

# summary justice

A Lynching in College Town

A Screenplay

Written by

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**SUPER:**

"We are glad to note that the University of Missouri has opened a course in Applied Lynching. Many of our American Universities have long defended the institution, but they have not been frank or brave enough to actually arrange a mob murder so that students could see it in detail."

W. E. B. Du Bois, Co-Founder, NAACP 1923

FADE TO BLACK:

FADE IN:

**SUPER:**

Based on a true story.

FADE TO BLACK:

FADE IN:

EXT. STEWART BRIDGE - NIGHT

**SUPER:**

Sunday, April 29, 1923 2AM

The sounds of thousands of PEOPLE JEERING AND CAR HORNS BLARING. The moonlit darkness of the dead of night. The perilous vision of a BLACK MAN sitting precariously on the railing of a bridge, forty feet above the railroad tracks below. The rope. The cries of SOME PEOPLE:

SOME PEOPLE  
Kill the nigger!

The carnival atmosphere juxtaposed with the brutal reality of what is happening.

EXT. FRAT HOUSE PORCH NEAR STEWART BRIDGE - NIGHT

Students cheer from a frat porch.

EXT. STEWART BRIDGE - NIGHT

GEORGE BARKWELL (O.S.)  
Pray if you want to, then that'll be  
the end of it.

The look of a calm serenity on the black man's face. Then, he is pushed over the railing.

FADE TO BLACK:

FADE IN:

Begin Title Sequence

EXT. SECOND BAPTIST CHURCH - DAY

**SUPER:**

April 1, 1923 (Easter Sunday)

As church music begins to play, it's a bright sunny morning outside the Second Baptist Church.

INT. SECOND BAPTIST CHURCH - DAY

Church members are singing "Oh, Lord Remember Me." They include SARAH BROWN (60s, black, gritty, graying) and her husband JACK BROWN (60s, black, easy mannered, stout).

WIDEN ANGLE

In a nearby pew is Sarah's son, JAMES SCOTT (37, light skinned black, slight, pock marks, Charlie Chaplin mustache) and his wife GERTRUDE SCOTT (mid 20s, black, pretty, demure) alongside two of James' children, HELEN (9, black, wide eyed) and CARL (8, black, fidgety).

EXT. BROADWAY STREET - DAY

Broadway Street is beginning to come to life with car and wagon traffic, the trees beginning to bloom.

EXT. MKT TRAIN STATION - DAY

Black porters load luggage into the "negro only" train car at the MKT Train Station. We see a "white only" train car.

EXT. STEWART BRIDGE - DAY

A white couple walks across the Stewart Bridge as a car filled with college kids goes by.

WIDEN SHOT

The University of Missouri in the background including the dome atop the main building, Jesse Hall comes into the shot.

End Title Sequence

EXT. SECOND BAPTIST CHURCH - DAY

James and Gertrude walk out of the church just behind James' children Helen and Carl, and followed by James' mother Sarah and her husband Jack. REVEREND JONATHAN LYLE CASTON (26, black, glasses, friendly) greets them.

REV. CASTON  
 (Shaking James' hand)  
 James, Gertrude, Sarah how wonderful to see all of you again. I hope you enjoyed the service.

JAMES SCOTT  
 Wonderful service Reverend Caston.

SARAH BROWN  
 Yes, being here on Easter, especially with my family, fills my heart with such grace Reverend Caston.

REV. CASTON  
 Oh, that's so nice to hear Sarah. And Gertrude, I hope James is taking good care of you?

GERTRUDE SCOTT  
 Yes Reverend he certainly is. But sometimes I think he likes his job a little too much!

JAMES SCOTT  
 (Looking at Gertrude)  
 Gerty, work is good for the soul!

The group laughs and the Scotts and the Browns descend the stairs and start to walk in the same direction as they talk. In the background there are election signs for C.B. Rollins and Emmett McDonnell, both running for Mayor in the election that takes place in two days.

SARAH BROWN  
 James and Gertrude, why don't you bring Helen and Carl over now? I spent all day yesterday baking.

James quickly looks at Gertrude and gets a nod.

JAMES SCOTT

Sure Momma.

The group walks in the direction of a nearby house.

EXT. THE BROWN HOUSE - DAY

James, Gertrude, Helen and Carl follow Sarah and Jack into their house.

INT. THE BROWN HOUSE LIVING ROOM - DAY

Sarah is spending time with Helen and Carl on the couch watching them open small Easter presents while James and Gertrude, lemons in hand, talk with Jack.

JACK BROWN

So Gertrude, how's your job going at Douglass? Are your students behaving?

GERTRUDE SCOTT

It's great, Mr. Brown. The children are little angels - but then again, it's only first and second grade! They want to learn about everything.

JACK BROWN

That's wonderful to hear. Your job is so important! And what about you James, everything going alright at the university?

JAMES SCOTT

They treating me alright. It's different than driving someone around. They got me working in the medical building keeping things looking good. Inside work most of the time so it was nice last winter.

JACK BROWN

Hmmm, I imagine so. Well your Mamma and I have a present for you James.

Jack reaches into a drawer in a nearby table and pulls out a wrapped box and gives it to James. He opens the wrapping, takes the lid off and he and Gertrude stare at the contents then look up to Sara and Jack Brown in huge admiration.

JAMES SCOTT  
Jack! Momma! It's wonderful.

The gift is a picture showing James and two other men leading a parade.

JACK BROWN  
Your Momma used to do work for someone who was a photographer for the papers. She saw him at the parade that day and asked him for a copy of the picture. We thought it might look good on your wall.

Sarah has a look of pride in her son, then James Scott rises to hug his mother and shake Jack Brown's hand.

SARAH BROWN  
We're both so proud of you son.

JAMES SCOTT  
Thank you, thank you so much! It's just beautiful!

Gertrude is holding the picture thinking about that day of the parade as we flashback.

BEGIN FLASHBACK:

EXT. ROAD LEADING TO DOWNTOWN COLUMBIA - DAY

**SUPER:**

Eight months earlier

A 1920 Hupmobile drives along a tree lined street on the way into downtown Columbia, Missouri.

INT. THE SCOTT HUPMOBILE - MORNING

Gertrude begins a conversation while James does the driving. In the back seat are Helen and Carl.

GERTRUDE SCOTT  
Where are we meeting your mom Jim?

JAMES SCOTT  
She'll be at the starting point on Broadway baby. Are your folks comin'?

GERTRUDE SCOTT

Yeah, I'm sure they'll be there somewhere. I told them you were going to be right up front. Looks like we got a nice day for the parade.

EXT. STEWART BRIDGE AND SURROUNDING AREA - DAY

The Hupmobile approaches the Stewart Bridge and we notice the close proximity of the University of Missouri's dome of Jesse Hall in the distance and the smokestack of the university's physical plant to the left of the bridge.

INT. THE SCOTT HUPMOBILE

As James and Gertrude continue their conversation, we see both Carl and Helen in the back seat looking out the window.

JAMES SCOTT

Gerty, have you heard from the school yet whether Carl is going to be in your class?

GERTRUDE SCOTT

Not yet Jim, I should know this week, but I'm sure he'll be just fine no matter who his teacher is.

Gertrude turns to Carl in the back seat.

GERTRUDE SCOTT (cont'd)

Right Carl?

CARL SCOTT

Right, Miss Gerty!

James looks at Gerty with affection and clasps her hand as we note a wedding ring she is wearing.

JAMES SCOTT

I love you baby.

EXT. BROADWAY STREET - DAY

James' Hupmobile pulls into a parking spot off Broadway Street. The downtown is buzzing with activity.

EXT. BROADWAY STREET - PARADE STARTING LINE - DAY

BLACK MEN, WOMEN AND CHILDREN are milling around attaching signs to cars, trucks and horse wagons. People carry banners and marching bands warm up. One of the banners reads "Emancipation Day 1922: Sixty Years of Freedom."

EXT. BROADWAY STREET - DAY

James and his family, greet relatives and friends including Sarah and Jack, Reverend Caston and SAM O'NEAL, (40, black, tall, built, well mannered) already wearing his Parade Marshall badge.

SAM O'NEAL

Scottie!

Sam shakes James' hand and hands him his Marshall badge.

SAM O'NEAL (cont'd)

Here's your badge for the parade.  
Say, how you keep that car looking so good?

JAMES SCOTT

Oh, you know me Sam. Saturday is  
Simonize day! Momma!

James hugs his mother Sarah.

JAMES SCOTT (cont'd)

It's good to see you! Good Morning  
Reverend Caston! I'm so happy you  
came to celebrate with us!

SARAH BROWN

Look at you! My son, the Marshall of  
the Emancipation Day Parade!

JAMES SCOTT

Yeah momma, but don't forget Sam and  
Clarence. They're Marshalls too.

JACK BROWN

James, good to see you son.

JAMES SCOTT

Thanks Jack. Gerty! Kids! Come say  
hello to Nanny and Poppa!

Both Sarah and Jack move off with Gertrude and give the kids hugs and kisses. James continues with Reverend Caston.



REV. CASTON

It's good to see you James. Your mom is so proud of you. She's happy you're closer than Chicago, that's for sure. Columbia is her home. Glad you decided to make it yours, too.

JAMES SCOTT

Thanks Reverend. Life feels pretty good right now. Well, I got a parade to lead so I gotta go.

REV. CASTON

Congratulations James! if I don't see you at the picnic, I'll see you Sunday.

The Parade begins with James and a couple of other black men in the lead. Bands, banners, cars and trucks with signs, lots of cheering from dense crowds of mostly black people on either side of the street. Within the crowds we do see a few white men who do not appear to be happy, gawking and sneering.

EXT. COLUMBIA FAIRGROUNDS - DAY

James and Sam and another man with a Marshall Badge, CLARENCE CROSSWHITE (30, black, quiet, short, lean) are standing in a crowd of nearly all black people. As the men are talking, around them we can see people milling around and talking, eating and drinking lemonade and soft drinks. Kids run around, some are in line or riding on a carousel being operated by a white man.

SAM O'NEAL

What a great parade Scottie, wasn't it?

JAMES SCOTT

Yeah, everything went off without a hitch. Were you able to collect the hundred dollars from Mr. Calkins for that Merry-Go-Round ride he set up?

SAM O'NEAL

No, not yet. He said he'd pay before he leaves out of here.

CLARENCE CROSSWHITE

Looks like he's doing pretty good over there.

JAMES SCOTT

Yeah, I can see that. Well, let's go over there and talk to him. A deal is a deal, right?

James leads his two fellow Marshalls over to the carousel where J.M. CALKINS (50, white, grey, crafty) is operating the ride.

JAMES SCOTT (cont'd)

Say, Mr. Calkins. It's James Scott.

J.M. CALKINS

Yes, I remember you.

JAMES SCOTT

Sure looks like you're making alot of people happy here today.

J.M. CALKINS

Yeah, it's goin' pretty good. Wasn't expecting this hot a day though. I shoul'da brung some water for the engine. Anywhere you boys can find me some?

JAMES SCOTT

Sorry Mr. Calkins, we all got jobs out here. You'll need to send someone else for the water. But I do want to collect that hundred dollars we all agreed on. Can I have it now please?

James holds out his hand expecting payment and Calkins stares at him.

J.M. CALKINS

Just as soon as you boys bring me some water so I can keep the ride working.

JAMES SCOTT

The contract don't say nothin about water and me and my MEN, well, we all got better things to do sir. May I have your payment Mr. Calkins?

James and Calkins stare each other down until finally Calkins reluctantly reaches into his pocket and pulls out a check.

J.M. CALKINS  
 Here's your hundred dollars boy, but  
 I really need one of ya to get me  
 some water, else there might be alot  
 fewer happy people includin' me.

JAMES SCOTT  
 (ignoring the implied  
 threat)  
 Thank you Mr. Calkins. You have a  
 good Emancipation Day alright now?

As James leads his fellow Marshalls away, we see Calkins,  
 embarrassed and upset that he's been called out by a negro.

SAM O'NEAL  
 (to Clarence)  
 Now that's how you collect your money  
 from a white man!

END FLASHBACK:

INT. THE BROWN HOUSE LIVING ROOM - DAY

We come back to Gertrude smiling with James on the couch  
 next to her. Carl comes over to his father.

CARL SCOTT  
 Dad, dad. Can we go feed Doug and  
 Clyde?

JACK BROWN  
 Doug & Clyde? Gert! You been holding  
 something back?!

GERTRUDE SCOTT  
 No, No! Doug and Clyde are two dogs  
 they've been keeping at James' work.  
 He takes care of them for his job.

JAMES SCOTT  
 It's the least I can do Gerty.  
 Somebody gotta show 'em some love  
 while they still living.  
 (to Carl)  
 Son, what do you say we go home and  
 get changed up, then go to see Doug  
 and Clyde?

CARL SCOTT  
 Yeah!! Let's go Dad! Let's go!

James Scott and Gertrude look up, big smiles.

EXT. ANIMAL HOUSE ON MISSOURI UNIVERSITY CAMPUS - DAY

The "Animal House" is a small building next to the much larger McAlester Hall Medical School on Sixth Street within the Missouri campus footprint. James' Hupmobile pulls up and he, Helen and Carl exit the car and go into the Animal House. A sign says "Animals for Medical Experimentation."

INT. ANIMAL HOUSE AT MISSOURI UNIVERSITY - DAY

The Animal House is filled with the sound of BARKING dogs. DOGS, CATS and MONKEYS are in cages. Some of the animals have visible scars or bandages. James lets two dogs out of their cages and reaches in his pocket for some treats.

JAMES SCOTT

Now kids, don't tell mamma that I brought some of last night's roast for Doug and Clyde. Doug, Clyde, that goes for you too.

We see James share small pieces of meat with the kids who take turns feeding the two dogs.

HELEN SCOTT

Daddy, are the doctors going to hurt Doug or Clyde?

James pauses before he answers Helen's innocent question.

JAMES SCOTT

Doug and Clyde are going to be just fine baby girl. They're heroes because they're going to help sick people get better.

HELEN SCOTT

I asked Jesus to take care of them.

JAMES SCOTT

Know what? I bet Jesus Himself would love to have dogs like Doug or Clyde.

We see both Doug and Clyde eating out of Carl's hand as Helen also helps feeding under James' loving, watchful eye.

EXT. STEWART BRIDGE LOOKING TOWARD JESSE HALL DOME - DAY

The sun is just beginning to come over Jesse Hall Dome.

EXT. MCALESTER HALL MEDICAL SCHOOL - DAY

INT. MCALESTER HALL MEDICAL SCHOOL ENTRYWAY - DAY

James is in his coveralls along with another janitor WILHELM (30, white, clean cut, German accent). A tray of cleaning supplies is nearby. Both men are cleaning the entryway.

JAMES SCOTT

How was your Easter Will?

WILHELM

I think I ate a whole pig James. I am feeling this now. What about you?

JAMES SCOTT

Gerty and I brought the kids to my momma's house, then I took them to visit Doug and Clyde.

WILHELM

Who are these Doug and Clyde?

JAMES SCOTT

They're dogs being kept at the Animal House?

WILHELM

The Animal House here at the school?

JAMES SCOTT

Yeah that's right. We come by and feed them every now and then. The kids love it.

WILHELM

James, you know the animals' days are numbered, yes?

JAMES SCOTT

All our days are numbered Will.

WILHELM

OK James you keep feeding Doug and Clyde. And if God tells you it's going to be your last day, then I shall bring you lunch from home, yes?

Both men enjoy a laugh as they continue to clean up.

JAMES SCOTT (V.O.)

Like Doug and Clyde, my days WERE numbered, only I didn't know it yet.

EXT. GARTH AVENUE, COLUMBIA, MO - DAY

**SUPER:**

FRIDAY, APRIL 20, 1923

A WHITE POSTMAN walks past attractive houses, sorting letters. A uniformed BLACK MAID shakes a rug over one side of a porch and looks his way. He shakes his head as he keeps walking.

POSTMAN

Nothing today.

As he steps onto the porch of the next house, he hears a piano playing a classical SONATA. He listens, smiles, drops letters through a letter slot beside the door.

INT. ALMSTEDT HOUSE ENTRANCE - DAY

The letters land in an entryway where a vase of fresh-cut spring flowers sits on a table.

INSERT ON LETTER: Prof. Hermann Almstedt, 313 Garth Ave. Columbia Missouri.

INT. ALMSTEDT HOUSE LIVING ROOM - CONTINUOUS

ALMSTEDT (50, white, wire-frame glasses, educated and calm) sits at an upright piano, playing the sonata. On top of the piano are photos of his THREE DAUGHTERS: the middle one is REGINA ALMSTEDT (14, white, brunette, sheltered, artistic).

BEGIN MONTAGE

Almstedt continues to play, and it is only his playing that we hear. Short scenes of him at the piano alternate with simultaneous muted scenes of Regina's ordeal near Stewart Bridge:

- Regina, carrying a furled umbrella, talks with a NEIGHBOR, then walks down the sidewalk alone, toward Stewart Bridge.

- OLLIE WATSON (30s, black, average size, Charlie Chaplin mustache, bears a resemblance to James Scott but sneaky and aggressive) stands on the bridge. He has a pair of ragged coveralls tucked under one arm.

- As Regina steps onto the bridge, Watson hurries to meet her.

- Watson, agitated, talks and points into the ravine. Regina looks where he points, hurries off the bridge and starts down a steep stairway into the ravine. Watson follows after.

- At the bottom of the ravine, Watson and Regina struggle. On the verge of escaping, she falls. He grips her skirt; she stabs at his chin with the tip of the umbrella.

- Watson pins Regina to the ground. He slaps her face and presses one hand over her mouth while he loosens his belt with the other.

- Regina, now alone, struggles to her feet, stepping as she does so on Watson's discarded coveralls. She clutches her bent umbrella. Her dress is soiled and smeared with blood.

END MONTAGE

INT. ALMSTEDT HOUSE LIVING ROOM - CONTINUOUS

As Almstedt sits at the piano there's a thud and the sound of shattering glass.

INT. ALMSTEDT HOUSE ENTRANCE - CONTINUOUS

Almstedt hurries to the entryway and finds Regina prone on the floor beside the broken vase. MRS. ALMSTEDT (30s, white, neatly attired) rushes downstairs and joins him. They turn their daughter to see her face. She weeps; her head rolls.

REGINA

Oh! Mother!

MRS. ALMSTEDT

Regina?! My God, Regina! What happened?

REGINA

(incoherent)

The train tracks. He said there was a child.

MRS. ALMSTEDT

Who said that, Regina? What happened?  
Can you tell us what happened?

Regina stares blankly past her mother's face. Her mother examines the dirt and blood on the dress.

MRS. ALMSTEDT  
 You've fallen, Regina. I see that.  
 Did you fall on the tracks? You're  
 hurt. What happened? Can you tell us?

Regina thrashes and moans.

MRS. ALMSTEDT (cont'd)  
 I don't think she even knows where  
 she is, Hermann.

ALMSTEDT  
 Let's put her in our bed. You can  
 stay with her. I'll call Dr. Lewis.

EXT. RAVINE BENEATH STEWART BRIDGE - DAY

As Police CHIEF ERNEST ROWLAND (40s, white, confident, well-built) looks on, two DOG HANDLERS have their BLOODHOUNDS sniff at Watson's discarded coveralls. The handlers begin their search, one taking each side of the railroad track.

CHIEF ROWLAND  
 Boys, the girl said he was a copper  
 colored negro, average height 'n'  
 weight, and he had a mustache like  
 Charlie Chaplin. See who you can find  
 and bring him to me.

After sniffing at random, one dog grows excited and charges up a slope. The dog's handler struggles to keep up. The Chief and the other dog and his handler chase behind.

EXT. CAB STAND OUTSIDE GEORGE'S RESTAURANT - DAY

Sidewalk boards display upcoming "Graduation Specials" as the dogs arrive, sniff around but apparently lose the scent.

