing venues. In 1918 he hired famed theater architect Thomas Lamb to construct "not only the largest movie house in North America but the most gorgeous, costly and palatial vaudeville theater ever created."<sup>92</sup> Unlike the purpose-built design

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<sup>89</sup> Will Irwin, *The House that Shadows Built* (Garden City, NY: Doubleday Publishing, 1928), 3-8, 90-97; Adolph Zukor, *The Public is Never Wrong* (New York: G.P. Putnam's Sons, 1953), 98; Crowther, *The Lion's Share*, 23-40, 125; Nasaw, 155-160.

<sup>90</sup> Crowther, *The Lion's Share*, 33-40; Bernard Dick, *Engulfed: The Death of Paramount Pictures and the Birth of Corporate Hollywood* (Lexington, KY: Kentucky University Press, 2001), 10-18.

<sup>91</sup> Del Valle, *Brooklyn Theatre Index, Volume I*, 234.

<sup>92</sup> "Loew's Metropolitan, Biggest of Theaters Opens Tomorrow Night," *Eagle*, Sept 15, 1918, 5; Del Valle, "Brooklyn Moviegoing," 116-117.

of Regent, Strand, or Rialto, Loew made sure that Lamb equipped his theater with a stage large enough to accommodate theatrical productions. Advertised as “one of the biggest events in Brooklyn theatrical history,” Loew’s Metropolitan Theater at 392 Fulton Street opened on September 16, 1918 to “expressions of surprise and admiration” among its audience members.<sup>93</sup> In a September 17 *Daily Eagle* interview, Loew explained that his decision to build the Metropolitan in Brooklyn came from a letter he received from a young girl who had read about the magnificent movie palaces in Manhattan and requested that he establish a movie palace in Brooklyn.<sup>94</sup> Eleven years after Loew converted the second-hand Watson’s Cozy Corner into the Royal, he had become the proprietor of the largest movie palace in North America, and Brooklyn took over as the “movie house capital of America.”

### The Fulton/Flatbush Theater District

Following his 1913 settlement case with Frank Dyer and the MPPC, William Fox shifted his focus from exhibition to production. Unlike rival exhibitors Marcus Loew and Adolph Zukor, Fox recognized that the motion picture was an integral part of his theatrical exhibitions. When asked in a 1927 interview, whether he felt motion pictures were the most important part of a film program, Fox replied, “Although you have this stupendous program in addition to the motion picture, if the motion picture is not good, that part of the program is spoiled and the show cannot be considered a great success.”<sup>95</sup> Fox established his first production studio out of Fort Lee, New

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<sup>93</sup> “Loew’s Metropolitan,” 5; “Brooklyn’s Big Theatre Opens,” *Eagle*, Sept 17, 1918, 13; Anthony F. Dumas, “Loew’s Metropolitan Theatre,” 1919, pen and ink drawing, MCNYEC; Del Valle, *Brooklyn Theatre Index, Volume I*, 293-296. Varying figures exist in regards to the Metropolitan’s seating capacity. The *Daily Eagle* states the Metropolitan was built to accommodate 4,100 seats, Anthony Dumas’ 1919 pen and ink drawing places the capacity at 3,400 seats, and Cezar Del Valle places the capacity at 3,576 seats.

<sup>94</sup> “Brooklyn’s Big Theatre Opens,” 13.

<sup>95</sup> Fox, “Reminiscences and Observations,” 315.

Jersey, the former hub of motion picture production for both the MPPC and independent filmmakers alike. Fox's first major hit was *A Fool There Was* (1915), the film that made actress Theda Bara an instant star. Between 1915 and 1919 Fox consolidated his control over a large number of the production studios based in the Fort Lee area.<sup>96</sup>

Although Fox's production ventures in Fort Lee were highly successful, starting in 1918 a series of events prompted a significant decline in New Jersey-based productions, which ultimately led to the motion picture industry to shift to California.<sup>97</sup> This shift prompted Fox to begin to acquire land in the burgeoning film colony of Hollywood, California, and he officially abandoned his operations in Fort Lee in 1919. However Fox never entirely severed his ties to New York. Similar to Marcus Loew's Metro Pictures and Adolph Zukor's Paramount, the Fox Film Corporation based its home office in New York City. In fact Fox himself would not make the move to Los Angeles until 1929. For much of the decade between 1915 and 1925, Fox concentrated the bulk of his efforts on establishing the production end of the Fox Film Corporation. During this period rival exhibitors gradually absorbed his New York-based distribution hubs, film exchanges, into their own theater chains. In 1925, the Fox Film Corporation started a drive to constructing its own movie palaces across the nation. This effort

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<sup>96</sup> Spehr, *The Movies Begin: Making Movies in New Jersey, 1887-1920* (Dobbs Ferry, NY: Morgan Press Inc., 1977), 92-96; Edmund J. McCormick, "Fort Lee: Legend and Reality," in *Fort Lee: The Film Town*, ed. Richard Koszarski (Bloomington, IN: Indiana University Press, 2004), 14; Vanda Krefft, "Searching for the Forgotten Movie Mogul: William Fox, Founder of Twentieth Century Fox," *The Readex Report*, last modified Feb 1, 2010, last accessed Dec 5, 2013, <http://www.readex.com/readex-report/searching-forgotten-movie-mogul-william-fox-founder-twentieth-century-fox>.

<sup>97</sup> McCormick, 19-20; Koszarski, *Hollywood on the Hudson*, 9. A coal shortage in New York in the winter of 1918 and a trolley car strike in 1919, effectively shut down all transportation between Fort Lee and New York City. Historians identify these two events as the impetus behind the major film producers decision to move their operations westward.



culminated in Fox's acquisition of the Roxy Theatre in 1927.<sup>98</sup>

A year earlier, Fox started construction of a massive new movie palace in Brooklyn along the corners of Flatbush Avenue, Nevins Street, and Livingston Street. The cornerstone of what would become the Fox Theater was laid on September 27, 1927. According to one *Eagle* article, the first check Fox earned from his nickelodeon at 700 Broadway was encased in the stone.<sup>99</sup> Fox's newest "Temple of Amusement" is believed to have cost \$10,000,000. By the time the Fox Theatre was completed, Fox's theater empire controlled more than 280 theatres across the United States.<sup>100</sup> The Brooklyn Fox Theatre officially opened its doors on August 31, 1928. Attendance was so great that the police had to be called to protect nearby shop windows from the overcapacity crowd. By the end of 1929, Paramount and Loew's Enterprises constructed two more theaters in the vicinity of the Fox, the Paramount Theatre at 385 Flatbush, and the Kings Theatre at 1027 Flatbush respectively. These three theaters along with Loew's Metropolitan, built in 1918 and RKO-Albee Theatre built in 1930 helped the Fulton/Flatbush Theatre district surpass Manhattan's Broadway as the location with the heaviest concentration of movie palaces in the United States.<sup>101</sup>

### The End of an Era

Historians have proposed a wide array of theories exist to explain the movie palace's decline during the 1930s. Many agree that the movie palace era came to a close with the

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<sup>98</sup> Gledon Allvine, *The Greatest of Them All* (New York: Lyle Stuart, 1969), 21-22; Solomon, 27; Melnick, *American Showman*, 301-307.

<sup>99</sup> Del Valle, "Brooklyn Moviegoing," 118-119; Del Valle, *Brooklyn Theatre Index Volume I*, 215-217; "Fox Theater: Brooklyn New York History," *Historic Structures*, last modified Mar 22, 2010, last accessed Dec 11, 2013, [http://www.historic-structures.com/ny/brooklyn/fox\\_theater1.php](http://www.historic-structures.com/ny/brooklyn/fox_theater1.php).

<sup>100</sup> "Del Valle, *Brooklyn Theatre Index Volume I*, 215. Del Valle places the seating capacity at 4,062.

<sup>101</sup> Del Valle, *Brooklyn Theatre Index Volume I*, 139-142, 230-231, 240-241.

invention of the vitaphone and the introduction of sound films in 1927-1928. The advent of the studio system and fan culture, a decrease in ticket revenues during the early part of the Great Depression, and the untimely death of Marcus Loew in 1927 are considered as further contributing.<sup>102</sup> The development of the major theater circuits under Fox, Loew, Zukor, and others allowed for motion picture culture to permeate into nearly every aspect of American life.

By the late 1920s the very same exhibitors who initially set out to establish their productions as independent community-based affairs refocused their efforts toward developing an egalitarian experience for their viewers that was unbounded by class, ethnicity, or geography.<sup>103</sup> The removal of live performances from motion picture exhibitions effectively brought an end to the movie theater's role as a community center. In contrast the Hollywood studio system allowed for the continued proliferation of "movie theaters" across the United States into the 1930s and 1940s. Unlike the movie palaces of the 1910s and 1920s, these movie theaters were not specifically designed with the composition of individual communities in mind. As a result, the decline of the movie palace era also ended to any notion of an independent movie-going identity in either Brooklyn or Manhattan, and instead resulted in the motion picture's amalgamation into a homogenized national culture. Despite the disappearance of Brooklyn's individual movie-going identity, several film studios and production hubs helped to mold and shape the borough's sense of self during the silent era, and in later decades would serve as the longest lasting legacy of Brooklyn's movie-going culture.

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<sup>102</sup> Erenberg, *Steppin' Out*, 234; Richard deCordova, "The Emergence of the Star System in America," in *Stardom: Industry of Desire*, ed. Christine Gledhill (New York: Routledge Publishing, 2004), 25-30; Miriam Hansen, *Babel and Babylon: Spectatorship in American Silent Film* (Cambridge, MA: Harvard University Press, 1991), 245-248; Rick Altman, "The Silence of the Silents," *The Musical Quarterly* 80 no. 4 (Winter, 1996): 689-707.

<sup>103</sup> May, *Screening Out the Past*, 232-237; Koszarski, *An Evening's Entertainment*, 209.

**CHAPTER THREE: “THE SPIRIT OF MIDWOOD:” THE AMERICAN VITAGRAPH  
COMPANY AND ITS SPECIAL RELATIONSHIP WITH THE BOROUGH OF  
BROOKLYN**

Oh, the enchantment of those days! Then every working hour was an adventure, a challenge, a time of breathless discovery. Over the whole Vitagraph lot there hung an air of expectancy. It was a place of fun and laughter and good fellowship.

