

The background of the book cover is a vertical marbled pattern with dark, irregular stripes on a lighter, textured base. A white rectangular box with a double-line black border is centered on the cover. Inside this box, the title 'THEY SHALL NOT DIE' is printed in a large, bold, black serif font, with 'THEY SHALL' on the first line and 'NOT DIE' on the second line. Below the title, the author's name 'JOHN WEXLEY' is printed in a smaller, black serif font, preceded by the phrase 'A play by' in an italicized serif font.

THEY SHALL  
NOT DIE

*A play by* JOHN WEXLEY

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San Francisco, California  
2006







*Also by John Wexley*

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THE LAST MILE  
STEEL

*THEY SHALL NOT DIE*

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# THEY SHALL NOT DIE

A PLAY BY

*John Wexley*



NEW YORK

ALFRED · A · KNOFF

1934

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FIRST EDITION

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*To*  
*my Mother and Father*  
*and to my wife*  
*Katherine*



THEY SHALL NOT DIE *was produced by The Theatre Guild at the Royale Theatre, New York, on Wednesday evening, February 21, 1934. The production was directed by Philip Moeller. The settings were designed by Lee Simonson.*

## CAST

(*In Order of Appearance*)

|                      |            |                  |                      |                   |
|----------------------|------------|------------------|----------------------|-------------------|
| COOLEY               |            | <i>Played by</i> | WILLIAM LYNN         |                   |
| HENDERSON            |            | “ “              | JOHN L. KEARNEY      |                   |
| RED                  |            | “ “              | TOM EWELL            |                   |
| ST. LOUIS KID        |            | “ “              | FRED HERRICK         |                   |
| BLACKIE              |            | “ “              | FRANK WOODRUFF       |                   |
| DEPUTY-SHERIFF TRENT |            | “ “              | RALPH THEADORE       |                   |
| JEFF VIVIAN          |            | “ “              | RALPH SANFORD        |                   |
| LEWIS COLLINS        |            | “ “              | BOB ROSS             |                   |
| JACKSON              | } Deputies | “ “              | } C. ELLSWORTH SMITH |                   |
| CHARLEY              |            |                  |                      | GEORGE C. MANTELL |
| HILLARY              |            |                  |                      | DEREK TRENT       |
| SMITH                |            |                  |                      | HUGH RENNIE       |
| WALTER COLTON        |            | “ “              | WILLIAM NORTON       |                   |
| VIRGINIA ROSS        |            | “ “              | LINDA WATKINS        |                   |
| LUCY WELLS           |            | “ “              | RUTH GORDON          |                   |
| LUTHER MASON         |            | “ “              | HALE NORCROSS        |                   |
| BENSON ALLEN         |            | “ “              | L. M. HURDLE         |                   |
| ROBERTS              |            | “ “              | GEORGE R. HAYES      |                   |
| PURCELL              |            | “ “              | ALFRED BROWN         |                   |
| WALTERS              |            | “ “              | BRYANT HALL          |                   |
| WARNER               |            | “ “              | GRAFTON TREW         |                   |
| HEYWOOD PARSONS      |            | “ “              | AL STOKES            |                   |
| ROY WOOD             |            | “ “              | ALLAN VAUGHAN        |                   |
| ANDY WOOD            |            | “ “              | JOSEPH SCOTT         |                   |
| MORRIS               |            | “ “              | JOSEPH SMALLS        |                   |
| MOORE                |            | “ “              | FRANK WILSON         |                   |

|                      |                  |                      |
|----------------------|------------------|----------------------|
| KILLIAN              | <i>Played by</i> | EDDIE HODGE          |
| OLIVER TULLEY        | “                | “ ROBERT THOMSEN     |
| DOCTOR THOMAS        | “                | “ GEORGE CHRISTIE    |
| CAPTAIN KENNEDY      | “                | “ FREDERICK PERSSON  |
| SERGEANT OGDEN       | “                | “ ROSS FORRESTER     |
| MRS. WELLS           | “                | “ HELEN WESTLEY      |
| TOMMY                | “                | “ EDWARD RYAN, JR.   |
| YOUNG MAN            | “                | “ TOM EWELL          |
| RUSSELL EVA          | “                | “ DEAN JAGGER        |
| GUARD                | “                | “ JAMES YOUNG        |
| PRINCIPAL KEEPER     | “                | “ CHARLES HENDERSON  |
| LOWERY               | “                | “ CARROLL ASHBURN    |
| WILLIAM TREADWELL    | “                | “ BRANDON PETERS     |
| REV. WENDALL JACKSON | “                | “ FRED MILLER        |
| WARDEN JEFFRIES      | “                | “ LEO CURLEY         |
| ROKOFF               | “                | “ LOUIS JOHN LATZER  |
| CHENEY               | “                | “ ST. CLAIR BAYFIELD |
| 2ND GUARD            | “                | “ ROBERT PORTERFIELD |
| MRS. PARSONS         | “                | “ TEDDY BROWNE       |
| MR. PARSONS          | “                | “ K. BROWNE COOKE    |
| MRS. WOOD            | “                | “ GEORGIA BURKE      |
| MRS. PURCELL         | “                | “ CECIL SCOTT        |
| MR. PURCELL          | “                | “ ROBERT J. LAWRENCE |
| MRS. WILLIAMS        | “                | “ CATHERINE FRANCIS  |
| NELSON               | “                | “ ERSKINE SANFORD    |
| CONSTABLE            | “                | “ ALBERT WEST        |
| NATHAN G. RUBIN      | “                | “ CLAUDE RAINS       |
| JOHNNY               | “                | “ HUGH RENNIE        |
| MR. HARRISON         | “                | “ FRANK WILSON       |
| FRANK TRAVERS        | “                | “ DOUGLAS GREGORY    |
| JUDGE                | “                | “ THURSTON HALL      |
| DOCTOR WATSON        | “                | “ ROBERT J. LAWRENCE |
| ATTORNEY-GENERAL     | “                | “                    |
| DADE                 | “                | “ BEN SMITH          |
| JURY COMMISSIONER    | “                | “                    |
| CROCKER              | “                | “ RALPH SANFORD      |
| CLERK OF COURT       | “                | “ ALBERT WEST        |

SETH ROBBINS  
CIRCUIT SOLICITOR  
SLADE

*Played by* HARRY HERMSEN

“ “ CARL ECKSTROM

Mob, Hoboes, Soldiers, Court Guards, Court Audience, Jurymen, Reporters, Messenger Boys, etc.—Irene Bevans, Orrin Burke, George A. Cameron, Angus Duncan, Jack Flynn, Vallejo Gannett, Marshall Hale, Eddie Hodge, Alexander Jones, William H. Malone, Edward Mann, George C. Mantell, Grace Mills, Frank Phillips, Robert D. Phillips, Dorothy E. Ryan, Phil S. Michaels, Jack Stone, Jerome Sylvon, Ben Vivian, Charles Wellesley, John Wheeler, Betty Oakwood, George Carroll, Phillip Carter.

PRODUCTION COMMITTEE:

THERESA HELBURN *and* LEE SIMONSON

STAGE MANAGER  
ASSISTANT STAGE MANAGER  
ASSISTANT STAGE MANAGER

ADAMS RICE  
NORRIS HOUGHTON  
H. B. LUTZ





## DESCRIPTION OF SCENES

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### ACT ONE

*The jail in Cookeville. A Southern State.*

### ACT TWO

SCENE 1: *The home of Lucy Wells in Humbolt.  
A few weeks later.*

SCENE 2: *The negro death-cell in Pembroke Prison.  
A few days later.*

SCENE 3: *The home of Lucy Wells in Humbolt.  
Many months later.*

### ACT THREE

SCENE 1: *The offices of Nathan G. Rubin in New York City.  
A few weeks later.*

SCENE 2: *The court-room in Dexter.  
Some weeks later.*



*THEY SHALL NOT DIE*

ACT ONE



## ACT ONE

SCENE: *The county jail in Cookeville. For purposes of description, I will divide the stage into three parts. From stage right to stage left, they are:*

PART ONE: *The run-around and white prisoners' cage.*

PART TWO: *The office.*

PART THREE: *The "Pen" or large steel cell for "niggers."*

*All three parts face on the corridor, which lies between the parts and the audience. This corridor contains in its right wall: A heavy wooden door, leading to an outside staircase, down into the street. When this door is open . . . it is possible to see the landing and its wooden railing. Beyond this, a view of some house-tops and a few blossoming trees in the distance.*

PART ONE: *A large enclosure with its audience-side constructed of light steel bars. This side contains in its center: a steel door. The right wall of the enclosure contains a small barred window. The left wall contains a wooden door leading to PART TWO.*

*Constructed within this enclosure is a square, steel-mesh cage, from floor to ceiling. This cage also contains a door in its audience-side, almost in the center. The inside cage leaves an alley or run-around between it and the walls of the enclosure . . . running about three feet in width all around. Inside the cage are three*

*prisoners: RED, BLACKIE, ST. LOUIS KID. They have for their convenience . . . some straw mattresses.*

**PART TWO:** *The office, which also serves as a first-aid room. Its right wall contains a door leading to PART ONE. Its left wall: another steel door leading to PART THREE. Its rear wall: a door leading to a hall and an inside staircase that descends to the front lobby.*

*This room is the only part of the stage from which the fourth wall has been removed. (I suggest that this be indicated, and as a plaster wall.)*

*In the rear: an old dilapidated, chipped, white hospital table and a medical cabinet with a large Red Cross on it. Downstage: against the left wall, a roll-top desk with an arm-chair facing it. Nearby two more chairs and a stool. Opposite the desk: a battered water-cooler. Over this attached to the wall: an electric fan. Over the desk attached to the wall: a large wooden clock.*

**PART THREE:** *Similar to PART ONE, this section also has its audience-side constructed of steel bars with a door in its center. Within, scattered about the floor are six or seven old, crumpled straw mattresses. In the right wall: a heavy door leading to PART TWO. In the left wall: a barred window similar to that of PART ONE. This window faces West.*

*In PART TWO are seated two deputy sheriffs: WILLIE COOLEY and HENDERSON. They converse as they lean backwards on their chairs, spitting now and then at the dirty cuspidor in front of the desk.*

*In the case in PART ONE the three prisoners now standing, now sprawled on their mattresses, roll cigarettes,*

*smoke, chew and indulge in desultory conversation.*

*Unless otherwise stated, all characters speak in the Southern fashion . . . the drawl, although some have various dialects.*

*The time is afternoon, and through the west window, stage left, the rays of the afternoon sun enter and fill the "Pen" and corridor with a reddish glow. One receives the impression of a rather warm spring afternoon, of flies buzzing about, of roaches and dirt, of sloth and laziness.*

COOLEY: Been seein' Sam Waldon lately?

HENDERSON: Saw him over yonder in Greensboro day fo' yesterday.

COOLEY: Do he say he's comin' 'long next week to fair day?

HENDERSON [*spits*]: He ain't comin'.

COOLEY [*spits*]: He ain't?

HENDERSON: No. He say he cain't afford the gasolene. An' whut's mo', theah ain't no mo' fun at fair day anymo'. Jest a bunch of heifers and hawgs and . . .

COOLEY: Sam's right. Cookesville fair ain't no mo' excitin' nowadays than yo' homebrew. [*He chuckles at his joke.*]

HENDERSON [*spits*]: I ben noticin' you guzzlin' my homebrew, Willie Cooley. Whut's wrong with it now?

COOLEY [*leans forward, with wagging forefinger*]: Hops! You be'n usin' co'n an' chicken-feed 'stead of hops. That's why farmers like Sam Waldon cain't buy themselves no fuel. 'Cause fellers like you keep hoardin'

their money . . . 'stead o' spendin' it and makin' decent brew. [*Spits.*]

HENDERSON: You jest plumb goofy, Willie Cooley. Sam Waldon don't grow hops fo' the last ten year. He grow cotton, only cotton. . . . [*He continues to speak, but lowers his voice and as a result we can hear the prisoners in the cage in PART ONE conversing. This occurs many times during this act and the beginning of one speech and the end of the previous one should be blended together.*]

RED: . . . a coupla hunerd miles outa Jacksonville. He send me down the road a bit an' he says, "You're a trustee now, so doan't be runnin' 'way, 'cause yuh ony got two mo' weeks. . . .

ST. LOUIS KID: Did you still have yo' chains on yuh?

RED: Course I didn't have 'em. Ain't I jest . . . ?

COOLEY: . . . an' Fletcher's done gone broke and Jason Monroe's lost his pay over in Junction City. Yes suh! Things ben pretty bad sence the war. . . .

HENDERSON [*spits*]: That all becose that President Wilson done died . . . an' in come the Republicans. . . .

COOLEY: It ain't got nuthin' to do wid the Republicans. . . .

RED: Yuh see, they take the chains off'n yuh an' let yuh take a li'l walk down the road. But all the time, theah is a coupla polices a-waitin' in the bushes right 'long-side of yuh. An' jest yuh try to run fo' it. Hot damn! That's jest what they're waitin' fo'. An' when they catch yuh . . . yuh gets six months mo'. . . .



HENDERSON: Well, that Yankee fish-face Coolidge didn't help none. . . .

COOLEY: I'm tellin' yuh, theah ain't ben no badder times. . . .

HENDERSON: It was a hell of a lot badder back in ninety-three. . . .

RED: Same the way them trash gals carry on with them niggers. Yes . . . even fo' a dollar a haid. . . .

COOLEY: The baddest times was right after the war down heah, in sixty-five. . . .

HENDERSON: Them Yankees did their bestest to ruin us. . . .

BLACKIE: You kids dunno nuthin'. I seen niggers up in Chicago eatin' in the same lunch wagon with white folks . . . an' in St. Paul, Minnesota, when I was theah las' summer . . . I saw coons goin' to the same toilet as . . .

COOLEY: Folks up No'th don't know how mean 'em niggers kin be. . . .

RED: Trouble with them mill jobs, you have less after yuh work than befo'. . . .

ST. LOUIS KID: No wonder 'em gals'll lay down with niggers. They kin make mo' in five minutes than workin' all night. . . .

RED: Sho'. Thas why. . . .

[*Phone in office rings.*]

COOLEY [*answers it*]: Hello. . . . Huh? . . . Sho'. This is Cooley. Sheriff Trent? He over at the billiard parlor. . . . What da? *Hmmm.* [HENDERSON *leans over*

*him, very curious.]* How many? . . . Fifteen of 'em! *Hmmmmmm!* Sho'. Sho'. . . Rocky Point law? . . . Fine. . . Sho' . . . send 'em on heah. . . I'll tell him. . . Good-bye. [*Hangs up.*]

HENDERSON: Who dat callin', Willie? Whut's up?

COOLEY [*very excited. Crosses to cooler for a drink*]: That was the Stebbinsville law. Seems like a half a dozen white kid hoboos was thrown off the freight from Chattanoogaogie by some *niggers* . . . and they're stoppin' the train at Rocky Point fo' 'em. [*Crosses back to phone.*] But I gotta git Sheriff Trent . . . or we lose our badges. . . .

HENDERSON [*reflecting COOLEY's excitement*]: Anybody killed?

COOLEY: Jest lemme call the Sheriff. . . . [*About to wind the crank on the phone box, but it rings before he can do so. He picks up the receiver quickly.*] Who? . . . Sheriff Trent? No he ain't heah. . . . I was jest 'bout tuh call him. . . . Oh . . . howdy Fred. . . . Yes. . . . I was jest called from Stebbinsville 'bout it. Yuh stopped it? . . . Huh? . . . got 'em all? . . . Huh? . . . Sho', we got plenty room. . . . What? *What da yuh say?* . . . *Women? Gals? Where?* . . . *Hmmmmmmmmmmmm.* An' a-comin' 'cross the Tennessee Line? . . . Sho'. . . . I call him right *now*. . . . [*Hangs up.*]

HENDERSON [*clutches his sleeve as COOLEY commences to wind the crank*]: What's up . . . Willie Cooley? Come on. . . .

COOLEY [*very excited*]: Let go my arm . . . Hender-

son. . . . I gotta call Sheriff Trent this minute. [*Winds crank.*] You better git our guns instead outa that cabinet. . . .

HENDERSON [*burning with curiosity*]: But yuh kin tell a feller whut's it. . . .

COOLEY [*annoyed*]: Git them guns . . . the trucks'll be heah any secon'. [*On phone.*] Hello. . . . Louise . . . git me Sheriff Trent, quick. He's over at the billiard parlor. . . . Hurry up, gal. . . .

HENDERSON [*at cabinet with guns*]: Shall I load 'em . . . ?

COOLEY: Sho', load 'em! Whut are yuh gonna shoot with? No, Louise. . . . I cain't tell yuh nothin' . . . no, it's again' the law. . . . Well . . . there's been a hull to-do on the freight. . . . Hello, Sheriff Trent? Well, all hell's done gone an' bust loose on the through freight from Chattanooga! Big fight, 'bout fifty or a hunerd niggers . . . no, half dozen white kids got themselves throwed off this side o' Stebbinsville. . . . They're bein' sent on heah right now by truck. . . . Then I'm jest 'bout tuh call yuh when the Rocky Point law calls up . . . an' they done stop the train at Rocky Point . . . huh? Sho' . . . they got 'em all . . . and listen, Mist' Trent, they found two white gals on the train dressed like boys, with overalls. . . . Well, they musta crossed the line if they come from Tennessee . . . they all comin' on heah to Cookesville. . . . Sho', I'm gittin' ready now . . . huh. . . . No, they didn't say whut the niggers done to 'em. . . . Mebbe they did an' mebbe they didn't . . . huh? [*To HENDERSON.*] He hung up. . . . [*Hangs up.*]

HENDERSON [*breathless*]: Was theah fifty niggers . . .  
Cooley?

COOLEY [*taking a bite of his tobacco plug*]: Uh huh.

HENDERSON: An' all comin' heah to Cookesville?

COOLEY: Sho'. Now we're gonna see some fun. [*Straps on his gun-belt, and pins his badge on.*] But you better go on down to the gun-room an' git some rifles to-gether fo' Mist' Trent. Bet' hurry up . . . !

[HENDERSON *exits*. COOLEY *winds up phone*.]

RED: . . . My great grand-pap was one of the biggest slave holders in Johnson County. He had hunerds of niggers. . . .

COOLEY [*on phone*]: . . . an' bring ovah heah with yuh Hillary and Kenneth . . . Smith too. . . . Yes, bring 'em all ovah to be deputized. . . . No. . . .

BLACKIE [*as a few voices are heard outside*]: Whut's goin' on down theah?

RED [*he and ST LOUIS climb up on mesh-work like cats, the better to see out of window*]: Coupla kids cuttin' up, I speck.

COOLEY [*on phone*]: Yes . . . hurry up . . . sho'.

ST. LOUIS: I cain't see nuthin'. . . .

VOICE [*outside*]: Co . . . o . . . ley!!

COOLEY [*hangs up. Crosses to door rear. Shouts down*]: Yeah? Whut's up? Who theah?

VOICE [*calling*]: Jackson. Rocky Point truck comin' down the road.

COOLEY: Go an' hurry up Mist' Trent.

JACKSON: Sheriff Trent's comin' 'long now 'cross the street with Rob Smith. He say fo' yuh tuh git that cor-

ridor open up. . . .

COOLEY: Okay! [*He crosses to desk and gets the keys out.*

HENDERSON *enters with an armful of rifles.*] Bring them rifles downstairs, Henny. The boys'll be heah any sec' fo' 'em. . . .

[*HENDERSON exits. COOLEY crosses toward corridor. At this moment, the sounds of a truck pulling up are heard. Wheels crunching on gravel, brakes holding, voices in greeting.*]

RED: I kin make out the tops of their haid. . . .

COOLEY [*passing near cage in PART ONE*]: Git the hell down from theah! Come on, git down. . . . [*Crosses to outside door and unlocks padlocks.*]

VOICES [*outside*]:

Hi, theah, Hillary!

Whut's up heah?

We heerd of some rape.

Who raped 'em?

How many?

[*COOLEY now has door unlocked and swings it open.*]

VOICES [*louder now*]:

Where're the niggers, Fred?

They'll be along.

I'm gittin' my gun.

Where're them gals?

Whut's up, Jeff?

They musta near killed 'em.

Theah's be'n a rape.

A rape?

A rapel!

A rape!

RED [*back on cage, looking out*]: Gittin' visitors, fellers.

COOLEY [*seen outside on the landing, shouts down*]: Hi theah. . . . Sheriff Trent! All ready?

TRENT [*from off-stage below*]: Okay . . . Willie.

VOICES [*with some hysteria*]:

We wanna git fust chance at 'em black bastards.

Women ain't safe no mo'.

Gittin' worse an' worse wid 'em niggers.

TRENT: Git off that truck, Jeff Vivian. You're interferin' in the law.

VIVIAN: I'm plenty bitter 'gainst 'em nigger rapers an' my sentiments 'gainst any man who tries to defend 'em.

[*VOICES in approval.*]

HENDERSON: Here yo' rifles . . . boys.

[*VOICES.*]

TRENT: Git back theah . . . men. Come on. . . . Give 'em a chance tuh git off. Git. . . .

JACKSON: All off, boys.

VOICE: Whut happened on that theah train, fellers?

TRENT: Let 'em by, come on, one side. [*The sound of many steps coming up the outside staircase. The voices in the street continue but decrease to hubbub of ordinary conversation. TRENT enters, followed by six white BOYS and TWO DEPUTIES carrying rifles. At the same time, HENDERSON and another DEPUTY enter office from door, rear. They keep out a few of the curious villagers who try to follow them in. Meanwhile TRENT*

and his party are in the corridor and COOLEY is about to bolt the door but TRENT stops him.] Jest lock her up once. There'll be some mo' in a coupla minutes. Cooley, ring up Solicitor Mason . . . tell him to come on over heah, right quick.

[COOLEY nods and does so.]

TRENT [to the deputies]: Git 'em in that cage theah.

[The deputies lock the new prisoners in the cage and TRENT passes into the office. One DEPUTY remains stationed in the run-around. During this action one of the new prisoners recognizes RED and greets him with enthusiasm.]

BOY: How yuh, Red boy! Whut yuh doin' heah?

[The others question and are questioned.]

TRENT [to the other DEPUTY as he passes him]: You stay here, Charlie, doan't let them trash make too much noise. [Enters office and fastens on his waist the holster and revolver that HENDERSON gives him. COOLEY is on phone.]

COOLEY: Hello, Mrs. Mason . . . yes, Sheriff Trent wants him right quick.

TRENT [to the DEPUTIES]: You Henderson, take those men and watch for those other cars. [He exits.]

COOLEY: . . . Yes, please ma'am. . . . [Turning to TRENT.] Mrs. Mason says the solicitor's sleepin' on the sun porch, and she don't feel like wakin' him, Sheriff Trent.

TRENT [irritated]: What's that? Tell her . . . it's important. Tell her to wake him up right away. [Breaks

*gun and examines bullet chamber.]*

COOLEY [*on phone*]: . . . Yes, ma'am . . . you'll just have to. . . .

TRENT [*impatient*]: Lemme talk tuh him, Willie. You watch that corridor. [*Takes receiver.*] Hello. Luther? [*COOLEY crosses to run-around and chats with DEPUTY.*] . . . That you? . . . Come on over . . . we got somethin' excitin'. . . . Well, git dressed. Sho'. Sho'. [*HENDERSON enters and stands, waiting, breathing hard. TRENT hangs up and turns to him.*] Yeah, whut's up?

HENDERSON: I reckon yuh better come on down, Sheriff. Walter Colton jest drove in, and he says, there's an awful flock of automobiles followin' the truck in.

TRENT [*confused*]: Where is the truck? Where is Walter?

HENDERSON: Right outside. [*Crosses to rear door, calls.*] Come on in, Walter.

[*WALTER enters.*]

TRENT: What's up, Colton?

WALTER: I jest wanna tell yuh, the truck'll be here in five minutes easy. I'm purty scared o' trouble with them niggers, Sheriff. Jest figgered on warnin' yuh. The boys're all talkin' of takin' the law over to themselves.

TRENT: Just let 'em try that. Where are the girls?

WALTER: We passed them down on Highway 74 jest a minute ago. They right smart near 'bout now. . . .

[*VOICES outside. Sound of truck and autos pulling up. COOLEY and DEPUTY open door to corridor. TRENT hurries across. Shouts back to HENDERSON.*]

TRENT: Go on downstairs an' keep order in front. . . . Watch the entrance. [*He is now in corridor. HENDER-*



SON and WALTER *exit*.] Open up Cooley. Whut yuh waitin' fo'?

[*Everyone including the Sheriff is tremendously excited with this sudden activity.*]

COOLEY [*swinging open the outside door*]: Hi . . . theah. . . . Theah they be . . . Sheriff.

[*Many voices outside. TRENT steps out on the landing.*]

TRENT [*shouting down, topping the voices below*]: Bring 'em upstairs . . . Hillary! No. Right this way! Whut's the matter with yuh all today? Yuh all goin' crazy? Hi theah, Jackson, pass out those rifles. . . . Whut's the matter with *you*? Lemme know when the niggers come. Lemme know when yuh see 'em down the road. I don't want no trouble. [VOICES.] Remember, folks . . . I'm the law heah in Cookesville . . . an' I'll 'rest any one of yuh who tries somethin' smart. . . . [*The two GIRLS are now seen on the landing. TRENT leads them in, they are followed by HILLARY and SMITH.*] Okay . . . take 'em into the office. Hillary, you bet' go down too. . . . Take Smith with yuh. . . . Watch these stairs heah. . . . [HILLARY and SMITH *exit* and COOLEY *proceeds to fasten door.*] Right this way . . . gals.

[TRENT *leads the way. GIRLS follow him. As they pass the prisoners in the cage laugh and make remarks.*]

RED: Hi theah, Blondie . . . gonna keep us company?

TRENT [*to RED*]: Yuh bet' shet up in theah . . . or I'll take it out on yo' hide. . . . [*They enter office, COOLEY following.*] Set yourselves down theah, gals. [*The GIRLS do so.*] Now whut were you . . . ? [*Phone*

rings.] Answer that Willie. [*He does so.*] Well . . . who are you two . . . ? Whut's yer names? [*To the blonde one.*] Come on . . . speak up.

VIRGINIA: We were jest havin' some fun, suh.

COOLEY [*on phone, annoyed*]: . . . Huh? . . . Sho'.

Everythin's all right. . . . I don't know that, Emma.

TRENT: Doan't yuh know . . . yer breakin' the law, ridin' on them trains?

COOLEY [*on phone*]: No . . . the niggers ain't heah yet. . . .

TRENT: Why don't yuh answer me . . . ?

VIRGINIA: Well . . . I cain't heah yuh . . . with all this noise. . . . [*Gestures toward phone.*]

TRENT [*to COOLEY*]: Come on Willie . . . stop that gabbin'. We got business heah. . . .

COOLEY [*turns to TRENT, confused*]: Whut's that? It's the wife, Sheriff. She'll git through in a second. . . . [*To phone.*] Now listen here . . . Emma, what fo' yuh callin' up . . . when I'm so busy. . . . Huh? No . . . I ain't gittin' fresh. . . . Huh? Well you tell her she's gaffy. No niggers chewed nobody's breasts off. . . . No. Good bye. No. Don't wait. [*Hangs up.*] Blame these heah wimmen . . . they allus call at the wrong time.

TRENT [*who has in the meantime opened a ledger, and secured a pencil*]: Yuh ain't answered me yet. Whut were yuh doin' on that train?

VIRGINIA: We was jest tryin' tuh git back tuh Humbolt from Chattanooga . . . where we went . . .

TRENT: What fo'?

VIRGINIA: To look fo' a job . . . an' after we . . .

TRENT: Jest hol' on. It 'pears tuh me that these heah niggers musta fooled 'round with you gals. . . .

VIRGINIA: We never done nuthin' like that. . . .

TRENT: We'll find that out, soon 'nuff. [*Looks her over carefully for an instant.*]

[*Rear door opens and MASON enters.*]

MASON: Hello, Trent.

TRENT: Well . . . you're certainly needed heah. Have yuh heerd whut's up?

MASON: Well . . . I heard quite a few things while I was dressing. Mrs. Jenkins called my wife, then Mrs. Cooley called and as I was leaving Mrs. Henderson called.

TRENT: These are the gals they tuk off the train at Rocky Point.

MASON: That so? [*Crosses to them. Professionally.*]  
What's your name? Your right name?

VIRGINIA: Virginia Ross.

MASON: And yours?

LUCY: Lucy Wells.

MASON: Where you from?

VIRGINIA: We're both from Humbolt.

MASON: What do you do there for a living?

VIRGINIA: We work in the Henrietta mills, spinnin' cotton.

MASON: And what else?

VIRGINIA [*snapping right back*]: Nuthin' else if I know whut yuh mean.

MASON: You know what I mean. . . . Now what were

you doing on that train?

VIRGINIA: Jest ridin'.

MASON: What for? Where?

VIRGINIA: Well, we went to Chattanooga to visit some friends an' we didn't have no money tuh come on back with. . . .

TRENT: I tho't you said you went lookin' fo' *work*.

VIRGINIA: Well . . . I said that too. . . .

TRENT: I'll bet I know whut so't of work yuh looked fo'.

VIRGINIA: Now . . . don't yuh go insinuatn'. . . .

MASON: Whom did you girls leave Humbolt with?

LUCY: We went with . . .

VIRGINIA [*quickly*]: We didn't go with nobody. . . .

MASON [*after a slight pause*]: Well, girls . . . you know that I can arrest you for being travelling prostitutes?

VIRGINIA [*innocently*]: What's that?

TRENT [*snapping*]: A whore. That's what.

VIRGINIA [*indignantly*]: Well . . . I ain't that. . . .

MASON: Then what were you doing on that train with those boys and crossin' a state line?

VIRGINIA: I never crossed no line.

MASON: You came from Tennessee into this state in violation of the law.

VIRGINIA: That don't give you the right tuh call me a whore.

MASON: It gives me the right to arrest you for being one. Now . . . I can prosecute you under the law . . . you and your boy friends. Understand?

VIRGINIA [*somewhat frightened*]: Yes suh, but we weren't doin' nothin' atall. We were jest . . .

TRENT [*crosses to her*]: Shut up. 'Cose everythin' yuh say will be held against yuh. [*Turns to COOLEY.*] Willie, take them gals into the run-around. I'll call yuh if I need yuh.

COOLEY [*taking VIRGINIA'S arm*]: Come along gal.

[*They cross to exit.*]

VIRGINIA [*as she follows LUCY out, haughtily*]: Tryin' to call us indecent . . . the low-down son-of-a . . .

[TRENT *looks around at her but COOLEY closes the door.*]

MASON: All right. What's on your mind Sheriff?

TRENT [*with suppressed anger*]: Plenty! Them tramp whores have been crossin' the State line and doin' business on that train with these white hoboes. . . .

MASON: And the niggers . . . ?

TRENT: The niggers?

MASON: Yes . . . ?

TRENT [*with increasing anger*]: . . . them black bastards seen 'em gals and got themselves together, out-populated an' beat up them hobo kids and threw 'em off the train. Then the niggers jumped the gals an' . . .

MASON [*with a cautioning gesture*]: Just hold on, Trent. I want to get this straight. These heah girls don't look to me like they've been attacked.

TRENT [*with amazement and somewhat hurt*]: Whut yuh tryin' tuh say to me Luther . . . ?

MASON [*firmly*]: I'm trying to say this. . . . If these girls had been assaulted against their will, they wouldn't be acting the way they are. They would be crying all over the place. They would be all hysterical and nervous.

Their clothes would be torn. . . .

TRENT [*angered, annoyed*]: You ain't sayin' Luther, that them niggers were left alone with these white gals and didn't try to . . . ?

MASON [*interrupting with some scorn*]: No! They didn't need to try. These whores just took them on for whatever they could get. . . .

TRENT: Luther, you ain't goin' to let them black bastards get away with somethin' like that?

MASON: No. . . . I'm not letting them get away. . . . [*He seems to be listening to TRENT only with one ear and to be thinking of a plan of procedure.*]

TRENT [*in a rage*]: I don't keer if they are whores . . . they're white women! You think I'm gonna let them stinkin' nigger lice get away from me? Like hell I am! They're gonna git whut's comin' to 'em long as I'm the law round heah. . . . [*He is at the height of his temper and his feelings run away with him.*] What the hell will folks heah say of us . . . ? Why they'll spit on us if we don't git them niggers when we got the chance. . . . The hull county, the hull State, the hull South'll be down on our haid. . . .

MASON [*after a slight pause*]: Trent, I want to get these girls examined by a doctor as soon as possible. . . .

