Library
of the
University of Wisconsin

AN EXPERIMENT IN THE USE OF RADIO DRAMATIZATION FOR HIGH SCHOOL HISTORY CLASSES

by

MARGARET LOUNETTA BAKER

A Thesis Submitted for the Degree of

MASTER OF ARTS

UNIVERSITY OF WISCONSIN

1938

462826
NOV 29 1938
AWM
.B175
M24
AWM
B1748

University of Wisconsin Library

Manuscript Theses

Unpublished theses submitted for the Master's and Doctor's degrees and deposited in the University of Wisconsin Library are open for inspection, but are to be used only with due regard to the rights of the authors. Bibliographical references may be noted, but passages may be copied only with the permission of the authors, and proper credit must be given in subsequent written or published work. Extensive copying or publication of the thesis in whole or in part requires also the consent of the Dean of the Graduate School of the University of Wisconsin.

This thesis by Margaret Lourretta Baker has been used by the following persons, whose signatures attest their acceptance of the above restrictions.

A Library which borrows this thesis for use by its patrons is expected to secure the signature of each user.

NAME AND ADDRESS	DATE
D Keith Taylor, Ohio State University	February 28-1941
Dorothy Kaucher San Jose State College California	July 20- 1945
Bruce Hunton Northwestern Univ.	Oct 27, 1947.

TABLE OF CONTENT

I INTRODUCTION 1

II AIM OF EXPERIMENT 5

III EXPERIMENTAL PROCEDURE 7

General procedure
Reliability of the test
Tolerance ranges
Equality of groups
The gain difference

IV PRESENTATION OF DATA 13

Table I
Table II

V INTERPRETATION OF FINDINGS 15

VI COMMENTS AND SUGGESTIONS 18

VII ACKNOWLEDGMENT 25

VIII BIBLIOGRAPHY 26

IX APPENDIX

Scripts and tests used in study

1-The Bill of Rights
2-Freedom of Speech
3-The Right of Suffrage
4-Right of Habeas Corpus
5-Test

INTRODUCTION

With the gradual acceptance of radio as an authentic tool in various fields of education, radio educators are constantly considering what fields can benefit by radio, and if so, how can radio play its role? Can the radio actually bring something new and needed into a particular classroom?

Enterprising educators have accomplished a great deal by radio in our elementary schools. Many subjects are taught, and evaluations of some of these programs show pleasing results. Radio seems actually to fill a part of the day's over-crowded schedule in many of our elementary school systems.

But what of the high schools? Where could the radio supplement the classroom teacher and text, and aid in more effective teaching? What fields offer such an opportunity? What technique might be employed? A suggested answer by many educators is "history" - dramatization of historical events.

It is with this in mind that I have attempted to deal in this experiment with radio dramatization in the history classroom.

At present, I know of no comparable experiment in this field, and the nearest approach seems to appear in England, where several history series are offered by the B.B.C. to

supplement the regular work of the schools in that subject.

Mr. Parker[1] in his study of British educational broadcasting, reports two such series which use dramatization to an extent, but in each case, however, the series was not directed to pupils quite as old as the high school pupils with whom I have dealt.

The series, BRITISH HISTORY, developed and broadcasted by Miss Rhoda Power, is characterized thus:[2]

> "School courses on English History can be usefully supplemented by broadcast talks which will serve to stimulate imagination, e.g., sketches of social life at various periods, and vivid accounts of striking events. Such talks can be illustrated by short, dramatizations, stories, contemporary music, etc. They should be generally suitable for pupils of the age range eleven to fourteen."

Mr. Parker further sums up the effect of some of these programs on the classroom as follows:[2]

> "Three programs were observed in classrooms and in each case the reaction of teachers and pupils was enthusiastically appreciative. Against a background of music and sound effects and colorful word pictures, characters were introduced who not only represented types characteristic of the period, but whose conversation brought historical events literally to life. The dramatic effects were vivid and often entertaining, but through them all Miss Power directed the children's attention to certain definite historical ideas and concepts which she wished to emphasize and which the children invariably understood and remembered."

Another series in WORLD HISTORY, planned by Miss Eileen Power, is characterized thus:[3]

---

(1) Parker, Lester Ward, School Broadcasting in Great Britain, National Advisory Council on Radio in Education, Inc. 74- 1937 - p. 74.
(2) Ibid - p. 75
(3) Ibid - p. 77
(4) Ibid - p. 78

"The reports received during the past year upon the first part of this course have fully confirmed the belief of the History Committee that teachers welcome an opportunity for their pupils to hear broadcasts on world history..... It is intended primarily for children of thirteen and fourteen, but may be found useful for older pupils whose studies have hitherto been confined to British and European history. Although the greater number of the broadcasts will take the form of talks, they will sometimes be illustrated by music and quotations, and short dramatizations."

Evidently, this series did not have as much of dramatization as the other, but contained more talks and apparently was often a bit advanced for the groups listening. Miss Power is a professor of economics at the University of London, and her valuable talks pre-supposed a great deal of background.

Thus we see history by radio working with comparative success in England.

In this country, the series, MEN WHO MADE HISTORY, produced by the Radio Workshop of Ohio State University, for the Ohio School of the Air, in 1936, represents a similar attempt. This series dramatized biographies of great Americans and was prepared for social science classes at the high school level, with particular appeal for American history classes. The series outline shows the following types of programs:

A City is Born - Story of the founding of the national capitol.

Johnny Appleseed - The story of the man to whom Ohio and the northwest owes its orchards and fruit.

Spinster Susan - Life story of Susan B. Anthony and her fight for women's rights.

"And They are Ours" - Dramatization of the life of Commodore Oliver Hazard Perry, and the Battle of Lake Erie.

No evaluation of the series as an aid in the classroom was made, although the Ohio School of the Air termed it one of their most popular programs.

Another American history series available for high school level was the series, NATION BUILDERS, by the Wisconsin School of the Air, over station WHA. This series began with 15th century European trade relations, showed how they resulted in the discovery of America, and traced the growth of our country from an unexplored wilderness to a united nation. The program was characterized thus in the Wisconsin School of the Air bulletin:

> "Students of American History from fifth grade through high school will gain pleasure and understanding from these broadcasts." (5)

Here again no evaluation was made of the use of the series by classes. We do see, however, an attempt to use the radio as a supplementary aid in the American history classroom at the high school level.

---

(5) Wisconsin School of the Air, First semester bulletin, 1936-37, p. 6.

AIM OF EXPERIMENT

The purpose of this project is to ascertain, if possible, the effectiveness of radio dramatization as a supplemen to classroom instruction in American History classes, at grade eleven level. Will dramatization of history help in the teaching of the subject? What is the effect of radio dramatization in the classroom? These questions, I have attempted to answer.

One of the reasons for the lag of radio education at the secondary school level is the difficulty of reaching classes from different schools, and different sections within schools, at a particular hour. Lack of uniform curricula introduces another problem. These same problems make radio experimentation difficult at this level.

Recordings of radio dramatizations were used in this experiment. The recordings were taken into the classroom, play-back equipment having been installed in the rear of the room.

Four broadcasts from the series, "Let Freedom Ring," presented in 1937 by the Federal Radio Project, of the Office of Education, were finally selected.

The Bill of Rights
Freedom of Speech
The Right of Suffrage
Right of Habeas Corpus

This series was presented in observance of the 150th anniversary of the ratification of the Constitution. The programs were thirty minutes in length and almost entirely dramatization. The narrator was used merely to connect the different scenes and give necessary transitions.

The aim of the broadcasts was to present a history of the Bill of Rights, followed by a detailed account of the development of the three specific rights listed. The educational objective was to give significant information, not ordinarily available in the classroom, in such a way as to develop an interest in the preservation of the rights considered. Copies of the four scripts will be found in the Appendix.

EXPERIMENTAL PROCEDURE

GENERAL PROCEDURE

Two experimental groups and two control groups in American History, Grade 11, at Beaver Dam High School, Beaver Dam, Wisconsin, were used in this experiment. Since these groups were all from the same school, had had the same amount of American History, and had used the same text books, we were able to assume that they had similar backgrounds in the subject at hand. The groups were equated on the basis of Intelligence Quotients available at the school, and by pre-tests, given the day before the first of the series of programs. The same test was used for both pre-test and final test. A copy appears at the end of the Appendix.

One teacher taught one experimental and one control group, another teacher taught the other experimental and the other control group. Both instructors were given copies of the scripts listed above. The instructors were to use the material contained in these scripts for classroom presentation to the control group, presenting it in whatever manner they thought most effective, during the same week that the recordings were being given to the experimental group. The instructor was not to make any use of the material before the week of the experiment, so that neither group would have the advantage of having been given the material before the other.

The object of the experiment was discussed with both instructors and we had every reason to feel that no conscious effort was made by them to favor one group over the other.

In no case did the teacher have access to the pre-tests, so that no attempt to prepare pupils for test questions was made. The pre-tests were given by the experimenters.

The recordings were given to the experimental group for half of the class period, and were followed by a general discussion led by the instructor and questions from the pupils, for the remainder of the hour. The control groups were given the same amount of time for presentation and discussion of the material.

During the class meeting following the last program, the final tests were given to all four groups. On the back of the last sheet the pupils were asked to state what they thought of the programs as compared to their regular class period, and to explain their opinions.

The entire experiment was conducted during the week immediately following the study of ratification of the constitution. In other words, with the cooperation of the instructors involved, we were able to fit the series into the year's program when the material was thought to be most helpful and interesting to the pupils.

After the procedure for the experiment had been determined, a preliminary experiment was conducted at Wisconsin High School, in Madison, Wisconsin, the week before the experiment at Beaver Dam High School. Only three of the recordings were

used here, the object being to test the recording presentation. Student teachers presented the material to the control group in a brief lecture followed by class discussion. Different student teachers took charge of the classes listening to the recordings in the experimental group. The test results showed exactly the same gain for each group. The figures are not given in this report, because the student teacher situation did not represent what might be considered a true classroom situation.

RELIABILITY OF THE TEST

One of the first problems in the experiment was to determine the reliability of the test used. This was done by getting the coefficient of correlation from an array of forty pre-test figures, then using the Spearman-Brown prophecy formula to determine the coefficient for a greater number of cases.

Thurstone's formula for finding the coefficient of correlation from raw scores was applied to the forty pre-test figures.

$$r = \frac{N2xy - 2x \cdot 2y}{\sqrt{[N2x^2 - (2x)^2][N2y^2 - (2y)^2]}}$$

The correlation coefficient was found to be .71

The Spearman-Brown prophecy formula:

$$r_x = \frac{2r}{1 + (2 - 1)r}$$

The Spearman-Brown coefficient was .83.

The Pearson formula for Probable Error ($PE_r = 16745\frac{1 - r^2}{\sqrt{N}}$) showed a Probable Error of .01.

Garrett in his discussion of the reliability of test scores says:

> "To be a reliable measure of capacity, a mental of physical test should - generally speaking - have a minimum reliability coefficient of at least.80." (1)

Therefore we may assume that, with a coefficient of .83, the test was reliable.

DETERMINATION OF TOLERANCE RANGES

As has already been mentioned two sets of experimental and control groups were used for this study. Equated groups had to be selected from the experimental and control groups of both sets, however, before we could attempt to compare test results. As was stated above, these two groups were equated on the basis of I.Q. figures and pre-test scores. Before these parallel groups could be set up the tolerance range for equating the I.Q. and pre-test scores had to be determined. (By tolerance range in this case we meant the maximum variation allowed between two I.Q. figures and two pre-test scores as we attempted to set up paired items.)

The tolerance range was taken to be twice the Probable Error of the score.

$$PE_{score} = .6745\sqrt{1 - r_x^2}$$

---

(1) Garrett, Henry E., Statistics in Psychology and Education, Longmans, Green and Co., p. 269

The Probable Error of the I.Q. scores was 2.9[2], or a tolerance range of 2(2.9) or 5.8 allowable as tolerance range for I.Q. figures. This figure was reduced to 5.0 however, in the actual compiling of the equated groups. This meant that if we chose a subject from one group with an I.Q. figure of 103, we could match him with an I.Q. of 108 (103 + 5) or 98 (103 - 5), in the other group.

The Probable Error of the pre-test scores was 1.55, or a range of twice 1.55 to be allowed in pre-test scores. For example, a pre-test score of 22 in one group could be matched with a pre-test of either 25 or 19 from the other group.

TESTING EQUALITY OF GROUPS

The paired items having been set up according to established tolerance ranges, the next step in the experiment was to determine whether or not any significant difference existed in I.Q. figures or in pre-test figures, between the two groups. Any gain differences could not be considered of value, if the paired groups as selected and set up were found to favor either the control or experimental groups.

The Barr-Mills formula (short method of finding standard error of Means of paired items) was applied to the two tables, in order to determine the critical ratios for the I.Q. and pre-test figures. The Barr-Mills formula is as follows:[3]

---

(2) Henman-Nelson Tests of Mental Ability, Teachers Manual (Revised) Table III.

(3) Journal Experimental Education, Vol.3, No.4, March 1937, Short Method for Finding the Standard Error of Means of Paired Items.

$$m_a - m_b = \frac{1}{N}\sqrt{2(b-a)^2 - \frac{[2(b-a)]^2}{N}}$$

It is usually customary to take a critical ration of three or more as indicative of reliability,(1) therefore, it was assumed that critical ratios, for I.Q. and pre-test figures, of three or more would mean that the paired groups were not equal.

THE GAIN DIFFERENCE

The equality of the control and experimental groups having been determined, the next step was to apply the same Barr-Mills formula to the Gain differences (difference between the pre-test and the final test scores) in order to determine the critical ratios for the differences. As was assumed above, a critical ratio of three or more was required before we could say there was a significant gain of one group over another.

(4) Garret, op. cit., p. 133

TABLE I

The following tables show the paired items (experimental and control) as set up with the established tolerances for I. Q. figures and pre-tests for first study. Test differences (between pre-test and final test scores) also are shown for each subject.

EXPERIMENTAL					CONTROL				
Subject	I.Q.	Pre-test	Final test	Difference	Subject	I.Q.	Pre-test	Final test	Difference
1.	120	21	26	5	1.	120	24	26	2
2.	120	22	32	10	2.	117	22	25	3
3.	112	24	32	8	3.	115	25	18	-7
4.	112	17	24	7	4.	111.1	18	25	7
5.	109	21	27	6	5.	105	18	22	4
6.	107.5	15	22	7	6.	109	16	25	9
7.	107	18	29	11	7.	108	18	27	9
8.	105	25	18	-7	8.	107	26	27	1
9.	105	21	24	3	9.	105	18	21	3
10.	104	18	19	1	10.	104.7	19	21	2
11.	100	18	22	4	11.	101	16	23	7
12.	100	16	28	12	12.	100	16	27	11
13.	98	15	17	2	13.	98	18	21	3
14.	97	12	19	7	14.	96	12	25	13
15.	96.8	23	27	4	15.	97	21	17	-4
16.	91	18	24	6	16.	90	18	28	10
17.	90	19	22	3	17.	85.1	19	22	3
18.	89	16	22	6	18.	89	13	22	9
	1863	339	434	95		1858	337	422	85
	103.5	18.8	24.1	5.27		103.2	18.7	23.4	4.72

Critical Ratio of I.Q. = .065 (→ Exp.)
Critical Ratio of Pre-Test = .02 (→ Exp.)
Critical Ratio of Gain Difference = .46 (→ Exp.)

TABLE II

The following table shows the paired items (experimental and control) as set up with the established tolerance ranges for I.Q. figures and pre-tests for the second study. Test differences (between pre-test and final test scores) also are shown for each subject.

EXPERIMENTAL					CONTROL				
Subject	I.Q.	Pre-test	Final test	Difference	Subject	I.Q.	Pre-test	Final test	Difference
1.	133	21	31	10	1.	137.5	22	27	5
2.	125	23	30	7	2.	124	24	30	6
3.	122	19	27	8	3.	121	20	27	7
4.	120	18	29	11	4.	120	17	24	7
5.	109	11	14	3	5.	109	14	14	0
6.	106	15	13	-2	6.	107	18	19	1
7.	106	20	21	1	7.	103	20	17	-3
8.	106	14	22	8	8.	103	11	22	11
9.	103	16	27	11	9.	105	17	22	5
10.	98	16	24	8	10.	98	17	23	6
11.	96	15	23	8	11.	92	18	24	6
12.	87	11	12	1	12.	87.8	9	17	8
	1311	199	273	74		1287.3	207	266	59
	109.25	16.59	22.6	6.17		107.3	17.25	22.16	4.91

Critical Ratio of I.A. = .0928 (→ Exp.)
Critical Ratio of Pre-Test = .966 (→ Con.)
Critican Ratio of Gain = .952 (→ Exp.)

INTERPRETATION OF FINDINGS

For Table I, the critical ratio for the I.Q. figures was found to be .065 and for the pre-test figures .02. According to our original assumption, these critical ratios were not significant, because they were not three or over. We were able to assume, therefore, that the experimental and control groups were equated as far as I.Q. and pre-tests were concerned.

With this in mind, we could consider the differences in pre-test and final test scores, the critical ratio for the gain difference of these scores was .46 (- Exp.) Here again we did not have a significant ratio. In other words, both the control and experimental groups showed a gain in final test scores, the experimental group having a slightly higher gain than the control group, but the difference was not statistically significant. We concluded, therefore, that those exposed to the radio dramatization showed no significant gain over the control group who were instructed in the usual classroom manner.

For Table II, the critical ratio for the I.Q. was .0928, and for the pre-test .966. Again neither ratio was significant, so we can assume that the experimental and control groups of Table II were equal as far as I.Q. and pre-test figures were concerned.

The critical ratio for the gain difference for Table II

was found to be .952. Again we had a gain in both control and experimental groups in final tests, but no significant difference between these gains. Thus neither Table I nor Table II showed any superiority for either recording presentation or teacher presentation of material in so far as the factual tests used in the experiment were concerned.

The outstanding thing about these results seems to be the fact that we can assume in each case that the students exposed to the recorded dramatizations - a situation new and unfamiliar - gained just as much knowledge of the subject as those students who studied the material with the instructor in the regular classroom procedure. Their attention was apparently just as much on the subject matter when the visual stimulus of the teacher was not present, as in the situation where the teacher was stimulating them.

While it might seem that the fifteen minutes allowed for discussion at the end of the presentation of the dramatization tended to give the experimental group the advantage of both the classroom instruction and the dramatization, as compared with the control group who received only the teacher instruction, nevertheless, I think such criticism fails to recognize that radio education programs for high school level would doubtless include teacher outlines and helps for the programs presented, and a classroom discussion of the program would seem inevitable, if the material were to be utilized at all. The discussion following the program was, in each case, merely an attempt on the part of the teacher to clarify points which were not clear in the broadcast, or

to answer questions raised by pupils, and in no case was there any introduction of new material to supplement the broadcast. In other words, the project did not attempt to determine the effectiveness of the radio dramatization in place of the instructor, but rather as a supplement to classroom instruction.

COMMENTS AND SUGGESTIONS

An observer was present in the classroom during each presentation of the recorded dramatization to take down reactions and comments made by the students during the discussion. Some of these observations are interesting in view of the light they might throw on the preparation of radio educational dramatizations for students at this level.

The musical preludes and interludes were obviously boring to the students. They sat restless, waiting for them to be over, so we could "go on with the show." The music, written especially for these broadcasts, was stirring and martial, but seemed to have no effect on the students.

A number of important scenes in the series were highly dramatic and some quite noisy. The students seemed quite confused by the great number of voices, could not distinguish what was being said, and seemed to miss the point entirely. For example the second scene which introduced William Lloyd Garrison in the second script (Freedom of Speech) was a mob scene. Garrison was trying to address a mob on Boston Commons. There was a great deal of sound effect in the background. On the question dealing with Garrison and his speaking only five students got the question right. This might seem to have been the fault of an indistinct recording, but the consistency with which the students seemed to miss the point of these "noisy" scenes, points at least to the fact that special care should be taken with them, because

they tend in any circumstances to be confusing to the student.

In the scene of the New England town meeting in the same script, sound effects, speakers interrupting one another, and general parliamentary confusion were portrayed. To the question dealing with the idea of freedom of speech as exercised in New England through the town meeting, only one of the thirty-three pupils gave the correct answer. This seemed an obvious point in the script, but the dramatization concentrated too much on the New England "brogue" and atmosphere, so that attention was either misdirected or lost in the confusion of sounds and noises. Thus facts were sacrificed in an attempt to gain the right historical atmosphere and effect.

On the other hand, the scene from the script on Habeas Corpus, showing Dr. Manette's daughter finding him in the French prison where he had been imprisoned for years, held the students spell-bound. The scene was very quiet and tense, and the students seemed to grasp the mood immediately and strained to hear every word. This seemed surprising in view of the fact that the scene might well have impressed them as being too melodramatic. The question relating to the Dr. Manette incident was answered by thirty of the thirty-three students.

As a general observation from all of the programs, it seems to me that the value of an intelligent teacher-pupil discussion following the recording cannot be over-emphasized.

The one question which was answered correctly by all of the students was the question relating to the fact that citizens living in the District of Columbia cannot vote. This fact was merely thrown in hurriedly as a question asked by the narrator at the end of the third script (The Right of Suffrage). In both classes, however, the students picked up the point and it became the center of lively discussion following the recording. Therein seems to lie the secret of recording or radio broadcasting in the classroom at the advanced level - the program to stimulate the students and start them thinking, so the intelligent teacher can lead them in a worthwhile discussion.

The comments made by the students at the end of the final test seemed well worth consideration. Five students definitely stated that they did not like the programs. The others said they enjoyed it (the novelty of the procedure probably played its part in these opinions.) Several of those who enjoyed the program and "thought it was good" also offered comments and criticism well worth consideration, since after all the student's views should be considered in such a study.

Those who frankly disliked the program gave reasons falling under two headings: (1) "too noisy" and (2) "too difficult."

Those who said they liked the program, but gave criticism included some of the following suggestions which seemed to me quite pertinent:

> "It was an interesting way to learn the facts, but a person has to listen very closely to get all the important facts and while listening to a broadcast, I think it is very easy to let your mind wander and not listen as closely as you should."
>
> "I think you can get more from a book because you can always go back and read it a second or third time, where if you listen to the radio and don't catch it the first time you can't read it over again. The point you missed might have been the most important point of the program."

This last comment seems to me to show clearly the need for teacher assistance before and after such a program and the necessity for using such programs, not in place of the teacher, but as a supplement to her teaching - an aid to help her clarify points that have been studied by the class.

Mr. Keith Tyler seems to me to have summed up this viewpoint clearly and accurately in his report before the Institute for Radio Education at Columbus, Ohio, in 1936, when he said: "Radio is an aid which the teacher uses in enriching, stimulating, and supplementing instruction. It should be used only when it will contribute to the achievement of the objectives which the pupils and teacher have set up. From my own standpoint, at least, I would give the teacher the central role in the whole picture. It should be for him to determine whether at any point in the instructional procedure a radio program can contribute to the furthering of the objectives. It seems to me that in the vast majority of cases any attempt by an administrator to force the use of radio upon his teachers will be doomed to certain failure. The individual guiding the instruction in each classroom must

himself be convinced of the general usefulness of radio listening in instruction which a particular broadcast or series of broadcasts will make. Then of his own free will he may choose to use a program or series of programs because he knows that it will add something that he cannot readily obtain in any other fashion."(1)

> "There were so many characters that one would get them mixed up....and couldn't remember them."
>
> "It was too deep and broad a subject..."
>
> "There were too many snatches of this and then something else right after and I wanted to hear more of one thing."

These comments seem to sum up very well a general fault of these scripts. It was evident that they did cover too much material for a half-hour period. Two or three scenes for that length of time would seem to be the most that could be retained.

> "The broadcasts weren't clear..."
>
> "I couldn't understand parts."

Such comments show the need for clear reception in a classroom where radio is used. No script, no matter how effective, can bring results if it isn't plain. The student must be able to relax and not have to strain to catch each word.

> "I think a person can get the material easier and better because it is in story form. It makes a boy's

---

(1) EDUCATION ON THE AIR, Seventh Yearbook of the Institute for Education by Radio, Ohio State University Press, Columbus, Ohio, 1936, p. 241

> mind travel back to 1760 and in his mind just picture what is happening by listening to the people on the broadcast."

This comment, quoted directly from one boy's paper, seems to me clearly to point the way for future attempts at historical dramatization for classroom use. The aim should not be to give facts, but rather to illustrate facts that have been presented previously by the teacher. The aim should be to increase the experiences of the student by giving him an appreciation and understanding of times other than the present.(2) Changes in concepts, attitudes and a better understanding of events in relation to their background should be the aim of such programs. Mr. R. R. Lowdermilk, of Ohio State University, is planning a study using the same recording for a number of Ohio High Schools, to be followed by attitude tests, rather than factual tests. Such a study seems to aim more closely at the true purpose of such a program, and my suggestion for future experimentation in this field would be that an effort be made to test in the vague and difficult realm of appreciation and attitudes, rather than the concrete facts gained.

One other suggestion that seems to me to follow from this study is the use of recordings in the classroom, not for experimentation purposes and not as camouflaged radio programs, but rather as reproductions of new, different, and interesting material that the class might not ordinarily

---

(2) Charters, W. W. -- Education on the Air
op cit p. 27

get. Radio stations might render a valuable service by recording congressional proceedings, inaugurations, coronations, current events, etc., and take these into the classroom.

The visual concomitants are not always necessary in the educative process within the classroom. The fact that students can learn just as much from the radio dramatization as through teacher presentation of the material is significant in so far as innumerable possibilities should lie ahead of the radio educator.

ACKNOWLEDGMENT

The author wishes to acknowledge the helpful guidance of Professor H. L. Ewbank, Department of Speech, University of Wisconsin, in this study.

She also wishes to recognize the cooperation of the Research Project in School Broadcasting, at the University of Wisconsin, and to express her appreciation to Lester Ward Parker, Director, and staff members Gordon Hubbel and Burton Mac Smith for their assistance in carrying on the experiment.

To Mr. H. C. Ahrnsbrak, Mr. Wilbur McDaniels, and Mr. Robert Smith, of Beaver Dam High School, Beaver Dam, Wisconsin, and Miss Ruth Johnson, Wisconsin High School, Madison, Wisconsin, the author wishes to express her appreciation for their interest in the study. Their splendid cooperation in providing subjects for the experiment from their classes made the study possible.

BIBLIOGRAPHY

Abbot, Waldo, Handbook of Broadcasting, McGraw Hill Book Company 1937

Arnheim, Rudolf, Radio, Faber & Faber, London, 1936

Cantril, Hadley, & Allport, Gordon, The Psychology of Radio, Harpers, 1935

Darrow, Ben. H., Radio, the Assistant Teacher, R. G. Adams & Company, Columbus, 1932

Harrison, Margaret, Radio in the Classroom, Prentice-Hall, 1937

Lowell, Maurice, Listen In, Dodge Publishing Company, 1937

MacLatchy, Josephine H., Editor, Education on the Air, Seventh yearbook of the Institute for Education by Radio, Ohio State University Press, Columbus, 1936

Parker, Lester Ward, School Broadcasting in Great Britain, Chicago University Press, 1937

Searchinger, Cesar, Hello America, Houghton Mifflin, 1938

Tyler, I. Kieth, & Loudermilk, R.R., The Ohio Radio Announcer, Columbus, Ohio, Bureau of Educational Research, (monthly)

I

Each of these statements may be completed correctly by one of the phrases which follow. Place a check (✓) to the left of the phrase you think makes the statement complete. Check only one in each case except the last.

1. When the state assembly of Pennsylvania met to ratify the Constitution -
   _____a. Its decision was unanimous in favor of ratification.
   _____b. The majority refused to ratify.
   _____c. Popular opinion forced a vote of ratification.

2. The action of the Virginia Assembly in regard to the Constitution was important because -
   _____a. Virginia was the first state to take action.
   _____b. Eight states had ratified and only nine were required.
   _____c. All states had taken action except Virginia.

3. The Mayflower Compact -
   _____a. Pledged allegiance to the English Crown.
   _____b. Provided for equality of men and women.
   _____c. Guaranteed the right of every man to have a voice in the government.

4. In the colonies the right to vote was given to -
   _____a. Men who owned property.
   _____b. Men who could read and write.
   _____c. Men who paid taxes.

5. The number of voters was gradually increased -
   _____a. By recognition of the vote as a right of man.
   _____b. By the extension of education.
   _____c. By the acquisition of cheap western land.

6. The right of habeas corpus is the -
   _____a. Assurance every man has that he cannot be held in jail without due cause.
   _____b. Guarantee to all citizens of trial before a jury of his peers.
   _____c. Protection against being arrested without a warrant.

7. The approval of the Constitution by a majority of the delegates was largely due to the influence of (check two names) -
   _____a. Benjamin Franklin
   _____b. Patrick Henry
   _____c. Alexander Hamilton
   _____d. George Washington

Complete the following statements by inserting correct words in blank spaces -

1. Freedom of _____ is guaranteed by Amendment I of the Constitution.

2. William Lloyd Garrison tested the right of free speech by giving lectures on Boston Common in favor of _____ _____.

3. The right of habeas corpus has recently been tested in the notorious case of _____ of California.

4. An Englishman named _____ _____ spent 12 years in prison because he refused to stop preaching to crowds on street corners.

5. Free speech was exercised in New England through an institution known as the _____ _____.

6. The original author of the Bill of Rights was _____ _____ from _____. He was a neighbor and friend of _____ _____, and he went as a delegate to the _____ _____.

7. The earliest known champion of Free Speech was a Greek named _____.

8. The first _____ of the Constitution are commonly known as the Bill of Rights.

9. The first president who really represented the common people was _____ _____.

10. The Fifteenth Amendment extended suffrage to all men regardless of _____ _____ _____.

11. The first great leader in the cause of woman's suffrage was _____ _____.

12. The first document guaranteeing personal rights in England was the _____ _____ signed by _____ _____ in 1215.

13. The story of Dr. Manette in Charles Dickens' _____ _____ _____ _____ shows how helpless people were without the right of _____.

14. Four familiar rights guaranteed by the Bill of Rights are 1. _____ 2. _____ 3. _____ and 4. _____.

15. The principles expressed in the Bill of Rights are a part of our heritage from _____.

The following statements are true or false. If you think a statement is true, place in the parentheses preceding it the letter T. If you think it is false place the letter F in the parentheses.

1. ( ) A small percentage of the population of the colonies had the right to vote.

2. ( ) The Emancipation Proclamation gave negroes the right to vote.

3. ( ) The idea of restricted suffrage came from England.

4. ( ) Several delegates left the Continental Congress refusing to sign the Constitution without a Bill of Rights.

5. ( ) The men who won the Revolution also won the right to vote.

6. ( ) Thomas Jefferson believed that every man should have the right to vote.

7. ( ) The Declaration of Independence gave every man the right to vote by declaring all men free and equal.

8. ( ) There is nothing to prevent any man or woman of the United States, over 21 years of age, from exercising the right of suffrage.

9. ( ) In the Virginia Constitutional Convention, the Bill of Rights was supported by George Washington.

10. ( ) The Continental Congress approved the Constitution, subject to the addition of a Bill of Rights.

11. ( ) Lincoln refused to suspend the right of habeas corpus in military cases during the Civil War.

12. ( ) The right of habeas corpus can be suspended in cases of rebellion or invasion when public safety requires it.

13. ( ) Although the Declaration of Independence declared all men free and equal, seventy-five years elapsed before all white men could vote.

14. ( ) A quarter of a million adult citizens in the capital of the United States cannot vote.

15. ( ) Benjamin Franklin moved unanimous adoption of the Constitution by the convention because he believed in all of its provisions.

EDUCATIONAL RADIO PROJECT

COLUMBIA BROADCASTING SYSTEM

"LET FREEDOM RING"

MONDAY, APRIL 12, 1937
10:30 - 11:00 P.M. EST

UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of Education
Washington

No. 7 "Right Of Suffrage"

CUE: (COLUMBIA BROADCASTING SYSTEM)
(.....30 seconds.....)

MUSIC: (PATRIOTIC FANFARE....ROLL OF DRUMS..BUILT UP TO THREE STROKES OF GREAT BELL)

ANNCR: (DRAMATICALLY) Let Freedom Ring!

MUSIC: (CHORUS AND ORCHESTRA IN SPECIAL SONG DEDICATED TO RADIO IDEA OF PROGRAM WITH SOUND OF SONOROUS BELL WORKED INTO ORCHESTRATION)

(AT TRIUMPHANT FINISH OF SOUND--ORCHESTRA SEGUES INTO SOFT BACKGROUND MUSIC FOR ANNOUNCER)

ANNCR: (OVER) Once only kings had the rights you enjoy today. Democracy took these rights from kings and gave them to you. These rights are now a part of the law of the land. Celebrating this 150th Anniversary of our Constitution, the United States Department of the Interior, Office of Education, and the Columbia Broadcasting System present the ageless, tireless story of man's eternal struggle for freedom. Tonight we consider another of our dearly bought Bill of Rights - The Right of Suffrage!

MUSIC: (UP AND OUT)

ANNCR: The story of the Right to vote is the story of man's struggle to have a voice in his own government. Your vote is your badge of freedom, your weapon against oppression, your patent of nobility.

MUSIC:

VOICE: In every struggle for men's rights there have been heroes. It is a sultry afternoon in 1258, more than 200 years before Columbus discovered America. King Henry the Third seeks refuge from a summer storm at the castle of Simon De Montfort.

SOUND: (CRASH OF THUNDER, DOWN POUR OR RAIN, MUFFLED AT A DISTANCE)

SOUND: (POUNDING ON DOOR)

HENRY: (MUFFLED OFF MIKE) Open - Open - in the name of the King.

SOUND: (DOOR OPENING, THUNDER AND STORM LOUDER)

SIMON: (CALLING ABOVE SOUND) Welcome, King Henry! Come in! Come in!

SOUND: (DOOR CLANGS TO, MUFFLING RAIN AND THUNDER)

HENRY: God, what a storm!

SIMON: It is passing, Your Majesty...there is no more danger.

HENRY: I wish I could believe that, Simon de Montfort .

SIMON: Why, what do you mean? Here? - be seated sire!

HENRY: Thank you - I fear thunder and lightening exceedingly but - I fear you more than I fear them, Simon.

SIMON: Sire, you have no need to fear your true friend who would save you from the destruction your bad advisers are preparing for you .

HENRY: Then from whom should I ask advice! From you, I suppose?

SIMON: No.

HENRY: Then from whom, pray tell.

SIMON: From all the people of your realm.

HENRY: The common people? You're mad, Simon, whoever heard of a King consulting the common people?

SIMON: You need money, don't you? Sire.

HENRY: Money? I always need money

SIMON: Exactly - and the burgesses, the little shopkeepers, the craftsmen, the small clergy and farmers will give it to you gladly.

HENRY: Give me money? You're mad! Why should they give me money?

SIMON: In exchange for a voice in their own affairs.

HENRY: Bah! Nonsense! People won't vote to tax themselves! Why - that's like asking a man to pick his own pocket.

SIMON: Try them and see.

HENRY: And just what would you have me do, Simon de Montfort?

SIMON: Call a Parliament of all the different classes.

HENRY: Parliament - what's that?

SIMON: It's from the French word Parler - meaning to speak, to talk things over. Now, only the barons sit in your Council. But let the towns send citizens, let the shires send knights, let the seaports send merchants.

MUSIC: UP AND BEHIND

VOICE: But King Henry refuses Simon de Montfort's advice, and sends the loyal forces against him and his supporters. However, de Montfort subdues the King's army, and himself, calls the first English Parliament in which representatives of the borough towns and the shires have a voice and - a vote.

2nd VOICE: But the Kings still contend that divine right gives them the law-making powers. They are willing to consult with the people, and beg for grant of money from them, but as long as the Kings can suspend the laws, or make new ones to suit themselves they still have to whip hand.

3rd VOICE: Forward three hundred years! A mysterious messenger arrives

at the Holland palace of William of Orange in the Year 1688...

SOUND: (HARP) (or other instrument of the period) PLAYING OLD SONG - DOOR - MUSIC STOPS AS SERVANT SPEAKS)

SERVANT: (FADING IN) A messenger from England for the Prince of Orange (LOWERING VOICE) I think, your Highness, he is disguised.

WILLIAM: Very well, show him in.

MARY: William?

WILLIAM: Yes, Mary?

MARY: Be careful dear, all day I've felt as though, well, as though something were about to happen. (FADING) I'll leave you now...

WILLIAM: You're needlessly alarmed, my dear. But don't go too far. I may need your advice.

SERVANT: (FADING IN) The messenger, Sire.

WILLIAM: Ah! Admiral Herbert.

HERBERT: (FADING IN) My Lord Prince William. Perhaps you can guess why I have come. And whose names are signed to this letter in my hand?

WILLIAM: Adminral Herbert, it must be important news you bring to come disguised as a common sailor.

HERBERT: (CONFIDENTIALLY) It is! Your father-in-law King James the Second , has set aside the laws once too often. The people in the streets mutter, the army is ready to mutiny. (LOWERING VOICE STILL FURTHER) England needs you.

WILLIAM: (GRAVELY) This is a grave matter. I risk my life in listening to you.

HERBERT: Listen to the men who risked their lives to write you....here.

SOUND: PAPER

(READING) The Earls of Devonshire, Shrewsbury, and Danby. The Bishop of London, Mr. Henry Sidney, Lord Lunley and Admiral Russell.

WILLIAM: Let me see. Do you know what this contains?

HERBERT: Yes, my Lord, virtually an invitation to the throne of England.

WILLIAM: (DEEPLY MOVED) If that were all, I would refuse. But I read between the lines. Humanity is asking that its ancient liberties be saved.

HERBERT: Yes, yes, you're right, My Lord.

WILLIAM: I must speak to my wife. (RINGS BELL)

SOUND: (DOOR)

Call the Princess of Orange here.

SERVANT: (OFF) Yes, your highness.

HERBERT: Sire, the people want to make their own laws. They wish to keep their kings but - they must be the limited kings of a free people.

WILLIAM Of course.

MARY: (COMING UP) You sent for me, my husband?

WILLIAM: Yes, Mary. Suppose they were to offer us the throne of England?

MARY: Both of us?

WILLIAM: Yes. It must be both. You know I am not a man to be tangled in apron strings, yet I would not rule England without the woman I love.

MARY: You have been summoned?

WILLIAM: Yes.

MARY: Must we go? We've been so happy here..and - your cough! There's no happiness in waring a crown. I am a Stuart - I know.

WILLIAM: There will be no more kings after the old style. This is the day of Parliament and the people.

HERBERT: You are right, Your Highness. They are sure to ask you to sign a Declaration of Rights before you are crowned. If you are made king, it will be by the vote of Parliament.

MARY: But there will be fighting - you may be killed.

WILLIAM: Shall I go or stay, my dearest dear?

(HOLD AND BUILD)

MARY: Sail for England! And I'll pray for your sucess both day and night.

MUSIC: UP AND UNDER

1st VOICE: The Declaration of Rights is enacted into law as the English Bill of Rights! But though Parliament is now free, and controls the king, only a small fraction of the common people of England may vote to send a representative to parliament. Simon de Montfort wins from the King a Parliament chosen by the people. William of Orange concedes to this Parliament the supreme right to make laws but Parliament is still elected by the favored few.

Every Town and bough and shire has its different qualifications for voters. Those in power try to control the vote by restricting it to certain friendly groups and classes. Suffrage qualifications spring up as soon as suffrage struggles are won.

MUSIC: UP AND UNDER

2nd VOICE: The American colonists bring their suffrage to the New World with them, and also their old world habits of restricting suffrage. The right to vote, becomes the right of the right

people to vote. In Virginia, hotbed of democratic theory, only eleven in a hundred could vote. In progressive Pennsylvania only eight, and in Massachusetts and Connecticut, the home of the town meetings where every man could be heard, only one man in fifty could elect representatives!

MUSIC: UP AND OUT

3rd VOICE: In Williamsburg, Virginia at the beginning of the Revolution, some of the statesmen of the day meet in a tavern to discuss their new State Constitution...

SOUND: CLINKING OF GLASSES

MAN: (FADING IN) I tell you, all this talk of rights is bound to go to the heads of the riffraff.

ANOTHER: Well, Jefferson says the riffraff has got rights as good as yours, William Blake.

3rd VOICE: By the way, I hear Jefferson's sent a draft of a constitution from Philadelphia. It would give a vote to every tax payer over twenty-one.

1st MAN: Boy?

BOY: (OFF) Yes Sir.

1st MAN: Three ales - no, hold on - here comes George Mason. Bring us four ales.

VOICES: (AD LIB) Hello, Mason, How do you do - etc, etc --

3rd MAN: Blake here, was just saying that Jefferson wants to give the vote to everybody who pays scot and lot in Virginia. What do you say to that?

MASON: I'm - wait till I get settled.

SOUND: SCRAPE OF CHAIR

Scot and lot - let's see, that means even as low as a dollar

poll tax. No, I don't go so far as that. But I do think we should give the vote to more men. (AD LIB AGREEMENT) I am suggesting to the Convention that every father of a family of three children should have the suffrage, and also every tenant farmer who has a long lease.

2nd MAN: I hear that there's some English reformer fellow names Cartwright who says "I ought to have the vote because I am a Man."

SOUND: (AD LIB AMUSED REACTION)

MASON: Don't laugh too soon, it might come to that someday - who knows?

1st MAN: (PROTESTING) Oh come now, I'm a good Democrat, and a patriot, but if you gave every tinker and laborer the vote, the poor would soon be ruling the rich - there's more of 'em you know!

3rd MAN: Look in England! The biggest factory towns - Manchester and Leeds, do you see them sending any representatives to Parliament?

MASON: Ah, but aren't we planning to show England what liberty can be? If every citizen of America doesn't have the vote - at least I would give him the hope of attaining it!

2nd MAN: Well, you are a visionary chap, Mason. All I have to say is that I hope I don't live to see universal suffrage in this country.

MUSIC: UP AND UNDER

VOICE: But the Convention of Virginia denies the extention of the suffrage. The Revolution was fought by men denied the vote, and won by men who did not win the vote.

MUSIC: UP AND UNDER

VOICE: It was not political farsightness, or recognition of the vote as a right of man, that gradually enlarged the electorate. It

It was cheap land beyond the mountains that qualified men, who, for generations had been denied the right to vote.

VOICE: In the new states of the West these new voters organize new governments - and elect a President!

(HOLD IT)

VOTER: Andrew Jackson - President of the United States!

MUSIC: UP AND OUT ON A GREAT CHORD

2nd VOICE: Lean, rangy, the pioneer Indian fighter Adrew Jackson, born in a cabin, is elected President instead of an Eastern Aristocrat. His followers swarm into Washington to see him inaugurated.

SOUND: (DISTANT MARTIAL MUSIC VERY FAINT, VERY FAINT FAR AWAY. CRIES, CHEERS)

VOICE: (OFF) Hooray for Old Hickory! Hooray for the hero of Horse Shoe Bend! etc.

MAN: Faugh! Shut the window!

SOUND: (OF WINDOW CLOSED MUFFLING NOISE TO DISTANT MURMER)

2nd MAN: What is the country coming to! The nation will rule this day!

SOUND: (DOOR)

MAN: Why, it's Daniel Webster! Come in. How does it happen you didn't join the flight of Washington society?

WEBSTER: (FADING IN) There's too much to see in town, Wouldn't miss it for anything!

2nd MAN: I hear John Adams didn't wait to welcome his successor, but drove away early this morning! I say, Mr. Francis Scott Key - what does a song writer see in that scene?

KEY: I don't know - yet - Look! Trappers in coonskin caps; pioneers with the mud of three hundred miles on their boots; covered

wagons filled with children, and women in sunbonnets -

WEBSTER: (SIGNIFICANTLY) Looks more like a revolution than an inauguration.

1st MAN: You're right, Webster! And Jackson is going to give the vote to that rabble! What will become of democracy when it's in the hands of every Tom, Dick and Harry?

KEY: Democracy - Now I know what I see down there!

1st MAN: What is it?

KEY: This is democracy! It is a magnificent sight! Sublime!

2nd MAN: (LAUGHING) That's what you'd expect him to say! Still waving the star spangled banner, eh, Key?

KEY: (SLOWLY INTENSELY) Yes, and for the first time it is flying over the land of the free!

MUSIC: (SWELLING UP TO LOUD CRASHING REFRAIN)

MAN: (CHEERING) Hooray for old Hickory! Hooray for Ameriky!

WOMAN: Oh Bill! It was wuth driving' clar from Kaintuck to see, even if the roads wuz so bad.

MAN: Gitty up Blackie - Andy Jackson's goin' to give us better roads, Sary! Or ruther -- he's goin' to give us the vote, and we'll get 'em fer ourselves.

WOMAN: You're always talkin' about the vote, Bill. What good will a vote do folks like us?

MAN: It'll give us a say-so in runnin' things - we c'n vote schools fer our young uns, and' bridges over the cricks, and canals to git our crops to market -- but that ain't all..

WOMAN: What else'll votin' do, Bill?

MAN: (FIERCELY) It'll make one man as good as t'other, by Jimminy!

WOMAN: I think you're better'n other men already, Bill!

MAN: Yes, when there's red coats and Injuns to fight! Or a wilderness to clear. It's been a gov'ment of gennemen up to now, but under Andy Jackson, the people air gonna run the whole shebang!

SOUND: (SLAP OF REINS)

Git dap, Blackie! Git dap, Dobin...

MUSIC: (MARTIAL)

VOICE: Sixty years after the Declaration of Independence has declared all men free and equal, manhood suffrage is beginning to take the place of suffrage, based on property qualifications, even in the Eastern States!

2nd VOICE: 1842. Dorr's Rebellion is a dramatic incident on the way toward suffrage for the man without property.

3rd VOICE: Thomas Dorr, Idealist, demands a new state constitution in Rhode Island giving the vote to the working man! His followers sign petitions, proudly stating their trades:- John Jones, carpenter, William Smith, shoemaker, George Clark, blacksmith. When petitions fail to give them their right of suffrage they stage a rebellion.

With Dorr at the head, and dragging a single rusty cannon they march gallantly if straggling, upon the state arsenal.

SOUND: (VOICES AND TRAMP OF MARCHING FEET)

DORR: Stand up straight! Keep step! Remember, men, the eyes of the world are on us!

1st WORKMAN: I'm in step. It's everybody else that's out.

2nd WORKMAN: I hope they surrender right away. I don't mind rebellin' but I'd hate to shoot anybody.

3rd WORKMAN: We gotta be ruthless - that's the only way a body can win his rights.

4th WORKMAN: Mm, I s'pose so, but a cannon's a mighty dangerous thing.

DORR: (SHOUTING) Halt! (SOUND OF MARCHING - STRAGGLES OFF) Men, there's the Arsenal! Now train the cannon on the door. (AD LIB REACTION - QUIET - SERIOUS) We'll sho 'em we mean business!

VOICE: (OFF MIKE CALLING) Hey! What do you fellows want?

DORR: (CALLING) We want the same as our ancestors wanted in the Revolution - Freedom.

VOICE: (CALLING) Haven't you got the Constitution?

DORR: Yes, and does the Constitution give us our right to vote, I ask you?

VOICE: (CALLING) Take that cannon away, Dorr. It might go off!

DORR: It's going to go off! We demand that you surrender to the voteless citizens of the state of Rhode Island. If you don't, there's going to be another shot heard around the world.

VOICE: (CALLING) Get back to your homes before you get in trouble.

DORR: Is the cannon in place? Very well. Aim! Light the fuse! Fire!

SOUND: (SPUTTERING AND HISSING OF FUSE-COMPLETE SILENCE)

WORKMAN: (ASIDE) Gorry! The powder must have got wet. It won't go off.

MUSIC: (UP AND UNDER)

VOICE: Dorr's cannon did not go off, but the slogan of his honest and earnest rebels echoed through the nation.

2nd VOICE: "Worth makes the man but sand and gravel makes the voter!"

VOICE: By 1850 universal white manhood suffrage has been established, but expediency still rules.

2nd VOICE: The question of slavery becomes a political, as well as an economic issue! Freedom for the slave might mean citizenship for the slave. And what that might mean -- not even the most ardent abolitionist knew.

MUSIC: UP AND OUT

VOICE: New Year's Day, 1863! A date to remember in this story of the Struggle for Suffrage! In the President's anteroom at the White House, a group of his Cabinet are gathered. They are tense, worried, quarrelsome.

SOUND: (MURMUR OF VOICES)

STANTON: The President is late, gentlemen! At this juncture..with the whole country seething..with the most important question in its history to be discussed -- he keeps us waiting!

1st STATESMAN: You're right, Stanton! Slavery is one thing. But this talk about emancipation is another.

2nd STATESMAN: After emancipation will be suffrage, for 200,000 new voters!

3rd STATESMAN: And how imperfectly our citizens already use the vote! What can we expect from slaves?

STANTON: Hush, here comes the President!

SOUND: (OFF MIKE) (CHUCKLE)

LINCOLN: (FADING IN) Good morning, gentlemen. I must ask your pardon for keeping you waiting.

1st STATESMAN: Oh, we know how much you have on your mind, Mr. Lincoln.

LINCOLN: I have - Josh Billing's latest! I've brought it along to read you a bit of it, - Listen to this now....

STANTON: (INTERRUPTING) But, Mr. Lincoln, are you serious, sir? With the country in turmoil, with grave decisions to be made - you ask us to listen to....

LINCOLN: (TOLERANTLY) Now, now, Stanton! A good laugh never hurt anybody, yet. I've found that troubles can wait - but you've got to take a laugh when you find it. I've got a very important state paper to read to you later, but first -- listen to Josh Billings (READING) The only way to keep a mule in a pasture is is to turn him into a medder jinning, and let them jump out. (LAUGHTER)....

MUSIC: HUMOROUS - SEQUED INTO "BATTLE HYMN OF THE REPUBLIC" AND UNDER.

1st VOICE: After Lincoln has eased the tension of his Cabinet he reads them the most far-reach ing document for the emancipation of mankind that America has ever heard.

LINCOLN: "On the first day of January, in the year of our Lord one thousand eight hundred sixty-three, all persons held as slaves within any state..in rebellion against the United States shall be then, thenceforth and forever free...."

MUSIC: "BATTLE HYMN OF THE REPUBLIC" UP INTO POWERFUL FINISH ON LAST STRAINS OF THE CHORUS. - VOCAL CHORUS JOIN ON "GLORY, GLORY, HALLELUJAH! HIS TRUTH IS MARCHING ON."

(DOWN AND BEHIND)

VOICE: The Emancipation Proclamation does not give the right of the cote to the newly freed citizens of the United States any more than the Constituion gave it to the new citizens of a new republic. But it is a step forward in the fight for suffrage!

MUSIC: UP AND OUT

2nd VOICE: The Fourteenth Amendment is another step -- and the Fifteenth Amendment removes race, and color from the list of disqualifications for suffrage! But they do not remove a disqualification - traditional, unwritten, hidebound, age-old the disfranchisment of sex!

3rd VOICE: The first National Woman's Rights' Convention is called in 1850 by such liberal men as Emerson, the philosopher, Alcott, the writer, Wendell Phillips, the preacher, and Garrison, the abolitionist.

4th VOICE: 1869. The first complete legislative emancipation in the history of (Page 236 How the World Votes) the world occurs in the territory of Wyoming! It would be ungrateful to attribute this to expediency, but women were scarce and even a suffragette was welcome.

5th VOICE: The cause of woman's suffrage produces a great leader, whose name has been unofficially written into the Constitution of the United States - Susan B. Anthony!

MUSIC: (UP AND OUT)

ANNOUNCER: In 1872 a group of politicians are taking last minute registration for the forthcoming election in a barber shop in Rochester, New York.

SOUND: (FADING IN - UPROAR OF MEN'S VOICES, LAUGHTER)

1st MAN: (CALLING OVER UPROAR) Any more registrations?

SOUND: (DOOR OPENED VIOLENTLY)

SUSAN: (ABOVE UPROAR) Yes. My friends and I want to register!

1st MAN: (STAMMERING) B-b-but ma'am I-I-I- can't - you - you can't.

SUSAN: Who says that I can't register to vote like any other citizen.

3rd MAN: (GUFFAWING) Haw Haw! Look at Bert blush!

SUSAN: The Fourteenth Amendment of the Constitution defines a citizen as any person born or naturalized in the United States! I was born in the United States.

1st MAN: (UNCERTAINLY) But Miss Anthony - be reasonable - you know....

SUSAN: Perhaps you don't consider that a woman is a person?

2nd MAN: (SCORNFULLY) Aw, whyncher get a man to do yer voting for her?

3rd MAN: Woman's place is in the home!

SUSAN: I have a copy of the Constitution of the State here. No sex is mentioned in qualifications to vote. Are you going to register us?

1st MAN: Looky here, I ain't going to be bamboozled by any strong minded females.

SUSAN: If you don't accept our registrations I warn you that I shall swerar out a warrant for your arrest.

ALL (AD LIB) She's got you, Bert! Haw haw! etc...

LST MAN: All right, I'll take your registrations. But tain't regular. You'll see! (FADING) They'll never let you vote....There'll be trouble!

MUSIC: UP AND UNDER

ANNOUNCER: On election day, Susan and her fourteen followers appear at the polls. They show their registration cards and cast their votes while the three clerks look on helplessly. Trouble soon appears, however. Susan B. Anthony is arrested for illegal voting! Local sympathy for Susan's courage is so strong, that her trial is transferred to the United States Circuit Court at Canaudaigue..The Judge is known to have strong views against woman's suffrage. Here is the charge!

VOICE: *"Without having a lawful right to vote in said election district the said Susan B. Anthony, being then and there a person of the female sex, did knowingly, wrongfully and unlawfully vote."

ANNOUNCER: The trial is a test of the Fourteenth Amendment. If Susan B. Anthony walks out of this courtroom a free woman she will also walk out a voter. Forces are determined that she shall not win. She is not even allowed to testify in her own behalf. Her counsel finishes his plea.

MUSIC: OUT

SELDEN: (FADING IN) *Miss Anthony "stands now arraigned as a criminal for taking the only step by which it was possible to bring the great constituional question as to her right before the tribunals of the country."....(NOTE: *Reference - Page 256, "Susan B. Anthony" By Rita Dorr.) "If for thus acting,...with motives as pure and impulses as noble as any which can find place in your honor's breast in the administration of justice, she is by laws of her country to be condemned as a criminal, "she must abide the consequences!"

JUDGE: I direct the jury to bring in a verdict of guilty.

SELDEN: (AMAZED AND PROTESTING) But your Honor! In a criminal case the Court has no right to do more than charge the jury, at least, I demand that the jury be polled.

JUDGE: The jury is dismissed.

(HOLD)

Miss Anthony, stand up! Has the prisoner anything to say why sentence should not be passed?

SUSAN: I have much to say, your Honor. My natural rights, civil rights, political rights and judicial rights have all been denied me.

I have been denied a trial by my peers. A commoner of England tried by lords would have less cause to complain than I, a woman, tried before a jury of men...

JUDGE: (BREAKING IN) The prisoner must sit down - the court cannot allow...

SUSAN: Had your honor submitted my case to the jury, as was clearly your duty, even then I should have had just cause of protest for not one of these men was my peer, but native or foreign born, white or black, rich or poor, educated, drunk or sober, each and every one of them was my political superior.

JUDGE: The prisoner has been tried according the established forms of law. And if....

SUSAN: Yesterday the same man-made forms of law declared it is a crime, punishable by prison , to give a cup of cold water to a panting fugitive tracking his way to Canada. The slaves who got their freedom had to take it to get their right to a voice in this government! As I have taken mine and mean to take it at every opportunity! (NOTE: Reference * - Page 238 "Susan B. Anthony" By Rita Dorr.)

JUDGE: (RAPPING LOUDER) The court orders the prisoner to cease talking and sit down!

SUSAN: Your Honor will not deny me this one and only poor privilege of protest agains this high-handed outrage against my citizen's rights!

JUDGE: (RAPPING LOUDER - SPEAKING LOUDER) The court will not listen to another word...

SUSAN: Failing to get this justice, failing even to get a verdict

from a jury not my peers, I ask not leniency at your hands but rather the full rigor of the law!

JUDGE: (VIOLENTLY) The prisoner will sit down! (long pause)...Now the prisoner will stand up for sentence. I fine you one hundred dollars and the full costs of the trial!

SUSAN: May it please your honor I will never pay a dollar of your unjust penalty!

MUSIC: UP AND OUT

ANNOUNCER: Forty-seven years after Miss Anthony was tried as a criminal for casting a vote the Nineteenth Amendment becomes a law. It gives women equality with men in voting, and is commonly known as the Susan B. Anthony Amendment.

MUSIC: UP AND UNDER

VOICE: Property qualifications have virtually disappeared as a test of the right to vote; Church membership neither qualifies nor disqualifies a voter...but there are other pressing problems that confront us today!