– Marian Blackton Trimble<sup>1</sup>

Near the intersection of East 15<sup>th</sup> Street and Locust Avenue in Midwood stands what remains of a Brooklyn landmark, which at one time was as recognizable to the borough as the Brooklyn Bridge, Ebbets Field, and the Coney Island Cyclone: Vitagraph Studios. Today the site contains a studio formerly occupied by NBC Television, several abandoned warehouses, and the campus of the Shulamit School for Girls (an orthodox Jewish parochial school). No plaques or markers in the surrounding area even hint at Midwood’s vibrant movie heritage. The only indication that films were once produced at this site is an arched entrance way and a large graffiti-covered smokestack with the word “VITAGRAPHCO” along its side.<sup>2</sup> In the early 2010s a private developer purchased the land containing the studio’s landmark smokestack as well as the footprint of the main studio building. Since that time plans to demolish the entire block along Locust Avenue are pending. The studio's lack of historic preservation has made Vitagraph’s

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<sup>1</sup> Marian Blackton Trimble, *J. Stuart Blackton: A Personal Biography by his Daughter* (Metuchen, NJ: The Scarecrow Press, 1985), 31.

<sup>2</sup> Janice Fioravante, “A Rich Ethnic Mix in Mid-Brooklyn: A Neighborhood with a distinctly Orthodox Jewish Flavor,” *Times*, Jul 21, 1996, R5; Nellie Perera, “Revitalized by Vitagraph,” *Urban Memory Project: Collaborations, Preservation, Public Programs*, last modified Sept 6, 2013, last accessed Dec 27, 2013, <http://urbanmemoryproject.org/2013/09/revitalized-by-vitagraph/>.

remaining landmarks increasingly vulnerable to urban redevelopment.<sup>3</sup> Despite the efforts of several public awareness campaigns initiated by community members, filmmakers, and former Brooklyn Borough President Marty Markovitz, the future of Vitagraph's presence in Midwood remains increasingly uncertain.<sup>4</sup>

Construction of the Vitagraph studio in Midwood began in August 1905, and by September of that year – before any of the studio buildings were completed – the first film at the new studio, *The Adventures of Raffles* was ordered into production.<sup>5</sup> Vitagraph's founders, James Stuart Blackton and Albert Smith were able to contribute a significant part of Brooklyn's cultural identity between the years 1906 and 1925. At the height of production in the 1910s Vitagraph was the largest continuously operating film studio the pre-Hollywood era. At that time the nearby Avenue M subway station brought over 400 workers into the Midwood studio each day.<sup>6</sup> Prior to Vitagraph's arrival, the neighborhood surrounding the studio was a poor working class community. The increased traffic of actors, directors and crewmembers, helped local businesses boom, and as Albert Smith recalled, "The popularity of our casting director exceeded the postman's, for a knock on any door meant five dollars for a few hours of work."<sup>7</sup> Brooklyn natives from surrounding neighborhoods made up much of the Vitagraph staff. The nearby Erasmus High School served as a constant source of young actors anxious to start a career in film. A long-standing rumor exists that Russian revolutionary Leon Trotsky appeared as an extra

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<sup>3</sup> Irving Leigh Matus, "Where the Dream Was Made," *Urbanmemory.com* (blog), <http://urbanography.com/urban/0006/index.htm>.

<sup>4</sup> Ron Hutchinson, "Brooklyn Vitaphone Studios May Soon be Bulldozed," *The Vitaphone Project: Vitaphone News* 10 no. 2 (Fall/Winter, 2010), last accessed Dec 27, 2013, <http://www.picking.com/vitaphone/102.html>.

<sup>5</sup> Anthony Slide, *The Big V: A History of the Vitagraph Company* (Metuchen, NJ: The Scarecrow Press, Edition 1987), 13.

<sup>6</sup> Urrichio and Pearson, *Reframing Culture: The Case of the Vitagraph Quality Films* (Princeton, NJ: Princeton University Press, 1993), 3-4; Koszarski, *Hollywood on the Hudson*, 108-109.

<sup>7</sup> Smith and. Koury, *Two Reels and a Crank*, 174.

in several of Vitagraph's short subjects during his time in New York City. Seventeen-year-old Rudolph Valentino is also rumored to have received his first break in motion pictures while at Vitagraph.<sup>8</sup>

Due to the studio's close proximity to its workforce, Vitagraph maintained a family atmosphere from its beginnings until the mid 1910s, when the increased influence of rival movie moguls such as William Fox, Marcus Loew and Adolph Zukor forced Vitagraph to operate in a more formal capacity. For much of the decade of 1900 and the early 1910s, Vitagraph performers regularly reached out to act out sequences from their latest productions. Additionally Vitagraph's core staff and top billed performers regularly held concert parties and community appreciation dinners at meeting halls and clubs throughout the borough.<sup>9</sup> The studio's regular involvement in the surrounding community, Blackton and Smith loaned out many of their leading actors to perform live to theatres where Vitagraph films were being exhibited. This practice fostered an even deeper connection between the Brooklyn community and Vitagraph Studios, which in turn caused Vitagraph productions to embody the independent spirit of its adopted home.<sup>10</sup>

In 1911 Vitagraph funded the publication of two major trade magazines, *Motion Picture Story Magazine* and *Vitagraph Bulletin of Life Portrayals*, both of which were formatted by J. Stuart Blackton and editor Eugene Brewster. In addition to providing exhibitors with the details of the studio's new release, both magazines strove to initiate an open dialogue with its readers

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<sup>8</sup> Gerd Wilcke, "Vitagraph Studio in Flatbush: Cradle of Movies, is Closing," n.d. (news clipping, Motion Picture Collection: Brooklyn Public Library, folder 2, hereafter MPCBPL).

<sup>9</sup> J. Stuart Blackton, "Yesteryears of Vitagraph," *Photoplay* 26 no. 1 (Jul, 1919): 28-30; Harvey Douglas, "Cost \$400 to Turn Out a Movie in 1911," *Eagle*, Feb 20, 1933, 15; Slide, *The Big V*, 52-54.

<sup>10</sup> Leslie Hanscom, "Boro Remembers Blackston (sic) as Its Movie Industry Nurse," *New York World Telegram and Sun* (hereafter *WTS*), Jun 14, 1955, n.p. (MPCBPL, folder 1).

and provide the details of its programming based on viewer input.<sup>11</sup> The proem to the inaugural edition of *Motion Picture Story Magazine* clearly states' the authors' intentions: "The *Motion Picture Story Magazine* presents its compliments to its readers and hopes for a more intimate acquaintance. This publication is absolutely unique amongst hundreds of monthly magazines, its editors feel assured that the novelty will of itself attract an attention that the publication will hold."<sup>12</sup> An editorial by J. Stuart Blackton reiterated this point in the November 1915 issue of *Vitagraph Bulletin of Life Portrayals*. "In accepting Vitagraph films, the exhibitor rests assured that the conglomerate and intricate desires of the average motion picture audience will be catered to, the finer sensibilities of the most crucial will not be offended. 'Vitagraph' is a synonym for good taste."<sup>13</sup> According to Marian Blackton Thimble, J. Stuart Blackton's daughter, for the duration of its time in Brooklyn the VCA strove to provide the best quality film productions and all around entertainment experience in the United States. "The magazine, the theatre, and an unwavering policy of bigger and better productions, combined with continued company solidarity helped to maintain Vitagraph as first in its place."<sup>14</sup>

### The International Novelty Company and Vitagraph's Beginnings

A great deal of uncertainty surrounds Vitagraph's early history. Although its founders J. Stuart Blackton and Albert Smith both wrote extensively on the first years of their company, their memoirs must be taken with a grain of salt. Both men went to great lengths to aggrandize themselves as the primary pioneers of the early film industry, and in doing so exaggerated the

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<sup>11</sup> Trimble, *J. Stuart Blackton*, 54; Slide, *The Big V*, 60.

<sup>12</sup> "Editorial Proem," *Motion Picture Story Magazine* (hereafter *MPSM*), 1 no. 1 (Feb, 1911): 5.

<sup>13</sup> James Stuart Blackton, "Good Taste," *Vitagraph Bulletin of Life Portrayals* (hereafter *VBLP*), 5 no. 8 (Nov, 1915): 7.

<sup>14</sup> Trimble, *J. Stuart Blackton*, 56.

extent of their contributions to motion picture history.<sup>15</sup> In truth Blackton and Smith's partnership began in 1894 when the two men, along with Ronald Reader, formed a stage group called the International Novelty Company (INC). The act combined a series of song and dance performances by Reader, supplemented with live "chalk talk" drawings by Blackton who was billed as the "Komikal Kartoontist." The act also featured a set of magic acts from Smith, billed as the "Komikal Konjurer."<sup>16</sup> Blackton and Smith's first exposure to moving images came after a performance by the INC that was favorably reported in a June 27, 1896 edition of the *New York Evening World*. Shortly afterward Blackton was hired by Thomas Armat to perform a series of his "lightning sketches" to be recorded at the Black Maria Studio at Edison's West Orange Laboratory.<sup>17</sup> In early 1897 Blackton and Smith purchased an Edison Projecting Kinetoscope for \$100. Following the purchase of Edison's latest creation, the two men were granted a license to produce and exhibit motion pictures on behalf of the Edison Manufacturing Company (EMC). In March 1897 the International Novelty Company became the Edison Vitagraph Company.<sup>18</sup>

Following the INC's absorption into the EMC, Blackton and Smith decided to use their newly acquired license to enter the field of motion picture advertising in late 1897. The profits Edison Vitagraph received from this venture – along with Blackton and Smith's regular performances at Tony Pastor's Theatre – allowed for the partners to purchase an office on the

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<sup>15</sup> Musser, "The American Vitagraph: 1897-1901: Survival and Success in a Competitive Industry," in *Film Before Griffith*, ed. John L. Fell (Berkeley, CA: University of California Press, 1983), 22-23.

<sup>16</sup> Slide, *The Big V*, 3-4, 33-34. The International Novelty Company originally went by the name "The Royal Entertainers," until the group changed its name in late 1894.

<sup>17</sup> *Eastern District of Pennsylvania vs. Motion Picture Patents Company (1913)*, 1965 (Museum of Modern Art Library: Government and Law Collection, Early Cinema).

