

The Freshman

By Annette D'Agostino Lloyd

"Hello! I remember a few years ago ... taking a pair of glasses and creating what we called the 'Glass Character.' Now, among the many pictures that we produced with this character, there are some that seem to have a spirit that ignores the time barrier. I believe that the picture that we are going to show now is one of these ... There have been lots of changes since then ... but there is one thing that hasn't changed. That's the spirit of youth! Its hopes, its humor, and its unfailing courage! And it's to that spirit that we dedicate this picture!"

From Harold Lloyd's on-screen introduction to a reissue of "The Freshman" in 1953.

Harold Lloyd's college comedy, "The Freshman," was the #3 film of 1925, and was placed on the Top Ten lists of 52 film and trade publications. The film cost \$301,681 to shoot, and grossed a whopping \$2,651,167. Notably, "The Freshman" was the final Lloyd film distributed by Pathé. Paramount had made Harold an offer he could not refuse, one that Pathé could not match: 77½ percent of the domestic gross, and 90 percent of the foreign gross. Thus ended a professional relationship between Lloyd and Pathé that dated back to the final Willie Work comedy, "Just Nuts", in 1915.

The Lloyd formula of filmmaking was a great success throughout the first half of the 1920s – he would film the climax of the picture first, and then shoot the prefacing rest of the story (to Harold, a good clincher, a magnificent ending, was primary. Lloyd began "The Freshman" with this plan in mind: shoot the big game sequence first, and then, assured of a great ending, capture the rest of the film. The company went to the Rose Bowl, in Pasadena, CA, and shot there for about two days—before Harold called it off. He felt that he didn't know his character well enough; did not understand *why* it was so important for him to win the game, and did not have the all-important spirit of the character in him, and feared that the film might suffer as a result. So, Harold made the decision to shoot "The Freshman" in total sequence, from start to finish. For the "new end," the company traveled to northern California's



*Harold Lloyd admires his reflection as the dashing "big man on campus."
Courtesy Library of Congress Collection.*

Berkeley Bowl in November 1924, and shot an actual game between Stanford and the University of California–Berkeley before a zealous pom-pom-waving crowd of about 90,000. Lloyd's crew worked before the game and during halftime, with the filled stadium as the backdrop. The final close-up shots, sans crowds in the background, were later shot at an empty Pasadena Rose Bowl.

A case can be made for "The Freshman" as the first, and foremost, influential college comedy ever put to film. It inspired a host of college films to follow, including "Start Cheering" (1938), "The Gladiator" (1938), "Andy Hardy's Blonde Trouble" (1944), and "Drive, He Said" (1971). It also spawned a bevy of animated tributes, among them "Freddy the Freshman" (1932), "Along Flirtation Walk" (1935), and "Porky's Building" (1937).

In a November 1966 interview with Hubert I. Cohen, Lloyd discussed an important sequence that had been shot for "The Freshman", which was later extracted after previews: "In "The Freshman", we have a scene where I invite some of my fellow students to have an ice cream cone or soda or something, and they accept. Now, I invite only five or six, but as we go out, on our way to the ice cream parlor, they invite a few more and a few more and we finally end up with about fifty students going along. Well, we thought *that* was a *very* funny sequence ... We went into the candy-soda fountain and, oh boy, we had some comedy business in there, very good gags we thought. But we didn't get laughs out of it. Finally, we analyzed it – the audience felt too sorry for the kid. They resented these students taking advantage of him the way they did. So not until we cut it out did the thing pull together."

“The Freshman” was almost a footnote in history—that we can enjoy it at all is somewhat miraculous. In summer 1924, Harold and his uncle, business manager William R. Fraser, had a pre-filming luncheon at the Armstrong Café on Hollywood Boulevard with producer and friend H.C. Witwer, and had mentioned the premise for their college picture. Witwer outlined for them the coincidental plot of his *Popular Magazine* article, “The Emancipation of Rodney,” which similarly centered around a collegiate athlete. Witwer had sold the story for \$75 to the magazine on August 27, 1915, and the tale appeared in the November 20, 1915 issue. While alike in many respects, the crux of the 1915 story was a magic formula that the college athlete had perfected that guaranteed victory; the Lloyd team felt that Witwer’s tale would not make good film, and their “The Freshman” continued on as planned. After the fact, it was thought a good idea to invite Witwer to the studio to alleviate any possible controversy. It was believed that meeting smoothed over any potential ill-will; that is, until the money started rolling in. On December 26, 1925, Witwer brought an action in the Los Angeles County Superior Court, but the action was dismissed: when Witwer sold “The Emancipation of Rodney” to *Popular Magazine*, he sold the story and all rights in it. On February 13, 1929, the sole legal ownership of the story was handed over, by written agreement, back to Witwer. Two months later, on April 11, 1929, Witwer sued Harold Lloyd Corporation for infringement. H.C. Witwer died on August 9, 1929, but his widow, Sadie, pressed on. On July 9, 1930, judgment was in favor of Witwer, and a bulk of the profits of “The Freshman” was handed over to the widow. However, an appeal followed, and a reversal was rendered by the Ninth Circuit Court of Appeals on April 10, 1933.

The trial text revealed that “...over 100,000 feet of film were taken in connection with the play, only 7,000 feet of which was actually used.” Additionally, “physical preparation for making the picture started on August 11, 1924, and until October 13, 1924, the day that actual photographing commenced ... The photographing or ‘shooting’ of the picture was completed on March 27, 1925.”

It was revealed, later in the appeal phase paperwork, that in the initial 1930 infringement finding, Harold Lloyd Corporation was prohibited from further distribution or exhibition of the picture, and that all prints of “The Freshman” were ordered destroyed. In addition, the Corporation was to pay to Mrs. H.C. Witwer all profits directly or indirectly received from the film from April 11, 1926 on (three years prior to the commencement of the initial suit). The appeal that followed was in Lloyd’s favor, saving “The Freshman” from perpetual destruction.

Truth be told, the very fact that we’re talking about this film at all is reason to break into a group jig! Step right up!

The views expressed in these essays are those of the author and do not necessarily represent the views of the Library of Congress.

Annette D’Agostino Lloyd (no relation) has been researching – and happily promoting – the life and work of Harold Lloyd since 1992. She has written four books (to date) on Lloyd, and has also authored books on general silent film and daytime TV soap operas. Her website on Lloyd, haroldlloyd.us, was the world’s first site dedicated to the bespectacled comedian. She is a legal secretary by day. She and her husband and son reside in Rumford, RI.