University of North Dakota
UND Scholarly Commons

Theses and Dissertations | Theses, Dissertations, and Senior Projects

8-1-1995

Fact, Fiction, Film: Rex Beach and the Spoilers

James R. Belpedio

How does access to this work benefit you? Let us know!

Follow this and additional works at: https://commons.und.edu/theses

Recommended Citation
Belpedio, James R., "Fact, Fiction, Film: Rex Beach and the Spoilers" (1995). *Theses and Dissertations*. 3776.
https://commons.und.edu/theses/3776

This Dissertation is brought to you for free and open access by the Theses, Dissertations, and Senior Projects at UND Scholarly Commons. It has been accepted for inclusion in Theses and Dissertations by an authorized administrator of UND Scholarly Commons. For more information, please contact und.commons@library.und.edu.

FACT, FICTION, FILM:

REX BEACH AND THE SPOILERS

by

James R. Belpedio
Associate in Science, Mesabi State College, 1962
Bachelor of Science, Bemidji State University, 1964
Master of Arts, Eastern Michigan University, 1971

A Doctoral Research Paper

Submitted to the Graduate Faculty

of the

University of North Dakota

in Partial Fulfillment of the

Requirements for the degree of

Doctor of Arts

Grand Forks, North Dakota
August
1995

1995
B418

Copyright © by

James R. Belpedio

1995

This research paper, submitted by James R. Belpedio in partial fulfillment of the requirements for the Degree of Doctor of Arts from the University of North Dakota, has been read by the Faculty Advisory Committee under whom the work has been done and is hereby approved.

(Chairperson)

This research paper meets the standard for appearance, conforms to the style and format requirements of the Graduate School of the University of North Dakota, and is hereby approved.

Dean of the Graduate School

July 20, 1995

PERMISSION

Title Fact, Fiction, Film: Rex Beach and The Spoilers

Department History

Degree Doctor of Arts

In presenting this research paper in partial fulfillment of the requirements for a graduate degree from the University of North Dakota, I agree that the library of this University shall make it freely available for inspection. I further agree that permission for extensive copying for scholarly purposes may be granted by the professor who supervised my research work, or in his absence, by the Chairperson of the department or the Dean of the Graduate School. It is understood that any copying or publication or other use of this research paper or part thereof for financial gain shall not be allowed without my written permission. It is also understood that due recognition shall be given to me and to the University of North Dakota in any scholarly use which may be made of any material in my research paper.

Signature [signature]

Date 7-19-95

TABLE OF CONTENTS

ACKNOWLEDGEMENTS

This paper is the culmination of a twenty-five year journey in pursuit of a Doctor of Arts degree. It is, also, the final step in the process of revalidating an entire doctoral program. A number of people have contributed to the success of this effort. Dr. Alexander Belisle, Chairman of Liberal Arts at Becker College, provided the initial impetus to seek the revalidation and he has provided continuing encouragement over the last three years. Similarly President Arnold Weller and Dr. David Bergquist, Academic Dean and Acting Provost, both of Becker College, approved a sabbatical leave and have offered continuing encouragement. Dr. Richard Beringer and Dr. Thomas Howard of the History Department at the University of North Dakota agreed to present a revalidation proposal to the Graduate School. Their approach was not "can we revalidate an entire doctoral program," but "how can we revalidate an entire doctoral program?" Further Dr. Berginer and Dr. Playford Thorsen agreed to serve on my committee, chaired by Dr. D. Jerome Tweton, my original adviser from 1970. Dr. Michael Anderegg of the English Department offered valuable information and assistance regarding film research. Dr. Ronald Engle of the Theater Arts Department offered valuable information about the history of American popular theater. Dr. Theodore Pediliski of the Political Science Department spent many hours translating the Ukrainian linking titles from the 1923 version of

The Spoilers into English. Marlys Kennedy, with great skill and patience, processed this manuscript through countless revisions. And finally, my wife Lesta, and the children, Michael, Lisa, Gina and Cara, and, of course, grandson Christopher, suffered in silence through the many months of my absence.

ABSTRACT

Alexander McKenzie and Rex Beach both traveled to Nome, Alaska, in the summer of 1900 to get rich. McKenzie attempted to steal hundreds of thousands of dollars from the region's gold mines in one of the most outlandish schemes in the history of the American legal system. His plan failed and McKenzie was found guilty of contempt and sentenced to one year in jail. The incident began a twenty year slide in political power until his death in 1922. Rex Beach intended to discover gold, but like McKenzie, he also failed in his attempt. But he found a gold mine of another sort. A mine of stories, anecdotes and colorful characters, plus the details of the McKenzie conspiracy provided the basis for a series of muckraking articles that he published in 1905. This series led to his most popular novel, The Spoilers, published in December, 1905, and a stage production of the same name which appeared briefly in Chicago and New York in 1906 before going on the road. In 1914 the first movie version was released, followed by different versions in 1923, 1930, 1942 and 1955. McKenzie's failure get rich in 1900 thus led to the spectacularly successful career of Rex Beach, who defined the twentieth century popular author by writing a popular story and then exploiting every medium possible to profit from his effort.

CHAPTER I

INTRODUCTION

Gold!

Mere mention of the word sends the adventurous, young and old, off in search of the shiny substance. This inherent drive for power and wealth brought two of these men together, by chance, at Nome, Alaska in the summer of 1900. Rex Beach and Alexander McKenzie never met. When Beach first heard of McKenzie, he was a young prospector who had arrived at Nome, Alaska, hoping to discover gold in the summer of 1900. In March of that year, McKenzie, the "czar" of North Dakota politics, had formed the Alaska Gold Mining Company, of which he was the principal owner.

This corporation secured the rights of persons who had made counter-claims to a number of Alaskan gold mines. With the aid of powerful political friends, McKenzie obtained for his malleable friend, Arthur J. Noyes of Grand Forks, an appointment as the first Federal District Judge to the Territorial Court of Alaska, Nome Department. In June, 1900, upon their arrival in Nome, Noyes appointed McKenzie receiver of certain gold mines whose titles were in dispute. As receiver, McKenzie was ordered to administer the mines and to dispose of all gold subject to the orders of the court. Opposition to this conspiracy by the

original locators, both legal and otherwise, began almost immediately. Later that year, McKenzie, after defying higher court orders, was arrested for contempt and transported to San Francisco for trial. Noyes appeared before the Appeals Court the following year. Both were subsequently convicted. McKenzie was sentenced to consecutive six month terms and Noyes was fined $1,000.00. After serving two months of his sentence, McKenzie was granted a full pardon by President McKinley. While not immediately detrimental to his power and influence, the Alaska venture sparked an outright successful revolt among North Dakota voters in 1906 which greatly diminished McKenzie's role. He would never again wield the power that he exercised before 1900.

Rex Beach wrote a series of muckraking articles entitled "The Looting of Alaska", which appeared in Appleton's Booklovers' Magazine from January to May in 1905, exposing the entire scheme. He subsequently published his best-selling novel, The Spoilers, in 1905. It is a fictionalized account of the affair, and based on this, he wrote, with James McArthur, a stage play of the same name. The play premiered in Chicago during November of 1906 and then played a limited run on Broadway in March of 1907 to somewhat less than enthusiastic reviews. It then went on tour for about two years and returned handsome profits to the authors.

In 1914, Beach concluded an arrangement with Col. William N. Selig, and the first film version of The Spoilers was released. It premiered in Chicago in March and on April 16, it was the premier film that opened the new Strand

Theater in New York to enthusiastic audience response. At nine reels, it was one of the first feature length films, pre-dating Birth of a Nation by some nine months. In 1916, The Spoilers was reissued in a twelve reel version, again to enthusiastic response. Always alert to profit potential, Rex Beach wisely retained the rights to his work, negotiating a percentage of the take for this film and the later versions. Goldwyn released the 1923 remake, starring Anna Q. Nilsson and Noah Beery. Paramount released the first sound version of The Spoilers in 1930 with Gary Cooper and William "Stage" Boyd in leading roles. The 1942 production by Universal starred John Wayne, Randolph Scott and Marlene Dietrich, and, to date, remains the most famous rendition of the story and the only one available on videotape. Universal released the fifth and final remake in 1955 in color. It starred Anne Baxter, Jeff Chandler and Rory Calhoun.

This study will attempt a small number of modest additions to the history of the Cape Nome Conspiracy and its subsequent depiction in various media. It will provide an analysis and critical review of the stage play for the first time. It will correct a number of misrepresentations about the film versions, particularly the 1914 version and the 1923 version. It will explain the role of Rex Beach in defining the Twentieth Century popular author, who recognizes the limits of his ability, develops a loyal following and who exploits every medium available in order to increase profits. It will briefly assess Rex Beach's role in presenting an image of Alaska to the American reading and film-going public. It will attempt to

place all aspects of this remarkable series of happenings into a semblance of historical context by analyzing the transition of the story from actual incidents to muckraking articles to novel to stage play to film. It will furthermore concentrate on Rex Beach and his role in the creation of the various adaptations.

This study will not focus on the original conspiracy at Nome. That ground has been covered adequately by other historians cited in Endnote #1 of Chapter One. It will not focus on Alexander McKenzie or his career beyond his involvement at Nome in the summer of 1900. That, too, has been carefully and thoroughly worked over by others, as cited in the same endnote.

CHAPTER II

THE CAPE NOME CONSPIRACY

Discovery Claim, on Anvil Creek in the Nome District, was located on September 22, 1898 by John Brynteson and Eric Lindblom, two Swedes who were naturalized Americans, and Jafet Lindeberg, a Norwegian who previously had declared his intention to declare American citizenship before a United States Commissioner, although existing law denied U.S. Commissioners the authority of recording initial citizenship papers. This misunderstanding of the law brought about the Cape Nome Conspiracy within two years (1).

The original locators staked out their claims in twenty acre lots along the creek. The law required, also, that one claim per creek was allowed each man except that the locator of the discovery claim was allowed one additional claim, and that claims could be filed by power of attorney (2). The latter provision meant that prospectors on the site could stake claims for friends and financial backers who might never see the location. The mistaken belief that the original locators were aliens additionally caused a great deal of anger in the summer of 1899 among the later arrivals, who found all of the choice mining sites already claimed. They believed that they had been frozen out unfairly by foreigners and

speculators with the result that most of the original claims were challenged by claim jumpers by late summer of 1899.

One person who perceived future possibilities in this situation was O.P. Hubbard, who, along with H.T. Hume of Montana and E.R. Beeman opened a law firm in Nome in 1899 and immediately began to represent the claim jumpers. In March of 1900, Hubbard met with Alexander McKenzie at the Everett House in New York City. Present at this meeting was Henry C. Hansbrough, U.S. Senator from North Dakota, a McKenzie man, and Robert Chipps, who had challenged the Discovery claim. These men, along with still unknown powerful and influential backers, formed a mining syndicate called the Alaska Gold Mining Company with Alexander McKenzie as president and H.O. Hubbard as secretary. It was organized as an Arizona corporation and listed capitalization at $15,000,000.00. Fifty-one percent of the stock was held by McKenzie and his backers and the remainder was used to purchase some one hundred jumper claims to the most lucrative mines in the Nome area, with the exception of the Discovery claim, which Chipps deeded to McKenzie personally (3).

At this point the officers of the company directed their attention to Congress which was debating the proposed Alaska Civil Code, to establish permanent rules governing mining operations. The code would also set up the U.S. territorial courts for Alaska in order to bring some semblance of order to this forbidding frontier to which thousands of prospectors and the usual frontier types

were traveling. This, in turn, demanded that Congress pass the bill without undue delay (4).

Some time in March or April, McKenzie, Hubbard and Chipps arrived in Washington where they met at the Raleigh Hotel, with Senators Carter of Montana and Hansbrough of North Dakota, and also with Arthur H. Noyes of St. Paul, an attorney formerly from Grand Forks, and C.L. Vawter, who later was appointed U.S. Marshal for Nome (5).

Concurrent with their presence at Washington, Senator Hansbrough introduced the Hansbrough Amendment to the Alaska Bill on March 26. This amendment would prevent aliens from locating, holding or conveying mining claims in Alaska. It was an attempt to dispossess the original locators of mining claims in a retroactive proceeding (6). It was common practice for prospectors to search for gold, not to mine it. They hoped to make the big strike and then sell it for a handsome sum to a corporation with the funds to supply the equipment and labor required to remove the gold from the ground. Since most of the original claims had been sold, and some resold, the amendment would have created a maze of litigation that would have gone on for years. The Hansbrough Amendment was an audacious attempt to legitimize the jumper claims to the richest gold mines in the Nome area (7). But the Hansbrough Amendment failed to pass largely because of vehement opposition from Senators Henry M. Teller of Colorado, John C. Spooner of Wisconsin, William B. Gate of Tennessee,

William M. Stewart of Nevada, and Knute Nelson of Minnesota, all from mining states (8).

Having failed to gain possession of these properties by the Hansbrough Amendment, the McKenzie faction launched an even bolder scheme. This involved a manipulation of the revised judicial system that the Alaska Civil Code provided for the territory. The code divided Alaska into three judicial departments, each with an appointed district judge and a court staff, which included a U.S. Attorney, a U.S. Marshal, a U.S. Commissioner and a Clerk of Court. It further provided that the 9th Circuit Court of Appeals at San Francisco would have appellate jurisdiction over the activities of the three territorial courts. Certainly with the intervention of McKenzie, Hansbrough, Carter and others whose names will never be known (9), William McKinley appointed Arthur H. Noyes judge for the Second Judicial District of Alaska, in which Nome was located. The judge would sit at St. Michael, one hundred twenty miles distant from Nome, but court could be held anywhere in the district upon thirty days' notice. Senator Carter's influence resulted in the appointments of Joseph K. Wood, a Grand Forks lawyer originally from Montana, as United States Attorney for the district, and the aforementioned C.L. Vawter, also from Montana, as the United States Marshal. Senator Carter's brother-in-law, James L. Galen, was appointed United States Commissioner (10).

In June, McKenzie, Noyes, Chipps, Hubbard and the other appointees sailed from Seattle to Nome on The Senator, arriving on the 19th. McKenzie

disembarked that day, but because of stormy conditions, Noyes and the others stayed on board until the 21st (11).

McKenzie went immediately to the office of Hubbard, Beeman and Hume, the attorneys who represented the bulk of the jumper claims. He forced the partners to turn over one-half of the firm to him, which he then shared with Wood and Noyes. In reality the firm could have been renamed Hubbard, Beeman, Hume, McKenzie, Noyes and Wood! When Judge Noyes disembarked on June 21st he summarily issued an order which appointed Alexander McKenzie the receiver for the five largest mines whose claims were in dispute. Thus, McKenzie, who, as president of the Alaska Gold Mining Company, owned the jumper claims which his own law firm represented, now became the receiver for the mines whose claims had been jumped. This was a legal manipulation that remains to this day unsurpassed in the annals of the federal judiciary. But Noyes went even further. When the original locators protested McKenzie's appointment as receiver, Noyes issued an injunction authorizing the receiver to seize not only the realty, but also the personalty of the miners, their beds, tools, gold dust obtained from other claims, books and other items. This proved to be a major blunder. The appointment of a receiver was not subject to appeal, but the injunctive order was appealable. It would create the basis for the appeals which eventually would defeat McKenzie and Noyes.

The papers were drawn and signed by 6:00 pm on June 23rd. They were served, and the miners ejected from their premises, before midnight,

some chased half dressed from their beds. The takeover was accomplished with alarming efficiency. By morning the most valuable properties along Anvil Creek were in the hands of the man who owned the jumper's claims (12).

The original claim owners did not sit idly by while their properties were seized. Discovery Mine, the richest of the locations, was owned by the Pioneer Mining Company which was organized by John Brynteson, Eric Lindblom and Jafet Lindeberg, the original locators of the mine. Among the attorneys representing the company were Charles S. Johnson, former U.S. District Judge for Alaska, and William Metson, a California mining authority. The case of Chipps v. Lindeberg, then, was the primary case among the several actions that proceeded from the McKenzie receivership. The other actions involved the claims against Mine Number I on Nakkeli Gulch, Mine Number 10 above Discovery, and Mine Number 2 below Discovery on Anvil Creek. These claims were the property of the Wild Goose Mining and Trading Company, a San Francisco firm which Charles D. Lane, a former Forty-Niner, controlled. The attorneys for the Lane Group included Samuel Knight, who like Metson, was a fearless adversary who would do much to bring down McKenzie (13).

In response to the appointment of McKenzie, the defendants, led by Attorneys Metson and Knight began preparing appeals to the order. Judge Noyes rebuffed them in a series of hearings in which they graphically pointed out the judge's errors and vigorously presented strong arguments for a bill of

exceptions. The judge disallowed any and all proposed challenges to his order. The situation for the defendants was at a crisis point. Their property was being mined by a receiver who owned the jumper's claims. The court refused any and all attempts to vacate his appointment. Also, the court had confiscated miners' personal property as well. On August 15, 1900, Judge Noyes denied an application for appeal to the Circuit Court at San Francisco. Had the original locators been simple miners of limited means with ordinary legal advice they might have gone down in defeat at this juncture. But their attorneys decided to appeal directly to the Court of Appeals for the Ninth Circuit at San Francisco. Affidavits of appeal were drawn up. In order to prepare the appeals Metson and Knight were forced to consult the court records at Nome. This tipped off the McKenzie forces that the actions of Judge Noyes were being challenged. They mounted a two pronged assault against the appeal. James L. Galen, Senator Carter's brother-in-law, was sent to the States in an attempt to head off the appeal, first by contacting Senator Carter and requesting his office to influence the court; and second, by filing writs, affidavits and other documents with the court to stop the process if possible. The attempt failed. The Circuit Court, upon the posting of bonds of $20,000 to $35,000 in the respective cases, issued writs of supersedeas, which vacated all of Judge Noyes' decrees and ordered the return of all property to the defendants (14). The order allowing the appeal and granting the writ was signed by Judge William Morrow on August 27, 1900, and it was filed on the same day by the clerk (15). The writ and order arrived at

Nome on September 14. They were served on Judge Noyes at about 11:00 A.M. and on McKenzie at about 3:00 P.M. McKenzie's counsel, Thomas J. Geary expressed the opinion that the writs were void, possibly forgeries. Judge Noyes sustained this opinion the next day, the 15th, and refused to carry out the terms of the writs.

To be sure, news of the arrival of these processes spread throughout the camp like a prairie fire. When both Noyes and McKenzie refused to obey the orders of the Court of Appeals, the defendants in the cases began to fear that they might lose everything. Hundreds of thousands of dollars of their gold had been stripped from their locations by McKenzie and his men. The miners took the precaution of placing men at the bank to guard the gold against any attempt to remove it. Attorney Knight recalled later that he had gone to the bank on the evening of the 14th and found a large confrontation between the miners and McKenzie's men. McKenzie had gone there ostensibly to extract gold from a location other than the ones in dispute in the cases appealed. At this point the crowd became loud and threatening and McKenzie, apparently cornered, strode out through the crowd, now convinced that the miners were not about to put up with his activities much longer (16).