EXT. PROSECUTOR RUBY HULEN'S HOUSE - DAY

**SUPER:**  
 SATURDAY, APRIL 21, 1923

RUBY HULEN (32, white, left-handed, plain, black round rim glasses, nerdy) is trimming the hedges around his modest home. He pays great attention to getting the angles just right.

A police car pulls up in front of Hulen's house. Chief Rowland exits and approaches Hulen.



CHIEF ROWLAND

Mister Hulen.

PROSECUTOR HULEN

Chief Rowland. Any news on the negro who assaulted the Almstedt girl?

CHIEF ROWLAND

We've shown her a couple of possibles and she says they're not the one. I'm on my way to pick up another nig...  
(stops himself)

negro who we know matches her description. We'll see what she says. I also alerted the Sheriffs in Monroe, Audrain and Calloway counties, and the train stations too.

PROSECUTOR HULEN

(Ignoring the slip)

OK, good work. I called the mayor and a few other people and I think we can raise about a thousand dollars in reward money, so that should help.

CHIEF ROWLAND

If somebody's seen something, that oughta be an incentive to talk. OK good, let me go get that other boy for the girl to take a look at.

PROSECUTOR HULEN

Alright Chief. Let me know if there's an identification.

CHIEF ROWLAND

Yes sir. Have a good day Mister Hulen.

PROSECUTOR HULEN

You too Chief. Good luck.

Chief Rowland returns to his police car and pulls away as Prosecutor Hulen returns to pruning his hedges.

EXT. THE SCOTT HOME - DAY

A police car pulls up to the front of James' house, Chief Rowland exits the car, walks up to the door and pounds on it with authority.

INT. THE SCOTT HOME - LIVING ROOM - DAY

James and Gertrude sit in their living room and are startled by the intensity of the knocking. James quickly looks out a window and steps in front of Gertrude to answer the door.

JAMES SCOTT

Yes sir, is there something wrong?

Rowland looks closely at James' face. He notices the Charlie Chaplin style mustache and immediately moves toward James.

CHIEF ROWLAND

You're gonna need to come with me  
Scott.

GERTRUDE SCOTT

James! What's going on?!

(to Rowland)

What's this all about? James hasn't  
done anything wrong!

CHIEF ROWLAND

(To Gertrude)

Now settle down Mamn! I'm taking him  
right now so that someone can see if  
she recognizes him.

(to James quietly)

And I think YOU know exactly who I'm  
talking about, right Scott?

JAMES SCOTT

Who needs to see me? I don't know  
what you're talking about!

(to Gertrude)

Gerty, this is all a mistake! I'm  
sure it is! (moving out the door with  
Rowland) I'll be back home soon!

EXT. THE SCOTT HOME - DAY

Chief Rowland first handcuffs, then bundles James into the back of his police car. The car leaves the home as a shocked Gertrude and the kids step off the porch and into the yard.

EXT. ALMSTEDT HOUSE FRONT PORCH - DAY

Chief Rowland exits the car that is parked at the curb and opens James' door grabbing him by the arm.

CHIEF ROWLAND

Come on Scott! Out, now! Let's Go!

The Chief muscles James onto the sidewalk. His face shows no sign of cuts or bruises. Thirty feet away Regina, flanked by her parents, stands on the porch. She clings to her mother's arm.

REGINA

(to Almstedt softly)

No closer, please.

(screaming at Chief)

No closer, please! I can't stand to look at him! Please, stay away! Keep him away from me!

She turns her face into her mother's shoulder. Almstedt signals the Chief to keep his distance.

CHIEF ROWLAND

It will only take a minute, Miss Almstedt. And then this will be over. I just need you to look at him for a minute, to identify him. Is this the man who attacked you?

Regina shades her eyes, forces herself to glance at James' face, then clings again to her mother's shoulder.

REGINA

That's him. He's the one. Now take him away! Take him away! I can't stand the sight of his face! Those eyes! Horrible eyes, staring at me! Cutting into me!

JAMES SCOTT

(To Chief Rowland)

What?! I don't know that girl! She made a mistake! I have never touched a white girl in my life!

CHIEF ROWLAND

Come on Scott! Get back in there!  
You're under arrest!

Chief Rowland turns James around and pushes him back into the rear of his police car.

INT. BARKWELL COAL AND FEED DELIVERY TRUCK - NIGHT

GEORGE BARKWELL (40, white, tall and muscular, an alpha male) is in his truck glancing at a small picture - framed in black ribbon and sitting on his dashboard - of his deceased WIFE AND DAUGHTER.

EXT. TRUCK - NIGHT

He gets out of a truck with the name BARKWELL COAL AND FEED on it, parked with a couple of other cars along the curb, a few PEDESTRIANS on the sidewalk, and enters a building.

EXT. BOOCHE'S POOL PARLOR - NIGHT

Through the second floor window of the building we see inside Booche's Pool Parlor where a few WHITE MEN are eating and smoking at tables. Farther back, Barkwell now joins the POOL PLAYERS.

INT. BOOCHE'S POOL PARLOR - CONTINUOUS

Among the pool players are HAMP (40, white, has a conspicuous scar across one eye), RED (35, white, wears tattered overalls and is built like a fireplug) and LOU (25, white, wears a bowtie and is a tough-guy wannabe). FOSTER HAILEY (23, white, tall, muscular and quiet) is playing pool at an adjacent table. A MAN WITH A CIGAR (50s, white, stout) sits in one of the chairs lined up along the wall, newspaper open in front of him. Hamp hands his cue stick to Barkwell.

HAMP

Where were you and the crew workin'  
today George?

Barkwell replies as he lines up the shot Hamp was taking.

BARKWELL

I was at the office all day 'Hamp.  
Gracey's been running the crew  
pouring sidewalks on Rollins Avenue  
at the university. Monday it's sewer  
lines on Locust Street.

(under his breath)

People's shit gotta go somewhere.

MAN WITH CIGAR

(reading)

"Miss Almstedt then fought off the  
beast's assault with the tip of her  
umbrella. She reported that the  
assailant was a negro with a Charlie  
Chaplin mustache, and police began  
their investigation immediately.  
James Scott, a negro janitor at the  
state university, was arrested within  
hours, and the victim has identified  
him positively.

(MORE)

MAN WITH CIGAR (cont'd)  
 A substantial reward is being offered to witnesses who can confirm that the negro was at or near the scene of the crime."

BARKWELL  
 But no charges yet, huh?

MAN WITH CIGAR  
 Well, let me see. None mentioned, as I can see. No, none.

Lou misses an easy shot.

LOU  
 Shitola!

HAMP  
 The courts move slow, George. You know that. Shoot you must remember all them pencil pushing bureaucrats from when you were on the Council. And our County Attorney, that "Hulen fellow" hasn't impressed me much. Looks like a weak stick, to me.

At the adjacent table, FOSTER HAILEY (21, tall, muscular, curly top) listens, not divulging that he is a reporter.

MAN WITH CIGAR  
 He's pretty green as prosecutors go, alright. And if the nigger can buy himself a smart lawyer, well-

HAMP  
 Not a sure thing, eh?

PLAYER AT NEARBY TABLE  
 It just takes one man on a jury to block a conviction, you know.

Barkwell lines up a shot and takes it.

BARKWELL  
 One man! Now that's a damn crime! Hey 'Hamp, the Chief's your cousin right?

Hamp nods in the affirmative. Barkwell lines up a shot.

BARKWELL (cont'd)  
 You shoulda had him turn that boy over to us. We'd know what to do with him!

The men in the pool hall have a hearty, devious laugh.

EXT. BOONE COUNTY JAIL ENTRANCE - DAY

**SUPER:**

Monday, April 23, 1923

We see Reverend Caston and ATTORNEY "E.C." ANDERSON (60s, white, grey, former blacksmith, charming) enter the front door of the jail just behind to the Boone County Courthouse.

INT. BOONE COUNTY JAIL ENTRYWAY AND WHITE SECTION - DAY

Caston and Anderson are greeted by JAILER HALL (50s, white, tall and slender, a man of few words).

JAILER HALL

Reverend, Mr. Anderson, can I help you?

REV. CASTON

Yes, Deputy. We are here to see James Scott. Can you bring us to see him?

JAILER HALL

Yes I can. Please follow me.

Hall unlocks the entrance gate and escorts Caston and Anderson down the jail's center aisle of the white section of the jail with cells on both the right and the left.

INT. BOONE COUNTY JAIL PORTCULLIS GRATE CORRIDOR - DAY

Hall, Caston and Anderson pass the jailer's kitchen steel grate and door on their right and walk through a huge steel lattice "portcullis" grate into the negro section of the jail where James is located in one of two jail cells.

INT. JAMES SCOTT'S JAIL CELL - DAY

Jailer Hall unlocks James' cell - he's the only occupant - and allows both men inside with him. The talking begins when the men see each other, before entering the cell.

REV. CASTON

James! It's good to see you! How are you holding up?

JAMES SCOTT

I guess I'm doing OK Reverend. Do you know how Momma and Gerty and the kids are doing?

REV. CASTON

They're all askin' for you James, sending their love. Gerty wants to come by to see you.

JAMES SCOTT

No! Tell her no, please. I don't want her to see me in here like this. I feel like a caged animal. Please Reverend, tell them I love them and I pray for them every day, but it's better for me if they stay home.

REV. CASTON

I understand James. A number of our church members have been visiting with Gertrude and the kids and your mother too so don't you worry. We'll take good care of your family.

(turning to Anderson)

James, I brought Mr. Emmett Anderson with me, he's the best lawyer in the county and he can help you.

JAMES SCOTT

(to Anderson)

Mr. Anderson, thank you for coming, but I don't know as how I can pay you. We only have a little money.

ATTY E.C. ANDERSON

James, the Reverend speaks very highly of you and I would like to help. I'm sure that we can come to an agreement on payment, but the most important thing right now, right here is for you to tell me your side of the story.

JAMES SCOTT

I did not do this thing they accusing me of. I think I've seen that white girl before at the university with her father, but I never touched a white woman in my life - especially a little girl.

ATTY E.C. ANDERSON

James, the girl says that the man who hurt her looked like you. She said he had a mustache that looked like Charlie Chaplin's. And that he smelled like a chemical.

JAMES SCOTT

Well you can see I have a mustache like that, and when I move the dead animals at work I smell like that chemical they use to preserve them.

ATTY E.C. ANDERSON

OK James, can you think back to what you were doing last Friday? Who might have seen you?

BEGIN FLASHBACK:

INT. SCHOOL OF MEDICINE LAB CLASSROOM - MORNING

Three men walk into an empty lab classroom. One is Wilhelm, one is a WHITE SUPERVISOR (50s, white, all business), and the last is James, the other janitor. All wear coveralls, but the two janitors also have long leather aprons on and are gloved and carrying trays of cleaning supplies and large black bags. The time on a wall clock is 10:05.

WHITE SUPERVISOR

OK, Will and James, I'm going to need you to get this place extra clean. Saturday, Doctor Mumford is giving some parents who are coming in early for graduation week a tour of the labs. Remaining carcasses removed to the animal plant, surfaces and floors cleaned, woodwork polished, trash emptied, windows shined. It's gotta look

(deeply inhales)

and SMELL good in here, OK boys?

END FLASHBACK:

INT. JAMES SCOTT'S JAIL CELL - CONTINUOUS

JAMES SCOTT

Friday me and Will Weber were cleaning up the lab so the doctor could show it off to some parents.

(MORE)



JAMES SCOTT (cont'd)  
We also had to bring some animal  
carcasses to the incinerator.

ATTY E.C. ANDERSON  
What time was that James?

JAMES SCOTT  
It took us all day almost, maybe ten  
o'clock until I went home 'round  
five.

ATTY E.C. ANDERSON  
And was Will with you all that time?

BEGIN FLASHBACK:

EXT. MEDICAL SCHOOL PARKING LOT - DAY

James and Wilhelm get out of a truck behind the medical  
building. Wilhelm waves to James and leaves while James goes  
back into the building.

JAMES SCOTT (V.O.)  
No, he had to leave out 'round three  
o'clock right after we got back from  
the incinerator so I was on my own  
from then, polishing the floors and  
woodwork, but my boss Mr. Snelling  
saw me later before I left.

END FLASHBACK:

INT. JAMES SCOTT'S JAIL CELL - CONTINUOUS

ATTY E.C. ANDERSON  
When did Mr. Snelling see you James?  
It's important to be as exact as you  
can.

BEGIN FLASHBACK:

INT. SCHOOL OF MEDICINE LAB CLASSROOM - DAY

James is in the Medical School classroom packing up his  
cleaning kit as his supervisor walks by the door and peaks  
inside. We can see the clock again now showing 4:55.

JAMES SCOTT (V.O.)  
(pauses) Mmm. I think that it was  
'round five o'clock. I was just  
finishing up with the woodwork.

END FLASHBACK:

INT. JAMES SCOTT'S JAIL CELL - CONTINUOUS

ATTY E.C. ANDERSON

Good. That's good James. There's one more thing. Can you turn your face so I can see it clearly in the light?

James turns his head so that the light poking through a nearby window above his jail cell shines on his face. Anderson examines James' face.

JAMES SCOTT

That OK?

ATTY E.C. ANDERSON

That's good James. The newspapers said the victim used her umbrella like a spear and that she pushed it into her attackers face several times. But I don't see any signs of those marks on your face or neck. Good, thank you James. That's a big help. I'll talk with Will and your boss this week and maybe we can get you out of here real soon.

JAMES SCOTT

Mr. Anderson, I WILL pay you, but it might take some time. Could you maybe take my car until we can get you paid? It's only a year or two old.

ATTY E.C. ANDERSON

Sure James, that's fine. Let's shake on it.

The two men shake hands.

JAMES SCOTT

Thank you. Thank you Mr. Anderson. And thank you Reverend Caston, I appreciate all that you're doing for me.

REV. CASTON

That's alright James. I also reached out to a good friend of mine from St Louis. He wants to help you too. We will get this grievous mistake cleared up and get you home to your family as quick as we can.

JAMES SCOTT

From your lips to the Almighty's ears  
Reverend. Please tell my family I  
love them so much and I'll be home as  
soon as I can.

INT. PROSECUTOR HULEN'S OFFICE - DAY

Hulen is at his desk writing with his fountain pen. As he finishes a sentence the pen blotches. He grabs a small bottle, dabs a cotton swab from his desk and tries to repair the blotch. Hulen's SECRETARY (30's, white, attractive, efficient) knocks at his door.

SECRETARY

Ruby? Attorney Anderson is here to see you.

PROSECUTOR HULEN

Alright, please send him in Mary.

Anderson walks into Hulen's office. Hulen offers him a seat and the two shake hands as Anderson sits down.

PROSECUTOR HULEN (cont'd)

Good afternoon Emmett, I'm sure this has to be about that Scott case. I heard that you would be representing him.

ATTY E.C. ANDERSON

News travels fast Ruby. I haven't seen an indictment yet and I wanted to know what you have. Can't keep this guy in jail forever without charging him with something.

PROSECUTOR HULEN

Oh I think we got "something" Emmett. The girl positively identified him Saturday and again yesterday including his voice and the smell of his clothes. We got a couple of other things we need to do before I file a formal indictment, but it's coming.

ATTY E.C. ANDERSON

Well I spoke with my client this morning and he gave me a couple of names of people who will say that he was working in the medical building at the university when the girl was being assaulted.

PROSECUTOR HULEN

Do tell.

(pauses)

Well I got the victim's testimony and we're looking for any other eyewitnesses right now so I'm feeling good about this one.

ATTY E.C. ANDERSON

Ruby, there's no scratches on his face. Sure, he has pock marks, but she said she poked him several times in the face with her umbrella, right? I don't think you got the right guy.

PROSECUTOR HULEN

(a little ruffled)

Look, give me a day or two to nail down all the details and I'll forward over the indictment as soon as we have it. That OK Emmett?

Anderson rises and walks toward the door.

ATTY E.C. ANDERSON

Thanks Ruby, I'll look forward to seeing it.

As Anderson reaches the door and opens it, Hulen speaks.

PROSECUTOR HULEN

And Emmett, whatever the charge, no mercy this time. The victim was a little girl.

(pause)

A little - white - girl.

Anderson turns and closes the door as he leaves. Ruby has a look of doubt on his face, wondering if he's missing something.

EXT. BOONE COUNTY JAIL JAILER'S RESIDENCE PORCH - DAY

**SUPER:**

WEDNESDAY, APRIL 25, 1923

Jailer Hall is smoking on the porch of the Jailer's Residence. Hall puts out his cigarette walks through the porch door into the jailer's kitchen.

INT. BOONE COUNTY JAIL JAILER'S KITCHEN - DAY

A utility panel is on the wall next to a door marked "Jail." Jailer Hall opens that door - which is opposite the porch door - and then unlocks a steel grate door which leads into the jail itself. He's now in the "Portcullis Corridor."

INT. BOONE COUNTY JAIL PORTCULLIS CORRIDOR - DAY

To Jailer Hall's right is a floor to ceiling wall that separates the negro and white sections of the jail. A huge, steel lattice "portcullis" grate is in the center of the wall. Those in the white section see Hall once as he walks in from the kitchen.

INT. BOONE COUNTY JAIL ENTRYWAY AND WHITE SECTION - DAY

Hall visits each cell to collect plates and utensils, then walks through the portcullis grate into the negro section.

INT. JAMES SCOTT'S JAIL CELL - DAY

James is in his cell. He hands his breakfast plate to Hall.

INT. BOONE COUNTY JAIL JAILER'S KITCHEN - DAY

Hall is at the sink washing dishes, a buzzer RINGS.

INT. BOONE COUNTY JAIL ENTRYWAY AND WHITE SECTION - DAY

Jailer Hall comes through the Jailer's Kitchen door, walks through the jail's white section to its front entrance. James' mother Sarah and wife Gerty have come to see him.

SARAH

(firm but polite)

Mr. Hall, we here to see my son,  
James Scott. Can we see him please?

Jailer Hall walks Sarah and Gertrude down the jail corridor of the white section, through the steel lattice gate and to James' jail cell, but no further.

INT. NEGRO SECTION OF BOONE COUNTY JAIL - DAY

JAILER HALL

OK folks, jail rules is fifteen  
minutes.

James sees his wife and mother and immediately leaps from his bed and tightly grabs onto their hands through the cell bars.

JAMES SCOTT

Momma! Gerty! I told the Reverend to tell you not to come-

SARAH BROWN

(cutting James off)

I know what you told him. But I'm your MOTHER James and no one - not even you - can tell me what to do! I love you son!

JAMES SCOTT

I love you too Momma.

(looking at Gerty)

Gerty, I love you. Are the kids OK?

GERTRUDE SCOTT

I love you too James. The kids are just fine.

JAMES SCOTT

I did not do this thing. I know that I have not been a perfect man my whole life, but I never touched no white woman or girl, ever!

GERTRUDE SCOTT

I know James. I know. They all got something wrong. I know you not that kind of man.

JAMES SCOTT

Momma, I got a lawyer the other day. He asked me a lot of questions and he said everything gonna be alright.

It's just gonna take a little time.

(pause)

You doing OK Momma?

SARAH BROWN

I'm OK. There been lots of folks coming to see me, feed me. Don't need no more food. Need my boy James back is what I need.

JAMES SCOTT

I'll be home soon Momma. Promise.

GERTRUDE SCOTT  
I'm sure you will baby. Let's pray  
for the Lord's help and blessings.

All three people bow their heads and Gertrude begins the Lord's Prayer.

INT. PROSECUTOR HULEN'S OFFICE - DAY

**SUPER:**

FRIDAY, APRIL 27, 1923

Prosecutor Hulen sits with Hermann Almstedt. Hulen is uncomfortably aware that Almstedt is both highly educated and old enough to be his father. He hides his insecurity behind a professional demeanor.

