summary justice

A Lynching in College Town

A Screenplay

Written by

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1 **SUPER:** 1

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

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

FADE TO BLACK:

FADE IN:

2 **SUPER:** 2

Based on a true story.

FADE TO BLACK:

FADE IN:

3 EXT. HIGH SCHOOL - DAY 3

The school bell RINGS as students move inside.

4 INT. HIGH SCHOOL CLASSROOM - DAY 4

Sunlight slants across a high school classroom. STUDENTS file in, backpacks slung, conversations hushing. The blackboard displays a book report assignment in crisp chalk: four precise questions waiting to be answered. The TEACHER stands rigid at the podium, ready to begin. KYA (16, Black, intelligent and reserved) sits tense, fingers curling around her notes.

TEACHER
Settle down. Now.

Students sink into their seats, a ripple of silence spreading. The teacher scans her list.

TEACHER (cont'd)
Kya. Your book report.

Kya rises, each step measured. She approaches the podium, papers trembling slightly in her grip. Her classmates watch with casual indifference.

KYA
My report is based on the book
“Summary Justice” by Doug Hunt.
(MORE)

KYA (cont'd)
The book begins with a sketch of what life was like in Columbia, Missouri in the 1920s. The town was home to Missouri University so there were many students and faculty — all white. On Saturdays, cars and farm wagons filled Broadway Street. Three daily newspapers were far more popular than the radio station because radios cost more than two hundred dollars. And civil war veterans, mostly confederates, led the Memorial Day Parade. Black people were segregated from whites; separate neighborhoods and separate schools. At the university, though the white students relied on members of the black community for cleaning and laundry services,

INSERT PICTURE: A group of students dressed like the KKK (taken from Missouri University Savitar Yearbook 1924.)

KYA (V.O.)
there was a clear racial insensitivity, and the students weren't afraid to hide it.

5 INT. HIGH SCHOOL CLASSROOM - DAY 5

KYA
The author notes that “A small set of white men dominated public life, and most others bore this dominance meekly.”

6 INT. BAPTIST CHURCH - DAY 6

SUPER:
COLUMBIA, MISSOURI
EASTER SUNDAY, APRIL 1, 1923

Title Sequence begins

Piano keys strike. "Oh Lord, Remember Me" blooms from the instrument. JAMES SCOTT (37, light-skinned Black, Charlie Chaplin mustache) plays with practiced ease.

His fingers dance across the keys as he glances toward the first pew—his wife GERTRUDE (24, Black, sharp-eyed and composed), daughter HELEN (9, Black, observant), and son CARL (8, Black, restless energy barely contained). A smile passes between them.

Title Sequence ends

7 EXT. BAPTIST CHURCH FRONT STEPS - DAY 7

Congregants file down the steps into sunlight. REVEREND JONATHAN LYLE CASTON (25, Black, clerical collar crisp) greets each family. He reaches James and his family, warmth in his expression.

CASTON
Happy Easter to the Scott family! And thank you again, James. Another splendid performance.

JAMES
You're welcome, Reverend. Feels good putting these hands to work for the Lord.

Caston's eyes brighten with mischief.

CASTON
Gertrude, I think we have ourselves a "James Scott Joplin" here, wouldn't you say?

Laughter ripples through the group.

GERTRUDE
Well I hope that doesn't go to his head! I won't be able to live with him!

JAMES
Guess I better start working on building a bigger door to the house!

Caston's laugh joins theirs as they move down the sidewalk.

8 EXT. BROADWAY STREET - CONTINUOUS 8

Campaign posters flutter in the breeze—Mayor's race: Emmett McDonnell versus C.B. Rollins.

GERTRUDE
Mister James Scott Joplin! Really?!

James shakes his head, amused at the comparison to such a prolific pianist.

JAMES
No baby, trust me, I'm no Scott Joplin! Just James Scott.

A white couple approaches from the opposite direction. James' body stiffens. He steers Gertrude and the children off the sidewalk into the street, removes his hat, and holds it against his chest. Carl and Helen, in Easter shoes, stand in a puddle. The couple passes without acknowledgment.

GERTRUDE
Sometimes I hate living here James.

JAMES
I know, baby. This just isn't right.

Gertrude forces brightness into her voice, redirecting the moment as they continue back onto the sidewalk.

GERTRUDE
Well are we still going to your Momma's house "Mister" Scott?

JAMES
Yeah baby, she says she got something for the kids.

Gertrude turns to Helen and Carl, pulling them into the conversation.

GERTRUDE
Oh, so the Easter Bunny's been to her house too? You hear that Helen and Carl?

The children's faces light up with anticipation.

9 INT. BROWN HOUSE LIVING ROOM - DAY 9

James and Gertrude settle onto the sofa. His mother SARAH (50s, Black, weathered and graying) plays with the children on the floor. JACK (60s, Black, stout and easy-mannered), James' stepfather, carries the conversation from his chair.

JACK
So, Gertrude, how's the job at Douglass? The children behaving themselves?

GERTRUDE
It's wonderful, Mr. Brown. The children are little angels. First and second grade—they're still at that age.

SARAH
Your work is so important. And you, James? Everything going well at the university?

JAMES
They treat me fair. Different from driving somebody around all day. I'm at the medical school now, keeping things maintained. Mostly inside work, which was nice last winter.

JACK
Mmm, I imagine so.

Jack reaches into a nearby end table drawer and withdraws a wrapped box. He extends it toward James.

JACK (cont'd)
Your Mamma and I have something for you, son.

James unwraps the box. He and Gertrude stare at the framed photograph inside. Their faces transform—huge smiles bloom.

JAMES
Jack, Momma! It's wonderful.

The photograph shows James leading a parade, flanked by two other men.

INSERT: Picture of James leading the Emancipation Day Parade.

SARAH
I used to do housework for a newspaper photographer. When I saw him at the Emancipation Day Parade last summer, I asked him to take it for me. Jack and I thought it might look nice on your wall.

JAMES
Thank you! Thank you so much! It's beautiful.

Carl tugs on his father's sleeve.

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

JACK
Doug and Clyde? Gert! You been holding something back?!

GERTRUDE
No! Doug and Clyde are two dogs at James' work. He takes care of them.

JAMES
Somebody's gotta show 'em some love while they're still living.

Helen absorbs the weight of his words. She understands.

JAMES (cont'd)
Boy, what do you say we go home, get changed up, then go see Doug and Clyde?

Carl can barely contain himself.

CARL
Yeah!! Let's go dad! Let's go!

James and Gertrude exchange glances, smiling.

10 EXT. ANIMAL HOUSE AT MISSOURI UNIVERSITY - DAY 10

A 1920 Hupmobile pulls to a stop outside a small brick building adjacent to McAlester Medical School. A sign reads: "Animals for Medical Experimentation - Keep Out." James, Helen, and Carl exit the vehicle. James unlocks the door.

11 INT. ANIMAL HOUSE AT MISSOURI UNIVERSITY - DAY 11

Cages line the walls. Dogs, cats, and monkeys—some bandaged, some scarred—watch from behind bars. James releases two dogs into the small room and reaches into his pocket.

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

James hands treats to Helen and Carl. They feed the dogs. After Clyde finishes, Helen's expression shifts—wondering, questioning.

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

James hesitates. The question hangs between them.

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

HELEN
I asked Jesus to take care of them.

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

Doug and Clyde continue eating from Carl's hand.

12 SECLUDED COUNTRY ROAD - DAY 12

A car idles on a dusty road on the outskirts of Columbia, Missouri. OLLIE WATSON (22, Black, Charlie Chaplin mustache) is at the wheel and JADIE SCOTT (19, Black, a follower) sits nervously behind him in the back seat.

JADIE
We gonna do this? What if they scream?

OLLIE WATSON
Out here Jadie? Who you think gonna hear 'em?

JADIE
I dunno, maybe someone be around here.

OLLIE WATSON
No one out here. That why they need a ride to school.

JADIE
I dunno if I can do this Ollie. I never been wit a girl before.

OLLIE WATSON
You be fine Jadie. Jus' relax. Since me and Jessie parted ways, I been tomcattin' the girls. Jus' follow my lead, ok?

In the distance we see two young high school girls walking toward the car. ERNESTINE HUGGARD (15, Black), and VIOLA FORBIS (14, Black) approach the passenger windows.

HUGGARD
You gonna give us a ride to school?

OLLIE WATSON
That what we hear for darling. Better get in or you gonna be late.

The girls get into the passenger side of the front and back of the car. Forbis looks at Scott meekly as Watson gives Huggard a slow look over.

OLLIE WATSON (cont'd)
Mmmm, Mmmm. You got you a fine brown frame!

Huggard immediately tenses as Watson grabs her leg. She reaches for the door handle but Watson grabs her arm and casts a broad, ominously cruel smile.

KYA (V.O.)
Ollie Watson had an appetite for young girls. His assault on Ernestine Huggard may have been his first, but she wouldn't be his last.

13 INT. MCALESTER HALL MEDICAL SCHOOL ENTRYWAY - DAY 13

James and another JANITOR, both in coveralls, clean the entryway. A tray of supplies sits nearby.

JAMES
Hey Will, how was your Easter?

JANITOR
(German accent)
I think I ate a whole pig James. I am still feeling this now. What about you?

JAMES
After church, Gerty and I brought the kids to my Momma's house. Then I took them to visit Doug and Clyde.

JANITOR
Who are these "Doug" and "Clyde?"

JAMES
They're dogs at the Animal House.

JANITOR
The Animal House here at school?

JAMES
That's right. We come by and feed them now and then. The kids love it.

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

JAMES
All our days are numbered Will.

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

Both men laugh as they continue cleaning.

14 EXT. GARTH AVENUE — DAY 14

SUPER:
FRIDAY, APRIL 20, 1923

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

POSTMAN
Nothing today.

15 EXT. ALMSTEDT HOUSE PORCH - DAY 15

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

16 INT. ALMSTEDT HOUSE FOYER - DAY 16

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

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

17 INT. ALMSTEDT HOUSE LIVING ROOM - DAY 17

A well-appointed living room. HERMANN ALMSTEDT (50, White, glasses, gray hair, astute) sits at an upright piano, fingers moving across the keys in a sonata. Photographs of his four daughters rest atop the piano. The middle daughter is REGINA (14, brunette, mature for her age).

BEGIN MONTAGE

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

18 EXT. STEWART BRIDGE DECK - DAY 18

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

KYA (V.O.)
A young white girl, Regina Almstedt, who was almost the same age as me, was walking home from a music lesson. Her life changed forever when she attempted to cross Stewart Bridge.

Watson stands on the bridge. Ragged coveralls are tucked under one arm. Regina steps onto the bridge. Watson hurries to meet her, agitated. He points into the ravine. Regina glances where he indicates, then hurries off the bridge.

19 EXT. STEWART BRIDGE RAVINE - DAY 19

Regina descends a steep stairway into the ravine. Watson follows.

At the ravine's bottom, they struggle. Regina nearly escapes. She falls. Watson grips her skirt. She stabs at his chin with the umbrella's tip.

Watson pins her to the ground. He slaps her, presses one hand over her mouth, loosens his belt with the other. His smile turns cold and cruel—a signal of what comes next.

Regina lies on her back, staring up at the underbelly of Stewart Bridge. Her nerves shattered like her clothes, she struggles to her feet. Her shoe catches on Watson's discarded coveralls. She clutches her bent umbrella. Her dress is soiled, smeared with blood.

END MONTAGE

20 INT. ALMSTEDT HOUSE FOYER - DAY 20

A thud. Shattering glass. Almstedt rushes to the entryway and finds Regina collapsed on the floor beside a broken vase. MRS. ALMSTEDT (40s, caring, pretty) rushes downstairs. They turn their daughter over to see her face. She weeps; her head rolls.

REGINA
(weeping)
Oh! Mother!

MRS. ALMSTEDT
Regina?! My God, Regina! What happened?

REGINA
Beneath the bridge. He said there was a child.

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

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

MRS. ALMSTEDT (cont'd)
You've fallen, Regina. I see that. Did you fall near the bridge? You're hurt. What happened? Can you tell us?

Regina thrashes and moans.

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

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

21 EXT. STEWART BRIDGE RAVINE - DAY 21

Police CHIEF ERNEST ROWLAND (40s, White, confident, well-built) and BOONE COUNTY PROSECUTOR RUBEY HULEN (32, White, black round rim glasses) look on as TWO DOG HANDLERS and bloodhounds sniff Watson's coveralls. The search begins.

ROWLAND
Boys, the girl said he was a copper colored negro, average height 'n' weight, twenty-five to thirty, brown pants, dark coat and a cap. And he had a mustache like Charlie Chaplin. See who you can find and bring him to me.

HULEN
How's the girl doing Chief?

ROWLAND
He beat her up pretty bad Mr. Hulen. Doc Lewis is checking her now.

HULEN
Sexually assaulted?

ROWLAND
Yeah, I think so. We'll get the word from the doctor later today.

HULEN
Good. Let me know if there's any developments, ok? I'll be home all weekend.

ROWLAND
Yes sir.

Hulen turns and walks away. The bloodhounds continue sniffing. One suddenly grows excited and charges up a slope. Its handler struggles to keep pace. Rowland and the second handler chase behind.

22 EXT. RUFFIN'S RESTAURANT - DAY 22

Sidewalk boards display the menu next to a taxi stand as the bloodhounds arrive, sniff around outside. One handler and his hound opens the door and proceeds inside.

23 INT. RUFFIN'S RESTAURANT - DAY 23

Once inside the door, the bloodhound barks as his handler slowly scans the stunned, all black diners. Rowland comes through the door.

ROWLAND
See our boy?

DOG HANDLER
No chief. No one matching the girl's description.

ROWLAND
Alright then.
(to diners)
Go on then! Eat your dinners!

Both men lead the bloodhound outside. Rowland takes charge.

ROWLAND (cont'd)
Maybe Barney smelled old Ruff's barbecue cuz our nigger ain't in there. OK boys, tonite we need to start knocking on some doors 'til we find this boy.

24 EXT. HULEN HOUSE BACK YARD - DAY 24

SUPER:
SATURDAY, APRIL 21, 1923

Hulen shows great accuracy target shooting with his rifle outside his modest home. Rowland arrives in his squad car.

ROWLAND
Mister Hulen.

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

ROWLAND
We've shown her a couple of possibles and she says they're not the one. I'm on my way to pick up another nig...
(stops himself)
negro who matches her description. We'll see what she says. I also alerted the Sheriffs in Monroe, Audrain and Calloway counties, and the train stations too.

