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Fox production and release. Stars Will Rogers. Directed by John Ford. Sol Wurtzel, producer. From the Irvin Cobb stories. Dudley Nichols, Lamar Trotti, screen play; Cyril J. Mockdirge, camera. At Radio Music Hall, N. Y., week Oct. 11. Running time, 70 mins.

Judge Priest.....Will Rogers
Jerome Priest.....Tom Brown
Dillo May Gillespie.....Anita Louise
Rev. Ashby Brand.....Henry B. Walthall
Bob Gillespie.....David Landau
Virginia Maydew.....Rochelle Hudson
Billy Gaynor.....Roger Imhof
Flem Talley.....Frank Melton
Sergeant Jimmy Bagby.....Charley Grapewin
Senator Horace Maydew.....Berton Churchill
Mrs. Caroline Priest.....Brenda Fowler
Juror No. 12.....Francis Ford
Aunt Dilsey.....Hattie McDaniel
Jeff Polndexter.....Stepin Fetchit

Difficult, beforehand, to reconcile the idea of Irvin Cobb's 'Judge Priest' with Will Rogers. Cobb's long series of stories have suggested another type; portly, slightly pompous on occasion and somewhat lethargic in movement, and that isn't Will Rogers. But when the tallpiece fades Rogers has made the old judge completely his own, so much so as to suggest other Judge Priest stories to follow this success.

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Of the success there can hardly be question in spite of a number of artistic shortcomings, mostly in the handling of the story development. That Henry B. Walthall, rather than the star, gets the final big scene, with the blowoff shared with half a dozen of the comedy character men and with the final big laugh a cud of chewing tobacco landing inside a silk hat, and yet with Rogers dominating the scene speaks much for Rogers' grip on the spectators, pre-established by some remarkably fine work both in comedy and pathos. It is not a fine piece of screen writing, but it's a wonderful chance for the star, and he gives out more than the authors put into their work.

There must, of course, be a connecting thread of story to vitalize the climax. So there are soft spots in the action where the characters must stop to explain the premise. It slows the story, but Rogers immediately whips it back into a gale of merriment.

At best the story is thin; the love of his nephew for the girl whose father is not known. The father is in town, and when he slugs a man for jeering at her, the victim later gangs up on him with two of his pals. The father cuts his assailant and is put on trial. He refuses to make the explanation which would be his legal out anywhere in the south. The Judge's political rival demands that he sur-

render the bench, since his nephew is lawyer for the defense. Heart-broken at this aspersion of his integrity, the Judge appoints a substitute. But that night the minister talks with him. By a ruse they persuade the pompous old prosecutor to reopen the case, the minister tells of how the father stepped out of the chain gang during the Civil War to fight for the stars and bars. After that there's no use polling the jury and Rogers enjoys his triumph over his discomforted rival.

It's a play of strange reactions. In the court scenes a bit of comedy relief is the effort of one of the jurors to rid himself of the product of his cud chewing. Several of the scenes are punctured with a laugh when the well-aimed shot lands in the cuspidor. The trial is over. The lawyer is standing on the sidewalk watching the parade of the Confederate Veterans, his hat in his hand. There is a chuckle. The spitter is seen in the ranks. The chuckle becomes a laugh, and when the cud lands there is a roar of laughter. So well done that it is not as unsavory as it sounds.

Most of the comedy, however, is contributed by Rogers and Stepin Fetchit, a natural foil to the Rogers character. Other efforts at local color through the use of Negroes are less effective.

Rogers gives one of the best performances of his career. He does as well in his serious moments as in his comedy moods, and holds absolute attention. He invests the character so strongly with his personality that readers of the Priest stories will not visualize other than Rogers, who is far too much the breezy westerner to be the character Cobb originally drew.

The supporting cast is better in the lower brackets than in the immediate support, other than Walthall, who does one splendid bit in the courtroom scene. He makes no effort at dramatics, but his voice is tense and thrilling throughout. Anita Louise is a bit too saccharine as the girl and Tom Brown is just playing a part, while Brenda Fowler is not given a chance to show what she could do with material. Berton Churchill is good and Roger Imhof, Frank Melton, Charley Grapewin and Francis Ford