PROSECUTOR HULEN  
I don't think we need to worry about that, Prof. Almstedt. Scott's lawyer has seen Dr. Lewis's report already. He's agreed to stipulate that the attack involved  
(hesitating)  
penetration and tearing. Judge Collier has agreed to accept the stipulation, so that kind of question will never be asked.

ALMSTEDT  
I believe I understand all that perfectly well, Mr. Hulen.  
(pause)  
I don't think I've asked you yet, have I, whether you have children?

PROSECUTOR HULEN  
(surprised)  
No sir, you haven't. And I don't, but-

ALMSTEDT  
I hope you will. You'd be a fine parent, I think. And when you are .... Well, you've held a baby, I imagine.

Hulen nods.

ALMSTEDT  
It's terrifying, isn't it? The first time you hold one?

Both men smile.

ALMSTEDT (cont'd)

What if you hold her wrong, what if you drop her? That feeling never goes away. When you become a parent, you feel it as a duty weightier than any you've ever felt. Your duty to hold her right, to do everything in your power to protect her.

PROSECUTOR HULEN

Of course.

ALMSTEDT

Every man I talk to assumes that I want to wring that negro's neck, or have the law wring it for me. But what I really want, what I deeply want, is for Regina to sleep soundly again, alone and in her own bed. Not to be afraid of the dark. To smile when she sees her friends. I want her to walk down the street without feeling people's eyes on her.

PROSECUTOR HULEN

Yes, I believe I understand that, which is why the stipulation is so

ALMSTEDT

(interrupting)

"So important." Yes, yes. I appreciate what you've done about that, Mr. Hulen, but still you'll put Regina on the witness stand, won't you? What will that do to her? She already cringes when men look at her. And Scott's lawyer will use all his skill and intelligence to convince everyone that she has identified the wrong man. It's his duty to do that, just as surely as it's mine to defend my daughter.

PROSECUTOR HULEN

She's well prepared to identify her attacker at the trial, Professor Almstedt. Earlier this week she barely hesitated at a second lineup that I ordered to be done.



ALMSTEDT

(voice raised a bit)

Regina's just fourteen years old, Mr. Hulen. She knows she's right, and she's terrified she may be wrong. If the man is convicted, if he's executed, don't you think she'll carry her doubts around with her for years?

PROSECUTOR HULEN

Look, I'm not a parent. I don't have your experience or, probably, your wisdom. But I know that I have a duty to perform, a sworn duty. Chief Rowland has conducted a thorough investigation. Just today we found a witness who placed Scott walking around Fourth and Walnut Streets at about 4:15 in the afternoon that day. That's a big difference from where he said he was. I am convinced that this negro is a danger to the community, and he must be dealt with. I'm sure our decision here is the right one. I understand your doubts Mr. Almstedt, and I admire your courage and your integrity.

Almstedt walks to the window.

ALMSTEDT

Regina's courage, Mr. Hulen, Regina's doubts and Regina's integrity.

EXT. JAIL'S FRONT ENTRANCE AND WHITE SECTION - NIGHT

Jailer Hall waits inside the jail's front grate. SHERIFF FRED BROWN (white, brawny, about 40) and a DEPUTY march Ollie Watson, his head continuously bowed and not clearly visible. Hall opens the grate, and the group starts down the jail corridor, Hall locking up the front grate.

JAILBIRD PETE

Ah, a new customer for Will's fine dining. I swear, I've never tasted anything quite like it. Even my great-grandmother, God rest her soul.

JAILER HALL

Zip it, Pete. It's been a long night already.

(MORE)

JAILER HALL (cont'd)  
 Whatever it is you want to complain  
 about, just save it up for tomorrow.

SHERIFF BROWN  
 (to Deputy)  
 Sorry I had to call you out again  
 tonight, but Mr. Watson here has been  
 slipperier than Houdini.

DEPUTY  
 Well, I can't say it's been a  
 pleasure, but the look on his face  
 when he saw me was worth the price of  
 admission.

INT. BOONE COUNTY JAIL PORTCULLIS GRATE CORRIDOR - NIGHT

Jailer Hall opens the "portcullis" grate and proceeds inside  
 the negro section of the jail toward James' jail cell.

JAILER HALL  
 Hello Ollie! You oughta be happy we  
 got to you before some of your  
 colored friends. Otherwise, we'd have  
 only found pieces of you!

SHERIFF BROWN  
 Settle down for the night Watson. In  
 the morning you have a date with the  
 judge for the rape of Ernestine  
 Huggard.

OLLIE WATSON  
 Did nothin' to that Huggard girl! Not  
 a damn thing. Just took her for a  
 drive in the country. She a liar.

They reach James' cell, one of two in the negro section.  
 James stands to meet them.

SHERIFF BROWN  
 Company coming, Scott. Enjoy him if  
 you can.

Hall unlocks the cell door. Sheriff Brown deposits Watson,  
 butt down, in one corner.

SHERIFF BROWN  
 (ironically formal)  
 Mr. Watson, this is Mr. Scott. Mr.  
 Scott, Mr. Watson.

DEPUTY

But perhaps you've met already. In which case, it may be a miserable night for one of you.

Jailer Hall re-locks the cell.

SHERIFF BROWN

I'll leave you to your supper, Will. I can lock up in the front.

JAILER HALL

You'll be back tonight?

SHERIFF BROWN

Soon as I can, but first I'll have to do some peacekeeping at home.

INT. JAMES SCOTT'S JAIL CELL - NIGHT

James keeps his eyes on Watson, who keeps his eyes on the floor. The jailer and the Sheriff walk away, closing and locking grates as they go.

JAMES SCOTT

You alright, man? You hurt?

Watson groans and searches his jacket pocket for a cigarette. As he lights up and looks up, we get a clear look at his face: no mustache now, and scabbed-over gashes along each side of his jaw. We see that James notices Watson's gashes.

INT. BOONE COUNTY COURTROOM - DAY

**SUPER:**

SATURDAY, APRIL 28, 1923

James is in handcuffs at the defense table accompanied by his lawyer E.C. Anderson, next to them at the prosecution table is Ruby Hulen. On the bench is JUDGE HENRY COLLIER (50's, white, balding, detail oriented). Reverend Caston, Gertrude Scott, Sarah and Jack Brown are seated behind the defense table. Several reporters are writing as they talk.

JUDGE COLLIER

Mr. Hulen, would you like to begin?

PROSECUTOR HULEN

Your Honor, as you see before you the state has filed an indictment against the defendant James T.

(MORE)

PROSECUTOR HULEN (cont'd)  
Scott, a resident of Columbia, for  
the crime of rape upon a child of  
fourteen years of age.

We hear an audible GASP in the courthouse, as reporters  
write furiously in their pads.

PROSECUTOR HULEN (cont'd)  
The state has the sworn testimony of  
the victim who has positively  
identified the defendant by sight, by  
the sound of his voice and by the  
scent of his clothing. The state also  
has sworn testimony from an eye  
witness who places the defendant in  
the vicinity of the crime that  
afternoon, contrary to his assertion  
that he was working at the university  
at the time of the assault.

JUDGE COLLIER  
(to Scott)  
Sir, is your name James T. Scott?

JAMES SCOTT  
Yes Judge.

JUDGE COLLIER  
Very well, Mr. Hulen the first name  
is this indictment says "Charles."  
The court orders the name be changed  
to "James" T. Scott.

PROSECUTOR HULEN  
(somewhat embarrassed)  
Yes your Honor. My apologies to the  
court.

JUDGE COLLIER  
How does your client plea Mr.  
Anderson?

ATTY E.C. ANDERSON  
Not Guilty, your Honor.

JUDGE COLLIER  
Bail Mr. Hulen?

PROSECUTOR HULEN  
Your Honor, due to the particularly  
vicious nature of the attack on such  
an innocent victim, the state  
requests remand.

JUDGE COLLIER

Mr. Anderson?

ATTY E.C. ANDERSON

Your honor, the defendant is a well known and respected member of the community. He's married with a family who depends on his income to help them survive. He also has two eye witnesses who place him at work on the afternoon of the assault. This man has never been arrested before and is an active member of his church. The defense requests no bail.

JUDGE COLLIER

Sorry Mr. Anderson, the gravity of the charges are impossible to ignore.

Judge Collier fills out a form and checks his calendar.

JUDGE COLLIER (cont'd)

The defendant will be held without bail. I'll set trial for Monday, May 21st before Judge Gantt. Anything else gentlemen??

Both Anderson and Hulen nod to the negative and Judge Collier gavels the session ended. Immediately there's a crush of reporters surging to the front to ask both Anderson and Hulen questions and take pictures.

INT. GEORGE VAUGHN'S STUDY - DAY

**SUPER:**

George Vaughn, NAACP, St. Louis, MO

George Vaughn (43, black, thick neck, broad shoulders) sits in an armchair, reading the St. Louis Argus. A phone rings on his desk and he gets up to answer.

VAUGHN

George Vaughn here.

(beat)

Yes, operator, alright,

(beat)

Hello.

(beat)

Oh, good morning, Reverend Caston, good to hear from you again.

(beat)

Is there news about Scott, then?

(MORE)

VAUGHN (cont'd)  
 (longer pause)  
 Oh, no! The charge is rape! But the  
 girl fought the man off.  
 (beat)  
 Ah. I see.  
 (longer pause)  
 Both of them white men, and working  
 with him?  
 (beat)  
 Good! And mister Anderson has their  
 statements in writing?  
 (beat)  
 Excellent!  
 (beat)  
 Yes, I'll be on the four o'clock

He checks his pocket watch.

VAUGHN (cont'd)  
 train, should arrive at about six  
 thirty. See if you can arrange a  
 visit with Scott at the jail once I  
 arrive.

INT. COLUMBIA TRIBUNE NEWSROOM - DAY

Typewriters at the newsroom of the Columbia Tribune are  
 busy. The door of the Editor's office COLONEL ED (30's,  
 white, chubby, outspoken) is open.

INT. COLUMBIA TRIBUNE COLONEL ED'S OFFICE - DAY

On the front of the desk sits a nameplate "Colonel Ed,  
 Editor and Proprietor." Colonel Ed smokes a cigar to the nub  
 as he types. HOLLIS EDWARDS (30, white, seasoned, calm, City  
 Editor) brings in a story he just finished and passes it to  
 Colonel Ed.

HOLLIS EDWARDS  
 Happy Saturday boss. This read OK ?

A headline in Edwards' story is seen but not heard.

INSERT: "NEGRO GETS NERVOUS."

HOLLIS EDWARDS (cont'd)  
 They're charging that negro, Scott  
 with RAPING the Almsteadt girl. And  
 it looks like his lawyer, uh  
 Anderson, wants to try it here.

A line in Edwards' story is seen but not heard.

INSERT: *the taxpayers should be saved any costs that might accrue from a trial and that summary justice should be dealt to him.*

Colonel Ed quickly reads then questions Edwards.

COLONEL ED  
Many men of sound judgement.  
Taxpayers saved. Summary justice.  
Mmmm, that term yours or theirs?

HOLLIS EDWARDS  
That would be mine.

COLONEL ED  
OK. Are the "men" of sound judgement  
on the record?

HOLLIS EDWARDS  
No Colonel they were off the record.  
But they all said Scott was  
definitely guilty.

COLONEL ED  
(Pause to think)  
Alright, Good work Hollis. See layout  
then typeset and get this on page  
one!

Colonel Ed pulls his copy out of his typewriter and passes it across his desk to Edwards.

COLONEL ED (cont'd)  
Take this too Hollis. It's for  
today's editorial page. Busy day in  
College Town.

HOLLIS EDWARDS  
Thanks boss. It's on the way!

Edwards grabs the papers and quickly exits the office.

COLONEL ED  
(Yells to Edwards)  
Above the fold on your story Hollis!  
ABOVE the fold!

Then Colonel Ed takes the last draw on his cigar, rolls back his seat from his desk and leans back satisfied.

INT. HARRISON'S BARBER SHOP - DAY

George Barkwell is in a tilted-back barber chair. His face is covered by a steaming towel. Beside his chair, stropping a razor, is his barber, CAL HARRISON, (black, 70, quiet). In the next chair is EMMETT SMITH (white, 50, portly, a comedian by nature), being trimmed by a SECOND BARBER.

SMITH

That evening, the car come a-limpin' back, hood sizzling hot, Ol' Solomon at the wheel, little boy up on the seat beside him. He'd driven it all the way back to Devil's Elbow before he realized he didn't know how to switch the engine off.

Appreciative chuckles (O.S.) from several LISTENERS in chairs along the wall. Harrison strops his straight razor.

SMITH

So he had the boy fetch a ham sandwich from the kitchen, and he drove straight back to town to ask Fred what to do. Fred kills the spark for him. But by then the engine was so damn hot the pistons just fused to it. Wrecked. Total loss. Couldn't ever start it again.

GROANS and LAUGHTER from the listeners.

A wider view shows that we are in a five-chair barber shop. All the barbers are black, all the customers white. Some of the customers wag their heads in appreciation of Smith's story; some read newspapers or magazines.

Harrison removes the towel from Barkwell's face.

BARKWELL

So, Cal, tell me what you know about this Jim Scott fellow they got down at the jail. Outsider here, ain't he? Big-city colored from Chicago?

HARRISON

Well, yes, Mr. Barkwell, I believe he lived up there until about two years ago.

Harrison lathers Barkwell's cheeks.



HARRISON

He has people here, though. His mother grew up here; moved back four, five years ago, after her second husband died.

SECOND BARBER

She's an Akers, Mr. Barkwell. Believe a couple of her nephews, Sam and J.B., worked for you on the roads last summer.

Harrison shaves Barkwell's temples and cheeks. He has to pause as Barkwell speaks.

BARKWELL

Drives a fine car, don't he? A Hupmobile? Not many people in Columbia own a car good as that one. How do you suppose a nigger janitor could afford a car like that, Cal?

HARRISON

I couldn't say, Mr. Barkwell.

The shave continues. Barkwell purses his lips as he thinks.

BARKWELL

Maybe he sells some liquor out of that car, or maybe runs a crap game on the side? Or runs some women, maybe? You think that could be it?

Harrison wipes his razor with a towel and shaves delicately near one of Barkwell's temples.

HARRISON

I don't know much about liquor or craps, Mr. Barkwell. I know Scott's a churchgoer, same as me, and married to a schoolteacher, too.

BARKWELL

But I think we know, don't we, Cal, a few deacons that would buy and sell from the pews if they had half a chance.

Barkwell smiles broadly at his own joke; Harrison chuckles politely.

HARRISON

Probably so, but I'm naming no names.

Harrison wipes the lather away from Barkwell's cheeks and temples.

BARKWELL

It's a terrible thing, Cal, a rape.  
You read the Tribune today?

Harrison applies the gentlest pressure with one finger to get Barkwell to lift his chin, then lathers Barkwell's neck.

HARRISON

I'm not much of a reader, Mr.  
Barkwell, and the shop's been full  
every minute.

In the neighboring chair, Smith rises. His barber unpins the drape from around his neck, shakes it lightly, reaches for a whisk and flicks it around Smith's shoulders. Smith opens the Tribune newspaper that has been sitting in his lap.

SMITH

Unusually interesting paper today;  
educational for all, I'd say. Listen  
here. It is generally believed that  
Scott is guilty of the crime and Miss  
Almstedt's identification makes  
certain now that he's the man who  
attacked her. There has been much  
talk of mob activity and many men of  
sound judgment who do not believe in  
mob law are of the opinion that if it  
is positively proven that the negro  
is the man who committed the crime,  
that the taxpayers should be saved  
any costs that might accrue from a  
trial and that summary justice should  
be dealt to him.

BARKWELL

(for all to hear)

Paper says there's no need to waste  
the taxpayer's money on a trial when  
it's clear the man's guilty. That  
sound about right to you?

He pauses, waiting for Harrison to react. Harrison begins to shave the neck, concentrating hard on his work. As he lifts his razor from a stroke:

BARKWELL

Doesn't it sound about right to you?

Harrison wipes the razor on a towel, maintaining his look of concentration.

SMITH

Sounds about right to me, George.  
Right as rain.

Some of the waiting customers murmur their agreement.  
Harrison returns to the shave.

BARKWELL

How many years you been cutting my  
hair, Cal?

HARRISON

Most of your life, Mr. Barkwell, and  
a good deal of mine. I remember when  
we had to put the booster board  
across the arms of the chair.

BARKWELL

That's right, Cal, so you won't take  
offense if I give you a bit of  
advice.

HARRISON

No, sir.

The shave is finished. Harrison returns the chair to its  
upright position.

BARKWELL

Stay off the streets tonight, and  
tell those sons of yours to stay off  
them, too. There could be trouble.

Harrison turns to pick up a hand mirror. Barkwell winks at  
the customers waiting in the chairs. We now see one of the  
customers lower his newspaper. PROFESSOR ELLWOOD (50, white,  
highly educated and neatly dressed) has a keenly interested  
look on his face. Harrison turns back and hands the mirror  
to Barkwell.

HARRISON

There you go, Mr. Barkwell. I believe  
we're done.

BARKWELL

(admiring himself)  
Good work, Cal. Same as always.

As Barkwell and his entourage leave, Professor Ellwood  
watches, then rises, shakes his head at Harrison, and exits.

EXT. BROADWAY STREET - DAY

Professor Ellwood is walking in the downtown and he sees MAYOR MCDONNELL (55, white, rotund, well dressed) and immediately approaches him to begin a discussion.

ELLWOOD

Mayor McDonnell! Oh Mayor McDonnell.  
May I speak with you for a moment?

MAYOR MCDONNELL

Yes. It's Dr. Ellwood from the  
university, am I right?

ELLWOOD

Yes sir. I'm Charles Ellwood a  
professor over at the university. Mr.  
Mayor, first, congratulations on your  
recent election sir.

MAYOR MCDONNELL

Oh, thank you Dr. Ellwood. Thank you  
so much.

ELLWOOD

Mayor McDonnell, I think there might  
be some trouble tonight about that  
man, um, Mr. Scott, who was mentioned  
in the newspapers this week. I think  
there are some men in town who want  
to take matters into their own hands.

MAYOR MCDONNELL

Oh is that right? Well I have been  
talking with the Sheriff all week now  
and he seems to believe that  
everything is fine. Even so, I'm sure  
the Boone County administrators have  
things well under control. You know  
"they" are in charge of all the  
goings on at the jail, yes?

ELLWOOD

I see sir. I was just hoping that  
perhaps there was something that YOU  
could do.

MAYOR MCDONNELL

I don't think anything needs to be  
done professor. But if it did, I'm  
sure the Sheriff and the county will  
do it. They don't want any trouble.

ELLWOOD

I see, I see. Well  
 (pausing)  
 I guess I thank you for your time Mr.  
 Mayor. Good day to you sir.

MAYOR MCDONNELL

And good day to you Professor! Please  
 relax. Enjoy this beautiful Spring  
 afternoon!

EXT. TRAIN STATION PLATFORM - DAY

TWO BLACK PORTERS (20's, fit and talkative) stand by their  
 luggage carts, conversing as the 6:30PM train from St Louis  
 arrives carrying George Vaughn.

PORTER 1

Course, it's not like the truth  
 matters. I mean, they had Scottie  
 locked up the day it happened.

PORTER 2

True enough. Colored girl like  
 Ernestine Huggard gets raped, beat  
 up, and everybody knows it's Ollie  
 Watson did it, but the police got to  
 "investigate." Investigate what? They  
 coulda just ask me.

PORTER 1

Surprises me her father didn't finish  
 off that "investigation" for himself.

PORTER 2

Then this thing with a white girl  
 happens and boom! Same night,  
 policemen knocking on every damn door  
 looking for any colored man with a  
 mustache. Any one of us would do.

PORTER 1

I coulda told 'em. "Mustache you're  
 looking for is on somebody else's  
 face. Ollie Watson's face."