HULEN
(Ignoring the slip)
OK, good work. I called the mayor and the governor's office and I think we can raise about a thousand dollars in reward money, so that should help.

ROWLAND
If somebody's seen something, that
(MORE)

ROWLAND (cont'd)
oughta be an incentive to talk. OK good, let me go get that other boy for the girl to take a look at.

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

ROWLAND
Yes sir. Have a good day Mister Hulen.

HULEN
You too Chief. Good luck.

Chief Rowland returns to his police car and pulls away as Prosecutor Hulen returns to his target practice.

25 EXT. SCOTT HOUSE FRONT - DAY 25

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

KYA (V.O.)
Almost immediately, Chief Rowland began searching for any black man with a mustache.

26 INT. SCOTT HOUSE LIVING ROOM - DAY 26

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

JAMES
Yes sir, is there something wrong?

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

ROWLAND
You're gonna need to come with me Scott.

GERTRUDE
James! What’s going on?!
(to Rowland)
What’s this all about? James hasn’t done anything wrong!

ROWLAND
(To Gertrude)
Now settle down Mamn! I'm taking him right now so that someone can see if she recognizes him.
(to James quietly)
And I think you know EXACTLY who I'm talking about, right Scott?

JAMES
Who needs to see me? I don't know what you're talking about!
(to Gertrude)
Gerty, this is all a mistake! I'm sure it is! (moving out the door with Rowland) I'll be back home soon!

27 EXT. SCOTT HOUSE FRONT PORCH - DAY 27

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

28 INT. COLUMBIA POLICE CAR — DAY 28

James is in the back seat, handcuffed and in leg shackles, buffeted by the car's motion. The car stops with a jerk. Rowland opens Scott's door and grabs him by the arm.

ROWLAND
Out, now!

29 EXT. ALMSTEDT HOUSE FRONT PORCH — DAY 29

The Chief muscles Scott onto the sidewalk. His face unmarked—no cuts, no bruises. Thirty feet away, Regina stands flanked by her parents on the porch, her grip tightening on her mother's arm.

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

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

ROWLAND
It will only take a minute, Miss
(MORE)

ROWLAND (cont'd)
Almstedt. Then this will be over. I just need you to look at him - to identify him. Is this the man who attacked you?

Regina shades her eyes, forces herself to glance at James' face, focuses on his mustache, then retreats into her mother's shoulder.

REGINA
That's him. He's the one. Now take him away! Take him away! I can't stand the sight of his face!

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

Regina turns away, her parents ushering her inside. Rowland wrestles James into his car.

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

30 INT. COLUMBIA TRIBUNE NEWSROOM - DAY 30

SUPER:
Monday, April 23, 1923

A handful of reporters clack away at typewriters. City editor HOLLIS EDWARDS (30, White, seasoned, calm) pulls his copy from the carriage and turns to a FELLOW REPORTER.

EDWARDS
Jake, tell me if this sounds OK to you. It's about that negro the cops arrested for attacking the Almstedt girl.
(reading out)
"Circuit court is now in session. A trial could be had immediately and with the community in its present frame of mind there could be but one outcome, or, in the event, a swifter justice is dealt to the brute, it is just as important that no mistake be made."

FELLOW REPORTER
Sounds good. Edith told me last night that they should hang whoever did it!

The editor, COLONEL ED (30's, White, chubby) walks past.

COLONEL
This about that negro who attacked the white girl at Stewart Bridge?

EDWARDS
Yeah boss. They got a guy in custody but so far no charges. The chief says that Hulen is holding things up. Maybe this'll put ants in his pants.

31 INT. ANDERSON'S OFFICE - DAY 31

SUPER:
Tuesday, April 24, 1923

REVEREND JONATHAN LYLE CASTON (26, Black, glasses, friendly) walks into the small, neat office of ATTORNEY E.C. ANDERSON (60s, White, gray, former blacksmith, charming).

CASTON
Uh, excuse me, Mr Anderson?

ANDERSON
Yes, what can I do for you Reverend?

CASTON
Mr. Anderson, I am Jonathan Caston, Pastor at the Second Baptist Church. James Scott, the man who was arrested on Saturday, is one of our members. The papers say he assaulted a young white girl. James' whole family are members of my church. He plays the piano at Sunday services. He couldn't possibly have committed this crime.

ANDERSON
Reverend, I've seen a lot of good people who lose their way - probably more than you have. What makes you think Mr. Scott is innocent?

CASTON
Mr. Anderson, James has three young children of his own. James is a leader in our community. He's a janitor at the medical school. His wife told me that he was at work all day on Friday. There has to be some kind of mistake. Would you consider meeting him and hearing his story?

Anderson responds with a friendly smile.

32 EXT. COURTHOUSE SQUARE HIGH ANGLE SHOT - DAY 32

The Boone County Courthouse casts an imposing shadow over Courthouse Square. Directly behind the Courthouse, Boone County Jail occupies the northwest corner of the square.

33 EXT. BOONE COUNTY JAIL FRONT ENTRANCE - DAY 33

Caston and Anderson knock at the front grate door of the jail. JAILER HALL (60, White, handlebar mustache) greets them.

HALL
Been expecting ya Mr. Anderson. Reverend.

Hall walks the two men from the entry grate, down the front corridor between two rows of jail cells, then to the left where he unlocks a huge steel lattice "Portcullis" grate which leads to the stone, negro section of the jail.

34 INT. BOONE COUNTY JAIL JAMES SCOTT'S JAIL CELL - DAY 34

Hall unlocks James' cell, allows both men inside and then locks the cell door.

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

JAMES
I guess I'm doing OK Reverend. Thank you for coming. Do you know how Gerty and the kids are doing?

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

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

CASTON
I understand James. A number of our church members have been visiting with Gertrude and the kids and your mother too so don't you worry. We'll take good care of your family. James, I brought Mr. Emmett Anderson with me, he's the best lawyer in the county and he can help you.

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

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

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

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

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

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

JAMES
Friday me and another janitor were cleaning up the lab so the doctor could show it off to some parents.
(MORE)

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

ANDERSON
What time was that James?

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

ANDERSON
And was the other janitor with you all that time?

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

ANDERSON
When did he see you James? It's important to be as exact as you can.

JAMES
Mmm. I think that it was 'round five o'clock. I was just finishing up with the woodwork.

ANDERSON
Good. That's good James. There's one more thing. Can you turn your face so I can see it a little more clearly?

James turns his head so that a splinter of light poking through the lattice jail cell door shines on his face. Anderson examines, looks closely.

JAMES
That OK?

ANDERSON
That's good James. The newspapers said the victim used her umbrella like a spear and that she pushed it into her attacker's face several times. But I don't see any signs of those marks on your face or neck. Good, thank you James. That's a big
(MORE)

ANDERSON (cont'd)
help. I'll talk with the other janitor and your boss this week and maybe we can get you out of here real soon.

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

ANDERSON
Sure James, that's fine.

The two men shake hands.

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

CASTON
That's alright James. We will get this grievous mistake cleared up and get you home to your family as quick as we can.

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

35 INT. HULEN'S OFFICE - DAY 35

Hulen is at his desk writing when his SECRETARY pops open his door.

SECRETARY
Rubey? Attorney Anderson is here to see you.

HULEN
Alright, please send him in Mary.

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

HULEN (cont'd)
Good afternoon Emmett, I'm sure this
(MORE)

HULEN (cont'd)
has to be about that Almstedt girl's case. I heard that you would be representing the negro we arrested.

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

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

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

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

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

HULEN
Give me a day or two to nail down the details. I'll send the indictment over as soon as it's ready. That work for you?

Anderson rises and walks toward the door.

ANDERSON
Rubey, you know what will happen if you indict this guy. The papers **already** want a rope around his neck!

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

HULEN
The papers have their job, Emmett. I have mine. Getting justice for a little girl.

ANDERSON
Justice is what we're all after, Rubey. But the truth matters just as much, doesn't it?

36 EXT. BOOCHE'S POOL PARLOUR - NIGHT 36

SUPER:
TUESDAY, APRIL 24, 1923

A few cars line the curb. Pedestrians drift past. Through Booche's Pool Parlour storefront window, FIVE WHITE MEN eat and smoke at tables. Farther back, more white men bend over two pool tables.

37 INT. BOOCHE’S POOL PARLOUR - CONTINUOUS 37

Among the pool players: GEORGE BARKWELL (40, tall and muscular, an alpha male) and three sidekicks—HAMP (40, a scar bisecting one eye), RED (35, tattered overalls, built like a fireplug), and LOU (25, bow tie, tough-guy swagger).

FOSTER HAILEY (25, tall and muscular), a reporter for the Missourian, plays at an adjacent table. A smoker and sharp pool player, he blends in seamlessly, listening with a reporter's ear.

HAMP
Where were you and the crew workin' today George?

Barkwell lines up his shot.

BARKWELL
I was in the office all day 'Hamp. My girl, Gracey's been running the crew pouring sidewalks on Rollins Avenue at the university. Monday it's sewer lines on Locust Street.
(under his breath)
People's shit gotta go somewhere.

Barkwell spots a man at the other pool table. His demeanor shifts—predatory. He walks over.

BARKWELL (cont'd)
Hey. Remember me?

The PLAYER looks up. Terror flashes across his face.

PLAYER
Sure, you, you, you're Mr. Barkwell.

Barkwell's voice drops to menace.

BARKWELL
Then you got that ten dollars from the card game last weekend, right?

The PLAYER tries humor first.

PLAYER
Wait, didn't I win that last hand??

Barkwell stares. The room dies. Men look away. The PLAYER's smile evaporates.

PLAYER (cont'd)
No. No, I haven't got it right now. But I can have it... Friday? How's Friday?

Barkwell's expression flips—a chilling smile.

BARKWELL
Friday will be fine and dandy. Ten or two fives. No ones.

A MAN WITH A CIGAR (50s, White, stout) sits in a chair along the wall, newspaper spread before him.

MAN WITH CIGAR
(reading)
“Miss Almstedt then fought off the beast's assault with the tip of her umbrella. She reported that the assailant was a copper colored negro with a Charlie Chaplin mustache, and police began their investigation immediately. James Scott, a negro janitor at the state university, was arrested within hours, and the victim has identified him positively. A substantial reward is being offered to witnesses who can confirm that the negro was at or near the scene of the crime.”

BARKWELL
But no charges yet, huh?

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

Lou misses an easy shot.

LOU
Shitola!

HAMP
The courts move slow, George, let’s face it. And that Hulen fellow never impressed me much. Looks like a weak stick, to me.

At the adjacent table, Foster Hailey listens, but keeps a poker face.

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

HAMP
Not a sure thing, eh?

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

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

Hamp nods. Barkwell repositions for another shot.

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

The men exchange a knowing, sinister laugh. Hailey smells a story brewing.

38 INT. BOONE COUNTY JAIL FRONT ENTRANCE - NIGHT 38

SUPER:
Wednesday, April 25, 1923

Jailer Hall waits inside the front grate. SHERIFF BROWN (41, White, wiry and serious) and a DEPUTY march in Ollie Watson, his head continuously bowed and not clearly visible. The Jailer opens the grate, and the group starts down the front corridor.

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

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

39 INT. BOONE COUNTY JAIL PORTCULLIS GRATE CORRIDOR - NIGHT 39

Harsh light cuts across the jail's iron "portcullis" grate corridor as Jailer Hall unlocks the segregated section, his boots echoing against concrete.

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

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

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

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

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

HALL
(ironically formal)
Mr. Watson, this is Mr. Scott. Mr. Scott, Mr. Watson.

Jailer Hall re-locks the cell and escorts Brown and his deputy to the front corridor.

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

HALL
You'll be back tonight?

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

40 INT. BOONE COUNTY JAIL JAMES SCOTT'S JAIL CELL - NIGHT 40

James keeps his eyes on Watson, who keeps his eyes on the floor. Hall disappears into the kitchen, locking the portcullis grate behind him, then the jailer's residence grate and door.

JAMES
You alright, man? You hurt?

Watson's trembling fingers fish a crumpled cigarette from his jacket. As he lights up, harsh shadows reveal fresh scars slashing across his jaw - jagged lines that James studies intently.

41 INT. HULEN'S OFFICE - DAY 41

SUPER:
FRIDAY, APRIL 27, 1923

Hulen sits across from Hermann Almstedt. The professor's age and education tower over Hulen's inexperience. Hulen masks his discomfort behind professionalism.

HULEN
I don't think we need to worry about that, Professor Almstedt. Scott's lawyer has seen Dr. Lewis's report already. He's agreed to stipulate penetration and tearing. Judge Collier accepted it, so that question will never be asked.

ALMSTEDT
I understand, Mr. Hulen. Do you have children?

HULEN
(surprised)
No sir.

ALMSTEDT
I hope you will. You'd be a fine parent.
(pauses)
It's terrifying, isn't it? Holding a baby for the first time? That fear never leaves you. Protecting her becomes your greatest duty.

HULEN
Of course.

ALMSTEDT
Everyone assumes I want Scott's neck, But what I really want is for Regina to sleep again, not fear the dark, not feel eyes on her everywhere she goes.

HULEN
Yes, that's why the stipulation is...

ALMSTEDT
(interrupting)
"So important." Yes, I appreciate that. But you'll put her on the stand. She already cringes when men look at her. Scott's lawyer will do his job - to convince everyone she's wrong.

HULEN
She's prepared. Earlier this week she barely hesitated at a second lineup.

ALMSTEDT
(voice raised a bit)
Regina’s fourteen, Mr. Hulen. She knows she's right, but she fears that she could be wrong. If Scott is executed, she'll carry that doubt forever.

HULEN
Look, I'm not a parent. but I have a sworn duty. Chief Rowland's investigation is solid. We found a witness placing Scott on Fourth and Walnut at 4:15. That contradicts his alibi. I believe he's a danger and must be dealt with. I understand your doubts Mr. Almstedt, and I admire your courage and your integrity.

Almstedt walks to the window.

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

42 INT. BOONE COUNTY COURTROOM - DAY 42

SUPER:
SATURDAY, APRIL 28, 1923

James sits handcuffed at the defense table with Anderson. Hulen occupies the prosecution table. JUDGE HENRY COLLIER (40s, white, husky, balding, meticulous) presides. Caston and Gertrude sit behind the defense. Reporters scribble in their pads.

COLLIER
Mr. Hulen, would you like to begin?

HULEN
Your Honor, the state has filed an indictment against the defendant James T. Scott, a resident of Columbia, for the crime of rape upon a child of fourteen years of age.

A collective GASP ripples through the press gallery. Pencils scratch furiously across notepads.

