

The Good Fight

By,

JJ Flowers

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EXT. A DETROIT NEIGHBORHOOD IN THE 1920'S. TWILIGHT.

Old cars move along a house lined, tree shaded street.

ALANA (VO)

Old women are filled with memories and I am an old woman now. My memories are made from all the births, marriages, deaths, dozens of cherished moments between, but lately when I find myself visiting my past, I keep returning to the long hot summer of twenty-five.

Children play kick the can in the street, parting for a slow horse drawn cart moving slowly along.

I was Alana Sweet then, the daughter of the distinguished physician Dr. Ossian Sweet. That summer my father's life was threatened. My father didn't trust white people; he always felt the whole of the white race was rushing up behind him, ready to swallow him up in the great wave of their hatred. And when it finally happened, no one had any hope he'd live to see the year's end.

A newspaper boy tosses a paper onto a porch where a woman sweeps.

It was the summer Mr. Clarence Darrow stepped into our lives and changed us forever. He was already an old man then, his tall frame hunched over, bent, as if weighted by the burden of his humanity. His famous cases were behind him, the Loeb--Leopold murder trial, the Scopes Monkey trial, all his great labor cases and few people thought he had another fight left in him.

Two men in overalls walk home from work, lunch buckets swinging at their side.

My father least of all. That summer it all started with our dear friend's new house...

INT. LIVING ROOM OF DR. TURNER'S HOUSE. NIGHT.

Dozens of upper middle class African Americans celebrate Dr. Turner's new home in a white neighborhood: Dr. Turner and his wife, EMILY, their daughter, CLAIR, age eight, DR. OSSIAN SWEET, his wife, GLADYS, their lovely seventeen year old daughter, ALANA and NANCY, Ossi an's sister in law. REVEREND WILLIAM, an older black man, addresses the crowd.

REVEREND WILLIAM

A toast! A toast! Lord, we prayed,
deliver us. Open a door out of the
slum of Paradise Valley and into a
better life. A place of clean
streets and pretty parks. A place
where children play in the yard,
where flower gardens grow, a place
of modest homes that we can look at
with pride. And at last our
prayers have been answered.

CHORUS

Amens! (*Laughter.*)

The Reverend gives a nod to Ossi an.

OSSI AN

Let us toast our dear friends Al an
and Emily and their good fortune of
taking the first step into the good
life.

REVEREND WILLIAM

Let us pray this is only the
beginning! Goodbye Paradi se Val ley
for all the people!

CHORUS

Amens! (*Laughter.*)

CLAIRE runs excitedly into the room and takes Al ana's hand.

CLAIR

Miss Al ana, wait till you see!

ALANA

See what?

CLAIR

Our library!

INT. HALLWAY.

Clair pulls Al ana down the hall and into the library.

INT. LIBRARY.

Books line the shelves. The cherished family bible is raised on a stand. Twirling prettily, Alana spreads her arms wide.

ALANA
A real library right in your house!
A whole room just for books!

EXT. FORD. DETROIT STREET. SAME TIME. NIGHT.

FRANK AMATO, MITCH COBB, BOB WILSON, and CARL REDMOND, the last three are out of uniform policemen, drive through the dark streets. A second car with four more white men follow close behind. Rifles in hand, a can of gasoline at the floor.

INT: TURNER'S DINING ROOM. NIGHT.

Emily, Gladys and Nancy stand before a cabinet.

NANCY
Look at your china!

EMILY
That china was my mama's wedding present to us. Mama used to always say, 'Emily, china is the crown jewels of a fine house. Now, you have the china. Someday you're gonna have the fine house to go with it. (Laughs:) Here we are!

GLADYS
All this room. All your fine things out for folks to enjoy. I wish your mama was still here to see it. Lord, she'd be proud.

EMILY
I feel like she is...

EXT. THE FORD ON A DETROIT STREET. NIGHT.

The Ford parks down from the Turner's home. The car headlights go off. The second car pulls up behind the first.

AMATO
Well, look at that. They must be having themselves a celebration.

BOB
Geezus Frank. You said there'd only be the one colored fellow and his wife inside.

MITCH
The more flesh, the merrier the
flames.

EXT. PATIO OF TURNER'S HOME. NIGHT.

Ossian and Dr. Turner stand outside.

OSSIAN
Well, you've really done it.

DR. TURNER
It's your turn now. Have you talked
to the Smith's yet?

OSSIAN
(Nods.) They're willing to sell.

DR. TURNER
(Laughs:) Congratulations!

OSSIAN
I don't know. I can't believe it's
this easy. I feel like we're
standing on the edge of a precipice
about to fall over.

DR. TURNER
There's no crowd of white folks
waitin' to push us down anymore,
Ossian. Those days are over. My
neighbors here are decent, hard
working people. Nobody's looking
for trouble anymore--

OSSIAN
Oh really? What about this group,
the Tireman's Association?

DR. TURNER
There's not going to be any trouble
from them.

OSSIAN
How do you know that?

DR. TURNER
The chief of police came out
himself.

OSSIAN
Tate? The man came to this house?

DR. TURNER
Yesterday. He was right friendly
too, came right up to the porch.
Said he just wanted to see it for

himself, that it wasn't all just talk anymore.

OSSIAN
Friendly?! But this Tireman's Association threatened to--

DR. TURNER
That's all angry, no-meanin' words, Ossian. Sure, some neighbors are upset, us being the first coloreds to buy here, but Tate gave his word it would all blow over in a week. Folks just need a little time to get used to the idea of us living next door...

INT. THE HALLWAY.

Emily kisses Clair good night. Alana, holding a book, leads the little girl upstairs.

EMILY
Just remember Alana, my little angel tends to fold her wings at bed time.

EXT. PORCH OF TURNER'S HOUSE. NIGHT.

Fire grows viciously on the porch.

INT. CLAIR'S BEDROOM. NIGHT.

Alana lifts up the covers on the bed. Clair climbs in. The fire appears as an orange glow out the window, unnoticed.

ALANA
You are the luckiest little girl in the world. Your very own bedroom. I didn't get my own room until we were living in Paris and even then, it was the tiniest space under the stairway.

CLAIR
Like Asherella?

ALANA
(Halts her laughter) Do you smell that?

CLAIR
Daddy's smoking again.

A scream sounds from downstairs followed by SHOUTS of fire. Alana turns to see flames leaping up to the second floor out the window. She rushes into the hallway, but smoke pours up from the staircase. The wall paper bubbles menacingly.

ALANA
Oh my God!

Clair darts into the smoky hallway.

CLAIR
Mama! Mama!

ALANA
No! No!

Alana catches Clair, pulling her back into the bedroom, shutting the door. She grabs the pitcher of dressing water on the dresser and rushes to the bed, where she tears a sheet off and pours water over it.

ALANA (CONT'D)
I'm covering you up, so you don't
get burned. You be brave for me
now, you hear?

INT. KITCHEN.

Ossian furiously pumps water at the kitchen sink, passing buckets to Dr. Turner, The Reverend and the others, who have formed a line to the fire. Other people frantically carry things outside, but it is clearly hopeless. Smoke begins to choke them as they work. Emily runs up to Dr. Turner and Ossian.

EMILY
Alana and Clair are upstairs! The
staircase is burning!

Ossian runs out with Dr. Turner.

OSSIAN
Alana!

The two men reach the staircase, which is now on fire. Ossian rips down drapes in the living room, covers himself and starts up the stairs. Alana and the wrapped child make their way down. Ossian lifts the little girl and grabs Alana's hand as she chokes, helping them down the stairs. They rush outside, where everyone has gathered. Crying, Emily clutches little Clair. Gladys and Ossian attend to Alana as she coughs. Ossian suddenly swings around and spots the white men, who stand down the block, watching in silence. Enraged, Ossian starts toward them. Dr. Turner grabs his arm, stopping him.

DR. TURNER

No Ossi an! They' ve got a mind on
killin'!

The white men laugh as they return to their cars, leaving Bob Wilson staring in horror at what they have done. The upstairs collapses as fire consumes the house. Emily drops to her knees, crying.

EXT. NEIGHBORHOOD. THREE MONTHS LATER. DAY.

Ossi an, Gladys, and Alana drive a new Pontiac through a white neighborhood. Ossi an parks the car in front of their new home. Getting out of the car, Ossi an opens the white gate. He and Alana step through but Gladys stops.

OSSI AN
Here it is.

Gladys shots a shocked expression to Ossi an.

ALANA
This is ours?!

OSSI AN
The Smi ths signed the papers
yesterday.

ALANA
But... but how?

OSSI AN
The woman is white, but the man is
colored.

ALANA
A colored man and a white woman?

OSSI AN
The man's passed all these years.
No one knows. Anyway, they were
happy to sell it to me.

GLADYS
Ossi an, we don' t need a house.
Grandma Mi tchell loves having us
all under the same roof--

ALANA
Mama, look. It' s so large and
beautiful and the garden--

Gladys starts to shake her head.

OSSI AN
Alana' s right, Gladys. It' s
everything you ever dreamed about;
it' s everything I ever dreamed of

giving you. There's a spacious downstairs room, with huge windows overlookin' the garden, just waiting for you piano.

GLADYS

My piano? They'll burn my piano with everything else. Think what they've done to the Turners!

OSSIAN

That was Turner's own damn fault. His mistake was in trusting them. That fool. He never even put up a fight. Always the 'nice Negro': Yes sir, no sir, whatever you want, sir. Just step right in and let the burnin' begin! I can't go on any more; the fact is our children are dying.

GLADYS

Our children are fine, Ossian!

ALANA

Mama, they can't keep getting away with this, forcing us to live there!

GLADYS

But they do! And no one stops them. No one ever stops them. There's no fighting their hatred--

OSSIAN

Their hatred, their hatred. Fight or not, it eats you alive just the same. What does it mean, all the years of hard work and all my fancy degrees and education, all the money we have now, if they can keep my family bottled up in a stinking hellhole--

GLADYS

No, Ossian--

A police car pulls up. Mitch Cobb and Carl Redmond, wearing uniforms, emerge from the car and approach the Sweets, antagonistic from the start. Alana moves behind her father. Gladys clutches Ossian's arm, but tilts her head defiantly.

MITCH

Well, if it isn't Mr. high and mighty Dr. Ossian Sweet.

CARL

Doctor? (He spits.) Now I ask you, what kind of fool school would make a nigger into a doctor?

MITCH
Oh, he's the real thing. Why I've even heard this man's traveled all over the world. He even went and lived in Paris, France--

CARL
Hell, I don't believe it. Them French folks don't let no niggers into their country, do they? I heard tell they was smarter than that.

MITCH
I guess you heard wrong now. Ain't that right, boy?

OSSI AN
Is there something you want?

MITCH
Is there something I want? As a matter of fact, there is. Someone said this house was sold, but no one seems to know who bought it. You wouldn't know anything about that, would you boy?

Ossi an fill with fury.

OSSI AN
Why don't you just pass on your warning and be done with it.

MITCH
My warning? You must be one slow learner. Head over to that other house and take a look at my warnin'. But maybe I need to spell it out for you: Folks around here feel the only good kind of colored neighbor is a dead one. Folks felt mighty disappointed the night it burned, didn't they, Carl?

CARL
Oh, they sure did.

MITCH
Know what was botherin' them, boy? That all you niggers weren't inside when the house went down!

Ossi an stares him down, furious but not intimidated.

MITCH (CONT'D)

I asked a question!

OSSIAN

I won't give you a measure of my spit!

Mitch swings his baton underhand to land a powerful blow in Ossian's stomach, but Ossian, unexpectedly strong and quick, catches and stops the baton with his hand. Mitch stares at this with surprise, his gaze lifts to see Ossian's fury, determination. Gladys cries out. Alana throws herself between Ossian and Mitch before Ossian fights back.

ALANA

No, please! You've done your business. Let us be. Please.

Mitch's anger dissipates as he looks at Alana. He pulls back.

MITCH

Don't let me hear of any more niggers going where they don't belong.

They turn and leave.

GLADYS

They'll kill you Ossian, and when they kill you, they'll be killing me as well...

INT. SCHOOL AUDITORIUM. DAY.

Six hundred white people pack the auditorium. Tobacco smoke hangs over the air. Women fan their faces. Three men stand at the podium before a group of uniformed police officers, including Police CHIEF TATE, Mitch Cobb, and Frank Amato. A large sign reads: Tirement association.

AMATO

You all know why we're here.

1ST MAN

To keep the damn niggers out!

2ND MAN

To stop 'em before they move in!

A chorus of applause and yeahs.

AMATO

That's right. There's a Negro who bought up a house--1059 Garland--

MAN

He might of bought it but he sure
as hell ain't going to live in it!

FRANK AMATO

This is a serious situation here
folks. We all know now what
happens when a Negro moves in.
With him comes his friends and his
relatives and soon you got a
hundred niggers right outside your
doorstep. All of a sudden, we're
living in a stink hole not fit for
a damn pig.

Crowd hisses and boos, rustling angrily.

AMATO

But we ain't gonna let that colored
family move in here and start all
that trouble, are we folks?

The crowd answers with a rancorous chorus.

AMATO (CONT'D)

I'm here to help you do it. As
many of you know, I'm from Alabama.
Down south we know how to keep the
coloreds in their place; we do it
with a rope and a lynching party.

The crowd cheers, leaping to their feet...

INT. POLICE STATION. DAY.

Ossian, his brothers HENRY and OTIS, Reverend Williams, and
two black lawyers, JOHN PETERS and CECIL JONES appear before
the COLORED sign.

POLICEMAN

Yes boys?

OSSIAN

I'd like to speak to Chief Tate.

POLICEMAN

The chief? Is there some kind of
trouble? The chief's mighty busy...

Mitch appears behind the desk.

OSSIAN

My name is Dr. Ossian Sweet.

POLICEMAN

So, you're the colored fellow who
bought that house over on Garland?

OSSI AN
I'm here to secure police
protection for my family when we
move in.

MITCH
Go get the chief, Billy.

Mitch stares menacingly at an undeterred Ossian. The
policeman returns with Chief Tate, who polishes a rifle.

TATE
Well now, what can I do for you
boys?

OSSI AN
As you know, I have purchased a
house on Garland Avenue.

Cecil presents the deed to title.

CECIL JONES
It's all legal. Dr. Sweet is now
the lawful owner of the property.

