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Bryna Productions and the unproduced Viva Gringo!**

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Citation:

FENWICK, James (2020). A production strategy of overdevelopment: Kirk Douglas's Bryna Productions and the unproduced Viva Gringo! In: FENWICK, James, FOSTER, Kieran and ELDRIDGE, David, (eds.) Shadow Cinema The Historical and Production Contexts of Unmade Films. Bloomsbury Academic. [Book Section]

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Chapter One

A production strategy of overdevelopment: Kirk Douglas's Bryna Productions and the
unproduced *Viva Gringo!*

James Fenwick

In 1969, after nearly twenty five years in the business and over fifty screen appearances starting with *The Strange Love of Martha Ivers* (Milestone, 1946), Kirk Douglas took the decision to begin donating his personal and business papers to the Wisconsin Center for Film and Theater Research (WCFTR). Over the next decade, Douglas continued to donate his papers, leading to the division of the original collection into seven broad categories: correspondence and personal papers; financial and business records; television; theatre; radio; motion pictures – produced; and motion pictures – unproduced. Taken together, the Kirk Douglas Papers cover one of the most important and transformational eras in American film history, commencing with the twilight years of the studio system in the 1940s, through its break-up in the 1950s, and the eventual conglomerization of the Hollywood studios in the 1960s. At the same time, the papers reveal Douglas's own centrality to these transformations following the incorporation of his own independent production company in 1949, Bryna Productions. Douglas was one of the first actors to form his own company in the post-World War Two era, precipitating an industrial trend that reached its apogee in the mid-1950s.

The Kirk Douglas Papers (KDP), as the collection was eventually named, are quite revealing, with correspondence and other documents that unveil the man behind the screen-persona. What we find is an actor, producer, writer, philanthropist and diplomat who frequently displayed a furious level of perfectionism, determined to ensure his projects – in

all their forms – possessed a long-lasting quality and that (increasingly so, from the late 1950s onwards) they contained deeper intellectual and social themes. Douglas had been encouraged to donate these papers at the invite of film historian and academic Tino Balio. At the time, Balio was the director of the WCFTR and was instrumental in growing its archival acquisitions. Balio set about obtaining the United Artists Corporation Records, a vast collection of films, production files, business papers and more. Balio's success in securing such major archival donations was a result of his pitch, convincing potential donors that, 'UW–Madison was a serious research institution looking to provide students and scholars with resources to study the history of film, television and theater, and that it would take the steps necessary to archive and preserve those materials' (Price 2007).

The intention of this chapter is to demonstrate *how* and *why* such archival material, even the most mundane, incomplete and trivial of records, is a vital and necessary source that can help researchers uncover new perspectives, histories and even dynamics within the American film industry. The chapter will serve as a guide for the reconstruction of lost film texts, as well as raise questions as to what even constitutes a 'text' in the murky and dusty scholarly domain of shadow cinema. The chapter will examine Kirk Douglas's unmade project *Viva Gringo!*, situating its development (and eventual abandonment) within the wider industrial and cultural contexts of the late 1950s and early 1960s, as well as in the broader business history of Douglas's Bryna Productions. It will explore the creative and business decisions that led to the development of and eventual abandoning of the project and, more important, it will show how we can use the scant archival material of a project like *Viva Gringo!* to reconstruct a wider history of industrial and cultural logic of failure that informed Hollywood production processes in the 1950s and 1960s.

Kirk Douglas and Bryna Productions

Before undertaking the case study of *Viva Gringo!*, I want to explore the wider history of Kirk Douglas's productions in the 1950s and the archival category of 'motion pictures – unproduced' within the KDP. In doing so, the aim is to understand more broadly the management processes of Bryna Productions and of Douglas as a producer. It also serves to show the extent of overdevelopment taking place at the company: the way in which Douglas was committing to more projects than Bryna could ever feasibly produce, given its limited resources as a small, independent production company, and in turn how this led to a surplus of unproduced films.

Table 1 surveys the KDP category of 'motion pictures – unproduced', with 59 separate unproduced projects between the incorporation of Bryna in 1949 through to the mid-1970s. The table also contains information about the years attributable to the respective archival documentation, but this does not necessarily correlate to the years in which the project was in active development. For example, *The Shadow* contains documentation from 1944, but this relates to contracts that detail previous literary rights to the property on which the project was based prior to Douglas was actively looking to develop the project. Table 1 is by no means a complete record of all the unproduced projects with which Bryna Productions or Kirk Douglas were associated. Despite forming his own production company, Douglas still regularly starred in the productions of other producers and production companies. At the same time, other archival documents contained in the KDP refer to projects that Douglas/Bryna were developing (Norton 1957) but which are not present within the unproduced section, while newspaper and trade journal articles, such as *Variety*, detail the names of projects Douglas was – however briefly – associated with.