Attorney Metson later recalled that when the writs arrived and Judge Noyes refused to comply with the orders, the defendants decided to enforce the writs themselves. They went to the mines, gave the McKenzie people ten minutes to leave the claims, "but McKenzie's men were a little slow and a gun

went off. Instantly they made great speed." Subsequently, Attorney Metson was summoned to the army barracks by Major Van Arsdale where he was confronted by McKenzie and accused of illegally taking possession of Discovery, Number One above and Number One below on Anvil Creek. Metson replied that if anyone was doing the stealing, it was McKenzie and his boys. The argument became heated and both he and McKenzie went for their guns before the soldiers and other men in the room subdued them. When tempers cooled, McKenzie asked Metson to go with him to his office where he offered Metson one million dollars to back away from the controversy. Metson was prepared to shoot it out with McKenzie at this point when Charles Lane arrived at the door with some of his men and Metson "had a chance to retire." While no further violence occurred, this incident was part of the basis for the climactic fist fight in the book, the play and all five movie versions (17).

When Judge Noyes refused to honor the writs, the commanding officer of the troops at Nome ordered his men to take control of all gold in dispute until the courts could sort out the legal jumble. Captain Charles G. French interpreted the writs of supersedeas as being court orders and that, without specific orders, he was not authorized to enforce them. The best he could do was to maintain the status quo. Neither side was pleased with the situation, but as events turned out, it probably was the proper action to take. Nevertheless, it allowed McKenzie to maintain some control over the dust and it denied access to the original locators. The situation at Nome remained tense for a month.

In the meantime, the Lane people had dispatched another lawyer to San Francisco to bring a second appeal before the Court of Appeals. On October 15, 1900, two United States Marshals, George H. Burnham and S.P. Monckton arrived at Nome with orders to enforce the previous writs of supersedeas, return the gold and personalty to the original locators, and also to arrest McKenzie and transport him to San Francisco to answer contempt charges (18). McKenzie refused to surrender the keys to the vaults so the marshals broke them open and gave $200,000 of gold dust back to the defendants (19).

Subsequently, the following summer, 1901, Judge Noyes, District Attorney Wood and two others were ordered to appear before the Court of Appeals at San Francisco to show cause why they should not be penalized for contempt. After a lengthy hearing, Judge Noyes was found in contempt and fined $1,000. He was thereupon removed from the bench by President Theodore Roosevelt (20). Wood was sentenced to four months in jail (21). McKenzie was found in contempt of court on two separate counts and sentenced to six months on each count, which he began serving at the Alameda County jail on February 13, 1901. He appealed his conviction to the United States Supreme Court and on March 25, 1901, the high court upheld the action of the Court of Appeals. Having exhausted his legal route to freedom, he applied for an executive pardon. President William McKinley granted him a full pardon on May 27, 1901. McKenzie served a total of three months and two weeks (22). The

Court of Appeals also found for the original locators in all other actions brought before them from Judge Noyes' court (23).

Notes: Conspiracy

Notes:

(1) The Cape Nome Conspiracy of 1900 has generated a number of excellent studies. Waldemar Lillo, "The Alaska Gold Mining Company and the Cape Nome Conspiracy," 1935 is a massive comprehensive treatment of the many aspects of the events and it remains the standard work on the subject. Joseph W. Jackson, "Bismarck Boomer: The Amazing Career of Alexander MacKenzie" devotes three chapters to the Cape Nome Conspiracy and is relatively comprehensive. Rex E. Beach, "The Looting of Alaska," Appleton's Booklover's Magazine. Vol. 7, (January to May, 1905), pp; 3-12, 131-140, 294-301, 540-547, 606-613, is also a comprehensive account based on the Washington Post series, Feb. 2, 3 and 4, 1902, United States Supreme Court and Court of Appeals opinions in the various court decisions, and the 29 page survey of the conspiracy printed in The Congressional Record. Robert Wilkins, "Alexander McKenzie and the Politics of Bossism" (1981) is a well written summary of McKenzie's remarkable career. Judge William Morrow, "The Spoilers," 1916, reviews Beach's coverage of the events, while James Wickersham, Old Yukon, devotes a number of chapters to the subject. Wickersham was appointed by Theodore Roosevelt to replace Judge Noyes in Nome District. David B. Baglein, "The MacKenzie Era: A Political History of North Dakota" and Terrance Michael Cole, "A History of the Nome Gold Rush, 1983" also contain new and useful material, largely from newspaper sources in North Dakota and Alaska. Frank E. Buske, "The Wilderness, the Frontier and the Literature of Alaska to 1914" (1983); Susan Hackley Johnson, "When Movie Makers Look North" (1979) and Frank Norris, "Hollywood and the Image of the North Country" (1991) contain helpful information about literary and cinematic treatment of the Nome events.

(2) Mining laws for placer mines and lode mines were different, and at the time the Anvil Creek sites were claimed, Alaska had no territorial law governing such operations. The laws of Oregon were established as the law governing mining operations there until permanent territorial law could be enacted. Placer mines are locations on which the gold or other metal has been deposited- or placed- by another force of nature, such as a glacier or a river. The ore lies close to the surface and is easily extracted. In a lode mine, the ore lies far beneath the surface in veins and it usually can be reached only by underground tunnels.

(3) Lillo, "Alaska Gold Mining Company," pp. 41-55.

(4) Ibid., pp. 46-47.

(5) Ibid., pp. 48-49.

(6) Congressional Record-Senate, 56th Congress, 1902, p. 1291, debate between Senators Tillman and Hansbrough.

(7) Congressional Record, 56th Congress, 1st Session, p. 4376.

(8) Lillo, "Alaska Gold Mining Company", pp. 69-132, 139-142; Morrow, "The Spoilers", p. 102.

(9) Robert P. Wilkins, in "Alexander McKenzie and the Politics of Bossism," claims that one political actor close to McKenzie alleged that James J. Hill, J.P. Morgan, Senator Simon Guggenheim of Colorado, and Senator Thomas Platt of New York were part of the scheme, and that President William McKinley knew of the scheme. Wilkins, p. 17.

(10) Wilkins, "Alexander McKenzie," p. 17.

(11) Lillo, "Alaska Gold Mining Company," p. 147.

(12) Ibid., pp. 163-164.

(13) Lillo, "Alaska Gold Mining Company", pp. 173-174, pp. 173-174, Wilkins, "Alexander McKenzie", p. 18 Jackson, "Bismarck Boomer", p. 205. See also Chipps vs. Lindeberg, et al. It was the primary case involving Discovery claim against the Pioneer Mining Co. Webster vs. Nackkeli, Melsing vs. Tornanses and Rogers vs. Kjellman were the cases against the Lane Faction.

(14) Lillo, "Alaska Gold Mining Company", pp. 173-199.

(15) Ibid., p. 227.

(16) Ibid., p. 237.

(17) Ibid., pp. 334-335, letter from William Metson.

(18) Lillo, "Alaska Gold Mining Company", p. 255, Wilkins "Alexander McKenzie", p. 19.

(19) "Wilkins, Alexander McKenzie", p. 20.

(20) The removal of a territorial judge by the President is constitutional. Congress has power under Article IV, Sec. 3, "to... make all needful rules respecting the territory and other property belonging to the United States." The organic law of 1900 establishing the courts for Alaska was passed under Congress' Art IV powers regarding the territory of the United States, not under the Article III power to create inferior courts. The Article III provision allowing judges to serve during good behavior, subject only to impeachment and removal by Congress, did not apply to Judge Noyes.

(21) In Re Noyes, In Re Wood, In Re Geary, In Re Frost (1902) 121 Fed. 209, 213.

(22) In Re McKenzie (1901) 180 U.S. 536; 45L Ed 657; 21 Sup. Ct. Rep. 468.

(23) Chipps and McKenzie, Receiver, v. Lindeberg (1901) 179 US 686, 21 Sup. Ct. Rep. 919; Tornanses v. Melsing (1901) 106 Fed. 775; Anderson v. Comptois (1901) 108 Fed. 985; Lindeberg v. Chipps (1901), Lindeberg v. Requa (1901) 108 Fed. 988; Kjellman v. Rogers, Nackkeli v. Webster (1901) 109 Fed 1061; Tornanses v. Melsing (1901) 109 Fed. 710.

CHAPTER III

THE NOVEL

Rex Beach and Alexander McKenzie never met. When their lives touched briefly in the summer of 1900 at Nome, Alaska, the events there marked the beginning of the final chapter of McKenzie's career as the power broker behind North Dakota politics. From the high point of his power and influence, he began a twenty year slide downward to the defeat of his candidates in the 1906 election, to his death in 1922 at seventy-two. The events there also marked a beginning for Rex Beach and his career as a writer. They provided the background for his first, and most successful novel, The Spoilers, which set in motion one of the most remarkable careers in popular literature.

They were two strong men in an oddly different manner. They represented similar currents of individual initiative, innovative self-reliance, strong willed determination to influence and lead others, and to acquire wealth. McKenzie opted to achieve success by manipulation of the political system and a resort to his version of honest graft. Beach discovered that he could write decent prose, that others would pay to read it, and that by manipulating the popular media, his words and images would bring him seemingly obscene amounts of money throughout his career.

MacKenzie was born in Ontario, Canada, of pioneering Scottish parents, on April 3, 1850. His father, a school teacher, died when Alex was very young. His mother remarried another Scot named McRae and the union produced eight more children. Possibly because of a lack of guidance that his teacher-father, had he lived, might have provided, Alex abandoned education at age eleven and embarked upon a series of adventures that included sailing the Great Lakes, and working on wagon trains and early railroads, finally residing in Edwinton - later Bismarck - in Dakota Territory for some years until 1892. He had become an agent for the Northern Pacific in its dealings with Dakota and Minnesota politicians. It was here that he also learned to write. His lack of education followed him into adult life inhibiting his progress as a businessman until he befriended a Bismarck lawyer named George Flannery who taught him the rudiments of writing and spelling, neither of which Alexander took seriously. His few writings are filled with errors and surviving accounts of McKenzie's business and social contacts indicate that he often advised associates never to put anything in writing. "Never write a letter - walk across the state if necessary, but never write a letter. Sure what you say goes up in smoke, but what you write is before you always" (1).

Rex Ellingwood Beach was born in Atwood, Michigan on September 1, 1877, youngest son of farming parents on a "stumpy" fruit farm which barely supported the family. When Rex was a small child, the family joined another on a home-made barge and sailed down the Mississippi to the Gulf of Mexico,

finally landing at Tampa Bay in Florida, where the family established another farm. Rex attended Rollins College for three years and left in his final year to move to Chicago to live with his older brother. He attended the College of Law for one year and found that he disliked the prospect of a future dealing with an assortment of deadbeat clients, the kind who retained the services of his brothers. He opted instead for adventure and gold when he read of the first strikes in the Yukon in the summer of 1897. He read everything the newspapers printed about the strike and together with two friends, managed to raise $1000 apiece for a grub stake. They set out for Seattle and points north with the hope of reaching the Klondike and striking it rich. Beach never got to the Klondike. He spent most of his time in Alaska, living from the summer of 1897 to the winter of 1898-1899 at Rampart City. In July of 1899 he set out for Nome, experiencing a number of adventures and meeting a cast full of outlandish characters along his eleven month journey. When he arrived in early June, 1990, Nome was a bustling city of 3,000 people, mostly prospectors like himself, but also conspicuous numbers of adventurers eager for wealth (2). By the end of summer, Nome, perhaps the most isolated city in the western hemisphere, reached a population of 30,000. One observer estimated that in a frontier mining location only one-third were miners. Another third were fugitives, loafers, "idlers and foot-loose wanderers" the type who have big plans but who never succeed in life anywhere. The other third were of the "sporting class", mostly gamblers and prostitutes (3).

While Beach was at Nome, caught up in the attempt to find gold along the shore, he became well aware of the scandalous plot that McKenzie was carrying out to steal the gold from the placer mines along Anvil and Glacier creeks. He was not a direct participant in the affair, but he became aware of enough details from other miners so that, five years later, he was able to formulate a well constructed tale, padded with anecodotes, stories and depictions of a number of colorful characters he had encountered while in Alaska. Of course, this most assuredly did not occur to him at the time.

Upon his return to the States, he learned that a friend had received ten dollars each for several short personal experience insertions in a trade publication. Beach thereupon determined that since he had not discovered gold of any consequence in Alaska, he might have stumbled upon a gold mine of a different sort. He sent off several short stories to McClure's Magazine and was paid fifty dollars each for them. He decided to try this "game" for a while to see if he could make a living at it. S. S. McClure himself met Beach in Chicago and suggested that the stories could be turned into a novel. Remembering the "fracas. . .at Nome," he decided that it could be "a full-bosomed story" complete with "ingenious politicians in Washington, D.C." and their scheme to loot the mines of their gold. It was the "boldest buccaneering raid directed at the North, it threw the country into turmoil and resulted in countless clashes and a hundred melodramatic happenings" (4). He pored over thousands of pages of the Congressional Record, Appeals and Supreme Court proceedings and reports

and the Washington Post's articles on the Nome Conspiracy (5). In writing his story, he found that he had enough factual material to turn out a five part 40,000 word series of muckraking articles that were published in Appelton's Booklovers' Magazine from January through May of 1905. He was able to flesh out the narrative with descriptive background and personal anecdotes from his first hand experiences at Nome (6).

By the time "The Looting of Alaska" began its run, he had half finished his novel The Spoilers. He was persuaded to serialize the novel concurrently with its publication as a "form of national advertising for the book". Serial rights brought Beach $5,000 from Everybody's magazine which began the serial run in six segments from December of 1905 through May of 1906. Harper Brothers released the book in December 1905, and the A.L. Burt and Co. released a less expensive edition in 1906. Prior to this the "Looting" series had generated some interest in the upcoming publication of the novel. As a result The Spoilers reached number eight on the Best Seller List for 1906 (7).

This spectacular success for a first novel determined the course of his future. He would write. It came easy to him. He found it comfortable, natural, "entertaining" and most of all, lucrative. Before happening on the latter revelation, he had considered writing merely as recreation. It amazed him that he could be paid, and paid well, for doing something he thoroughly enjoyed. "I found that I could write, not well perhaps, but as well as I could do anything else I tried," he said. "I knew my stuff was not good" (8).

But it sold. In 1927 Harper Brothers reported that almost 800,000 copies of The Spoilers had been sold by Harper and Burt in the United States. Translated into fourteen languages and licensed overseas, it sold many more copies, although foreign sales figures are unavailable. The events at Nome had launched a successful literary career which would define the twentieth century popular writer, although it would take some decades before Beach's example would be recognized and followed (9).

For Alexander McKenzie the events at Nome during the summer of 1900 proved to be the beginning of his decline as the powerful "Boss of North Dakota." He was convicted on two counts of contempt of court for violating court orders ending his activities at Nome. It is significant that he was not charged with conspiracy. Apparently there were too many powerful and influential men in Washington, DC, and elsewhere who stood to be greatly embarrassed, or worse, if their roles in McKenzie's grand scheme were exposed. No investigation ensued. Nevertheless, when Beach published his muckraking "Looting in Alaska" series and then his novel, The Spoilers by December 1905, the whole tawdry affair was given nationwide exposure, and in the opinion of one expert on the McKenzie era, it resulted in a defeat for the McKenzie-backed ticket in the 1906 race for the governorship of North Dakota. According to historian Robert Wilkins, "The Revolution of 1906 began a temporary loosening of the Republican hold" on North Dakota politics and was a portent of the future. It "diminished McKenzie's power over the state's affairs" (10). Later, in 1908,

McKenzie declined his usual term on the Republican National Committee. While continuing to exert his influence where and when he could, he slowly began to remove himself from active participation in public affairs. In 1912, he sold his Bismarck residence and moved permanently to St. Paul. His health declined, and in 1920, he resigned from his business connections. He died on June 22, 1922 at the age of 72 (11). While historians dispute the legacy of Alexander McKenzie and his impact upon North Dakota, some arguing that he created the state and brought business and prosperity to the region, there is no dispute about the intentions or the legacy of what the "evil genius" of North Dakota attempted at Nome in 1900 (12).

Rex Beach's novel follows two parallel linear plot lines. One follows the general chronological sequence of the incidents making up the Cape Nome Conspiracy as Beach described them in "The Looting of Alaska." Corrupt Washington politicians place a corrupt, drunken, vacillating judge at Nome, who in turn, appoints an avaricious thief as receiver of the mines whose claims have been jumped. Through persistence, threats, some chicanery and the aid of a group of colorful characters, the miners prevail at the end and the villains are arrested, although the judge, his career destroyed, is spared this ultimate indignity.

The fictional part of the story is a conventional western adventure with strong elements of romance and melodrama. The setting is a remote, far off location demanded of stories about the frontier. Beyond the real life fact that

navigation to and from Nome in 1900 is limited to a four or five month period before the Bering Sea freezes over, and that the presence of the gold mines has lured thousands of people to the area, the frontier Nome setting is curiously not a dominating factor in the maturation of the plot or the development of the characters. The events of the real life conspiracy and the motivation of the fictional characters carry the plot forward. Their motivations are based on primal emotions-greed, defense of one's property, revenge, love, virtue over villainy - more than on demands of the frontier setting, or on the fact that the outcome of the conflict will drastically change the characters' frontier existence. The coming of law to the territory, even if its corruption must be conquered first, will be the coming of civilization that will destroy the sort of world that the miners celebrate.

Furthermore, the events of the story take place during the summer months. The temperature never drops below freezing. The "code of the trail" and the inherent hardships of the Alaskan winter do not intrude into the story as they do in other Beach Alaska tales. The hero, Roy Glenister, goes through an internal struggle between the manners and morals of his genteel upbringing and the comraderie and savagery of the frontier. This is standard melodramatic convention in a Rex Beach of novel. Roy is motivated more by his love for the heroine and his despair when she rejects him, than by any mitigating influences of the frontier setting. The character change in the hero, and his internal development are, in the end, slight and superficial, of the type that the readers of pulp fiction would enjoy. "I like the old ways best. I love the license of it" and

"what I want, I take", and "I love to wrestle with nature, to snatch and guard, to fight for what I have" are his celebrations of the frontier he claims to be a part of, and they appear to place him in direct opposition to the coming of the social order that the heroine represents (13). His initial blustering about how law and order bring "too much power in too few hands" and his expression of fondness for the status quo give way in the end to his acceptance of the inevitable coming of law and order. Much of the novel details his internal struggle between the code of the frontier with its intendent friendships and support of his mining friends who look to him for strength and leadership on the one hand, and his love for the heroine, Helen Chester, who represents the code of the civilized world as she constantly reminds him of his rough-hewn manner and the need to replace chaos with order. Yet, in the end, she also exhibits some small internal change when she states that she is "glad and proud" of what he did in recapturing his mine and defeating the villain in mortal combat. "It was a noble thing you did today", she tells him, even though ten of the claim jumpers and their supporters were killed in the fracas. Her change, like Roy's, is neither deep nor profound and, like Roy's appears motivated by her love for him, and not by any unique demands of setting (14).