TATE
(*Contemptuously:*) You're askin' for
some kind of trouble, boy.

OSSI AN
What I am asking for is police
protection. There's a group of
trouble makers calling themselves
the Tireman Association. They have
threatened me and my family--

TATE
Trouble makers is somethin' we can
smell a mile a way. Believe me, we
know who the trouble makers are in
this city.

OSSI AN
We are moving in tomorrow. Will
you or will you not provide my
family some police protection?

TATE
Geezus, you really think you're
going to do this--

OSSI AN
I have the right to buy a house
where I want--

TATE
You have the right? Nobody gave
you the right to rile an entire

city, to pump common folks full of enough race hatred to start a god damn war. And you know they're taking it out on all the good colored folks of this city. Why just today a group of kids chased two little colored girls up a tree and started stoning them. You got a lot of nerve, coming in here, talking about your rights and askin' me for help with all your trouble.

OSSI AN

Will you or will you not be there tomorrow?

TATE

Oh, we'll be there. I guarantee it.

Ossi an pauses, uncertain. He seems to suddenly collapse.

OSSI AN

My wife and daughter will be there. I need... I just need to know they'll be safe.

TATE

I ain't never in my life sat still for a woman--white or colored--gettin' hurt in any way.

Ossi an and his party appear relieved.

TATE (CONT' D)

But mind my words boy: that don't mean those folks are going to let you get away with this.

Ossi an pauses before nodding and exiting.

TATE (CONT' D)

I'll say this: For a colored fellow that boy's got balls made of brass.

EXT. GARLAND STREET HOUSE. DAY.

Two cars and a moving van appear in front of the house. Ossi an, the Reverend Williams, Otis, Nancy, Henry, Gladys, Alana begin moving boxes into the house. A neighbor catches sight of them. She freezes in shock, then turns and runs back into the house. Another neighbor steps out on the porch and stares with an expression of fury. His family comes up behind him, and they all stare at the sight. The woman runs next door to alert the other neighbors. A crowd gathers. Alana carries a box of books, looking determined and proud.

1ST NEIGHBOR
You're not gettin' away with this.

2ND NEIGHBOR
You're steppin' so far out of your place, God will knock you to Hades!

3RD NEIGHBOR
Niggers don't belong here!

Nancy comes up behind Alana.

NANCY
Pay them no mind sugar, just keep your feet moving.

Ignoring the comments, Alana continues into the house. A large group of people gathering on the corner. A Ford truck stops in front of the group. Four workmen in overalls get out. The mob begins to gather. Nancy comes to Alana's side.

NANCY (CONT'D)
The Reverend said the Lord opened a door. He never mentioned that the whole city would blocking the way through it.

INT. GARLAND HOUSE. LATER THE SAME DAY.

The Reverend Williams, Henry and Ossian stand among boxes, looking out. The crowd outside numbers in the hundreds.

HENRY
We'll be back soon.

OSSIAN
Try to get the Michael's boys to come too. Get as many men as you can.

HENRY
Will do, brother.

They shake, embrace and depart.

INT. KITCHEN. LATER THE SAME DAY.

Alana empties boxes, putting things away. Clair and Gladys busy themselves with cooking. The drawn shades block the view. Shouts sound from outside. A rock hits the wall, and another and another. The women exchange frightened glances, but Nancy peeks into the oven, pretending nothing is amiss.

NANCY

Just look at that pot roast and cake! There's still room for the rolls. Why we always need two days for a roast and pie in our oven.

GLADYS

At least with Grandma Mitchell's old oven, I knew my husband would still be alive by supper time.

Alana lifts the shade and peeks out.

GLADYS (CONT'D)

Get away from that window, Alana!

ALANA

I thought I heard a car. Uncle Henry and the Reverend should be back any minute and--

Alana notices how upset her mother has become.

ALANA (CONT'D)

It's going to be all right, Mama--

GLADYS

Oh it is, is it? Do you think those folks are going to ever let us be? That they'll get tired of throwing rocks and go home and forget that we're here?

ALANA

The police are here. They aren't going to let them hurt anybody-- they promised, Mama.

GLADYS

White folk's promises are thinner than a day old broth.

ALANA

Nothing's going to happen, Mama. It's going to all settle down in a day or two. You'll see.

GLADYS

Alana, you've always been a dreamer; your head in the clouds or your nose in a book. White folks are never going to see past the color of our skin.

Gladys looks at out the window and stares distantly at the rancorous mob. Alana and Clair come up behind her.

GLADYS (CONT'D)

Those folks aren't going anywhere until we're dead or gone, whichever comes first. (*Falls into Alana's arms:*) Lord, I'm so scared...

A rock shatters the kitchen window, startling the women. Another rock shatters a window in the living room.

OUTSIDE CROWD
Stone 'em out! Stone 'em out!

Holding rifles, Ossian and Otis enter.

OSSIAN
Douse the lights. Douse the lights. Quick now!

The lights in the house are extinguished. The shouts are louder. Rocks pelt the sides of the house.

OSSIAN (CONT'D)
Otis, take the women to the basement. They'll be safe there. I'll keep watch from the bedroom.

ALANA
I'm staying with you, Daddy.

Ossian pauses, but seeing her determination, he nods assent.

INT. BEDROOM.

Ossian goes to the window to pull the shades, but stops, shocked by the sheer size of the mob.

OSSIAN
My God, there's hundreds of them.

Alana comes up behind him to see a mob of at least five hundred people. Eight policemen stand on the sidewalk, laughing and calm in a pretense of control. Cars continue to pull up. The police have erected a barricade on the street. Rocks continue to pelt the house.

ALANA
The police aren't doing anything!

OSSIAN
I should have known! (*He sinks to the floor.*) Maybe we ought to give it all up...

ALANA
Give up?

OSSIAN

Before it's too late. The police swore they'd protect us and if I made it clear we were abandoning the house--

ALANA

Abandon our new house? Surrender to people who'd just as soon kill us as look at us? Surrender to all that hate out there? Is that what you want to do?

OSSI AN

What a Negro wants and what a Negro gets are never the same. If they break through our doors, God knows what will happen... There are things a man just can't bear to lose--

ALANA

Like his willingness to fight for what's right? Don't you see, if you give up the fight now, you'll be giving up a lot more than just our new house.

OSSI AN

I know you're right, Alana but--

A rock shatters the window. Glass showers them. Ossi an and Alana duck on the side of the bed. A car pulls up outside.

EXT. STREET. DAY.

THE MOB

There's a nigger! There's a nigger!

INT. BEDROOM. DAY.

OSSI AN

Henry!

At the window Ossi an sees Henry and the Reverend in the car.

EXT. STREET. DAY.

MAN

Get them! Get them!

The mob surrounds the car and terrorizing the men inside, they begin to rock it violently. The police passively watch.

INT. BEDROOM. DAY.

OSSI AN

Nooo!

Ossian locks his rifle, takes aim and fires above the crowd. Screams sound. A confused moment follows before the police fire in close succession. A white man collapses, dead in a pool of blood.

EXT. DETROIT STREET OUTSIDE OF OFFICE BUILDING. DAY.

A group of reporters surround CLARENCE DARROW.

REPORTER

How about the highlights from your trip to Palestine, Mr. Darrow?

REPORTER 2

Did you find Jesus in the promised land after all, Mr. Darrow?
(*Laughter.*)

DARROW

No, I'm sorry to say I didn't find Jesus. But I did meet an Arabian boatman who said he'd take Ruby and me where Jesus walked on water--

REPORTER

Did you go?

DARROW

I would have but it cost fifteen dollars. Well, little wonder Jesus walked--

The reporters erupt into laughter.

THIRD REPORTER

Mr. Darrow, what are your thoughts on Tom Baker's announcement that he's running for congress?

DARROW

Baker! That man perfectly illustrates why the great philosopher Aristotle had such contempt for democracy. Not only can a corrupt political machine put an ass on the ticket but they'll probably pull enough strings to let him win.

1ST REPORTER

Can we quote you Mr. Darrow?

DARROW
I hope you do.

JOHN HAYES, Darrow's young assistant, rushes up to Darrow just as Darrow tips his hat and says good day.

JOHN
Clarence, I've got to be in court by ten and you still need to review my briefs. And oh, two gentlemen from the NAACP are waiting on you.

DARROW
Shoot--I forgot about them.

JOHN
Maybe if you'd look into your appointment book once in a while--

INT. OFFICE BUILDING. DAY.

As John and Darrow pass in the hall, people stop to greet Darrow.

PERSON
Mr. Darrow are you gonna win one today?

DARROW
I won one just by getting out of bed this morning.

Two women call out as they pass.

WOMAN
Mr. Darrow that was an excellent speech you made down at the Shiners last week!

DARROW
Did I convince you?

WOMAN
That free will is a figment of our imagination? Oh no, but you were very persuasive--

Moving with a tip of his hat:

DARROW
Apparently not enough.

As they pass through the doors, Darrow stumbles. John catches him before he falls, steadying his uncertain balance. Darrow wipes his brow with a handkerchief.

DARROW (CONT'D)

Geezus, the worst thing about getting old is finding you need a younger man to hold you up...

A poorly dressed young man stops Darrow as they walk.

POOR MAN

Mr. Darrow, sir! Can I beg a moment of your time? Name's Sam Peters. Do you remember my pa?

DARROW

Sam Peters? Can't say I do.

POOR MAN

You helped my pa when he lost his arm over at the Reynolds' packing firm. Got him two thousand dollars.

Darrow stops to John's dismay.

DARROW

Now I remember! Bill, wasn't it?

POOR MAN

Jim, sir.

John tries to lead Darrow away, but Darrow stays.

DARROW

Right, Jim.

POOR MAN

Mr. Darrow, my pa passed away this week and--

DARROW

I'm mighty sorry to hear that, son.

John sighs in frustration.

POOR MAN

It's up to me to feed the children now. Four younger sisters. The trouble is I lost my job at McFarland last week. Fired me for missing the mornin' shift and going to the funeral--

DARROW

McFarland, that sorry son of a bitch.

POOR MAN

I need some work, Mr. Darrow. Real bad. I've tried everywhere, but ain't no one hirin'--

DARROW

Let's see. Head over to the Kellogg Switch Board Union. Talk to Big Al on the docks. I probably used up all that man's good will, so if that doesn't work out, you come back now and we'll find something else.

POOR MAN

Thank you Mr. Darrow, thank you. God bless you!

Darrow pats his jacket.

DARROW

You can probably use something to hold your family over. Well, shoot. Must have left my wallet at home. John can you lend this man a spot--

John grimaces as he reaches in his wallet and withdraws a five dollar bill. Darrow moves on after a good-bye.

POOR MAN

That is the most Christ-like man in the world!

JOHN

The devil's more like it.

INT. OUTER OFFICE. DAY.

Two black gentlemen stand up, ARTHUR SPRINGHAM and WALTER WHITE, both middle aged and well dressed, carrying brief cases. As they shake:

ARTHUR SPRINGHAM

Mr. Darrow. Arthur Springham. My associate, Walter White.

DARROW

Pleased to meet you gentlemen. Won't you come into my office.

They disappear into Darrow's inner office.

DARROW (CONT'D)

Marie, has my paper come yet?

MARIE

Here it is. Oh, and the League wants to know what you're be speaking about tomorrow? And can you see the mayor after lunch?

DARROW
What kind of league is it?

MARIE
League of United Churches.

DARROW
The fruits of Atheism, then. No.
Make that agnosticism.

MARIE
Feeling generous, huh?

DARROW
Give 'em a little window of hope.

MARIE
What about the mayor--

Too late, Darrow has exited.

INT. INNER OFFICE.

The party settles in the office. Clarence's desk is cluttered with papers, books--Walt Whitman, Voltaire, a paperback--and a chess set with an on going game. It is a mess. The book shelves too, are cluttered with randomly filed books, but none of these are law books.

ARTHUR
I heard about that, Mr. Darrow.
Not many law books on your shelves,
are there?

DARROW
I leave the law books to my
associate here. Mine got used up,
runnin' out of fire wood.
(*Laughter.*) Now, I understand you
gentleman have come to see me about
the, ah--

He looks to John with the question as he opens the paper,
searching for and finding the cross word puzzle.

JOHN
The Sweet case.

DARROW
Right. The Sweet case.

ARTHUR
It's an important case Mr. Darrow.
We're hoping to convince you to
take it. You might even say it has
your name on it.

WALTER

Some of us at the NAACP feel this case is the one we've been waiting for. We see the Sweet case as potentially providing us the means to vindicate the Negro's right to fight back against mob violence--

DARROW

Now, that's a stretch as wide as the grand canyon. From what I understand the case has a lot of problems going in.

JOHN

Have you seen the headlines, gentlemen?

John reads the headlines out loud from a stack of newspapers:

JOHN (CONT' D)

Negro shoots white man; Negro causes riots in Detroit--one white man dead; Made for execution--the Ossian Sweet tale. (*Tosses newspapers down:*) Your Dr. Sweet went too far, moving into a white neighborhood when he knew it would cause a riot--that man is as good as dead--

WALTER

Mr. Hayes! Since when do we let newspapers decide a case's merits? Now granted, the jurors will have read the newspapers but--

JOHN

Gentlemen, the fact is you won't find one man in a thousand who thinks a Negro has the right to move into a white neighborhood, let alone shoot a protester in the back. The only surprise is that they're waiting for a trial before stringing that poor fellow up.

ARTHUR

You might be right, but God knows, you've taken hopeless cases before.

DARROW

And I've lost a good number of them. Look gentlemen: I'm not gettin' any younger. I'm retired, just hanging in to keep my young associate here on the right path.

The truth is, these days I'm more likely to nod off than to stand up inside a court room. It's time for younger, more energetic men to stand up now--

WALTER
You're still the best trial lawyer in this country! Dr. Sweet and his family need you.

ARTHUR
Do you know anything about the man, Mr. Darrow?

DARROW
Can't say I do.

WALTER
He's no ordinary man. Dr. Sweet was raised by a poor sharecropper down in Florida, but went on to work his way through medical school shoveling coal and then, he put his two brothers through the university. The whole community seems to depend on him and his family. His wife is head of the Negro Women's Charity League, his daughter is a teacher--

DARROW
Dr. Sweet's character, outstanding as it may be, isn't going to save him. You know that. If anything, a jury would likely be more sympathetic to some poor bastard scrapping by on bad luck.