2nd VOICE: In a United States on wheels - are we adequately protected in our voting rights by absentee voting laws?

3rd VOICE: Should representation be decreased in states where a large part of the population is denied the vote?

4th VOICE: Did you know that a quarter of a million adult citizens in the very capitol of the United States cannot vote on anything - not even the election of their own school board?

5th VOICE: What about the old pauper laws that disfranchise people on relief - have they all been repealed?

6th VOICE: Can a man's vote be free in this day of lobbying groups?

7th VOICE: These are questions for you to think of, talk about and answer. As long as millions of American citizens are refused the vote at

every election the struggle for this right of suffrage is not furnished...

MUSIC: UP AND OUT

1st VOICE: But the most serious question of suffrage today is the right of racial groups and minorities to a place on the ballot. They still need the protection of the Constitution and the support of enlightened public opinion.

2nd VOICE: In 1932 nine states, by their election laws, excluded the Communist Party from their printed ballots, and four states excluded the Socialist Party.

3rd VOICE: Florida has now, an election law passed in the excitement of war times, making it necessary for a party to secure at least thirty per cent of the popular vote in a general election for it to be printed on its ballot. In 1928 this led to unexpected results. A candidate for Congress talks over his chances with his supporters in a country store in Florida a few weeks before the primaries.

SOUND: (OFF MIKE) (OLD FASHIONED AUTOMOBILE CHUGS TO A STOP)

STOREKEEPER: Wal, if there ain't Candidate Henry Prindle now expect he's roundin' up his supporters fore' 'lection. Let's give him a greetin' boys.

SOUND: (DOOR OPENS)

VOICE: (CHEERING) 'Ray for Prindle, the next Republican Congressman! etc. etc.

PRINDLE: (FADING IN) Howdy boys! Howdy! And thanks! Ya know, this looks like a Republican year. But I'm not taking any chances. I'm counting on every one of you boys to be at the polls a month from today to make your ballot after the name Prindle.

1st MAN: Yes Sir, fellers, Prindle he deserves the vote of every loyal citizen, for his work in keeping this state 100 per cent American!

2nd MAN: Yes siree! You remember back in 1918, Henry helped push through that bill in the state legislature, keeping disloyal minority parties off the ballot!

PRINDLE: Yes, gentlemen, I take full credit for that and I'm mighty proud of it. 100 per cent American - that's Prindle.

2nd MAN: How'd you fix it so to keep those little parties off the ballot Henry?

PRINDLE: Well sir! we just passed a law saying that any party couldn't poll thirty per cent of the voters of the state didn't exist as a party at all!

ALL: (AD LIB) (LAUGHTER) Purty smart! Purty smart! That fixed 'em etc.

SOUND: (DOOR OPENS)

PRINDLE: Why, if it isn't my old friend the county clerk! What you got there, Bill?

CLERK: (FADING IN) I'm distributing sample ballots of the coming primaries - just off the press.

PRINDLE: Let's see one (LAUGHING) I been in politics for twenty years but it still gives me a kick to read my name on a ballot!

CLERK: Here's a ballot, Mr. Prindle, but - er - er -

PRINDLE: (WITH A YELP) What in blazes does this mean! Where's the Republican Party on this ballot!

CLERK: There isn't any Republican Party in Florida, 'cording to the election laws.

ALL: (AD LIB) What!

CLERK: You see, you folks didn't poll thirty per cent of the votes last 'lection, and you're in the same picklement as the Socialists and Communists.

PRINDLE: (SPUTTERING) Why - why this - this is an outrage.

CLERK: Reckon it is, Mr. Prindle. But 'aint my fault. You kin blame the feller that put that thirty per cent law on the books...

MUSIC: UP AND OUT

VOICE: This is, of course an extreme instance of how election laws made to exclude minority parties from the ballot may unexpectedly exclude a major party..

In the Florida election the Republicans held a convention, re-organized as a party, and only by heroic efforts got onto the ballot for the general election, though not for the primaries. Step by step the right of suffrage in "Free America" is extended to a greater number of citizens. First the old property restrictions of colonial days are removed. Next the newly freed slaves of 1865 are given equal rights with their former masters. Finally women's suffrage wins in 1920. But still the struggle goes on. Today minority groups demand a place on the ballot and even proportional representation.

ANNOUNCER: Struggle for Freedom never ends! Ground that is lost must be regained! Each generation must re-win its rights! Eternal vigilance is <u>still</u> the price of liberty! Let us strive on, to the end that our children's children may always know the glorious fulfillment of that noblest cry known to man -

"Let Freedom Ring".

MUSIC: (CLOSING THEME....FADE UNDER AND OUT)

ANNOUNCER: Next week we consider another of our Bill of Rights - The Rights of Women and Children. In connection with tonight's broadcast your Office of Education has prepared several publications which you will want to read. They are absolutely free and will be sent on request. Included is a beautifully printed copy of the Constitution, something which should certainly be in every American home. If you would like to have these publications, and the copy of the Constitution - all you have to do is write -- post card will do -- address, "Let Freedom Ring", Washington, D. C. Make note of the address - "Let Freedom Ring," Washington, D.C. This series, in commemoration of the 150 Anniversary of the Constitution, is a presentation of the United States Department of the Interior, Office of Education, and the Columbia Broadcasting System. Remember - every Monday night - same time - same station - "Let Freedom Ring!"

MUSIC: (CLOSING FANFARE "LET FREEDOM RING")

This is the Columbia Broadcasting System.

FADE THEME 20 SECONDS

WABC NEW YORK

EDUCATIONAL RADIO PROJECT

COLUMBIA BROADCASTING SYSTEM

"LET FREEDOM RING"

UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of Education
Washington

MONDAY, MAY 3, 1937
10:30 - 11:00 P.M. EST No. 10 - "Right of Habeas Corpus"

CUE: (COLUMBIA BROADCASTING SYSTEM)
(.....30 seconds.....)

MUSIC: (PATRIOTIC FANFARE...ROLL OF DRUMS...BUILT UP TO)

(THREE STROKES OF GREAT BELL)

ANNOUNCER: (DRAMATICALLY) Let Freedom Ring!

MUSIC: (CHORUS AND ORCHESTRA IN SPECIAL SONG DEDICATED TO RADIO IDEA OF PROGRAM WITH SOUND OF SONOROUS BELL WORKED INTO ORCHESTRATION)

(AT TRIUMPHANT FINISH OF SONG-ORCHESTRA SEQUES INTO SOFT BACK-GROUND MUSIC FOR ANNOUNCER, BELL MOTIF STILL SOFTLY HEARD)

ANNOUNCER: (OVER) Once only kings had the rights you enjoy today! Democracy wrested these rights from kings and gave them to you. These rights are now a part of the law of the land. Celebrating this 150th Anniversary of our Constitution of the United States, The Office of Education and the Columbia Broadcasting System present the ageless, tireless story of man's eternal struggle for freedom. Tonight we consider another of our dearly bought Bill of Rights - the right of Habeas Corpus.

MUSIC: (UP AND OUT)

SOUND: (TELEPHONE BELL)

(RECEIVER OFF)

SMITH: Hello! Yes, this is lawyer Smith...Oh yes, Mrs. Ellis, what can I do for you?.....They've arrested your husband! Great Scott, what for?...What do you mean, "you don't know"? Didn't the officers have a warrent - didn't they tell him what the charge was?.....Day before yesterday! And he's been in jail

ever since without bail or a hearing? Why, this is an outrage! .....I don't wonder you're excited Mrs. Ellis, but don't you worry, I'll go right down to see Judge Halsey and get a writ of Habeas Corpus for Joe.....You don't want any writ -- you want Joe? (LAUGHS) Of course, but you don't understand. Let me explain - Habeas Corpus means this - It's an order from the judge, to the jailor, commanding the jailor to bring Joe into court at once, to see whether he is legally imprisoned... why certainly, if the officers won't prefer a charge, or can't make out a fair case, our Habeas Corpus writ will have Joe home this evening. Is that clear?.... No, no, don't thank me... thank the Constitution!

SOUND: (RECEIVER UP)

MUSIC: (UP AND OUT)

1st VOICE: When a court issues a writ of Habeas Corpus it recognizes one of man's most ancient rights, written into his heart before it was written into his laws - the right to fair play.

2nd VOICE: Two years ago, Tom Mooney who had been a prisoner for eighteen years petitioned the Supreme Court of the United States for a writ of Habeas Corpus. His plea was that his original trial had been only a pretence.

3rd VOICE: The action caused a great deal of discussion. Let us listen in at a lawyer's luncheon club as the plea is being discussed.

SOUND: (DISHES)

1st LAWYER: I tell you fellows it isn't a question of one man's guilt or innocence, it's a question of every man's rights.

2nd LAWYER: Rights! If this man hasn't had every right of the law I don't know who has! His case has been reviewed by every court in the

state and by every Governor in the last twenty years.

3rd LAWYER: Yes, but even if he had a fair trial as far as the records go the law takes other things into consideration these days. Remember the date of his trial?

4th LAWYER: Let me see - 1917 wasn't it?

3rd LAWYER: Right, and what does that date suggest to you?

4th LAWYER: War hysteria of course.

3rd LAWYER: We're not living in the time of Louis XV, when a man could be spirited away to jail and kept hidden behind an iron mask the rest of his life for reasons of the public good!

2nd LAWYER: Certainly we aren't, but this fellow has had every recourse of the law.

1st LAWYER: How about the writ of Habeas Corpus he's asking for now?

2nd LAWYER: After eighteen years -- and what the highest court in the state has called a fair trial? He's wasting his time in Washington!

4th LAWYER: Well, I feel like Basset here - I don't give a contenental whether he's guilty or innocent, but I do care a good deal whether his rights-and consequently my rights--to the protection of Habeas Corpus are guaranteed by the Constitution of this Country or not!

SOUND: (DOOR BANGS OPEN)

6th LAWYER: (FADING IN) Have you seen the afternoon papers?

ALL: (AD LIB) No. Any news? Etc.

6th LAWYER: News! I should say so, news for every lawyer and every man who might possibly get into the clutches of the law! The Supreme Court has decided the petition in the Mooney case.

ALL: (EXCITEDLY) What does it say? Read it!

6th LAWYER: (READING) Um - let's see -- Due process of law is a requirement

that cannot be deemed to be satisfied if a State has contrived a conviction through the pretense of a trial...the writ of habeas corpus is available in that state. Upon the state courts equally with the courts of the Union rests the obligation to guard and enforce every right secured by the Constitution.

4th LAWYER: What do they tell Mooney to do!

6th LAWYER: To use up every right he has in the state courts and then come to the Supreme Court again, if necessary, and they will give him a writ of habeas corpus!

SOUND: (MURMUR)

1st LAWYER: Gentlemen, do you realize this is the most important step in the right of mankind to a fair trial in a century?

MUSIC: (UP AND OUT)

1st VOICE: The story of man's struggle for adequate legal protection, against unjust imprisonment virtually begins in a tent on the Thames in the year 1215. At Runnymeade the barons demand in their great charter the legal right to their own bodies.

SOUND: (TRUMPETS CALLING)

1st VOICE: Hark to Magna Carta! "No freeman shall be taken or imprisoned, nor will we go upon him nor send upon him but by the law of the land"!

2nd VOICE: When the trumphant barons have left the field, the discomfited King falls in a fit in the cow shed where he has left his horses and rolls upon the straw.

JOHN: (FADING IN) (GROANING) Ahh, they had better have taken my life than my kingly dignities! I have dispossessed my sons this day! Until an hour ago the king was the law - now I must

come crawling into court to beg some sweaty magistrate to save me from my enemies.

HUBERT DE BURGH: (SOOTHINGLY) King John! When you lie there it is England rolling in the dust! Let me help you rise!

JOHN: Hubert de Burgh! So I have one loyal knight left, have I?

HUGH: Loyal to the death, your Majesty, your death or mine.

JOHN: You heard them, Hugh! You saw them thrust a quill into my hand and make me sign away the birthright of a king!

HUGH: Aye, my lord, I saw a Norman King carry his foreign notions to defeat. I heard the voice of free England speak.

JOHN: Foreign notions - what do you mean, Hubert De Burgh?

HUGH: I mean, sire, that Europe cannot understand our English love of liberty. There is a narrow strip of water - bitter and black - that forever separates England from the Continent. You and your fathers have spent too much time on the other side of that water, sire!

JOHN: If I should throw you into some forgotten dungeon for your impudence what good would that scrap of paper I signed today do you?

HUGH: The dream must always march ahead of the reality! Let the idea of freedom from false imprisonment find words, and it will soon find the machinery of the law to enforce it!

JOHN: Yet you call yourself loyal, Hubert de Burgh!

HUGH: And I am loyal, King John. Look, you, I prick my finger with my dagger. To the last drop of that hot blood I will defend England and England's King!

MUSIC: (UP AND OUT)

1st VOICE: For sixteen years Hubert de Burgh staunchly stood between the absolutism of Kings and the growing demand of Englishmen for their rights. Then John's son, Henry the Third was persuaded to forget the Magna Carta and throw the faithful minister, Hubert de Burgh, into prison, without trial, without charge.

2nd VOICE: Two years later, in 1234, Hugh de Burgh was released from prison with a decision momentous in the story of human liberty. In effect it was this:

3rd VOICE: Hubert de Burgh was taken, imprisoned and outlawed by command of the king and contrary to the law of the land. This outlawry is declared null and void!

4th VOICE: The words 'habeas corpus' were not to appear in the courts for two hundred years, but Hubert de Borgh's release was the outstanding exercise of this right for centuries.

5th VOICE: But even after habeas corpus became a custom of the courts the Kings of England continue to struggle for their divine right to imprison their subjects at their royal will.

6th VOICE: Champions of the people arise in the form of fearless judges who defend lesser men from the rage of kings with the little weapon of a sheepskin writ. Such a one, at the beginning of the seventeenth century was Sir Edward Coke, Lord Chief Justice of England!

7th VOICE: From the bench he did not hesitate to condemn the illegal acts of the throne. And when the infuriated king sent him to the Tower it was a triumphal march between lines of cheering crowds.

VOICES: (FADING IN) Sir Edward Coke! Hurrah for Coke!

8th VOICE: 1627! Coke by this time has been released from prison, but all England now awaits a case that will really test the king's

authority. It comes when the Five Knights are arrested and imprisoned by a secret order of King Charles for refusing to lend him money. They demand freedom and a public trial on a writ of habeas corpus. In the Court of the King's Bench they face the servile judges whom the king has chosen to replace Coke...

SOUND: (FADE IN.....RAPPING OF GAVEL)

CLERK: (READING) The Petition of Sir John Corbet; Sir Thomas Darnel; Sir John Heveningham; Sir Walter Earl; against the warden of the Fleet Prison.

JUDGE: What is the nature of this petition?

CLERK: This is an application for a writ of habeas corpus.

DARNEL: If your honor please, these gentlemen and I demand as our right to know why we have been haled from our homes and imprisoned among criminals.

JUDGE: In your own hearts you know full well the reason.

COUNSEL: As their counsel may I remind the court it is their right to have the charge set into words, that they may prepare a defense.

JUDGE: The Court will listen to arguments of petitioners counsel.

COUNSEL: The writ of habeas corpus is the only means the subject hath to obtain his liberty. This imprisonment cannot stand with the laws of the realm or that of Magna Charta. The precedents of the times of Henry the Eighth and the times of Queen Elizabeth show how subjects have been freed by these writs after commitment by the command of the king's counsel. These five men now petition that they may have justice according to law as is their birth-right.

JUDGE: The Court will listen to the king's counsel.

KING'S COUNSEL: For reasons of state we cannot disclose why these men are

imprisoned. Whether or not they are guilty of crime is immaterial. In some cases persons known to be innocent must be kept in custody for an indefinite time because they might be dangerous if set at liberty.

(MURMUR OF VOICES)

SOUND: (RAPPING OF GAVEL)

CLERK: Silence in the Court. Harken to the decision of His Majesty's Court.

JUDGE: The petition of the prisoners is denied. If a man be commited by the commandment of the king he is not to be delivered by habeas corpus in this court. For we know not the cause of the commitment which may be for reasons of state. We make, no doubt, but the king, if you seek him, he knowing the cause why you are imprisoned, he will have mercy.

MUSIC: (UP AND OUT)

1st VOICE: It is not the king's mercy the five knights want, but their rights! The King exercises neither justice nor mercy, but returns them to prison. But their sacrifice is not in vain. Parliament itself is up in arms at the decision of the king's hireling judges.

2nd VOICE: Lord Coke prepares a Petition restating the ancient rights of habeas corpus, and Parliament sends it to Whitehall for the signature of Charles the First.

GIRL: (FADE IN) (SINGING WITH HARP ACCOMPANIMENT) Drink to me only with thine eyes....

KING: (SINGING) And I will pledge with mine...

SOUND: (KNOCK ON DOOR)

(DOOR)

SERVANT: (OFF) Your Majesty, a messenger from Westminster.

KING: Bid him enter. (ASIDE) I will finish with this tiresome business at once my love.

MESSENGER: (FADING IN) Your subjects, gracious Majesty, humbly present this Petition of Right which they beg you to read and sign.

KING: (YAWNING) Right! They're always prattling of their rights! Well, let's see what they want this time! (READING) That freemen be imprisoned or detained only by the law of the land or due process of law and not by the king's special command without any charge..(FURIOUSLY) Why how dare you bring me this impertinence?

MESSENGER: Then the King refuses to sign?

KING: (UNEASILY) Wait! Be not so hasty! Tell my loyal Parliament that I wish my subjects should have no reason to complain of wrongs or oppressions...

MESSENGER: I fear your Majesty Parliament will not be satisfied with less than the royal seal upon this document. (FADING) I bid you good day, Sire.

SOUND: (DOOR CLOSES)

KING: (FURIOUSLY) This is all the fault of those five knights! Am I to receive orders like a servant?

Green History P.1037

GIRL: Shall I tell you how to get your way, My Lord?

KING: You? What do you know of Parliaments and courts?

GIRL: (SHYLY) I know they're men. And any woman knows how to get her way of men.

KING: Even kings, I suppose.

GIRL: (DEMURELY) Yes, sire, even kings.

KING: Well, then tell me how shall I keep my rights?

GIRL: By seeming to yield them. Look, sire, sign their Petition -- win their gratitude, but remember, it can do you no harm if your enemies make the laws as long as your friends enforce them.

KING: Zounds! But it's the cleverest little head in the kingdom! I'll send for my judges.

MUSIC: (VERY SHORT TRANSITION)

JUDGE: Your Majesty, we your judges have examined the Petition of Right.

KING: (FURIOUSLY) I would rather give up my throne than give up my right to imprison my subjects!

JUDGE: Your Majesty, we have examined your suggestion and it is not necessary to give up your throne, and we, your judges, assure you that you may feel free to sign this Petition. Its phrases may mean much or may mean nothing. What for instance is "the law of the land", what is "due process of law". They are whatever the courts, which interpret the law, consider they shall be. Like other laws, this Petition will have to be interpreted and we your judges assure you that your privileges will remain unchanged.

MUSIC: (UP AND OUT)

1st VOICE: When authority is forced to grant liberties, it tries to nullify them! King Charles goes too far in his opposition to the will of the people and loses his head on the executioner's block, but his successors continue to use unscrupulous judges as cat's paws for the suppression of their subjects' liberties.

2nd VOICE: The last and most infamous of these venal judges is George, Lord Jeffreys.

3rd VOICE: Virtual ruler of London, he condemns men to death without a trial, and travels through the realm holding the terrible mockery of a court called by history the "Bloody Assizes" in which hundreds are executed without habeas corpus, or a fair trial.

4th VOICE: With the downfall of James the Second, Jeffreys realizes that the reign of lawless law is over. Disguised as a common sailor he flees to the London docks to escape to France. But secure in his disguise he stops at a grog shop for a last drink of ale .....

SOUND: (CLICKING OF GLASSES) - (QUIET BACKGROUND CONVERSATION)

JEFFREYS: A pot of ale, boy, and quickly or I'll have you hung!

BOY: (COCKNEY ACCENT) Who do you think you are - hanging folks, sailor? Bloody Jeffreys maybe! (LAUGHS) (FADING) I'll be earnin' my soverign sir - (PAUSE) (FADING IN) Draw me a tankard of musty, Meg. I got a sailor yonder offerin' me a soverign.

MEG: A soverign! Where is he?

BOY: Over there -- at that table in the corner.

MEG: Looks like a nasty customer!

MAN: Customers offering soverigns are not nasty, Meg - Let's take a look - (WITH EXCLAMATION) That man! God help us! Torturer - Murderer! fiend --

BOY: Hey what's the matter?

MAN: I couldn't be mistaken. I stood in the dock once while he played with me as a cat plays with a mouse. Every line of that face is graved on my brain...

MEG: Who is he?

MAN: Judge Jeffreys - who has sent a thousand men to meet their God without a chance to defend themselves!

BOY & MEG: (AD LIB) No, you're wrong. You must be mistaken!

MAN: I know that face I tell you' (RAISING VOICE) Your attention all! Do you know who's here, in this room - amongst us, friends? The hanging judge himself! The great Lord Jeffreys togged out in a hand-me-down suit from a slop chest!

VOICES: (A MURMUR RISING TO THREATENING CRIES) Jeffreys! Where is he! etc. Show him to us, etc.

MAN: (SHOUTING) There he is - Cowering there in the corner - look at him. Look at the great Jeffreys shake in his shoes!

JEFFREYS: (ABOVE MUTTER OF CROWD) Help! Constable! Lock me up! Take me to the Tower!

MAN: (LAUGHING WILDLY) The Tower, that's the only safe place in England for George Jeffreys!

MUSIC: (UP AND OUT)

VOICE: In the Tower the swaggering bully who had sent so many men to their death without pity, cowers in his cell. His terror of his fate aggravates an old malady. In his delirium he seems to see forms and hear the voices of his victims...

JEFFREYS: (WHIMPERING) No, no, it was James who told me to do everything I did, These Stuart kings put themselves in the place of God. They want the law to obey the king....I myself am a mild man, mild as milk. (WITH MOAN) What strange shadows are in this cell! I could almost swear.....(WITH SHRIEK) Look! That one there - who are you?

THOMAS ARMSTRONG: (GHOSTLY AND SEPULCHRAL VOICE) You should remember me well, I was Sir Thomas Armstrong, before you sent me to my death without a trial.....

JEFFREYS: (WHIMPERING) And you - you in your bishop's robes. You look like that Archbishop Plunkett I sent to the Tower, but you aren't, are you? (WHISPERING) You're a living priest come to give me absolution?

ARCHBISHOP PLUNKETT: (GHOSTLY SEPULCHRAL TONE) You shall receive as much absolution, George Jeffreys, as you gave justice.

JEFFREYS: (STAMMERING) No, No, don't crowd around me, pointing. I was not to blame...You condemn me without hearing my defence... is that just...

VOICE: (SHADOWS LAUGHING SEPULCHRALLY) Ha! Ha! Judge Jeffreys asks for justice! He gave us the bloody assize and he asks for a fair trial!

MUSIC: (UP AND OUT)

1st VOICE: After the Stuarts, with their stubborn belief in their divine right to punish and destroy their enemies, a series of acts fixed habeas corpus firmly in the laws of England.

2nd VOICE: What was human life like without this right. Englishmen of the seventeenth and eighteenth centuries could see across the narrow English Channel.

3rd VOICE: For two centuries forgotten faces peer between the bars of oubliettes in Continental dungeons, and lettres de cachet, secret orders to imprison, signed in blank by the king, send a man's neighbor, relatives or even his wife and children to prison.

4th VOICE: Charles Dickens in the "Tale of Two Cities" gives a picture of human helplessness where Habeas Corpus did not exist.

MUSIC: (UNDER)

1st VOICE: Dr. Manette, a harmless French physician, has chanced upon a

shameful secret of a noble family. Without trial or accusation they have him imprisoned in the Bestille on a lettre de cachet. There he is forgotten.

MUSIC: (OUT)

MR. LORRY: Miss Manette, I beg you to listen to me quietly... I am a man of business. I do not know how to deal with agitated ladies. I ask you to consider a suppositious case...that of a man who had an enemy. A very powerful enemy who could exercise a privilege of filling up blank forms for the consignment of anyone to prison for any length of time..

MISS MANETTE: Mr. Lorry! Are you telling me (BROKENLY) that my father --

MR. LORRY: Calmness my dear young lady, I beg! Now let us suppose that no tidings of this unfortunate gentleman had reached those who might befriend him until lately when... Don't kneel! In heaven's name why should you kneel to me, my dear child?

LUCIE MANETTE: For the truth! Dear, good, compassionate sir - tell me the truth! My father - is alive?

MR. LORRY: Courage, Miss Manette! Business, remember! Your father has been found. Greatly changed. Still - alive! There was none living to protest his release after twenty years. An old servant of his named Defarge has taken him to his house in Paris.

LUCIE MANETTE: I am going to see him! No (SOBBING) I am going to see his Ghost!

MUSIC: (SHORT TRANSITION)

1st VOICE: In Paris, Lucie Manette and Mr. Lorry are conducted up steep stairs to a loft over the wine-shop of Edward Defarge.

SOUND: (FEET CLIMBING)

MR. LORRY: You take out a key Mr. Defarge! Surely it is not necessary to

keep this unfortunate gentleman locked in?

DEFARGE: It is necessary!

MR. LORRY: But why - why?

DEFARGE: Why? Because he has lived so long locked up that he would be frightened if his door was left open, that's why!

SOUND: (KEY GRATING, HEAVY DOOR OPENING)

DEFARGE: (GOING OFF) Good day, Doctor -

MR. LORRY: Come in, my child, come in.

LUCIE: (WHISPER) I am afraid of it.

MR. LORRY: Of it? What?

LUCIE: I mean of him. Of my father.

MR. LORRY: Lean on my arm, my dear - and now across the threshold - so -

SOUND: (TAPPING OF HAMMER)

DEFARGE: Still hard at work I see, Doctor.

(SILENCE)

MANETTE: (CRACKED VOICE - SLOWLY - CONFUSED) What did you say?

DEFARGE: I said you were working.

MANETTE: Yes...I am.....working.

(SILENCE)

SOUND: (TAPPING OF HAMMER, GIRL'S SOBS)

DEFARGE: Are you going to finish that pair of shoes today?

MANETTE: I can't say. I suppose so. I don't know...

DEFARGE: You have visitors you see. Here is a monsieur who knows a well made shoe when he sees it. Show it to him.

MR. LORRY: It is a handsome shoe. Won't you tell me its maker's name, sir?

MANETTE: (WITH EFFORT) I forget what it was you asked me. Was it for my name?

MR. LORRY: Yes.

MANETTE: One Hundred Five, North Tower.

MR. LORRY: You are not a shoemaker by trade?

MANETTE: No...I wasn't a shoemaker -- once. I-I learnt it here.

MR. LORRY: (WITH EMOTION) Dr. Manette. Look at me? Don't you remember your old banker?

(SILENCE)

SOUND: (TAPPING OF HAMMER, GIRL STIFLED SOBS)

LUCIE: Draw farther back. Let me try...

SOUND: (TAPPING OF HAMMER)

MANETTE: (FAINT AMAZEMENT) Are you - the jailor's daughter?

LUCIE: No - do I not remind you perhaps of someone..long ago..

MANETTE: That hair. Wait. I have hair like that in this bag here - round my neck..

LUCIE: (VERY LOW AS THOUGH TO OTHERS) I pray you, gentlemen, do not come near us, do not speak, do not move..

MANETTE: It is the same, but how can it be? (LABORIOUSLY) That night... when I was summoned...she laid her head upon my shoulder... When they brought me to the North Tower --- I found these long golden hairs on my sleeve. I said 'you will leave me these? They will never help me to escape in body though they may in the spirit'....(GREAT CRY) But it wasn't you? You are too young, too blooming! It can't be! It was all so long ago..

LUCIE: (WEEPING) Oh sir, at another time I shall tell you my name and who my mother was and my father, my dear father.

MANETTE: Her voice..

LUCIE: If you hear in my voice and resemblance to a voice that once was sweet to your ears. Weep for it! If you touch my hair and the touch recalls a beloved head that lay on your breast when

you were young and free, oh weep for it! Weep for it!

MR. LORRY: (ASIDE) See, he leans his head against her -- like a child.

DEFARGE: He is beginning to remember.

LUCIE: If when I tell you your agony is over and I have come to take you home, I cause you to think of your useful life laid waste, weep for it!

MANETTE: You are--that child we talked of--

LUCIE: (WITH CRY) There! There! Lay your head on my shoulder. It is home, my dearest! Oh Gentlemen, thank God for us, thank God...

MUSIC: (UP AND OUT)

1st VOICE: Such injustices as this can not persist forever - and...From the taking of the Bastille and the freeing of its political victims, begins the triumph of the principle of habeas corpus throughout the civilized world!

2nd VOICE: But like every other right of man, habeas corpus is most endangered at times of national emergency!

3rd VOICE: Every charter of liberty in England or America has always provided for its suspension in times of peril to the state. Listen to the words of the Constitution...

4th VOICE: "The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion, the public safety may require it!"

5th VOICE: The excuse of "public safety" is one of the greatest dangers to man's ancient right to freedom from arrest without charge and imprisonment without trial.

6th VOICE: The Civil War was the first great American crisis to test the right of habeas corpus in the New World!

7th VOICE: One of its hardest battles was fought in the private study of the White House between Lincoln the Lawyer and Lincoln the Chief Executive...Let us imagine him alone as few men have been alone, talking out his problem with himself.

SOUND: (DOOR SHUT)

LINCOLN: (FADING IN) (BROODINGLY) There! We'll shut out the advisers and name-callers, and settle this ourself, Abraham Lincoln! Here's this man Merriman arrested for drilling Southern sympathizers in Maryland. He asks for a writ of habeas corpus. The court has granted him this writ. The army refuses to give him up. What are you going to do about this Abraham?

LINCOLN: (IN FIRST TONE, LOUDER, LINCOLN THE EXECUTIVE) You are right, Abraham. It <u>is</u> a terrible responsibility to deny a man his legal rights. And yet if men are to have any guarantee of any rights in the future they must have first a stable government.

LINCOLN: And how can I save the government if its enemies can use a writ of habeas corpus to try the issues of the war in a court-room? Tell me that, Abraham.

LINCOLN: (SECOND TONE) The Chief Justice of the Supreme Court has reminded you that one who is sworn to take care that the laws be faithfully executed should not himself violate them! Remember that Abraham Lincoln.

LINCOLN: (FIRST TONE) The whole of the laws I was sworn to execute are being resisted in one third of the states! Are all the laws but one to be broken and the government itself to go to pieces?

LINCOLN: (THE LAWYER) You will be called a dictator!

LINCOLN: (THE EXECUTIVE) Let them defeat me at the polls then!

LINCOLN: (LAWYER) They will say that you disobeyed the Constitution.

LINCOLN: (PRESIDENT) But it is my first duty to save the Constitution. To preserve the Union I must win this war. We will not think of what men will say of us, Abraham Lincoln. We will do our duty as we see it. God helping us...

SOUND: (RINGS BELL)

LINCOLN: We will give the order to continue the suspension of the writ of habeas corpus in military cases as long as this danger to the Union shall last!

MUSIC: (UP AND OUT)

1st VOICE: The wartime suspension of the right of habeas corpus which Lincoln honestly believed necessary to the preservation of the government, outlasted its need, by a decade. The troubles of reconstruction were multiplied manyfold by the denial of habeas corpus to man called enemies of the state at the discretion of a hysterical public opinion and a biased military.

2nd VOICE: The lessons of the reconstruction period were so terrible that American courts and executives ever since have leaned backward in their anxiety to preserve this valued right of mankind!

1st VOICE: Like all our other liberties this right to Habeas Corpus changes its aspects with the changing times. Today agitation of labor, unpopular minorities, and racial prejudice raise questions without historical precedent.

2nd VOICE: What can be done to keep the cherished right of men of Habeas Corpus - from abuse by gangsters and other public enemies to delay justice and clog the courts?

3rd VOICE: How can men be educated to understand and demand their rights to Habeas Corpus?

4th VOICE: Should military authority and martial law during strikes and public disturbances deprive a man of his rights to the protection of habeas corpus?

5th VOICE: What about using habeas corpus to prevent the third degree?

MUSIC: (UP AND OUT)

3rd VOICE: Here for example is a recent case in which Habeas Corpus was used to save a life! An alien, visiting the United States receives notice that his papers are not in order and he is to be sent back to his own country by the next steamship. He visits the Immigration Authorities..

ALIEN: (FADING IN) This notice that I have received...

OFFICIAL: (CRISPLY) Yes, yes, what about it?

ALIEN: It is a sentence of death!

OFFICIAL: (STARTLED) Sentence of death! Nonsense, it's only a deportation order. You will be returned safely to your own country.

ALIEN: And what will my own country do to me? I will tell you. It will arrest me at the dock. It will send me to a detention camp for a little while. Then it will shoot me.

OFFICIAL: But why? What have you done?

ALIEN: I have dared to disagree with my country's theory of government! -- I criticize their policies - zut!

OFFICIAL: Well, that's tough! But what can I do?

ALIEN: Give me a chance to talk to your courts, your government! When they hear my story they will be merciful.

OFFICIAL: There isn't much time to arrange for an inquiry. Your boat sails tomorrow.

ALIEN: In your fortunate country it is no crime to think as you please!

Let me stay here!

OFFICIAL: I wish there was something I could do. But there isn't a thing - unless - hold on, there's just (FADING) a chance there might be something....

(PAUSE)

LAWYER: (FADING IN) (FINISHING PLEA) And so, Your Honor, I ask for this writ of Habeas Corpus not to interfere with justice but to insure justice by giving this man here time to prepare a plea.

JUDGE: There is no precedent for the use of Habeas Corpus in such a case. Yet these are unprecedented times. I am inclined to consider the purpose for which this writ was intended - to prevent injustice, and so I grant this writ of Habeas Corpus.

ANNOUNCER: Struggle for Freedom never ends! Ground that is lost must be regained! Each generation must re-win its rights! Eternal vigilance is still the price of liberty! Let us strive on, to the end that our children's children may always know the glorious fulfillment of that noblest cry known to man - "Let Freedom Ring!"

MUSIC: (CLOSING THEME...FADE UNDER AND OUT)

ANNOUNCER: Next week we consider another of our Bill of Rights - The Right of Freedom of Home. In connection with tonight's broadcast your Office of Education has prepared several publications which you will want to read. They are absolutely free and will be sent on request. Included, is a beautifully printed copy of the Constitution, something which should certainly be in every American home. If you would like to have these publications, and the copy of the Constitution - all you have to do is write -- a post card will do -- address, "Let Freedom Ring", Washington, D. C. Make note of the address - "Let Freedom Ring",

Washington, D. C.

The original music heard on this program was composed and conducted by Rudolf Schramm.

This series, in commemoration of the 150th anniversary of the Constitution, is a presentation of the United States Department of the Interior, Office of Education, with the assistance of the Works Progress Administration. Remember - every Monday night - same time - same station - "Let Freedom Ring!"

MUSIC: (CLOSING FANFARE "LET FREEDOM RING")

This is the COLUMBIA...BROADCASTING SYSTEM

Fade theme 20 seconds

WABC.....NEW YORK

13 RADIO SCRIPTS, adapted for use in the classroom, on the stage, or before the microphone

LET FREEDOM RING!

• BULLETIN 1937, NO. 32 •

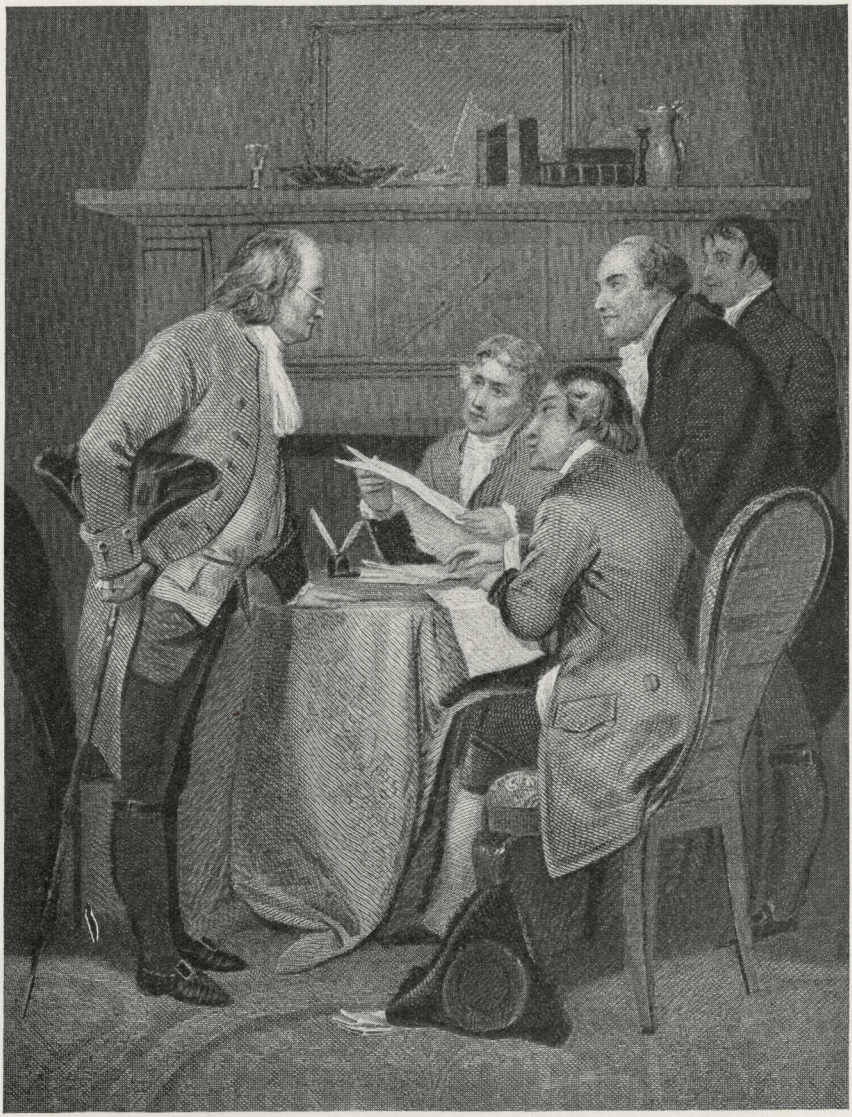
UNITED STATES DEPARTMENT OF THE INTERIOR • Office of Education

For sale by the

SUPERINTENDENT OF DOCUMENTS, WASHINGTON, D. C.

Price, 60 cents

LET
FREEDOM
RING



Drafting the Declaration of Independence. The Committee of the Congress, composed of Franklin, Jefferson, Adams, Livingston, and Sherman. From an original painting by Chappel.

LET FREEDOM RING!

13 Scripts by HAROLD G. CALHOUN and DOROTHY CALHOUN

Lesson aids by ROY W. HATCH

Production notes by PHILIP H. COHEN

Music notes by RUDOLF SCHRAMM

Edited by HARRY A. JAGER

BULLETIN 1937, NO. 32

UNITED STATES DEPARTMENT OF THE INTERIOR

HAROLD L. ICKES, Secretary

OFFICE OF EDUCATION • J. W. STUDEBAKER, Commissioner

13

RADIO SCRIPTS

COMPLETE WITH

1 Lesson aids for use in teaching the social studies;

2 Production notes for stage or radio presentation;

3 Helps for the musical director.

All as presented in coast-to-coast broadcasts in 1937 as a contribution of the Office of Education to the Sesquicentennial of the Constitution, emphasizing especially our civil liberties under the Bill of Rights.

FOREWORD

This volume of *Let Freedom Ring!* contains the scripts of the 13 national broadcasts of the radio series of that name presented in the spring of 1937 over the national network of the Columbia Broadcasting System.

In *Let Freedom Ring!* you will find the courage, the struggle, the triumph of men and women who fought to win and safeguard the civil liberties expressed in the Bill of Rights. Written by Harold G. Calhoun and Dorothy Calhoun after extensive research, and edited by Leo Rosencrans and D. S. Allen, script directors of the project, *Let Freedom Ring!* was presented by the educational radio project of the Office of Education, in cooperation with the Columbia Broadcasting System and with the assistance of the Works Progress Administration.

To these scripts material has been added that will facilitate the use of the scripts in two ways: As radio plays over the microphone or as plays of the radio type from the platform; and as supplementary material in the social studies.

For the first purpose production notes have been prepared by the New York production unit director, Philip Cohen. In addition, directions for the musical background, including not only a list of specific compositions for vocal or instrumental use, but also of phonograph records which in an emergency may be used as suitable substitutes, have been prepared by Rudolf Schramm, music director, who either composed or arranged the music for the original broadcasts.

For the second purpose each script is accompanied by Lesson Aids which will greatly help in analyzing the historical and social content of the scripts for use in social studies classes, and provide for pupils suggestive exercises which the ingenious teacher may expand to suit the situation.

All the material in the scripts both in the original and in the present form has been checked and approved for historical accuracy by a committee composed of Ben Arneson, head of the department of political science, American University, Washington, D. C., and Herbert Wright, head of the department of politics, Catholic University, Washington, D. C.

The lesson aids accompanying the scripts were prepared by Roy W. Hatch, head of the department of social studies of State Teachers College, Montclair, N. J., assisted by Samuel E. Witchell, instructor in social studies, State Teachers College, Glassboro, N. J.

The volume was edited by Harry A. Jager of Providence, R. I., with the advice of a reviewing committee from the staff of the Office

of Education consisting of Carl A. Jessen, chairman; Olga Jones, Fred J. Kelly, and Paul H. Sheats.

This volume of *Let Freedom Ring!* should be used in connection with Bulletin 1937, No. 33, of the Office of Education, which is a manual suggesting practical school and community uses for these scripts, and addressed to school administrators and teachers as well as to those persons in the community otherwise interested in producing radio or stage plays. The manual is written from the point of view of the potential user of the scripts. It applies these radio plays to many real situations found everywhere in the school—classrooms, assemblies, and clubs; and in the community—organizations, dramatic societies, and local radio station.

The purpose of *Let Freedom Ring!* is the promotion of a study of our civil liberties as they were formulated in the Constitution of the United States. The scripts add to the clear statements of the Constitution a background of history and drama, and a foreground of current applications, which will, we hope, arouse and maintain school and community interest in that essential spirit of democratic freedom which was written so directly and vigorously into the Constitution of the United States by the founders of our Nation.

J. W. STUDEBAKER,
Commissioner of Education.

CONTENTS

	Page
AIDS IN SOCIAL STUDIES FOR TEACHERS AND STUDENTS	VIII
SCRIPTS OF THE LET FREEDOM RING! SERIES:	
1. Bill of Rights	1
2. Trial by Jury	29
3. Freedom of Speech	59
4. Freedom of the Press	85
5. Freedom of Worship	113
6. Right of Petition	141
7. Free Assembly	169
8. Right of Suffrage	199
9. Women's and Children's Rights	229
10. Right to Patent	259
11. Right to Habeas Corpus	289
12. Right of Freedom in the Home	319
13. Right of Racial Equality	347
PRODUCTION AND MUSIC NOTES	375

ILLUSTRATIONS

Frontispiece, Drafting the Declaration of Independence	II
George Mason at his Desk	XIV
Patrick Henry in the First Continental Congress	28
Signing of the Mayflower Compact	58
Gutenberg Taking the First Proof	84
Acquittal of the Seven Bishops	112
Portrait of John Quincy Adams	140
John Bunyan	168
Parliament Offering the Crown to William III and Mary	198
Portrait of Susan B. Anthony	228
Queen Elizabeth	258
Baxter Before Lord Jeffreys	288
Portrait of James Otis	318
Last Moments of John Brown	346

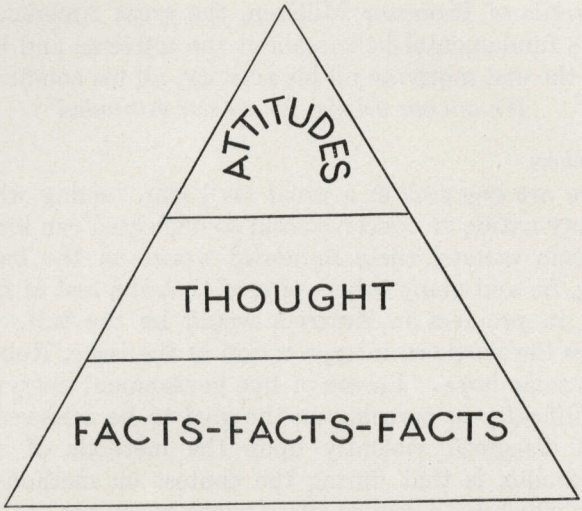
Note: With each script, at the end, are printed the lesson aids, and individual music and production notes, for that script. Part III contains material generally applicable to the whole series

AIDS IN SOCIAL STUDIES FOR TEACHERS AND STUDENTS

Sail—Sail thy best, Ship of Democracy!
Of value is thy freight, 'tis not the Present only,
The Past is also stored in thee.
Thou holdest not the venture of thyself alone, not of the Western continent alone.
Earth's *résumé* entire floats on thy keel, O ship, is steadied by thy spars, . . .
With all their ancient struggles, martyrs, heroes, epics, wars, thou bear'st the other continents;
Steer thou then with good strong hand and wary eye, O helmsman—thou carriest great companions. . . .

—WALT WHITMAN

Great poets have great vision. The lines above, so pointed for our own times, were first read by Whitman at commencement exercises at Dartmouth College in 1872.



THE PYRAMID OF LEARNING

by Roy W. Hatch

To the author's way of thinking, there are three levels in the learning process. *Facts* are basic in this process and yet they are useless if we do not do something with them. They must be lifted to the next higher level—*Thought.*

> As unto the bow the cord is,
> Useless one (facts) without the other (thought).

But there is still a higher level than either of these. What is the ultimate purpose of all fact-finding, of all thinking? The answer is, of course, *Attitudes.* The great significance of this last level—attitudes—lies deep in our very make-up, for facts tend all too quickly to evaporate; thought-processes leave very indefinite traces; but attitudes remain! They become a part of us. They color all we think, or say, or do. *We are our Attitudes!* Yet how can we hope to have right attitudes unless we think straight with the right facts?

> First, then, find the facts;
> Next, filter those facts;
> Then, fuse the facts;
> And, lastly, follow the facts.

The lesson-plans of the 13 scripts—a study of our American Bill of Rights—have been organized on the basis of the pyramid of the three levels of learning. The Facts—*Introduction and Activities;* Thought—*Discussion and Debate;* Attitudes—*Watch this spot!*

In the words of Professor Milliken, the great American scientist, "Mankind's fundamental beliefs about the universe and his place in it, must in the end motivate all his activity, all his conduct."

We are our beliefs; we are our Attitudes!

To the Teacher:

"Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated can long endure." When Lincoln uttered these immortal words on the battlefield at Gettysburg, he and many others prayed that the test of free government then in progress in America would be the last. The great opponent to the northern interpretation of the issue, Robert E. Lee, shared this same hope. Lovers of free government everywhere have had little difficulty in agreeing on the goal to be achieved, but they have often disagreed violently upon the methods of attainment. And the paradox is that during the contest on methods, the very freedom for which both groups strive is too often lost.

We are constantly engaged in great civil conflicts. Truly has it been said that each generation must rewin its rights. But today, thanks to education and the rights already won, are there not better ways to settle these conflicts over rights than the older way of war and bloodshed?

The contemporary challenge to teachers is without precise precedent. The task of instilling in the young mind the *sine qua non* of freedom—an interest and vigilance where his rights and duties are concerned—is worth our best efforts. Through a picture of the growth of the American Bill of Rights, we have the grand opportunity to break down the "taken-for-granted" attitude which characterizes so many who have never known real oppression. This study gives us the rare pleasure of developing the happiness of knowing, which in this case may well be the necessary safeguard to future American liberties.

It has truly been pointed out that governments are like clocks and run from the motion men give them. They must be wound periodically by an enlightened vigilance. "Eternal vigilance is still the price of liberty." This is the challenge to those who teach.

* * *

The teaching aids for these scripts have been chosen to bring out desirable attitudes toward and essential knowledge for understanding of the struggle to define and insure an American Bill of Rights. This presentation can be used either as a prelude to the study of Civics in the ninth grade or in the study of the Constitution during such a course. In American History for the eleventh grade, it should offer an excellent departure point for the study of the revolutionary

period—its causes, events, effects. It could be made particularly helpful in a Problems of Democracy course in the eleventh or twelfth year. Other obvious uses in the classroom need not be pointed out to any teacher of the social studies.

To the Student:

Were you ever arrested? Suppose as you read this, the door is thrown violently open, an officer appears, and for no apparent reason grabs you by the arm and ushers you into a waiting patrol wagon. You are taken to a jail and there are thrown into a cell. No appeal on your part brings any explanation more than the fact that someone has given orders that you be imprisoned. What would you do?

Can you worship as you please? Let us imagine that you are in the church of your choice. The clergyman in charge is leading the service, which has become meaningful to you, when suddenly the sanctuary is "raided" by a battalion of soldiers. The congregation is taken before a magistrate and you are amazed to find yourself being fined and imprisoned for worshipping in a way not permitted by the authorities.

Are you a traitor? Perhaps you have a grievance against the contemporary leaders of government in Washington or in your own State. You decide to rise in a meeting and voice your sentiments and while you are doing so are arrested for treason.

"But," you say, "none of these things could happen to me! I live in America!" But they are happening elsewhere. Half of the world today cannot read, write, speak, preach, or pray without the consent of some autocratic political authority.

No way is provided which is better than history to give you an understanding of the reasons why you enjoy this freedom in America. In the study of these 13 scripts, which present in dramatic form your rights under the Constitution, you get an understanding of their great significance in the past, their important place in the present, and the necessity of preserving them for the future. Many men and women suffered and died that you might enjoy these rights. They are your greatest heritage. Look them over one by one, study them thoroughly and guard them carefully, for they are indeed and in truth priceless treasures.

REFERENCES USEFUL FOR THE LESSON AIDS

The following works of reference will prove useful in working with the lesson aids. Although the list is general, no work has been included which does not serve some particular purpose, and the reader will often find particular reference made to one of these volumes.

ENCYCLOPEDIAS AND OTHER WORKS OF REFERENCE

Compton's Pictured Encyclopedia.
Junior Encyclopedia Brittanica.
The Book of Knowledge.
The New Wonder World Series (volume 7).
The Americana.
World Almanac.
The Statesmen's Year Book.
Reader's Year Book.
Reader's Guide to Periodical Literature.
The Dictionary of American Biography

GENERAL READING

The Federalist. Edited by H. C. Lodge, Houghton, Mifflin & Co., Boston.

The Critical Period of American History, 1783–1789. John Fiske, Houghton, Mifflin & Co., Boston.

An Economic Interpretation of the Constitution. Charles A. Beard, Macmillan Co., New York.

American Government and Politics. Charles A. Beard, Macmillan Co., New York.

American Government. Frank A. Magruder. Allyn & Bacon, New York.

American Commonwealth. James Bryce. Macmillan Co., New York.

Social Civics. William B. Munro. Macmillan Co., New York.

The American Government Today. F. J. Haskin. F. J. Haskin, Washington, D. C.

Select Documents of U. S. History 1776–1861. William McDonald. Macmillan Co., New York.

The Chronicles of America Series. Yale University Press, New Haven, Conn.

History of the American People. David S. Muzzey. Ginn & Co., Boston.

The Epic of America. James Truslow Adams. Harper & Brothers, New York.

Short History of the English People. J. R. Green. Harper & Brothers, New York.

Short History of the English People. E. P. Cheyney. Ginn & Co., Boston.

Selected Readings in English History. E. P. Cheyney. Ginn & Co., Boston.

History of England. S. R. Gardiner. P. F. Collier & Sons, New York.

The Real American Romance. Edwin Markham, editor. W. H. Wise & Co., New York.

A Book of Americans. Stephen and Rosemary Benet. Farrar & Rinehart, N. Y.

Americanization. Emory D. Bogardus. University of Southern California Press, Los Angeles.

The Federal Convention (a dramatization). Margaret Porch Hamilton. Leonia, N. J.

Folkways. William G. Sumner. Ginn & Co., Boston.

Pageant of America. Yale University Press, New Haven, Conn.

The Fathers of the Constitution. Max Farrand. Yale University Press, New Haven, Conn.

The Framing of the Constitution. Max Farrand. Yale University Press, New Haven, Conn.

The Story of the Constitution. Hon. Sol Bloom. U. S. Sesquicentennial, House Office Building, Washington, D. C.

George Mason, seated at his desk, as he might be while making notes for the Bill of Rights.

LET FREEDOM RING!

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission.

30-MINUTE SCRIPT

Script 1

THE BILL OF RIGHTS

[*Footnotes on page 22*]

CAST

ANNOUNCER	PATRICK HENRY	Householder,
VOICES	RANDOLPH	Street Speaker,
POMPEY	ASSEMBLYMAN BROWN	Lawyer, and
GEORGE WASHINGTON	PENDLETON	Other Citizens
GEORGE MASON	LEE	

Music [*Patriotic fanfare . . . Roll of drums . . . Built up to—*]
[*Three strokes of Great Bell.*]

ANNOUNCER [*Dramatically.*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to basic idea of program with sound of sonorous bell worked into orchestration.*]
[*At triumphant finish of song, orchestra segues into soft background music for announcer, bell motif still softly heard.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy wrested these rights from kings and gave them to you! These

rights are now a part of the law of the land! Celebrating this 150th anniversary of the Constitution of our United States the . . . (local group) and the . . . (local radio station) present the ageless story of man's unending struggle for freedom!

VOICE — Tonight we begin this series of great radio dramas depicting the winning of human liberties with the story of our own Bill of Rights.

Music — [*Up and down.*]

ANNOUNCER — Civil rights are your most precious possessions!

1ST VOICE — The right of free speech!

2D VOICE — The right of free press!

3D VOICE — The right to worship as you please!

4TH VOICE — The right to trial by jury!

ANNOUNCER — Who fought to bring these precious rights to every American?

1ST VOICE — Is the battle ended?

2D VOICE — Will this battle ever end?

ANNOUNCER — Here is the American epic—the crusade for freedom! Here are true stories, hitherto little known, but of immeasurable importance! Experts have searched original manuscripts in the Library of Congress—national authorities on American history and government have contributed their part—so that [each week at this hour] we can invite you and every American citizen to join with us and Let Freedom Ring!

Music — [*Burst into "Let Freedom Ring." Chorus and orchestra or organ.*]

ANNOUNCER — Tonight's opening program is devoted to George Mason and the Bill of Rights!

1ST VOICE — Who was George Mason?

2D VOICE — What is the Bill of Rights?

ANNOUNCER — How did these rights become the first 10 amendments to our Constitution? . . . Listen . . .

Music — [*Orchestra . . . Not too loud . . . After moment fade and continue softly behind.*]

1ST VOICE — [*Over.*] The stirring year of 1775! A flame of resentment sweeps through the colonies. Rights of Englishmen in America have been flouted, spurned, spat upon by Englishmen in England. Craftsmen in Massachusetts are outraged. Farmers in New Jersey shake their fists. Planters in Virginia hold indignation meetings.

2D VOICE [1] — One of these angry planters is George Mason, neighbor and friend of George Washington. Washington often rides the 10 miles from Mount Vernon to ask Mason's advice. One day in Gunston Hall, the home of George Mason. . . .

POMPEY — [*Coming up.*] Dis way, Mas'r Washington.

WASHINGTON [2] — [*Coming up.*] Good evening, Mr. Mason.

MASON [2] — Why, Colonel Washington! This is a pleasure indeed!

WASHINGTON — [*Coming up.*] Mrs. Washington asks me to give you her greetings.

MASON — Thank you! Won't you sit down? [*Steal in children's voices.*] This is quite a noisy home! You see, Colonel, you aren't the only one who has an army! Mine is only five boys and four girls, but they manage to sound like several detachments!

WASHINGTON You're a fortunate man, Mason. I only wish that Mount Vernon were similarly beset!

MASON [*Laughs.*] I'm afraid I couldn't spare any of my battalions! But tell me, Colonel, what are the prospects ahead for the Army?

WASHINGTON As good as possible without supplies, uniforms, guns, or even shoes!

MASON But you will accept the command if it is offered?

WASHINGTON [*Evasively.*] We must all do our part. Why do *you* refuse to be sent as one of the delegates to the Continental Congress?

MASON Why, look at me, my friend! I'm 50—I've got a gouty foot—and nine motherless children. Surely those are reasons enough!

WASHINGTON Not in these times!—It seems you haven't heard what happened in Williamsburg yesterday!

MASON What do you mean?

WASHINGTON Governor Dunmore was threatened by a mob. He'll be gone in a week.

MASON [*Happy—Astonished.*] The British governor will leave?

WASHINGTON I'm sure of it!

MASON Ah! Then Virginia must sink or swim by itself!