This ambiguous role of the frontier setting gives the reader the impression that the author, who is the omniscient narrator, takes an ambivalent attitude about the impact of the setting on the characters. One observer of Beach's novels about Alaska describes the author as steeped in the traditions and codes

of the north, which often mean the difference between life and death to those who must endure the hardships and brutality of forces they cannot control. But this does not come across in The Spoilers as much as it does in his short stories and other novels about the north. This ultimately separates Beach from Jack London, whose characters were more profoundly influenced by the Alaskan frontier and the primal instincts of survival than by the motivations of love, greed and lust exhibited by Beach's characters.

The story The Spoilers begins at Unalaska, the last stopping point on the voyage from Seattle to Nome. Roy Glenister and Joe Dextry, the owners of the Midas Mine, the richest claim at Nome, are returning from the States where they had gone to celebrate their good fortunes. Roy Glenister is thirty. He has been in Alaska for ten years. He is the product of the civilized East and college educated. He abandoned plans to attend law school to search for gold in Alaska. He is a big man. "Tall, virile and magnetic", with "large hands" and a soft rich voice that came from his chest (15). He embodies the motivation, the philosophy, the experience of Rex Beach and his own youthful, adventure-filled, philosophy-forming days searching for an elusive fortune on America's last frontier. Beach's gold strikes were small, but Glenister owns the richest and most productive gold mine at Nome. Glenister also represents a fictional Teddy Roosevelt, born to wealth and privilege in the East, college and law school educated, who abandoned the comforts of civilization to venture off to Dakota Territory to live the savage life of the cowboy, riding the range, punching cows

and rounding up rustlers. Rex Beach, educated and with some legal training as noted earlier, saw a parallel with his life and the life of this popular President, who championed fairness, self-reliance, and the self-discipline requisite to maintain control of one's destiny in whatever environment he found himself at the moment. Beach, who noted that he had read Jack London while he was in Alaska (16) was no doubt also influenced by London's great dog Buck, who left a comfortable, but confining, civilized life behind and ultimately answered the call of his wild ancestors to live in the wilderness as a savage (17).

The adventures of Teddy Roosevelt and of Buck were the stuff that attracted readers to Beach's novels and stories. Living in the cacophony and squalor of turn-of-the-century cities and towns, readers of adventure novels were fascinated by strong, flawed characters like Glenister, living in the wild, torn between his civilized roots and his current savage existence. This flaw of vacillation on the part of the hero makes him vulnerable to the attractiveness of the heroine and extends to him a small measure of humanity, if not reality. Similarly, as we will see, honesty is important to Roy, but it is an honesty based on his code of honor. If the hero must disobey conventional laws of civilized societies in order to achieve his goals, then so be it. The readers understand. Glenister it must be emphasized, is no altruistic western hero. He is a capitalist. He discovered, built and now operates the Midas, his means of support, his base of wealth. It will soon be taken from him. He fights to get it back, but he is

unsure of the means. Like Rex Beach, the main driving force behind Glenister is wealth and prosperity.

Joe Dextry, co-owner of the Midas, is the uncompromising representative of the savagery of the frontier. He is a combination of two characters whom Beach wrote about in his memoirs. One, Bill Joyce, was a grizzled old Texan whom Beach encountered in Alaska. Joyce had been a Texas Ranger and was one of the original prospectors in the Yukon before striking out for Alaska. Joyce, then seventy years old or so, spun out "hilarious tales of adventure and prowess, but underneath their humor lay bitter resentment at the fact that time and the savages of life in the open had seriously sapped his early vigor." The other was John H. Dexter, a colorful trader who ran several trading stations in Alaska and whom Beach had either met, or most certainly, had heard talked about. Another possible source of the name is the Dexter Saloon, a prominent Nome gathering place owned by Wyatt Earp, then a fifty-two year old, over-weight adventurer capitalizing on his past career by telling tall tales and occasionally getting arrested for brawling (18).

While Roy and Dex are waiting for the ship to depart, they see a beautiful young girl being chased by a group of sailors. They go to her rescue, dispatch the pursuers, knocking some of them into the water and bring the girl on board. She has escaped from a ship in quarantine because of smallpox, in order to get to Nome to bring important documents that will establish law and order when her uncle, Judge Stillman, arrives later. Her name is Helen Chester and she is, in

addition, searching for her long lost brother, Drury, who is possibly in Alaska. Helen does not know at this point that the documents she possesses are actually the details of a sinister plot to take over the richest mines at Nome.

Helen Chester is patterned after nobody in particular. She represents the coming of civilization to the frontier. She is young and fair and beautiful. Her eyes are "large and gray, almost brown under the electric light." She is graceful, "in a trim, short shirt and long tan boots" that immediately sets Roy Glenister on a collision course with his own destiny. In a fit of impulse, Roy declares his love for her, tells her that he will marry her and forcibly embraces and kisses her. She reacts with shock. "And may God strike me dead if I ever stop hating you", she cries as she exits his presence. Four days later, the ship arrives at Nome, and on the street, Roy saves Helen's life as an errant bullet from a gunfight just misses her. She is forced to acknowledge her debt to him (19).

Shortly thereafter, the ship bearing her uncle, Judge Stillman, arrives. With the judge came another man, "a gigantic well groomed man, with keen, close set eyes, and that indefinable easy movement and polished bearing that came from confidence, health and travel." His name is Alex McNamara, and he immediately goes to the offices of Dunham and Struve, attorneys, where the conspirators lay out their plans to take over the mines by the appointment of McNamara as receiver for all mines whose claims are in dispute. McNamara, is of course, Alexander McKenzie and Beach's description of McNamara would accurately describe the real-life architect of the Nome conspiracy (20).

There is little difference between Glenister and McNamara. Both are easterners who come to Nome to take what they want, to have and hold it, and to defend their actions in the face of strong opposition. Glenister upholds old fashioned values like hard work and honest money. McNamara represents an attempt to steal what Glenister has struggled to achieve, in both wealth and honor. Glenister's opposition was an unyielding climate and topography that had to be conquered in order to strike the richest claim in Nome. McNamara's opposition is those who came first, and, ultimately, the law which he manipulated to achieve his goals. The two men are powerful adversaries who will resort to extreme measures to accomplish their goals.

Subsequently, the Midas claim is jumped and McNamara becomes receiver of the mine, as well as a number of other claims. The miners want to resort to violence to get their property back, but Glenister, influenced by Helen Chester's lectures about law and order, decides to let the law take its course. As the court becomes obviously more and more corrupt, Glenister's decision causes a split between him and Dextry. This feeds Glenister's continuing anguish over his inability to choose between Helen and the old ways.

Soon the beautiful Cherry Malotte appears. She is a card dealer, one of the best in the North. Madly in love with Roy Glenister, she went to Dawson after the break up of their affair, but now she has returned to deal cards at the Northern Saloon, hoping that she can reunite with Roy. Cherry is a woman "with a past." In contrast to Helen Chester, who represents the end of the frontier and

the inevitable coming of civilization, she is worldwise and world weary. She understands the code of the frontier and the men who are a part of it. "I've seen men and men," she admits to Roy, "but they all came to me. . . . You made me come to you" (21). She desires to abandon her past in favor of a settled life with Roy. This gives her character some depth and it later justifies her self sacrifice. It also accentuates the strength and virility of Glenister as the protagonist (22).

Cherry appears at the Northern simultaneously with the Bronco Kid, also a dealer, and one of the best. He is known in many of the cities of the far North, but apparently he believes his life to be a total failure. A gambler, he has nothing to show after years in the business. He is madly in love with Cherry Malotte; and in a melodramatic twist, he is also Drury Chester, Helen's long lost brother.

As the corruption deepens, and the possibility of getting the mine back decreases, Roy begins to see his error in allowing the law to take its course. He and Dex decide to rob the sluices of the Midas to get enough gold to send Bill Wheaton, their attorney, to San Francisco to appeal the actions of Judge Stillman and McNamara. They blacken their faces to disguise themselves and steal gold from the sluices at the Midas. Helen, who is at the mine with McNamara, whom she has been seeing, recognizes Roy and Dex, but sends the authorities in the opposite direction. When McNamara, suspecting that Roy

robbed his own mine, goes to search for the gold, Cherry diverts his attention and hides the gold dust.

In the meantime, Cherry, upset over Roy's love for Helen and his rejection of her own advances to him, informs Bronco, who has recognized his sister but has not identified himself to her, that she heard of rumors of Roy and Helen being together in the stateroom of the ship. This enrages Bronco. He decides to punish Roy for taking advantage of Helen. This results in a climactic faro game in which Roy, distraught because of Helen's rejection, reverts to his "savage" ways. He goes to the Northern, drinks whiskey and almost loses his mine in the card game before he realizes his error and discovers that the cards have been stacked. After this, frustrated by the inaction of the courts, Roy and Dex decide to take their mine by force. They commandeer a train, attack the mine with guns and dynamite and gain control. Their goal is thwarted, however, when they discover that McNamara is not there and that they have, in effect, become criminals, for violating the orders of the court.

In the meantime Helen, suspicious of what McNamara and her uncle are doing, has agreed to go to a remote roadhouse with Struve, the alcoholic and lecherous District Attorney, because he has promised to give her information that will reveal the truth about the whole conspiracy.

As the attack on the mine ends, Roy learns from Cherry of Helen's danger and that Bronco is on his way to save her. Roy, in the midst of a terrible storm, goes to the roadhouse and finds that Bronco has shot Struve and has saved

Helen, who discovers that Bronco is her brother. Bronco now discovers the truth about the "stowaway" rumors. Roy then goes to the city in search of McNamara. He finds him in the offices of Dunham and Struve and, tossing his gun away, attacks McNamara with his fists. The two engage in a bloody fist fight which destroys the furniture until Roy puts Alex in a hammer lock and breaks his arm. "I beat the traitor and--and--I broke him--with my hands," he groans, triumphantly (23).

As the fight ends, soldiers come to arrest Roy for the attack on the Midas, but Bill Wheaton and two marshals show up with the arrest warrants for Judge Stillman and McNamara. Roy is reunited with his miner friends, Cherry goes to see the Bronco Kid because he is ill and, in the last paragraph, Roy and Helen pledge their love for each other. The ambiguous relationship between Cherry and Bronco in the end is left up in the air. This will change in later versions of the story.

Many of the melodramatic high points in the action of the novel are based on actual events that occurred at Nome either during the months of the conspiracy, or were in some way connected to those events. For example, when the papers were served on the owners of Discovery mine late in the evening on June 23, some of the miners distracted the process servers while other went around back of the main shack, climbed in a window and emptied the safe of its contents. This provided a means for the owners to fight the court's action and to finance the trips to San Francisco to file the appeals. Beach expanded this

action into a scheme in which Roy, Dex, and Slapjack Simms, their mine foreman, blackened their faces and robbed the sluices of the Midas of gold, enough to finance the journey of Attorney Bill Wheaton to San Francisco. In a melodramatic twist during the robbery, they are discovered by Helen who recognizes them, but who sends the claim jumpers off in the wrong direction allowing the "Negroes" to escape. Helen has at this point become suspicious of her uncle's and McNamara's intentions and has begun to understand Roy's opposition to the court, even though she does not approve. This action of hers, inconsistent with her principles and beliefs about the roles of law in civilization, also is an indication of her nascent, as yet, unstated love for Roy.

Another example stems from when Judge Noyes announced in late summer of 1901 that he would not obey the Circuit Court order that he appear the court at San Francisco to answer contempt charges. The miners at Nome formed vigilance committees. Some of them were preparing to "hang the judge, Joe Wood and all the rest who needed it." The judge changed his mind and prior to boarding ship signed an order returning one of the mines on Glacier Creek to the original locators. The jumpers, however, got the judge drunk and he revoked his orders giving the mine back to the jumpers. "Sixty-three armed vigilantes left the city one night, held up a railroad train, and forced the engineer to haul them to the end of the line." They then surrounded the mine and recaptured it, and sent the jumpers running (24).

The judge had already sailed from Nome and McKenzie had been gone for a year so the event was of little consequence to the conspiracy. It merely returned the mine to the original owners before the courts accomplished that action. But, in the novel, the incident becomes a climactic event in which Roy and Dex commandeer a train and transport the vigilantes to the Midas, which he mistakenly believes is protected by U.S. soldiers. His purpose is to create an incident that will gain the notice of the President of the United States. If McNamara has influence in the courts and the Congress, he most assuredly cannot corrupt the White House. An attack against the army by men whose property has been stolen by the court will surely bring about an investigation. The plan fails, however. The mine is not protected by soldiers, and ten of the jumpers are killed in the takeover. Instead of engaging troops, they kill or capture miners whom the court had given permission to be there. Glenister and his followers are now outlaws, subject to the long arm of the law. "Guys, this is no victory. In fact we're worse off then we were before" cries Roy, after he realizes his mistake. Luckily, the marshals from San Francisco arrive with the warrants to arrest McNamara just in time to prevent the local authorities from arresting Roy and his followers (25). One other important figure in the story that had origins in Nome was the Northern, the most notorious saloon and dance hall during the gold rush era. It was the focus point of the night life of the city. "It was the largest buiding in Nome; a rambling two-story affair hurriedly constructed from rough timber.... Its main boast was a balcony over the dance

floor, this balcony being divided into booths in which serving tables and chairs were provided" (26).

Another incident, the climactic fist fight, is based partly upon the real-life confrontation between Attorney Metson and McKenzie as related supra. It is also based upon an actual fight between McKenzie and one of the miners. No history of the Cape Nome conspiracy makes reference to an actual fist fight between McKenzie and any of the miners. Beach makes no such reference in his "Looting" series. However, Robert Harris, a miner at Nome in the Summer of 1900, later recalled that the encounter actually took place between McKenzie and a Swedish miner named Swanson. He recalled that the miners from a number of mines gathered at a warehouse one night and decided to take back their properties. They rushed out to the various claims and forced McKenzie's paid gang of "spoilers" from the mines. Shots were fired out, to no effect. "We aimed high and meant to harm no man unless we had to," he stated. Swanson, the spokesman for the miners, then confronted McKenzie the next morning witih an ultimatum. McKenzie attempted to talk his way out of the situation, but the two men threw punches. "It was a terrific struggle between two strong men. Chairs, tables, a heavy desk were shattered as the men fell against them. They struck few blows, for they were clinched. Instead they sought to tear arms from bodies, to choke one another, to commit any injury they could. They fought for more than fifteen minutes before we were able to separate them. Neither won. They were too closely matched in strength," he recalled. Harris became a

developer and operator of gold mines at Nome in intervening years and in 1930 he appeared at Paramount's Hollywood studio to offer advice about Nome and the actual conspiracy. If Beach or Attorney Metson knew of this confrontation they did not write about it (27).

In addition to being the melodramatic climax to the entire story, it is also a manifestation of the hero Glenister's inward change from savage to civilized man. In his former mode he would have used his "colt" and he would have "shot it out" with McNamara. But he chose to fight McNamara "armed only with the weapons of the wilderness." This reluctance to use his gun transposes the savage hero into the civilized man. This is further supported by the almost coincidental arrival of Bill Wheaton with the two marshals. It represents a reaffirmation of Glenister's decision to support Helen and her ideas of law and order, even when his miner friends suspect that she is part of the plot. In going against the code of the frontier and his friends, Glenister abandons the past and adheres to the future. That he earlier succumbs to their demands and robs the sluices and eventually takes over the mine by violence does not detract from his ultimate change. His love for Helen and the defeat of McNamara with his fists signals to the reader a future of civilized law and order. Our faith in the frontier hero to do what he has to do to defeat the forces of evil, as well as our faith in the final triumph of good over evil are affirmed. Glenister has essentially defended his code of honor without seriously violating that code, and he has done so with full recognition that his world has changed. He and his community

have come to the end of an era. But it is an end which they have brought about. They recognize that the "fight for what I have and hold" mentality expressed at the beginning of the story no longer applies. The miners have taken back what was theirs, but they recognize that the gun and the fist have been replaced by the law. These are hardly profound assertions; they are the stuff of popular melodrama. They are also manifestations of what Rex Beach knew the public expected of adventure novels, and what they would pay for. It would not be long before Beach would determine that these conventions could be adapted to other media.

Ultimately, the novel resembles a modern day soap opera in that the plot twists that involved the fictional characters are caused by a simple failure to communicate. Roy loves Helen, but she says she hates him, even though inside, she admires, then loves him. Dex expresses a liking for Helen, but he backs off when Roy expresses his feelings about her. Cherry loves Roy and she schemes against Helen because Roy loves Helen. Bronco is Helen's sister and hates Roy because Cherry spread rumors about Roy and Helen, and because Bronco secretly loves Cherry, who loves Roy. Helen openly states she loves McNamara, even though she doesn't. Struve wants to seduce Helen but he does not love her. In the end, Cherry goes to the Bronco Kid because he is ill and he needs her. Whether they unite and find happiness is not revealed. Roy and Helen unite as she decides to stay with him at Nome.

Furthermore, these are stock characters out of conventional melodrama. The strong, but flawed hero, the innocent Eastern female representative of law and order, the worldwise and world weary female who understands the savage world and longs for civilization, the strong, unscrupulous yet somehow attractive villain, and the grizzled old prospector who glorifies the savage world and laments the coming of civilization are routine, traditional characters of pulp fiction, familiar to urban readers. The success of the novel lies with Beach's deft interweaving of these fictional and real characterizations throughout his tapestry of factual incidents and events and his description of a remote, mysterious landscape.

Critical response to the novel was lukewarm. The New York Times called it "thrilling", "a good story", even though the story, the characters and the author's morality were judged merely "conventional." The reviewer felt that the minor characters "all stand out in bold and picturesque relief" while Roy and Helen "are less effective than the others," but that is the nature of that romance/adventure genre. "Only a cynic or a satirist has the nerve to treat a hero and heroine quite as he does common men and women", he concludes, pointing out the essential stasis of the main characters. "In upholding their codes of honor, they sacrifice color, depth and appeal" (28). (Just as in the later Hitchcock films, the villain is most often the most fascinating character.)

