Next Tuesday, April 7th: "THE ICE FLOOD" (1926) with Viola Dana, Kenneth Harlan; and Griffith's "Enoch Arden" with Wilfrid Lucas, Laurel & Hardy in "Leave 'Em Laughing", and G.M. Anderson in "Broncho Billy's Sentence".

The Theodore Huff Memorial Film Society

The Courtroom Drama: Britain and the U.S.

Because the subject matter always has the potential danger of too much talk and not enough movement, neither Britain nor the U.S. have exactly turned out a plethora of court-room dramas, although a certain affinity with the gangster film gave U.S. producers rather more leeway in the early thirties. Nevertheless, such films from both countries have managed to develop characteristics -- and characters -- entirely their own, and if both are a trifle removed from absolute honesty, then at least each has some interest in showing what the film-makers believe their own judicial systems to be, or if not that, what they would like others to believe that they are.

The British it would seem, from films like "Action for Slander", "The Winslow Boy" and "Carrington V.C.", are far more concerned with the principles of justice than the mechanics of it. The issues involved are usually quite picayune in detail, important only in the overall sense of honor and integrity. The court-room methods lean to ritual and tradition rather than to expediency, and despite the use of scorn and indignation by opposing counsels, both seem quite aloof and personally disinterested in the client as an individual. He seems at best, the peg on which to hang a legal exercise, and the key requirement is not so much that a man's guilt be proven or disproven, but that a kind of abstract justice triumph.

The American court-room, according to Hollywood, is far different. Cleverness, tricks and showmanship seem to rate higher than the truth. The defense attorney is the star, the prosecuting attorney the villain. And juries seem inevitably to be swayed by emotion and rhetoric rather than by the facts. Thus, the hapless Phillips Holmes doesn't stand a chance in "An American Tragedy" because Irving Rischel is prosecuting, and a guilty-as-hell William Boyd is sure to get off in "State's Attorney" because John Barrymore is defending him. A further variation of the American court-room scene is for it to serve merely as an exhibitionistic showcase for the director; let us hope that no trial was ever conducted as was the one that Orson Welles staged for "Lady from Shanghai". Curiously, it is the excesses of the trial scenes in films like "The Lady from Shanghai", "Leave Her To Heaven" and to a lesser extent "They Won't Believe Me" that seem to have impressed European audiences (and film-makers) as being realistically typical of American judicial procedure. If you have a chance, take a look at the French film "Law of the North" with Michele Morgan (set largely in America) which winds up with one of the wildest trials ever, unintentionally a parody of just about every American trial ever filmed. Oddly enough, Hollywood does rather well in reaching back into the past (e.g., the trial of the conspirators in Ford's "The Prisoner of Shark Island") or in suggesting the methods of other lands (Lee's "Count of Monte Cristo"). And the best and most convincing trial scene I ever saw -- the lengthy divorce and adultery hearing in "One More River" -- was a British trial, done by a British director, in a Hollywood movie. Our two films tonight certainly don't resolve any argument as to which is the better approach, but both are supremely typical of their kind, and make a rather enlightening contrast.

"ACTION FOR SLANDER" (Alexander Korda-United Artists, 1937) Directed by Tim Whelan; produced by Victor Saville; camera, Harry Stradling; screenplay by Miles Malleson from a play by Mary Borden; editors: Hugh Stewart; 9 rls.

With Clive Brook, Ann Todd, Margaretta Scott, Arthur Margetson, Ronald Squire.
"Action for Slander" is, I remember, a film that infuriated me as a child. Like Arliss' "Alexander Hamilton", it starts off with a burst of spectacular outdoor stuff, and then settles down into a talk-fest. Such films used to catch the unawary youngsters off-guard; always expecting at least a tentative return to the mood of the opening, we became restless and then unbelieving when the "End" title flashed on with everything having been resolved through dialogue. Of course, this is a criticism of indiscriminating youngsters (of whom I must have been one, for I remember being far more excited by Jack Holt's exciting and tragic "End of the Trail" which was the other half of the bill!) and not of the film itself. "Action for Slander", like "Carrington V.C.", is pretty undisguised play-into-film -- but it is such a pleasure to watch such stylish acting, and listen to such good dialogue, beautifully spoken, that it hardly seems to matter. Of its type, "Action for Slander" is a beauty.