ARTHUR
Think of the other defendants, Mr. Darrow. There's seven of them.

Arthur hands Darrow a list, which Darrow reads.

DARROW
There's three women on this list? Geezus, Tom Baker would hang his mother if it would buy him a vote.

WALTER
The police arrested all seven people in the house, charging each one of them with conspiracy to commit murder in the first degree.

DARROW

Yet Dr. Sweet was the only one who fired the rifle?

WALTER
That's right. The only one.

ARTHUR
Mr. Darrow, you are the only man in this country who has a chance of getting their sentences reduced from the death penalty to life--

JOHN
Look at the evidence we're up against. The victim was unarmed for one thing. He was shot in the back for another thing. And according to the newspapers accounts, the victim was just passing by on his way home from work. This is one lost case. It certainly isn't the case to use for asserting Negro's rights.

WALTER
It's never the right case, the right time. Since the day slavery ended in our country, the Negro has had equal rights under the law, but these precious rights are continually, consistently denied him. Lynching mobs have killed thousands in this country, just thousands--

Darrow stands and holds up his hand to stop this:

DARROW
Now, Mr. White, I assure you there's no need to lecture me on race hatred and prejudice. As unfortunate as it is, this is one hopeless case--

RUBY DARROW, Darrow's vivacious wife, enters the office.

RUBY
It will only be hopeless, Clarence, if you don't take it.

The gentlemen rise. Darrow smiles.

DARROW
Gentlemen, this is my lovely wife, Mrs. Darrow.

RUBY

How you can even think of turning your back on them, Clarence? Why, the paper said they arrested his wife and daughter too--

DARROW

You know I'm not taking any more cases, that I'm retired now--

RUBY

Retired? (*Laughs.*) Since when have you retired, Clarence? Seems like every day you're here and every other night you're giving' one of your speeches or out playing poker till two or three in the morning--

DARROW

Ruby.

RUBY

Clarence Darrow, I'll know you're too old when you don't go half out of your mind hearing how they hung this poor man's family, knowin' you might have saved them. And it's going to happen too. Why the trial will probably last only a day and they're be hung the next week.

DARROW

It would take a miracle, a god damn miracle...

RUBY

John, what do you think?

JOHN

(*Pause.*) There's no way we can get the doctor off--that's a fact. But I don't know. If Dr. Sweet was the only one who fired the rifle, it seems like we might be able to help the other defendants.

DARROW

I suppose the least we could do is track down Tom Baker and see if I can't try to pound some sense into his hard head. I won't make any promises...

Ruby comes to his side and kisses him. Arthur and Walter are relieved, smiling as they rise to shake Darrow's hand.

INT. RESTAURANT. NIGHT.

Well dressed men sit at a table in the middle of dinner. Smoke and laughter fill the air. A waiter circles them, pouring wine. Darrow and John make their way to the table.

TOM BAKER

Look what the cat just dragged in. (*Stands; shakes:*) Why just look at yourself, Clarence. That suits looks like it was purchased at the Salvation Army. Aren't your criminals paying you these days?

DARROW

Now Tom I reckon I go to better tailors than you do and pay more for my suits at that. You probably just don't sleep in yours.

The men at the table laugh out loud. A man orders the waiter to bring up two chairs. Tom Baker and Darrow sit down. John declines, choosing to stand behind Clarence.

TOM

You sly devil, how'd you know I was here?

DARROW

I just followed the pungent scent of greed and naked ambition, Tom.

TOM

That scent's leadin' all the way to congress. Did you read my announcement in yesterday's paper? I brought the endorsements of the major, two Senators and ole' Tate, himself.

DARROW

You mean bought, don't ya?

TOM

As if it makes a difference, Clarence. So, what brings you to my table now?

DARROW

I've agreed to try the Sweet case.

Sudden silence follows the announcement, broken at last with Tom's laughter as he continues eating.

TOM

Clarence, I couldn't ask for a kinder favor. Not with the way the press follows you like flies to manure. I'll need all the press I can get for my election. Hell, if I

had known you'd take this case, I might have made a run for the senate instead. Still, I would have thought even you'd have trouble stomaching a colored family moving into a white neighborhood, then openin' fire on his new neighbors. He's lucky we're waiting for the trial.

DARROW

I know you and yours are confused about the essentials of our constitution, Tom. At least the Sweet's have a lawyer now to clarify these things for you.

DINER 1

That man doesn't need a lawyer; he needs a noose.

DINER 2 AND 3

Amen.

TOM

I fully intend to get it for them.

DARROW

Whoa, slowdown Tom. Not so fast. The way I see it, you're already running into a big problem.

TOM

And what might that be?

DARROW

To start--you've got yourself too many defendants. Six too many.

TOM

I heard you were getting old Clarence, but no one mentioned your wits were addled yet. You're dreaming--it's not going to happen. Each one of those defendants is charged with conspiracy to commit murder in the first degree. What's more, I'm ain't handin' out life sentences; those folks are going to hang.

DARROW

Then you're in trouble, Tom.

TOM

How's that?

DARROW

Well, you see three of those defendants are women. Naturally, what I'll do is make certain each juror has a wife about Mrs. Sweet's and her sister in law's age as well a daughter Miss Sweet's age. I won't be particular Tom; I'll go for round numbers. Folks who can cling to the general similarity between their women folk and Dr. Sweet's, despite their color differences. Next, I'll put these good women up on the stand and let them tell the jury what they were doing at the time of the alleged crime. Just so happens Mrs. Sweet was baking her specialty pie--

JOHN

Apple pie, wasn't it, Clarence?

DARROW

That's right. Why the woman won her church bakeoff with that pie. And the young lady?

JOHN

Reading from the good book for comfort.

DARROW

I understand that lovely young lady recites scripture better than any bible thumbin' preacher. But I won't stop there Tom. While these women are up there on the stand, I'll remind those good men on the jury how we execute prisoners here. And you know how well I paint pictures for my juries, Tom. It won't be pretty. So, while I reckon those jurors will be hanging mad at Dr. Sweet for all the trouble he caused, I'm willing to bet that a good portion of them won't be able to hang him if it means condemning those gentle women as well. Anyway, you know how the system works Tom. I only need one.

TOM

Darrow, you son of a bitch.

DARROW

All in a day's work, Tom. Good evening.

Darrow walks out with John.

DARROW (CONT'D)
Do you think he fell for it?

John slaps Darrow on the back.

JOHN
Are you kidding? I should have
brought the release papers with me.

INT. POLICE STATION. DAY.

John Hays has presented Chief Tate with the release papers.
Darrow and Walter White stand in the background.

INT. JAIL CELL.

Alana and Gladys remain in Ossian's jail cell, saying good
bye. Ossian holds Gladys tightly in his arms with Alana at
his side. Tears appear in his eyes. Bob Wilson watches this
tender scene, waiting to escort Alana and Gladys out.

OSSIAN
Thank god. I can face anything if I
know you're safe. Anything.

BOB
It's time now.

Ossian kisses Gladys, who cries. Ossian turns to Alana.

OSSIAN
You've always been strong, Alana.
You take care of your mother now,
you hear? Don't let her give too
much money to her charities; keep
some for later. You know where I
keep the bonds, right?

BOB
You've got to leave now.

Alana leads her mother away, but half way to the door,
Gladys rushes back and falls into Ossian's arms. Ossian
embraces her tightly, speaking urgently, softly to Alana.

OSSIAN
Make your mother smile, Alana; make
sure she keeps playing her music...

Bob Wilson leads the six defendants out. Alana holds up her
mother, visibly shaken. John is struck by Alana's beauty.

DARROW
Mrs. Sweet, is there anything else
we can do for you now?

GLADYS
My husband.

DARROW
Yes?

GLADYS
Save him.

DARROW
I'll do my best, ma'am.

INT. JAIL CELL. DAY.

Darrow, John and Walter White appear.

WALTER
Dr. Sweet, this is Mr. Darrow and his law partner, Mr. Hays.

OSSIAN
You have my deepest gratitude, Mr. Darrow. For my wife. For all of us. It's a huge burden lifted from my shoulders.

DARROW
Charges should never have been brought in the first place.

OSSIAN
The world doesn't run on its shoulds, does it now?

DARROW
That's the sorrowful truth. You don't mind if I rest my feet a moment, do you?

Darrow sits down on the small cot, appearing very tired.

WALTER
Here's the other good news. Mr. Darrow has agreed to defend you.

OSSIAN
But I already have my lawyers.

WALTER
Mr. Darrow will be taking over--

OSSIAN
Oh no. Not as long as I draw breath, he won't.

JOHN

If it's a question of payment, sir,
the NAACP has agreed to pay our
fees--

OSSIAN

Damn the fees. Money hasn't been an
issue with me for years. I refuse
the services of a white lawyer--

WALTER

I don't think you understand Dr.
Sweet. Mr. Darrow is our country's
greatest trial lawyer--

OSSIAN

I know who you are--everyone does.
I've followed many of your cases in
the papers, Mr. Darrow. I
especially admired your outspoken
advocacy of Darwin's evolutionary
theory during that Scopes trial.
And God knows, I don't want to seem
ungrateful for your effort in
seeing my family released from this
jail. But I fully intend to keep my
own lawyers.

DARROW

I see.

WALTER

Dr. Sweet, it's a great honor to
have Mr. Darrow--

OSSIAN

Honor? Let me tell you about
honor. It's about all I have left
at this point. My honor. Believe
me, I'm not about to abandon my own
kind now. I'll let my Negro lawyers
defend my actions.

WALTER

But if there's any chance, Mr.
Darrow is it. He's your only hope--

OSSIAN

I don't have any hope! That's the
whole point. They mean to hang me.
I might as well be hung with the
tattered coat of my... honor.

Walter starts to object, but Darrow stops him.

DARROW

Dr. Sweet, I'm wishing you the best
of luck. I'm afraid you're going to
need it, colored lawyers or not.

Darrow reaches out his hand for a shake and they shake.

INT. DARROW'S OUTER OFFICE. DAY.

A dozen, mostly poor people wait here. Alana sits among them. Darrow, looking haggard, walks out and spots Alana. He ushers her into his inner office.

INT. INNER OFFICE.

John turns, spots Alana and stiffens. Alana turns to Darrow, the plea in her eyes as she begins to explain...

INT. JAIL CELL.

Ossian stares pensively out the small window, lost in troubled thoughts. Holding a leather box, Darrow appears.

OSSIAN
Mr. Darrow? What--

DARROW
Your daughter sent me.

OSSIAN
Alana?

DARROW
She's a beautiful young lady, Dr. Sweet, a fine tribute to you and your wife. She's also very frightened. It seems we have a problem. They're not letting your lawyers in to see you.

OSSIAN
Damn them! I should have known. They kept goading me about it but I assumed, eventually--

DARROW
Naturally, we've filed a complaint with the federal bench. The trouble is we won't get a ruling in time.

OSSIAN
Geezus, what are you saying?

DARROW
Looks like you're stuck with me.

Ossian fills with fury; turns away.

DARROW (CONT'D)

You really ought to try and contain your gratitude; it's threatening to overwhelm us both. (No response.) Look Dr. Sweet, your daughter explained your mistrust of white people--

OSSI AN
Mistrust. That's a mild word.

DARROW
Dr. Sweet, I would never dream of grouping folks--white or colored or anything else--under a single condemnation. I just don't understand how an educated man like yourself--

OSSI AN
White folks never do understand-- that's the whole point. You're on the inside looking out. It's a different world on the outside.

DARROW
You don't have to be colored to understand prejudice; it's something I fought my whole life--

OSSI AN
Here we go. Mr. Darrow, talkin' the talk, full of high minded notions about his Negro brethren. Mr. Darrow, the Negro's great white hope; my great white hope. No offense, but by the time I was sixteen, I knew this myth of the great white hope was just that--a myth. The big lie Negroes have been telling themselves for the millennium...

Darrow sits down and from his leather case, he withdraws two shot glasses and a bottle of whiskey. He removes the books from the small table and sets down the glasses, pouring.

DARROW
What happened to you when you were sixteen?

INT. JAIL. LATER.

Their changed appearance suggests the passing of a couple of hours. The bottle is almost empty.

OSSI AN

...And I know Mr. Darrow, when that angry mob of hate puts the noose around my neck, the impotence of your good will, will be swallowed up in a sea of white faces.

A moment of stunned silence follows this speech.

DARROW
Why this is it.

OSSI AN
What?

DARROW
Our defense.

OSSI AN
What's our defense?

DARROW
You're our defense, Dr. Sweet. Your history will serve as the defense.

OSSI AN
Geezus, I am going to hang.

DARROW
Probably, but I'm beginning to believe it's going to be one hell of a fight.

EXT. GRANDMA MITCHELL'S HOUSE. NIGHT.

Darrow and John Hays appear in front of the old house on the edge of Paradise, the notorious Detroit slum. A white picket fence surrounds the well tended garden, incongruent in the slum surroundings. The streets are crowded with people. Some appear drunk. Prostitutes collect on street corners nearby. Music, a neighbor's fight and a crying baby sound in the distance. As Darrow and Hays move to the gate, bottles crack beneath their shoes. A rat scurries off into the darkness, but the sound of Gladys playing the piano becomes louder. They ring the bell. Otis lets them inside.

OTIS
Mr. Darrow, Mr. Hays. Won't you come inside?

INT. MITCHELL'S HOUSE. NIGHT.

Crowded, but neat and clean. Otis introduces Darrow and Hays to the large family. Darrow examines a photo on the mantel.

DARROW

Mrs. Mitchell, don't tell me that pretty young woman is you?

GRANDMA MITCHELL
That was a long time ago Mr. Darrow. Just after the war ended. I suspect you weren't even a glimmer in your Daddy's eye yet.

DARROW
My mama swears I was never a glimmer; it was mischief that night, mischief the day I was born and every day since.

Grandma Mitchell laughs, charmed.

HENRY
Won't you have a chair, Mr. Darrow?

DARROW
Don't mind if I do. Now, I need to hear what happened that day. Mrs. Sweet, why don't you start...

EXT. PATIO OF HOUSE. NIGHT.

John Hays steps out on the back porch, where Alana sits on a swing, reading by a lamp.

JOHN
Miss Sweet?

Alana stands up with surprise.

JOHN (CONT'D)
Your mother said I might find you out here. Oh, you're reading. To escape a spell, I'd wager. What is it? Madame Boverly? In the original French?