PORTER 2

Or was on his face!

PORTER 1

(laughing)  
 Yeah, or was! Right! I hear he shaved  
 it off quick enough.

(MORE)

PORTER 1 (cont'd)  
Shaved it off and went to ground like  
a rabbit when hounds on the loose.

The sound of an approaching train breaks off the conversation. Cars full of WHITE PASSENGERS pass by. The CONDUCTOR (50, white, slim and authoritative) hangs out from an open door as the first PORTER pushes his cart forward.

The car for black passengers, which is also a baggage car, stops near the second porter, who pulls his cart toward it. George Vaughn is standing by the door, eager to dismount.

CONDUCTOR (O.S.)  
Columbia, Columbia! End of the line.

Vaughn steps out soon after the train stops, carrying a small suitcase.

PORTER 2  
Welcome to Columbia, Reverend. If  
you're waiting for Reverend Caston,  
he's just stepping 'round the corner  
now.

The porter nods toward the forward end of the platform. Vaughn smiles and starts to answer, but tips his hat instead. Caston, wearing his clerical collar, threads his way carefully through a white crowd. As the crowd thins, his stride lengthens. He shakes Vaughn's hand.

REV. CASTON  
Thank you, George, for dropping  
everything and coming to help us. I  
know you are a very busy man.

VAUGHN  
Nothing I have to do could be more  
important than this. Perhaps nothing  
I do in my life ever will be. Are we  
on our way to meet Mr. Scott?

REV. CASTON  
No, I'm afraid the jailer would make  
no exceptions. There are visiting  
hours tomorrow at noon. But Mr.  
Anderson has agreed to meet with us  
this evening at his office, and Sarah  
has prepared us an early supper.

VAUGHN  
I hope she won't be offended if we  
make it a brief one. I want to go to  
the scene of the attack while we  
still have the daylight.

REV. CASTON

She knows you too well to expect anything else. How was your journey?

VAUGHN

Uneventful. I had good company on the express to Centralia, but a lonely ride from there.

The men start along the platform. As they walk through the now thinning crowd, Caston (knowing his "place") holds his hat in his hand and keeps his eyes low, Vaughn keeps his hat on his head and his eyes level.

VAUGHN (cont'd)

Your porter here took me for a minister. He'll expect me to preach your sermon tomorrow.

REV. CASTON

In that suit and riding into Columbia on a Saturday evening. What else could you be but a visiting preacher?

VAUGHN

(smiling)

A jazz man?

Both men have a hearty laugh at Vaughn's retort.

INT. JAMES SCOTT'S JAIL CELL - NIGHT

We see James and Ollie Watson are together in the same cell. James leans back against the bars of the jail cell while Ollie is perched on the top bunk of their bunk beds. James stares at Watson with a look of disdain.

OLLIE WATSON

(to Scott)

Who you lookin' at?

JAMES SCOTT

I know you hurt that Huggard girl. Everyone knows it. You do this thing they accusin' me of? You rape that white girl too?

OLLIE WATSON

So what if I did?

Watson jumps off his bunk and stands toe-to-toe with James.

OLLIE WATSON (cont'd)  
 You the one they want for that girl,  
 not me! You the one with the  
 mustache!

JAMES SCOTT  
 You had a mustache just like it! I  
 seen you before! And look at those  
 scratches on your neck! The white  
 girl did that with her umbrella,  
 didn't she!

James is now standing chest-to-chest with Watson.

JAMES SCOTT (cont'd)  
 You raped both those little girls!  
 Why? They were just innocent little  
 girls.

OLLIE WATSON  
 (grinning)  
 Wrong place at the right time guess.  
 (pauses)  
 But that white girl saw YOU,  
 remember? Not me! Guess YOU gonna  
 have to pay the fare for her.

Watson pokes James' chest.

OLLIE WATSON (cont'd)  
 Not me!

James pushes Watson away.

JAMES SCOTT  
 (yelling)  
 Mr. Jail keeper! Mr. Jail keeper! I  
 need to see Mr. Anderson.

INT. JAILER'S KITCHEN - NIGHT

Jailer Hall is at his kitchen table eating and he responds.

JAILER HALL  
 It's Saturday night Scott. No  
 visitors after 5 o'clock. Your  
 Reverend called and he wants to bring  
 someone by tomorrow at noon. Until  
 then, get some sleep. It's Saturday!



## INT. JAMES SCOTT'S JAIL CELL - NIGHT

James peers through the bars of his cell with a look of hope in his eyes, knowing he might be just hours away from exoneration.

## EXT. DOWNTOWN STREET - NIGHT

Downtown Columbia is busy. Trucks, cars, and wagons are parked along the curb. A STRING BAND is performing a COUNTRY BALLAD outside Booche's Pool Parlour. A PASSERBY drops a nickel in the fiddler's open case. He nods and plays on.

BEGIN MONTAGE - WITH STRING BAND PLAYING OVER SILENT ACTION

## INT. BOOCHE'S POOL PARLOUR - NIGHT

The place is more crowded than it had been before. George Barkwell sits at the counter, his stool turned to face the room, talking emphatically. A few men stand around him. Others listen from nearby tables.

## INT. WHITE-TABLECLOTH RESTAURANT - NIGHT

Lou enters and walks past the MAITRE D with a wave. He joins two men who are just finishing their dinner. The three talk briefly, intensely, then stand up. One diner puts a couple of dollars on the table and all three head for the door.

## INT. ABANDONED FARMHOUSE CONVERTED TO SPEAKEASY - NIGHT

A KNOCK at the door brings A MAN IN OVERALLS to answer. He cracks the front door, recognizes Hamp and lets him in. Hamp claps his hands for attention, makes an announcement then turns to leave followed by a half dozen men.

## EXT. A ONE-HORSE COUNTRY TOWN - NIGHT

Red sits in front of the general store. Two signs in the window say "CLOSED" and "Nigger, don't let the sun go down on you here." Four cars arrive, Hamp at the wheel of one. The convoy stops, a car door swings open. Red squeezes in.

END MONTAGE

INT. LAW OFFICE OVERLOOKING COURTHOUSE SQUARE - NIGHT

Attorney Anderson sits at a table with a pad of paper in front of him. Behind him the clock on the wall shows 11:03. George Vaughn and Rev. Caston sit with him.

ATTY E.C. ANDERSON

Both of the witnesses who swore out affidavits and are willing to testify are white. I'm sure there are more, if they are as willing to testify. Four or five of the janitors were working together all afternoon, cleaning up, and then there are the medical students who were in the building at the time.

VAUGHN

What about the victim? Didn't you say she identified him three times? Is she THAT sure?

ATTY E.C. ANDERSON

Interesting point Mr. Vaughn. She identified him by sight twice, by voice and by the smell of his clothes, but she also said that she pushed the point of her umbrella into his face several times, yet Scott's face doesn't have a scratch on it.

A KNOCK at the door.

ATTY E.C. ANDERSON (cont'd)

Excuse me, gentlemen.

Anderson rises and passes through an anteroom before opening the door to the hallway.

INT. LAW OFFICE ANTEROOM - NIGHT

Standing there is the SHERIFF'S DEPUTY (30's, white, stocky, direct).

ATTY E.C. ANDERSON

Why, Mack, what brings you up here at this hour?

## DEPUTY

I saw your lights were on Mr. Anderson, and thought I'd better warn you. There's men out on the courthouse lawn, lots of 'em. And they're talking crazy. Talking about lynching Scott and every other colored man they can find in the jail. There's talk about lynching you, too, Mr. Anderson. Maybe it's just whiskey talk, but they're a tough bunch, and I'm sure they're carrying sidearms, some of 'em. Take care of yourself is all I can say, Mr. Anderson. Keep your head down, you and your friends back there. Now I got to get back.

Anderson switches out the light in the anteroom and returns to his office.

## ATTY E.C. ANDERSON

You heard that, didn't you, Mr. Vaughn? Pull off that light, Reverend. I'll get this one.

The room goes dark. The men go to a window and look out. Directly across the street, bright in the moonlight, stands a memorial monument. A dozen men stand or sit around it. Others lean against parked cars and pass a flask.

Hamp Rowland's car pulls up and more men pile out. After a brief conference at the monument, the men walk across the lawn toward the courthouse.

## EXT. STREET - NIGHT

Attorney Anderson, Vaughn, and Caston stand together in the recessed entrance of a building that faces the courthouse square. They listen to the sound of raised voices in the distance. A few men hurry past them but pay no attention.

## ATTY E.C. ANDERSON

I don't think they've got us in their sights. Stay safe, gentleman.

## REV. CASTON

And you, sir.

Anderson turns right on the sidewalk, Caston and Vaughn left. As they walk away from the square the black men stay close to the buildings and out of the moonlight. White men hurrying in the opposite direction barely notice them.

EXT. COURTHOUSE SQUARE - NIGHT

Clusters of men are scattered on the lawn and in the street, most densely near the jail. TWO WHITE POLICE OFFICERS are near the jail entrance, talking with two civilians.

Sheriff Brown stands in the middle of the lawn surrounded by a dozen men, a few of them WHITE BELLIGERENTS.

FIRST BELLIGERENT

Yeah, looks to me like we got us a damn nigger-loving Sheriff here.

SECOND BELLIGERENT

Hear you've been sleeping in the jail, Shur'f, thinking you could keep that boy safe.

SHERIFF BROWN

I won't say, Bill Jackson, where I hear you've been sleeping.

Some listeners chuckle.

SHERIFF BROWN

Wait for the trial, boys. If you don't like the verdict, you can have him then. Meanwhile, I want no heads broken, yours or mine. Don't borrow trouble, boys. Go home. Don't let me see your faces around here again tonight.

Brown walks toward another group of men.

SHERIFF BROWN (CON'T)

Jack, Jack Randall!

A TEENAGE BOY turns to face him, looking startled and sheepish. Brown crooks a finger to call him over.

SHERIFF BROWN

Your dad know where you are, Jackie? What kinda stray dogs you sniffing the wrong ends of? Tell you what. Clear off now, and I never saw you. Deal?

Clusters of perhaps two hundred people are gathered in small groups, talking, joking, smoking. Some are carrying guns.

## INT. JAILER'S KITCHEN - NIGHT

Jailer Hall sits at his kitchen table, a game of solitaire is laid out in front of him. To the left of the cards a pistol lies on the table; to the right a shotgun. A chair is wedged under the knob of the porch door. The cat sits in its place on the windowsill. Hall plays a few cards before he hears a rebel yell, very near. The cat bolts to the floor as a brick sails through the window, scattering glass. A volley of other bricks pounds against the porch's door and walls. Hall jumps up.

## EXT. JAILER'S PORCH - NIGHT

A handful of men charge up the stairs. Barkwell's sidekick Hamp pounds on the door.

HAMP

Open up, Hall. Open up, goddamn you.  
We're going to get that nigger one  
way or another, and we're going to  
get him right now!

Other men's voices join in with shouts and curses. Jailer Hall pounds louder still on his side of the door, and the shouting subsides.

## INT. JAMES SCOTT'S JAIL CELL - NIGHT

James and Watson jump from their bunks and lurch toward their jail cell door as they seek to listen to the commotion that is clearly about them.

## EXT. JAILER'S PORCH - NIGHT

JAILER HALL (O.S.)

(shouting)

Listen here, men! Listen to me now,  
you goddam fools!

## INT. JAILER'S KITCHEN - NIGHT

Jailer Hall stands with his shotgun pointed, chest high, at the door.

JAILER HALL

(Shouting)

Back off! You hear me? This place is  
my home, goddam it!

(MORE)

JAILER HALL (cont'd)  
 I've got two barrels ready for the  
 first man tries to come through that  
 door. I'll kill him sure.

From outside a gaggle of VOICES

ROWDY 1 (O.S.)  
 Down, down, down!

ROWDY 2 (O.S.)  
 The old boy means it!

ROWDY 3 (O.S.)  
 Holy shit!

EXT. JAILER'S PORCH - NIGHT

Barkwell alone stands upright on the porch. The others are  
 cowering or scattered.

BARKWELL  
 All right, all right, then! Let's all  
 calm down. A man's got a right to  
 defend his own home. And there's more  
 than one way to skin a cat.

INT. JAILER'S KITCHEN - NIGHT

We see Jailer Hall briefly put down his shotgun and make a  
 phone call. We hear his side of the conversation.

JAILER HALL  
 Operator! I need Judge Collier at 310  
 right now!  
 (beat)  
 Judge, this is Hall down at the jail.  
 We got problems here! The Sheriff is  
 outside and there's a huge crowd  
 gathering. They want to take that  
 negro boy, Scott.  
 (beat)  
 Alright, please hurry and bring  
 everyone you can find with you!

EXT. BACK SIDE - COURTHOUSE SQUARE - NIGHT

Cars, wagons and about 500 ROWDIES are clustered on the  
 lawn. One carries a shotgun. Hamp, carrying an ax, joins the  
 group. With him in the lead, they hurry to the front of the  
 jail. ONLOOKERS see them and make way, saying things like:

ONLOOKER 1  
Now we'll see some action, sure!

ONLOOKER 2  
Where are these boys from?

ONLOOKER 3  
That's Hamp Rowland, isn't it? The  
Chief's cousin?

EXT. BOONE COUNTY JAIL - FRONT - NIGHT

Hamp and the other rowdies reach the jail's front door,  
where Barkwell and two others have been waiting.

BARKWELL  
(to Hamp)  
All yours.

The wood outer door open, Hamp swings hastily at the lock  
that secures the steel door leading inside the jailhouse. He  
misses and the ax glances off the door's steel surface.

ROWDY 1  
Strike one, Hamp. Eye on the ball  
now! Outta the park!

Hamp swings again, breaking the door open. Cheers goes up.  
The rowdies push the door open; spectators shout approval.

INT. JAIL CORRIDOR - NIGHT

Hamp enters the lighted jail corridor, heading for the steel  
lattice "portcullis" grate. Rowdies and onlookers follow  
him, shouting encouragement. Three men bang on the bars of  
GUS' and JAILBIRD PETE'S cell.

ROWDY 1  
He in there with you? Where's our  
nigger-loving Sheriff keeping Scott?

INT. JAMES SCOTT'S JAIL CELL - NIGHT

Both James and Watson still stand at their cell door, but  
James, upon hearing his name now realizes that it's him that  
the mob is seeking. He calls out to the men in the kitchen.

JAMES SCOTT  
Mr. Jailer! You men in the kitchen!  
I'm an innocent man! You need to  
protect me! Please!

## INT. JAIL CORRIDOR - CONTINUOUS

ROWDY 2

Where's that nigger? He in there with you?

JAILBIRD PETE

Hold on, hold on! There's no coloreds in here, boys. Gus over there is white as milk. Look at that face of his. Pale as Custer's ghost, ain't he? And as for me-

ROWDY 3

Stow it, pecker-wood. Just tell us where we can find that nigger Scott!

JAILBIRD PETE

You're too late, friends. He's not here. Sheriff figured you was coming. Took him over to the Mexico jail this afternoon to keep him safe. Guess you'd better look for him over there.

ROWDY 2

Shit, shit, shit! Now what?

ROWDY 3

I don't believe him for a second.

ROWDY 2

But I did see a sheriff's car pass me out by Millersburg.

ROWDY 1

(shouting)

He ain't here, Hamp. Sheriff took him over to the Mexico jail.

HAMP

Hell he did.

## INT. JAILER'S KITCHEN - NIGHT

We see Jailer Hall in the kitchen standing next to a utility panel, hearing the mob gathering right outside his door at the "portcullis" grate. He flips a switch on the panel.



INT. BOONE COUNTY JAIL - PORTCULLIS CORRIDOR - NIGHT

The lights in the corridor go off. In semi-darkness, we hear Hamp's howl. Hamp confronts the "portcullis" grate. He pulls at it; tries to shake it. It's immovable, and he is furious.

HAMP

Chrissake! Stand back!

He rests the edge of his ax on one of the grate's hinges to take aim, then draws back and lets fly with all his might. The blow glances off. The ax handle splinters.

HAMP (cont'd)

Chrissake!

Hamp beats against the grate with the ax handle. Barkwell appears beside him.

BARKWELL

Tools, men. This one'll take some tools, that's all.

HAMP

Chrissake! What now?

EXT. COURTHOUSE SQUARE FRONT SIDE - NIGHT

Cars and wagons are parked three deep in the street. From one car, a WHITE BOOTLEGGER sells nickel shots. The crowd is clearly larger than before.

EXT. SIDEWALK FRONT SIDE OF COURTHOUSE SQUARE - CONTINUOUS

Vaughn, Caston and Anderson have gathered in a dark corner near the square. They look at the devolving situation before them. A pair of WHITE COLLEGE MEN throw knives at each others' feet in a game of mumbley peg while friends cheer them on.

EXT. COURTHOUSE SQUARE - EAST SIDE - CONTINUOUS

A group of young people wearing Missouri University shirts, hats are talking and laughing with well-dressed adults. A banjo-playing WHITE BUSKER entertains a circle of appreciative WHITE LISTENERS. The clang of sledgehammer blows on metal echoes everywhere.

INT. BOONE COUNTY JAIL - PORTCULLIS CORRIDOR - NIGHT

The lights are off. The portcullis corridor is packed. In a flashlight's beam, a man kneels holding a chisel against the bottom hinge. Red, sledgehammer in hand, shifts his stance as a ROWDY (30, white, anxious and sweaty) eggs him on.

A ROWDY  
Pour it on, Red!

His backswing begins.

RED  
One, two, three.

As the WHITE CHISEL MAN flinches and turns his head, Red lands a heavy blow, with no effect except the resonant clank of metal on metal.

A ROWDY  
Hit her again, Red!

The chisel man and Red resume their positions.

RED  
One, two, three.

Another resounding clank.

EXT. BACK - COURTHOUSE SQUARE - NIGHT

Chief Rowland parks his car, steps out and squeezes between parked cars on his way to the lawn. He passes a DISTRESSED WHITE COUPLE (50's, educated, average size) who are being interviewed by Foster Hailey. They call to the Chief.

DISTRESSED MAN  
Chief Rowland!

The Chief doesn't see where the voice is coming from and looks around.

DISTRESSED MAN  
Chief Rowland, over here!

The Chief sees him and steps over.

DISTRESSED WOMAN  
Aren't you going to do anything to stop this, Chief?

CHIEF ROWLAND

No need, ma'am. There's no way they're going to get to the man.

DISTRESSED MAN

I'm sure I saw your cousin up there a minute ago, Chief. Holding one of the chisels.

CHIEF ROWLAND

Is he, now? Well, he'd better be careful or he'll get his fingers smashed.

He tips his hat and walks through the crowd toward the jail. Foster Hailey, who has been listening, makes a note.

INT. JAILER'S KITCHEN - NIGHT

There's a quiet knock at the Jailer's Porch door and Jailer Hall glances through door hole to see who it is, then opens the door to Sheriff Brown, Judge Collier, Ruby Hulen and two policemen. The men quickly rush into the kitchen.

JAILER HALL

Get in here men! They're inside and they're pounding on the gate! We got a real problem on our hands!

INT. BOONE COUNTY JAIL - PORTCULLIS CORRIDOR - NIGHT

The corridor is crowded and dark. WHITE ONLOOKERS watch as a fresh team of rowdies hammer away by flashlight. The bottom hinge has been broken off the grate, but the top one remains. The onlookers flinch at each blow.

AN ONLOOKER

Christ! This will take all night!

A SECOND ONLOOKER

Whatsamatter, Alf? Afraid you'll be late for church?

INT. JAMES SCOTT'S JAIL CELL - NIGHT

The look of concern is growing greatly on James' face. He bends his ear to listen for conversations among the mob.

EXT. FRONT ENTRANCE OF JAIL - NIGHT

A cluster of four or five men smoke and talk near the open front door with its broken padlock. Barkwell emerges from the corridor and approaches them.