Table 1 Motion Pictures - Unproduced (KDP Catalogue)

| Title | Year(s) | Title | Year(s) |
|-------|---------|-------|---------|
| | | | |

| | | | |
|--------------------------------|-----------|--|-----------|
| <i>The Man Without a World</i> | 1950 | <i>Something for Nothing</i> | 1966 |
| <i>The Travelers</i> | 1950 | <i>Lie Down, I want to Talk to You</i> | 1967 |
| <i>Allison Brothers</i> | 1955 | <i>Shady Baby</i> | 1967 |
| <i>The Syndicate</i> | 1954-1956 | <i>Seat of Power</i> | 1967-1970 |
| <i>Shadow of a Champ</i> | 1955-1959 | <i>The Piano Sport</i> | 1968 |
| <i>A Most Contagious Game</i> | 1955-1957 | <i>The Bronc Rider</i> | 1968-1969 |
| <i>Mavourneen</i> | 1956-1967 | <i>Charlemagne</i> | 1968-1969 |
| <i>The Shadow</i> | 1944-1972 | <i>Chaka</i> | 1969 |
| <i>Deliver Us From Evil</i> | 1956 | <i>Project II</i> | 1969 |
| <i>Quality of Mercy</i> | 1956 | <i>A Last Valley</i> | 1969 |
| <i>Silent Gun</i> | 1956-1966 | <i>Fling!</i> | 1969 |
| <i>Man on a Motorcycle</i> | 1956-1957 | <i>Adam's Garden</i> | 1969 |
| <i>The Golden Triangle</i> | 1956 | <i>Alimony Jail</i> | 1969 |
| <i>I Stole \$16,000,000</i> | 1957-1960 | <i>The Photographer</i> | 1969 |
| <i>Montezuma</i> | 1957-1960 | <i>The Strangers</i> | n.d. |
| <i>The Sun at Midnight</i> | 1957-1961 | <i>Catch Me a Spy</i> | 1972 |
| <i>The Incredible Yanqui</i> | 1951 | <i>The Black Box</i> | n.d. |
| <i>The Beach Boys</i> | 1958 | <i>The Heroine</i> | n.d. |
| <i>The Disenchanted</i> | 1958 | <i>The Changing Man</i> | n.d. |
| <i>The Mound Builders</i> | 1958-1961 | <i>Jamie</i> | n.d. |
| <i>Port of Call</i> | 1958 | <i>Aces 'n Eights</i> | n.d. |
| <i>Viva Gringo!</i> | 1958 | <i>Brief Madness</i> | n.d. |

| | | | |
|---------------------------|-----------|--|------|
| <i>Masters of the Dew</i> | 1958-1959 | <i>Fuzz</i> | n.d. |
| <i>The Indian Wars</i> | 1961 | <i>The Glory of Love</i> | n.d. |
| <i>King Kelly</i> | 1955-1963 | <i>The Many Loves of Jerome</i> | n.d. |
| <i>Trapeze</i> | 1961 | <i>Marauder</i> | n.d. |
| <i>Walls of Jolo</i> | 1963 | <i>The Milk Run, or the Aerodynamic</i> <i>Love Song of Eddie MacLean</i> | n.d. |
| <i>Automation</i> | 1964 | <i>The Rustler and the Prostitute</i> | n.d. |
| <i>The Confessor</i> | 1964-1965 | <i>Yatra: A Beginning, A Pilgrimage</i> | n.d. |
| <i>Bolivar!</i> | 1966 | Miscellaneous stories | |

Following its incorporation in 1949, there were attempts by Bryna to produce several films, including *The Shadow*, a project that was to be filmed in the UK and co-star Jane Wyman alongside Douglas (Fenwick 2020a). But Bryna did not enter active production until the mid-1950s with the release of *The Indian Fighter* (1955), following the signing of a six-picture, non-exclusive contract with United Artists (UA). Yet, between the ‘dormant’ years of 1949 and 1955, there were frequent reports of potential properties being developed by the company. Producer Richard Sokolove worked for this earliest iteration of Bryna between 1950 and 1951. Sokolove would read twelve to fifteen stories and scripts per week and provided Douglas with reports so that he could consider what projects Bryna might develop (Sokolove 1951).

But Sokolove appears to have grown increasingly frustrated at the inactivity of Bryna, which he deemed to be a result of Douglas’s own heavy workload; since the incorporation of Bryna in 1949, through to Sokolove expressing his frustration in 1951, Douglas had appeared in eight films, none of which were produced by Bryna. Sokolove was frank in his assessment of the situation at Bryna, telling Douglas, ‘no project should depend upon your acting in it.

As willing and interested as you might be, you have neither the time nor the strength. Each project should stand on its own' (Sokolove 1951 – emphasis in the original). Following his intervention, which largely went unheeded, Sokolove left Bryna's employment in 1952. By March 1952, *Boxoffice* was reporting that Douglas finally intended to activate Bryna, with plans for two projects to enter immediate production, followed by an annual slate of three pictures (though Douglas planned on appearing in only one picture per year, perhaps taking on board Sokolove's suggestion) ('Kirk Douglas Activating' 1952: 30).

William Schorr was brought on board as a producer to replace Sokolove and commence development of *The Shadow* and *The Fear Makers* ('Kirk Douglas Activating' 1952: 30). But once again Bryna stalled and neither project entered production. The latter was an adaptation of Darwin Teilhet's 1945 novel of the same name, a thriller about a Communist plot to infiltrate America. Douglas's lawyer, Sam Norton, optioned the novel in 1948, with Douglas intermittently seeking ways to adapt it throughout the early 1950s (Williams 1949; Teilhet 1950). By the summer of 1950, Douglas's assessment of the project was that he was not 'in a hell of a rush. I have waited too long to do anything with "Fear Makers" to louse it up by rushing into it now' (Douglas 1950). The project was eventually sold to Pacemaker Productions, who produced it for UA as a low-budget thriller directed by Jacques Tourneur in 1958.