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

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

JAMES
Yes Judge.

COLLIER
Very well, Mr. Hulen the first name in this indictment says "Charles."
(MORE)

COLLIER (cont'd)
The court orders the name be changed to "James" T. Scott.

HULEN
Yes your Honor. My apologies to the court.

COLLIER
How does your client plead, Mr. Anderson?

ANDERSON
Not Guilty, your Honor.

COLLIER
Bail Mr. Hulen?

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

COLLIER
Mr. Anderson?

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

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

Judge Collier fills out a form and checks his calendar.

COLLIER (cont'd)
The defendant will be held without bail. I'll set trial for Monday, May 21st. Anything else gentlemen??

Both Anderson and Hulen shake their heads. Collier gavels the session closed. Reporters surge forward, surrounding both attorneys with questions and camera flashes.

43 INT. COLUMBIA TRIBUNE COLONEL ED'S OFFICE - DAY 43

A brass nameplate gleams: "Colonel Ed, Editor and Proprietor." Smoke curls from Colonel Ed's cigar as he types with deliberate, angry strokes. Edwards charges in.

EDWARDS
Happy Saturday boss. This read OK ?

INSERT: "NEGRO GETS NERVOUS."

EDWARDS (cont'd)
They're charging that negro, Scott with raping the Almstedt girl. Looks like his lawyer, uh Anderson, wants to try it here.

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

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

COLONEL
(reading)
Many men of sound judgment...
Taxpayers saved... Summary justice...
Mmmm, that term yours or theirs?

EDWARDS
That would be mine.

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

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

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

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

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

EDWARDS
Thanks boss. It's on the way!

Edwards grabs the papers and exits quickly.

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

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

BEGIN MONTAGE

44 INT. COLUMBIA TRIBUNE PRESS ROOM - DAY 44

- Typist types "Negro Gets Nervous"

- Linotype machine sets line "men of sound judgment"

- Line of type shows words "summary justice should be dealt"

- Presses Roll

- Papers collated and folded

45 EXT. BROADWAY STREET 1923 - DAY 45

- TWO NEWSBOYS scream the headlines on street corners

- Four people scramble to pick up newspapers at street stand

- Three men read newspaper and angrily comment to each other

END MONTAGE

46 INT. VAUGHN'S OFFICE — DAY 46

GEORGE VAUGHN (Black, 45, wide shoulders and thick neck) sits in an armchair, reading the St. Louis Argus. A phone rings on his desk. He rises to answer.

KYA (V.O.)
George Vaughn was the son of former slaves, and the chairman of the Executive Committee for the NAACP in St. Louis. Reverend Caston sought his help as well in defending James.

VAUGHN
George Vaughn here.
(beat)
Yes, operator, alright.
(beat)
Hello.
(beat)
Oh, hello, Lyle, good to hear from you. Is there news about Scott, then?
(longer pause)
Oh, no! The charge is rape! But the girl fought the man off
(beat)
Ah. I see.
(longer pause)
Both of them white men, and working with him.
(beat)
Good. And Anderson has their statements in writing?
(beat)
Excellent!
(beat)
Yes, I'll be on the

He checks his pocket watch.

VAUGHN
four o'clock train. See if you can arrange a visit at the jail.

47 INT. HARRISON'S BARBER'S SHOP - DAY 47

George Barkwell lies in a tilted-back barber chair, his face covered by a steaming towel. Beside him, stropping a razor, is CAL HARRISON (70, black, quiet). In the next chair, EMMETT SMITH (50, white, portly, a natural comedian) gets trimmed by a SECOND BARBER. Harrison removes the towel from Barkwell's face.

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

HARRISON
Well, yes, Mr. Barkwell. He lived up there until about two years ago.

Harrison lathers Barkwell's cheeks.

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

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

Harrison shaves Barkwell's temples and cheeks, pausing as Barkwell speaks.

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

HARRISON
I couldn’t say, Mr. Barkwell.

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

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

Harrison wipes his razor with a towel and shaves delicately near Barkwell's temple.

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

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

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

HARRISON
Probably so, but I’m naming no names.

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

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

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

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

In the neighboring chair, Smith rises. His barber unpins the drape from around his neck, shakes it lightly, and flicks a whisk around his shoulders.

SMITH
Unusually interesting paper today; educational for all, I’d say.

BARKWELL
(for all to hear)
Paper says there’s no need to waste the taxpayer's money on a trial when it’s clear the man’s guilty. That sound about right to you?

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

BARKWELL
Doesn’t it sound about right to you?

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

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

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

BARKWELL
How many years you been cutting my hair, Cal?

HARRISON
Most of your life, Mr. Barkwell, and a good deal of mine.
(MORE)

HARRISON (cont'd)
I remember when we had to put the booster board across the arms of the chair.

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

HARRISON
No, sir.

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

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

Harrison turns to pick up a hand mirror. Barkwell winks at the customers waiting in the chairs. Harrison turns back and hands the mirror to Barkwell.

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

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

48 EXT. KATY TRAIN STATION PLATFORM - DAY 48

Two black PORTERS stand by their luggage carts, conversing.

PORTER 1
Course, it’s not like the truth matters. I mean, they had Scotty locked up the day it happened.

PORTER 2
True enough. Colored girl like Ernestine Huggard gets raped, beat up, and everybody <u>knows</u> it’s Ollie Watson did it, but the <u>po</u>lice got to “investigate.” Investigate <u>what</u>? They coulda just ask me.

PORTER 1
Surprises me her father didn't finish off that "investigation" for himself.

PORTER 2
Then this thing with a white girl happens and boom! Same night, policemen knocking on every damn door looking for any colored man with a mustache. Any one of us would do.

PORTER 1
I coulda told 'em. "Mustache you're looking for is on somebody else's face. Ollie Watson's face."

PORTER 2
Or was on his face!

PORTER 1
Yeah, or was! Right! I hear he shaved it off quick enough. Shaved it off and went to ground like a rabbit when hounds on the loose.

The sound of an approaching train breaks off the conversation.

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

Vaughn steps onto the platform, carrying a small suitcase.

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

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

CASTON
Thank you, George, for dropping everything and coming to help us. I know you had other matters to attend to.

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

CASTON
No, we missed visiting hours today and I'm afraid the jailer would make no exceptions. I told him we would be there at noon tomorrow. But Mr. Anderson has agreed to meet with us this evening at his office, and Sarah has prepared us an early supper.

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

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

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

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

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

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

VAUGHN
(smiling)
A jazz man?

49 INT. BOONE COUNTY JAIL JAMES SCOTT'S JAIL CELL - NIGHT 49

James and Watson are together in the same cell. James leans back against the bars of the jail cell while Watson lies on his cot. James stares at Watson with a look of disdain.

OLLIE WATSON
Who you lookin' at?

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

OLLIE WATSON
So what if I did?

Watson springs from his cot, landing inches from James. Tension crackles between them like static electricity.

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

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

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

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

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

Watson pokes James' chest.

OLLIE WATSON (cont'd)
Not me!

James pushes Watson away.

JAMES
Mr. Jailer! Mr. Jailer! I need to see Mr. Anderson.

50 INT. BOONE COUNTY JAIL JAILER'S KITCHEN - NIGHT 50

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

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

51 INT. BOONE COUNTY JAIL JAMES SCOTT'S JAIL CELL - NIGHT 51

James peers through the small openings between the steel slats of his horrific stone cave. Morning feels close.

52 EXT. NINTH AND BROADWAY STREET — NIGHT 52

Ninth and Broadway thrums with Saturday night energy. Trucks, cars, and wagons line the curb. A STRING BAND plays a COUNTRY BALLAD outside Booche's Pool Parlour, fingers flying across strings and bow. A PASSERBY drops a nickel into the fiddler's open case. The fiddler nods, never missing a note.

BEGIN MONTAGE: — WITH STRING BAND PLAYING OVER SILENT ACTION

53 INT. BOOCHE'S POOL PARLOUR — NIGHT 53

The parlour overflows with CUSTOMERS—more than Wednesday. George Barkwell commands a stool at the counter, turned to face the room, gesturing emphatically. A FEW MEN cluster around him. FIVE OTHERS listen from nearby tables, drawn in.

54 INT. WHITE-TABLECLOTH RESTAURANT — NIGHT 54

Lou, Barkwell's bow-tied shadow, waves past the Maitre D' and joins TWO MEN finishing their dinner. The three huddle close, voices low and urgent. One man leaves bills on the table. The other snatches a final forkful of pie. They grab hats and jackets and move toward the door with purpose.

55 INT. SPEAKEASY — NIGHT 55

A MAN IN OVERALLS cracks the front door, recognizes Hamp, and lets him through. Hamp claps for attention and makes his announcement. He turns and leaves. HALF A DOZEN MEN from various tables rise and follow.

56 EXT. COUNTRY TOWN GENERAL STORE — NIGHT 56

A dog walks the unpaved street and stops at the knee of Barkwell's overalled sidekick Red, who sits on the wooden sidewalk in front of the general store. The window displays two signs: "CLOSED" and "Nigger, don't let the sun go down on you here." A CONVOY OF FOUR CARS arrives, Hamp gripping the wheel of the lead car. The convoy stops. A car door swings open. Red squeezes in.

END MONTAGE:

57 INT. ANDERSON'S OFFICE - NIGHT 57

Moonlight slices across Anderson's office. A wall clock reads 11:03. Anderson, Caston, and Vaughn huddle around a table, tension etched in their hunched shoulders.

VAUGHN
So Mr. Anderson, I understand you met with Mr. Scott in his jail cell this week?

ANDERSON
Yes, Reverend Caston and I went to see him together.

VAUGHN
And what are your findings, sir?

ANDERSON
The papers say the victim poked her assailant several times in the face and neck with her umbrella. Mr. Scott has no such injuries or marks. I made that clear to Prosecutor Hulen earlier this week. And two other janitors at the university corroborate Scott's account—he was working all afternoon the day of the assault.

VAUGHN
Both white? Are there others? Whites especially?

ANDERSON
I’m sure there are, if they're willing to testify. Four or five of the janitors were working together all afternoon, and then there are the medical students who-

A knock at the door.

ANDERSON (cont'd)
Excuse me, gentlemen.

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

58 INT. ANDERSON'S OFFICE VESTIBULE - NIGHT 58

Standing there is a DEPUTY.

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

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

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

59 INT. ANDERSON'S OFFICE - NIGHT 59

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

Darkness swallows the room. The men move to the window and look out.

60 EXT - COURTHOUSE SQUARE SOUTH SIDE - NIGHT 60

Moonlight floods the Courthouse Square. A dozen men cluster around the monument like dark, restless shadows. Hamp's car pulls up, disgorging more figures. After a heated conference, they move toward the courthouse with predatory purpose.

61 EXT. NINTH AND WALNUT STREET - NIGHT 61

Anderson, Vaughn, and Caston stand in the recessed entrance of a building facing the courthouse square. Raised voices carry from the distance. A FEW WHITE MEN hurry past, indifferent.

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

CASTON
And you, sir.

Anderson turns right. Caston and Vaughn turn left. As they move away from the square, the black men hug the buildings, avoiding the moonlight. FOUR WHITE MEN hurrying in the opposite direction barely register their presence.

62 EXT. COURTHOUSE SQUARE EAST SIDE — NIGHT 62

Courthouse Square seethes with quiet tension. Men cluster across the lawn and street like a spreading infection. Two white police officers chat casually with civilians near the jail entrance. Sheriff Brown stands center, surrounded by a dozen men—some white belligerents vibrating with barely contained aggression.

FIRST BELLIGERENT
Looks to me like we got us a damn nigger-loving Sheriff here.

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

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

Some listeners chuckle.

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

Brown walks toward another group.

BROWN
Jack, Jack Randall!

A TEENAGE BOY turns, startled and sheepish. Brown crooks a finger.

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

CLUSTERS OF WHITE MEN—perhaps two hundred in all—mill about the square.

63 INT. BOONE COUNTY JAIL JAILER'S KITCHEN - NIGHT 63

Jailer Hall sits at his kitchen table, solitaire spread before him. A pistol lies to the left of the cards; a shotgun to the right. A chair wedges under the porch door knob. Hall plays a few cards before a rebel yell pierces the night—close. A brick crashes through the window, scattering glass. A volley of bricks pounds the porch door and walls. Hall jumps to his feet.

64 EXT. BOONE COUNTY JAIL JAILER'S PORCH - NIGHT 64

A HANDFUL OF WHITE MEN charge up the stairs. Barkwell's sidekick Hamp pounds the door.

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

The HANDFUL OF WHITE MEN's voices join in—shouts and curses. Jailer Hall pounds louder on his side, and the shouting subsides.

HALL (O.S.}
(shouting)
Listen here, men! Listen to me now, you goddam fools!

65 INT. BOONE COUNTY JAIL JAMES SCOTT'S JAIL CELL - NIGHT 65

James and Watson leap to the bars from their cots.

66 INT. BOONE COUNTY JAIL JAILER'S KITCHEN - NIGHT 66

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

HALL
(Shouting)
Back off! You hear me? This place is my home, goddam it! I've got two barrels ready for the first man tries to come through that door. I'll kill him sure.

From outside, a gaggle of voices:

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

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

ROWDY 3 (O.S.)
Holy shit!

67 EXT. BOONE COUNTY JAIL JAILER'S PORCH - NIGHT 67

Barkwell stands alone on the porch, upright. The HANDFUL OF WHITE MEN scatter or cower.

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

68 INT. BOONE COUNTY JAIL JAILER'S KITCHEN - NIGHT 68

Hall sets down his shotgun and reaches for the phone.

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

69 EXT. BOONE COUNTY JAIL FRONT ENTRANCE - NIGHT 69

Hamp, now carrying an ax, and the other rowdies reach the jail's front door where Barkwell and two others wait.

BARKWELL
(to Hamp)
All yours.

Hamp swings hastily at the lock that secures the steel bar doors leading inside the jailhouse. He misses and the axe glances off the door's steel surface - a miss.

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

Hamp swings again, breaking the lock. The steel bar doors are puled open as cheers go up. The rowdies push open the inner wood door open; spectators shout approval. Hamp enters the lighted corridor, searching the cells on each side for black faces.

70 INT. BOONE COUNTY JAIL PORTCULLIS GRATE CORRIDOR - NIGHT 70

Seeing only white men, Hamp eventually reaches the portcullis grate. Rowdies and onlookers follow, shouting encouragement.

71 INT. BOONE COUNTY JAIL JAILER'S KITCHEN - NIGHT 71

Jailer Hall stands next to a utility panel, hearing the mob gather at the portcullis grate. He flips a switch.