<sup>18</sup> Franck Zevely Macguire and Joseph Delany Baucus, *Edison Projecting Kinetoscope "97" Model* (New York: Maguire and Baucus Limited, 1897), 5; William Basil Courtney, "History of the Vitagraph," *Motion Picture News* (hereafter *MPN*), Feb 14, 1925, 661-662. The name Vitagraph was derived from the first syllable of Armat's vitascope, and both men considered the second syllable as a "more significant embellishment" of the word "scope."

ninth floor of the Morse Building at 140 Nassau Street in Manhattan on January 1, 1898.<sup>19</sup> It was at this location that Blackton and Smith first started to produce films of their own. The first film they produced was a sixty-second short subject titled *The Burglar on the Roof*, which featured Blackton in the role of the burglars.<sup>20</sup> Vitagraph's subjects soon took a more serious turn following the explosion of the *U.S.S. Maine* in Havana Harbor on February 15, 1898. Blackton and Smith set out to capitalize on the events surrounding the crisis in Cuba by documenting the burial of the soldiers killed in the *Maine* explosion and later the departure of the New York 71<sup>st</sup> National Guard Regiment as it embarked for Tampa, Florida.<sup>21</sup>

From the rooftop of the Morse Building, Vitagraph produced a series of films related to American victories in Cuba and the Philippines. The most famous of these films, *The Battle of Manila Bay*, featured a recreation of Admiral George Dewey's victory over the Spanish Naval fleet in the Philippines. Between May and July 1898 vaudeville circuits across New York City featured Vitagraph's war films.<sup>22</sup> In his 1925 series of articles on the history of Vitagraph, journalist William Basil Courtney wrote, "The only important contribution the Spanish-American War made to the history of the United States lay not in the acquisition of territories and pension lists, but in the impetus it gave to the work of Smith and Blackton in placing the foundation blocks for the motion picture industry."<sup>23</sup> In addition to producing its own short subjects, Vitagraph began to illegally distribute duplicates of war films produced by the EMC under its own name and at a reduced rate, through a process known as "bicycling."<sup>24</sup> While also

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<sup>19</sup> Musser, "The American Vitagraph Company," 29-30.

<sup>20</sup> Slide, *The Big V*, 8.

<sup>21</sup> Musser, *The Emergence of Cinema*, 253.

<sup>22</sup> Harvey Douglas, "Brooklyn was the Cradle of Film Industry," *Eagle*, Feb 15, 1933, 15.

<sup>23</sup> Courtney, "History of the Vitagraph," Feb 14, 1925, 661.

<sup>24</sup> Smith and Koury, 183.



in the midst of the patent wars with W.K.L. Dickson and American Biograph, the EMC responded by filing three separate lawsuits against Vitagraph, two for patent infringement and one for copyright violation. Both Blackton and Smith reached out to the EMC to resolve the injunction. After meeting with William Gilmore, vice president and general manager of the EMC, they came to an agreement that Edison Vitagraph Company would work as an Edison licensee under the condition that if Vitagraph's activities threatened the profits of the EMC, their license could quickly be revoked.<sup>25</sup>

### “Pop Rock” and the “Wargraph”

In August 1898, Blackton and Smith were both just twenty-three years old. Despite the eagerness, energy, and ambition of the youthful entrepreneurs, their naiveté and inexperience in handling the Edison trust proved that the young company needed “mature business judgment” if Vitagraph hoped to continue its operation in to the twentieth century.<sup>26</sup> They found a source of guidance in William T. Rock, a forty-seven year old English immigrant, who was far more aware of the treachery that existed in the moving picture world and the world of entertainment as a whole.<sup>27</sup> Affectionately known by his two protégées as “Pop Rock,” Rock helped the Vitagraph founders in their ongoing struggle with the EMC, and also provided a much-needed boost in capital for the fledgling venture. With the addition of Pop Rock, the new partnership was taken on the name of the American Vitagraph Company (AVC) with Blackton in charge of film

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<sup>25</sup> Musser, “The American Vitagraph Company,” 34-38.

Vitagraph was also charged with patent infringement due to Albert Smith's personal modifications of the Edison Projecting Kinetoscope, which he marketed to buyers as the “vitascope.”

<sup>26</sup> F.H. Richardson, “What Happened in the Beginning,” in *A Technological History of Motion Pictures and Television*, ed. Raymond Fielding (Berkeley, CA: University of California Press, 1967), 36-38.

<sup>27</sup> Tim Lusser, “Vitagraph: Three Men and Their Baby,” *Silents are Golden: Articles and Essays*, last modified 1999, last accessed Jan 4, 2014, <http://www.silentsaregolden.com/articles/vitagrapharticle.html>.

production, Smith as cashier and bookkeeper, and Rock booking exhibitions in theatres across the greater New York area.<sup>28</sup>

Between September 1898 and January 1900, Vitagraph exhibited both its own productions and Edison films in various vaudeville venues throughout New York. The EMC rebilled all of the Spanish-American War films – and later films of the Boer War in South Africa – as productions of the “Edison Wargraph.”<sup>29</sup> As Vitagraph’s war films and other short subjects continued to gain in popularity, the company’s dependency on the EMC decreased. When Vitagraph threatened to sue Edison for overdue royalties in January 1900, the EMC responded by cancelling Vitagraph’s licensing agreement on January 29, 1900. The following month the American Vitagraph Company changed its name to the Vitagraph Company of America (VCA) and was officially incorporated as an independent production and distribution company. In the ensuing court case, Edison’s lawyers tried to demonstrate that the incorporation of VCA was nothing more than a ruse by Blackton, Smith, and Rock to avoid the previous agreement made with William Gilmore in 1898.<sup>30</sup> Faced with the alternative of prison, Blackton and Smith again signed a new contract that stated Vitagraph was only allowed to produce films for the exclusive use of the EMC. In March 1902 the U.S. Court of Appeals ruled in favor of W.K.L. Dickson and the American Biograph Company, which in turn reversed the ruling that had previously been

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<sup>28</sup> Rossell, “William T. Rock,” *Who’s Who in Victorian Cinema*, last accessed Jan 4, 2014, <http://www.victorian-cinema.net/rock>.

<sup>29</sup> “Edison Wargraph,” *Clipper*, Apr 30, 1898, 144.

<sup>30</sup> Paul B. Israel, “Guide to Motion Picture Catalogs: The Emergence of Biograph and its Rivalry With Edison,” *Rutgers University: Thomas A. Edison Papers*, last modified Feb 20, 2012, last accessed Jan 4, 2014, <http://edison.rutgers.edu/mopix/biograph.htm>.

entered against Vitagraph.<sup>31</sup> This development helped to pave the way for Vitagraph's ascendancy as one of the most important film production companies in the United States.

### Vitagraphville

The majority of Vitagraph's subjects were filmed on the rooftop of the Morse building. Although the location was able to yield a diverse array of subjects, there were many hazards and uncertainties that accompanied rooftop filmmaking. One of the most prominent problems was that the steam vents from the roofs of nearby office buildings occasionally emitted thick bursts of steam, and if the wind was "wrong," the steam would blow across the set and obstructing the sequence being filmed.<sup>32</sup> Another issue was the uncontrolled pigeon population of New York's Lower East Side. Marion Trimble Blackton recalled, "During rehearsals they would content themselves with strutting around the top of the coping, making derisive noises at the actors, but at the first noise from the camera they would soar skyward in a body, wheel, bank, sweep, and dive, again and again, directly through the scene of the action. It distracted the performers and it gave a very peculiar atmosphere to the scene."<sup>33</sup>

Frustrated by the perils of rooftop filmmaking and with company profits at an all-time high, Vitagraph's Blackton, Smith, and Rock decided to separate the production of motion pictures from the business of selling them. They agreed that Pop Rock would handle the business dealings of the company from the offices at the Morse building, while Blackton and Smith would conduct their operations from the company's new production studio in Brooklyn. Vitagraph

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<sup>31</sup> Musser, "The Early Cinema of Edwin Porter," 19 no. 1 *Cinema Journal* (Fall, 1979): 12-13; Siva Vaidhyanathan, *Copyrights and Copywrongs: The Rise of Intellectual Property and How it Threatens Creativity* (New York: New York University Press, 2001), 88-89.

<sup>32</sup> Trimble, *J. Stuart Blackton*, 13-14.

<sup>33</sup> *Ibid*, 14.

purchased the land near what would shortly become the Brighton Beach elevated railroad at the cost of \$25,000.<sup>34</sup> While the film studios were under construction, they continued to film interior scenes at the Morse building, while exterior scenes were filmed in Midwood. In a film that required both interior and exterior scenes, actors, props, and costumes had to be moved by subway from one location to the next.<sup>35</sup> In a June 1915 *Brooklyn Daily Eagle* article, William Shea, one of Vitagraph's early stars, described how the traveling company must have appeared to the average passersby: "It must have been a sight to see fifteen or twenty people get off a train, some carrying bundles and boxes with a sword or spear sticking out, a little bit of a fellow struggling along with a suit of armor, and various other bulky properties distributed among the members of the party, but it was part of the game. Very few of the actors kicked and the populace became used to seeing us doing all kinds of stunts."<sup>36</sup>

Known as "Vitagraphville," both by motion picture industry insiders and Brooklyn natives, the Vitagraph studio expanded to include four production studios, comprised of fourteen different departments, as well as a manufacturing plant where films were developed and printed. The entire plant was surrounded by a high stone wall, and included the studio's landmark smokestack and water tower. The location also contained a company restaurant that could accommodate over four hundred employees each day.<sup>37</sup> Midwood in 1906 was still largely countryside, dotted with "high-class" subdivisions. The semi-rural environment of the surrounding area provided Blackton and Smith with the open space and geographic diversity not

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<sup>34</sup> Slide, *The Big V*, 13-14; Lusser, "Vitagraph: Three Men and Their Baby."

<sup>35</sup> *Ibid*, 14.

<sup>36</sup> William Shea, *Eagle*, Jun 27, 1915, 14.