WASHINGTON Just what we said, remember?

MASON Yes, I remember, walking the floor at Mount Vernon till dawn talking of the rights of men . . . [*Laughs*] I've the love of liberty in my blood. My grandfather, you know, was a leader in Bacon's Rebellion.

WASHINGTON Yes, that was a big step toward home rule in Virginia. And now [*Steal in clatter of hoofs coming up*]. We're asking as much of his grandson. Mason, I rode ahead of a delegation coming here today to ask you to reconsider and serve in the Continental Congress. Patrick Henry and Thomas Jefferson—

Sound [*Horses stop . . . Murmur of men's voices.*] Here they come now!

POMPEY [*Coming up.*] Yas, gennlemun, Mas'r George—he's home. . . .

ALL [*Ad lib coming up.*] Good evening, Mason! How do you do? Good evening, Colonel!

MASON Welcome to Gunston Hall!

WASHINGTON I have explained your errand, gentlemen.

HENRY [2] With what result?

MASON Ah, my old friends—it grieves me to say "No."

JEFFERSON You would not refuse without the best of reasons, I know.

MASON [*Going off slightly.*] Gentlemen, I have nine of them! I must refuse public office from a sense of duty to my children.

Sound [*Close door.*]
[*Coming back.*] Since my wife died 2 years ago I must be father and mother both!

ALL [*Ad lib.*] Of course! You are right! We understand.

MASON And now you must partake of some refreshment after your long ride.
[*Calling.*] Pompey! Pompey!

POMPEY [*Off.*] Yes, Mas'r George.

MASON Conduct these gentlemen into the dining room and set out the best the house affords!

ALL [*Happy murmur of anticipation as crowd moves out.*]

JEFFERSON Oh, no, Mason! You can't get rid of me for the best Madeira on earth . . .

MASON No one but the British Parliament would want to get rid of Thomas Jefferson!

JEFFERSON Ah, I see you're reading the Magna Charta, Mason. And what's this—the English Bill of Rights?

MASON Yes, I wanted to discover what previous attempts had been made toward individual liberty.

JEFFERSON These documents protect Parliament against the King, but they give little protection to the people against Parliament.

MASON I amuse myself sometimes—evenings—jotting down a plan for broader rights than these—a plan for some future government.

JEFFERSON Who knows how soon that future may come? There are things stirring. I feel them in the air—changes, principles . . .

MASON [*Excitedly.*] That's it! Principles! People must have principles to live by . . . I wrote something like that last night . . . Let me see if I can find it . . . [*Stirring through pages on table.*] Ah, here it is! "All men are by nature equally free and independent, and have certain inherent rights—namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety."

JEFFERSON [*Almost breathlessly.*] Go on!

MASON "Government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community!"

JEFFERSON Let me see that!

Sound [*Jefferson takes paper from Mason.*]

[READING] "When any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, unalienable right to reform, alter, or abolish it, in such a manner as shall be judged most conducive to the public weal."

MASON [*Rustling papers.*] Here's more of it.

JEFFERSON [*Enthusiastically.*] Let me take this, will you, Mason? All of it! I can use this!

Music [*For transition . . . Fading behind.*]

ANNOUNCER Thomas Jefferson does find a use for it. For the first time in history the rights of man have been clearly enumerated. Within a year Mason is hailed as the chief builder of a new form of government.

1ST VOICE The months pass. July 4th, 1776!

Music [*Steal in softly patriotic music with Liberty bell ringing faintly in the background.*]

2D VOICE [*Over.*] Listen to the words and phrases that Thomas Jefferson evolved from Mason's Bill of Rights when he proclaimed to the world our Declaration of Independence . . . While the Bell of Freedom rings in a new nation!

Music [*Music and bell up a moment . . . Then fade behind.*]

1ST VOICE "We hold these truths to be self-evident; that all men are created equal; that they are endowed by their Creator with certain unalienable Rights; that among these are Life, Liberty, and the pursuit of Happiness. [*Fade.*] That to secure these . . . ."

Music [*Chorus, orchestra, and bells up triumphantly through to finish.*]

1ST VOICE That great step toward liberty is only the beginning! The Revolution finally ends, but an internal strife goes on!

2D VOICE Men have conflicting ideas on how this new government should be run! It seems a hopeless task to try to write a Constitution that will satisfy everyone.

ANNOUNCER And in stuffy little Independence Hall on the 17th day of September 1787, weary delegates pay scant attention to the gavel of George Washington, President of the Constitutional Convention. Only George Mason who has reluctantly reentered public life is on the alert.

Sound [*Begin to steal in murmur of delegates . . . off mike.*]

VOICE Where's our guarantee of trial by jury?

2D VOICE Freedom of worship?

MASON Mr. President!

Sound [*Rapping of gavel.*]

WASHINGTON The chair recognizes Mr. George Mason of Virginia.

MASON I see the difficulties raised by these gentlemen. And I agree with them.

VOICES [*Off a few . . . Ad lib.*] Yes! Yes!

MASON If we can only complete this Constitution with a Bill of Rights, most of these problems will be met.

VOICES [*Two or three.*] Hear! Hear!

MORE VOICES [*Ad lib.*] No! Impossible! Never!

RANDOLPH Mr. President!

WASHINGTON [*Off.*] Mr. Randolph.

RANDOLPH I agree with Mr. Mason that the Constitution gives the new Congress indefinite and dangerous power unless there are amendments limiting it. I move that such amendments be offered by the different States.

MASON Mr. President!

WASHINGTON [*Off.*] Mr. Mason.

MASON I gladly second a motion made for the purpose. With the authors of so many State Bills of Rights present, such a bill might be prepared in a few hours.

CROWD [*Confused voice of argument.*]

Sound [*Rapping of gavel.*]

FRANKLIN Mr. President!

WASHINGTON [*Off.*] Mr. Franklin.

FRANKLIN I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure that I shall never approve them. I, therefore, sir, agree to this Constitution because I expect no better and because I am not sure that it is not the best. And I cannot help expressing a wish that every member of the Convention who may

still have objections to it would with me on this occasion doubt his own infallibility and, to make manifest our unanimity, put his name to this instrument.

WASHINGTON [*Off.*] Will you put that in the form of a motion, Dr. Franklin?

FRANKLIN [*Brokenly in great emotion.*] I move the Constitution be signed with this attestation: "Done in Convention by the unanimous consent of the States present."

VOICES [*Small clamor . . . some for . . . some against.*]

MASON Mr. President.

Sound [*Gavel rapping for order.*]

WASHINGTON [*Off.*] The Chair recognizes Mr. Mason of Virginia.

MASON Gentlemen, I believe that a government to be lasting must be founded in the confidence and affections of the people and must be so constructed as to obtain these. Without a Bill of Rights I cannot but conclude that this government will end either in monarchy or a tyrannical aristocracy. Which, I cannot say, but one or the other, I am sure. This Constitution has been formed without the knowledge of the people, and it is not proper to say to them: "Take this or nothing." As it now stands I can neither sign it here nor support its ratification in Virginia. You will excuse me, gentlemen!

Sound [*Solemn, firm footsteps marching out . . . Murmur from crowd.*]

MAN [*Aside.*] George Mason is leaving the Convention!

2D MAN — Randolph and Gerry are going, too!

OTHERS — [*Calling out from various distances.*] Vote! Vote!

WASHINGTON [3] — [*Off.*] Gentlemen—we don't want another vote on this—we want your names on the document if you intend to sign. I am going to set the example now. But before I sign my own name, I wish to make one comment—the first I have ventured during the entire session. [*Completely disgusted with them, he quickly warms to smashing climax.*] Should the States reject this excellent Constitution the probability is that an opportunity will never again offer to cancel another in peace. The next will be drawn in blood.

Music — [*Military martial . . . Patriotic up and behind.*]

ANNOUNCER — Thirteen delegates had already left in disgust. Three refuse to sign. But 39 delegates affix their names to the Constitution.

1ST VOICE — Yet almost at once it is in peril. If Pennsylvania, the first State to which it is submitted, refuses to ratify it, then its cause, the great cause of Popular Government, is imperilled.

2D VOICE — The State Assembly meets. Popular feeling runs high. Crowds gather in the streets to discuss the proposed Constitution.

Sound — [*Mob murmur.*]

1ST MAN — I'm against this idea of letting little States like Rhode Island and Delaware have as much say in the Senate as our own Pennsylvania!

2D MAN — Well, I say ratify the Constitution right away and get business going!

3D MAN — But our Assembly can't ratify it. It will have to call a Convention to do that.

2D MAN — Ah! Our white-livered assemblymen are scared.

1ST MAN — They tell me some of them are staying at home so there won't be a quorum to call a Convention.

Sound — [*Murmur rises.*]

MAN — Let's rout 'em out! We'll get a quorum! We'll make 'em vote!

OTHERS — [*Short ad lib.*] Hooray! Let's do it!

WOMAN — Assemblyman Brown lives on this street—let's get him out!

OTHERS — [*Ad lib shouts.*] Come on! Get Brown out! We'll get a quorum! We'll show 'em! [etc., *as they move away.*]

Sound [4] — [*Mob murmur down and up. Banging on door.*]

VOICES — [*Ad lib shouts.*] Brown, come out here! We want Brown!

Sound — [*Window raised.*]

VOICE — There's someone at the window! Hey! [*Crowd murmur down so woman may be heard.*]

WOMAN — [*Off mike—from inside house.*] Who are you? What do you want?

MAN — We want Brown!

VOICES — [*One concerted shout.*] Yea-a-a!

WOMAN — [*Off mike—frightened.*] What for?

MAN — He's due at the Assembly—and we're going to see that he gets there!

WOMAN — [*Off mike: Regaining a little of her composure.*] Mr. Brown isn't going to the Assembly! He—he's sick. [*She is evidently lying.*]

MAN — He'll be sicker'n that if he doesn't come out here!

CROWD — [*Roars with laughter.*]

2D MAN — [*Shouts.*] Maybe a little tar and feathers 'll cure his ailment!

CROWD — [*Renews laughter.*]

WOMAN — [*Off: Now frightened again.*] No, No! He's coming! Mr. Brown's coming!

Sound — [*Door opens.*]

VOICE — There he is!

MAN — Come on, Brown, we elected you to sit in the Assembly! Vote as you please, but go there and sit.

2D MAN — And you'd better give us our Constitution!

BROWN — [*Off mike: Trying to brazen it out.*] No dirty rabble can bully me!

MAN — You sat in your counting house while we were out fighting for liberty. You're not goin' to cheat us out of our rights now!

CROWD — [*Ad lib.*] No! You bet not! If you're too sick to walk, we'll carry you.

BROWN — [*Quickly.*] No! No! I'll go with you! I'll go.

CROWD — [*Several shout.*] Hooray!

BROWN — [*Coming up.*] I'll go with you—but I'll pay my five shillings fine and come right back!

MAN — Oh, yes? We'll see about that!

CROWD — [*Scoffing laugh. Sneers.*] Come on! On to the State House! [*They start singing "Yankee Doodle" as they move away.*] [*Crowd down and up: Still singing.*]

Music — [*Fade Out.*]

VOICE — [*As they come up.*] Here's the State House.

MEN — In you go, Brown.

CROWD — [*Small cheers.*]

MAN — How many more do we need for a quorum?

2D MAN — Ten or twelve.

MAN — Come on, we'll go get 'em!

WOMAN — What if Brown gets away while we're gone?

MAN — He won't! You stay here, Harvey! Fast as we bring these Assemblymen in, we'll lock 'em up, and by George, we'll keep 'em locked up till they vote for a convention to ratify the Constitution.

CROWD — [*Cheers: fading into.*]

Music — [*Transition fade behind.*]

ANNOUNCER — And with these high-handed measures the people of Philadelphia bring pressure on their assemblymen to call a convention in December. Pennsylvania reluctantly ratifies the Constitution.

1ST VOICE — By the following June when the Virginia Convention meets to consider it, a total of eight States are known to have ratified. The Constitution is to become binding when nine States have accepted it. Therefore, Virginia feels its momentous responsibility.

2D VOICE When the delegates gather at Williamsburg, there is fierce debate. For George Mason, who had walked out of the original convention in Philadelphia, now leads, with Patrick Henry, the movement *not to ratify without the inclusion of a Bill of Rights!* We find Henry and Mason in the taproom of the Raleigh Tavern, discussing developments [*Fade.*] . . .

MASON [*Fading in.*] Look at this new issue of the *Federalist,* Henry! Hamilton is doing his best to ram the unamended Constitution down our throats. He's afraid of a Bill of Rights.

HENRY Hamilton's a brilliant writer!

MASON Yes; but his whole philosophy is built on a mistrust of the people. Now here's a letter I just got yesterday from France. From the greatest democrat of us all, Thomas Jefferson.

HENRY What does he say?

MASON Ummmm . . . [*Finding place: Then reading.*] "I want a bill of rights and amendments as much as you do. But don't despair if at least nine States ratify the Constitution as it stands, for that will secure the good it contains. If the last four States refuse to ratify that will force the others to agree to our amendments."

HENRY That's excellent advice—from three thousand miles away.

MASON Yes. This is the closing day of the Convention. You and I will have to fight till the last minute!

HENRY We'll get this much, at least [*Clock striking off*] that our delegates go to the First Congress pledged to amendments.

MASON Ten o'clock. We should be at the hall now.

HENRY How dark it is in the West!

MASON It looks as though there's a storm brewing.

HENRY I'd say *two* storms brewing.

Music [*Patriotic and transition.*]

Sound [*Gavel through hum of conversation.*]

PENDLETON Gentlemen of the Virginia Convention, the meeting is now called to order.

Sound [*Crowd gradually quiets.*]

RANDOLPH Mr. Pendleton.

PENDLETON [*Off.*] The chair recognizes Mr. Edmund Randolph.

RANDOLPH There has been enough discussion in this convention. Every possible argument for and against ratification has been heard, except what I regard as the most important one. Virginia is too much in debt to delay in joining the Union.

MASON May I answer Mr. Randolph's argument?

PENDLETON [*Off.*] Mr. Randolph, do you yield to Mr. George Mason?

RANDOLPH Certainly.

MASON [*Sarcastically.*] Do I understand my colleague to mean that because we are involved in debt we should take less care of our rights and liberties? Shall we abandon them because we owe money? Perhaps he can assure us that the new government possesses some secret; some means of turning everything into gold . . . [*Laughter.*]

LEE[5] [*Angrily.*] Mr. Chairman.

PENDLETON [*Off.*] Mr. Lee.

LEE Mr. Mason ought to know that ridicule is not the test of truth. Does he imagine that he who can raise the loudest laugh is the soundest reasoner? Mr. Randolph was appealing to the judgment and not the risibility of these gentlemen here.

MASON Mr. Chairman.

PENDLETON [*Off.*] Mr. Mason.

MASON Mr. Randolph seems to raise phantoms to terrify us into taking the new government with all its sins and dangers. Yet, I know that he once saw as great dangers in it as I do. What has happened to change his opinion? Why, our private fortunes depend on the credit of this State, as much as his, but financial danger is as nothing compared to the dangers that must inevitably arise from the insecurity of our rights and privileges. They were written into our Declaration of Independence. We asked men to shed their blood for them. Now, if they must depend on vague, indefinite, and ambiguous implications, I dread the consequences. The people will resist and popular resistance may have dreadful effect. Gentlemen, pause before you decide a question with such awful consequences. The liberty or misery of millions yet unborn depends on your decision. [*Applause.*] [*Thunder.*]

MAN [*Aside.*] How dark it is getting. They're lighting the candles.

2D MAN If it rains, that's the last of my tobacco crop; but if Patrick Henry is going to speak, it's worth it.

HENRY Mr. President.

PENDLETON [*Off.*] Governor Henry.

HENRY [6] Gentlemen of the State of Virginia, I cannot give my oath to support this Constitution without three ultimatums which are indispensably necessary: A Bill of Rights; a positive assertion securing to the States and people every right not conceded to the central government; and, third, every vague implication to be done away. I was appointed several days ago chairman of a committee to prepare a Bill of Rights for your consideration. I have a rough draft of such a bill here.

PENDLETON [*Off.*] Proceed, Governor Henry.

HENRY [*Reading.*] Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for redress of grievances. The right of trial by jury shall [*Fading out*] be preserved . . . [*Thunder—Wind.*]

Sound [*Rising of wind. Banging of shutter. Rain on the windows.*]

HENRY [*Fading in*] and, gentlemen of the Virginia Convention, the enumeration in the Constitution of these rights shall not be construed to deny or disparage others retained by the people. [*Applause.*]

HENRY Gentlemen, I have a resolution to put before you. I propose that we refer this Bill of Rights to the other States for their consideration previous to their ratification of the Constitution. Before you vote on this, gentlemen,

let me tell you that [*in ringing tones*] I look beyond the horizon to beings of a higher order, celestial beings, who are witnesses of the work here to be consummated in behalf of posterity.

Sound [*Terrific thunder with long reverberations.*]

VOICES [*Ad lib through storm.*]

HENRY [*Shouting above the roar of thunder.*] Harken to their warnings, gentlemen: Do you dare to disobey? [*Fading on thunder.*]

Music [*Up and under.*]

1ST VOICE The Virginia Assembly ratifies the Constitution with a request for subsequent amendments and instructs its delegates to the first Federal Congress in New York to recommend a Bill of Rights.

2D VOICE Public sentiment for the Bill of Rights is so strong that that astute politician, James Madison, at the opening of the First Congress arises to say . . .

MADISON It appears to me that this House is bound in Providence not to let the first session pass over without proposing to the State Legislatures some amendments to be incorporated into the Constitution. It is desirable to extinguish from the bosom of all members of the community the suspicion that they are to be deprived of the Liberties for which they nobly fought and honorably bled. The first of these amendments should be a Bill of Rights.

SHERMAN Mr. Speaker.

SPEAKER Mr. Sherman.

SHERMAN If we weave the proposed statements of rights into the work it might destroy the whole fab-

ric. We might as well try to mix brass, iron, and clay as to incorporate such heterogeneous articles.

SEVERAL VOICES [*Calling ad lib from various distances.*] Mr. Speaker! Mr. Speaker! Mr. Speaker! [*Fade.*]

Music [*As transition.*]

VOICE After a wild discussion, the Bill of Rights is passed by both houses and submitted to the legislatures of the States for ratification. Within a short time the first 10 amendments embodying these rights are a part of the law of our land. In many other governments these fundamental principles of liberty rest solely upon the conscience of those in authority.

ANNOUNCER In America, the Constitution, the written charter of State, attempts to maintain a just balance between the necessary powers of government and the liberty of the individual.

Sound [*Roll of drums.*]
[*Steal in angry crowd murmur.*]

MAN You can't say a thing like that! Officer, arrest that man!

SPEAKER [*Off.*] You can't arrest me! The Constitution says I have a right to free speech.

VOICES [*Ad lib.*] Yeah; that's so, etc. [*Fade.*]

Sound [*Drum roll, for transition.*]

ANNOUNCER Or a group of unauthorized officers are about to force entry into a home . . . [*Fade.*]

Sound [*Clamor and pounding on door.*]

VOICES Open up in there, or we'll smash your door in!

Sound [*Door opens.*]

HOUSEHOLDER What do you want?

VOICE We're going to search your house.

HOUSEHOLDER Let's see your search warrant.

VOICE We haven't any warrant, but——

HOUSEHOLDER Then go and get one if you can. You'll not search this house without it. I know my Constitutional rights.

Sound [*Drum roll.*]

ANNOUNCER A newspaper attacks this man's pet graft . . . [*Fade.*]

MAN [*Fading in angrily.*] I'll get him! I'll wipe out his blasted newspaper! No man can do that to me and get away with it.

ANOTHER Sure, you can sue him for libel if you figure you've got a case.

MAN Yeah, and get six cents damages.

ANOTHER [*Chuckling.*] Then you'll have to take it, fellah—the right of free press, you know.

MAN [*Disgruntled . . . grumbling.*] Oh, is that so? . . .

ANOTHER It's bad business fighting a free press. I'd think it over if I were you . . .

Sound [*Drum roll.*]

ANNOUNCER Or perhaps here is one against whom there is a charge—a charge of murder . . . [*Fade.*]

YOUNG MAN But I didn't do it, I tell you! I'm innocent!

LAWYER Try not to worry, son. If you're innocent, a jury ought to realize it from the evidence. You're entitled to a fair trial—by a jury of your peers—plain men like you and me.

Music [*Up and out.*]

1ST VOICE — Today we aim at a system of justice based on reason. Yet, the long struggle is not over. Have we changed our system of justice to cope with modern crime?

2D VOICE — Is the Bill of Rights itself up to date?

3D VOICE — Should it include freedom to learn—academic freedom?

4TH VOICE — Should it include the right to work?

5TH VOICE — Should new rights be recognized to meet changing economic conditions?

ANNOUNCER — Struggle for Freedom never ends! Ground that is lost must be regained! Each generation must rewin its rights! Eternal vigilance is still the price of liberty! Let us strive on, to the end that our children's children may always know the glorious fulfillment of that noblest cry known to man—"Let Freedom Ring!"

Music — [*Closing theme . . . Fade under and out.*]

PRODUCTION NOTES

[1] Get a good "balance" when the music is played "under" the first and second voices. "Fade" the music out on "Washington often rides . . ."

[2] Washington should have a low, friendly, dignified voice; Mason, a soft spoken, intelligent one; Patrick Henry, that of a great orator, to get contrast.

[3] Build this scene until it hits a terrific climax with Washington's speech here.

[4] In this scene people are mad and unreasoning. Actors do not wait for cues, and one speech "tops" the other as the crowd grows more and more unruly.

[5] Mason plays with reserve to obtain the sympathy of the audience. Lee may bluster.

[6] Henry should start rather quietly so as to build up for his climax.

[7] Be sure the "blackouts" begin and end with precision.

NOTE.—Additional helps may be found in the general production notes on page 375.

LESSON AIDS

The story of the rise of democracy is the story of the transfer of power from the king to the people. From the Folkmoot of the Teutonic forests, at the beginning of the Christian era, to the adoption of the American Constitution nearly two thousand years later, the road is marked with many a milestone significant in the ever onward march of democracy: Magna Charta, 1215! the House of Commons, 1295! the Petition of Right, 1628! the Bill of Rights, 1688! . . .

Lance and torch and tumult,
Steel and grey goose wing
Wrenched them inch and ell and all,
Slowly from the King.

These hard-won rights were brought to the New World by the early English colonists. The struggle went on in America. From the Virginia House of Burgesses and the Mayflower Compact came ideals of freedom and democracy which found firm rootage in the new soil, and the American Bill of Rights—the first 10 amendments to the Constitution of the United States—was to become another great milestone in the story of human freedom.

In one of Rudyard Kipling's most famous poems, entitled, *The King*, we find these remarkable lines:

ALL we have of freedom,
All we use and know
This our fathers bought
For us, long and long ago

Ancient rights unnoticed
As the breath we draw
Leave to live by no man's leave
But underneath the law.

Read these lines again, carefully and thoughtfully. Then ask yourself these questions: What is the significance of the term "ancient rights"? What is a "right"? Contrast "freedom" and "slavery," "liberty" and "license." What is "The Law" referred to here? Kipling calls his poem *The King*, and the word king is a good old Anglo-Saxon one, *Konnan*, meaning "The man who can." Did you ever hear of the Divine Right of Kings? Can you give any illustrations from history? Who were "The Fathers"? Could you compile a genealogical table which would show the generations of men who gave us these rights?

A reading of the first and closing paragraphs of the Declaration of Independence and an examination of the first 10 amendments to the Constitution will show you the results of centuries of growth and development. Our "Founding Fathers" realized that nothing is constant save change and realizing this, they provided for an amending process. What is this process? Is it too difficult, in your opinion?

These questions will give you the essential background for further work in class with the *Problems for Discussion and Debate* listed below. It is hoped, also, that you will be sufficiently interested to work out one or more of the exercises under the heading *Activities*. Could you not also reserve some special and rather prominent place on the blackboard, entitled *Watch this Spot*, where you might list each day certain important slogans or significant quotations like those suggested here?

I. Activities

1. Prepare a genealogical table, in the form of a tree or a chart, which will show the generations of men whose names are most significant in the long struggle for human rights—from Socrates to Langdon, from Hampden to Jefferson.
2. Work out a Who's Who for Revolutionary America. Include:
   (a) George Mason
   (b) George Washington
   (c) Thomas Jefferson
   (d) Patrick Henry
   (e) Richard Henry Lee
   (f) James Madison
   (g) Benjamin Franklin
   (h) Alexander Hamilton
   (i) Edmund Randolph
   (j) Elbridge Gerry
   (k) Secretary Jackson
   (l) Roger Sherman
3. "Eternal vigilance is still the price of liberty. Each generation must rewin its rights." Write a 500-word essay on the significance of this statement in the light of present conditions in the world.
4. You will note that many patriotic songs of the period can be used in this presentation. Identify the best known.
5. Diagram the steps in the development of rights of the people in English and American History.
6. When? Where? Why? Who? What? } of the Constitutional Convention.
   (See Max Farrand, *The Fathers of the Constitution* and *The Framing of the Constitution.*)
7. Memorize at least one of the following:
   (a) The Mayflower Compact.
   (b) First and last paragraphs of the Declaration of Independence.

(c) The Preamble to the Constitution.
(d) The American Bill of Rights.

8. A piece of historical research: Prepare a report showing the difficulties of ratification of the Constitution in such States as, (1) Pennsylvania, (2) Massachusetts, (3) New York, (4) Virginia, (5) Your own State, if it is one of the original 13: if your State is not one of the original, what acceptance of these principles was necessary before it became a member of the Union?
9. Interpret Whitman's lines on *The Ship of Democracy*. Write out your interpretation, either in prose or in poetry, and submit it for publication in your school paper.

II. Discussion and Debate

1. Randolph said that he and George Mason believed that the "Constitution gives Congress indefinite and dangerous power without amendments limiting it." What is the significance of this statement?
2. "All men are by nature free and independent and have certain unalienable rights . . ." Was this thought original with Mason?
3. Edmund Randolph states that for him the most important argument for ratification is that "Virginia is too much in debt to delay in joining the Union." Note Mr. Mason's challenge to this argument. Which do you think had the sounder basis for his contention?
2. Do you justify George Mason's withdrawal from the convention?
5. Stage a debate between George Mason and Edmund Randolph, on the one hand, and Alexander Hamilton and Benjamin Franklin, on the other, on this issue:

   Resolved: that the powers granted to the new government by the unamended constitution are too general and indefinite and therefore dangerous to the liberties of the people.
6. Should the status of the Supreme Court be changed by the amendment process or by executive or legislative action?

III. Watch This Spot

1. Kipling's lines as quoted above.
2. Benjamin Franklin's "Light, not heat" speech.
3. Farmer Jonathan Smith's speech in the Massachusetts Ratification Convention which begins, "I am a plain man and am not used to speaking in public . . ." (See Fiske, *The Critical Period.*)

4. "From the struggles of the past, learn how we have progressed to the present. From the problems of the present, let us prepare for an ever better justice in the future!"

MUSIC PRODUCTION NOTES

Compositions used (orchestration, unless specified).

1. Let Freedom Ring, theme by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).
2. The Flight, P. P. 5,[1] by Hadley (M. Witmark & Sons).
3. Liberty Song, from The Music G. Washington Knew (Oliver Ditson, Boston, Mass.).
4. Gladiator's Tournament, P. P. 43, by Clamendh (M. Witmark & Sons).
5. Yankee Doodle, contained in any school or patriotic song book.
6. The Siege, P. P. 8, by Wilson (M. Witmark & Sons).
7. Unrest, P. P. 4, by Hadley (M. Witmark & Sons).
8. Funeral March for a Puppet, P. P. 11, by Trinkhaus (M. Witmark & Sons).

How to use them (C–1 means composition 1, etc.).

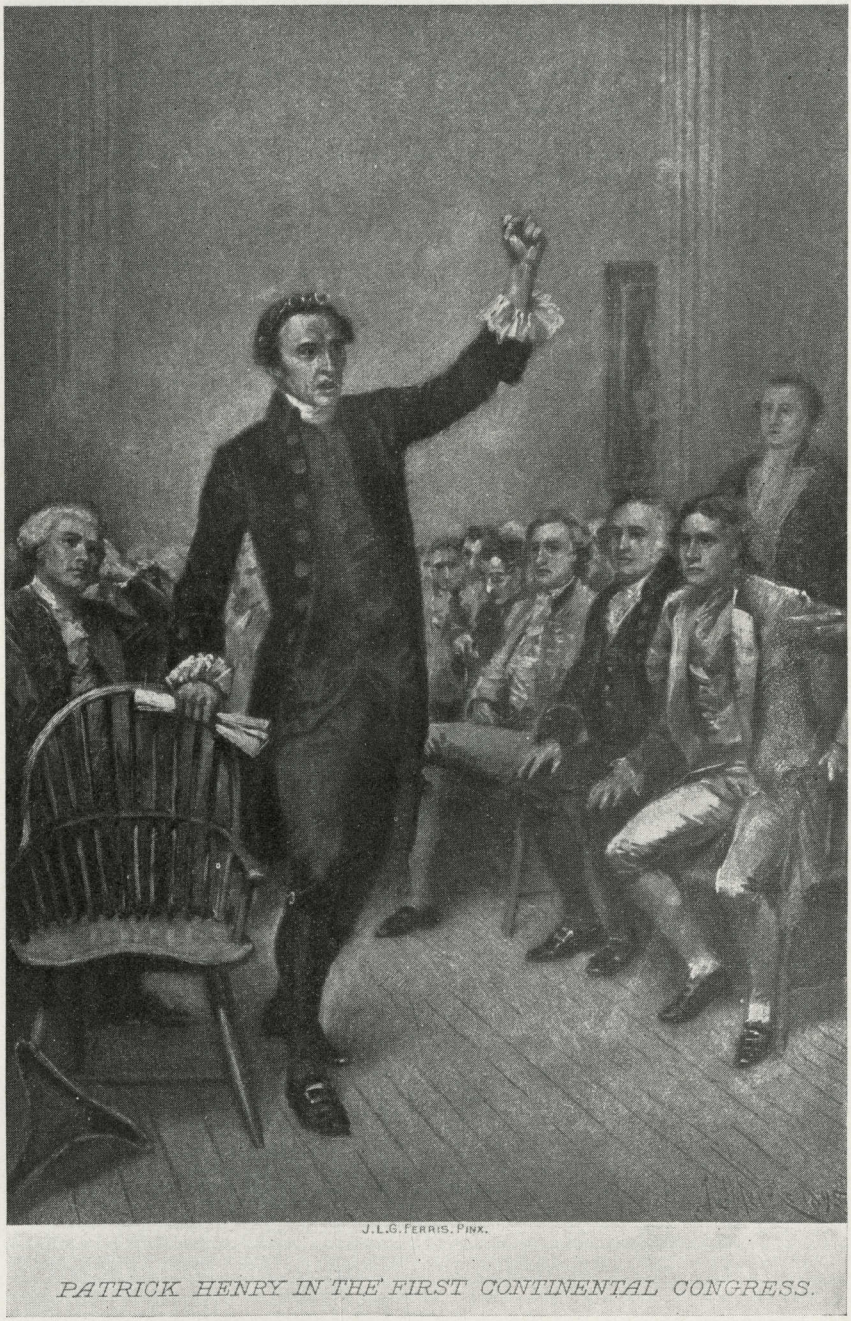
Page 1	Use theme (1) as directed in general music notes at end of scripts.
Page 2	First and second music cue still pertains to theme.
Page 3	Play C–2 from letter C to end.
Page 7	Play C–3 beginning after the introduction and keep it going softly until end of first speech on page 8.
Page 11	Play C–4 from eight measures before letter E. Continue until fadeout on mob murmur at bottom of page.
Page 14	Have chorus or the actors sing C–5 (melody only). Fade-out under the words, "Here's the State House."
Page 14	Play C–3 up and under speech until the words: " . . . the inclusion of a bill of rights", on page 15, then fade-out.
Page 16	Play C–6 from letter A four measures.
Page 19	Play C–6 from letter D four measures and finish with a F minor chord on downbeat of fifth measure.
Page 20	Play C–7 from third measure after letter F; play five measures (omitting last two measures).

[1] P. P. 5 means Photo Play Series No. 5.

Page 21 — First cue and second cue drum rolls as marked—all of these short, arresting.

Page 21 — Play C–8 from letter F under speech until fifth voice ends. There up and out.

Page 22 — Theme: Follow instructions for the use of the Let Freedom Ring theme song.



Patrick Henry in the First Continental Congress. From a painting by J. L. G. Ferris.

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission.

30-MINUTE SCRIPT

Script 2

TRIAL BY JURY

[*Footnotes on page 53*]

CAST

ANNOUNCER	LEIGHTON	JEFFERSON
VOICES	CROMWELL	FRANKLIN
MOTHER	WILLIAM PENN	NEGRO
FUGITIVE	WILLIAM MEAD	LAWYER
ARCHBISHOP LANGTON	BUSHELL	CHIEF JUSTICE HUGHES
KING JOHN	SHERIFF	MEN AND WOMEN OF CROWD
BARON	CAPTAIN PHIPPS	Soldiers, Jurymen,
SPEAKER OF HOUSE	MASON	Witnesses,
PYM	DUNWOODIE	Judges, etc.

Music [*Patriotic fanfare . . . Roll of drums . . . Built up to—*]
[*Three strokes of great bell.*]

ANNOUNCER [*Dramatically.*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to basic idea of program with sound of sonorous bell worked into orchestration.*]

Music [*At triumphant finish of song, orchestra segues into soft background music for announcer, bell motif still softly heard.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy wrested these rights from kings and gave them to you! These rights are now a part of the law of the land. Celebrating this 150th anniversary of the Constitution of our United States the . . . (*local group*) and the . . . (*local radio station*) present the ageless story of man's unending struggle for freedom! Tonight we consider another of our blood-bought Bill of Rights, Trial by Jury! Justice at the hands of our neighbors!

Music [*Up and down.*]

1ST VOICE Amendment Seven to the Constitution of the United States . . .

2D VOICE " . . . The right of trial by jury shall be preserved!"

3D VOICE This is the story of the struggle of plain men to share in the rational administration of justice.

Music [*Up and down.*] [*Trumpet.*]

1ST VOICE The story begins.

2D VOICE Justice in Celtic Britain 400 A. D. Justice founded on force!

3D VOICE Murder has been done. But there is no method of determining guilt or innocence. This is the age of the Blood Feud.

Sound [*Clatter of hoof beats . . . up then fade and hold under.*]

ANNOUNCER The Blood Feud is the unwritten law of vengeance, an eye for and eye, a life for a life! Through the oak glade gallops a foam-flecked horse bearing a young man, his face ghastly pale with fear! Into the clearing before a castle! Across the drawbridge!

Sound [*Hoofs up on wood . . . Stop . . . Horse blowing.*]

WOMAN [*Crying in terror.*] Why are you here, my son?

BOY I'm pursued! The Avenger of Blood is on my heels!

WOMAN Oh, my boy—whom did you slay?

BOY No one—but they found my enemy, John of Avon, dead—and accuse me.

WOMAN We must hide you, my son.

BOY What is the use? Put a sentinel behind my bed, a secret coat of mail under my doublet—but some time his nearest relative will find me. I'm condemned to a perpetual sentence of death—never knowing when it will strike.

WOMAN [*Bitterly.*] Is this justice? [*Fading.*] Is this justice?

Music [*Up and out.*]

VOICE That anguished cry rang through English forests till the days of King Alfred—and—

2D VOICE Justice . . . 800 A. D. Trial by Compurgation or Trial by Oath! Justice Founded on Superstition!

Sound [*Trumpet.*]

VOICE The bronzed freemen in their leathern jackets squat on the green—simple, devout—superstitious! Justice is not as yet based on logic and reason! This is a credulous age when men are prone to see miracles in everything that happens.

2D VOICE The accused brings men of good character willing to swear that they believe his oath of innocence.

3D VOICE — If he has not done the deed, God will send more men who believe him innocent than who believe him guilty. But if he cannot call forward enough who believe him innocent he is hanged to the greenwood tree!

4TH VOICE — And now, the word "jurors" appears in the English tongue. These first jurors are witnesses sworn to tell the truth in a royal inquest about the local prerogatives of kings and the ownership of lands, compiled for the Domesday Book, England's first census report.

5th VOICE — The use of the inquest spreads to criminal cases. In the year 1150 a man suspected of murder may choose to be tried by a jury of neighborhood gossips.

6th VOICE — His fellow townsmen huddle in one corner of the cold damp court room, scraping and pulling their forelocks while a court attendant waves sweet-smelling herbs in front of the judge's face to keep away the plague!

Sound — [*Rapping of gavel.*]

JUDGE — Men of Wessex! You are the neighbors and equals of this page, Alan, accused of murdering his master. Do you understand your duty?

ALL — [*Ad lib.*] Aye, my lord, we understand.

JUDGE — How many of you are there?

MAN — Please, your lordship, we happen to be 12.

JUDGE — Ah, a goodly number. There were 12 prophets to foretell the truth—12 apostles to preach the truth. Let us have 12 jurors to discover the truth.

ALL — [*Ad lib laughter.*] That's right, my lord. Very good.

JUDGE — Then you may retire and share with each other your information about this crime.

ATTENDANT — This way, fellows.

Sound — [*Murmur of voices . . . Fading . . . Closing of door . . . Shutting off voices.*]

1ST WITNESS [1] — [*Fade in.*] You all know me, neighbors, Honest John, the smith. A day or two before the killing, this rapscallion brought his horse to me for four new shoes. As soon as I heard his master was dead the thought popped into my head, "that lad was a-fixing to travel fast and far."

2D WITNESS — A peddler told me that Richard's mother bought cloth for a dress the other day with new silver pieces.

3D WITNESS — I've known Richard ever since he was baptized, 20 years ago. In all that time I've never known him to do an ill deed.

4TH WITNESS — They do say, though, he was courting a maid at the castle. A lad in love is turned in the head. [*Fading.*] He might do anything to win his sweet.

Music — [*Chords up and out.*]

VOICE — So now, after centuries of blood feuds, oath-helpers, and ordeals, men catch a glimpse of a better justice at the hands of their fellow men. Trial by jury still is far from their reach, but they are groping toward it!

2D VOICE — Groping! Yes; but the King stands in their way. His word is still the people's law. Without trial, proof, witnesses, he can throw his subjects into jail, take their property, execute them!

3D VOICE — This is not justice. This is the arbitrary will of a selfish ruler.

4TH VOICE — King John's oppression becomes unbearable to the proud barons of his realm. They demand a meeting—not at the palace where he holds sway, but under the free sky.

5TH VOICE — Justice. 1215. [*Trumpet.*] The Meadow of Runnymede and the Magna Charta.

6TH VOICE — The sun strikes sparks from the armor of the knights who march with the great barons to the appointed place, a green, daisy-starred council meadow, not far from London. As he awaits them, King John chews a straw and scowls at Archbishop Langton.

LANGTON — But, your Majesty, they ask only for the rights your forefather, Henry, gave their forefathers, among them a fair trial by witnesses. They object to being seized. They object to your taking their property without trial.

JOHN [2] — Langton, the barons are noble born—why should they side with the dirty rabble?

LANGTON — Great or low—they believe that all men should be tried only by their peers!

JOHN — If I had an army, I'd have these upstart barons drawn and quartered. But what can I do?

LANGTON — [*Ringingly.*] Do as God Himself wishes, your Majesty. Grant their demands.

Sound — [*Trumpets.*]

HERALD — [*Calling off mike.*] The barons of England, fiefs of the King, desire to present a petition to his Majesty.

KING JOHN Approach! Let us hear the petition.

BARON Your Majesty—the barons of England bring you the Magna Charta—The Great Charter of the People. It states the terms on which you may expect loyal service from your lords and subjects.

KING [*Furiously.*] Insolence! Do you present terms to your King?

BARON Our terms ask only justice. No Englishman will accept less.

KING The King's will is justice enough!

BARON The will of even the best and noblest man is tyranny. It is from our equals, and our equals alone, that we obtain justice.

KING Read what you have written.

BARON The time is past when a man with a grievance must pay the King a fee to go to court. Harken to the words of the Magna Charta of Englishmen! "We will sell justice to no man, we will not deny to any man justice or right! No freeman shall be taken, or imprisoned, or disseised from his freehold, or liberties . . . nor shall we come upon him or send against him but by lawful judgment of his peers. . . ."

KING Do you deny that I am just?

BARON Sign this, then, King John, and prove your justice. [*To others.*] Is this your will, noble lords?

ALL [*Ad lib.*] Aye, this is our will!

KING What say you, Stephen Langton? You are the chosen prelate of the Pope whose vassal I am!

LANGTON — I say that the people's justice should be the King's will, your Majesty!

KING — Bring me the parchment. I will sign!

ALL — Long live King John! Long live the Magna Charta!

Music — [*Up and fade under.*]

VOICE — For more than seven centuries the Magna Charta is to be a beacon light toward which the people struggle. Kings deny, revoke, and disobey its glorious provisions. But the people never forget the ideas of justice it expresses, even though for several centuries the rights it enumerates are claimed for the nobles and not for the commoners.

Music — [*Up and fade under.*]

VOICE — Justice, 1487! [*Trumpet.*] The Court of the Star Chamber!

2D VOICE — Even after the Magna Charta the kings do not give up their ancient privileges without long struggle! They invent a new weapon—

3D VOICE — This new weapon of tyranny is the Star Chamber—a court in Westminster with its gilded ceiling sparkling with stars. The chamber which acts without the assistance of a jury and resorts to torture to obtain confessions.

4TH VOICE — Judges and juries who dare to bring in verdicts displeasing to the King are haled before the dread inquisition of the Star Chamber and there tried for treason.

5TH VOICE — But before the Star Chamber can strangle the new-fledged right of jury trial, a man rises up to challenge its threat to freedom.

Music [*Up and under as.*]

VOICE Justice, 1640–1648! [*Trumpet.*] The Long Parliament!

2D VOICE One of the chief concerns of the Long Parliament which contains such members as John Pym and Oliver Cromwell is to abolish the Star Chamber.

Sound [*Pounding of gavel.*]

SPEAKER Members of Parliament, as I see it there be three objects of our meeting; first to release the victims of the Star Chamber.

PYM Four of them are here today, Mr. Speaker. Leighton, Prynne, Burton, and Bastwick!

SPEAKER Let them come forward.

Sound [*Ad lib cries from crowd.*] Ah! Shame! How they have suffered!

SPEAKER Mr. Leighton, tell the House of Commons what punishment hath been imposed upon your persons.

LEIGHTON We have been degraded, pilloried, whipped—our ears, as you see, have been cropped—we have been fined enormous sums and imprisoned.

SPEAKER And your offences?

LEIGHTON We wrote protests against the sins of the times.

Sound [*Crowd murmurs.*]

CROMWELL Mr. Speaker.

SPEAKER Mr. Cromwell.

CROMWELL I humbly petition that the House of Commons vote six thousand pounds recompense for these worthy men, and restore them to their degrees and honors.

CROWD Aye!

PYM That is well enough, but we must not only sweep the house clean below, but pull down all the cobwebs that lie in the top and corners.

SPEAKER Mr. Pym, you have spoken wisely. Therefore, our second care must be to punish those whose evil advice established the arbitrary power of the Star Chamber.

PYM The Earl of Strafford should be the first to suffer!

CROWD [*Murmur.*] Pym is right!

PYM Good laws, Mr. Speaker, and Members of the House of Commons—nay, even the best laws are of no advantage when the will of the King is set above the laws. If you take away the law every man will become a law unto himself. Lust will become law, envy will become law! Arbitrary power is treason, since it debases the hearts of the people! Therefore, the Earl of Strafford should be punished for the crime of treason!

CROWD [*Murmur of assent.*]

CROMWELL Mr. Speaker! I suggest that Mr. Pym take a message from this body to the House of Lords asking for the arrest of the Earl of Strafford. We are put by the Almighty on the doing of this work!

SPEAKER Is Mr. Cromwell's suggestion your will, Members of the House of Commons?

CROWD [*Ad lib.*] Aye! At once!

SPEAKER Mr. Pym, you will proceed to the House of Lords, asking for the arrest of the Earl of Strafford on the charge of treason.

PYM I leave at once, taking such with me as wish to come.

VOICES [*Ad lib.*] I'll go with you, Pym. And I! And I!

Sound [*Door closes.*]

SPEAKER The third object which this Parliament must accomplish is to make it impossible that such arbitrary justice shall ever be wielded over men again.

CROMWELL Mr. Speaker.

SPEAKER Mr. Cromwell.

CROMWELL I petition that the court commonly called the Star Chamber, having greatly exceeded the powers conferred upon it by the act of 1487, be abolished!

Music [*Up and out.*]

VOICE Justice! 1670. [*Trumpet.*] The Famous Trial of William Penn.

2D VOICE Parliament has abolished the Star Chamber, but still the struggle between the justice dispensed by one man and the democratic justice of trial by jury goes on! It is a struggle to the death! The restored King Charles the Second knows it and fills the courts throughout his kingdom with servile judges, puppets of his will!

3D VOICE — So matters stand on the Sabbath morning when young William Penn, the Quaker, and his friend, William Mead, find a group of the King's soldiers nailing shut the door of their meeting house.

Sound — [*Pounding.—Hammering.*]

SOLDIER — There! That should keep the dogs out of their kennel!

2D SOLDIER — Yes; that should silence the scurvy, dirty, slovenly, logger-headed, foolish, insolent, proud, beggarly, impertinent, absurd, goat-headed, villainous, barbarous, false-lying, roguish, devilish, long-haired, stiff-necked crew!

SOLDIERS — [*Laughing ad lib.*] Ha, ha! You must be short of breath after that, Sergeant!

1ST SOLDIER — Look! Here come two of the Quakers now, with their prayer books!

Sound — [*Footsteps on cobbles.*]

PENN — [*Shaking door.*] Why, that's strange, William Mead. The door of the meeting house is fastened shut.

MEAD — Perhaps these soldiers here may be able to tell us why, William Penn!

PENN — Friends, cans't thou tell me why we are denied the privilege of entering our house of meeting?

SOLDIER — [*Roughly.*] By the orders of King Charles the II!

MEAD — [*Angry*] King Charles, indeed!

PENN — Peace, William Mead! The day is pleasant and God is here in the street as well as beneath the rafters of our meeting house. We will worship Him here, William Mead.

MEAD — 'Tis well, Let us repeat the Twenty-third Psalm.

TWO MEN — [*Together.*] The Lord is my Shepherd, I shall not want.

SOLDIER — [*Shouting.*] Move on, dissenters!

PENN — Thou shouldst not interrupt divine worship, friend!

SOLDIER — Haven't you ever heard of the Conventicle Act?

2D SOLDIER — It's forbidden to preach in the street, Quaker.

PENN — Can men make laws against praising God?

3D SOLDIER — You shall see whether they can or not! You're under arrest!

PENN — No just jury in all England will condemn me for worshiping my Maker under the open sky on Gracechurch Street.

Music — [*As transition.*]

VOICE — The King's servile judges enforce their will upon frightened juries. A court of 10 such judges listens to the pleas of William Penn and then finishes its charge to the jury with a direct command . . .

JUDGE — These men have admitted, nay, even boasted of the very acts of which they are accused. I direct that you, the jury, find these defendants guilty!

CLERK — The jury will now retire!

Sound [3] — [*Shuffle of feet—Door closes—Transition.*]

BUSHELL — [*Angrily.*] Insolence! These hireling judges of the King are as tyrannous as the Star Chamber!

1ST JURYMAN Our courts are caverns of murderers!

2D JURYMAN And the only difference between the judge and the prosecutor is that the judge wears ermine on his robes!

3D JURYMAN But since we may be punished for our verdicts, who dares be just?

BUSHELL I dare! I, Edward Bushell, as foreman of this jury, I say the time has come to stand up for our rights! Our forefathers forced the Magna Charta from the King. What happened? He tricked justice with the Star Chamber. Parliament destroyed the iniquitous Star Chamber. What happened? The King now makes a joke of jury trial with his hired judges!

1ST JURYMAN If we free these Quakers we will be arrested for our verdicts!

BUSHELL Then we shall be the last jurors ever arrested for our verdicts in England.

ALL [*Murmur ad lib.*] You are right! We'll follow you!

Sound [*Door closes.*]

CLERK Order in the court!

Sound [*Feet shuffling in.*]

JUDGE Gentlemen, your verdict!

BUSHELL My Lord—we, the jury, find the defendants not guilty!

JUDGE [*Furiously banging fist.*] Not guilty? You have disobeyed your instructions! Arrest Edward Bushell for contempt of court!

SHERIFF You are under arrest.

JUDGE Have you anything to say in your defense?

BUSHELL I affirm here in this court that it is the duty of the jurors to be the final judges of the fact! Trial by jury is an empty right if the jurors are not free. My fortune is at the service of my country. To the last shilling of it I shall fight to establish immunity for the English jury!

JUDGE Silence! I fine you twenty-five pounds!

BUSHELL And I refuse to pay the fine because it is unjust.

JUDGE You'll go to prison then!

BUSHELL My lord, more causes have been won in prison than on the battlefield!

Music [*Chords up and out.*]

VOICE And now, the right of trial by a jury of equals enters its last battle with the power of the king.

2D VOICE Edward Bushell hires the best legal talent in England. A writ of Habeas Corpus secures his release. And at last Mr. Chief Justice Vaughn gives his decision in favor of the courageous Bushell.

3D VOICE Hereafter, as long as men value their rights, juries are safe from arrest for their verdicts! The King's power cannot sway justice any longer. It is one of the great days of the world—though few men notice it at the time.

Music [*Trumpet.*]

1ST VOICE And so 1670 becomes the important date on which trial by jury is established practically as we have it today! The juror, as judge of the facts, is no longer intimidated by his betters!

Music [*Few chords and out.*]

2D VOICE We now come to the great chapter in this story of the struggle for human justice written on the other side of the Atlantic.

3D VOICE The American Colonists bring with them their English liberties as their most precious possessions when they sail for the new world. For over a century nothing is more democratic than a trial in the colony of Massachusetts. The judges are men of the community, the jurors are chosen at town meetings where everyone has the right to be present and everyone has the right to be heard. Suddenly, one August morning in 1774, the little town of Great Barrington, Massachusetts, is shocked by notices posted on its elm-shaded streets. Crowds of townspeople gather to read them.

1ST MAN Look at this!

2D MAN [*Reading.*] To the people of His Majesty's loyal colony of Massachusetts!

1ST MAN Henceforth, justice will be in the hands of counsellors appointed by the Crown. Jurors will no longer be chosen in town meetings but will be selected by agents of the British Government.

2D MAN So King George is tightening the royal hands at our throats.

3D MAN This makes a mockery of our trials!

CROWD [*Ad lib.*] It's not to be borne!

WOMAN [*Panting as she comes up.*] The stranger who came in last night's coach has just left the tavern. He's put on a white wig and a black gown.

MAN [*With cry.*] Yonder he goes! Into our courthouse!

ANOTHER If they think in Parliament to put down the discontent of the colonies by such high-handed acts, it's time we answered their insolence with bullets!

Sound [*Shot.*]

WOMAN Or with stones!

Sound [*Crash of glass.*]

CROWD [*Rising rage.*] Ya, ya! Down with King George!

MAN Neighbors! [*Raising voice high above din.*] Neighbors! Remember we're law-abiding folks!

2D MAN We were until they took our law away!

3D MAN It's market day! Gather the farmers, and follow me to the courthouse. King George's hireling judge and his hand-picked jury won't hold any trial today.

CROWD [*Rising murmur.*]

Sound [*Off mike—Crash of wood splintering. Off mike—Crowd coming up.*]

SHERIFF [*Trembling voice.*] My Lord Judge, the townspeople are mobbing the courthouse!

JUDGE I will address them!

Sound [*Crowd murmur.*]

JUDGE [*Raising voice.*] Good people of his Majesty's loyal colony—

CROWD [*Ad lib.*] Loyal! ha, ha! Yayaa!

JUDGE — I have been sent to you by lawful act of Parliament and by his Majesty himself! I am here to do justice—the King's justice. Jury trial has not been revoked. . . .

MAN — No; but the king picks the jury—not the neighbors!

Sound — [*Crowd uproar.*]

JUSTICE [4] — [*Rapping with gavel.*] Order in the court!

MAN — This is no court and never will be! Fellow-townsmen, fill the benches! Fill the jury box! Barricade the doors! [4]

Music — [*Chords up and under.*]

1ST VOICE — England is determined to control the administration of justice for the colonies. Her lawyers dig among dusty statutes and drag to light an old act of Henry VIII, ordering all Englishmen accused of treason to be brought to England to be tried.

2D VOICE — To the colonists this high-handed interference with their cherished right of jury trial spells danger! while in England wise statesmen warn that it may lead to war. Captain Phipps harangues Parliament.

Music — [*Fade Out.*]

PHIPPS — Measures such as these, my lords, are more calculated to raise a rebellion than to quell one. Suppose after being torn from their country and brought three thousand miles to London they are given a trial by jury, will it be anything but mockery?

VOICE — Hear, hear!

ANOTHER VOICE — Treason! He dares suggest England will be unjust!

PHIPPS Even if these colonials should be acquitted, what reparation can be made for being dragged from their families, three thousand miles over seas! These men are being brought over here—[*Lowering voice.*] you and I know it well [*Ringing tone*] to be murdered, gentlemen!

Music [*Chords up and out.*]

VOICE At the same moment, in the Virginia House of Burgesses, George Mason, author of the Virginia Bill of Rights, reads aloud George Washington's letter on jury trial to a stern-faced group of patriots.

MASON [*Reading.*] No man should scruple or hesitate a moment to use arms in defense of so valuable a blessing as this liberty of trial by jury which we have received from our ancestors!

CROWD [*Applause, cheers.*]

CLERK His Excellency, Governor Dunwoodie, has come to address the Burgesses in the name of His Majesty, George the Third.

DUNWOODIE Members of the House of Burgesses! Your discontent with his gracious Majesty's order to transport political prisoners to England for trial makes it necessary for me to order the House of Burgesses dissolved! You will go to your homes!

CROWD [*Murmur rising . . . Menacing fade.*] [*Music.*]

VOICE Justice . . . 1776! [*Trumpet.*] The Declaration of Independence!

2D VOICE Hitherto the causes of discord between the colonies and England had been largely economic. Now personal safety is menaced! The Revolution is suddenly at hand!

3D VOICE — On a hot summer morning a tall man in costly but careless clothes sits writing in a poorly furnished room in a Philadelphia lodging house. [*Fade.*] A knock arouses him from troubled thought . . .

Sound — [*Knock.*]

JEFFERSON [5] — Come in.

Sound — [*Door opening.*]

FRANKLIN [5] — [*Coming up.*] Good morning, Thomas Jefferson!

JEFFERSON — Mr. Franklin, come in, come in! Poor Richard's advice was never so badly needed!

FRANKLIN — [*Laughing.*] A word to the wise, eh? What's that you're writing—not the—

JEFFERSON — Yes; the Declaration of Independence.

FRANKLIN — You seem to be getting along famously—not a line marked out.

JEFFERSON — So far the words have seemed to write themselves, but now—well, I feel as though I had left something out!

FRANKLIN — Are you writing it as a trumpet call to the people to seek new rights, or as a warning to them to defend old ones?

JEFFERSON — As both, Sir! If we don't protect our old rights continually we shall lose them through rust and indifference and neglect as surely as through oppression!

FRANKLIN — Let me light my pipe. I find I listen better . . . There! Now read me what you've written already.

JEFFERSON We hold these truths to be self-evident, that all men are created equal, that they are endowed by the Creator with certain unalienable rights, life, liberty, and the pursuit of Happiness . . . [*Breaks off.*]

FRANKLIN [*Thoughtfully.*] Yes, yes; these are glorious rights. But there are others, too—don't forget justice, Thomas.

JEFFERSON You mean there's been too much Star Chamber about England's treatment of our citizens lately?

FRANKLIN Yes; of course! They take us away from our evidence, our witnesses, to try us before strangers in a strange land. That's got to stop!

JEFFERSON Just a minute . . . [*Reading as he writes.*] Now listen to this, Doctor Franklin. The King "Has made judges dependent on his will alone . . . depriving us, in many cases, of the benefits of trial by jury . . . transporting us beyond seas, to be tried . . . We have appealed to their native justice," but they "have been deaf to its voice." We, therefore, "solemnly publish and declare that these United Colonies are, and of right ought to be, free and independent States" . . . How does this strike you?

FRANKLIN I have just listened to the American Magna Charta, my friend!

Music [*Up and fade under.*]

VOICE And so the democratic right of trial by jury, the right for which men have struggled for two thousand years, is written into the creed and finally into the laws of a great new land.

2D VOICE — Judgment by one's neighbors is listed as an inalienable right!