A combination of factors may have contributed to this initial period of dormant activity at Bryna. First, Douglas, as the company's CEO, had no contractual motivation, with none of his projects being signed to any one studio. The 1955 contract with UA, however, provided both creative and financial incentive (Fenwick 2020a). Second, Douglas himself was overworked and overcommitted and, therefore, he was unable to provide his full attention to the projects being developed by Bryna. Table 1 does show an increase in archival documentation from the mid-1950s, after Bryna entered active production, while there is a

lack of documentation relating to the early years of the company. And yet, as discussed above, there are still trade journal reports of potential titles associated with Douglas/Bryna. This may indicate that Bryna and Douglas wanted to be *seen* to be developing projects in order to be part of trade journal ‘gossip’.

Bryna’s six-picture contract with UA was signed in January 1955. Between the signing of the contract and the end of the decade, Table 1 shows that there were at least twenty-one projects that Bryna considered in one form or another. Not all of these would have been for UA financing, as Bryna entered contracts with a variety of other studios, including MGM (*Lizzie* [Haas, 1957]) and Paramount (*Last Train From Gun Hill* [Sturges 1959]). Moreover, between 1955 and 1960, the company only produced eleven feature films: *The Indian Fighter* (Toth 1955), *Spring Reunion* (Pirosh, 1957), *Lizzie*, *The Careless Years* (Hiller, 1957), *Paths of Glory* (Kubrick, 1957) (this was a production by the Harris-Kubrick Pictures Corporation, produced by James B. Harris, but as part of the contractual arrangements to secure Douglas in the leading role, Bryna was given the production company credit), *Ride Out For Revenge* (Girard, 1957), *The Vikings* (Fleischer, 1958), *Last Train From Gun Hill*, *The Devil’s Disciple* (Hamilton, 1959) (this was a co-production with Hecht-Hill Lancaster Productions), *Strangers When We Meet* (Quine, 1960), and *Spartacus* (Kubrick, 1960). Bryna also produced a 39-episode television series, *Tales of the Vikings* (United Artists Television, 1959-1960), based on the *The Vikings* feature film. Douglas only starred in seven of the eleven productions, but also appeared in five further productions for other producers in the same period: *The Racers* (Hathaway, 1955), *Man Without a Star* (Vidor, 1955), *Lust for Life* (Minnelli, 1956), *Top Secret Affair* (Potter, 1957), and *Gunfight at the O.K. Corral* (Sturges, 1957). Reflecting on this period of activity, it becomes apparent that there is a discrepancy between the number of projects that Bryna was considering for development and the number of films that were actually released, attributable in part to two

key factors: the first, as already discussed, was Douglas's over commitment to appearing in leading roles, and the second, and arguably more important, was Bryna's model of overdevelopment.

The idea of overdevelopment as a model of production for independent producers and production companies in the 1950s is not altogether uncommon. There is evidence of other independent production companies operating a similar business model, including the Harris-Kubrick Pictures Corporation, Hecht-Hill-Lancaster Productions, the Mirisch Corporation, and Seven Arts. The idea was predicated on the notion that a constant flow of projects always needed to be in development because of the anticipated failure (or rejection) of most of them by the studios. The new industrial conditions of Hollywood had led to the rapid incorporation of independent production companies by actors, directors, writers and other creative talent, in the process becoming their own producers. Financing and distribution for the projects of these production companies largely came from the major studios, especially from UA during the 1950s. The independent production companies were therefore managed on the assumption that most of their projects in development would ultimately be abandoned and left unproduced. The high volume of unproduced projects in the KDP would account for such a business model: Bryna never intended to produce most of these projects, but rather acquired property and developed screenplays as insurance against the failure of other projects.

Other production companies that operated a strategy of overdevelopment in the 1950s included the Harris-Kubrick Pictures Corporation. The company had brief contractual affiliations with the likes of UA and MGM, as well as a three-picture contract with Douglas's Bryna Productions that was never fulfilled (see Fenwick 2020b). Recent research has investigated the number of unproduced Harris-Kubrick projects, with estimates of between twenty-five and thirty projects in development during the course of the company's seven-year history (Ulivieri 2017: 111-112). And yet, the company only ever produced three films that

were released: *The Killing* (Kubrick, 1956), *Paths of Glory*, and *Lolita* (Kubrick, 1962). The discrepancy between unproduced and produced projects at Harris-Kubrick can be explained by what Peter Kramer has described as practical considerations; that is, the number of projects that were developed in one way or another by Harris-Kubrick were ‘to do ultimately with keeping their company afloat by getting project funding and generating income’ (Krämer 2017: 383-84). Harris-Kubrick, just like Bryna, seemed to operate a strategy of overdevelopment as means of insurance.

Overdevelopment also acted as a means of guaranteeing a constant flow of product ready to enter production should a deal be arranged with a financier-distributor. But overdevelopment was also used to offer projects as part of a participation deal in return for securing the financing of a larger project. And the costs of overdevelopment could be substantial. Take, for example, the Mirisch Company. It had an ongoing contract between 1957 through to the mid-1960s with UA. During that time, Mirisch accrued various debts for unproduced films, including ‘\$30,300 on *Saddle and Ride*, \$14,250 for *The Bridge at Remagen*, \$12,200 for *Counselor-at-Law* and \$9,800 for *Gargantua*’ (Hannan 2015: 249).

The specific contexts for overdevelopment are unique for each company and therefore we need to undertake archival research that takes account not only of the production and business files of a specific film, but also of primary sources beyond the host archive of the unproduced film. In doing so, we can understand why, in the model of overdevelopment, one project might be favoured over another and the various vested interests at play. What follows is an investigation of the archival sources of *Viva Gringo!*, with a case study of the research methods taken to understand how and why it was a victim of overdevelopment.