ALANA
I lived in Paris for six years, while my father studied with European physicians. My mother says I speak better French than I do English.

JOHN
I've lived in Paris, too.

ALANA
You did?

JOHN

I went for a year abroad after Harvard. I saw Italy, England, Ireland and the Swiss Alps. Then when I finally got to Paris, I ah, forgot to leave. It's the most beautiful city on earth. The Champs D' El ysse--

ALANA
The Eiffel Tower.

JOHN
Pont Neuf--

ALANA
The Tuilleries.

JOHN
Did you ever walk along the Seine as the lights for Notre Dame came on?

ALANA
I remember the very first time. It was my birthday. My father took me to a little cafe to celebrate. We were sitting outside in the warm night with our coffee and pastry. Suddenly he said, 'Alana, I have one more present. Look there.' That very moment the lights came on. (Laughs.) For years I believed my father had arranged it just for me.

JOHN
He's a remarkable man, your father. Not many men--colored or white-- could pull themselves up from a sharecropper's farm in Florida to become a renowned physician.

ALANA
I've always admired him so. I've also always admired, Mr. Darrow.

JOHN
We all do. I'm lucky to have this chance to work with him.

ALANA
How did that come about?

JOHN
I just kept badgering him until he relented.

ALANA

That must have been some badgering. There were probably dozens of young men wanting to work at his side.

JOHN

I guess I'm pretty darn persistent when I go after something I want. And I wanted to work at his side more than I ever wanted anything. Ever since I first heard him speak. He was the most radical thinker I had ever heard. It was the eve of graduation and up until then, I didn't really know what I was doing in law school, except reluctantly following in my father's footsteps. But after hearing that speech, I knew, not just that I wanted to practice law, but what kind I wanted to practice.

ALANA

What kind is that?

JOHN

The kind that matters; the kind that makes a difference in people's lives.

ALANA

It looks very bad for us, doesn't it?

JOHN

I'd be lying if I said otherwise. The truth is we received some disappointing news today. The judge we wanted is retiring. The next rotation of judges puts Wilbur Small up on the bench. The man's an ornery, cagey old fellow.

ALANA

You mean bigoted, I suppose.

JOHN

They're all bigoted, that's a fact. Some more than others though.

ALANA

I see.

Alana turns away to hide her emotions.

JOHN

I just don't understand. Your father must have known--

ALANA

You're just like all the others, aren't you, Mr. Hays? Everyone blames my father; everyone thinks he got what he deserved. Tell me something: do you even remember the yellow fever outbreak early this year?

JOHN

Yellow fever? What's--

ALANA

You don't even remember, do you? The outbreak buried only four white people. You all quarantined, separated the sick from the children and the old folks. We don't have that luxury in Paradise, Mr. Hays. Why you won't find a single bedroom that has less than four people living in it. In the space of two weeks my father buried twenty eight children and three times that many old folks. My father's a strong man, Mr. Hays, but like my grandmother says, there's only so many bodies a man can bury before he's willing to risk everything and put up a fight. (Pause.) If you'll excuse me...

JOHN

Wait. Please. I'm sorry. I guess I didn't understand. The issue isn't just a house--

ALANA

No, it isn't just a house.

JOHN

He was trying to save you; trying to save all of you...

EXT. A PARK. DAY.

An older man, Judge BERNIE SCHWARTZ sits on a park bench, eating his lunch. With a tip of hat, Darrow sits along side.

DARROW

Judge.

To Bernie's irritation, Darrow picks up half of his sandwich and starts eating.

DARROW (CONT'D)

Ruth makes one fine meatloaf, I'll say that. You pass my compliments to her.

BERNIE

I know why you've come, Clarence.

DARROW

Do you?

BERNIE

It won't work--I'll tell you that right off. My mind's made up. I'm retiring. After twenty five years on the bench, I'm finally leaving.

DARROW

I see. Well, at least tell me what I'm up against? What are your plans? You do have plans?

BERNIE

Huh! I've got plans. Big plans. I'm going to wake up late every morning. I'm going to read the newspapers and scowl like everyone else, then toss the rag, like the rubbish it is and not do anything about it. I'm done caring about the world. I'll say this Clarence, all the sweetness of my anticipation arises from that simple fact; I won't have to care any more.

DARROW

Ah. A fine plan. That'll get you to noon. What grand plans have you worked out for the afternoons?

BERNIE

I don't know. I don't have to know, that's the whole point. Maybe I'll go shopping with Ruth, or take her to a picture show. Hell, I might even start feeding crumbs to the birds all day.

DARROW

I probably won't mind you sinking into the well earned apathy of old age, Bernie. Lord knows, I wouldn't mind myself, but it looks like I'm stepping up to bat again and I need a fair umpire.

A man approaches from behind the bench, spotting Darrow.

BERNIE

I'm not umpiring any more of your games, Clarence. I've had it. I've finally had it. Do you have any idea what it's like to be universally loathed and detested, just because you try your damndest to administer the noblest of goals-justice?

MAN

Mr. Darrow! I thought it was you. You don't think you could spare two bits, do you? I heard about a job up in Chicago, a sure thing and all I need is the bus fare--

Darrow pats his jacket.

DARROW

Well now, I'm sure I could spare two bits to help a man get some honest work.

With an exasperated sigh, Bernie supplies the two bits.

MAN

Bless you Mr. Darrow. Bless you.

DARROW

Good luck now. *(He waves.)* You might think you're universally loathed and despised, but not by any one who has a notion of what's right and fair. You've got respect from everyone who counts--

BERNIE

Oh yeah? You and who else?

DARROW

Damn it, Bernie. There's no one else who will give me a fair trial.

BERNIE

A fair trial is not going to save that man. They're going to hang him. You're going to lose this one with or without me giving you a fair trial.

DARROW

All the more reason he needs a fair trial. All that man did was buy a house. That night he was thrown in jail and now, they want to hang him--

BERNIE

Save it for the jury, Clarence. I'm not saying it's fair! God knows, if it were up to me, Dr. Sweet's neighbors would be baking him welcoming pies right now. But it's not up to me. It's never up to me and that's why it doesn't matter if I or Small sits on this trial.

DARROW

Prejudice is an ugly thing, Bernie.

BERNIE

Oh my God, here it comes--

DARROW

I'd wager you can still remember a young lawyer I once knew. No one suspected this man harbored one of the finest legal minds in the country. Remember him? Remember when he first opened up shop in these parts? No one figured he had a chance in hell of attracting any clients. Too darn funny looking for one thing. Rail thin for another--

BERNIE

Little wonder with ruthless vanguards constantly helping themselves to his meager lunches.

DARROW

He was also as timid and seemingly mild as a mouse. That was until he stepped inside the court room. In all my years I've never known any lawyer who knew the law better. The man was made for the bench. Might have gone all the way to the Supreme Court if the politics were right. But no one was about to appoint him to the bench. Just like we might let a Negro graduate from medical school, but we'll be damned if we let him move into our neighborhoods. We might let a Jew into law school, but no one was about to put him on the bench. No sir--

BERNIE

Are you trying to make me feel guilty? Because... it's working. Damn you, Clarence. After all these years I never knew how you managed it. I was led to believe it

actually involved a call from the White House.

DARROW

I've never known you to be obtuse, Bernie. The point is that it wasn't so many years back when a Jew would have caused the same uproar as a Negro. And in some parts they still do. We've got to stand up against this racial hatred, before it boils over and burns us all...

BERNIE

Clarence, you could convince God himself to reinstate the devil...

DARROW

Luckily, it wasn't the devil's reinstatement I was after.

BERNIE

It still won't change a thing, Clarence. They're still going to hang that poor fellow.

DARROW

They might Bernie, but I'll tell you this: I'll be damned before I let 'em feel good about it.

EXT. MITCHELL HOUSE. NIGHT.

John Hays knocks on the front door of Grandma Mitchell's house. A surprised Nancy answers.

NANCY

Mr. Hays. What a surprise. Won't you step inside?

INT. HOUSE. SAME TIME.

John steps inside and removes his hat.

JOHN

Good Evening Mrs. Sweet. I came hoping to find Miss Sweet at home.

NANCY

Alana? Why I believe she's in the sewing room, finishing up her lesson plan for tomorrow.

Gladys appears from another room.

GLADYS

Mr. Hays, is Mr. Darrow with you?

JOHN
No ma'am. It's just myself tonight. Actually, I was hoping Alana, ah, Miss Sweet, might translate a letter I have. I'm afraid my French isn't up to the task.

Gladys reads another motive into this.

GLADYS
I see. Well, this way.

INT. HALLWAY.

She leads John into the sewing room, knocking softly.

INT. SEWING ROOM.

Alana raises from a crowded desk.

GLADYS
Alana, Mr. Hays has come callin'. He has some documents he was hoping you could translate for him. If you'll excuse me.

Gladys exits. Awkward, John stares.

JOHN
I came to... Your aunt said you were working on a lesson plan? I hope I'm not interrupting--

ALANA
I was just finishing. I was going to cancel school until, you know, the trial's over but my family felt I'd do better if I kept busy.

JOHN
I'm sure they're right. So, where do you teach?

ALANA
Oh, it's a small school house. Behind the church on Harvest road. My father started it. He's a great believer in education and he talked the church into giving up the room. Within weeks, I had fifty-six students. More come every day.

JOHN

Fifty--six? That must be difficult?

ALANA

My father always says the best things in life are the hardest. I believe him now. It's better this year. Some of the parents are helping out. We're raising funds to hire another teacher.

JOHN

I wager you're a wonderful teacher.

ALANA

I try, I do try.

John spots Shakespeare's Comedies on her desk.

JOHN

Is that Shakespeare you're reading?

ALANA

I'm always reading Shakespeare. The comedies are my favorite.

JOHN

(Delighted:) I wanted to go into the theater, just for a chance to perform Shakespeare. But my parents, practical to the end, convinced me I had a very small talent and I would probably die of starvation on the streets of Manhattan. I'm afraid now I only dream about it.

ALANA

My grandma always says dreams are the place where wishes come true.

The intensity of their stares holds them.

JOHN

I love the sonnets, too.

ALANA

I love the sonnets.

JOHN

I know every one by heart.

ALANA

Every one?

JOHN

I was kind of a loner in school, my secret way of rebelling against being there. My stubborn father

again. While all the other men were out playing football or studying, I put the sonnets to memory.

Suspicious, Alana thinks she is being teased. She turns and searches for the book of sonnets, pulling it out.

ALANA
If I open this at random--

JOHN
Go ahead.

Excited, Alana opens the book.

ALANA
Number 145.

JOHN
Those lips that loves own hand did make,
Breath'd forth the sound that said 'I hate,'
To me that languish'd for her sake:
But when she saw my woeful state,
Straight in her heart did mercy come,
Chinding that tongue that ever sweet/
Was us'd in giving gentle doom;
And taught it thus anew to greet;
'I hate' she alter'd with an end,
That follow'd it as gentle day
Doth follow night, who like a fiend
From heaven to hell is flown away--

ALANA
'I hate' from hate away she threw
And sav'd my life, saying--'Not you.'
(*Laughter:*) Those last lines are so sweet.
(*Self conscious.*) So. Well. My mother said you needed help with something?

JOHN
Yes. I've a letter. It's written in French. I was hoping you'd do me the honor of reading it.

John hands her a letter.

ALANA
Of course. Why it's addressed simply to the holder of the letter. It says: Standing before you is a man who has governed his life with only two absolutes: The first was never desire what he could not have and the second was never but never fall victim to a romantic sentiment. But both absolutes

vanished a day not long ago. The most beautiful young lady he had ever seen stepped into his life...

Stopping, she puts her back to him.

ALANA (CONT'D)
You're mad...

JOHN
Yes.

ALANA
You can't court me! What would people say? Not just your people but mine--

JOHN
I don't care what people think. I don't. I just want a chance to see you, to be with you--

Gladys knocks and enters, startling them both. Alana pushes the letter into the pages of an open book, hiding it.

GLADYS
Excuse me. I just left my sewing box in here.

Gladys finds her sewing box.

GLADYS (CONT'D)
Have you finished translating Mr. Hay's document?

JOHN
Yes, she has. My thanks for your time and patience. I guess I better be leaving. Good night, Miss Sweet.

She nods, hiding her hands to conceal their tremble.

GLADYS
I'll show you out, Mr. Hays. I have a favor to ask of you, too. It seems my husband isn't receiving any of things we send him. We were hoping?

JOHN
Yes, of course. I'd be happy to pass him anything you might want...

INT. JAIL HOUSE. NIGHT.

The jail house. Ossian sits in his cell, with an open newspaper when Darrow appears.

DARROW

I came as soon as I could Dr. Sweet. You wanted to speak with me--

OSSI AN

I just read a copy of the speech you gave to the Minister's Association.

DARROW

Oh that...

OSSI AN

Yes. That. I confess you really had me fooled with all that talk about the good fight. I was just starting to believe you, Mr. Darrow. Just starting to think well, maybe the man isn't like all the others. I should have known though.

DARROW

Now, you're making a mistake--

OSSI AN

Exactly. I made a mistake. Fool that I am, I didn't realize that once again, beneath your talk about the Negro's plight in America, you were just another ugly bigot who thinks the Negro--

Ossian picks up the paper and hits it furiously.

OSSI AN (CONT'D)

Is just a poor set of clothes away from his savage African roots and who might, in fact, be better off running wild through the jungles there.

DARROW

Whoa. Just a minute--

OSSI AN

I don't have a minute! My life is an hour glass turned up side down. You're fired Mr. Darrow. I will not have you defending me.

DARROW

Don't you want to hear my explanation?

OSSI AN

What possible explanation is there

for those plain words printed in black and white?

DARROW

As it happens, I have a very good reason for making that speech.

OSSIAN

No reason can change those words!

DARROW

I'm not so sure about that. You see, I will be selecting your jury next week. Our first problem is that it will be a white jury made up of men who have been fed this hateful racism with their mother's milk and right now they are willing to hang you without the bother or benefit of trial. Our second problem is these men know me as a radical, the nation's most outspoken defender of Negro rights. They already disagree with me on the subject, and some may even hate me for it. You see, I needed to change that.

OSSIAN

What does that have to do with it?

DARROW

You and I are on one side of a great divide. They're on the other. That speech will move them closer to me, maybe as much as half way to our side. And I'm hoping the trial will carry them the rest of the way over.