TRENT [*worried, and anxious*]: You . . . you ain't figgerin' on jest a plain, ordinary charge Luther . . . ?

MASON [*shrewdly*]: What are you figgerin' on, Sheriff?

TRENT [*with intense hatred*]: What I'm figgerin'? Them black bastards had them white gals and theah's only one charge fo' that . . . RAPE!

MASON [*with impatience now that they agree*]: Well then let's stop wasting time. . . .

TRENT [*with elation*]: Sho' . . . We kin send 'em over tuh Doc Thomas right now. . . .

MASON [*making a wry face*]: Oh . . . him?

TRENT. Who else?

MASON [*sighs*]: All right. . . .

TRENT [*calls*]: Cooley! [COOLEY *enters.*] Git them gals ready to go over tuh Doc Thomas and tell him to examine them. . . .

COOLEY: Uh huh. [*Nods and goes to run-around for girls.*]

RED [*in the cage the prisoners have been conversing in bantering tones with the girls*]: Come heah Blondie. I heerd a lot 'bout you in Chattanooga.

VIRGINIA: Yuh ain't heerd nothin'. . . . Yuh cheesy-faced, carrot-topped pimp. . . .

COOLEY: Pull yo' mouth in Red Boy. . . . Come on gals. You're goin' tuh the Doctor's wid me. . . .

VIRGINIA [*in the run-around she and LUCY whisper together as they make ready to go*]: Yuh jest leave it to me Lucy. Ain't I got us out of scrapes befo'?

LUCY [*very frightened, almost on the point of tears*]: I'm so scared, Ginny. I'll lose my job sho' enough, if they hear this goin's-on. . . .

COOLEY [*opens door*]: Come along, gals.

[*They enter office.*]

RED [*as they exit*]: Don't forget to come back Blondie, we're gonna miss yuh.

VIRGINIA [*snapping back at him*]: Now yuh shet up that mouth o' yourn. . . .

TRENT [*to COOLEY*]: Take Henderson along with yuh and bring 'em right back when yuh git through. . . .

COOLEY: Yes suh, Sheriff. Come along gals.

TRENT: And keep a good hold on 'em.

LUCY [*suddenly*]: But Virginia, I don't wanna go to no doctor. . . .

VIRGINIA: You let me handle this Lucy. [*To MASON with hauteur.*] What does this mean, suh?

MASON [*sitting on desk. Rises and unctuously*]: Now just control yourself Miss. We're trying to protect your rights, that's all. You just go along quiet-like and let the doctor examine you and we'll take care of you after that. . . .

VIRGINIA [*to MASON, smiles*]: I'm talkin' fo' both of us Mistah. Jest what is we bein' examined fo'?

MASON: Well, didn't these niggers attack and rape you?

VIRGINIA [*puzzled*]: Attacked? Raped us?

MASON: Yes. I heard they tore your dresses off and jumped on you. . . .

VIRGINIA: Who? Them niggers? [*Suddenly, sharply.*] Now listen here Mistah, no nigger ever done that to me. I'll have you know. . . .

TRENT [*takes her arm and leads her firmly towards the door*]: Now hold on Miss Ross. Take 'em along Cooley. [*COOLEY and HENDERSON holding the girls, lead them out.*]

VIRGINIA [*as they exit*]: Mrs. Ross. I'm a married woman.  
[*All exit.*]

MASON: Mrs.? Well that's still better . . . Sheriff.



[*Sound of truck outside, voices, shouts.*]

HILLARY [*as he hears the noise runs into office*]: Mist'

Trent, that nigger truck's comin' 'long now. . . .

TRENT [*rushes to corridor shouting*]: Come along, Luther. . . . [MASON *follows.*] Open up Hillary. [HILLARY *opens the outside door. TRENT and he step out on landing. TRENT descends stairs, yelling. MASON remains at doorway looking out and down.*] Stand back folks! Git back there! Hi' there Jackson! Hold 'em back boys. I don't want no trouble at all.

VOICES:

Are the wimmin hurt bad Sheriff?

We oughta git the Klan together. . . .

Theah them nigger rapers goddam 'em. . . .

Jest thirty cents o' rope.

RED: There them niggers now. . . .

VOICES:

I seen 'em gals jest goin' with Willie Cooley.

You turn 'em niggers ovah to us, Trent. . . .

We know how to handle this. . . .

TRENT: Stay back folks! Don't lose yourself. Don't git mixed up with the law. My boys 're gonna do their duty. . . . Now git back. Git back!

VOICES:

Them niggers gonna git what's comin' to 'em.

You bet. . . .

A li'l necktie party, thassall.

HILLARY: Hol' on there boys. Don't crowd the stairs. . . .

TRENT [*truck is heard stopping. Horn sounds and many*

*voices*]: Give 'em a chance. Hol' 'em back fellers! Git off there niggers. Step down. Watch 'em there Hillary.

HILLARY: Git back. Git back! Hello there, Mr. Allen. How you?

TRENT: Up this way. . . .

VIVIAN [*his voice is heard*]: You better be careful with that theah gun Sheriff. You'll be pokin' the wrong man.

TRENT: An' you better shet your mouth Jeff Vivian. You ain't got no call around heah. . . .

VIVIAN: I'll stay where I damn well please. . . .

[*Many voices in agreement.*]

TRENT: Git up there niggers! Git up them stairs befo' they grab yuh. . . . [*HILLARY and SMITH enter followed by nine young negro BOYS tied together with ropes and bringing up the rear shouting (Ad Lib) at the crowd downstairs and at the negroes, SHERIFF TRENT, JACKSON and two Rocky Point deputies . . . ALLEN and KILLIAN.*] Shut that door Hillary! Lock it up good.

HILLARY: Yes suh. [*Does so.*]

TRENT [*points to negro cell*]: Lock up these bitches in theah. . . .

SMITH [*attempts to open cell-door*]: It's locked Sheriff.

TRENT: Well, open it.

SMITH: I ain't got the key suh.

TRENT [*irritated, angry, confused*]: Who got the key dammit?

HILLARY: Cooley carries the keys Mist' Trent.

TRENT: Well, run after him an' git them. Go 'haid, Smith.

[*Mutters.*] The goddam fool.

[SMITH *exits.*]

MASON: You might put the prisoners in the run-around in the meantime, Trent. [*Indicates.*]

TRENT [*not understanding*]: Huh?

RED [*shouts in offended tone*]: No yuh *ain't*. Yuh don't put no niggers in with us. I'll complain to the governor. . . .

TRENT [*admonishing*]: Cain't put 'em in theah, Luther. Yuh oughta know better 'n that.

MASON: Well, I thought just temporarily . . . 'til Smith gets back with the keys. [*Looks into cage, counts the occupants.*] Say . . . Where is that other boy, Allen? I thought there were seven white boys.

ALLEN: Oh . . . he'll be 'long soon 'nuff with Deputy Norris.

MASON: That so. I thought you had lost him already.

ALLEN: No, we didn't lose nobody. We surrounded that theah train at the Point an' when she come in we scraped her clean.

TRENT: Yuh kin take off them ropes in the meantime Jackson.

[JACKSON *does so.*]

MASON: Which car were the girls in?

ALLEN: They was in an open car full o' gravel.

MASON: And this other boy?

ALLEN: He was right nearby, a coupla cars off.

MASON: And the niggers heah?

ALLEN: They were all over the train. O' course theah was plenty mo' but they musta got skeered after the fight an' jumped off. One of 'em . . . this un heah, was underneath 'bout ten cars off. [*Indicates the various negroes he means.*] This un was in a cattle car groanin' away. He says he's sick. . . .

MASON [*to negro indicated*]: Are you sick?

ROBERTS: Me, suh?

MASON: Yes, who do you think I'm talking to?

ROBERTS: Yassuh. I'm sick a plenty, please suh.

TRENT: What's the matter wih yuh? [*Crosses to him.*]

ROBERTS: I dunno 'xac'ly, Mist' Sheriff. But it's some-thin' mighty bad. That's whut the colored doctor over in Atlanta said. . . .

TRENT: Where did yuh throw these white boys off?

ROBERTS: I never see'd 'em, please suh. I was good an' sick in that cow car . . . all the way from Chattanooga. . . . I never see'd . . .

TRENT: Shet up! [*Punches him in the stomach.* ROBERTS *folds up with pain.*] Think it over now careful. [*To ALLEN.*] Yuh kin go downstairs, Allen. Bring up that boy when he comes along. . . . Whut's takin' 'em so long anyway?

ALLEN [*crossing through corridor*]: Maybe they tuk the wrong road. . . .

TRENT [*as ALLEN exits*]: You go 'long with him, Killian. [*As KILLIAN leaves.*] Git me my ledger from the desk Hillary. We kin git some things done while we're waitin'. Goddam Cooley, had to run off with the keys. . . . [*HILLARY crosses to office.*] Whut's that

doctor takin' so long for Luther? [*He is very nervous, wrought up, excited and confused.*] Got a drink with yuh, Jack? [JACKSON *hands him a half-pint bottle from his pocket.*] Thanks . . . yuh always kin be dependable. Have one Luther?

MASON: No thanks.

TRENT [*drinks, holds up flask*]: Kin I have this . . . ?

JACKSON: Sho' it ain't much. . . .

TRENT: Okay. Yuh kin bring me a jug o' that later Jack.

[JACKSON *smiles and nods.* HILLARY *returns with ledger.* TRENT *opens ledger, prepares to write.*] Whut's yo' name, nigger?

PURCELL: Ozie Purcell. . . .

TRENT [*writes*]: How old are yuh?

PURCELL: Sixteen please suh.

TRENT: Where from?

PURCELL: Atlanta, Georgie . . . please suh. But I ain't done nuthin'.

TRENT: I didn't ask yuh that. . . . [*Kicks him on the shins fiercely.* PURCELL *screams and falls.* *The boys in the cage crowd up front to see better.*] Don't talk 'til I ask yuh somethin'. [*Addresses another negro.*] Whut's yo' name?

MOORE: Olen Moore please suh.

TRENT: How old?

MOORE: Seventeen please suh.

TRENT: Where from?

MOORE: Monroe, Georgie, suh.

TRENT: Whut's the matter with yo' eye?

MOORE: I cain't see outa this un suh . . . an' I'm goin'

slow blin' on the other one. . . .

TRENT: Whut were yuh doin' on that freight?

MOORE: I was tryin' to git tuh Memphis where they's got a colored hospital fo' eyes. . . .

TRENT: Never mind with that. . . . [*To another negro.*]  
Whut's yo' name?

WALTERS: Gene Walters.

TRENT: How old?

WALTERS: Thirteen yeahs.

TRENT [*looks up from ledger, then writes*]: Yuh mean sixteen.

WALTERS [*puzzled*]: Thirteen, please suh. . . .

TRENT [*slaps his face hard*]: Sixteen! Doan't yuh understand English . . . you dumb nigger mule . . . ?

WALTERS [*finally understanding*]: Yassuh. Sixteen yeahs.

TRENT: Where're you from?

WALTERS [*holding his injured face*]: Chattanooga, Tennessee, suh.

SMITH [*enters with keys*]: Heah yuh are, Sheriff. . . .  
[*Crosses to him.*]

TRENT: Open up this heah door fo' the niggers. . . .  
[*SMITH proceeds to do so. At this moment much noise is heard from outside.*] That mob still yellin' . . . ?

SMITH: I speck they done heerd the news the gals be'n raped, Sheriff.

[*Searches for proper cell-key. At this point ALLEN and KILLIAN enter rear door with OLIVER TULLEY between them.*]

TRENT [*rather confused*]: Hullo! Who's this?

ALLEN: This is that theah other hobo kid who stayed on the train.

TRENT: Set him down theah. Stay with him. [TULLEY sits.

ALLEN stands next to him. SMITH is opening the cell doors.] Hurry up, Smith.

MASON [*in the interim*]: What's your name?

PARSONS [*one of the negroes*]: Heywood Parsons, please suh.

SMITH [*calls to TRENT as he opens cell*]: Okay, Sheriff. [*Enters corridor.*]

TRENT [*crosses to crowd of negroes*]: Come on . . . git in theah!

[KILLIAN and SMITH commence to herd the negroes into the cell.]

PARSONS [*as KILLIAN pushes him into cell*]: What fo' . . . what fo' we 'rested . . . please suh? We ain't done nuthin'. . . .

TRENT [*strides over to him*]: Git in theah yuh black bastard . . . befo' I kick yo' teeth down yo' throat. . . . Git. . . . [*He and the deputies kick and maul the negroes about until finally they are all inside. Deputies lock the door and remain in the corridor, lean against the left wall and converse. The white boys in the cage talk among themselves, quietly but excitedly. TRENT and MASON are now in the office.*] This is that other hobo we're waitin' fo', Luther.

MASON [*to TULLEY*]: You didn't jump off?

TULLEY: No, suh. I didn't jump off. The posse tuk me off at Rocky Point.

[MASON *makes a sign* to TRENT.]

TRENT: Yuh kin wait downstairs . . . Allen. I'll call if I need yuh.

[ALLEN *exits.*]

MASON: What's your name?

TULLEY: Oliver Tulley.

MASON: Hobo?

TULLEY: Well . . . kinda.

MASON: Why didn't you jump off with the rest of 'em?

TULLEY: I was goin' tuh . . . but one of them niggers pulled me back on.

MASON: Why did he pull yuh back? Did he want to hurt you?

TULLEY: Hurt me? Hell, no! He saved my life. I'd a sho' ben killed. Yuh see I never jumped off a movin' freight befo' an' I was doin' it all wrong. I was leanin' forward 'stead of backwards.

MASON [*sharply*]: Which of the girls did you have to do with?

TULLEY: I didn't have nuthin' to do with 'em, suh.

MASON: How far away from them were you?

TULLEY: Well . . . I could see the gals from where I was.

TRENT: Yuh could?

TULLEY: Sho' I could. I was winkin' at 'em an' hollerin' ovah to the gals. But I never done went over to 'em.

MASON: What were you saying to them?

TULLEY: Oh, jest jokin' 'round. Yuh know whut yuh talk tuh gals about.

TRENT: Why didn't yuh go ovah tuh 'em?



TULLEY: Well . . . to tell yuh the truth maybe I would 'ave but I was too skeered to climb along that speedin' train. 'Specially sence I jest almost done fell off.

MASON [*leans over him; slowly*]: Did yuh see any of them niggers together with the girls?

TULLEY: No, I didn't see that.

TRENT: Now don't yuh try tuh lie to us . . . yuh little . . .

TULLEY [*frightened*]: I ain't lyin'.

TRENT: We'll see 'bout that soon 'nuff. Maybe you'll change yo' mind after a coupla days or so . . . on the chain-gang. . . . [*Opens door and not too gently pushes TULLEY into run-around.*] An' maybe longer'n that too. [*Outside the noise grows louder. It seems that there are at least two or three hundred in the crowd downstairs. Sometimes a shout, a curse or a threat can be distinctly heard. TRENT returns to MASON who is lighting his cigar.*] Jest listen tuh that bunch, Luther. [*Thinking.*] They know all 'bout it now. . . .

VOICES:

We want tuh talk tuh Sheriff Trent. . . .

I'd like to cut off their . . .

Keep yo' hands off'n me . . . Kenneth Thompson. . . .

We gotta keep 'em in their place. . . .

MASON [*rather anxiously*]: You sure you have enough men . . . Sheriff?

TRENT: Sho'! [*Crosses to rear door.*] Hi . . . theah, Allen!

ALLEN [*downstairs*]: Yes, Sheriff?

TRENT: Come on up heah. [*Turns to MASON.*] We kin talk to them niggers now, cain't we?

MASON: We can do that but I would prefer to question those girls first and Doctor Thomas. . . .

VOICES [*outside*]:

Save the county money, Trent!

Jest a coil of rope. . . .

We got guns. . . .

An' we kin use 'em too. . . .

Come on out Sheriff an' talk it over. . . .

[TRENT and MASON look at each other significantly as ALLEN enters.]

ALLEN: Sheriff Trent! I'd like yuh tuh know those boys downstairs are gittin' up tuh trouble. A coupla-two-three jest came from the depot and they're all lit up. . . .

MASON [*annoyed*]: Well . . . what do they want?

ALLEN: Cain't yuh heah them? They're talkin' of stringin' up these niggers tonight. They feel mighty bitter 'bout this heah rape an' . . .

TRENT [*gestures toward run-around*]: Lock this feller up, Allen. Stay theah an' keep 'em quiet.

[ALLEN exits and locks TULLEY into cage. Boys question him. ALLEN remains there, and converses with the white boys.]

MASON [*slowly*]: You're certain you can take care of your prisoners . . . Trent?

TRENT: I sho' can . . . if I want tuh . . . Luther.

[MASON is silent, but looks at him to continue.] But

maybe . . . it wouldn't be sech a bad idea to let the boys . . .

MASON [*suddenly*]: No, don't you try that, Trent . . . or I'll drop the whole business. This county has got a bad lynch reputation plenty . . . and I don't want anything like that held against me. What we want . . . is just a nice speedy trial. That's all.

TRENT [*somewhat with a sneer*]: So yuh kin play yo'self up . . . eh?

MASON [*somewhat heatedly*]: Well . . . it certainly won't play you up as a sheriff . . . if you let that mob take out your prisoners from your jail. . . .

TRENT [*in a more conciliatory tone*]: Well, Luther . . . if they go an' hold a meetin' tonight . . . they might want tuh do it right after. Yuh see, theah ain't ben no excitement heah sence sometime. . . .

MASON [*lighting a fresh cigar. Then with his match in hand*]: Trent, I want you to call up the Governor and ask for troops.

TRENT [*surprised*]: Yuh ain't foolin'?

MASON: No . . . I'm serious. It's the smartest thing we could do. Because . . . if they drag out and burn up these niggers . . . that's goin' tuh ruin you for anything but sheriff and react on me indirectly . . . but . . . if we call in the troops, why the whole state'll heah about it . . . and it'll be in the papers in Birmingham and Atlanta and Chattanooga. . . . [*He is quite carried away with his idea.*]

TRENT: Well . . . I dunno, Luther. It don't look so

nice. The boys might not like the idea, callin' out the soldiers on 'em.

MASON: Don't be a fool, Trent. It'll be all over the state in every newspaper . . . our names. . . . The folks heah? They won't mind, long as we get a quick conviction. . . .

[*Door opens and a MAN pokes his head in. VOICES are heard shouting right outside the door and before TRENT can get to it, five or six individuals are already in the room.*]

1ST MAN: Come on, Trent . . . give 'em over.

2ND MAN: The quickest way's the best way. . . .

VIVIAN: We don't want tuh make yuh no trouble . . . Sheriff . . . but yuh gotta . . .

TRENT [*drawing his gun and advancing on them slowly*]: Now you listen heah, Jeff Vivian . . . you better git the hell outa heah befo' I lock you up too. . . .

JEFF VIVIAN [*threateningly*]: You jest wait 'til we get some of the Klan ovah from Gideon an' Williams-town. . . .

TRENT [*forcing them out, not too gently*]: Go on. Shet yo' trap. Shet it befo' I do it fo' yuh. [*Forces them all out. Voices continue objecting, threatening.*] Git back . . . git out! I'm the law around heah. [*Shuts the door hard, and locks it.*] Allen!

ALLEN [*calling and crossing to office*]: Comin', Sheriff.  
[*Enters office.*]

TRENT: Go 'long downstairs an' round up all our boys. Tell 'em to git their own guns . . . an' swear 'em in. . . .

ALLEN: But . . . kin I do that?

TRENT: Sho'. 'Long as I says so. Go on. [*Hands him a box from the desk filled with badges.*] Here's some badges. [*ALLEN takes them and exits. TRENT locks the door behind him. Crosses down to MASON. Looks at the phone, then at the Solicitor.*] Luther . . . if yuh think I oughta do it . . . I guess I will call the Governor. But you'll have tuh speak tuh him . . . I don't talk so good.

MASON: Why of course. I knew you'd see it right, Trent. [*Winds phone crank.*] Hello . . . Louise . . . you ring the Governor's office in Montgomery, quick. Yes . . . the Governor. [*Turns to TRENT.*] I'm certain you're doing the wisest thing . . . Trent. And if you get an appointment as Federal Marshal . . . you can thank this idea of mine.

TRENT: I hope so. [*Then with conviction.*] An' it'll show up fo' certain with them soldiers heah, that them niggers did rape 'em. . . . [*Slight pause.*] I sho' could use a Marshal's salary. . . . Mrs. Trent's ben needin' a tumor operation fo' years and my boy Tom . . .

MASON [*on phone*]: . . . Why certainly, that'll be fine. [*Turns to TRENT.*] The Governor would like to handle it but he's tied up this minute with a committee. Connecting us with the Lieutenant Governor. Now you can see the contacts this move gives us . . . [*Into phone, interrupting himself.*] Hello. . . . How do you do, sir . . . yes . . . for Sheriff Trent out in Cookesville. Well . . . you see Mr. Governor . . . I beg your pardon. . . . You have word already of it? . . .

That's fine. . . . No, this is Solicitor Mason. I don't know if you remember me . . . I had the privilege of being introduced to your excellency in New Orleans, last Mardi Gras. . . . Well, you understand, sir . . . that these nine negroes that the Sheriff at Rocky Point took off the freight . . . well we have since discovered . . . [*Glances up at TRENT significantly.*] . . . sufficient evidence to indict them for rape and assault on the two white girls. Yes . . . we have them all here now. . . .

MOORE [*during MASON'S pauses*]: . . . an' I dreamed theah was a stable and some horses . . .

MASON [*on phone*]: . . . Well, that's just it your excellency. The town is all up in the air . . . in fact the whole county. . . . Yes, it's absolutely necessary, sir. I would appreciate it sir. Captain Kennedy? . . . That'll be just fine. Yes sir. Yes, your excellency. . . . [*Turns to TRENT.*] The Lieutenant Governor would like to have your official Okay, Sheriff Trent.

TRENT [*somewhat frightened*]: My Okay? Sho'. [*Takes phone.*] Yes . . . Hello. Yes, your Honor. Sheriff Trent himself. Yes suh. I says Okay. Thank you suh. . . . Thank you. . . . Good-bye, suh. [*Hangs up, turns to MASON.*] He's gonna have 'em over from Springdale in as quick as they kin git ovah. . . .

MASON: That's eighteen miles. . . . [*Winds phone.*] Just a minute, I have an idea. Hello, Louise? I suppose you heard the whole conversation. Well, never mind. I give you permission to call Mrs. Jenkins, Mrs. Cooley and even Mrs. Mason. . . . Yes. [*To*

TRENT *with hand over mouthpiece.*] Now it'll be 'round town in two shakes. [*On phone.*] Tell 'em all, that troops will be heah in five minutes. Yes. . . . *soldiers.* [*Hangs up.*] How's that? [*Chuckles.*]

TRENT [*thinking*]: It'll take 'em an hour at least. I know that Kennedy right well. His old man's a lodge brother of mine. . . .

[*There is knocking at the rear door.*]

COOLEY [*knocking*]: Open up, Sheriff Trent.

TRENT [*opening door*]: Whut the hell tuk yuh so long, Willie?

COOLEY [*enters with DOCTOR THOMAS, the two girls and HENDERSON*]: We had tuh wait fo' Doctor Thomas to git ready. . . .

TRENT [*shakes hands with DOCTOR*]: How do, Doc.

DOCTOR: How are you, Sheriff? Good-evening, Mr. Mason.

[*MASON nods and shakes with DOCTOR.*]

TRENT: Go on, set down . . . Miss. [*They do so. Turns to HENDERSON.*] You kin wait downstairs . . . Henny. Keep me informed 'bout the mob. Don't let anybody in this heah buildin'. [*HENDERSON exits. To COOLEY.*] Yuh kin stay out in the corridor, Willie. Watch that outside do'. Jackson should be on other side of the landin'.

COOLEY: He's theah. I saw him as I come by.

[*Crosses through run-around. Greets SMITH and KILLIAN. Seats himself on stool, dips from his can of tobacco and chews.*]

TRENT [*in the meantime. With elation*]: Well . . . I

guess we were right, Doc. Huh?

DOCTOR: Well . . . I thought I better come over myself, Sheriff. But I'll make it quick . . . if you'll let me. I've really got to get over to Mrs. Summerset's before six o'clock or she'll be havin' that baby born without me. . . .

TRENT: Tell us jest as fast as yuh like . . .

DOCTOR: Well . . . these girls have had an examination by me and I'm certain that they have both consorted with a man. . . .

TRENT [*jubilantly*]: Didn't I tell yuh?

[MASON *nods.*]

DOCTOR [*to LUCY*]: You have had intimacy with a man . . . haven't you, Miss?

LUCY [*begins to cry*]: I dunno what yuh mean. . . .

DOCTOR: I can't get a thing out of her. . . . [*To LUCY.*]  
Have any negroes had anything to do with you . . . Miss?

LUCY [*crying*]: No . . . nobody done nuthin' tuh me. . . .

MASON [*indicating VIRGINIA*]: What about this one, Doc?

DOCTOR: Well, I'm purty certain 'bout her too. Of course I'd like to check on my smears later again and . . .

MASON: But there was evidence in both of them . . . ?

DOCTOR: Well yes. I guess . . . I guess you can figure on both of 'em. . . .

MASON [*in his professional manner*]: Fine. Then it shows conclusively that both these girls have been raped.

[*VIRGINIA is about to object but decides to wait.*]

DOCTOR: Well they've certainly had intimate relations



with men. But I can't be too sure about rape.

[LUCY is quietly sobbing, trying to hide her shame and sits close to VIRGINIA. VIRGINIA however is unafraid, alert and trying hard to understand everything that is going on.]

MASON: Were there any signs of rough attack, Doctor? Any marks or lacerations?

DOCTOR [*pursing lips*]: No-o. Maybe the girls did it voluntarily. But that wouldn't come under rape . . . would it Mr. Mason?

[VIRGINIA makes a move to rise but stops on hearing MASON defend her.]

MASON [*with indignation and incredulousness*]: Are you trying to say to me, Doctor, that these white girls would submit to negroes? I can't believe you're saying that.

DOCTOR: No, I'm not saying that.

MASON [*continuing in his court manner*]: Then it is perfectly possible, isn't it?

DOCTOR [*cautiously*]: Possible for what?

MASON: Possible that these girls were attacked and assaulted . . . ?

VIRGINIA [*leaping up angrily*]: We never done that at all. . . .

MASON: Shut up! I'll deal with you later. . . .

DOCTOR: How many negroes have you arrested here?

TRENT: Nine o' them.

DOCTOR: Nine? [*His eyebrows go up.*] Well, it certainly don't appear from my examination like that many. . . . Theah would be more than I found. . . .

MASON [*irritated*]: I didn't say the whole nine attacked each girl. This girl heah, for instance . . . [*Indicates VIRGINIA.*] . . . had five of them and the other one . . . say four of them. . . .

DOCTOR: Yes . . . ?

MASON: Well, that would be possible?

DOCTOR [*carefully*]: Yes, it would be possible. [*Suddenly severe.*] But listen here Luther Mason . . . I'm a physician and I have my ethical . . .

MASON [*more irritably*]: I only asked you if it were possible, Doctor Thomas. That's all I'm interested in. The evidence is present. The circumstances and motivation are our concern. You needn't worry, you won't lose your license. [*He says this last, with a bit of a sneer.*]

DOCTOR: Very well, but that's all I said. Possible.

TRENT: Now Doc, don't git het up ovah nuthin'. . . .

DOCTOR: Well, I ain't het up at all. I just don't want to be held responsible. . . . [*Looks at his watch.*] Now I got to run along and bring that Summerset baby out. . . . [*Crosses to door.*] I reckon you understand me, Solicitor Mason. . . . [*Exits.*]

MASON [*annoyed*]: Jest plain rotten, that fellow. I never did like him, much. Some day I'll catch him with an illegal operation . . . and then I'll have him somewhere . . . I guess. . . .

TRENT [*impatient*]: Luther, we got no time to lose. . . .

MASON: Certainly. [*To VIRGINIA.*] Now, looka heah, Mrs. Ross. I want yuh to stop your rarin' around when I

talk to you and be reasonable. You know we want you to be protected, you know we're looking for your good.

VIRGINIA: For my good? Layin' down with niggers? Yuh want my friends to throw that up to me?

MASON [*suavely*]: Yes . . . but just think, Mrs. Ross, think what people will say when they learn that you didn't even want to help the law punish these black fiends . . . these savage brutes. . . .

VIRGINIA: Oh, people allus talk their haid's off. . . .

MASON [*trying a new tack*]: You say you work in the Henrietta mills. Right?

VIRGINIA: Uh huh. When theah's work. [*With some bitterness.*]

MASON: Well, looka heah. Mr. Carter Hilton, the owner of that mill, is a personal friend of mine. In fact he's a client of mine. What do you think he'll say if you let niggers get away with such terrible heinous crimes against a white woman . . . ?

VIRGINIA [*rather pleased with his eloquence*]: I guess he wouldn't like it much.

MASON: He wouldn't have anyone working in his mill whom he didn't like, now would he . . . ?

VIRGINIA: Well, I guess he wouldn't.

TRENT: And what about crossin' a state line with hobos . . . ?

VIRGINIA [*defiantly*]: Well, I ain't done nuthin'.

TRENT: Then what about what the doctor said . . . yuh ain't callin' him a liar?

VIRGINIA [*becoming confused at this quick questioning*]:

Well Mistah, I never, never slept with no man outside of my husband.

MASON [*pouncing on the opportunity*]: Well, where is he, your husband?

VIRGINIA [*floundering*]: We . . . we's divorced. . . .

MASON [*pressing her*]: Then kindly explain how the doctor . . .

VIRGINIA [*trying to placate him*]: Now listen heah, Mistah . . . I'm willin' tuh answer all yuh got tuh ask but po'

Lucy heah is tired. Let her lay down some place. . . .

LUCY: I wanna stay heah with you! 'Ginia.

MASON: That's right. Take care of the little girl, Sheriff.

Poor kid, she's all in. . . .

LUCY [*as TRENT takes her arm*]: I'm all right. I ain't tired atall. . . .

TRENT: You come 'long with me, gal. . . .

LUCY [*frightened*]: Where they takin' me . . . 'Ginia?

VIRGINIA: Yuh go on 'haid, Lucy. I'll be with yuh in a coupla minutes. . . .

[TRENT *leads her into run-around.*]

TRENT: Hi . . . Willie! Git a cot out fo' this heah gal.

Let her lay down a while. . . .

[BOYS *in cage laugh.*]

RED: That wouldn't be nuthin' new fo' her. . . .

TRENT: Yuh shet yo' mouth, Red trash . . . or I'll have twenty pound of iron on yuh befo' yuh know it . . .

MASON [*in the interim. Rather friendly*]: You understand, Virginia. . . . We just can't let these niggers get away

with such things because of the bad effect on other niggers.

VIRGINIA [*grateful that they are treating her as an equal*]:

Well, I guess you're right. . . .

MASON [*as TRENT enters*]: After all, if we let 'em git away with this once, a white lady wouldn't be safe any more.

VIRGINIA: Yeah . . . they git uppity mo' an' mo'. . . .

TRENT: Sho'. All kin' o' fool notions nowadays . . . some even talkin' of votin' an' down in the Birmingham steel . . . they're havin' all sorts o' trouble with 'em . . . and down 'round Tallapoosa I heerd they're formin' a share-croppers' union. . . . Did you know that, Luther?

MASON [*ignoring his question*]: I know how you feel, Mrs. Ross. I know you're ashamed. It's not pleasant to have everybody know of such a disgrace. I know too well how you must have suffered. But you must realize too what a splendid brave thing you'll be doing for our kind of people. . . . And have no fear, this state and Hatchachubbe County will not soon forget your sacrifice. . . . In fact the whole South. . . .

VIRGINIA [*impressed but cautious*]: Well . . . I don't keer to git in no trouble. . . .

MASON: You're certainly headed for plenty of that if you let folks get the idea you took on those niggers of your own free will. . . .

VIRGINIA [*mechanically denying*]: I never tuk none of 'em niggers on. . . .

MASON [*meaningfully*]: But you heard the doctor tell

what he found in you. . . . Yes . . . it means a great inner struggle but you are only the victim of a cruel fate . . . no one will blame you for telling the truth. For having the courage to tell the truth. The newspapers, the Governor, every man, woman and child will thank you and praise you. The whole state will have your name on its lips. Your picture will be in every newspaper. . . .

TRENT: Sho' . . . instead of sayin' . . . what a low trash. She wouldn't even help the law and admit what the niggers done tuh her. . . .

MASON: And then losing your job too. . . .