Unarchiving *Viva Gringo!*

Tucked amidst the many files in the ‘motion pictures – unproduced’ of the KDP category are two slim, not altogether atypical folders for a project named *Viva Gringo!*. While other folders in the unproduced category may bulge with overflowing correspondence and draft scripts, folders 22 and 23 that make up *Viva Gringo!* are noticeable for their svelte appearance. The “*Viva Gringo!*” folders are themselves divided into three categories:

- 1) Folder 22: Correspondence, 1958 August-November
- 2) Folder 22: Titles, clippings
- 3) Folder 23: Budget, 1958 May

At first glance, there appears to be nothing of real substance within these folders, not even a script. Therefore, how plausible is it to reconstruct a project with the absence of creative material? The *Viva Gringo!* files also raise questions about the need for ongoing archival research, often beyond the limits of the archive in which the material is located. The way this case study will proceed is to assume that you, the reader, is approaching the material in the same way that I, the researcher, did so: with no knowledge as to what *Viva Gringo!* was about and who was to appear in it. Only by the end, after unarchiving the contents of folders 22, 23, and beyond, can we begin to reveal such details.

Let us commence with folder 22, the catalogue entry for which is somewhat misleading: ‘Correspondence, 1958 August-November’. But the file contains documents beyond the stated 1958, largely ranging from between 1960 and 1965. A breakdown of the 19 documents contained in the folder shows that only five pertain to 1958, with the majority coming from 1959 and beyond (see Table 2). This is significant due to one of the items contained in the folder: a news clipping which suggests the project may have been abandoned as early as September 1958 (‘News clipping’ 1958). Therefore, what are these documents

and, if the project had been abandoned so early on, why do most of the contents relate to the years after 1958?

Table 2 Contents of Folder 22, Box 56

| Year | Number of Documents |
|-------------|----------------------------|
| 1958 | 5 |
| 1959 | 1 |
| 1960 | 3 |
| 1961 | 5 |
| 1962 | 0 |
| 1963 | 0 |
| 1964 | 4 |
| 1965 | 1 |

The makeup of the folder is a combination of mainly memoranda and letters, but there is also a proposed publicity plan for the project, proposed titles for the released film, several clippings from newspapers, including the *Los Angeles Times*, and contracts between Bryna Productions and Universal-International, and between Bryna Productions and the author and screenwriter Borden Chase. The contents are not organised chronologically and, so, the first task must be to re-arrange the documents in date order. In doing so, a picture begins to emerge that brings to life *Viva Gringo!*, even in the absence of any creative material.

In June 1958, Bryna Productions contracted Borden Chase to write a new film, or as the first key document (the contract between Chase and Bryna) describes it, ‘to create and write for us as we may desire and designate such changes, revisions and / or additions in and to our screenplay now entitled “VIVA GRINGO”’ (‘Contract of employment between Bryna Productions and Borden Chase’ 1958). Chase was given a time limit to complete his work,

with delivery needed in advance of the contemplated shooting dates of 1 to 30 November 1958 (ibid.). The contract compensated Chase with \$50,000 for his services upon either the completion of principal photography or, should the production be postponed, after 15 January 1959 (ibid.). In signing the contract, Chase granted Bryna all rights to the literary property created and any work that was derived from it. This last point is an important context given what unfolds in the remaining documents in folder 22. Chase's employment also entitled him to 4% of any Producers' Gross proceeds derived from the film should it be released (Sattler 1958).

The documents show that Bryna was keen to secure a contract with Chase and to grant him favourable terms of employment. Of course, without any further context, the folder does not make it clear as to *why* Bryna had chosen Chase or, indeed, who he was. Chase had previously written the screenplay for *Man Without a Star* (Vidor, 1955), the highly successful western that had featured Kirk Douglas in the lead role. In reference to the film in his autobiography, Douglas states that Chase was a 'good writer' who had created a 'simple, fun, commercial western' (Douglas 1989: 255). Chase was a significant writer of the western genre in Hollywood; he devised the story for *Vera Cruz* (Aldrich, 1954), a Hecht-Lancaster Production scripted by Roland Kibbee and James R. Webb, and which performed exceptionally well at the box office and featured in *Variety's* Top Film Grossers list of 1955 ('1955's Top Film Grossers' 1956: 15); and he co-wrote the screenplays to critically acclaimed westerns including *Red River* (Hawks, 1948) and *Winchester '73* (Mann, 1950).

The documents in Folder 22 suggest *Viva Gringo!* would very much be the next Bryna Production to feature Kirk Douglas. Proposed pre-publicity plans were put together by Universal in July 1958 that suggested using the project as a means to celebrate Kirk Douglas's screen career to date, with the picture – when (and if) released – being his thirtieth (that accolade eventually went to *The Vikings*, released in the summer of 1958). A potential

angle for the story was to have Douglas, ‘donning the different make-ups and clothes used in his most famous pictures. [...] Douglas has done just about everything in movies and this recap would make a good picture story’ (Sullivan 1958). The publicity plans hint towards some of the potential creative thinking behind *Viva Gringo!*, including for the film to feature ‘really sexy pin-ups’ in leading females, in order to challenge ‘such sex-pots as Brigitte Bardot, Loren, Martine Carol and so forth’ appearing in other films (Sullivan 1958). It also notes that Douglas was to play a leading role in the film alongside Rock Hudson and that it was to be filmed in Mexico; a proposed publicity stunt was for the two actors to appear in a photo-feature titled ‘How to Learn Spanish Quickly’, exploiting the locale of the film (Sullivan 1958).