OSSIAN

You mean you said these things to create a favorable impression in the minds of--

DARROW

Our prospective jurors.

Ossian stares at Darrow before turning away.

OSSIAN

Geezus! I still don't like it.

DARROW

Neither do I and that's the truth. Believe me, whatever pain you experienced reading it, my pain was tenfold giving it. A lot of those

ministers were my personal friends,
you know. I don't imagine they'll
be forgiving me for it for a long
time. Still, I had to do it.

OSSIAN

I'm not convinced. The means do
not justify the end.

DARROW

They do when a man's life is at
stake...

EXT. A ROAD. DAY.

John Hays stands, waiting. A modest church sits off in the
distance. Alana emerges from the church and they fall in
step together. Taking her books, they walk off, talking.

EXT. A PARK. DAY.

John and Alana walk together in a park on a windy day, lost
to their conversation. A sudden gust of wind lifts some
papers from a book. John and Alana take off in pursuit,
laughing at the madness...

EXT. A PARK WITH LAKE. DAY.

John and Alana sit on a bench, feeding bits of bread from a
bag to a group of birds as they talk in heated whispers.

JOHN

What was it like going to school in
Paris?

ALANA

Different. Wonderful. I was the
only colored girl they had ever
seen and in the three years I went
there I don't think any one ever
mentioned the color of my skin.
They thought I was exotic all right
but that was because I was an
American, rather than a colored
person. Sometimes I wondered if the
other girls even thought of it.

JOHN

Really?

ALANA

I held my breath the whole time,
waiting for someone, a teacher or a
school mate, to say: 'Alana can't

do that, because she's colored.'
No one ever did....

A bird leaps on Alana's lap, startling them and they laugh...

EXT. PARK AND LAKE. DAY.

John stands in line on small pier, waiting for a row boat. Two couples embark before him. He gets in a boat alone. He rows around the lake to an isolated bay, surrounded by willow trees. Alana steps out from a tree as he rows up. Wearing a sun hat, she holds a picnic basket.

JOHN
Mademoiselle.

He bows dramatically and extends his hand to help her in.

ALANA
Merci, Monsieur.

JOHN
Did you bring it?

She nods and laughs as she reaches into the basket and withdraws the book of comedies.

EXT. BOAT ON THE LAKE.

John rows the boat. Alana rests against a cushion at one end of the boat with a parasol in hand. They talk and laugh as she recites from a Shakespearean play.

EXT. BOAT ON THE LAKE.

John rests against the cushion at one end of the boat, with the book in his hand, reciting from the play and motioning dramatically with his hands, while Alana rows. Alana drops the paddles to applaud his performance with enthusiasm, standing up for an ovation. The breeze blows her hat into the water. Alana panics as she realizes the boat is unsteady and the paddles float in the water with her hat. John raises his hand, cautioning her. He retrieves the paddles, rows over to her hat and using the paddle he lifts up the hat with exaggerated bravado.

Alana applauds again, laughing.

EXT. BOAT ON THE LAKE.

The boat rests close to shore beneath a willow tree. They both sit at one end, enjoying the picnic lunch.

EXT. A GRASSY SPOT BENEATH A SHADY TREE.

John and Alana lay back on the grass, talking. Alana weaves a flower crown, which she presents to John. John's hand covers hers and she entwines her fingers in his...

INT. COURTROOM. DAY.

Jury selection has begun. Bernie Schwartz presides. Darrow, Tom Baker, his assistant, Dr. Sweet, and his family witness the selection from a pool of two hundred.

TOM
State accepts.

Tom steps away and Darrow approaches.

DARROW
Now then, Mr. Dodge, we've heard you're married with three children and that you work at the steel mill outside of town. So, are you a church going fellow?

MR. DODGE
Oh yes, sir. Baptist from the day I was born.

DARROW
Thank you. That will be all.
Defense declines.

Darrow returns to his seat.

OSSIAN
What was wrong with him? He seemed fairer than the others?

DARROW
No defense lawyers want Baptists on their juries.

OSSIAN
What is wrong with Baptists?

DARROW
They see hanging as God's work.

BERNIE
Next. Mr. Benchley.

A man rises and takes the stand.

TOM
How are you today, Mr. Benchly?

MR. BENCHLY
Got no complaints.

TOM
Good. You a working man?

MR. BENCHLY
Yes sir.

TOM
And where are you employed, Mr. Benchly?

MR. BENCHLY
Ford tire plant.

TOM
And are you an honest, tax paying citizen of this county?

MR. BENCHLY
As honest as the next fellow, I suspect.

TOM
(Laughs:) As good a recommendation as any. State accepts.

Darrow approaches as Tom returns to his chair.

DARROW
Are you a church going man, Mr. Benchly?

MR. BENCHLY
Not much. The wife gets me out Easter and Christmas for mass. That's about it.

DARROW
Catholic, are you?

MR. BENCHLEY
I am on Easter and Christmas, I suppose.

The court laughs.

DARROW
I see. Tell me Mr. Benchly, are there any Negroes working at the Ford Tire factory?

MR. BENCHLY
Some.

DARROW
How do you feel about workin' with
Negroes?

MR. BENCHLY
I don't bother them none and they
don't bother me.

DARROW
Are you prejudice against the Negro
race?

MR. BENCHLY
No more than I am against other
fellows, I reckon.

DARROW
Do you think you could give a Negro
a fair trial?

MR. BENCHLY
I think so.

DARROW
Mr. Benchly, would you make every
effort to give my client as fair
and square a deal as you would a
white person?

MR. BENCHLY
Yes sir. I would try.

DARROW
Defense accepts Mr. Benchly.

BERNIE
Next. Mr. Michael Peters.

John rushes into the courtroom, and leans over to confer
with Darrow as Tom questions the next potential juror.

JOHN
Clarence, we got a big problem.

DARROW
What's wrong?

JOHN
I've been all up and down Garland
Avenue. I've spoken to over fifty
people who live in that
neighborhood and I haven't found
one who will testify that there was
a mob outside Dr. Sweet's house.
Every last one of 'em swears there
was no mob that day. What's more,
they're willing to testify to that
fact.

OSSIAN
That's ludicrous! There were over
five hundred people outside my
house that day! The police had the
streets barricaded for, God sakes--

The judge slams the gavel.

BERNIE
Quiet at the defense table.

JOHN
(*Whispers:*) The police are also
prepared to testify there was never
more than twelve people in front of
Dr. Sweet's home.

TOM
The state accepts.

BERNIE
Your turn, Mr. Darrow.

DARROW
Get back out there, John. If there
were five hundred people there,
seems at least one of them's got to
be honest. My small bit of faith in
human kind is riding on the fact.

EXT. OUTSIDE JUSTICE BUILDING. DAY.

As Darrow leaves the court house, Tom Baker parts from his
associates to catch up.

DARROW
You've got to stop being so damn
obsequious with me in there, Tom.
It's down right unnerving having a
prosecuting attorney stepping over
his feet trying to be polite to me.

TOM
(*Laughs:*) I knew that would bother
you.

DARROW
Almost as much as you tampering
with the witnesses.

TOM
Tampering with the witnesses?
Clarence, don't you know me better
than that? I would never coerce a
witnesses testimony.

DARROW

Of course not. You have the police do it for you. I'll tell you this Tom, you're going to make a fine congressman: corrupt as all get out, faithful to the handful of monied interests that put you up and to no one else, motivated by the all American greenback and nothing else. Yes, sir. I can hardly wait to cast my vote.

TOM

Don't you go sentimental on me now, Clarence--pretending to sit on that high horse of yours. What about your ah, highly unorthodox jury selection? Out of two hundred possible jurors, you managed to find ten Catholics, one atheist and a damn Jew. As if that will possibly make a difference.

DARROW

We'll see.

Darrow starts to walk off again.

TOM

You'll see. I already know it and so do all the other decent folks in this city. For the life of me, I don't know how you stomach the way that colored man walks around like the rooster in the hen house--

DARROW

That's what really bothers you, isn't it Tom? It's not the murder charge, or even that a Negro had the guts to move into a white neighborhood--that's all just the symptoms of the greater offense. What really galls you is that Dr. Sweet has the audacity to be better than you--

TOM

I've never had a thing against colored folks, so long as they stay in their place. But it's whole 'nother story with these new ones coming up, all these quasi--intelligent ones, like your Dr. Sweet. It's time someone showed them there's a limit on how far they can go.

DARROW

Quasi--Intelligent? That's ripe, Tom. I thought someone said the dinosaurs were extinct? You know it's the narrow minded bigots of the world like you that constantly replenish my pessimism in the prospects for the human race.

TOM
(Laughs:) Well, look at this. I believe I've finally made you angry, Clarence. If I looks could kill, I'd be dead.

DARROW
Nonsense Tom. I would never wish anyone dead, even you.

Again Darrow starts to walk away, but stops.

DARROW (CONT'D)
Though I confess, there's a few obituaries I'd probably take some pleasure in reading. If you'll excuse me...

TOM
Don't make it too easy, Clarence. All I need is to get you riled.

EXT. EMPTY FIELD NEAR CHURCH AND SCHOOL HOUSE.

John and Alana play baseball with a large group of students, playing on opposite teams. The competition appears fierce, interrupted by laughter as children and parents cheer.

Mitch, Bob and Carl show up in uniform, and watch this scene, a threatening presence. One by one the children stop playing as they turn to stare. John and Alana finally notice.

JOHN
I'd better take you home, Alana.

Alana nods and gathers her things. They walk off together, followed closely by the policemen.

JOHN (CONT'D)
Don't pay them any mind. They're just trying to provoke us before the trial tomorrow.

MITCH
Look at this. The lily white Harvard boy, whose been playin' in the big leagues and pretended he's

better than everyone is really just
after the same piece of meat.

John stiffens but recovers, taking Alana swiftly down the
street. Bob Wilson tries to stop the other two.

BOB
Leave 'em alone. They've got enough
trouble.

MITCH
He's gettin' more. We need to
teach that Harvard boy what happens
to nigger lovers in this town...

EXT. FRONT PATIO OF MITCHELL HOUSE. SAME DAY.

Grandma Mitchell sits on the front porch in a chair, humming
as she knits. She catches sight of John and Alana stopped
discreetly at the corner.

JOHN
They're gone.

Alana nods solemnly but is clearly upset.

JOHN (CONT'D)
Don't let them hurt you, Alana.
Don't give them that power--it
tears me apart.

ALANA
Here, I have something for you.

She removes her piece of wood.

ALANA (CONT'D)
It's my lucky charm. I want you to
have it for tomorrow.

JOHN
What is it?

ALANA
It's a chip of wood from the cross
that marked my great--great
grandmother's grave. On my
mother's side. Slaves use to
believe it brought you luck. My
grand mother held it in her hand
when she made a run for freedom.
She says it burned in her palm and
told her which way to go. It gave
her courage.

JOHN
The courage of faith...

He smiles and while staring at her, he gently kisses the good luck charm. Alana turns away, rushes through the gate and up the steps, slowing when she spots Grandma Mitchell. She comes to stand in front of her.

GRANDMA MITCHELL
You're looking at a heartache,
Alana.

ALANA
I know.

She lays her head on her grandma's lap as old hands smooth her hair.

ALANA (CONT'D)
I've always known. Why doesn't it matter to me? I keep thinking it should, but then the moment I see him waiting for me outside of the school house, the moment I meet his eyes...

GRANDMA MITCHELL
My poor, sweet, Alana...

ALANA
He tells me our day will come. He says someday we'll embark aboard a grand ship and sail abroad. We'll have no destination smaller than the world and yet we'll know we've arrived when we reach it. A place where we can be together in peace...

GRANDMA MITCHELL
Dreamin' words. They're just dreamin' words, child.

ALANA
Sometimes I believe him.
(*Her eyes mist over.*)
I have to believe him or else I feel my heart breaking already...

INT. COURT HOUSE. DAY.

People pack the courthouse. The jury has been seated. African Americans crowd the back. White people crowd the front. Ruby sits in the front row with Gladys, Alana, Grandma Mitchell, Nancy, Henry and Otis. Reporters stand in back amongst the crowd, note pads out, pens ready.

Tom Baker stands.

TOM

The facts are simple. Mr. Sweet, a Negro, ignored the warnings of the Police of Chief as well as the expressed wishes of the entire neighborhood and bought a house in a white neighborhood and moved in. He meant to force his white neighbors to accept him, even if it meant shooting them. We will show how Mr. Sweet, with no provocation from his white neighbors, shot an innocent man, Leo Breiner. In the back. In cold blood. These are the facts gentlemen.

He returns to the table. Darrow approaches the jury.

DARROW

Mr. Baker just presented what he calls the facts of the matter. Unfortunately, the only fact he didn't muddle was that my client, Dr. Ossian Sweet, fired off a shot from his rifle. We won't dispute that. No, what we'll do is provide the truth behind it. What do I mean by the truth behind the fact? A fact's a fact, right?

Darrow stands very close to the jury and seems to personally invite each member to ponder the question.

Of course it is. Yet, very often the circumstances around a fact shed light upon it. Here, let me give you an example. I woke up late this morning. That's a fact. Now, maybe I'm a lazy son of a gun, or I'm too old to keep working hours or maybe I drink too much at night--these are the circumstances my wife would be quick to point out.

The jury laughs; Bernie rolls his eyes, clearly amused.

DARROW (CONT'D)

But what if I rushed an old friend to the hospital last night and stayed on into the wee hours of the morning to see him through the danger? You see the circumstances around a fact bring us a little closer to understanding the truth. We want justice for Dr. Sweet gentlemen; we all want justice. The only hope we have of getting

it, is by seeing the truth beyond the bare facts.

INT. COURT ROOM.

Chief Tate on the stand.

TOM
Now, Chief Tate, did Mr. Sweet appear at the police station asking for protection for his plan?

TATE
He marched right in and demanded it.

TOM
And what did you tell him?

TATE
That he was asking for trouble. I told him folks were so mad about him buying that house, they were taking it out on the decent, simple minded Negroes of this city. I told him he was looking to cause a riot.

TOM
How did he answer that?

TATE
He said it was his right under the law. I told him no one has the right to incite violence and disorder in this city. But he wasn't listening.

TOM
Did you agree to provide police protection?

TATE
Yes. I had eight men there.