Edward Clark Marsh, reviewing the novel in Bookman, referred to the story "as nothing so much as a Belasco melodrama," referring to David Belasco,

one of the more colorful and innovative stage producers of the day. He went on to argue that the romantic setting in far off Nome, "not too familiar in books" at that point, proved to be the downfall of the story. In such a remote location, nobody expects the characters to be realistic. People "north of Fifty-Three" do not act as they do "north of Fifty-Third Street." The characters, then, are not fully realized. "They do not create their own situations, on the contrary, he has made them just what he wants to fit his situations." Marsh concluded that this results in a totally "false picture of human life," and in the end the characters are nothing more than the "stock figures of melodrama." He recited the major climaxes in the book, most of them taken from true-life occurrences as described supra, and stated that they "have a familiar ring, suggestive of a dime novel." But he missed the point. Beach was not attempting to give us real characters, or real situations. He was telling a story. He was exposing the crooked politicians in a fictional wrapper that could sell books, not contribute to great literature (29). The Book-Buyer's Guide predicted that the setting and the inclusion of the actual conspiracy would make it popular. "But", the reviewer went on, "the author has no artistic restraint. He mistakes vulgarity for strength and brute force for manliness." Here the reviewer missed the point of the fist fight, which really was an accession to the code of civilization manifested by Glenister tossing his gun away and choosing to use his fists instead. This is not to belabor the point, or to imply that this is a profound moment in the story. It is just that the reviewer missed the point (30). Public Opinion dismissed the book as "a man's book" that

goes over the same ground in fiction that Beach did with his "Looting Alaska" series (31). The Outlook referred to the novel as "a big outline study in black and white," and an "old-fashioned blood and thunder story brought up to date; a dime novel written by a man of great energy of imagination and a touch of genius for description." It is a good story, the reviewer concluded, "but it is a story of the hour, not of the decade" (32).

That, by and large, sums up the impact of the novel at the time. However, it proved to be more popular than the reviewers would have predicted. The 1914 and 1923 film versions prompted the publication of new editions, so that by 1930, almost 800,000 copies had been sold. After release of the 1942 version, Grosset and Dunlap released another 15,000 copies in a low price format.

Rex Beach wrote four novels about Alaska. The first, The Spoilers, was, by far, his most popular novel. Capitalizing on its success, he wrote The Barrier (1908), another gold rush tale about he tumultuous life and colorful characters in an Alaskan gold camp. The Silver Horde (1909) dealt with the salmon fishing industry. The Iron Trail (1913) related the thrilling story of the construction of Michael J. Heney's Copper River and Northwestern Railroad, complete with strikes, riots and bloody conflicts over the rights of way. Ultimately fourteen of his novels, including those mentioned above, were made into movies, all of them successful. The Spoilers was filmed five times, in 1914 by Selig Polyscope, in 1923 by Goldwyn, 1930 by Paramount and in 1942 and 1955 by Universal. The Barrier was filmed three times, in 1917 by Beach himself and his own production

company which was affiliated with Goldwyn from 1917 to 1919, in 1926 by MGM and in 1937 by Paramount. The Silver Horde was filmed twice, in 1920 by Goldwyn and in 1930 by RKO. The Iron Trail was filmed once in 1921 by United Artists. In addition sixteen short stories and original scenarios were also adapted to film (33).

Notes: The Novel

1) Wilkins, "Alexander McKenzie" p. 38.

2) Beach, Personal Exposures, 30.

3) L.H. French, Nome Nuggets (NY: Montross Clarke & Emmons), 1901, p. 29. Quoted in Cole, History, p. 186.

4) Beach, Personal Exposures, pp. 38-40.

5) Washington Post, Feb. 3, 4, 5, 6, 1902, p. 1.

6) Beach, Personal Exposures, pp. 40-42. Note the term "muckraking" is used here to describe articles published in 1903 and Beach's "Looting" series in 1905. The term "muckraker" was not applied to those crusading journalists and others who wrote articles exposing graft and corruption until Theodore Roosevelt first used the term at the Grid Iron Club in Washington, D.C. on March 17, 1906 in an off-the-record speech to Washington newsmen. He then used the term publicly on April 14, 1906 in a speech dedicating the new House Office Building. The word "muckraking" comes, originally, from John Bunyan's Pilgrim's Progress. See Casper H. Nannes, Politics in the American Drama, pp. 29-30.

7) Beach, Personal Exposures, pp. 41, 42.

8) Beach, "Rolling Stone", p. 112.

9) Rex Beach Papers, Princeton University, Harry Burt, of A.L. Burt Company, Letter, to Henry Hoyns, President, Harper & Brothers, March 24, 1930, Rex Beach MSS., Princeton University Libraries.

10) Wilkins, "Alexander McKenzie" p. 34.

11) Ibid., p. 36.

12) Ibid., p. 39.

13) Rex Beach, The Spoilers, p. 31-32. All quotes are from the A.L. Burt, 1906, edition of the novel.

14) Ibid., p. 313.

15) Ibid., p. 31.

16) Beach, "Rolling Stone", p. 112.

17) Beach, Personal Exposures, p. 33.

18) Lillo, "The Alaska Gold Mining Company", p. 7; Cole, "A History", p. 189.

19) Beach, The Spoilers, p. 32.

20) Ibid., pp. 48-9.

21) Ibid., p. 75.

22) Jim Hitt argues that Cherry Malotte is based on the not-so-legendary Julia Bulette, courtesan of Virginia City, Nevada, who was murdered in 1867. It is conceivable that a number of miners and/or prospectors from that era may have drifted north in the late 1890's and they may have spread stories about her. I have found no corroboration for Hitt's statement to date, however. See Hitt, The American West, p. 172. See also Goldman, Gold-diggers and Silver Miners and Martin, Whiskey and Wild Women.

23) Beach, The Spoilers, p. 299.

24) Beach, "Looting", p. 608.

25) Beach, The Spoilers, p. 265-6.

26) "The Spoilers," Paramount Press Sheet, September 22, 1930, p. 3, Library of Congress.

27) Ibid, p. 3.

28) New York Times, 4-14-06, p. 242.

29) Bookman, 23:433, Jun, 1906.

30) Book Buyers' Guide, v. 48, Jun 1906, 571.

31) Public Opinion, v XL #19, p. 604.

32) The Outlook, Jun 30, 1906, p. 501.

33) Hitt, American West, pp. 172-174.

CHAPTER IV

THE PLAY

In 1906, when Rex Beach decided to turn his novel into a play, he knew little about the theater in America. Popular theater was experiencing a number of trends that led to major changes after World War I. By 1900 New York had recently become the center of theatrical production in the United States, largely because of the Theatrical Syndicate which had formed in the late nineties. New York ticket sales had become the legitimate theater's measure of success. Stock companies and repertory companies existed in some of the larger cities, but New York had become the theaters' focal point. The rest of the country was referred to as "The Road," where plays were whipped into shape before meeting that supreme test of a New York opening night, or where successful road or touring company plays might be taken to reap the harvest of a New York reputation (1).

From the late 1890's, the presentation of stage plays in New York and across the country was dominated by the Theatrical Syndicate, an organization of play brokers and producers who controlled a chain of theaters across the country by forcing those theaters to book exclusively their plays and acting troupes. It was formed by Daniel and Charles Frohman, Sam Nixon, J. Fred

Zimmermann, Al Hayman, Marc Klaw and Abraham Enlanger. The Syndicate eliminated duplication and waste, and also competition. Playwrights, actors and theater managers who failed to do Syndicate bidding were blackballed from Syndicate theaters (2). One tactic used by the Syndicate to sell its products was to produce a "popular" play, one that was artistically mediocre, but with the possibility of large popular support in small towns, and open the play for limited runs in Chicago or New York, or both. A limited run usually meant two weeks or sixteen performances. Then the play would be sent on tour to the Syndicate theaters across the country advertised as being "from Chicago" or "direct from Broadway." In this way, a play could last one or two years on the road, and then drift into stock production (3). This is obviously the route that Rex Beach traveled with his play, The Spoilers. Daniel Frohman, a charter member of the "Syndicate," produced it.

At the turn of the century, American theater conventions were European. Much of American theater imitated the English presentation of drama. The acting techniques in vogue were French or English in origin. Audiences were, for the most part, undemanding. Productions on the road consisted of endless revivals of "Uncle Tom's Cabin," "Rip Van Winkle," "The Count of Monte Cristo," with James O'Neill, various productions of Shakespeare and a variety of musicals, slightly realistic comedies and melodramas, all of which the road audiences enjoyed. New York's theaters now and then featured road shows that were of above average sophistication, and sometimes a play by George Ade or

William Vaughn Moody that might timidly transcend the clichés and bromides in vogue at the time. But most theater in New York was immature fare that sought conditioned responses from receptive audiences who were unconcerned about drama as a mirror of reality. Plays were unrealistic in setting, often staged in remote exotic locations far from the experience of urban dwellers. Characters were generally stereotypes who changed little during the story. Often audiences demanded favorite actors in favorite roles, actors who were more a part of acting tradition than they were part of the play itself. Actors took center stage, assumed a three-quarters front stance, and with bold gestures, played to the third bacony. They could be counted on to upstage the other actors in the process.

Characters were either villains or heroes, unredeemable ladies with a past, or foreign types used as comedy relief. Theater patrons demanded strong situations to motivate character, melodramatic turns of plot to maintain audience interest and the arrival of a letter or a knock on the door near the end of the fourth act to guarantee a happy resolution of the conflict. Themes were mostly predictable, moralistic clichés. The heroine was always pure of heart, the hero might have an inner struggle between good and evil, but good always won out. Villains were nasty and contemptible, the American flag was sacrosanct, and subtlety of any kind was virtually non-existent. But even as early as the late 1890's, New York audiences were tiring of revivals of "Uncle Tom's Cabin" and American productions of European plays and "Elizabethan relics." Critics

decried the paucity of American plays with American plots and themes exploring the American psyche. As late as 1908, one critic lamented that no recent season "can boast of more than two or three native dramas out of fifty which rank above the mere conventional rehashes of threadbare theatrical tricks." There grew a need to abandon the "toyshops and Elizabethan relics" of the past and create a new, native, American heritage in the theater. Changes would come slowly, hesitantly before 1915, but by 1906, some discernable evidence of more and varied offerings and an increase in American subjects could be noted. The focal point of American drama began to shift from English conventions to the development of American settings and themes and an exploration of the American way of life (4).

One trend notable in 1906 was the appearance of plays with political themes. Audiences, accustomed to muckraking novels and articles, found some attempts at realism, satire and trenchant relevance in such plays as "Man of the Hour" produced by George Broadhurst in 1906; "John Hudson's Wife" with Hilda Sprang and the previously produced "A Texas Steer" and "The Carpetbaggers," all presented in Chicago. Charles Klein's play, "The Lion and the Mouse" was inspired by Ida Tarbell's, "The History of Standard Oil," serialized in McClure's Magazine from late 1902 to 1904. The play is a commentary on the relationship between the captains of industry and Washington politicians, a love story between the daughter of an honest judge and the son of an industry magnate and an attempt to apply corporate pressure on Congress to impeach the judge.

All ends well as the young girl charms the industrialist's family and friends, impeachment proceedings are called off and the two young lovers live happily ever after. The play opened on November 20, 1905 in New York and ran for 686 performances. New York audiences had already been exposed to "The Crisis" (1902) and "Fritz in Tammary Hall," and several George M. Cohan musicals with political themes. In 1906, New York audiences saw "The Clansman" from Thomas W. Dixon's novel (January 8) and "A Square Deal" (April 30) (5).

Another trend of this time was the presentation of successful western dramas. With the publication of Owen Wister's novel, The Virginian, in 1902, and the release of Edwin S. Porter's film, The Great Train Robbery, in 1903, the "western" became a popular means of exploring the American psyche in a remote romantic setting, a setting outside the experience of most readers of fiction, with few of the strains and ambiguities of modern life. This new direction in westerns also explored adult themes and the adaptation of these stories into stage productions was inevitable. Although no single formula emerged for stage westerns, they generally followed the conventions established in the novels. Audiences expected a western setting somewhere on the frontier where the coming of civilization creates conflict between wilderness anarchy and civilizations' social order. Clear-cut delineation between good and evil, some sort of pursuit and swift, emphatic resolution of the conflict have always been necessary in successful presentations in the genre. The Chicago Tribune observed on November 4, 1906, that "in westerns, the dramatists have

discovered sources of real drama hitherto unsuspected" and that "it is almost a certainty that the great American play, the great American character, and the great American dramatist are all to come from the west." The article proceeded to cite "The Virginian" as the play that "set the pace." It was a drama that elevated itself beyond the level of pulp westerns to appeal to adult audiences, portraying adult themes and situations. Other successful western plays included "The Squaw Man" which played in Grand Forks, with Dustin Farnum, who would later star in the 1913 Cecil B. DeMille film of the same name, "The Girl of the Golden West," produced by David Belasco, "virulent . . . foe" of the "syndicate"; and W.A. Brady's "The Redskin." The Tribune named several other successful westerns and further noted that the west was not only providing competent authors, but "angels" as well (6).

A third important trend in the American theater in 1906 was the melodrama. On October 12, 1906, The Chicago Tribune observed that the best way to make a profit in the theater was to put on a good old-fashioned "meller." In the previous two seasons, so many successful melodramas had been produced that it was impossible to count. Citing such recent successes as "The Lion and the Mouse," "The Fatal Card," and "The Climbers," the article concluded that it is the "human quality," the human emotion that makes the melodrama so popular and that the wise playwright will learn early in his career that he will make twice the royalties in "mellers" as he will in "poetic dramas" or in "society plays." Whatever the artistic merits of the melodrama, audiences

loved them (7). The theater-going public in major cities, comfortable constituents of the burgeoning middle class, identified with these national trends and were openly receptive to American drama as represented by "The Spoilers."

Rex Beach capitalized on all of these trends and themes in adapting The Spoilers to the stage. The Spoilers offered not only a pioneer western setting, but a muckraking message that was currently popular in other media and a melodramatic, romantic plot in addition to its western conventions. It featured a strong hero upholding traditional values and facing both internal and external conflict, a strong-principled, moralistic heroine, a droll, grizzled sidekick to the hero, the lady with a past and a heart of gold, and the conventional procession of rough and ready miners and gamblers, a foppish pretender to European aristocracy, an Eastern society lady, a crooked judge and an unctuous, evil manipulator of criminal activities. The story is a simple melodrama in a remote frontier setting. Its themes involve the rewards of hard work, strength, courage and perseverance, the civilizing of the frontier; the recognition and achievement of true love coincidental with the triumph over evil; the punishment and public exposure of that evil; and the final cathartic extension of mercy to the unfortunate pawn of the evil villain. The violence is real, the characters are sharply defined, and justice is swift and final. In writing the play, Beach and James McArthur, an editor at Harper Brothers, combined two separate story lines, similar in fashion to what Beach had done in the novel. Throughout the tale of the events of the actual conspiracy, they interwove a rather complex,

heavily plotted love story. Whether luck or chance prevailed, or whether Beach was fully aware of current trends in public taste, we may never know. It is safe to say, however, that he gave the patrons an alternative to the current "Elizabethan relics" and remakes of "Uncle Tom's Cabin." He gave them an American play filled with American conventions that audiences expected: a recognizable plot, currently popular themes and comfortably stereotyped characters holding preconceived ideas about the triumph of good over evil. It is also no accident as noted supra, that his hero, Roy Glenister, is an Easterner, college educated with some training in law school, who in several years on the Alaska frontier, had adopted savage ways. As civilization begins to encroach upon his world in the person of Helen Chester, the heroine in the play, the hero's internal struggle between savagery and civilization becomes an important theme in the love story part of the drama.

Beyond the trends, conditions and audience expectations mentioned above, the most significant trend to appear in the American theatrical world in 1906 was the creation of the first art theater in America with a resident acting troupe dedicated to providing quality drama to the play-going public. Chicago's New Theater was an experiment by its promoters and financial backers to rescue American drama from its "present low stage," its tendency to appeal to the "Philistines,... those for whom dramatic art means no more than vapid or vulgar entertainment." The New Theater lasted only four months. It failed because of poor management and indifferent direction. The New Theater

opened to great fanfare on October 8, 1906 with the presentation of three one-act plays. Its second 2-week run was "El Gran Galeoto," an artistic success which brought in few customers. The third production, opening on November 5, was "The Spoilers," the premier stage adaptation of Rex Beach's novel by the same name. The play opened following some controversy and played to capacity audiences during its two week run. That the New Theater failed after four months cannot be attributed to "The Spoilers," regardless of the almost universal bad notices the play engendered. It was the most profitable of the plays presented. "The Spoilers" moved to New York for another two week run in March of 1907, again to lukewarm critical response and enthusiastic audience response (8).

The play follows the general plot of the novel with some scenes switched to different locations to accommodate the limitations of the stage and the reduction of the setting to five specific locations in four acts (9). Act I takes place on board the S.S. Santa Maria in the spring of 1900. The steamer is at Unalaska with hundreds of miners aboard preparing to go to Nome. The captain is impatient to leave because an outbreak of smallpox on another ship has threatened his ship and a ninety day quarantine will cause the men to riot. Cherry Malotte is on board. She has come to warn Roy Glenister that the Midas claim has been jumped and that he is in danger of losing it. She is in love with Roy, but he does not love her. Roy and Joe Dextry are late in arriving because they stopped to save a young lady from attack by a gang of sailors. They sneak

her aboard the Santa Maria and hide her in their cabin. Roy claims he will try to win her affection. She tells them that she escaped from the quarantined ship because she is carrying documents that will bring law and order to Nome, where her uncle will be the new judge. Her name, she tells them is Helen Chester, and she is also searching for her long lost brother, Drury. The captain discovers the stowaway, and in the first moment of suspense in the play, he decides that her mission and getting underway are more important than a possible outbreak of smallpox. Glenister does not realize that the documents she carries will cost him his mine. In a burst of impulsive masculinity, he grabs her and kisses her and informs her that he will fall in love with her. She is insulted by this. "I will never stop hating you," she cries, and calls him a "savage," as the ship embarks for Nome.

Act II continues the exposition of plot and characters in the law office of Dunham and Struve in the middle of the summer. Glenister's mine is being run by Alex McNamara, the receiver appointed by Judge Stillman. In order to win Helen's love, Glenister has agreed to regain his mine only by lawful means. He discovers, however, that Judge Stillman, McKenzie, and Struve, the U.S. Attorney have all conspired to take the mines by court order and that there is no legal remedy for the original claimants. Glenister's attorney, Bill Wheaton is sent off to San Francisco to obtain legal relief from Judge Stillman's decisions. Glenister overhears a conversation between McNamara and Struve about Helen's role in bringing the papers to Nome and then talking Glenister out of

opposing the Judge's actions. Glenister is convinced that Helen is part of the conspiracy. This, plus the revelation that both Struve and McNamara are in love with Helen, results in a confrontation between Glenister and McNamara. This leads to a savage fist fight that reaches a climax when Glenister breaks McNamara's arm with the hammer-lock. Glenister proclaims victory, but is disturbed by his inner conflict between savagery and civilized demeanor.