Accompanying the publicity plan, and despite Bryna having assured Chase that the film would be named *Viva Gringo!*, was a document headed ‘Title Suggestions for “Viva Gringo”’ (1958). The list had been sent to Bryna by Universal, with titles taken from a ‘master list’ kept by the latter company. This was a common business approach within the industry, with producers, production companies, and the major studios registering hundreds of titles with the MPAA Title Registration Bureau, even if they had no story to attach. There is no surrounding context as to why Universal supplied the list, which included variations on *Viva Gringo!*, such as ‘Viva Americano!’, ‘Viva Badman!’, ‘Viva Joe Daylight’, and ‘Viva Outlaw!’. However, the presence of the title list suggests that the project was still moving forward by the end of July 1958. This is confirmed by a news clipping from the *Los Angeles Times* contained in the folder. Dated 8 August, the clipping reveals a new context to the *Viva Gringo!* project, one that hints that this was no western in the vein of *Man Without a Star* or *Vera Cruz*:

Kirk Douglas' Bryna company has tied in with U-I for two epic-type movies. First is "Spartacus," by Howard Fast, in which Sir Laurence Olivier will direct Douglas, Charles Laughton, Peter Ustinov and himself, starting in October. The budget on this one is \$4,000,000. The second will be "Viva Gringo," by Borden Chase, with Hudson and Douglas. (Scheuer 1958)

Presumably, the author of this item, Philip Scheuer – the *Los Angeles Times*' film critic – based the story on a press release from either Bryna or Universal. It reveals that the plans for *Viva Gringo!* were for an 'epic-type' film on the scale of *Spartacus* and, therefore, would have a similar budget. At least that is what the article implies. Moreover, Bryna's earlier pledge to Borden Chase, in the contract with the author, had stated the production was planned for November 1958, but the above article suggested that *Spartacus* would now be filmed in October 1958. One must assume, particularly given the lack of any details of production dates in the story, that *Viva Gringo!* had been delayed until 1959.

The documents that follow the above news clip suddenly seem to indicate a slow-down in the development of *Viva Gringo!*. Responding to a press enquiry in early August 1958, Stan Margulies, the head of Bryna's publicity unit Public Relations, stated that there was no news, nor any available photos in relation to *Viva Gringo!* 'since the screenplay is still being revised. We hope to go into production around the 1st of the year' (Margulies 1958). There is a further news clipping in the folder, dated a month after the letter from Margulies. The article featured a quote from Rock Hudson – who was filming *This Earth Is Mine* (King, 1959) at the time – in which he said, 'I was supposed to do "Viva Gringo" next with Kirk Douglas [...] but I understand the picture is being postponed until next year' (Anon. 1958). Innuendo was being applied in the discussions about *Viva Gringo!* Postponed

meant the project was still in development and more than likely would remain there. After all, Margulies had admitted that the screenplay was being 'revised' as of August 1958.

The next set of documents in folder 22 confirm that somewhere between August 1958 and the end of 1960, *Viva Gringo!* had been officially abandoned by Bryna. Extensive correspondence takes place over the next five years, 1960 to 1965, on how best to compensate Borden Chase for his services, how to transfer rights to the literary material of *Viva Gringo!* back to him, and how to account for the funds spent on development of the project as part of the budget for *The Last Sunset* (Aldrich, 1961). Chase had written considerable material for *Viva Gringo!*, including a 169-page treatment, a 36-page synopsis, and a 160-page first draft screenplay ('Letter of contract between Bryna Productions and Borden Chase' 1960). But in order for the rights to the material to be transferred back to Chase, the author first had to repay \$50,000 advance to Universal, before Bryna could initiate the compensation clause of his original 1958 contract, along with issuing him a quitclaim to transfer all intellectual property rights for *Viva Gringo!* into his name. This process would not be completed until 1965.

In the meantime, Bryna was concerned that the nearly \$75,000 incurred in the development of *Viva Gringo!* would be incorporated as part of the budget for *The Last Sunset*, a western (set in Mexico) that finally saw Rock Hudson and Douglas on screen together. In a letter of contract between Bryna and Universal from June 1961, Bryna stated that 'We have mutually abandoned any plans to produce a motion picture based on the property [*Viva Gringo!*] and we mutually desire to agree upon the share each of us will pay of such indebtedness and the manner in which payment shall be made from us to you of our portion' ('Letter of contract between Bryna Productions and Universal Pictures' 1961). The solution was to ensure that the costs of *Viva Gringo!* were offset by any profits made by *The Last Sunset* which were owed to Bryna; the company had a 37.5 per cent interest in *The Last*

Sunset. In calculating the means by which the costs of *Viva Gringo!* would be absorbed by *The Last Sunset*, it ensured that they were not officially recorded as part of that film's production budget and therefore impact on any potential producer's profits owed to either Universal or individuals at Bryna (ibid).

Folder 22 raises various questions about the production of *Viva Gringo!* Most notably, what on earth was the proposed 'epic-type' film about and why was it abandoned? And was it ever even a serious project? There was substantial creative material devised for it (not available in the KDP) and, moreover, a draft budget was created. This latter item is contained in folder 23, the sole content of the file. Dated 16 May 1958, the document is a pre-production budget that put the production cost for *Viva Gringo!* at \$1,979,875, 'predicated on a shooting schedule of 36 days in Mexico, 13 days at the studio, plus 1 day travel to Mexico and 1 day travel to the studio' ('Pre-Production Budget' 1958). The eighteen-page budget breaks down the above the line, shooting, and completion period costs in fine detail; in fact, the level of detail suggests that a draft script was already available. A breakdown of the talent budget, for example, reveals that character names had been set, including the lead characters of Joe Daylight (Kirk Douglas) and Traveler (Rock Hudson), alongside a lengthy list of other characters. The breakdown of 'Bits, Extras, Vehicles & Livestock' reveals that scenes had already been written and suggests an extensive cast ('Pre-Production Budget' 1958).