72 INT. BOONE COUNTY JAIL PORTCULLIS GRATE CORRIDOR - NIGHT 72

The corridor lights die. In semi-darkness, Hamp's howl cuts through. He confronts the portcullis grate, pulls at it, shakes it. Impenetrable.

HAMP
Chrissake! Stand back!

He rests the axe edge on one of the grate's hinges, draws back, and swings with all his might. The blow glances off. The ax handle splinters.

HAMP (cont'd)
Chrissake!

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

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

73 INT. BOONE COUNTY JAIL JAILER'S KITCHEN - NIGHT 73

A quiet knock at the porch door. Hall glances through the door hole, then opens it to Sheriff Brown, Judge Collier, Rubey Hulen, and two policemen. The men rush in.

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

74 INT. BOONE COUNTY JAIL JAMES SCOTT'S JAIL CELL - NIGHT 74

Concern deepens on James' face. He presses his ear to the steel lattice door, listening to the mob's voices.

75 EXT. COURTHOUSE SQUARE SOUTH SIDE - NIGHT 75

Caston and Vaughn gather in a corner near the square. A pair of WHITE COLLEGE MEN throw knives at each others feet in a game of mumbley peg while friends cheer.

76 EXT. COURTHOUSE SQUARE EAST SIDE — NIGHT 76

Young people wearing "M" shirts and hats laugh with well-dressed adults. A banjo-playing BUSKER entertains a circle of APPRECIATIVE LISTENERS. The clang of sledgehammer blows on metal echoes everywhere.

77 INT. BOONE COUNTY JAIL PORTCULLIS GRATE CORRIDOR - NIGHT 77

The chisel man and Red, wielding a sledgehammer, resume their positions. Red takes aim at one of the grate's hinges.

A ROWDY
Pour it on, Red!

His backswing begins.

RED
One, two, three.

Another resounding clank.

78 EXT. BOONE COUNTY JAIL FRONT ENTRANCE - NIGHT 78

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

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

79 EXT. COURTHOUSE SQUARE NORTH SIDE - NIGHT 79

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

DISTRESSED MAN
Chief Rowland!

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

DISTRESSED MAN (cont'd)
Chief Rowland, over here!

The Chief sees him and steps over.

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

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

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

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

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

80 INT. BOONE COUNTY JAIL PORTCULLIS GRATE CORRIDOR - NIGHT 80

The corridor is crowded. The lights are still out. TWO WHITE ONLOOKERS nearest the portcullis grate watch as a fresh team of rowdies hammers away by flashlight. The bottom hinge has been broken off the grate, but the top one remains. The nearby onlookers flinch at each blow.

AN ONLOOKER
Christ! This will take all night!

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

81 INT. BOONE COUNTY JAIL JAILER'S KITCHEN - NIGHT 81

The light is on, the doors are shut tight. The cat looks out from a nook between the stove and a cabinet. Hulen, Sheriff Brown, Jailer Hall, Collier, and TWO POLICEMEN stand around the kitchen table.

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

BROWN
And Williams reports?

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

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

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

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

COLLIER
(hesitating)
I wouldn't hesitate. I am an officer of the law.

BROWN
Hulen?

HULEN
Well, yes. If it comes to that.

BROWN
Then there are six of us. If, they come through, they find six men with guns out and ready . . .

POLICEMAN 1
Well, there's no telling what they'll do, is there? Now their blood is up.

POLICEMAN 2
And you can be sure that there are a lot more guns out there than in here.

BROWN
But if we had every gun aimed down that corridor.

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

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

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

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

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

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

HULEN
The Governor, maybe?

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

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

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

COLLIER
I'm not so sure.

82 EXT. COURTHOUSE SQUARE WEST SIDE - NIGHT 82

A NATIONAL GUARD PRIVATE, uniform shirt half-buttoned, hurries along the sidewalk. He reaches the armory door, pulls it open. Inside, a COMMANDER (30's, white, words tumbling rapid-fire) grips a stick phone to his ear. Without lowering it, the Commander signals the private inside and points toward an adjoining room.

83 INT. COLUMBIA NATIONAL GUARD ARMORY - NIGHT 83

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

The Commander holds down the phone's cradle, consults a list on his desk, clicks three times.

COMMANDER
Operator, try Mr. Burchfield at number 103.

While waiting for an answer, he watches the crowd churning across the street on the courthouse lawn

84 EXT. COURTHOUSE SQUARE SOUTH SIDE - NIGHT 84

Light bleeds from the jail entrance, shifting in intensity—yellow bleeding to red, red to blue.

85 INT. BOONE COUNTY JAIL PORTCULLIS GRATE CORRIDOR - NIGHT 85

WHITE ROWDIES pack the corridor. Ahead, flashlight beams catch one hinge already torn free from the portcullis grate. A roll cart holds two gas canisters. A MAN WITH A BLOWTORCH focuses his flame on the remaining hinge, metal glowing white-hot.

86 EXT. ALMSTEDT HOUSE PORCH - NIGHT 86

Almstedt locks his front door, straightens his jacket, and hurries down the sidewalk. The street lies empty, houses dark and silent.

87 INT. BOONE COUNTY JAIL PORTCULLIS GRATE CORRIDOR - NIGHT 87

The blowtorch man cuts through the locking mechanism at the grate's center, then kills the flame.

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

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

TWO MEN haul the cutting apparatus back. Sidekicks Lou and Red wrench the grate from its jamb. It crashes to the floor—the sound echoes through the corridor. A CHEER erupts.

88 EXT. STEWART BRIDGE DECK - NIGHT 88

Almstedt crosses the deserted bridge, moonlight casting his shadow long behind him.

89 INT. BOONE COUNTY JAIL COLORED SECTION - NIGHT 89

Foster Hailey moves through darkness and climbs atop one of two cells at the corridor's end. Barkwell enters behind Hailey, flashlight in hand, flanked by sidekicks Hamp, Red, Lou and the rowdies.

BARKWELL
I think he's in here.

The flashlight beam finds Scott on one cot, Watson cowering on another.

RED
Which one's Scott? Where is he?

BARKWELL
Tell us straight or we hang every nigger we find in here.

JAMES
I'm James Scott. I didn't touch that girl. He did!

James points directly at Watson. Watson bolts upright.

WATSON
He's lying! That girl saw HIM!

BARKWELL
Bring up the torch.

The blowtorch man moves to James' cell door and sparks the flame. Brilliant light floods the cell—shadows dance violent and grotesque across the walls. The rowdies surge forward, shouting. A few feet away, the jailer's kitchen door opens. Judge Collier stands on the kitchen side of the grate, trying to speak over the blowtorch roar and mob noise.

COLLIER
Men, men! Listen to me!

No one responds.

COLLIER
Listen, please!

Brown moves to the grate. His voice cuts through the chaos.

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

Barkwell raises one hand and shouts.

BARKWELL
Stop! Quiet! Everyone, quiet!

The torch man throttles back the flame. WHITE ROWDIES near the cell fall silent. Farther back, MEN continue shouting and stamping.

COLLIER
Men, you don't know what you're doing. This is a bad case—a very bad case—but the man deserves a trial by jury. I've set the date myself. Less than three weeks away. It will be speedy.

A MAN FROM BACK OF CROWD
Get the damned nigger!

A MAN NEAR FRONT
We're gonna hang this damned nigger anyway!

COLLIER
Let a jury of your own people decide his guilt or innocence.

ANOTHER MAN NEAR FRONT
To hell with juries! We'll be our own jury.

COLLIER
I speak for the girl's father, who's been wronged more than any of you. He wants this man to have a trial.

Rubey Hulen steps to the grate, replacing Collier.

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

A MAN NEAR FRONT
Bring him down here. We'll lynch him too!

A MAN FARTHER BACK
C'mon, get that nigger out of there!

ANOTHER MAN FROM THE BACK
What's the matter up there? You afraid of him?

A young man pushes forward.

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

He grabs the torch from the blowtorch man, cranks the flame higher, and cuts. A HOSE CUTTER standing nearby flicks open his pocket knife, steps to one of the tanks, and slices its hose.

HOSE CUTTER
Are you idiots? Keep burning acetylene in this hole, you'll blow us all to hell!

He tries to carry the tank away. An OLD MAN WITH A REVOLVER blocks his path.

OLD MAN
That tank stays right here until we get that lock cut off.

90 INT. BOONE COUNTY JAIL JAMES SCOTT'S JAIL CELL - NIGHT 90

James presses against the wall, shouting toward the kitchen.

JAMES
I'm innocent! You've got the wrong man!

91 INT. BOONE COUNTY JAIL JAILER'S KITCHEN - NIGHT 91

Brown, Hulen, Collier, Hall and two deputies stand frozen, helpless.

92 INT. BOONE COUNTY JAIL JAMES SCOTT'S JAIL CELL - NIGHT 92

The cell lock shatters. The torch dies. The mob storms in. James is clubbed, stripped to the waist, a clothesline knotted around his neck.

BARKWELL
Hamp! Take him!

Led by Hamp, the mob drags James out. As he passes the kitchen grate, James calls out.

JAMES
Help! Sheriff! Please!

Silence answers him

93 INT. BOONE COUNTY JAIL PORTCULLIS GRATE CORRIDOR - NIGHT 93

James is dragged through the portcullis corridor, out the front door, around the jail to the Jailer's Porch.

94 EXT. BOONE COUNTY JAIL JAILER’S PORCH — NIGHT 94

Moonlight fractures across the porch. Red and Hamp hammer James with brutal roundhouse blows—each strike paints crimson across his face. Blood streams from his nose and ears. The crowd's roar swells like a savage tide.

VOICES
There he is!
Hang him now!
Give that animal what he asked for!

The porch swing buckles under the weight, men spilling off as chaos spreads.

95 EXT. COURTHOUSE SQUARE SOUTH SIDE - NIGHT 95

Black bystanders cluster anxiously, faces etched with fear and resignation. Caston and Vaughn stand among them, silent witnesses.

BLACK BYSTANDERS
It's a shame.
They're acting like animals.
No happy ending to this.
I never thought I'd see this in Columbia.

A MAN WITH A RIFLE storms toward them.

RIFLE MAN
Beat it!

He fires into the air. Black men scatter; the crowd ducks then surges again.

VOICES
Take him to Stewart Bridge!
Hurry! To the bridge!

96 EXT. COURTHOUSE SQUARE WEST SIDE - NIGHT 96

Sidewalks and curbs overflow with HUNDREDS OF SPECTATORS. A makeshift PARADE OF CARS AND PEDESTRIANS forms in the street. At its front, a MAN cups his hands into a megaphone.

MEGAPHONE MAN
Here they come! Give them room! This way, men! Here's the front!

Scott, leashed like an animal, is encircled by half a dozen men—Barkwell, Lou, Red, and Hamp. They quick-march him through a thicket of TWENTY WHITE GAWKERS.

MEGAPHONE MAN
Bring him here. We'll lead.

Lou yanks the leash maliciously. Scott struggles to keep his feet. Red trips him. He falls hard on the brick-paved street. As Lou continues pulling, he crawls along the pavement.

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

A COMPASSIONATE BYSTANDER scolds Lou from the sidewalk.

COMPASSIONATE BYSTANDER
(to Lou)
Here, now! There's no need for that!

The bystander steps off the curb and holds Lou back until Scott regains his feet.

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

The mob leaders and James reach the space in front of the lead car. Its headlights blaze on. The parade moves slowly forward, the CROWD closing in behind. Then it gathers speed. SOME SPECTATORS quick-march or jog to keep pace, others trail behind.

97 EXT. COURTHOUSE SQUARE SOUTH SIDE - NIGHT 97

Hermann Almstedt arrives at the square. He and Rubey Hulen stand among a GROUP OF SEVEN DOWNCAST MEN, watching the receding parade disappear into darkness.

HULEN
Professor Almstedt. I'm afraid you're too late. Nothing can be done now except keep the other prisoners safe. Let me get a deputy to drive you home.

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

Almstedt steps into the street and walks in the direction the mob has taken. Hulen watches until they vanish into the night.

98 EXT. BOONE COUNTY JAIL JAILER'S PORCH - NIGHT 98

SUPER:
SUNDAY, APRIL 29, 1923

A broken swing on the jailer's porch hangs by one rope. The doors are half off their hinges. Windows are broken.

99 INT. BOONE COUNTY JAIL PORTCULLIS GRATE CORRIDOR - NIGHT 99

TWO DEPUTIES, along with Hulen, Sheriff Brown and Jailer Hall survey the severely damaged jail. The "Portcullis Grate" has been cut out with a blowtorch. A cell door swings open while Ollie Watson still cowers inside.

BROWN
Will, call the Audrain County Jail and see if you can get our negro prisoner moved over there right now. Let 'em know what happened here.

HALL
Yes sir. I'll handle it right now.

Jailer Hall walks into the kitchen to make the call.

BROWN
Al and Clark, grab the shotguns and see if you can round up... Rubey?

HULEN
Let's start with George Bar...

The men are interrupted by the National Guard Commander who has run back to the jail from the bridge.

COMMANDER
They just hung the prisoner from Stewart Bridge.

HULEN
George Barkwell. Arrest him on suspicion of murder.

BROWN
You heard him boys. Go find Barkwell and bring him here.

The deputies immediately leave.

BROWN (cont'd)
Look at the mess they made here Rubey. It's gonna take days to replace that grate. Damn fools. They just couldn't wait for the trial.

HULEN
You all set here Fred? I gotta go make a call to the governor.

BROWN
Yeah, go ahead Rubey. Say hello for me, OK?

Hulen leaves as Jailer Hall completes his call.

HALL
Sheriff, Mexico says we can bring over the prisoner now.

BROWN
Good, you handle that Will and I'll hold things down here. But get back as soon as you can, OK?

100 EXT. SCOTT HOUSE FRONT PORCH - NIGHT 100

Gertrude runs from the house in her nightgown, tears streaming down her face as she pulls on her house coat and disappears into the dark street.

101 EXT. BROWN HOUSE FRONT PORCH - NIGHT 101

She reaches Jack and Sarah's home a few blocks away and knocks urgently. The house is dark. Lights flicker on—one by the door—and Jack answers.

JACK
Gertrude! What is it?!

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

102 INT. BROWN HOUSE LIVING ROOM - NIGHT 102

Sarah Brown walks through the living room toward the front door. Gertrude composes herself just enough to meet Sarah's eyes and speak in a hushed, breaking voice.

GERTRUDE
Mamma, they took James from the jail tonight. A mob took him to the bridge...