TOM
Now, Mr. Sweet has claimed a mob manifest almost immediately. Did you see a a mob there?

TATE
No, sir. There was no mob.

TOM
Thank you Chief Tate. No further questions.

Darrow rises and approaches.

DARROW
Have you ever heard of a group
called the Tireman's Association?

TATE
Not that I recall.

DARROW
Odd. I understand you participated
in a general meeting of the
Tireman's Association to decide
what to do about the Negro, Dr.
Sweet, who bought the house on
Garland Avenue. Do you remember
that?

TATE
I go to a lot of meetings.

DARROW
How about this specific meeting?

TATE
No, I don't recall it.

DARROW
It seems as if your memory is every
bit as elusive as the very justice
we are seeking. (*Laughter:*) Chief
Tate, perhaps you might recall that
you visited Dr. Turner in his new
home before it was burned? You are
aware that this home was burned?

TATE
Yes.

DARROW
And what did you say to him the
night you visited?

TATE
I don't remember, exactly.

DARROW
Oh right. (*He nods:*) I forgot about
your memory problem.

TOM
Objection your honor. Defense is
badgering the witness.

DARROW
I'm just desperate to rattle his
ever elusive memory, your honor.

BERNIE

(*Courtroom Laughter:*) Sustained.
 Defense will refrain from
 commenting on the witnesses in
 inability to remember details.

DARROW

Mr. Tate are you aware that this
 Tireman's Association repeatedly
 threatened Dr. Turner?

TATE

No, I wasn't aware of it. I'm not
 surprised though. I've personally
 got nothing against the law abiding
 Negroes of this city but plenty of
 folks get mighty upset when one of
 them tries to move into our
 neighborhoods.

DARROW

Indeed. They get upset enough to
 burn a man's house and all his
 worldly possession's to the ground.
 Still, the night you visited Dr.
 Turner and his family you offered
 him the reassurance that all the
 trouble would blow over in a week
 or so, didn't you?

TATE

I might of said that, yes.

DARROW

I'm wondering if you knew at the
 time just how the 'trouble' was
 going to blow over?

TATE

Trouble usually blows over.

DARROW

Does it? Or perhaps you knew
 exactly what was going to happen to
 Dr. Turner and his family because,
 in fact, you are an active member
 of this Tireman's Association and
 actually encouraged the burning--

TOM

Objection! Now, defense is putting
 words into the witnesses mouth that
 clearly misrepresent his testimony.

BERNIE

Sustained.

DARROW

No further questions, your honor.

BERNIE
Witness may step down.

Ossian, looking grave, casts a nod of approval to Darrow.

INT. COURT ROOM. DAY.

REGGIE DODD, in his thirties, on the stand.

TOM
Mr. Jones you own the gun shop on
Marlin Avenue?

DODD
Yes sir.

TOM
Have you ever seen Mr. Sweet in
your shop?

DODD
Yes sir. He bought nine shot guns
from me. Paid cash.

TOM
Do you remember when that was?

DODD
Before all the trouble happened.

TOM
Did Mr. Sweet say anything to you?

DODD
Yes sir. I asked him what a Negro
wants with all them rifles and he
says, he's a goin' have a hunting
party and nail himself some prey-
lets out the devil's own laugh. He
knew what he was doin'. He knew he
was gonna shoot some white folks.

Courtroom people rustle uncomfortably.

DARROW
Objection. Subjective judgment on
the part of the witness.

BERNIE
Sustained.

TOM
No further questions, your honor.

Darrow approaches the witness.

DARROW
Mr. Dodd, how do you feel about
Negroes?

DODD
What do you mean?

DARROW
In general? Do you like them?

DODD
I don't like 'em, not one bit. I
don't mind telling you either.

DARROW
No further questions, your honor.

Darrow returns to defense table.

OSSIAN
Is that it? How do you feel about
Negroes? None of what he said was
true. I never said any of those
outrageous things!

DARROW
I know it, you know it, the jury
knows it--that's all that matters.

INT. COURT ROOM.

Mitch Cobb on the stand.

MITCH
We didn't want a mob to gather. No
telling what might happen in a mob.
We kept the folks movin' all
afternoon. Then, around five
o'clock, Mr. Sweet fired off a shot
from the upstairs window. Leo
Breiner was dead in a pool of
blood. Shot in the back as he was
walking home from work.

People bristle angrily with this damning testimony.

MITCH (CONT'D)
Owens' and myself fired into the
air. A warning. Then we realized
where the bullet came from.

TOM
And did you arrest Mr. Sweet?

MITCH
Yes, sir. The rifle still sat in
his hands.

TOM
And at the time of the arrest, did he confess to the shooting?

MITCH
Yes sir, he did.

Court room of people murmur.

TOM
One more question, Mr. Cobb. Were you able to retrieve Mr. Sweet's bullet?

MITCH
No sir. We looked but we couldn't find any of the bullets that were fired that day.

TOM
No further questions.

DARROW
(Stands:) Mr. Cobb, how many people would you say were on the street that day?

MITCH
It varied. Folks would show up and we would move 'em along.

DARROW
At the time of the shooting?

MITCH
I'd say no more than twelve.

DARROW
You are aware that you are under oath?

TOM
Objection. The whole court witnessed Mr. Cobb taking the oath.

DARROW
I want it on record that this man is aware his testimony is under oath.

BERNIE
Overruled. Witness may answer the question.

MITCH
Yes sir, I am. There wasn't more

than twelve people at any one time. Anyone who says different is either mistaken or lying.

DARROW

So, we know somebody's lying. No further questions.

BERNIE

Due to our late start, court will adjourn now and commence at nine o'clock tomorrow, that is, provided Mr. Darrow avoids the collective pitfalls of his character and he manages to make it here on time.

INT. A LARGE AUDITORIUM. NIGHT.

A large banner says: Dr. Ossian Sweet's defense fund. People crowd the large room, but Darrow, Ruby and John are the only white people. Darrow and Ruby stand in a group of black men, Walter White, Cecil Jones and John Peters among them.

MR. JONES

The newspaper accounts are killing us. The Post actually said all the prosecution needs is a rope.

WALTER

It sure doesn't look good so far.

DARROW

No, it doesn't. It's bound to get worse too. Tom Baker has a list of fifty six people ready to testify there was no mob outside the house.

WALTER

You've got to establish that the mob was there.

DARROW

John and I have interviewed every single one of 'em twice now. No one is willing to budge.

CECIL

It's becoming a blur of a hundred other trials. The Negro won't have justice until we sit on those juries.

DARROW

The day will come, gentleman. The day will come.

WALTER

Not soon enough. I just tried a case that turned into the worse travesty of justice I ever witnessed.

RUBY

What happened, Mr. White?

WALTER

A white woman, a Miss Quinly, was brutally murdered just outside a little town up north, Mariposa. The sheriff didn't have a single clue, so they flip through their arrest books and came up with Daniel Smith. Mr. Smith was a family man. He worked with his hands, making furniture. A real decent sort but still a Negro with a prior conviction.

DARROW

What was it, the prior?

WALTER

Murder conviction. A white man in a brawl. The man had come at him with a knife. He blocked it and threw a punch. One lousy punch but it killed the man. He served five years for it.

DARROW

So what happened?

WALTER

I paraded one white witness after another who testified Daniel Smith was in another town entirely the night that woman was murdered, that he never knew the woman, never even so much as laid eyes upon her. They still convicted him. A life sentence. (Pause:) Last week I got word he hung himself in the jail cell.

Darrow's face appears deeply troubled by this story. Ruby clutches his hand, alarmed too.

WALTER (CONT'D)

So when you tell me Dr. Sweet is about to have fifty three white people testify against him, you'll understand why people of color start fearin' the worst.

RUBY

Somehow we've got to turn the testimony to our advantage.

DARROW
I just don't know how...

INT. AUDITORIUM. SAME TIME.

John and Alana confer in whispers among the large gathering.

ALANA
I guess I just always thought Mr. Darrow would... I don't know, snap his fingers and prove every last one of them was lying. My mother's so scared now. Look at her.

They glance at where Gladys and Ruby stand with other women.

ALANA (CONT'D)
She walks around day and night on the verge of tears. She just sits at her piano, staring at it, never opening it, never playing anymore.

JOHN
Alana, it's not over yet. He'll figure out a way.

ALANA
I keep thinking these are my last days of happiness.

JOHN
I don't want to waste a minute. Let me dance with you.

ALANA
Oh we can't. Not here--

JOHN
Outside then. You can hear the music half down the street and we can pretend I'm carrying you away on it.

EXT. OUTSIDE PATIO. NIGHT.

Alana meets John. They begin dancing together, unaware of who watches from the shadows edge. Mitch and Carl step out.

MITCH
Well, wouldn't you know it. We should of figured you'd come to this colored gatherin'.

This here, pretty piece just keeps
bringing' you out, doesn't she?

John takes Alana's hand to go back inside.

JOHN
Let's get out of here.

MITCH
Can't blame him for trying to part
those dark thighs, can you? I
don't mind a little dark meat
myself, now and again--

John releases Alana's hand and turns back, approaching
Mitch. Alana tries to stop him but he gently pushes her
aside.

JOHN
What did you say?

MITCH
I don't blame you for trying--

John punches him hard in the stomach and the mouth. Mitch
doubles over.

JOHN
I guess I didn't want to hear it
again, after all.

A fight ensues and Alana runs inside to get help. John gives
as good as he gets, but he is out numbered...

EXT. COURTHOUSE STEPS. DAY.

Reporters follow Darrow and John up the steps.

1ST REPORTER
Is it true your associate, Mr. John
Hays, was found dancing with a
colored woman?

DARROW
My God son, don't tell me we have
reason to doubt the veracity of our
morning papers now?

REPORTER 2
But Mr. Darrow, what about that?
The purity of the Anglo Saxon race?

DARROW
Purity of the Anglo--Saxon race?
The greatest race of sons of
bitches that ever infested the

world. Mind you, I happen to
belong to this race.
Only I do not brag about it; I
rather apologize for it.

He pushes past the reporters into the court house.

INT. COURTROOM. DAY.

HOLLY TEMPLE, older, blonde and blue eyed, is sworn in on
the bible.

TOM
Mrs. Temple, do you live on
Garland?

MRS. TEMPLE
Yes. At 1082 Garland.

TOM
Can you tell the court what
happened on June 3 of this year?

MRS. TEMPLE
That colored family moved in.
Upset the whole neighborhood.
Upset everyone. We don't have
colored living near us, you see.

TOM
Did you see them move in?

MRS. TEMPLE
I did. I was out in my garden.

TOM
Mrs. Temple did you see a mob?

Darrow notices her nervously fingering the cross at her
neck.

MRS. TEMPLE
I did not. There wasn't any mob
that day. A few folks would pass
by now and then, but they'd go on.
The police made them move on.

TOM
Thank you. No further questions,
your honor.

BERNIE
Your witness Mr. Darrow.

DARROW
No questions, your honor.

BERNIE
Very well. Proceed Mr. Baker.

OSSIAN
Aren't you going to cross examine that woman?!

DARROW
I can't. She'll just repeat it.

INT. COURTROOM. DAY.

Tom Baker interviews another witness. Quick cuts of six people on the witness stand, interspersed with pained and anxious expressions from the black audience, especially Ossian's family. We hear only:

1ST WITNESS
Weren't no mob on our street.

2ND WITNESS
No. No there was never a mob on Garland that day.

RUDY
I never saw no mob. I didn't even see a crowd for that matter.

4TH WITNESS
People kept passing. There was no mob.

5TH WITNESS
It was real quiet outside all day.

6TH WITNESS
Hardly anyone milling about. A few here and there, but that was all.

Ossian glances at Darrow, only to see he has nodded off. Horrified, Ossian shakes him awake. Darrow stands up.

DARROW
No questions, your honor.

EXT. STREET OUTSIDE MITCHELL'S HOME. DAY.

Alana and John part at the corner. Alana runs home, only to find her mother waiting for at the door.

GLADYS
It will kill your father, you know.
If those white folks on the jury don't kill him, this will.

ALANA

It's too late. I can't stop it now.

GLADYS

Can't stop it now? You haven't even tried, Alana. Tell me you can't stop it after you've thought a minute, just a minute of the hell you're making of your life!

ALANA

Of course I've thought about it--

GLADYS

No you haven't. You wouldn't be doing this if you thought about it. Think about not being received in any decent home, colored or white. Think about the people who see the sight of you two and feel a hatred so deep, they spit on you as they pass. Think about bearing a child that you love more than life itself and imagine fearing for that child's life because the child represents the sins of his parents and this sin is so unforgivable, folks will have no qualms about hurting that child in whatever mean and hateful way they can dream up. Imagine all of that. Then tell me how you can't stop it.

Alarmed, Alana watches her mother exit.

INT. COURT ROOM. DAY.

There is another parade of five witnesses called to the stand, each one of them seen shaking their head, mouthing the words there was no mob. Darrow declines to cross examine.

Ossian appears increasingly subdued, his anger crushed by the mounting hopelessness set before him.

TOM

State rests its case your honor.

BERNIE

Considering the hour, we might as well adjourn until tomorrow.

Bernie slams the gavel, muttering under his breath:

BERNIE (CONT'D)

Let's hope the defense is prepared.

INT. JAIL CELL. NIGHT.

John surprises Ossi an with a visit. Ossi an appears upset.
Rain falls outside.

OSSI AN
Where's Mr. Darrow?

JOHN
I came alone. I... Well, there's something I'd like to talk to you about--

OSSI AN
I'm glad you came alone. As a matter of fact, I was trying to figure out how to get you here without Mr. Darrow knowing' it.

JOHN
Why? Is something wrong?

OSSI AN
How can you even ask that? They're hanging me in that court room. You know it and I know. Day after day of one person after another lying that there wasn't any mob and all Mr. Darrow does is doze off or work on a... a god damn cross word puzzle! What's wrong with him? Is he all washed up? Why doesn't he cross examine them?

JOHN
If we ask those folks if they're lying, they'll say no and that would be that. It won't help our cause.

He sighs, anxiously searching for an explanation.

JOHN (CONT'D)
To tell you the truth, I guess he's just hoping the jury knows it.

OSSI AN
He's hoping? He's hoping? It's a Negro's word against I don't know how many white people so far--

JOHN
Seventy three...

OSSI AN
Seventy three!
(He chuckles bitterly.)