Act III moves to the Northern Dance Hall, owned by the Bronco Kid. It is Christmas Eve. The miners have decided to lynch McNamara despite his backing by the court and the local army contingent. The Bronco Kid, who is in reality Drury Chester, the heroine's long lost brother, has heard rumors that Glenister has been spreading stories about Helen's overnight stay in the cabin on the Santa Maria. Kid doesn't know that McNamara spread the rumors to gain Helen's affection and to destroy Glenister's reputation. Bronco Kid, who loves Cherry Malotte, who in turn loves Glenister, decides to get even with Glenister, who has reverted to savage ways again and has been winning all night at the craps table. He entices Glenister to play faro with a marked deck of cards and forces Glenister to bet his share of the Midas to cover his eventual losses. Glenister's mine is saved when he checks the cards and proclaims them crooked, and at that precise moment Helen, hiding in an alcove, recognizes her brother. Glenister gets his money back just as McNamara walks in with Judge Stillman, seeking refuge from the mob of miners, and Helen persuades Roy to save the receiver and the judge from the mob. Helen then learns that the

documents that she brought were the cause of all of the trouble and she decides to retrieve them as evidence to convict her uncle and McNamara legally and to prove to Roy that she was unaware of the contents of the documents. District Attorney Struve, now in his usual drunken condition, agrees to turn over the papers if she will meet him at an out-of-the-way roadhouse, The Sign of the Sled. She agrees.

The first scene of Act IV takes place at the roadhouse. It is Christmas Day. The action picks up when Struve tries to have his way with Helen. She grabs the papers, he chases her, the furniture is overturned, and she leaps through the window and escapes. (By this time, no doubt, the audience wishes it could do the same.) The last scene is at the Midas Mine. Glenister and his miner friends have attacked the mine, but McNamara and the judge have called out the soldiers, who are now closing in to arrest them and take them off to jail. McNamara proclaims victory. Suddenly Bill Wheaton arrives by sleigh with court writs from San Francisco ordering the arrest of McNamara and Stillman. Helen then appears with the papers which provide the evidence to convict the conspirators and she gives them to Glenister. He nobly tears them up so that her uncle willl not to go to jail. Cherry ends up with Drury and at the final curtain, Roy and Helen are locked in an embrace.

Drama critics' reactions to the Beach - MacArthur play were, with few exceptions, generally unenthusiastic and unfavorable. The review in the Chicago Daily Tribune dwelt at some length upon the controversy surrounding

the hammer-lock. At the end of the climactic fight scene between Glenister and McNamara, Glenister overpowers his opponent by applying a hammer-lock after McNamara pulls a gun and threatens to shoot the hero. Glenister grabs McNamara's right wrist and twists the arm behind McNamara's back, thus immobilizing his hand and neutralizing the threat. With his left hand, Glenister grabs McNamara's left wrist, holding it down and away from his body, further forcing McNamara to bend forward at the wrist. A loud crack is heard, indicating McNamara's arm has broken or that the right shoulder socket has separated from the joint. This action is vividly set forth in the novel and the suspense engendered by the scene was designed to be the crucial highlight in the play. The Tribune reported on October 31, one week before the scheduled opening that because of a disagreement between the New Theater artistic director Victor Mapes, and Rex Beach, who was directing the rehearsals, the play was cancelled because Mapes objected to the inclusion of the hammer-lock. The New Theater was an art theater. The hammer-lock was violent, cheap sensation and the play would "not be given" on the stage of the New Theater. This decision was apparently supported by all of the trustees. The review on November 6 attributed the previous story to "an enterprising press agent of the house," and also noted that the "faultlessly dressed art worshipping onlookers" enjoyed the spectacle with "hearty" and "spontaneous" applause not yet seen "within the hallowed halls" of the New Theater. As to the rest of the presentation, the reviewer described it as artificial, unrealistic drama, "story

bookish" and unreal, lacking that frontier grittiness that a western demanded. The reviewer went on to detail the overly "melo-dramatic" turns of plot, the overdone love story and the lack of acting ability among the principals (10).

This review was taken several steps further by the editorial comments in The Dial the following March, explaining why the New Theater failed. Although admitting that the house was packed for the two weeks of "The Spoilers" run, the column referred to the scheduling of the play as "totally inexcusable - the lowest depth reached" at the New Theater with the inclusion of this "cheap melodrama" among the offerings at the New Theater (11). One other short notice in The Dramatic News referred to the Chicago presentation as "quite a melodrama," with the actors doing very well at short notice" (12). The Chicago Daily News review noted that the actors in the flight scene with its unartistic climax "elicited excited applause from the art-for-arts-sake patrons. They may not be able to act, but they can certainly fight" (13).

Following its two week run in Chicago, Daniel Frohman, one of the founders of the theatrical "Syndicate" took over as producer to bring the play to New York with the intention, further, to take it on tour (14). Ironically, when the New Theater failed, it was bought out by the Shuberts, who were attempting to break "Syndicate" control of theater bookings across the United States. "The Spoilers" opened at the New York Theater at 45th and Broadway and, as in Chicago, it was scheduled for a limited two week run. The New York Times announced on March 10, the day before it opened, that it was based on "the

Crime of 1900, one of the boldest and most amazing conspiracies in modern American history" (15). The program notes mentioned that the story by Rex Beach was written in his "first flush of indignation" over the conspiracy and that the success of the novel brought about not only the "cure in Alaska affairs" but also, the "political defeat" of the conspirators, a reference to the successful challenge to the MacKenzie forces by John Burke's election as governor of North Dakota on November 6, 1906. The program notes went on to credit Beach with taking part in the dispute over the "mines he had helped to discover", but actually, nowhere in Beach's writing did he mention any participation in any of the events of the actual conspiracy (16). The review in the New York Times referring to the "first flush of indignation" reference in the notes, remarked that Beach "failed to fill his flush in making the book into a play. He, instead, played the "small cards of melodrama." The reviewer noted, also, that while there was more gunplay here than any play in recent memory on Broadway, the characters were "too slow on the trigger." The guns never went off.

This observation requires some comment, perhaps because the play does purport to be realistic, and the reviewer expected shoot-em-up frontier action in this western. In two letters to Waldemar Lillo in 1932, Attorney Metson, who was in Nome during the controversy and who represented the original claimants to the placer mines, remarked that often guns were drawn, but that they always nearly were shot in the air or they were taken away from their owners. The Times reviewer had apparently read too many dime novels (17). Perhaps

reacting to the Times review, Beach remarked later that when the play went on tour with Eugene Presbrey, a machine gun was added to the sound effects which greatly added to the noise, if not the art, of the play. When the cost of blanks began to eat into the show's profits, the gun was replaced with a steel riveting gun, which was much cheaper to operate (18). The Times reviewer remarked also, that, as he had done between acts during the premier of the play in Chicago, Rex Beach gave an original and entertaining five minute speech explaining why he pursued the topic of the conspiracy. "The same sort of originality would have done wonders for his play," the reviewer observed, as did nearly all New York reviewers, and the actors did as well as they might "in this sort of play." Evelyn Vaughan, playing Helen Chester, was "badly miscast" and "Harriet Worthington, playing the adventuress Cherry Mallotte badly, gives what is probably the most remarkable exhibition of curtain call purloining that Broadway ever saw," concluded the review (19). Helen Green, in The Morning Telegraph, said that the play had "good lines, good acting and a real plot" which resulted in continuous "wild applause throughout." The only quarrel with the acting was that Harriet Worthington was "too sweet and alluring" to be thought of as the "bad" Cherry Mallotte, said Green, and she concluded by exclaiming, "Bravo Rex Beach! "The Spoilers' is a great big hit." Her review was, by far, the play's most favorable notice (20).

Charles Darnton, reviewing the play for The Evening Mail, called it a disjointed melodrama that "managed to pull itself together" toward the end. He

noted also that Beach's short speech had more entertainment value than the play (21). In similar fashion, the review in The Sun pointed out a number of deficiencies in the play, although the audience "vociferously applauded" the presentation. The authors essentially tried to cram too much of the novel into the play and the result was a number of improbable plot twists and unexplained actions, and implausible shifts in character motivation. "What were the papers that Helen Chester carried?" The play never tells us. All in all, the whole thing suffers "from the lack of a clear cut story" (22). The New York Herald, commenting on the "over-enthusiastic" reception by the audience, found the play unconvincing. The basic fault was that the heroine, who was playing hard to get, was not as interesting or as vibrant a character as Cherry Mallotte, who loved the hero who didn't love her (23). This also was a problem in the book, but it seemed to bother neither the theater patrons nor the hundreds of thousands who eventually purchased the book. Apparently character motivation mattered little to Beach's devoted fans.

The reviewer in The World remarked that since "The Spoilers" was the only drama opening on Broadway that night, "the entire first night horde turned out." Concentrating on the flaws in Roy Glenister's character, from his reluctance to confront the conspirators and to fight for his claim in his attempt to lose his savagery so Helen would take up with him, to his abandonment of self control in the dance hall scenes in Act III, the reviewer noted that if the characters had exhibited a little common sense at the beginning, the whole mess

could have been "straightened out smoothly...two hours earlier." Yet, the reviewer went on, the play "is quite the most stirring and vivid melodrama that has escaped from Eighth Avenue into Broadway." At times unintentionally funny, the play "succeeded by all the standards known to exciting melodrama" (24).

The most incisive review appeared in the New York Dramatic Mirror. Enjoying the luxury of not having to face a 2:00 A.M. deadline, the reviewer had some time to think about the production. The basic problem with the play was that the authors "have attempted to crush all of the novel into four acts of play. The result is a confusing jumble of melodramatic incidents. . . ." The plot line exposing the conspiracy, interlaced with the fictional love story to develop character, is ultimately "artificial and crude." The sentiment, the heroics and the villainy "are calculated to appeal to the gallery" and the predictable, last moment deus ex machina scene in which the lawyer arrives with the court documents is "too much of a strain on the credulity." The actors make their typical melodramatic appeals to the gallery, although "Campbell Gollan plays McNamara rather too much along the lines of ordinary melodrama giving the impression of being a villain for the sake of villainy rather than for self-preservation," and of the women characters, "none are particularly well played" (25). Finally, two other reviews, both "unsourced and undated" from the clipping file in the Billy Rose Theater Collection, reviewed the play in similar fashion, indicating that it was ordinary and conventional and that the audience of

first night regulars and friends of the large cast gave enthusiastic applause throughout the evening" (26).

"The Spoilers" was presented in New York again, with a new cast, at Blaney's Lincoln Square Theater beginning on September 2, 1907. No reaction or reviews are available. It may be significant upon further inquiry, that while the March 6 production had 31 speaking parts, the September 2 production showed 23. The later presentation was obviously streamlined as several reviews strongly recommended (27).

Notwithstanding the pedestrian structure of the plot and themes, the poor acting and the unfriendly critical response, audiences liked it. It was a popular success in both Chicago and New York prior to its going out "on the road." It toured for a couple years then drifted into stock production.

Notes: The Play

(1) For a thorough discussion of the basic features of American theater before World War I see Alan Downer, Fifty Years of American Drama, 1900-1950. Also helpful are Richard Burton, The New American Drama, Walter Eaton, Drama, V.I., 1900-1940; Garff B. Wilson, Three Hundred Years of American Drama; and Oscar G. Brockett, History of the Theater; and Casper Nannes, Politics in the American Drama.

(2) Wilson, Three Hundred Years, pp. 256-259; Brockett, History of the Theater, pp. 497-501.

(3) Ronald Engle, Professor of Theater History, University of North Dakota and Editor, Theater History Studies. Personal interview, July 22, 1993.

(4) Eaton, The American Stage of Today, pp. 1-5; Nannes, Political, p. 9; Russell Nye, The Unembarrassed Muse, pp. 153-161.

(5) Nannes, Political, Chapters 3 and 4; Chicago Sunday Tribune, October 21, 1906, pt. x, p. 4.

(6) Chicago Sunday Tribune, November 4, 1906, pt. x, p. 1; Christopher Jacobs, Brief History, p. 8.

(7) Chicago Sunday Tribune, October 21, 1906, pt. x, p. 3.

(8) The Dial, "A Theatrical Autopsy," Vol. XLII, #497 (March 1, 1907), p. 130; James Highlander, "America's First Art Theater....," pp. 285-291; Weldon Durham, American Theater Companies, pp. 329-32.

(9) Rex Beach and James MacArthur, The Spoilers: A Play in Four Acts. A copy is on file in the Elwyn Robinson Collection at the Chester Fritz Library, University of North Dakota, Grand Forks, ND.

(10) Chicago Daily Tribune, October 31, 1906, p. 8; Chicago Daily Tribune, November 6, 1906, p. 8.

(11) The Dial, "Autopsy," p. 130.

(12) The Dramatic News, November 12, 1906.

(13) Chicago Daily News, November 6, 1906, p. 14.

(14) The Dial, "Autopsy," p. 130.

(15) New York Times, March 10, 1907, pt. 4, p. 2.

(16) "The Spoilers," Program, New York Theater, March 5, 1907. Located in "The Spoilers" clipping file, Billy Rose Theater Collection, Lincoln Center Branch, New York Public Library.

(17) The Metson Letters are appended to Waldemar Lillo, "The Alaska Gold-mining Company," pp. 330-343.

(18) Beach, Personal Exposures, p. 43.

(19) New York Times, March 12, 1907, p. 9.

(20) The Morning Telegraph, March 12, 1907, p. 10.

(21) The Evening Mail, March 12, 1907.

(22) The Sun, March 12, 1907.

(23) New York Herald, March 12, 1907.

(24) The World, March 12, 1907.

(25) New York Dramatic Mirror, March 23, 1907.

(26) Reviews, "unsourced and undated," clipping file, Billy Rose Theater Collection."

(27) Cast listing, "unsourced and undated, clipping file, Billy Rose Theater Collection."

CHAPTER V

THE FILMS

The film versions of The Spoilers can be divided into two categories. The first three versions, the 1914 and 1923 silents and the 1930 sound film are based on, and generally adhere to the plot of the novel, with the lines of dialogue often taken directly from the play. It is quite apparent that Rex Beach retained some influence over the writing of the screen-plays for these three films. The 1942 version changes the story in major ways. Cherry Malotte, played by Marlene Dietrich, becomes the central character. She makes things happen and Roy Glenister and Alexander McNamara are reduced to secondary roles, often simply reacting to Cherry's machinations. Helen Chester's role is also greatly reduced. This change is carried over to the 1955 version. It is essentially a remake of the 1942 film, this time as a vehicle for Anne Baxter as Cherry. Other plot and character changes render the original plot of the novel almost unrecognizable.

By 1914, Beach had sold several of his short stories to film companies for the standard fee of one hundred to two hundred dollars (1). Short stories adapted well to the one or two reel format that audiences were accustomed to. Film makers were reluctant to adapt a lengthy, complex novel such as The

Spoilers to film because the many sided love story intertwined throughout the complicated story of political corruption would require many more than two or three reels, and the fear existed that audiences simply would not sit still for the length of time required. Eventually, Colonel William Selig, founder of the Selig Polyscope Company, became convinced that The Spoilers could be filmed and that it could make money. Selig had started his company in Chicago in 1909 and he became one of the first movie makers to establish a permanent studio in Los Angeles. The Selig company had a reputation of possessing an "old fashioned attitude towards film-making, with the story being all important and technique mattering little" (2).

The 1914 film version of The Spoilers was a landmark film in a number of ways. When Selig's representative, John Pribyl, contacted Rex Beach about the rights to the story, Beach asked for the unheard of amount of $2500.00. Selig refused, and after negotiation, both agreed that Beach would lease the rights to Selig for a seven year period and Beach would receive twenty-five per cent of the gross, with the rights to the story reverting back to Beach after the seven year period elapsed (3).

Although films longer than the standard two or three reels began appearing by 1912, some to five and six reel lengths, The Spoilers, at nine reels, became the first blockbuster epic film. It predated Birth of a Nation by almost a year. It opened at Orchestra Hall in Chicago on March 25, 1914 to an audience of some two thousand people (4). It was selected to open Mark Mitchell's new

Strand Theater, New York's first grand "picture palace", under the new management of S.A. "Roxy" Rothapfel. The opening program, on April 15, 1914 began with an Edison short called The Star Spangled Banner, followed by "The Hungarian Rhapsodie No. 2" by Franz Liszt, with the Strand Concert Orchestra directed by Carl Edouarde. A short collaboration of motion picture and song entitled "The Neapolitan Incident", the "Polonaise" from Mignon, a newsreel short, an operatic piece by the Strand Quartette and a Keystone Comedy rounded out the preliminary presentation, a carefully paced format of the type that would make "Roxy" a premier showman for many years. After an intermission, the film was shown, preceded by the Strand Orchestra's rendition of the overture, "The Spoilers" "Roxy" insisted that evening performances of major films would be accompanied by full orchestra that would "interpret the film, not just play along with it or against it". The success of The Spoilers two week run at the Strand made "Roxy" and his brand of showmanship a major force in New York's theater, and later, its radio industry (5).

Although Selig and producer director Colin Campbell did not have the prestige of William Ince, or the innovative genius of D. W. Griffith, their epic film does contain some examples of technique that later would become standard. Much of the film is stagey, with overwrought acting and supererogated facial expressions and arm and body movements. While much of the film is done in long shots, some of the emotionally complex scenes, for example the Faro game scene and the attack on the mine scene, are directed in a sophisticated manner

using close-ups and scene dissection that would become standard in later years.

Scene dissection involves two major considerations. The first is the use of point-of-view or subjective camera shots, in which the camera becomes the eyes of a character showing the audience what the character is observing. It is a particularly useful device in crowd scenes in which more than one action is taking place and two or more people are talking and reacting. A more sophisticated consideration is the recognition of the film's narrator, and a consistent placement of the camera to reflect the point of view, not of a character, but of the narrator, so that the audience orientation to the scene remains constant. If scenes are filmed with "mismatched eyeline direction", audiences, though they might not perceive it at the time, would tend to become confused. The faro game scene can illustrate this phenomenon (6). In addition, while top-of-the-head to chin extreme close-ups are avoided, Campbell does include a number of head and shoulder shots (6).

In many scenes characters enter and exit the action from behind the camera instead of the usual stage left and stage right. Roy Glenister, in one scene, is shown in closeup. His image is replaced in an overlap dissolve by the image of Helen's smiling face, which dissolves back to Roy's face. This is a rather primitive form of "intense drama", possibly influenced by the work of Freud, then currently popular, in which audiences were shown what the characters were thinking or planning. In this instance, it occurs at the scene at

the point where Cherry is introduced and the scene emphasizes Roy's love for Helen and his rejection of Cherry. In another scene, Bronco approaches Marshal Voorhees and informs him that Glenister robbed the sluices the night before. The next shot is a close up of Cherry who overhears the conversation. The next shot repeats the first shot as Bronco finishes the conversation and walks away. In the bank confrontation scene, a close-up of a soldier receiving a distress call from the bank greatly heightens the suspense of the scene.