VIRGINIA: Yuh sho' I wouldn't lose my job if I tell. . . .

MASON: You can hold me personally responsible, Mrs. Ross. Sheriff Trent's a witness.

VIRGINIA [*shrewd, smiling*]: Well, couldn't I have a new dress fo' tuh take them newspaper pictures in? This don't look so good. . . .

MASON [*smiles*]: Why certainly, we can arrange that. Most of the women here would be proud to help out.

VIRGINIA: I would 'preciate it . . . Lucy too . . . I'm sho'. An' . . . er . . . maybe a li'l change too? Jest a coupla dollars fo' the time I have tuh stay heah. Yuh see I have an old sick maw who I support. . . .

TRENT [*becoming annoyed*]: Now looka heah, gal . . .

MASON [*stopping TRENT*]: Why certainly. Besides you'll get three dollars a day as witness. Your friend too. . . .

VIRGINIA [*tremendously impressed*]: Three dollars every day? [MASON *nods smilingly.*] Fo' a coupla days?

MASON: Why certainly . . . and maybe a little contribu-

tion from the citizens of the town heah. . . .

VIRGINIA: Kin I bet on that?

MASON: My word as a gentleman.

VIRGINIA: And the snap-shots too?

MASON: Why certainly. . . .

VIRGINIA [*a slight pause . . . then quite matter-of-fact*]:

Well, what do yuh want tuh know . . . ?

MASON: Only the truth . . . that you and your friend were attacked by these niggers. . . .

VIRGINIA [*a slight pause*]: I guess they did do that to us.

They absolutely did. . . . [*Smiles.*] Is that all?

MASON: No . . . but I want you to talk first to your little friend. Can you take care of her?

VIRGINIA [*smiles*]: Well, I guess so. I've been her best friend sence she was fourteen and she always listens tuh me. . . .

MASON: Fine and dandy. All right, then you go and talk to her and I'll see you later. . . . [*Extends his hand to her.*]

VIRGINIA [*wipes her palm on her dress and then shakes with him*]: Thank you. And . . . please . . . yuh won't be forgittin' them pictures?

MASON: Certainly not. . . . [*Laughs gaily.*]

TRENT [*leads her to run-around*]: This way, Mrs. Ross.

VIRGINIA [*crosses*]: Say, couldn't I jest have a dip o' snuff fo' chewin' while we're waitin'? [*Winks at TRENT and rubs up against him.*]

TRENT: Sho'. Sho'. [*As they exit.*] You're one hot gal, aint yuh?

VIRGINIA [*throwing her head back proudly*]: I sho' am.

Hottest in Chattanooga.

[*They exit into run-around. MASON makes a few notes in his pocket note book.*]

TRENT [*in run-around*]: Hi theah . . . Cooley! Give this heah lady yo' can o' chewin'. I'll pay yuh back fo' it. An' git out a cot fo' the lady. . . .

COOLEY: I'll do that, Sheriff. [*Enters run-around from corridor.*]

TRENT [*to the prisoners in the cage*]: An' no monkey shines from any o' you. Do yuh heah that?

MASON [*calling*]: Get one of those hobo kids in heah now, Trent.

[*Continues to make notes. TRENT chooses one of the white boys in the cage.*]

MOORE [*in negro cell*]: Did you take a look at 'em roads as we drove in . . . ?

PARSONS: No . . . I wasn't lookin' at no roads. . . .

TRENT [*enters office with boy*]: This is one of them boys thrown off the train, Luther. He looks like a smart feller. . . .

MASON [*crosses to him*]: Yes indeed. What's your name?

COLLINS: Lewis Collins.

MASON: You from the South? [*He is quite pleasant.*]

COLLINS: Uh, huh. Abilene, Texas.

MASON: Well, the Sheriff here has a high opinion of you, so you tell me, Lewis, all about it. After you were thrown off that train, could you see the negroes start attacking the girls? Could you see that?



COLLINS [*looks at him for an instant, then*]: Kin I have a cigarette, please?

TRENT: Sho'. Give him a cigarette, Luther. Give him a couple.

[MASON *does so and COLLINS lights it.*]

LUCY [*during this action*]: Git me outa heah, 'Ginia. Git me out . . . I don't wanna . . .

COLLINS [*puffing on his cigarette with great pleasure*]: Well . . . yuh see . . . when I got tuh my feet on the road-bed an' looked around . . . that train was a mile away. I couldn't see a thing. . . .

TRENT [*attempting a bluff*]: Didn't yuh tell the deputy yuh saw the gals bein' attacked?

COLLINS: I said nuthin' o' the kin'. How could I?

MASON: Still you can't say they didn't rape the girls?

COLLINS: I ain't sayin' nuthin'. They coulda done it . . . but I jest don't believe they did. . . .

TRENT: We're not anxious 'bout whut you believe. But yuh jest keep in yo' mind that you're lookin' ahaid at ninety days on the chain-gang. . . .

COLLINS [*angry, with defiance*]: That ain't gonna give me eyes to see whut didn't happen. . . .

MASON [*snapping*]: How do you know what happened, or didn't happen?

COLLINS: Well . . . I'm jest of that belief . . . thassall. . . . [*He says this warily.*]

MASON [*willing to be friendly*]: Now looka heah, you. You can make a nice bit of money for yourself as state's witness if you're willing to do what's right. . . .

COLLINS [*after a glance at negro cell*]: Well, then I guess I'm goin' tuh have some money, 'cause I aim tuh do jest what is right. [*Suddenly.*] But my idea of right and yourn is two different things. . . .

MASON [*looks at TRENT significantly*]: You better lock this feller up, Sheriff.

TRENT [*calls*]: Hillary! [*He enters.*] Lock him up. . . . [*HILLARY takes COLLINS' arm.*] An' yuh bet' watch yo' step . . . young feller.

COLLINS: I aim tuh. An' yuh bet' leave me beat it out of this damn county. I spent 'nuff time on yo' chain-gangs fo' nuthin' atall . . . an' I don't have tuh swear 'way the lives of nigger kids fo' yo' benefit. . . .

TRENT [*advances to him, threateningly*]: Shet up or I'll break yo' goddam . . .

COLLINS [*defiantly as HILLARY drags him into run-around*]: Yuh jest try it. I ain't no nigger. I'll talk my haid off. . . .

TRENT: Lock him up . . . Hillary . . . lock up that Texas son-of-a-bitch. . . . [*Outside the noise and voices increase to loudness. Deputies' commands. Shouts. Auto-horns, etc.*] We bet' deal with them niggers now . . . Luther.

MASON: Yes, might as well. We can get their affidavits. You have a typewriter some place around here?

TRENT: Sho' thing. I'll call Hillary. He kin do that so't of thing. [*Opens rear door, calls.*] Hillary!  
[*He enters.*]

MASON: Get this down, Hillary.

HILLARY: Yes suh. [*Makes ready.*]

MASON [*dictates*]: Write . . . I . . . leave a space for the name . . . hereby swear and confess that I attacked and raped the woman, Virginia Ross and committed this assault against her will and desire on the eighteenth day of March, in the year of our Lord . . . [*Phone rings.*] Hello . . . Who? . . . Oh, how are you Mr. McNary? Yes, pretty near finished now. Of course . . . and in a planned cold-blooded way. . . .

VIRGINIA [*in the run-around, the girls whisper between themselves. The prisoners are now quiet in their cage*]: . . . Now you listen tuh me, Lucy. . . .

MASON [*on phone*]: . . . Well, that would be up to the judge, Mr. McNary. Not me. But it isn't in my jurisdiction to set the day of trial. . . . What's that? . . . Why certainly I know your fair is coming next week. . . .

MOORE [*in negro cell*]: Them roads was all deep red clay, red wid niggers' blood. . . .

MASON: Well, I don't know about it coming off on just the same day. . . . Yes. . . . Why certainly, I realize what it means to you. . . . Yes, I can do that, I dare say. . . .

LUCY: . . . but I am the baddest talker . . . I jest cain't tell no story. . . .

MASON [*on phone*]: . . . Well, suppose we get together? We can talk it over quiet-like. We'll be alone. . . . Why certainly. Good-bye Mr. McNary.

{*Hangs up. TRENT has been listening very attentively.*}

TRENT [*shrewdly*]: Jest remember, Luther . . . to keep me in mind all the time . . . when yuh talk tuh Mr.

McNary . . . jest remember my circumstances.

MASON: Indeed I will. You know me . . . Trent.

[HILLARY *is typing at the desk.*]

TRENT [*examines his watch*]: Them soldiers should be heah soon. Shall I carry the niggers in heah?

MASON [*making a notation*]: Yes, take them in here one by one.

TRENT [*unbolting door*]: Any one in particular?

MASON: No, just at random.

[*Watches HILLARY type.*]

TRENT [*holding his gun-butt in holster, enters cell*]: Hi . . . you theah! Git up an' come in heah. [ROBERTS *rises.*] Come on. . . . [*Kicks him.*] Move 'long that black end o' yourn. . . . [ROBERTS *enters office, shuffling his feet, wearily.*] Pick up yo' feet, nigger. . . . [*TRENT enters and locks door.*]

MASON: What's your name?

ROBERTS: Willie Roberts, please suh. [*He speaks hoarsely and indistinctly.*]

MASON: What's that?

ROBERTS: Roberts. Willie Roberts.

MASON: Why don't you speak up?

ROBERTS: I'm jest parched with thirst . . . please suh. I ain't had nuthin' tuh drink at all sence I left Chattanoogaogie. . . .

MASON: Give him a drink, Hillary.

TRENT: Let's wait with that, 'til after he talks up. He won't die. [*To ROBERTS.*] Now, yuh tell us quick how yuh attacked those gals.

ROBERTS: Attackded?

TRENT: Yes . . . don't play dumb. . . .

MASON: How you jumped on them in the train and forced them. . . .

ROBERTS: I never done that, please suh. I tol' yuh how I was so sick with misery, I couldn't move myself. . . .

TRENT: Shet up. What yuh gonna say to the judge in court? [*Slaps his face.*]

ROBERTS [*wetting his lips, swallowing*]: I dunno, please suh.

TRENT: What do yuh mean yuh don't know? [*Punches him hard. The negro sprawls to the floor and lies still.*

HILLARY *at this moment finishes his typing.*] Hillary, throw some water on him. He asked fo' it befo'.

[*HILLARY does so. TRENT kicks him. ROBERTS gets up to his knees.*]

VIRGINIA [*as HILLARY throws the water on ROBERTS*]:

Doan't yuh see, Lucy, they kin sen' us tuh jail fo' yeahs an' yeahs. . . . Crossin' the state line with men. . . .

MASON [*to ROBERTS, now on his knees*]: Come on now, did you do it . . . did you?

ROBERTS: I never done nuthin', please suh.

TRENT: Yuh want some mo'? [*Bangs ROBERTS around a few times.*] Did yuh do it?

ROBERTS: Yassuh. I done it. I done it. . . .

TRENT: Tuk yuh too long a time. . . . And don't fo'git tuh say the same thing in court . . . yuh black bitch . . . or I'll pump yuh full o' holes right theah in court. . . . Right theah on the witness chair. Understand?

[ROBERTS *nods exhausted and staggers to his feet.*]  
Okay. Now git in theah, and don't yuh fo'git what I said 'bout that shootin'.

[TRENT *unlocks door.* ROBERTS *crosses to threshold.*]

ROBERTS: Yassuh.

[*As he crosses into cell* TRENT *gives him a hard shove and he falls to his face with a thud.*]

TRENT: You theah. . . . [*Points to ROY WOOD.*] Git in heah. . . . [*ROY rises and enters.*] We ain't got yo' name yet . . . huh?

ROY: No suh, please suh.

[TRENT *bolts door.*]

MASON: Write this down, Hillary. What's your name?

ROY: Roy Wood, please suh.

MASON: How old?

ROY: Fourteen, please suh.

MASON: You mean sixteen.

ROY [*nods understandingly*]: Yassuh. Sixteen, please suh.

MASON: Where from?

ROY: Chattanooga, Tennessee.

MASON [*suddenly*]: What the hell are you bumming around for, so young?

ROY: I was lookin' fo' tuh work with my brudder, Andy . . . Please suh.

TRENT: Yuh helped yo' brother rape those white gals, didn't yuh?

ROY: Rapded? Please . . . I dunno know that word. . . .

[*Wags his head not understanding.*]

TRENT: Yuh don't? [*Slaps his face hard.*] Well, it means jumped on, tore off their clothes . . . tuk 'em by

force. That's what it means. Understand?

ROY [*stares at TRENT blankly. Nods eagerly*]: Yassuh, yassuh.

TRENT: Didn't yuh help him do that? Didn't yuh try it yo'self too?

MASON [*somewhat guiltily. Waves TRENT aside*]: Looka heah, boy. I know you're a youngster, but just because of that, you deserve the worst. If a youngster can be so bad, so plumb wicked, then how will you be when you grow up?

ROY: I ain't done nuthin', please suh.

MASON: Now listen. . . .

TRENT [*at same time*]: Nobody asked yuh that.

[*Slaps his face a few times, very hard. The boy staggers up against the desk and bursts out crying like a child.*]

MASON [*gestures to TRENT to desist*]: Now listen to me. We're goin' to let you get away with plenty because you're young. You don't have to say you did anything . . . but you do confess that you saw the rest do it. You did see them do it, didn't you?

ROY [*crying*]: I done see nuthin'. An' Andy didn't done nuthin' too. . . .

MASON: Do you want to get shot? Show him that gun, Sheriff. Show him what it means to lie.

TRENT [*pushes boy's chin up with gun*]: This heah can blow yo' goddam head off right back to Chattanooga, yuh li'l black son-of-a- . . .

ROY [*fearful, almost in frenzy*]: I'll talk, please suh. I'll talk anything yuh want me tuh. . . .

VIRGINIA [*to LUCY*]: An' dresses an' cash, three dollars a day. . . .

TRENT [*unbolts door*]: Now git in theah an' keep quiet.

ROY [*enters cell*]: Yassuh. Thank yuh, suh.

TRENT [*points to PARSONS*]: You theah?

PARSONS: Me?

TRENT: Yeah, you. Who the hell do yuh think I mean, yuh dirty swamp-scum?

[*PARSONS crosses to door.*]

ROBERTS [*hoarsely*]: Yuh promised me a drink, please suh.

TRENT [*hesitates, then . . .*]: All right. Though I shouldn't do it. Hillary! Git him a drink. [*HILLARY gives ROBERTS a drink. PARSONS still stands at the door waiting.*] What the hell yuh waitin' fo'? Jedgment Day? [*Pushes him roughly into office.*] Sit down theah. [*PARSONS does so.*] Which of them gals did you attack?

PARSONS [*he is sullen and his voice has a rebellious quality that enrages the Sheriff*]: I done attacked nobody.

TRENT [*punches the negro's jaw, his head rolls back*]: Yuh bet' think that ovah, nigger.

PARSONS [*shakes his head slowly to clear it.*]: No suh, I done did nuthin'.

TRENT: Stubborn, huh? Didn't yuh jump that blonde-haired gal?

PARSONS: I never seen her. . . .

TRENT [*frenzied. Punches him three or four times to face and stomach. Kicks him as he falls against desk. He is evidently much the sadist*]: Come on, 'fess up or I'll kill yuh, you goddam, stinkin' black bastard. . . .



PARSONS [*looking up at him, quietly*]: I was never near them gals all the time. . . .

MASON: Backward as an army mule. You'll never get that buck to confess, Sheriff.

TRENT [*storming, breathless with unsuppressed fury. He drags out a drawer from the desk and snatches from within a short thick crop*]: I'd like tuh see the nigger I cain't make do that. [*To PARSONS, cracking the crop.*] Goin' tuh tell the truth . . . ?

PARSONS [*hunched up, his arms up ready to defend himself from blows*]: I'm tellin' yuh the truth, white man. So help me Jesus. . . .

TRENT [*strikes him with the crop*]: Git yo' damn hands down! I'll chop 'em off. Talk! Talk! [*Strikes him again. In the negro cell, the occupants stare at each other with white, horrified eyes. In the cage, the white prisoners hearing the crop cracking, bunch up against the mesh to hear better. The girls frightened, move down the run-around to the extreme right. LUCY is trembling with fear.*] Don't yuh know theah's a mob of Klu Kluxers outside ready tuh hang yuh and burn yuh inch by inch . . . and I'm pertectin' yuh? Do yuh want me tuh hand yuh ovah tuh 'em? Tuh lynch yuh? Tonight? Right tonight?

PARSONS [*exhausted—panting*]: Please suh, lemme 'lone. Let this po' nigger be. I never done no harm to nobody in the world. Mary, mother of Jesus kin tell yuh that. . . .

TRENT [*losing all control, proceeds with HILLARY's help to beat the negro into unconsciousness*]: I'll fix yuh,

yuh lousy, low-down . . . [*The crop cracks mercilessly. PARSONS cringes, tries to crawl away under the desk but HILLARY drags him out.*] I'll fix yuh, takin' the name of Gawd . . . I'll kill yuh . . . I'll cut yuh tuh shreds. . . .

LUCY [*crying, frightened*]: Oh . . . Virginia . . . they'll kill them nigger boys yet. . . .

VIRGINIA: Sssssh. Hush yo' mouth. . . . Don't yuh talk like that. . . .

MASON [*to TRENT*]: Listen Sheriff . . . listen . . . Sheriff Trent. You'll be killin' him. . . .

TRENT [*unheeding*]: Drag him out . . . the yaller-livered black bastard . . . Hillary! Make him suffer like he made them po'r white gals suffer. . . .

[*PARSONS is now completely out and lies on the floor, senseless. In the negro cells, MOORE suddenly screams, terrified.*]

MOORE: Lo'd . . . Jesus Christ. . . .

[*The other negroes suddenly begin to scream and moan and wail almost like wild beasts. One whimpers like a dog. Another howls. HILLARY unbolts door and rushes in to quiet them.*]

TRENT: Git up . . . git up. . . . [*Kicks the unconscious PARSONS.*]

MASON: But . . . listen here . . . Sheriff Trent . . . you . . .

[*The rear door opens and ALLEN and HENDERSON lead in CAPTAIN KENNEDY and a SERGEANT, both in full uniform. Behind them, remaining in the doorway, a few soldiers can be seen, carrying rifles with fixed bayonets.*]

TRENT [*tossing the crop aside*]: Oh . . . How yuh . . . Kennedy?

KENNEDY [*salutes*]: How you, Sheriff? Hullo, Mr. Mason. Havin' trouble with 'em? [*Gestures toward prostrate figure of PARSONS.*]

MASON: I reckon you've heard all about it . . . ?

KENNEDY: Heard about it? Say, theah ain't a man, woman or child in this county ain't heard about it. Comin' down on Highway 43, we passed over two hundred machines. Theah were mule wagons too, ain't that so, Serg.?

SERGEANT: You bet.

TRENT: Well, I reckon theah won't be no cuttin' up in Cookesville to-night, huh, Captain?

KENNEDY: I speck not. I got a temporary company of seventy-five men and two machine guns. And I hear Lieutenant Pressman's on his way too from Mount Crawford with sixty more men. He's bringin' the tear gas with him. . . .

TRENT: That's sho' fine. I would if I might suggest, Captain, tuh put yo' men 'round the buildin'. . . .

KENNEDY: I've done that already Sheriff.

TRENT: An' those outside stairs. . . .

KENNEDY: Where do they lead to?

TRENT: They come right up heah into the jail. . . .

KENNEDY: Sergeant! [*He salutes at attention.*] Place a machine gun and three men on that outside staircase. [*SERGEANT nods.*] Place the other gun at the front entrance. Also ten men down the street, twenty paces . . . and ten mo' up the street.

SERGEANT: Same distance, suh?

KENNEDY: Use your judgment. Don't bother anybody heah in town, but jest let them see yuh standin' theah. Don't pick no trouble with the folks heah. [SERGEANT *nods*. To TRENT.] Anything else, Sheriff?

TRENT: Yeah. I'd like tuh have a couple of these boys heah in the corridor, jest tuh keep them niggers quiet-like. . . .

KENNEDY [*to* SERGEANT]: Okay. I want you boys to take good care of 'em niggers. You all know what they done. . . . They're a purty mean bunch of niggers.

SERGEANT: Yes suh. I catch on. . . .

[*Smiles*. SOLDIERS *cross to corridor and take positions in front of negro cell*.]

LUCY: An' dresses fo' me too . . . ?

VIRGINIA: Yes, sho'. . . .

TRENT: Yuh boys kin stay downstairs too, Allen. Jest keep yo' eyes peeled fo' any sign o' trouble. . . .

[ALLEN and HENDERSON *exit*.]

KENNEDY [*touches* PARSONS' *body with his toe*]: This one of the rapers?

TRENT: Yeah. He's a bad un. Don't want to confess the truth. . . .

KENNEDY: They're all that way, them sons-of-a-bitch niggers. [*Spits at the figure of* PARSONS.]

TRENT: Put him back in the cell, Hillary. Throw some water on him.

[HILLARY *does so*.]

KENNEDY: I don't keer to git in wrong with the folks 'round heah, Sheriff . . . I got my orders but I would

hesitate tuh shoot into white men . . . even if I didn't know 'em. . . .

[*During the preceding two speeches and the following remarks until TRENT asks them to desist, the SOLDIERS at the negro cell keep jabbing their bayonets between the bars frightening and scraping the negro boys. The SOLDIERS shout commands and the negroes scream for mercy.*]

SOLDIERS:

NEGROES:

Jump! Rapin' white women, will yuh?

Quit it, please suh.

Come on, let's see yuh jump!

Lemme be, white man.

Gonna tell the truth?

You're tearin' us all up. . . .

'Fess up!

Lo'dy, lemme be.

'Fess up!

Lo'd Jesus!

TRENT: Hell, I won't be gittin' any sleep with sech crowds around every night . . . and Mrs. Trent wouldn't be catchin' much sleep either. [*Phone rings. TRENT answers.*] Hullo . . . who? . . . what? [*To KENNEDY.*] Will yuh ask yo' men to quiet down with them niggers, please? I reckon they got enough with the present . . . [*KENNEDY crosses to men. There he stops their bayonet practice.*] Hello . . . yes? How you, Bill? Sho' Mabel's fine . . . yes . . . I'll tell her. [*Throughout phone conversation there is heard the whimpering of one of the younger negro boys.*] Who? . . . Yeah . . . he jest loves that academy down in Mobile. . . . Yeah he's a fine boy, stands all of six foot now, writes his daddy every day. . . . No they didn't kill the gals,

jest raped 'em . . . yes. . . . Huh?

LUCY: . . . will they take my pictures too, 'Ginia? . . .

VIRGINIA: Sho'. We kin take 'em together . . .

LUCY: . . . And they'll really put 'em in the papers . . . ?

TRENT [*on the phone*]: Sho' we got the soldiers but we don't want no cuttin' up. . . . Sho' . . . we got 'em tuh talk. . . . O' course the niggers're natchurly stubborn. . . . Huh? . . . Sho'. We jest gotta keep them black bastards in their place. . . . Sho'. . . . [*As TRENT waits to hear what the other party is saying. . . .*]

CURTAIN

**ACT TWO**





## ACT TWO

### SCENE ONE

*The home of LUCY WELLS in "Nigger-town" of Humbolt.  
A few weeks later.*

*The house is one with three small rooms and a kitchen but we only see the living room which also serves as a bed-room when necessary. In spite of it being the largest of the rooms it appears terribly small and cramped. The walls are dirty, old and stained. One or two framed prints and cheap, colored lithographs decorate them, or rather attempt to do so but to no avail. The floor is of unpainted, uncovered floor-boards and the ceiling contains not a few rain-stains.*

*In the wall, stage-left: a door leading to the street. At the present it is replaced by a screen-door broken in places. Through this can be seen a small, railed, wooden landing a step or two off the street. A bit of a roof covers the landing. Across the unpaved street can be seen unpainted shacks, similarly constructed. A window near the door also contains broken screening. Beneath the window: a small table with a kerosene lamp on it. Nearby is a cast-iron coal stove; on it . . . a wash-bowl and a cracked pitcher.*

*In the opposite wall, stage-right: a door leading to LUCY'S room. Upstage of this: a door leading to the kitchen.*

*Upstage of the screen door is a couch with a soiled cover and a few extremely aged and disreputable pillows. On occasions this serves as MRS. WELLS' sleeping place. The two younger Wells' children sleep on mattresses in the kitchen.*

*On the backs of two chairs is braced an ironing-board. Near this is a basket filled with new wash.*

*It is late afternoon and there is still a bit of sunlight outside. Through the screen door little TOMMY WELLS can be seen playing with two or three little negro children. Now and then negro passers-by are seen strolling past.*

*Then a young negro youth saunters by, singing away. MRS. NORA WELLS is busy ironing the wash. She continues this a moment after the curtain rises. Then the children outside commence to quarrel. She puts down the iron with a sigh, crosses to door and chides her son.*

MRS. WELLS: Stop that, Tommy. Stop it . . . I say. What d'yuh mean hittin' him? Let him be. . . .

TOMMY: He hit me first. . . .

MRS. WELLS: Well . . . you stop that cuttin' up anyway. [Returns to ironing-board. Recommences her work but finds the iron cold. Holds it near her cheek to test its heat. Glances toward door to LUCY'S room and listens for a second. Exits into kitchen. A noise of iron on iron is heard and she re-enters immediately with a hot iron. Just as she reaches the board, the door to LUCY'S room opens and a young MAN enters. He has his hat on but removes it quickly with an embarrassed smile.]

YOUNG MAN: Good-evenin', ma'am.

[MRS. WELLS *nods*. *He stands confused for an instant, then turns and exits through the screen-door.* MRS. WELLS, *iron in hand looks after him, sighs, then returns to her work. She spits on the iron to test its heat and resumes her ironing. In a few seconds LUCY enters from her room. She seems to be depressed and seats herself quietly in a chair by the table remaining silent.*]

MRS WELLS: Tommy's allus pickin' scraps with the nigger kids. [LUCY *is silent. A pause.*] How much did he give yuh, Lucy?

LUCY: Same as allus, Maw.

MRS. WELLS [*simulating casualness*]: Fo' bits? [LUCY *nods, dispiritedly.*] Well, yuh bet' give it tuh me now. Time fo' supper comin' on.

LUCY: It's in my room on the bed. . . .

MRS. WELLS [*somewhat irritable*]: Well, why don't yuh bring it on in with yuh? Ain't my feet tired enough with all this standin' an' ironin'. . . .

LUCY: I don't want tuh tech the dirty money. [*Continues to stare ahead, sullenly.*]

MRS. WELLS [*crosses to LUCY'S room*]: Hm! Gittin' all high-hat of a sudden. [*Exits and immediately returns.*]

Whut's the matter with yuh? So glum an' low. . . .

LUCY: Yeah, Maw . . . I'm a-feelin' mighty low. . . .

MRS. WELLS: Yuh ben feelin' an' carryin' on this a-way ever sence that trial at Cookesville.

LUCY [*in the same monotone*]: Uh, huh. Ever sence that trial.

MRS. WELLS [*ironing again*]: Well, yuh got no reason tuh.

Them dresses ain't so bad . . . yuh didn't have a stitch to yo' name . . . and that fo'teen dollar come in right handy with Tommy sick an' my work fallin' off. . . . [*Slight pause.*] Whut's theah to feel so glum 'bout, anyway?

LUCY [*still sullen and rather introspective*]: I'm feelin' I didn't git hardly enough fo' whut I done fo' 'em. Maybe I shouldn't never've done it at all.

MRS. WELLS: Whut yuh talkin', gal? Yuh jest had tuh do right by the law. Whut would decent people say of us if yuh hadn't? Lo'd knows they look down at us aplenty as is . . . an' if yuh . . .

LUCY [*with some feeling*]: Well, they still look down at us. They do. They promised me all so'ts of things. They promised me steady work at the mill . . . an' heah they haven't given me mo' than seven or eight days in all the weeks sence the trial. . . .

MRS. WELLS [*speculatively*]: Well, maybe things is slow . . . but they'll pick up after a while an' . . .

LUCY: Well, 't ain't so. Things is slow . . . but Virginia Ross . . . she's gittin' work. . . .

MRS. WELLS [*surprised*]: She is?

LUCY: Sho' she is. She's gittin' fo' an' five days a week an' I'm on'y gittin' two days every second week. . . . [*Flaring up.*] An' whut's mo' she goes astruttin' 'round town like a fightin' cock, talkin' how smart she is . . . an' how she showed up at Cookesville an' how she had tuh shet me up . . . an' how stupid and dumb I was all the time. . . .

MRS. WELLS: She doin' that?

LUCY: Sho' she is. I heerd it too, from somebody she tol' it to. . . .

MRS. WELLS [*after a slight pause*]: Well, tell me. . . . Why wasn't yuh smart like Virginia an' talk up?

LUCY [*angrily*]: 'Cose I couldn't. 'Cose I didn't keer to. Virginia, she kin talk easier than I kin sleep. She was havin' a great fun. . . .

MRS. WELLS [*holds iron near face, continues ironing*]: Lucy, you answer this fo' me. Why do they give Virginia mo' work than you? That seems like somethin' fishy tuh me. Yuh must 'ave done somethin' wrong. . . .

LUCY: Yeah, I done many things wrong, Maw.

MRS. WELLS: Now, don't be gittin' glum again. Jest think how lucky yuh are. Look at gals like 'Gusta Livingston . . . she'd give her right arm fo' yo' looks. No man would even peek at her. . . .

LUCY: Well . . . I dunno what good it's done me so far. . . .

MRS. WELLS: Well, would yuh ruther starve . . . ? [LUCY *is silent.*] Trouble with yuh kids, yuh don't know what it means tuh suffer. [*Self-pityingly.*] Why, every time that rum-hound father o' yourn would beat it away fo' months, an' I was carryin' little Tommy, I'd go hungry fo' weeks tuh keep yuh an' Sally alive. The Jefferson Mills was closed up then all yeah . . . an' theah weren't a bit o' work fo' a livin' soul. . . . [*Begins to sob.*]

LUCY: Aw, quit the slushin', Maw. I don't fo'git all that. [*Crosses to her and embraces her.*]

MRS. WELLS [*crying and enjoying it*]: All my live-long life I've struggled an' worked an' sweated. . . .

LUCY: Well looka heah, Maw. . . . [*Draws from her pocket a crumpled bill.*] I'll give yuh this fo' a new dress fo' yo'self. . . .

MRS. WELLS [*ceases her crying and looks at it*]: Whut's that, Lucy?

LUCY: A dollar. I got it yest'day evenin'. I thought of buyin' me a coupla pair o' stockin's but yuh kin have it. . . .

MRS. WELLS [*magnanimously*]: No yuh don't. Yuh keep it fo' yo'self. . . . [*Pushes it back into LUCY'S pocket.*] Yuh jest go right ahaid an' buy them stockin's. But who . . . who done broke his heart an' give yuh a dollar?

LUCY [*with a little smile. In a somewhat better mood*]: I was jest lucky. We were standin' around the drug-sto', me an' that Brooks gal an' this feller come alongside in his car. It was one of 'em new Chevviess. An' he begun tuh gab with me. Edna Brooks had a date an' so I druve off alone with him. [*With a smile as she reminisces.*] He was awful nice. He's a sales-feller. He sells dresses an' aprons tuh sto's like Frederick's an' . . . Greenstein's. . . .

MRS. WELLS: He musta ben a Yankee tuh give yuh a dollar.

LUCY: No . . . he ain't. Said he comes from Oklahoma.

MRS. WELLS: Well, that's South enough, I guess.

LUCY: He did say as he might be 'round tonight befo' he leaves fo' Birmingham.

MRS. WELLS [*worried a trified*]: Well, I'm afraid . . . yuh know my friend, Mr. Greyson'll be heah soon. . . .

LUCY [*reassures her mother*]: Oh, jest visitin', Maw. He said he might jest like tuh say goodbye. . . .

MRS. WELLS: Yuh believe that . . . ?

LUCY: Well, I figger if I don't believe him he won't come an' if I'll believe him, then he'll come. So I'm goin' tuh git on my shoes an' fix up a bit 'cause I do believe he'll come. . . . [*Crosses to her room and exits.*]

MRS. WELLS [*calls to LUCY who is now in her room; the door is open*]: Whut's his name? Or the name he give yuh?

LUCY: Evans. Russell Evans.

MRS. WELLS: How old is he?

LUCY: Jest a young feller, Maw. 'Bout twenty-two or three.

MRS. WELLS: Twenty-two? Whut kin' of salesman is that?

LUCY: Well, he ain't doin' it long. This is his first yeah. . . .