BARKWELL

John, Chaz, find Hooch Rollins. I know he's out there somewhere. Tell him we need his blowtorch.

INT. JAILER'S KITCHEN - NIGHT

The light is on, the doors are shut tight. The cat looks out from a nook between the stove and a cabinet. The six men sit or stand around the kitchen table: Hulen, Sheriff Brown, Jailer Hall, Judge Collier, and two WHITE POLICEMEN.

PROSECUTOR HULEN

The Governor's instructions are clear. We are to defend the jail until Col. Williams can call in enough Guardsmen to secure the area.

SHERIFF BROWN

And Williams reports?

PROSECUTOR HULEN

That only five men have reached the armory at this point, but-

JAILER HALL

And the rest of them are what? Sound sleepers? Stone deaf? Prob'ly half of 'em are out there on the square now, enjoying the show. Time's up, and we're on our own.

JUDGE COLLIER

Fair enough. On our own to do what, then?

SHERIFF BROWN

Let me ask you, Judge Collier. If it came to it, would you be willing to carry that shotgun out there to guard Scott's cell?

JUDGE COLLIER

I wouldn't hesitate. I am an officer of the law.

SHERIFF BROWN

Hulen?

PROSECUTOR HULEN

Well, yes. If it comes to that.

SHERIFF BROWN

Then there are six of us. Six men with guns out and ready.

POLICEMAN 1

Well, there's no telling what they'll do, is there? Now their blood is up.

POLICEMAN 2

And you can be sure that there are a lot more guns out there than in here.

SHERIFF BROWN

But if we had every gun aimed down that corridor.

PROSECUTOR HULEN

Someone somewhere might fire a shot, and that shot might set off five more shots, from us or from them or just from some tom-fools out on the lawn, and those shots...

JUDGE COLLIER

He's got a point. People could start firing in every direction.

JAILER HALL

There are some jackasses out there that deserve killing, but there's women and children, too, and good enough people by the hundred.

SHERIFF BROWN

Not good enough to pass up a chance to gawk at a lynching, apparently.

PROSECUTOR HULEN

Granted, but that's not a crime, is it?

JUDGE COLLIER

Can we talk our way out of this? Can we reason with the leaders? Or threaten them with murder charges? Is there anyone they'd listen to at this point?

PROSECUTOR HULEN

The Governor, maybe?

SHERIFF BROWN

Fat chance. By the time he hitched his britches and drove here...

PROSECUTOR HULEN

I've called the girl's father. He said he'd do anything he could to stop this lynching. Why wouldn't Hamp and the rest of them listen to him, to the father of the girl Scott raped?

SHERIFF BROWN

Because they wouldn't listen to Jesus Christ himself at this point. The time for talking is past. Only force will decide this, or at least a show of force.

JUDGE COLLIER

I'm not so sure.

EXT. COURTHOUSE SQUARE, BACK LAWN - NIGHT

Beyond the excited crowd, light radiates from the entrance of the jail. The light shifts in intensity and color: yellow, red, blue.

INT. BOONE COUNTY JAIL PORTCULLIS CORRIDOR - NIGHT

Curious men crowd the corridor and a flashlight reveals a roll cart with two gas cylinders. A WHITE MAN WITH A BLOWTORCH focuses his flame on the remaining hinge. Then the Jailer's Kitchen door just to the men's right opens. Judge Collier, Brown and Hulen appear behind the steel grate door.

JUDGE COLLIER

Men, men! Listen to me!

No one responds.

JUDGE COLLIER (cont'd)

Listen, please!

Sheriff Brown comes to the grate. His voice booms.

SHERIFF BROWN

George Barkwell, won't you listen to Judge Collier?

Barkwell lifts one hand.

BARKWELL

Stop now! Quiet! Quiet, everyone!

The torch man cuts the flame back, and men near the cell hush one other. Farther back, men continue to shout and stamp.

JUDGE COLLIER

Men, you don't know what you're doing. This is a bad case, a very bad case, but we should let the man have a trial by jury. I've set the trial date myself. It's less than three weeks away, and I've no doubt that it will be a speedy trial.

A MAN FROM BACK OF CROWD

Get the damned nigger!

A MAN NEAR FRONT

We're gonna hang this damned nigger, anyhow!

INT. JAMES SCOTT'S JAIL CELL - NIGHT

James is in his cell but now backed up against a wall, knowing that his life is possibly close to being over.

INT. BOONE COUNTY JAIL - PORTCULLIS CORRIDOR - CONTINUOUS

JUDGE COLLIER

Let a jury of your own people decide this man's guilt or innocence.

ANOTHER MAN NEAR FRONT

To hell with juries! We know juries! We'll be our own jury.

JUDGE COLLIER

I speak in the name of the father of the girl, who has been more wronged than any of you. He wants this man to have a trial.

Ruby Hulen takes Collier's place at the grate.

HULEN

At least wait long enough for the girl's father to come talk with you.

A MAN NEAR FRONT

Go ahead. Bring him down here. We'll hang him, too!

Hulen, Judge Collier and Sheriff Brown back into the kitchen and shut the door.

A MAN FARTHER BACK

C'mon, get that nigger out of there!

ANOTHER MAN FROM THE BACK

What's the matter up there? Are you afraid of him?

A young man pushes forward.

YOUNG MAN

Let me through, I'll run the damned torch.

He takes the torch from the hands of the blowtorch man, turns the flame up again, and begins to cut.

EXT. PORCH ALMSTEDT HOUSE - NIGHT

Almstedt locks his front door, straightens his jacket and hurries along a sidewalk. The street is deserted, the houses dark.

INT. JAMES SCOTT'S JAIL CELL - NIGHT

James is sweating profusely now. He's shaking and very scared. He calls to the men in the kitchen from the darkness of his jail cell.

JAMES SCOTT

You men in the kitchen, can you hear me?

INT. JAILER'S KITCHEN - NIGHT

The six armed men in the kitchen bend their ears to hear James' voice over the sound of the blowtorch.

INT. JAMES SCOTT'S JAIL CELL - CONTINUOUS

JAMES SCOTT

You can't allow this to happen. I'm innocent. Please. Help me.

(MORE)



JAMES SCOTT (cont'd)  
Make these people go home. I did not  
hurt that girl.

INT. JAILER'S KITCHEN - NIGHT

The Sheriff, Hulen, the Jailer and Judge Collier all appear to be inspired by James' pleas but no one moves.

INT. JAIL CORRIDOR - NIGHT

The blowtorch man cuts at the locking mechanism at the center of the door, then switches the torch off.

BLOWTORCH MAN  
That should do it, George. She's cut  
through.

BARKWELL  
Okay. Good work.  
(to rubbernecker)  
Move back now. Move back and make  
room. Get out of the way. That gate's  
coming down! Move back now.

There's a stir while men pull the cutting apparatus back. Then sidekicks Lou and Red pull the grate out of its jamb. The crash of its fall echoes through the corridor. A CHEER goes up from the crowd.

EXT. STEWART ROAD BRIDGE - MOONLIT NIGHT

Almstedt walks across the deserted bridge.

INT. JAIL CORRIDOR - NIGHT

Foster Hailey hurries through the darkness and climbs atop James' cell. Behind him comes George Barkwell, carrying a flashlight and accompanied by sidekicks Hamp, Red, and Lou.

BARKWELL  
He's got to be in here.

The flashlight reveals James standing against a far wall and Watson cowering on a cot.

RED  
Is one of you James Scott? Where's  
Scott; he's the one we're after.

BARKWELL

Tell us straight up so we don't have  
to hang every nigger we find in here.

JAMES SCOTT

I'm James Scott, but I did not touch  
that girl!

James points directly at Watson.

JAMES SCOTT (cont'd)

THAT man! HE did it!

LOU

He's here! We got him!

Watson springs to his feet.

OLLIE WATSON

He's lying! That girl saw HIM! Not  
me! HE got that mustache too! Not me!

More men rush forward, shouting excitedly. Their echoing  
voices drown James' voice.

JAMES SCOTT

You've got the wrong... I never... at  
work all that afternoon... Watson  
told me this afternoon... a white  
girl... wrong man... daughter of my  
own, I would never...

BARKWELL

(to men behind him)

Bring up the torch.

The blowtorch man rolls up his equipment, sparks the torch,  
and begins to cut away the locking mechanism on the jail  
cell. The brilliant flame casts extreme lights and shadows.  
A man standing nearby switches open his pocket knife, steps  
up to one of the tanks, and cuts its hose.

HOSE CUTTER

Are you a bunch of idiots!? If you  
keep burning acetylene down in this  
little hole, you're going to blow us  
all to smithereens.

As he tries to carry the tank away an old man with a  
revolver in his hand confronts him.

OLD MAN

That tank is gonna stay right here  
until we get that lock cut off.

EXT. STREET BORDERING COURTHOUSE SQUARE - MOONLIT NIGHT

A NATIONAL GUARD PRIVATE, uniform shirt half-buttoned,  
hurries along a sidewalk toward the Guard's armory.

INT. NATIONAL GUARD ARMORY - NIGHT

The private opens the door and enters a room where a  
COMMANDER (35, White, sharp, extremely stressed) in uniform  
stands, holding a stick phone. Without putting down the  
phone, the Commander signals the private inside and points  
him toward another room.

COMMANDER

(into phone)

I understand, Mrs. Ottoway. If he  
comes home soon, please tell him that  
the battery is assembling at the  
armory, and that by order of the  
Governor, he is to report  
immediately. Thank you.

Instead of hanging up, he holds down the phone's cradle,  
consults a list on his desk, and clicks the cradle three  
times.

COMMANDER (cont'd)

Yes operator, this time try Mr.  
Burchfield at number 103. Thank you.

While he waits for an answer, he watches the crowd milling  
on the courthouse lawn.

INT. JAMES SCOTT'S JAIL CELL - NIGHT

James is backed away from the cell door as far as he can be  
as Watson cowers on his bunk. The hose has been repaired and  
they are furiously working on cutting through the lock on  
James' cell. James is screaming to anyone who will listen.

JAMES SCOTT

You don't want me! I did not hurt  
that girl!

James points directly at Watson.

JAMES SCOTT (cont'd)  
He did it! And he hurt that other  
negro girl too! He told me before!

INT. JAILER'S KITCHEN - NIGHT

Sheriff Brown and the others in the kitchen, listen to James' pleas. The men do not move.

JAMES SCOTT (V.O.)  
Sheriff! Can you hear me?! I need  
help! I'm innocent!

INT. JAMES SCOTT'S JAIL CELL - CONTINUOUS

As Watson continues to cower, the lock is cut off by the torch and immediately the cell door is opened and Barkwell leads a small group into the cell and they immediately stream toward James.

JAMES SCOTT  
No! No!

As two men grab hold of James, another hits James with a club that lands squarely on his head knocking him back. All three men then proceed to strip off the shirt James is wearing.

BARKWELL  
Lou! Take him!

Lou places a clothesline around James' neck and pulls him out of his cell. Other members of the mob push James out the front door to the Jailer's Porch. James yells to the men in the Jailer's Kitchen as he passes their closed door.

JAMES SCOTT  
Help! No! You have the wrong man!  
Help me! Sheriff! Help me!

INT. JAILER'S KITCHEN - NIGHT

Brown, Hulen, Collier, Hall and two deputies are frozen in fear of the mob.

EXT. JAILER'S PORCH - NIGHT

The porch is packed with men; the flower boxes destroyed, the railing broken. Two men stand on the porch swing.

Red and Hamp each land a roundhouse swing at James' head. James is bleeding from the nose and ears. People shout approval.

MAN'S VOICE 1 (O.S.)

There he is!

MAN'S VOICE 2 (O.S.)

That's the nigger! Do you see him?

WOMAN'S VOICE (O.S.)

Hang him now! Hang him right there!

MAN'S VOICE 3 (O.S.)

Give that animal what he asked for!

As another man attempts to climb onto the porch swing, it collapses. Men grab each other as they begin to fall off.

INT. JAILER'S KITCHEN - NIGHT

Amid the din, Sheriff Brown opens the door to the porch from the Jailer's Kitchen and finds men's backs pressed so solidly against the screen door that he's effectively locked in. He shoves at the screen door, but the men don't move.

SHERIFF BROWN

Men, men! Men. I need volunteers. There's a car waiting to take this man to another jail. Men! I just need a few good men to help get him there. Men! Men! Will no one step up to help!? Men!

One of the men backed against the screen door turns to look at the Sheriff blankly, then turns away again. Hulen joins the Sheriff and shouts.

PROSECUTOR HULEN

Let the court do its work, men. Please, let the court do its work. I'll work hard for a conviction. I'm confident I'll get one. Men! Please! Let the law do its work.

There is no response. Hulen throws his shoulder against the door, tearing the mesh and driving the frame into the backs and heels of two men outside. An ANGRY MAN turns to Hulen.

ANGRY MAN

Hey! Back off, mister, or I'll teach you what trouble is!

EXT. JAILER'S PORCH - NIGHT

James' lips move as he talks to the men nearest him, but so loud is the crowd that his words can't be heard by anyone else.

SPECTATOR

What'd he say?

HAMP

He said something about waiting for his daddy to come.

SPECTATOR

Really?

EXT. STREET BORDERING COURTHOUSE SQUARE - NIGHT

Several BLACK BYSTANDERS have gathered at the edge of the crowd and are anxiously looking in the direction of the jail. Caston and Vaughn are among them.

BYSTANDER 1

It's a shame, a damn shame.

BYSTANDER 2

These people actin' like animals.

A roar goes up near the jail.

BYSTANDER 3

There'll be no happy ending, you can bet on that.

BYSTANDER 4

I never thought I'd see this happen in Columbia.

The mass of humanity on the lawn churns with excitement. A MAN WITH A RIFLE threads his way between parked cars and walks directly toward the black bystanders. He barks a command:

RIFLE MAN

Beat it!

He fires into the air. Chaos follows. The black men duck and hurry away. The white bystanders on the lawn scatter, squat down, and shout. When no more shots come, they begin to stand again.

## BUGLE VOICE

Take him to Stewart Bridge! Lynch him there!

## A SECOND VOICE

Hurry! Take him to the bridge! We can deal with the others later!

EXT. STREET BETWEEN COURTHOUSE SQUARE AND ARMORY - MOONLIT NIGHT

The sidewalks and curbs are packed with spectators. A makeshift parade of cars and pedestrians is forming in the street. At its front is a MAN who has cupped his hands into a megaphone.

## MEGAPHONE MAN

Here they come! Give them room! This way men, this way! Here's the front.

James, leashed like a dog, is encircled by half a dozen men, including Barkwell and his sidekicks Lou, Red, and Hamp. They quickly march him through a thicket of gawkers.

## MEGAPHONE MAN

Bring him here. We'll lead.

Lou tugs at the leash maliciously. James struggles to keep his feet. Red trips him and he falls headlong on the brick-paved street. For a minute, as Lou continues to pull, he crawls along the street. A COMPASSIONATE BYSTANDER (60s, white, sympathetic) intervenes.

## COMPASSIONATE BYSTANDER

(to Lou)

Here, now! There's no need for that!

The compassionate bystander steps off the curb and holds Lou back until James can regain his feet.

## JAMES SCOTT

There's no need to pull me. I'll walk with you.

## BARKWELL

If he'll walk, let him. Having him crawl won't get us there any faster.

The group reaches the space in front of the lead car, which switches on its headlights. The parade moves slowly forward, with the crowd closing in behind.

## EXT. COURTHOUSE SQUARE - NIGHT

Hermann Almstedt, finally arriving, stands with Ruby Hulen among a group of downcast men watching the receding parade from the courthouse lawn.

## PROSECUTOR HULEN

Nothing, Professor Almstedt. Nothing can be done now, except to keep the other prisoners safe. And keep you safe, too, sir. I can get a car. A deputy can drive you home.

## ALMSTEDT

Thank you, no. I'll make my own way.

Almstedt steps into the street and begins to walk in the same direction the mob has taken.

## EXT. SEVENTH STREET TO CHERRY STREET - NIGHT

James, bleeding and sweating, continues the march south on Seventh Street toward the bridge. His vision is blurred from his initial assault and perspiration that has run into his eyes. In SLOW MOTION he sees those assembled on both sides of the street, jeering him, cussing him, spitting at him, cheering for his death. We see individual faces - all white - of people young and old, wealthy and less well off, farmers, businessmen, students with "M" on their hats or sweaters, men and women, boys and girls, 99% of whom are angry, shouting, and calling for James to be put to death.

## EXT. CHERRY TO SIXTH STREET - NIGHT

The march turns west on Cherry Street toward the bridge and the raging continues. James is now sensing that all is lost, but he looks at the anger in the faces around him and "he" then becomes angry at his plight. Reporters Charles Nutter (20s, white, thin, wearing a Press tag) and Frank Misselwitz (20's, white, slick looking) are seen furiously taking notes. James uses all the strength remaining in his body and pulls with his hands on the rope to stop then looks left and right, takes a deep breath and, crying for his life, he screams.

## JAMES SCOTT

I am innocent! Please! Don't kill me!

There is no sympathy in response, just hundreds of jeers and angry remarks. James is weak, beginning to lose consciousness, overheating from the stress.



James abruptly feels the rope around his neck go taught, launching him forward almost causing him to fall but he somehow is able to regain his balance.

EXT. SIXTH STREET - NIGHT

Turning south on Sixth Street is the closest that the route will come to university grounds so the ratio of students to other members of the mob now increases to twenty percent. Two blocks further and to James' immediate left is the medical building where he works and just before that, the animal house where Doug and Clyde are awake.

INT. ANIMAL HOUSE AT UNIVERSITY OF MISSOURI - NIGHT

All the animals are anxious as a result of the commotion taking place just a hundred feet away. Doug and Clyde, the dogs, are crying, whimpering and pawing at their cage doors.

EXT. SIXTH STREET - NIGHT

Two hospitals are side by side, on the left, just after the medical school. One is University Hospital and one is Parker Hospital, both on university grounds. NURSES watch from the windows of Parker Hospital as James walks by them.

INT. UNIVERSITY HOSPITAL - THIRD FLOOR CORRIDOR - NIGHT

TWO WHITE NURSES AND A WHITE DOCTOR watch through a window. One of the nurses weeps and blesses herself as she prays. The other nurse and doctor look on in stunned silence as the mob leads James just one hundred feet from their window.

EXT. SIXTH STREET - NIGHT

The march is just a few minutes away from the bridge. James is now exhausted and praying out loud. As we hear James pray a series of flashbacks are seen.

- James and Gertrude driving in his Hupmobile
- James leading the parade
- James with Helen and Carl playing with Doug and Clyde
- James hugging his mother

JAMES SCOTT (V.O.)

(strained and  
breathless)

Our Father, who art in Heaven,  
Hallowed be thy name. Thy kingdom  
come. Thy will be done, on Earth as  
it is in Heaven.

(crying)

Forgive us our trespasses as we  
forgive those against us. Lead me not  
into temptation.

Barkwell marches behind James as we hear the final words of  
his prayer.

JAMES SCOTT (V.O.) (cont'd)

But deliver me from evil O Lord.  
Amen.

A car filled with YOUNG WHITE PEOPLE signals the route to  
the bridge for the mob to follow. A few other nearby cars  
also honk their horns and flash their lights creating a late  
night spectacle in the middle of town.

INT. THE SCOTT HOME - LIVING ROOM - NIGHT

Gertrude Scott is sitting in a chair very quiet, but awake  
in the dimly lit living room. Helen and Carl are asleep on a  
couch. We hear the faint sounds of CAR HORNS in the  
distance. She looks down at something in her lap. It's a  
picture of James leading the previous summer's Parade. Her  
fingers stroke his face.