Sarah's eyes widen.

GERTRUDE (cont'd)
And they hung James! They hung him from the bridge!

SARAH
(to Jack)
OH NO! OH No! No! Not my James!

Gertrude opens her arms. Jack and Gertrude envelop Sarah as she drops to her knees and sobs.

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

103 EXT. BROWN HOUSE NEIGHBORHOOD - NIGHT 103

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

104 INT. BAPTIST CHURCH - DAY 104

A handsome small church with impressive stained glass windows is filled to capacity. Sitting in the front row are Vaughn and Davis. Caston readies his sermon from the pulpit.

CASTON
Like most of us here this morning, I have not slept. Like most of us, I saw the dawn, but couldn't feel the joy that should come with it. Only four weeks have passed since we gathered here to celebrate the resurrection of Jesus Christ, whom both our faith and our reason declare to be the light of the world.

A PAIR OF CONGREGANTS
Amen!

CASTON
And yet many of us feel shut out from the light, sealed in darkness. Our brother James Scott, who played the piano and sang and prayed with us on Easter morning, is dead. Dead after a night in which he, like Jesus, suffered unspeakable pain and humiliation at the hands of a heartless mob.

A PAIR OF CONGREGANTS
That's true. That's right.

CASTON
And what about brother Scott's torment, here in a Christian land? What about his blood, flowing from wounds inflicted by men who call themselves Christians? How are we to cope with <u>this</u> suffering?

A FEW CONGREGANTS
Amen! Yes, Lord!

CASTON
If we can do anything to redeem this tragedy, anything to bring the light into this dark place, we must begin with remembering. We must remember James as Gertrude's husband, as Sarah's son, as Aker's brother and Helen, Anna and Carl's father. We must remember him as a leader in our community. We must remember him kneeling in the last minute of his life and praying this simple prayer, "Have mercy on an innocent man."

SEVERAL CONGREGANTS
Amen! That's true! Amen!

CASTON
We must remember him, and we must remember the mob that forced him through the streets of our city with a rope around his neck. And having remembered all that, we will be able to say like the prophet Amos: "Let judgment run down as waters, . . .

SEVERAL CONGREGANTS
Amen! Say it, now!

CASTON
(more congregants joining)
. . . and righteousness as a mighty stream."

MANY CONGREGANTS
Amen! That's the truth. Amen!

105 INT. ROTUNDA OF STATE CAPITOL - DAY 105

TITLE:
MONDAY, APRIL 30, 1923

Missouri's GOVERNOR (50, white, gray with glasses), stands at a podium. Seated behind are Henry Davis and Rubey Hulen. Facing the officials are a dozen reporters, photographers and onlookers, both black and white, including Vaughn.

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

Davis takes the podium.

DAVIS
Thank you, Governor Hyde, a very few. The people of Boone County need to understand that Missouri law makes no distinction between murder and accessory to murder.
(MORE)

DAVIS (cont'd)
The men who encouraged this act by word or deed are as guilty of murder under the law as the man who threw the negro from the bridge. Anyone who shouted encouragement, Anyone who cried, “Let’s go to Stewart Bridge!” Or “Throw him over!” Or “Let’s hang him!” is as guilty as the leaders and can be charged with first degree murder.

Many flash bulbs go off. The reporters write furiously.

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

Again flashbulbs and scribbling.

I’m sure Prosecutor Hulen has a few words to say.

Hulen takes the podium.

HULEN
This afternoon I will obtain a judge’s order to convene a grand jury. If they give me a jury who has any respect for law, there will be indictments returned for those responsible for the lynching within 24 hours after the jury meets.

Many flash bulbs again. Hulen flinches instinctively and lifts a hand to shield his eyes. Vaughn watches, silent. As the news conference breaks up one reporter doggedly pursues Hulen and shouts a question.

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

Hulen turns to answer.

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

106 INT. DAVIS' OFFICE - DAY 106

Davis' ornate office. Davis and Hulen sit across from each other, the weight of their investigation settling between them.

HULEN
I just can't understand it, Henry. How could basically good people resort to such lawlessness.

DAVIS
Rubey, the newspaper all but dared these people to take the law into their own hands. "Summary Justice!" That's how they put it. This morning I got a call from Scott's lawyer—Anderson. He said Scott was an innocent man. Said he met with you and Scott had no scratches on his face or neck from when the girl fought off her attacker.

HULEN
That's right. But she identified his voice, the smell of his clothes. Maybe there were no scratches from the umbrella?

DAVIS
The papers say Scott claimed his cellmate was the one who raped the Almstedt girl. Wasn't he arrested for raping another girl?

HULEN
Ollie Watson. But he doesn't have the mustache the Almstedt girl described.

DAVIS
What if he shaved after the attack? Did Watson's face show signs of a struggle?

HULEN
His victim never mentioned scratching him. He beat her very badly before raping her. She never had a chance to struggle.

DAVIS
Just like the Almstedt girl Rubey. What if Barkwell and the mob just lynched an innocent man?

107 INT. SCOTT HOUSE LIVING ROOM - NIGHT 107

Gertrude and Sarah sit with James' brother, Helen and Carl, and other family members in their dimly lit living room. A KNOCK at the door. Gertrude opens it. Caston stands in the doorway with church members bearing food and baked goods.

GERTRUDE
Good evening Reverend Caston. Please, come inside?

CASTON
Gertrude, we wanted to be here with you and your family tonight.

Caston nods to the children and James' mother.

CASTON (cont'd)
Mrs. Brown. Children.

James' brother steps forward to shake Caston's hand.

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

108 EXT. SCOTT HOUSE FRONT PORCH - NIGHT 108

Gertrude walks onto her porch. Helen, Carl, and Sarah follow. Dozens of people gather below—many with food gifts, some holding lit candles. Carl tugs an old CHURCH MEMBER's sleeve.

CARL
Mister, did you know my daddy?

CHURCH MEMBER
Yes, yes son I did. And he was a very fine man.

GERTRUDE
Thank you, Reverend. Thank you all. You are such a blessing.

Gertrude's composure breaks. Nearby church members rush in to hold her. The entire group slowly pulls closer, enveloping the family.

109 INT. BOONE COUNTY JAIL SHERIFF'S OFFICE - DAY 109

As Sheriff Brown sits at his desk, two well dressed gentlemen, a bank president and a man in an arm sling enter.

BROWN
Good morning gentlemen, what can I do for you?

BANK PRESIDENT
Good morning, Sheriff. I'm Fred Bright, President of Boone County Trust. This is Dr. Conley. We're here to post bond for Mr. Barkwell.

BROWN
Is that so? Alright gentlemen

Brown pulls out paperwork and begins to write.

BROWN (cont'd)
I'll need to your signatures, and the bond check.

MAN IN ARM SLING
(Pulling out envelope)
Right here Sheriff. The numbers are correct.

BROWN
(Looking at checks)
Appears to be in order, gentlemen. A few minutes before we can release him. Anything else?

BANK PRESIDENT
Well, yes. If you arrest any more of those mob members, send them to my office at the bank. I'll make bond for all of them until you fellows holler "enough!"

110 INT. BOOCHE'S POOL PARLOUR - NIGHT 110

A busy night. White kibitzers nurse drinks along one wall. Emmett Smith and the Man with Cigar have a newspaper open. White pool players from the nearest table pause their game to listen.

MAN WITH CIGAR
Paper says there may be more indictments coming. Five so far. Here it is: "The statement made it clear that the Grand Jury has not been dissolved and that it may reconvene at any time to issue additional indictments."

POOL PLAYER 1
Jeez-Louise! How many men they gonna charge with murder? A hundred? Two hundred?

MAN WITH CIGAR
Just one so far. George Barkwell's the only one charged with murder. The others are charged with obstructing justice.

POOL PLAYER 1
Well, that makes sense. Barkwell's the only one put the rope around the colored boy's neck.

Uncomfortable silence. Smith and the Man with Cigar exchange glances.

SMITH
Were you on the bridge that night?

POOL PLAYER 1
Well, yes. I got there in time to see . . . .

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

POOL PLAYER 1
But what I was gonna say was . . . .

MAN WITH CIGAR
(interrupting)
What I was gonna say is that a closed mouth catches no flies.

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

POOL PLAYER 2
(to Player 1)
Back off, Jesse. Sounds like it's time to circle the wagons.

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

POOL PLAYER 3
(banging his cue stick on the floor)
I believe the man said "period"!

111 INT. RUFFIN'S RESTAURANT - DAY 111

SUPER:
JUNE, 1923

A few Black customers sit in the restaurant. Davis and Caston occupy a booth. A WAITRESS and a MALE CUSTOMER (both Black) sit across from them.

CUSTOMER
No, Mr. Scott wasn't a regular, but Ollie Watson, yes, he was here most every day. Right, Bess?

The waitress nods emphatically and points out the window.

WAITRESS
See, right out there on that curb, that's where Ollie parked his taxi cab. He liked to sit right here, downin' all the coffee I can bring.

CUSTOMER
People knew if they wanted a cab, they could find him here.

WAITRESS
Or they could call that phone right there, see?

She points to a wall-mounted phone.

DAVIS
Good, thank you so much, ma'am. Now, do you remember that day when the dogs came in.

WAITRESS
None of us will likely forget that day!

CASTON
And do you remember if either Mr. Scott or Mr. Watson was here that day, Bess? It's very important that we know.

WAITRESS
Not Mr. Scott, Reverend. Like John says, he's not here that often, so I'd remember. Ollie Watson, now, he was <u>definitely</u> around. His taxicab broke down, and all mornin' he was tinkerin' under the hood. Got himself so greasy and gas-smellin', I took a sandwich out there at lunch time so he wouldn't come in and mess up a booth.

DAVIS
And was he still here when the dogs came in?

WAITRESS
Not unless he cleaned up, I can tell you that!

CASTON
Yes, but was he here? It's very important that we know.

WAITRESS
He was coming and going all afternoon, but I believe he cleared out before the hounds started all that ruckus. That sound right, John?

CUSTOMER
That's the way I remember it. Had that car running again and took off.

112 INT. HULEN'S OFFICE - DAY 112

Davis, Rowland, and Hulen sit at a small conference table. Davis leads.

DAVIS
So your conclusion was that the dogs were following a false scent?

ROWLAND
Well, yes, there were negroes aplenty in that restaurant, and maybe one of them belonged to those coveralls. But none of the men fit the girl's description. None had that funny little mustache.

DAVIS
Got it. So Saturday morning, April 21. Before you took Scott to Miss Almstedt's house, you took two other negroes there? And she said neither man was her attacker.

ROWLAND
Right.

DAVIS
And did either of these have the funny little mustache?

ROWLAND
(pauses, cautious)
No.

DAVIS
Mustaches come and go, don't they?

ROWLAND
The girl was acting strange. I began to think she was just confused about the mustache. These men I brought—they were exactly the sort of negroes who might, you know. They were the bad kind.

DAVIS
But when she didn't identify either of those, you decided the mustache was an important clue after all?

ROWLAND
Correct. It was important because it was all we had left after the hounds failed. We had to use what we had.

DAVIS
And so you and your men started looking for negroes known to have such a mustache.

ROWLAND
Correct.

HULEN
And you went to Mr. Scott's house yourself?

ROWLAND
Correct.

HULEN
How did you know Mr. Scott had a Charlie Chaplin mustache?

ROWLAND
He was pretty well known around town. City boy, nappy dresser, led their Emancipation Day Parade in his fancy car. The mustache seemed to suit his style.

DAVIS
Did you present Miss Almstedt with any other negroes who had a Charlie Chaplin mustache—individually or in a lineup?

ROWLAND
No, and I doubt there's another nig....
(he catches himself)
negro in this town with a mustache like that. Might be a Chicago thing, a big-city thing.

HULEN
If we found another negro today with a Charlie Chaplin mustache, would that shake your confidence that Scott was the man?

ROWLAND
Not at all. You know better than anyone how many ways we got the girl to identify him. Two eyeball lineups. The voice lineup. That damned stinky formaldehyde lineup. We got the right man. It's a damn pity what happened after that, but we got the right man.

113 EXT. HULEN HOUSE BACK YARD - DAY 113

A threatening letter signed "KKK" is pinned to plywood.

INSERT ON LETTER: Look heare, Mr. Prosecuting Attorney, you better let this Negro business goe or you will get some of the same.

Three small round holes scatter across the letter's body. A fourth hole appears with a thunk.

Rubey Hulen and young ANNA HULEN (30, white, smart and plain) sit on their backyard patio. A pitcher of iced tea between them. She knits; he pumps the lever of an air gun and inserts a pellet.

HULEN
I'm afraid Davis is right. You hear it on the streets, see it in the newspapers. Laws be damned, courts be damned. They hanged Scott, sure, but he deserved lynching. And he deserved it because I'd already declared him guilty.

He aims and fires another shot across the lawn into the letter and plywood.

HULEN
When push came to shove, I let myself be rushed to judgment, Anna. On evidence that now seems pretty damned thin.

He pumps the airgun again. Mrs. Hulen glances at him, then calmly knits as she speaks.

ANNA
Not buying it, mister. You turned the investigation over to the Chief because he had years of experience. When you had doubts about that first identification, you insisted he do a proper lineup.

114 INT. BOONE COUNTY COURTHOUSE ANTE-ROOM - DAY 114

Five Black men stand against a wall in a lineup. All look uneasy. One is clean-shaven. One has a mustache flowing into mutton chops. One has a chevron mustache. Only Scott, the shortest, has a Charlie Chaplin.

END FLASHBACK:

115 EXT. HULEN HOUSE BACK YARD - DAY 115

HULEN
Essentially, she managed to identify Scott as the man she'd already identified. Not deeply impressive.

He fires the pellet gun again.

ANNA
And then there was that voice-only lineup, where the Almstedt girl couldn't even see the suspects. That seems pretty convincing.

HULEN
So I thought until Professor Ellwood, who teaches criminology at the university, told me about the Clever Hans effect. Now I'm not so sure.

ANNA
Clever Hans effect? You lost me.

HULEN
There was a horse in Germany a few years ago that everybody thought could do math. Someone would ask what seven plus two is, and Hans would stomp his hoof exactly nine times.

ANNA
Impressive, but I'm still lost.

116 EXT. - HORSE BARN - DAY 116

A horse and its owner demonstrate what Hulen describes.

HULEN (V.O.)
Turns out Hans wasn't doing math; he was reading his owner's face.
(MORE)

HULEN (V.O.) (cont'd)
He stomped his hoof slowly until some little change in the man's expression showed he had reached the answer, and then he stopped.