MRS. WELLS: Hmm. [*Crosses to rear door.*] Tommy! Come heah, will yuh. [*TOMMY comes to the landing, with a jump. MRS. WELLS opens the screen door.*] Heah's a fifty-cent piece. Now don't yuh go an' lose it. [*LUCY enters and crosses to mirror hanging over the couch. She combs her hair.*] Git me a half pound of chop meat an' some soup bones. An' git five cents worth of oleo-margerine too. . . .

TOMMY: Kin I buy this over in Crandall's, Maw? It's a lot nearer.

MRS. WELLS: No suh. Yuh go to the mill-sto' like yuh do allus.

TOMMY: Aw, Maw. . . .

LUCY [*still at mirror*]: Let him go to Crandall's, Maw.

MRS. WELLS: Whut's that? An' whut if they find out at the mill-sto' . . . ?

LUCY [*angrily*]: I don't keer what they find out. I'm not spendin' my money at their damn sto'.

MRS. WELLS: You're plumb gaffy, Lucy. You'll be throwin' away yo' job with sech goin's-on.

LUCY: Well, I ain't goin' tuh pay them two an' three cents mo' on the pound jest because they let me work fo' them. . . .

MRS. WELLS: Yuh run 'long, Tommy. Tuh the mill-sto'.

LUCY [*crosses to door*]. No yuh don't, Tommy. That's my money an' I'll spend it wheah I like. Yuh buy that stuff in Crandall's. . . . [*TOMMY runs off with a shout of glee. LUCY turns and walks downstage slowly. Suddenly with fire.*] I hate 'em! I hate everything about them all! Ever sence I had tuh go an' work fo' them at their damn five cents an hour. . . . [*Throws herself into a chair at the table and cries bitterly.*] They done fooled me. They done give Virginia Ross everythin' an' me nuthin'. . . . [*Continues to cry as if her heart would break.*]

MRS. WELLS: Well . . . yuh ain't the on'y one in Humbolt's outa work. . . . [*LUCY cries without sound, her shoulders trembling.*] Sloppin' over ain't goin' tuh help yuh none. . . . [*She turns toward the door as she hears someone coming.*] Now quit that an' dry yo'self up. Someone's comin' 'long. [*The figure of a man is seen approaching the landing.*] Maybe it's that young



sales-feller of yourn.

[LUCY looks up, sees who it is and hurries into her room hastily.]

LUCY [as she closes her door]: It's him, Maw. I'll be right out.

MRS. WELLS [crosses to door just as the visitor arrives there]. Good-evenin', suh. [Opens door.]

EVANS: Good-evening, ma'am. Is this where Lucy Wells lives?

MRS. WELLS: It sho' is. Come right in please. [He enters, his hat in hand.] Set yo'self down please. . . . [He does so.] Lucy! Someone tuh see yuh. . . . Hurry up theah . . . ! [Smiles to EVANS.] She'll be right out. You'll excuse me I hope, fo' not fixin' up. . . . [Gestures to ironing board. She is exceedingly polite.] But we didn't 'xactly 'xpect you so soon, Mr. . . . er . . . I fo'got. . . . I didn't quite ketch the name, suh.

EVANS: Russell Evans, ma'am. Are you Mrs. Wells?

MRS. WELLS: Yes, I am. . . . An' I'm pleased to know yuh. [He smiles and nods. She is embarrassed, not knowing what further to say. She remains still, smiling.] I'll jest remove this board. . . . [Proceeds to do so.] . . . it's sech a mess, ain't it? Lucy! Why don't yuh hurry up yo'self?

LUCY [calling]: I'm comin', Maw.

MRS. WELLS: Yuh from . . . from Oklahoma, ain't yuh?

EVANS: Yes. Fairchild, Oklahoma. Though my birth-place is Vicksburg, Mississippi. Ever been out that way, Mrs. Wells?

MRS. WELLS: Oklahoma? No, I ain't ever ben that fur. But

I have ben as fur West as Shreveport, Louisiana. And I did have some kin in Vicksburg when I was younger. I still remember that sayin' 'bout Vicksburg. It was about the Catholics and the niggers. . . .

EVANS [*smiling*]: Owned by the Jews, run by the Catholics, for the benefit of the niggers. . . .

MRS. WELLS [*chuckling*]: That was it. . . .

[*LUCY enters, she is rather shy.*]

EVANS: Good-evenin'.

LUCY: How do? Set down, please.

MRS. WELLS [*after a slight pause*]: Well, I guess I'll go long. That stove in my kitchen's stinkin' terrible of coal-oil . . . an' I guess I'll fix it now. You'll excuse me . . . won't yuh, Mr. Evans?

EVANS: Why, of course. [*She exits, and closes the kitchen door quietly and carefully.*] Well . . . how you been, Miss . . . Wells?

LUCY: I reckon yuh kin call me . . . Lucy.

EVANS [*somewhat embarrassed*]: I will if you call me . . . my first name too. . . . [*She nods her assent, smiling. He not knowing what else to say, places a paper parcel that he has been holding all the time down on the table. She looks at it, curiously.*] These are some cotton-prints that I have left over among my samples. I thought you might be able to make use of them, Lucy.

LUCY [*surprised*]: What? Fo' me?

EVANS: You bet. Open it up. Maybe you won't like 'em.

LUCY: I'm sho' I will. [*She opens the parcel.*]

EVANS [*as she does so*]: I think they'll fit you. They're just about your size.

[*She takes out the dresses and holds them up.*]

LUCY [*very happy*]: Ain't they jest the finest? [*Turns to him. Incredulous.*] Kin I really have them? Won't yuh be needin' 'em?

EVANS [*blushes red at this profound appreciation*]: I said you could have them, Lucy. I don't need them at all.

LUCY [*her eyes filled with tears*]: Thank yuh, Mist' Russell. . . . Thank yuh. [*She swallows. Looks at him silently.*]

EVANS: Why, what's the matter, Lucy?

LUCY: Oh, nuthin'. I jest feel slushy inside. . . . [*She folds them up carefully.*]

EVANS: Don't you want to try them on?

LUCY: Well, I know you're in a hurry . . . and I would like better tuh spen' the time talkin' tuh yuh. . . . Maybe I'll have tuh take them in a bit too. . . .

EVANS: You bet. [*Another pause, both look at each other not knowing what to say.*] I'll bet too . . . you forgot all about me soon as you got home last night. Didn't you?

LUCY [*looks at him with shining eyes*]: No, I didn't fo'git about yuh at all, Mist' Russell.

EVANS: Aw, sure you did. You've got a sweetie somewhere . . . and I don't count at all.

LUCY: No . . . I ain't got no boy-friend. If I had, well . . . I wouldn't be havin' no dates with anyone else. . . .

EVANS: Then you're sorry about having had a date with me?

LUCY: No, I ain't sorry.

EVANS: Well, you don't seem very glad. . . .

LUCY [*her eyes fastened on him in admiration*]: Yes. . . .

I'm glad, Mist' Russell. . . .

EVANS [*another short pause*]: You know, Lucy . . . I was thinking about it last night after I left you. . . .

LUCY: 'Bout what?

EVANS: Oh, well . . . 'bout that money . . . I gave you. . . . [*Her eyes drop. Her features take on an expression of fear.*] Wait, don't get me wrong. No . . . I don't want you to feel bad. . . . You see . . . I figured that you think because I'm a travelling salesman that I'm just like the rest of them. Now don't make no mistake. . . . I'm not what you would call an angel but you see. . . . I took you first . . . well . . . for just one of those country-girls . . . and when you said something about . . . about money . . . well . . . I was sort of surprised and I couldn't understand. . . . I was kind of disappointed and the like. . . . I thought . . . well, just another one of these. . . . Well, you know how a feller thinks. . . .

LUCY [*depressed*]: Yes. . . . I know how they think. . . .

EVANS: . . . But when I got back to my hotel I gave it some real thinking and that's why I come over today. . . . [*LUCY looks up again, hope in her eyes.*] . . . I wanted to talk it over with you and . . . You see when I asked you for your address, well I was doin' that-sort of out of habit . . . didn't really mean I was coming . . . but then . . . later I made up my mind I would come and have a talk with you about it, if you . . . wanted to. . . .

LUCY [*almost happy again*]: Well what do yuh want tuh know, Mist' Russell. I'll tell yuh anything yuh like to know. . . .

EVANS: Well . . . you see . . . I mean . . . you needn't tell me if you don't want to. It's none of my business. . . .

LUCY [*assuringly*]: Yuh kin ask me, Russell. . . .

EVANS: Well . . . I mean . . . do you have to go on these dates all the time? I mean . . . do you have to . . . with anybody . . . for a living . . . ?

LUCY [*rises. A slight pause*]: Somethin' like that. . . .

EVANS: But you told me you worked in the spinning mills here . . . ?

LUCY: Jest now and then. That ain't much.

EVANS: Why, don't that pay enough . . . ?

LUCY: No mo'. When times was good . . . we could make three, fo' dollars a week but now . . . I cain't make mo' 'n a dollar at that. . . . [EVANS *is silent. He looks at her, his expression is one of extreme compassion.*] Yuh think . . . I ain't so good . . . don't yuh, Mist' Russell?

EVANS [*firmly. Crosses to her, places his hand on her shoulder*]: No I don't, Lucy. You bet I don't. I don't blame you. It's just a damn shame. That's all. It's just a damn shame! [*She looks up at him with worship in her expression.*] But when did you begin having these dates? I mean . . . can't you try to start a sort of new life and jest fo'get your past—'cause you . . . well it sho' is a shame fo' you to ruin you' life thisaway. . . . I mean . . . Oh, I guess I must sound like a lawyer or

something. I don't know why I ask you all those personal things. . . . I guess it's just curiosity and that killed a cat. . . . We can talk about something else. . . .

LUCY: I don't mind tellin' yuh, Mist' Russell. . . .

EVANS [*boyishly*]: You see, Lucy . . . I guess . . . I sort of . . . well, I guess I do like you and every man wants to know all about somebody he likes. . . . [*She nods, her eyes shining again.*] But . . . if you don't want to talk about it . . . just say . . . it's none of your durn business, Russell Evans. And I'll deserve that.

LUCY: Well, I'll tell yuh. . . . I don't mind tellin' yuh. . . . I jest don't know where tuh haid in . . . but after I fust come tuh work in the Henrietta mill, I met a gal theah . . . and though she was much older 'n me . . . she tuk a likin' tuh me an' began tuh carry me 'round tuh places an' parties and automobile rides an' all that. Well, I was jest achin' fo' a li'l fun, workin' all day in the mill . . . an' when Virginia would ask me tuh go tuh a homebrew party . . . why, I jest natchurly went along. Well, one time I got all drunk up an' theah was a boy theah . . . he was drunk too . . . an' Virginia, she said . . . go right ahaid, Lucy . . . go on, be a sport . . . an' I . . . I jest lost my haid . . . yuh see, Virginia Ross was my only an' best friend then an' I jest natchurly did everythin' together with her. . . .

EVANS: Virginia Ross?

LUCY [*smiles*]: Yes. That's her name. Though sometimes she calls herself, Mrs. Ross. [EVANS *remains quiet.*]

Well . . . I hope yuh ain't sorry . . . yuh asked fo' it. Yuh wanted tuh know everythin' 'bout me . . . now . . . yuh got it. . . . [*Slight pause. Very anxious and worried.*] Yuh thinkin' I'm jest . . .

EVANS: No. I'm not thinking anything. . . . [*Suddenly.*] Say . . . Aren't you that girl. . . . Were you connected with that nigger trial up at Cookesville jest a li'l while ago . . . ?

LUCY [*somewhat apprehensive*]: Uh, huh. [*Nods her head.*]

EVANS [*staring at her with an altered expression*]: I thought I saw your name somewhere . . . er . . . Lucy. When you said Virginia Ross . . . I suddenly remembered reading all about it in the papers.

LUCY [*sensing his change of feeling*]: Yes . . . it was in all the papers last coupla months. . . .

EVANS [*a brief pause*]: Funny . . . how I suddenly remembered it, just from that name. . . . [*She remains silent. She doesn't dare move or even breathe.*] Well . . . you know I was in Nashville at that time and everybody was talkin' about that trial. I was sort of interested and I read about it pretty much. It must have been terrible for you and your friend, huh? . . . Did they really do all it said they did to you?

LUCY [*very confused*]: Cain't we . . . cain't we talk 'bout somethin' else, Mist' Russell?

EVANS: Why . . . sure we can. . . . [*Embarrassed. Looks at her, realizes he is staring at her and examines his watch.*] Well, I guess it's getting late. I got to be in Birmingham before it gets too late. . . . You see,

I've got to look up some customers there early in the morning. . . .

LUCY: Uh, huh. . . . You're goin' now?

EVANS: I figure I'll just have to. Well . . . [*Extends his hand. She takes it listlessly. . . .*] I sure was glad to meet you . . . Lucy.

LUCY: Were you?

EVANS: And maybe, sometime, we'll meet again. Huh?

LUCY: I sho' hope we will, Mist' Russell. . . . [*He takes a step toward the door.*] I want tuh thank yuh fo' yo' bounty . . . if yuh're sho' yuh don't need 'em.

[*Gestures toward the parcel. He waves his hand.*]

EVANS: No. . . . I don't need them. . . . I hope you'll like them.

LUCY: I know I will. . . . [*Her lip trembling.*]

EVANS: Well . . . s'long. [*Crosses to door.*]

LUCY: Good-bye, Mist' Russell. . . . [*Biting her lips to keep from crying.*]

EVANS [*stops at the door. Feels guilty. Hesitates an instant, then*]: Er . . . would yuh like me to kiss yuh good-bye?

LUCY [*wistfully*]: I sho' would. . . .

EVANS [*crosses to her quickly and kisses her. She stands there motionless. A slight pause*]: Well . . . s'long.

LUCY [*trying to find her voice. A bit breathlessly*]: Kin I . . . kin I ask yuh a favor, Mist' Russell?

EVANS: You bet.

LUCY: Will . . . will yuh let me write tuh yuh sometime?

EVANS: You bet. Sure. You write me care of my firm . . . Wilcox Cotton Goods Company . . . no . . . you



better make it . . . General Delivery, Tulsa . . .  
Oklahoma. . . .

LUCY [*looks at him, repeats mechanically*]: Tulsa, Okla-  
homa . . . General Delivery . . . Russell Evans. . . .

EVANS: That's it . . . well s'long, Lucy. . . . See you  
again. . . .

[*Crosses to door and exits. LUCY remains still for a mo-  
ment staring at the place EVANS stood in. Then she  
turns and notices the parcel and the dresses. She bites  
her lip to keep from bursting into tears and slowly  
looks about the room with a peculiar, wide-eyed, ter-  
rified expression. . . .*]

CURTAIN

## ACT TWO

### SCENE TWO

*The negro death-cells in Pembroke Prison. A few days later.*

*The prison is modern and new. Downstage, left: a door leading to the halls outside and opening on the wide corridor on stage. Upstage of this (left wall) is a wall running diagonally back to the rear wall touching it at a point a few feet off center to the left. This wall contains three or four high barred windows through which morning sunlight pours in. Only blue sky can be seen through them. In the rear wall is another door leading to the electrocution chamber.*

*To the right of this door the cell-wall begins and runs diagonally down stage to the extreme right downstage corner. This wall contains five cells with steel bars and doors covered with mesh work. Suggested, in the rear of the cells are windows. The cells are divided from each other by partitions. Near the corridor door, a GUARD is seated on a chair. He smokes an old corn-cob.*

*In the cells, from stage-left to right are: Cell One: PURCELL and ROBERTS. Cell two: ANDY and ROY WOOD. Cell Three: MOORE and WALTERS. Cell four: WARNER and MORRIS. Cell five: HEYWOOD PARSONS. The prison-*

*ers are in various positions of sitting, lying on their cots, standing, facing the bars, etc. Some are quiet, others whisper to each other. Ordinarily the atmosphere should be tense but oddly enough . . . the whole place gives the impression of a nice cold clean refrigerator. When the curtain rises there must be a long pause, quiet and silent.*

WARNER: Whut was yuh makin' sech a noise last night fo', Moore?

MOORE [*a deep resonant voice*]: I was havin' a dream. . . .

MORRIS [*irritably*]: He's allus havin' dreams, that boy.

MOORE: I dreamed of . . .

MORRIS: Don't tell us. That boy skeers me to death with his bad dreams. . . .

MOORE: I dreamed theah was some crows aflyin' over a corn-field. . . .

MORRIS: C—rows! Didn't I done tell yuh all? Crows an' buzzards. . . .

WARNER: Shet up theah, Clarence. Let him talk. . . .

MOORE: An' the co'n was nice an' high, maybe six foot high an' full of ears. [*Someone laughs nervously.*] . . . an' the farmer come along an' he shot at these heah crows wid his double-barrelled gun . . . an' some of them crows fall down on the field, wounded but not all dead. . . .

MORRIS [*irritably with just a note of hysteria*]: Quit it theah, boy! Why the hell don't yuh dream of some watermelon or somethin'?

MOORE: An' the farmer . . . he walked over to these

heah wounded crows an' lo an' behold . . . the crows was not crows at all but they was little nigger-boys wid wings . . . li'l nigger-angels. . . .

PURCELL [*yelling*]: Hi . . . Hi! Stop that talk, Olen . . . stop it . . . !

[*A signal is heard and the GUARD rises and opens the door.*

*The PRINCIPAL KEEPER, a colored preacher, MR. LOWERY, and a mulatto, WILLIAM TREADWELL, enter.*]

PRINCIPAL KEEPER [*expansive*]: This is wheah we keep the boys, Mr. Lowery. [*He addresses the white man.*]

Not so bad, huh?

LOWERY: I think it's a damn fine negro death house, suh.

PRINCIPAL KEEPER [*passes along the cells*]: Hi . . . theah.

Wake up, theah. [*Activity in the cells.*] Wake up. Some friends tuh see yuh all. . . . [*He points out the visitors.*] This heah is the Preacher Jackson and heah is yo' friend Treadwell who was heah with you yesterday an' he's brought 'long with him Mist' Lowery, the Birmingham lawyer who's come to help yo' case if he kin fo' the A. S. U. . . . What do yuh call it, William?

TREADWELL [*he is a college graduate and speaks with a slight affectation*]: The A. S. P. C. P. The American Society for the Progress of Colored Persons.

PRINCIPAL KEEPER: Yeah. An' he's come tuh speak tuh yuh wid some papers fo' yuh to sign. Now listen tuh him an' keep yo' ears open 'cause he ain't goin' tuh say it twice.

TREADWELL [*clears his throat*]: Well, as you've heard, boys, this gentleman here is one of the finest attorneys in the

South, and our organization has managed to secure his able services together with those of Mr. Brady who defended you in Cookeville to try an appeal for you boys. . . .

PRINCIPAL KEEPER: I don't reckon they kin understand yuh, William. These heah niggers are pretty young and dumb. . . .

TREADWELL: Why, I'm sure they understand. [*Addressing the prisoners.*] Don't you, boys?

[*No answer.*]

PRINCIPAL KEEPER [*to MOORE and WALTERS*]: Do yuh understand what this man just said, 'bout an appeal?

WALTERS: No suh. . . .

PRINCIPAL KEEPER: I'm tellin' yuh . . . 't 'aint no use, Mist' Lowery.

TREADWELL [*quickly worried*]: An appeal . . . is a chance for a new trial and we can only get that from the Supreme Court of this state. [*To PARSONS.*] Do you understand that?

PARSONS: Sho', I understand yuh. But how yuh goin' tuh git it?

TREADWELL: Well, you just leave that to Mr. Lowery. He's the attorney. But I would like to prepare you in case we don't get it . . . do not become discouraged. We still have another resort and that is the Governor.

PARSONS: Whut he goin' tuh do?

TREADWELL: Well, he can do a great deal for you. He can have mercy on you and commute your sentences from death to life imprisonment.

MORRIS: He kin do that?

TREADWELL: Yes, that's in his power. But he won't do it unless he feels you deserve it. Unless he feels that you're innocent.

PARSONS: Well, if he feels we is innocent then why should we be gittin' life?

LOWERY [*stepping forward*]: Now listen heah . . . you . . . don't ask too many questions. You heard the Keeper heah tell you as he was too busy to waste much time . . . so shet up an' listen. What we come fo' is tuh git yo' permission, yo' O. K. that the A. S. P. C. P. an' I an' Mr. Brady take yo' case to the Supreme Co't for an appeal. Now we got this heah paper . . . [*Waves it.*] . . . an' we want yuh all tuh put yo' names on it. That's all.

PARSONS: Kin I say somethin', please suh?

PRINCIPAL KEEPER: Go 'haid.

PARSONS: Well, this Mist' Brady was the lawyer fo' us in Cookesville an' he were no good at all. Fact is . . . we never knowed he was workin' fo' us 'til they tol' us . . . and that was *after* the trial.

[*Sounds of corroboration from other cells.*]

TREADWELL [*trying to stop the voices*]: Now, you listen to me, boys. We've helped many a colored person out of many a difficulty. And we've been fortunate enough to find that there are white gentlemen like Mr. Lowery and Mr. Brady who are willing to go to all sorts of trouble to help you. . . .

PARSONS: But theah was a white man heah day 'fo yestidy from the No'th who asked tuh help us out. He

said he was from the . . . He wrote it down on a piece of paper. . . . Hi . . . you got it theah, Andy. . . .

ANDY: Yeah . . . I got it. . . . [*Pushes out between the bars, a small white piece of paper.*]

TREADWELL [*takes it and examines it*]: The National Labor Defence. The N. L. D. [*Looks up at the PRINCIPAL KEEPER worried.*]

PARSONS: Yes . . . that's it. The N. L. D.

TREADWELL: Were they here again, sir?

PRINCIPAL KEEPER: Yes, theah was that young Yankee feller heah a coupla days ago. . . .

TREADWELL [*concerned*]: What did he say to them?

PRINCIPAL KEEPER [*annoyed*]: Oh, I don't remember that. But as I tol' yuh . . . we promised him another chance wid the boys today.

TREADWELL [*very concerned, to the prisoners*]: What did he want with you, boys?

ANDY: Well, he said as he was comin' back. Yassuh, he said as he was likely to be back heah today an' have papers fo' us tuh sign. Ain't that right, Roy?

ROY: Yes. Tha's right, Andy.

PARSONS: That sho' is. He said fo' us to give his N. L. D. man a chance to talk wid us befo' we sign anything at all. . . .

TREADWELL [*quickly*]: Just a moment, boys. . . . We've brought with us the Reverend Mr. Wendall Jackson all the way from Chattanooga to console you and he will now say a few words for you. . . . [*Nods toward PREACHER.*]

PREACHER [*takes from pocket a prayer book and speaks to them. After a few words he begins unconsciously to chant rhythmically*]: My chillun! I want tuh put the Lo'd in yuh. I want yuh tuh feel that the Lo'd Almighty is in us an' is in the great A. S. P. C. P. An' wherever the Lo'd is, don't yuh feah tuh tread. This N. L. D. is a contraption of the devil's an' Satan. He sent them tuh make trouble an' bring down hate an' prejudice on God's colored chillun. An' I want yuh tuh know that Mist' Brady who fo't fo' yuh up theah in Cookesville, helped yuh an' fo't fo' yuh 'cause we ministers come tuh him in Chattanooga an' made him see that the Lo'd would reward him with Heavenly love an' Christian spirit if he would help yo' po' nigger boys. An' he did! An' he labored fo' yuh up theah in Cookesville an' he didn't lose, my chillun. No! 'Cause if yuh all is 'lectrocuted an' dies yuh'll all go tuh Heaven sho' as yuh're born if yuh're sho' yuh ain't had a hand in this terrible crime. That's my lesson tuh yuh. An' Mist' Lowery heah who has come tuh help yuh fo' a small amount, 'cause he feels the Lo'd in him too . . . he is gonna work hard fo' yuh like yo' own mudders an' fadders would. An' so I bless yuh and warn yuh tuh fergit that N. L. D. devil's bunch an' sign up with the blessed A. S. P. C. P. Oh Lo'd, looka down on these po' misguided nigra chillun an' lead 'em safe an' holy tuh yo' kin'ly light. Amen, Oh Lo'd. Amen.

[*Two or three of the boys murmur reverently: Amen.*]

LOWERY: Now yuh heard what the preacher jest said.

Yuh got to sign this paper if you want us to help you.



WALTERS: Kin I ask yuh somethin', Mist' Treadwell?

TREADWELL [*kindly*]: Yes indeed. . . .

WALTERS: Well, I'd jest love tuh see my mudder. Yuh know we ain't seen our folkses sence we ben 'rested.

PURCELL: That's right.

ROY: I'd like tuh, too.

[*Other voices repeat the same wish.*]

ANDY: Cain't yuh do that, please suh?

LOWERY: No . . . no. The jedge wouldn't think of permittin' it. He wouldn't issue no order for sech goin's-on.

TREADWELL: And besides it might only increase the anger and feeling against you boys. Now we'll pass around this paper and you boys sign it as best as you can. Is that all right with you, sir?

PRINCIPAL KEEPER [*shrugs*]: What do I care? Take the paper around, Ira. [*The GUARD takes the paper and pen from LOWERY and crosses to cell One. ROBERTS takes the paper and prepares to put his cross on it. PURCELL pokes him with his elbow and indistinct words are heard from the cell. The PRINCIPAL KEEPER crosses down, truculently.*] Whut's goin' on in heah? What fo' yuh nudgin' him, Ozie?

PURCELL: I weren't nudgin' him, please suh.

PRINCIPAL KEEPER: Was he nudgin' yuh, Willie?

ROBERTS: Well, I reckon it didn't feel like a tickle. . . .

PRINCIPAL KEEPER: If yuh want tuh sign, go 'haid. If yuh don't it's all the same tuh me an' I don't keer. But hurry up.

ROBERTS: I'm signin' it, please suh. [*Does so and returns paper.*]

PRINCIPAL KEEPER: Whut 'bout you, Ozie?

PURCELL: I'm fixin' tuh wait 'til that other feller gits heah. I'd like tuh heah whut he has tuh say. . . .

TREADWELL [*annoyed and impatient*]: Well, I'm warnin' you, boys. There isn't much time.

PARSONS: We kin wait. We wanna sleep on it awhile.

PRINCIPAL KEEPER [*to PARSONS*]: You pull yo' mouth in, Nigger. . . . [*To MORRIS.*] Yuh wanna sign, now?

MORRIS: Yassuh. [*Does so.*]

PRINCIPAL KEEPER: What 'bout you, Gene?

WALTERS: I reckon I'm follerin' Clarence, please suh. . . .

[*IRA hands in paper. He signs.*]

PRINCIPAL KEEPER: What 'bout you, Charlie?

WARNER: Well . . . I dunno, please suh. . . .

TREADWELL: You may not realize it boys, but you are behaving in an ungrateful way . . . remember your date of execution is only a short time off and we must work fast. . . .

WARNER: I'm signin' please suh. . . . I'm signin'. . . .

[*IRA gives him the paper.*]

MOORE: I'll put my cross on . . . Mist' Keeper. . . .

[*GUARD gives MOORE papers to sign.*]

PRINCIPAL KEEPER: Who else? [*Signal at door.*] Open up, Ira. . . .

[*He does so. Sound of voices. The WARDEN enters, followed by CHENEY, ROKOFF and TRAVERS. PRINCIPAL KEEPER and GUARDS salute him.*]

WARDEN [*sees LOWERY*]: Why, how do, Mist' Lowery. . . . [*Grunts "hullo" to PREACHER and TREAD-*

WELL.] Meet Attorney General Cheney, Mist' Lowery. [*They shake.*] Mist' Rokoff of the N. L. D. from New York City. . . . Mist' Lowery is one of our best attorneys in Birmingham.

ROKOFF [*shakes with LOWERY*]: Pleased to meet you. . . .

TREADWELL: I beg your pardon, Warden Jeffries but I . . . I thought. . . .

WARDEN [*sharply*]: What's the matter . . . ?

[*TREADWELL confused, looks appealingly to LOWERY.*]

LOWERY: Well, Warden, we were almost through heah with gettin' the boys' signatures and . . .

ROKOFF [*firmly*]: I was under the impression, Warden . . . that I would have my opportunity to speak to the boys. . . .

WARDEN [*embarrassed*]: Well, gentlemen . . . this matter of attorneys is not in my jurisdiction, however I did promise Mist' Rokoff. . . .

TREADWELL: But this is certainly most unusual. . . .

WARDEN [*sternly to TREADWELL*]: What's that you said . . . ? [*TREADWELL wags his head negatively. To*

ROKOFF.] Well, Mist' Rokoff. I guess we got as good a death-house as any of yourn up No'th, huh?

ROKOFF [*looking around*]: Pretty nice.

WARDEN [*proudly*]: This jail ain't mo' than five yeahs old. Yuh was tuh the openin' weren't yuh, General?

CHENEY: Yes, I remember that opening very well.

WARDEN: You was Attorney General then. Too bad yuh lost the 'lection. . . .

CHENEY: Oh, I was getting sort of weary of it anyway,

Warden. I like my peace of mind. . . .

WARDEN [*chuckling*]: Well . . . you certainly picked a queer way of gittin' it with this nigger case now. . . .

CHENEY: Oh . . . I like to see every human being, black or white, get a fair deal. This isn't my first colored case, you know.

ROKOFF: You see, Warden, General Cheney has generously consented to help us on this case since he has known some of the boys' parents for a number of years.

WARDEN: Sho'. Well, Mist' Rokoff, yuh don't have so many niggers up No'th I reckon. . . .

ROKOFF [*smiling amiably*]: I don't think so. . . .

WARDEN [*shrewdly*]: Don't yuh . . . smell anythin' 'round heah?

ROKOFF [*sniffs*]: No. I don't. Why?

WARDEN: I guess you got a Yankee nose. Don't yuh know theah is a natural smell 'bout niggers?

ROKOFF: There may be . . . but I don't smell anything.

WARDEN [*with a chuckle*]: Sho' yuh don't. This prison has got one of the finest shower bath systems in the South. That chases away the smell.

ROKOFF [*with a twinkle in his eye*]: But if it's a natural odor, Warden . . . how do you make it disappear?

WARDEN [*perplexed*]: Ain't I jest told yuh we gives them baths to chase it away?

CHENEY [*tactfully*]: Mist' Rokoff is not so familiar with our ways, Warden Jeffries. . . .

WARDEN [*offended*]: I was jest tryin' tuh explain our institution to the gentleman. . . .

ROKOFF: Sure, I appreciate that, Warden. [*Smiles pleasantly.*] Well, can I speak to the prisoners now?

WARDEN: Sho'. Go right ahaid. [*Gestures towards the cells.*]

ROKOFF: Would you mind, you see, it's pretty hard to talk to them this way. Would you mind letting them out where I could at least see them?

WARDEN [*perplexed for the moment*]: Yuh mean open up the doors an' carry 'em out heah?

ROKOFF: Yes, if they're going to be our clients we would at least like to see what they look like.

WARDEN: Well, I dunno. I ain't never done that yet with niggers. Whut do you think, General?

CHENEY: I think you could make an exception, Warden. It cain't do any harm.

WARDEN [*slight pause*]: All right. I'll do it. [*To the GUARD.*] Open up the doors, Ira. An' keep yo' hands on yo' guns. [*IRA begins to open up the doors.*] Listen, niggers . . . jest step outside of yo' cells 'bout two feet an' stay still in front of them an' *don't move.* [*The doors are opened and the negroes step out slowly, almost afraid to do so. They remain standing stiffly in front of their respective cells.*] Go 'haid, Mist' Rokoff, but please make it quick-like.

ROKOFF: I will, Warden. Thank you very much. You've been very kind. [*He crosses to one of the negroes and shakes his hand.*] What's your name, boy?

[WARDEN and CHENEY exchange significant glances.]

ANDY: Andy Wood, please suh.

ROKOFF: And is this your brother? [*Points to ROY.*]

CHENEY: Er . . . Mist' Rokoff.

[ROKOFF turns. CHENEY beckons to him and crosses half-way to meet him. He then whispers something to him and ROKOFF nods, smiling. ROKOFF turns to WARDEN.]

ROKOFF: Excuse me, Warden. I guess I'm not used to the ways down here.

WARDEN [*with a magnanimous gesture*]: Oh that's all right, Mist' Rokoff. It jest ain't done, thassall.

[ROKOFF nods and returns to the prisoners. As he speaks he paces up and down the line of them, never more than three feet from them. He speaks rather conversationally.]