The best example of scene direction occurs during the faro game. The suspense of the game is preceded with the standard establishing shot of the exterior of the Northern as Roy enters. Standard long shots of the faro table with a crowd around it, Roy's booth, the dance floor, and then Roy's booth again set up the suspense as Cherry talks Roy out of drinking whiskey, and then learns of Roy and Helen traveling in the same stateroom on the ship. She and Bronco plan to cheat Roy at cards. The scene shifts to a neutral shot of the faro table as Bronco sits down and Cherry enters the scene. Glenister loses and then bets half of the Midas. The scene is now cut to a close up of Roy's face, to a medium close up of Cherry's reaction, to a medium close up of Bronco's reaction, to an extreme close up of Bronco's hands dealing the cards. The last shot is the neutral shot of the faro table again as Cherry stops the game and Roy humiliates Bronco.

Two other scenes are dissected in a more traditional manner without close ups, but they feature the D.W. Griffith technique of rapid cutting in which

each successive shot in the scene is slightly shorter in length than the previous shot to heighten audience suspense. The dynamiting of the mine scene is cut in this manner to create suspense as Roy appears to be buried in an explosion. He emerges, however, to be united with his miner friends. The scene closes with a pan of Cherry riding in on horseback to warn Roy about Helen's meeting with Struve. The technique of rapid cutting is featured in the bank confrontation scene, the rescue of Helen at the Sign of The Sled and the climatic fight scene. One other notable scene takes place in Struve's office. When Helen leaves the room, the camera lingers momentarily on Struve's face as he leers after her (7).

One other significant point achieved by the 1914 version is the climatic fist fight between Glenister and McNamara, which even by 1942, was considered "the press agent's ultimate superlative in describing latter day film battles" (8). It was the "bloodiest, most realistic barroom brawl ever recorded on film" (9) a gut-wrenching, gouging, clawing battle which left the two actors injured and breathless when it was finished. It remains today as a paradigm of hand-to-hand combat on film, "that had an earthy, brutal feel to is that was missing from the later, more sophisticated versions of The Spoilers" (10).

Just as the play required a reduction in scenes and characters to fit a three plus hour script, so too, the movie required further parings of storyline and characters to suit the approximately ninety minute time frame of the film. But the

changes are minimal, mostly reductions in dialogue and descriptive passages, which are replaced with short linking titles.

The film begins with two prefatory scenes which link the two parallel storylines together. In the first scene, Roy Glenister, is breaking off his relationship with Cherry Malotte prior to his sailing for the States. The next scene shows several obviously highly placed men in Washington, D.C. agreeing to the details of a scheme to make money in the gold fields of Alaska. We are introduced to Helen Chester who is not part of the plot, but who, nevertheless, will be sent to Alaska to help out her uncle, Judge Stillman (E. McGregor). The movie then is presented in three acts. It begins at Unalaska with Roy (William Farnum) and Dex (Frank Clark) smuggling Helen (Bessie Eyton) aboard their ship. Cherry does not appear until later. The street duel, in which Roy saves Helen's life, the dance hall scenes, the actions of the judge and Alexander McNamara (Tom Santschi) in taking over the mines proceed as in the play. Cherry Malotte (Kathlyn Williams) returns from Dawson to take up with Roy Glenister and, seeing his love for Helen, she decides to combat it. She is assisted by the Bronco Kid, a fellow gambler and an outcast, who loves her. Although Cherry's role is expanded in later film versions, she is here a pivotal, but a minor character. When Roy and Dex rob their own sluices of gold, Helen sends the authorities in the wrong direction. The Bronco Kid secretly tells McNamara to look for the gold in Glenister's cabin, but Cherry foils McNamara's search. Bronco, angry at rumors about his sister and Glenister spread by

Cherry, attempts to shoot Roy, but is stopped by Helen at the moment she recognizes her long lost brother. The recapture of the mine, the confrontation at the bank and the final climatic fist fight between Glenister and McNamara lead to the arrival of Wheaton and the uniting of Bronco and Cherry, after Roy rejects her for the last time, and the uniting of Roy and Helen, as she decides to stay with him at Nome.

Critical reaction to the film was generally favorable in spite of its length. The New York Times referred to the "excellent judgement" of S. L. "Roxy" Rothapfel in choosing The Spoilers. It held the attention of the audience, although it was well over an hour long. He pointed out that the story was "so realistically told by the camera one is handed thrill upon thrill." The reviewer went on to praise each actor, the photoplay, the sets, both interior and exterior, and finally Rex Beach, who served as a technical adviser to the producer and who oversaw the construction of the exterior locations at Selig's California lot (11). In The Moving Picture World, James McQuade referred to the story as "a great one, and that it has been filmed in a way that is also great -- great in direction, acting and photography." The reviewer pointed out the depiction of the "iniquitous scheme, plotted and hatched in Washington" and the deft way in which the audience was compelled to sympathize with the miners against "the semblance of justice" and "the worst political crook in Washington." He pointed out the resultant joy in the audience when the hero finally broke the villain with his bare hands. He lauded the casting of Farnum, in his first film, as Glenister.

He "is permeated. . .with Americanism and not overburdened with the refining influences of polite society. . . ., a man who takes what he wants, but who is honest withal." He held high praise, also for Kathlyn Williams as Cherry Malotte, who is the most complex character in the film, a combination of good and evil "in strong surges that touch one's very soul." She is able, however, to redeem herself in spite of the "palpable taint on her career" to win the hand of Drury Chester in the end (12). Note the pre-World War notion that evil is manmade, and since it is manmade, man can ameliorate it, overcome it and survive.

Sime., also of The Times, in reviewing Brewster's Millions on May 1, 1914, noted that The Spoilers, which preceded Brewster's Millions at the Strand, was "too long, both in time and in film." He doubted that the Strand would ever again book a nine reel film or hold any feature film over for another week (13). The Spoilers, he noted, was too long for only two thrills (the fight and the dynamiting of the mine) and although it played to capacity audiences during the first week, it was not able to hold the patrons through the second week. Benjamin Hampton, however, claims that The Spoilers "packed the Strand." It ran five shows daily and broke records, bringing in almost 40,000 patrons in that one week. He does not mention the second week, however, so that Sime is possibly correct in his assertion. Nevertheless it launched "Roxy" Rothapfel on his long and successful career of "Don't give the people what they want -- give them something better!" It also created an audience for Beach's story, which

Rex Beach rightly assumed could be released about every seven years to a new audience eager for adventure and excitement (14).

The initial success of The Spoilers prompted Selig to re-release an expanded, updated version in 1916. Little is known of this re-issue other than that some scenes of Rex Beach working at his desk were attached to the film. The added scenes have apparently disappeared.

Most of the writing on the 1914 version of the film is inaccurate as to the plot and characters. Slide and Wagenknecht in Fifty Great American Silent Films report that McNamara is the gold commissioner and that Cherry Malotte is the owner of the local gambling saloon. They further state that Bronco is "Cherry's faro dealer", and that Bronco "conspires with McNamara against Glenister to seize the mine and have Glenister accused of murdering the town marshal." They go on to report that "Bronco is killed" and that Cherry "was mistaken about Glenister's feelings toward Helen and the two are reconciled." This is nonsense. What they are describing here is the plot of the 1942 version of the film. The 1914 version, by the way, is structured after the play The Spoilers by Rex Beach and Charles McArthur (1906) and not on the novel, as stated by Slide and Wagenknecht. Cherry Malotte is not owner of the local gambling saloon. She is a card dealer who once took up with Roy Glenister. In the very first shot of the film, they break off their affair just before Glenister and Dextry leave for the lower forty eight. She is merely a secondary, though a pivotal, character in the plot line. She does not own the saloon, she returns from

Dawson one-third of the way into the film and she deals cards at the Northern. She and Glenister do not reconcile and become reunited at the end. McNamara is not the gold commissioner. He is the receiver of those mines whose claims are in dispute, appointed by Judge Stillman. Bronco is, in reality, Helen Chester's brother and he works with Cherry Malotte, not for her. Bronco does love Cherry Malotte but does not plot with McNamara to have Glenister charged with murder. This sub-plot does not appear until the 1942 version of the film. Bronco attempts to cheat, then shoot Roy for his own reasons. Furthermore, Bronco is not killed in the dispute over the mines. He is very much alive at the end of the film and he is united with Cherry Malotte, the great love of his life. Cherry does not mistake Glenister's love for Helen. Glenister is very much in love with Helen throughout the film and never intimates that he will reunite with Cherry. In fact, he continually rejects her advances. In the end, Helen redeems herself in Glenister's eyes and Helen and Glenister are, united not Cherry and Glenister.

In addition, Slide and Wagenknecht are misleading when they comment on the "melodramatic" nature of the dialogue titles. "Many of the titles are highly melodramatic -- for example at one point a examiner announces, "There's never a law of God or man runs north of Fifty-three' -- but this is probably a fault carried over from the novel." That line, "There's never a law of God or man runs north of Fifty-three" was the overall theme of the novel and the play, serving to personify the savagery that exists on the frontier before the arrival of law and

order. It is a line from a Rudyard Kipling poem about the debate over the pelagic sealing controversy that raged during the 1890's, which resulted in a massive depletion of the world's seal population. In the film, the line appears on a title during the street brawl in which Roy saves Helen's life by pushing her out of the path of a wayward bullet. The line is attributed to a "miner" but it is not a line of dialogue directed to anyone in particular. It is Helen's introduction to and a general statement about, the lawlessness of the frontier (15).

Similarly in his review article for Magill's Series of Cinema, Silent Films, Slide makes the same errors, essentially outlining the plot of the 1942 film, in which Bronco is killed, Glenister is framed for killing the marshall, and Cherry and Glenister are united at the end. As noted earlier, this is patent nonsense (16). In his Aspects of the American Film History prior to 1920. Slide deftly gives us an excellent two page analysis of The Spoilers without giving a plot synopsis (17).

Jim Hitt, in The American West from Fiction into Film also makes several of the same errors that Slide made earlier, perhaps using Slide as a source rather than seeing the film. He refers to McNamara and his followers as "greedy land speculators." They were, in fact, claim jumpers and greedy political fixers as I have noted earlier. He reports, as does Slide, that "Cherry Malotte discovers that Glenister was never in love with Helen. She and Glenister are united at the fade-out." Although Hitt states that the film is based on the novel, he does acknowledge that the play was produced and in another passage he

relates, "a second silent version (Goldwyn, 1923) followed the original novel and stage play" (18).

The 1923 version opened in Chicago, as did the 1914 film, and then on August 5th at the Capitol in New York, coincidentally managed by "Roxy" Rothapfel (13). Milton Sills played Glenister, Noah Beery played McNamara Anna Q. Nilsson as Cherry, Barbara Bedford as Helen, and Robert Ederon as Dextry rounded out the major members of the cast.

The film has a more elaborate set than the 1914 version, with a larger mine and more workers. The town is still an ugly collection of false fronts lining the mud-filled street complete with deep wagon ruts. The film is expanded greatly, with a moving camera and many close ups that were absent in the 1914 version. The titles are edited in the later fashion of interrupting the speaker's dialogue halfway through the speech, rather than preceding it as occurred in the earlier version. The 1923 version stays with the storyline of the 1914 film with only minor changes. The role of Cherry Malotte is somewhat expanded. The role of "Slapjack Sims" also is somewhat expanded to allow Ford Sterling to present some slapstick comedy relief. The Bronco Kid becomes the owner of the "Northern" and he is madly in love with Cherry Malotte, his number one dealer, and he is insanely jealous of Glenister, because of Cherry's love for him. When Wheaton arrives from San Francisco for the first time with the writs of supersedeas, McNamara and Stillman refuse to honor them. Dextry organizes a vigilance committee but Glenister opposes this action and instead, he sends

Wheaton back to San Francisco to mount a new appeal and to inform the circuit court that their original orders had been defied. This causes a break between Glenister and Dextry and forces Glenister into a period of uncertainty and confusion culminating in the climatic faro game in which Cherry saves him by stopping the game. Dextry and his friends then decide to send a lynching party to hang the judge McNamara and anyone else they find. McNamara finds out about this and obtains arrest warrants for Roy and Dextry, forcing them into the hills where they plot to dynamite the Midas to prevent McNamara from taking any more gold. When the attack on the mine ends, Cherry informs Glenister that Helen went with Struve to get the papers that will prove the conspiracy. Roy races into town looking for Struve but finds McNamara. The two opponents then engage in the climatic fist fight, which Roy wins using the hammerlock. Cherry goes to Helen and tells her that Glenister loves her. Helen goes to Roy and they are united. The relationship between Cherry and Bronco is left unstated, as in the novel and the play (19).

Critical reaction to the 1923 version was generally favorable. Mordaunt Hall of the New York Times found the film a "splendid fighting film", tense and gripping. He was unmoved by the plot, never mentioning the scheming politicians or the upright, but flawed, American heroes and heroines. He devoted two paragraphs to describing the "panting, tearing, bloody bout" in great detail between Glenister and McNamara, and he pointed out that the blowing up of the mine was another high point in the film. He also pointed out that in one

scene, Cherry Malotte jumps on a chair and screams "mouse!" to deter the villains from looking for the stolen gold in her stove. "She is, however, pictured as a girl who would not care much for a dozen mice", he concluded. He respects it for its realism and its support of plot and character, but not for its intrinsic value as spectacle. "This production has action, force, good acting, suspense, but no subtlety", he concluded (20).

Sime., writing for Variety, who chided the film for its length and its lack of holding power over the audiences nine years earlier, gave the new version a favorable review. A "full blooded" film with "superb production and direction... it's great work, intelligent work," he called it. He also asserted that the fist fight is "the corking great fight of all time on the screen," surpassing the Farnum-Santschi confrontation of the earlier film. He noted the improved acting over the exaggerated stage movements of the earlier film whose characters seemed to be playing to the third balcony. He predicted that it would be a sure-fire money maker (21). The Moving Picture World also asserted that the fist-fight far surpassed the previous version in its brutality. It was "intense, destructive, vividly realistic" and "convincingly portrayed" (22).

Paramount released first sound version The Spoilers in 1930. Produced and directed by Edwin Carewe, it starred Gary Cooper as Glenister, Kay Johnson as Helen Chester, Betty Compson as Cherry Malotte and William (Stage) Boyd as Alexander McNamara. It premiered at the Paramount Theater in New York on September 19, 1930, sharing the billing with Ted Mack as

master of ceremonies in "Black and Silver Review", staged by Lewis W. McDermott (23).

The storyline of the 1930 version stays close to the storyline of the earlier versions with two major changes and several minor ones. When the miners decide to recapture their mines, Roy and Dex decide to explode dynamite under the tool shed at the Midas to cause confusion among the soldiers who are stationed there to guard the mine. McNamara discovers this and orders his men to place dynamite under the soldiers' barracks. When the miners attack, McNamara intends to blow up the soldiers so the miners will be blamed for this heinous act. The judge panics when he learns that he will be a party to mass murder and reveals the plot to Helen. This is her moment of revelation about the complicity of her uncle and McNamara. She rushes to the mine in time to warn the soldiers. McNamara realizes that this will result in his arrest. He flees to his office to destroy all records where he is confronted by Glenister who defeats him in the now familiar fist fight. Cherry then tells Roy what Helen did and the two part company, as Roy unites with Helen. What happens to Cherry is unstated. The other major change is the elimination of the Bronco Kid from the story, possibly in an attempt to uncomplicate the plot in the new talking format.

Added to the film is the character Herman, a Yiddish store owner, played by Harry Green who is presented quite unsuccessfully in a comic relief role. Another minor change is that "Flap jack" Simms, the foreman at the Midas, dies in the shoot out at the bank. One other minor change is that the Midas mine, on

location in Big Tujunga Canyon in California, has grown to have an elaborate network of sluices and hundreds of workers. The setting was a mile-long stretch of the canyon on which Paramount constructed a replica of the town and the mine. The company had 250 actors and extras and they employed hundreds of others from surrounding towns (24).

The photography was quite well done for an early "talkie," with a moving camera and nicely balanced scenes. In one scene Helen and Roy are on horseback in the forest and in another scene Helen and McNamara are on horseback out in the forest. (Note that Nome is located on the edge of the tundra. There are no trees in the area.) They are successively discussing their relationships, but the scenes are beautifully filmed and give off a serene, pastoral mood that stands in stark contrast to the bare unrelenting ugliness of the frontier town with its false fronts on ramshackle buildings and mud-filled streets, and to the busy, noisy mine scenes. Notwithstanding the unsophisticated nature of the dialogue, the 1930 version is the best of the five film versions and the only "talkie" version to remain faithful to the storyline.

Critical reaction to the film was somewhat reserved. Mordaunt Hall for the New York Times noted that the main interest of the film was its "atmosphere", but then he failed to point out specifically what "atmosphere" he was referring to. He chided the film for characters who are "seldom real" and for narrative which "dawdles along". He found the fight "more amusing than thrilling", and in the end, concluded that it is a "muddled piece of work with some

absurdly melodramatic dialogue", probably referring here to Roy's constant talk about the law and government and how it has no place where the guns and fists quickly resolve problems. He also referred to the "ineffectual misunderstanding" between Glenister and Helen, who love each other, but that Glenister believes Cherry when she tells him that Helen is involved with the plot, even though he knows that Helen is extremely jealous. "The characters", continued the reviewer, "are expected to be more intelligent than they are given credit for." He also scored the film for the inclusion of Harry Green as Herman and his Yiddish humor for "being out of his element" (25). Waly., writing for Variety, compared it unfavorably with The Virginian, which was a major success earlier in the year, yet he felt that the film would succeed at the box office especially "in the neighborhoods and the grinds." He found William Boyd excellent as McNamara, Cooper only adequate as Glenister and Kay Johnson, as Cherry Malotte, "who rarely changes facial expressions" as over smooth and too matter-of-fact, creating a lack of differentiation in her scenes (26). This might have been caused by the placement of the microphones, more than a lack of technique. The reviewer found the dialogue "better than the average western" and found no fault with the comedy relief of Green and his Yiddish shtick. Harrison's Reports, the trade journal for exhibitors, called it "interesting, entertaining and exciting at times." The fist fight is "thrilling to the end," yet the reviewer added a note that "the two silent versions produced years ago were more thrilling" (27).