3D VOICE — But because it is written into the Declaration of Independence, the constitutions of our States, and the Bill of Rights does not mean that it always gives the protection for which it was desired. Remember that there was a time in this country, and not so long ago either, when Jews, Negroes, and women were excluded by statute or custom from the jury box.

4TH VOICE — If the group to which the accused belongs is excluded from his jury, then trial by one's peers and equals becomes impossible. So the Supreme Court of the United States ruled in a recent case.

NEGRO VOICE — Ah don' see, Mister Lawyer, how we-all is goin' to get a fair chance lessen we hab some of our own folks on de jury.

LAWYER — Don't worry, Clarence. I'll do my best to get them for you when the trial begins. But if I don't succeed and you're convicted, I'll demand your constitutional rights from the Supreme Court itself!

NEGRO — [*Surprised.*] Has a Negro boy got rights in this yere Constitution, Mister Lawyer?

LAWYER — You've got rights, but the only way any of us can keep our rights is to fight for them!

Music — [*Transition.*]

VOICE — Justice . . . 1935! [*Trumpet.*] The Supreme Court decision, Mr. Chief Justice Hughes!

HUGHES — Petitioner Clarence Norris was tried, convicted, and sentenced in Morgan County, Alabama, contrary to the 14th Amendment

of the Constitution of the United States. By the systematic and arbitrary exclusion of qualified Negro citizens from the petit jury, Clarence Norris was denied the equal protection of the laws. "For this long-continued, unvarying, and wholesale exclusion of Negroes from jury service we find no justification consistent with the constitutional mandate . . . Judgment reversed."

Music [*Up and fade under.*]

ANNOUNCER In tonight's dramatizations we have traced the long road to trial by jury—justice tempered with understanding!

1ST VOICE Trial by Blood! By Oath! By Ordeal!—based on primitive man's desire for vengeance, and on tribal superstitions.

2D VOICE Then the Magna Charta!—a big step towards a rational trial.

3D VOICE And the heroic struggles of Pym and Cromwell! of Bushell! Of Mason and Jefferson for trial by jury!

4TH VOICE Men like Holmes, Hughes, and Brandeis, giving legal interpretations of this principle of Justice!

5TH VOICE But, the struggle is not over! There are still problems to be met.

6TH VOICE Today. This very afternoon, perhaps. Outside a court house—

Sound [*Street noises—Honking—Crowd murmur.*]

1ST VOICE Justice! I ask you, is that Justice?

2D VOICE But, what are you going to do if the best-qualified jurors beg off serving?

3D VOICE — It stands to reason any intelligent person knows something about a case before he's called for jury duty. It's plastered all over the front pages of the papers. Why not let him serve anyway?

4TH VOICE — But supposing a juror has made up his mind beforehand—or the papers have made it up for him?

5TH VOICE — And what about the judge who keeps important testimony from the jury on technicalities or attempts to dominate the jury?

6TH VOICE — There's always another chance in a higher court. Of course, we haven't a slot machine that deals out justice! And people are human.

1ST VOICE — If you get a good lawyer, it's a cinch!

2D VOICE — Why not try men before expert judges instead of 12 laymen?

3D VOICE — After all, even with jury trial, is justice the same for all classes and races today in America?

4TH VOICE — Do ancient rules of evidence, still followed in our courts, bring the whole truth before the jury?

5TH VOICE — Should a jury trial be conducted as a search for facts instead of a contest between the State and an individual?

6TH VOICE — Is it right for a lawyer to defend a client whom he knows to be guilty?

1ST VOICE — These are some of the many questions which call for study and discussion today—And out of these discussions we refine the processes

by which we strive for equal justice at the hands of our neighbors!

Music [*Up and out.*]

ANNOUNCER Struggle for Freedom never ends. Ground that is lost must be regained! Each generation must rewin its rights! Eternal vigilance is *still* the price of liberty! Let us strive on, to the end that our children's children may always known the glorious fulfillment of that noblest cry know to man—"Let Freedom Ring!"

Music [*Closing theme . . . Fade under and out.*]

PRODUCTION NOTES

[1] Rehearse the closed-door-shutting scene frequently so that the voices stop accurately at the sound of the closing door. Contrast voices.

[2] King John is a weakling, a "Frank Morgan" type. Langton and the barons are soured, earnest, heavy voiced.

[3] Rehearse the jury moving from the courtroom. If adequate time for his leaving is not allowed you will not establish a change of scene.

[4] Do not let the crowd effect die out completely when the Judge raps his gavel. After "barricade the doors" there should be a tremendous roar from the crowd fading into music.

[5] Play Franklin and Jefferson quietly, securing an effect of importance by under statement.

NOTE.—Additional helps may be found in the general production notes on page 375.

LESSON AIDS

The time, 100 A. D. The scene, the German forests. The players, our Saxon ancestors. A "morth" slaying has occurred. Today we would call it murder. What happens? Every member of the tribe comes to a common meeting ground, and there each asks questions of the other, each probes into the mystery. Together they form the authoritative search party, detective bureau, and police power. And, together, they condemn or release any suspected of the crime. Such was the very democratic trial in the early part of the Christian era among people who at that time were called "barbarians" by the Romans.

Such democratic trial was not to remain the accepted procedure. By the fifth century we find the *blood feud* to be the method of "justice." Custom, under this system, demanded that the nearest kin of a wronged person must avenge that wrong on a basis of "an eye for an eye, a tooth for a tooth, and a life for a life." Can you give any examples to show a modern use of this old method of sitting in judgment?

Another historic method of "meting out justice" was that of the "Ordeal." God was called upon to do that which the community felt unable to do, namely, to declare the guilt or innocence of an accused person. How many types of "ordeal" can you find? Were such methods ever used in this country?

No more essential element of knowledge can be found than vocabulary! In this presentation we find words which sound familiar. We use many of them daily. But one might lose if he wagered that he could tell the real meaning of such terms as, *justice, civil case, criminal case, equity, common law, verdict, indictment, juror,* and *peers.* Check up on these terms with the use of the dictionary. Try them out when you find their origin and real meaning.

I. Activities

1. Special research topics dealing with various forms of trial:
   (a) The Blood Feud and the Blood Guilt;
   (b) The Ordeal;
   (c) Trial by compurgation and by oath;
   (d) The Origin of Trial by Jury.
   References: *Sumner's "Folkways"*
2. Tell the story of the Domesday Book showing its significance and use. Find excerpts, if possible. (*See* Birch, W. deG., Domesday Book.)
3. A special report on the Court of the Star Chamber.

4. "Who's Who" in Trial by Jury:
   (a) Stephen Langton
   (b) Henry II
   (c) John Pym
   (d) Oliver Cromwell
   (e) William Penn
   (f) Edward Bushell
5. The trial of the Earl of Strafford is an interesting one. His eloquent plea would make an excellent reading before the class. Reference: Tuell and Hatch. Selected Reading in English History. Ginn & Co.
6. Write a 500-word essay on the significance of the fact that the early American colonists brought with them their English Liberties as their most precious possessions.
7. Show what is meant by English Common Law, and point out its significance to the United States.
8. Visit a courthouse or place of trial and note the set-up and procedure followed. Stage a "mock trial" in your own school.

II. Discussion and Debate

1. If you were on trial, would you prefer to have judgment rendered by a jury of your peers or by a judge on the bench?
2. Should newspapers be limited in their right to report dramatic court cases and crimes?
3. Should anyone be excused from jury service?
4. Is it desirable for women to serve on juries?
5. Debate: Resolved, that our present jury system should be abolished.

III. Watch the Spot

1. "We will sell justice to no man, we will not deny to any man justice or right. No freeman shall be taken or imprisoned, or disseised from his freedom or liberties . . . nor shall we come upon him or send against him but by lawful judgment of his peers. . . ." (Magna Charta.)
2. "My lord, as many great causes have been won in prison as on the battlefield." (Bushell.)
3. "If we don't protect our old rights continually, we shall lose them through rust and indifference and neglect as surely as through oppression." (Jefferson.)

MUSIC PRODUCTION NOTES

Compositions used (orchestrations, unless specified).

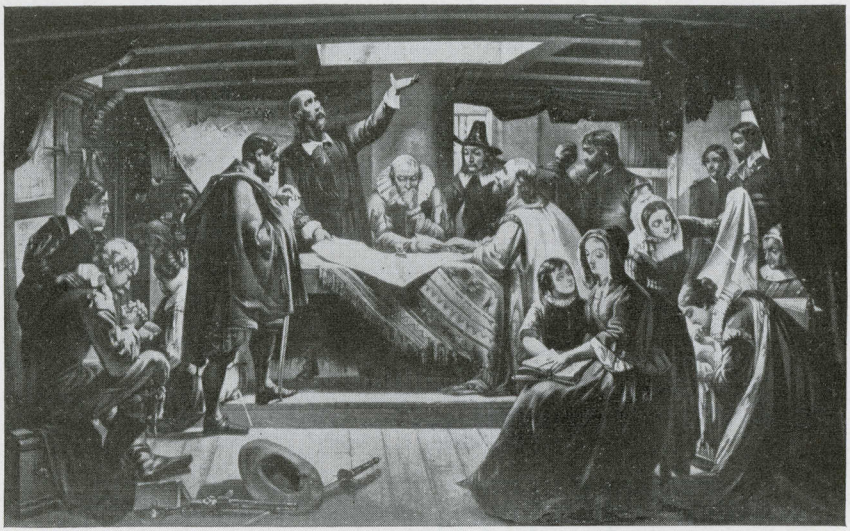
1. Let Freedom Ring, theme by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).
2. Call of the Vikings, P. P. 36 by Kriens (M. Witmark & Sons).
3. Romanza, C. E. 45,[1] by Savino (Harms, Inc., New York City).
4. Heroic Tale, P. P. 14, by Trinkhaus (M. Witmark & Sons).
5. Intermezzo Sinfonico, C. E. 42, by Savino (Harms, Inc.).
6. Chant d'amour, P. P. 18, by Perry (M. Witmark & Sons).
7. Gladiator's Tournament, P. P. 43 by Clemandh (M. Witmark & Sons).
8. The Brute, C. E. 44, by Kriens (Harms, Inc.).

How to use them (C–1, means composition 1, etc.).

Page 29	Use theme as directed in general music notes at end of scripts.
Page 30	Play C–2 beginning four measures before letter E; play two bars only. Like short arresting call.
Page 30	Same as before.
Page 31	Play C–3 starting at the fifth measure; play four and one-half measures.
Page 33	Same as page 30, first cue.
Page 34	Play single open horn or trumpet note like a herald's call.
Page 36	Play C–4 beginning with the fifth measure; play four measures broadly.
Page 36	Same as page 30, first cue.
Page 37	Same as page 30, first cue.
Page 39	Play same as page 30, first cue.
Page 41	Play C–5, last six bars at Lento, first up and then continue under the "Voices" speech.
Page 43	Play C–6. Play the four measures before letter D.
Page 44	Play C–7 last four bars.
Page 46	Play C–8, measures 21 to 26, inclusive, up for three measures; then under speech of first and second voice and fade-out before Phipps' entrance.
Page 47	Play C–8 first four measures.

[1] C. E. 45 means Cinema Edition No. 45.

Page 49	Play C–2 from the seventeenth measure after letter G; play eight measures Grandioso and out.
Pages 50, 51	First and second cue same as page 30, first cue.
Page 53	Play theme introduction and continue under following speech and up on next music cue.
Page 53	Play theme as directed.



The Pilgrim Fathers Signing the Compact in the Cabin of the Mayflower.
By permission of the copyright owner, A. S. Burbank, Plymouth, Mass.

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission.

30-MINUTE SCRIPT

Script 3

FREEDOM OF SPEECH

[*Footnotes on page 79*]

CAST

ANNOUNCER	MODERATOR	BLACKSMITH
VOICES	PARSON BROWN	MAYOR OTIS
SOCRATES	PETE	GARRISON
SAVONAROLA	SAM ADAMS	LABOR LEADER
CARVER	GOVERNOR HUTCHINSON	Citizens, Politicians
MILES STANDISH	PAUL REVERE	Speakers in Crowd

Music [*Patriotic fanfare . . . Roll of drums . . . Built up to—*]
[*Three strokes of great bell.*]

ANNOUNCER [*Dramatically.*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to basic idea of program with sound of sonorous bell worked into orchestration.*]
[*At triumphant finish of song, orchestra segues into soft background music for announcer, bell motif still softly heard.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy wrested these rights

from kings and gave them to you! These rights are now a part of the law of the land! Celebrating this 150th anniversary of the Constitution of our United States the . . . (local group), and the . . . (local radio station) present the ageless story of man's unending struggle for Freedom! Tonight, let us consider another part of our blood-bought Bill of Rights . . . Freedom of Speech!

VOICE — Amendment One to the Constitution of the United States.

2D VOICE — Congress shall make no law abridging the freedom of speech.

ANNOUNCER — The Story of the Long Road from Socrates to Constitutional Guarantees.

Music — [*Up and out.*]

1ST VOICE — The history of free speech is the history of man's right to express his own convictions even though contrary to popular belief. The battles for free speech have come when brave words threaten entrenched authority and privilege.

2D VOICE — In times of crisis and excitement words may have the explosive effect of bombs; at such times the most democratic leaders are likely to become tyrannical and the most liberal governments oppressive. Then only personal sacrifice can save free speech.

3D VOICE — Struggle for freedom to express opinion—to tell the truth as one sees it—the struggle of the few to educate the many.

4TH VOICE — 399 B. C.! Socrates is condemned to drink the hemlock!

5TH VOICE — Authority has always been afraid to deny man's natural right to speak. It prefers to silence him by calling his words treason, sedition, heresy, blasphemy. Socrates roams the streets of Athens questioning its citizens on the existing order of things. But to question the existing order is often to defy authority. The rulers of Athens try Socrates on the vague charge of corrupting youth. Only death can silence him. Even at his trial he speaks disturbingly:

SOCRATES — If you should say to me, "Socrates, this time we will let you go, on this condition, however, that you no longer spend your time in this investigation" . . . I should say to you, "Men of Athens, I respect and love you, but while I live and am able to continue, I shall never stop exhorting you and pointing out the truth to any one of you whom I may meet. Acquit me or not, but understand that I shall never act differently even if I have to die for it many times!"

Music — [*Chords up and out triumphant.*]

VOICE — The Struggle for Freedom of Speech! The Beginning of the Christian Era!

ANNOUNCER — Four hundred years after Socrates, a Carpenter in Galilee gathers the people about Him and talks to them of a kingdom which is not ruled by Caesar, and of a new way to live. He says that He is the Son of God, and performs numerous miracles to prove it. His words challenge the old doctrines of the Scribes and Pharisees, the ruling sect. Afraid of change, they decide to silence Him. But they do not try Him for talking—but on the charges of inciting rebellion, and speaking blasphemy.

MAN — We found this fellow perverting the nation and forbidding tribute to Caesar. He stirreth up the people, teaching throughout all Judea.

ANOTHER — He hath spoken blasphemy! What further need have we of witnesses?

ALL — [*Ad lib.*] Behold he is guilty of death! Let him be crucified!

Music — [*Up and out.*]

VOICE — The Struggle for Freedom of Speech! 1498! Savonarola Denounces the Spoils System in Medieval Florence!

2D VOICE — In a great speech which led to his own death Savonarola voices the voluntary sacrifice made in all ages by brave men to defend their right to speak the truth!

Sound — [*Crowd murmur.*]

SAVONAROLA — "Oh, my Florence! [*Crowd murmur down.*] I was in a safe harbor—the life of a friar. The Lord drave my bark into the open sea and forbids my return. I communed with the Lord last night and said, 'Pity me, Lord! Lead me back to my safe haven!' 'It is impossible! See ye not that the wind is contrary?' 'I will preach, if so I must, but why must I meddle with the government?' 'If thou wouldst make Florence a holy city, thou must give her a government which favors virtue!' "

Sound — [*Crowd murmur up blending into and lost in music.*]

Music — [*Chords up and out.*]

VOICE — The struggle for Freedom of Speech! England in the 14th Century.

2D VOICE — John Ball, ancestor of George Washington, is hanged, drawn, and quartered at Saint Albans because he insists on preaching the equality of men of all classes!

1ST VOICE — England in the 17th Century!

ANNOUNCER — Stout-hearted John Bunyan chooses to remain 12 years in prison rather than give up preaching to crowds on street corners instead of in the formal State Church.

2D VOICE — These are only a few of the brave thousands in all lands and times who have spoken the unpleasant truth; who have voiced the opinion of the minority and who have denied the right of power and privilege to silence them, preferring death.

Music — [*Chords up and out.*]

3D VOICE — And what is the history of Free Speech in our land? Were our liberties won only at Valley Forge and Saratoga and Bunker Hill?

ANNOUNCER — For a century and a half before the Revolution the Colonists prepared for that struggle by public discussion and debate. And these discussions began before the first of the Pilgrims set foot on Plymouth Rock.

1ST VOICE — November 11, 1620. The Mayflower Compact!

Sound — [*Squealing of sea gulls . . . Sound of sea.*]

CAPTAIN — Good people, on my chart I read that the land yonder is Cape Cod. With a following wind you should be ashore by afternoon.

CARVER — And then our new life begins, eh, Myles Standish?

MYLES — It can't begin too soon for me, John Carver—ah! to feel the free land under my feet, to breathe the air of freedom!

CARVER — Yes, but I'm older than you, Myles, and I'm troubled.

MYLES — Troubled? With our journey over, all our dangers behind us! What do you mean?

CARVER — There are people on this ship already boasting that when they get on shore they will use their liberty in ways that seem to me license.

MYLES — I see . . . We have brought our goods with us and our God with us, but we have forgotten to bring a government with us!

CARVER — Yes, Myles, a government that will keep the land free. For oppressors rise up so easily. You might become an oppressor, Myles; I might become one.

MYLES — How can we prevent it?

CARVER — Call the Pilgrims together in the cabin. We'll write a compact. We'll agree that all are to have a voice in our colony's affairs. Every man shall speak and every man be heard.

MYLES — [*Musing.*] I like that, John Carver. That will protect us from oppression if anything can.

Music — [*Chords up and out.*]

VOICE — But Governor Winthrop follows the Pilgrims with three thousand Puritans and a hundred and eighty bond-servants, a company chartered by the King, committed to paying dividends to private stockholders. Government colored with private ambition resents criticism.

2D VOICE — At once the struggle between authority and Free Speech begins all over again in this new land.

Music [*Chords up and out.*]

3D VOICE The New England Town Meetings!

4TH VOICE In this rural forum America finds its voice, and pronounces the word "Independence" for the first time.

MODERATOR Well, folks, now we've settled the question of putting a road through the swamp so's Lijah Jones kin get in to town meetin', I've got a little s'prise here for you.

MAN Not fixin' t' git spliced are yer, Mr. Moderator?

ALL [*Laughter.*] Haw, haw!

MODERATOR That 'ud be serious enough, but this is a powerful lot more serious. I've got a letter here to all of us from Sam Adams. You all know that Sam's Boston town meeting pretty nigh runs the whole danged colony. And, now, from this letter here it 'pears like the town meeting is fixin' to run King George and Parliament as well.

ALL [*Murmur of amazement.*] You don't say so! Do tell! Read it!

MODERATOR I'm going to ask Parson Brown to read it to you. It's fittin' for a parson to read it.

PARSON [1] Mr. Adams starts off by saying, "It occurs to me that societies of correspondence might be formed to unite the colonies and to present their sentiments of various encroachments upon their rights to the mother country. I have drawn up a draft of such a statement and do submit it to you begging that you will discuss it among yourselves freely and without fear and write me your hearts."

MAN [*Explosively.*] Wal, danged if Sam hasn't hit on the way to show them tyrants we mean business!

ANOTHER Read the draft about our rights, Parson.

PARSON[1] He lists them as the rights of "Men, of Christians, and of Colonists. There should be only one rule of justice for rich and poor, for the favorite at court and the countryman at the plow . . ."
[*Fades as continues reading, then coming up to show he is just finishing.*] "When men enter into society it is by voluntary consent, and in case of intolerable oppression, civil or religious, they have a right to leave the society they belong to and enter into another."

Sound [*Applause and cheers.*]

MODERATOR [*Rapping.*] Now don't all speak at once. You'll git your chance if we have to stay here all night and let the women folks milk the cows . . . Pete Browie, I see you're spilin' to speak.

PETE Wal, now folks, you know I'm handier at the anvil than I am at speechifying, but I want to say that letter of Sam's is an eye-opener. 'Specially that last sentence. If we colonists unite, there's nothing we can't do, even to running our own sheebang over here. I been making plowshares most of my life, but I could beat 'em into swords on occasion. . . .

ALL [*Wildly cheering and shouting as fade.*]

Music [*Chords up and out.*]

ANNOUNCER The answers to Samuel Adams' Committee of Correspondence Letter to the New England town meeting are the highest mark any

group of common men ever touched. Perhaps never before or since have English-speaking men, assembled together, given utterance to thoughts so fine and so pregnant of great events.

1ST VOICE Adams, Man of the Town Meeting, Father of the American Revolution! More than any other man of his time, this merchant, Samuel Adams, knows the value of free speech, foresees that events are tending toward some form of action against England.

2D VOICE And he is determined that it shall be considered action and not the action dictated by mob spirit.

3D VOICE 1770! The training of the town meeting is put to test by the Boston Massacre. One winter evening at dusk the peaceful quiet of Boston Common is shattered by the sound of gunfire.

4TH VOICE Samuel Adams is the central figure at the town meeting in Faneuil Hall on that terrible night, and grim-faced men watch him anxiously as he thinks aloud. . . .

ADAMS I knew that this would happen—but it's happened too soon. If there must be a break with England it must not come like this—in the heat of a quarrel, but born of calm discussion. My circular letter I sent last year to the other town meeting has aroused talk, but not a third of the people have spoken the word "independence" yet.

MAN [*Breathlessly.*] Governor Hutchinson is addressing the people from the State House balcony. The soldiers are kneeling on one side of the square with their muskets pointed at the crowd. . . .

ADAMS What is the sentiment of this meeting?

MAN I say we drive the red coats out of town.

ANOTHER MAN We've got enough muskets in Boston to kill every British soldier.

ADAMS Riots begin with rage, but revolutions with words. It is an arduous task for any man to arouse the citizens of our scattered colonies to the need for union and independence. They must do their own arguing. And they are doing it! I wish that I could read you the answers from my Circular Letters. Some of them come from very humble men—fishermen, blacksmiths, farmers. They are not always spelled correctly but they contain great thoughts. When people have shared these thoughts it will be time to talk of muskets and force.

MAN But, Sam Adams, we must protest against these soldiers in our towns in time of peace.

ADAMS Yes; the troops must leave Boston. We will all march to the State House in a body and tell Governor Hutchinson so.

ANOTHER MAN [*Derisively.*] And you think that he will listen to us?

ADAMS We must speak plainly, without fear. We must speak as free men demanding our rights.

MAN They have hanged men for telling the truth, Sam Adams!

ADAMS I know that. When truth is unpopular, they call it treason!

Music [*As transition.*]

VOICE Through the blood-stained snow to the State House go the members of the town meeting behind Sam Adams. They find the Governor and his advisors in their official robes awaiting them.

HUTCHINSON You, Mr. Adams, what have *you* to say to His Majesty's representatives?

ADAMS Sir, the British troops must leave Boston at once!

HUTCHINSON That is impossible. General Gage is the only one who could give such an order, and he is in New York.

ADAMS No, sir, the people of Boston give the order.

MAN [*Aside.*] He's afraid of Adams. See the powder shake from his wig!

HUTCHINSON I will send the Twenty-ninth Regiment away, for they are the ones who took part in tonight's unfortunate affair.

ADAMS Both regiments or none, sir!

HUTCHINSON The fourteenth shall stay. That is my last word.

ADAMS [*Firmly.*] Both regiments or none, sir. That is the last word of the town meeting of Boston.

MEN [*Ad lib chorus.*] Yes; he's right! Both or none! Both regiments or none! [*Marked pause.*]

HUTCHINSON Very well, then, since the town meeting insists. But I warn you. . . . [*Threatening ending.*]

Music [*Chords up and out.*]

ANNOUNCER And now, even the Tory governors sense that free speech threatens to become action! By order of the King, the Massachusetts Judiciary Act closes the doors of the town meetings. And Paul Revere, the mechanic, lays aside his tools and becomes a messenger among the town meetings, now held secretly.

Sound [*Tlot . . . Tlot of horses' hoofs on road . . . Come to stop.*]

REVERE [*Calling*] Holoa! Blacksmith! My horse needs a new shoe!

BLACKSMITH [*Coming up*] Why 'tis Mr. Revere! I'll have the critter shod in a jiffy.

Sound [*Ringing of iron on iron.*]

REVERE [*Rising voice.*] Aren't you John Smith, who used to be moderator of the Medford Town Meeting?

BLACKSMITH Aye, that I be, Mr. Revere. Only you know we're forbid to meet nowadays.

REVERE Yes, I know; these are troubled times and the Governor can't be too careful. [*In hurried tone . . Very low.*] I have a letter here from Sam Adams. I'll slip it under this bellows, so. [*Raising voice.*] *Your* trade's flourishing at any rate.

BLACKSMITH [*Above ringing of iron.*] Oh aye, I can't complain! [*Very low.*] We'll be meeting secretly this Wednesday week and I'll read it to the rest of the townsfolks.
[*Raising.*] Soooo, now, lass! Whoa!

Sound [*Tapping of hammer.*]

REVERE — A good job, blacksmith! [*Low.*] Sam says to have the meeting talk over his letter and write him back.
[*Raising voice.*] Is this what I owe you?

BLACKSMITH — Thankee sir. [*Low.*] We all owe *you* a lot.
[*Raising his voice.*] Good day!

REVERE — [*Calling off mike.*] Good day!

Sound — [*Horse's hoofs.*]

Music — [*Chords up and out.*]

1ST VOICE — 1789. After the Revolution. Free Speech and The Constitution!

2D VOICE — The people of the different States demand that the right of free speech be included among their other inalienable rights.

ANNOUNCER — Massachusetts votes on the Constitution! All eyes are on Samuel Adams who is known to be opposed to a constitution without the guarantees of individual liberty. The politicians in charge of securing ratification by Massachusetts meet to discuss the danger . . .

1ST MAN — Gentlemen, I'm convinced Massachusetts won't ratify unless Sam Adams says it shall!

2D MAN — You know Adams has drawn up a list of amendments he wants incorporated—free speech, right of petition, and other liberties.

3D MAN — How can we get him to favor the Constitution without these amendments?

4TH MAN — He would if he thought it was the will of the common people. [*Sneering.*] He has great confidence in democratic instincts!

5TH MAN — I have it! We'll get our friend, Paul Revere—you know—the brass founder—to call a meeting of Boston mechanics at the Green Dragon. [*In tone of plotting.*] Curry their favor! Flatter their intelligence and we'll get a resolution in favor of the Constitution!

ALL — [*Laugh . . . Fade.*]

Music — [*As transition.*]

ADAMS — But, Mr. Revere, why wasn't I invited to attend your meeting?

REVERE — We thought, Mr. Adams, it should represent the voice of the common people.

ADAMS — [*Laughing.*] Good. I like that. [*Earnestly.*] How many mechanics were at the Green Dragon when these resolutions were passed?

REVERE — More than the Green Dragon could hold. The rest stood outside in the streets.

ADAMS — And how many were in the streets, Mr. Revere?

REVERE — [*Laughing.*] More, sir, than there are stars in the sky!

Music — [*Chords up and under.*]

1ST VOICE — Adams supports the Constitution with the understanding that the suggested amendment regarding freedom of speech will be incorporated later. The new government under the Constitution is launched and immediately suffers the fate of all free governments. People resent it! People attack it! People criticize it!

2D VOICE — Congress, smarting under rebuke, forgets the Bill of Rights it has just created, and passes the Alien and Sedition Acts which punish by

fine and imprisonment those who criticize the government. But this violation of the right of free speech raises such a storm of protest that the acts are soon repealed.

ANNOUNCER Free speech is tested by an unpopular cause. Even the Constitution-makers themselves, skillfully avoided the question of slavery.

1ST VOICE 1829 to 1835—William Lloyd Garrison Begins to Talk and Print Abolition!

Sound [2] [*Clatter of presses off.*]

GARRISON [*Calling above the sound of presses.*] Set up the editorial on slavery and the Constitution in boldface.

VOICE [*Off.*] It's your paper, Mr. Garrison, and your life you're risking . . .

Sound [*Door shuts . . . cutting off clatter of presses.*]

OTIS Good morning, Mr. Garrison.

GARRISON Why, Mayor Otis, I wasn't told you were waiting in my office. What can I do for you, sir?

OTIS [*Laughing*]. Well, for one thing, you might stop delivering antislavery lectures on Boston Common.

GARRISON Your Honor, do you see that pile of letters?

OTIS Is that one morning's mail?

GARRISON It is, sir! I'll be willing to wager that three-quarters of them contain threats of assassination unless I stop talking against slavery.

OTIS Mr. Garrison, I have been urged by the Governor of a Southern State to have your paper suppressed.

GARRISON When I started it I said "I'll print it as long as I can live on bread and water." That was my fare, too, for a long time. I slept on the floor of this office! But *The Liberator* is still being printed! I pray that I shall live to see the abolition of slavery announced in its pages.

OTIS At least do me the favor to curb your public utterances, Mr. Garrison.

GARRISON If slavery is abolished it will be by public sentiment! And that is created by talk.

OTIS I see that my errand is fruitless, but I admire your spirit.

GARRISON Wait, I'll get my hat and walk along with you. I have a meeting on Boston Common.

OTIS I value my life too much to attend. One of these days, Mr. Garrison [*fading*], I'm very much afraid you're going to be killed . . .

Music [*As transition.*]

VOICE William Lloyd Garrison's fiery words against slavery have won many sympathizers, but they are not in evidence one bleak October day on Boston Common in 1835.

Sound [*Man hammering.*]

MAN [*Above hammering.*] There! Maybe that'll stop his tongue.

1ST WOMAN What's that poster say, Ella? I haven't got my specs!

2D WOMAN It says "Five Thousand Dollars Reward for the Conviction of William Lloyd Garrison."

1ST WOMAN For the land's sake, who offers it and who did the poor man murder?

2D WOMAN — As near as I can make out the legislature of Georgia offers it to stop him from talking abolition.

1ST WOMAN — Five thousand dollars to stop a man talking!

CROWD — [*Ad lib.*] Here he comes now! The radical! The trouble maker!

GARRISON — My friends, on this very spot where we are now, freedom was born with the Boston Massacre! How long is Boston going to stand by and watch women and little children sold like cattle?

MAN — [*Shouting.*] The Constitution doesn't prohibit slavery!

GARRISON — No, my friend, and that is why I say that until the Constitution is amended to prohibit slavery it is "a covenant with death and an agreement with hell."

CROWD — [*Shouting angrily.*] Booo! Booo! Kill the radical! Hang him!

GARRISON — [*Against background of muttering.*] That is the only way you can silence me on this subject, my friends!

MAN — [*Angrily.*] You insult the Constitution, Garrison, and then hide behind its guaranty of free speech!

GARRISON — Freedom of speech is an older right than the Constitution. Men have died for it for thousands of years.

MAN — Aw, don't listen to him! Shut his mouth!

ANOTHER — [*Shouting.*] Here's a rope, and there's a good tree!

CROWD — [*Ad lib.*] [*Growling . . . Muttering.*] Hang him! Hang the radical!

MAN — Hold on! Let's give him a chance. [*To Garrison.*] If we let you go, will you promise to stop talking abolition?

GARRISON — [*Defiantly.*] I am in earnest! I will not equivocate!
I will not excuse! I will not retreat a single inch!
And I will be heard!

CROWD — [*Shouting . . . Ad lib.*]

Sound — [*Horses' hoofs.*]

MAN — [*Shouting.*] Here come the mounted police!

ANOTHER — And here's the Mayor in his carriage behind them!

POLICE — [*Ad lib.*] Get out! Disperse! Let that man go!

MAYOR — I had a presentiment you'd need protection, Mr. Garrison!
Get into the carriage and I'll take you to a place of safety.

GARRISON — Thank you, Mr. Mayor, but I have something to do here first.

MAYOR — And what's that?

GARRISON — Finish my speech against slavery!

Music — [*Up and out.*]

1ST VOICE — The struggle continues!

2D VOICE — The struggle of Socrates for the right to discuss new ideas!

3D VOICE — Jesus of Nazareth to picture a new way of life.

4TH VOICE — Savonarola to urge good government!

5TH VOICE Sam Adams to organize a movement for independence and democratic experiment.

6TH VOICE Garrison to plead for the end of slavery!

Music [*Up and under as.*]

1ST VOICE But do we finally end the story of this struggle when Garrison insists on the discussion of the issue of slavery? By no means! Other speeches are made. Other attempts to suppress them follow. The years pass . . . .

Music [*Up and out.*]

ANNOUNCER 1917! We enter the World War. The principle of free speech faces a new test. Shall citizens of a democracy enjoy the right to speak as they think, in the midst of such excitement as this . . .

Sound [*Street noises . . . Honking . . . Crowd . . .*]

2D VOICE On almost any street corner . . .

1ST MAN This is a war to end militarism . . . to make the world safe for democracy, and, therefore, I . . .

2D MAN Bah! Listen, brother, this is like every other war. It's to make the world safe for the fellows at the . . .

3D MAN That's treason! Our boys are leaving on every boat for the front. We gotta back . . .

2D MAN Who said we gotta back up this war? Did we vote for it? No!

3D MAN Our representatives did. And this is no time to talk against it. You're giving aid to the enemy!

2D MAN Enemy? What ya mean, enemy? They never done nuthin' to me.

1ST MAN — But, gentlemen, the choice is not ours. We have been forced to defend our rights and whoever speaks against . . .

Sound — [*Fade out all street noises . . .*]

VOICE — A labor leader speaks to a large audience at Canton, Ohio.

LEADER — Since it's your lives you lose, you should be the only ones to declare war if you consider war a necessity.
[*Crowd cheers.*] You need to know that you are fit for something better than cannon fodder! [*Crowd cheers.*] I have been accused of obstructing the war. I admit it. Gentlemen, I abhor war. I would oppose war if I stood alone.

Music — [*Up and under.*]

1ST VOICE — How far does this right of free speech go? Should it permit the same freedom in war time as in peace time?

2D VOICE — This is just one of the questions which still demand an answer in our day and generation.

ANNOUNCER — After the war, the struggle continues. Always a struggle for the right to express by speech and exhortation the hopes and aspirations for a better world! Always the facing of opposition and suppression! Speeches continue to be made.

1ST VOICE — Speeches urging working men to join unions.

2D VOICE — Speeches pleading for political and economic rights for women.

3D VOICE — Speeches arguing for prohibition and later for repeal.

4TH VOICE — Speeches proposing new ideas, new hopes, new desires. And questions on the right of free speech continue to be discussed.

1ST VOICE — Should the police be on the alert to protect speakers whose views are objected to by their neighbors?

2D VOICE — Should city officials be forbidden the arbitrary use of traffic and public safety ordinances to obstruct free speech?

3D VOICE — Should a proper place like Hyde Park in London be provided in every community where anyone may speak freely on any subject?

4TH VOICE — Should free Public Forums be established in every community?

ANNOUNCER — Struggle for Freedom never ends! Ground that is lost must be regained! Each generation must re-win its rights! Eternal vigilance is still the price of Liberty! Let us strive on, to the end that our children's children may always know the glorious fulfillment of that noblest cry known to man—"Let Freedom Ring!"

Music — [*Closing theme . . . Fade under and out.*]

PRODUCTION NOTES

[1] The parson should start "fading" with the words "for the favorite at court." After the word "plough" there should be absolute silence for three or four seconds, and the parson comes slowly into the microphone while speaking.

[2] The press is not a modern press but one which sounds more like the clanking of two pieces of steel.

NOTE.—Additional helps may be found in the general production notes on page 375.

The story of the struggle for free speech is the story of minority or unpopular opinions in their fight for a right to be heard. It has often been observed that the liberal of today becomes the conservative of tomorrow. When we look down the corridors of history, whose monuments grace the extended halls? Moses, Aristotle, Socrates, Plato, Jesus, Galileo, Bacon, Washington, Lincoln—and the list runs on. These great characters disagreed with some aspect of the status quo of their day. Each contributed to the future by challenging his contemporaries' methods of thinking and acting. Each was called harsh names—madman, traitor, heretic, radical.

If history teaches any cardinal lesson, it is that of tolerance—tolerance for the point of view of those whose ideas differ from our own. Franklin, in the Constitutional Convention, gave a wise utterance to this ideal when he said in his famous plea for harmony: "The longer I live, the more I have come to respect other men's opinions. For I have noticed, Sir, that when the joiner (carpenter) wishes to make a perfect joint, he has to plane a little from both boards. Let each of us be willing to give up some of his own cherished opinions for the good of the whole. For, gentlemen, what we need in these debates is light, not heat."

To whom do we owe the debt of gratitude for gaining our right of free speech? Whom shall we thank for the liberty to say what we believe in America today—a liberty not enjoyed in many places on the earth? In making a "Who's Who" for free speech, you will identify the world's greatest thinkers; you will become familiar with the most essential ideas of the culture of which you are a part. Those who have dared to differ have made for progress.

What are the documents which contain all we have of liberty to think and say what we believe? Can you point to the significant phrases in those documents?

Where in America can you find an example of pure democracy—where all have the right to participate in the law making of their community? Study and report on the New England town meeting. The story is packed full of dramatic interest.

Someone might say, "We *have* free speech. Why should I worry *how* we got it? *So what*?" Every day in our country, someone is arrested for "disturbing the peace," "blocking traffic," "inciting to riot," etc., etc. Are all these charges which are booked against radical speakers the real reason for their arrest? During times of national emergency, should men be allowed the same freedom of speech that they enjoy during peaceful days? These and many other problems are your problems. Upon their wise solution depends much of your future happiness in democracy.

I. Activities

1. "Who's Who" in Freedom of Speech? Include the following:
   (*a*) Socrates
   (*b*) Savonarola
   (*c*) John Ball
   (*d*) John Bunyan
   (*e*) John Winthrop
   (*f*) William Bradford
   (*g*) William Lloyd Garrison
   (*h*) Sam Adams
   (*i*) Eugene V. Debs
   (*j*) Paul Revere
2. Memorize one of the following:
   (*a*) The Mayflower Compact.
   (*b*) Significant quotations from Wilson's Declaration of War speech.
   (*c*) Socrates' speech at his trial. (See "Socrates, His Work," by R. Cross.)
3. Charles W. Eliot once said that the "fundamental principles underlying America's democratic form of government are to be found in the celebrated Mayflower Compact" such as:
   (*a*) A government resting on the consent of the governed;
   (*b*) Universal manhood suffrage;
   (*c*) The right of people to meet regularly, elect their own officers, and conduct their affairs.

   See if you can find in the compact itself the phrases that embody these principles.
4. Dramatize a New England town meeting. In the "warrant" (call to meeting) insert articles which deal with local issues.
   (*a*) Who is the "moderator"?
   (*b*) Who are the "selectmen"?
   (*c*) Find other town officials and their duties.
   (*d*) What is meant by "March Monday"? (Cf. "Training and Citizenship," by Roy Winthrop Hatch.)
5. Find why Sam Adams is always referred to as "the man of the town meeting." What part did his committees of correspondence play in the American Revolution? (Reference: "Sam Adams," by Hosmer.)
6. Show how the Alien and Sedition acts in our early history abridged the right of free speech.
7. Special report:
   (1) The colorful incident of Paul Revere and the Boston mechanics at the Green Dragon Tavern. (See John Fiske—"The Critical Period.")
   (2) Find and read to the class Jonathan Smith's brief talk at the Massachusetts Ratification Convention which begins, "I am a plain man and am not used to speaking in public . . ." (Fiske—"The Critical Period.")

II. Discussion and Debate

1. Jefferson said that the New England town meeting was the "purest form of democracy that the world has ever known." What could have been the basis for such a statement?
2. To what extent were the boys of old Boston responsible for the "Boston Massacre"?
3. Was the man in the crowd right or wrong when he said, "You insult the Constitution, Garrison, and then hide behind its guarantee of free speech!?"
4. How much freedom of speech shall be granted? "It is for you to decide how much freedom of speech we will have. The answer to this question is not an easy one." (See script) How do you answer it?
5. Should we have the same freedom of speech in times of war as in times of peace?
6. Is freedom of speech in the classroom protected by the constitution?
7. Do the laws against slander and libel limit the right of free speech?
8. Does an employer have the right to dismiss an employee for what he says?

III. Watch This Spot!

1. "If there is any principle of the constitution that more imperatively calls for attachment than any other, it is the principle of free thought—not free thought for those that agree with us, but freedom for the thought we hate."—Oliver Wendell Holmes.
2. "I disagree entirely with everything you say, but I will defend to the death your right to say it."—Voltaire.
3. Garrison's motto: "I am in earnest—I will not equivocate—I will not excuse—I will not retreat a single inch—and I will be heard!"
   "I will be as harsh as truth and as uncompromising as justice."
4. "If there is anything in the universe that can't stand discussion, let it crack."—Wendell Phillips.
5. "When men can freely communicate their thoughts and their sufferings, real or imaginary, their passions spend themselves in air, like gunpowder scattered upon the surface; but pent up by terrors, they work unseen, burst forth in a moment and destroy everything in their course. Let reason be opposed to reason, and argument to argument, and every good government will be safe."—Thomas Erskine, *English champion of the liberties of speech and press.*

6. "A king is never more secure from the malice of his people than when their discontents are suffered to evaporate in complaint."—PHILIP II OF SPAIN.
7. "When truth is unpopular, they call it treason."—SAM ADAMS.
8. "As many great causes have been won in prison as on the battlefield."—JOHN BALL.
9. We can never see clearly until we learn to look through the eyes of others.

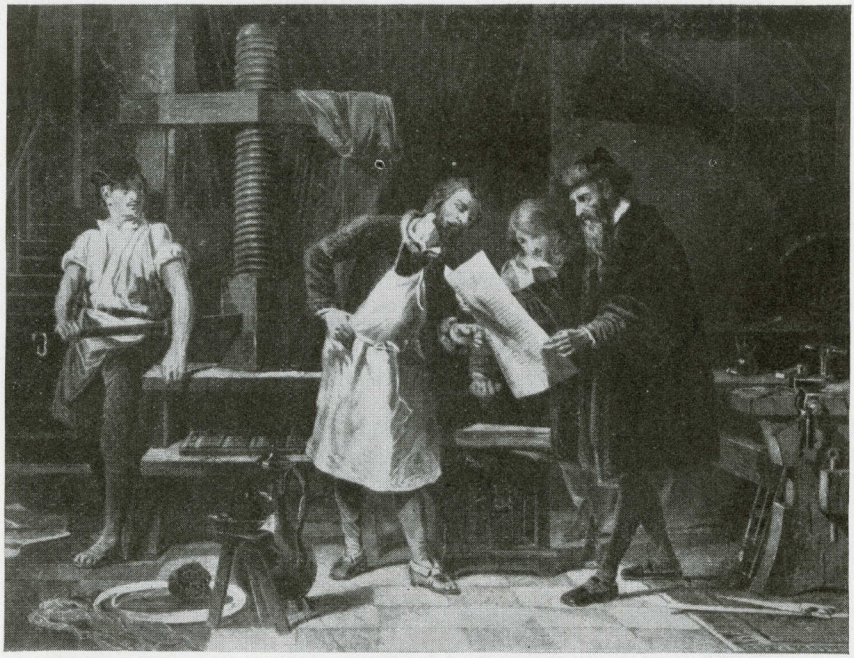
MUSIC PRODUCTION NOTES

Compositions used (orchestration, unless specified).

1. Let Freedom Ring, theme by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).
2. The Executioner's Dream, P. P. 19, by Perry (M. Witmark & Sons).
3. Brother Love, P. P. 24, by Grau (M. Witmark & Sons).
4. Rustic Scherzo, C. E. 31, Elie (Harms, Inc., New York City).
5. The Siege, P. P. 8 by Wilson (M. Witmark & Sons).
6. The Rebellion, C. E. 28, du Suesse (Harms, Inc.).
7. Madelon, by Bousquet & Cammille Robert (Remick Music Corp., New York City).
8. Misterioso Marziale, by Cafarella, C. E. 26 (Harms, Inc.).

How to use them (C–1 means composition 1, etc.).

Page 59	Use theme as directed in general music notes at end of scripts.
Page 60	Play C–2 from letter G, 1 measure and three-fourths.
Page 61	Same as page 60.
Page 62	Same as page 60.
Page 62	Play C–1 (theme) measures, 17, 18, 19, 20 only.
Page 63	Brother Love, C–3, four measures before and up to letter C.
Page 64	Play C–4 from the fifth measure after five for four measures.
Page 65	Same as page 64.
Page 68	Play C–5 the first seven measures; play up to 5 seconds and fade under next speech of "Voice" and out.
Page 69	Play C–5 the last seven measures up and fade under next speech of announcer.
Page 71	Same as page 60.
Page 72	Same as page 60.
Page 72	Play C–6 from top (beginning) and fade under (perhaps six to eight measures).
Page 73	Play C–6. Start at the twenty-fifth bar (not counting the very first upbeat); play six measures and one-fourth and make hold.
Page 76	Play theme C–1, measures 17, 18, 19, 20.
Page 77	Play C–7 from the chorus; up for four bars and fade out after another four.
Page 77	Play C–8 the last 36 measures up and fade down for next six lines of speech.
Page 78	Theme C–1; play first 16 measures and out.
Page 79	Theme as directed.



Gutenberg Taking the First Proof From his Newly Invented Press. One of the few Gutenberg Bibles in existence is on exhibition in the Library of Congress.

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission

30-MINUTE SCRIPT

Script 4

FREEDOM OF THE PRESS

[*Footnotes on page 107*]

CAST

ANNOUNCER
4 VOICES
GUTENBERG
FURST
BROTHER STEPHEN
BROTHER FRANCIS
MARTIN MARPRELATE
WOMAN
WILLIAM PRYNNE
ATTORNEY GENERAL
3 JUDGES
MILTON
ANDREW HAMILTON
SON
DAUGHTER-IN-LAW
WILLIAM BRADFORD
SENATOR
FRENAU
Other Judges
Lawyers
Men on the Street

Music [*Patriotic fanfare . . . Roll of drums . . . Built up to—*]
[*Three strokes of great bell.*]

ANNOUNCER [*Dramatically.*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to basic idea of program with sound of sonorous bell worked into orchestration.*]
[*At triumphant finish of song, orchestra segues into soft background music for announcer, bell motif still softly heard.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy wrested those rights from kings and gave them to you! These rights are now a part of the law of the land! In this 150th Anniversary year of our Constitution the . . . (local group) and the . . . (local radio station) present the deathless story of man's unending struggle for Freedom! Tonight we consider another part of our blood-bought Bill of Rights—Freedom of the Press!

Music [*Up and down.*]

VOICE Amendment One to the Constitution of the United States.

2D VOICE "Congress shall make no law . . . abridging the freedom . . . of the press . . ."

ANNOUNCER The Story of the Long Road from Gutenberg to Constitutional Guarantee!

Music [*Up and out.*]

2D VOICE 1450! The struggle for the Freedom of the Press begins with Gutenberg's invention of movable type!

ANNOUNCER The movable type gives the common people the most powerful weapon against tyranny *the world has ever known!* The first sound of the press in that dingy loft in Mainz resounds like the striking off of shackles!

GUTENBERG [1] Boy, hand me the ink-ball!

ASSISTANT Yes, Herr Gutenberg!

Sound [*Knock on door.*]

GUTENBERG Come in, come in!

FURST [1] Good day, Herr Gutenberg!

GUTENBERG You, Herr Furst! Just in time! Sit down, sit down!

Sound [*Scraping as of leather on wood.*] There—that's enough! Give me a sheet of paper!

Sound [*Rattle of paper.*] Grasp the other side of the lever! Good, now turn—tu–rn . . .

Sound [*Creaking of wood screw.*] Hold it . . . check . . . now back . . . tu–rn . . . back . . .

Sound [*Wood screw.*] Ah, look, Herr Furst! Look and read what I have printed!

FURST "In the beginning God created Heaven and earth . . ."

GUTENBERG Well? What do you think of it?

FURST A miracle of printing! How clear the type is! How smooth and regular the lines! You could hardly tell it from a manuscript. How fast can you print these?

GUTENBERG Twenty pages an hour!

FURST This will change the world!

GUTENBERG With my press one man can print more books in a day than all the scriveners and copyists could write in manuscript in a year.

FURST See! The news must have got around already. Here come two brethren from the monastery to see you.

STEPHEN [*Coming up.*] Hold!

FURST Welcome, Brother Stephen and Brother Francis.

STEPHEN Word just came to the monastery that you have begun to print a Bible.

FRANCIS Brother Stephen, I tell you this day will be remembered as one of the great dates of history!

STEPHEN Do not listen to Brother Francis! I tell you, Herr Gutenberg, think carefully before you loose your impious invention on mankind!

GUTENBERG-FURST [*Together.*] Impious? How can you say that? What do you mean?

STEPHEN That machine you have made is more powerful than any weapon ever invented for the destruction of man!

FRANCIS But think you, Brother Stephen, it can put the Bible into the hands of everyone.

STEPHEN It can also spread heresies, Brother Francis—it can print evil words as well as good.

FURST It's useless to struggle against progress! If my partner Gutenberg here had not invented movable type, someone else would have!

STEPHEN [*Despairingly.*] From now on it will mean one long struggle to keep the monster silenced for the safety of the world!

FRANCIS I still think you're wrong. Brother Stephen . . . [*fading.*] Time will prove you wrong.

Sound [*Door closes hollowly on words.*]

FURST [*Exultantly.*] Never mind the croakers, Gutenberg—this will make our fortune.

GUTENBERG [*Slowly.*] Angel or demon—which have I raised?

Music [*Up and out.*]

VOICE The art of printing spreads like wild-fire and, like wild-fire, the church and state try to control it!

2D VOICE — It is not considered at first a right of man to publish his opinions, but a privilege given only to those with licenses from the King. And the privilege is bitterly fought.

1ST MAN [2] — If books are printed, people will learn to read.

2D MAN — [*Calling.*] If the people read the people will rebel!

3D MAN — [*Calling.*] The masses cannot understand politics! Keep the pamphlets out of their hands!

4TH MAN — Books will cause unrest! Books will make servants hate their masters. Books are dangerous [2] [*Fading*] dangerous . . .

Music — [*Up and out.*]

1ST VOICE — 1477! William Caxton prints the first book in England!

2D VOICE — Not long afterward Henry the Seventh orders all presses put under royal control!

3D VOICE — The printers organize into the powerful Stationers Company, but their publications are still subject to rigid censorship!

1ST VOICE — 1584! William Carter, English printer, is hanged at Tyburn by royal order!

2D VOICE — Yet Kings and their ministers still have the uneasy feeling that it is not safe to attack the right to print directly. And so Carter is condemned to be dragged from Newgate to Tyburn and there hanged, drawn, and quartered—not for printing unlicensed pamphlets, but on the safer charge that his books contain treason.

3D VOICE — Even until today this charge of treason and sedition remains authority's best weapon against the power of the press.

Music [*Chords up and out.*]

1ST VOICE 1586! The Star Chamber decree against unlicensed printing!

2D VOICE Red-haired Elizabeth is still Queen! By means of the Royal Court of the Star Chamber she lays her long, jewelled hand upon a press rapidly growing in favor with the common people.

3D VOICE Hidden printing presses are pouring out unlawful and uncensored pamphlets, books, papers, in the realm. Royal rewards are offered for the discovery of these outlaw presses! But men aflame with eagerness to spread their beliefs find ways of baffling the searchers. There is, for example, the dissenter signing himself "Martin Marprelate," who travels in a peddler's van from Kingston-on-Thames to Manchester . . .

Sound [*Crash of press.*]

WOMAN [*Off anxiously.*] Martin! Martin!

MARTIN [*Stopping press.*] Yes, my dear; what is it?

WOMAN [*Coming up in whisper.*] There are men on horseback coming!

MARTIN Quick! Give me those bolts of cloth! And now those kettles!

Sound [*Clinking of tinware.*]

WOMAN Go out and take the reins! I'll hide the press. We must be moving when they reach us!

MARTIN [*Coming up cracking whip.*] Giddup!

Sound [*Wheels on cobbles.*] [*Hoofs coming up— Stop.*]

MAN [*Off mike.*] Hulloa, there! Is this the way to Manchester?

MARTIN [*Calling.*] Straight ahead, good sirs! You seem in a hurry!

MAN [*Off mike.*] We are looking for a slippery pirate printer known as Martin Marprelate! His pamphlets of heresies fill the land, but we can't find him or his press!

MARTIN [*Calling.*] Tut! Tut! These unlicensed printers grow bold! Good luck, gentlemen!

Sound [*Horses hoofs.*]

MAN [*Off mike—Fading.*] Oh, we'll find him, and hang him—never you fear!

WOMAN [*In whisper.*] Oh, Martin! I'm frightened. Suppose they'd looked in the van!

MARTIN Take the reins, my dear! I'll run the press. There's work to be done for the Lord!

Music [*Up and out.*]

VOICE 1634 to 1637! The two trials of William Prynne by the Star Chamber. Times grow troubled. Printed attacks on those in authority increase! Charles the First still wears his head on his beruffed and silken shoulders, but his subjects read attacks on the vices of his court and grow restless.

2D VOICE William Prynne, Puritan Pamphleteer, faces the scowling judges of the Star Chamber—those royal puppets of the Crown—and battles heroically for man's freedom to print his own thoughts!

PRYNNE And in closing my defense, my lords, may I humbly point out that nowhere in my book do I mention His Majesty or the Government. It is solely an attack upon the profligacy of the stage.

ATTY GEN My Lord Judges of the Star Chamber! This man in the vilest language attacks the performance of pastorals. Her Gracious Majesty, the Queen, has but lately taken part in a pastoral play.

PRYNNE May I beg your lordships to note that this book was written and, yea, even printed 6 weeks before Her Majesty, the Queen, took part in a pastoral!

ATTY GEN My Lord Judges of the Star Chamber! The printing of books grows every day worse and worse! Those bold and insolent pamphleteers must be stamped out!

1ST JUDGE I have read this book and consider it a fearful symptom of this sick and diseased time!

2D JUDGE We must not sit here to punish poor snakes and let this man go scott free because he is popular with the light common people.

3D JUDGE The judges will confer and announce their decision.

ATTY GEN [*Aside.*] Is the mob still waiting in the palace yard, Usher?

USHER [*Aside.*] Aye, your worship; harken to them!

Sound [*Opening door.*]
[*Crowd outside murmuring.*] Prynne! Justice for William Prynne! Down with tyrants! Down with the Star Chamber!

ATTY GEN [*Aside.*] Shut them out! The rabble is getting bolder every day. I hope the judges discourage this seditious talk of liberty with the severity of their sentences!

CLERK [*Calling.*] Hear ye! Hear ye! His Majesty's Court of the Star Chamber is in session!

1ST JUDGE Stand, William Prynne, to hear the decision of the judges.

PRYNNE Aye, my lords!

2D JUDGE You were previously fined five thousand pounds for printing treason.

PRYNNE [*Protesting.*] My lords 'twas monstrous!

3D JUDGE You were deprived likewise of your university degrees?

PRYNNE Yes, and my degrees, too!

1ST JUDGE You are now hereby condemned to lose your ears in the pillory!

PRYNNE [*Bitterly.*] Ah, there, my lords, others have before you. I've already sacrificed my ears to the cause of the freedom of print!

2D JUDGE Usher, lift the prisoner's hair. Mum—they can be shaved a little closer, I think!

PRYNNE Is that all my sentence, my lords?

1ST JUDGE One other little thing, Master Prynne. You are also condemned to prison for life.

PRYNNE [*Defiantly.*] You had better hang me, my lords; I can still write in prison.

Music [*Chords up and out.*]

1ST VOICE 1644! John Milton prepares his great plea for the liberty of unlicensed printing.

2D VOICE John Milton, whose continuous pamphleteering in the cause of easier divorce has brought the new Licensing Act down upon his head, sits in his lonely home from which his bride had fled after a month of marriage . . . [*Fade*]

MILTON [3] [*Musing.*] I was too old for you, my dear, too old and solemn. I should have known that a middle-aged Puritan could never hope to hold your young Royalist heart. Then I have written so many grim and ponderous arguments for human rights that I have forgotten the words men use for love-making. I could only frighten you with heavy compliments when all the time . . . [*Sighs.*] Strange that when I sit here now trying to loose the thunder of my eloquence on Parliament, to plead with all the high heroic language at my command for man's right to print his thoughts freely, all I can think of is the way the sun tangled in your hair! Come, come, this will never do, John Milton! Dip your quill into the ink pot! Set it to writing phrases keen as a sword to slay injustice! Let's see—what have I written? [*Reading.*] "And though all the winds of doctrine were let loose to play upon the earth, so Truth be in the field, we do injuriously by licensing and prohibiting to misdoubt her strength. Let her and Falsehood grapple; who ever knew Truth put to the worse in a free and open encounter?" Aha! That's good, John Milton . . . That's your old self shouting down man's oppression of man!