Still, even with such a detailed budget, broken down by some kind of draft script that must have existed prior to the signing of a contract with Borden Chase, we are still left with little context as to what *Viva Gringo!* was about. Taken together, the *Viva Gringo!* files held at the KDP reveal that a project, most likely a western set in Mexico and written by Borden Chase, starring Rock Hudson and Kirk Douglas, was given brief consideration for production by Bryna Productions and Universal. But another, much larger project, most likely *Spartacus*, postponed *Viva Gringo!* indefinitely. Finally, the files show the financial and legal

repercussions that result from an unproduced film and how the costs can be recouped by absorbing them into the production costs of a produced film.

Beyond the Kirk Douglas Papers

There are clear limits to the material held in some archives for unproduced projects. This does not mean files like *Viva Gringo!* are useless to film history. But rather, that we must look beyond the files themselves, often beyond the archive in which they are located, to further understand and contextualise the information they contain and the questions that they raise. Two key sources emerge to understand more broadly the contexts of *Viva Gringo!* that also allow us to place it within the wider history of Kirk Douglas and Bryna Productions.

The first is the Motion Picture Association of America (MPAA) Production Code Administration (PCA) records held at the Margaret Herrick Library in Los Angeles. The PCA records are vast, measuring at 240 linear feet with nearly 20,000 records spanning 1927-1967 ('Production Code Administration Records' n.d.). Producers submitted material, including draft screenplays, treatments, synopses, entire novels and more to the PCA to ascertain the sensitivity of the proposed project and whether it would encounter any censorship issues. Quite often the material submitted to the PCA was never produced and therefore the PCA Records serve as a key source for the shadow cinema historian.

Sure enough, the PCA Records have a *Viva Gringo!* production file, which covers the years 1957-1958. Intriguingly, the PCA production file begins a whole year earlier than the files held at the KDP. The contents of the PCA file are made up of two documents: a memo from vice president Geoffrey M. Shurlock, and a carbon copy of a letter to Kathryn McTaggart (Universal) from Shurlock. The former, a memo for the files, is dated 28 May 1957, with a copy forwarded to the Universal offices. The letter offers the first real sense of what *Viva Gringo!* the film would have been like:

It is the story of an American bank robber who flees to Mexico with his loot, buys a large ranch, and later joins up with Pancho Villa during the Mexican Revolution. By the end of the story both he and Villa have reformed and have become good Revolutionary Mexicans. (Shurlock 1957)

The story that was submitted to the PCA, and of which it largely approved, was a synopsis based on an unpublished novel by Borden Chase. The correspondence is between the PCA and Universal, suggesting it was a property that had been submitted by them *not* by Bryna. Therefore, it is plausible to assume that Universal had acquired the option rights to the unpublished novel and had suggested it to Bryna as a potential film in the spring of 1958 as part of a two-picture contract that commenced with *Spartacus*.

A year later, on 9 May 1958, the PCA received a draft screenplay of *Viva Gringo!* and, again, it largely approved of the story about from one key element:

We refer to the fact that some of the wholesale thievery in this story is passed off rather casually, and without proper moral recognition. There is a clear intimation that Daylight [Douglas's character] secured the money to buy the hacienda by robbing a bank. There is also the question of the wholesale appropriation of other people's cattle in the later stages of the story. (Shurlock 1958)

The PCA felt that the draft screenplay needed revisions that would allow for the main characters to reform by the end of the story, and to recant for their early misdemeanors. Shurlock, in a letter to Kathryn McTaggart at Universal, believed this could be achieved by

‘some adequate restitution [...] inasmuch as our leading characters are sympathetic’ (Shurlock 1958).

One final piece of information held at the Margaret Herrick Library points towards another key source to help reconstruct *Viva Gringo!*: newspaper and trade journal clippings. One such clipping is attached to the PCA files for *Viva Gringo!* Dated 12 May 1958, three days prior to the above letter from Shurlock, it is a story from the *Los Angeles Times* detailing Universal’s plans to finance a proposed Bryna production of *Viva Gringo!* The story was based on an official press release put out by Universal. The story confirms that Bryna and Universal had recently signed a multi-picture contract and, following on from that, Bryna would produce *Viva Gringo!* as its first feature for the studio, which would ‘provide \$2,500,000 [and] later distribute the picture’ (PKS 1958).

The story in the *Los Angeles Times* would seem to confirm that it had been Universal that had initially developed *Viva Gringo!* and had submitted the screenplay to the PCA. Perhaps keen to announce the contract with Kirk Douglas, particularly given his prominent star power at the box office and the fact that Bryna was one of the key independent production companies in Hollywood at the time, Universal most probably suggested *Viva Gringo!* to Bryna as the first property for production as part of the contract. Such an approach, announcing a new contract with a key industry player like Douglas/Bryna and the financing of a project that would never be made, was not uncommon. Douglas and Bryna had undergone a similar experience when they signed a contract with UA in January 1955; UA subsequently announced several projects that were never made (Fenwick 2020a).