<sup>37</sup> "A View of Vitagraphville," *Views and Film Index*, Dec 17, 1910, 3; Josh Freedman and Louis Phillips, "Vitagraph Life Portrayals," 4 no. 2, *Prologue Film Reprint Series* (1970): 3. The departments that operated at Vitagraph Studios were titled as follows: scenario, reference, scenery, property, costume, ornamental, cabinet and upholstery, carpentering, developing, joining, negative, mechanical, publicity, and executive.

readily available in Manhattan.<sup>38</sup> The deed to the property contained a stipulation from the original title from two hundred years earlier stating that the owners of the adjacent lot, “reserves the right to drive their cows to pasture through the premises.”<sup>39</sup>

Although the Vitagraph studios never needed to accommodate any cattle drives, the studio did the best it could to ingratiate itself to the neighborhood’s inhabitants. A *Daily Eagle* article from the 1940s fondly recalled the neighborhood’s association with Vitagraph’s films: “For those who lived in Midwood, it was nothing to see their own house in the background of a Vitagraph film. Residents of the community and their children often had the chance to play as extras in many of Vitagraph’s photoplays.”<sup>40</sup> The surrounding neighborhoods of Gravesend and Flatlands served as off-site locations for many of the silent films shot by Vitagraph Studios during this period. Gravesend had plenty of sandy stretches where desert scenes could be filmed. Flatlands contained the Paerdegat Woods, which served as the location for battle scenes and wilderness sequences. When necessary a nearby National Guard regiment cooperated with Vitagraph by providing uniforms and extras for battle sequences.<sup>41</sup> The ties between Vitagraphville and Midwood became so closely linked that the residents of community surrounding the Vitagraphville had come to depend on studio’s whistle to tell the time. At one point when VCA officials decided to remove the whistle so not to “disturb the neighborhood,” they were the next day “besieged by calls from residents of the area complaining they had come to depend on the whistle and asking what happened to it?”<sup>42</sup>

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<sup>38</sup> Francis Morrone, “MoMA Celebrates Vitagraph Studios,” *New York Sun*, Nov 10, 2006, last accessed, Jan 4, 2014, <http://www.nysun.com/arts/moma-celebrates-vitagraph-studios/43326/>.

<sup>39</sup> Smith and Koury, 171.

<sup>40</sup> “Birthplace of Hollywood,” n.d. (news clipping, MPCBPL, folder 2).

<sup>41</sup> “Movies Got Started Here,” n.d. (news clipping, MPCBPL, folder 1).

<sup>42</sup> “Warners to Close Vitagraph Studios,” Aug 17, 1957, (news clipping, MPCBPL, folder 1).

Vitagraph often rented furniture and other props from its neighbors. For a week's use the studio paid 10 percent of the value of the item. Many of Midwood's inhabitants readily took advantage of this arrangement. Occasionally there were instances when community members were a bit overzealous in loaning out their furniture. Albert Smith recalled one occasion when "a needy wife granted us the use of a bed with an ornate backboard that fit the setting of our story. She had taken the step without consulting her husband. The spouse, aroused by this arbitrary disposition of such an intimate piece of community property, marched onto our stage while we were filming a boudoir scene. Red-faced and fists clenched, he ordered the heroine out of his bed, dismantled it, and carted it away."<sup>43</sup> The active involvement of the Midwood community in the everyday operations at Vitagraphville helped established the studio as one of Brooklyn's most important cultural institutions.

### The MPPC and VLSE

In September 1908 the patent wars reached its conclusion when the EMC, Biograph, and their licensees were incorporated into the Motion Picture Patents Company (MPPC). Under the company's charter, authorization was granted to acquire motion picture patents and inventions and to license others to use these devices.<sup>44</sup> Starting in December 1908 the MPPC pooled together the patents from sixteen motion picture production and distribution companies in an effort to consolidate control of the motion picture industry into one single conglomeration.<sup>45</sup> The following month in January 1909, the MPPC signed an exclusive contract with the Eastman Kodak Company – the nation's only supplier of celluloid film stock – and announced that by

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<sup>43</sup> Smith and Koury, 174-175.

<sup>44</sup> Bowser, *Transformation of Cinema, 1907-1915* (New York: Charles Scribner's Sons, 1990), 27-36.

<sup>45</sup> Jeanne Thomas, "The Decay of the Motion Picture Patents Company," *Cinema Journal* 10 no. 2 (Spring, 1971): 34.

February any production company who did not pay the necessary licensing fees shall be served with an injunction that legally excluded them from continuing their operation.<sup>46</sup> The MPPC required producers to pay a royalty of one half cent for every foot of film produced. Faced with this ultimatum, and not wanting to lose its position as the third largest film manufacturer in the United States, VCA added its patents to the pool and joined the MPPC.<sup>47</sup>

In an effort to downplay Vitagraph's participation in the unscrupulous business practices of the MPPC during the independent wars, Albert Smith defends his and Edison's approach to patent protection. "He [Edison] was not an ogre among saints. There were no principal ogres, wars declared by all camps. It was a day of dark doings – plots and counterplots, conspiracy, poaching, privateering. Vitagraph no less than the others, joined this clique of affable larcenists. But, more than the others, we had reason to condemn the practice; we were among its chief victims."<sup>48</sup> Although Blackton and Smith later attempted to conceal their role in the Edison monopoly, a series of lawsuits and anti-trust cases filed throughout the 1910s indicate that Vitagraph took full advantage of its position as an Edison licensee in blocking the manufacture and production of film by rival producers. A suit initiated in 1912 by the Imperial Film Exchange states that the VCA "sought by involuntary proceedings in bankruptcy to have the Imperial Film Exchange declared a bankrupt corporation, and under and by virtue of the said proceedings, falsely fraudulently, illegally, improperly, unjustly, and inequitably and contrary to the

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<sup>46</sup> Cassady, 329-330; J.A. Aberdeen, "The Edison Movie Monopoly: The Motion Picture Patents Company vs. the Independent Outlaws," *Hollywood Renegades Archive*, 2005, last accessed Nov 1, 2013, <http://www.cobbles.com/simpparchive/edisontrust.htm>.

<sup>47</sup> David Sherrill Hullfish, *Motion Picture Work: A General Treatise on Picture Taking, Picture Making, Photoplays, and Theatre Management and Operation* (Lansing, IL: American School of Correspondence, 1913), 204-206; Robert Jack Anderson, *The Motion Picture Patents Company* (Madison, WI: University of Wisconsin Press, 1983), 272.

<sup>48</sup> Smith and Koury, 11-12.

provisions of the law and statutes in such cases are made as provided, the Imperial Film Exchange was unable to carry on its said business and had to cease to conduct its business and suffered great and serious loss and damage.”<sup>49</sup>

In addition to successfully eliminating competing producers and distributors, the VCA benefitted in its role as an Edison licensee further by participating in a profit sharing agreement with its fellow members of the MPPC. In April 1910 the MPPC formed its subsidiary organization the General Film Company, and set out to further enforce its policies on both licensed and unlicensed producers, distributors, and exhibitors. As a member of the “big ten” Vitagraph was then able to afford to open an office in Paris, where Blackton and Smith’s former INC partner Ronald Reader was appointed as head of European distribution.<sup>50</sup> 1910 also was the year the company initiated a monthly newsreel, *The Vitagraph Monthly News of Current Events*, which eventually became the nationally syndicated *Hearst-Vitagraph Weekly News Feature*. Moreover J. Stuart Blackton purchased a plot of land in Santa Monica, California and sent their first permanent company of actors and crewmen to the location, establishing Vitagraph’s presence on the west coast. The company’s profit in 1910 was registered as \$695,372 (estimated as nearly \$17 million dollars in 2013), more than double the amount of the previous year.<sup>51</sup> As a founding member of the MPPC, all of Vitagraph releases initially were handled through the exchanges of General Film, but as Vitagraph began to make forays into feature film productions,

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<sup>49</sup> *Townsend Copyright Amendment: Complete File of Arguments Before the Committee on Patents*, U.S. House of Representatives: Committee on Patents, H.R. 15263 and H.R. 20596, Jan 24, 1912, 68.

<sup>50</sup> “Yesteryears of Vitagraph,” *Photoplay* (Jul, 1919): 28-33; Slide, *The Big V*, 16. The “big ten” refers to the ten companies that consisted of General Film, which were as follows: Edison, Biograph, Vitagraph, Essanay, Selig, Lubin, Kalem, Star Film Company, American Pathé, and Kodak film stock.

<sup>51</sup> Courtney, “History of the Vitagraph,” *MPN*, Mar 7, 1925, 995-996; ; Tino Balio, “A Novelty Spawns Small Businesses, 1894-1908,” in *The American Film Industry*, ed. Tino Balio (Madison, WI: University of Wisconsin Press, 1985), 25. Lusser, “Vitagraph: Three Men and Their Baby.”



the company started to release films through its own film exchange. This practice was so successful that toward the end of 1913 the profits from Vitagraph's feature film exchange significantly over shadowed all other General Film member companies.<sup>52</sup>

By 1915 several of General Film's member companies realized that a new releasing organization was necessary to handle the increasingly popular feature length film productions. Since Vitagraph's exchange had a two-year lead on its fellow Edison licensees, Albert Smith was approached to serve as president of the newly formed Vitagraph-Lubin-Selig-Essanay Motion Picture Company (VLSE). Each of the four production companies agreed to release one feature a month – later two per month – under the VLSE banner. This agreement continued until September 1916 when Vitagraph purchased a controlling interest in Lubin, Selig, and Essanay.<sup>53</sup> Vitagraph's subsequent purchase of the remaining Edison licensees placed Vitagraph in the position of the oldest surviving production company in the United States. More than just a survivor, VCA in 1916 was considered among industry analysts and leading producers as one of the most powerful and influential entertainment corporations in the United States.

### Vitagraph Quality Films

Vitagraph emerged as a dominant authority in the film industry during one of the most tumultuous periods in cinematic history. Aside from the medium's transition from cheap amusement to popular entertainment, the film industry sought to align itself with more

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<sup>52</sup> Letter correspondence, MPPC to George Kleine, Sept 13, 1913 (Library of Congress: Motion Picture Broadcasting and Recorded Sound Division, George Kleine Collection); Anderson, 149. Robert Jack Anderson uncovered a letter correspondence between film producer George Kleine (Kalem Studios) and the MPPC, which reveals that by September 1913, Vitagraph's profits consisted of one fifth of the MPPC's total profits for the year, with the highest profit margin of any other Edison licensed company.