EXT. MAPLE STREET - NIGHT

Time is running out for James. As he turns from Sixth Street  
to Maple Street he can see the bridge just two city blocks  
away now and getting closer with every step. He is passing  
the University's physical plant building on his right, with  
its smokestack that belches steam into the air, and its  
dark, hulking appearance in a scene right out of Dante's  
Inferno. The mob is gathering on, around and under the  
bridge just a few yards ahead, anxious to witness the  
spectacle of a black man being publicly executed. James  
struggles to remain conscious and lucid.

JAMES SCOTT

Gertrude! Momma! I love you! I love  
you! Please Lord, remember me.

BEGIN MONTAGE:

EXT. APPROACH TO STEWART BRIDGE

EXT. MAPLE STREET - NIGHT

George Barkwell is barking out commands.

EXT. RAVINE BENEATH STEWART BRIDGE - NIGHT

Huge crowd has gathered for a "lynching party."

EXT. PORCH AT MAPLE STREET FRAT HOUSE - NIGHT

STUDENTS are hanging off the porch singing, laughing, some wearing shirts or sweaters with an "M" on them.

EXT. STEWART BRIDGE - NIGHT

Cars parked on bridge flashing lights and beeping horns

EXT. MAPLE STREET - NIGHT

- People yelling for action
- James' bare feet
- James' injuries to his head
- Lou tugging at the rope sadistically
- Hamp howling satisfaction
- Well-dressed, grown men watching with party-like smiles

END MONTAGE

EXT. STEWART BRIDGE - NIGHT

A lamppost casts a bright light at the south side of the center of the bridge. Men on the deck jockey for position, stand on tiptoe, crane their necks. A WHITE WOMAN IN A BONNET rides on a man's shoulders to get a better view. We see a YOUNG WHITE UNDERGRADUATE playing a banjo from the porch of his nearby fraternity house. James stands with his back against the lamppost. He's bleeding from his nose and ears and is surrounded by the mob leaders, including Barkwell, Hamp, Red and Lou. Barkwell leans toward Hamp and yells into his ear.

BARKWELL

The rope ain't right! I need to go  
get one! I'll be back in a minute!

As Barkwell pushes his way through the mob, Hermann Almstedt arrives at the bridge and pushes his way toward James and faces the crowd, trying to reason with them. Charles Nutter stands beside him and Frank Misselwitz immediately behind, both wearing "PRESS" credential tags.

ALMSTEDT

(yelling, emotional)

It was **MY** daughter, not one of yours!  
I have been wounded to the very heart  
by what happened to her, wounded far  
more than any of you! Don't besmirch  
your hands with this deed! I plead  
with you to let the law take its  
course with this man! I ask it of you  
in the name of law and order and the  
American flag!

Few bystanders can hear this plea, but some react.

BYSTANDER 1

Lord love a duck! What's that old  
fart going on about?

BYSTANDER 2

It's the girl's father. They should  
at least listen to him.

BYSTANDER 3

That's Professor Almstedt. I had him  
for German last semester.

BYSTANDER 4

He's a Kraut?! Shut up, Herr von  
Kraut! Go back to Germany! You lost!

LOU

Yeah, shut up old man, or we'll lynch  
you, too.

Lou puts his hand on Almstedt's chest and walks him backward into the crowd. Soon Almstedt has vanished among taller bystanders who push to the front. Meanwhile Barkwell pushes forward through the crowd, carrying a coil of stout rope. He emerges from the scrum.

HAMP

At last, the cavalry arrives! Now we  
can get on with it.

With Nutter and Misselwitz standing just two feet away, Hamp, Lou and Red move to the side as Barkwell grabs James by the shoulders and pins him against the bridge railing. He removes the rope from James' neck and uses it to tie his hands behind his back. He ties one end of his longer rope to the railing, fashions a hangman's knot at the other end, and loops the noose around James' neck. As he works, the crowd below the bridge clamors impatiently.

VOICE 1 (O.S.)  
Say, what the hell's going on up there, anyway?

VOICE 2 (O.S.)  
Time's a-wastin'.

VOICE 3 (O.S.)  
You fellas getting cold feet, or what?

Lou looks down over the bridge's railing and shouts.

LOU  
Get ready down there. We're almost home.

Barkwell picks James up and sits him on the bridge railing. The crowd below begins to cheer, whistle, catcall:

VOICE 4 (O.S.)  
Throw him down to us! We'll take care of him!

BARKWELL  
(to SCOTT)  
Pray if you want to, then that'll be the last of it.

JAMES SCOTT  
Lord, You know the truth. Have pity on an innocent man's soul. You know my innocence. Will you allow an innocent man to suffer?

WOMAN IN BONNET  
Over the edge with him!

Barkwell places both his hands against James' chest.

JAMES SCOTT  
You don't need to push me. I'll ju...

Barkwell shoves James off the railing. There are cheers from the bridge; overlapping, incoherent shouts from the crowd below.

VOICE 5 (O.S)

Look out!

VOICE 6 (O.S.)

Here he comes!

EXT. FRAT HOUSE HILL OVERLOOKING BRIDGE - NIGHT

As the riotous overgrown crowd continues cheering, we see everyone assembled both on and under the bridge, James drops from the top, then suddenly stops twenty feet below the bridge deck with an audible cracking sound. James is still.

EXT. STEWART ROAD BRIDGE - NIGHT

Hamp puts two fingers in his mouth and whistles shrilly, like a man calling a dog.

EXT. STEWART ROAD BRIDGE ENTRANCE - NIGHT

The National Guard Commander and one of his men arrive at the bridge and look on in horror as the crowd continues to cheer and yelp.

EXT. THE SCOTT HOME - NIGHT

We see Gertrude leaving the house in her nightgown, crying and putting on her house coat as she runs down the dark deserted street in tears.

EXT. THE BROWN HOME - NIGHT

When she arrives at the door of Jack and Sarah Brown's home just a few blocks away, she knocks at their door. Initially, all the lights are off, but a couple - including one by the door - come on and Jack answers the door.

JACK BROWN

Gertrude! What is it honey!

GERTRUDE SCOTT

They killed him! They killed him!  
They killed my James!

INT. THE BROWN HOME - NIGHT

Sarah Brown walks through the living room toward the front door. Gertrude is very upset, but she composes herself just enough to look into Sarah's eyes and speak in a hushed tone.

GERTRUDE SCOTT

Mamma, they just told me that James  
was taken from the jail tonight. That  
a mob

(crying)

a mob took him to the bridge...

Sarah's eyes open wide

GERTRUDE SCOTT (cont'd)

And they hung James! They hung him  
from the bridge!!

SARAH BROWN

(to her husband)

OH NO! OH No! No! Not my James!

Gertrude opens her arms as she and Jack envelop Sarah as she drops to her knees on the floor and continues to cry.

SARAH BROWN (cont'd)

Oh God! Lord Jesus! Not my James!  
He's a good boy! He never hurt  
anybody! Oh Lord! Let me die! Lord!  
Let me die!

EXT. NEIGHBORHOOD THE BROWN HOME - NIGHT

As we continue to hear Sarah's wailing we see the home with two lights on while all the other houses are dark. Then one by one, the lights on the other houses go on until nearly the entire neighborhood is now awake.

INT. JAIL CORRIDOR - DAY

**SUPER:**

SUNDAY, APRIL 29, 1923

Barkwell is alone in the cell adjacent to jailbirds Pete and Joe. Irritated by Pete's banter, he pretends to sleep.

JAILBIRD PETE

You're a first-rate sleeper,  
Barkwell. I'll give you that much.

(MORE)

JAILBIRD PETE (cont'd)

Hang a man in the morning and take a little nap in the afternoon. Not everybody has that kinda grit.

(to Joe)

Doesn't that just look like the sleep of the just, Joe? Must have a clearer conscience than you and me, I guess.

JAILBIRD JOE

Speak for yourself.

JAILBIRD PETE

Always do.

(sniffs)

Say! What's that I'm smelling? Sorta smells like sulfur and brimstone, doesn't it?

INT. THE SCOTT HOME - LIVING ROOM - NIGHT

Gertrude, Helen and Carl, Sarah and Jack, James' brother AKERS SCOTT (39, black, well built, calm) and Gertrude's parents are gathered in their dimly lit living room weeping when there's a slow knock at the door. Gertrude slowly opens the door. Reverend Caston is in the doorway with a group of church members, some bearing food and baked goods.

GERTRUDE SCOTT

Good evening Reverend Caston. Would you like to come inside?

REV. CASTON

(Standing outside)

Oh Gertrude, we all wanted to come here tonight to be with you and your family.

Caston nods to the children, James' mother and the others.

REV. CASTON (cont'd)

(Nodding to the children and James' mother) Mrs. Scott, children.

Akers Scott moves forward to shake Caston's hand.

AKERS SCOTT

Reverend, I'm James' brother Akers. I arrived today from St. Louis. James' older daughter Anna is also on her way here from Chicago.



EXT. THE SCOTT HOME - NIGHT

Gertrude noticing the people behind Caston walks out to her porch while the children and James' mother follow. Dozens of people are all gathered, many bearing food gifts, some with candles lit. We rejoin the conversation on the porch.

GERTRUDE SCOTT

Thank you Reverend.

(louder to everyone  
gathered)

Thank you everyone!

(begins to cry)

You are all such a blessing!

As Gertrude breaks down into Reverend Caston's shoulder, nearby church members rush in to hold her and the entire group slowly pulls in closer to Gertrude and the family.

INT. ROTUNDA OF STATE CAPITOL - DAY

**SUPER:**

MONDAY, APRIL 30, 1923

GOVERNOR HYDE (50, white, glasses, grey hair), stands at a podium as he finishes his speech. Seated behind are AAG HENRY DAVIS (40's, white, outspoken), and Ruby Hulen. Facing them are dozens of REPORTERS.

GOVERNOR HYDE

And so we must provide our negro citizens opportunities equal to ours, legal protections equal to ours, and justice equal to ours. Assistant Attorney General Davis?

AAG Davis steps to the podium and begins speaking.

AAG HENRY DAVIS

The people of Boone County need to understand that Missouri law makes no distinction between murder and accessory to murder. The men who encouraged this act by word or deed are as guilty of murder under the law as the man who threw the negro from the bridge. Anyone who shouted encouragement is as guilty as the leaders and can be charged with first degree murder.

Many flash bulbs go off. The reporters write furiously.

ASS'T A.G. DAVIS

Those who hear these words and understand the peril they lie under should come forward immediately and offer their honest testimony about what they saw in Columbia yesterday. If they do so, they can hope for leniency in return. If they fail to come forward, there will be no hope of leniency, and they open themselves to the harshest punishments our laws allow.

As the news conference breaks up, an experienced REPORTER buttonholes Hulen and shouts a question.

REPORTER

Mr. Hulen, they say that some of the men in that lynch mob plan to deal with you the way they dealt with Scott. Is that true? Do you have any comment?

Hulen turns to answer.

PROSECUTOR HULEN

Tell them that if they come looking for me, they needn't bother to bring a blowtorch.

The news conference breaks up and reporters and photographers continue to press the elected officials.

INT. BOONE COUNTY JAIL - FRONT ENTRANCE - DAY

As Sheriff Brown sits at his desk, two well dressed gentlemen enter. They are DR. S.F. CONLEY (60, white, wearing a sling on his right arm), and WILLIAM "FRED" BRIGHT (50's, white, well dressed), a bank president.

SHERIFF BROWN

Good morning gentlemen, what can I do for you?

BRIGHT

Good morning Sheriff. I'm Fred Bright President of Boone County Trust and this is Dr. Conley. We are here to post the bond for Mr. Barkwell.

SHERIFF BROWN

Is that so? Alright gentlemen

Brown pulls out some paperwork and begins to write.

SHERIFF BROWN (cont'd)  
I'll need to complete some paperwork,  
get your signatures, and of course,  
your bond checks.

S.F. CONLEY  
(Pulling out envelope)  
Yes right here Sheriff. I think  
you'll see the numbers are correct,  
yes?

SHERIFF BROWN  
(Looking at checks)  
Appears to be gentlemen. It'll be a  
few minutes before we can release  
him. Is there anything else?

BRIGHT  
Well yes, yes there is Sheriff. If  
you decide to arrest any more of the  
fellows who were in that mob, send  
them to my office at the bank! I'll  
make bond for all of them until you  
fellows holler "enough!"

BEGIN MONTAGE:

EXT. CAB STAND OUTSIDE GEORGE'S RESTAURANT - DAY

Davis and Hulen talk with cook and waitress. Behind are  
boards displaying upcoming "Mother's Day Specials"

INT. COLUMBIA POLICE DEPARTMENT - DAY

Davis interviews an animated Chief Rowland

EXT. STEWART BRIDGE RAVINE - DAY

Davis and Ruby Hulen point to various spots as Davis uses  
his handkerchief to wipe sweat from his neck and face

INT. RUBY HULEN'S OFFICE - DAY

Hulen and Davis speaking with Professor Ellwood. We can see  
a wall calendar that shows June, 1923.

END MONTAGE:

EXT. HULEN'S BACK YARD - DAY

**SUPER:**

WEDNESDAY, JULY 4, 1923

The sound of a GUNSHOT as a bullet pierces a letter on a fence post which is signed "KKK" and reads in part

INSERT: "you better let this Negro business goe or you will get some of the same."

We hear another gunshot; another hole appears in the letter. Ruby Hulen and his wife ANNA HULEN (30's, white, brunette, plain, clever) sit on their back patio, a pitcher of ice tea between them. She knits as he reloads his hand gun.

PROSECUTOR HULEN

Anna, I'm afraid Davis is right. You can hear it on the streets and see it in the papers. Scott deserved to be lynched because I'd already declared him guilty. When push came to shove, I let myself be rushed to judgment on some pretty thin evidence.

ANNA HULEN

Ruby, it was Chief Rowland's investigation. When you had some doubts about the lineup he did, you insisted that he do a proper one.

PROSECUTOR HULEN

Not very impressive honey. She managed to identify the man she already ID'd before. And the voice and smell tests? Probably a sham too. Professor Ellwood from the university told us how Regina's identifications may have been influenced.

Hulen's gun loaded, he aims and takes another shot.

ANNA HULEN

What are you talking about?

BEGIN FLASHBACK

INT. COLUMBIA POLICE STATION - CHIEF'S OFFICE - DAY

We now see (in slow motion), but do not hear, the action that Hulen is describing. Chief Rowland stands next to Regina and points to each man in a lineup. They come forward and say a few words.

As James takes his turn, Rowland changes his demeanor. When vials are presented for Regina to sniff, Rowland is more enthusiastic when presenting the third vial. Regina picks the voice and the vial Rowland wants.

END FLASHBACK

PROSECUTOR HULEN (V.O.)

The Chief stood right next to Regina during both tests. He *knew* Scott's voice and she picked up on Rowland's subtle motions and tone. The same thing happened on the smell test. As he handed her each vial to smell, he asked if that was the smell of her attacker's clothing. Again, she picked up on the Chief's subtle tone. Subconsciously she *knew* which voice and vial he wanted her to pick.

ANNA HULEN

So you can't trust the tests or IDs?

Hulen fires off another shot. It hits its target.

PROSECUTOR HULEN

Apparently not. But you *can* trust the dogs. One of the dogs followed a scent from the bridge to Ollie Watson's cab stand outside George's Restaurant.

ANNA HULEN

The same Watson who's in jail for raping that young negro girl?

PROSECUTOR HULEN

The EXACT same one Anna. People at the restaurant told us Watson was there the day Regina was raped, and that HE had a Charlie Chaplin mustache that he shaved off right after Regina's attack. I think I indicted the wrong man Anna.

ANNA HULEN

Ruby, you're a good and honest man. This isn't your fault.

PROSECUTOR HULEN

(firing again) My Prosecution. My fault, Anna.

ANNA HULEN  
And the poor Almstedt girl?

PROSECUTOR HULEN  
Might have to be dragged through everything her father wanted to spare her. And worse this time if she IDs Watson at the lineup I set up for tomorrow. Watson's defense will hammer her. If I can convict Watson for the Huggard rape, maybe that will be some measure of justice for the Almstedts. But it still doesn't bring James Scott back.

Hulen fires another bullet into the KKK letter. It places a bullet hole in the letter next to a phrase.

INSERT: "if it had been your daughter."

EXT. AUDRAIN COUNTY COURTHOUSE - DAY

**SUPER:**  
THURSDAY, JULY 5, 1923

Embossed emblems on the entrance doors tell us that we are at the Audrain County, Missouri Courthouse. We see Ruby Hulen, Regina Almstedt and her mother walk into the building.

INT. ANTEROOM IN AUDRAIN COUNTY COURTHOUSE - DAY

Regina, her mother and Ruby Hulen enter a room with a large one-way mirror on one wall. SHERIFF ALEXANDER (40s, white, quiet) steps into the room to oversee the proceedings.

SHERIFF ALEXANDER  
(quietly to Hulen)  
Sorry Mr. Hulen, I just checked and for some reason Ollie Watson's upper lip has refused to grow any hair. My deputy thinks he has been doing everything he can to stop a mustache from growing.

PROSECUTOR HULEN  
That's alright sheriff. It is what it is.

PROSECUTOR HULEN (cont'd)  
 (turning to Regina)  
 Now Regina, I know it's difficult to go through this again after all that you've been through, but I need to know if it's possible the man who hurt you is in this group. Could you take a look and tell me if you see the man who attacked you? Each one is holding a card with a number on it.

Hulen points to the two-way mirror Regina will look through.

PROSECUTOR HULEN (cont'd)  
 Regina, this is a special window where you can see them, but they can't see - or hear - you, OK?

REGINA  
 OK.

PROSECUTOR HULEN  
 Are you ready?

REGINA  
 Yes...yes sir.

Hulen knocks twice on the window and a group of men, Ollie Watson among them, enter the room and stand against a wall facing the window. Watson is #6.

PROSECUTOR HULEN  
 Take your time Regina. Look at each man carefully.

We see Regina staring through the window, moving her eyes slowly over each man and then re-living the rape.

BEGIN FLASHBACK:

EXT. BENEATH STEWART BRIDGE - DAY

REGINA'S POINT OF VIEW:

- Very short images of her attacker's hands
- Her attacker's belt
- Her attacker's chest
- Her attacker's face

- Then closer and closer images of his face

END FLASHBACK:

INT. ANTEROOM IN AUDRAIN COUNTY COURTHOUSE - CONTINUOUS

Those images are juxtaposed with images of the faces in the lineup she is looking at. Once she gets to Watson's face she compares that image to the one from her attack. She suddenly stops. She tightly closes her eyes. Her mother squeezes her hand and both begin to cry.

PROSECUTOR HULEN  
Regina, do you see him?

REGINA  
SIX! He is number six!

Regina suddenly stops crying. She freezes. She begins to shake. She shrieks at her misidentification of James and his resulting fate.

REGINA (cont'd)  
Oh my God! Mother! What have I done!

MRS. ALMSTEDT  
No Regina! It's not your fault!

REGINA  
(crying)  
It is! It's ALL my fault!

PROSECUTOR HULEN  
No, you're wrong Regina. What happened was not your fault. It was MY fault. I am to blame, not you Regina.

SHERIFF ALEXANDER  
Mr. Hulen, how do you want me to proceed?

PROSECUTOR HULEN  
Let's just keep this under wraps for the time being. We need to figure out where we go from here, OK Sheriff?  
(to Regina)  
And Regina, you are such a brave young girl. I only wish that we could all be as brave as you. Let me take you and your mom back home.



INT. RECEPTION AREA - RUBY HULEN'S OFFICE - DAY

**SUPER:**

FRIDAY, JULY 6, 1923

We see Hulen walk toward his office and glance at his secretary who tells him that she has seated his visitors in his office.

HULEN'S SECRETARY

They are waiting in your office.

PROSECUTOR HULEN

Thank you Mary.

INT. RUBY HULEN'S OFFICE - DAY

Hulen opens the door and we follow him inside where Sarah Brown and Gertrude Scott sit in the chairs facing his desk.