ROKOFF: Well, boys . . . my name is Joe Rokoff and I'm the chief attorney for the National Labor Defense, the N. L. D., the same thing that Mr. Travers spoke to you about. [*Turns to WARDEN.*] Do you mind if I smoke, Warden?

WARDEN: 'Course not. Go right ahaid. I'm about tuh smoke myself. [*Lights a cigar.*]

ROKOFF [*nods his thanks and takes a cigarette from a package and lights it. He observes WARNER looking at the package with an intense expression of desire*]: Would you like to have these?

WARNER: Please suh. . . .

ROKOFF: Here you are. [*Extends the package. WARNER timidly extends his hand.*] Go on, take 'em all. [*WARNER takes them and pushes them into his shirt-pocket quickly.*] Now boys, you can choose to represent you anybody you like. That's your right and your privilege. But before you do that, let me tell you who we are,

what we stand for and what we want to do for you. [*He notices some disturbance between WARNER and MORRIS.*] What is it, fellers? What's the trouble? Don't you understand me ?

WARNER: Sho'. We understand yuh, suh . . . but this nigger heah done axes me for some of them cigarettes an' yuh gave 'em tuh me. . . .

ROKOFF: Well, what of it? Give him some. He's your friend, isn't he? He likes to smoke, same as you. . . . [*WARNER quickly gives MORRIS a few cigarettes. ROKOFF continues. From now on there are no serious interruptions and the prisoners all listen very attentively and become absorbed. The speaker increases his tone and temper as he goes on until he quite loses himself and everyone on the stage including the WARDEN and CHENEY are quite absorbed by the power of his speech.*] Now, you boys are in a jam but there are a lot of other fellers, black and white, all over this country and they're in jams, too. And we're an organization that tries to get these fellers out and free. Now you just saw how this boy here . . . [*Points to WARNER.*] . . . refused to give his buddy any of those cigarettes I gave him. You've got to understand right away that that's the wrong idea to have. Men should stick together. Now, I'd like to show you what I mean and how we work. Just suppose there are two men on this side of me. . . . [*He demonstrates with gestures his meaning.*] fighting against a certain thing and they're being licked. And on this other side, are three men fighting against almost the same kind of thing and

they're being beaten, too. But if these two fellers and these three fellers would get together . . . [*He holds up two fingers on one hand and three on the other.*] . . . then there would be five . . . and nobody could lick 'em! That's what we work for. You see, up North and out West and here in the South there are white workers fighting for liberty and justice and a right to live happy. And down here in the South you black workers are fighting for the same thing. But you're all fighting apart. Now, if you will fight for the white workers in the North and the South and the East and West then they'd get together and fight for you black fellers down here. Now, you know as well as I do that it's going to be very hard for you boys to get a fair trial down here. I don't have to tell you that. I can't fool you with promises and fine words. You know you didn't get a fair trial in Cookesville.

PARSONS [*with feeling*]: No, we didn't. . . .

TREADWELL [*somewhat excited, unable to contain himself*]: Listen to me, boys! I'm one of you and God-willing, I'd like to be darker than I am if that would help my people. And therefore I want to warn you against this dangerous N. L. D., this radical organization which only wants to use you boys as a cat's paw to pull their chestnuts out of the fire. You poor children are too young to know it but they are about the worst, insidious group of traitors to this country. . . . They not only want to spread rebellion and revolt through your case but they also want to destroy and



ruin the great, benevolent A. S. P. C. P.

WARDEN [*to LOWERY, in a low voice*]: That high yaller ain't sech a bad talker.

PARSONS: Well, whut do yuh want tuh do fo' us?

TREADWELL: We have only one object. *One object*. And that is to get you boys a fair trial. We have no ideas of over-throwing the government as they have.

PARSONS: How . . . how yuh gonna git this fair trial?

TREADWELL [*annoyed*]: We . . . we will not spare any effort to protect you from the death penalty. . . .

ANDY: Well. . . . We don't want no lip-talk.

ROKOFF: And I'm not going to give you any lip-talk. I'm not going to say you're going to get that fair trial that these high-sounding organizations will try to get. And you know why you can't get it. You can't get it because the South wants you to burn. They want to teach you blacks a lesson, they want to frighten you blacks with the burned-up bodies of nine negro boys. They want to make you shut up and keep quiet. They want to keep the nigger in his place . . . that's why. . . . And so . . . the only thing fair that you'll ever get will be a fair amount of electric juice to burn you alive on the chair in there. . . . [*Points to door leading to electrocution chamber.*]

LOWERY [*striding forward, angrily*]: Now, don't you pay attention to this talk. You better be white man's niggers, or . . .

ROKOFF: I object to these interruptions, Warden Jeffries. . . .

WARDEN: Well. . . .

LOWERY [*simultaneous with* WARDEN]: But Mr. Jeffries. . . .

ROKOFF: I'm an attorney, Warden, and I'd like to finish what I have to say! . . .

LOWERY [*interrupting*]: I never heard sech kind o' talk to niggers. . . .

ROKOFF [*with some irony*]: But I've heard of Southern courtesy. . . .

WARDEN: Well, make it quick-like, Mist' Rokoff. . . .

ROKOFF: I will. [*To the boys.*] Now you're thinking if things are as hard as I say they are, what can be done? What can the N. L. D. do? I'll tell you what we can do. First, we'll get the finest lawyers in this country to fight the courts at their own game . . . but more important than that, we'll go to the workers of America, to the workers of the world. We have proof that you're innocent of these rape charges. We'll show them this proof. Then we'll say to them: Black and white workers of the world! Workers of America! Down in the South nine innocent boys are being put to death because they have black skins. Are you going to stand for that? And they will answer with a shout that will ring around the whole world. . . . NO. We will not. Yes, we will force the South and those in the South who are trying to murder you . . . we will force them to free you. Yes, they will. They'll be afraid to keep you, afraid to kill you . . . they'll be afraid of fifteen million black workers who will stand shoulder to shoulder with fifty million white workers and who will

roar. . . . Don't you touch those boys! Don't you dare touch those black children workers . . . !

WARDEN [*shaking himself as if to rid himself of a trance or spell. Then shouting, red with fury*]: Stop! Stop that . . . ! [*Strides over to ROKOFF who stops as suddenly as if hit by a bullet. He shakes his fist under ROKOFF's nose.*] Stop! Yuh, yuh cain't stir up no niggers in my jail, suh!

ROKOFF [*who has himself been under the spell of his own oratory. He tries to regain his natural diplomacy*]: Why, excuse me, Warden. You see . . . I just forgot myself. I'm not accustomed to the ways down here. . . .

WARDEN [*spluttering*]: Well, sho'. But that ain't no way to talk tuh niggers. Yuh know that, Mist' Rokoff. . . . [*He cools off a bit.*]

ROKOFF: You see, I didn't realize . . . er. . . . But now . . . how about their parents?

WARDEN: Whut parents?

CHENEY [*following a glance from ROKOFF*]: Well, I thought we told you, Warden . . . that we brought some of the boys' parents and kinfolk to see them. You know, they've not had a chance to do that sence they ben arrested.

WARDEN: Oh yes, yuh did tell me. I plumb forgot. . . . [*To ROKOFF jocularly.*] An' it was your own fault, Mr. Rokoff. . . . But I'm afraid you'll have tuh have an order fo' that.

CHENEY [*hands him a document*]: We have that, Warden from Judge Townsend over in Cookesville.

[WARDEN *takes it and examines it quickly. Turns to one of the guards.*]

WARDEN: Go down stairs, Cyril, an' bring up them visitors heah. [GUARD *crosses to door.*] See that they ben well frisked, first. . . .

CYRIL: Yes suh. [*Exits.*]

WARDEN: Now, Ira . . . you git these niggers locked up. . . . [IRA *proceeds to do so.*] Git back in yo' cells, now. Hurry up.

[*The negroes re-enter their cells and IRA locks the doors on them.*]

ROKOFF: I'd like to say just a few more words to the boys, Warden. . . .

WARDEN: Well now . . . Mist' Rokoff. Yuh don't want tuh talk the way yuh did. [*Signal outside.*] How 'bout after the visitors leave? [ROKOFF *nods. WARDEN to IRA.*] Open up, Ira. [*He does so. About ten negro MEN and WOMEN enter, timidly. Most of them are elderly.*] Now folks . . . I'm willin' tuh give yuh two minutes tuh see yo' chillun but please don't go too near tuh them. Ira, show these heah persons to the correct cells.

MRS. PARSONS: Yuh don't have tuh show us, please suh. We know our own chillun good 'nuff. . . .

WARDEN: Okay. Go 'haid. [*The parents hurry to the proper cells like homing pigeons. They talk excitedly to their children.*] Now stan' back theah . . . folks. Don't go too close. Stan' back. [*The ATTORNEYS look on sympathetically. CHENEY chats with the WARDEN who holds his watch in hand.*] Tha's enough now.

Time is up. All out now. . . .

[*The parents begin to leave and as they do so, they call parting advice to their sons.*]

MRS. PARSONS: Good-bye, Heywood, an' God bless yuh. Don't give up yo' hope, an' keep a-lookin' at the Lo'd. . . .

MRS. WOOD: Don't worry, my chillun . . . we got the N. L. D. wid us. . . .

MRS. PURCELL: Don't fo'git tuh pray, Ozie. . . .

MRS. WILLIAMS: Yes, pray . . . chile. Pray fo' yo' life an' fo' the blessed N. L. D.

WARDEN: Come 'long. Tha's enough now. All out. All out. [*Finally all the visitors are out and the guard closes the corridor door.*] Yuh wanted tuh say some-thin', Mist' Rokoff . . . ?

ROKOFF: If you'll permit me, Warden. . . . [*Pleasantly.*]

WARDEN: Sho'. But careful-like, huh?

ROKOFF: Of course. Thank you. [*Takes paper from TRAVERS and approaches nearer to the cell-doors. Walks up and down in front of them so that all the boys can see and hear him.*] Now I want to ask you if you want to sign this paper which will make us your defense attorneys. Remember . . . I didn't bring your fathers and mothers these many hundreds of miles to see you because I wanted to buy you with that. No. If I wanted to do that I would have brought them in first. But I didn't do that. First I wanted you to hear and understand who and what we are. And even if you turn us down and choose this other organization we will still bring your folks to see their

children. Now you do what you think is right. You say no to us, or yes. But whatever you say, we'll always be on your side and fight for you. Now your parents have signed this paper and they all want us to represent you. But it's up to you, anyway. If you say you don't want us . . . we'll step out. We'll be sorry but we'll step right out.

[*A pause. ROKOFF looks around. He is unable to see through the close mesh the faces of the negro boys. Worried, anxious. What will they decide?*]

WARDEN [*stepping forward a bit*]: Well niggers, yuh heard both sides now. What do yuh want to do? Who do yuh want tuh have tuh represent yuh?

MORRIS: Well suh. . . . We know yuh want tuh help us . . . but I figger we bet' stick tuh our own color . . . an' the Preachers. . . .

[*A pause. ROKOFF searches the inscrutable celldoors. Worried, anxious, tense.*]

ANDY [*suddenly*]: Kin we talk it all ovah, Mist' Warden, please suh?

WARDEN [*turns and hesitates, then . . .*]: Huh? Well, I reckon so. Let 'em talk it ovah, Ira. But not so loud. . . .

LOWERY: Well, listen heah, Treadwell, I can't be comin' heah every time from Birmingham. . . .

TREADWELL: Why of course not . . . ! I hope you understand, boys, that Mr. Lowery's time is very valuable and my own time is quite taken up too . . . and I hope you will not make us regret the expense and trouble we have made ourselves to help you. . . .

ROKOFF: Don't worry, fellers . . . it's okay . . . take your time, talk it over . . . another day won't hurt. But I'll be waiting right here in town for your answer . . . and if you want us I'll come up here with the Commissioner of Deeds of this prison to witness your signatures so that nobody can say we forced you to sign. . . . So long and good-luck.

*[He crosses to exit talking with CHENEY and TRAVERS. He exits, followed by LOWERY arguing with TREADWELL and the PREACHER. WARDEN exits last. The GUARD shuts the door and seats himself. There is a brief pause.]*

ANDY: Whut did yuh wanna go an' sign that fo', Clarence?

MORRIS: Well, I figger if a preacher tells me tuh sign then I bet' sign. It cain't be bad, Andy.

ANDY: Hmm. Well, I wouldn't trust 'em preachers too far. They lookin' out for themselves most the time. . . .

PURCELL: Sho'. Whut they got tuh lose? They got warm seats an' gittin' in money. . . .

ROBERTS: Yeah . . . but they do git along wid the white folk purty good, Ozie. That show they gits respec' 'cose the Lo'd's in 'em.

PARSONS: Then whut fo' them preachers didn't come tuh see us onct up in Cookesville?

ROBERTS: That's so, Andy.

PURCELL: Sho'. They cain't help us. Preachers on'y niggers themselves.

MORRIS: An' whut 'bout this A. S. P. . . . this colored company? Whut 'bout that, Andy?

ANDY: Well, I dunno' 'bout dat. But I don't perticular keer fo' that high yaller . . . Mist' Treadwell. He's too slick fo' me. An' I cain't hardly understan' his talk. Huh! Maybe he ain't even a nigger.

PURCELL: Yeah. I didn't like dat 'bout him wishin' his skin was blacker. Did yuh done ketch dat?

PARSONS: We sho' did. An' if yuh keer whut I say, I'd ruther go wid dat Yankee lawyer from the N. L. D. I ain't so hot fo' havin' that Mist' Brady agin. Everybody in Chattanooga knows he was in the crazy-house twict. Ain't that so, Andy?

ANDY: Sho'. Folk say he went crazy ev'ry week from too much co'n.

WARNER: Well, I'm fo' stickin' tuh our own color an' takin' up wid this high yaller's company. Yuh wid me, Willie?

ROBERTS: Yeah. . . . I'm wid yuh, Charlie. Stick tuh yo' own people. Them's good talk.

MORRIS: I'm wid yuh too. I liked that preacher. He talked fo' the Lo'd.

PARSONS: Who wid me?

ANDY: That No'th'n man sho' kin talk like hell an' if he kin talk thataway right in front o' dat Warden den he ain't no white-liver an' he kin save us. So I'm wid yuh, Heywood.

ROY: Me too. . . .

PARSONS: Whut 'bout you, Gene?

WALTERS: Well my mudder allus tought me tuh feah the Lo'd, Heywood.

MORRIS [*triumphant*]: He wid us! An' you, Olen Moore!



Who you wid?

MOORE: I'm on top o' de fence, chillun. Who git mo', them I goes wid.

PARSONS [*after a brief pause. In a low voice with suppressed feeling*]: Listen tuh me, you niggers! When we asked that high-yaller if we could see our kin-folk, he said, we couldn't. But this man . . . from the No'th, he didn't wait to be asked. No suh! He knowed we wanted tuh see our mudders an' fadders an' he didn't wait a bittie. He jest brought 'em 'long wid himself. An' listen tuh me, you niggers! Yuh all purty dumb. Maybe yuh don't understan' his talk. But it 'peared tuh me he was talkin' our own language an' I understood ev'ry word he say. An' he say a-plenty! He ain't no yaller-belly tuh sell us out. Lo'd A'mighty . . . when he talked I felt jest as strong as a bull. I felt I could bust open these heah bars. An' I'm a-tellin' yuh all dat I don't keer if Gawd or the debbil or the N. L. D. saves me, I wanna be saved. An' this heah man kin do dat. . . . Yes right down heah in the South. So I say tuh yuh all . . . Sign up! Sign up, niggers, befo' he gits angry an' changes his min' wid us dumb bastards.

ANDY: Yeah. We sign. We sign wid the N. L. D. . . .

ROY: Me too. . . .

WARNER: Right. The N. L. D. Sign up, niggers. . . .

MORRIS: Count me too, Heywood. . . .

ALL [*together*]: We sign. The N. L. D. Sign up. Right. Sho'. Sign, sign, sign. . . .

WARNER [*with fervor*]: The Lo'd be wid us an' the

N. L. D. Come on, Olen. Sing us somethin' fo' the  
Lo'd tuh heah us. . . .

MORRIS: Sing dat Gabriel's trumpet, Olen. . . .

WARNER: Yeah . . . throw us down that trumpet, Ga-  
briel . . . !

ANDY: Go on, Olen. It do my heavy heart good. . . .

MOORE [*sings*]:

Oh, han' me down, throw me down. . . .

Han' me down a silver trumpet, Gabriel.

Oh, han' me down, throw me down. . . .

Anyway yuh git it down. . . .

Han' me down a silver trumpet, Gabriel.

If religion was a thing money could buy,

Han' me down a silver trumpet, Gabriel. . . .

Oh, the rich would live an' the po' would die. . . .

Han' me down a silver trumpet, Gabriel.

So, han' me down, throw me down. . . .

Han' me. . . .

PARSONS [*his hands gripping the bars; with intense feelings*]: Dat's it! You heerd dat, niggers. If religion was  
a thing money could buy. . . . [*Singing continues.*]  
. . . You heerd dat? . . . Well it do. It do. . . . It  
do buy it. . . . [*Singing continues.*] . . . the po'r  
would die. . . . [*Singing.*] . . . NO. . . . No, nig-  
gers! We ain't gonna die. No. No. . . . NO. . . .  
NO!

[*Singing continues.*]

CURTAIN

## ACT TWO

### SCENE THREE

*Same scene as Scene One of Act Two. The home of LUCY WELLS. It is many months later. The room hasn't changed much at all. In fact it looks even more miserable and smaller than before. It is about noon-time. The screen door in the rear has been replaced with the regular wooden one and this is closed. The window too, is lacking its screen. The stove is burning. The season is cold.*

LUCY is lying on the couch down left and one sees at first glance that she is just recovering from an illness. She wears a shawl about her shoulders and a woman's cloth coat over her feet and lies . . . staring dully ahead of her. Her MOTHER is seated at the table finishing her lunch. On it are some dishes, a coffee-pot, a loaf of bread and a wrapped paper parcel containing ironed laundry.

MRS. WELLS [*drinking her coffee*]: Yuh oughta eat somethin', Lucy. . . .

LUCY: I don't want nuthin', Maw.

MRS. WELLS: Yuh jest goin' tuh kill yo'self, not eatin' an' sulkin' 'round. Why, yuh goin' tuh git sick agin if yuh carry on thataway. . . .

LUCY [*wearily*]: Lemme 'lone, Maw.

MRS. WELLS: Heah yuh is, jest gittin' well, after yuh almost went an' died, an' now yuh tryin' tuh git down agin. . . .

LUCY [*slowly*]: Maybe it were better, if I done died. . . .

MRS. WELLS [*shocked*]: Whut's that? Lucy, you is crazy as a loon. . . .

LUCY [*turns to her mother, pleadingly*]: Whut I got tuh live fo' . . . Maw?

MRS. WELLS [*annoyed*]: Now, you shush up. A gal of eighteen shouldn't talk thataway. Why yuh got yo' hull life 'haid of yuh. Me, I should talk that way maybe. I got nuthin' ahaid but misery an' worries. But I'm livin' fo' my chillun. Oh . . . many the time I done think tuh end it all . . . [*Sobbing.*] tuh stop this turrible misery an' workin' fo' nuthin' but bread an' water. But I allus think of my po' chillun, growin' up without a mother. An' then Gawd, He wouldn't take me tuh Him. No, theah ain't no place in His Heaven fo' him who takes his own life. [*LUCY being silent, she ceases and sighs. A brief pause.*] Lucy!

LUCY: Yes, Maw. . . .

MRS. WELLS: Tommy done tell me, yuh had that nigger lad in heah, from next door last evenin' an' yuh done give him a letter. . . .

LUCY: Uh huh.

MRS. WELLS: Well, I would like tuh know 'bout that letter. But yuh know, yuh want tuh be keerful 'bout havin' a nigger boy in heah at all.

LUCY [*somewhat irritated*]: Oh, don't be talkin', Maw.

I left the door wide open an' he were only heah two minutes and Tommy were right heah too. . . .

MRS. WELLS: Well, whut kin' of letter was that?

LUCY: Jest a letter. . . .

MRS. WELLS [*sternly*]: Lucy! Yuh tell me who that letter is fo' an' whut yuh wrote. . . .

LUCY: It was fo' that Mist' Evans. He's at the hotel in town. Least he was yest'day. . . .

MRS. WELLS: Mist' Evans . . . ?

LUCY: Yes. That young sales feller who was heah that time. The one who give me them dresses. . . .

MRS. WELLS: Well . . . ?

LUCY: Well, I jest wrote tuh him, thassall.

MRS. WELLS: Well, why didn't yuh post it, 'stead of sendin' it with that nigger-boy?

LUCY [*weary of all these interrogations*]: 'Cause it wouldn't be delivered in time. An' then I don't trust that post-office man an' 'cause I didn't have no money fo' a stamp an' didn't want tuh ask yuh. . . . That's why. Now, lemme 'lone, Maw.

MRS. WELLS: Hmmm. [*Crosses to kitchen with coffee-pot and things. Pauses on way and turns.*] Well, is that Mist' Evans comin' over heah?

LUCY: No, he ain't comin'. He got that letter las' night. I waited up till early mawnin' but he didn't come. I guess he must have left town already. . . . [*Her lip trembles.*]

MRS. WELLS: Hmm. I see. . . . [*Exits into kitchen.* LUCY

*lies still, her eyes filled with tears. MRS. WELLS enters.]*

I reckon yuh sort of stuck on that boy . . . huh, Lucy?

LUCY: Uh huh.

MRS. WELLS: Well . . . he must have fo'gotten all about yuh. It's sech a long time . . . ain't it?

LUCY: I wrote tuh him twice. . . .

MRS. WELLS: Well . . . ?

LUCY: Nuthin'.

MRS. WELLS [*she looks at her daughter, with pity*]: Now, don't yuh take on, honey. All men are like that. . . .

LUCY [*staring ahead, dully*]: No, it were my own fault. I tol' him about that Cookesville thing an' that cooled him off, I guess. . . .

MRS. WELLS [*impatient*]: Well, whut did yuh go an' do that fo'?

LUCY [*wearily*]: Oh, he'd a found out by himself, anyway. . . . [*Suddenly cries.*] I sho' made a mess of my life. . . .

MRS. WELLS [*sits by her and caresses her*]: It ain't yo' fault, Lucy. You couldn't help that train thing happenin'. . . .

LUCY [*turns suddenly. With feeling*]: But I could have helped it, Maw. I could. That damn rotten Virginia Ross put me up tuh it. . . .

MRS. WELLS: Huh? Whut yuh sayin'?

LUCY [*she speaks as if what she has to say could not be held back a moment longer. It pours out of her*]: I . . . I cain't sleep nights. That's why I got so sick. I'm all run down with thinkin' of it. Thinkin' of

them po' nigger kids, goin' tuh burn any day on that 'lectric chair. I dream. . . . I dream of them screamin' an' yellin' in pain. . . . I see myself, always lightin' fires an' helpin' tuh burn them. . . . [*She sobs bitterly.*]

MRS. WELLS [*frightened*]: When is they set tuh die, anyway?

LUCY: I dunno. I'm skeered tuh read the papers any mo'. I shy 'way from them. [*Breaking out again.*] Every time . . . every time I see one of 'em black boys on the street, I think I'm back in the Cookesville co't house agin . . . an' how them po' kids looked theah . . . skeered like a treed rabbit . . . all full of swellin's an' bruises from the beatin's they give 'em in the jail. . . .

MRS. WELLS: How do yuh know they beat 'em?

LUCY: How do I know? I heard them. I still hear 'em screamin' fo' pain. . . .

MRS. WELLS: But it weren't yo' fault . . . my baby. . . . Yuh couldn't do nuthin'. . . .

LUCY: I could. . . . [*She is literally trembling with emotional stress. She is almost hysterical.*] I didn't have tuh listen tuh that bitch of a Virginia Ross . . . an' she's still workin' steady at the mill. . . .

[*There is a knock on the door and MRS. WELLS rises, makes a gesture of silence to LUCY and calls. . . .*]

MRS. WELLS: Come in. . . . [*The door opens and MR. NELSON and a CONSTABLE enter.*] Oh how you, Mist' Nelson? How do . . . Constable . . . ?

NELSON: How you, Mrs. Wells. . . . [*Stands at the*

door.] Is Lucy 'round? We'd like tuh have a li'l word with her. . . .

MRS. WELLS: She's right heah. . . . [*Gestures to couch.*

LUCY *sits up after wiping her eyes.*] Tho' she's still feelin' bad-like. Yuh know she was ailin' fo' the last coupla weeks. . . .

NELSON [*crossing down a few steps*]: How you, Miss Lucy. Glad tuh see yuh feelin' better. . . .

LUCY: Yuh want tuh talk with me, Mist' Nelson?

NELSON: Yes . . . if yuh don't mind . . . [*Turns to MRS. WELLS.*] . . . an' if it's all the same tuh yuh, Mrs. Wells, we'd jest like tuh see Miss Lucy alone. . . .

MRS. WELLS: Well, I got tuh be gettin' off to Mrs. Fredericks' laundryn' anyway . . . but if it's at all serious, I'll wait outside. . . .

NELSON: No, it ain't nuthin' serious, Mrs. Wells. Nuthin' important. Yuh kin run along an' Lucy kin tell yuh all about it, later. . . .

MRS. WELLS: Well, if yuh sho' it ain't nuthin' impo'tant . . . [*Takes up her coat and the parcel of laundry.*] 'Cause Mrs. Fredericks'll raise hell a-plenty if I'm late agin. [*Crosses to LUCY and kisses her on the forehead.*] Now don't fo'git tuh take yo'self somethin' tuh eat. I left yo's on the stove in the kitchen. Well, good-bye, Mist' Nelson, awful pleased tuh see yuh again. . . . [*She crosses to door.*] An' if Mrs. Nelson has any special laundryn' tuh do, theah ain't no reason she cain't give it tuh me, 'stead of tuh some nigger woman, huh?

NELSON: Sho'. I'll speak tuh her, ma'am. [*She smiles pleasantly to him and the CONSTABLE and exits.*] Now,



Miss Lucy . . . I'd like yuh tuh do somethin' fo' us  
. . . if yuh don't mind.

[*He nods significantly to CONSTABLE who exits and remains outside, where he can be seen through the window.*]

LUCY: Yes . . . ?

NELSON: Well, theah was a nigger crap game over near the railroad last evenin' an' some of the bucks started a li'l rumpus and cut each other up a bit. We co't a coupla—two—three an' when we went over them fo' razors an' things, we found this letter on one of them. . . . [*Takes a letter from his pocket and shows it to her.*]

LUCY [*frightened, staring at it*]: Then he didn't carry it wheah I tol' him . . . ?

NELSON: No. We tuk it 'way from him. He said it was fo' a Mist' Evans over at the hotel . . . that right?

LUCY: Uh huh.

NELSON: Well, we called up the hotel but he weren't theah. He was out drummin' business in Fullerton. So we called up this mawnin' agin and he was agin out. . . .

LUCY [*anxiously*]: Has he left . . . town . . . ?

NELSON: Well, I dunno. That ain't so impo'tant. We left word fo' him tuh call us if he comes back. However *we* called long-distance tuh Cookesville early this mawnin' an' spoke tuh the state solicitor theah, Mist' Luther Mason. Yuh know him?

LUCY: Yes, I know him all right.

NELSON: We read yo' letter tuh him an' he was mighty

sorry tuh heah it. He said if yuh was goin' tuh write letters like that, with this new trial comin' up soon . . . yuh would git things balled up fo' him.

LUCY [*sullenly*]: Whut do I keer fo' him?

NELSON: Now, Lucy . . . I want tuh tell yuh, 'cause I know yuh as a kid, yet, that yuh are puttin' yo'self in fo' a lot of grief, if yuh keep on writin' sech kin' of talk. Why, you might be 'rested fo' perjury.

LUCY: Whut's that?

NELSON: Perjury? That's when yuh swore at that Cookesville trial tuh tell the truth an' now you're writin' somethin' different. . . . [*LUCY is silent.*] Now, this Luther Mason ain't sech a bad sport. He realizes yuh must have ben drunk or somethin' when yuh wrote this letter. . . .

LUCY: I weren't drunk. I ben sick fo' two weeks in bed. . . .

NELSON: Well . . . that's fine. That's still better. Yuh ben in fever an' didn't know whut yuh were doin'. . . .

LUCY [*heatedly*]: I did, too. . . .

NELSON: Now, hol' on. Don't lose yo'self. Lemme finish whut I got tuh say. Mist' Mason dictated over the phone tuh me an affidavit fo' yuh tuh sign. . . . [*He takes a paper from his pocket.*] As sayin' how yuh didn't know yo' own min' when yuh wrote that letter an' how it ain't true whut yuh wrote theah. An' he asked me tuh have yuh sign this right away. He's comin' 'long down heah tuh Humbolt by the evenin' train tuh see yuh himself an' talk tuh yuh 'bout it.

LUCY [*on the point of tears*]: I won't sign nuthin'. An'

I don't want tuh talk tuh that Mason man.

NELSON: Lucy. Yuh don't keer tuh be 'rested, do yuh?

LUCY: Who's goin' tuh do that?

NELSON: I'll have tuh do that, I'm afraid. . . .

LUCY: But I'm still ailin', Mist' Nelson. . . .

NELSON: I'm mighty sorry, but them's my orders. [*She is silent, sullen. He thinks of a new tactic.*] Yuh know very well, Lucy . . . that I never said anything all the while when I see yuh on the street an' in front of the hotel . . . yuh know I allus turn my haid. . . . [*She nods, slowly.*] Well, you'll not look fo' trouble an' sign this heah paper, like a smart gal. Huh?

LUCY [*a slight pause, then wearily*]: I guess so. . . .

NELSON: That's a smart gal. . . .

[*Crosses to table and prepares the paper and pen. She crosses phlegmatically to it.*]

LUCY [*looks at paper*]: Right heah?

NELSON: Yeah. Wheah the li'l cross is, yeah . . . right theah. . . . [*Bends over her. She signs.*] That's fine. [*Takes up the paper, waves it slowly.*] That shows yuh as a smart gal, Lucy. Well, we'll be runnin' long now. [*Folds up and puts away the paper.*] An' I'd keep a tight lip on all this if I were you. . . . [*She nods, slowly.*] Well, good-bye. Hope you're on yo' two feet right soon. . . .

[*She nods mechanically and he exits. She remains by the table staring dully at the door, then suddenly breaks into tears. She buries her head in her arms, crying with painful, convulsive sobs. The door is flung open in a moment and TOMMY rushes in slamming the*

*door behind him. He runs across the room on his way to Kitchen, when he notices LUCY at the table. He stops.]*

TOMMY: Whut's a matter, Lucy? Huh? [*She doesn't answer.*] Tell Maw I'm goin' downtown wid Freddie. . . . [*He hurries into Kitchen and returns immediately with an old lathe almost as big as himself. It has a short cross-piece tied on to one end so that it resembles a sword. He waves it as he crosses to outside door.*] This is fo' that li'l nigger bastard if he gits fresh. . . . [*He stops suddenly.*] Whut's a matter, Lucy? [*She remains silent. He gestures with disdain.*] Aw, whut the hell do I keer . . . ?

[*Exits. His voice and FREDDIE's are heard running off. A pause. LUCY is still in the same position, when a knock on the door is heard. She raises her head and calls in a matter-of-fact voice.*]

LUCY: Come in, please. [*The door opens and RUSSELL EVANS is seen. He enters. LUCY rises surprised and confused.*] Oh . . . how do. How you, Mist' . . . Mist' Russell . . . ?

EVANS [*somewhat at a loss as to what to say*]: I'm all right. [*Crosses down to her.*] How are you, Lucy? [*He shakes her hand.*]

LUCY [*trying to control her excitement*]: Jest so. I've ben sick-like. But if I'd a knowed you was comin', I would've fixed up a bit. . . .

EVANS: Oh, that's all right. . . . [*They stare at each other, embarrassed.*]

LUCY: Set yo'self down, please . . . if yuh like. . . .

EVANS: I'll stand. But you better sit. [*She does so. He looks at her for a brief pause, then . . .*] I passed by here a few minutes ago and saw you had some visitors, so I drove around town a bit. . . . [*She is silent, waiting.*] Wasn't that the . . . law here?

LUCY: Uh huh.

EVANS: It seems that they . . . that your Sheriff here was looking for me last night. I was away in Fullerton seeing some customers. But I phoned up a while ago and . . . I . . . I heard you wrote me a letter. . . .

LUCY: Yes, I did.

EVANS [*rather tongue-tied*]: Well . . . what was all the fuss over? I mean why they called me up. What was in the letter . . . ?

LUCY: Oh, nuthin'. . . .