<sup>53</sup> Courtney, "History of Vitagraph," *MPN*, Mar 28, 1925, 1313-1317; Slide, *The Big V*, 65-66. VLSE's other officers were as follows: Sigmund Lubin as Vice President, William N. Selig as Treasurer, George K. Spoor (Essanay) as Secretary, and Vitagraph's former legal counsel Walter W. Irwin as general manager.

respectable entertainments such as the Broadway stage.<sup>54</sup> Throughout cinema's transitional period, urban exhibitors sought to attract middle class patronage to their theatres. During the early part of the nickelodeon era, the content of the films tended to repel family audiences. About the time that the MPPC started to consolidate its control over the film industry, licensed exhibitors began to exhibit films covering to current events and offered short subjects based on acknowledged cultural masterpieces such as *Romeo and Juliet*, in an effort to attract middle class audiences.<sup>55</sup>

Film historian Charlie Keil argues that although the MPPC-affiliated films were generic in their choice of genre and narrative structure, they were superior to non-MPPC productions due to the ready availability of funds and resources that licensed companies had over their independent counterparts.<sup>56</sup> However Keil goes on to state, "The independents were much more audience centered and wished to bring about a greater emotional investment in the film's narrative and less on aesthetics."<sup>57</sup> Although the majority of MPPC-licensed companies focused more on style over substance in their productions, Vitagraph under the creative supervision of J. Stuart Blackton, consistently strove to provide its viewers with quality productions that best embodied the MPPC's push toward middle class-respectability. In *Reframing Culture: The Case of Vitagraph Quality Films*, authors Roberta Pearson and William Urrichio make the case that Vitagraph's approach to filmmaking constituted an important part of the company's differentiation practices. "Indeed, we suspect that Vitagraph's need to distinguish its product

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<sup>54</sup> Urrichio and Pearson, *Reframing Culture*, 44; Sumiko Higashi, "Vitagraph Stardom: Constructing Personalities for 'New' Middle-Class Consumption," in *Reclaiming the Archive: Feminism in Film History*, ed. Vicki Callahan (Detroit, MI: Wayne State University Press, 2010), 265-267.

<sup>55</sup> Peiss, 161-162; Bowser, 38-42; Nasaw, 178-180.

<sup>56</sup> Keil, *Early American Cinema in Transition*, 22.

<sup>57</sup> *Ibid*, 140.

from that of other studios may have been among the strongest motivations behind the quality films.”<sup>58</sup> The studio also introduced its middle-class viewers to a “visual newspaper” of the most recent news events through its affiliation with William Randolph Hearst’s *New York World* and the *Hearst-Vitagraph Weekly News Feature*. Following the success of their coverage of the Spanish-American, Philippine-American, and Boer Wars in the late 1890s and early 1900s, Vitagraph sent its crews to capture footage of many of the most newsworthy events of the early twentieth century including the Galveston Flood of 1900, President William McKinley’s funeral, Theodore Roosevelt’s second term inauguration in 1905, and the 1906 San Francisco earthquake.<sup>59</sup>

Starting in 1906 theaters throughout Midwood and its surrounding neighborhoods exhibited a series special of one reel subjects produced by Vitagraph. These shorts were based on the novels of Charles Dickens, Victor Hugo, Robert Louis Stevenson, Washington Irving, and the plays of Euripides, Moliere, and William Shakespeare. Vitagraph’s Shakespeare series proved to be one of the company’s most profitable and popular short subjects. It embodied both the MPPC’s desire to attract middle-class family audiences, while also offering subjects designed to culturally and socially “uplift” working-class moviegoers.<sup>60</sup> In addition to selecting educational and culturally significant topics for Vitagraph’s films, the studio also sought to hire prominent stage actors to perform in its films. The company was attracted several top tier actors by taking advantage of a sudden reduction in the salaries for Broadway actors during the first

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<sup>58</sup> Urrichio and Pearson, *Reframing Culture*, 59-60.

<sup>59</sup> Jonathan Auerbach, “McKinley at Home: How Early American Cinema Made News,” *American Quarterly* 51 no. 4 (Dec, 1999): 797-832.

<sup>60</sup> Kenneth S. Rothwell, *A History of Shakespeare on Screen: A Century of Film and Television* (Cambridge, U.K.: University of Cambridge Press, 2004), 9-11; Matus, “Where the Dream Was Made.”

decade of 1900.<sup>61</sup> William Shea, star of Vitagraph's adaptation of *Romeo and Juliet* recalled, "I was approached by a film company with the proposition to pose. I accepted it as the makeshift that would help me hold out for my old salary in the 'legit.' I began to like the work. My visits to the theatrical clubs and booking agencies grew infrequent and finally ceased."<sup>62</sup>

Vitagraph's gained further through the company's policy to provide programs to its exhibitors specialized for local circulation within specific neighborhoods and towns. Vitagraph published in the *Bulletin* a list of suggestions on how to tailor programs for their community theaters. "As almost every family has at least one moving picture 'fan,' if your program is attractive, is up to date, and newsy, they will soon get to look for it every week. Their steady patronage inevitably follows."<sup>63</sup> For the production of its feature films, Vitagraph selected to use novels over plays, and modern novels over classics. By 1915 Vitagraph incorporated a series of feature films (roughly a 60-minute running time) as the studio's main attraction. Of the films shot at the Brooklyn studio during the 1910s reviewers praised the studio's use of "deep sets." Early in 1916, a new studio was specifically designed to allow "particularly long throws." The building was constructed to allow ten directors to operate within the building at any given time.<sup>64</sup> Many of the studio's directors and writers were Brooklyn natives, most notably Bill Ranous and Eugene Mullen, two Vitagraph veterans who regularly hired friends and family to assist in the production of their films as cameramen, editors, or advisers.<sup>65</sup>

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<sup>61</sup> Matus, "Where the Dream was Made."

<sup>62</sup> L. Case Russell, "Reminiscences of William Shea: Veteran Actor," 10 no. 7, *MPSM* (Aug, 1915): 174.

<sup>63</sup> "Suggestion Department," *VBLP*, n.d. (New York Public Library for the Performing Arts: Billy Rose Theatre Collection, New York Public Library for the Performing Arts (hereafter BRTC); microfilm, vol 3-5.

<sup>64</sup> Slide, *The Big V*, 85-86.

<sup>65</sup> Douglas, "Movie Stars of 1907 Got \$30 per Week," *Eagle*, Feb 21, 1933, 15.

Unlike other MPPC-licensed companies – which typically provided exhibitors with a preselected listing of programs – Vitagraph offered its exhibitors a broad selection of subjects based on the request of its audience. Blackton and Smith supervised the “Personally Picked Program,” and allowed the exhibitor “a well-balanced evening’s entertainment composed of comedy and drama.”<sup>66</sup> An editorial written by Blackton and Smith in the *Vitagraph Bulletin* explains the exhibitor’s new role, “Heretofore you have had to take other productions in conjunction with Vitagraph releases. Heretofore it has been necessary to accept other makes of film in order to get Vitagraph subjects. Heretofore you had no opportunity of picking the subjects you desired. Now you can give the public what it demands.”<sup>67</sup>

#### Racism and Anti-Semitism in Vitagraph Films

The economic and social diversity of central Brooklyn contributed greatly to Blackton and Smith’s decision to pursue a policy of developing quality films that appealed to all members of the social spectrum. Aside from hiring people from the surrounding community as extras, and incorporating local homes and businesses into many of Vitagraph’s films, many of the studio’s writers and technicians also were Brooklyn natives. At the time of the construction of the studio in Midwood, much of central Brooklyn’s population consisted of Anglo-Saxon protestant groups who had inhabited the area for generations. By the mid 1910s, Midwood experienced a population explosion.<sup>68</sup> Anthony Slide suggests that Blackton and Smith partook in a degree of exclusionism when it came to selecting members of Vitagraph’s staff, particularly in regards to Midwood’s growing Jewish population. He even argues that Blackton’s anti-Semitism ultimately

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<sup>66</sup> Blackton, “Evening’s Entertainment,” *VBLP*, n.d. BRTC: microfilm, vol-3-5.

<sup>67</sup> Smith, “A Personally Picked Program,” *VBLP*, n.d., BRTC: microfilm, vol 3-5.

<sup>68</sup> Ment, *Building Blocks of Brooklyn*, 24-25.

led to Vitagraph's downfall: "The company was almost a stigma to the Jewish producers who had been denied admission to the early film industry by the likes of Smith and Blackton."<sup>69</sup>

Several of the company's earliest film subjects openly portrayed racist caricatures of various ethnic groups. One film in particular entitled *Cohen and Coon* (1906) contains one of Blackton's chalkboard caricatures that contain the words "Cohen" and "Coon" on the board, then proceeds to show both characters transform into racially exaggerated stereotypes of the other.<sup>70</sup>

Marian Blackton Trimble recalled that although her father was anti-Semitic, he never made his views apparent except in occasional close-family conversations. She adamantly argued that he did not voice his opinion in the studio.<sup>71</sup> Blackton would further quiet his prejudices as Midwood's demographics began to change. In 1903 with the Williamsburg Bridge – known by locals as the "Jew's Bridge" – brought an influx of Jewish, Italian, and Scandinavian immigrants from the tenements in Manhattan's Lower East Side to northern and central Brooklyn. More than any group, the Jewish migration into Midwood resulted in the largest compositional change in the neighborhood's population.<sup>72</sup> Midwood's growing Jewish population significantly influenced how Vitagraph depicted Jewish life on the screen. Several Vitagraph subjects produced in the 1910s reflect the studio's efforts to attract Jewish viewership.<sup>73</sup> A review of the Vitagraph film, *The Daughter of Israel* (1914) credited the film with containing a "sympathetic interpretation,

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<sup>69</sup> Slide, *The Big V*, 2.

<sup>70</sup> Erens, 31; Siobhan B. Somerville, *Queering the Color Line: Race and the Invention of Homosexuality in American Culture* (Durham, NC: Duke University Press, 2000), 52.

<sup>71</sup> Trimble, *J. Stuart Blackton*, 87.

<sup>72</sup> Willensky, 104.