Music [*Up and out.*]

1ST VOICE Milton's great plea for the right to print and to study the truth has echoed for three hundred years wherever men gather to talk of their rights and liberties. Once and for all time it settled the question of freedom of the press in the minds of thinking people.

2D VOICE Licensing of printing stops at the beginning of the eighteenth century, but severe libel laws continue to hamper the press.

3D VOICE The struggle for legal protection of printing is carried across the seas into the New World!

Music [*Up and under.*]

4TH VOICE 1735! The Trial of John Peter Zenger in New York City Two Hundred Years Ago! John Peter Zenger starts the *New York Weekly Journal* to represent the popular party in the colony, and to print the people's grievances against their English Governors. After several issues he is arrested on the old charge of plotting to disturb the peace with seditious libels. He has been in prison a year when his friend, William Bradford, travels to Philadelphia to see Andrew Hamilton, one of the greatest lawyers in the colony, but now old and ill.

MAN Better let me put this rug over your knees, father. It's cold tonight!

HAMILTON[4] [*Old man's voice . . . Scotch burr.*] Now, now, don't you all treat me like an old man—after all—I'm only 80.

WOMAN [*Laughing.*] You deserve to be waited on, father—you've been fighting other people's battles all your life.

HAMILTON Ah! But do you know what I've been wishing for all day?

MAN What, father?

HAMILTON One more fight, my boy! One more day in court!

MAN–WOMAN [*Laughing and protesting ad lib.*] Oh no, father! You must rest now.

Sound [*Knocking.*]

WOMAN Now who can that be in this storm?

MAN Give me that candle, May—I'll go. [*Fading.*]

Sound [*Door opening—Whistling of wind.*]

BRADFORD [*Off mike.*] Good evening. Is this the home of Andrew Hamilton, the celebrated lawyer?

MAN [*Off mike.*] It is indeed, sir! Won't you come in?

Sound [*Stamping of feet.*]

BRADFORD [*Off mike.*] I'm afraid I've tracked in mud! [*Coming up.*] Allow me to introduce myself. I am William Bradford, publisher of the *New York Gazette.*

HAMILTON William Bradford! I seem to know that name.

BRADFORD [*Laughing.*] Perhaps you would remember me better as the Philadelphia printer who was once tried for seditious libel in this city.

HAMILTON That's it. I remember the case well. You established the first printing press in this region.

BRADFORD Yes—five years after King James had sent Governor Dongan of New York orders to allow no printing press in the colonies.

MAN [*Laughing.*] How times have changed.

BRADFORD Not so very much, sir.

MAN Why—surely today there are a dozen newspapers in this country!

BRADFORD Yes, they allow them to be printed—as long as they say nothing the authorities disapprove of. But when they do—well, look at poor Zenger!

HAMILTON Zenger . . . Zenger . . . let's see. Didn't he publish a newspaper?

BRADFORD Yes. John Peter Zenger was apprenticed to me for eight years and then left to start the *New York Weekly Journal* to print the people's grievances.

HAMILTON He must be brave—and foolhardy!

BRADFORD I warned him of his danger, but he persisted. After a few issues exposing the oppressions of the Government, a Negro slave of the sheriff burned his papers by the pillory.

WOMAN What did they do to Zenger himself?

BRADFORD They arrested him for disturbing the peace and inciting disorder.

HAMILTON That old trick to silence men!

BRADFORD They set his bail so high that he has spent a year in prison awaiting trial.

HAMILTON But that's against the Magna Charta!

BRADFORD [*Bitterly.*] As you've doubtless found in a long lifetime, Mr. Hamilton, men's liberties will have to be won over and over again!

HAMILTON Surely no court will convict him if he can prove he's printed only the truth.

BRADFORD Two lawyers who have taken his case have been disbarred!

HAMILTON That's outrageous in this free land!

BRADFORD That's why I came to see you.

HAMILTON You mean you want me to go to New York to defend John Peter Zenger!

MAN–WOMAN [*Ad lib.*] No father! You couldn't! It's impossible!

MAN — My father has retired, Mr. Bradford. He's 80 and ill.

WOMAN — Go all that way in a coach? It would be your death.

HAMILTON — And what better way of dying could an old man pray for, Mary?

BRADFORD — If it were only Zenger, I wouldn't have come this long way to rout you out of your chair before the fire. But more than Zenger is at stake.

HAMILTON — Yes . . . yes . . . If the truth may not be printed, the people are slaves! [*Roaring in a very different tone.*] Get my great coat, William. Pack my things, Mary. I'm taking the midnight coach!

VOICE — This old man of 80 stands in court facing a hostile judge fearlessly. His mind is made up. The last act of a long lifetime shall make it safe for men in America to discuss and criticize the conduct of those who govern them. Without this curb on authority he knows that all democratic rights are impossible in the colonies.

HAMILTON — I contend, your honor, that John Peter Zenger is not guilty of libel. In times past it was a crime to speak the truth, but, thank God, the Star Chamber has been abolished! Libel is false or malicious accusation. What John Peter Zenger has said about the governor is *true* and we are prepared to prove it.

JUSTICE[5] — The jury may decide whether Zenger published these words—it is for the court to decide whether they are libelous.

HAMILTON I humbly beg to differ with the court. I hold that it is for you gentlemen of the jury to say not only whether John Peter Zenger actually published the words in question, but it is for you to decide whether that statement was printed with criminal intent. Otherwise, juries are useless. The question before the court is not of small or private concern—no! It is the cause of liberty itself that is being tried here.

VOICE [*Aside.*] It would take a Philadelphia lawyer to think of that!

Sound [*Cheers from crowd—ad lib.*] Yes; you're right.

JUDGE [*Rapping.*] Silence.

HAMILTON Your upright conduct this day, gentlemen of the jury, will lay a noble foundation for securing to ourselves, our neighbors, and our posterity, the liberty of exposing arbitrary power —by printing the truth!

JUDGE I instruct this jury to disregard the argument of counsel and find John Peter Zenger guilty if they believe that he printed these editions of the *New York Weekly Journal.*

CLERK The jury will retire and consider their verdict.

Music [*Up and under.*]

Sound [*Sound of feet shuffling in again.*]

JUDGE [*Furiously.*] What, back so soon? Do you find the defendant guilty or not guilty?

FOREMAN Not guilty!

Sound [*Cheering.*]

Music [*Up and out.*]

1ST VOICE 1791! The Bill of Rights becomes part of the Constitution.

2D VOICE Now three centuries after Gutenberg looked on his printed Bible, the battle to print the truth without license and without dread of punishment is won. But those in authority try another curb. If the press is free to print the facts—very well, let it try to get the facts to print!

3D VOICE Newspapers increase in the new republic. An untried Congress shares the old dread of the power of the press to sway public opinion. Reporters find legislative doors slammed in their faces!

Music [*Up and under.*]

4TH VOICE 1792! The Senate of the United States votes to exclude the press.

Sound [*Heavy door slamming hollowly.*]

CROWD [*Jeers . . . Cat calls . . . Boos.*]

DOORKEEPER Gentlemen! I beg you! Gentlemen! Listen to the Senator!

SENATOR The Senate has asked me to inform the reporters that it has voted to keep its deliberations secret. The laws will be published, but not the debates.

FRENAU My name is Frenau, editor of the *National Gazette.* I claim my Constitutional rights as a member of the press!

SENATOR Mr. Frenau, when we consider it in the interest of the country to withhold information it becomes malicious to print it.

FRENAU That is either contempt for the people or tyranny over the people.

SENATOR — It is to be expected that debates in Congress will become at times excited, even hostile. To print them might stir up sedition.

FRENAU — Secrecy in the representatives of the people is a worm which will prey and fatten on the vitals of our liberty! Fellow citizens! The Peers of America disdain to be seen by vulgar eyes! Do you choose your own representatives, or are you inferior beings incapable of understanding the deep thoughts of a senator?

Music — [*Up and under.*]

1ST VOICE — In 1798! The Alien and Sedition Laws attempt to control the press in the United States!

2D VOICE — [*Reading.*] "It is hereafter declared illegal to publish false, malicious, and scandalous writing against Congress . . . or the President, with intent to defame or stir up sedition!"

3D VOICE — The excuse of sedition is still good after three centuries!
And now to the long list of martyrs for a free press is added the name of Julius Callender, tried before a domineering judge for printing an electioneering pamphlet in 1800.

Sound — [*Banging of gavel.*]

JUDGE — I have read the pamphlet called *The Prospect Before Us.* It is a deliberate attempt to excite the hatred of the good people of the United States toward President Adams.

LAWYER — May I call it to the attention of the court that the intent of the pamphlets is a matter for the jury to decide?

JUDGE — The intent should be evident from the first words. I will read them [*reading*]. "The reign of Mr. Adams has been one continued tempest of malignant passion. As President he has never opened his lips without threatening or scolding."

LAWYER — Again may I suggest to the court and jury that "It is the privilege of every citizen in this happy country to withdraw his trust from a candidate at election time and explain to the world his reason for doing so."

JUDGE — You have a weird notion of the law, young man!

LAWYER — If I am permitted I should like to read from the Alien and Sedition Laws themselves: "If the truth of the charges can be proved, it is taken for granted that they have been made with good intent."

JUDGE — [*Pounding desk.*] I shall teach the lawyers of Virginia the difference between the liberty and the licentiousness of the press! Sit down, young man!

1ST LAWYER — I find it impossible to conduct the defense under these circumstances.

JUDGE — Then, Mr. Hay, will you continue?

2D LAWYER — I am sorry, your Honor, but in view of the attitude of the court, I cannot.

JUDGE — Mr. Brown, I appoint you to defend the accused.

3D LAWYER — I must beg to be excused, your Honor.

Sound — [*Murmur of crowd.*]

1ST MAN [*Aside.*] They're throwing down their papers!

2D MAN The lawyers are going.

3D MAN They're leaving the courtroom!

Sound [*Banging of gavel above murmur.*]

JUDGE [*Shouting above uproar.*] Silence in the court!

Music [*Up and out.*]

VOICE But though a partisan jury sentences Callender to nine months in prison and a $200 fine, he is the last to suffer from this unconstitutional attempt to defeat the freedom of the press. His fate rouses the country. Jefferson, as the next President, frees him and all other victims of the Alien and Sedition Acts, and the acts themselves are legally killed.

Music [*Out.*]

1ST VOICE But every great issue that divides public sentiment tests the right to a free press anew. For example, the cause of free press had its martyrs in the war between the States. The progress of organized labor has been accompanied by the sound of editorial doors crashed in and presses broken up.

2D VOICE And still the battle to stifle printed criticism goes on!

3D VOICE As recently as 1925 the State of Minnesota passed a law calling for the suppression of any newspaper that has made a habit of publishing malicious, scandalous, and defamatory matter!

MAN — *The Saturday Press,* of Minneapolis, has been publishing damaging stories of graft, racketeering, and neglect of duty by city officials. Authority's answer is to use this new law to stop the presses!

VOICE — But, here's the Supreme Court decision: "The fact that the liberty of the press may be abused by miscreant purveyors of scandal is no excuse for taking away the immunity of the press. Authority to prevent publication is a more serious public evil than the printing of malicious matter."

1ST VOICE — One more victory for Freedom of the Press!

2D VOICE — Is this Minnesota case the only one in recent years?

3D VOICE — What about the recent taxing of the newspapers with more than 20,000 circulation in Louisiana?

4TH VOICE — Who taxes them and why?

5TH VOICE — The bigger newspapers in the State are unfriendly to the State political machine.

1ST MAN — [*Excitedly.*] Did you hear the news? They've picked thirteen out of a hundred and fifty newspapers to put the screws on.

2D MAN — If they get away with this, they'll try stronger measures to stop our presses!

3D MAN — We'll appeal to the Supreme Court. This is a democracy—not a dictatorship!

VOICE — And here's what the Supreme Court said: "A tax on a newspaper is a tax on knowledge. A free press stands as one of the great inter-

preters between the government and the people. To allow it to be fettered is to fetter ourselves. This Louisiana tax is not an ordinary form of tax, but one with a long history of misuse against the freedom of the press."

1ST VOICE — Remember the heroic sacrifices of William Carter, William Prynne, and many others!

2D VOICE — Remember John Peter Zenger thrown into prison—finally rescued by Andrew Hamilton!

3D VOICE — Remember how Frenau wrested from Congress its cloak of secrecy!

4TH VOICE — What are some of the modern problems of a free press?

Sound — [*Voices . . . Street noises.*]

1ST MAN — We're sure lucky we live in a country where we can read about public affairs every morning at the breakfast table. Why, in some places abroad people aren't allowed to know . . .

2D MAN — The truth, eh? What about these partisan papers? Do you think they print all the truth or . . .

3D MAN — And how much of the truth about people's private lives has the public got a right to know? Can't there be too much freedom?

4TH MAN — Who's to tell the press what it can print anyhow?

5TH MAN — Huh, that's easy—the advertisers tell them!

1ST MAN — Well, after all, you've got to have some censorship for the safety of public morals.

2D MAN — Trouble with censorship, it never knows where to stop . . . take foreign books, for instance . . .

3D MAN — What about the papers that try murder cases and give their verdicts before the jury does, don't you think they . . .

Sound — [*Street noises.*]

1ST VOICE — Should there be *any* censorship of the press today?

2D VOICE — Should there be laws to prohibit advertisers from influencing editorial policy?

3D VOICE — Is a partisan press a free press?

4TH VOICE — Should a newspaper always present both sides of a political argument?

5TH VOICE — Is there a free press in America today, with international news censored in almost every foreign land?

1ST VOICE — These are some of the problems confronting us today; let us discuss them wherever and whenever we can and so keep our Bill of Rights a living protection to our liberties instead of a dead letter

Music — [*Chorus and orchestra.*]
Struggle for Freedom never ends! Ground that is lost must be regained. Each generation must re-win its rights! Eternal vigilance is *still* the price of liberty! Let us strive on to the end that our children's children may always know the glorious fulfillment of that noblest cry known to man—"Let Freedom Ring!"

Music — [*Closing theme . . . fade under and out.*]

PRODUCTION NOTES

[1] Play "Furst" and "Gutenburg" with light German dialect if someone can do this properly. Otherwise play "straight."

[2] Beginning with the sentence "if books are printed, people will learn to read," to "books are dangerous," each speech must begin stronger and stronger until the third man fairly shouts.

[3] Milton's speech should be played softly and tenderly, not with many voice inflections. Milton is thinking aloud, and when we think aloud we do it quietly, almost in a monotone.

[4] If you do not have an actor with a legitimate Scotch accent, play Hamilton "straight."

[5] The Justice should be played as a curt, nasty fellow, in order to make Hamilton's victory more impressive.

NOTE.—Additional helps may be found in the general production notes on page 375.

"Angel or demon—which is it I have raised?" Gutenberg was not only an inventor, he was a philosopher. He faced truth. And well might one with his vision be troubled as he contemplates the good and the evil of so powerful a force as the printing press. He had produced the instrument which would enlighten the intellectual world even as Edison's lamp lighted the physical. But he knew that the same machine could spread falsehood and cause much unhappiness.

"Hindsight is always easier than foresight." We today would almost unanimously vote "not guilty!" if the printing press were being tried for its life. But we *believe* in popular education. We *know* the benefits of democracy. Can you see the problem through the eyes of Brother Stephen? Can you understand how religious groups, political groups, economic groups might view with alarm the power of the press if it were to be invented tomorrow?

Throughout our history, from earliest times, there have been many attempts to control the Freedom of the Press. Parliament passed laws to the effect that there "should be no printing presses in the colonies." Do you see why? The stamp taxes on newspapers were intended to suppress the publication of criticism objectionable to the Crown. The Alien and Sedition Acts were distinct attempts to control what should or should not be published. Look into these acts and see what happened to them. In a very recent case, the Supreme Court has ruled that "a tax on newspapers is a tax on knowledge." Do you understand the basis for such a decision?

But "freedom" is always a relative term. To understand its meaning in this particular study, we must see it in relation to some other terms. "Slander," for instance—the two-edged sword of the gossiper—must be considered. Do you know the difference between "slander" and "libel"? Have you a clear conception of the real meaning of "treason," of "sedition," and of the term "malicious intent"? Not without some knowledge of this vocabulary would one be ready to take up the further studies listed below.

I. Activities

1. "Who's Who" in Freedom of the Press?
   - (*a*) John Gutenberg
   - (*b*) William Caxton
   - (*c*) William Prynne
   - (*d*) John Milton (*see* his *Aereopagitica*)
   - (*e*) Peter Zenger
   - (*f*) Andrew Hamilton
   - (*g*) James Callender
   - (*h*) Editor Frenau of the *National Gazette*

2. Show how the printing press has developed from the days of Gutenberg to the modern cylindrical press of a great newspaper.
3. Appoint a committee to visit and report the operations of a printing shop or newspaper.
4. Make a special report on the trial of John Peter Zenger.
5. Appoint a member of the class to act as a reporter. Send him to interview a newspaper man or woman in your community. Have him get that person's ideas on the Freedom of the Press.
6. For the Bulletin Board: Appoint a committee to examine several newspapers and display their varying views on some single, important issue.
7. Write a 500-word essay on the subject: "How free is our free press?"

II. Discussion and Debate

1. Is there any basis for truth in Brother Stephen's prophesy in regard to the printing press?—"From now on, it will mean one long struggle to keep the monster silenced for the safety of the world." See if you can find any specific illustrations of such activity in history.
2. To what extent, do you think, may the freedom of the press be controlled by those who advertise in the pages of the newspapers and magazines?
3. Is freedom of the press enjoyed in all European countries today?
4. Why is it true that any attempt to establish an absolute government always brings with it a censorship of the press? Give illustrations.
5. Do you agree that "authority to prevent publication is a more serious public evil than the printing of malicious matter?" (Script.)
6. Debate: Resolved: That newspapers should have unlimited power to criticize the Government.

III. Watch this Spot!

1. "Let truth and falsehood grapple. Whoever knew truth put to the worse in a free and open encounter?"—Milton.
2. "A tax on newspapers is a tax on knowledge."—*Excerpt from a decision of the Supreme Court.*

MUSIC PRODUCTION NOTES

Compositions used (orchestrations, unless specified).

1. Let Freedom Ring, theme by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).

2. Song of the Flame, by Stothart (Harms, Inc., New York City).

3. On a Sunday Morn, by Horne (Harms, Inc.).

4. The Rebellion, by Suesse (Harms, Inc.) (C. E. 28).

5. Scene Pathetique, by Kriens (Harms, Inc.) (C. E. 17).

How to use them (C–1 means composition 1, etc.).

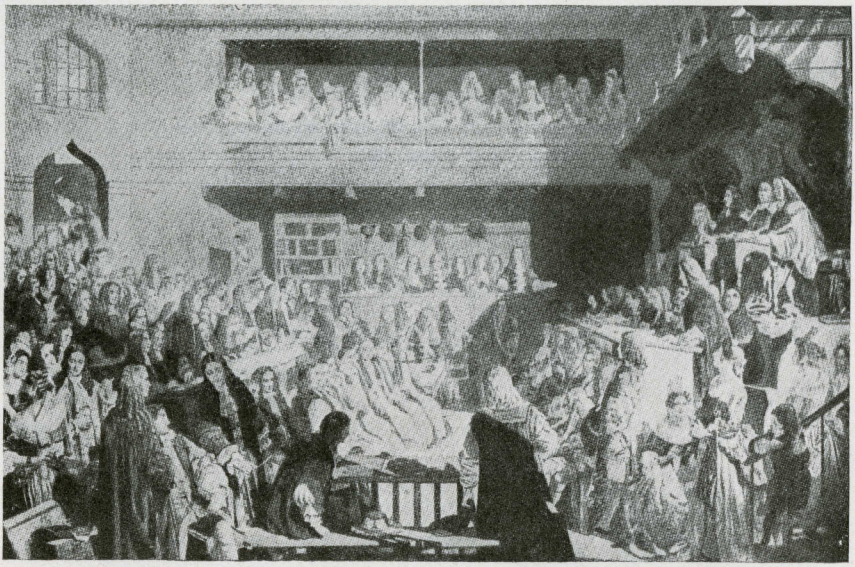
Pages 85, 86	Use theme as directed in general music notes at end of scripts.
Page 86	"1450!". . . etc. Play C–2; the measures three and four only, a la Fanfare.
Page 88	Play C–3, the last six bars only; up and out.
Page 89	Same as second music cue on page 86.
Page 89	Same as second music cue on page 86.
Page 90	Same as second music cue on page 86.
Page 91	Same as second music cue on page 86.
Page 93	Play C–2, measures 21 and 22 (two measures before agitato molto).
Page 94	Same as music cue on page 86.
Page 95	Play C–4, the one-fourth upbeat and the following ten and three-fourth measures. Four measures up and fade under the following speech. Fade out with the end of that speech.
Page 99	Play C–4, the four measures before the repeated section.
Page 99	Play C–4, starting eight measures from the end and play only four and one-fourth measures.

Page 100 — Same as music cue on page 86.

Page 101 — Same as music cue on page 86.

Page 103 — Play C–5, the last 16 bars, up and under next speech, then up and out as next music cue.

Page 106 — Theme as directed



Acquittal of the Seven Bishops. From the painting by J. R. Herbert. The trial of the seven bishops, in the reign of James II of England, pertained to the freedom to worship, but the question at issue at this trial involved more particularly the right to petition as told in Script 5.

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission.

30-MINUTE SCRIPT

Script 5

FREEDOM OF WORSHIP

[*Footnotes on page 136*]

CAST

ANNOUNCER	ROBINSON	JOSEPH SMITH
VOICES	MARY WILLIAMS	HIRAM SMITH
NERO	ROGER WILLIAMS	GOV. FORD
JULIA	FRIEND	BRIGHAM YOUNG
PETER	MARY DYER	Men of Crowd
MATTHEW	SON	Lawyers
DORITY	HUSBAND	Witnesses in Court

Music [*Patriotic fanfare . . . roll of drums . . . Built up to—*]
[*Three strokes of great bell.*]

ANNOUNCER [*Dramatically.*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to basic idea of program with sound of sonorous bell worked into orchestration.*]
[*At triumphant finish of song, orchestra segues into soft background music for announcer, bell motif still softly heard.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy wrested these rights from kings and gave them to you! These rights are now a part of the law of the land! In this 150th anniversary year of our Constitution, the . . . (*local group*) and the . . . (*local radio station*) present the deathless story of man's eternal struggle for Freedom! Tonight we consider another part of our blood bought Bill of Rights—Freedom to Worship God as we choose!

Music [*Up and down.*]

ANNOUNCER Our story opens nearly 1900 years ago in a Roman dungeon. A follower of a humble Carpenter, crucified 35 years before, lies in chains. The notorious Nero rules the world, but Nero has become frightened by a power greater than his own—the power of a faith.

Sound [1] [*Hollow clang of door, voices off coming up, echo effect in all speeches.*]

NERO [2] [*Off mike.*] Show me one of these Christians! Let me speak to a wretch that would defy Nero!

JULIA Yes, I am curious to see and speak to one of these people!

GUARD This way, Great Emperor! This way, Mighty Nero—Imperial Caesar!

OTHER GUARD [*Calling.*] Make way for the Emperor of Rome!

NERO [*Coming up.*] You heard the people grumbling at me just now, Julia, for not giving them Christians who display more spirit before the lions. It's getting to be a scandal—the tame way they die.

JULIA [*Coming up.*] I'm tired of spectacles and games! I don't even like your feasts any more, Nero. Find me a new amusement or I'll die of boredom.

NERO And now *you* grumble, Julia—you whose dancing is the inspiration for my poetry!

JULIA I'm sick and tired of your poetry, too!

NERO By all the gods! Tired of my poetry—my art—my genius! It's the fault of those Christians. They're upsetting my empire and my palace! Where are these dogs, jailer?

GUARD Here's one of the leaders of the accursed sect, Great Emporor—chained to this pillar!

NERO Hmm! Haven't I seen you before, old man?

Sound [*Slight sound of chains.*]

PETER [2] Yes, Nero! You sent me away from Rome . . .

NERO Then why did you return?

PETER I heard my Lord's voice saying "Peter, quo vadis? Where are you going, Peter?" So I came back!

JULIA By all the gods, I like the old man's spirit, Nero. This Christian faith interests me strangely . . .

NERO You! [*Sneering laugh.*] You weren't made to be eaten by lions, Julia!

JULIA And yet—just now when I saw them marching into the arena, singing as they came, I found myself envying them.

NERO You envied them!

JUILA Yes—they seemed so triumphant!

NERO They cannot triumph over Caesar! But—it is so strange—the more who die—the more spring up to bother me.

JULIA I never knew a Roman who would die for Jupiter . . .

PETER No! It is only the truth for which men are glad to die!

NERO I remember your name now, old man. Peter, that's it! Peter—a stubborn fellow who preached treason.

PETER Treason, you say! Is it treason, Caesar, to teach men to live better lives?

JULIA [*Slowly.*] Better lives . . . but what can be better than my life? I have everything—beautiful clothes, delicate food, jewels, pleasure . . .

PETER Everything, you say?

JULIA Everything but happiness. [*Urgently.*] Yet you look happy, old man, here in this dark dungeon with death waiting . . .

PETER Happiness does not come from the world, woman.

JULIA [*With a cry.*] Then tell me where to find it! I want to be happy!

NERO Julia! You kneel to this mischief maker? You, the most beautiful—the most envied woman in Rome?

JULIA [*Brokenly.*] The unhappiest woman, Nero!

Sound [*Slight sound of chains.*]

PETER I can show you the Way—have you the courage to walk in it?

JULIA Talk to me—I will listen! Teach me—I will learn . . .

NERO [*Furiously.*] Oh, this is not to be borne! He tries to convert my favorite before my very eyes! Have I no power in Rome? Am I not Caesar?

PETER [*Ringingly.*] Caesar is the state! The state rules men's bodies, not their souls.

NERO [*Angrily.*] Caesar is state *and* God!

PETER [*Slowly.*] My Master said "Render unto Caesar the things that are Caesar's and unto God the things that are God's." [*Fade.*]

Music [*Fade up and under.*]

1ST VOICE For its first three centuries this religion of the Carpenter of Judea had to struggle gainst the jealousy and authority of the Caesars. Then in 313 the Roman Emperor Constantine took religion out of the control of the state with the famous Edict of Milan in which he proclaimed . . .

CONSTANTINE I give both to the Christians and to all others the free power of following whatever religion each man may have preferred.

2D VOICE If this Edict had endured, the right of freedom of worship would have been won, then and there, and 13 centuries of suffering averted.

3D VOICE But within a few years the state and religion are one again. Now the state religion is Christianity, but a Christianity made compulsive. Rulers, in many lands, forget the sufferings of the early Christians for the sake of religious freedom, and themselves deny religious freedom to their subjects. And this enforcement of religion as a state law gives the world inquisitions, persecutions, religious wars, deportations of whole peoples.

4TH VOICE — The struggle of authority to keep religion under its control has always had selfish motives. And so those in power and timid of losing that power often became despots in the name of God.

5TH VOICE — But the mind of man cannot invent measures strong enough to daunt the souls of men!

Music — [*Up and under.*]

Sound — [*Hammering.*]

1ST VOICE — 1517! A university professor named Martin Luther nails to the church doors in Wittenberg, Germany, articles of protest against the contemporary abuses committed in the name of religion.

2D VOICE — Later in the Augsburg Confession he makes the first plea for a separation of the Church from the State. He demands the religion of private judgment.

3D VOICE — Religious protest spreads over Europe! John Huss in Bohemia, John Wycliff in England, John Knox in Scotland, John Calvin in Switzerland! All differing on how men should pray. All at odds. A dozen new kinds of faith, each determined to worship God in its own way.

4TH VOICE — For centuries rulers had punished individuals who dissented from the state religion, but they cannot punish whole new churches now. They see that they must choose between the political dangers of strong religious groups and the political ruin of religious struggle.

5TH VOICE — The separation of the church and state is not yet won, but men are struggling toward it. Equality of all religions under the law is now the goal which mankind seeks!

Music — [*Up and under.*]

1ST VOICE — 1533! Henry the VIII claims the royal title "Supreme Head of the Church of England" and paves the way for the establishment of a new state religion. But the Established Church in England immediately finds itself on the defensive against such dissenters as the Puritans, who demand reforms.

2D VOICE — A group of Puritans who call themselves "Separatists" break entirely away from the State Church of England. James the I meets this new religious revolution with a threat when he says:

JAMES — "I shall make them conform themselves or I will harrie them out of the land or else do worse!"

Music — [*Up and out.*]

3D VOICE — 1607! William Brewster, postmaster of the rural village of Scrooby, on the North coast of England, holds a secret meeting of these harassed Separatists in his manor house. While they discuss their situation a boyish figure slips away to a moonlit dell nearby . . .

Sound [3] — [*Footsteps on stone.*]

MATTHEW — [*Whispering.*] Dority! Dority!

DORITY — [*Off coming up.*] Matthew! I was afraid you wern't able to get away.

MATTHEW — I'll always find a way to get to you, Dority–dearest!

Sound — [*Silence for a moment, broken by owl. To-whit-to whoo! to whoo!*

DORITY — [*With little laugh.*] Oh, that owl frightened me! If my father discovered I was meeting one of those wicked Separatists, he'd flog me!

MATTHEW Dearest, great things are happening. Tonight at the meeting it was decided to leave England.

DORITY [*With exclamation.*] You're going away, Matthew? No–No!

MATTHEW William Brewster went to Holland in his youth. He says it is a land where men love liberty. Hollanders have already fought Spain to save their religion.

Sound [*Girl's sobs.*]

MATTHEW Don't cry, dearest!

DORITY You're tearing the sun out of my sky and you tell me not to cry!

MATTHEW But–it's more than just us, Dority. It's bigger! If you'd heard them talking tonight behind closed shutters, you'd understand.

DORITY [*Sobbing.*] All I understand is you're going away.

MATTHEW It's as if we were Pilgrims for a great cause. That's the name they decided on tonight.

DORITY [*Slowly.*] Pilgrims . . . Why that's wonderful!

MATTHEW [*Eagerly.*] Isn't it? It isn't just our own belief we're trying to save—it's all beliefs. Nobody can be free as long as rulers think they have the right to order men's souls as well as their bodies!

DORITY Oh, Matthew, when you talk like that you look like the statue of the young crusader in the church. I love you when you look that way!

MATTHEW Only then?

DORITY — No! Always! Everywhere! Matthew–take me to Holland with you!

MATTHEW — But it's dangerous. They'll try to keep us from leaving!

DORITY — I'm not afraid of anything–except being left here in Scrooby alone. . . .

MATTHEW — My brave darling! Now listen carefully, this is the plan they have made tonight. [*Beginning to fade.*] They found a Dutch skipper at Hull who seems trustworthy . . . [*Fade out.*]

Music — [*Up and under.*]

VOICE — Matthew and his Dority are reunited in Leyden. But after 11 years in Holland religious persecution again makes them homeless. Threatened with losing their identity by their children's marriage with the Dutch, and with loss of their new liberty of worship, they decide to dare the Atlantic and seek a land across the sea which is still free because it is still wilderness. On the eve of departure Pastor Robinson preaches to them from the *Book of Samuel.*

ROBINSON — And David's men said unto him "Behold we are afraid here in Judah. How much more then, if we come to Keilah against the armies of the Philistines?" Then David inquired of the Lord yet again. And the Lord answered him and said "Arise! go down to Keilah; for I will deliver the Philistines unto thine hand." [*Fade.*]

Music — [*Up and under.*]

1ST VOICE — 1620! The new world! The American Colonies are the first governments to write the principle of religious freedom into their fundamental laws.

2D VOICE The Pilgrims—and later the Puritans—come to America to find freedom of worship!

3D VOICE But at first they are not disposed to grant this same freedom they seek to other colonists of different religious faith. Young fiery Roger Williams questions the right of the new government to impose worship! From pulpit and street corners, Williams maintains that the power of civil magistrates extends only to the bodies, goods, and outward stores of men and not to their souls and consciences. The entire Massachusetts Bay Colony is upset by this eloquent reformer. He is banished and ordered to remain silent while waiting for spring to sail to England. But Roger Williams talks freely in his own parlor. Until one day a friend gallops up to the door—[*Fade.*]

Sound [*Door bangs open, howling of the gale heard. Door shuts, but there is a low background of gale throughout the scene.*]

MARY [*Off mike.*] John Emery! You didn't ride from Boston in this storm?

EMERY [*Stamping boots.*] I'll track snow onto your pretty sanded floor . . . Where's Roger?

MARY [*Off mike.*] Talking with some of our friends. [*Coming up.*] Roger dear! Here's John Emery!

EMERY The governor has heard that you are defying his command of silence. He's sending an armed guard of soldiers down to Salem to arrest you! I rode ahead of them to warn you!

MARY [*Sobbing.*] Oh, Roger! They'll send you to prison!

EMERY No, I heard them say that he was to be put on a ship for England sailing tomorrow!

MARY Roger's a sick man. He can't stand that trip in the dead of winter! The court gave him until spring to stay!

EMERY They're afraid of what his tongue will do before next spring.

MARY Roger, I'd never have asked it, but now that we must go home to England I'm glad. I'll hurry and pack our things . . . .

WILLIAMS No, Mary! My work is here.

MARY But, Roger——

WILLIAMS No, Mary! I must help establish a free religion in a free land.

MARY But they're coming after you!

WILLIAMS They won't find me here when they come.

MARY AND EMERY [*Ad lib.*] But where can you go? What will you do? Where can you hide?

WILLIAMS I shall ask no man to hide me. I shall strike for the wilderness, and if God wills, I shall buy land there and establish one colony where freedom of worship and even freedom not to worship shall be written into its charter!

EMERY You're crazy, man! Listen to that——

Sound [*Door opens*].

Sound [*Wind . . . . Gale howling.*]

MARY [*Crying out.*] The wind sounds like the wolves out there, Roger! What will become of you?

Sound [*Door closes. Gale levels down.*]

EMERY — There'll be neither bed nor bread for you in the forest, only snow and savages!

WILLIAMS — You call them savages! They worship the Sun, but they do not try to force me to worship the Sun!

EMERY — I understand—but—you'll need powder and bullets! I've some to spare. And I'll go fetch my snowshoes . . . [*Going.*]

Sound — [*Door opens . . . Sound howling of gale . . . Door closes.*]

WILLIAMS — Mary, what are you doing there?

MARY — [*Confused.*] Why—Roger——

WILLIAMS — Mary, what are you doing with the children's things?

MARY — If you go, we're going, too!

WILLIAMS — You can't take the children into the winter forest. It would mean their death. No, Mary, the hardest part of this is that we must be parted.

MARY — But—I'll never see you again! I'll grow old waiting and hoping . . .

WILLIAMS — I'll not die till I've seen freedom of worship made the law of this new land! When spring comes, I'll send for you and the children. Our friends will follow us. With God's help, we'll start a colony and call it—call it—why Providence!

Music — [*Up and under.*]

1ST VOICE — 1647! The code of law of the Incorporated Providence Plantations! For the first time since the Edict of Milan, religious freedom is incorporated into the law of the land in these words.

2D VOICE "All men may walk as their consciences persuade them, every one in the name of his God, and let the saints of the Most High walk in the colony without molestation in the name of Jehovah, their God, forever."

Music [*Up and under.*]

3D VOICE 1649! Maryland, settled by Catholics fleeing persecution in England, passes the great Maryland Toleration Act!

4TH VOICE "And whereas the enforcing of the conscience in matters of religion hath frequently fallen out to be of dangerous consequence." . . . no person professing belief in Jesus Christ shall be "in any way troubled, molested, or discountenanced for or in respect to his or her religion, nor in the free exercise thereof."

5TH VOICE The toleration written into the charter of Rhode Island and the Maryland Toleration Act should have served as an example to the scattered colonial governments. Yet the first official mention of the religious sect of the Quakers in New England is in connection with legislation against them.

1ST VOICE 1656! The ruling body of Massachusetts, the General Court, appoints a public day of humiliation: "To seek the face of God in behalf of our native country, in reference to the abounding of errors, especially those of the Ranters and Quakers."

Music [*Up and under.*]

2D VOICE In quick succession all the governing bodies of the New England colonies, except Rhode Island, pass laws banishing Quakers, under severe penalties of flogging, imprisonment,

cropping of ears, and in Massachusetts, even of death by hanging if they return. But such tactics have always inspired man to defy authority for his rights. And so we see gentle Mary Dyer, the Quaker wife of a Rhode Island official, leaving her home to test her right to Freedom of Worship where the danger is greatest—in Boston.

Sound [*Hammering*]

MARY [*Off.*] My son, see that thee fasten those boxes firmly—the roads are rough.

BOY Oh, mother–I feel as if I were driving nails into thy coffin!

MARY [*Off, coming up.*] When the spirit moves me, I must obey, my son. And now William——

HUSBAND Yes, Mary?

MARY Everything is in order. I have mended thy clothes. The cupboard is filled with loaves. The slippery elm syrup for thy cough is on the top shelf.

HUSBAND Mary—once more I beg of you, don't go! We need you here at home. Leave it to the men of your faith to fight for it.

MARY It is not the Quaker faith I am concerned with, William, so much as with the cause which brought thee and me both to these colonies from England—the cause of every person's right to worship as he chooses.

HUSBAND I know, I know. But you have freedom here, Mary.

MARY [*Scornfully.*] Aye, a poor kind of freedom! I may not live in any town nor speak to any of my neighbors.

HUSBAND I had to promise the General Court these things when you were in danger in Boston before. And now you return to certain death!

MARY If freedom is to be won, there must be those who are willing to die for it. It has always been that way! I must go to Boston . . .

HUSBAND I'll go myself! I'll argue before the General Court. They'll listen to an official of Rhode Island!

MARY They be stubborn men! But as thee knows, husband—I have my share of stubbornness. They may hang me, but my death will mean the death of all such bloody laws against men's consciences.

HUSBAND [*Brokenly.*] You're such a little woman, Mary—where do you keep so much spirit?

MARY [*Cheerfully.*] Don't look so sad, husband! And now I see Jonathan has the horse waiting.

HUSBAND I can't let you go!

MARY And I can't stay. Don't—husband, or I might be weak—[*Fading.*] Goodbye.

Music [*Up and under.*]

1ST VOICE Mary Dyer and other Quakers died bravely on the gallows, claiming with their last breath their right to worship as they chose. They did not die in vain.

2D VOICE Their sacrifice inspired the founders of the new republic to write religious freedom into the laws of the Nation.

3D VOICE [*Calling.*] Thomas Jefferson's Act to Establish Religious Freedom in Virginia, 1783. [*Reading.*] "Be it enacted by the General Assembly that no man shall be compelled to frequent or support any religious worship, place, ministry whatsoever nor shall he be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of religious opinions or belief; but that all men shall be free to profess, and by argument to maintain their opinion in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities."

1ST VOICE [*Calling.*] The Constitution of the United States!

2D VOICE [*Reading.*] "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

3D VOICE This amendment was added to the Bill of Rights without a single objection. Indeed many thought that it did not go far enough, and urged that it should specifically exempt conscientious objectors from military duty in time of war!

1ST VOICE But the Colonial Acts of Toleration, Jefferson's Statute in Virginia, the Constitution itself, do not end the battle for religious freedom in the United States! As late as 1844 there are men in our country who are willing to die for their beliefs.

Music [*Up and under.*]

2D VOICE The Struggle for Mormonism in Illinois!

3D VOICE Mormonism—one of the most remarkable religious movements of modern times! The founders of this movement, led by Joseph Smith, a farmer, settled in Nauvoo, Ill. But as their fellow townsmen watch their strange temple arise, disapproval intensifies to hate. They decide to drive Joseph and Hiram Smith and their followers from the town. A shouting crowd attacks the jail at Carthage, the county seat, where the leaders have been taken for protection from the mob! Mormons in the crowd stand helplessly looking on!

Sound [*Milling crowd.*]

VOICE [*Faintly—Off mike.*] Throw out the sham saints!

2D VOICE Ride the Mormons out of town!

JOSEPH SMITH Governor Ford, look out that window! There'll be blood shed if you keep the militia guarding this jail!

FORD But Joseph Smith, your life and your brother's life aren't worth a continental without the soldiers!

JOSEPH SMITH What do you say, Hiram?

HIRAM SMITH I agree with my brother Joseph. Disband the troops, Governor Ford!

VOICE [*Faintly.*] Down with the Mormons! Burn their fake Bible!

FORD Listen to that, Mr. Smith! They'll kill you!

HIRAM SMITH Not unless God wants Mormonism to have martyrs, Governor Ford!

Sound [*Faint revolver shots . . . Shouts.*]

JOSEPH SMITH The militia has begun firing on the mob!

HIRAM SMITH In heaven's name, Governor, order the soldiers to leave! We are in God's hands!

FORD You are brave men. I want to shake hands with both of you before I go . . .

BOTH SMITHS Gladly . . .

FORD Now, I'll try speaking to the people . . .

Sound [*Door opens letting in roar of mob.*]

FORD [*To crowd.*] Friends! Citizens of Nauvoo! Americans—remember your own ancestors came overseas to escape religious persecution.

MOB Boo-o!

FORD I order the militia to disband! I order you to go peacefully to your homes! [*Raising his voice over shouts.*] I have promised Joseph Smith that the law will protect him!

MOB [*Shouting.*] Tar and feather them! Send them out here!

1ST MAN Look—at the jail window—it's Joseph Smith!

2D MAN He's going to speak!

Sound [*The crowd noise dies into absolute quiet.*]

JOSEPH SMITH Those of you in this crowd who are Mormons, listen to me! Never forget your faith! Leave this place, find new homes—where——

Sound [*Shot.*]

Sound [*Absolute silence an instant.*]

VOICE Someone shot him! Our prophet has been shot!

2D VOICE [*Hysterically.*] Give us the body of our prophet!

YOUNG [*Strong voice.*] Silence! Silence all of you!

MAN — Yes, yes, let Brigham Young speak!

YOUNG — You all know me, neighbors. You know I'm a man of my word. I promise you that if you'll give us time to get ready, we Mormons will leave the State and find a wilderness where we may pray to God in our own way!

MAN — [*Shouting.*] The Indians will scalp you!

YOUNG — We'd rather trust ourselves to savages than to Christians!

Music — [*Up and under.*]

VOICE — In April 1847, a weary band stands on the summit of [*fade*] a pass in the vast wilderness that is now Utah.

CROWD — [*Ad lib.*] Hosanna! God be praised!

YOUNG — It is enough. This is the Promised Land. We will build our temple here.

WOMAN — [*Sobbing.*] And our homes! The children are so tired—they want a place to play!

ELDER — But, Brother Young, who owns this land? Is it a part of the United States?

ANOTHER — [*Angrily.*] Better if it isn't. We want freedom of worship! Did we have such rights in the United States?

YOUNG — [*Gently.*] No, no, Brother, we must not be bitter because a few men have been cruel. Remember, rights have to be won over and over again! I have faith that my country will recognize us some day, and that its bright flag will fly in this new land.

Music — [*Up and fade under as—*]

1ST VOICE Today State and Federal guarantees protect the Mormon Church as well as all other churches. We Americans may take pride in the fact that our National Congress has never interfered with religious freedom.

Music [*Up and out.*]

2D VOICE Does that mean that there is no religious persecution today in the United States?

3D VOICE No! At times of excitement such as war, or in localities where religious conflict rages, intolerance and oppression will find their way into State legislation.

4TH VOICE Let us listen to a group of citizens in Oregon. In 1922 on the initiative and vote of the people themselves, Oregon passed a law refusing to allow church schools for children from 8 to 16 years of age.

Sound [*Murmur of voices.*]

1ST MAN There's going to be only one kind o' people in this State and those are Americans!

2D MAN You're asking for trouble when you let the future voters of a country be divided up by different religious teachings into cliques.

WOMAN I say let the State teach all our children . . .

3D MAN But what about the crime wave? If there was ever a time we needed religious training for our kids it's now.

4TH MAN I'm not a Catholic nor a Lutheran nor a Jew, but I say this law isn't constitutional! What about their freedom of worship?

1ST MAN I see that Sister Mary Dolores, Sister Mary Peter, and Sister Mary Patrick have asked the Supreme Court to declare [*Fading*] this law unconstitutional.

VOICE — The Supreme Court does decide that this act is unconstitutional.

2D VOICE — And yet, even in view of this decision, officers of the law continue to interfere with religious teaching. In 1936, this actual scene takes place in an American court in the case of the City of Monessen, Pa., against the religious group known as Jehovah's Witnesses.

Sound — [*Rapping of gavel.*]

LAWYER — Officer, what day was it you served this warrant?

OFFICER — The 16th of April. I went down the street and I seen a gang around there . . .

LAWYER — How big a gang?

OFFICER — [*Considering.*] Oh, about 50 or 75.

LAWYER — Why didn't you arrest *them* for threatening other people's lives and safety?

OFFICER — I broke them up.

LAWYER — Just because there was a crowd of hoodlums there you decided to arrest the innocent people, is that right?

OFFICER — No, sir, I arrested the teacher as a suspicious person teaching communism.

LAWYER — You can read, can you not?

OFFICER — [*Furiously*] Yes, sir!

LAWYER — You picked up all of the pamphlets and literature, the *Bible* and the *Harp of God;* did you read any of it?

OFFICER — Yes, sir.

LAWYER — Then at the present time you couldn't say they were teaching communism?

OFFICER [*Defensively.*] Well I *thought* they were teaching communism.

LAWYER After an investigation you found out they were not teaching communism, is that right? But you still closed the school and put a padlock on the place.

OFFICER Yes.

LAWYER You did have a conversation with the teacher, did you not?

OFFICER I asked him where all those children were from; he says, "out of town." I says: "What are they doing here?" He says: They were expelled for not saluting the American flag."

Music [*Up and down.*]

VOICE The trial continues and the teacher employed by Jehovah's Witnesses is called.

2D LAWYER [*Coming up.*] The Chief of Police stated on examination that you taught the children not to respect the American flag. Did you tell him that?

TEACHER No, sir.

LAWYER But you think it wrong to salute the flag and you teach that?

TEACHER The *Bible* states in Exodus, chapter 20, verses 3–5, not to bow to any image.

LAWYER I show you the plaintiff's exhibit I, a pamphlet marked "Loyalty." I refer you to an item entitled "Saluting the Flag", and ask if you teach the second paragraph which reads as follows: "to attempt by law to compel a citizen to salute any object is unfair and

wrong. Laws are made to prevent acts that result in injury to another and not for the purpose of compelling a person to violate his conscience." Is that what you teach the children?

TEACHER Yes.

LAWYER Do you respect the flag?

TEACHER We have respect for these things because the flag is supposed to represent freedom and liberty. Our objection is, we don't worship it.

LAWYER What is the attitude of Jehovah's Witnesses toward the Government?

TEACHER We obey every law of the land just so long as that law does not conflict with the *Bible.*

Music [*Up and out.*]

VOICE The local courts in this case allowed this religious group to reopen its school. Yet the question of the conscientious objector is not yet settled by the highest courts of the land. There are still problems of religious liberty today!

2ND VOICE What about the MacIntosh Case? Isn't that interference with religious freedom?

3D VOICE The Canadian clergyman MacIntosh was refused American citizenship by the highest court in the land because he would not promise to bear arms in time of war.

4TH VOICE But that isn't required even of native citizens!

5TH VOICE Three States today deny the right to teach the theory of evolution in public schools as contrary to the Bible!

6TH VOICE In 11 States the reading of the Bible in public schools is prohibited by law! In 12 States the reading of the Bible in public schools is compelled by law!

1ST VOICE — Should children in school be compelled to sing hymns, repeat prayers, or take part in any exercise that violates the religious beliefs of their parents?

2D VOICE — Should conscientious objectors be compelled to undergo military training as a condition to their attending a State school?

3D VOICE — When rites practiced under the cloak of religion shock the moral sense of the community, should they be suppressed by law?

4TH VOICE — Is it a violation of the right to religious liberty for a government to interfere to protect the health of its citizens when religious beliefs oppose medical care?

5TH VOICE — Should it be made unlawful to comment either in the press or on the radio on the religious affiliation of a candidate for public office?

6TH VOICE — Should any question as to an applicant's religion be made part of a civil-service test?

Music — [*Up and out.*]

ANNOUNCER — Struggle for freedom never ends! Ground that is lost must be regained! Each generation must re-win its rights! Eternal vigilance is still the price of liberty! Let us press on toward the goal, that in the end our children's children may come to know the glorious fulfillment of the cry—the noblest known to man—"Let Freedom Ring!"

Music — [*Closing theme . . . Fade under and out.*]

PRODUCTION NOTES

[1] Your broadcasting station may have an echo chamber for echo effects. If not, experiment with an inverted megaphone or an empty metal container.

[2] Nero should be played as a petty, effeminate tyrant, to contrast with Peter who is soft spoken and pious.

[3] If you cannot get a good effect with footsteps on stone, cut this completely.

NOTE.—Additional helps may be found in the general production notes on page 375.

LESSON AIDS

"In the name of God, Amen!" So begins the justly famous Mayflower Compact. The men of the little Pilgrim company are crowded below deck in the small cabin of their ship. William Bradford, with scratching quill, is penning the lines for them all to sign. In his *Historie of the Plimouth Plantation,* he lists carefully the reasons why these 102 men, women, and children left the old world and came to the new. They were Separatists. They had broken away from the established Church of England in order "that they might worship God *as they pleased*" in this "new, vast, unpeopled wilderness full of savage beasts and still more savage men."

Ten years later, 30 miles to the north of them, came other settlers, the Puritans of Boston, who in their turn wished "to worship as *they* pleased." Each group naturally brought with it its own particular religion. We find the Established Church in Virginia, the Catholic faith in Maryland, the Quakers in Pennsylvania. But the principle of toleration was to be found even in some of these earliest groups. Maryland put complete freedom of all Christian religions into its charter; and Roger Williams, expelled from Massachusetts in 1636, was to found a colony at Providence, R. I., "where all men may walk as their consciences persuade them."

In 1644, Williams wrote a tract, *The Bloody Tenant of Persecution,* in which he said: "God requireth not an uniformity of Religion," and that all individuals and religious bodies—pagans, Jews, and Catholics, as well as all Protestants—were entitled to religious liberty as a *natural right.*

The doctrine of complete separation of church and state was first voiced in America by this same Roger Williams. "The souveraigne, originall and foundations of civill power lies in the people." Williams clothes his doctrine in a rather remarkable figure of speech in which he compares the government with a ship at sea. The members of the crew are the people. At the call of worship, each denomination meets with its own on the deck; groups of Catholics, Jews, Congregationalists, Baptists, Quakers, and the followers of the Church of England, etc. But when the Captain gives an order to man the ship, all groups, regardless of religious affiliation, must obey.

Religion and Worship! Real toleration is needed for a discussion of these issues. Many who get most stirred up about religious questions could not give a satisfactory definition for any of the many words like *creed, sect, catholic, protestant, toleration,* etc. Certainly one of the most misunderstood words is the term *moral.* And few can distinguish between *religion* and *ethics.* Can you properly define these terms?

I. Activities

1. "Who's Who" in Freedom of Worship?
   (*a*) Constantine
   (*b*) Martin Luther
   (*c*) John Huss
   (*d*) John Wycliffe
   (*e*) John Knox
   (*f*) John Calvin
   (*g*) Ulric Zwingli
   (*h*) William Brewster
   (*i*) William Bradford
   (*j*) Roger Williams
   (*k*) Joseph Smith
   (*l*) Brigham Young
2. Book review—*Quo Vadis*—Henry Sienkiewicz.
3. Special investigation: The treatment of the Christians during the earlier years of the Roman Empire.
4. Have three students volunteer to give a picture of the life of the Pilgrims in their three homes: Scrooby, England; Leyden, Holland; Plymouth, Mass. (Reference: *The Pilgrims in Their Three Homes,* by William Griffith.)
5. Investigate the faith of the sect called "Quakers." Why were they so persecuted by the Puritans?

II. Discussion and Debate

1. What was the Edict of Milan? Do you think the statement in the script is true that "if that edict had endured, the right of freedom of worship would have been won and thirteen centuries of martyrdom averted?"
2. If you had been a citizen of Boston in 1636, would you have voted for the expulsion of Roger Williams?
3. What do you think was in Roger Williams' mind when he said: "Savages? You call them savages. They worship the sun, but they do not try to force me to worship the sun." Compare this with the Maryland Toleration Act.
4. In 11 States the reading of the Bible in public schools is prohibited by law. In 12 States and in the District of Columbia, the reading of the Bible is compelled by law. How do you account for this difference in point of view?
5. Thomas Jefferson said that he was as proud of his part as author of the act to establish religious freedom in Virginia as he was of his part in the Declaration of Independence. Would you agree with his decision?

III. Watch the Spot!

1. "The mind of man cannot invent measures strong enough to daunt the soul of man."—Script.
2. "If freedom is to be won, there must be those who are willing to die for it. It has always been that way. I must go to Boston."—Mary Dyer.

3. "May God in his mercy grant that the moral impulse which founded this nation may never cease to control its destiny and that no act of any future generation may put in peril the fundamental principles on which it is based, of equal rights in a free State, equal privileges in a free church, and equal opportunities in a free school."—ROGER WOLCOTT, *Governor of Massachusetts.*

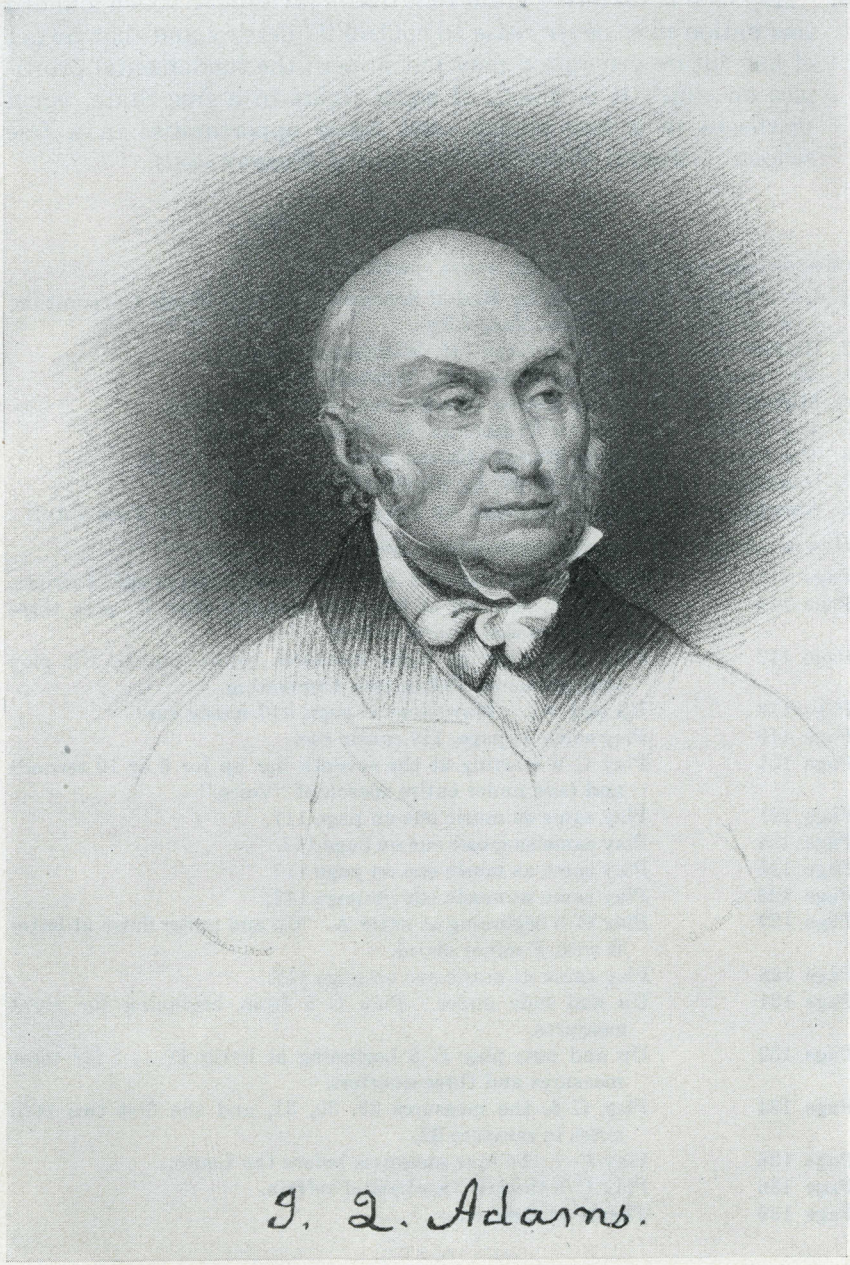
MUSIC PRODUCTION NOTES

Compositions used (orchestrations, unless specified).