PROSECUTOR HULEN

Mrs. Brown, Mrs. Scott I want to thank you both for coming in today. I would...

SARAH BROWN

(interrupting)

Mr. Hulen, we did not come here because you asked us. We came because we wanted to know if what we read in the newspapers today was true. Did that young girl identify a different man as her attacker?

PROSECUTOR HULEN

(hesitating)

Yes. Yes mamn she did.

GERTRUDE SCOTT

And because she previously identified my husband, you indicted him, and the mob killed him. While you and five other men stood by!

PROSECUTOR HULEN

Yes mamn, I know. I'm so very sorry. We did what we could that night but it wasn't enough. Not nearly enough.

SARAH BROWN

Mr. Hulen, I have three grand children so I know that sometimes they make mistakes.

(MORE)

SARAH BROWN (cont'd)

I forgive that young white girl for what she did. I feel terrible for what happened to her. She was a child and she probably never saw a black man up close in her whole life. But Mr. Hulen, you and Chief Rowland and Sheriff Brown are adults. You should have known the danger my son was in. Your jobs were to protect him, with your own lives if need be. People spit on my son! They struck him with fists and sticks! *They* laughed and whistled and sang songs while *he* suffered and begged for his life.

(pause)

And then they killed him. **HE** was innocent, and **THEY** were guilty! My son should be alive AND FREE today, and he would be if all of you had just done your jobs.

PROSECUTOR HULEN

Mrs. Scott, Mrs. Brown, I cannot bring James back. But we will get justice for him at next week's trial, I promise you.

SARAH BROWN

You'll have to forgive me if I've lost faith in any promises of justice, Mr. Hulen. I've lived too many years and never seen anything resembling justice in my lifetime. Unless of course, you're white.

INT. BOOCHE'S POOL PARLOUR - NIGHT

It's a busy night. Along one wall WHITE KIBITZERS sit nursing their drinks. Emmett Smith and the Man with Cigar have a newspaper open. WHITE POOL PLAYERS from the nearest table pause their game to join in the conversation.

MAN WITH CIGAR

Paper says there may be more to come. Five so far, but lemme see, yes, here it is: "The statement made it clear that the Grand Jury has not been dissolved and that it may reconvene at any time to issue additional indictments."

POOL PLAYER 1

Jeez-Louise! How many men they gonna charge with murder? A hundred? Two hundred? A thousand?

MAN WITH CIGAR

Well, just one so far. George Barkwell's the only one they charged with murder. Hamp and the others are charged with obstructing justice.

POOL PLAYER 1

Well, that makes some sense, anyway. Barkwell's the only one who put the rope around the colored boy's neck, after all.

There's an uncomfortable silence. Smith and the Man with Cigar exchange glances.

SMITH

Were you on the bridge that night?

POOL PLAYER 1

Well, yes. I got there in time to see

SMITH

Let me stop you right there, young man. If you were there I can tell you exactly what you saw. You saw my friend George and me standing clear on the other side of the bridge when somebody else put a rope around that boy's neck.

POOL PLAYER 1

But what I was gonna say was.

MAN WITH A CIGAR

(interrupting)

What I was gonna say is that a closed mouth catches no flies.

SMITH

Exactly. That colored boy got what was coming to him. The less said about how that came about, the better. Period.

POOL PLAYER 2

(to Player 1)

Back off, Jesse. Sounds like it's time to circle the wagons.

POOL PLAYER 1  
Yeah, but don't get me wrong. All I  
was gonna say was

Pool Player 3 bangs his cue stick on a table.

POOL PLAYER 3  
I believe the man said "period"!

EXT. COURTHOUSE SQUARE - MORNING

**TITLE:**

Wednesday, July 11, 1923

Cars and a few wagons are parked along the curbs. MEN stand talking on the steps and lawn.

INT. BOONE COUNTY COURTROOM - DAY

SPECTATORS fill the benches and stand two or three deep along the walls. The defense and prosecution teams gather their paperwork as reporters are squeezed against the front gate. Hulen notices a sudden quieting in the gallery. He rises and turns standing next to Davis as he watches Sarah and Jack Brown and Gertrude Scott, accompanied by Rev. Caston and George Vaughn, come through the courtroom door. They walk down the center aisle and step through the crush of reporters to take the first row behind the prosecution table. They nod to the prosecution team who look at them with quiet reverence and nod back. Hulen and Davis then turn to face forward.

PROSECUTOR HULEN  
(under his breath)  
I'd call that "motivation" Mr. Davis.

ASS'T A.G. DAVIS  
(smiling)  
More like "inspiration" Mr. Hulen.

JUDGE HENRY GANTT (45, white, heavy, cranky) enters the courtroom and sits down at the Judge's bench.

BAILIFF  
All Rise! The Court of General  
Session of the Eighth Judicial  
District is now in session. The  
Honorable Henry Gantt presiding.

JUDGE GANTT  
(from the bench)  
You may proceed, Mr. Hulen.

Hulen rises and walks forward to face the jury.

PROSECUTOR HULEN

The evidence we will present to you will show that on April 29th the defendant, George Barkwell, assisted by other men, came to the Boone County jail and took James Scott from it, for no other reason than that he intended to murder him, or to have him murdered by others. The removal and murder took hours to accomplish. In the process of committing these crimes, Barkwell defied pleas from a respected judge, from law enforcement officers, and even from the father of the girl Scott had been accused of attacking. The murder was utterly cold-blooded. Reliable testimony will show that George Barkwell personally placed the rope around James Scott's neck and pushed him over the railing to his death.

We see Gertrude wiping a tear with her handkerchief.

JUDGE GANTT

And for the defense? Mr. Harris?

SENATOR FRANK HARRIS (60, White, glasses, silver and astute) rises from the defense table and approaches the jury.

HARRIS

(rising, walking forward)

George Barkwell is a man known in Boone County for his spotless reputation in business and for his recent term of service on the City Council. Square dealing, that's what George Barkwell is known for. Square dealing is all he expects of you. Now, I believe that in this case the evidence will show that the deceased man was a negro. Soon before the alleged lynching, he was accused of the heinous crime of rape. I think the evidence will show that the brutal offense was committed on a 14-year-old white girl.

Sarah and James Brown react with anger and disgust.

HULEN

I object, your honor! Any crime Mr. Scott may or may not have committed is irrelevant to the case against Mr. Barkwell.

HARRIS

It is relevant, certainly, to the defendant's state of mind. It is relevant because the prosecutor has alleged that my client acted in cold blood.

JUDGE GANTT

Objection overruled. Proceed.

HARRIS

Miss Regina Almstedt encountered a negro man on Stewart Bridge on the afternoon of April 20th. That negro lured her into the ravine below, removed his belt and wrapped it around her neck. He choked this innocent girl.

Gertrude, Sarah and James Brown, Rev. Caston and Vaughn all simultaneously react with disgust.

PROSECUTOR HULEN

Objection your honor!

ASS'T A.G. DAVIS

May we approach?

Judge nods. All five lawyers stand at the bench.

ASS'T A.G. DAVIS

This is clearly unnecessary and inflammatory, your honor. What the defense is doing here is suggesting that that negro deserved killing, so no harm was done.

HARRIS

Nonsense, your honor. What we are doing is countering the prosecution's claim that our client acted in calm cold blood. That the whole community was heated by the heinousness of the crime proves otherwise.

JUDGE GANTT

I'll allow, Senator, but keep it brief, and don't play it to the gallery.

They resume their seats.

HARRIS

He wrapped his belt around her neck and threatened to kill her if he couldn't have his way. He drew out a knife and cut away her underpants. Then, gentleman, he accomplished his purpose.

He pauses. The courtroom is silent, the jurors and the spectators riveted. Vaughn and Rev. Caston exchange glances, plainly appalled.

HARRIS

Two colored men were taken to the girl's home the next day, and the girl said that neither of them was guilty. Then the third was brought, and the girl went into hysterics.

PROSECUTOR HULEN

Objection, your honor! James Scott is not on trial here.

JUDGE GANTT

Overruled.

HARRIS

She went into hysterics and said that he was the man. That third man was the negro James Scott. There were other identifications. There were two lineups. The victim identified Scott by the smell of chemicals on his clothing. She even identified him by the sound of his voice. The Chief of Police supervised these identifications. A statement that her identification was certain and unmistakable was given to the press, and the Columbia Tribune came out with a statement that Scott was guilty. By Saturday night, feeling was running high. The crowd grew and grew, and there were at least 1500 people at the jail when Scott was brought out.

(MORE)

HARRIS (cont'd)  
 Ruby Hulen, the Prosecutor himself,  
 stepped out of the jail that night  
 and asked the crowd a question.

He lifts his notepad from the table to read the question,  
 running his finger under the words as he reads, slowly.

HARRIS  
 "Is there one person here," Mr. Hulen  
 asked, "who does not think that this  
 man should be hanged?!"

Hulen jumps to his feet, upset.

PROSECUTOR HULEN  
 I didn't say that!

HARRIS  
 Oh, I'm sorry. There seems to be some  
 confusion. I thought... Two  
 eyewitnesses said...

He looks again at the pad, quizzically, and slowly returns  
 it to the table.

HARRIS  
 But I apologize and withdraw my  
 statement  
 (beat)  
 So sorry, where was I?  
 (beat)  
 Yes, the evidence  
 (beat)  
 The evidence will show that George  
 Barkwell did nothing more at the jail  
 than any of the other spectators.  
 Testimony will show that he didn't  
 touch James Scott at Stewart Bridge.  
 I hardly know why the prosecutor has  
 elected to pursue Mr. Barkwell. It's  
 as if he has decided that the whole  
 town is guilty, and that some  
 prominent citizen should be offered  
 up to pay the price.

The attorney returns to his seat. Jurors and spectators talk  
 among themselves. Judge Gantt raps his gavel once.

JUDGE GANTT  
 Is the prosecution ready to proceed.

PROSECUTOR HULEN  
 Yes, your honor.



JUDGE GANTT  
You may call your first witness.

INT. BOONE COUNTY COURTROOM - CONTINUOUS

The temperature in the courtroom has risen. People are fanning themselves with whatever they have at hand. Judge Collier is on the witness stand. Hulen is questioning him.

JUDGE COLLIER  
Yes, Mr. Barkwell was standing very close to Mr. Scott's cell, at the forefront of the men gathered in the jail corridor.

PROSECUTOR HULEN  
Thank you, Judge Collier. And is the man you are referring to in this courtroom today? Can you point him out?

JUDGE COLLIER  
That is the man. That is George Barkwell.

INT. BOONE COUNTY COURTROOM - CONTINUOUS

Sheriff Brown is on the stand.

SHERIFF BROWN  
I shouted George Barkwell's name and pleaded with him to listen to Judge Collier. Barkwell held up his left hand and called for attention. The man running the torch switched it off and the others up front stopped shouting.

INT. BOONE COUNTY COURTROOM - CONTINUOUS

Jailer Hall is on the stand.

JAILER HALL  
It looked to me like Barkwell was kind of directing the boys. I heard someone shout, "Don't let them out-talk you, George," and then Barkwell dropped his hand and the mob fired up again.

INT. BOONE COUNTY COURTROOM - CONTINUOUS

Foster Hailey is on the stand.

PROSECUTOR HULEN

Very good, thank you. So from your perch on top of Scott's cell, you heard and saw George Barkwell telling others that James Scott was inside.

HAILEY

Yes, sir.

PROSECUTOR HULEN

And after he did that, a man brought forward a blowtorch and began to cut away at the locking mechanism of the cell.

HAILEY

Exactly.

PROSECUTOR HULEN

And did you see Barkwell handling the torch?

HAILEY

Well, sir, that depends on what you mean by handling. Another man was doing the cutting, but then some fellow cut the hose and tried to carry the tank away.

BEGIN FLASHBACK

INT. BOONE COUNTY JAIL - JAMES SCOTT'S JAIL CELL - NIGHT

An abbreviated reprise of the earlier scene.

HOSE CUTTER

You're going to blow us all to smithereens.

He tries to carry the tank away. An old man with a revolver in his hand confronts him.

OLD MAN

That tank is gonna stay right here until we get that lock cut off.

END FLASHBACK

INT. BOONE COUNTY COURTROOM - CONTINUOUS

HAILEY

At first no one could get the torch working again, but then Mr. Barkwell started monkeying with the gas tank. And after he got done, they were able to light the torch again, and they cut their way into the cell.

PROSECUTOR HULEN

Thank you, Mr. Hailey.

(to judge)

Nothing further your honor.

Hulen sits and CONGRESSMAN SAMUEL MAJOR (55, white, a giant) rises to cross examine.

CONGRESSMAN MAJOR

"Monkeying with the tank," Mr. Hailey? Monkeying? What exactly do you mean by "monkeying"? Could you actually see what the man you supposed to be Mr. Barkwell did to the tank?

HAILEY

Well, no sir. But I assumed he was fixing it.

CONGRESSMAN MAJOR

And did he have any tools in his hands?

HAILEY

No, sir, none that I could see.

CONGRESSMAN MAJOR

And so you assumed that a man with no tools was somehow repairing an acetylene tank, even though you never saw exactly what he was doing? No further questions, your honor.

He sits.

PROSECUTOR HULEN

Redirect, your honor?

Judge nods. Hulen rises.

PROSECUTOR HULEN

To be clear, Mr. Hailey, you saw that the equipment wasn't working before Barkwell tinkered with it. And then you saw him tinkering with it. And after this tinkering, the equipment worked again. And so you drew the logical conclusion that he had fixed it. Correct?

HAILEY

Yes, sir.

INT. BOONE COUNTY COURTROOM - CONTINUOUS

Frank Misselwitz is on the stand.

ASS'T A.G. DAVIS

And Mr. Misselwitz as you got to the bridge, what did you see?

MISSELWITZ

Well, when I stepped out of the car, I saw a couple of men leading Prof. Almstedt away, and then I began to wade through the crowd to get to the lamppost. That wasn't easy, but when I got to the front, I saw that things were sort of standing still.

ASS'T A.G. DAVIS

And you could see James Scott clearly?

MISSELWITZ

Oh, yes, sir. I finally got so close to him that I could hear every word he said.

ASS'T A.G. DAVIS

And what was he saying?

MISSELWITZ

He said that he was an innocent man.

EXT. STEWART BRIDGE - NIGHT

James and several mob members--including Red, Hamp, and Lou, but not Barkwell--are under the arclight. Misselwitz and Nutter stand at the front of the crowd of onlookers.

JAMES SCOTT

I got a fifteen-year-old daughter of my own, and I couldn't possibly commit a crime like that. I've never touched a white woman in my whole life. It was Ollie Watson attacked that girl.

BYSTANDER

Bullshit! The man would say anything.

NUTTER

Can you give these men some proof? Is there anything you can say that might change their minds?

JAMES SCOTT

Yes! That girl says she stabbed the man's neck with her umbrella, but I got no marks on my face. Ollie Watson's got big scratches here and here.

He lifts his chin to indicate streaks along each side.

JAMES SCOTT (CONT'D)

And he told me himself that he raped that girl. And that was why he was shaving two or three times a day, every day, 'cause he was afraid if his mustache grow, that girl'd come and identify him instead of me. You can ask the jailer about all that shaving.

INT. BOONE COUNTY COURTROOM - CONTINUOUS

Gertrude and Sarah both cry.

ASS'T A.G. DAVIS

And then what happened?

MISSELWITZ

Mr. Nutter and I did everything we could to get the crowd to consider all this. I told the men that what Scott said made sense, and that he should be heard out. But nobody listened.

ASS'T A.G. DAVIS

And then?

MISSELWITZ

And then this big man came crashing through the crowd with a bigger rope and put a noose around Scott's neck and pushed him over the railing of the bridge.

Sarah breaks down into her husband's shoulder.

ASS'T A.G. DAVIS

And did you get a look at this man? Is he in the courtroom today?

MISSELWITZ

Well, he was a big man, for sure, big like Mr. Barkwell there, but honestly, I'd be reluctant to identify anyone. The man was a stranger to me, and most of the time he was facing the other way. If this summer has taught me anything, it's that a person needs to be careful about pointing a finger at the wrong man.

ASS'T A.G. DAVIS

I appreciate that, Mr. Misselwitz. So let me ask you this. Before the big man pushed through the crowd and put the noose around Scott's neck, did you see Mr. Barkwell on the deck of the bridge?

MISSELWITZ

Oh, no sir. Mr. Barkwell is a big man and hard to miss, even in a crowd. There was no one like him in sight when I got there.

ASS'T A.G. DAVIS

And the man you saw putting the rope around Mr. Scott's neck was the first and only man you saw there that night who closely resembled Mr. Barkwell.

HARRIS

Objection, your honor.

JUDGE GANTT

Overruled. Seems a fair question to me.

MISSELWITZ

Yes, he was the only one there who looked like Mr. Barkwell, so far as I could see.

INT. BOONE COUNTY COURTROOM - CONTINUOUS

Charlie Nutter is on the stand.

NUTTER

I was standing in front of another reporter, Frank Misselwitz, right next to Scott. I would talk with him and then plead with the crowd. Mr. Scott was calm, and protested his innocence coolly. He told us that it was Ollie Watson, a negro who was confined in the same cell with him, who committed the crime. He said Watson had confessed it to him that very afternoon. Then he prayed, and his prayer moved me deeply. It was the outpouring of an absolutely innocent spirit.

Caston and Vaughn well up tears. Caston bows his head in prayer.

PROSECUTOR HULEN

And then?

NUTTER

Then George Barkwell came rushing in with a thicker rope. I saw Barkwell put the rope around Scott's neck, lift him to the railing of the bridge and push him over. I looked down and saw his body clear of the ground, and then I hurried away.

Gertrude weeps openly.

PROSECUTOR HULEN

Could you clarify your position relative to George Barkwell? How close were you?

NUTTER

I was right up against him. To get to Scott, Barkwell shoved me back against Misselwitz's chest.

PROSECUTOR HULEN  
Thank you, Mr. Nutter, for that  
courageous testimony. Nothing  
further.

In the jury box and in the gallery, people exchange glances  
and whisper.

JUDGE GANTT  
Does the Defense wish to cross  
examine?

Congressman Major stands.

CONGRESSMAN MAJOR  
Yes, your honor.

The tall Congressman walks toward the jury box and stares  
down at Nutter before he poses his first question.

CONGRESSMAN MAJOR  
Did you even know George Barkwell's  
name before the evening of the  
lynching?

NUTTER  
No, sir.

The Congressman looks toward the jury more often than toward  
the witness as he continues his questioning.

CONGRESSMAN MAJOR  
Could you describe the clothing the  
man carrying the rope that night  
wore?

NUTTER  
No, sir.

CONGRESSMAN MAJOR  
Well, if it was too dark to see his  
clothing, how can you be so confident  
about the man's identity?

NUTTER  
It wasn't too dark at all. The  
moonlight and the arclight made  
everything clear. I had already seen  
Barkwell's face at the jail and had  
heard him called George then.

(MORE)



NUTTER (cont'd)

And when I saw the same face again at the bridge, I heard someone call him Barkwell, so I turned to another man and double-checked both the first and last name. As far as the clothes go, he was in shirtsleeves, but I didn't study the clothing more closely because it didn't seem necessary.

Major walks to the witness stand and stares down at Nutter before proceeding.

CONGRESSMAN MAJOR

Well, if you were so very sure that George Barkwell was the man who hanged Mr. Scott, why didn't you report that fact in your newspaper story? Wouldn't that have been an important detail?

NUTTER

Because Barkwell might have sued the paper for libel.

CONGRESSMAN MAJOR

But truth is an absolute defense in a case of libel. A truthful reporter should have nothing to fear.

NUTTER

Perhaps so, but naming names in this kind of story just isn't done. It would smack of frontier justice.

CONGRESSMAN MAJOR

Well, then, why didn't you give Barkwell's name to the police the night of the lynching rather than waiting for the grand jury investigation?

