

# how to treat the donnellys ?

by Hugh Graham

Finding the right story and turning it into a proper script seems to be at the heart of the challenge to Canadian filmmakers. Below, Hugh Graham documents the many efforts to produce a sound script, based on one of Canada's most promising (most infamous?) real-life sagas, the story of the feuding Donnellys.

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In the twenty-four years since Thomas P. Kelley resurrected the story of Canada's famous feuding family in his lurid folk potboiler "The Black Donnellys," no filmmaker has yet moved beyond the script stage in producing a movie on the Donnellys. The events as they occurred, not to mention the legends they produced, easily provide the material for a first rate feature film. Yet, numerous attempts to put the story on screen have been almost as ill-fated as were the Donnellys themselves.

One production company, however, has plans underway and may begin shooting late this year, and another still lists a Donnelly project as a possibility.

For those who are unfamiliar with the circumstances of the famous Canadian feuding family, Jim Donnelly was a moody Tipperary Catholic who, in 1847, settled near Lucan, Ontario, an Irish district prey to religious and political strife. Donnellys' murder of another man over a property dispute, religious bigotry, a violent stage coach war and the general lawlessness of the region developed into a thirty year feud of arson, assault and murder which ostracized the Donnelly family. The events led to the formation of a Church-sanctioned committee, and culminated in the committee's massacre of five Donnellys on a February night in 1880. A year of trials failed in the end to bring any of the murderers to justice.

Although the Donnelly feud was ultimately less violent in terms of lives lost than the concurrent struggles of Jesse James, Billy the Kid and the other outlaws of the American West, the three decades of faction fighting north of London, Ontario, is far more complex, its psychology more difficult, and its conflicts more interwoven than those of the American outlaws. In fact, there's probably enough material in any one year or aspect of the story to sustain a film by itself.

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It is this very complexity that has repeatedly frustrated scriptwriters. There have probably been more bad scripts written on the Donnellys than on any other Canadian subject.

This story of Irish-Canadian farmers is unique in the North American history, and demands a unique treatment in film. But the subject is equally attractive to producers of 'B' action pictures as it is to serious filmmakers; therein lies the danger.

Around 1970, Bill Marshall, now head of the Film Consortium of Canada Inc., and producer of the highly successful *Outrageous*, bought the rights to Orlo Miller's book "The Donnellys Must Die," then the most factual account of the feud. At that time, Marshall's own company, Marshall-Taylor, was working in conjunction with John Bassett's Agincourt Productions. In 1973, Bassett commissioned Marshall to develop a script based on the book, with Miller advising.

Marshall's screenplay was then sent to England for further development by Chris Scott and Alan Bryant, the screen adaptors of *Don't Look Now* and *Murder on the Orient Express*. They produced a further draft. Seeing problems remaining in both scripts, Marshall wrote a third which was generally approved. Bassett took the script to Hollywood director John Huston, who was impressed to the point of considering Robert Redford as a star. As far as I know, this is the closest brush the Donnellys have had with Hollywood.

The proposed film was budgeted at a basic below-the-line cost of one million dollars, the Canadian Film Development Corporation was prepared to put up financial backing and, although upstate New York was considered as a location, the film was intended to be shot in Ontario.

The cameras were about to roll when the government adopted new rules concerning the taxation of film investment in Canada. Around the same time, Baton Broadcasting, the parent of Bassett's Agincourt Productions went public and so invested part of the assets into the public company. Marshall's own company (by then Limelight Productions) decided to





The Donnelly's own schoolhouse, built on a corner of their farm.

go ahead with the film independently, but the stock brokers advised them against it. With the new tax legislation, they warned that *Limelight* would be unable to predict for two years what would happen to the shareholders' investments. The project was shelved.

In 1976, Marshall finally got a Donnelly film strategy down to National Revenue but, by then, *Limelight* was involved with other projects.

Although he has taken no further steps, Marshall is considering the resumption of *The Donnellys Must Die*, though now he would insist on a posh four-million-dollar production and the use of international names.

An outline and research for another Donnelly screenplay was worked out by Murray Markowitz of Paradise Films (*August and July*, *Recommendation for Mercy*, *I Miss You*, *Hugs and Kisses*) and Leonard Yakir (*The Mourning Suit*) in 1976. Searching for a producer, Markowitz approached John Kemeny who, apparently aware of the labyrinthine complexity of the Donnelly story, refused.