117 EXT. HULEN HOUSE BACK YARD - DAY 117

HULEN
Hans fooled everybody, even his owner. Even he thought his horse was doing math.

ANNA
So you're saying that Regina didn't really know which voice belonged to Scott, but she could tell which voice the Chief wanted her to choose.

HULEN
That's it.

BEGIN FLASHBACK:

118 INT. HULEN'S OFFICE RECEPTION AREA - DAY 118

Regina and Mrs. Almstedt sit in chairs facing Chief Rowland. The office door is ajar. We watch Rowland's face as we hear:

AFRICAN-AMERICAN MAN (O.S.)
No, sir. Born in Hallsville, and growed up there. Didn't come to Columbia till I was full-growed.

Rowland's body language is neutral; his eyes are turned downward as he concentrates on what he is hearing.

HULEN (O.S.)
And what about you, Number 2?

JAMES (O.S.)
My family moved around a lot.

Chief Rowland perks up and looks intensely at Regina's face.

JAMES (O.S.) (cont'd)
Born in New Mexico, kinda grew up in Chicago, mostly. Lived there until the war and then again after.

Regina nods.

END FLASHBACK:

119 EXT. HULEN HOUSE BACK YARD - DAY 119

ANNA
So Ellwood thinks Regina was lying? She was just giving the Chief what he wanted? No sale, Mister. Nothing you've said about the girl or her parents fits with that theory.

Hulen pumps the rifle again.

HULEN
That's not Ellwood's theory, Anna. Regina never intended to deceive anyone, any more than Hans the horse did. It was all subconscious. She was confused, nervous, unsure. She read the Chief's face and subconsciously let his reaction to Scott's voice affect her judgment.

Hulen loads and fires. Anna Hulen resumes her knitting.

ANNA
Oh, my! That subconscious mind again? Professor Elwood is full of the most ingenious theories. He told Mrs. Randall last week that radio will change everything. Soon there will be radio receivers in every home. People will stop reading newspapers, and the music halls will lie empty. He's the sort of man one should listen to very closely, if only to see whether he is awake or just dreaming out loud.

Hulen smiles in spite of himself.

HULEN
Don't you dare, Anna Hulen. If you make me laugh now, I might just start crying. I need to talk this through, and I need to talk it through with the brightest, wisest woman on earth.

ANNA
But since she's not here, I'll try to do my best. On to the smell test, then?

HULEN
Yes, the smell test.

BEGIN FLASHBACK:

120 INT. ALMSTEDT HOUSE KITCHEN - DAY 120

ROWLAND
You told us, Regina, that there was an unpleasant smell on the clothes of the man who attacked you. I've brought two vials here,

He holds them up. They have stoppers in them.

ROWLAND (cont'd)
(pause)
and when I open them, I want you to tell me which one smells the most like the man's clothes smelled.

HULEN (V.O.)
One bottle contained oil of cedar and the other had formaldehyde in it.

END FLASHBACK:

121 EXT. HULEN HOUSE BACK YARD - DAY 121

HULEN
She picked formaldehyde—used in every corner of that dissection lab Mr. Scott cleaned that day. Ingenious, really.

Anna looks up from her knitting, needles pausing mid-stitch

ANNA
The Clever Hans effect? Professor Ellwood's subconscious at work?

Anna resumes her knitting.

HULEN
Maybe. Or maybe Regina simply chose the worst smell. Sweet cedar or putrid formaldehyde. Three days later, the formaldehyde scent triggered her memory of the attack.
(MORE)

HULEN (cont'd)
But here's what matters, Anna—three hours after, bloodhounds tracked the rapist's overalls from the bridge straight to Ollie Watson's cab stand. A bloodhound's nose is a thousand times sharper than ours. We overlooked that. Stupidly.

ANNA
The same Ollie Watson who's awaiting trial for raping that Huggard girl?

HULEN
One and the same.

ANNA
So what now?

HULEN
Scott may have been the rapist. But Watson's just as likely. Justice demands I investigate both.

Anna's needles still. Her hands lower to her lap.

ANNA
Barkwell and that mob lynched an innocent man? And the Almstedt girl—her identification?

HULEN
Regina gets dragged through everything her father tried to protect her from. Worse.

He fires another round. It strikes the KKK letter near the phrase "if it had been your daughter." The impact echoes.

122 EXT. AUDRAIN COUNTY COURTHOUSE FRONT STEPS - DAY 122

SUPER:
THURSDAY, JULY 5, 1923

Hulen, Regina, Almstedt and Mrs. Almstedt exit the car and climb the courthouse steps.

123 INT. AUDRAIN COUNTY COURTHOUSE ANTE-ROOM - DAY 123

Sheriff Blum leads Hulen and the Almstedts into a small room. A large window dominates one wall. A conference table sits beneath it. Blum pulls Hulen aside, lowering his voice.

BLUM
Watson's lip—still no mustache. He's doing something to keep the hair from growing.

HULEN
It is what it is, Sheriff.

Hulen turns to Regina, his voice steady and measured.

HULEN (cont'd)
Regina, I need you to look at a man through that window. He can't see you—to him, it's a mirror. Can you tell me if he looks familiar?

Hulen nods to Blum. Seconds later, Ollie Watson enters the adjacent room. He shifts in his seat, restless, drawn to the glass. He studies his reflection—unknowingly exposing the raw scratches still healing on his neck. Cold recognition floods Regina's face. Her hand finds her mother's, fingers white-knuckled. Watson's smile surfaces—cruel, identical to the one burned into her memory. His fate seals itself in that moment.

REGINA
It's him! He's the one who hurt me! I'm certain—he's the one! That smile... he smiled like that when he-

Regina stops. Her eyes widen. The realization crashes over her.

REGINA (cont'd)
Oh God. What have I done? Mother! Father! What have I done?

Her body shakes. Hysteria takes hold.

HULEN
Regina!! This is not your fault!!

Her parents pull her close, their own tears falling.

REGINA
Yes it is! It IS! It's ALL my fault! That man was lynched because I identified him! It's like "I" killed him!

HULEN
No, Regina. He died because of me. We could have stopped the mob.
(MORE)

HULEN (cont'd)
We were weak. You're strong, Regina. I wish we had been too.
(to Blum)
Sheriff, give me a few days to get this all sorted out and I'll get back to you.

124 INT. HULEN'S OFFICE RECEPTION AREA - DAY 124

SUPER:
FRIDAY, JULY 6, 1923

Hulen walks toward his office. His secretary, Mary, looks up from her desk.

SECRETARY
They're waiting in your office.

HULEN
Thank you Mary.

125 INT. HULEN'S OFFICE - DAY 125

Hulen enters. Gertrude and Sarah sit in chairs facing his desk. He closes the door behind him.

HULEN
Mrs. Scott, Mrs. Brown I want to thank you both for coming.

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

HULEN
(sitting)
Yes. Yes ma'am she did.

SARAH
Because she identified my son, you indicted him. The mob killed him. While you and five other men stood by.

HULEN
Yes ma'am, I know. I'm so very sorry. We did what we could that night but
(MORE)

HULEN (cont'd)
it wasn't enough. **Not nearly enough.**

GERTRUDE
I teach children at Douglass School, so I know they make mistakes. I forgive that girl. I feel terrible for what happened to her—she was a child, probably never saw a Black man up close. But you, Mr. Hulen. You and Chief Rowland and Sheriff Brown are adults. Your jobs were to protect him. With your own lives if necessary. People spit on my husband. They struck him with fists and sticks. They laughed and whistled and sang while he begged for his life.
(beat)
Then they killed him. He was innocent. They were guilty. My husband should be alive and free today. He would be if you'd done your jobs.

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

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

126 EXT. BOONE COUNTY COURTHOUSE FRONT STEPS - DAY 126

TITLE:
Monday, July 9, 1923

Citizens stream up and down the courthouse steps.

KYA (V.O.)
Jury selection for George Barkwell's murder trial gave Columbia and Boone County a chance to show their opposition to mob violence.

127 INT. BOONE COUNTY COURTROOM - DAY 127

BEGIN MONTAGE:

- Farmer in jury box, jaw clenched

- A gallery member rises, shouting.

- Hulen questions Juror # 16.

- The judge's gavel comes down. He admonishes the gallery.

- Starrett questions a juror who shakes his head.

- Gallery members applaud.

- A juror makes strangling motions in response to Davis' questions.

- Juror # 107 shakes his head firmly.

END MONTAGE:

KYA (V.O.)
What should have taken half a day took two full days. Nearly a hundred men before defense and prosecution agreed on twelve. Most dismissed believed men had the right to take the law into their own hands.

128 EXT. BOONE COUNTY COURTHOUSE FRONT STEPS - MORNING 128

TITLE:
Wednesday, July 11, 1923

A handful of people climb the courthouse steps. Davis huddles with reporters.

DAVIS
Yes, we expect to show by evidence that Barkwell was the man who placed the rope around James Scott's neck and pushed him from the railing of Stewart Bridge.

REPORTER
Is it true that the Almstedt girl has changed her mind, that she has identified another negro as the man who attacked her?

DAVIS
I understand that Prosecutor Hulen now intends to file charges against another man with the crime for which the mob lynched Mr. Scott. He doesn't want to do so until the cases against Barkwell and the others involved in the lynching are disposed of.

129 INT. BOONE COUNTY COURTROOM — DAY 129

SPECTATORS fill the courtroom. Lawyers gather paperwork as reporters squeeze forward. A sudden quieting in the gallery. Hulen rises and turns with Davis to watch Gertrude, Sarah, Jack, Vaughn and Caston walk down the aisle, step through the crush of reporters and take the front row.

KYA (V.O.)
Once a jury was seated, the trial of George Barkwell began. James' wife Gertrude, his parents, Reverend Caston and George Vaughn attended.

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

DAVIS
(smiling)
More like "inspiration" Mr. Hulen.

Hulen and Davis turn to face forward. JUDGE HENRY GANTT (45, White, heavy, cranky) enters the courtroom and sits down at the Judge's bench.

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

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

Hulen rises and faces the jury.

HULEN
The evidence we will present to you will show that on April 28th and 29th the defendant, George Barkwell, assisted by other men, came to the Boone County jail and took James Scott from it, for no other reason than that he intended to murder him, or to have him murdered by others. The removal and murder took hours to accomplish. In the process of committing these crimes, Barkwell defied pleas from a respected judge, from law enforcement officers, and even from the father of the girl Scott had been accused of attacking. The murder was utterly cold-blooded. Reliable testimony will show that George Barkwell personally placed the rope around James Scott's neck and pushed him over the railing of Stewart Bridge to his death.

GANTT
And for the defense? Mr. Harris?

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

HULEN
Objection, your honor! Any crime Mr. Scott may or may not have committed is irrelevant to the charges against Mr. Barkwell.

HARRIS
It's relevant to the defendant's state of mind.
(MORE)

HARRIS (cont'd)
It's relevant because the prosecutor claims my client acted in cold blood.

GANTT
Objection overruled. Proceed.

HARRIS
Miss Regina Almstedt encountered a negro man on Stewart Bridge on the afternoon of April 22. That negro lured her into the ravine below, removed his belt and wrapped it around her neck. He choked this innocent girl.

HULEN
Objection your honor!

DAVIS
May we approach?

The judge nods. All five lawyers stand at the bench.

DAVIS
This is unnecessary and inflammatory, your honor. The defense is suggesting Mr. Scott deserved killing - that no harm was done.

HARRIS
We're countering the prosecution's claim that our client acted in cold blood. The community's reaction to the heinousness of the crime proves otherwise.

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

The attorneys return to their seats. Harris continues.

HARRIS
He wrapped his belt around her neck and threatened to kill her. He drew a knife and cut away her underpants. Then, gentlemen, he accomplished his purpose.

He pauses. The courtroom holds its breath. Jurors and spectators lean forward. Vaughn and Caston exchange glances—plainly appalled.

HARRIS (cont'd)
Two colored men were brought to the girl's home the next day. She said neither was guilty. Then the third was brought, and the girl went into hysterics...

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

GANTT
Overruled.

HARRIS
She went into hysterics and said he was the man. That third man was James Scott. There were other identifications. Two lineups. The victim identified Scott by the smell of chemicals on his clothing. By the sound of his voice. The Chief of Police supervised these identifications. A statement that her identification was certain and unmistakable went to the press. The Columbia Tribune declared Scott guilty. By Saturday night, feeling ran high. The crowd grew to at least 1500 at the jail when Scott was brought out. Ruby Hulen—the Prosecutor himself—stepped out of that jail and asked the crowd a question.

Harris lifts his notepad, running his finger under the words as he reads slowly.

HARRIS (cont'd)
"Is there one person here who does not think this man should be hanged?"

Hulen jumps to his feet.

HULEN
I didn’t say that!

HARRIS
I apologize. There seems to be some confusion. Two eyewitnesses said...

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

HARRIS (cont'd)
I withdraw my statement. My apologies. Where was I? Yes, the evidence. The evidence will show that George Barkwell did nothing more at the jail than any other spectator. Testimony will show he didn't touch James Scott at Stewart Bridge. I hardly know why the prosecutor has pursued Mr. Barkwell. It's as if he's decided the whole town is guilty and some prominent citizen must pay the price.

Harris returns to his seat. Jurors and spectators murmur among themselves. Gantt raps his gavel once.

GANTT
Is the prosecution ready to proceed.

HULEN
Yes, your honor.

GANTT
You may call your first witness.

TIME CUT:

Heat presses down on the courtroom. Spectators fan themselves with programs and newspapers. Foster Hailey sits on the stand.

HAILEY
My name is Foster Hailey. I am a student at the university and a reporter for the Daily Missourian.

HULEN
What did you see and hear at the jail on the night of the lynching?

HAILEY
Once the mob cut through the grate to the colored section, I found a high perch overlooking Mr. Scott's cell. I saw Mr. Barkwell telling others that Mr. Scott was inside.

HULEN
And then?

HAILEY
A man brought forwards a blowtorch and began to cut away the locking mechanism of Mr. Scott's jail cell.

HULEN
And did you see Barkwell handling the torch?

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

BEGIN FLASHBACK:

130 INT. BOONE COUNTY JAIL PORTCULLIS GRATE CORRIDOR - NIGHT 130

An abbreviated reprise of the earlier scene.

HOSE CUTTER
You're going to blow us all to smithereens.

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

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

END FLASHBACK:

131 INT. BOONE COUNTY COURTROOM - DAY 131

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

HULEN
Thank you, Mr. Hailey.
(to judge)
Nothing further your honor.