When Universal leased the rights to The Spoilers for their 1942 version, it was originally considered it as a vehicle for Mae West after her success in My Little Chickadee (1940). Instead the role of Cherry Malotte went to Marlene Dietrich who previously had scored as the saloon keeper in Destry Rides Again (1939), and who got top billing over Randolph Scott, who played McNamara and John Wayne who played Glenister. Because of her star quality, the role of Cherry, a pivotal but relatively minor character in previous films, was greatly strengthened. She becomes the central character in the movie as the owner of the Northern and Roy Glenister's on-going love interest in a stormy on and off relationship. Roy pays only passing attention to Helen, who falls in love with him. From the start the audience realizes that the relationship between Roy and Helen will go nowhere because Helen knows, and is a part of, the conspiracy against the miners. Her attempt to redeem herself by the last reel falls short of what is required to win Glenister's hand. McNamara, who pursued Helen in the previous versions, now competes with Glenister for Cherry's favors, not Helen's. The Bronco Kid, absent from the 1930 version, now returns and also pursues Cherry but he is no relation to Helen. This enhancement of Cherry's character changes the entire thrust of the story, making Cherry the central character and reducing the authority of the Glenister and McNamara characters.

Other major changes in the characters and the storyline also move the 1942 version further away from the original. McNamara is the gold commissioner with a great deal of undefined legal power working in conjunction

with the crooked judge and the judge's niece. Slapjack Sims, previously the foreman of the Midas, becomes "Flapjack", whose mine is the first to be jumped. This brings Cherry into contact with McNamara, because Cherry "grubstaked" Flapjack's mine, and a number of others which have been "jumped." This sets up McNamara on a collision course with her lover, Glenister who is about to arrive by ship. When the judge continues Glenister's case for ninety days, he hatches a plan to blow up the bank to recover his gold. This will provide funds to send lawyer Wheaton, played by William Farnum, who was the original Glenister in the 1914 film, to San Francisco. When Bronco learns of this he decides to shoot Glenister so that he will have a chance to win Cherry, whom he loves. His bullet goes astray however, and kills the marshal. Glenister is then arrested for murder. Cherry learns that McNamara plans to trick Roy into escaping out the back door of the jail so that his men can justify shooting him, so she devises a plan to allow Roy to escape out the front door to freedom. She also persuades Bronco to atone for his actions by helping her. She further forces Helen to confess her complicity in the affair. After escaping, Glenister commandeers a train and with the miners, determines to recapture the mine. Bronco, knowing that if the train hits the barricade that has been constructed and that whoever is in the engine will be killed, climbs into the engine with Roy. Bronco is killed in the crash. Apparently he is not able to redeem himself sufficiently in the opinion of the writers. The claim jumpers are routed and Glenister returns to town to arrest the conspirators. Struve is shot by Dextry

when he tries to draw his gun, the judge is arrested, Helen is rejected by Roy and McNamara is discovered at Cherry's apartment where the fist fight begins. It spills out to the balcony, then to the floor of the saloon and thence to the muddy street where McNamara is defeated. The final close up discloses Cherry and Roy together in an embrace.

Comic relief is provided by the various double entendres in the dialogue between Cherry and Roy and Cherry and McNamara, and also by the introduction of Cherry's Black maid Idabelle, played by Marietta Canty, who proceeds to set back race relations some years with her stereotypical, eye rolling performance. When Cherry discovers that Flapjack's mine has been jumped she goes to the Gold Commissioner's office where she attempts to take the jumper's affidavit by slipping it into the top of her stocking. McNamara stops her. "Nice place to keep my records, but the question is, what about access?", he asks leeringly. After some banter about her preventing access, he returns the paper to her, "Since you have a safer place to store papers than I have, I'll return this", he says, as she places it in her brassiere. "Maybe I was wrong," she replies. When the boat arrives some time later with Glenister on board, she orders Idabelle to get brandy and hard boiled eggs for Roy. "Eggs are scarcer than watermelons around here", replies Idabelle. 'I hope there's some colored folks on that boat", she continues. "I'm getting mightily tired of pretending Eskimos are from Virginia." Besides the sentimental casting of William Farnum as Lawyer Wheaton, the producer also injected a delightful scene with the poet

Robert Service playing himself. "Hello Mr. Service", says Cherry as she walks up to him in his booth at the Northern. "Are you writing a poem about me?" "Not this time, Cherry. This is about a lady known as Lou", he replies. "Is there a man in her life?" she asks. "Yes," he tells her, "He's called Dan McGrew. A bad actor. He gets shot." "Sounds exciting, the shooting of Dan McGrew," she says as she walks away. Scenes such as this one, a barber shop quartet singing "I'll Take You Home Again, Kathleen", a chorus line of dancing girls and Idabelle busying herself in Cherry's apartment humming "Camptown Races" give this version a much lighter tone than the earlier films. Gone is Roy's internal struggle about law and order. "I've always been for law and order, and now that it is at Nome, I don't want to do anything to throw it off stride", declares Roy when the Judge appears at the Midas to take his mine. The script writers apparently felt that John Wayne would not or, should not, project indecision and vacillation, although it might have given some dimension to the role.

Critical reaction was generally favorable, if not enthusiastic. T. S. of the New York Times pointed out that the film was done mostly tongue-in-cheek, especially Marlene Dietrich's double entendres, which were "nearly as frankly cut as Miss Dietrich's gowns". Beyond that he enjoyed the now fabled fist fight between Roy and Alex, "after the feeble fisticuffs we have seen of late", calling it "a lulu of a fight" and "a lovely brawl" (28). Robert W. Dana of the New York Herald Tribune said that although the cast is competent and the production is "polished", yet with the exception of the famous fist-fight, "one's attention is

claimed only intermittently" by the film. He criticized the film for casting Randolph Scott as the villain. He "never for a moment convinces one that he is the villain," so that when the climactic fist fight occurs, it appears "as if two heroes are fighting each other." He goes on to note Mr Farnum's sentimental role as Wheaton and to criticize the lack of suspense overall. The Spoilers he concluded, "is dated. Mr Farnum is a witness" (29). Naka., for Variety (24) referred to the fight scene as "spectacular", it could "apparently be staged at Madison Square Garden". He calls all performances "uniformly good" but has no further superlatives other than the film should do well at the box office (30). The Motion Picture Herald, calling it "That Klondike Classic", was of the opinion that it had retained all of the "sock" that previous producers had given it, but also that it had much more in plausibility, realism and all that the march of the years have added to the power of the motion picture." The review suggested to exhibitors that it should be pitched to mature audiences because of one or two lines delivered by Miss Dietrich and of her scenes with Roy and Alex which might be "a bit on the hot side" (31). Harrison's Reports called it "Very good!, highly entertaining to the masses." The reviewer noted that the plot had been altered, but that this "freshens the plot without lessening its dramatic value." It also predicted that the film would be a success at the box office (32)

The 1955 film is a remake of the 1942 version. It was filmed and distributed by Universal-International, produced by Ross Hunter and directed by Jesse Hibbs. As in the 1942 version, the central character is Cherry Malotte,

this time played by Anne Baxter who was beginning the downside of her acting career after reaching the apex in All About Eve at Twentieth Century Fox in 1950. Roy Glenister, owner of the Miter Mine, is portrayed by Jeff Chandler and Alexander McNamara, the gold commissioner, is portrayed by Rory Calhoun. Ray Danton plays Blackie, who replaces the character Bronco Kid. Barbara Britton as Helen, John McIntire as Dextry and Carl Benton Reid as Judge Stillman round out the cast of major characters. The film opens at Nome where there is great anger among the miners because of the considerable incidents of claim jumping that have occurred. One miner, Flapjack, arrives by train at Nome and discovers that his claim has been taken over by the Gold Commissioner and twenty of his deputies. Angry miners go to the Northern and speak to its owner, Cherry Malotte, who has grubstaked many of the claims that have been jumped. Cherry agrees to confront McNamara and at his office, discovers that Flapjack's claim has been relocated and she attempts to steal the record of the jump. McNamara catches her and in the exchange of dialogue, replete with sexual innuendoes, protests that all he is doing is protecting the claims. Later, at the Northern, McNamara confronts angry miners and announces that the new judge will arrive in a few days to straighten things out. Also arriving is Roy Glenister, Cherry's current love interest.

When the boat arrives, Cherry, at first, decides not to meet it. "He'll know where I am," she says. She changes her mind and Blackie, who is smitten by her, drives her in his wagon. When Roy Glenister gets off the boat he is

accompanied by a mysterious woman, whom he carries up the beach. With him also is Joe Dextry, his sidekick and co-owner of the Miter mine. The woman is Helen Chester, niece of the new judge. The action proceeds much as the 1942 version does, including the scene at the bank when Blackie shoots the marshal and Glenister is blamed when Blackie tips off McNamara as to his whereabouts. In the 1942 version, Roy is tripped up by the black on his shirt collar, but in the 1955 version he is found out by McNamara, who discovers sticks of dynamite in his coat. After Glenister breaks out of jail, he and the miners recapture the mine by commandeering the train. Blackie is mortally wounded and confesses to killing the marshal, an act that the Bronco Kid failed to do before his death in the 1942 version. Roy returns to the Northern and engages in the climatic fist fight that leaves McNamara defeated in the deep mud in the street and Glenister and Cherry united. As in the 1942 version, the hammer-lock, with which Glenister broke McNamara's arm in the novel, the play and the first three film versions, is not used. Also a departure from previous versions is the admission by the villains that they are impostors. Helen points out that when the "real judge Stillman arrives", if they don't get out of town, they will be in serious trouble. The judge and Helen begin to have doubts about the scheme when Wheaton manages to board the ship for Seattle where the appeal will be commenced.

Many of the sexual innuendoes delivered by Marlene Dietrich are intact in this film, as is the Black maid, "Duchess." The technicolor photography also gives the film a much lighter tone when than the 1942 version. Cherry awaits

Roy in her apartment with a pink low cut gown which is starkly contrasted with the deep red walls and drapes of her apartment. The miners are dressed in a variety of blues and reds and they appear to have been outfitted in frontier chic from Filene's basement. The saloon has a blue-gray interior which does not give it much realism. In the final scene, Cherry slides down the bannister to pull Roy off McNamara at the end of the fight scene. "Anything you can win, you can collect," she states leeringly as the scene fades out.

Critical reaction was generally unfavorable. M. E. of the New York Times under the sub-heading: "Scene: 4-Time Loser", briefly related the previous versions of the film and gave a quick rundown of the plot. "Crash! Boom! Bang!" the fist fight starts and ends up "in the gooey, gooey mud. Hollywood, will we have to go through this again?," he asks in feigned agony at the prospect of another remake (33). Brog., for Variety, called the film "good prospecting still, fun to watch and well staged." He noted that Cherry sang a song about "careless love," but that it was" not with the impact that 'See What the Boys in the Back Room Will Have' as done by Marlene Dietrich in the 1942 Universal version", an incorrect reference, of course, to Dietrich's famous rendition of the song from Destry Rides Again, and not from The Spoilers (34).

The New York Herald Tribune referred to the screen play as not taking itself too seriously, in this fifth remake, "as traditional on the screen as the holiday season." The film was part of a holiday presentation at the Palace in New York along with an eight act vaudeville show, rather unusual for 1955. The

show included comedians Gene Wesson and Gordon Polk; The Clark Kids, dancers; Vidbels Baby Elephants, Jay Nemeth and his puppet; the Mello-Mates, vocalists; The Yohoi Troupe, cyclists; Catherine Harris, tap dancer and Jackie Jay, comedian (35). A short review in Estimates called it a "slam bang tale" which is "full of excitement." The reviewer correctly concluded that with "Anne Baxter, in a series of revealing gowns and negligees has "a good time with her racy lines" and gives the film the appearance of playing for laughs (36).

Notes: The Films

1) Beach, Personal Exposures, p. 112.

2) Anthony Slide, Aspects of the American Film Industry Prior to 1920, p. 37.

3) Hitt, American West, pp. 171-2.

4) Slide, Aspects, p. 39.

5) Eileen Bowser, The Transformation of Cinema 1907-1915, p. 132.

6) Jacobs, "Neglected Epics", pp. 3-4; Bowser, Transformation of Cinema, 262-3.

7) Bowser, Transformation of Cinema, pp. 262-263, Jacobs "A Brief History of the Motion Picture and Motion Picture Theaters in Grand Forks, North Dakota", pp. 2-5; Jacobs, "Neglected Epics", p. 3-5.

8) New York Times, May 22, 1942.

9) Johnson, "When Movie Makers Look North", p. 13.

10) Ibid.

11) Slide, Aspects, p. 39.

12) New York Times, April 17, 1914, p. 22

13) Moving Picture World,

14) Benjamin Hampton, A History of the American Film Industry, pp. 15-18, 330-331.

15) Anthony Slide & Edward Wagenknect, Fifty Great American Silent Films, 1912-1920, pp. 9-11.

16) Magill's Series of Cinema, Silent Films, p. 1028.

17) Slide, Aspects, p. 37.

18) Hitt, The Western, pp. 172-174.

(19) The only available print of the 1923 version is located at the Library of Congress. It is an incomplete, four reel 35mm print that ends before Helen makes the agreement with Struve to meet him at the Sign of the Sled. From that point on the only details of the film come from the copyright synopsis at the Library of Congress. Furthermore, the film, located at the National Film Archives of Prague, Czech Republic, has Ukrainian linking titles which distort the characters and some of the storyline. Glenister becomes Roy Klinister expoiter of the gold, the first plunderer of the ores. Marshal Voorhees becomes Commissar Oorhees, appointed by the United States. Judge Stillman becomes Shtilman, who is characterized as The Jew! The Ukrainian word used would translate roughly as "The dirty Jew".

20) New York Times, 8-6-1923, 14:2

21) Variety, Aug. 9, 1923, p. 26

22) Moving Picture World, July 7, 1923, p. 64. Moving Picture World is a trade journal for distributors and theater owners.

23) New York Times, Sept. 20, 1930, p. 15:4

24) Paramount Press Sheet, p. 2.

25) New York Times, 9-20-30, 15:4.

26) Variety, Sept. 24, 1930, p. 23.

27) Harrison's Reports, Sept. 27, 1930, p. 154. Harrison's Reports, like Moving Picture World, is a trade journal for distributors and theater owners.

28) New York Times, May 22, 1942, 27:2.

29) New York Herald Tribune, May 22, 1942, Clipping, BRTC.

30) Variety, April 15, 1942, p. 8.

31) Motion Picture Herald, Apr. 18, 1942, p. 609. Motion Picture Herald is a trade journal for distributors and theater owners. It succeeds Moving Picture World.

32) Harrison's Reports, April 18, 1942, p. 62.

33) New York Herald Tribune, December 24, 1955, 10:2.

34) Variety, December 7, 1955, p. 8.

35) New York Herald Tribune, December 24, 1955.

36) Estimates, December 1955, "The Spoilers," clipping file, Library of Congress.

CHAPTER VI

SUMMARY AND CONCLUSIONS

The conspiracy which held the inhabitants of Nome, Alaska in virtual bondage during the summer of 1900 was, in the words of the Circuit Court at San Francisco, a "corrupt conspiracy" of "shocking offenses" to the extent that "the punishment awarded by the court is wholly inadequate to the gravity of the offenses." This bold plan to subvert the working of Congress, and failing that, of the United States courts, holds no parallel in the history of American jurisprudence. That the plot extended to the Justice Department in the third co-equal branch of the United States government is beyond question, and it may have corrupted even the presidency itself. Absent the investigation which never came about, we probably will never know the true magnitude of the corruption and the identities of the "others not before the court" will never be known (1).

Notwithstanding the mystery surrounding the events, which remain unanswered today, Rex Beach perceived the possibility of exposing the infamous attempt to defraud the original gold claim holders to the reading public and to capitalize on the interest thus created to weave a fictional romantic melodrama into the basic outline of facts to create a novel. The result, The

Spoilers, his most successful novel, launched Beach on one of the most flourishing and prosperous literary careers in the first half of the twentieth century. Rex Beach had gone to Alaska, as had Alexander McKenzie, in hopes of exploiting the region and making huge profits. McKenzie's venture met with failure. Beach found a gold mine of a different kind, a mine of stories and quaint characters which he would draw upon for years. Because of his popularity Rex Beach introduced the popular image of Alaska to millions of readers and play goers, and later, film patrons. Before 1914 the perception of Alaska among the reading public was formed by the popular literature about the territory. The gold strike in 1897 created a demand for literature that resulted in over one hundred dime novels, "mostly mildly inaccurate" accounts by authors who had never been there and who used western pulp formulas in their stories (2). The first sophisticated popular literature came from Jack London and Rex Beach, both of whom had spent some time in the region. London applied his socialist leanings to his stories, describing in social-Darwinist terms, "a sinister, brooding mysterious wilderness "where the fortunes of men faced a bleak and pitiless future" and where "man, acting alone was doomed to defeat" (3).

Beach was more realistic in his approach. His heroes faced man-made adversity rather than the forbidding forces of nature, and thus were more easily capable of overcoming their antagonists. For this reason more than any other, his books sold, and they sold well. When he adapted The Spoilers into a play and then into a film, receiving a percentage of the film's gross, he created and

defined the twentieth century popular author. He knew he had discovered a formula for success. He had stories that he knew the reading public would devour. I wove "fast moving fiction stories upon a background of fact" he would repeat in later interviews. He reasoned that this was a form "it would pay me to follow." He also had the uncanny ability to spot current popular issues and trends and exploit them, as when he wrote The Spoilers and adapted it into the play. "As long as the facts themselves were timely, interesting and significant, they gave me a card to draw to", he later recalled (5). He reasoned also, that "movie audiences are made up, largely, of people who can, and do, read and that an author's name which can be used to sell books and magazines can be used to sell theater tickets" (6). Thus he defines the modern popular author who writes, not to contribute to the world's literature in any meaningful way, but to make money, and in every medium possible.

As president of the Author's League from 1912 to 1917, he attempted to encourage other authors to demand film clauses in their contracts with publishers, and to demand a share of the film instead of selling a story outright. He finally gave up in frustration. They were not interested, many of them unwilling to be openly associated with such a low brow medium as the cinema. Beach, leasing his stories for seven years and demanding 25% to 40% of the gross for each film, made large profits which allowed him to branch out into other ventures, which made even more profits (7).

In 1945, Theodore Platt wrote that "few authors enjoy the delightful spots occupied by the popular Rex Beach and Edna Ferber "who receive huge sums from movie studios for their writings." He went on to lament the haphazard way that authors were paid in amounts ranging between $200,000 for blockbusters to $1500 for B-pictures. He suggested a major change in this practice. Hollywood studios, which had been resisting more beneficial arrangements for years, except for a select few authors, were now beginning to recognize that two things were most important in purchasing ready-made plots: "proof of popular appeal and a ready-made audience." The next logical step, concludes Platt, and the "ideal arrangement," is a combination of a flat payment based on the above formula and also a percentage of the profits" (8). By 1945, Rex Beach had been party to such an arrangement for over thirty years. He had surmised early on that popular appeal and a ready-made audience were indeed the two major components an author needed to ensure financial success. When The Spoilers became a best seller in 1906, its adaptation as a play and then a film was a logical extension of Beach's acute comprehension of what the public desired for amusement and that a good story, presented in other media, would appeal to much wider audiences, which in turn would greatly enhance profits.