Here, the story takes a rather strange turn. Markowitz had already worked with Jim Smallwood, publisher of Paperjacks, (the soft-cover division of Simon and Shuster) on a book concerning the Truscott affair. Smallwood was interested in the Donnelly story and, together, they decided to publish a book based on the initial screenplay. The point of this peculiar venture was that the book would operate as a precursor tie-in to promote an eventual film. To write the book, they ferreted out communications consultant and freelance writer Bill Crichton, who materialized from the mists of Don Mills.

About this time, the CFDC agreed to consider financial backing, provided Markowitz found a producer; he turned out to be Henning Jacobson, a producer of industrial films.

Backed by Jacobson and the government, Markowitz wanted to work within a minimum budget of one million dollars and was thinking of Liv Ullman as the salty matriarch Johanna Donnelly, and of Richard Chamberland or Peter O'Toole as the spirited canny cripple, Will Donnelly.

Meanwhile, Markowitz' and Yakir's collaboration on a screenplay was becoming difficult because of disagreements as to treatment. Yakir took a historical factual approach, and Markowitz was preoccupied with the legend. The final screenplay was out of focus and discordant. To make matters worse, Markowitz, accustomed to being his own boss, wanted more control, over the product than producer Jacobson was willing to concede, particularly considering the latter's lack of confidence in the screenplay.

Eventually, disagreements between director Markowitz and producer Jacobson let to a split. Markowitz gathered all the strings together and sold the whole "property" (package? concept? notion? I can't seem to find the right expression) to his partner Henning Jacobson. In explaining this probably wise move, Markowitz said, "Making a film is like having a wife. You start off with nothing and you build a relationship and you get to know her very well; and then, it either lasts or you go on to another one."

Crichton's highly colored novel "The Donnelly Murders" was thinly adapted from Markowitz' screenplay. The book instantly paid for itself and, to date, has sold over 60,000 copies. Publisher Jim Smallwood is happily anticipating greater sales with the distribution of what will eventually be Jacobson's movie.

But whence comes the elusive screenplay for Mr. Jacobson's venture? It's time to read this sitting down. A *new* screenplay is presently being adapted by Mr. Crichton from his book, "The Donnelly Murders." So here we have a screenplay based on a book which in turn was adapted from an earlier failed screenplay which couldn't make up its mind between fact and legend. After all this, I hope the Donnellys aren't going to suffer any further successive literary mutation. Calling to mind the genetic mishaps of backwoods inbreeding, one wonders what the truth's descendant will look like when it gets into the screen? It looks as if we won't have to sit around in apprehension for very long, though. Filming on the Jacobson project has been tentatively scheduled to begin in December of this year.

Jacobson envisions a five-million-dollar British-Canadian venture with Irish and Canadian actors. He has Richard Harris in mind for a starring role.

Add to this exhausting story an apparent one-time scheme of Allan Moyle's to do a short documentary in which a series of psychics are sequestered in a room and surrounded by various Donnelly antiques and objects from which they divine the true facts of the feud.

But it doesn't end there. The rights to "The Black Donnellys," the initial T.P. Kelley potboiler are now kicking around in the hands of Mr. Sam Roy of Saroy Productions, and Columbia has apparently flirted with the property.

A recent addition to the list of scripts on the Donnellys was written by Ray Fazakas, a Hamilton lawyer and author of the book, "The Donnelly Album." Fazakas was consulted by the people from Bassett's Agincourt Productions but, for the most part, his work, probably the most accurate and unbiased account of the feud, has been curiously ignored by other filmmakers.

Since it seemed that everyone else had written a screenplay, Mr. Fazakas thought that, having the facts at his fingertips, he might as well give it a try. His script, "The Donnelly Story," now sits with Bugge Crawley (Crawley Films) among others. Although Fazakas had never written a screenplay before, his script is a spare, orderly, and spirited breakdown of the major events from beginning to end. Beyond that, his work is prey to the perennial Donnelly difficulties. In his desire to get all the most exciting events into two hours and still maintain accuracy, character development, interpretation, and theme are lost to a comprehensive redaction of the events spiced with stage Irish. This is the recurrent problem; too many of the facts are irresistible and no one is willing to sacrifice enough of them to focus.



Fazakas, who in his book drew an interesting and original class interpretation of the feud, failed to present that angle in his screenplay.

Recently, an English professor by the name of William Butt, at the University of Western Ontario, has expressed concern that a film be made about the Donnellys, with integrity and respect for the facts. He has apparently researched the subject thoroughly and written his own screenplay which is currently being considered by the CFDC.