1. Let Freedom Ring, theme by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).
2. Brother Love, P. P. 24, by Grau (M. Witmark & Sons).
3. Alt Preussen, P. P. 29, by Kriens (M. Witmark & Sons).
4. Misterioso, C. E. 37, by Kriens (Harms, Inc., New York City).
5. The Derelict, P. P. 16, by Trinkhaus (M. Witmark & Sons).
6. The Brute, C. E. 44, by Kriens (Harms, Inc.).
7. Intermezzo Sinfonico, C. E. 42, by Savino (Harms, Inc.).
8. America, from National Melodies, by Beyer (Carl Fischer, New York City).

How to use them (C–1 means composition 1, etc.).

Page 113	Use theme 1 as directed in general music notes at end of scripts.
Page 114	Play C–2, starting at the fifth measure after C; play three measures and second ending.
Page 117	Play C–3, starting eight measures before the D. C.; play four measures, fading into hammering.
Page 118	Up and out. Play same as page, 117 music cue.
Page 119	Play same as page, 117 music cue.
Page 121	Play C–4 starting at the seventh bar up for 5 or 10 seconds and fade under entire speech of "Voice."
Page 121	Play same as music cue on page 117.
Page 124	Play same as music cue on page 117.
Page 125	Play same as music cue on page 117.
Page 125	Play same as music cue on page 117.
Page 127	Play C–5 beginning at letter A. Up and under finish at letter B with F minor chord.
Page 128	Play same as music cue on page 117.
Page 131	Up and fade under. Play C–5 from beginning for eight measures.
Page 132	Up and out; play C–6 beginning at letter D . . . for three measures and three-quarters.
Page 134	Play C–5, the measures 29, 30, 31, and the first two 16th notes in measure 32.
Page 135	Play C–7, the four measures before the Lento.
Page 136	Play C–8 the last two bars of refrain.
Page 136	Theme as directed.



Portrait and autograph of John Quincy Adams. He was President of the United States in 1824, twenty years later was champion of the Right of Petition as a member of the House of Representatives. His bold, clear signature and expressive features complete the impression of the man as given in Script 5.

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission.

30-MINUTE SCRIPT

Script 6

RIGHT OF PETITION

CAST

ANNOUNCER	ALFORD	LEADER SUFFRAGETTES
VOICES	THOMPSON	MAGISTRATE
JOHN QUINCY ADAMS	ARCHBISHOP SANCROFT	Reporter,
SPEAKER OF HOUSE	3 BISHOPS	Men on Street,
HAYNES	KING JAMES	Suffragettes,
LEWIS	2 POLICEMEN	Clerk of House, etc.

Music [*Patriotic fanfare, roll of drums, built up to—*]
[*Three strokes of great bell.*]

ANNOUNCER [*Dramatically.*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to basic idea of program with sound of sonorous bell worked into orchestration.*]
[*At triumphant finish of song, orchestra segues into soft background music for announcer, bell motif still softly heard.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy wrested these rights from kings and gave them to you! These rights are now a part of the law of the land! In this 150th anniversary year of our Constitution,

the . . . (*local group*) and the . . . (*local radio station*) present the deathless story of man's eternal struggle for Freedom! Tonight we consider another of our blood-bought Bill of Rights—The Right to Petition!

VOICE — Amendment One to the Constitution of the United States!

2D VOICE — "Congress shall make no law . . . abridging . . . the right of the people . . . to petition the government for a redress of grievances!"

ANNOUNCER — The Story of the Long Road from King John and Runnymede to our Constitutional Guarantee!

Music — [*Up and out.*]

ANNOUNCER — This Constitutional right at one time in our history is practically discarded. Only because of the great soul of John Quincy Adams is the Right to Petition given back to the people of America!

REPORTER — Mr. Adams! Mr. Adams!

ADAMS — [*The quiet strong voice of a man of 69 years of age.*] Yes, young man?

REPORTER — I represent a newspaper, the Quincy Patriot. Will you answer a few questions?

ADAMS — With pleasure.

REPORTER — I'd like to know your position on slavery.

ADAMS — Very well! Here it is. I abhor the institution.

REPORTER — Then why, sir, don't you state such a view in Congress?

ADAMS — Slavery is recognized by our Constitution. It is legal. And as long as it is legal, it has been ordained by the people of this country that we should have it—and every effort to fight it is a fight against the Constitution.

REPORTER — But, Mr. Adams, then why do you read petitions in Congress asking for abolition?

ADAMS — Ah, son, that is something else! Even if I hated Abolitionists, I would read their petitions. It is every man's right to address his request to his government, and I shall continue to read any and all petitions on both sides of the slavery question!

Music — [*Up and under.*]

ANNOUNCER — And now begins John Quincy Adams' heroic fight for the Right of Petition. . . . On May 18, 1836, in Congress, Representative Pinckney, a slave owner, presents a Committee Resolution.

Music — [*Out.*]

SPEAKER — The clerk will read . . .

CLERK — ". . . RESOLVED: That all petitions, memorials, resolutions, propositions, or papers, relating in any way, or to any extent whatever to the subject of slavery, or the abolition of slavery, shall, without being either printed or referred, be laid upon the table, and that no further action whatever shall be had thereon."

SPEAKER — The question is the adoption of the resolution. The clerk will proceed to call the roll.

CLERK — John Quincy Adams of Massachusetts.
[*Pause.*]

ADAMS [*His voice trembling with emotion—Slight distance.*] "I hold the resolution to be a direct violation of the Constitution of the United States, of the rules of this House and the rights of my constituents!"

VOICE [*Angrily.*] Eject him!

SPEAKER Order! Order!

Sound [*Rapping of gavel—Pandemonium—Voices die down.*]

SPEAKER The clerk will proceed to call the roll.

CLERK Mr. Allan.

VOICE Yea. . . .

CLERK Mr. Ash.

VOICE Yea. . . .

Music [*Crescendo up sustain under.*]

ANNOUNCER The resolution is passed by a vote of 117 to 68. Petition on the subject of slavery has been gagged! But John Quincy Adams does not give up. For him this is not a fight for or against slavery, but for the individual right to plead for any cause a man believes is just. And on February 6, 1837, nine months later, John Quincy Adams stands on the floor of the House of Representatives with a paper in his hand. . . .

SPEAKER Will the gentleman from South Carolina yield to the gentleman from Massachusetts?

PINCKNEY I will.

SPEAKER Proceed, Mr. Adams.

ADAMS — I have in my possession a paper upon which I wish to have the Speaker's decision.

SPEAKER — Continue, sir.

ADAMS — This paper comes from 22 persons declaring themselves to be slaves. I wish to know whether the Speaker will consider this paper as coming under the Rule of the House.

SPEAKER — [*A little tautly.*] "You, sir, have the paper in your possession and consequently are the best judge of this matter, but if you will send the paper to me I shall decide."

ADAMS — "But if I send it to the Speaker, it will then be in the possession of the House to disregard it, whereas I wish to know of the Speaker whether it comes under the Rule of the House before I present it."

SPEAKER — Who signs the paper?

ADAMS — It is signed partly by persons who cannot write, by making their marks, and partly by persons whose handwriting would manifest that they have received the education of a slave. I will send it to the chair.

VOICE — I object!

2D VOICE — I object!

SPEAKER — This is a novel case. I will leave it to the House and take its advice in council.

Sound — [*Mumble of voices.*]

HAYNES — Mr. Speaker!

SPEAKER — Will Mr. Adams of Massachusetts yield to Mr. Haynes of Georgia?

ADAMS — Yes.

HAYNES [*A fiery Georgian.*] I have been astonished at the course pursued by this gentleman from Massachusetts. Oh, not only on this day, but on every Petition Day for some weeks since, but on my word, my astonishment has reached a height today which I cannot express!

VOICE Yea! Yea! Hear! Hear!

HAYNES To see the gentleman rise and ask leave to present a paper purporting to come from slaves! I do not know in what way this should be treated, but I must express my amazement that he should bring such a measure forward. I move, Mr. Speaker, that the petition be not received!

LEWIS Mr. Speaker!

SPEAKER Will the gentleman from Georgia yield to Mr. Dixon Lewis?

HAYNES Proceed.

LEWIS I beg to say I hope no motion such as Mr. Haynes' should come from the South.

HAYNES [*Quickly.*] I withdraw my motion.

LEWIS I am glad to hear Mr. Haynes withdraw his motion for a rejection of this petition. Heaven knows, no gentleman from a slave-holding State should either argue or vote on the question of reception. I believe that the Representatives of the slave-holding States should demand . . .

Sound [*Shouts.*] Yea! Yea! Yea!

LEWIS Should *demand* that the attempt to introduce such a petition should instantly allow the House to punish the member making such an attempt!

Sound Yea! Yea!

LEWIS — If this is not done, and promptly, every member from the slave States should immediately, *in a body quit this House* and go home to his constituents. We have no longer any business here!

Sound — [*Pandemonium—Gavel.*]

VOICE — [*A shout.*] Adams should be expelled!

2D VOICE — Throw the old scoundrel out!

Sound — [*Gavel—Voices die down.*]

SPEAKER — Mr. Alford from Georgia has the floor.

ALFORD — What kind of petition is it that the gentleman from Massachusetts purports to present?

SPEAKER — I direct the clerk to read the minutes.

CLERK — Mr. Adams offers a petition of 22 persons declaring themselves to be slaves and wishes to know whether it comes within the order of the House.

SPEAKER — You understand the petition, Mr. Alford?

ALFORD — Yes, and should the gentleman from Massachusetts insist upon presenting it I move it be instantly burnt!

Sound — [*Pandemonium—Fading into. . . .*]

Music — [*Up and fade under as. . . .*]

ANNOUNCER — But John Quincy Adams knows that this is a crisis. True enough, in 1836, a gag had been put on all petitions involving slavery, but now this petition has not as yet been identified as such. All that Adams has said to the House is that it is *signed by slaves* and now they are forbidding him to read this petition

without even knowing whether or not it is about slavery or what its subject is! A few moments later after a heated debate. . . .

Music [*Out.*]

THOMPSON Mr. Speaker.

SPEAKER I recognize Mr. Thompson of South Carolina.

THOMPSON I should like the clerk to read a resolution.

SPEAKER Let the clerk proceed.

CLERK Resolved that the Honorable John Quincy Adams, by an attempt just made by him to introduce a petition purporting on its face to be from slaves for the abolition of slavery, has been guilty of a gross disrespect to this House and that he be instantly brought to the Bar to receive the severe censure of the Speaker.

VOICES Yea! Yea! Yea! Hear! Hear! Hear!

Sound [*Gavel.*]

HAYNES [*Above the crowd.*] Mr. Speaker!

SPEAKER I recognize Mr. Haynes from Georgia.

HAYNES I move that Mr. Thompson's resolution be substituted by the following: "That John Quincy Adams, a Representative from the State of Massachusetts, has rendered himself justly liable to the severest censure of this House and is censured accordingly for having attempted to present to the House the petition of slaves."

CRIES No! No! Yea! Yea!

VOICE Let him be brought to the Bar!

Music [*Up dramatically—Fade under as.*]

ANNOUNCER Other resolutions are submitted charging Adams with contempt of the House. All are read. Adams remains seated quietly, then suddenly. . . .

Music [*Music out instantly.*]

ADAMS Mr. Speaker!

SPEAKER I recognize Mr. Adams of Massachusetts.

ADAMS [*Mildly, quietly.*] The resolutions charge me with attempting to present a petition from slaves for the abolition of slavery, but I have not attempted anything of the kind.

VOICE Hear! Hear!

Sound [*Gavel—Voices quieted.*]

ADAMS I merely stated that I had in my possession a petition from people representing themselves to be slaves, but did I state what they were petitioning for? No. Moreover, I neither presented a petition nor tried to do so. I merely asked for a ruling of the Speaker. I fully recognize the gag forbidding petitions for the abolition of slavery to be read and yet the House takes it for granted that I do not know this . . . Permit me to correct the HOUSE. [*With almost savage humor.*] *The petition is not for the abolition of slavery—it is the very reverse of this*! So if the gentlemen are going to have me brought before the Bar of the House they certainly will have to amend their resolution.

Sound [*Laughter from some in the House—Gavel.*]

VOICE He is trifling with us!

2D VOICE He's played a trick on us!

ADAMS No! I contend that all petitions should be received, whether I agree with their contents or not, whether they come from the highest or wealthiest individuals in the land, or whether they come from the lowest or poorest in character! Must we look at a petition and see whether it comes from the virtuous and mighty? No, sir, the Right of Petition belongs to all!

Music [*Crescendo up and under.*]

ANNOUNCER The debate rages on for four days. The South begins to feel that Adams has shown up the absurdity of its position. Outside the Capitol after the session. . . .

MAN Mr. Adams!

ADAMS Yes, sir!

MAN Do I understand that the petition you submitted was *not* for the abolition of slavery?

ADAMS Correct, sir. This is not a question of petition for or against slavery. This is a question of whether slaves can petition.

2D MAN I say, sir, I'd as soon receive a petition from a horse or a dog as from a slave!

ADAMS [*Angrily.*] Sir, if a horse or a dog had the power of speech or writing and could send me a petition, I would present it to the House! Even if it were a famished horse or dog, I'd present it!

3D MAN You make a petition sound very important!

ADAMS — What is more important than individual freedom? A petition is a prayer to a superior being. We petition to our God and if He doesn't deny the lowest of us this right, who is Congress to deny the prayer of petition to slaves!

Music — [*Up—Out.*]

ANNOUNCER — The first of John Quincy Adams' many victories against odds on the subject of the Right of Petition comes a few days later when two resolutions, one for gagging his petition from the slaves, and the second a resolution to punish him are decisively beaten.

1ST VOICE — The much fought-over petition from the 24 slaves is finally read to the House. And now the blushing members see that they have been royally befooled.

2D VOICE — [*Laughing.*] The petition states that the 24 slaves are well treated by their masters and beg not to be freed!

Music — [*Derisive—Up and out.*]

3D VOICE — In the years following, as Adams grows old and feeble, he continues to win. And finally, in 1842, five years later, this great man arises on the floor of the House to present his masterpiece in the way of petitions.

ADAMS — I offer a petition of 46 citizens of Massachusetts, praying that Congress should immediately adopt measures to dissolve the union of these United States!

Sound — [*Shouts—Disorder—Gavel.*]

Music — [*Up sustain as—*]

ANNOUNCER Of course, Adams does not agree with the petition. For him it is a test case. Does an individual's Right to Petition permit any wish of his to be read by Congress? Excitement runs high. Thomas F. Marshall, of Kentucky, foremost of Southern orators, believes Adams now in the power of the South. Finally, on January 25, 1842, Marshall offers a resolution to expel Mr. Adams forever from the House of Representatives! Brilliantly he speaks against the venerable ex-president, calling for denouncement, then sits down. . . .

Music [*Out.*]

REPRESENTATIVE [*Whispering.*] Look! Adams is standing!

2D REPRESENTATIVE He certainly is an old lion, isn't he?

1ST REPRESENTATIVE He's shaking.

2D REPRESENTATIVE Not from fear, but from anger.

SPEAKER The chair recognizes the gentleman from Massachusetts

ADAMS [*His voice shrill and old, but firm.*] I desire the clerk to read the first paragraph of the Declaration of Independence!
[*He repeats it.*] The first paragraph of the Declaration of Independence!

CLERK "When in the course of human events it becomes necessary . . .

Music [*Over—Dramatic—Fade.*] . . . life, liberty, and the pursuit of happiness!" [*Pause.*]

ADAMS [*Shouting.*] Proceed! Proceed!

CLERK "But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government and to provide new guards for their future security."

ADAMS [*Shouting.*] Now, sir, if there is a principle sacred on earth and established by the instrument just read, it is the right of the people to alter, to change, to destroy the government if it becomes oppressive to them! There would be no such right existing if the people had not the *power in pursuance of that right to petition for it! I rest that petition on the Declaration of Independence.*

Music [*Up and under.*]

ANNOUNCER Adams wins. It is the climax of the struggles over gag rule! The tide rises against his critics and on December 3, 1844, the old man makes a motion to throw aside gag rule, and it is carried by a vote of 108 to 80! It is the end of one of the longest, most important struggles ever waged for individual rights in a democratic government! And to John Quincy Adams we, the people of the United States, owe a debt of infinite gratitude for his battle to hand down to us intact the Right to Petition!

Music [*Up and out.*]

1ST VOICE The Right of Petition has a dramatic story, beginning in 1215 on the immortal field of Runnymede!

2D VOICE A petition gives us the great charter of English liberties!

3D VOICE — King John recognizes the barons' right to petition him—realizes that they back their right with flashing lances and broadswords. He signs the Magna Charta!

1ST VOICE — From that time on, kings born on English soil know the danger of silencing Anglo-Saxons and always listen to petitions. But in 1685, chance brings James II to the throne of England; James is a man reared in France, unaccustomed to the liberties of Englishmen! To him these liberties seem treasonable to the throne and he determines to rule by royal proclamations read in churches instead of by act of Parliament.

2D VOICE — In his study, Archbishop Sancroft of Canterbury and six indignant bishops discuss such a decree which James has ordered read from every pulpit in England.

ARCHBISHOP — [*Fade in.*] My brothers in Christ, I asked you to come to talk over together the King's decree, which he has ordered us to read in all our churches.

1ST BISHOP — The King's most unlawful decree, your Grace! It would make fools of Parliament!

2D BISHOP — I, for one, shall not read James' insolent decree!

3D BISHOP — We were Englishmen before we wore mitres. When we put on the bishop we did not lay off the citizen.

ARCHBISHOP — We are agreed that the King's declaration shall *not* be read on the next Lord's Day?

ALL — [*Ad lib.*] Yes, we agree!

ARCHBISHOP — We shall be imprisoned if we refuse.

1ST BISHOP We will petition the King to withdraw his order.

2D BISHOP Yes, that is our right.

ALL [*Ad lib.*] A petition! Let us draw a petition to the King!

ARCHBISHOP I have already prepared such a petition, and have been the first to sign. But I must warn you, this will be a petition defying the King. It may mean the Tower for us.

BISHOP It would not be the first time that a few men were imprisoned that many men might be free.

ARCHBISHOP [*Warmly.*] Well said. Now is the time to protect the Right of Petition. Who will join me?

ALL I, your Grace. And I! And I!

Music [*Transition.*]

VOICE That night an enraged king reads the petition in Whitehall!

KING [*Furiously.*] This petition is nothing less than rebellion! I will have these insolent bishops removed!

MINISTER You may not remove them for exercising their Right to Petition, your Majesty.

KING Find me another way to punish them.

MINISTER [*Confidentially.*] If the Lord Chancellor Jeffreys should be able to discover treason in the Bishops' petition we could remove their mitres and their heads at one stroke!

KING [*Laughing.*] If Jeffreys can't smell treason in the petition he doesn't deserve to be my Chancellor! Arrest the Bishops! Send them to the Tower!

Music [*Menacing, up and under.*]

1ST VOICE Proudly refusing bail, the seven bishops march to the Tower, as though to a festival. Crowds cheer them along their way and strew flowers before them. They march to save the Right of Petition! In his palace King James II hears the shouts of the mob and sneers.

2D VOICE But he does not sneer a few weeks later when he sits in his silken tent and hears his army camped on Houndslow Heath give three rousing cheers . . .

SOLDIERS [*Off mike.*] Hip hip hooray! Hooray! Hooray!

KING Why are my soldiers cheering?

ATTENDANT It is nothing, Sire. News has just come that the seven bishops were acquitted by the jury this afternoon on the charge of treason.

KING [*Furiously.*] What—do you call that nothing? The bishops flout their king! The jurors flout their king! And now my soldiers flout their king! Blood and death, what are kings coming to?

Music [*Crash of chords.*]

1ST VOICE That night a swift messenger crosses the channel to offer the throne of England to William of Orange, on the condition that he accept the principles of English rights and liberties.

2D VOICE King James is defeated on Salisbury Plain when his army, which has cheered the seven bishops, deserts to William's standards.

3D VOICE Parliament puts William of Orange's pledge into a Bill of Rights. Thereafter, the law, as well as the custom of the land, protects the Right of Petition.

4TH VOICE Members of the crowds who cheered the bishops, and forced James to give up his throne for denying them their Right of Petition, bring to America the memories of these great events. And when constitutions come to be drawn up by their children's children, the Right to Petition is included.

ANNOUNCER But petitioning is not merely a matter of signing one's name to a grievance and then presenting it for redress. That is only one kind of petition. Since those historic days in the House of Representatives when John Quincy Adams fought for this right, others have fought for its expression in different forms, and brought to the law of the land and to its citizens a wider concept of this Right to Petition.

Music [*Up and under.*]

1ST VOICE Spring, 1917, America is at War!

2D VOICE War brings a feeling of emancipation to the women of this country. The old shibboleths that decreed that woman's place is in the home are discarded!

3D VOICE Women take the jobs of men in munition factories, in hospitals, at the wheels of ambulances in the Argonne.

4TH VOICE The Women's Party of America, a growing political organization, chooses this time to promote, as never before, its campaign for woman suffrage. But the battle of suffrage seems a losing one until one day in June 1917, at a meeting!
[*Fading in.*]

LEADER [*Shouting to the members.*] Fellow members of the Women's Party! For years we have fought for a constitutional amendment granting the franchise to us. Thousands of us all over the land have signed petitions which have been presented to Congress, but to what avail?

Sound [*Affirmation by members.*]

1ST WOMAN Frankly, I believe it is the essence of futility to present any more petitions to Congress!

2D WOMAN They only sneer and discard them!

3D WOMAN Perhaps Madame Chairman has a suggestion?

LEADER I have. We have been using too mild a form of petitioning.

1ST Woman What do you mean?

LEADER There is another way of petitioning the President and Congress, not as feminine a way, perhaps, more militant and consequently more effective—but just as legal.

2D WOMAN What is it?

LEADER Let a group of us gather in front of the White House . . . [*Fade.*] . . . and present to the President . . .

ANNOUNCER And a few days later, in June 1917, expectant policemen, warned to look for trouble, stand at strategic points near the White House . . .

Sound [*In the distance sound of marching feet and*

Music *women singing "The Battle Hymn of the Republic." Continue singing to cue. Absolute silence.*]

1ST POLICE Look, Pete, do you see what I see?

2D POLICE Here they come——

3D POLICE — All carryin' banners in the air?

4TH POLICE — What on earth do they say?

1ST POLICE — It's hard to see—wait a minute. [*He reads.*] "Mr. President, How Long Must Women Wait for Liberty?"

2D POLICE — I don't like the looks of this a-tall, not a-tall. They're up to something—and it ain't no sewin' circle!

3D POLICE — There's another banner, "We Demand President Wilson Give Justice to All American Women."

4TH POLICE — Remember now, give 'em a chance to tip their hand, but at the first sign of any monkey business . . .

Sound — [*Voices grow . . . Stamping of feet grows . . . Then suddenly.*]

LEADER — Order, ladies, order!

Sound — [*Absolute silence.*]

LEADER — Members of group one—step forward! You six will march in pairs each holding one end of your banner and picket back and forth from the East Gate on Executive Avenue to this North Gate.

1ST POLICE — Do they really think they can get away with this?

2D POLICE — What are they gonna do next?

LEADER — Move constantly and quietly. Remember, never stop. Members of the second group will do the same, only start from this gate. While picketing, make sure the two gates are covered at all times. Members of the third group . . .

1ST POLICE Nothing like that can go on here, Miss! All of you got to keep moving!

LEADER That's what we intend to do. We all intend to keep moving up and down in front of the Executive Mansion.

1ST POLICE Sorry, but we got orders. Can't do nothing of the kind.

LEADER We'll see about that. Hold your banners high!

1ST WOMAN Let Wilson get a good look!

2D WOMAN [*Shouting.*] Liberty for all!

Sound [*Cheers.*]

1ST POLICE If you're asking for trouble, ladies, you're going to get it.

3D WOMAN Try to stop me!

3D POLICE Spoken like a marine, lady, but it ain't gonna do you no good. Now get off this sidewalk.

LEADER Pay no attention, ladies. Remember your orders.

1ST POLICE Listen, you, who's been giving all these orders? Start moving yourself and get out of here before I . . .

LEADER This is a lawful assembly here to petition, and we stand on our constitutional rights to submit this petition!

2D POLICE What are you talking about? These banners ain't petitions!

LEADER They *are* petitions and we're going to picket the White House with them.

1ST POLICE No, you won't, lady—come on with us. Steve, call the wagon!

LEADER Let go of my arm!

WOMAN'S VOICE Keep picketing, keep petitioning!

Sound [*Cheers—Police whistle.*]

Music [*Up and under—Behind.*]

ANNOUNCER Later in the Washington courtroom. . . .

Music [*Out.*]

COURT CLERK These women, your Honor, were arrested for obstructing the highway and for unlawful assembly.

MAGISTRATE Where were they arrested?

POLICE At Pennsylvania Avenue in front of the White House.

WOMAN [*Cries out.*] "Resistance to tyranny is obedience to God!"

Sound [*Applause—Gavel of magistrate.*]

LEADER Your Honor!

MAGISTRATE Yes, Madam.

LEADER Whatever the verdict of this court, we shall continue our struggle until the grievance of American women is redressed.

MAGISTRATE You deny that this is a case of unlawful assembly?

LEADER I most emphatically do. The Constitution says that Congress shall not in any way abridge the right of citizens peacefully to assemble and petition.

MAGISTRATE Where are these petitions that you wish to present?

LEADER [*Sarcastically.*] Most of them were destroyed by the gentlemen who brought us here. That officer is holding the last one.

MAGISTRATE That is a banner, madam, not a petition.

LEADER I beg to differ, your Honor; a petition may be in any form whatsoever, verbal or written, so long as it presents a grievance. In this case, each of us carried in the form of a banner, a petition setting forth the American woman's right to vote! I request your Honor to dismiss us immediately.

MAGISTRATE [*Disturbed. . . He coughs. . .*] The. . . the. . . trouble with this situation is that the court has not been given power to meet it. It is very—very puzzling.

Sound [*Laughter.*]

WOMAN'S VOICE We'll come back again and again!

Music [*Up and under.*]

ANNOUNCER Justices well know that these women cannot be arrested for petitioning, so they charged them with obstructing traffic, unlawful assembly, and disturbance on highways. More and more suffragettes use this method all over America to bring their grievance dramatically before the eyes of the President and Congress. After militant months, one night in August 1920, newsboys replace the petitioners. Now you can hear the cry!

NEWSBOY [*Yelling.*] EXTRA! . . . EXTRA! . . . Last State ratifies amendment. Woman Suffrage passed . . . read all about it! Woman Suffrage passed!

MAN — Here, son . . . give me one of those . . . well, by George, the women finally did it!

Music — [*Up . . . Crescendo . . . Fade out.*]

Sound — [*Voices . . . Street noises . . .*]

VOICE — And today on any street corner . . .

1ST MAN — The Right of Petition can be exercised not only in Congress, but in schools, unions, or any organization with the democratic——

2D MAN — Wait a minute! Didn't you read about them picketers being hauled off the street and their signs broken up?

1ST MAN — Yeah, but on what charge were they arrested? Unlawful assembly! Bah!

3D MAN — Yeah, that's a fake! Unlawful assembly! They knew they couldn't arrest them on charges of unlawful petition, so they made an excuse and——

1ST VOICE — But, how far does this Right of Petition extend?

2D VOICE — Can strikers exhibit banners on the streets demanding better wages?

3D VOICE — Can men assemble peacefully and hold banners aloft proclaiming their dislike of communism, fascism, or any other political or social group?

4TH VOICE — Should petitioners be arrested on the charge of unlawful assembly if the real reason they are being arrested is because of what their banners say?

5TH VOICE — Should citizens use the Right of Petition to protest decisions of the Supreme Court?

1ST VOICE — Should citizens claim the Right of Petition to demand peace while the Nation is at war or to insist that the Nation be kept out of war?

2D VOICE — Is it a proper use of petition to demand a new form of government?

3D VOICE — These are some of the problems confronting us today. Let us discuss them wherever and whenever we can, to keep alive the freedom given us by our Bill of Rights!

Music — [*Up and out.*]

ANNOUNCER — Struggle for Freedom never ends! Ground that is lost must be regained! Each generation must rewin its rights! Eternal vigilance is *still* the price of liberty! Let us strive on, to the end that our children's children may always know the glorious fulfillment of that noblest cry known to man—"Let Freedom Ring!"

Music — [*Closing theme . . . Fade under and out.*]

NOTE: No individual production notes are provided for this script, since no unusual difficulties appear. Refer to the general notes printed on page 375.

LESSON AIDS

Runnymede again! Like so many other of our rights, we find the right to petition springs from Magna Charta. One copy of this old document still remains in the British Museum, injured by age and fire, but with the Royal Seal still hanging from the brown, shriveled parchment. The right to petition is one of the earliest as it is one of our broadest rights. Men could petition before they could vote. Our own famous first amendment to the Constitution groups three of our greatest rights closely together; . . . "Congress shall make no law . . . abridging the freedom of speech . . . or the right of the people peaceably to assemble . . . or to petition the government for a redress of grievances."

"A redress of grievances!" Perhaps no phrase in all our rights has been oftener repeated and no action oftener invoked. We all have grievances. Grievances against a person, a law, a condition; grievances against taxation, against city ordinances, against employers; against officials of city, State, or Nation. How may we get "redress"? We use our three great rights and come together in free assembly, speak our minds, and then petition some authority for a redress of our particular grievance.

All this seems comparatively easy and simple. Yet such is far from the case. The term "petition" is one of the most elastic terms in the Constitution. It stretches over many forms of activities, and always there are attempts to stretch it still further. Do you think that the right to petition covers (1) the signing of a statement asking for a "redress" of some local nuisance? (2) The picketing of a store or mill? (3) Strikers exhibiting banners in the streets demanding better wages? (4) Groups of men and women marching on Washington in order to get their demands? . . . etc., etc.

Perhaps you can list other ways in which the term "petition" has been used as a blanket term to cover what is being done by groups of people in the name of this ancient right of petition.

I. Activities

1. Class reports on special phases of the life of John Quincy Adams:
   (*a*) His early training.
   (*b*) As diplomat.
   (*c*) As Secretary of State.
   (*d*) As President of the United States. (CF. The Adams Family, by James Truslow Adams.)
   (*e*) As Congressman from Massachusetts.
   (*f*) Excerpts from his interesting diary.

2. Read and report to class the long story of The Gag Resolution.
3. Report on the Initiative and the Referendum by two students.

II. Discussion and Debate

1. Contrast these two points of view in regard to petition:
   (*a*) A petition is "nothing less than the entering wedge of rebellion."
   (*b*) Petition is "the birthright of the subject."
2. The 7 bishops were sent to the tower because the Lord Chancellor declared their petition to be "treason." (See script.) Was the petition, in your opinion, treasonable?
3. "A petition may be in any form whatsoever so long as it presents a grievance." (See script.) Do you agree?
4. How far does this right of petition extend?
   (*a*) Banners on display?
   (*b*) The march to Washington by Coxey's army in 1894?
   (*c*) Strikers exhibiting banners on the streets before mills, demanding better wages and shorter hours?
   (*d*) A parade in favor of some form of government other than our own?
   (*e*) The "Bonus March" on Washington?
   (*f*) Letters and telegrams to Congressmen for or against a Bill?
   (*g*) Special lobby groups whose purpose is to "put pressure" on Congress, for or against proposed measures?
5. Debate: (*a*) Resolved, That the methods employed by the suffragettes in picketing the White House were justifiable.
   (*b*) Resolved, That every State should adopt the Initiative and the Referendum.

III. Watch the Spot!

1. "Resistance to tyranny is obedience to God."
2. "I contend that all petitions should be received whether I agree with them or not, whether they come from the highest or wealthiest individuals in the land, or whether they come from the lowliest or poorest in character. The right of petition belongs to all."—J. Q. Adams.

MUSIC PRODUCTION NOTES

Compositions used (orchestrations, unless specified).

1. Let Freedom Ring, theme by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).
2. Brother Love, P. P. 24, by Grau (M. Witmark & Sons).
3. Impatience, C. E. 38, by Kriens (Harms, Inc., New York City).
4. America, contained in National Melodies (Carl Fischer, New York City).
5. Yearning, P. P. 50, by Grau (M. Witmark & Sons).
6. The Derelict, P. P. 16, by Trinkhaus (M. Witmark & Sons).
7. Over There, by Cohan.
8. The Battle Hymn of the Republic. Any copy containing words will do, as this should be sung by the women actors, melody only.
9. The Get-Away, C. E. 30, by Suesse (Harms, Inc.).

How to use them (C–1 means composition 1, etc.).

Pages 141, 142	Use theme 1 as directed in general music notes at end of scripts.
Page 143	Play C–2 from the beginning underneath the announcer's speech and out.
Page 144	Play C–3 from the beginning; go under the announcer's speech and fade at end of that speech.
Page 147	Play same as page 144.
Page 148	End of former music cue.
Page 149	Play C–3 starting at two, go under for one speech.
Page 150	Play C–3 at four, going under the announcer's speech and out at next music cue on page 151.
Page 151	Play C–3 starting at five, going under the announcer's speech and finishing on page 152.
Page 152	Play C–4 with the beginning of the clerk's speech: "When in the course of human events . . ." and continue until he says "Pursuit of happiness."
Page 153	Play C–1 theme, starting at measure 9 and continue under speech, up and out on music cue in middle of page.
Page 153	Play C–5 starting at four measures before letter B and fade.
Page 155	Play C–6 starting at D; fade under speeches of first voice and second voice; fade at the end of that speech.
Page 156	Play C–6 starting two measures before Coda and including the first note in the Coda ending on next music cue on same page.
Page 157	Play C–7 the last eight bars of the refrain.
Page 158	Treat as described above under C–8.
Page 161	Play C–9, four measures before the tempo primo.
Page 162	Play C–9 starting at the fifteenth measure after the cantabile. Continue under the announcer's speech until the end where he says: "Now you could hear the cry."
Page 163	Play C–9, the last four measures.
Page 164	Start theme and continue until end as directed.

John Bunyan, from the statute by J. E. Boehn.

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission.

30-MINUTE SCRIPT

Script 7

FREEDOM OF ASSEMBLY

[*Footnotes on page 193*]

CAST

ANNOUNCER	KING RICHARD (BOY)	BESSIE
VOICES	JOHN BUNYAN	CAPTAIN BEATTY
PLINY	CONSTANCE	ROGER BALDWIN
TACITUS	JUDGE	TWO OFFICERS
CHIEF	LORD NORTH	Strikers,
WILLIAM THE CONQUEROR	LORD GERMAIN	Rustics,
THREE LORDS	SEDGWICK	Disbanded soldiers,
EARL OF SUDBURY	GERRY	Men on street, etc.

Music [*Patriotic fanfare . . . Roll of drums . . . Built up to—*]
[*Three strokes of great bell.*]

ANNOUNCER [*Dramatically*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to radio idea of program with sound of sonorous bell worked into orchestration.*]
[*At triumphant finish of sound—Orchestra segues into soft background music for announcer, bell motif still softly heard.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy wrested these rights from kings and gave them to you! These rights are now a part of the law of the land. Celebrating this 150th anniversary of our Constitution, . . . (*the local group*) and the . . . (*local radio station*) present the ageless story of man's unending struggle for Freedom! Tonight we consider another of our blood-bought Bill of Rights—The Right of Assembly! The right to meet together for a free exchange of ideas!

VOICE This story of assembly is the story of the struggle of the common people to meet—to talk—to be heard!

Music [*Up and out.*]

1ST VOICE When and where does the Story of Right of Assembly begin!

2D VOICE In the German forests! First Century A. D.

3D VOICE Tacitus, the Roman historian, returns to Rome from a long visit among the tribes beyond the Rhine. He enters one of the great baths.

Sound [*Murmur of voices and splash of water.*]

PLINY [1] [*Groaning.*] Ugh! Ugh! Rub more gently, slave. Ugh! Ugh! Your hands are like cudgels! Ugh! Ugh!

TACITUS [*Fading in.*] Why it's my old friend Pliny—still striving to take off at the baths the pounds you put on at the banquet, eh?

PLINY [*Amazed.*] Cornelius Tacitus, by all the gods! Back from your barbarians after 4 years!

TACITUS I wish Rome were as barbarous in some way!

PLINY [*Calling.*] Master of the bath! Send a slave with strong arms to get the burrs out of this traveler's hide!

ALL [*Laughter and ad lib.*]

PLINY Tacitus here is going to tell us about the tribes with the faces of men and the bodies of wild beasts!

ALL [*Ad lib.*] Yes, ha! ha! Tell us, Tacitus!

TACITUS The barbarians I saw in their assemblies looked neither like beasts nor slaves, but as though every man were a king.

ALL [*Ad lib.*] [*Amazed.*] How could that be?

TACITUS Let me tell you of one meeting I attended in the German forest. A herald blew a ram's horn. The people sat on the ground in a great circle, armed with their javelins. [*Beginning to fade.*] One of their leaders was addressing them——

Sound [*Blowing of horn.*]

CHIEF [*Fading in.*] Saxons! The new moon has called you together under the meeting oak. We have many things to talk of; but first we have a stranger here. His name is Tacitus. He comes from Rome. Shall he remain while we discuss the affairs of the tribe?

Sound [*Murmur of voices.*]

1ST MAN [2] [*Calling.*] Has the stranger come to buy hides of us? Has he come to sell us cloth? Why has he come?

TACITUS I have come among you, Saxons, as a friend, to study your customs.

CHIEF Are our customs different from those of your country?

TACITUS If our people all gathered to talk together like this in the Campus Martius, they would be ridden down by the chariots of the rulers.

2ND MAN We choose our own rulers here in the forest. The strongest and the bravest are our chiefs because they can serve us best.

TACITUS But have you no rich and poor, no high and low?

CHIEF You could not tell master from servant among us, Tacitus. They lie together among the same cattle on the same ground. They eat the same food. They have equal voice in this assembly!

TACITUS Let me stay and listen to you!

CHIEF How say you Saxons? Shall the stranger stay?

Sound [3] [*Clashing of metal.*]

TACITUS What does it mean when they clash their javelins together?

CHIEF They vote their approval in that way.

TACITUS What do they do to show that they do not approve?

CHIEF You shall see, stranger. [*To assembly.*] The first matter we must talk together about is food. Is it true that the deer grow scrace?

1ST MAN Every year I must go farther north for the kill!

2ND MAN Yes, the wild boar and the other game were more plentiful in our fathers' day.

CHIEF What shall we do about this, Saxons?

3RD MAN — I have heard of an island called Britain to the north across short water. A traveler told us of it around the campfire. He crossed in a skin boat. He said there were forests there and rich fields and fat deer.

1ST MAN — [*Scornfully calling.*] I suppose the people of Britain would like us to come to share their deer with them?

ALL — [*Laughter.*]

CHIEF — Is it your will that we leave our homes and go to this island, Saxons?

CROWD — [*Murmur rage.*] No-o-o. No-o-o.

CHIEF — Then shall we send a band of men to learn more about the island?

Sound — [*Clash of metal.*]

TACITUS — We Romans call you barbarians. But this forest assembly shames me. I have been among free men today. I shall go back to Rome and tell them I have seen men happy without possessions [*Fading*] and well governed without rulers.

Music — [*Up and under.*]

1ST VOICE — In the first centuries of the Christian era, free men—Angles and Saxons—move in open boats across the English Channel, carrying few possessions, but a proud heritage of rights.

2D VOICE — Assembly is still their most cherished right!

3D VOICE — Centuries pass! Kings and nobles separate themselves from the masses with the coming of agricultural wealth, but the common people themselves cling to their old right to meet and talk in this new land.

4TH VOICE Forward a thousand years! *The Hundred Moot,* an assembly of the heads of 100 families, carries on the traditions of the German forest; William the Conqueror discusses this Hundred Moot with his lords.

WILLIAM I have divided the land amongst you. You can wield the high justice and the low. What more do you want, my lords?

1ST LORD Sire, what of these plaguey meetings of the people they call the Hundred Moots?

2D LORD Aye, these rustics have given up their lands, their services, and their persons to us in return for our protection, but—interfere with their meetings and their clamor is heard throughout the realm!

3D LORD Shall we destroy their Hundred Moots by force, Sire?

WILLIAM [*Thoughtfully.*] I have given the matter much thought, my barons. The right of meeting together is their most ancient right and the last they will give up. As long as they cling to it so passionately it would be wiser [*Fade*] to leave it alone.

Music [*Transition up and under.*]

1ST VOICE The feudal system is to grind down the spirit and pride of the common man for centuries. But at its heights of power and depths of infamy, men keep their self-respect through their right of assembly!

2D VOICE It takes six serfs to equal one freeman's vote in the Hundred Moot, still even a serf has the right to speak and be heard.

3D VOICE — But if their meetings are stripped of power, what use is this right of assembly to them?

4TH VOICE — Men must meet together before there can be change or progress. Authority may be held by the few, but the masses have the terrible strength of numbers. And when their wrongs are great enough, they can compel authority to listen.

5TH VOICE — June 1381. In a thousand local meetings in market place and farmyard the people of England talk over their increasing oppressions.

1ST RUSTIC [4] — Is it fair, I ask you, for a farmer to pay the same poll tax as a lord?

2D RUSTIC — Preacher John Ball says one man's as good as another! I say us serfs ought to be free——

3D RUSTIC — If we guild workers can't sell our goods in the towns, we'll starve. We want free trade!

1ST VOICE — [*Calling.*] Free trade! Equality! Fair taxes!

2D VOICE — When assemblies are ignored the citizens sometimes turn from talk to action.

Sound [5] — [*Clank of iron and tramping of feet.*]

3D VOICE — [*Calling.*] Feet marching on every highway into London town! Wat Tyler and his Sussex farmers carrying rusty scythes!

Sound [5] — [*Feet tramping.*]

4TH VOICE — Men of the English assemblies marching at last! Jack Straw and his Kentish Craftsmen armed with clubs!

Sound [5] — [*Tramping of feet growing louder.*]

1ST VOICE — Sixty thousand Englishmen with the habit of assembling to discuss their problems! Sixty thousand Englishmen who will be heard!

2D VOICE Fourteen-year-old King Richard the II and his nobles are rowed on the royal barge down the Thames to meet them.

Sound [*Splash of oars.*]

Sound [*Distant growl of voices far off mike.*]

EARL OF SUDBURY There are the wretches! What miserable creatures—why didn't Your Majesty order out the soldiers to cut them down? Not one in twenty is armed.

RICHARD [*Boyish voice.*] The wind blows their voices toward us!

EARL [*Sniffing.*] The wind blows—smells as well as sounds.
[*With exclamation of disgust.*] Pah! Hand me my scent bottle, varlet!

VOICE [*Coming up a little but still distant.*] Hail, King Richard!

RICHARD Do I have to go ashore among them?

EARL Certainly not, my lord! You might catch the plague! Speak to them from the water.

Sound [*Splash of oars.*]

RICHARD [*Calling.*] What do you wish for? Your king would hear what you have come to say!

VOICE [*In distance.*] We beg you to land, sire—then we can tell you more at our ease what are our wants!

RICHARD [*Aside.*] What shall I say to them, now?

EARL [*Aside.*] I'll settle them, Your Majesty!
[*Calling.*] Gentlemen, you are not properly dressed nor in a fit condition for the King to talk with you!

VOICES [*Ad lib.*] [*Displeasure and disappointment.*]

EARL [*Aside to rowers.*] Row us back to London, oarsmen! [*Scornfully.*] You'd think, to hear those sweaty wretches, *they* were the rulers, not the King!

Music [*As transition.*]

VOICE The next day King Richard rides to meet his people at Mile End.

2D VOICE The King grants everything that is asked of him, through their leader, Wat Tyler. But they have relied too easily upon the faith of kings! Only a few days later Wat Tyler is killed by the Mayor of London. The liberties granted the people are revoked!

3D VOICE Yet this greatest assembly that England had ever known does not entirely fail! Parliament has been impressed by the sheer numbers of the popular gathering, and within a short time many of the reforms asked for are quietly put into the laws, and the power of their oppressors thereby limited.

Music [*Up and out.*]

VOICE Tyler's march on London has taught authority the power of popular gatherings. Thereafter kings and ministers try to check by law the traditional right of the English people to meet.

2D VOICE Forward 300 years! One of these checks is the Conventicle Act. This act, to prevent any preaching except within the Established Church, forbids more than five people to meet in any place to discuss religion.

Music [*Softly under next speech.*]

3D VOICE November 1660. John Bunyan defies the Conventicle Act, claiming the Right of Assembly. In a little farmhouse the dissenting preacher speaks to a meeting of his followers.

Sound [*Knocking.*]

Voices [*Small crowd murmuring as if praying.*]

MAN [*English rustic accent.*] It be the constable, Preacher Bunyan.

BUNYAN Let the constable in!

Sound [*Door opens.*]

Music [*Stop abruptly.*]

BUNYAN What do you want of this meeting, my good man?

CONSTABLE [6] It bean't none o' my doin', Mister Bunyan. But I do believe you're the pig-headedest man on the face o' God's yearth, I do. You've been warned agin this law-breakin' time and again.

BUNYAN The Converticle Act itself is unlawful. For it denies us free assembly, which is the ancient right of every Englishman.

CONSTABLE Be that as it may, Mister Bunyan, I'm not 'ere to argufy what my betters decide. I'm 'ere to arrest ye, unless ye stop this meeting immejit, instanter and–er–right now.

VOICES [*Ad lib.*] Perhaps we'd better go! They'll arrest you, preacher!

BUNYAN No, I will not stir, neither will I have the meeting dismissed for this. Let us not be daunted. To preach God's word is so good a work we shall be well rewarded even if we suffer for it!

CONSTABLE Well, then, there's naught for't but to lock ye up, Mister Bunyan, though it [*Fade*] goes agin the grain to do it, Zur!

Music [*Up and under.*]

VOICE John Bunyan, laborer of the town of Bedford is charged with "Devilishly abstaining from coming to church to hear divine worship, and for being a common upholder of several unlawful meetings to the great disturbance of the good subjects of the king and contrary to the laws."

JUDGE [7] [*Rapping.*] What say you, John Bunyan?

BUNYAN [7] If it be a sin to meet together to see the face of God, I shall be a sinner for so long as I can continue.

JUDGE What were the people doing at the meeting held by this man, Constable? Were they armed? Were they talking sedition?

CONSTABLE Oh, no, if it please your ludship — quite the contrary. Mister Bunyan be the most peaceable pervarse man in the wurrld.

JUDGE Was any overt act committed?

CONSTABLE [*Shocked.*] *Oh, no,* your ludship, *nothin'* like *that!*

BUNYAN The object of our meeting, your honor, was to do each other as much good as we could, according to our lights, and not to disturb the peace of nations!

JUDGE How can you prove that you have any right to preach?

BUNYAN The Apostle Peter gave me the right when he said, "As every man hath received his gift, so let him minister the same."

JUDGE By profession you are a tinker, are you not, John Bunyan?

BUNYAN Yes, my lord.

JUDGE Have you considered that perhaps your gift which the Apostle meant you to minister might be mending kettles?

SOUND [*Laughter ad lib.*]

BUNYAN Nevertheless, if I were out of prison today, I would preach the Gospel again tomorrow, by the help of God.

Music [*Up and under.*]

VOICE For nearly 12 years John Bunyan suffers voluntary imprisonment rather than yield his rights to meet with his fellowmen where he chose. Released at last he persists in his irregular preaching. In 1675, a middle-aged man in a carter's smock with a whip under his arm stands haranguing a crowd from a farm cart . . .

BUNYAN Let the vilest of sinners take hope! My sins would break the heart of God—I could not forbear to ring the church bells in my parish, nor play tipcat on the green, but——

CONSTABLE [*Cracked old man's voice.*] Lud save us if 'tain't Mister Bunyan a-preachin' yet! Hain't ye got any marcy, John Bunyan, makin' me all this trouble?

BUNYAN Why, it's my old friend, the Constable!

CONSTABLE I was a hale, hearty man when I first arrested ye. Now I'm an old man and still at it. You've been my life work, John Bunyan! Come now, disperse peaceable an' we'll call it square this time. You don't want to go back to jail, now do 'ee?

BUNYAN Jail is more homelike than any other place to me, Constable!

CONSTABLE [*Cracked voice, resignedly.*] Come along then, John Bunyan, consarn ye for the pig-headedest, muleishist, fightin'est man ever I seen in my born days, bless ye!

Music [*Up and out.*]

1ST VOICE While John Bunyan is struggling single-handed to keep the ancient English right of assembly alive on one side of the Atlantic, little bands of colonists are repeating the experiences of their Saxon ancestors in the forests of New England.

2D VOICE The colonists, far from laws and parliaments and people of noble birth, gather in little clearings in the forest to discuss their common problems of life.

3D VOICE This produces an independence which English citizens have not known for centuries. The town meetings of colonial America are little republics.

4TH VOICE Liberty marches forward with the town meetings of New England!

5TH VOICE After more than a century the growing tension between the Crown and the American colonies at last attracts the eyes of Parliament to the town meetings. Lord North, the Prime Minister, introduces a bill for better regulating the Government of the Province of Massachusetts Bay.

LORD NORTH This Province is now in so forlorn a situation that no governor can act!

PEER The town of Boston ought to be knocked about the colonists' ears! You will never meet with obedience until you have destroyed that nest of locusts!

Sound [*Confused applause.*]

Sound [*Gavel rapping.*]

LORD CHANCELLOR Order in the House!

2D PEER [*Aside.*] All the same, Venn is right. That fellow Sam Adams is making a laughing stock of Parliament!

3D PEER We blockade the Port of Boston to starve them out for their disgraceful Tea Party—and all the other colonists send these Boston rebels flocks of sheep and resolutions of sympathy.

Sound [*Confused applause.*]

Sound [*Rapping of gavel.*]

LORD CHANCELLOR My lords! Quiet! Lord North has not finished speaking!

LORD NORTH The mode of selecting jurors must be changed. But above all, the town meetings must be stopped. They encourage each other by these meetings to action they would not dream of as individuals.

LORD GERMAIN My Lord Chancellor.

LORD CHANCELLOR Lord Germain.

LORD GERMAIN I cannot think that the noble lords will do a better thing for the authority of England than to put an end to these meetings of the tumultous rabble. I would not have men of a mercantile cast every day collecting themselves together and debating about political

matters, which they do not understand. I would have them follow their occupations as merchants and not consider themselves ministers of their country.

Sound [*Cheering . . . Ad Lib.*] He's right! That's so!

Music [*Up and out.*]

1ST VOICE The Regulating Act is received in Boston. The answer is uprisings and defiance!

2D VOICE It is no chance that this effort to suppress the town meeting is quickly followed by that spontaneous outburst of free men seeking their ancient rights which history has called the American Revolution.

3D VOICE But new authority inherits old tyrannies. The last shot is hardly fired at Yorktown before the government of Massachusetts turns a deaf ear to the meetings of disbanded soldiers.

4TH VOICE The right of assembly is the right of men not only to meet and talk but to be heard!

5TH VOICE Captain Daniel Shays, courageous ex-officer, is determined that the people who have fought for their rights shall not be deprived of them. When repeated meetings to protest against heavy taxes, shortage of currency, and legalized injustice fail to bring authority to the aid of the people, Shays leads the people to authority.

Sound [*Tramp of feet.*]

1ST MAN [*Above tramp of feet.*] I never dreamed I'd be shoulderin' my old musket so soon.

2D MAN Looks like the only way you can get *anybody* to listen to yer is to burn gunpowder.

3D MAN The General Court has forgotten the rights they told us we were fighting for.

4TH MAN What I say is, what's the good of our right to meet and talk if the government won't listen?

5TH MAN I get back from 4 years in hell and find a mortgage foreclosure posted on my farm.

Sound [*Tramping of feet.*]

1ST MAN Cap'n Shays took us to Springfield, and we sat for three mortal days quiet as all get-out in front of the courthouse.

2D MAN [*Tittering.*] Skeered the judges away, but the foreclosure notice is still on my gatepost!

Sound [*Tramping feet.*]

1ST VOICE History repeats itself! Like Wat Tyler, Captain Shays leads the people to meet their rulers. Farmers from Northampton, shopkeepers from Concord, mechanics from Worcester, all marching in protest against indifference, injustice, greed!

2D VOICE A few shots scatter them. Shays' Rebellion is over—but not forgotten. The new government has received a lesson in the power of the people in just and peaceful assembly and what may come of it if such an assembly is ignored. The leaders of the rebellion escape final punishment. Daniel Shays is even given his pension as an ex-officer, and the wrongs which nerved the common men to rebel are soon righted.

Music [*Up and under.*]

VOICE — The First Congress discusses the proposed Bill of Rights!

Sound — [*Rapping of gavel.*]

SPEAKER — Mr. Sedgwick of Massachusetts has the floor.

SEDGWICK — Mr. Speaker, Members of the Congress of the United States. It will make us seem ridiculous according to my view, to specify the right of assembly which every man takes for granted. Where shall we stop enumerating our liberties? Shall we incorporate in the law of the land the right of a man to wear a hat when he pleases, to go to bed when he pleases, to get up when he pleases?

Sound — [*Laughter.*] Ha! ha!

VOICE — We don't want any more Shays' Rebellions!

GERRY — Mr. Speaker.

SPEAKER — Mr. Gerry of Massachusetts.

GERRY — Our recent painful experience with the right of assembly in Shays' Rebellion proves, to my mind, that the Government must be more responsive to the will of the people. It will remind our leaders of their duty to popular assemblies, if right of assembly is incorporated into the Bill of Rights.

Music — [*Up and out.*]

1ST VOICE — The Right of Assembly becomes a part of the Constitution!

2D VOICE — But changes in living bring changes to men's assemblies. And with the increasing complexities of industrial and city life, authority sees the need of further checks on meetings which may easily become mobs.

3D VOICE — The charge of unlawful assembly becomes more and more an excuse for breaking up meetings held for unpopular causes. Police power, state and municipal regulations, and street ordinances often exercise the tyranny over popular meeting which central authority hesitates to enforce.

4TH VOICE — In England the Salvation Army Case establishes a valuable precedent for peaceable assembly.

Sound — [*Clink of glasses and laughter.*]

BESSIE [8] — Five ales! You boys must be getting primed for another set-to with the Salvationists!

1ST MAN — You're bloomin' right, Bessie, if those gospel shouters stick their noses houtside their 'all tonight they'll wish they 'adn't!

2D MAN — [*Laughter.*] Salvation Army, me eye! We'll h'organize an army of our own!

3D MAN — [*Calling.*] We'll call ourselves the Skeleton Army—'ow's that?

ALL — [*Ad lib.*] Ha! ha!

1ST MAN — The Skeleton Army will give 'em sermons in stones—'ow about it, boys?

ALL — [*Laughter.*] Roight you are, Bert!

BESSIE — Now, you coves oughtn't be 'ard on 'em. They mean well.

2D MAN — Aw, 'oo wants to be called sinners?

3D MAN — I 'ear the polyce have warned 'em not to 'old any more of their blasted meetings in the streets. They're probably scared.

Music — [*Distance muffled drum and cornet and castanet playing Salvation Army tune.*]

BESSIE [*Laughing.*] 'ere they come now! They don't sound very scared, if you h'ask me!

ALL [*Ad lib.*] Rush 'em! Follow me, boys!

Sound [*Music coming up more clearly.*]

CAPT. BEATTY Friends! Fellow sinners! Brothers!

MAN Bahh!

2D MAN Watch me 'it the drum with this stone, boys!

Sound [*Crash . . . Mob roars approval.*]

Music [*Stop abruptly.*]

CONSTABLE Now, now, what's all this? Let me through, neighbors.

3D MAN H't's the constable! 'e'll read the riot act to 'em!

CONSTABLE Capt'n Beatty, didn't I warn you not to try 'olding your meetings on the street again? H'all this stone throwin' mykes trouble.

BEATTY Yes, Constable, but we're not the ones that are making a disturbance.

MAN [*Calling.*] Yes, you are! Your singin' disturbs our drinkin'!

1ST VOICE Captain Beatty carries his right to peaceable assembly to the high court which gives this decision:

2D VOICE "So far as the Salvation Army is concerned, there was nothing in their conduct that was either tumultuous or against the peace. The evidence in the case shows that the disturbances were caused by other people antagonistic to them. A man cannot be convicted for doing a lawful act merely because he knows that his doing it may cause another to do an unlawful act."

3D VOICE — This decision is a step forward in the struggle for man's right of assembly.

4TH VOICE — Yet the police power of the States and communities even today remains the greatest government threat to the right to hold meetings.

Music — [*Up and under.*]

1ST VOICE — The right of the people peaceably to assemble is the most challenged of our civil rights today!