Universal was certainly keen to make it industry knowledge that it had signed Douglas and to signal that it was in the process of transitioning to the increasingly dominant new mode of production in Hollywood: the financing of independent producers and production companies. The *Los Angeles Times* story confirms this fact, stating that Universal,

in signing a contract with Bryna, ‘becomes the last of all the major producing-distributing companies to finance the work of independents’ (‘U-I to Finance Bryna Feature “Viva Gringo”’ 1958). Therefore, the real story here was not that *Viva Gringo!* might, or might not, be produced, but rather that Universal was, somewhat belatedly, responding to the industrial flux underway in Hollywood and would begin to finance ‘other independent producers’ as well as ‘a series of other features, with and without Douglas as acting lead’ (ibid).

At this point, we can now reflect on how the PCA production file has shaped our understanding of the *Viva Gringo!* folders held at the KDP. Viewed in isolation, the *Viva Gringo!* folders detail the fallout of a film that was never produced. But they don’t detail the origins of that project or why it might have been left unproduced. The PCA production file fleshes out considerably our understanding of the wider contexts of *Viva Gringo!* and hints towards its origins as an unpublished novel by Borden Chase that Universal seem to have acquired in 1957. More important, the PCA file contains material that suggests *Viva Gringo!* was a victim of overdevelopment. The project was announced as part of a ‘series’ of films between Douglas and Universal, for which negotiations would be ongoing. In the process, projects would be announced that more than likely would remain unproduced.

One final archival source, newspapers and trade journals of the time, helps to reveal a much fuller picture of the production contexts of *Viva Gringo!* and the extent to which it was part of a model of overdevelopment at Bryna. What quickly becomes apparent when looking at trade journals like *Variety* and *Boxoffice*, or newspapers such as the *New York Times* and the *Los Angeles Times*, is that Douglas and Bryna repeatedly featured in stories throughout 1958 linking them to an ever increasing number of potential projects, most of which now languish in the ‘motion pictures – unproduced’ category at the KDP. In fact, there is a clear escalation of development at Bryna between May and November 1958, as detailed in the following timeline:

- 12 May 1958: The *New York Times* reports that, alongside *Viva Gringo!*, Bryna was developing *Michael Strogoff*, and was conducting negotiations to shoot the film in Soviet Russia ('U-I to Finance Bryna Feature "Viva Gringo"' 1958).
- 19 May 1958: The *New York Times* reports that Bryna and Universal had agreed a deal for the 'financing and distribution of *Spartacus* with a budget of \$4,000,000' (Pryor 1958: 18). A provisional shooting date for *Spartacus* was given as September 1958. This would change as the year progressed.
- 21 May 1958: Milton Rackmill, president of Universal, is accused of making public announcements about new productions that would never be produced. In response, Rackmill stated that 'Universal will not deal in fantasies and rumors, but only in statements of fact' ('No Fantasies, Just Facts' 1958: 15). He denied that he ever made announcements about new projects without firm production plans being in place. Somewhat ironically, the article concludes, 'No starting date is listed for "Viva Gringo!"' (15).
- 3 September 1958: *Variety* reports that Bryna was developing a 'top-budget picture' called *Simon Bolivar*, with Douglas in the leading role ('Couple of Bolivars' 1958: 19). In addition, Bryna was also developing three other new feature films: an adaptation of Edward Abbey's *The Brave Cowboy* (1956); an adaptation of Samuel Grafton's *A Most Contagious Game* (1956); and *The Shadow*, a story by Ben Hecht. In addition, Bryna had announced plans for two television series, *The Indian Fighter* and *The Vikings*, both based on previous Bryna feature films.
- November 1958: There are various news stories about an exponential increase in development at Bryna, including by the *New York Times* and *Variety*. The latter reported a 60 per cent increase in project development at Bryna as part of a business

strategy to 'elevate it into the position of one of Hollywood's top indie outfits' ('Kirk Douglas Plotting Future Productions' 1958: 3). On top of the projects that had previously been announced throughout 1958, Bryna was now also developing a screenplay based on the short story *And the Rock Cried Out* (1953) by author Ray Bradbury; *The Indian Wars*; *The Silent Gun*; and an original screenplay by Bryna vice president Ed Lewis titled *The Sun at Midnight*. In addition, a further television series was being developed, titled *Report from Space* ('Kirk Douglas Plotting Future Productions' 1958: 3).

Taken together, this spate of development announcements by Bryna totaled an estimated \$25,000,000 to \$30,000,000 in production costs ('Kirk Douglas' Firm Schedules 11 Features' 1958: 15). And yet, while the announcements look impressive in terms of output and potential subject matter, the majority had no financial backing or distribution agreement with a major studio. Bryna could not finance and distribute the projects itself and, therefore, the projects can only represent a purposeful strategy of overdevelopment. Of the eleven features announced between May and November 1958, including *Viva Gringo!* and *Spartacus*, only two were ever actually produced and released: *Spartacus* and the adaptation of Edward Abbey's *The Brave Cowboy*, released as *Lonely Are the Brave* (Miller, 1962). So, while there may have been a reported 60 per cent increase in development at Bryna in 1958, 82 per cent of the projects announced remained unproduced.

The impact of this increase in overdevelopment was to push the proposed shooting date for *Viva Gringo!* ever further back. By mid-1959, it became an increasingly confused picture as to what Bryna would produce as the co-starring vehicle for Hudson and Douglas. *Variety* reported that the pair would co-star in both *Viva Gringo!* and a film called *The Day of the Gun* ('Universal, Unchained from Studio' 1959: 5); the latter was the provisional title for

what was eventually released as *The Last Sunset*. By May 1960, the regular 'Hollywood Production Column' in *Variety* was listing *The Day of the Gun* as in production, signaling that *Viva Gringo!* had been abandoned altogether ('Hollywood Production Pulse' 1960: 22).