Beyond his personal success, Rex Beach also contributed to the popular perception of Alaska in both his books and his films. In the thirty year period between the purchase of Alaska in 1867 to the discovery of gold in July 1897, that northern territory was little more than a vague notion in the minds of most

Americans. Aside from a few government officers and few fur traders, Alaska was merely an empty spot on the map. But when gold was discovered, thousands of Americans, perhaps more than a hundred thousand, risked life and limb to travel to the cold remote land, to the barren beaches and treeless tundra of Nome in search of wealth. The reading public's perception of Alaska was molded largely by Beach in his four Alaska novels. One observer asserted that Beach's depiction of the region was more accurate and realistic than London's, that in The Spoilers, which takes place during the summer months, "there is no snow, the temperature never drops below freezing" (9). After 1914, the perception of Alaska in the minds of Americans came from the cinema more than from novels and stories. Beach was also a prime force in creating that perception, however distorted it would become. "The North muscled its way into celluloid history in April, 1914" with the release of the first film version of The Spoilers (10), with unexpected success, creating a new image of Alaska in the minds of people in the states. By this time, most Alaskans were beginning to dismiss what they felt was largely a distorted image of conventional frontier characters, corruption and ugly towns with mud-filled streets. While this depiction of rough hewn characters in primitive surroundings may have not been exaggerations of the primitive conditions at Nome in 1900, it became the image that American by and large perceived until more realistic films were done later in the Twenties and Thirties. And they were a source of some distress to Alaskans who never experienced the corruption and upheaval depicted in The Spoilers in

its first three film versions. Nevertheless, it is Rex Beach who is responsible for creating the bulk of that image.

The explanation of Beach's long running success with The Spoilers from its initial publication to its final film version in 1955 is not an easy task to accomplish. Rex Beach simply had the ability to tell a good story that his loyal followers liked to read. Patrons of popular art demand convention, those features that are known and expected. They like favorite plots, unsubtle, stereotyped and stock characters, accepted ideas, standard situations, commonly held values and familiar conflict development and resolution. Obtuse plots, subtle characters and unpredictable or tragic conflict resolution might succeed, but they must be presented in a gingerly fashion or they will not sell. The public, by and large, identifies with a story about common people with dignity, about people who worked hard, accomplished much, who were deprived of their fair return by unscrupulous government officials, and who rose up and fought for their rights. They could understand the effects of drunkenness and gambling, of assaults on a lady's virtue and a high level conspiracy of rich and powerful men to rob honest, hard working people of their property. To urban readers, popular stories such as The Spoilers reduced complex issues beyond the control of ordinary people down to simple canons they could comprehend. However deficient artistically the story and characters appeared to the critics, its subject matter was real to the readers. The melodramatic ending was satisfying. Their values were upheld, their worth sustained, their heroes prevailed in the

face of overwhelming adversity and justice prevailed. The novel conforms to all of the rules of melodramatic convention.

Similarly, the play and the five movie versions all presented the same comforting values to those loyal followers of Beach adventures who read his books. The play, in particular, although aimed at the "Eighth Avenue crowd" and the locals out in the small towns, gave them something that was refreshing and relatively new in American theater. It gave popular theater audiences an American play about an American problem in an American setting, and a conflict that was solved in an old fashioned American way. It provided audiences with a play that appealed to popular taste and furnished a substitute for the seemingly endless productions of "Elizabethan relics" and remakes of Uncle Tom's Cabin. The film versions also provided audiences with thrilling melodrama that was both entertaining and exciting. For the same reasons that people bought and read the novel, they attended the films. They all made profits, regardless of the generally lukewarm critical recepetion.

Rex Beach never intended to write great literature. He was a story teller. He wrote as well as he could and laid no claim to excellence. "I found that I could write, not well perhaps, but as well as I could do the other things I tried," he said, "I knew my stuff was not good" (11). He enjoyed writing. It came easy to him. "One thing I have learned during this life of considerable knocking about, and that is the importance of being satisfied, not with yourself or with the amount or the quality of your work, but with the nature of the job you are doing.

The saddest tragedies of everyday life are the misfits: the men and women who are miscast in the roles they play" (12). This attitude is no doubt created by his immediate success. He suffered none of the hardships of budding young authors. None of his work was rejected. He sold his first articles and his first novel became a best seller, eventually selling close to 800,000 volumes. He subsequently sold everything he wrote, except for an aborted attempt to create a radio series during the early forties for which he composed some 200,000 words, and a novel that remained unfinished at his death. "I suffered none of the discouragement, none of the disappointments, none of the despair" of new writers, he would relate later (13).

He was a pioneer in many ways. From his wandering in search for gold in Alaska to his unique arrangement with Harper and Brothers for a film clause in his contract to his lease arrangement for a percentage of the gross with the various film production companies, he set precedents that took years for others to adopt, and which define authors of popular literature today. Above all, he knew what would sell. He had an innate appreciation of not only what people would read, but what they would pay for thrilling entertainment in their leisure time. He had a formidable passion for financial success, which complemented his talent and made him one of the most successful authors in the first half of the twentieth century.

Not content with his literary and entertainment accomplishments, he went on in the Thirties and Forties to become a successful cattle rancher and farmer

in Florida. "Another thing I have learned", he related in 1927, "it is fine to pioneer, but somebody has to settle down. Gosh how I hate to admit it" (14). He divided his time between his New York penthouse and his Sebring, Florida, estate. His writing production diminished after the mid-Thirties as he devoted more time to his other business interests.

His wife, Edith Greta Crater, whom he met in Alaska and married in 1907, died in 1947 after a lengthy illness. On the morning of December 7, 1949, saddened by his wife's death, nearly blind and devastated by the pain and other effects of throat cancer, and no longer in control, Rex Beach ended his life with a pistol shot to the head. He was seventy-two.

Notes: Summary and Conclusions

(1) In Re Noyes 121 Federal Reporter 232

(2) Norris, "Hollywood", p. 4

(3) Ibid., p. 4.

(4) Stanley J. Kunitz & Howard Haycroft, Twentieth Century Authors (1942), pp. 91-2; Frank Luther Mott, Golden Multitudes: The Story of the Best Sellers in the United States, pp. 235, 324-5.

(5) Beach, "My Adentures. . .", p. 112.

(6) Beach, Personal Exposures, p. 187.

(7) Robert van Gelder, Writers and Writing, pp. 202-3.

(8) Theodore Platt, Atlantic Monthly, "From the novel by....", pp. 114, 117-119.

(9) Norris, p. 4-6, 8

(10) Johnson, "When Movie Makers", p. 13-14.

(11) Beach, Personal Exposures, p. 108.

(12) Beach, "My Adventures...." p. 112.

(13) Ibid., p. 112.

(14) Ibid.

BIBLIOGRAPHY

Baglien, David B., "The McKenzie Era: A Political History of North Dakota from 1880 to 1920", (Unpublished M.A. Thesis: North Dakota Agricultural College), 1955.

Beach, Rex E. "The Looting of Alaska", Appleton's Booklover's Magazine, January to May, 1905.

Beach, Rex E., "My Adventures as a Rolling Stone", The American Magazine, August, 1924, pp. 13-15, 106-112.

Beach, Rex, E., Personal Exposures, (New York): Harper & Brothers Publishers), 1940.

Beach, Rex E., personal letters, Rex Beach MSS, Princeton University Libraries, Princeton, New Jersey.

Beach, Rex, E., The Spoilers (New York: A. L. Burt & Co.) 1906.

Beach, Rex, E., The Spoilers (New York: Harper & Brothers Publishers), 1905.

Beach, Rex, and James McArthur, The Spoilers, A Play in Four Acts, (New York: J. E. Nash), 1906.

Beach, Rex, The Spoilers, serial, Everybody's Magazine, December, 1905 through May, 1906.

Bowser, Eileen, The Transformation of Cinema, 1907-1915, (New York: Charles Scribner's Sons), 1990.

Brockett, Oscar, G., History of the Theater, 3rd Ed., (Boston: Allyn & Bacon, Inc.).

Burton, Richard, The New American Drama (New York: Thomas Y. Crowell Company), 1913.

Buske, Frank E., "The Wilderness, the Frontier and the Literature of Alaska to

1914: John Muir, Jack London and Rex Beach", (Unpublished Ph.D. Dissertation: University of California, Davis), 1983.

Cawelti, John G., The Six-Gun Mystique, (Bowling Green, Ohio: Bowling Green University Popular Press) 19 (no date).

Chicago Daily Tribune.

Chicago Sunday Tribune.

Cole, Terrence Michael, "A History of the Nome Gold Rush", (Unpublished Ph.D. dissertation: University of Washington), 1983.

The Dial, "A Theatrical Autopsy", Vol. XLII, #497, (March 1, 1907) pp. 129-131.

Dictionary of American Biography, Supp. 4, (New York: Charles Scribner's Sons), 1946-1950), pp. 59-61.

Downer, Allan S., Fifty Years of American Drama, 1900-1950. (Chicago: Henry Regnery Company), 1951.

The Dramatic News.

Durham, Weldon, ed. American Theater Companies, 1888-1930, (New York: Greenwood Press), 1987.

Durham, Weldon B., "The Revival and Decline of the Stock Company Mode of Organization 1886-1930", Theater History Studies, V. VI, 1986, pp. 165-188.

Eaton, Walter Prichard, The American Stage of Today, (Boston: Small, Maynard and Company), 1908, pp. 6-26, 203-214, 234-239.

Engle, Ronald, Personal Interview, July 19, 1993. (Ed., Theater History Studies, U.N.D.).

Evening Mail, New York.

The Globe and Commercial Advertiser, New York.

Goldman, Marion S., Gold Diggers and Silver Miners (Ann Arbor: The University of Michigan Press). 1981, pp. 87-90.

Gordon, George (pseudonym of Charles Crittenton Baldwin), The Men Who Make Our Novels, (New York: Moffat, Yard & Company), 1919, Chapter XV, "Rex Ellingwood Beach", pp. 97-100.

Green, Helen, "The Spoilers at the New York", Review, The Morning Telegraph, March 12, 1907, p. 10.

Hackett, Alice Payne, 70 Years of Best Sellers (New York: R. R. Bowker Company), 1967, pp. 102, 104-5, 108-9.

Hampton, Benjamin G., History of the American Film Industry from its Beginnings to 1931, (New York: Dover Publications, Inc.), 1970.

Hart, Irving, "Fiction Fashions from 1925 to 1926", The Publishers' Weekly, February 5, 1927, pp. 473-477.

Hart, Irving, "The Most Popular Authors of Fiction in the Post War Period", Publishers' Weekly, March 12, 1927, p. 1045-1053.

Hart, James D., The Popular Book: A History of America's Literary Tastes, (Berkeley: University of California Press), 1950, 1963.

Highlander, James L., "America's First Art Theater, The New Theater of Chicago", Educational Theater Journal, V. 11 (December, 1959), pp. 285-291.

Hitt, Jim, The American West from Fiction (1823-1976) into Film (1909-1986), (Jefferson, NC: McFarland and Co.), 1990.

Hubbard, W.L., "Opening of New Theater Gives Promise of Much", Chicago Sunday Tribune, October 14, 1906, pt. x, p. 1.

Izod, John, Hollywood and the Box Office, 1895-1986, (New York: MacMillan Press) 1988.

Jackson, Joseph, "Bismarck Boomer: The Amazing Career of Alexander McKenzie" (Unpublished manuscript: St. Paul: Minnesota Historical Society) 195?

Jacobs, Christopher, "A Brief History of the Motion Picture and Motion Picture Theaters in Grand Forks, North Dakota," (unpublished term paper, Special Collections, Chester Fritz Library, University of North Dakota,) 1972.

Jacobs, Christopher "Neglected Epics, Forgotten Programmers and Overlooked Gems: A Closer Look at Films that Have Barely Made the Footnotes," (Unpublished manuscript, Special Collections, Chester Fritz Library, Universitiy of North Dakota), no date.

Johnson, Susan Hackley, "When Movie Makers Look North," Alaska Journal, (Winter, 1979), pp. 12-23.

Kramme, Michael, "The Script Collection of the Museum of Repertoire Americana", Theater History Studies, V. XIII, pp. 209-236.

Kunitz, Stanley J. and Vineta Colby, Twentieth Century Authors, (New York, The H.W. Wilson Company), 1942, pp. 91-92.

Lillo, Waldemar, "The Alaska Gold Mining Company and the Cape Nome Conspiracy", (unpublished Ph.D. Dissertation: University of North Dakota), 1935.

Magill's Series of Cinema, Silent Films, 3 Volumes, (Englewood Cliffs, NJ: Salen Press), 1982.

Martin, Cy. Whiskey and Wild Women (New York: Hart Publishing Co), 1974, pp. 146-149.

Morrow, William W., "The Spoilers", California Law Review, V. IV #2 (January, 1916), pp. 89-112.

Mott, Frank Luther, Golden Multitudes: The Story of Best Sellers in the United States, (New York: The MacMillan Company), 1947, pp. 235, 324-5.

Motion Picture Herald, Library of Congress.

The Moving Picture World, "The Spoilers", April, 1914, pp. 186-187.

Munder, Kenneth, Exec. ed., The American Film Institute Catalogue of Motion Pictures Produced in the United States: Feature Films 1921-30, (new York: R.R. Bowker Co.), 1971.

Nannes, Casper H., Politics in the American Drama, (Washington, D.C.: The Catholic University of America Press), 1960.

New York Dramatic Mirror, "New York - The Spoilers", Review, March 23, 1907.

New York Herald.

The National Cyclopedia of American Biography, Vol. XIV, (Ann Arbor: University Microfilms, 1967.

New York Times.

Nizer, Louis, "The Most Unforgettable Character I've Met", The Reader's Digest, V. 58, #345, (January, 1951), pp. 33-37.

Norris, Frank, "Hollywood and the Image of the North Country", paper presented to the Alaska Historical Society, Haines, Alaska, (October 24-27, 1991).

Nye, Russel, The Unembarrassed Muse: The Popular Arts in America, (New York: Deal Press), 1970.

Paramount Press Sheet, "The Spoilers", September 22, 1930, Library of Congress.

Parish, James Robert and Michael R. Pitts, The Great Western Pictures, (Metuchen, N.J.: The Scarecrow Press), 1976.

Pierson, George William, "The Frontier and Frontiersmen of Turner's Essays: A Scrutiny of the Foundations of the Middle Western Tradition", The Pennsylvania Magazine of History and Biography, V. LXIV, #4, (October, 1950).

Platt, Theodore, "From the Novel By....", Atlantic Monthly, V. 175 (Mar. 1945), pp. 116-9.

Richardson, Robert. Literature and Film (Bloomington: Indiana University Pres), 1969.

Schultz, Roger: "Dating the Decline of the Road: The Verification of a New Hypothesis", Theater History Studies, V. XIII, 1993, pp. 163-180.

Slide, Anthony, "The Spoilers", Magill's Series of Cinema, Silent Films, Vol. 3, (Englewood Cliffs, NJ: Salem Press), 1983, pp. 1028-30.

Slide, Anthony, Aspects of American Film History Prior to 1920, (Metuchen, N.J.: Scarecrow Press), 1978.

Slide, Anthony and Edward Wagenknecht, Fifty Great American Silent Films 1912-1920: A Pictorial Survey, (New York: Dover Publications, Inc.), 1980.

Slide, Anthony, The Idols of Silence, (South Brunswich, N.J.: A. S. Barnes and Co.), 1976.

Slide, Anthony, Selected Film Criticism, 1912-1920, (Metuchen, N.J.: The Scarecrow Press), 1982, pp. 242-243.

Slotkin, Richard, Gunfighter Nation: The Myth of the Frontier in Twentieth Century America, (New York: Atheneum), 1992.

The Spoilers, Selig Polyscope Co., 1914, 35mm, Library of Congress.

The Spoilers, A Samuel Goldwyn Production, 1923, 35mm, (4 reels of 7), Library of Congress.

The Spoilers, A Paramount Picture, 1930, 35mm, Library of Congress.

The Spoilers, Universal Pictures Co., 1942, VHS Videotape, (Itasca, IL: Critic's Choice Video).

The Spoilers, Universal Pictures Co., 1955, 35mm, Library of Congress.

The Spoilers, Clipping File, Library of Congress.

The Spoilers, Copyright Synopsis, April 14, 1914, Library of Congress.

The Spoilers, Copyright Synopsis, July 20, 1923, Library of Congress.

The Spoilers, Copyright Synopsis, September 22, 1930, Library of Congress.

The Spoilers, Copyright Synopsis, April 15, 1942, Library of Congress.

The Spoilers, Copyright Synopsis, November, 1955, Library of Congress.

"The Spoilers", Program, The New York Theater, March 18, 1907, Billy Rose Theater Collection-New York Public Library, Lincoln Center.

"The Spoilers", Program, Strand Theater, New York, April, 1914, Billy Rose Theater Collection-New York Public Library, Lincoln Center.

The Sun, Chicago IL.

Theatre, "The Spoilers", Review, April, 1907, Billy Rose Theater Collection-New York Public Library, Lincoln Center.

Time, "Milestones", (Dec. 19, 1949), p. 71. Obituary of Rex Beach.

Tuska, Jon. The Filming of the West, (Garden City, N.Y.: Doubleday and Company), 1976, pp. 55-56, 381, 422.

U.S. Congress, Senate, Congressional Record, 56th Congress, 1st Session, 1900, 33, pts, 4, 5, & 6.

Unknown Source, "The Spoilers", Review, no date, Clipping File, Billy Rose Theater Collection-New York Public Library, Lincoln Center.

Unknown Source, "Plays that Pass in the Night. Rex Beach's 'The Spoilers' at the New York Theater," Review, no date, Clipping File, Billy Rose Theater Collection-New York Public Library, Lincoln Center.

van Gelder, Robert, "An Interview with Rex Beach," in van Gelder, Robert, Writers and Writing, (New York: Charles Scribner's Sons), 1946.

Variety.

Who Was Who in America, (Chicago: The A.N. Marquis Company), 1950, p. 50.

Wickersham, James, Old Yukon: Tales-Trails-and Trails. (Washington, D.C.: Washington Law Book, Co.), 1938, Chapters 22, 23, & 24.

Wilkins, Robert P.,. "Alexander McKenzie and the Politics of Bossism", in Howard, Thomas W., ed., The North Dakota Political Tradition, (Ames, Iowa State University Press), 19??, pp. 3-39.

Wilson, Garff B., Three Hundred Years of American Drama and Theater: From Ye Bear and Ye Cubb to Hair, (Englewood Cliffs, N.J.: Prentice Hall, Inc.).

Wolfe, Hilton John, Alaskan Literature: The Fiction of America's Last Wilderness, (Unpublished Ph.D. Thesis: Michigan State University), 1973.

The World, "Frozen Melodrama Hot on Broadway", Review, March 12, 1907.