<sup>73</sup> Urrichio and Pearson, "You Can Make the Life of Moses Your Lifesaver: Vitagraph's Biblical Blockbuster," in *Un Invention du Diable? Cinema des Premiers Temps et Religion*, eds. Fredric Cosandey, Andre Gaundreault, and Tom Gunning (Sainte Foy, FR: Les Presses de l'Universite Laval and Lausanne, 1992), 197-211.

devoid of any exaggeration, and likewise devoid of offense for any one.”<sup>74</sup> An advertisement for the Vitagraph feature *A Prince in the Pawnshop* (1916) depicted the film as “a tenderly beautiful story of a man who loved his neighbor as himself.”<sup>75</sup> In spite of Vitagraph’s half-hearted efforts to positively portray Jewish characters in the company’s films, several of its films remained the subject of controversy.

In 1915 the Jewish Social Service filed a complaint against Vitagraph to the National Board of Review regarding a film depicting a stereotypical Jewish character about to set fire to a business.<sup>76</sup> Although Vitagraph’s later films show a concerted effort toward attracting Jewish audiences, it seems as if the company experienced a degree of difficulty in overcoming past prejudices. Blackton and Smith sought to garner the approval and adoration of middle-class audiences by providing them with an integrated program of live action performances and motion picture exhibitions at their local theaters. One way in which Vitagraph filmmakers were able to support their films was by promoting their matinee idols at nearby theaters. Between the years 1905 and 1920, several of the early motion picture industry’s motion picture industry’s most recognizable names were showcased in live venues throughout the Borough of Brooklyn.

### The “Vitagraph Girl,” “The Lover,” and “The Bunny”

What distinguished Vitagraph from its competitors was its promotion of company stock players in feature films. Starting as early as 1909 moviegoers began sending in “fan letters” to motion pictures and trade periodicals, in an effort to make contact with their favorite matinee idols. Prior to 1909, actors were seldom mentioned by name either in the film’s credit or

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<sup>74</sup> George Blaisdell, “A Daughter of Israel,” *MPW*, Dec 26, 1914, 1851.

<sup>75</sup> “Coming Features of Greater Vitagraph,” *MPW*, Sept 30, 1916, 2072.

<sup>76</sup> Maurice Simmons, “Objectionable Films,” 6 no. 1, *Jewish Charities* (August, 1915): 61.

promotional pamphlets. Many studios had the well warranted concern that if a leading player became too well known, then he or she would demand more money.<sup>77</sup> In the case of Vitagraph, as early as 1907 Blackton and Smith recognized that the drawing power of identifiable actors offered a greater payout than its cost.

VCA was able to keep its lead actors and head staff satisfied by paying a fixed salary of thirty dollars per week to all “top tier” Vitagraph personnel.<sup>78</sup> As a fan culture began to develop around several of Vitagraph’s standout actors, Blackton and Smith’s fixed salary policy gave way to a merit-based salary. Albert Smith claimed that for much of Vitagraph’s early history no written contract existed between the artists and employers. In addition to their role as performers, Vitagraph’s early stars were required to assist in the building and painting of sets, as well as sewing costumes and arranging set pieces. As several of Vitagraph’s leading actors began to achieve fame, such tasks were deemed to be beneath them. Additionally as leading actors and actresses requested a higher salary, the need for a legally binding contract soon supplanted the company’s previous “handshake agreement policy.”<sup>79</sup>

Florence Turner was the first actress to sign a contract with the Vitagraph Company. Known to the public as “The Vitagraph Girl,” Turner’s name became synonymous with the studio and its productions. Considered to be the “the very first screen star.” Turner’s face was one of the most popular and easily identifiable in the United States.<sup>80</sup> According to a poll conducted by *Moving Picture World* in a 1912, Turner was voted “America’s favorite movie

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<sup>77</sup> Gunning, *D.W. Griffith and the Origins of American Narrative Film: The Early Years at Biograph* (Urbana, IL: University of Illinois Press, 1991), 145-146.

<sup>78</sup> Douglas, “Movie Stars of 1907 Got \$30 per Week,” 15.

<sup>79</sup> Smith and Koury, 187.

<sup>80</sup> Higashi, “Vitagraph Stardom,” 278; Richard deCordova, *Picture Personalities: The Emergence of the Star System in America* (Urbana, IL: University of Illinois Press, 2001), 40.



actress,” receiving over twice the number of votes as her closest competitor, “America’s Sweetheart” Mary Pickford.<sup>81</sup> In addition to her role as matinee idol, she also worked for the studio as an accountant, bookkeeper, script supervisor, costumer, painter, an occasional cook at the studio restaurant, and later became a writer and director in her own right.<sup>82</sup>

J. Stuart Blackton discovered Turner in 1907 during a film shoot that took place nearby her family’s home in Sheepshead Bay. She made her first appearance as an actress in Vitagraph’s Shakespeare series.<sup>83</sup> The public learned her name for the first time when it appeared in a January 1909 issue of the nationally circulated *Evening World*, describing her near drowning and the physical and emotional toll of shooting a sequence of daring water rescues off of Brighton Beach.<sup>84</sup> In late 1909, VCA commissioned the creation of a theme song for Turner, aptly titled “The Vitagraph Girl.” Vitagraph further fueled Turner’s celebrity by regularly slipping publicity notices about Turner into popular trade magazines. Often these pieces announced her appearance at several New York City area theatres in connection with the studio’s integrated vaudeville performances. One of the theaters Turner most frequently performed at was Brooklyn’s Saratoga Park Theatre on 952 Halsey Street in Bushwick. During one performance in April 1910, after Turner gave her audience a live-action preview of the film they were about to view, the audience

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<sup>81</sup> Hugh Hoffman, “Florence Turner Comes Back,” *MPW*, May 19, 1912, 622; Keil, “Her American Career,” in Jane Gaines, Radha Vatsal, and Monica Dall’Asta, eds. *Women Film Pioneers Project*, last modified Sept 27, 2013, last accessed Jan 7, 2014, <https://wfpp.cdrc.columbia.edu/pioneer/ccp-florence-turner/>.

<sup>82</sup> Trimble, *J. Stuart Blackton* 38.

<sup>83</sup> Slide, *Silent Players: A Biographical and Autobiographical Study of 100 Silent Film Actors and Actresses* (Lexington, KY: University of Kentucky Press, 2002), 385.

<sup>84</sup> Seeley-Fuller, “Local Promotion of a Picture Personality: A Case Study of the Vitagraph Girl,” in *Watching Films: New Perspectives on Moviegoing, Exhibition and Reception*, eds. Karina Aveyard and Albert Moran (London: Intellect Publishing, 2013), 111.

broke out into a spontaneous rendition of the popular “Vitagraph Girl” theme song.<sup>85</sup>

The success of Florence Turner’s personal appearances in Bushwick inspired Blackton and Smith to send out more of Vitagraph’s players to perform combination shows at theatres throughout the borough. When Turner’s frequent co-star and collaborator Maurice Costello appeared on stage at the Fulton Auditorium on 1298 Fulton Street in November 1910, over 1,600 people attended the live performance.<sup>86</sup> Costello previously performed for the popular Brooklyn’s acting troupe, the Spooner Stock Company. Credited as the “first great screen lover,” Costello came to Vitagraph in 1907 and quickly became a fan favorite for his performances in Vitagraph’s popular Shakespeare series.<sup>87</sup> He followed up the success of his initial performance at the Fulton Auditorium with regular appearances at theatres throughout the borough. Costello was often the featured guest of honor at the openings of many of Brooklyn’s burgeoning movie palaces during the 1910s and 1920s. Most notably, Costello was listed as the feature attraction for the opening of the Nostrand Theatre – Brooklyn’s first movie palace – in 1913.<sup>88</sup>

Another major draw for Vitagraph’s live performances was John Bunny, the first internationally recognized film comedian. Historians argue that Bunny’s comedic style paved the way for the works of future silent comedians such as Charlie Chaplin, Buster Keaton, and Roscoe Arbuckle.<sup>89</sup> His endless variety of facial expressions led *Photoplay* to give Bunny the

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<sup>85</sup> Leslie Crocombe, “The Girl of the Film: Florence Turner,” *Pictures and the Picturegoer*, Jun 6, 1914, 358-360; Slide, *Silent Film Actors and Actresses*, 385; Del Valle, *Brooklyn Theatre Index, Volume I: Adams Street to Lorimer Street* (New York: Theatre Talks LLC, 2010), 379; Seeley-Fuller, 110-111;

<sup>86</sup> Slide, *The Big V*, 39; Del Valle, *Brooklyn Theatre Index, Volume II*, 333-334.

<sup>87</sup> Richard S. Birchard, “Maurice Costello,” *Hollywood Heritage*, last modified 2001, last accessed Jan 9, 2014, <http://www.hollywoodheritage.org/newsarchive/spring01/costello.html>.

<sup>88</sup> George Blaisdell, “At the Sign of the Flaming Arcs,” *MPW*, Nov 8, 1913, 661; Del Valle, *Brooklyn Theatre Index Volume II*, 56-57.

<sup>89</sup> Francis Agnew and Frances May Scheuing, *Motion Picture Acting* (New York: Reliance Newspaper Syndicate, 1913), 95-96; Slide, *Silent Players*, 59; Jerry Dean Mosher, *Weighty Ambitions: Fat Actors and Figurations in American Cinema, 1910-1960* (Ph.D. dissertation, University of California: Los Angeles, 2007), 87-88.

title of “the man of a million faces,” a full decade before Lon Chaney received his lesser moniker, “the man of a thousand faces.”<sup>90</sup> Similar to Maurice Costello, Bunny got his start as a below-average vaudeville performer for various Brooklyn theatre groups. He was hired by Vitagraph in 1910 and made his first appearance in the short *Jack Fat and Jim Slim at Coney Island*. His initial salary was forty dollars per week, and by 1913, Bunny averaged an income of over one thousand dollars per week. Despite his newfound wealth, Bunny never let go of his Brooklyn roots, as he continued to live in his neighborhood home at 1416 Glenwood Road in Flatbush, and became an important pillar in the neighborhood’s cultural community.<sup>91</sup>

Columnist Leslie Hanscom of the *New York World Telegram and Sun* remembered Bunny at the height of his popularity as “the most famous man in the world.” He goes on to state that nearly “every vital event of his life took place in Brooklyn and yet, at his final fade out, there was sorrow in Shanghai and Algiers.”<sup>92</sup> Though Bunny was beloved by moviegoers throughout world, he was notoriously difficult to work with and an incredibly unpopular figure on the Vitagraph lot. He was widely disliked for his abrasive personality and difficult demeanor on set. Bunny came into conflict with nearly every actor and crewmember at Vitagraph studios.<sup>93</sup> According to Anthony Slide’s profile of Bunny, “The animosity generated by John Bunny is almost apparent in his film performances. You know not to like or trust him. He is not your kindly uncle, but more likely the older relative who sexually abuses his nephew or niece while

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<sup>90</sup> Edward Weiss, “The Most Famous Face in the World,” *Brooklyn Bridge Magazine* (Nov, 1997): 14-15.