EVANS: Nothing? Well, there must have been something. . . .

LUCY [*a brief pause*]: Why . . . why didn't yuh answer my letters I sent yuh tuh Tulsa, Mist' Russell . . . ?

EVANS: Oh . . . those letters . . . [*Guiltily.*] Well, I don't know . . . you see, I felt kind of bad . . . kind of . . .

LUCY: Yuh mean . . . 'bout . . . 'bout that Cookesville thing?

EVANS: Yes . . . that's it. [*A pause.*] But what was it you wrote me last night? Don't yuh want to tell me?

LUCY: Yes, I'll tell yuh. . . . [*Swallows; it is hard for her to speak.*] I wrote yuh that . . . that them nigger boys didn't do that at all, whut I said they did at the trial. . . . I wrote yuh that the polices skeered me

. . . an' I made up that story on them boys. . . .

EVANS [*amazed*]: You wrote me that?

LUCY: Yes, I did.

EVANS: Well, why did you want to write me, that?

LUCY: I wrote it tuh you, cause my heart was hurtin' me . . . and I wanted tuh tell it tuh someone . . . 'cause I hated myself fo' it, ever sence that trial an' couldn't sleep at night an' was 'shamed of myself an' got sick fer worryin'. . . .

EVANS [*becoming a little warmer to her*]: Well, why didn't you write it to me before in your other letters?

LUCY: I would 'ave . . . if you'd a answered one. I ben tryin' tuh write it tuh yuh an' jest couldn't . . . cause yuh didn't write back an' I was skeered of the law, but last evenin' when I learned yuh was back in town, I made up my mind to write yuh the whole truth. . . .

EVANS: Uh huh. [*He looks at her, sympathetically for the first time since he entered the room.*] But how did you know I was in town?

LUCY: Well, I asked the hotel man, after I didn't git no answer from yuh, to please let me know when yuh did git tuh town . . . an' he sent around his boy yest'day an' that's how I learned it.

EVANS [*slowly*]: You mean . . . even after I kept quiet to your letters, you still wanted to see me . . . ?

LUCY: Sho', I wanted tuh see yuh. I jest hoped yuh would come back, an' I talked tuh Mist' Fredericks an' asked him if yuh would be 'round sellin' agin, an' he said . . . yuh might . . . an' so I didn't give up hopin'

tuh see yuh jest once mo'.

EVANS [*with his desire to know, he loses what little veneer of worldliness he does possess and is very much the boy*]: Why . . . why, Lucy?

LUCY: Well, 'cause you're 'bout the only one in the world that I ever keered fo' . . .

EVANS [*the boy looks at her, he is almost embarrassed by her simplicity and sincerity; then slowly*]: You mean . . . that you're in love with me . . . ?

LUCY [*smiles wistfully, hoping for him to understand her*]: Well, I don't know 'bout love, Mist' Russell, but I do know I never keered fo' nobody else but you in my hull life. . . .

EVANS [*pretending not to believe her. He delights in hearing this*]: You don't mean that with all those fellers you've been out with, you never liked one of them more than me . . . ?

LUCY [*simply*]: No . . . I never liked none of them at all. Not like I do you. . . .

EVANS: Well . . . [*Smiles helplessly.*] . . . if you're sure you mean it. . . . [*He looks at her. Then suddenly takes her by the shoulders and embraces her. He kisses her.*] I like you, too, Lucy. And I'm happy to know that all that Cookesville mess isn't true about you. It isn't, is it?

LUCY [*almost breathless*]: No . . . they never touched us at all.

EVANS: I hope you're not just saying this for me. . . .

LUCY: It's Gawd's own truth, Mist' Russell. . . .

EVANS: Would you swear to it if . . . ?

LUCY [*quickly*]: Yuh know I wouldn't lie tuh yuh. . . .

I'll swear it by the Lo'd A'mighty an' I don't keer if the law do git me fo' it . . . or what people say of me. . . .

EVANS [*a slight pause; admiringly*]: I believe you . . .

Lucy. But do the people around here talk much? [*She nods.*] Do they make you feel ashamed?

LUCY: 'Shamed? Why, I cain't even hold up my haid. . . .

EVANS: You poor kid. . . . [*A slight pause.*] You've had to go through a hell of a lot, haven't you? [*Another pause.*] You've got such lovely eyes. . . . [*She smiles at him, almost crying for happiness.*] You know I'm sho' I like you. . . . [*Slight pause.*] You know Lucy . . . I feel I'd like to take care of you and protect you from all these damn rubber-necks and sheriffs. . . . [*She looks at him, her eyes shining.*] Listen . . . would, would you go away with me?

LUCY [*not comprehending*]: Huh?

EVANS: Would you do that?

LUCY [*her heart in her throat*]: Where?

EVANS [*excitedly*]: To Tulsa, to St. Louis, anywhere I go.

LUCY: I would, Mist' Russell. I would go anywhere at all with yuh, but I'd be awful skeered. . . .

EVANS: Of what?

LUCY: Well, you saw the Constable an' the law heah. . . .

[*He nods.*] They came heah with a paper fo' me tuh sign. . . .

EVANS: What for?

LUCY: 'Bout that letter I wrote tuh yuh. They wanted me tuh swear that I was drunk an' didn't know what I was



doin' when I wrote it. . . .

EVANS: Did you sign it?

LUCY: Yes, I did. I was feelin' so tired then, an' gived up hope you was comin'. . . . But if I'd a knowed you was comin' . . . I woulda died 'fo' I signed anythin'.

EVANS: Well, what are you afraid of?

LUCY: Yuh see, they phoned the state solicitor at Cookesville, an' he's comin' down heah tuh Humbolt tonight tuh talk tuh me. . . .

EVANS: Well . . . ?

LUCY [*with fear*]: He might try tuh 'rest me if I wanted tuh leave town with you. . . .

EVANS [*angrily*]: He will like hell! He'll have a fine chance tryin' to do that. Now, looka here, Lucy. I want you to leave this damn place with me. I'll take care of you from now on. You won't have to fear nothing, no more. . . . Don't you forget that. . . . [*He holds her tightly to him.*]

LUCY: I won't fo'git it, Mist' Russell. . . .

EVANS: Now, you cut out the Mister. I'm just Russ . . . I'm your Russ. Do you understand that? [*She nods, holding tightly to him.*] And no law, no solicitor is goin' to trouble you from now on. Now, do you feel strong enough to do some travelling by automobile?

LUCY: What, now?

EVANS: Sure. Right now. This minute.

LUCY: I feel strong with you, Russell. . . . [*She is all excited and can hardly speak.*]

EVANS [*with determination*]: Then get your things packed.

LUCY [*moves toward her room*]: I haven't but a coupla old dresses. . . .

EVANS: Then leave them here. We'll get you some new ones. Take your coat, though. It'll be cold, going fast. . . . This it? [*Points to her coat on the couch that she had used to keep her warm. She nods quickly. He crosses to it and hurrying back, helps her into it.*] Come on, let's go. My grip is in the car, and that's right around the corner. Think you can make it?

LUCY: I sho' can, Russ.

EVANS: Well, let's go, Lucy. [*His arm about her, they take a few steps toward the door. Suddenly he stops.*] Don't you . . . maybe you'd like to say good-bye, huh? Maybe I have no right to drag you off like this . . . ?

LUCY [*a short pause. She turns and looks about the room, slowly, almost with an air of abstraction, then turns back to EVANS*]: No, Russ . . . I got nuthin' tuh say good-bye tuh. . . .

[*With EVANS' arm about her, they exit rapidly.*]

CURTAIN

**ACT THREE**



## ACT THREE

### SCENE ONE

*A few weeks later in the office of NATHAN G. RUBIN in New York City. His private office is seen. In the rear is a large draped window overlooking the Battery and its skyscraper towers. Directly in front of the window: a magnificent modern desk. Left: a door leading to the outside offices. Inset bookcases in the walls which are panelled with rich dark wood. Thick rugs, leather armchairs and couch. Inter-office telephone on desk. It is about noon.*

*Seated at the desk is RUBIN smoking a curved stem pipe. In one of the leather chairs is VICKY SALVATINI, smoking a cigar. At his side on a modern end-table: a high-ball glass. JOHNNY, RUBIN'S small and dapper secretary is mixing the drinks at a concealed place formed in one of the bookcases.*

*There is an air of luxury combined with efficiency. The conversation between attorney and client is easy, fluent and friendly.*

SALVATINI [*drinks, then in familiar New Yorkese*]: No, Nate. I ain't worried. But we're all dependin' on ya. So what the hell . . . ?

RUBIN [*quietly*]: What do you mean, what the hell?

SALVATINI: Nottin'. Only you must tink we guys get the dough from trees. . . .

RUBIN [*casually*]: I don't give a damn where you get it, Victor.

SALVATINI: Sure, but have a heart. Have a heart. These are bad times, Nate.

RUBIN [*pretending annoyance*]: Do you think your pal Freddie up the river is interested in bad times or good times? He's interested to know one thing. If you guys are going to stick to him like he stuck to you. . . .

SALVATINI: I know, Nate . . . but twenty grand is a big lump. A helluva big lump, and if he ain't got no chance. . . .

JOHNNY [*refilling SALVATINI's glass*]: Now in my time, Vicky . . . twenty grand wouldn't have meant . . .

SALVATINI [*irritably*]: I know, I know, I know what you're gonna say, Johnny. Don't gimme dat bologney. Sure, you got a soft job . . . so you're tryin' ta tell me how much talkin' goes inta twenty grand. . . . [*To RUBIN anxiously.*] I ain't worried about dat . . . but they got it on him dis time. . . .

RUBIN [*with scorn*]: Yeah, they think they have.

SALVATINI: . . . And so what's the use trowin' away good dough after bad . . . ?

RUBIN [*rises with dignity*]: Huh? You think I'm going to lose this case by any chance? [*Crosses to SALVATINI and leaning over him as he would over a witness in court, points his finger and pokes his shoulder with it in beat to his words.*] Say, listen here . . . Vicky Salvatini. I've grabbed eighty-two men from that hot seat up the

river and I can sneak away another one from it, before they know it. [*Crosses back to his desk. Takes his drink in hand.*] Why, I'll batter their brains out.

SALVATINI [*with more confidence*]: You sure, Nate?

RUBIN: Sure? Hm. Like I'm standin' here. It's a cinch. [*Chuckles softly.*] Freddie'll be out and free . . . I'll bet you the price of a new Lincoln any make . . . this time next week.

SALVATINI [*completely assured and smiling*]: Swell. Dat's the way I like to hear ya talk, Nate. It reminds me of dat time . . .

JOHNNY: Like to take him up on that bet, Vic?

SALVATINI [*making a gesture as if to hit him*]: Go on, go on, go on. Tink I'm a sucker? When Nathan G. Rubin says this time next week . . . What time is it?

JOHNNY [*referring to his wrist-watch*]: Half-past three.

SALVATINI: Then he means half-past two. [*Crosses to RUBIN and helps himself to a cigar from the humidior on the desk.*] Say, I lost to you so far, a Stetson, a watch and one stick-pin. Now you're lookin' for a free Lincoln?  
[*They laugh.*]

JOHNNY: You have that appointment with Mr. Rokoff at half-past three, Chief.

RUBIN: That's right. Well, listen, Vicky . . . [*Walks him toward door.*] You get your mugs together and tell 'em I want that dough before the end of the month. . . .

SALVATINI: But that's only . . .

RUBIN [*to JOHNNY*]: Ask Mr. Rokoff to come in. [*To SALVATINI.*] Uh huh. No buts. I'm leaving town in a couple of weeks so I'll need the cash.

SALVATINI: You dunno, Nate. But we guys work for our money. . . .

RUBIN: Yeh, yeh. . . .

SALVATINI: Where ya leavin' for?

RURIN [*opening door*]: South.

SALVATINI: Palm Beach? For your health?

RUBIN: I don't know how healthy it'll be. . . . [ROKOFF *appears in doorway with HARRISON, a negro attorney.*] Hello, Rokoff.

ROKOFF: Hello, Mr. Rubin. This is Mr. Harrison of the N. L. D.

RUBIN: Pleased to meet you, Mr. Harrison. [*They shake hands.*] This is a client of mine, Victor Salvatini. [*Introduces them to each other.*] Mr. Rokoff. Mr. Harrison. [*They all shake hands. While this is going on, JOHNNY has answered a buzz and is speaking on the phone.*] Well, see you tomorrow, Vic.

SALVATINI: Okay. [*To ROKOFF and HARRISON.*] Glad to meet ya. [*Waves and exits.*]

RUBIN [*he calls to him down the hall*]: Don't forget . . . cash.

SALVATINI [*calling back*]: Don't worry, don't worry. . . .

RUBIN [*closes the door and crosses to desk*]: Sit down, gentlemen. Make yourself at home. [*They seat themselves. RUBIN to JOHNNY.*] Who's that, John?

JOHNNY [*as he hangs up*]: Nothing at all, Chief. Judge McCarthy wants you at the Jefferson Dinner, Sunday.

RUBIN: Tell him O. K. [*JOHNNY does so.*] Mix up some drinks. [*To HARRISON.*] What'll you have, Mr. Harrison? Scotch, gin, rye?



HARRISON: Anything you like. . . .

RUBIN: Give him that blue Manhattan, John . . . [To ROKOFF.] . . . and you, Mr. Rokoff. Something red I guess?

ROKOFF: Better make them all red, today.

[All laugh.]

RUBIN: Okay. Mix 'em up, John. [JOHNNY proceeds to mix the drinks. RUBIN refills his pipe and seats himself on the side of the desk.] Weren't you . . . [Lights his pipe.] with that big law firm up in Harlem, Mr. Harrison?

HARRISON: Yes. I was. Jones, Bevins and Harrison, you mean. . . .

RUBIN: Yeah. What did you do? Drop it altogether? You were doing well.

HARRISON [with a smile]: Yes. We were rather successful. But I'm with the N. L. D., now.

RUBIN: You mean you've given up a swell practice just like that . . . ? [Snaps fingers.]

HARRISON [smiles]: Yes . . . just like that. . . . [Snaps fingers.]

RUBIN: I guess you're one of these idealists. . . .

HARRISON: On the contrary I'm a thorough materialist. . . .

RUBIN [a slight pause, somewhat puzzled, then]: Hmmm.

Well, to get down to cases. . . . [He puts away the matches. The others settle themselves comfortably.]

I've gone through the whole thing, gentlemen and as I told you I agreed to come into it on two conditions. . . .

ROKOFF: That's right.

RUBIN: First, that I had to be convinced that the boys were innocent and second, that I could win the case. . . . [ROKOFF *nods.*] Well, I've gone over all the testimony here . . . [*Places his hand on a pile of papers and law-books near him.*] and records and I'm quite convinced the nine boys are innocent. . . .

ROKOFF: We're very pleased to hear that, Mr. Rubin. . . .

RUBIN: . . . But I'm not so convinced that I can get a complete acquittal. . . .

ROKOFF: Why not?

RUBIN: Why not? Well . . . the state's entire case as it stands is the word of two white girls against the word of nine negro boys. About the state's other witnesses, I'm not worried. We can show them up easy enough. These affidavits you've gotten together are swell. But the state statute says simply that if the woman swears to a rape then she's been raped and that's all. And if the jury believes her, then it's just too bad. . . .

ROKOFF: Yes . . . ?

RUBIN: So our job is to make the jury believe she's a liar. . . .

ROKOFF: Certainly.

RUBIN [*holding up his hand*]: Not so certainly. True enough, you've got some swell affidavits showing these girls and especially this Virginia Ross to be of low character . . . still, we've got no real, concrete evidence that will conflict with her story. And that is the only but chief technical weakness. . . .

HARRISON: May I interrupt . . . ? [RUBIN *nods.*] We

realized that some time ago, Mr. Rubin . . . and therefore we've made a thorough investigation in Chattanooga about this Mrs. Cary Richy. She's the woman that these girls swore they spent the night with.

RUBIN: The night just before the train-ride. . . .

HARRISON: Exactly. And I have here this wire we've just received from our associate . . . Attorney General Cheney. [*Rises and hands RUBIN a telegram form.*]

RUBIN [*reads it aloud*]: Have thoroughly investigated so-called Cary Richy stop No person in Chattanooga knows her, ever heard of her, has ever seen her stop Investigated house and street claimed to live in stop All residents of street deny she lived there stop Tenant of said house has been living there over fifteen years stop signed Cheney. [*RUBIN looks up at ROKOFF who is standing near him. He smiles broadly then slaps the paper with his other hand.*] This is the stuff. Now, that's something to work on. This shows a crack in the cement. Now we've got to break her down on the stand. . . .

ROKOFF: Well, then, Mr. Rubin . . . does this give you the certainty you require?

RUBIN [*a brief pause. He smiles*]: I guess you don't know me, Rokoff. If I had to wait for one hundred percent fool-proof cases every time then I'd have to begin doing divorce actions. No. I feel and I know that these boys are innocent and if I didn't know that . . . we wouldn't be sitting here together now. But I don't want no five or ten or twenty year verdicts. . . . I'm going

down there to get a full acquittal. I'm going down there to bring those boys home with me and . . . and it's evidence like this . . . [*Shakes the telegram form.*] that'll give us that full acquittal. Get me?

ROKOFF: Then you agree to handle the case . . . ?

RUBIN: Just one more point. You see, I've been hearing a lot of funny things, all sorts of stories. Well, first . . . that you fellers are . . . are . . . well, regular communists.

ROKOFF [*smiling*]: Well . . . ?

RUBIN: Well, are you?

ROKOFF: I'm not a member of the party, but there are a great many things they advocate that I do agree with.

RUBIN: For instance?

ROKOFF: Well, first I believe that the best legal defense is the best political defense. . . .

RUBIN [*interrupting, good-naturedly*]: Now, now. None of that book-stuff with me, Joe. Come down to cases.

ROKOFF [*smiling broadly*]: Well, have you ever been down South?

RUBIN: Sure. Washington, D. C.

ROKOFF: I mean the real South. Mississippi, Georgia, Alabama. [*RUBIN shakes his head.*] Well, I've been in these places and I've fought for dozens of negro and white workers in Southern courts. I fought that strike case in South Carolina in 1928. . . .

RUBIN: Yeah. I remember. A swell job. . . .

ROKOFF: Thanks. So, I think I know what I'm talking about when I warn you that if you expect to get an

unprejudiced jury or an impartial judge or anything resembling a fair trial, you're mighty mistaken, Mr. Rubin. . . .

RUBIN: Well, you leave that to me.

ROKOFF: We intend to. That's our policy. A two-fisted one. [*He clenches both fists and holds them up.*] With the right fist . . . the finest legal analytic defense in the country, Nathan G. Rubin . . . and with the left fist . . . the greatest, widest mass protest action on a national and international scale . . . Two-fisted. . . .

RUBIN: That's just it. A lot of people have been saying that if it hadn't been for this south-paw, left fist policy of you reds . . . I mean your organization . . . those boys would have been free. . . .

HARRISON: If that were so, Mr. Rubin, why weren't they freed in Cookesville two years ago, when there was no mass action, when the boys had only Southern lawyers and when the N. L. D. was a thousand miles away?

RUBIN [*puffing his pipe, thoughtfully*]: That sounds logical enough. But I wouldn't want to be hampered in any way. . . .

HARRISON: We don't intend to hamper you. Last summer we engaged as you know one of the finest Constitutional attorneys in the U. S. to plead the case in the Supreme Court in Washington and we didn't hamper him any. But we do attribute to a great extent the decision for this new trial, to the demands of thousands of workers all over the world and not to any generosity on the part of the courts. . . .

RUBIN: That's fine. As long as you keep out Communism from the courtroom I don't care what you do outside. . . .

ROKOFF: We agree to that. You see, all I wanted to do was to show you the various underlying reasons for this case, economical and sociological. . . . This is not merely a rape case . . . it's bigger than that. It's the Southern ruling class on trial . . . it's . . .

RUBIN [*laughs, good-naturedly*]: Sure. Sure. But I'm only interested in this case. You do what you like on the outside. Make speeches, hold meetings. . . . By the way, do you have enough money for expenses?

ROKOFF: You see, Mr. Rubin, I don't like you to do this but I'm afraid you'll have to. You know, in spite of what Mr. Fish says there's no Moscow gold around us and every penny we have has been donated by nickels and dimes from the workers all over the country. . . .

RUBIN [*indulgent*]: Sure. I know. What about it?

ROKOFF: Of course you realize that we can't thank you enough for the grand thing you're doing by not asking any fee at all and that's why I feel so embarrassed to ask you to lay out your own expenses. They won't be much.

RUBIN [*rubs his chin, slowly*]: Well, I figured on bringing my assistant along. That'll run up. Hotels, fares. . . . Well, I don't know. . . . [*To JOHNNY.*] Hey, John! Get in touch with Salvatini. Tell him I want that dough by Monday. . . . [*JOHNNY makes a note.*] Okay, Joe. We'll put the expenses on the ice too. [*Extends his hand. They shake hands with enthusiasm.*] But

don't you fellers make me any revolution in the courtroom. And no bombs whatsoever. . . . [*They laugh.*] You know . . . I may joke about it but you've got me pretty worried with this mass action and protest meetings. Maybe . . .

[*The telephone buzzes. JOHNNY answers it.*]

JOHNNY: Who? [*Turns to ROKOFF.*] It's somebody for you in the outside office, Mr. Rokoff.

ROKOFF [*crosses and takes receiver*]: Thanks. Hello . . . Frank . . . What? Who? Bring him in. [*Turns to RUBIN, excitedly.*] My clerk is outside . . . with . . . with Lewis Collins. . . .

RUBIN: Collins? Who's he?

ROKOFF: He's one of those white boys who jumped off the train. . . .

RUBIN: Bring him in, John. [*To ROKOFF.*] One of those hoboes that disappeared?

ROKOFF: Yes . . . but what . . . [*Door opens and JOHNNY ushers in FRANK TRAVERS and LEWIS COLLINS.*] Hullo, Frank. What . . . ?

TRAVERS: This is Mr. Collins, Joe. They asked me to rush him down. . . .

ROKOFF [*seizing COLLINS' hand and shaking it. He is all confused*]: Glad to meet you.

TRAVERS: I've got to get to court, Joe. I'll run along.

ROKOFF: Okay, Frank. See you later. [*TRAVERS exits. To COLLINS.*] This is Mr. Rubin and Mr. Harrison.

RUBIN: Pleased to meet you. [*Shakes hands with him.*] Have a seat.

COLLINS [*sits. Looks around with interest, especially at*

*view of sky-scrapers*]: Thank yuh, suh.

RUBIN [*also, somewhat confused, turns to JOHNNY*]: Hey, John. What you waiting for? Mix him up a drink.

ROKOFF: Sure. . . . Give him a drink. Well . . . Mr. Collins . . . what are you doing here? I mean . . .

COLLINS [*smiles and drawls*]: Well, I kin tell yuh all yuh want tuh know, Mist' Rokoff.

ROKOFF: You're one of those fellers that had that fight with the negro boys and jumped off that train near Stebbinsville?

COLLINS: Yes suh. I was right there.

ROKOFF: Well, how did you get up here in New York? When? How?

COLLINS: Yuh see, suh, I've ben bummin' around this heah country the las' coupla yeahs, ever sence that frame-up in Cookesville. . . .

RUBIN [*ejaculates*]: Frame-up?

COLLINS: Sho'. That's whut it were. A frame-up. I seen it all. They tried tuh make me tell stories too. But I wouldn't do it. Not fo' them bastards. Hell no!

RUBIN [*also terribly excited now*]: Well . . . ?

COLLINS: Well, I'm tryin' tuh tell yuh . . . I finally got so . . . well . . . feelin' kin' of bad 'bout the hull thing. An' one day I read in a Kansas City newspaper that the Supreme Co't up in Washington was givin' the boys a new trial an' right theah in Kansas City I made up my min' tuh come tuh New York State. . . .

RUBIN: Why to New York . . . ?

COLLINS: Well, I'm comin' tuh that, suh. Yuh see, I felt them po' niggers, oh . . . [*Turns to HARRISON.*] I jest



didn't notice yuh. . . .

HARRISON: That's all right. [*Smiles pleasantly to him.*]

COLLINS: Well, I felt them kids didn't deserve tuh die fo' somethin' they never done an' they was jest lookin' fo' a job an' was ridin' on that theah train same as me. . . . An' maybe some day I would be in a tight hole an' maybe I would jest need a negra kid to say somethin' fo' me. . . .

RUBIN: Wait! You mean, you say these boys never did it? Never raped those girls?

COLLINS: Well, I'm sho' they never done it, suh. That's why I'm heah. Yuh see, I figgered . . . well, I didn't know who tuh go tuh and I figgered on goin' tuh see the Yankee governor heah, Mist' Roosevelt . . . an' tuh tell him the truth.

RUBIN [*gives him the drink that JOHN has mixed for him*]: Here, have a drink. It'll do you good.

COLLINS: Thank yuh. I sho' need a drink. I ain't co't a bittie sleep in three days now. B'en ridin' the freights. [*He drinks.*] That ain't so bad. Well, I went up to see that Yankee Governor o' yourn at Albany an' he was too busy. So I saw his assistant an' he said fo' me tuh go to the attorneys fo' the defense. So I looked up all the papers wherever I could find them and finally I saw yo' name, Mist' Rokoff, an' looked up yo' address in the directory an' come up tuh yo' office. Then they shipped me down heah right quick an' in a *taxi*.

RUBIN: That's fine. That's swell but what makes you think these boys are innocent?

[*Everyone leans forward. They all breathe hard.*]

COLLINS: Well . . . [*He takes another drink, and smiles with satisfaction.*] This heah is better'n Coca Cola. Huh? Well . . . [*Wipes his lips with the back of his hand.*] It's this-away. I read as how that Virginia Ross woman tol' how she went tuh Chattanooga with Lucy Wells tuh look fo' work in the mills theah an' how she spent the night with a lady called Mrs. Cary Richy. . . .

RUBIN: That's right. That's her story.

COLLINS: Yeah, but it's all one big, damn lie. She never went theah tuh look fo' a job. She went theah with me an' Lucy to go bummin'.

RUBIN: Wha-at?

COLLINS: Sho'. Virginia an' Lucy never spent that night with no Cary Richy whoever she is . . . they spent the hull night with me an' Oliver Tulley in a hobo jungle. . . .

RUBIN: What did you do there . . . in the jungle?

COLLINS: Oh, we talked an' we ate some sandwiches that we bummed an' . . .

RUBIN: What else?

COLLINS: Well, we had some fun. . . .

RUBIN: What do you mean, fun? With whom? With this Ross woman?

COLLINS: No, I wouldn't tech that Ross gal. She's poison. I was with Lucy . . . Lucy Wells.

RUBIN [*all are quite tense*]: You mean you slept with her there in the jungle?

COLLINS: Well, we didn't sleep much. . . .

RUBIN: You mean . . . you . . . ?

COLLINS [*smiling*]: I sho' did.

RUBIN: That's all. [*He says this as though he had just finished the examination of a witness in court. He is terribly elated and gives almost full vent to his voice.*] Joe! We got 'em. This'll knock their medical evidence for a loop. Jeez. We'll go down there and we'll batter their brains out. [*All chatter noisily with unsuppressed glee.*] Yeah . . . and this little boy from New York is gonna bring those nine kids home and dump 'em into your lap. . . .

CURTAIN

## ACT THREE

### SCENE TWO

*Two weeks later. The court-room in Dexter. The court has been in session all day and for the past week. It is afternoon. The windows are covered with yellow blinds against which the sun's rays strike. The audience is comprised mainly of whites. The negro spectators are confined to a small section near the side. An arm-chair is directly in front of the judicial dais. This is the witness chair. It faces the jury and audience. The jury is separated from the audience by a wooden railing and the jurors have brass railings on which they rest their feet as they swing back on their swivel seats. Between each pair of jurors is a large cuspidor and these are used frequently and with expertness.*

*To the right of the judge: the defense table with ROKOFF, RUBIN, CHENEY and the defendant, HEYWOOD PARSONS. To the left of the judge: the prosecution with SLADE the Circuit Solicitor, MASON the Cookeville Solicitor and DADE the Attorney General. Back of the defense: a row of chairs and two doors. Back of the prosecution table: the reporters' table and back of them, a door.*

*The jurors and white audience are for most part . . . lean, hard-faced, thin-lipped individuals, raw-boned*

*and provincial. Many wear heavy, mud-caked, cowhide boots and overalls. The JUDGE, ironically enough, resembles Abraham Lincoln without the beard. He speaks in a soft drawl. At the reporters' table: about ten gentlemen of the Press. The small negro audience is separated from the whites by an aisle.*

*The atmosphere is quiet; the soft-spoken drawls of most of the speakers strangely intensify this quiet grimness and ominousness rather than decrease it. Placed in strategic positions about the court-room are many soldiers carrying rifles with bayonets and in full uniform. A captain is in charge of them. He sits up front.*

*When the curtain rises RUBIN is seen facing a negro witness seated on the witness chair. The latter is an elderly, good-looking negro, well-dressed and well-spoken. He is answering a question.*

WATSON: Dr. Theodore Henry Watson, sir.

RUBIN: Have you ever gone to school?

WATSON: I am a graduate from Tuskegee Institute and have my master's in the University of Illinois.

RUBIN: Can you read and write English?

WATSON: Yes, sir.

RUBIN: What is your business?

WATSON: I am the acting dean of a college and a trustee of a church.

RUBIN: Have you ever been called for jury service?

WATSON: No, sir.

RUBIN: Have you ever been examined on your qualifications to serve?

WATSON: Never.

RUBIN: Thank you. That's all.

[*He crosses back to defense table as DADE crosses to witness. DADE immediately takes a familiar tone with the witness, placing one foot on the rung of the chair, leaning over him and pointing his forefinger at him.*]

DADE: What is your name?

WATSON: Theodore Watson.

DADE: That's fine. Now listen, Teddy, you answer this. . . . [*Keeps pointing his finger at him. Someone in court giggles.*] You mean you're a trustee in a church and on the board of a college?

WATSON: Yes, sir.

DADE: Don't you mean a negro college and a negro church, Teddy?

WATSON: Yes, sir.

[*Two or three men guffaw in the court-room.*]

DADE [*smiles at the jury then turns back to witness*]: Now listen, Teddy . . . you mean to say . . .

[*RUBIN leaps up infuriated and crosses to DADE's side.*]

RUBIN [*shouting at him, belligerently*]: Stand back, you! Stand back! [*DADE almost reels back in his astonishment.*] Stop your bull-doing of this witness. Take your finger out of his face and call him . . . *Mister!*

DADE [*screams, losing control*]: I never have and I never will. . . .

RUBIN: You'll have to learn how. . . .

[*The court is in an uproar.*]

JUDGE [*tapping his gavel*]: Now gentlemen, please. Let us conduct ourselves in an orderly fashion. Order please. Quiet.

DADE [*recovering himself. The court comes to order*]: All right. [*Crosses back to witness. Then exceedingly polite with pretended civility. The court guffaws again almost as he starts.*] You don't mean to say that you consider yourself eligible to sit on a jury with white men . . . ?

RUBIN: Objection.

DADE [*smiles to jury very satisfied*]: That's all. I'm through.

[*As he returns to his seat laughing, RUBIN is already speaking to the JUDGE. He speaks with some heat.*]

RUBIN: If it please the court, for twenty-five years the officials of this county have illegally and systematically excluded negroes of this community who are more than qualified to serve on juries. I have proven that, your Honor. No witness, white or black that has been on this stand this past week can remember or ever heard of a negro jurymen.

VOICE [*in court*]: Hell, no!

[*Laughter.*]

DADE: I deny the systematic exclusion of niggers. . . .

JUDGE: Does the state wish to produce any witnesses?

DADE: It does. I call, if the court please, Jury Commissioner James K. Crocker.

GUARD: Mr. Crocker.

[*CROCKER enters from the witness room back of the reporters' table and crosses to the witness chair.*]

CROCKER [*as he sits*]: How do, Jedge.

[JUDGE *nods*.]

DADE: Did you ever exclude a negro from your jury rolls because of his color?

CROCKER: No, I ain't never done that.

DADE: It was more a matter of selection than of exclusion, wasn't it?

CROCKER: Sho'. Sho'. Matter of selection.

RUBIN: Would you mind stepping away from the witness and obstructing the jury's view, Attorney-General Dade?

DADE: I'm sorry, gentlemen. I only want the witness to heah better.

RUBIN: He can hear from over there as well.

DADE: I'll stand where I please. He's my witness.

RUBIN: You are at liberty to climb up in his lap if you want to.

[JUDGE *raps gavel*.]