Like "The Winslow Boy", the case in "Action for Slander" is built solely around the question of honor -- in this case, whether a respected officer did, or did not, cheat at cards. Such issues may seem rather old-hat today -- which is a pity, for they shouldn't. The British Army probably has more pressing matters to worry about, although the regular officer who would sell government secrets, or defect to the East, is precisely the kind of individual who would cheat at cards, so maybe the issues are related after all! In any case, from my own British army years I can confirm that the type played by Clive Brook is very much present in the British army set-up even today. He's the kind of officer one respects but never really likes ... there's a kind of snobbism about him that one expects to be there, but also a certain priggishness that irritates. Brook's performance here is quite perfect, and seems almost an extension of his Captain Harvey in "Shanghai Express". One can almost visualise the years in between, dull, plodding work in a peacetime army, a low rate of pay, and increasing boredom after those exciting years in China with Marlene! I digress a little, and had not intended to poke fun at Brook's stolidly honorable professional soldier, but even though the films are so different, there is such a strong similarity between the Brook of "Shanghai Express" and the Brook of "Action for Slander" that the point is worth making.

For the rest, the film is flawlessly type-cast -- and here the phrase is used in an approving sense. Arthur Margerson is perfect as the rotter, and Francis L. Sullivan, with lowering brows and dramatically pointed pencil, is again ideal in the court-room. Only Peter Bull -- often cast as a sadistic browbeating prosecuting attorney -- was capable of presenting a more formidable image beneath the wig and gown of the English law-courts.

-- Intermission --

One of several films based on the exploits of the great Fallon, immortalised by Gene Fowler, and also played by (among others) John Barrymore in "State's Attorney", "The Mouthpiece" is both a trifle disappointing -- and surprisingly sober and restrained. The disappointment comes from expecting a lot of high-pressure courtroom fireworks which the period, and the theme, would seem to make automatic. The surprise comes with the realisation that these fireworks are perhaps not so essential after all; it's probably a better film without them, although it might be more fun with them. Nevertheless, there is enough court-room chicanery and shyster tricks to keep it lively, and if the pace sags a little in the middle portions, it picks up again for one of those ambiguous climaxes (as also in "Air Mail", "Kiss of Death" and "Illegal") which leaves the audience to decide whether the hero lives or dies.

"The Mouthpiece" has been remade twice. The last version, "Illegal", with Edward G. Robinson was a cheap and hurriedly done affair, saved only by Robinson's work. The version in the 40's "The Man Who Knew Too Much" was, however, rather good. Brent had the lead, Barthes was the villain, Virginia Bruce took over from Aline McMahon, and Brenda Marshall was the ingenue. Surprisingly, it was a more "typical" thirties picture than the original. More was made of the lawyer's courtroom showmanship, and the execution sequence was really milked for suspense through having the phone call with the pardon get through in time - but be delayed by the guard constantly rushing the phone aside until he'd finished telling a funny story. However, "The Mouthpiece" is unquestionably the best of the three; it gets under way much faster, and that excellent actor Warren William gives a really first-class performance again. Sidney Fox, rather better than usual, nevertheless can't quite make it in her big dramatic scene, and Aline McMahon merely goes through her old "Five Star Final" role all over again. Typical of the thirties, the gangsters seem to be wholly Italian, and there's a marvellous cast of old favorites, Ralph Ince is, as always, great as the gangland boss, and there's an effective, hard-faced, bitchy babe role that is nicely done by Paulette Goddard. The musical score makes pleasing use of "A Cottage Small by a Waterfall", but - and this is rare in the mechanically perfect Warner films of the thirties - there's a very obvious camera shadow in one of the street scenes. However, compared to the gaffs that are pulled today, it's a trifle. "All in a Night's Work", the Shirley Maclaine alleged comedy, not only has more shadows but great golden mixes themselves hanging quite obviously over the players' heads, and in one fantastic scene one sees not only the top of a false-front building, but a whole row of arc lights blazing down from the catwalk!

"The Mouthpiece" is tough, cynical, neatly written, well-played. If it isn't quite in the "Five Star Final"-"Front Page" category, it's still one of the best of the second-drawer crime films of the period. Longer than most of them, and carefully (and perhaps a bit too methodically) made, it holds up well and is certainly a better picture than "State's Attorney", even though denied the Barrymore dynamism.

---

ERRATUM: ** We hardly need to point out a typing error above. The George Brent remake was, of course, "The Man Who Talked Too Much".