<sup>91</sup> “The Art of John Bunny,” *Bioscope*, May 6, 1915, 509-510; Slide, *The Big V*, 47; Steve Massa, “An Essay on Vitagraph Comedies,” *Silent Comedy Mafia*, last modified Jun 02, 2009, last accessed Jan 10, 2014, <http://www.silentcomedymafia.com/viewtopic.php?f=5&t=12>.

<sup>92</sup> Hanscom, “John Bunny Made the World Laugh,” *WTS*, Jun 17, 1955, n.p. (Brooklyn Public Library: Motion Picture Collection, Folder 1).

<sup>93</sup> Slide, *The Big V*, 47-48.

offering them candy and chocolates.”<sup>94</sup>

The studio tolerated Bunny’s inappropriate behavior because of the widespread success of his films, promoted by Vitagraph as “Bunnygraphs.” But this only inflated his ego further through consistent promotion and financial rewards for his performances.<sup>95</sup> Vitagraph suffered a significant blow when Bunny died of kidney failure in May 1915. While many members of the Vitagraph family were happy to be rid of his presence at the studio, the press canonized Bunny as one of the first screen performers to die at the height of his popularity. As Bunny’s obituary in the *Dramatic Mirror* stated, “The death of no one on or off the stage has elicited so much gentle comment and regrets as the death of John Bunny. The best of it is that in his case the good he did was not held back from him. If there ever was anyone who did not weary of well doing it was this man whose death came at the season when the harmonies of nature are in sweet accord.”<sup>96</sup> The drawing power of Vitagraph’s first stars brought about a sense of community identity and national pride in Brooklyn based on the prominence of its own hometown heroes.

### Vitagraph’s Decline and Blackton’s “Betrayal”

The success of Vitagraph’s traveling theatre circuit in Brooklyn inspired Blackton and Smith to lease the Criterion Theatre on 44<sup>th</sup> Street and Broadway. The Vitagraph Theatre opened on February 7, 1914 with a combination bill that consisted of two films and a live sketch written by Blackton and performed by Vitagraph regulars James Morrison and Mary Charleston.<sup>97</sup> In an effort to emulate the integrated programs of Roxy Rothafel’s Regent and Strand theatres further

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<sup>94</sup> Slide, *Silent Players*, 60.

<sup>95</sup> Mosher, 88.

<sup>96</sup> “Goodnight John Bunny,” *New York Dramatic Mirror*, May 5, 1915, n.p. (MPCBPL, folder 1); Slide, *The Big V*, 49-50.

<sup>97</sup> Slide, *The Big V*, 62-63.

up on Broadway, Blackton and Smith hired the showman to “stage” the Vitagraph’s exhibition of *The Battle Cry of Peace* (1915). Tickets for the film’s premiere run had ticket sales range in price from twenty-five cents to two dollars.<sup>98</sup> Vitagraph was ahead of its time in terms of developing a vertically integrated business model that controlled the production, distribution, and exhibition of films. However audiences were not yet prepared for an exhibition experience that incorporated only Vitagraph brand films and performances.<sup>99</sup> Additional factors such as the discounted price of exhibitions at the nearby Strand and New York Theaters prevented the Vitagraph Theatre from ever gaining the audience it needed to sustain itself. By January 1916 Blackton and Smith sold Vitagraph Theatre back to its original owner.<sup>100</sup>

The next major blow to the company came in 1915 when many of the members of Vitagraph’s original stock company left to pursue other ventures. Florence Turner left Vitagraph to start her own film company in England. Accusations of spousal abuse caused Maurice Costello’s popularity to decline significantly, resulting in the release of his contract.<sup>101</sup> Many of the actors and actresses hired to fill the gulf left by the loss of Turner, Costello, and Bunny, either were unable to attract the audiences in amounts that their predecessors could, or were poached by the burgeoning production companies of Fox, Famous Players, and Metro. Several of Vitagraph’s remaining box office draws experienced severe personal misfortunes during this time as well. The “Vitagraph Goddess” Anita Stewart suffered a nervous breakdown and was admitted into a sanitarium. At about the same time Anita Stewart took her leave of absence, another promising Vitagraph actress Patsy DeForest, was blinded in an incident where she

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<sup>98</sup> Melnick, *American Showman*, 120.

<sup>99</sup> “The Vitagraph,” *Variety*, Mar 5, 1915.

<sup>100</sup> Slide, *The Big V*, 64.

<sup>101</sup> Birchard, “Maurice Costello,” Keil, “Florence Turner: Her American Career.”

accidentally stared directly into the glare of the studio lights.<sup>102</sup> The year 1916 was a tumultuous year for Vitagraph, in which it both reached the height of its power and influence within the film industry, and experienced a series of significant setbacks that ultimately contributed to the company's sale to Warner Brothers in 1925. In January Blackton and Smith opened a new studio in rural Suffolk County, New York, and placed one of VCA's top billed directors, Thomas Ince in charge of production at the new facility.<sup>103</sup>

In May 1916, Blackton and Smith's longtime business partner and mentor Pop Rock resigned from his position as the president of VCA. He was replaced by the inexperienced and far less savvy Benjamin Hampton. He made a series of poorly calculated business deals, which resulted in Vitagraph surrendering a large percentage of its holdings to rival producer Adolph Zukor of Famous Players.<sup>104</sup> Any additional insights or advice that could have alleviated Vitagraph's financial woes were lost when Pop Rock died of a heart attack on July 27. Rock's obituary in *Moving Picture World* stated, "It was his ability to get good prices for exhibitions and for the rental of film that contributed largely to the ultimate success of the company."<sup>105</sup> At the time of Rock's death he accrued a net worth of over four million dollars, further evidence of his shrewd financial dealings.<sup>106</sup> Vitagraph's loss of Pop Rock, Hampton's financial mismanagement, and Zukor's unchecked purchase Vitagraph's common stock, left the company vulnerable for plunder by rival production companies.<sup>107</sup>

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<sup>102</sup> Slide, *The Big V*, 88.

<sup>103</sup> Christopher Cooke and Thomas Santorelli, "When Long Island Was Hollywood: The Story of the Vitagraph Studio in Bayshore," 13 *North Atlantic Review* (2001): 81-91.

<sup>104</sup> Hampton, 23-24; Slide, *The Big V*, 67-69.

<sup>105</sup> "Death of William T. Rock: Pioneer Picture Man," *MPW*, Aug 12, 1916, 1078.

<sup>106</sup> "Rock Film Pioneer: Leaves \$4,000,000," *Times*, Aug 3, 1916, 11.

<sup>107</sup> J. Stuart Blackton, "The Movies Are Growing Up," *Motion Picture Magazine* (Feb, 1925): 113-114; Slide, *The Big V*, 69.

Vitagraph suffered its greatest blow in June 1917 when J. Stuart Blackton resigned from the studio to pursue independent production. Most likely Blackton's decision to leave Vitagraph was motivated by the company's severe financial problems. It is also suggested that his second wife, Paula Blackton's personal vendetta against Smith's wife, Hazel Neason placed additional strain on the relationship between the two business partners.<sup>108</sup> Shortly after his resignation from Vitagraph, Blackton signed a one-year contract as an independent producer for Famous Players-Lasky. Marian Trimble expressed puzzlement at her father's choice to join the "Jewish controlled" FPL, headed by Adolph Zukor.<sup>109</sup> He initially established his production office at 423 Classon Avenue in Brooklyn, though within a few months Blackton requested a transfer to FPL's studio in Hollywood. Blackton's choice to leave Brooklyn was primarily motivated by the fact that his wife had grown increasingly exhausted of the society life – or lack thereof – that existed in Brooklyn. A high-strung woman, with upper class sensibilities, Paula Blackton felt that "the people of Brooklyn had no culture whatsoever."<sup>110</sup>

#### The Final Years and Sale to Warner Brothers

According to Albert Smith, "Jim Blackton had always been the colorful one in our company."<sup>111</sup> Although Smith claimed that he was well prepared to "taking the initiative in corporate problems," and later claimed that the 1920s were Vitagraph's peak years, the truth was that the company's best years were behind it.<sup>112</sup> In 1919 the General Film Company and VLSE officially folded. By the early 1920s VCA succumbed to the competition of rival producers and

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<sup>108</sup> "Vita Making Changes," *Variety*, Jul 6, 1917, 17; Slide, *The Big V*, 69.

<sup>109</sup> Trimble, *J. Stuart Blackton*, 87.

<sup>110</sup> Trimble, *J. Stuart Blackton*, 96.

<sup>111</sup> Smith and Koury, 262.

<sup>112</sup> *Ibid*, 262.

exhibitors such as William Fox, Marcus Loew, and Adolph Zukor, who were buying up theatres across the city and releasing a far higher yield of motion pictures than Vitagraph. In September 1922, Vitagraph suffered nearly one million dollars in losses from its ongoing competition with FPL.<sup>113</sup> Blackton returned to operate the Vitagraph studio in Santa Monica in April 1923, and gave the struggling company a much-needed shot in the arm by producing several of the company's best productions.<sup>114</sup> Later in life Blackton admitted regret for leaving Vitagraph, a decision motivated by his wife's desire leave Brooklyn. He felt that the highbrow costume dramas that he produced for FPL – and later for Vitagraph in Santa Monica – lacked the charm and personality he found so readily available in Midwood. In a conversation with his daughter during his time in California, Blackton expressed a desire to return to Vitagraphville and work with “real actors capable of feeling emotion and expressing it.”<sup>115</sup>

However by 1923 Midwood was not the same neighborhood as it was in the 1900s and 1910s. In the decade following World War I, roughly 117,000 new residential structures were built and over 260 miles of subway were added to Brooklyn. The completion of the Brighton Beach subway line, as well as the 60<sup>th</sup> Street and Montague Street tunnels, made central Brooklyn increasingly interdependent with Manhattan.<sup>116</sup> In Midwood, the construction of the Brooklyn-Manhattan Transit Company's Culver Line helped to establish a commuter culture within the neighborhood. The influx of Eastern European, Swedish, Italian, and West Indian immigrants into the neighborhood further shifted the dynamics of local politics and business interests, which grew increasingly hostile toward primarily Anglo-Saxon organizations such as

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<sup>113</sup> Lussier, “Vitagraph: Three Men and Their Baby.”