2D VOICE — Minorities, upholders of unpopular causes, new religions, and hated political groups must still struggle for their right to assemble.

3D VOICE — On almost any street corner we may overhear present-day citizens talking of some denial of this right. [*Fading.*]

Sound — [*Murmur of crowd.*]

1ST MAN — They called that meeting unlawful assembly, but we weren't stirring up trouble!

2D MAN — Can't people get together and talk about how the government ought to be run and even get excited about it, without danger to the public? I ask you!

3D MAN — Even if we buy a hall, the authorities would say it's unsafe under a fire ordinance! So what right of assembly have we got?

Sound — [*Murmur of assent from crowd.*]

Music — [*Militant up and out.*]

1ST VOICE — It is not Congress which denies citizens their right of assembly today, but local authority using the police power of traffic control, fire laws, health restrictions, building ordinances, and the old reliable Riot Act.

2D VOICE — Paterson, N. J., silk workers strike! The Chief of Police notifies strikers they can hold no more meetings in their own hall. The strikers send a delegation to the offices of the American Civil Liberties Union to ask for advice on their constitutional rights. Based on newspaper reports, some such scene as this occurs:

3D VOICE — Director Baldwin of the American Civil Liberties Union, accompanies them to their hall and discovers a policeman posted before the padlocked door.

POLICEMAN — Can't come in here, buddy!

BALDWIN — Why can't I come in, officer? I understand this hall is the private property of the Associated Silk Workers' Union.

POLICEMAN — Sorry, sir, but we got orders that the strikers can't hold any meetings!

BALDWIN — I suppose you've heard of the Constitution, officer?

POLICEMAN — It's our business to preserve order—let other people look after the Constitution.

BALDWIN — All right! I'll look after the Constitution! [*To crowd.*] Come on, boys! We're going to City Hall Plaza to hold a meeting. No permit is required for that. But remember—no threats, no violence. We'll prove what our rights are!

Sound — [*Crowd cheering . . . Police sirens in distance coming up.*]

VOICE — Forty policemen attend the meeting, which is entirely orderly. The director of the Civil Liberties Union makes a speech. But when one of the strike leaders follows him, he is immediately arrested, and taken to the police station.

Sound [*Sirens.*]

OFFICER Here, sir, is one of those striking silk workers.

2D OFFICER What's the charge, officer?

OFFICER [*Puzzled.*] Well . . . they was holding a meetin' and I just run him in.

2D OFFICER Inciting to riot, eh?

OFFICER Well, I dunno as I'd say that exactly.

2D OFFICER Sticks or stones thrown? Any fighting? Any incendiary language?

OFFICER Well, they was quiet enough—still, they might have got to throwing things if I'd left 'em be.

2D OFFICER Well, we've got to have a charge. We'll make it unlawful assembly! Guess that'll hold 'em.

STRIKER Why was it unlawful? No permit was needed.

2D OFFICER Tell that to the judge. Take him in, Officer.

Sound [*Door opens.*]

BALDWIN Good evening. I've come to find out why I wasn't arrested as well as this man Butterworth here.

2D OFFICER You? Who are you?

BALDWIN I'm the man who called this meeting! And I called it for one purpose, and one purpose only—to test the right to peaceful assembly.

2D OFFICER [*Unhappily.*] Aw, now, be reasonable, sir. Nobody's making any complaint against you. You aren't looking for trouble, are you?

BALDWIN [*Forcefully.*] Yes, I am! I'm going to carry the case to the highest court in the land, if necessary!

Music [*Up and out.*]

1ST VOICE — The sentence for the Civil Liberties Union Director was six months in jail. The highest court in New Jersey reversed the conviction and upheld the right of strikers to peaceable assembly.

2D VOICE — Labor assemblies may be broken up, but surely nobody today protests the right of political assembly?

3D VOICE — No? What about the De Jonge Case in Oregon, only a few years ago?

4TH VOICE — Posters announce a meeting of the Communist Party to protest against illegal raids on workers' homes and halls. Dirk De Jonge and others conduct an orderly meeting. In the middle of the discussion police break in and arrest the speakers.

5TH VOICE — The case goes to the Supreme Court of the United States. In 1937 Chief Justice Hughes reads this decision of the Court:

HUGHES [1] — [*Reading.*] "Consistently with the Federal Constitution peaceable assembly for lawful discussion cannot be made a crime. . . Those who assist in the conduct of such meetings cannot be branded as criminals on that score. . . . The greater the importance of safeguarding the community from incitements to the overthrow of our institutions by force and violence, the more imperative is the need to preserve the constitutional rights of free speech, free press, and free assembly . . . to the end . . . that changes, if desired, may be obtained by *peaceful* means. Therein lies the security of the Republic, the very foundation of Constitutional Government."

Music — [*Up and out.*]

1ST VOICE — Assemblies of half a dozen differing political parties!

2D VOICE — Assemblies for the promotion of causes, ideas, new theories of religion, charities.

3D VOICE — Labor assemblies, professional assemblies.

4TH VOICE — All these groups with their contradictory beliefs, differing aims, opposing attitudes and approaches, all claiming the ancient right of meeting together to talk and discuss and plan as their ancestors did in the German forests, all raising questions vital to society.

5TH VOICE — Who is to say whether an assembly is unlawful or not? What remedy has a citizen for being deprived of his right of assembly? Should the state provide meeting places for minorities and unpopular causes? Should our schools be open to discussion groups?

1ST VOICE — Assembly is a natural right of man. It is one of his oldest rights. It is the right which he has clung to most tenaciously. Is the citizen of this modern age losing this right of assembly?

2D VOICE — These questions are yours to answer!

ANNOUNCER — Struggle for Freedom never ends! Ground that is lost must be regained! Each generation must re-win its rights! Eternal vigilance is still the price of liberty! If these principles are not perfected, let us strive on toward the goal, that in the end our children and our children's children may come to know the glorious fulfillment of that noblest cry known to man—"Let Freedom Ring!"

Music — [*Closing theme . . . Fade under and out.*]

[1] Pliny should be played for comedy throughout the entire scene. Have him grunt and groan as the slave massages him.

[2] Saxons should speak slowly in measured tones but not in native grunts.

[3] The clashing of metal should be done with heavy metal and not with something that will sound like the clashing of tin.

[4] Rustics should speak like ignorant men, but not like the popular conception of the American farmer.

[5] For the sound of tramping feet have everyone in the studio mark time in proper cadence if there is no sound record available.

[6] The constable in the scene with Bunyan can have a slight English rustic accent and should of course be played for comedy.

[7] Bunyan himself should be played very quietly to contrast with the pompous judge.

[8] Bessie and the men who attack the Salvation Army may be played with cockney accents provided the cockney accents can be faithfully reproduced, otherwise simply have them as coarse characters.

[9] Chief Justice Hughes has a low, cultured, dignified voice, and this part should be cast accordingly.

NOTE.—Additional helps may be found in the general production notes on page 375.

The right of assembly is one of the oldest natural rights of men. Whenever primitive men gathered together around a campfire or some great tree or rock, or on a central hilltop, and there talked over the welfare of the group, then and there the right of free assembly began. This right, to meet and talk over their affairs, is one of the most valuable rights of a free people. The meetings of the Teutonic tribes in their forest clearings on the banks of the Rhine; the Folk-moot—a most expressive term—of our early English forebears; the gatherings of the Swiss Cantons around some great central rock; the early town-meetings of New England—all these exemplify this age-old need. It is the natural group instinct for protection and social betterment.

This idea and ideal has never been expressed better than in the Mayflower Compact:

> We whose names are underwritten . . . solemnly and mutually in ye presence of God and of one another, convenant and combine ourselves together into a civill body politick for our better ordering and preservation and by vertue hereof to enact such just and equall laws . . . as shall be thought most meet and convenient for ye generall good of ye colonie unto which we promice all due submission and obedience.

Read over carefully and thoughtfully Article I of our Bill of Rights, which deals with our whole question of assembly. It speaks of "the right of the people *peaceably* to assemble and to petition the government for a redress of grievances." It is in the interpretation of the term *peaceably* that the trouble clearly lies. For instance, a labor agitator may gather a crowd at some busy street corner, and the local police may have their orders to break up the crowd because it "interfered with traffic." Is this an abuse of the right of the people peaceably to assemble? What is the difference between "lawful assembly" and "unlawful assembly"? When is a "crowd" a "mob"? When is a disturbance a "riot"? Did you note in the Paterson silk workers' case and in the Dirk de Jonge case that there was a conflict between local authority and constitutional interpretation? Which authority should be followed where local conditions are so definitely concerned?

It is always interesting and often extremely valuable to compare our political system with that of other countries. We have, for instance, in the United States, the three great departments of government—legislative, executive, and judicial. Does England have a Supreme Court? Can an act of Parliament be declared "unconstitutional"? Who is the Lord Chancellor of England? If an act of

Parliament were definitely opposed to some principle of Magna Charta or the Bill of Rights, would it be declared unconstitutional?

Many communities of the United States, following the lead of Des Moines, Iowa, have sponsored open public forums where questions concerning the welfare of the people are discussed and debated. Do you think it would be well for your community to have such a forum?

I. Activities

1. "Who's Who" in Freedom of Assembly?
   (a) Tacitus
   (b) William the Conqueror
   (c) Wat Tyler
   (d) Jack Straw
   (e) Richard II.
   (f) John Bunyan
   (g) Lord North
   (h) Daniel Shays
   (i) Director Baldwin of the Civil Liberties Union
   (Any others?)
2. England is famous for her great oak trees. Her parliamentary system, her outstanding contribution to government, is one of the great institutions of a free people. It can be likened to one of her oaks. Can you point out, in the light of her past history, the rings of growth that have made this tree so great? (This might well be answered in diagrammatical form.)
3. Can you show the direct blood relationship between the German tribal assemblies and the New England Town Meeting? Perhaps a diagram could be used here.
4. When John Bunyan was in Bedford prison, he wrote the famous book, *Pilgrim's Progress*. This book was one of the favorites which Lincoln read before the fireplace in his log cabin. Have you read it?
5. Reread Chief Justice Hughes' decision and underscore those words and phrases which seem to you most significant.

II. Discussion and debate

1. Why do you think the German chief spoke as he did when in surprise he asked Tacitus, "Are our customs different from those of your country?" Is it significant for us to know and understand the customs and folkways of other people before we pass judgment on their acts or behavior? Can you give some illustrations?
2. Had you been in the position of 14-year-old King Richard the II, how would *you* have replied to the question of Wat Tyler and the serfs?

3. John Bunyan said that the Conventicle Act was unlawful because it denied free assembly, one of the ancient rights of Englishmen. What authority in England decides whether an act is unconstitutional? Was Bunyan right in refusing to obey an act which had not authoritatively been branded as unconstitutional?
4. In the Salvation Army Case, the English High Court said, "A man cannot be convicted for doing a lawful act merely because he knows that his doing it may cause another to do an unlawful act." Do you subscribe to this principle?
5. At the end of the script four questions are asked:
   (a) Who is to say whether an assembly is unlawful or not?
   (b) What remedy has a citizen for being deprived of his right of assembly?
   (c) Should the State provide meeting places for minorities and unpopular causes?
   (d) Should our schools be open to discussion groups?
   [What is your answer to these questions?]
6. Debates: RESOLVED, that—
   (1) Local schoolhouses be used for the meetings of labor groups.
   (2) The sponsoring and financing of a Public Open Forum in every community is one of the responsibilities of democratic government.

III. WATCH THIS SPOT!

1. In free public discussion lies the safety valve of democracy and the safeguard of the republic.
2. The old "Folk-Moot" of our Anglo-Saxon forbears is a hardy plant. It has survived many uprootings and has been transplanted in many soils far from its original site. But always where it grows and flourishes there also you will find democracy.

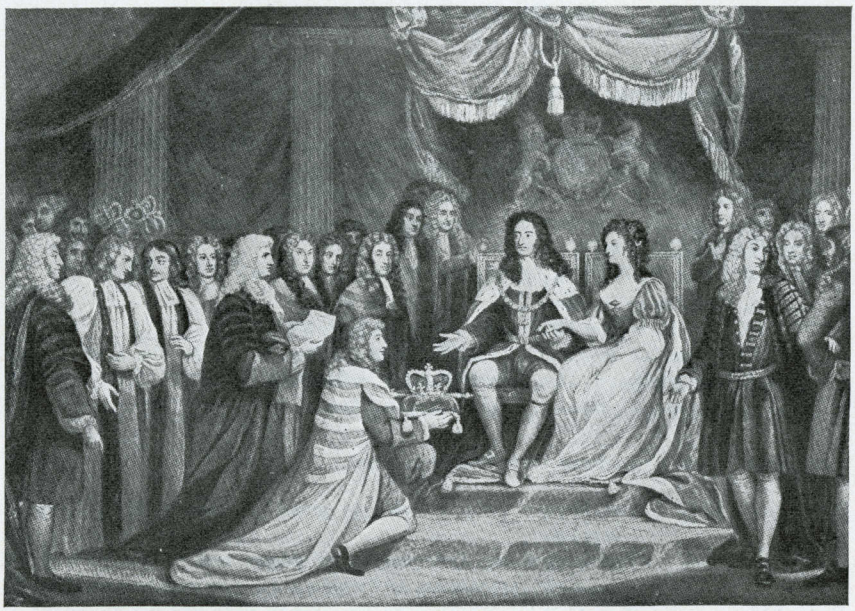
MUSIC PRODUCTION NOTES

Composition used (orchestrations, unless specified).

1. Let Freedom Ring, theme by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).
2. An Heroic Tale, P. P. 14, by Trinkhaus (M. Witmark & Sons).
3. No, No, Nanette, selection by Youmans (Harms, Inc., New York City).
4. Any Old English Psalm.
5. Brother Love, P. P. 24, by Grau (M. Witmark & Sons).
6. Unrest, P. P. 4, by Hadley (M. Witmark & Sons).
7. Yearning, P. P. 50, by Grau (M. Witmark & Sons).
8. Onward Christian Soldiers, by Sullivan, published in Twice 55 Community Songs, by Birchard, also in many other collections.
9. Love Argument, C. E. 25, by Elie (Harms, Inc.).

How to use them (C–1 means composition 1, etc.).

Pages 169, 170	Use theme 1 as directed in general music notes at end of scripts.
Page 171	The sound cue (on middle of page) can be performed by trumpet, trombone, or French horn, preferably muted (hat).
Page 173	Play C–2 beginning with one-eighth note upbeat to letter K and three measures after letter K and first chord in the fourth measure.
Page 174	Play C–2 starting with upbeat two-fifth measure after C. Continue till you fade with the end of speech of the fourth voice.
Page 177	Play C–3 the first four bars and out.
Page 177	Play C–3 the measures five, six, seven, eight. Up and out.
Page 178	Play C–4 as indicated in script.
Page 179	Play C–5 starting at A, up and under the entire speech taking the second ending.
Page 180	Play C–5, the four measures before C take second ending.
Page 181	Up and out; play C–5 starting at the fifth bar after C, and take second ending.
Page 183	Play C–6 starting at letter F for seven measures.
Page 184	Up and out, play C–7 the last four bars only.
Page 185	Play Let Freedom Ring theme measures 15 and 16 slow and majestic.
Pages 186, 187	Play C–8 as directed in script. Voices can be used if instruments mentioned are not available.
Page 188	Play C–9 starting at the last tempo primo with thirty-eighth note upbeats.
Page 188	Play up and under the following speeches of the first, second, and third voice.
Page 188	Play C–9 the last five measures.
Page 190	Play C–6 the sixth measure before letter B, up and out.
Page 191	Play C–1 the measures nine, ten, eleven, and twelve. Retard at the ending.
Page 192	Use theme as directed.



Parliament Offering the Crown to William III and Mary. From a painting by James Northcote, R. A. According to Macaulay, William and Mary have just listened to a reading of the Declaration of Rights, and have promised that this Declaration shall be the rule of their conduct.

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission.

30-MINUTE SCRIPT

Script 8

RIGHT OF SUFFRAGE

[*Footnotes on page 223*]

CAST

ANNOUNCER
VOICES
SIMON DE MONTFORT
KING HENRY III
WILLIAM OF ORANGE
MARY
ADMIRAL HERBERT
GEORGE MASON
WEBSTER
BILL SAIRY
THOMAS DORR
STANTON
LINCOLN
SUSAN B. ANTHONY
JUDGE
HENRY PRINDLE
Virginians, Statesmen,
Workmen,
Countrymen, etc.

Music [*Patriotic fanfare . . . Roll of drums . . . Built up to—*]
[*Three strokes of great bell.*]

ANNOUNCER [*Dramatically.*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to radio idea of program with sound of sonorous bell worked into orchestration.*]
[*At triumphant finish of sound—Orchestra segues into soft background music for announcer.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy took these rights from kings and gave them to you! These rights are now a part of the law of the land! Celebrating this 150th anniversary of our Constitution, the . . . (*local group*) and the . . . (*local radio station*) presents the ageless story of men's unending struggle for freedom. Tonight we consider another of our dearly bought Bill of Rights—The Right of Suffrage!

Music [*Up and out.*]

ANNOUNCER The story of the Right to Vote is the story of Man's struggle for a voice in his own government. Your vote is your badge of freedom, your weapon against oppression, your patent of nobility.

VOICE In every struggle for men's rights there have been heroes. On a sultry afternoon in 1258, King Henry III seeks refuge from a summer storm at the castle of one of these heroes, Simon De Montfort.

Sound [*Crash of thunder, downpour, muffled at a distance.*]

Sound [*Pounding on door.*]

HENRY [1] [*Muffled off mike.*] Open—open—in the name of the King!

Sound [*Door opening, thunder, and storm louder.*]

SIMON [*Calling above sound.*] Welcome, King Henry! Come in! Come in!

Sound [*Door clangs to, muffling rain and thunder.*]

HENRY God, what a storm!

SIMON It is passing, your Majesty . . . there is no more danger.

HENRY I wish I could believe that, Simon de Montfort.

SIMON Why, what do you mean? Here—be seated, Sire!

HENRY Thank you. I fear thunder and lightening exceedingly, but—I fear *you* more than I fear them, Simon.

SIMON Sire, you need not fear your true friend who would save you from the destruction evil advisers are preparing for you.

HENRY From whom *should* I ask advice! You, I suppose?

SIMON No—from all the people of your realm.

HENRY The common people? You're mad, Simon! whoever heard of a king consulting the common people?

SIMON You need money, Sire?

HENRY Money? I always need money.

SIMON The burgesses, the little shopkeepers, the craftsmen, the small clergy and farmers will give it to you gladly.

HENRY Give me money? You're mad! Why should they give me money?

SIMON In exchange for a voice in their own affairs.

HENRY Bah! Nonsense! People won't vote to tax themselves! Why—that's like asking a man to pick his own pocket.

SIMON Try them and see!

HENRY And just how would you have me do that, Simon de Montfort?

SIMON Call a parliament of all the different classes.

HENRY Parliament—what's that?

SIMON It's from the French word *parler*—meaning to speak, to talk things over. Now, only the barons sit in your Council. But let the towns send burgesses, let the shires send knights, let the seaports send merchants.

Music [*Up and under.*]

1ST VOICE But King Henry refuses Simon de Montfort's advice, and sends the royal forces against him and his supporters. However, de Montfort subdues the King's army, and himself calls the first English Parliament in which representatives of the borough towns and the shires have a voice and—a vote.

2D VOICE But the kings still contend that divine right gives them the law-making powers. They are willing to consult with the people, and beg for grants of money from them, but as long as kings can suspend the laws, or make new ones to suit themselves, kings still have the whip hand.

3D VOICE Forward 300 years! A mysterious messenger arrives at the Holland palace of William of Orange in the year 1688 . . .

Sound [*Music—Playing old song—Knock on door—Music stops as servant speaks.*]

SERVANTS [*Fading in.*] A messenger from England for the Prince of Orange.
[*Lowering Voice.*] I think, your Highness, he is disguised.

WILLIAM Very well, show him in.

MARY William?

WILLIAM Yes, Mary?

MARY All day I've felt as though—well—as though something were about to happen. [*Fading.*] I'll leave you now . . .

WILLIAM You're needlessly alarmed, my dear. But don't go too far. I may need your advice.

SERVANT [*Fading.*] The messenger, Sire.

WILLIAM Ah! Admiral Herbert!

HERBERT [*Fading in.*] Prince William, perhaps you may guess why I have come, and whose names are signed to this letter in my hand?

WILLIAM Admiral Herbert, it must be important news to bring you here disguised as a common sailor.

HERBERT [*Confidentially.*] It is! Your father-in-law, King James II, has set aside the laws once too often. The people in the streets mutter, the army is ready to mutiny. [*Lowering voice still further.*] England needs you.

WILLIAM [*Sternly.*] This is a grave matter. I risk my life in listening to you.

HERBERT See what men risked their lives to write you . . . here.

Sound [*Paper.*]

HERBERT [*Reading.*] The Earls of Devonshire, Shrewsbury, and Danby. The Bishop of London, Henry Sidney, Lord Lumley, and Admiral Russell.

WILLIAM Let me see. Do you know what this letter contains?

HERBERT Yes, my lord, virtually an invitation to the throne of England.

WILLIAM [*Deeply moved.*] If that were all, I should refuse. But I read between the lines. Humanity is asking that its ancient liberties be saved.

HERBERT Yes, yes, you're right, my lord.

WILLIAM I must speak to my wife. [*Rings bell.*]

Sound [*Door.*]

WILLIAM Call the Princess of Orange here.

SERVANTS [*Off.*] Yes, Your Highness.

HERBERT Sire, the people want to make their own laws. They wish to keep their kings, but—they must be the limited kings of a free people.

WILLIAM Of course.

MARY [*Coming up.*] You sent for me, my husband?

WILLIAM Yes, Mary. Suppose they were to offer us the throne of England?

MARY Both of us?

WILLIAM Yes. It must be both. You know I am not a man to be tangled in apron strings, yet I would not rule England without the woman I love.

MARY You have been summoned?

WILLIAM Yes.

MARY Must we go? We've been so happy here . . . and then . . . your cough! England is damp. Besides, there's no happiness in wearing a crown. I am a Stuart—I know.

WILLIAM There will be no more kings after the old style. This is the day of Parliament and the people.

HERBERT — You are right, Your Highness. They are sure to ask you to sign a Declaration of Rights before you are crowned. If you are made king, it will be by the *vote* of Parliament.

MARY — But there will be fighting—you may be killed.

WILLIAM — Shall I go or stay, my dearest dear?
[*Hold and build.*]

MARY — Sail for England! And I'll pray for your success both day and night.

Music — [*Up and under.*]

1ST VOICE — The Declaration of Rights is enacted into law as the English Bill of Rights! But though Parliament is now free, and controls the King, only a small fraction of the common people of England may vote to send a representative to Parliament.

2D VOICE — Every town and borough and shire has its different qualifications for voters. Those in power try to control the vote by restricting it to certain friendly groups and classes. Suffrage qualifications always spring up as soon as suffrage struggles are won.

3D VOICE — The American colonists bring their suffrage to the New World with them, and also their Old World habits of *restricting* suffrage. The right to vote becomes the right of the *right* people to vote. In some States property is a qualification for franchise and in others church membership. In Virginia, hotbed of democratic theory, only 11 in 100 may vote; in progressive Pennsylvania only 8 percent; and in Massachusetts and Connecticut, home of the common man's town meeting, only 1 man in 50 may elect representatives!

4TH VOICE — In Williamsburg, Va., at the beginning of the Revolution, some of the statesmen of the day meet in the Raleigh Tavern to discuss their State constitution now being drafted.

Sound — [*Clinking of glasses.*]

1ST MAN — [*Fading in.*] I tell you, all this talk of rights is bound to go to the heads of the riff-raff.

2D MAN — Well, Jefferson says the riff-raff have rights as good as yours, William Blake.

3D MAN — By the way, I hear Jefferson has sent a draft of a constitution from Philadelphia. It would give a vote to every taxpayer over 21.

1ST MAN — Boy!

BOY — [*Off.*] Yes, sir.

1ST MAN — Three ales—no, hold on—here comes George Mason. Bring us four ales.

VOICES — [*Ad lib.*] Hello, Mason! How do you do—[*various greetings.*]

3D MAN — Blake, here, was just saying that Jefferson wants to give the vote to everybody who pays scot and lot in Virginia. What do you say to that, Mr. Mason?

MASON — I'm—wait till I get settled!

Sound — [*Scrape of chair.*]
Scot and lot—let's see, that means even as low as a dollar poll tax. No, I don't go so far as that. But I do think we should give the vote to more men than have it now. [*Ad lib agreement.*] I am suggesting to the convention that every father of a family of three children should have the suffrage, and also every tenant farmer who has a long lease.

2D MAN — I hear that there's some English reformer fellow named Cartwright who says "I ought to have the vote because I am a MAN."

Sound — [*Ad lib amused reaction.*]

MASON — Don't laugh too soon; it might come to that someday—who knows?

1ST MAN — [*Protesting.*] Oh come now, I'm a good democrat, and a patriot, but if you give every tinker and laborer the vote, the poor will soon be ruling the rich—there's more of 'em, you know!

3D MAN — Look at England! The biggest factory towns—Manchester and Leeds, do you see *them* sending any representatives to Parliament?

MASON — Ah, but aren't we planning to show England what liberty can be? If every citizen of America doesn't have the vote—at least I would give him the hope of attaining it!

2D MAN — Well, you're a visionary chap, Mason. All I say is that I pray I don't live to see universal suffrage in this country.

Music — [*Up and out.*]

1ST VOICE — But the Convention of Virginia refuses the extension of the suffrage. *The Revolution is fought by men denied the vote, and won by men who do not win the vote.*

2D VOICE — It is not political far-sightedness, or recognition of the vote as a right of man, that gradually enlarges the American electorate. It is cheap land beyond the Alleghenies that qualifies a class of men who have been disfranchised for generations.

3D VOICE — In the new States of the West these new voters organize new governments—and elect a new kind of President!
[*Hold it.*]

4TH VOICE — Andrew Jackson—President of the United States!

Music — [*Up and out on a great chord.*]

5TH VOICE — Lean, rangy, the pioneer Indian fighter, Andrew Jackson, born in a cabin, is elected President instead of an eastern aristocrat. His followers swarm into Washington to see him inaugurated.

Music — [*Distant martial music very faint . . . Cheers.*]

VOICE — [*Off.*] Hooray for Old Hickory! Hooray!

MAN — Faugh! Shut the window!

Sound — [*Window closed, muffling noise to distant murmur.*]

2D MAN — What is the country coming to! The Nation will rue this day!

Sound — [*Door.*]

3D MAN — Why, it's Daniel Webster! Come in, Webster. How does it happen *you* didn't join the flight of Washington society?

WEBSTER — [*Fading in.*] There's too much to see in town. Wouldn't miss it for anything!

2D MAN — I hear John Adams didn't wait to welcome his successor, but drove away early this morning! I say, Mr. Francis Scott Key—what does a song writer see in the crowd down there?

KEY — I don't know—yet. Look! Trappers in coonskin caps; pioneers with the mud of 300 miles on their boots; covered wagons filled with children, and women in sunbonnets—

WEBSTER — [*Significantly.*] Looks more like a revolution than an inauguration, doesn't it?

1ST MAN — You're right, Webster! And Jackson is going to give the vote to that rabble! What will become of democracy when it's in the hands of every Tom, Dick, and Harry?

KEY — Democracy! Now I know what I see down there!

3D MAN — What is it?

KEY — This is democracy! It is a magnificent sight! Sublime!

2D MAN — [*Laughing.*] That's what you'd expect him to say! Still waving the star-spangled banner, eh, Key?

KEY — [*Slowly, intensely.*] Yes, and for the first time it is flying over the land of the free!

Music — [*Swelling up to loud crashing refrain.*]

MAN — [*Cheering.*] Hooray for old Hickory! Hooray for Ameriky!

WOMAN — Oh, Bill! It was wuth drivin' clar from Kaintuck to see, even if the roads wuz so bad.

MAN — Gitty up, Blackie! Andy Jackson's goin' to give us better roads, Sairy! Or ruther—he's goin' to give us the vote, and we'll get 'em for ourselves.

WOMAN — You're always talkin' about the vote, Bill. What good will a vote do folks like us?

MAN — It'll give us a say-so in runnin' things—we c'n vote schools for our young uns, and bridges over the cricks, and canals to git our crops to market—but that ain't all . . .

WOMAN — What else'll votin' do, Bill?

MAN — [*Fiercely.*] It'll make one man as good as t'other, by Jiminy!

WOMAN — I think you're better'n other men already, Bill!

MAN — Yes, when there's red coats and Injuns to fight! Or a wilderness to clear. It's been a gov'ment of gentlemen up to now, but under Andy Jackson, the *people* air gonna run the whole shebang!

Music — [*Martial.*]

1ST VOICE — Sixty years after the Declaration of Independence has declared all men free and equal, manhood suffrage is beginning to take the place of suffrage based on property qualifications, even in the Eastern States!

2D VOICE — 1842. Dorr's Rebellion is a dramatic incident on the way toward suffrage for the man without property.

3D VOICE — Thomas Dorr, idealist, demands a new State constitution in Rhode Island giving the vote to the working man! His followers sign petitions, proudly listing their trades—John Jones, carpenter; William Smith, shoemaker; George Clark, blacksmith. When petitions fail to give them their right of suffrage, they stage a rebellion.

4TH VOICE — With Dorr at their head, and dragging a single rusty cannon, they march gallantly upon the State arsenal.

Sound [*Voices and tramp of marching feet.*]

DORR Stand up straight! Keep step! Remember, men, the eyes of the world are on us!

1ST WORKMAN I'm in step. It's everybody else that's out.

2D WORKMAN I hope they surrender right away. I don't mind rebellin', but I'd hate to shoot anybody.

3D WORKMAN We gotta be ruthless—that's the only way a body can win his rights.

4TH WORKMAN Mm, I s'pose so, but a cannon's a mighty dangerous thing.

DORR [*Shouting.*] Halt! [*Sound of marching straggles off.*] Men, there's the arsenal! Now train the cannon on the door. [*Ad lib reaction—Quiet—Serious.*] We'll show 'em we mean business!

VOICE [*Off mike calling.*] Hey! What do you fellows want?

DORR [*Calling.*] We want the same as our ancestors wanted in the Revolution—freedom.

VOICE [*Calling.*] Haven't you got the Constitution?

DORR Yes, and does the Constitution give us our right to vote, I ask you?

VOICE [*Calling.*] Take that fool cannon away, Dorr, It might go off!

DORR It's going to go off! We demand that you surrender to the voteless citizens of the State of Rhode Island. If you don't, there's going to be another shot heard around the world.

VOICE [*Calling.*] Go back to your homes before you get into trouble.

DORR — Is the cannon in place? Very well. Aim! Light the fuse! Fire!

Sound — [*Sputtering and hissing of fuse—Complete silence.*]

1ST WORKMAN — [*Aside.*] Gorry! The powder must have got wet. It won't go off.

Music — [*Up and out.*]

1ST VOICE — Dorr's cannon did not go off, but the slogan of his honest and earnest rebels echoed through the Nation.

2D VOICE — "Worth makes the man, but sand and gravel makes the voter!"

3D VOICE — By 1850 universal white manhood suffrage has been established, but expediency still keeps large numbers of Americans from the vote.

4TH VOICE — The question of slavery becomes a political, as well as an economic issue! Freedom for the slave might mean citizenship for the slave. And what that might mean—not even the most ardent abolitionist ventures to predict.

Music — [*Up and out.*]

5TH VOICE — New Year's, 1863! A date to remember in this story of the struggle for suffrage! In the President's anteroom at the White House, a group of his Cabinet are gathered. They are tense, worried, quarrelsome.

Sound — [*Murmur of voices.*]

STANTON — The President is late, gentlemen! At this juncture . . . with the whole country seething . . . with the most important question in its history to be discussed—he keeps us waiting!

1ST STATESMAN You're right, Secretary Stanton! Slavery is one thing. But this talk about emancipation is another.

2D STATESMAN After emancipation will be suffrage, for 200,000 new voters!

3D STATESMAN And how imperfectly our citizens already use the vote! What can we expect from slaves?

STANTON Hush, here comes the President!

Sound [*Off mike.*] [*Chuckle.*]

LINCOLN [3] [*Fading in.*] Good morning, gentlemen. I must ask your pardon for keeping you waiting.

1ST STATESMAN Oh, we know how much you have on your mind, Mr. Lincoln.

LINCOLN I have—Josh Billings' latest! I've brought it along to read you a bit of it—listen to this now. . . .

STANTON [*Interrupting.*] But, Mr. Lincoln, with the country in turmoil, with grave decisions to be made—you ask us to listen to. . . .

LINCOLN [*Tolerantly.*] Now, now, Stanton! A good laugh never hurt anybody, yet. I've found that troubles can wait—but you've got to take a laugh when you find it. I've got a very important state paper to read to you later, but first—listen to Josh Billings! [*Reading.*] "The only way to keep a mule in a pasture is to turn him into a medder jineing, and let him jump out." [*Laughter.*] . . .

Music ["*Battle Hymn of the Republic.*" *Up and under.*]

1ST VOICE After Lincoln has eased the tension of his Cabinet, he reads them the most far-reaching document for the emancipation of mankind that America has ever heard.

LINCOLN "On the first day of January, in the year of our Lord one thousand eight hundred sixty-three, all persons held as slaves within any State . . . in rebellion against the United States shall be then, thenceforth, and forever *free.* . . ."

Music [*"Battle Hymn of the Republic." Up and under.*]

2D VOICE The Emancipation Proclamation does not give the right of the vote to the newly freed citizens of the United States any more than the Constitution gave it to the new citizens of a new republic. But it is a step forward in the fight for suffrage!

Music [*Up and out.*]

3D VOICE The Fourteenth Amendment is another step—and the Fifteenth Amendment removes race and color from the list of disqualifications for suffrage! But they do not remove a disqualification, traditional, unwritten, hidebound, age-old—the disfranchisement of sex!

4TH VOICE The First National Woman's Rights' Convention is called in 1850 by such liberal men as Emerson, the philosopher; Alcott, the writer; Wendell Phillips, the preacher; and Garrison, the abolitionist.

5TH VOICE 1869. The first complete legislative emancipation in the history of the world occurs in the territory of Wyoming!

1ST VOICE The cause of woman's suffrage produces a great leader, whose name has been unofficially written into the Constitution of the United States—Susan B. Anthony!

ANNOUNCER In 1872 politicians are taking last-minute registration for the forthcoming election in a barber shop in Rochester, N. Y.

Sound [*Fading in—Uproar of men's voices, laughter.*]

1ST MAN [*Calling over uproar.*] Any more registrations?

Sound [*Door opened violently.*]

SUSAN[4] [*Above uproar.*] Yes. My friends and I want to register!

1ST MAN [*Stammering.*] B-b-but ma'am I-I-I-can't - you - you can't.

SUSAN Who says that I can't register to vote like any other citizen?

2D MAN [*Guffawing.*] Haw! Haw! Look at Bert blush!

SUSAN The Fourteenth Amendment of the Constitution defines a citizen as any person born or naturalized in the United States! I was born in the United States.

1ST MAN [*Uncertainly.*] But Miss Anthony—be reasonable—you know . . .

SUSAN Perhaps you don't consider that a woman is a person?

2D MAN [*Scornfully.*] Aw, why'ncher get a man to do yer voting for yer?

3D MAN Woman's place is in the home!

SUSAN I have a copy of the constitution of the State here. No sex is specified in the qualifications to vote. Are you going to register us?

1ST MAN Looky here, I ain't going to be bamboozled by any strong-minded females.

SUSAN — If you don't accept our registrations, I warn you that I shall swear out a warrant for your arrest.

ALL — [*Ad lib.*] She's got you, Bert! Haw! Haw!

1ST MAN — All right, I'll take your registrations. But tain't regular. You'll see! [*Fading.*] They'll never let you vote . . .

Music — [*Up and under.*]

ANNOUNCER — On election day, Susan and her 14 followers appear at the polls. They show their registration cards and cast their votes while three clerks look on helplessly. Trouble soon appears, however. Susan B. Anthony is arrested for illegal voting! Local sympathy for Susan's courage is so strong that her trial is transferred to the United States Circuit Court at Canandaigua. The judge there is known to have strong views against woman's suffrage. Here is the charge against her:

VOICE — "Without having a lawful right to vote in said election district the said Susan B. Anthony, being then and there a person of the female sex, did knowingly, wrongfully, and unlawfully vote."

ANNOUNCER — The trial is a test of the Fourteenth Amendment. If Susan B. Anthony walks out of this courtroom a free woman, she will also walk out a voter. The forces of reaction are determined that she shall not win. She is not even allowed to testify in her own behalf. Her counsel finishes his plea.

Music — [*Out.*]

SELDEN [*Fading in.*] Miss Anthony "stands now arraigned as a criminal for taking the only step by which it was possible to bring the great constitutional question as to her rights before the tribunals of the country. If for thus acting . . . with motives as pure and impulses as noble as any which can find place in your Honor's breast in the administration of justice, she is, by the laws of her country to be condemned as a criminal, she must abide by the consequences!"

JUDGE I direct the jury to bring in a verdict of guilty.

SELDEN [*Amazed and protesting.*] But, Your Honor! In a criminal case the court has no right to do more than charge the jury. At least, I demand that the jury be polled.

JUDGE The jury is dismissed.
[*Hold.*]
Miss Anthony, stand up! Has the prisoner anything to say why sentence should not be passed?

SUSAN I have much to say, Your Honor. My natural rights, civil rights, political rights, and judicial rights have all been denied me. I have been refused a trial by my peers. A commoner of England tried by lords would have less cause to complain than I, a woman, tried before a jury of men . . .

JUDGE [*Breaking in.*] The prisoner must sit down—the court cannot allow . . .

SUSAN Had your Honor submitted my case to the jury, as was clearly your duty, even then I should have had just cause of protest, for not one of these men was my peer, but native or

foreign born, white or black, rich or poor, educated or ignorant, drunk or sober, each and every one of them is my political superior.

JUDGE The prisoner has been tried according to the established forms of law. And if . . .

SUSAN Yesterday the same man-made forms of law declared it is a crime, punishable by prison to give a cup of cold water to a panting fugitive tracking his way to Canada. The slaves who got their freedom had to take it over or under or through the unjust forms of law precisely as I have taken mine and mean to take it at every opportunity!

JUDGE [*Rapping louder.*] The court orders the prisoner to cease talking and sit down!

SUSAN Your Honor will not deny me this one and only poor privilege of protesting this high-handed outrage against my citizen's rights!

JUDGE [*Rapping louder—Speaking louder.*] The court will not listen to another word . . .

SUSAN Failing to get this justice, failing even to get a verdict from a jury not my peers, I ask not leniency at your hands but rather the full rigor of the law!

JUDGE [*Violently.*] The prisoner will sit down! [*Long pause.*] . . . Now the prisoner will stand up for sentence. I fine you one hundred dollars and the full costs of the trial!

SUSAN May it please Your Honor, I will never pay a dollar of your unjust penalty!

Music [*Up and under.*]

ANNOUNCER Forty-seven years after Miss Anthony is tried as a criminal for casting a vote, the Nineteenth Amendment becomes a law. It gives women equality with men in voting, and is commonly known as the Susan B. Anthony Amendment.

Music [*Up and under.*]

1ST VOICE The most serious question of suffrage today is the right of racial groups and minorities to a place on the ballot. They still need the protection of the Constitution and the support of enlightened public opinion.

Music [*Out.*]

2D VOICE In 1932, nine States, by their election laws, excluded the Communist Party from their printed ballots, and four States excluded the Socialist Party.

3D VOICE Florida has now an election law passed in the excitement of war times, making it necessary for a political party to secure at least 30 percent of the popular vote in a general election to be printed on the ballot. In 1928 this law leads to unexpected results. A candidate for Congress talks over his chances with his supporters in a country store in Florida a few weeks before the primaries.

Sound [*Off mike.*] [*Old-fashioned automobile chugs to a stop.*]

STOREKEEPER Wal, if there ain't Candidate Henry Prindle now. Expect he's roundin' up his supporters 'fore 'lection. Let's give him a greetin', boys.

Sound [*Door opens.*]

VOICES [*Cheering.*] 'Ray for Prindle, the next Republican Congressman.

PRINDLE [5] [*Fading in.*] Howdy boys! Howdy! And thanks! You know, this looks like a Republican year. But I'm not taking any chances. I'm counting on every one of you boys to be at the polls a month from today to mark your ballot after the name Prindle.

1ST MAN Yes sir, fellers, Prindle here deserves the vote of every loyal citizen, for his work in keeping this State 100 percent American!

2D MAN Yes, siree! You remember back in 1918, Henry helped push through that bill in the State legislature, keeping disloyal minority parties off the ballot!

PRINDLE Yes, gentlemen, I take full credit for that and I'm mighty proud of it. 100 percent American—that's Prindle.

2D MAN How'd you fix it so's to keep those little parties off the ballot, Henry?

PRINDLE Well, sir! we just passed a law saying that any party that couldn't poll 30 percent of the voters of the State didn't exist as a party at all!

ALL [*Ad lib . . . Laughter.*] Purty smart! Purty smart! That fixed 'em!

Sound [*Door opens.*]

PRINDLE Why, if it isn't my old friend, the county clerk! What you got there, Bill?

CLERK [*Fading in.*] I'm distributing sample ballots of the coming primaries—just off the press.

PRINDLE Let's see one [*Laughing*]. I been in politics for 20 years but it still gives me a kick to read my name on a ballot!

CLERK Here's a ballot, Mr. Prindle, but-er-er-

PRINDLE [*With a yelp.*] What in blazes does this mean! Where's the Republican Party on this ballot!

CLERK There isn't any Republican Party in Florida, 'cording to the election laws.

ALL [*Ad lib.*] What!

CLERK You see, you folks didn't poll 30 percent of the votes last 'lection, and you're in the same picklement as the Socialists and Communists.

PRINDLE [*Sputtering.*] Why—why this—this is an outrage.

CLERK Reckon it is, Mr. Prindle. But t'ain't my fault. You kin blame the feller that put that 30 percent law on the books . . .

1ST VOICE This is, of course, an extreme instance of how election laws made to exclude minority parties from the ballot may unexpectedly exclude a major party . . .

2D VOICE In the Florida election the Republicans held a convention, reorganized as a party, and by heroic efforts got onto the ballot in time for the general election, though not for the primaries.

Music [*Up and under.*]

3D VOICE Step by step the right of suffrage in America is extended to an ever greater number of citizens. First the old property and religious restrictions of colonial days are removed. Next the newly freed slaves of 1865 are given equal rights with their former masters. Finally women's suffrage wins in 1920. But still the struggle goes on.

4TH VOICE Shall minority groups have a place on the ballot and even proportional representation in the legislatures?

5TH VOICE In a United States on wheels, are we adequately protected in our voting rights by absentee voting laws?

1ST VOICE Should representation be decreased in States where a large part of the population is denied the vote?

2D VOICE Did you know that a quarter of a million adult citizens in the very capital of the United States cannot vote on anything—not even the election of their own school board?

3D VOICE What about the old pauper laws that disfranchise people on relief—have they all been repealed?

4TH VOICE Can a man's vote be free in this day of lobbying groups?

5TH VOICE These are questions for you to think of, talk about, and answer. As long as millions of American citizens are refused the vote at every election the struggle for this right of suffrage is not yet finished . . .

ANNOUNCER Struggle for Freedom never ends! Ground that is lost must be regained! Each generation must re-win its rights! Eternal vigilance is *still* the price of liberty! Let us strive on, to the end that our children's children may always know the glorious fulfillment of that noblest cry known to man—"Let Freedom Ring!"

Music [*Closing theme. . . . Fade under and out.*]

PRODUCTION NOTES

[1] King Henry should be played as a Mr. Milquetoast to contrast with Simon de Montfort who is a strong character.

[2] The conversation in the tavern scene should be quite light and a feeling of joviality should prevail until serious questions are discussed.

[3] Lincoln should be played with a low, dignified voice despite the fact that historically speaking he had a shrill piping voice. Generally speaking a character should be played the way the general public conceives him to be regardless of what history may tell the scholar.

[4] Susan B. Anthony must be played as a strong, militant, mannish-voiced woman.

[5] Prindle should be the typical politician. Handshaking, backslapping, etc.

NOTE.—Additional helps may be found in the general production notes on page 375.

LESSON AIDS

Have you noticed the order of the subject-matter in the 13th, 14th, and 15th amendments to the Constitution? The 13th amendment *abolishes* slavery, the 14th grants *citizenship* to the former slave, and the 15th gives him the *right to vote*, the right of suffrage. This order is not accidental. It is significant! It tells the story of the rise of the common man in the world from a position of subservience to that of membership in his government, and from there to *participation* in his government. That has been the order in history of the stages through which man has progressed toward democratic government. It is the case with *you*. You, by the Constitution, have been born free and equal in the eyes of the law. You are a citizen. But until you have reached your majority, 21, you are not granted the complete privilege of citizenship, the right to "take part." All people have certain inherent rights; but the right of suffrage, even in a democracy, is dependent upon certain special qualifications.

If the suffrage is *granted* by authority only to those who meet demanded qualifications, is it a *right* or is it a *privilege?* Review your definitions of these two terms and come to some opinion on why suffrage is listed as one of the "rights" of American citizens.

One of the more common arguments given by those who do not take advantage of their right to the ballot is, "What's the use? My vote won't count! I live in a place that's dominated by the X party and they always win. I don't get represented even when I go to the polls!" To meet this objection, the *"proportional representation"* principle has been suggested. What is the meaning of the term? What can you say for and against it? Do you know the difference between this form of voting and the *"preferential ballot?"*

In another place in these scripts, we see the story of the rise of woman to the dignified place in society she rightfully holds. It was not until about the time you were born that woman was granted the right to go to the polls as a full-fledged citizen of the United States. Do you know the name given to the amendment of the Constitution which granted women this right? Do you know why it was so named?

Suffrage is an interesting term. Have you formed the good habit of looking up the origin of significant terms you come across in your study? Do so with this word. The ancients had an interesting way of forming words packed full of meaning—meanings which sometimes have been lost.

Man suffered much to gain the cherished right to use the ballot. Many today do not realize that the rights of mankind die if not used. One might almost foretell the future by saying, "Suffrage, or suffering!" "Ballots, or Bullets!"

I. Activities

1. "Who's Who" in the Right of Suffrage?
   (a) Simon de Montfort
   (b) William of Orange
   (c) Thomas Dorr
   (d) Susan B. Anthony
   (e) Others
2. Who could vote in ancient Greece in the age of Pericles?
   Who could vote in Rome in the days of the Republic?
   Who could vote in the days of Simon de Montfort's first English Parliament?
   Who could vote in the days of the "Rotten Boroughs" in England?
   Who could vote in Colonial America?
   (a) In Massachusetts?
   (b) In Virginia?
3. Are women equal with men in the matter of suffrage today in (a) United States, (b) England, (c) France, (d) Germany, (e) Russia, (f) Italy, (g) Japan?
4. Special report: Dorr's Rebellion. Did it accomplish its purpose?
5. Dramatize from Drinkwater's *Abraham Lincoln* the scene showing Lincoln and his Cabinet when he proposed the Emancipation Proclamation.
6. Present the story of the struggle of women for equal suffrage rights in the United States. Certain great leaders, such as Elizabeth Cady Stanton, Lucretia Mott, and Susan B. Anthony might well be portrayed by members of the class. (Cf. individual biography or encyclopedia.)
7. Special research: A study of and report on the cartoons of the period when women struggled for the right of suffrage.

II. Discussion and Debate

1. One of the chief arguments for granting the suffrage to women was the belief that they would purify politics. Have they?
2. Investigate the system of proportional representation. Should this principle be used in the election of our legislative bodies?
3. Did you know that a million adult citizens of the United States, living in the Nation's capital, cannot vote? Should the citizens of the District of Columbia be deprived of their vote?
4. Many citizens do not exercise their right to vote. Do you have any suggestions as to how this serious problem may be solved?
5. Debate questions: Resolved,
   (a) That the President be elected by direct vote of the people.
   (b) That questions of war and peace should be decided by the direct vote of the people.

III. Watch This Spot!

1. "Your vote is your badge of freedom, your weapon against oppression, your patent of nobility."
2. "Ballots, not bullets."

MUSIC PRODUCTION NOTES

Compositions used (orchestrations, unless specified).

1. Let Freedom Ring, theme by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).
2. Misterioso Marziale, C. E. 26, by Cafarella (Harms, Inc., New York City).
3. Constant Love, C. E. 4, by Shilkret (Harms, Inc.).
4. Liberty Song, from The Music That G. Washington Knew, by Fischer (Oliver Ditson, Boston, Mass.).
5. Polite Society, C. E. 2, by Shilkret (Harms, Inc.).
6. No, No, Nanette, selection by Youmans (Harms, Inc.).
7. The Hunters of Kentucky, published in The American Song Bag by Carl Sandburg (Harcourt, Brace & Company, New York City).
8. Epilogo Dramatico, C. E. 10, by Cafarella (Harms, Inc.).
9. The Battle Hymn of the Republic, contained in National Melodies (Carl Fischer, New York City).
10. Anxiety, P. P. 45, by Wilson (M. Witmark & Sons).
11. Rural Intermezzo, C. E. 19, by Shirmay (Harms, Inc.).

How to use them (C–1, means composition 1, etc.).

Page 199	Use theme 1, as directed in general music notes at end of script.
Page 202	Play C–2 beginning until fade. Play behind speech of voice and second voice.
Page 202	Play C–3 starting eight measures from the end. Play four measures and out.
Page 205	Play C–3 up and under the following speech and speech of third voice on page 205, fading into the sound of clinking glasses.
Page 207	Play C–5 beginning 12 measures; before tempo primo play four measures.
Page 208	Play C–6 the first measure and two quarters of the second measure.
Page 208	Sing C–7 up fairly loud behind the following speeches of the voice, the men, and at the sound of window closing continue very faintly until music swells up at next music cue.
Page 209	See page 208.
Page 210	Play C–7 the last eight bars of chorus.
Page 212	Play C–8 the first two chords only, very slowly, and rather sadly.
Page 212	Play C–2 from the beginning for 5 or 10 seconds and fade behind the entire speech of voice.
Page 213	Play C–9 beginning at the fifth measure after B; up to letter C. Make the rallentendo very slow and segue direct to the following.

Page 214	Play and sing C–9 as directed in script (watch matching of keys).
Page 216	Play C–10 starting two measures before letter A and continue until fade at end of the following three speeches.
Page 216	This cue denotes the end of the former music cue.
Pages 218, 219	Play C–10 the last four bars and then go back to the last eight bars, finishing in the fifth measure from the end with the A flat chord. Up and Out on next music cue.
Page 221	Play C–11 measures 17, 18, 19, and 20.
Page 222	Play theme as directed.

Portrait and autograph of Susan B. Anthony, who from young womanhood to old age unceasingly fought for women's rights in the United States.

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission.

30-MINUTE SCRIPT

Script 9

WOMEN'S AND CHILDREN'S RIGHTS

[*Footnotes on page 254*]

CAST

ANNOUNCER
VOICES
CURLY DIMPLE
JUDGE
APPIUS CLAUDIUS
MARCUS
VIRGINIA
VOLERO
VIRGINIUS
ROBERT OWEN
ELIZABETH BARRETT
HENRIETTA
BLINKY
OLIVER TWIST
BUMBLE
MR. LIMBKINS
GAMBFIELD
MRS. WILLARD
CLERGYMEN
BILL NYE
MOTHER
REPORTER
Society Men and Women, Cockneys in Pub, and Jurywomen.

Music [*Patriotic fanfare . . . Roll of drums . . . Built up to—*]
[*Three strokes of great bell.*]

ANNOUNCER [*Dramatically.*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to radio idea of program with sound of sonorous bell worked into orchestration.*]
[*At triumphant finish of song—Orchestra segues into soft background music for announcer, bell motif still softly heard.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy wrested these rights from kings and gave them to you! These rights are now a part of the law of the land! Celebrating this 150th Anniversary of our Constitution the . . . (*local group*) and the . . . (*local radio station*) present the ageless story of man's unending struggle for freedom. Tonight we consider the Rights of Women and Children, under our Constitution.

1ST VOICE Today we are in the midst of the struggle for another Amendment to the Bill of Rights—the Child Labor Amendment!

2D VOICE Twenty-eight States have already ratified this Amendment! When eight more States give their consent, children under 18 will be entitled to the protection of Congress from economic oppression.

3D VOICE Already in Anglo-Saxon countries the child is recognized as a legal person with rights apart from those of its family. Let's watch a movie star of 5 years transact business!

Sound [*Murmur of crowd.*]

COURT ATTENDANT Now, listen—if you people are going to be allowed to remain in this courtroom, you've got to be quiet.

Sound [*Murmur dies.*]

PHOTOGRAPHER Get your flashlights ready, Joe! Curly will be here any minute!

2D PHOTOGRAPHER Excuse me, Ma'am—I got to get my camera through here.

1ST WOMAN [*Aside.*] Did you see her last picture—Papa's Darling?

2D WOMAN [*Aside.*] Yes, wasn't she the cutest thing—

1ST WOMAN They say her new contract is two thousand a week!

2D WOMAN All the same she ought to be in school.

1ST WOMAN But she is! The law makes them have a schoolhouse and a teacher in every studio! And she can only work a few hours a day . . .

Sound [*Far off mike muffled cheering.*]

MAN Here she comes now!

WOMAN Quit shoving! I got here first.

CLERK [*Rapping.*] Hear ye! Hear ye! All persons having business with the Superior Court of the State of California draw near that you may be heard. In the matter of the application of Mr. John Jones, parent and guardian, to approve a contract for the professional services of Miss Curly Dimple, infant . . .

Sound [*Murmur of crowd growing.*] . . . [*Ad lib.*] Here she is! Isn't she sweet? etc.

CHILD [*Shrilly.*] Hello, everybody! Is that man up there the nice judge, Mama?

JUDGE Bring the child to the bench, please. That's right. Now, I believe her father has been appointed her legal guardian, Are you her father?

JONES Yes, Your Honor.

JUDGE I have examined this contract which you asked the court to approve. The laws of the State have placed on me the responsibility of protecting the rights of this minor against the exploitation of parents and employers. I find that this contract does so protect her. Therefore, I place the seal of the approval of this court upon it.

CHILD Shall I sign it, too?

JUDGE You may, if you wish.

CHILD Do I sit on your knee?

PHOTOGRAPHER Hold that pose, will you, Judge?

JUDGE [*Laughing.*] The court will take a recess of 5 minutes for the benefit of the photographers and friends of Miss Curly Dimple.

PHOTOGRAPHER [*Calling.*] Look this way, Curly! You hold the contract, Judge!

2D PHOTOGRAPHER Flashlights, Joe!

Sound [*Hissing sound.*] [*Fade on applause.*]

1ST VOICE[2] Once parents had the power of life and death over their children! Now children, who through exceptional circumstances, have an earning power that might be a temptation to exploitation, are protected by new laws. Within a month after the birth of the Dionne Quintuplets the courts had appointed temporary guardians, and within two months the Ontario legislators had enacted special laws for their benefit.

2D VOICE A child who can earn millions is the ward of authority yet in this same civilized age in many parts of the English-speaking world, there is no law that will protect the child whose labors earn 41 cents a day!

3D VOICE — Are there other legal injustices in the position of women and children in our enlightened country?

4TH VOICE — Yes, because every inhabitant of the United States lives under two flags—the Stars and Stripes and the banner of his own State. And some State laws are hold-overs from the days when women and children were men's chattels.

5TH VOICE — Recently it has been brought to the attention of the country that a girl of 9 was married in Tennessee! The Tennessee Legislature hurriedly rushed through an act to correct this situation, but recent surveys show that other out-of-date laws are still in force in nearly every State, such as . . .

1ST VOICE — In Delaware fathers may still will away children from their mothers.

2D VOICE — In Louisiana married women are classed with children and the insane as unable to contract on their own responsibility.

3D VOICE — In Vermont the earnings of a married woman belong to her husband.

4TH VOICE — In Massachusetts women are still ineligible for jury duty!

5TH VOICE — In Florida the father controls the earnings of his children.

1ST VOICE — And in many other States some remnants of chattel-slavery days still remain on the statute books.

Music — [*Up and under.*]

1ST VOICE Such legal curiosities as these are survivals from the old common law of England, which the colonists brought over with their other English habits of thinking. Except where it has been changed by new legislation, it condemns modern women and children to the position of inferiors and chattels, which they have occupied since the dawn of history.

2D VOICE The English common law is so ancient that its authority lies in its antiquity. In the words of the court, "The memory of man runneth not to the contrary." Its rules are based on age-long custom and precedent.

3D VOICE This customary law came from many sources. Merchants and priests and princes brought it from all parts of the world. From Old Testament lands where the ideal woman is one who subjects herself absolutely to her husband's will. Listen to the ancient Jewish law from Deuteronomy:

4TH VOICE "When a man hath taken a wife and married her and it comes to pass that she finds no favor in his eyes, he shall write her a bill of divorcement, give it in her hand and send her out of his house!"