Hulen sits and Congressman Major rises to cross examine.

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

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

MAJOR
And did he have any tools in his hands?

HAILEY
No, sir, none that I could see.

MAJOR
So you assumed a man with no tools was repairing an acetylene tank, despite never witnessing what he actually did? No further questions, your honor.

He sits.

HULEN
Redirect, your honor?

The judge nods. Hulen rises.

HULEN
To be clear, Mr. Hailey—the equipment wasn't working before Barkwell touched it. You watched him work on it. And afterward, it functioned again. You drew a logical conclusion. Correct?

HAILEY
Yes, sir.

TIME CUT:

Frank Misselwitz takes the stand.

MISSELWITZ
My name is Francis Misselwitz. I am a reporter for the St. Louis Post Dispatch newspaper.

DAVIS
What did you see when you arrived at Stewart Bridge the night of the lynching?

BEGIN FLASHBACK:

132 EXT. STEWART BRIDGE DECK - NIGHT 132

A harsh lamppost spotlight cuts through moonlight, revealing a mob's savage anticipation. A WHITE WOMAN perches triumphantly on shoulders. A WHITE BOY's banjo plays a discordant soundtrack. James, bloodied, trembles against the lamppost. Barkwell, Hamp, Red and Lou circle him. Barkwell leans to Hamp.

BARKWELL
The rope ain't right! I need to get one!

Barkwell shoves through the crowd. Almstedt forces his way forward, facing James and the mob. CHARLES NUTTER (21, white, short), wearing a "PRESS" tag, hovers nearby.

ALMSTEDT
(yelling, emotional)
It was MY daughter, not one of yours! Don't stain your hands with this deed! Let the law take its course. I beg you, in the name of law and order and the American flag!

The crowd mutters.

BYSTANDERS
What's that old man going on about?
It's the girl's father. Maybe they'll listen.
That's Professor Almstedt. I had him last semester.
He's a Kraut?! Go home, Herr von Kraut!

LOU
Shut up, old man, or we'll lynch you too.

Lou shoves Almstedt back into the mob's depths.

133 INT. BOONE COUNTY COURTROOM - DAY 133

MISSELWITZ
When I stepped out of the car, I saw men leading Professor Almstedt away. Then I waded through the crowd toward the lamppost. When I reached the front, things had gone still.

DAVIS
Could you see James Scott clearly?

MISSELWITZ
I got close enough to hear every word he said.

DAVIS
What was he saying?

MISSELWITZ
That he was an innocent man.

BEGIN FLASHBACK:

134 EXT. STEWART BRIDGE DECK - NIGHT 134

Scott and several mob members—Red, Hamp, and Lou, but not Barkwell—stand under the arclight. Misselwitz and Nutter stand at the front of the crowd.

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

BYSTANDER
Bullshit! The man would say anything.

NUTTER
Do you have any proof? Anything that might change these men's minds?

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

Scott lifts his chin to illustrate where Ollie Watson has scars.

JAMES (cont'd)
And he told me himself that he raped that girl. That's why he was shaving two or three times a day—he was afraid if his mustache grew, that girl would identify him instead of me. You can ask the jailer about all that shaving.

END FLASHBACK:

135 INT. BOONE COUNTY COURTROOM - DAY 135

DAVIS
What happened then?

MISSELWITZ
Charles Nutter and I tried everything to make the crowd listen. I told them Scott's story made sense, that he deserved to be heard. Nobody listened.

TIME CUT:

Charlie Nutter takes the stand.

NUTTER
My name is Charles Nutter. I'm a Junior at the University and a reporter for the Daily Missourian.

HULEN
What did you see and hear on Stewart Bridge in the early morning of April 29th?

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

HULEN
And then?

BEGIN FLASHBACK:

136 EXT. STEWART BRIDGE DECK - NIGHT 136

Barkwell returns with a sturdy rope.

HAMP
At last-the cavalry.

Barkwell binds James hands with the rope from his neck. He fastens a mule knot from the new rope, places it over James' head, and ties the other end to the railing. Barkwell lifts James onto the bridge's railing. The crowd roars.

NUTTER (V.O.)
Then George Barkwell came rushing in with a thicker rope.
I saw Mr. Barkwell put the rope around Scott's neck, lift him to the railing, and push him over.

VOICES
Throw him down! We'll finish it!

BARKWELL
Pray if you want to. It's your last.

James lifts his head.

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

WOMAN IN BONNET
Over the edge with him!

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

Barkwell shoves James. Cheers explode as James plummets.

VOICES (O.S.)
Look out!
Here he comes!

137 EXT. FRAT HOUSE PORCH OVERLOOKING BRIDGE - NIGHT 137

From the frat house stoop overlooking the bridge, the mob's cheers rise as James drops, then jerks to a stop twenty feet below with a sickening crack. Silence falls.

138 EXT. STEWART BRIDGE DECK - NIGHT 138

Hamp whistles shrilly, like calling a dog.

END FLASHBACK:

139 INT. BOONE COUNTY COURTROOM - DAY 139

NUTTER
I looked down and saw Mr. Scott's body clear of the ground, then I hurried away.

HULEN
How close were you to Mr. Barkwell?

NUTTER
Right up against him. To reach Scott, Barkwell shoved me back into Misselwitz's chest.

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

Jurors and gallery spectators exchange glances and whisper.

GANTT
Does the Defense wish to cross examine?

Congressman Major stands.

MAJOR
Yes, your honor.

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

MAJOR
Did you even know George Barkwell's name before the evening of the lynching?

NUTTER
No, sir.

The Congressman addresses the jury more often than the witness as he continues.

MAJOR
Could you describe the clothing the man carrying the rope wore that night?

NUTTER
No, sir.

MAJOR
If it was too dark to see his clothing, how can you be confident about his identity?

NUTTER
It wasn't too dark. The moonlight and arclight made everything clear. I'd already seen Barkwell's face at the jail and heard him called George. When I saw the same face at the bridge, I heard someone call him Barkwell, so I turned to another man and double-checked both names. As for the clothes—he was in shirtsleeves, but I didn't study them closely because it didn't seem necessary.

Major walks to the witness stand and stares down at Nutter.

MAJOR
If you were so certain George Barkwell hanged Mr. Scott, why didn't you report that in your newspaper story? Wouldn't that have been important?

NUTTER
Barkwell might have sued the paper for libel.

MAJOR
Truth is an absolute defense in libel cases. A truthful reporter should have nothing to fear.

NUTTER
Perhaps, but naming names in this kind of story just isn't done. It would smack of frontier justice.
(MORE)

NUTTER (cont'd)

MAJOR
Why didn't you give Barkwell's name to police the night of the lynching instead of waiting for the grand jury?

NUTTER
I did report it that night. I told officer Plez King when I saw him in front of Boone Tavern.

MAJOR
Nothing further your honor.

As the Congressman returns to the defense table, Hulen stands.

HULEN
The prosecution rests.

GANTT
Let's break for lunch. This court will be in recess until one o'clock.

Gantt bangs his gavel. Everyone rises and moves toward the exits. Nutter talks with reporters in the back of the courtroom.

KYA (V.O.)
That night, Charles Nutter—a twenty years old reporter for the Daily Missourian—was chased out of town by men who despised his testimony. Nutter was pursuing a degree in Journalism from Missouri University. After his family refused to pay for his education, he moved to Columbia at sixteen and worked two years to save tuition money. His testimony was a shining example of truth-telling.

140 INT. BOONE COUNTY COURTHOUSE ANTE-ROOM - DAY 140

Starrett, Major and Harris sit at a conference table with Barkwell, sandwiches half-eaten before them.

MAJOR
Lord, that kid's had a steel rod up his spine.

HARRIS
I believe we'd better put Emmett and the other boys on first, don't you?

MAJOR
Absolutely.

STARRETT
What about George? The jury can't ignore Nutter's testimony. Is it worth the risk?

Barkwell stiffens at the suggestion.

BARKWELL
Risk? What risk? Everyone in this town knows me. More importantly, they all agree with me. Them niggers with their fancy cars and their nigger-day parades are not going to wreck everything this town stands for. And they're DEFINITELY not going to touch our women! Hanging that rapist was my civic duty!

Major visibly recoils. Starrett and Harris exchange stunned looks. They realize Barkwell can never take the stand.

141 INT. BOONE COUNTY COURTROOM - DAY 141

Emmett Smith sits relaxed and cheerful on the witness stand.

HARRIS
Could you please state your name and occupation.

SMITH
Oh, everybody knows me, I think—right boys?

HARRIS
For the record, then?

SMITH
Emmett Smith. Chief Cashier at the Exchange National Bank.

HARRIS
You know the town and its residents well. You were at the bridge the night of the lynching.

SMITH
Absolutely.

HARRIS
Did you see George Barkwell there?

SMITH
Yes, indeed, Senator. He was standing by the railing on the north side, so I waddled my way over to talk with him.

HARRIS
What did you talk about?

SMITH
I told him the night was getting away from us and I was afraid I'd be late for a lecture.

HARRIS
A lecture?

SMITH
That's right. I told George I'd be late for a lecture about how wrong it is for a man to stay out late smoking tobacco and drinking hard liquor.

HARRIS
And what did Mr. Barkwell?

SMITH
Well, you know George. He asked "what kinda goddam idiot would give that kind of lecture at 1:00 on a Sunday morning?" So I told him . . . .

Smith pauses for effect. Harris takes the bait.

HARRIS
You told him what?

SMITH
I told him I'd appreciate it if he'd stop calling my wife a goddam idiot.

Laughter erupts from the gallery and jury box. Judge Gantt frowns and raps his gavel once.

TIME CUT:

DAVIS
Mr. Smith, how well do you know Mr. Barkwell? In a typical week, would you say you talk at least once?

SMITH
Certainly.

DAVIS
Two or three times a week?

SMITH
About that, maybe more. He enjoys my company.

DAVIS
For how many years have you been friends?

Smith pretends to count on his fingers.

SMITH
Lordy, twenty or more, I guess. We're getting older, aren't we George?

DAVIS
So you would call him a close friend?

SMITH
Absolutely.

DAVIS
Are you aware that a fund has been collected to pay the cost of Mr. Barkwell's defense?

SMITH
Yes, sir.

DAVIS
And did you contribute to this fund?

SMITH
Yes, sir. I did. And if you legal geniuses manage to drag out this trial for another day, I'll likely need to kick in more.

A couple of the jurors smile.

TIME CUT:

A SECOND ALIBI WITNESS (25, white, talky) is on the stand.

HARRIS
And so you were talking with Mr. Barkwell, Mr. Smith and Mr. Niedermeyer on the north side of the bridge when Scott was killed on the south side.

SECOND ALIBI WITNESS
(visibly nervous)
Yes, sir. I'll never forget it. I heard someone yell, "There he goes!" I remember it all perfectly. We were all on our tiptoes trying to get a look, and Mr. Barkwell there kinda propped me up under one arm to help.

HARRIS
Your witness, Mr. Hulen.

As he sits, Hulen rises.

HULEN
Let me make sure I understand you. When you reached Stewart Bridge, you decided that rather than watch the lynching, you would go to the north side to have a chat with Mr. Barkwell?

SECOND ALIBI WITNESS
That's about the size of it. When I saw him, I just thought, "Well, I should see what George has to say about all this."

HULEN
I see, and do you remember having any discussions with Mr. Barkwell between that night in April and this morning?

The witness is uneasy, and glances at Barkwell, who eyes him steadily, poker-faced.

SECOND ALIBI WITNESS
Well, yes, I'm sure we happened to meet on the street or somewhere.

HULEN
And when you happened to meet, were you aware that Mr. Barkwell had been indicted for murder?

SECOND ALIBI WITNESS
The whole town knew that, didn't they?

He glances at the jury, hoping to see sympathetic faces.

HULEN
When you met, did he happen to bring up the topic of where he was standing when the murder took place?

SECOND ALIBI WITNESS
Well, I wouldn't put it that way. He asked did I remember seeing him on the bridge that night. That's all. And I answered yes.

HULEN
And you talked about it for awhile?

SECOND ALIBI WITNESS
Sure.

HULEN
Thank you. Now I think I understand the situation perfectly. I believe the jury understands as well.
(to judge)
Nothing further, your honor.

GANTT
We've had a long day, and the heat is growing oppressive. Unless I hear an objection, we'll adjourn at this point and resume at 10:00 tomorrow morning.

142 EXT. HULEN HOUSE - EVENING 142

The sun is just setting over the roof of the Hulen home on Garth Avenue, not far from Hermann Almstedt's house.

143 INT. HULEN HOUSE DINING ROOM - EVENING 143

Rubey and Anna are finishing dinner with Davis.

DAVIS
Splendid dinner Anna! I really need to come to Columbia more often Rubey!

HULEN
Always welcome Henry.

ANNA
Let me clear the table while you guys divide up the world.

The men exchange a knowing chuckle. Davis strikes a match, the cigarette dangling from his lips.

DAVIS
How do you feel about the trial?

HULEN
Honestly Henry, I think we have this one. I think the jury will see through Barkwell's alibi witnesses and that leaves Nutter's testimony.

DAVIS
The kid was sharp, Rubey. Detailed. Believable. He stopped the defense cold.

Anna re-enters from the kitchen, carrying a coffee cup.

ANNA
Henry, can I get you a cup of coffee?

DAVIS
Fantastic Anna, thank you.
(to Hulen)
Have you thought about how you're going to handle the Almstedt case?

HULEN
I just don't know. I'm hoping we can convict Ollie Watson in the Hubbard rape case. If we hang Watson or put him away for a long time, maybe the Almstedts get some degree of justice without putting their daughter through a trial and cross-examination. The defense would be brutal on her.

DAVIS
And the Scott family? No formal exoneration?

HULEN
Barkwell's conviction will have to suffice, Henry.

Davis draws deeply on his cigarette, the smoke curling between them like an unspoken answer.

144 INT. BOONE COUNTY COURTROOM - DAY 144

SUPER:
Thursday, July 12, 1923

HOLLIS EDWARDS (45, white, open and honest), the Daily Tribune City Editor, sits rigid on the stand.

HARRIS
Please provide the jury with your name and occupation.

EDWARDS
Hollis Edwards. City Editor of the Columbia Daily Tribune.

HARRIS
Thank you, Mr. Edwards. I'd like to show you Defense Exhibit 1: the front page of the Columbia Daily Tribune for April 27.

Harris lifts the newspaper, its headline catching the courtroom light.

HARRIS (cont'd)
Does that front page contain a story about Miss Regina Almstedt repeatedly identifying James Scott as her attacker?