John Donnelly, from a sketch in the London Daily Advertiser.

The other problem is that the Donnelly story naturally invites moral interpretation with the result that there are now several different attitudes toward their history: the Donnellys were demons and they were executed (T.P. Kelly); the Donnellys were pretty rough but they didn't deserve what they got (Fazakas' "Donnelly Album"); the Donnellys were largely innocent victims of religious and social circumstances beyond their control (Orlo Miller); the Donnellys were good, and they were martyred (James Reaney's stage trilogy "The Donnelly Trilogy," and Crichton's "The Donnelly Murders").

Bill Marshall seems to have taken the wisest course; although he bases his screenplay on "The Donnellys Must Die," he rejects some of Miller's bias by downplaying the religious element and demonstrates an intelligent respect for the ambiguities in the story. Marshall sees the Donnelly's slaughter by the Vigilantes as the elimination of nonconformists by a conformist society. Undoubtedly the Donnellys were, to some degree, bad, but as Marshall puts it, "probably the closest to the truth is that in those times things that we consider villainy now were part of a hard hard life."

Markowitz' approach was more melodramatic. For one thing, he drew inspiration from Arthur Miller's play, "The Crucible," and saw parallels between the persecution of the Donnellys and the fanatical witch hunts of Salem. This is Markowitz' view of the enmity between the anti-Protestant Whiteboy Catholics' secret society, and the moderate Blackfoot Catholics like the Donnellys: an aspect of the feud emphasized by Miller, but rejected by Fazakas. Markowitz is the first to admit that he began with the facts (from Miller and

newspapers) then moved relentlessly into the realm of fiction, the creation of larger-than-life characters and a titanic struggle between good and evil. I hoped he would have spared us a crucifixion. But, as Markowitz says, "It's a great legend."

His co-writer Leonard Yakir was more interested in the despoliation of the Peace Society (Vigilante Committee) and the feud's Irish origins. His opinion that the original script had no moral focus due to the search for romantic heroes; and his interest in the intricacy of the guilt on both sides obviously ran counter to Markowitz' occult opera.

However, Yakir, like many, yields to the attractions of the supernatural, the uncanniness of so much energy and power in one family. This is why his ultimate story would contain "the real facts framed by the legend." Yakir envisions a grey-skied, austere, and haunted landscape.

I suspect that a few of the genes of lurid supernatural struggles between good and evil were passed on from Markowitz' script to gestate in Crichton's tie-in novel, and we'll see it delivered onto the screen by Henning Jacobson.

Crichton states flatly that "The Donnelly Murders" is historical fiction, for which he drew inspiration from his own Ulster-Protestant Irish background. Crichton sees himself as a storyteller rather than as an historian. He calls Kelley's original book biased and inaccurate, but in its own way, Crichton's is as wild as Kelley's: facts can be distorted as much in fiction as in history.

All the same, Mr. Crichton presents a calm argument on behalf of his book and script adaptation. He explains, "It's a regional, savage, not-very-coherent episode in Canadian history and, taken at face value, it is just that. From the outsider's point of view, you have here the virtual extermination of a family. And you also have the carry-over of the hatreds in Ireland . . . into Canada. So here's something with which we can do something really good dramatically. But the tendency has been so far," Crichton adds, "to think in terms of a Jesse James approach."

In writing his script, Crichton believes he has taken a leap where others were too cautious. "I have tried to make a dramatic coherent piece out of what is essentially a fragmented Canadian farm story . . . The concepts so far haven't been bold enough. People have been so concerned about the nitty-gritty of history, which frankly has never concerned me," he says. Perhaps this is the ground where angels fear to tread.

English-born David Main of Quadrant Films has waded through a number of bad Donnelly screenplays, and concludes that writers tend to ignore the social background and context of the story. He sees the Irish of Lucan as a transplanted people from a violent way of life, living in a pioneer society open to contain them. In this broader context, Main explains, "A new family (The Donnellys) comes into an area, takes land, resists legal attempts to move them off, and thereby poses a threat to society. Nobody has taken that point up in screenplays."

The best Donnelly film would be one made with an eye to accuracy and the truths within the story. Drama, suspense and tragedy all lie within the hard facts.

Will the filmmakers modify the saga into an easy road to the box office, or will they bring alive a strange story that grew out of a period in our past? If sufficient work and talent are invested, I think an internationally successful feature film can reproduce in spirit, time and place, the reality of the Donnelly struggle. □