I'm doomed, aren't I? You might as well have the sheriff come in and shoot me now--

JOHN

You've got to trust him. I know it sometimes looks like he's a doddering old fellow, a has been, but I know the man. I know he'll come through..

Ossian tries to accept this, but can't.

OSSI AN

I hope you're right, Mr. Hays. I don't know though. I live in fear that agreeing to let him defend me was the biggest mistake of my life.

Ossian abruptly perceives John's struggle.

OSSI AN (CONT'D)

So what is it you wanted to say?

JOHN

It's not about the case. I wanted to ask... Well it's about... Alana-

OSSI AN

Geezus, I should have known after that dancing incident. I was thinking it was just a friendly kind of thing. A man's lawyer innocently asks his daughter to dance and folk's prejudice rise to the ugly scent of miscegenation.

JOHN

We've grown very fond of each other-

OSSI AN

Mr. Hays, I don't have much left to me. I think of all I've been through, all that I've seen, all that I've done and I realize the one thing that means the most to me is my family. Alana. Her happiness. You're a good man, Mr. Hays; I don't doubt it. But the fact is the world won't let you give her happiness. If you've come to care for her, my God, it's a fact you better start facing. (*Quietly:*) I'm not asking you as a man--though I might. I'm begging you as a father. Don't take her

happiness away from me. It's about
all I have left.

Torn by his words, John nods slowly, then exits quickly.

EXT. GRANDMA MITCHELL'S HOUSE. NIGHT.

A lone figure stands outside the house at the front gate, beneath an umbrella in the rain. John leaps out of his car and runs to the figure, forgetting to turn off the car head lights or shut the door. He ducks beneath the umbrella. They stand very close, Alana's eyes searching his desperately.

JOHN
Alana... Your father...

Tears shine in her eyes as they struggle to accept this.

ALANA
When the Turner's house burnt, I
remember thinking... I thought they
lost everything. I'm losing
everything--

JOHN
Alana...

ALANA
My uncles. They're packing
everything up. We're moving. My
grandma lived in this house for
over fifty years. And my mother.
She's lost her mind. She just lays
in a dark room...

Alana suddenly cries, revealing her real fear:

ALANA (CONT'D)
They're going to kill him, aren't
they? They are--

JOHN
No! No! I'm going over to Garland
right now. I'm going to find
someone. I swear I'll find
someone! I-- Alana, I love you...

He kisses her. An act of desperation, as if to obliterate the waiting tragedy. The front door opens and Nancy appears.

NANCY
Alana?

Nancy rushes up. They break the kiss, but John still holds her close.

NANCY (CONT'D)

Come inside, child. Some good-byes should never be said. Some good-byes are just too painful.

Nancy pulls Alana from John's arms. He mouths the words I love you again. Still staring at him as she's led away, she suddenly breaks from Nancy's arms and rushes back. He lifts her up and holds her one last time.

EXT. GARLAND STREET. NIGHT.

It is still raining and dark. John approaches one house. The door opens briefly, then slams on his face. Angry, he pounds on the door and shouts but nothing happens. He moves on to the next house. Holly Temple answers. Her husband comes up behind her, wearing glasses and holding a newspaper.

MR. TEMPLE
What do you want again?

JOHN
I need to talk to you.

MR. TEMPLE
We're through talking to you!

Mr. Temple starts to shut the door. John blocks it.

JOHN
But you're lying! You're all lying!

MR. TEMPLE
I'm lying? I'll tell you who the liars are! It's you and all you fancy lawyers telling that colored man he has a right to move into our neighborhood! That he has the right to shoot the decent folks who don't like it!

This breaks John and he lunges for the man, grabbing him by the shirt collar and holding the startled and frightened older man against the door. Holly Temple gasps, hands go to her mouth to stop a scream.

JOHN (CONT'D)
Decent? You call yourself decent?! You're going to hang him! You're going to kill him. A doctor! All because he bought a house! A god damn house in this stinking neighborhood--

He finally perceives the man's fear, suddenly aware of what he's doing. He releases the man all at once. Terrified, they slam the door. John collapses against the post.

JOHN (CONT' D)
Al ana, Al ana...

He looks up gasping. Soaking wet, water drips unnoticed from his face. He spots the Sweet's house, dark and abandoned, across the street. He stumbles across the street, not even knowing why, not knowing what he's looking for. He ducks under the porch. The windows are shattered and barred with wood. Rocks cover the porch, but he doesn't at first notice as he goes through the front door.

INT. SWEET'S HOUSE. NIGHT.

He swoops down, picks up a rock and in a sudden fit of rage, he throws it against the wall. The rock hits the wall, rolls and stops in a pile of other rocks. The quiet, interrupted only by the rain, sounds loud. He breathes deeply, staring at the rocks. His gaze darts from one pile to another. He stumbles outside. Hundreds more lay on the porch.

He picks one up, tosses it in to the air, catches it and runs into the rain filled night...

INT. DARROW'S APARTMENT. NIGHT.

The apartment seems middle class, but not overly opulent or luxurious. A soft light shines over Darrow, who sits in a chair. Ruby appears with a scotch, handing this to him.

RUBY
You've just got to do something,
Clarence.

DARROW
Yes indeed. The question is what.

RUBY
Something!

DARROW
What if there's nothing I can do?
What if I am just a washed up has
been?

RUBY
If you were a washed up old man,
I'd say that you certainly deserve
it. But you're not, Clarence.

DARROW
I wish I had your faith, darlin'.

RUBY
You'll think of something. I know
you will. Something that proves

those people are lying. Lying to themselves, lying to the court, lying to their all mighty God... Something that shames them into admitting it...

God... DARROW

What? RUBY

God. DARROW

What about God? RUBY

DARROW
Old Bryant always said that into every man's life will come a moment when he needs God more than he needs his next breath. (*Chuckles:*) I believe my moment has come.

RUBY
Against all expectations, I might add. Clarence, keeping in mind you're the probably the world's most famous atheist, certainly the most outspoken one, what are you thinking of?

DARROW
The truth, darlin'. And the best way to get it in that courtroom...

INT. COURTROOM. DAY.

DARROW
The defense calls, Mrs. Holly Temple again.

Mrs. Temple looks surprised, then confused and nervous as she steps up to the witness stand and rests her hand on the bible.

BAILIFF
Do you swear to tell the whole truth and nothing but the truth so help you God?

MRS. TEMPLE
I do.

Darrow holds a book out.

DARROW
Mrs. Temple, I'd like you to take a look at this book and tell the court what it is.

MRS. TEMPLE
Why it's a dictionary.

DARROW
Will you open the dictionary and read the definition I marked off?

MRS. TEMPLE
Mob: Any group of people--

DARROW
Any group of people. It doesn't say how many, does it?

She shakes her head, nervously clutching her cross.

DARROW (CONT'D)
How many people would you say justifies using the word mob?

MRS. TEMPLE
I wouldn't know.

DARROW
Can you guess? Would you say ten?

MRS. TEMPLE
More than that, I would think.

DARROW
Forty, fifty?

MRS. TEMPLE
Yes, maybe.

DARROW
It's an important question, Mrs. Temple. You see my client, Dr. Sweet and his family claims there was an angry mob outside his house that day June third. Yet, the prosecution has provided the court with a number of witnesses who testified there was no mob. Do you know how many people have testified that they were around Dr. Sweet's home that day? No? Seventy three people, Mrs. Temple.

The people in the courtroom rustle nervously.

DARROW (CONT'D)

Would you say seventy three people constitutes a mob, Mrs. Temple?

She pauses and looks at Tom Baker, who shows the first signs of alarm.

MRS. TEMPLE

Well, not everyone was, you know-- we were all just going about our business.

DARROW

That's right. You were all just chasing down kids or gardening or coming home from work. All seventy three of you. Garland Avenue is a mighty busy street, wouldn't you say? (*Laughter.*) And even if that's true, I'm still looking at a disparity of better than four hundred people. Because Dr. Sweet and his family have all testified that they saw a mob of five hundred people. As a matter of fact I believe my client said five hundred, if there was a one. So, Mrs. Temple let me ask you: do you consider yourself a religious, church going woman?

TOM

Objection your honor. Mrs. Temple's religious beliefs have no relevance with the matter at hand.

DARROW

I believe I can demonstrate the relevance, your honor.

BERNIE

Overruled. Witness may answer the question.

MRS. TEMPLE

Yes, I... I consider myself extremely devout.

DARROW

Go to church every Sunday?

MRS. TEMPLE

Yes.

DARROW

Read from the good book in between?

MRS. TEMPLE

Every day and night.

DARROW
 Good, good. I suppose you pray a lot too?

MRS. TEMPLE
 I do.

DARROW
 And do you believe God listens to your prayers, Mrs. Temple?

MRS. TEMPLE
 I know He does.

DARROW
 Very good. Now, I'm going to ask you a question but before you answer I want to make sure you understand that when you laid your hand on the bible and swore to tell the truth just now, it wasn't to me. It wasn't to Judge Schwartz up there. In fact it wasn't to anyone seated in this courtroom. Mrs. Temple, you swore to God to tell the truth.

This startles her, then distresses her. She clings her cross.

DARROW (CONT'D)
 Mrs. Temple, do you believe that God is listening to the testimony that you have sworn to Him is the truth?

She has become too upset to speak.

DARROW (CONT'D)
 Do you Mrs. Temple?

His stern voice calls her back. She nods, slowly at first, then with more certainty.

DARROW (CONT'D)
 Keeping in mind who is listening Mrs. Temple, will you please tell the court again how many people you saw in front of Dr. Sweet's home?

She struggles to answer.

MRS. TEMPLE
 I don't know for sure! I don't know!

DARROW
 Was it more than seventy three?

Mrs. Temple nods.

DARROW (CONT'D)
Answer the question out loud so we
can all hear you, Mrs. Temple.

MRS. TEMPLE
Yes.

DARROW
Was it more than two hundred?

MRS. TEMPLE
I... I--it might have been.

DARROW
Could it in fact of been five
hundred people in front of Dr.
Sweet's home?

MRS. TEMPLE
I don't know! Yes, yes, it could
have been.

DARROW
Thank you Mrs. Temple. No further
questions.

BERNIE
Mr. Baker?

TOM
Mrs. Temple, were the people who
were milling around and passing Mr.
Sweet's home that day peaceful?

MRS. TEMPLE
Mostly... Not--

TOM
Thank you. No further questions.

BERNIE
Witness may step down. Mr. Darrow,
you may proceed.

DARROW
The defense calls Mitch Cobb to the
stand again.

Bailiff swears in Mitch Cobb. He takes the stand.

DARROW (CONT'D)
Mr. Cobb, I want to ask you again.
Did violence at any time
characterize the mob?

MITCH

No sir. Never. It was very peaceful.

DARROW

Was it? Did the mob ever chant ugly epitaphs or say, throw any rocks?

MITCH

They did not. We kept them peaceful and moving along. There wasn't any problem until he started shooting. There wasn't any five hundred people there either. There wasn't even two hundred.

DARROW

Mr. Cobb, as an officer of the law, you must be aware that you will be held in contempt of court for lying on the witness stand--

TOM

Objection! Defense is antagonizing the witness in hopes of making him look like he's lying--

DARROW

I don't have to make him look like he's lying. I intend to let the facts do it for me. No further questions.

BERNIE

Mr. Baker?

TOM

No questions at this time, your honor.

BERNIE

Witness may step down. Call your next witness, Mr. Darrow.

DARROW

The defense calls James Hall to the stand and asks that the court admit his and his workers wheel barrels as evidence.

TOM

Objection, your honor--

BERNIE

Overruled. Proceed, Mr. Darrow.

James Hall followed by three men, all of them pushing wheel barrels appear in the court. Hall is sworn in on the stand.

DARROW
Mr. Hall would you please tell the court what you have in those wheel barrels?

JAMES
Rocks.

DARROW
And where did you find these rocks?

JAMES
At 1059 Garland Avenue, mostly around the porch, on the roof and about a quarter of 'em inside.

DARROW
Did you weigh 'em like I asked?

JAMES
I did. Took 'em over to the slaughter house on High Street.

DARROW
And how many pounds of rocks were thrown at Dr. Sweet's house?

JAMES
Over three hundred pounds of rocks, sir. Three hundred and fifteen to be exact.

DARROW
Broken windows?

JAMES
Every single one was busted. Anyone can go out and see for themselves.

DARROW
Thank you. No further questions.

BERNIE
In light of the evidence just presented to the court, I order Mr. Mitch Cobb held in contempt of court.

Mitch stands up angrily and people in the courtroom rustle with excitement.

BERNIE (CONT'D)
I would also like to publicly reprimand the prosecution for presenting a parade of testimony to the court that now seems highly questionable. I would ask in the future the prosecution to warn

their witnesses of the legal consequences, to say nothing of the moral consequences, of providing false testimony to a court of law. I have half a mind to bring contempt of court charges to all seventy, seventy-

DARROW
Seventy three.

BERNIE
Seventy three witnesses. That is all. Court will recess for lunch.

OSSIAN
My God, you did it!

DARROW
Not yet Dr. Sweet, not yet.

Darrow addresses the judge.

DARROW (CONT'D)
Your honor. In light of the fine weather we're having, I request that my client be allowed to eat his lunch outside, rather than in the jail house. I will personally vouch for his return.

TOM
Objection your honor! That man is standing trial for murder--

BERNIE
Overruled. Request approved.

EXT. GRASSY KNOLL BY COURTHOUSE. DAY

Ossian and Darrow sit on a park bench. They stare off at the peaceful scene before them. Darrow notices Ossian's fear and he gently pats him on the knee.

OSSIAN
I'm so scared... I... I feel as if the next moment will determine whether I live or die--

DARROW
They will. It's your turn now, Dr. Sweet. You're my next witness.

Ossian appears solemn, he nods.

INT. COURTROOM. DAY.

On the stand, Ossi an testi fies.

DARROW

Well, that's a mighty impressive background Dr. Sweet--going from a poor farm to the distinguished halls of the great American and European Universities--

TOM

Objection your honor. This is irrelevant. Mr. Sweet's medical career is not in question here.

DARROW

That's Dr. Sweet, Mr. Baker. And I only want to establish in the jury's mind that Dr. Sweet is a man of impressive repute.

BERNIE

Sustained, but only because I believe you have made the point Mr. Darrow. Furthermore, the prosecution is ordered to address Dr. Sweet with his medical title. It certainly appears he has earned it.