NUTTER

I did report the name that night. I reported it to officer Plez King when I saw him standing in front of Boone Tavern.

CONGRESSMAN MAJOR

Nothing further your honor.

As the Congressman walks back toward the defense table, Hulén stands.

PROSECUTOR HULEN  
The prosecution rests.

When the Congressman reaches the table, he and his colleagues put their heads together.

CONGRESSMAN MAJOR  
Lord, that kid's got a steel rod up his spine.

HARRIS  
I believe we'd better put Emmett and the other boys on first, don't you?

CONGRESSMAN MAJOR  
Absolutely.

JUDGE GANTT  
Alright, let's break for lunch. This court will be in recess until one o'clock.

Judge Gantt bangs his gavel.

EXT. COURTHOUSE SQUARE - DAY

Spectators from the courtroom cool themselves under the trees. Some eat box lunches. The banjo-playing busker is once again surrounded by appreciative listeners. A WHITE MAN wets his handkerchief at a drinking fountain and drapes it over his head before replacing his hat.

INT. BOONE COUNTY COURTROOM - DAY

Spectators fan themselves vigorously. On the witness stand, Emmett Smith, the first of Barkwell's alibi witnesses, is relaxed and cheerful. Attorney Harris who is questioning him is equally relaxed.

HARRIS  
And so you know the town and its residents well. And you were at the bridge on the night of the lynching.

SMITH  
Oh, absolutely.

HARRIS  
And did you see George Barkwell there?

SMITH

Yes, indeed, Senator. I saw him standing by the railing on the north side, so I waddled my way over to talk with him.

HARRIS

Do you remember what you talked about?

SMITH

I sure do. I told him that the night was getting away from us, and that I was afraid I'd be late for a lecture.

HARRIS

(feigning  
befuddlement)

Did you say a lecture?

SMITH

That's right, I told George I was going to be late for a lecture, and then he asked what was the lecture about? And I said that, well, it was about how wrong it was for a man to stay out late smoking tobacco and drinking hard liquor.

HARRIS

Really! And do you remember what Mr. Barkwell said to that?

SMITH

Well, you know George. He asked "what kinda goddam idiot would give that kind of lecture at 1:00 on a Sunday morning?" So I told him...

Smith pauses to build suspense and the attorney takes the bait.

HARRIS

You told him what?

SMITH

I told him I'd appreciate it if he'd stop calling my wife a goddam idiot.

Laughter comes from both the gallery and the jury box. Judge Gantt frowns and raps his gavel once. Gertrude, Sarah and James Brown, Caston and Vaughn all look incredulous that the people in the courtroom are laughing at a murder trial.

INT. BOONE COUNTY COURTROOM - CONTINUOUS

ASS'T A.G. DAVIS  
Mr. Smith, the jury might benefit from knowing how well you know Mr. Barkwell. Let's think about a typical week, for instance. Would you say that you typically talk with Mr. Barkwell at least once a week?

SMITH  
Oh, certainly.

DAVIS  
Maybe two, three times a week?

SMITH  
About that, maybe more.  
(grins)  
He enjoys my company.

ASS'T A.G. DAVIS  
And for how many years have you been friends?

Smith counts the years on his fingers.

SMITH  
Lordy, twenty or more, I guess. We're getting older, aren't we George?

ASS'T A.G. DAVIS  
So you would call him a close friend?

SMITH  
Absolutely.

ASS'T A.G. DAVIS  
Are you aware that a fund has been collected to pay the cost of Mr. Barkwell's defense?

SMITH  
Yes, sir.

ASS'T A.G. DAVIS  
And did you contribute to this fund?

SMITH  
Yes, sir. I did. And if you legal geniuses manage to drag out this trial for another day, I'll likely need to kick in more.

A couple of the jurors smile. Vaughn stares at Smith indignantly.

INT. BOONE COUNTY COURTROOM - CONTINUOUS

A SECOND ALIBI WITNESS (30, white, crafty) is on the stand.

HARRIS

So you were talking with George Barkwell and Emmett Smith on the north side of the bridge at the time when Mr. Scott was lynched from the south side?

SECOND ALIBI WITNESS

That's right. We couldn't see what was happening on the other side very well, but then we heard someone shout out "There he goes!"

HARRIS

And so your firm testimony is that Mr Barkwell could not have been the man who put the noose around Mr. Scott's neck and pushed him from the bridge?

SECOND ALIBI WITNESS

Absolutely impossible. Not unless he can be in two places at once.

Second Alibi Witness glances at Barkwell. Barkwell meets his eye and gives the slightest of "that'll do" nods.

INT. BOONE COUNTY COURTROOM - CONTINUOUS

A THIRD ALIBI WITNESS (25, white, not bright) is on the stand.

HARRIS

And so you were talking with Mr. Barkwell, Mr. Smith and Mr. Niedermeyer on the north side of the bridge when Scott was killed on the south side.

THIRD ALIBI WITNESS

(visibly nervous)

Yes, sir. I'll never forget it. I heard someone yell, "There he goes!" I remember it all perfectly.

(MORE)

THIRD ALIBI WITNESS (cont'd)

We were all on our tiptoes trying to get a look, and Mr. Barkwell there kinda propped me up under one arm to help.

HARRIS

Your witness, Mr. Hulen.

As he sits, Hulen rises.

PROSECUTOR HULEN

Let me make sure I understand you. When you reached Stewart Bridge, you decided that rather than watch the lynching, you would go to the north side to have a chat with Mr. Barkwell?

THIRD ALIBI WITNESS

That's about the size of it. When I saw him, I just thought, "Well, I should see what George has to say about all this."

PROSECUTOR HULEN

I see, and do you remember having any discussions with Mr. Barkwell between that night in April and this morning?

The witness is uneasy, and glances at Barkwell, who eyes him steadily, poker-faced.

THIRD ALIBI WITNESS

Well, yes, I'm sure we happened to meet on the street or somewhere.

PROSECUTOR HULEN

And when you happened to meet, were you aware that Mr. Barkwell had been indicted for murder?

THIRD ALIBI WITNESS

The whole town knew that, didn't they?

He glances at the jury, hoping to see sympathetic faces.

PROSECUTOR HULEN

When you met, did he happen to bring up the topic of where he was standing when the murder took place?

THIRD ALIBI WITNESS

Well, I wouldn't put it that way. He asked did I remember seeing him on the bridge that night. That's all. And I answered yes.

PROSECUTOR HULEN

And you talked about it for awhile?

THIRD ALIBI WITNESS

Sure.

PROSECUTOR HULEN

Thank you. Now I think I understand the situation perfectly. I believe the jury understands as well.

(to judge)

Nothing further, your honor.

JUDGE GANTT

We've had a long day, and the heat is growing oppressive. Unless I hear an objection, we'll adjourn at this point and resume at 10:00 tomorrow morning.

Judge Gantt bangs his gavel.

INT. BOONE COUNTY COURTROOM - MORNING

**SUPER:**

Thursday, July 12, 1923

Hollis Edwards, the Daily Tribune editor is on the stand.

HARRIS

Please begin by reminding the jury of your name and occupation.

HOLLIS EDWARDS

I'm Hollis Edwards, and I'm the city editor of the Columbia Daily Tribune.

HARRIS

Thank you, Mr. Edwards I'd like to show you what is already received in evidence as Defense Exhibit 1: the front page of the Columbia Daily Tribune for Friday, April 27.

He holds up the newspaper.

HARRIS

Does that front page contain a story about Miss Regina Almstedt having repeatedly identified her attacker?

HOLLIS EDWARDS

It does.

HARRIS

Did you write this story, Mr. Edwards?

HOLLIS EDWARDS

Yes.

The editor's answer overlaps Hulen's loud objection.

PROSECUTOR HULEN

Objection, your honor. This line of questioning is entirely irrelevant.

JUDGE GANTT

Sustained. Strike both question and answer. Jurors, please disregard.

HARRIS

Very well, your honor. I'd like to show the jury what is already received as Defense Exhibit 2: the front page of the Columbia Daily Tribune for Saturday, April 28. Here we find a story that says,

(pointing to the words)

"men of sound judgment who do not believe in mob law are of the opinion that if it is positively proven that the negro committed the crime, the taxpayers should be saved any costs that might accrue from a trial and that summary justice should be dealt to him."

(addressing the editor)

Tell me, Mr. Edwards, did you write that story?

PROSECUTOR HULEN

Objection, your honor! This whole line of questioning has nothing at all to do with the case before the jury.



JUDGE GANTT

Sustained. Counsel for both sides will approach.

All five lawyers step up to the judge's bench. Judge Gantt wipes his neck and looks irritated.

JUDGE GANTT

Just what in hell are you up to, Mr. Harris?!

HARRIS

As I've said before, Judge, I'm defending a man accused of cold-blooded, murder. I need to show that no one in the town, including my client, was exempt from the passions of the moment.

ASS'T A.G. DAVIS

That, your honor, is not at all what Mr. Harris is doing. What he's doing is planting in the jurors' minds the idea that lynching a man is perfectly acceptable in a case where

(making air quotes)

"men of sound judgment" give the go-ahead.

CONGRESSMAN MAJOR

Judge Gantt, this jury needs to know what was being said.

PROSECUTOR HULEN

(cutting him off)

Which is why we were willing to accept the newspapers themselves in evidence, but now the defense is asking for information that was never in the newspapers.

HARRIS

This is crucial, your honor. I can't let this go. If I could be allowed just one more question, you'd see the importance clearly.

JUDGE GANTT

Since the witness is present and under oath, I'll allow you one more question, Mr. Harris, and we'll see where it leads. But until I'm convinced of the propriety, the jury will be sequestered. Step back.

The five lawyers return to their seats.

JUDGE GANTT

Gentlemen of the jury, we're pausing our proceedings here for a few minutes. I'm sure you'll welcome the break, but I'll caution you again that you must not discuss the case among yourselves.

As the jurors exit, we hear them talking with each other.

JUROR 1

What the heck do you think that was all about? Could you hear them?

JUROR 2

Not very well. That prosecutor looked pretty worked up.

JUROR 3

I'm just happy for the break. I gotta pee in the worst way.

INT. BOONE COUNTY COURTROOM - CONTINUOUS

The questioning of Edwards has resumed. Attorney Harris holds up the front page of the newspaper once again.

HARRIS

Who provided you with information for this article Mr. Edwards?

HOLLIS EDWARDS

I had three sources. Chief Ernest Rowland, Sheriff Fred Brown, and Prosecutor Ruby Hulen.

HARRIS

Just to be clear...

JUDGE GANTT

You've asked your one question, Mr. Harris. I deem it improper and sustain Mr. Hulen's objection. Both question and answer will be stricken from the record. Bailiff, the jury may return.

Gertrude looks to Sarah, Vaughn to Caston, all very dismayed at hearing who "the men of sound judgement" are.

INT. BOONE COUNTY COURTROOM - CONTINUOUS

The jury settles into the jury box.

HARRIS

With the court's permission, I am going to read Defense Exhibit 3, a document Prosecutor Hulen filed with the court on April 28, regarding charges against James T. Scott, the negro who was lynched in the early morning of April 29.

The judge nods his permission. The attorney comes close to the jury box and recites from memory the document in his hand.

HARRIS

Now comes the prosecuting attorney for the state and files his information charging the defendant with rape.

He pauses to let the statement have its impact. Vaughn drops his head.

HARRIS

The defense rests.

JUDGE GANTT

Court will recess for lunch until 1:00. Counsel will then summarize.

Judge Gantt bangs gavel.

INT. BOONE COUNTY COURTROOM - DAY

Hulen rises from his seat at the prosecution table, walks toward the jury and speaks.

PROSECUTOR HULEN

The evidence in the case is clear. It shows that Mr. Barkwell brought men together to form a lynch mob, directed them while they attacked the jail, pointed out Mr Scott as their victim, assisted those who cut him from his cell, marched alongside him as he was dragged to Stewart Bridge, and remained on the spot until he was certain that the murder had been accomplished.

(MORE)

PROSECUTOR HULEN (cont'd)  
Clearly, this evidence proves that  
Mr. Barkwell murdered the man.

Barkwell turns to look at Gertrude and their eyes meet.

Now there is the matter of the noose. Compelling evidence from an impartial witness shows that Barkwell personally put the noose around Scott's neck and pushed him over the edge of the bridge. To counter this evidence, the defense attorneys have elected to put three close friends of Mr. Barkwell's on the stand to say that he was standing several steps away from Scott when the noose was fastened. To which I am inclined to respond "what difference does it make?" Plainly someone must be lying, and I will point out that, unlike Mr. Barkwell's close friends, Mr. Nutter has no conceivable reason to do so. He was neither a friend nor an enemy. He was a neutral observer. Were I on the jury, I would certainly believe him. But even if someone else put the noose around Scott's neck, that doesn't lessen Barkwell's guilt. Barkwell orchestrated this lynching and directed it at every stage. He was the leader of the lynch mob, its general. To say that he didn't murder Mr. Scott because he didn't put the rope around his neck is the equivalent of saying that because General Lee didn't fire a shot at the battle of Gettysburg, he didn't attack the Union army there. Over and over that night, at every critical juncture, Mr. Barkwell took the leader's role. He is responsible for Mr. Scott's murder, whether he fastened the noose himself or left that hideous unholy chore to one of his henchmen.

Hulen returns to the prosecution table. ATTORNEY GEORGE STARRETT (40, White, well dressed and slick) rises for the defense, approaches the jury and speaks.

STARRETT

Those of us who live in Columbia know it as a peaceful place, and a safe one for men and women alike, for adults and for children. But on April 20 of this year that peace was shattered by a fiendish crime. A white girl was ravished and despoiled by a black man.

PROSECUTOR HULEN

Objection, your honor.

JUDGE GANTT

We've discussed this. I'll allow.

STARRETT

A week later, Mr. Hulen there charged James Scott with that hideous crime. You've heard the charge: "Now comes the prosecuting attorney for the state and files his information for the crime of rape." Now, I used to be a prosecuting attorney myself, and I know that a prosecuting attorney is bound by his oath of office only to bring charges that he believes to be true. An honest man wouldn't make the charge unless he found the evidence convincing. Was Mr. Barkwell present when Mr. Scott was lynched? Yes, as were hundreds of others. Because he was present at the jail and at the bridge, Mr. Hulen and Mr. Davis have chosen to try him for first degree murder. But what did he do at the jail? He did exactly what the Sheriff and the Probate Judge asked him to do: he held up his hand for silence so that they could plead with the mob. A young man has testified that he also monkeyed with the torch, but there's no evidence that he did anything other than monkeying with it. Another boy has testified that he put a rope around the negro's neck and threw him from the bridge. Gentlemen, someone is lying, but who is it? Who is Nutter? He's a stranger in this town, a mere passerby. He's one of those reporters who is always running around after news. All of them feed on publicity. I do not believe a word of what Nutter said.

(MORE)

STARRETT (cont'd)

If you are to believe him, you will have to call W. E. Smith, one of our best citizens, a liar. As for me, I'd rather believe a man I know than a man I don't know. I'd rather believe W. E. Smith than a whole basketful of Nutters.

So let's think this through, gentlemen. What is going on? A lynching took place in Columbia in April. The Governor, the Attorney General and Mr. Hulen here were outraged, as many people were. They wanted to make it clear that this sort of thing wouldn't be tolerated, so they looked around for someone to punish. They might have picked a dozen people, or two dozen, or more. As Mr. Davis said at the time, everyone who shouted "Take him to Stewart Bridge!" or "Throw him over!" could have been charged with the murder. But they decided to focus on just one man, George Barkwell, not because they had good evidence against him, but because he was a convenient target. He was a prominent citizen, a former city councilman. Naturally, people remembered seeing him around that night. Mr. Barkwell isn't on trial today because he committed murder. He is here because the authorities needed a scapegoat. He is here as a human sacrifice, offered up to atone for the sins of Columbia's entire white community. But the age of human sacrifice, the age of offering up scapegoats, has passed. Jesus ended that era with a single phrase: "Let him among you who is without fault cast the first stone."

FADE OUT:

JAMES SCOTT (V.O.)

It took the jury eleven minutes to arrive at its verdict.

FADE IN:

INT. COURTROOM - DAY

We see but do not hear the action James now describes. After the verdict is read, nearly everyone in the courtroom erupts in joy. A young WHITE WOMAN pushes her way to Barkwell and gives him a big hug. Others also gather around Barkwell to shake his hand and congratulate him.

JAMES SCOTT (V.O.)

When the foreman said "not guilty," a celebration began in the courtroom. Mister Barkwell's daughter rushed up to throw her arms around him. A lot of men cheered and lined up to shake his hand.

Gertrude, Sarah and Jack Brown, Caston and Vaughn get up from their bench and leave the courtroom together quietly.

JAMES SCOTT (V.O.)

For Momma and Gerty, well, they would continue to live the rest of their lives without seeing justice done.

EXT. BROADWAY STREET COLUMBIA - DAY

A SIDEWALK GROUP of three young men walk up the middle of the street. They nudge each other playfully, shout and laugh, and start singing a ragged version of "Dixie." A second STREET GROUP of three young men approaches on the sidewalk and provide a response to the sidewalk group's sing-song question.

SIDEWALK GROUP

Isn't George Barkwell all right?

STREET GROUP

George Barkwell is all right!

SIDEWALK GROUP

Isn't George Barkwell all right?

STREET GROUP

George Barkwell is all right!

CUT TO BLACK:

JAMES SCOTT (V.O.)

Mister Barkwell and everyone who believed in mob law now controlled the streets of Columbia.

FADE IN:

INT. AUDRAIN COUNTY COURTROOM - DAY

Ollie Watson stands to be sentenced by a judge.

JAMES SCOTT (V.O.)

A week after Mister Barkwell was acquitted, Mister Hulen convicted Ollie Watson for raping Ernestine Huggard. He sought the death penalty but the jury sentenced Watson to twenty four years in prison instead.

Hulen is nodding his head in approval, packing paperwork into his briefcase.

JAMES SCOTT (V.O.) (cont'd)

Mister Hulen decided to spare Regina from a difficult trial so he never tried Ollie Watson for her rape. But sparing Regina did not provide justice for my family. And it did not bring me back to life.

EXT. GARDEN AT RUBY HULEN'S HOME - DAY

A BLACK GARDENER prunes a hedge in the expansive back yard of Ruby Hulen's new, opulent home. In the distant background a man exits the house and sits on the back porch.

JAMES SCOTT (V.O.)

After two terms as Boone County Prosecutor Mister Hulen became involved in politics and he was rewarded with a job as a federal judge.

EXT. BACK PORCH AT RUBY HULEN'S HOME - DAY

Hulen is alone in a rocking chair. He's 65-years-old now, heavier and more grey but wearing the same kind of eye glasses as before. He's cleaning his handgun and then loading it, notably with just one bullet.

JAMES SCOTT (V.O.)

In 1956, after Momma and Gerty were both gone, and thirty three years to the day I was taken from my jail cell, Mister Hulen was honored with the Distinguished Service Award, presented by the Law Alumni Association of Missouri University.



Hulen rises from his rocker, steps off the porch into the grassy back yard. He looks to the sky, soaks in the sun brightly shining down upon him and takes a deep breath. Hulen then places the gun to his left temple and pulls the trigger. He immediately falls to the ground.

JAMES SCOTT (V.O.) (cont'd)  
A few months later Judge Ruby Hulen  
gave me about the only justice I  
would ever receive.

The gardener runs to Ruby's aid as he bleeds out from the head.

FADE TO BLACK:

FADE IN:

**SUPER:**

"Nations reel and stagger on their way; they make hideous mistakes; they commit frightful wrongs; they do great and beautiful things. And shall we not best guide humanity by telling the truth about all this, so far as the truth is ascertainable?"

W. E. B. Du Bois, Co-Founder, NAACP, 1935

FADE TO BLACK.

THE END