DADE: That'll be all, Mr. Crocker.

[*Returns to seat. CROCKER attempts to rise but RUBIN is already at his side.*]

RUBIN: Just a minute. What in your opinion has been keeping negroes off the jury if not their color?

CROCKER: Wa—al. They durn't have no sound judgement I guess.

RUBIN: Is that all?

CROCKER: Well, they steal an' ain't tuh be trusted nohow.

An' they durn't understand no law an' no justice.

RUBIN: You're sure of that?

CROCKER: Sho'. I wouldn't trust 'em so far . . . [*Holds*



*up forefinger and thumb held tightly together. Someone laughs.*] An' whut's mo' no white man would sit on a jury with a nigger. . . .

*[Loud muttering in court.]*

RUBIN [*irritated*]: I didn't ask you that. Answer the questions properly. You say you have never in all your years as jury commissioner found one colored man qualified for jury service?

CROCKER: No, I ain't.

RUBIN: In spite of the fact that there are learned college graduates, doctors and ministers in this county who are respectable, honest citizens?

CROCKER: What's the matter? Do yuh doubt my word?

RUBIN [*with scorn*]: Yes, I certainly do. How do you account for eligible citizens being denied their constitutional rights all these years?

CROCKER: I cain't account for it. It jest happens.

*[DADE laughs and slaps SLADE on the back, who also laughs.]*

RUBIN: That's all. *[As CROCKER leaves, he addresses the court.]* I move for dismissal on the grounds that negroes are being denied their rights as guaranteed them in the thirteenth, fourteenth and fifteenth amendments to the Constitution of the United States.

JUDGE [*after clearing his throat*]: The counsel for defense has established a prima facie case of systematic exclusion on racial grounds in violation of the fourteenth amendment but this court has decided to hear no further testimony on this question. The motion is denied.

[*At the reporters' table there is seen whispering and extreme activity. One reporter has a pet expression which he repeats at the conclusion of important testimony or when something unusual occurs. He says this nasally: "O-oh."*]

RUBIN [*with an expression of confusion and amazement. His lips move almost mechanically*]: I except.

[*Reporters send telegraph boys rushing out with scribbled forms.*]

JUDGE: Let us now proceed with the trial befo' the jury but befo' doing so, I wish to make a few points clear to the co't. Gentlemen of the jury, it would be a blot on our fair state if you would allow anything to stand in the way of justice. We in the South have always tried to be fair and just. Let us continue that noble record. So far as the law is concerned, it knows neither Jew nor Gentile, black nor white. We must do our duty and if we are true to ourselves then we cannot, no we cannot be false to any man. [*Turns to DADE.*] Will the state kin'ly continue to call its witnesses.

DADE: If it please your Honor, I call Mrs. Virginia Ross.  
[*Voices in court.*]

GUARD: Mrs. Virginia Ross.

[*She enters, crosses to stand and sits. MASON crosses to her. DADE has returned to his seat. She smoothes out her dress, crosses her knees prettily and looks about the court-room with a winsome expression. News photographers take flashlight.*]

MASON: What is your name, please?

VIRGINIA: Mrs. Virginia Ross.

MASON: What is your business?

VIRGINIA: I am a house-wife.

MASON: Were you on that train from Chattanooga . . . ?

VIRGINIA: I absolutely was.

MASON: And were you attacked and ravished by five negroes on that train?

VIRGINIA: They absolutely done that tuh me.

MASON: Can you identify the defendant as one of those who attacked you?

VIRGINIA: I absolutely can.

[*Simultaneous with MASON's question PARSONS is made to rise. The court murmurs.*]

MASON: Is this one of the negroes who raped you, Mrs. Ross?

VIRGINIA [*angrily, pointing her finger*]: Yes. He is one of them niggers who done raped me.

MASON: Thank you, Mrs. Ross.

[*As MASON seats himself RUBIN strides over to her.*]

RUBIN: You have been arrested and convicted and have served sentence for offenses of lewdness and drunkenness. Have you not?

DADE: We object.

RUBIN [*waves a handful of papers*]: I have the proofs and affidavits right here.

JUDGE [*to Clerk*]: Give me the second volume of the State code, please. [*This is done. He refers to it.*]

DADE: We don't care whether this woman has been convicted for forty offenses but she has never been

convicted for sleeping with a negro.

RUBIN [*furious*]: She's done that too, and I'll prove it. . . .

JUDGE [*Court in disorder. JUDGE raps gavel and leans over.*] Are these violations of city ordinances or state ordinances, Mr. Rubin?

RUBIN: Of course, city ordinances and I beg leave to read them. . . .

JUDGE: I'm sorry, I'm forced to bar them. They are not admissible. Objection is sustained. [*Returns volume to CLERK.*]

RUBIN: I take exception to the court's ruling. It seems to me that if a woman has been convicted of prostitution by a state court or any other court, a jury is entitled to know that. [*JUDGE wags head. Glares at the JUDGE for a moment. DADE winks to SLADE.*]

RUBIN: What were you doing in Chattanooga?

VIRGINIA: I jest was theah tuh look fo' work.

RUBIN: With whom?

VIRGINIA: With Lucy Wells.

RUBIN: Where did you look?

VIRGINIA: In the cotton mills.

RUBIN: Which ones?

VIRGINIA: Well, yuh wouldn't expect me tuh remember that?

RUBIN: Answer the question.

VIRGINIA [*impudently*]: Well, I jes tol' yuh. How many times do yuh have tuh ask me? I don't remember. . . .

[*Laughter in audience.*]

RUBIN: You testified at the Cookesville trial that you and

Lucy Wells slept in the home of a Mrs. Cary Richy on the night before the train ride. Is that right?

VIRGINIA: We did sleep theah.

RUBIN: Where does Mrs. Richy live?

VIRGINIA: In Chattanooga.

RUBIN: What street? What number?

VIRGINIA: I don't remember no number. It was the third house from the corner.

RUBIN: What street?

VIRGINIA [*simulating exasperation*]: I don't exac'ly remember . . .

RUBIN: As a matter of fact, Mrs. Ross, isn't it true that you got this name Cary Richy from a character in the Saturday Evening Post stories by Octavius Roy Cohen—sis Cary—that you got this name there? [*Offers copy of magazine to Clerk.*]

DADE: Objection. I don't care what she did, the only thing we're interested in is whether she was raped.

RUBIN [*heatedly*]: I'm testing her credibility.

DADE: You know that is no proposition of law.

RUBIN: Address your remarks to the court!

DADE: You make it necessary to address them to you.

RUBIN: I have been a gentleman but I can be otherwise, too.

JUDGE: Wait, gentlemen. Don't either of you say anything. I won't have another word between you. Ask the question and the court will pass on it. General Dade's objection is sustained. Proceed, please.

RUBIN: Didn't you spend that night in a hobo jungle with Lucy Wells, Lewis Collins and Oliver Tulley?

VIRGINIA [*defiantly*]: No, I never done that.

RUBIN: Do you deny you know Lewis Collins?

VIRGINIA: I never heard of him or seen him in my life.

RUBIN: Didn't you make up this whole tissue of lies about these negroes attacking you, and didn't you force Lucy Wells to swear to your lies because you were afraid of being arrested yourself for prostitution?

VIRGINIA [*rising, screams*]: I'll have you know . . .

DADE [*simultaneously*]: I object.

RUBIN: This is perfectly relevant, your Honor.

JUDGE: Well, suppose you reword it, Mr. Rubin.

RUBIN [*after a sigh*]: Did you not make up this story for that reason?

VIRGINIA [*very angrily, in a shrill voice*]: You bet' not talk tuh me in that so't of talk, Mister. I'm a decent lady an' I'll have yuh know . . .

RUBIN: Answer the question, please.

VIRGINIA: I never done made up no story . . . you . . .

VOICE: Let's get that goddam Jew bastard, boys.

[*Terrific noise in court. SOLDIERS rush about trying to keep order. The CAPTAIN strides here and there pushing people back into their seats and barking at them.*]

RUBIN [*shouting over the tumult*]: I insist on that man's arrest, your Honor.

[*The REPORTERS are almost frantic. They also converse excitedly, and rush their messengers out with scribbled telegrams.*]

JUDGE [*rising, shouts to a soldier, while hammering with his gavel*]: Officer, Officer! Have that fellow taken out

immediately. [*He sits, still hammering. The feeling in the crowded court-room increases in intensity. All over are mutterings and whisperings. The CAPTAIN opens his holster-flap and keeps his hand on his revolver-butt. He strides about giving orders to his men, and keeps a sharp look-out throughout the rest of the scene.*] If anyone in this room cannot behave himself, the place for him is outside!

RUBIN: I have the proof, Virginia Ross . . . that you concocted this whole story to save your own skin. . . .

DADE [*leaping to the front of the jury*]: Go 'haid. Prove it. Why don't you prove it?

RUBIN [*shouting back*]: I'd prove it . . . if I had Lucy Wells on the stand.

DADE [*with a triumphant shout. Jumping up and down in front of jury*]: Yes. Where is Lucy Wells? Where? I would like to know where the state's witness has disappeared to? What has happened to her? Who has done away with her?

RUBIN: I'm not a directory . . . [*slight pause*] and I'd appreciate it if the Attorney General would stop interrupting. [*He speaks quietly with an expression of amusement.*] I'd like to continue my examination.

JUDGE: Proceed.

RUBIN [*to VIRGINIA in another tone of voice, almost friendly*]: You say you had to take the freight train home because you had no money?

VIRGINIA: Sho'. I was dead-broke.

RUBIN: And after those negroes had that fight with the

white boys and threw them off the train, then they attacked you?

VIRGINIA: Yes, they jumped on me . . .

RUBIN: Was Heywood Parsons one of them?

VIRGINIA: He was the very first. He slammed me down and he ripped off my overalls . . .

RUBIN: Did he hurt you when he slammed you down?

VIRGINIA: Sho'. He hurt my back. . . .

RUBIN: I understand there were stones in the car. Did they make your back bleed?

VIRGINIA: Yes, it absolutely did. And he hit me over the haid with his gun.

RUBIN: And that bled too, didn't it?

VIRGINIA: Yes . . . he hit me right heah. [*Touches the side of her head.*]

RUBIN: I see. [*To the stenographer.*] For the record, the left side of the head. And then he tore your dress off, and attacked you?

VIRGINIA: Yes . . . an' another nigger tore open my legs. . . .

RUBIN: Did he make you bleed there too?

VIRGINIA: Yes, they hurt me terrible down theah. Then he said, 'Listen heah, white gal I'm goin' to . . .'

RUBIN: Well, never mind what he said. Answer only the questions. What happened then?

VIRGINIA: Then he said, after he got through ravashin' me that he was goin' tuh make me have a nigger baby, a black baby . . . an' he was goin' tuh take me up No'th an' make me his woman. . . .

RUBIN: He said that . . . ?



VIRGINIA [*almost screaming*]: Yes an' he said he was goin' tuh cut my neck open if I didn't let him . . .

RUBIN: Wait a minute. Say, you're a little bit of an actress, aren't you?

DADE [*jumping up and shouting*]: Don't answer that!

VIRGINIA [*pleased and rather impudent*]: Well, you're a pretty good actor yo'self.

RUBIN [*back to his usual pounding*]: Tell the jury, Mrs. Ross, why you . . . a complaining witness, were held in jail at Cookesville. What happened in that jail before the grand jury met to indict those nine boys?

VIRGINIA [*in a rage*]: Nuthin'! Nuthin' . . . an' you're a . . .

DADE: I object. This is wholly irrelevant.

RUBIN: It is not irrelevant.

DADE: It has nothing to do with the rape.

JUDGE [*tapping with his gavel*]: What relevancy has this testimony to the case, Mr. Rubin?

RUBIN [*angry*]: I'd like to ask if anyone ever heard in the history of this State of a single white woman being locked up in jail when she is the complaining witness against a negro?

DADE: We object.

JUDGE: Sustained.

RUBIN: Well . . . I'm going to show that the state's chief witness, this woman here, Virginia Ross, is an out-and-out perjurer. That's what I'm going to show before I'm through. This is only the beginning. [*To VIRGINIA suddenly.*] That's all.

[*She glares at him, then remembers, rises, looks about*

*the court with pleading eyes and trips off.]*

DADE [*as RUBIN crosses to his seat*]: I call Doctor Thomas of Cookesville.

GUARD: Doctor Thomas.

*[He enters and crosses to the chair.]*

MASON [*having already crossed to him*]: Doctor Thomas, did you examine Virginia Ross and Lucy Wells after they were brought to Cookesville?

DOCTOR: I did, suh.

MASON: What did you find in your examination of the two girls?

*[The court which had been slightly noisy after the exit of VIRGINIA suddenly hushes itself and everyone including JUDGE, JURY, REPORTERS and SOLDIERS lean forward, ears and mouths wide open. Two women rise and leave the room of their own accord.]*

DOCTOR: Well, I examined them one by one and found evidence of spermatozoa in both of them.

MASON: Would this show, Doctor, that these girls had been attacked?

DOCTOR: It certainly showed that they had had commerce with men.

*[Someone giggles.]*

MASON: Thank you, Doctor.

*[He seats himself. RUBIN crosses to examine him.]*

RUBIN: Doctor Thomas. Wouldn't it be true that if five men had attacked Virginia Ross, there would have been much more evidence of it?

DOCTOR [*cautiously*]: Well, yes . . . there wasn't very much. But there was some.

RUBIN: Was it difficult to find?

DOCTOR: Well, I had to make quite a thorough search . . . into the cervix itself.

RUBIN: As you testified in Cookesville, your examination took place only one to two hours after the alleged attack. Certainly there should have been more evidence found and without any difficulty.

DOCTOR [*warily*]: All things are possible.

RUBIN: When you examined Mrs. Ross, did you find her bleeding from her back or head?

DOCTOR: No, but she did have a couple of small scratches on her arms. . . .

RUBIN [*firmly*]: Kindly answer only my question. Was she bleeding from head or back? Yes or no?

DOCTOR: No suh.

RUBIN: And concerning any small scratches on her arms or hands, couldn't these have happened from the jumping on and off trains and sleeping in the open?

DOCTOR: Yes.

RUBIN: I will now ask you as a physician . . . were there any wounds or lacerations on her body as there would have been if she had been attacked roughly and in a hurry by five men?

DOCTOR: No.

RUBIN: She didn't bleed anywhere?

DOCTOR: No.

RUBIN: Was Mrs. Ross excited when she came to your office?

DOCTOR: No.

RUBIN: How was her pulse?

DOCTOR: Normal.

JUDGE [*leaning over*]: Was Mrs. Ross nervous or hysterical?

DOCTOR: Both girls were normal, your Honor.

RUBIN: As a medical man, Doctor . . . can you conceive of a woman going through so ghastly an experience as rape by five negroes and yet showing no signs whatsoever of any excitement . . . ?

DADE: We object!

RUBIN [*simulating innocence*]: Do you object to that?

DADE: Yes indeed!

RUBIN: That's all, Doctor. [*Waves magnanimously.*] All right. I'll withdraw it.

[*DOCTOR nods to JUDGE and exits.*]

JUDGE: The state will kin'ly proceed.

DADE: The state calls Benson Allen.

GUARD: Mr. Allen.

[*He enters, crosses to seat. Nods to JUDGE. MASON has already crossed and proceeds to examine him.*]

MASON: You were at Rocky Point when the train arrived?

ALLEN: Sho'. I was the fust one tuh git the telephone from Stebbinsville 'bout the hull thing.

MASON: And you saw the girls at Rocky Point?

ALLEN: Sho'. I helped tuh place 'em into the automobile.

MASON: Weren't they all hysterical and didn't they accuse the negroes of attacking them?

ALLEN: They were all cryin' an' complainin' of bein' attacked.

MASON: Thank you, Mister Allen. [*He nods to RUBIN who rises and crosses to ALLEN.*]

RUBIN: You saw the girls at the station?

ALLEN: I was right theah.

RUBIN: Were they bleeding at all?

ALLEN: Yeah. Mrs. Ross, she was bleedin' turrible-like.

[DADE makes a gesture of satisfaction and talks excitedly to his colleagues. They laugh and wink to each other.]

RUBIN: Where did you see any blood?

ALLEN: On her haid.

[DADE repeats his approval. RUBIN glances at him, narrow-eyed.]

RUBIN: Did you deputies search the defendant, Heywood Parsons?

ALLEN: I searched him, myself.

RUBIN: Did you find a gun on him?

ALLEN: No, but I found a knife.

RUBIN: This knife? [*Indicates a knife lying on a small table near the Clerk.*]

ALLEN: Yes suh, that same knife.

[DADE suddenly claps his hands and gives a triumphant whoop.]

RUBIN: Did the defendant say anything when you took it from him?

ALLEN: Yes. He said he stole it from her, from Mrs. Ross.

[DADE slaps his hand down on the table, with another ejaculation of glee.]

RUBIN [*heatedly*]: Your Honor, I am amazed at the actions of the chief prosecutor, the Attorney General of this state, who only yesterday said he wanted these negroes to have a fair trial and who is today so shamefully comporting himself before the jury. It is very dishearten-

ing and I must move for a mistrial. [*Turns to RO-KOFF.*] I never saw anything like this in my life.

JUDGE [*taps gavel to quiet muttering in court*]: Yes, I did heah a little sound. I'm very sorry, Mr. Rubin. I'm sure the General will not repeat it. Motion denied. Proceed please.

RUBIN [*sighs heavily*]: Did you find anything else on the defendant?

ALLEN [*he is very pleased with himself*]: Sho'. I found a half dollar in his pockets. He said he took that from Mrs. Ross too . . .

RUBIN: Oh, he did? Well, what did you do with this fifty-cent piece?

ALLEN: Oh, I don't remember that.

RUBIN: Didn't you show it to anyone?

ALLEN: No.

RUBIN: Didn't you show it to Sheriff Trent at Cookesville?

ALLEN [*irritably*]: But he's dead now.

RUBIN: What difference does that make? Did you show it to him?

ALLEN: No. I didn't.

RUBIN: Whom did you give it to?

ALLEN [*becoming confused and hot under the collar*]: I'm tellin' yuh, I dunno.

RUBIN: Why didn't you bring it up at the Cookesville trial?

ALLEN: I dunno. I don't remember . . .

RUBIN: You swore to tell the truth here, didn't you? Not to lie . . . ?

ALLEN: I swore tuh that an' I am. I jest don't remember

. . . I'm tellin' yuh.

RUBIN: Well, I'll tell you something, Mr. Allen. Mrs. Virginia Ross swore here on this chair, not twenty minutes ago that she never had a cent on that trip and that she was *dead-broke*.

ALLEN [*his mouth dropping open*]: Huh?

RUBIN: That's all. [*Turns to Dade.*] Now, General Dade, now you can cheer your head off.

[*Crosses to his seat; noise in court. ALLEN leaves.*]

MASON: The state calls Seth Robbins.

GUARD: Mr. Robbins.

[*He enters and seats himself. He is a farmer, dressed in overalls and boots. This is a great experience for him and he revels in it.*]

MASON: Mr. Robbins, what is your business?

ROBBINS: I am a land-holder, suh.

MASON: You testified in Cookesville that you were standing on a hay-wagon in your field and witnessed what happened on the train coming from Chattanooga. Is that correct?

ROBBINS: It sho' is.

MASON: Did you see the negroes throw the white boys off the train?

ROBBINS: I saw that happen.

MASON: What did you see after the boys were thrown off?

ROBBINS: I saw aplenty. One of them white gals was afixin' tuh jump off an' this heah nigger grabbed huld of her an' pulled her back in the train an' slammed her down in the car with a bang.

[*Loud muttering in the court.*]

MASON: Could you see what he did to her there?

ROBBINS: I sho' could, an' I saw aplenty.

MASON: Thank you, Mr. Robbins. [*Nods to RUBIN who crosses to table.*]

RUBIN: Where is your hayfield, Mr. Robbins? How far from the railroad tracks?

ROBBINS: Oh, jest a hoop an' a holler away.

RUBIN: How far is that?

ROBBINS: Oh, jest a li'l way.

RUBIN: I offer as evidence, if the court please, this map of Mr. Robbins' farm . . . [*Crosses to JUDGE and shows it to him.*] This clearly shows the hayfield to be at least a half-mile distant from the tracks, and therefore the witness could not possibly have seen what occurred on a fast-speeding freight. [*Hands the map to a juror who looks at it and passes it on.*] Perhaps you had a telescope with you, Mr. Robbins?

JUDGE: Mark it in evidence, Clerk. [*Clerk does so.*]

ROBBINS [*not understanding*]: Huh?

RUBIN [*describes with hands and one closed eye*]: A telescope . . . ?

ROBBINS: No, I did not. An' don't be so smart with me, suh.

JUDGE: Quiet, please.

RUBIN: When you were standing on that hay-wagon, who was with you?

ROBBINS: A nigger.

RUBIN: You mean a negro. Speak English in this court. [*Muttering in room.*] What is this negro's name?

ROBBINS: I dunno his name. [*He is very angry and scowls*]



*at RUBIN continually.]*

RUBIN: Why was he never brought to trial at Cookesville to back up your story?

DADE [*leaping up, shouts*]: We don't need a nigger to corroborate a white man's testimony.

[*Muttering in court, sounds of approval. At reporters' table, renewed activity. One of them whistles in amazement.*]

REPORTER: O-oh!

RUBIN: I move for a mistrial.

JUDGE [*tapping his gavel*]: There will kin'ly be order in the court. Motion is denied. Kin'ly proceed.

RUBIN [*sarcastically*]: I respectfully except. [*To ROBBINS.*]  
You say you saw a white girl about to jump off the train . . . ?

ROBBINS: I did. She was afixin' tuh jump an' this buck negra, he pulled her back an' slammed her down in the car.

RUBIN: You swear you saw this?

ROBBINS: I do.

RUBIN: How far do you live from Stebbinsville?

ROBBINS: Two and a half mile.

RUBIN: Did you have a car, an auto? In good condition?

ROBBINS: I had a Ford truck an' it was brand new.

RUBIN: Did you have a telephone in your house?

ROBBINS: I did an' I still have.

RUBIN: Well, when you saw this terrible thing, when you saw that a negro was attacking and assaulting a white girl in front of your very eyes, did you go to your telephone and call the sheriff in Stebbinsville?

ROBBINS: No, it jest slipped my mind. But I meant tuh . . .

RUBIN: Didn't you rush to your brand new Ford truck and drive immediately to the authorities to report this horrible crime you witnessed?

ROBBINS: I'm jest tellin' yuh, it slipped by me. An' then I had tuh git the hay in fo' the rain would come.

RUBIN: You, a white Southern gentleman, chivalrous, respecting white womanhood, saw this terrible attack by a negro on a white woman and you let it slip your mind and worried about your hay and went on with your work as usual? Didn't you ever tell anyone about it?

ROBBINS: No, I ain't tol' nobody.

RUBIN: Nobody in the world?

ROBBINS [*red and perspiring*]: No, nobody.

RUBIN [*sharply*]: Then how were you called as a witness to the trial at Cookesville? How are you here, now?

ROBBINS [*mopping his face with a bandana*]: I dunno.

RUBIN: That's all. [*Crosses back to his table. DADE rises and calls.*]

DADE: If it please your Honor, the state rests.

[*Muttering in court. PEOPLE stretch and talk.*]

RUBIN: If it please the court, I move for a dismissal of the indictment of the People against Heywood Parsons on the grounds of complete lack of any reasonable evidence.

JUDGE [*perfunctorily*]: Overrule the motion.

RUBIN [*almost simultaneously*]: Exception.

JUDGE: Will the defense kin'ly proceed with its case.

RUBIN: I call the defendant, Heywood Parsons.

GUARD: Heywood Parsons!

[*He rises at defense table, his arm held by a SOLDIER. Conversation in court. One or two distinct epithets are heard.*]

SOLDIER: Come on, shine. Hurry up.

PARSONS [*in a low, but distinct tone*]: My name is Heywood Parsons.

ROKOFF [*to SOLDIER, loudly*]: That man's got a name. Use it.

SOLDIER: Yes suh.

[*PARSONS seats himself on witness chair.*]

JUDGE: The court wishes to make an announcement.

There have been rumors of meetings in and about this town where mob spirit would determine by itself the guilt or innocence of this defendant. I want to say that I have no patience with this illegal attitude and that any men who attend such meetings ought to be ashamed of themselves. And if any group is thinking of engaging in anything that would cause the death of this defendant . . . then that to me is murder, cowardly murder . . . and I hereby order these deputies and soldiers to defend with their lives and to . . . kill any man who attempts such an action. Gentlemen, I have spoken harsh words but every word is true and we must take a stand of right and wrong. Let the defense continue with its case.

RUBIN: You are accused as having attacked and raped and

aiding such a rape on the person of Virginia Ross. Were you on that train?

PARSONS: Yes suh.

RUBIN: Did you do these things as stated?

PARSONS: I done never seen them gals 'til I saw them in the Cookesville jail.

[*Muttering in courtroom. The CAPTAIN crosses and seats himself on a chair alongside the JUDGE's dais. He looks about the room sharply.*]

RUBIN: Where were you on that train?

PARSONS [*points to model of train on a table near him*]:

I was on one of 'em gondolas like that theah.

RUBIN: Which boys were you with?

PARSONS: I was with Eugene Walters, Andy Wood an' Roy Wood an' thassall.

RUBIN: Where were the other negro boys?

PARSONS: I never met n'air one them Atlanta boys 'til that drove of men roped us together at Rocky Point.

RUBIN: What part of the train were they in?

PARSONS: I dunno. I never done seen 'em on the train.

RUBIN: All right. That's all. [*Nods to DADE. He rises and crosses to PARSONS. RUBIN retires.*]

DADE: You are Heywood Parsons?

PARSONS: Yes, I am.

DADE: And you were tried in Cookesville and convicted of rape . . . ?

PARSONS: No suh, I was *framed* in Cookesville. [VOICES.]

DADE [*annoyed*]: Now answer my questions! Didn't you and a gang of other negras throw off those white boys from that train because you saw the girls . . . ?

PARSONS: No suh. That Tulley boy, he was jumpin' off the wrong way an' would have killed hisself but I co't him by the collar an' pulled him back.

DADE: You pulled him back to kill him, to torture him . . . ?

PARSONS: I never done dat, please suh.

DADE: Then you jumped into the next car where the gals were and you and your fiendish gang attacked and ravished them. Didn't you?

PARSONS: No suh, please suh. I didn't done dat at all. That Tulley boy was theah all the time. He seed nuthin' happened an' he coulda said dat at the Cookesville trial but Mist' Brady didn't even ask him.

DADE: Shut up. I didn't ask you that. [*To CLERK.*] Strike that out, please. [*He is a very high-strung, nervous type and is very tense.*] You confessed in Cookesville that you saw these other negras attack the girls. Didn't you confess to this?

PARSONS: Yessuh, I done dat but . . .

DADE: You did it! That's all. [*Returns to his table. RUBIN crosses to PARSONS.*]

RUBIN [*to PARSONS*]: Why did you make that confession?

PARSONS: They made me tuh do it, please suh. They beat me up awful theah. An' woulda killed me if I hadn't done it. I held out but I jest couldn't no mo'. . . .

RUBIN: Then it is not true that you saw your friends attack the girls?

PARSONS: No suh, it ain't true at all, please suh.

RUBIN: You don't have to "please suh" me. Now you say you pulled that Tulley boy back on the train and he

would have seen everything if there had been anything to see?

PARSONS: Yassuh. He would've seen ev'rything but nuthin' done happened.

RUBIN: Did he testify at your trial?

PARSONS: No suh. He were never at my trial.

RUBIN: Was he in Cookesville?

PARSONS: Sho'. He was in the jail-house all the time. I saw him theah. Everybody seen him. . . .

RUBIN: And he was never called to your trial?

PARSONS: No suh.

RUBIN: That's all. [*Turns to DADE.*] Is the state interested in further examination of this defendant?

DADE [*muttering*]: No, I wouldn't talk to that nigger.

[*PARSONS is led back to his place. Muttering in the court. RUBIN is becoming accustomed to DADE's remarks and actions and only looks at him with little concealed scorn.*]

RUBIN: I call Dr. Oswald Morton.

GUARD: Dr. Morton.

[*He enters. Seats himself.*]

RUBIN: You are a specialist in gynecology and in women's diseases?

[*The court and everyone else again leans forward.*]

MORTON: I am, suh. I am the chief of staff of that department and consulting specialist in the Southern State Hospital.

RUBIN: Doctor Thomas of Cookesville testified that an hour or two after the alleged attack by five men, he found in Mrs. Ross only enough sperma to make a

smear. Is that possible?

MORTON [*he is rather pompous but answers quite naively*]: Well Mr. Rubin, he really should have found more than that, if she had been raped by five males and only two hours before. Of course some of it could have escaped on to the clothes.

RUBIN [*playing with him*]: But no attention was ever paid to the clothes, Doctor. And not a stitch of clothes was ever brought in testimony or in evidence.

DADE: We object!

RUBIN: You want the truth in this case?

DADE [*taken by surprise; vehemently*]: Yes, indeed.

RUBIN: Then let's get to the truth.

MORTON: You mean, Mr. Rubin, they never paid any attention to the clothes? Why, what happened to them?

RUBIN: You see, Doctor, it was sworn yesterday, that they washed the clothes.

MORTON [*innocently*]: But why should they have done that, suh, if they were the best kind of evidence?

JUDGE: Disregard that question, gentlemen. That is immaterial.

RUBIN: I don't know why, Doctor. No one seems to know. Maybe it's a secret. And here's another point, Doctor Morton. What was found in the girls, was immotile or dead. Now, how long do sperma usually live?

MORTON [*pauses as a woman rises and leaves the room*]: Well, suh, in a test-tube with a little care they can live for days. And in their natural abode within the uterus, sperma should live for many hours. In fact always do live that long.

RUBIN: Twelve hours?

MORTON: Oh, even fifteen and sixteen hours.

RUBIN: And here they were all dead, after only one to two hours . . . ?

DOCTOR MORTON: It's strange. There must be some explanation . . .

RUBIN: But we have this explanation and proof of it, too. You see, Mrs. Ross and Lucy Wells spent the two previous nights in the intimate company of two white boys. Wouldn't that explain the presence of the dead cells?

[MORTON *nods.*]

DADE: We object to you prompting this witness.

RUBIN: I am not prompting anyone.

MORTON: That would explain it very plausibly.

JUDGE: Don't answer that question, Doctor.

RUBIN [*generously*]: Never mind, that's all. Thank you, Doctor. [*Gestures to DADE. DADE waves his hand in negation. DOCTOR bows to jury and JUDGE and exits.*] I call Lewis Collins.

GUARD: Lewis Collins!

[*He enters and crosses to witness chair.*]

RUBIN: Were you aboard that freight train?

COLLINS: Yes suh.

RUBIN: Where were you the night before that?

COLLINS: Me an' Virginia Ross an' Lucy Wells was together with that Tulley boy in a hobo jungle outside of Chattanooga an' stayed all night theah.

RUBIN: That's all. [*To DADE.*] Your witness, General.

DADE [*rushes to COLLINS like a panther ready to spring.*]



RUBIN *retires to his table. The reporters are excited by this surprise testimony. Much activity among them. Much muttering in the courtroom*]: Where did you meet Virginia Ross?

COLLINS: Yuh want me tuh tell the hull story right sho'?

DADE: Yes and tell the truth.

COLLINS: I aim tuh do only that. Well, I dunno wheah tuh haid in exac'ly. But I hitch-hiked down tuh Chattanooga from Knoxville tuh look fo' work, an' not findin' any theah, I co't a blin' fo' Humbolt wheah I got some kinfolk. Soon as I got tuh Humbolt the railroad dicks picked me up, an' threw me into the jail fo' vagrancy.

DADE [*pacing up and down, restlessly*]: The jail at Cookesville?

COLLINS: No . . . a coupla months befo' . . . the jail at Humbolt. The next day they give me fifty days on the chain-gang. Well, after I had been theah 'bout three hours, they throwed in with me this Jim Arthur and as I could see the wimmen's cell from my cell, I saw them throw in Virginia Ross at the same time as they throwed in Jim.

DADE: Well, come to the point.

COLLINS: I am now. We got to talkin' and I asked Jim whut he was in fo' an' he said . . . 'the best thing in the world, buddy.' He tol' me later as how they co't him fornicatin' 'round with Virginia. Later they charged them both with lewdness an' give 'em fifty days each. Virginia, she got out in ten days, 'cose Jim, he paid off her fine. But me an' him, we worked to-

gether on the chain-gangs up the road.

DADE: Well, hurry up.