EDWARDS
It does.

HARRIS
Did you write this story, Mr. Edwards?

EDWARDS
Yes.

Hulen's objection cuts through Edwards' answer like a blade.

HULEN
Objection, your honor. This line of questioning is entirely irrelevant.

GANTT
Sustained. Strike both question and answer. Jurors, disregard what you just heard.

HARRIS
Very well, your honor. I'd like to show the jury Defense Exhibit 2: the front page of the Columbia Daily Tribune for April 29. Here we find a story stating:
(pointing to the words)
"men of sound judgment who do not believe in mob law are of the opinion that if it is positively proven that the negro committed the crime, the taxpayers should be saved any costs that might accrue from a trial and that summary justice should be dealt to him." Tell me, Mr. Edwards, did you write that story?

HULEN
Objection, your honor! This entire line of questioning has nothing to do with the case before this jury.

GANTT
Sustained. Counsel for both sides will approach.

Five lawyers converge at the bench. Judge Gantt wipes his neck, irritation etched across his face.

GANTT
Just what in hell are you up to, Mr. Harris?!

HARRIS
Judge, I'm defending a man accused of cold-blooded murder. I need to show that no one in this town—including my client—was exempt from the passions of the moment.

DAVIS
That's not what he's doing, your honor. He's planting in the jurors' minds the idea that lynching a man is perfectly acceptable if "men of sound judgment" give the go-ahead.

MAJOR
Judge Gantt, this jury needs to know what was being said—

HULEN
(cutting him off)
Which is why we were willing to accept the newspapers themselves in evidence, but now the defense is asking for information that was never in the newspapers.

HARRIS
This is crucial, your honor. One more question—you'll see the importance clearly.

GANTT
Since the witness is under oath, I'll allow one more question, Mr. Harris. We'll see where it leads. But until I'm convinced of its propriety, the jury will be sequestered. Step back.

The five lawyers return to their seats.

GANTT (cont'd)
Gentlemen of the jury, we're pausing proceedings for a few minutes. I'm sure you'll welcome the break, but I'll caution you again—do not discuss the case among yourselves.

Jurors file out, their voices rising immediately.

JUROR 1
What the hell was that about? Could you hear them?

JUROR 2
Not very well. That prosecutor looked pretty worked up.

JUROR 3
I'm just happy for the break. I gotta pee in the worst way.

TIME CUT:

The questioning resumes. Harris holds up the newspaper again.

HARRIS
Who provided you with information for this article Mr. Edwards?

EDWARDS
Three sources. Chief Ernest Rowland, Sheriff Fred Brown, and Prosecutor Rubey Hulen.

The gallery exhales—a collective gasp that drains the room of oxygen. Davis locks down his face, but Vaughn, Caston, and Gertrude sit stunned.

HARRIS
Just to be clear-

GANTT
You've asked your one question, Mr. Harris. I deem it improper and sustain Mr. Hulen's objection. Both question and answer are stricken from the record. Bailiff, the jury may return.

TIME CUT:

The jury settles into the box.

HARRIS
With the court's permission, I'm going to read Defense Exhibit 3—a document Prosecutor Hulen filed with the court on April 28 regarding charges against James T. Scott, the negro who was lynched in the early morning of April 29th.

The judge nods. Harris steps close to the jury box and recites from memory.

HARRIS (cont'd)
Now comes the prosecuting attorney for the state and files his information charging the defendant with rape.

He pauses. The words hang in the silence.

HARRIS (cont'd)
The defense rests.

GANTT
Court will recess until 2:00. Counsel will then summarize.

145 INT. BOONE COUNTY COURTROOM LOBBY - DAY 145

Vaughn waits as Hulen and Davis exit the courtroom. He intercepts Hulen, eyes finding Caston standing at an adjacent ante-room door.

VAUGHN
Mr. Hulen, I'm George Vaughn from St. Louis. Could I speak with you for a moment.

Davis reads the room—Vaughn wants privacy.

DAVIS
I'll wait in your office, Rubey.

HULEN
Thanks, Henry. I won't be long.

VAUGHN
Thank you Mr. Davis.

Vaughn gestures toward the ante-room.

VAUGHN (cont'd)
Right this way sir.

146 INT. BOONE COUNTY COURTHOUSE ANTE-ROOM - DAY 146

Vaughn and Hulen sit across from each other at a conference table.

HULEN
I know your work, Mr. Vaughn. I've read your accounts of the lynching in the Argus. It's good to have someone of your character on our side.

VAUGHN
And what exactly is "your side," Mr. Hulen? Because after Edwards' testimony, you were in favor of lynching Mr. Scott. So what side are we talking about?

HULEN
I assure you, those comments were not made by me. I indicted Mr. Scott because I thought he was guilty. I said so to Mr. Edwards. But I never implied we should forego a trial. Never.

VAUGHN
Mr. Scott's attorney told you his client didn't have the scratches on his neck that the girl claimed she inflicted.

HULEN
But she identified him by sight, sound and smell! I thought I had a solid case!

VAUGHN
Until you didn't Mr. Hulen!

HULEN
I follow the evidence as it comes. I can't be held accountable when the town goes rogue.

VAUGHN
You certainly can if you contributed to inciting them, sir.

Hulen stands and straightens his tie—the conversation is over.

HULEN
You'll have to excuse me Mr Vaughn. I have a murder to prosecute.

VAUGHN
I wish your pursuit of the truth had been just as diligent with James Scott.

Hulen exits. Vaughn exchanges a look of quiet satisfaction with Caston, still standing guard at the door.

147 INT. BOONE COUNTY COURTROOM - DAY 147

Hulen rises to deliver his closing statement.

HULEN
The evidence in the case is clear. It shows that Mr. Barkwell brought men together to form a lynch mob, directed them while they attacked the jail, pointed out Mr Scott as their victim, assisted those who cut him from his cell, marched alongside him as he was dragged to Stewart Bridge, and remained on the spot until he was certain that the murder had been accomplished. Clearly, this evidence proves that Mr. Barkwell murdered the man.

Now there is the matter of the noose. Compelling evidence from an impartial witness shows that Barkwell personally put the noose around Scott's neck and pushed him over the edge of the bridge. To counter this evidence, the defense attorneys have elected to put three close friends of Mr. Barkwell's on the stand to say that he was standing several steps away from Scott when the noose was fastened.

To which I am inclined to respond "what difference does it make?" Plainly someone must be lying, and I will point out that, unlike Mr. Barkwell's close friends, Mr. Nutter has no conceivable reason to do so. He was neither a friend nor an enemy. He was a neutral observer. Were I on the jury, I would certainly believe him.

But even if someone else put the noose around Scott's neck, that doesn't lessen Barkwell's guilt. Barkwell orchestrated this lynching and directed it at every stage. He was the leader of the lynch mob, its general. To say that he didn't murder Mr. Scott because he didn't put the rope around his neck is the equivalent of saying that because General Lee didn't fire a shot at the battle of Gettysburg, he didn't attack the Union army there.
(MORE)

HULEN (cont'd)
Over and over that night, at every critical juncture, Mr. Barkwell took the leader's role. He is responsible for Mr. Scott's murder, whether he fastened the noose himself or left that hideous unholy chore to one of his henchmen.

Hulen returns to the prosecution table. Attorney Starrett rises and approaches the jury box.

STARRETT
Those of us who live in Columbia know it as a peaceful place, and a safe one for men and women alike, for adults and for children. But on April 20th that peace was shattered by a fiendish crime. A white girl was ravished and despoiled by a black man.

HULEN
Objection, your honor.

GANTT
We've discussed this. I'll allow it.

STARRETT
A week later, Mr. Hulen there charged James Scott with that hideous crime. You've heard the charge: "Now comes the prosecuting attorney for the state and files his information for the crime of rape." Now, I used to be a prosecuting attorney myself, and I know that a prosecuting attorney is bound by his oath of office only to bring charges that he believes to be true. An honest man wouldn't make the charge unless he found the evidence convincing.

Was Mr. Barkwell present when Mr. Scott was lynched? Yes, as were hundreds of others. Because he was present at the jail and at the bridge, Mr. Hulen and Mr. Davis have chosen to try him for first degree murder. But what did he do at the jail? He did exactly what the Sheriff and the Judge asked him to do: he held up his hand for silence so that they could plead with the mob.
(MORE)

STARRETT (cont'd)
A young man has testified that he also monkeyed with the torch, but there's no evidence that he did anything other than monkeying with it.

Another boy has testified that he put a rope around the negro's neck and threw him from the bridge. Gentlemen, someone is lying, but who is it? Who is Nutter? He's a stranger in this town, a mere passerby. He's one of those reporters who is always running around after news. All of them feed on publicity. I do not believe a word of what Nutter said. If you are to believe him, you will have to call Emmett Smith, one of our best citizens, a liar. As for me, I'd rather believe a man I know than a man I don't know. I'd rather believe Emmett Smith than a whole basketful of Nutters.

So let's think this through, gentlemen. What is going on? A lynching took place in Columbia in April. The Governor, the Attorney General and Mr. Hulen here were outraged, as many people were. They wanted to make it clear that this sort of thing wouldn't be tolerated, so they looked around for someone to punish. They might have picked a dozen people, or two dozen, or more. As Mr. Davis said at the time, everyone who shouted “Take him to Stewart Bridge!” or “Throw him over!” could have been charged with the murder. But they decided to focus on just one man, George Barkwell, not because they had good evidence against him, but because he was a convenient target. He was a prominent citizen, a former city councilman. Naturally, people remembered seeing him around that night.

Mr. Barkwell isn't on trial today because he committed murder. He is here because the authorities needed a scapegoat.

(MORE)

STARRETT (cont'd)
He is here as a human sacrifice, offered up to atone for the sins of Columbia's entire white community. But the age of human sacrifice, the age of offering up scapegoats, has passed. Jesus ended that era with a single phrase: "Let him among you who is without fault cast the first stone."

FADE OUT:

KYA (V.O.)
The obscenity of invoking Christ's mercy on behalf of a lynch mob was just one in a long line of cruelties James Scott's family and friends endured during the trial. But the insanity of it all had one last nail to drive into James' coffin. It took the jury eleven minutes to arrive at its verdict.

FADE IN:

148 INT. BOONE COUNTY COURTROOM - DAY 148

An uneasy quiet sits within the gallery as the jury returns and is seated.

GANTT
Mr. Foreman, has the jury arrived at a verdict?

FOREMAN
We have your honor.

GANTT
Defendant please rise. Mr. Foreman, read the verdict.

FOREMAN
In the case of Missouri versus George Barkwell for the crime of first degree murder, we the jury find the defendant
(beat)
Not. Guilty.

The courtroom erupts—a thunderous wave of jubilation crashes against the wood-paneled walls.

A white woman surges through the crowd, her face radiant, and throws her arms around Barkwell. She clutches him tightly as supporters press in, hands outstretched in congratulation.

KYA (V.O.)
When the foreman said "not guilty," a celebration began in the courtroom. George Barkwell's daughter rushed up to throw her arms around him. Men cheered and lined up to shake his hand. A banquet in his honor was held that night. The charges against four other co-conspirators were dropped the following week.

149 INT. AUDRAIN COUNTY COURTROOM - DAY 149

Ollie Watson rises, shoulders slumped, as the judge prepares to pronounce sentence. We begin to hear piano music being played well, but not perfectly.

KYA (V.O.)
A week later, Rubey Hulen convicted Ollie Watson for raping Ernestine Huggard. He sought the death penalty but the jury sentenced Watson to twenty four years instead.

Hulen nods—a sharp, decisive movement—methodically sliding papers into his worn leather briefcase. Ernestine Huggard, her parents and siblings look on with earned satisfaction.

KYA (V.O.) (cont'd)
Mr. Hulen never tried Watson for Regina's rape, sparing her from a difficult trial but leaving a perpetual cloud of doubt over James.

150 INT. HIGH SCHOOL CLASSROOM - DAY 150

Kya stands rigid, her gaze locked on the blackboard. Silence hangs in the classroom like a heavy curtain. She turns.

KYA
The true story of Summary Justice has taught me three important lessons. First, when even one person is denied due process we all, collectively become more like the lynch mob.
(MORE)

KYA (cont'd)
Second, a free press is important, but with that freedom comes responsibility. And last, it's important to stand up to bullies. No one appointed George Barkwell as judge, jury and executioner. We all need to be brave and speak out against unchecked power. We all need to be like Hermann Almstedt.

TEACHER
Kya? Do you want to tell the class why you chose this book?

Kya takes a breath.

KYA
A year ago, I wouldn't have.

A few students exchange looks.

KYA (cont'd)
A year ago I had never heard of James Scott. I didn't know his name. I didn't know what happened to him. I didn't know there was a book about him.
(beat)
And I didn't know he was my great, great grandfather.

The room grows still.

KYA (cont'd)
After James Scott was murdered, nobody talked about it. Not his children. Not his grandchildren. Not his great-grandchildren. For more than a hundred years, the story disappeared from my family. Then last year, somebody found us. And somebody handed me this book.

Kya lifts the book for the class to see.

KYA (cont'd)
For the first time in my life, I learned who James Scott was. I learned that he was a husband. A father. A church pianist. A man who loved his family. And I learned that a mob took all that away. I learned that a newspaper told people he didn't deserve a trial.
(MORE)

KYA (cont'd)
I learned that the men who killed him were never punished. And I learned that most people eventually forgot.

Kya closes the book.

KYA (cont'd)
The mob wanted James Scott dead - but that wasn't enough. For a hundred years his existence faded from memory. Even his grave marker - the size of a few postage stamps - was buried in the grass. James Scott's story almost disappeared. ALMOST.
(beat)
I chose this book because I believe James Scott wanted me to know what happened. I chose it because James Scott deserved better than eleven minutes. He deserved better than a rope. Better than being erased.

Kya looks around the room.

KYA (cont'd)
If a hundred years can pass after a family lost a piece of itself because nobody wanted to talk about what happened
(beat)
then maybe *remembering* is its own kind of justice.
(beat)
My great-great-grandfather's name was James Scott. A year ago, I didn't know that. Now I do. And now you do too.

Kya looks out, her smile fragile yet defiant. Tears glisten on her cheeks. The teacher, overcome, nods — a silent testament of understanding and respect.

FADE TO BLACK:

151 **SUPER:** 151

"Nations reel and stagger on their way; they make hideous mistakes; they commit frightful wrongs; they do great and beautiful things. And shall we not best guide humanity by telling the truth about all this, so far as the truth is ascertainable?" W. E. B. Du Bois, 1935

FADE TO BLACK