DARROW

I understand you also studied with Madame Curie, the doctor who has invented a way of seeing through our skin to our bones?

OSSI AN

Yes sir. I studied for a number of years with the honorable Madame Curie.

DARROW

You've seen this, pictures of folk's bones? White and Negro?

OSSI AN

Yes sir. White and Negro.

DARROW

Just out of curiosity, is there any difference between a white person's bones and a Negro's?

OSSI AN

No sir. There's no difference.

DARROW

So, the difference is only skin deep! (*Hearty laughter.*) And since

returning to the states, you've maintained a busy, successful medical practice while living in Paradise Valley?

OSSIAN

Yes sir.

DARROW

And is it a paradise, Dr. Sweet?

OSSIAN

No sir, it is not. The community suffers with poverty and all the ills it breeds: disease, despair and overcrowding, especially overcrowding.

DARROW

Most all your patients live in Paradise, don't they?

OSSIAN

Yes sir.

DARROW

Have you ever lost any patients because of these problems?

OSSIAN

We lost twenty eight children to the yellow fever outbreak. There's just no room to maintain a quarantine, no homes to send the children or the old folks too to keep them safe. All communicable diseases are caused or exacerbated by the extreme overcrowding, lack of clean water, inadequate sewage disposal and even malnutrition. Paradise is also plagued by brothels, gaming and gin houses, and the disreputable people these illicit activities bring into a community.

DARROW

So, it's not a very safe place to live, is it?

OSSIAN

No sir, it isn't.

DARROW

But it isn't a question of money that forces you to live there, is it?

OSSI AN

No sir. My brothers and I all make a fair, even a good living. My brother, Otis is a dentist and my other brother, Henry is a doctor, like myself. Like many families such as ours, we all live in the same small house--owing to the generosity of my wife's grandmother. But it's three generations now and three families all under her small roof.

DARROW

And despite this poverty and the ills it breeds, did you ever try to buy another house in Paradise?

OSSI AN

For three years. Only once in all that time did another house become available and it was bought before we could make an offer. We even tried to buy land alongside of Paradise, to build our own homes. But the city steadfastly refuses to grant us the building permits.

DARROW

So, when this house in a white neighborhood became available you decided to buy it?

OSSI AN

It was a dream come true.

DARROW

And Dr. Sweet did you know what you were up against?

OSSI AN

I knew there would be opposition, yes. I knew it would take time for many people to adjust to the idea of a colored family living near them... I felt I had no choice but to proceed. I felt that if we survived the initial uproar, in time people would come to accept our presence among them.

DARROW

So, you moved in and within the hour a violent mob formed outside of your house. How did you feel then, Dr. Sweet?

OSSI AN

When I looked out and saw that mob I realized I was facing the same mob that had hounded my people through our entire history. I knew what I was up against. My back was to the wall. I was filled with a peculiar fear, the fear of one who knows the history of my race.

DARROW

The peculiar fear of someone who knows the history of your people. Had you ever seen a mob before?

OSSIAN

Yes, sir I have--

TOM

Objection your honor. Dr. Sweet's previous encounters with a mob are not relevant to the matter at hand.

DARROW

On the contrary, it's more than relevant. It's crucial. Dr. Sweet has just testified how fearful he was when he saw the mob outside his house. I think the jury needs to understand why.

BERNIE

Overruled. You may answer the question.

OSSIAN

I was in Washington D.C. during the lynching riots. I had just started at the University in Washington. Apparently, someone started a rumor that a Negro had made advances against a white woman. The rumor spread...

EXT. WASHINGTON D.C. STREET. DAY.

A young Ossian watches a group of white men rush toward him. He ducks into an alley and hides behind a refuse bin.

MOB

There's the niggers! Get em! Get 'em!

The mob overcomes two black men and a black woman. They hold on to each.

WHITE MAN

Grab the rope. Get you up the light

pol e!

BLACK MAN
Wait, wait! You all got the wrong
fellows!

WOMAN
No, no! Matthew!

OTHER BLACK MAN
We' se working mens, working mens!

EXT. STREET. NIGHT.

A young Ossian still crouches behind the refuse bin. Hearing only muffled sobs in the street, he slowly emerges from his hiding place and looks out on the street. The two black men hang from the light poles, one in front, one in back.

A woman lays beneath one of the men, crying. Breathless, with tears running down his face, Ossian rushes to get home. He passes quickly down the now quiet and deserted street, until he comes to a corner. Looking behind himself, he turns the corner, only to nearly run into another black man hanging in front of a drug store window. . . .

EXT. A BURNING CHURCH. NIGHT.

OSSIAN (VO)
Then, four years ago my wife's own
dear brother, Nathan Mitchell, was
one of five Negroes shot to death
in Rosewood when eighteen homes and
a Negro church were burned during
mob violence.

Men watch from astride horses, rifles readied. As the flames grow, five black men run out from the burning church. The white riders shoot each one as he runs from the burning building.

EXT. A HOUSE. NIGHT

OSSIAN (VO)
And not long ago, I lost a dear
friend, Dr. A. C. Jackson. We
attended medical school together.
He was a first rate surgeon, a good
and hard working man. His
experience was similar to mine in
Paradise, only he built his own
house just outside of city limits
in a small town in Texas.

The scene is lit by torch light. A huge swell of people shout outside a modest home. Three uniformed police officers lay on the ground, off to the side. Their weapons are drawn. A Negro man appears, waving a white flag and cautiously moves towards the police. They fire and the man falls over dead...

INT. COURTROOM.

OSSIAN

He didn't even have a weapon on him as he tried to turn himself over to the police. They shot him anyway--

TOM

Objection, your honor. Again, this testimony has no relevance to the matter at hand. These questionable historical antidotes have nothing to do with his shooting of an unarmed man in the street.

DARROW

History doesn't matter? Quite the contrary Mr. Baker, the only way we can know where we are is by looking at where we've been; by understanding what has led us to this point. Dr. Sweet knows first hand of the terrible stain of mob violence in our country and simply because, unlike you or me, he has lived it! He has witnessed Negroes who have been beaten, burned, hung, shot. Thousands of Negroes have died in his generation at the hands of mobs, mobs just like the one that gathered on Garland. If we have any hope of receiving justice here, we need to make this history matter.

BERNIE

Overruled. Proceed, Mr. Darrow.

DARROW

Dr. Sweet, in your own words tell the jury what happened that night.

OSSIAN

I never intended to shoot anyone. I intended to use the rifles only for protection, in defense of my family. The mob kept growing, the rocks kept coming faster. I told my brother, Otis to take the women to the basement. My daughter stayed with me in an upstairs bedroom. I

was scared. I was thinking of my wife's brother and what happened to him. I was contemplating giving up the house and asking the police for protection but thoughts of AC Jackson made me hesitate. Then, I heard my brother's car pull up. The mob shouted: There's a nigger! Get'em! The words pushed me to the window. It was like a human wave moving upon the car. I shouted. I fired over the heads of the mob. In the air. To make them stop before it was too late.

DARROW

Dr. Sweet, the police fired after you. Do you believe it was your shot that killed Mr. Breiner?

Ossian's pauses uncomfortably as he weighs this.

OSSIAN

I don't know. I aimed over every one's head; I was above the crowd. I know I never meant to shoot anyone...

EXT. PARK OUTSIDE THE COURT HOUSE.

John leads Alana behind an area secluded by trees and bushes. They stare at each other.

JOHN

The jury's with us. I feel it.

She collapses in his arms. The moment stretches as sadness overcomes her joy.

ALANA

We're still leaving.

JOHN

Still? But the house?

ALANA

My father already decided that if we can't live in it, no one will. He's going to save it for his grandchildren, maybe even his great grandchildren. For a better day. To remind them... But even if we could stay here--

John presses a finger gently to her mouth.

JOHN

No, don't say it. It could have been.

ALANA
Someday. Maybe someday.

JOHN
Kiss me again and show me this someday...

INT. COURTROOM. DAY.

Darrow addresses the jury with his closing arguments.

DARROW
You've seen the facts of this case: The mob outside of Dr. Sweet's home meant to get rid of him, even if they had to kill him and his family to do it. Dr. Sweet fired in abject desperation to save his brother from this violence. He fired over their heads; he certainly did not intend to kill any one.

The jury intently studies Darrow as he speaks, their faces solemn, but expressionless. He finds Grandma Mitchell's face, she gives him a slight nod of encouragement.

DARROW (CONT'D)
The prosecution has presented no proof that the bullet that killed Leo Breiner even came from Dr. Sweet's weapon. These facts alone give you twelve men reasonable doubt. And under our laws you can not convict Dr. Sweet if there is any doubt.

Darrow takes out a cloth and wipes his brow. The quiet is complete, interrupted only by the overhead fans.

DARROW (CONT'D)
But I promised to give you more than the facts of this case. I promised to give you the truth. The truth is that this case is about something much bigger than Dr. Sweet, much bigger than any of us sitting here, bigger even than the laws we've all promised to uphold. Because, you see, this case is about the prejudice in the human heart.

Tom Baker leans back, grimaces, looks skeptical. An old woman, vigorously fanning herself with her hat, stops, considering these words. An older black man nudges his neighbor, both men signal their agreement.

DARROW (CONT'D)

If anyone doubts this case is about prejudice, reverse the colors here: Imagine a white man defending his family against a mob of Negroes. He would never be indicted; hell, we would have given him a medal.

Many people, black and white, concur with nods. Even Tate snorts with reluctant approval. Bob's fingers nervously edge his hat.

DARROW (CONT'D)

Prejudice. It's a powerful force, gentlemen. It makes us look at Dr. Sweet and not see the honorable man or the extraordinarily accomplished man, but rather we look at him and see a Negro. This prejudice that lives and thrives in our hearts made seventy three witnesses--

Darrow's arm sweeps the crowd with the indictment.

These hard working, otherwise decent people, take the stand and lie under oath. It's nearly took hold in a frenzy that day on Garland Street; it nearly caused these same people to act, like so many mobs before them, with unconscionable cruelty against their fellow man.

Tom Baker shifts uncomfortably. More than one white man looks down at his hat with shame. A black couple stare stonily ahead, their expression an accusation.

The prosecution has claimed history doesn't matter in this, our search for justice. But the history of the American Negro matters and I'll tell you why. They are the only Americans brought to our country against their will. They are the only Americans we kept chained and beaten into slavery for hundreds of years. We fought the bloodiest war in our history to free the Negro because we knew it was right. It was just.

The jurors listen attentively. Reporters busily scribble these words to pads. One man leans forward with keen

interest. Black people nod slowly. A young man examines his neighbors as if unsure how to react; both of these men are nodding. The young man nods as well. Bob bows his head, the words weigh upon him.

DARROW (CONT'D)

But then we shackle him to another kind of bondage. Now our prejudice imprisons him in a psychic wilderness of inferiority: we chain him to mops and brooms; we relegate him to debasing and menial labor; we keep him in fear and ignorance and poverty; we force him to live in places like Paradise.

Darrow standing near the jury, turns to address everyone. For a brief moment his gaze settles on Grandma Ruby who nods encouragingly. Ruby slips her hand in Gladys, squeezes. John and Alana gazes meet, hope passes between them before Nancy takes Alana's hand and they both turn back to Darrow.

DARROW (CONT'D)

The reason this history of the American Negro matters is because it is the history of social justice in our country. And we all know the movement of social justice in our country is a long and uphill road. It is no doubt filled with suffering, sorrow, tribulation and yes, death. I confess I sometimes despair of ever reaching it; I know it will not happen in my lifetime. But I also know we must start on this road; we must never give up; we must always move toward justice and equality for all. The whole of our civilization depends on it. And this is why we must travel that road with him. We must battle our prejudice at every opportunity. We must practice patience, tolerance and understanding; we must pray that love and acceptance wins over hate and prejudice.

The people are moved; we see it in their faces. Eyes are wet with tears. Gladys and Ruby hands tighten their grasp. John and Alana stare at each other. The prosecution stares stonily ahead.

Darrow turns to address the jury now.

DARROW (CONT'D)

So, I ask you twelve men now to turn and look at the tense Negro faces in this crowded court room.

Not one of their color sits on the jury. Their fate is in your hands and their eyes are fixed on you. Those faces are looking to you twelve whites, knowing their hopes and fears are in your keeping.

Gentlemen, they are asking you to walk the road with them.

INT. COURTROOM.

The jury returns. Anxious faces all around.

BERNIE
Has the jury reached it's verdict?

MR. BENCHLY
We have your honor.

He hands the paper to the bailiff, who hands it to the judge. Bernie reads it and hands it back.

BERNIE
Please announce the verdict.

MR. BENCHLY
We find the defendant not guilty.

The courtroom cheers wildly. Tom Baker and his assistant collapse, exchanged dismayed glances. The reporters race outside. Bob Wilson's smile speaks of his relief, the trial has changed him as it has many people in the audience. Ossian falls into his wife and Alana's arms as his family and Walter White gather around him. Gladys wipes tears from her face and turns to embrace Ruby.

WALTER
Mr. Darrow, I'm at a loss. I don't know how we can thank you--

DARROW
Mr. White, ever since the Phoenicians invented money, there has been only one answer to that question.

Walter White throws his head back with laughter, they shake.

OSSI AN
Mr. Darrow, that was one hell of a good fight after all.

They embrace just as a man breaks through the crowd and approaches Darrow. Ossian appears confused as Darrow searches his jacket for his wallet, coming up empty. Ossian is last seen reaching for his wallet...

ALANA (VO)
So, it was that Mr. Darrow reached his arm across the wide racial divide and pulled my father to safety. And for a while it seemed as if the whole country came with him.

EXT. CEMETERY. DAY.

A huge crowd, numbering in the thousands, gathers. Ossian and his family stand with John Hays towards the front.

ALANA (V.O.)

The only time I ever saw my father cry was at Mr. Darrow's funeral. My father stood alongside John and in a moment that overwhelmed them both, they embraced. My proud black father embraced the man I loved but could not have. That was the last time I saw John.

I once asked Mr. Darrow if he was an optimist. He kind of chuckled and said no, he had lived too long and seen too much to be an optimist. I never believed him. After all what is optimism but the belief in a better future?

And that long hot summer Mr. Darrow convinced us all it was possible...

FADE OUT.

THE END