<sup>114</sup> Slide, *The Big V*, 27.

<sup>115</sup> Trimble, *J. Stuart Blackton*, 145.

<sup>116</sup> Willensky, 73-91.



Vitagraph.<sup>117</sup> The urbanization of central Brooklyn caused Vitagraphville to lose its communal atmosphere, and as a result, became increasingly closed off from the community that once helped to sustain it.

In January 1925 Adolph Zukor, now of Paramount Pictures, ordered all of Paramount's theatres to stop exhibiting Vitagraph films. Albert Smith responded by filing an anti-trust suit against his longtime rival. Before the case could go to trial, Will Hays of the Motion Picture Producers and Distributors of America (MPPDA) ordered Smith to withdraw the suit. When Smith refused, Vitagraph was expelled from the MPPDA.<sup>118</sup> The last installment of William Basil Courtney's history of the Vitagraph Company, published on April 18, 1925, concludes with the remark that "the Vitagraph Company is at this moment on the eve of momentous decisions."<sup>119</sup> It was prophetic. Two days later on April 20, Albert Smith signed an agreement with Albert and Harry Warner of Warner Brothers Studio to sell the remainder of Vitagraph's holdings for nearly \$1 million dollars.<sup>120</sup> On April 22, Smith sent a telegram to Blackton in Santa Monica informing him, "We have sold control of Vitagraph to Warner Brothers. I will remain chairman of the board. Everything will continue as formerly."<sup>121</sup>

Blackton went on to make four additional films with Warner Brothers before he was fired from the studio.<sup>122</sup> Smith retired shortly after the sale to Warner Brothers and spent the remainder of his life living off the profits of his company's sale.<sup>123</sup> Warner Brothers continued to

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<sup>117</sup> Ment, *Building Blocks of Brooklyn*, 24-25; David Ment and Mary S. Donovan, *The People of Brooklyn: A History of Two Neighborhoods* (New York: Brooklyn Rediscovery: Educational and Cultural Alliance, 1980), 34.

<sup>118</sup> Slide, *The Big V*, 120-122.

<sup>119</sup> Courtney, "History of Vitagraph," *MPN*, Apr 18, 1925, 1722.

<sup>120</sup> "Pioneer Vitagraph Sold to Warners," *Times*, Apr 23, 1925, 24.

<sup>121</sup> *Ibid*, 24.

<sup>122</sup> Trimble, *J. Stuart Blackton*, 164-165.

<sup>123</sup> Smith and Koury, 276.

use the studio for short talkie films until 1939. Afterward the studio lay dormant until it was rented by NBC in 1952 to be used for color television programs until 1957.<sup>124</sup> Since that time the Midwood studio gradually slipped from public memory. NBC ended its lease in 1957, though the NBC-affiliated production company J.C. Studios continued to produce television programs in Midwood. The cancelation of *As the World Turns* in 2010 has left the oldest standing film studio in the United States in a precarious position.<sup>125</sup> However uncertain the future of the Vitagraph property in Midwood is, what can be assured is that the studio served an as an agent of urban development for the Borough of Brooklyn, and as one of the most important production companies during cinema's silent era.

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<sup>124</sup> Leslie Hanscom, "Talkies Gave Needed Shot in the Arm to Faded Flatbush Film Industry," *WTS*, Jun 23, 1955, n.p. (MPCBPL, folder 2); Matus, "Where the Dream Was Made."

<sup>125</sup> Hutchinson, "Brooklyn Vitaphone Studios May Soon be Bulldozed."

## CONCLUSION: BROOKLYN AFTER THE MOVIES

By the early 1930s, many factors that made the Brooklyn moviegoing experience unique from other urban centers in the United States began to disappear. With the departure of Reverend William Sheafe Chase in 1932, Brooklyn film exhibitors lost their ability to self-censor the content of the films shown in neighborhood theaters.<sup>1</sup> The influence of the Hays Commission and the MPPDA led to the standardization of exhibition practices throughout the United States. In July 1934 the Production Code Administration, set out to regulate the content of the American motion picture industry.<sup>2</sup> The establishment of the Hay's Office effectively put an end to the motion picture exhibitor and local censor's control over the development of customized programs designed for neighborhood audiences.

Despite the popularity of the Fox, Kings, and Paramount theaters along Brooklyn's Fulton-Flatbush district during the late 1920s and early 1930s, the borough's title as "the movie palace capital of America" was soon threatened by the very corporate model that brought it to prominence. By the late 1930s, the Hollywood studio system's integrated business model helped to formulate a unified national moviegoing culture in which the producer and director assumed the primary authorship over the content and quality of the audience's entertainment.<sup>3</sup> Although several New York film studios continued to produce a number of films for "major" studios such as Fox, Paramount, and Warner Brothers well into the 1930s, they were not representative of New York or Brooklyn's local culture in the same way studio productions were during the silent

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<sup>1</sup> "Canon Chase Quits as Brooklyn Pastor," 27.

<sup>2</sup> Thomas Doherty, *Pre-Code Hollywood: Sex, Immorality, and Insurrection in American Cinema, 1930-1934* (New York: Columbia University Press, 1999), 1.

<sup>3</sup> Melnick, *American Showman*, 8-9.

era.<sup>4</sup> After the final exodus of New York film productions to Los Angeles following the onset of World War II, Brooklyn lost a valuable outlet from where it could assert a separate identity from Manhattan and the outer boroughs.<sup>5</sup>

Following Vitagraph's sale to Warner Brothers in 1925, the sense of community culture surrounding the production of motion pictures in Midwood also started to evaporate. Despite the high profile nature of the productions developed in Midwood, few of the neighborhood's twenty-first century inhabitants are aware that a film studio once existed in their backyard.<sup>6</sup> The loss of Midwood's Vitagraphville severed one of the last direct ties between the Brooklyn community and the motion picture industry. By the end of the silent era, many of the producers, showmen, and actors who started their careers in Brooklyn had died, retired, or moved west to Hollywood. The community they left behind was unrecognizable from the Brooklyn where the first motion pictures were exhibited during the last decade of the late nineteenth century and first decades of the twentieth century.

A major component of Brooklyn's recent history ways is rooted in understanding the way that the borough has changed over time, both in a physical and demographic sense.<sup>7</sup> For example, until the early 1920s Kings County continued to be a major Republican stronghold. After 1927 Brooklyn's Democratic party under the leadership of the Irish-Catholic John H. McCooey took control of all major county offices. Known as the "King of Kings County," McCooey's rise to political prominence represented a fundamental shift in both Brooklyn's

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<sup>4</sup> Koszarski, *Hollywood on the Hudson*, vii-viii.

<sup>5</sup> *Ibid*, 494.

<sup>6</sup> Hutchinson, "Brooklyn Vitaphone Studios May Soon be Bulldozed."

<sup>7</sup> Ment and Donavan, *The People of Brooklyn*, 83.

ethnic make-up and political leanings.<sup>8</sup> In subsequent decades, a wide array of working class immigrant groups settled much of Brooklyn's outer fringes, which significantly changed the social and political dynamics of the borough. The shift was so profound that famed urban planner Robert Moses often referred to Brooklyn as "a banana republic open for colonist exploitation."<sup>9</sup> This view is reflected in the subsequent migration of many middle-class families outward to the emerging suburbs of Westchester County and Eastern Long Island.

Much of Brooklyn's population during the latter half of the twentieth century had limited direct ties to the borough. This was especially true in neighborhoods located in central and southern Brooklyn, such as Bedford-Stuyvesant, Sunset Park, and Flatbush. These were areas that at the beginning of the twentieth century functioned as a refuge for upper-and middle-class families. By the 1940s a mix of working-class families from a wide array of groups from outside of Brooklyn started to settle into the area. Because these newcomers had no direct ties to Brooklyn's distinct cultural heritage, the goal instead was for Brooklyn's newest citizens to assimilate into the wider framework of American society and culture.<sup>10</sup> The loss of Brooklyn's sense of individual identity was compounded further in the 1950s, first with the closure of the *Brooklyn Daily Eagle* in 1955, then with the departure of the Brooklyn Dodgers in 1957. During this time many of Brooklyn's older families had moved to the suburbs and were replaced by an influx of newcomers without any personal connections to the borough's proud history. This demographic shift in conjunction with the borough's urban expansion between the 1920s and 1950s completed Brooklyn's absorption into the Greater City of New York.

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<sup>8</sup> Willensky, *When Brooklyn Was the World*, 104.

<sup>9</sup> *Ibid*, 228.

<sup>10</sup> Ment and Donovan, *The People of Brooklyn*, 31-33, 59.

In the decades immediately following “The Great Mistake of 1898,” many of Brooklyn’s religious leaders, politicians, entrepreneurs, and civic leaders actively resisted efforts made by Manhattan’s social, political, and cultural elite to integrate the two cities into a unified culture. The burgeoning medium of cinema served as the strongest outlet through which Brooklynites could protest consolidation. As the motion picture industry grew and evolved so too did the Borough of Brooklyn. The changes in the borough’s demographics are also reflected in the way its inhabitants interacted with the motion picture as a socializing agent. With each generation succeeding the 1898 consolidation, Brooklynites increasingly disassociated themselves from the former City of Brooklyn and started to identify themselves more and more with the Greater City of New York. This study of motion picture exhibition and spectatorship in Brooklyn between 1893 and 1928 serves as a significant example of just how the study of early motion picture history can help to explain wider trends in urban development in New York during the late nineteenth and early twentieth centuries. Furthermore, using the Borough of Brooklyn as a case study within the wider framework of the emergence of mass entertainment in the United States, we can develop a greater understanding of how popular amusements were able to shape an urban center’s sense of identity.

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