One further piece of evidence emerges in newspaper and trade journal stories of the time that suggests neither Universal nor Bryna ever intended to produce *Viva Gringo!* – or at the very least, were never fully committed to the project. Towards the end of the 1950s, Universal was experiencing financial and managerial turmoil, culminating with the temporary shutdown of production on its backlot in the spring of 1958. What followed was a gradual takeover of Universal by the Music Corp of America (MCA), a talent agency run by Lew Wasserman. Douglas himself was represented by MCA and Wasserman was instrumental in securing the financing of *Spartacus* (Douglas 1989: 306-307). Douglas had been consumed with *Spartacus* since at least 1957 and it is probable that, in exchange for Universal financing the film, he agreed to co-star in a project alongside Rock Hudson, who was exclusively contracted to the studio at that time. Keen to exploit the contract with Bryna and Douglas in the press and the wider industry, Universal suggested *Viva Gringo!* as an initial project to advertise. And if the company was to attract further independent producers, as was its stated intention, then Douglas and Hudson were an ideal way of showboating Universal's transition to financing independent productions. *Variety* speculated as much in a story from November 1958:

Universal's status as a film company able to attract independent producers apparently depends on the strength of a few key star personalities still under contract to the company. So far it seems that this has been the only inducement the company has been able to offer since it changed its policy and put out the welcome mat to the indies. ('Milton Rackmil Must Study Charm' 1958: 3)

The ‘few key star personalities’ was in fact just one: Rock Hudson. Hudson had been instrumental in finalizing all four participation deals made by Universal, including *Viva Gringo!* Hudson was arguably the biggest box office star of the time and was able to command loan-out fees of over \$1,000,000 (‘Milton Rackmil Must Study Charm’ 1958: 3). Arguably, in return for financing *Spartacus*, Universal expected Bryna to produce a western to co-star Hudson and Douglas (‘Milton Rackmil Must Study Charm’ 1958: 3). Bryna may have agreed to the deal to allow Universal to advertise the project with the aim of ensnaring further independent producers; as a result of the deal apparently ‘other indie deals soon found their way to the company’ (‘Universal, unchained from studio’ 1959: 5). But Bryna most likely never intended to produce the project. *Viva Gringo!* was nothing more than window dressing for both Bryna and Universal, with the real prize – for Douglas at least – being *Spartacus*.

Conclusion

In all probability, *Viva Gringo!* was always destined to remain unproduced. The project, while at Bryna, found itself part of an escalating production strategy of overdevelopment. Amidst a swell of other potential projects, all with various vested interests and personal commitments, *Viva Gringo!* never looked like a project that appealed to those who would be making it. It was one of many pictures Bryna held in development, with the anticipation most would never be produced. If other projects failed, then *Viva Gringo!* may have been fortunate enough to enter production. Indeed, it may have been the backup insurance should *Spartacus* fail. But the increasing backlog of films at Bryna led to ever diminishing hope for the project. Instead, it became a means of promoting Bryna and Universal, and their respective key assets, Kirk Douglas and Rock Hudson.

Whether *Viva Gringo!* would ever be produced was arguably not a key aim for Universal; rather, the participation deal with Bryna allowed Universal to advertise that it was now open to signing with independent producers, and this deal was the flagship contract to attract others. *Viva Gringo!* was a means of buoying confidence in Universal's outlook and its new business strategy. At the same, for Bryna, *Viva Gringo!* acted as a bargaining chip, one used to secure a long sought-after participation deal for *Spartacus*.

But what of the creative material that was generated for *Viva Gringo!*? Borden Chase eventually released a novel of the same name in 1961 with Bantam, while the creative material produced for the proposed film production are now housed at the University of Wyoming's American Heritage Center as part of the Borden Chase Papers (Series III, Box 32 and 36). As for the feature film, the project was loosely adapted into an MGM Eurowestern, *Gunfighters of Casa Grande* (Rowland, 1964), with the screenplay written by Clark Reynolds. The producer Lester Welch located the production in Spain as part of the low-budget nature of the film, with Welch reporting that 'he could not make ends meet by producing the same action Western in Hollywood' ('U.S. Westerns Went "Thataway"' 1963: 5). So there was an afterlife for *Viva Gringo!*, but in a different production context, one that would allow it to act as a precursor to the emerging Spaghetti western.

This chapter has raised a fundamental question for shadow cinema research and film studies more generally: can a film even exist with such little archival information available? The two folders held at the KPD, when viewed in isolation, provide only traces of the *Viva Gringo!* project, hinting towards wider industrial and production contexts, including the strategy of overdevelopment adopted by Bryna. Instead, what is necessary is a much wider survey of archival material. This involves going beyond the source archive and trying to understand the limited material available within a larger narrative of film history from an industrial, cultural and political perspective. Only when we begin to understand the vested

interests both at Universal and at Bryna can we begin to see *Viva Gringo!* as a tool for some larger project. *Viva Gringo!* was dispensable, but its use now as an archival artefact is in revealing a more holistic perspective of the production and managerial strategies of independent producers in Hollywood in the 1950s. And for that it, and many other unproduced projects like it, are indispensable records of the production and business history of the American film industry.

Acknowledgements

Part of the research for this chapter was funded by the European Association for American Studies Transatlantic Travel Grant. The grant funded a research visit to the Kirk Douglas Papers housed at the Wisconsin Historical Society in Madison in June-July 2017.

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Key:

KDP = Kirk Douglas Papers, Wisconsin Center for Film and Theater Research

MHL = Margaret Herrick Library, Los Angeles

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