COLLINS: Well, Virginia, she would come out every coupla days tuh bring Jim tobaccy an' she gave me some too. An' one day she brought 'long with her, Lucy Wells. An' that's how I met up with 'em all. Then when we got out, we all planned this bummin' trip.

DADE: Where did you do this planning?

COLLINS: Right on the outside of town.

DADE: Who was there with you?

COLLINS: Me an' Lucy an' Virginia an' Jim Arthur.

DADE [*sharply*]: Can you describe this place in detail?

COLLINS: Oh, I could never fo'git that place. Theah was a nice li'l gulley-like with vines an' some sweet-smellin' honey-suckle, an' a coupla small trees . . .

DADE [*interrupting, impatient*]: What did you do there?

COLLINS: Oh, we talked an' had some fun. . . .

DADE: I want to know everything you did there. What was the very first thing you did?

COLLINS [*smiling*]: The very first thing I did, suh, was tuh hang up my hat on the limb of a tree . . . [*The audience snickers. The reporters laugh and even the judge smiles.*] . . . then Jim, he an' Virginia moved off a coupla-three feet an' I jest went tuh work with Lucy.

DADE: You mean you . . . ?

COLLINS: Sho' thing. [*He smiles.*]

DADE: What were Mrs. Ross and Jim Arthur doing?

COLLINS: Oh, they were together, too.

DADE: How do you know they were together? How close were they to you?

COLLINS [*describing with gestures*]: Well, Jim an' Virginia was on the slope of this bank-like jest above us. An' they would come rollin' down on us an' disturbin' us, so I'd pinch him an' shoop 'em right back up the bank. . . .

DADE: Never mind that. . . . [*Throughout COLLINS' testimony there are continual snickers and giggles in court.*] Where did you meet this Tulley boy?

COLLINS: We met up with him when we got to Chattanooga that next evenin'.

DADE: And then you say, all four of you spent that night in the hobo jungle?

COLLINS: We sho' did. The nigger theah saw us, an' the chile-parlor up the street wheah I bummed some san'-wiches saw me an' . . .

DADE: And you expect the jury to believe this cock and bull story . . . ? That's all.

[*He crosses back to his seat after making a gesture of disgust. RUBIN examines COLLINS again.*]

RUBIN: Did you testify at any of the trials at Cookesville?

COLLINS: No suh.

RUBIN: Why not?

COLLINS: They jest didn't want me tuh.

RUBIN: That's all.

[*RUBIN retires and SLADE comes forward.*]

SLADE: Why didn't yuh go by yo'self tuh testify, if what you say is true?

COLLINS: Well, I had all the trouble I wanted fo' the time-bein'. I wasn't huntin' fo' no mo'.

SLADE: Then why do you come heah with this tale now?

COLLINS: Well, I felt I kept quiet long enough. An' when I read that the Supreme Co't done give them negras a new trial, I jest felt I must come heah an' tell whut I know. An' now I'm feelin' plenty better right heah. . . . [*Touches his heart.*]

SLADE [*irritated*]: Are you a member of this Communist party? [*He pronounces it: Communist.*]

COLLINS: No, I ain't nuthin' to it.

RUBIN [*simultaneously*]: Objection.

JUDGE: Sustain the objection.

SLADE [*hardly pausing, thoroughly out of temper and in a loud voice*]: Don't you know, Lewis Collins, that you're helpin' tuh shoot holes in the red, white an' blue flag of our country?

[*At defense table, CHENEY rises.*]

CHENEY [*in a high quivering tremolo*]: Sto—p! Sto—p! Mist' Slade, my daddy an' yo' daddy are buried in hal-  
lowed ground fo' shootin' holes in that same flag. An'  
you kin insult the mem'ry of yo' daddy but sto—p!  
Don't yuh try tuh insult the mem'ry of my daddy. . . .  
[*Seats himself, all atremble.*]

SLADE [*addressing CHENEY*]: I didn't mean tuh insult the mem'ry of yo' daddy, General Cheney. I only meant that this heah tramp has come down heah with these New York clothes an' thinks he can prevent the due course of justice in this heah co't. But . . . [*He sees RUBIN rising.*] I'm through, thassall.

RUBIN: I move for a mistrial, your Honor. In all my years at the bar, I have never witnessed or heard such preposterous examining. . . . The constant insinu-

ations concerning Lucy Wells . . . the allusions to clothes. . . .

DADE [*jumping up, in a literal fury*]: If it please your Honor, I wouldn't have brought it up if the honorable defense attorney had not brought it up himself. But I would like to report that the people of this county have spent hundreds of dollars trying to trace Lucy Wells who disappeared on February twenty-first from her home. What has happened to her? God only knows . . . !

RUBIN [*with suppressed anger*]: What relevancy has this statement . . . ?

DADE [*in anger*]: It has this relevancy. That one of our most important witnesses, three weeks before a trial, is suddenly spirited away by certain interested parties anxious to keep her convicting testimony out of this co't-room. . . .

RUBIN: I object. [*The court by this time is in an uproar. The REPORTERS are in a frenzy of excitement. The JUDGE hammers in vain with his gavel. DADE jumps excitedly up and down in front of the jury, waving his arms wildly. RUBIN stands in front of the bench, thundering his objections. There is a literal tumult. COL-LINS in the interim is led out.*] I demand an explanation for this behavior.

[*It almost seems as if the slow, slumbering volcano suddenly blew up. Everything now belies the amenities and niceties that were observed before.*]

DADE [*screaming*]: We, too demand an explanation! I have been bringing up this question for days, and for

days the defense has seen fit to disregard me and remain silent. Why has the defense remained silent to my questions? Why has it continued to disregard them?

RUBIN [*striding up to him*]: What do you mean? Are you implying that we kidnapped Lucy Wells?

DADE: I imply nothing. I only repeat that Lucy Wells has either been killed or hidden away by interested parties. . . .

[*Many voices in the court-room agree with him.*]

RUBIN: If the court please . . . [ROKOFF's assistant, TRAVERS suddenly hurries in and whispers to his superior. He rises and leaning over whispers excitedly to RUBIN. RUBIN starts and makes an ejaculation but quickly controls himself. TRAVERS rushes out again and RUBIN continues but with an altered tone.] If the court please, the defense asks for a postponement of fifteen minutes before it rests its case.

JUDGE: I'm afraid I can't do that, Mr. Rubin.

RUBIN: Ten minutes?

JUDGE: Sorry, Mist' Rubin.

RUBIN: Five min . . . ? [TRAVERS has now rushed back into the courtroom and catching RUBIN's sleeve whispers to him. RUBIN's eyes light up. Then to JUDGE.] If the court please, I shall call my next witness. . . . Lucy Wells! [*He points his finger dramatically to the rear of the room. Almost as if it had been staged, LUCY WELLS walks in and down the aisle. With her is RUSSELL EVANS. He remains in the rear of the court, standing and keeping a watchful eye on LUCY. The court is spell-bound.*] I ask that she be sworn.

[LUCY takes stand. CLERK swears her to the oath.]

CLERK [*the court still remains extremely quiet*]: Do you swear to tell the truth, the whole truth and nothing but the truth, so help you Gawd? Answer, I swear.

LUCY: I swear. [*She seats herself.*]

JUDGE [*to the photographers, who have been setting up*]: Kindly don't take any pictures now, gentlemen.

RUBIN [*he questions her in a slow, tense voice*]: Lucy Wells, have you ever seen me before in your life?

LUCY: Not as I know of. . . .

RUBIN: Did you ever meet me before this minute?

LUCY: No, I never did.

RUBIN: Were you with Lewis Collins on the outskirts of Humbolt, together with Jim Arthur and Virginia Ross?

LUCY: Yes suh.

RUBIN: Did you spend that night together with Lewis Collins?

LUCY: Yes suh.

RUBIN: Did you leave with him and Virginia Ross, the next day for Chattanooga?

LUCY: Yes suh.

RUBIN: Where did you spend that night?

LUCY: We stayed in a jungle with another young feller.

RUBIN: Who?

LUCY: That Tulley boy.

RUBIN: Can you identify Lewis Collins?

LUCY: Yes suh.

GUARD: Lewis Collins.

[*He enters and crosses down front.*]

COLLINS [*in a low voice*]: Hello, Lucy.

LUCY [*blushing*]: 'Lo, Lewis.

RUBIN: Who is this boy?

LUCY: Lewis Collins.

[GUARD *takes COLLINS out.*]

RUBIN: Can you identify Virginia Ross?

LUCY: I sho' can.

[RUBIN *gestures to GUARD.*]

GUARD [*calls into room*]: Mrs. Ross.

[*She enters, her eyes flashing hate and anger. Her face is all convulsed.*]

RUBIN: Is this woman Virginia Ross?

LUCY: She's her, right sho'. Tho' she's fleshened up some.

VIRGINIA [*can no longer control herself, screams*]: Now, you listen heah, yuh slutty . . . [DADE *rushes to her side.*] Yuh bet' stop yo' lyin', Lucy Wells, an' tell whut yuh oughta. . . .

DADE: Mrs. Ross, please! Keep yo' temper. Keep yo' temper . . . !

[*He and the GUARD rush her out.*]

VOICE [*a MAN stands up and shouts*]: That Collins boy and Lucy Wells ain't fit tuh belong tuh the white race. They oughta be strung up. . . .

[*Much noise and commotion.*]

RUBIN [*furious*]: Your Honor, if these stupid comments do not cease, I will demand that the court be cleared. This is no Roman circus.

JUDGE: Sergeant. Take that man out. [*As the MAN exits.*]

I want no more of these interruptions. Kin'ly proceed.

RUBIN: You were on that train?

LUCY: Yes suh.



RUBIN: Were you attacked?

LUCY: No suh.

RUBIN: Were you together all the time with Virginia Ross?

LUCY: Yes, I was.

RUBIN: Did you see her attacked or touched by a negro?

LUCY: No, nobody ever done come near us.

RUBIN: Your witness, General.

[*He retires. DADE rushes to her.*]

DADE: You swore at Cookesville that those five negras raped you. Didn't you?

LUCY: I did. But I tol' that story 'cose Virginia frightened me. She said we'd be 'rested fo' crossin' the state line with men an' have to lay out a sentence in jail.

DADE: Where did you disappear to, on February twenty-first?

LUCY: I didn't disappear. I jest went 'way to Chattanooga.

DADE: Whom did you go with? A representative of the National Labor Defense?

LUCY: No. . . .

RUBIN [*springing up*]: Objection . . . !

JUDGE: Overrule the objection.

DADE: Who influenced you to leave your po'r mother's home? Who persuaded you to come heah and lie . . . ?

RUBIN: Objection on the grounds of incompetency, irrelevancy and immaterial nature. . . .

JUDGE: Objection is overruled.

RUBIN: Exception.

DADE: Who?

LUCY [*with a glance at RUSSELL standing in the aisle*]: A

. . . young feller. . . .

DADE: What is his name? Where is he?

RUBIN: Object . . . !

JUDGE: That isn't necessary, General. Sustained.

DADE: What did he tell you that made you leave with him? How did he talk you into this so't of . . . ?

LUCY [*her chin up*]: I . . . I went with him becose he . . . he liked me and I . . . I was stuck on him. An' he didn't talk me into nuthin'. I made up mind to come heah an' tell what I know 'cause my heart was achin' me fo' them negra kids. . . .

DADE [*with a bit of a sneer*]: And did this young feller buy you these fine clothes . . . whoever he is? [*Scornfully gestures to her costume.*]

LUCY: No, I bought these heah clothes myself, up No'th.

DADE: Oh, I see, up No'th. Who gave you the money for the clothes? The N. L. D.?

LUCY: It was my own. . . .

RUBIN [*simultaneously*]: I object.

DADE: I want to prove that she's a bought witness.

RUBIN: This is ridiculous. Your Honor, is my objection sustained?

JUDGE: Sustained. Gentlemen, don't consider that all. That is not evidence. The court ruled it out. Proceed.

DADE: Who gave you the money to come down heah?

LUCY: A Christian minister.

DADE: You told the truth at Cookesville and now you've decided for certain reasons . . . [*Glances toward defense table with a vicious look.*] to come heah and lie and betray your own kin.

LUCY: I lied theah in Cookesville 'cose I didn't know whut it all meant. If I would've knowed them black boys was going tuh burn fo' my lies, I never woulda done it . . . but Virginia Ross, she . . .

DADE: Are you trying to say Mrs. Ross threatened you?

LUCY: She frightened me, suh . . . an' she said, 'What do we keer 'bout niggers, Lucy, we don't keer if they put all niggers in jail.' She said that.

DADE: I didn't ask you what she said. . . .

LUCY: I tho't yuh wanted tuh know, suh. . . .

[*Meanwhile the REPORTERS are scribbling away frantically. The CAPTAIN removes his gun from his holster and places it on the desk in front of him.*]

DADE: That's all. [*He storms to his seat. There a pile of telegrams are given him. He tears open a few, scans them hastily and tears them up, in anger.*]

RUBIN [*in the meantime*]: Have you told the God's honest truth to this jury?

DADE: We object!

JUDGE: Sustain the objection.

RUBIN: Was any woman on that train attacked?

LUCY: Not as I know of.

RUBIN: Did any of those negroes rape you?

LUCY: No suh.

RUBIN: That's all. The defense rests.

[*GUARD escorts her to the rear exit. As LUCY walks up the aisle RUSSELL comes down to meet her and protectingly puts his arm about her. People rise, lean over and hiss and threaten her but RUSSELL and the GUARD keep them off. LUCY exits, her chin up.*]

JUDGE: If there are no witnesses to be recalled, theah is still time today for the arguments and to commence jury deliberations. Is that agreeable? I hear no objection. General Dade.

DADE: Yes, your Honor.

JUDGE: How many fo' the state will sum up?

DADE: Well, first Circuit Solicitor Slade and then I'll finish up after the defense.

JUDGE: Good. And Mr. Rubin, how about yo' side?

RUBIN: General Cheney will follow Mr. Slade and I'll follow him.

JUDGE: Very well. Are you ready, Mist' Slade? If you are, kin'ly proceed.

SLADE [*strides to the front of the jury. He commences almost at a climax and somehow keeps it up by virtue of his tremendous physical power. He almost roars his words as he stands red-faced, bull-necked, a huge six foot mass of beef*]: Yo' Honor and gentlemen of the jury and my friends of Dexter. First I would like tuh review the evidence fo' you. You jest saw this Lewis Collins, or better *Collinsky*, with his New York clothes. Why, my friends, jest two mo' weeks with this Rokoff an' he'd a ben down heah with a pack on his back atryin' tuh peddle us goods. Are yuh goin' tuh stand fo' this so't of thing?

VOICE: No, we ain't.

VOICE: Bet' not.

[*Other voices respond. The court again begins its muttering. The NEWSPAPERMEN are astonished at this odd summation and become very excited and active. Even*

DADE *looks worried as SLADE continues his vitriolic denunciations and tries to catch his eye, in order to dissuade him but SLADE, almost fanatical in his fury has eyes for no one, save the jury. RUBIN leaps to his feet, angrily.]*

RUBIN: I object to his infamous . . .

JUDGE [*interrupting*]: Overrule the objection.

SLADE [*panting and perspiring. Soon his lips begin to foam with spittle*]: The prettiest Jew yuh ever seen, this Lewis Collins, amovin' his hands thisaway and thataway. . . . [*Demonstrates with hands. Points to defense table. During this harangue, telegraph messengers run in and out, delivering messages to DADE and the JUDGE. After reading a few, they crumple the rest, angrily. Soon the JUDGE's desk and the state's table are littered and piled high with yellow and blue telegrams.*] They think they kin come down heah tuh obstruct justice, in this heah co't-room. Yes, it was the N. L. D. who brought in Lucy Wells, an' bought her soul. The same N. L. D. who put them fancy clothes on Collins, New York City clothes. And I tell yuh, gentlemen, this Lucy Wells is guilty of perjury right heah in this co't. And theah is such a thing too, as subornation of perjury. . . . [*Points again at defense.*] That Wells gal couldn't tell yuh all the things that happened in New York, 'cause part of it was in the Jew language. Yes, but Virginia Ross, she don't come down heah dressed in No'thern clothes like that Lucy Wells. She should be believed gentlemen, 'cause she stayed clean of the evil influences of New York.

And I ask yuh, why did the Supreme Co't up in Washington reverse the fair decision of our own State Supreme Co't? Why did they insult us in this fashion? Only because these Communists threatened the jedges' lives with bombs an' poison. But we ain't afraid of their bombs, are we? [VOICES: "No suh. We ain't. Like hell we are." *During all this, it is difficult to describe the reaction on the newsmen. They act like wild lunatics, expressing in uncontrolled ways their amazement to each other. Whistling, drawing in their breath, making comments, scribbling wildly, pushing their notes into hands of waiting messengers who run out crazily. The court is now muttering quite loudly.* VOICES: "No suhree. Tuh hell with them. Run 'em out of heah." ] Gentlemen of the jury, don't you know that these defense witnesses are all bo't an' paid fo'? Oh, my friends, may the Lo'd have mercy on the soul of Lucy Wells.

[*Deep VOICE in Court responds.*]

VOICE: Amen!

SLADE: Yes, Amen . . . my friends. This happens tuh be a Christian country, tell 'em that. . . .

[*RUBIN leaps up, now infuriated.*]

RUBIN: This is madness. Insanity. I move for a mistrial on the grounds that the solicitor has made open appeals to race and religious prejudice, bigotry and local sectionalism. Your Honor, a conviction now won't be worth a pinch of snuff.

JUDGE [*quietly to SLADE*]: You will have to word your

argument somewhat differently, Solicitor Slade. Overrule the objection.

RUBIN: I except.

SLADE [*somewhat cooled off*]: I . . . I never heard of any man bein' alarmed, Yo' Honor, because of anything I ever said. What am I doin'? I'm jest makin' the same kin' of talk I allus make. [*A REPORTER laughs derisively. SLADE turns to jury.*] Gentlemen of the jury, I warn you— [*Points to PARSONS.*] free this nigger . . . and every white father will tremble for his daughter's safety as he goes to sleep tonight. Did you evah heah, gentlemen, of a mo' damnable effort tuh break down an' destroy this po' woman, Virginia Ross? [*Draws himself up.*] Gentlemen of the jury, tell 'em, tell 'em that Southern justice cannot be bought an' sold with Jew money from New York. [*Hits a climax with this and returns to table.*]

RUBIN [*shouting angrily*]: We renew our motion. Let the record show that.

JUDGE: The co't rules that the statement regarding Jew money from New York was improper and unjustified and the co't asks you members of the jury to disregard it and put it out of your minds. I deny the motion. Proceed with your argument, General Cheney.

RUBIN: Please note my exception.

CHENEY [*with much feeling. In high tremulous tones*]: Yo' Honor and esteemed gentlemen of the jury. I ask yuh all . . . why am I heah? I am a Southern lawyer, born and bred in the South. Why am I, the former

Attorney General of the great state of Tennessee, heah in this court-room? Right across the Georgie line is my birth-place. My daddy fo't in Georgie . . . fo't against Sherman's march to the sea. Yes an' right outside this heah do'r, theah is a monument dedicated to the mem'ry of my daddy an' yo' daddies who fo't in that great struggle fo' justice, fo' the sovereign rights of states. Yes, an' if my Daddy were heah today he would fight as I am fightin' fo' the fundamental rights of human beings . . . even if that human being is only a colored boy. Gentlemen of the jury, this is not a question of negro and white . . . this is a question of justice and injustice. Do not confuse these issues. Weigh the evidence carefully and as Christians anxious to do good unto your neighbor . . . whether he be white or black. Gentlemen, I am a Baptist and a Democrat and as the Lo'd is above us, I am certain this heah boy is innocent. I ask you to be fair, I ask you to allow no blot, no stain, to besmirch your fair state. Our fair South. And I beg you in the name of justice and in the name of the Lo'd to free this po' innocent negra boy. Gentlemen, I thank you.

[*Bows to jury, to JUDGE and reseats himself. ROKOFF shakes his hand warmly and congratulates him.*]

JUDGE: Mr. Rubin. . . .

RUBIN: Your Honor, I wondered if it were possible to make my summation tomorrow. I'm very tired and therefore ask for an adjournment until . . .

JUDGE: I'm mighty sorry, Mr. Rubin, but the county cannot afford any unnecessary delays.



RUBIN [*sighs*]: Very well. [*Walks to front. He does seem fatigued.*] Your Honor, gentlemen of the jury . . . I am here today for the sake of justice and the less I say about sectionalism and prejudice, the better. Now I'm not going to assault your ears with any such ranting and raising the roof as you've been forced to hear from the gentleman seated over there. I shall instead appeal to your reason as logical, intelligent human beings, determined to give this poor scrap of colored humanity a fair, square deal. What was the argument of the learned solicitor if not an appeal to prejudice, sectionalism and bigotry? What he meant was: Come on, boys. We can lick this Jew from New York. Stick it into him. We're among our homefolk. Yes, gentlemen, it was a speech of a man taking an unfair advantage. A hang-man's speech. Now as for Jew money from New York, let me say this . . . that when the hour of our country's need came in April, nineteen-seventeen . . . there was no question of Jew or Gentile, of black or white. All . . . all together braved the shot and flame of Flanders Fields. No, they didn't ask us then what we were, they asked us to go and lay down our lives for our country and we *went*. We went and we left thousands of our boys buried in the Argonne in Chateau Thierry, and those who returned, returned crippled and mutilated. No, no one said a word then about which God you believed in, or what color your skin was. Now, I'm not getting a cent for this work and I'm not getting a penny for my expenses but don't think that I came down here to be a crusader for the

social equality of the negro. I only came to see that the law, granting equal protection to all races and colors in our courts, is observed. And let me say this, gentlemen. You know there have been threats against my life. Threats and warnings. But mobs mean nothing to me. Let them take me. Let them hang me. I don't care. I'm not afraid. Life is only an incident in the great Creator's scheme of things and if I can contribute my little bit to see that justice is served, then my humble usefulness will be fulfilled. [*He opens his collar as he continues. He is sincere and his voice rings with inner conviction. He tries to shatter the grim, stolid wall of lean, provincial, tobacco-spitting, hard-mouthed faces.*] That is what I want you to remember, gentlemen, when you leave this court room, to decide whether this boy shall die or not. [*DADE is confused by RUBIN's method of speaking, always thinking that RUBIN is finished. He therefore works himself into a nervous, impatient sweat with the renewed climaxes of RUBIN.*] Now let us look at the evidence, itself, briefly. But really look at it, dispassionately and intelligently. What has the state done to show the guilt of Heywood Parsons? Their star-witness, Virginia Ross, has been convicted and has served time for lewdness and bootlegging, drunkenness and immorality. She has shown herself a liar and a perjurer over and over again. When she said she passed that night at Cary Richy's, she couldn't say where the woman lived nor at what address. She couldn't remember which mills she applied for work at. She stated she left Humbolt with Lucy

Wells, alone. But she didn't. Lewis Collins left with her. She said she didn't know Lewis Collins, yet she spent ten days in the Humbolt jail, together with him. She said Parsons hit her on the head with a gun. No gun was ever found. She said she was bleeding. But the state's witness, Doctor Thomas, swore she never bled at all. Oliver Tulley, who is supposed to have seen the entire attack and rape, as admitted by all witnesses, was never called to trial to testify to this, even though he was held for over two weeks in the Cookeville jail, only fifty paces away from the courthouse. Another state-witness swore that he took a fifty-cent piece from Parsons that belonged to Mrs. Ross, but Virginia Ross swore that she was stone-broke. Who is lying here? They are all lying. It is all a contemptible, lying frame-up. Lucy Wells came here today, and told the truth because her little child's heart could no longer bear the awful thought of sending an innocent boy to the chair. No, Lucy Wells didn't betray you people of the South. She wants to save you from committing a legal lynching. And what is all this insinuation about her clothes and Lewis Collins' clothes? What have a few dollars' worth of clothes to do with this tragedy of injustice? Certainly, you don't think that these brave children would risk shame and possibly injury to come here and lie for a ten-dollar suit or a five-dollar dress? No, you don't believe that, gentlemen. That's stupid. That's nonsense. No reasonable thinking man would believe such a ridiculous insinuation. Yet this is the only kind of evidence that the

state can offer besides their perjured witnesses. Appeals to local prejudice and insinuations of bribery. [*Points to MRS. PARSONS standing in the doorway, behind the defense table. The sun's rays from the window are on her brown tragic face. The tears roll profusely down her dark cheeks. Her fingers continually twine and intertwine in her nervousness and anxiety.*] Look at that poor tragic face of that woman, Mrs. Jeannie Parsons. Yes, her skin is black, but she is a *mother!* A *mother*, who fed her child at her breast with her mother's milk, just as you were fed. Are you going to tear out her heart, the apple of her eye, her baby, her son? Are you going to strap him into a torturous electric chair, slit his pants leg, shave his head, prepare him like a stuffed goose for the cooking, then go and fry him, scorch him, burn him alive with two thousand volts of electricity, then cut out his insides in an autopsy and finally throw back his charred and mutilated corpse into his mother's waiting arms on the sole, lying, miserable testimony of a *whore?* That is your problem, gentlemen. [*DADE makes a movement to rise, thinking RUBIN is through but the latter continues. The REPORTERS listen and write as they follow him. The court is very quiet.*] Gentlemen of the jury. You have been chosen as intelligent, reasoning men. You cannot have any prejudices, any hates, any preconceived ideas on this case. You are to judge it only on its merits and on the evidence. Consider carefully and well, before you take on your souls and consciences, the awful crime of convicting an innocent man. An innocent boy

though his skin is black. Remember that when we, in times of need and doubt, call upon our Maker to help us, we do not call in vain. The Almighty God above us does not ask if we are praying to a black man's God or to a Jewish God. No. He listens to all His children with the same compassion and generosity, and so I ask you to join with me in common prayer. . . . [*Lifts up his arms, and with trembling, tired voice.*] "Our Father, which art in Heaven, hallowed be Thy name, Thy Kingdom come. Thy will be done on earth as it is in Heaven. Give us this day our daily bread and forgive us our trespasses, even as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. Amen." [*He holds a moment of silence, nods to JURY and JUDGE and returns to his seat, weary and exhausted.*]

JUDGE: Attorney General Dade . . . are you ready with the final argument fo' the state?

DADE [*high-strung, nervous, tense and somewhat in a shrill voice*]: Your Honor and gentlemen of the jury. I do not want a verdict based on racial prejudice or religious creed. I want a verdict only on the merits of this case. On that evidence, gentlemen, theah can be but one verdict . . . and that verdict is *death*. Death in the electric chair for the rape of Virginia Ross. [*Points to PARSONS.*] Acquit . . . free that thing . . . and when you free it, put a garland of roses around his neck. Give him a supper, send him up to New York City and theah dress him up in a full dress suit, put a cane in his hand and a silk hat on his head, then have

him strut up and down Fifth Avenue. [*Quiet muttering in court.*] No, the rest of the world cannot, must not interfere with the dispensation of justice in this state. I am no murderer. I don't have to have people come down heah and tell me the right thing to do. I would throw out all these indictments if I thought fo' a single moment that these negras were innocent. No! This is no framed prosecution, this is a framed defense! [*Points to defense table.*] Now gentlemen, I'm not going to take up yo' time. My evidence is clearly in yo' minds, but I want you to know that this has been a fair trial, a fair trial despite what radicals who want to overthrow the government, write in those telegrams. [*Points to telegrams on his table.*] Yes, as fair a trial as was given in Cookesville. And let me tell you too, that if this defendant comes to me, to the Board of Pardons of which I have the honor to be Chairman and applies for a pardon from me, that I will give him every consideration he deserves. Yes my friends, I am born in this fair state and my grand-daddy fought in the War of the States, yes and my daddy would have fought in it too, if he would have been old enough. But unfortunately he wasn't and now he sits on the Supreme Co't bench of this state and he himself wrote the majority opinion against having this new trial. Do you think my daddy would have done that if he thought his son were fighting an unjust cause? No! He would not. I dare any man to stand up and say he would. Gentlemen of this jury, Lucy Wells sold out, yes, sold out for a gray coat and a gray hat, sold out to the

devil. She has turned against her own folk, her own kin, repudiated her own testimony. Two thousand yeahs ago, our Lo'd was sold out by Judas fo' a few dirty pieces of silver, but Lucy Wells did it fo' a gray coat. And who bought Lewis Collins' clothes, who paid his way heah? To lie and swear falsely? Who? I leave it to yo' own imaginations, gentlemen. Remember this, that we cannot, we must not permit this fiendish criminal theah to go free. You yourselves know what that would mean. It would mean, *theah would be no holdin' 'em down anymo'*. Your wives', your sisters', your daughters' very lives and honor are at stake. And therefore, gentlemen, I ask, nay, I demand that this horrible fiend, this rapist die for his terrible crime he and his cronies committed on the white body of Virginia Ross. I demand the highest penalty. . . . *De-ath.* [*He bows and returns to his seat. There he is handed more telegrams but he sweeps them to the floor in anger.*]

JUDGE: Gentlemen of the jury. I give you this case now to consider. Remember you are only trying one thing. Whether or not this defendant forcibly ravished this woman. We, the white race, must be just to our colored brethren. The great things in life are God's great principles and these alone can endure. Wrong dies and truth forever lasts and we should have faith in that. Remember, tomorrow is Easter Sunday, the anniversary of our Lord's Resurrection. Remember that it is a Holy Day and that He would want you to be just. [*His voice is a bit shaky and husky as he concludes.*]

The charge is rape and the penalty must be fixed by yourselves. The minimum is ten years in prison and the maximum is death by electrocution. If the evidence shows you he is innocent, then you must acquit him. If guilty, you will fix a penalty. Gentlemen of the jury, you will please stand and . . . leave the room.

[*The JURY stands, turns and crosses to the jury-room, in silence. The court-audience is silent too. The GUARD shuts the door on them. A pause. Silence. Then suddenly from the jury-room, a sound of loud laughter, raucous and derisive. As he hears this, RUBIN is startled for a brief instant and turns slowly, not knowing where the sound is coming from. Then with a half-audible sound and an expression of mixed astonishment and dismay, he rises slowly and speaks.*]

RUBIN: If the court please . . . I have seen and heard of many strange and crazy things in my time, but I have never heard of anything like that . . . in there. [*He gestures toward jury-room.*] But I'm not through yet. Let them laugh . . . let 'em laugh their heads off . . . this case isn't ended yet. . . .

ROKOFF [*rises and stands at RUBIN'S side*]: No . . . and our fight isn't ended either. . . .

JUDGE [*rapping his gavel*]: This . . . this is out of order. . . .

ROKOFF [*continuing over the interruption*]: You have the jurisdiction to stop us in this court . . . but there are hundreds of thousands of men and women meeting in a thousand cities of the world in mass protest



against the oppression and ownership of man by man . . . and over them, you have no jurisdiction. . . .

RUBIN [*inspired and fired by ROKOFF*]: No . . . we're not finished. We're only beginning. I don't care how many times you try to kill this negro boy . . . I'll go with Joe Rokoff to the Supreme Court up in Washington and back here again, and Washington and back again . . . if I have to do it in a wheel-chair . . . and if I do nothing else in my life, I'll make the fair name of this state stink to high heaven with its lynch justice . . . these boys, *they shall not die!*

[*Laughter from the jury-room dies down and the court-audience stare at him with eyes and mouths agape. . . .*]

CURTAIN

All characters, locales and names  
of organizations in this play are  
fictitious.



A NOTE ON THE TYPE IN WHICH  
THIS BOOK IS SET

*The text of this book was set on the linotype in Baskerville. The punches for this face were cut under the supervision of George W. Jones, an eminent English printer. Linotype Baskerville is a facsimile cutting from type cast from the original matrices of a face designed by John Baskerville. The original face was the forerunner of the "modern" group of type faces. ¶ John Baskerville (1706-75), of Birmingham, England, a writing-master, with a special renown for cutting inscriptions in stone, began experimenting about 1750 with punch-cutting and making typographical material. It was not until 1757 that he published his first work, a Virgil in royal quarto, with great-primer letters. This was followed by his famous editions of Milton, the Bible, the Book of Common Prayer, and several Latin classic authors. His types, at first criticized as unnecessarily slender, delicate, and feminine, in time were recognized as both distinct and elegant, and both his types and his printing were greatly admired. Printers, however, preferred the stronger types of Caslon, and Baskerville before his death repented of having attempted the business of printing. For four years after his death his widow continued to conduct his business. She then sold all his punches and matrices to the Société Littéraire-typographique, which used some of the types for the sumptuous Kehl edition of Voltaire's works in seventy volumes. —*

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