5TH VOICE The English common law contains echoes of ancient Rome, where the men of a family had the powers of life and death over the women and children and slaves. Where Macaenas, a Roman knight, was praised for his excellent example in beating his wife to death for drinking wine. Where a Roman ruler like Appius Claudius could demand the girl, Virginia, as his slave, when he saw her one day in the Forum. . . .

Sound [*Clatter of hoofs.*] . . . [*Voices.*]

CLAUDIUS Stop the chariot, Marcus. Who is that girl?

MARCUS [*Fawningly.*] The noble Appius Claudius honors with his notice the daughter of the plebian Lucius Virginius.

CLAUDIUS I need another servant. Bring her to my palace, Marcus.

MARCUS But, Great Claudius, these plebs are always prattling of their rights.

CLAUDIUS Rights? What rights have women—and the poor?

MARCUS Appius Claudius speaks the truth.

CLAUDIUS A woman is but property, her father's—her husband's—her master's property.

MARCUS All the same, my lord, perhaps it would be better if I claimed her as my slave . . . stolen from my house when she was a child.

CLAUDIUS As you wish. But hurry! My horses grow restless!

MARCUS [*Calling and fading.*] Make way! The Great Claudius is my patron! Make way!

VIRGINIA [*Fading in.*] Look, he is coming toward us, and who is that other man in the chariot, Volero?

VOLERO Appius Claudius. I am a butcher of bullocks, Virginia—he butchers men's souls.

VIRGINIA He's looking at me, Volero—oh, I'm afraid—

VOLERO The gods protect us! Run home, child, quickly [*Groaning*]. Ah, too late! Too late!

MARCUS [*Fading in rapidly.*] Stop! Stop!

VIRGINIA [*Screams.*]

MARCUS Stand back, everyone! This girl is my slave, stolen when she was a child from my house!

VOLERO Let go her wrist, varlet! She is Virginia, the daughter of Lucius Virginius, and here comes her father now!

VIRGINIA Father! Oh, Father!

VIRGINIUS [*Fading in.*] Who are you who dare lay hands on my little girl?

MARCUS [*Sneering.*] Appius Claudius is my friend. That's right enough.

ALL [*Ad lib.*] Yes, that's so. Poor Virginius! etc.

VIRGINIA Oh, Father! Father . . . [*Sobbing*].

VIRGINIUS [*Aside.*] Volero, old comrade, give me your butcher's knife.

VOLERO What are you going to do, Virginius?

VIRGINIUS [*Loudly.*] I am going to save my little girl from a life as a slave!

MARCUS I suppose as her father you *have* a right to be paid. Here take these coins——

Sound [*Tinkle of coins as they fall on pavement.*]

VIRGINIUS As her father I have another right, Marcus. By the laws of Rome, since I gave her life—I may give her death.

MARCUS What! I appeal to all of you—will you let this man do this?

ALL [*Ad lib.*] Yes! It's his right! It's the law. . . .

VIRGINIUS In his own house a father is the emperor. The gods and the State give wife and children to his rule. Virginia . . . my darling . . . there is no way but this.

CROWD [*Groans and cries.*]

MARCUS He's killed the girl!

VOLERO Yes, Marcus—go tell your master we still have laws to protect our women in Rome.

Music [*Up and out.*]

1ST VOICE The natural law of the stronger over the weaker gave men rights over women and children in primitive times, which still linger in the written law of a civilized world today!

2D VOICE The condition of women and children has always been associated with the development of property rights. They were the first form of property to be bought and sold, exchanged, mortgaged, loaned, or willed at the pleasure of their owners.

3D VOICE Under the old English common law, all of a wife's property became subject to her husband's control, to use or will as he pleased.

4TH VOICE A wife could not contract on her own behalf. Equal guardianship of her children was denied her.

5TH VOICE Changes in the common law have come slowly, painfully. The legal rights of women and children remained almost on the level of savage and primitive times for centuries in England.

1ST VOICE The Age of Chivalry glorified womanhood but did not emancipate it. A knight would fight and die for a lady's ribbon, but he would not give her the legal right to choose her own husband.

2D VOICE In feudal times women went with the land! The daughters of nobles and serfs alike were betrothed by their guardians for money considerations.

3D VOICE Instead of rights based on equality, woman was granted privileges, chivalries, concessions to her as a weak and helpless sex which made the great Blackstone exclaim rapturously that the female was the darling of the laws of England.

4TH VOICE In the same way philanthropy took the place of legal rights for children. The Society for the Prevention of Cruelty to Children and a hundred other organizations appealed for better conditions for the child to the sympathies of the public rather than to its sense of justice.

5TH VOICE And now two things were to quicken the slow evolution of women and children's rights.

Music [*Up and under.*]

1ST VOICE Nineteenth Century! Forward toward the formation of new relations between men and and women, between parents and children, between the State and its weaker citizens.

Music [*Up and out.*]

2D VOICE An English-speaking court is brave enough to challenge the tradition that an Englishman's home is his castle and that he is master of all who live therein.

3D VOICE The poet, Shelley, whose defiance of convention and rebellion against religion has shocked conservative England, now asks that same England for the custody of his children.

4TH VOICE For once rich and poor, the aristocracy and the lower classes, are vitally interested in the same question—do children have rights as persons in the eyes of the law? At the dinner table of a peer of England the Shelley Case is the sole topic . . . .

Sound [*Clink of dishes.*]

1ST WOMAN I've been sitting in the court of Chancery all day, listening to the affidavits about Shelley's private life! It was as good as a play!

1ST MAN All the same it's preposterous to bring a man's personal affairs into the case. A father has a right to his children, I should hope. If not, what's England coming to?

2D WOMAN [*Laughing.*] How amusing—if the law decides that children have a right to be brought up in respectable homes by worthy fathers!

2D MAN Pooh! Pooh! It isn't a question of Shelley at all . . . never could abide poets anyhow . . . silly fellows mucking 'round in stars and roses. It's a question of a man's rights as an Englishman . . . [*Bangs fist . . . China rattles.*]

1ST WOMAN [*Protesting.*] My dear, keep your rights, but spare my dishes!

Music [*As transition.*]

1ST VOICE While in a pub in Soho the Shelley Case is also the subject of violent debate.

Sound [*Murmur of voices.*]

1ST MAN What's goin' to become of the sanctity of the 'ome I arsks yer, if a man can't beat 'is h'own wife and have the say abaht 'is h'own brats.

2D MAN Still I 'ear that this Shelley is a h'infidel.

3D MAN 'is poor deserted wife drownded herself in the Serpentine. That's the kind of a 'usband and father 'e is.

1ST MAN [*Argumentatively.*] He may be a bloomin' rascal but he's got a right to be master in 'is h'own 'ouse! If that ain't so everything'll go to pieces. First I know my woman'll be having rights of her own!

BARMAID Oh you men myke me tired! You an' yer rights! Why 'asn't a 'ard-working, respectable barmaid as many rights as her 'usband? And yet my 'arry can collect my wages!

1ST MAN [*Banging fist . . . Clink glasses.*] See. Wot did I sye? This 'ere Shelley case is putting new ideas into females' 'eads already.

BARMAID Aw, keep your bloomin' rights, but take care of those glasses!

ALL [*Laughter.*]

1ST VOICE In refusing his children to Shelley, the courts of England recognized at long last that children are separate people, apart from their parents. From this precedent the modern attitude toward a child as a future adult has developed.

2D VOICE Yet so strong is the tradition of the sacredness of parents' rights that when Victoria comes to the throne, there is not an act on the statute books framed in the interest of the child!

3D VOICE The invention of machines and the Industrial Revolution!

4TH VOICE When cheap labor is needed for the new factories and mills, statesmen, administrators, employers, parents turn to the child! The Poor Laws allow Boards of Guardians to change charity into profit by selling and apprenticing 5, 6, and 7-year-old orphans to factory owners!

5TH VOICE Authority does not dare interfere but tries to salve its conscience by dilatory reports and inquiries.

1ST VOICE Listen to Robert Owen, the reformer, testifying before the House of Commons in 1815!

OWEN You have heard the report of Sir Robert Peel's committee of investigation, Mr. Speaker. The evidence shows that children of 8 to 12 are forced to work 14 and even 17 hours a day in some of these factories. That is too long, gentlemen! Now, I am a cotton mill owner myself. But I am also a humane man. I employ no child under 10 and I only work them 10 hours a day, and that includes an hour and a quarter out for meals. I have been laughed at as a socialist, a sentimentalist, a radical, but I can prove by my books that this reduction in hours of work has actually been profitable to me in increased output!

2D VOICE In 1844, Elizabeth Barrett, an invalid poetess, lies on her couch in a shadowy chamber of Wimpole Street, London. She is reading the reports of the labor of women and children which the Home Office has tried in vain to suppress. . . .

ELIZABETH [3] Women and children, mostly girls, are harnessed to the carts in the mines, and drag the coal, crawling on their hands and knees . . .

[*Breaks off with a cry.*] Oh! And here in England, Henrietta, our dear England, women and children are cheaper than mules!

SISTER — Oh, but Lizzie, Lord Shaftesbury's new act says that no child under 13 shall work more than 7 hours.

ELIZABETH — Pooh! The factory owners only set back the clocks! Oh, this is sickening! In one report I read where a London parish had arranged to supply child labor to a factory in Lancashire on condition that they would take 1 idiot child in every 20 children. It breaks my heart.

SISTER — Dearest Lizzie, you shouldn't read such horrors! It's bad for you.

ELIZABETH — Bad for me! Think of the children—little children among the wheels that turn—till their hearts and heads turn, and the sky turns through the factory windows. . . .

SISTER — [*Soothingly.*] Well, that nice old Lord Shaftesbury is doing all he can. He'll put through an act or a bill or a resolution or something . . . you look positively blue, dearest, let me lay this cover over you.

ELIZABETH — Why this very cover was probably woven by babies!

SISTER — But after all, Lizzie, there's nothing *we* can do!

ELIZABETH — [*Excitedly.*] Perhaps there is something! Bring me my portfolio, Henrietta. Bring me ink and pen and paper.

SISTER — What are you going to do, Lizzie?

ELIZABETH — I'm going to write a poem!

SISTER Oh, but poems should be like your Lady Geraldine's Courtship about milk white steeds and—and lovers—not about horrors—

ELIZABETH [*Tenderly.*] Dear little Henrietta! What do I know of lovers, lying here? But I do know about suffering . . . if I can put the suffering of these unhappy children into words perhaps it may do some good . . . let me see—[*Slowly as though writing.*] "Do ye hear the children weeping, oh, my brothers, Ere the sorrows come with years. . . .

Music [*Up and behind.*]

MAN [4] [*Reciting:*]

How long, they say, how long Oh cruel nation
Will you stand to move the world on a child's heart
Stifle down with a mailed heel its palpitation
And tread onward to your throne amid the mart?

Our blood splashes upward Oh gold-heaper
And our purple shows your path
But a child's sob in the silence curses deeper
Than a strong man in his wrath . . .

Music [*Up and out*]

1ST VOICE The poem *The Cry of the Children* appears in Blackwood's magazine and does more than all Lord Shaftesbury's investigations to arouse public sentiment against the exploitation of children.

2D VOICE The Act of 1867 ends agricultural slavery for children. The Act of 1871 frees the 30,000 children, some of them as young as 3½ years, who work in the brick fields. The Act of 1887 provides that no women or children shall be employed in any mine below ground.

3D VOICE — Charles Dicken's social novels expose the evils of workhouses, factories, and the apprentice system. In *Oliver Twist* he wrings the heart of his day with the picture of the small waif sold by the legal guardians of the helpless to be brought up to the dangerous trade of chimney sweep. The workhouse orphans are being fed their daily basin of thin gruel.

Sound — [*Scraping of spoons against tin bowls.*]

1ST BOY [5] — [*Aside.*] Lor blimme, if I don't get another bowl of this gruel every day I'll—I'll—

2D BOY — [*Aside.*] Wot'll you do, Blinky?

1ST BOY — [*Desperately.*] Some night I might 'appen to eat the boy who sleeps next to me.

2D BOY — Gorry, that's me!

3D BOY — One of us has got to ask the master for a second helpin'.

2D BOY — Let Oliver ask him. G'wan, Oliver!

OLIVER — Please, I don't want to.

ALL BOYS — [*Whispering.*] You gotter. Blinky's starving. He will eat us!

OLIVER — Oh, all right, if I gotter. [*Pause.*] Please, Mr. Bumble, sir.

MASTER — [*Fiercely.*] What do you want?

OLIVER — Please, sir, I want some more gruel.

MASTER — [*Violently.*] What!

OLIVER — Please, sir, I want some more.

MASTER — [*Calling.*] Mr. Limbkins! Mr. Limbkins! Come here, sir—do!

LIMBKINS What's the trouble here, Bumble?

MASTER I beg your pardon, Mr. Limbkins, but something has happened. Oliver Twist has asked for more!

LIMBKINS For more? Compose yourself, Bumble, and answer me distinctly. Do I understand that he asked for more after he had eaten the supper allotted him by the law?

MASTER He did, sir.

LIMBKINS That boy will be hung. I never was more convinced of anything in my life than I am that that boy will come to be hung.

Music [*Up and under.*]

ANNOUNCER Alarmed by Oliver Twist's ingratitude and extravagant demands, the Board decides to apprentice him as quickly as possible and listens favorably to the application of a hard-featured gentleman named Gamfield. . . .

GAMFIELD If the parish has a orphink it would like to learn a light pleasant trade, I'm in the chimbley sweepin' business, and I needs an apprentice.

LIMBKINS Well, I don't know—it's a nasty trade.

BOARD MEMBER Young boys have been smothered in chimneys before now, my man.

GAMFIELD That's acause they damped the straw afore they lit it in the chimbley to make them come down. Boys is werry obstinit and werry lazy, gentlemen, and there's nothing like a nice hot blaze to make 'em come down with a run. It's humane, too, gentlemen, acause if they've got stuck in the chimbley, roasting their feet makes 'em struggle to h'extricate themselves.

BOARD MEMBER True. True. Well, we've got just the boy for you, Mr. Gamfield. His board needn't come very expensive for he hasn't been overfed since he was born. Ha! Ha!

Sound [*General laughter.*]

LIMBKINS [*Calling.*] Bumble! Bumble, fetch Oliver Twist in here at once!

Sound [*Door opens.*]

BUMBLE [*Coming up.*] Bow to the board, Oliver.

LIMBKINS Oliver, these kind and blessed gentlemen, which is so many parents to you, when you have none of your own, are going to apprentice you as a chimbley sweeper and set you up in life.

BUMBLE What do you say to that—eh?

OLIVER [*Sniffling.*] I—I don't think I'd like it, sir.

BUMBLE Is that gratitude to them as takes all this trouble for a naughty orphan, which nobody can't love?

OLIVER [*With shriek.*] Ow! Don't pinch me, Mr. Bumble, sir! I will be grateful! I will!

LIMBKINS Well, well, wipe your eyes with the cuff of your jacket, boy, and we'll go to the magistrate with this honest master-sweep here, [*fade*] and we'll settle the business at once.

Music [*Up and under.*]

1ST VOICE Unseen baggage in the ships that first bring the colonists to America from England are the institutions and traditions of their ancestors. All the injustices and oppressions toward women and children that exist in the days of Dickens in England exist at the same time in the United States. Orphans

are bound out as apprentices without the protection of adequate laws; factories and mines exploit child labor.

2D VOICE Women in the new world enjoy an equality of danger, and an equality of hardship and work with the men, but not legal, social, or economic equality.

3D VOICE America has been a republic for nearly 50 years before the education of women is given the support of government. In 1819 Mrs. Emma Willard, a self-educated woman from Connecticut, persuades Governor Clinton of New York to appropriate money to found a girl's school. When her school announces a public examination on the subject of geometry, a scandalized group of clergymen visit her to protest.

Sound [*Knocking.*]

MRS. WILLARD [*Opening door.*] Oh! My school is honored. Won't you come in, gentlemen?

1ST CLERGYMAN Madam, for 10 years we have watched with horror your experiment in such subjects as botany, chemistry, minerology, astronomy, which nature itself has made unsuitable for the female mind.

CHORUS OF CLERGYMEN The female mind.

MRS. WILLARD And yet, gentlemen, the terrible prophecies that were made when I opened a girls' school have not come to pass.

1ST CLERGYMAN Rome did not fall in a day, Madam. But when women so far forget their womanly modesty as to study geometry, America is in danger.

CLERGYMEN [*Chorus singing.*] In the gravest danger.

MRS. WILLARD What harm can geometry do a woman?

CLERGYMEN In the first place, Madam, no woman can understand geometry, and if she could acquire a knowledge of such an unfeminine subject, it could mean nothing but the destruction of the family. And when the family is destroyed the state is destroyed.

CLERGYMEN [*In chorus.*] The state is destroyed.

MRS. WILLARD Some day, gentlemen, such talk is going to sound very old fashioned.

ALL [*Ad lib.*] What! Impossible! etc.

MRS. WILLARD Now, I'll do a little prophesying! Within a few years there will not only be seminaries but even colleges open to women. And then the professions will admit them—there will be women lawyers, women doctors, and women ministers. . . .

CLERGYMEN [*In chorus.*] Women ministers! Ridiculous. Ha! Ha! Ha! [*Laughter fading but heard behind next speech.*]

Music [*Not too loud so as not to top laughter, fade out.*]

VOICE Through storms of ridicule, through bitter attack by workmen who fear new competition, by reactionaries who fear change, by politicians who fear women's new voice in politics the leaders of the Women's Rights movement go their way. And their first victory comes when the new Territory of Wyoming admits women to the franchise on an equality with men.

2D VOICE Everyone laughs at Wyoming except a humorist, Bill Nye, who addresses an imaginary Congress in this wise:

NYE [*Spoken with twang.*] "It's funny to me, that woman who suffers most in order that men may come into the world—the one, Mr. Speaker, that is first to find and the last to forsake man, the first to hush the cry of a Baby Savior and the last to leave the cross, should be interested with the souls and bodies of generations—and yet not know enough to vote."

Music [*Up and out.*]

3D VOICE 1870. A Wyoming judge admits women for the first time to jury duty. The six pioneer jurywomen file into the jury box and face the male defendant on a murder charge.

4TH VOICE That night while the handsome prisoner jokes with his lawyer over the effect his beautiful eyes have had on these susceptible ladies, the six jurywomen gather in a room of the Union Pacific Hotel to discuss their verdict.

1ST WOMAN Excuse me, ladies, if I do up my hair in kids while we talk.
[*Laughing.*] Everybody has said so much about women being unfeminine if they get their rights, I want to look especially nice tomorrow.

2D WOMAN What a pity such a handsome young man should have gotten into evil ways. But I don't think there's a mite of doubt he did the killing, do you?

3D WOMAN No; I'm afraid not. I knitted a whole sock in the jury box today, but I didn't miss a word. And I don't see how we can help hanging him.

4TH WOMAN Couldn't we make it manslaughter?

5TH WOMAN What do you think, Sister Hartsough? You're a minister's wife.

HARTSOUGH I think, as we all do, that he is guilty and must be punished. And now let us pray—Oh, Heavenly Father—[*Fade.*]

Music [*Up and out.*]

1ST VOICE 1920. The State of Tennessee becomes the 36th State to ratify the Nineteenth Amendment, giving women equal voting rights with men, and so enfranchises thirty million women!

2D VOICE But though women have voting equality with men, the Nineteenth Amendment does not give women the same rights under the Constitution and laws of the United States as men. The statute books of the different States are still filled with discriminations and legal and civil disabilities against women.

3D VOICE One State, Wisconsin, has led the way toward complete liberty for women under a new State law which declares:

4TH VOICE "Women shall have the same rights and privileges as men in the exercise of suffrage, freedom of contract, jury service, holding office, choice of residence for voting purposes, holding and conveying property, care and custody of children, and in all other respects."

5TH VOICE A few legislatures contend that equal rights are not enough, that women and children are entitled to superior rights.

Music [*Up and out.*]

1ST VOICE Today the rights of childhood are again fighting their way through the ancient enemies of *rights* for the weak—tradition, prejudice, economic interest, indifference.

2D VOICE — Today this happened in a mill town somewhere in these United States. A newspaper reporter has been sent to get a story for the Sunday supplement.

MOTHER [6] — [*Fretfully.*] Set down if you kin find a chair. You'll have to 'scuse the looks of things. I got my misery today.

VISITOR [6] — Have you had it long?

MOTHER — Let's see, 'bout 22 years, I reckon. Sometimes bad and sometimes wuss.

VISITOR — That little fellow playing in the yard—is he your only child, Mrs. Briggs?

MOTHER — Land, no! We've had eight, but there's only five left.

VISITOR — This house seems rather small for a family of that size.

MOTHER — Oh, we make out. We've been kinder plannin' on moving if we could get ahead a little. Only we don't never seem to get ahead. Mebbe next summer when Bill is 12 and can work in the mills with my three oldest we can afford three rooms 'stead of two.

VISITOR — Twelve—But I thought there was a State law against a child working till he was 14?

MOTHER — Well, the mill owners don't ask too many questions.

Sound — [*Factory whistle blows—Short blast.*]

MOTHER — Something's happened at the mill. That's the whistle to stop things. My kids'll lose work.

VISITOR — How long do the children work?

MOTHER — Oh, from daylight to dark.

VISITOR Makes them pretty hungry, I expect?

MOTHER Well, 'pears like they're too tired to relish their vittles. But they drink a powerful sight of cawfee. . . .

VISITOR But when do they play? Children have a right to play—

MOTHER Well, I don't know much about rights—I reckon eating comes before playing. . . .

VISITOR You don't mean these children support the family?

Sound [*Off mike.*] [*Fading in . . . Wailing and voices.*]

MOTHER Oh, something's happened! Maybe somebody's got hurted!

Sound [*Door slams open.*]

Sound [*Off voices nearer.*]

MOTHER [*Screaming.*] What's happened, Mrs. Dawson—who is it?

WOMAN [*Calling.*] It's your Bessie, Mrs. Briggs!

MOTHER [*Screaming.*] Oh, my baby! My baby!

Sound [*Sobbing in background.*]

WOMAN [*Coming up.*] It's them fly wheels at the mill. They'd ought to do something about them. Some kid's always getting caught.

VISITOR Oh, this is terrible. . . .

WOMAN Well, it's the way things are, Mister. I got to run home. Here, give Mrs. Briggs this, will you. . . .

VISITOR Forty-one cents—why what—

WOMAN — It's Bessie's pay. I was afraid it'd be lost, so I took it outer her hand. [*Fading.*] She was holding onto it powerful tight. . . .

Music — [*Up and out.*]

1ST VOICE — That happened today in one of our United States where there is no legal limit to the number of hours a child may be employed.

2D VOICE — In another one of these United States a child movie star signed a contract involving a million dollars! There are laws to protect the rights of the child who will earn the million, but no laws to protect the child who earns 41 cents.

3D VOICE — Have women and children won their rights yet?

4TH VOICE — What about equal wages for equal work? What about the wife who is discharged from employment because her husband has work?

5TH VOICE — What can the law do about child labor in the home? Should the state intervene to provide higher standards of living for its helpless child citizens? These and other questions remain to be answered by the future!

ANNOUNCER — Struggle for Freedom never ends! Ground that is lost must be regained! Each generation must re-win its rights. Let us strive on, to the end that our children's children may always know the glorious fulfillment of that noblest cry known to man—"Let Freedom Ring!"

Music — [*Closing theme . . . Fade under and out.*]

[1] The women should be very gushy. Clerk should be very matter of fact and quick spoken. The child of course should be a Shirley Temple type.

[2] These 11 speeches must build up to a climax, otherwise they will seem exceedingly dull.

[3] Elizabeth Barrett is an invalid. This must be expressed in her voice. Her sister should be a flighty young girl who somehow wants to help.

[4] The man who recites the poem should not be "schmaltzy." (*See* Manual.)

[5] If the children can play this scene with cockney accents, they should do so, but remember, no accent at all is better than a bad accent.

[6] The newspaper woman should be very brusque and businesslike and in contrast the mother should be drab, tired, and ignorant.

NOTE.—Additional helps may be found in the general production notes on page 375.

Women and Children Last!

This expression is not far from the truth in respect to the rights of women and children. In not-so-far away times, children were often "exposed" on birth, sold into slavery, and bargained into marriage. Mothers had no rights in their children or in themselves. They, too, could be bought and sold or even put to death by their husbands. The old Greeks had a name for this—the *patriarchate.* Investigate the derivation and meaning of this construction. The Romans also had a term which meant the same thing: *Sub potestatem patris.* Wives were denied the property rights and enjoyed no control of their *dowries.* The dutiful wife in England and America even into the 19th century was to say humbly to her lord and master, "What is mine is thine!"

Certain aspects of this age-old tyranny are still with us. In every land traces of these old abuses still exist. Even in the United States, where everyone of us is born under two flags, the Nation and the State, there are State laws which definitely limit the rights of women and children. In Louisiana, married women are classed with children and the insane, as far as the right to make a *contract* is concerned. In Vermont, the earnings of a married woman belong to her husband. In Florida, the father controls the earnings of his children. In Massachusetts, women cannot serve on juries. And in many other States the laws of *chattel slavery* days remain on the statute books.

Only in recent years have we allowed women the right to vote on an equality with man; and at this very moment there is a proposed amendment being discussed in various States which aims to give Congress the right to regulate and control the labor of children under 18 years of age. Look up the facts in regard to the *Child Labor Amendment.* Do you think it will pass? Do you think it should pass?

The golf links lie so near the mill
That nearly every day
The laboring children can look out
And see the men at play

Look up all the underscored words in this introduction and then you will be in a better position to answer wisely and sanely the questions listed below under the heading, "Discussion and debate."

I. Activities

A. "Who's who in Women's and Children's Rights?

A. (a) Robert Owen
(b) Robert Peel
(c) Elizabeth Barrett
(d) Charles Dickens
(e) Mary Wollstonecraft
(f) Emma Willard

B. A Woman's "Who's Who" for Today (1937):
   (a) Who is our Minister to Norway?
   (b) Who is our Minister to Denmark?
   (c) Who is the Secretary of Labor?
   (d) Who is the Assistant Secretary of the Treasury?
   (e) Who is the Director of the Mint?
   (f) Who is the Senator from Arkansas?
   (g) Who is a Judge of the United States Circuit Court?
   (h) Who is the Dean of Barnard College?
   (i) Who is the President-emeritus of Mount Holyoke College?
   (Can you add others who should belong to this distinguished list?)

C. Read to the class, *The Cry of the Children* by E. B. Browning.
   Compare the influence of this poem on England with the influence of *Uncle Tom's Cabin* on America.

D. A series of special reports:
   What was the position of woman in—
   (a) Greece, in the Age of Pericles?
   (b) Rome, in the period of the Republic?
   (c) Rome, in the period of the Empire?
   (d) Europe, during the 14th and 15th centuries?
   (e) England, in the 17th and 18th centuries?
   (f) New England, prior to the War between the States?
   (g) The South, prior to the War between the States?
   (*See* Goodsell's *History of the Family as a Social and Economic Institution.*)

E. Special reports on the struggle of women to gain equal rights with men in education. The story of:
   (a) Mary Lyon
   (b) Lucretia Mott
   (c) Susan B. Anthony
   (d) Horace Mann and Antioch College
   (e) Alice Freeman Palmer
   (f) Emma Willard
   (g) Jane Addams
   (h) Anne Shaw

   References for these reports:
   1. *Life and Work of Susan B. Anthony* by Harper.
   2. *Historic Americans,* by E. S. Brooks
   3. *Heroines of Service,* by Mary Parkman
   4. *Lives of Girls Who Became Famous* by Mrs. S. E. Bolton.

F. Charles Dickens wrote several novels whose purpose was to right social wrongs. Among these are *David Copperfield* and *Oliver Twist.* If you have read the books or have seen the "movies", point out what wrongs Dickens was bringing to the attention of the public.

II. Discussion and debate

A. Discuss: "We hold these truths to be self-evident, that all men *and women* are created equal."

B. When does the State have the right to interfere with the rearing of children without the parents' consent?
C. In special cases like that of juvenile movie stars and the quintuplets should the state or the parents control the activities of these children?
D. Should we have a uniform, National law on divorce rather than regulations by individual States?
E. Debate: *Resolved,* That the proposed child labor amendment to the Constitution of the United States be adopted.
Resolved, that the proposed amendment to the Constitution giving women equal rights with men in every respect should be adopted.

III. Watch the Spot!

"How long, oh Cruel Nation, will you stand to move the world on a child's heart?" (E. B. Browning.)
As water can rise no higher than its source, so no civilization has ever risen above the status of the home and the family.

MUSIC PRODUCTION NOTES

Compositions used (orchestrations, unless specified).

1. Let Freedom Ring, theme, by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).
2. Dainty, C. E. 18, by Malneck (Harms, Inc., New York City).
3. The Siege, P. P. 8, by Wilson (M. Witmark & Sons).
4. Simple Simon, P. P. 7, by Perry (M. Witmark & Sons).
5. The Exile, P. P. 31, by Trinkhaus (M. Witmark & Sons).
6. Devastation, P. P. 49, by Kriens (M. Witmark & Sons).
7. The Wanderer's Plaint, P. P. 20, by Perry (M. Witmark & Sons).

How to use them (C–1 means composition 1, etc.).

Page 229	Use theme 1 as directed in general music notes at end of script.
Page 233	Play C–2 the last four measures and out.
Page 237	Play C–3 the measures four, five, six, and seven. Retard at the end.
Page 238	Play C–4 the first 8 bars and out.
Page 239	Play C–4 the measures five, six, seven, eight, after letter E.
Page 243	Play C–5 from letter A behind the poem; come up on next music cue for two, three, measures and out.
Page 245	Play C–6 from the beginning and fade behind the announcer's speech and out at end of speech.
Page 246	Play C–6 the first four measures and out.
Page 248	Play C–6 beginning at letter G for four measures.
Page 249	Play C–7 starting at letter I, four measures.
Page 250	Play C–7 starting at letter G, eight measures.
Page 250	Play C–7 starting at letter I for four measures.
Page 253	Play C–7 starting at coda; play four measures.
Page 253	Play theme as directed.

Portrait of Queen Elizabeth.

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission.

30-MINUTE SCRIPT

Script 10

PATENT

[*Footnotes on page 283*]

CAST

ANNOUNCER
VOICES
5 AUTOMOBILE DIRECTORS
MASON
OVERSEER
2 EGYPTIAN SLAVES
PHARAOH
EMPEROR VESPASIAN
ROMAN CITIZEN
FEUDAL LORD
INVENTOR
ROGER BACON
LEONARDO
GALILEO
ELIZABETH
EDWARD DARCY
REVEREND MR. LEE
BESS
MARTHA
BILL
GRANDAD
SAMUEL SLATER
HANNAH
JOHN FITCH
FRANKLIN
Delegates to Constitutional Convention

Music [*Patriotic fanfare . . . Roll of drums . . . Built up to—*]
[*Three strokes of great bell.*]

ANNOUNCER [*Dramatically.*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to radio idea of program with sound of sonorous bell worked into orchestration.*]
[*At triumphant finish of song—Orchestra segues into soft background music for announcer, bell motif still softly heard.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy wrested these rights from kings and gave them to you! These rights are now a part of the law of the land! Celebrating this 150th anniversary of our Constitution the . . . (*local group*) and the . . . (*local radio station*) present the ageless story of man's unending struggle for freedom! Tonight we consider another of our blood-bought rights—The Right to the Patent!

Music [*Up and out.*]

ANNOUNCER The story of the right to the patent is the story of the struggle of individuals to obtain just reward for their contributions to the progress of mankind.

1ST VOICE Invention means change, and change has always been resisted—not only by authority, but by the great masses of men whom it eventually benefits. For many centuries religion, the State, and the people themselves bitterly opposed every feeble effort of individual men to improve their own lot and the lot of mankind.

2D VOICE Even today forces are at work to suppress invention.

3D VOICE Let us imagine we are sitting in a directors' meeting in a great plant which manufactures automobiles.

1ST DIRECTOR [*Fading in.*] Well, gentlemen, it looks as though we haven't anything more to worry about!

2D DIRECTOR Except our income taxes!

Sound [*All laugh.*]

Sound [*Ring.*]

1ST DIRECTOR [*Snapping on dictagraph.*] Yes? [*Dictaphone*[1] *makes scratchy sound conversation.*] Okay! I'll keep the directors here till you come.

Sound [*Snaps off dictagraph.*]
Mason, of the research bureau, has something important to say to us.

2D DIRECTOR By the way, how are the new men in the research department this year?

3D DIRECTOR The cream of the technical school crop, I believe!

4TH DIRECTOR That's good. It's a great chance for young inventors to work in a big laboratory like ours!

5TH DIRECTOR A great chance for them, do you call it?—to work for a hundred a month turning out gadgets that may make the company millions? And not be allowed to patent anything they invent for a year after they leave us?

4TH DIRECTOR But a modern inventor can't work without a fortune tied up in laboratory equipment. If they were on their own, these bright boys just out of college couldn't afford to invent anything except hairpins and buttonhooks!

Sound [*Door.*]

MASON [*Fading in.*] Good morning, gentlemen!

1ST DIRECTOR Ah, good morning, Mason!

MASON Well, gentlemen—wait 'till you hear the good news the research department has for you!

ALL [*Ad lib.*] Well! Good news, eh? etc.——

1ST DIRECTOR We can always use good news, Mason. Let's hear it.

MASON A young research worker, Gilmore, in the electrical laboratory has just developed a light, compact storage battery, that will *store a hundred times* the energy of any battery on the market today!

Sound [*Murmur of amazement.*]

2D DIRECTOR Very interesting, but our present battery is strong enough to start and light our cars.

3D DIRECTOR Yes, I'd hate to go to the expense of replacing it with so much excess power without good reason.

MASON Gentleman, I'm not talking about replacing a *battery* on our cars.

3D DIRECTOR No?

MASON No—this means replacing the *engine!*

ALL [*Ad lib concern.*]

4TH DIRECTOR The engine! You're insane, man! What's the matter with our engine?

MASON Nothing—as automobile engines go, it's a splendid engine. But don't you understand that when this new battery is in use, internal combustion engines will be out of date?

ALL [*Indignantly ad lib.*] Our engine? Out of date! What do you mean, etc.

MASON I repeat it! From the scientific point of view, this invention has already made our engines obsolete!

1ST DIRECTOR Let Mr. Mason explain. I can assure you, gentlemen, he is not one to use exaggeration. This is a momentous matter.

MASON It certainly is! Inventors have been working for years, trying to replace the clumsy, intricate mechanism of the auto engine with a power unit which is simpler and cheaper.

5TH DIRECTOR Are you sure this new battery will work?

MASON We have tested it thoroughly! Young Gilmore's plans are all ready to file in the Patent Office.

1ST DIRECTOR By all means let us patent it at once. That will protect us for 17 years at least.

MASON Yes, our competitors must be held in. . . .

1ST DIRECTOR Just a moment, gentlemen. It is not our competitors we have to fear.

ALL [*Ad lib.*] No? Who then, etc.

1ST DIRECTOR What we must protect ourselves against is—Gilmore's cleverness!

3D DIRECTOR I—I don't understand!

2D DIRECTOR I get it! You're right, Smith—we must patent this battery and then forget it.

MASON Forget it? Don't you realize it will revolutionize transportation? It will give the world cheaper cars, it will do away with gasoline! It will. . . .

3D DIRECTOR Yes, Mason, I'm just realizing—it will also ruin our firm and a hundred other automobile firms! Destroy the petroleum industry, wipe out service stations—repair shops!

4TH DIRECTOR Why, we ourselves—we'd have to junk twenty-five million dollars worth of machinery—there's such a thing as an inventor being *too* smart, Mason!

5TH DIRECTOR I suggest that we patent Mr. Gilmore's battery and then try to keep its inventor from being turned loose on a defenceless economic system!

2D DIRECTOR We might give him a—long vacation.

1ST DIRECTOR Yes, let's send him to Egypt to study how the—well—how the pyramids were made!

Music [*Up and out.*]

1ST VOICE To the old *fear* of change is added the enormous *cost* of change. Progress is often artificially checked today to protect investments. The inventor has at his throat the iron hand of the Frankenstein of machinery which he has created.

2D VOICE We are using today many patents of the past, because to change them would ruin great industries, and cause loss and suffering to workers and investors during the necessary readjustment.

3D VOICE But though progress in invention and in the arts has often caused momentary suffering, it has eventually freed men from their worst drudgery.

1ST VOICE Invention has progressed in proportion to the cheapness or the worth of human life. In Egypt when Cheops built his pyramid, slaves were so plentiful that no one needed to invent the intricate cranes and lifting machinery which rear a modern skyscraper. Power was man-power to the Ptolemies. Less than a bolt or screw in a modern factory, was the life of one slave.

2D VOICE The right to human dignity—the right to be freed from labor fit only for brute beasts, is one of the latest rights that man has claimed!

3D VOICE Invention in Egypt begins when human power fails the rulers!

Sound [2] [*Cracking of whip.*]

OVERSEER [*Shouting.*] Pull, lazy scourings of the desert! Pull! Pull!

Sound [*Whip cracking.*]

VOICES [3] [*Of slaves—Sound of effort.*] aaaa—aaa—aaaaa

OVERSEER This stone must be lifted to its place on the pyramid by nightfall!

SLAVE [*Aside and with effort as he pulls.*] Is there no better use for a man, Sorab, than to tear his muscles loose with lifting stone?

2D SLAVE How strangely you talk—did not our fathers spend their lives passing buckets from the Nile to water the fields.

1ST SLAVE Bullocks could do that better!

Sound [*Cracking of whip.*]

OVERSEER Pull! Slaves—pull—get underneath the stone and push it upward!

VOICES [3] Ahhh! My back is breaking! My arms start from their sockets! Ahhhhh!

OVERSEER Lift! Lift it higher—higher! You will kill your fellows if you let the stone fall now! Lift—you scum of the earth!

Sound [*Deep-toned crash and shouts. Groans.*]

1ST SLAVE Sorab! My more-than-brother! Crushed like a beetle!

OVERSEER What matters it! All that time lost! A thousand curses! And here comes Pharaoh's chariot.

Sound [*Horses hoofs and wheels.*]

VOICES [*Distant—Obsequious–Ad lib.*] Hail, Pharaoh —Hail, mighty Pharaoh!

PHARAOH [*Off mike.*] What has happened? Why are the men idle!

OVERSEER [*Calling.*] Mighty Pharaoh! Those who lifted could not hold the weight, and a stone has fallen on a dozen slaves!

PHARAOH [*Fading in.*] Get others then! My pyramid must be finished before I die, and a man doesn't live 200 years!

OVERSEER If you gave me a million slaves, O Pharaoh, I could not lift great stones into the air with them.

PHARAOH My father built a temple to Osiris against yonder hill with stones larger than these!

OVERSEER Aye, but that was built against a hill. And the slope bore the weight instead of the puny sinews of worthless slaves.

PHARAOH Then build me a hill here on this plain beside my pyramid, and drag your stones up that!

OVERSEER Great is the wisdom of Pharaoh! It shall be done!

Sound [*Horses' hoofs and wheels receding.*]

1ST SLAVE [*Wailing.*] But Sorab is dead! We are of no more worth than the sands of the desert!

2D SLAVE It will not always be so. Some day men will find a way to conquer toil.

Music [*Full and out.*]

1ST VOICE The invention of the ramp for raising heavy weights is one of the first great steps toward freeing men by the power of an idea. Then comes the question of reward for one's ideas. In Greece and Rome this reward is first bestowed by the State. Instead of patents and copyrights, laurel wreaths and public honors are given poets, sculptors, and inventors.

2D VOICE But marketing ideas for money comes slowly in a slave civilization.

3D VOICE A Roman citizen brings to the Emperor Vespasian a machine which. . . .

MAN [*Fading in—Slightly off.*] Oh, great Emperor, this machine which I have here, will grind more corn in an hour than ten slaves can grind in a day in your kitchens.

EMPEROR What do you wish me to do with it? Do you want to wear a purple stripe around your toga as a reward for this invention?

MAN No, I am a poor man. I have worked long on this machine, neglecting my own trade. I beg to be rewarded by money.

EMPEROR [*Clapping hands.*] Fetch me a bag of gold coins!

SERVANT [*Fading in.*] Your gold, great Emperor——

Sound [*Clinking of coin.*]

EMPEROR Here, citizen. The machine is your property. I buy it from you. Now it is my property. And so I smash it!

Sound [*Smashing of machine.*]

CITIZEN [*In horror.*] But great Emperor! It was a useful machine! It would have saved back-breaking toil!

EMPEROR — If it freed 10 slaves from the work of grinding corn, what should I do with those 10 slaves? Slaves without work are a menace to their masters. Machines that take the place of men are a menace to the State!

Music — [*Up and out.*]

1ST VOICE — For a thousand years this fear of economic change is accompanied by a constant depression which history calls the Dark Ages!

2D VOICE — The world is divided into little feudal estates and inventors serve only a single lord, instead of all humanity. And without legal protection their inventions often become dangerous secrets.

INVENTOR — [*Fading in.*] [*Whispering.*] I tell you, my lord, this formula of mine will turn base metal into gold. . . .

LORD — Have you told it to anyone else?

INVENTOR — Not yet, my lord. But think of it! It will make the whole world rich!

LORD — What do you want me to do, Master Alchemist?

INVENTOR — Why to be sure, set up a foundry for me wherein I may work. Provide me with metals and the potions which I need.

LORD — And make my neighbor and rival, Sir Guy of Tremaine, rich also?

INVENTOR — I had not thought of that. Then let it be our secret, yours and mine.

LORD — Those things have a way of getting out. Give me your formula to guard.

INVENTOR Here it is, my lord. Written out to the last syllable.

LORD Very well. And now—one last precaution. . . .

INVENTOR What is that, my lord?

LORD Two men may keep a secret—if—one of them is dead.

INVENTOR [*Trembling.*] But my lord—you—you don't mean—

LORD I would dislike it very much if you should carry your ideas to one of my enemies. And so I shall take care that you carry it to—your grave instead.

Music [*Up and out.*]

VOICE But in spite of every resistance, the minds of men begin to march. 1257! Roger Bacon, monk—scientist—inventor, is under suspicion of Black Magic. Authority summons him to make a statement. . . .

BACON [*Fading in.*] But my masters—we must discover the laws of nature. We must examine the world we live in. Only so can we fulfill our destiny as thinking creatures. Mankind is capable of amazing progress. Some day he will fly in the air on mechanical wings, he will cross the seas in vessels without sails, he will travel on land in carriages without horses. Look you, I have here a bit of glass I call a lens. If you fit several of these together you may see things that are invisible to the naked eye. [*Ad lib murmured reaction of small group.*]

VOICE — This man is in the power of the devil! Men should not know such things! Put him in prison without writing materials, books, or instruments!
[*Ad lib approval reaction—Covered quickly by.*]

Music — [*Up and out.*]

1ST VOICE — For years Roger Bacon languishes in prison rather than give up his right to invent and discover new ways of life for men.

2D VOICE — The fears of the feudal lords who distrust invention are justified by time. For it is a new invention that destroys feudalism!

3D VOICE — Though the ancients have been acquainted with gunpowder, it remains for the Fifteenth Century to develop a cannon for its use. Firearms become the great levelers of rank. They make the serf as powerful as his liege lord. They make ridiculous the stone turrets and castles of feudalism.

4TH VOICE — The lamp which Bacon lighted flickers in the drafty centuries of the Middle Ages but never quite goes out. And 250 years later, there appears the greatest inventive genius that the world has ever known.

5TH VOICE — 1452! Leonardo Da Vinci the leader of that awakening—that rebirth of intellectual freedom—the Renaissance!

1ST VOICE — The list of Leonardo's inventions startles even our modern world which has not yet caught up with some of them.

2D VOICE — [*Reading.*] He invents a spinning wheel, and a breech-loading cannon. He plans the thermometer, improves the compass; he designs a steam boat, diving apparatus, a cloth-cut-

ting machine, dredges, and rolling mills, flying machines, helicopters, rope-making machines, lathes, planes, stone saws for marble quarries, cranes, power hammers.

3D VOICE — These and many other contrivances to improve human life Leonardo invents on his draughting board. He writes out minute specifications for their construction. And then one day he sits dreaming aloud over his sketches. . . .

Music — [*Up and behind very softly.*]

LEONARDO [4] — Here in your hands, Leonardo, you hold that which would overturn an age, plunge a bewildered generation into ruin. Do you dare play God and create a new world? The machines you have dreamed would spread more sorrow than a pestilence. Curses and fear would follow them, and hunger, with lovers starving in each other's arms. I dare not use these plans! They would make a new life for men, easier, happier—if only society could make itself over for them. When it does, iron will be tamed to serve men's needs, taught to fit, piece by piece as cunningly as a man's wrist. I was born out of my time—out of my time. [*Sighing.*] Perhaps the Almighty stays my hand in very pity for His world! I cannot destroy my drawings, but I will write the directions so curiously with my left hand that no man will decipher them. Perhaps some brother of my spirit will read these notes in the strange world of the future! Until then, they shall remain a secret between me and God. . . .

Music — [*Up and out.*]

1ST VOICE The State recognizes Leonardo's right to reward for his genius as a painter, and pays him 700 scudi a year.

2D VOICE While Da Vinci pours out his rich gifts of writing, painting, and sculpture in Florence, relying on the old system of patronage for pay, another great inventor dies in abject poverty.

3D VOICE Gutenberg's movable type has no protection, and his invention is exploited by others.

4TH VOICE Only a few years after Gutenberg's death, in the progressive Republic of Venice–Aldus, the creator of a new type, receives the first patent ever granted by a government for a new invention.

1ST VOICE A hundred years march across the pages of history. Patents are now issued, not as rights, but as favors, and only after special petition.

2D VOICE The great Galileo addresses the Doge of Venice regarding his invention of a machine for raising water and irrigating land.

GALILEO [*Fading in.*] It is not fit that this invention which is my own, discovered by me with great labor and much expense, be made the common property of everybody. I humbly petition your sovereign highness that no one but myself, or my heirs, or those obtaining the right from me or from them be allowed to make, cause to be made, or if made, use, my said new instrument. If you grant this, I shall the more attentively apply myself to new inventions for the universal benefit.

2D VOICE Galileo is given his monopoly and the state turns it into a source of revenue by collecting royalties on each of his pumps.

3D VOICE But as late as the 16th century, granting protection for creative ideas is still a royal prerogative, not yet a legal right!

4TH VOICE In England, red-wigged Elizabeth needs money and still more money, to cover the seas with her ships!

5TH VOICE Right and left the queen grants monopolies—the earliest form of patents, for the manufacture of old inventions as well as new.

1ST VOICE Two petitioners for patents are ushered into her presence.

MAN [*Fading in.*] . . . And so Your Majesty, I rest my plea for this monopoly in making playing cards.

ELIZABETH [5] [*Graciously.*] Edward Darcy, I have examined into your ability to produce these cards and find it in the interests of my kingdom and the exchequer to grant this monopoly. And so I affix my hand and seal to your patent.

MAN [*Effusively.*] I thank Your Majesty.

ELIZABETH And now you, sir. I see by your cloth, that you are a cleric. What is your name?

CLERGYMAN My name is Reverend William Lee, Your Highness.

ELIZABETH What is the nature of your machine?

CLERGYMAN It is a very simple device to knit stockings, Your Majesty.

ELIZABETH [*Amused.*] We would see such a comical contrivance at work.

CLERGYMAN Yes, Your Majesty.

Sound [*Noise of small rattling machine.*]

CLERGYMAN Your Majesty will observe that the motion of these needles duplicates the movements of human hands, but how much faster—how much more tirelessly!

ELIZABETH [*Above sound of machine.*] Ah, but there are many thousands of women in my realm who would starve if English feet are to be covered by stockings knit by your machine!

CLERGYMAN I would free their hands for other things, Your Majesty. Perhaps for picking roses.

ELIZABETH Zounds, sir! We like not your machine. If it were a very cunning device for perpetual motion, now, it would be different.

CLERGYMAN But is it not more important to free humanity from toil than to create useless motion?

ELIZABETH I have granted patents for furnaces, for soap-making, for finishing leather, for dredging machines—and as you overheard but now—to Master Darcy for playing cards. But it would be a thoughtless queen who would deprive her subjects of the wherewithal for their daily bread.

Music [*Up and out.*]

1ST VOICE A quarter of century later this same Edward Darcy hales a manufacturer named Allen into court for infringing on the playing card monopoly that the queen had given him.

2D VOICE The court decides that new inventions are entitled to be legally protected by patent, but that playing cards, because they had long been invented, cannot be patented. Elizabeth's patent was therefore invalid.

3D VOICE — 1624! Parliament acts on this decision of the court and for the first time in man's history his right to protection for his creations becomes the law of the land in the Statute of Monopolies.

4TH VOICE — Encouraged by this forward-looking statute, the ingenuity of inventors is loosed at last! And Leonardo's dreams and dreads both come true. The close of the 17th Century sees the good and the evil of invention at work.

5TH VOICE — The Machine has come!

Sound — [*Up with clashing machine noises—Then fade as faint back—Ground and hold under.*]
At first it tears down the bulwarks of an old agricultural society as mercilessly as the newly invented cannon had destroyed feudalism. Machine power instead of human power brings a change so great that history has called it revolution — The Industrial Revolution!

Sound — [*Up and out.*]

1ST VOICE — Progress always means suffering for someone. When the Industrial Revolution sweeps away the hand work which has supported man in all his previous history, it means the suffering of two generations of workers.

2D VOICE — No matter how great the future benefits to mankind of the power loom, the immediate result is confusion and bitter want in the cottages of England's weavers. The voice of the factory fills the land!

Sound — [*Up shrilling of many factory whistles in distance and out.*]

GIRL — [*Fade in coughing.*]

MOTHER It fair goes through me to hear you cough, Bess! Them outlandish machines at the factory are to blame . . . scattering lint so a body can't draw an honest breath.

BILL I don't like it, daughter—I don't like it.

GIRL Be thankful I've got work.

MOTHER Well, I dunno. It's a queer pass things have come to when iron monsters and young'uns do the men-folk's work.

Sound [*Factory whistle distant.*]

GIRL I've got to run. Goodbye, Mother and Father—goodbye, Grandad—

MOTHER Now, Bess, what's the use of saying goodbye to a dead man? You know your grandad's been like one dead since they told him his weaving wasn't needed any more.

GIRL I was a child then, but I mind how it seemed to me that everything stopped when the loom grew still.

Sound [*Door opens.*]

GIRL [*Calling back.*] Don't fret, Mother! I don't mind working . . .

Sound [*Door closes.*]

MOTHER [*Sadly.*] The factory sickness will get her. . . . If they'd only take me instead!

BILL [*Groaning.*] Oh my Lord, it's hard on a man to stand by idle while his girl earns his bread for him.

MOTHER Tain't your fault, Bill. You haven't a lazy bone in your body.

BILL [*Brooding*]. Since steam took the place of flesh and blood, the roads are full of husky men looking for a job. . . .

MOTHER I say, curses on the machines that take food out of honest folks' mouths!

BILL Don't curse 'em, Martha. This is bigger than that — bigger than us. These machines 'll make life better for common folks, some day—

MOTHER [*Bitterly.*] Some day—when we 're dead maybe!

BILL I been thinking lately. [*Laughing brokenly.*] I got plenty of time to think now. And I see it all plain. It's like it's the end of one world and the start of another.

MOTHER Our old world was good enough for me!

BILL Aye, but there'll come a time when human beings won't have to break their backs over their work, nor the young 'uns tend the shuttles either. [*Exultantly.*] The workers will be free, Martha—free to enjoy life a bit, and take their comfort like gentry.

MOTHER There's comfort in doing your work well. Look at Grandad there!

BILL Aye—I know—

MOTHER The best weaver in all Lancashire! He took pride in having his warp and woof true and strong. Now he'll lie in a shroud of this flimsy factory stuff when his time comes.

OLD MAN [6] [*Cracked voice gropingly.*] Eh? What's that ye're saying?

MOTHER God help us Bill! Your father! He's speaking!

BILL — Father! Here, don't try to get up!

OLD MAN — Give us a hand, lad. Eh! eh! [*Effort.*] I've got work to do . . .

BILL — [*Gently.*] You can't work, Father. Since you fell off the bench afore your loom, they've got iron fingers weaving the cloth.

OLD MAN — Yes, I've seen it! Ye thought I didn't notice anything; didn't ye? Poor, nasty stuff it be.

MOTHER — But Grandad! Powers above, he's standing up—he's walking—him that hasn't stood alone for 4 years!

OLD MAN — Help me up onto my bench, lad. Ahhh, Ahhh! Now, down. Easy does it! Losh! my poor fingers be stiff as boards . . .

MOTHER — He's tryin' to start the loom! Tell him, Bill!

BILL — But Father, even if you could still work the shuttles, there's nobody wants to buy hand-woven cloth any more.

Sound — [*Faint whirr and rattle of hand loom.*]

OLD MAN — I'm not making this cloth to sell, my lad. [*Sound grows louder.*]
I'm making it to wear!

MOTHER — Mercy on us—where will you wear it?

Sound — [*Loom loud and triumphant.*]

OLD MAN — I'll stand afore my Maker in decent stuff—none of your poor machine-made trash!

BILL — He's—he's making—

OLD MAN — My shroud! [*Loom triumphant loud.*]
There'll be one more honest shroud in England!

Sound [*Loom and factory whistle fading in.*]

Music [*Up and segue into America, then under.*]

1ST VOICE America! The famous Yankee ingenuity which has always distinguished the new world, gets its start in a dearth of manpower and an abundance of raw material!

2D VOICE Invention begins early in the colonies. In 1646, Joseph Jenks asks for—and is given—the first patent for machinery in the western world, for his water mill. But it is a Massachusetts patent and not an English one.

3D VOICE The mercantile system in England aims to stifle manufacture in the colonies to benefit a favored few in the mother country.

4TH VOICE With the winning of American independence, restrictions on export patents and machinery from England are tightened.

5TH VOICE America is not only a customer now but a competitor. Mechanics and inventors are forbidden to leave the country.

1ST VOICE A young inventor, Samuel Slater, who as an apprentice has helped build the Arkwright spinning mills in England, sails to America disguised as a plowboy. He carries in his mind complete plans for the machine except for one point. On the verge of completion his memory fails him. . . .

SLATER [*Groaning—Fading in.*] It's no use, wife, I can't remember that missing piece.

WIFE [*Cheerily.*] Think how much you've remembered already, Samuel! It'll come to you—tonight maybe . . . in your sleep.

SLATER — I can't sleep! All night I can hear the sound of that machine in my dreams. . . .

WIFE — Stop fretting, Samuel, and come over here beside my spinning wheel.

SLATER — Very well, Hannah, my dear.

WIFE — Now watch close. I'll turn the wheel slowly and maybe you'll see the lost motion of yours.

Sound — [*Spinning.*]

SLATER — [*Excitedly.*] Wait a minute! Do that over again, Hannah. There! That turn of your wrist! Wait till I get my chalk!

WIFE — [*Aside.*] After all, women have been the spinning machines for a thousand years!

SLATER — It went so—and so—that roller there . . . the feeding arm here . . . [*With cry.*] I've got it! And 'twas you gave it to me. . . .

WIFE — [*Gladly.*] Now maybe you'll sleep o' nights!

SLATER — You shall wear silks and satins! You shall fold your hands and be a lady.

WIFE — It'll seem strange not to feel the thread under my finger. Do you know, Samuel—

SLATER — What is it, Hannah?

WIFE — I'm not so sure I'm going to like folding my hands!

Music — [*Briefly up and out.*]

1ST VOICE — 1787! For fear that the delegates to the Constitutional Convention would overlook the rights of inventors, John Fitch invites them to a trial of his steamboat, which is then in an experimental stage.

Sound — [*Fading in—Chug, Chug, Chug. Sound of paddles in water.*]

VOICES [*Off mike.*] Hurrah! Hurrah for Fitch and Progress!

FITCH [*Coming up.*] Gentlemen, I have been working on this steamboat for many years. Is it a success?

ALL [*Ad lib.*] Yes. Unquestionably!

1ST MAN It carried us 8 miles up river in less time than a horse could have made the distance!

2D MAN America is a land of rivers. The possibilities of this invention are endless.

3D MAN You should be honored by your country for this, Mr. Fitch.

FITCH Gentlemen, the work of my invention, long as it has been, has just begun. Much money will have to be spent to perfect it. The only honor an inventor wants is protection.

4TH MAN Why don't you apply to your State of Pennsylvania for a patent?

FITCH Patents must cover all States, or they are of no value! You are writing the law of the land—write into it, I beg of you, my rights—the rights of all inventors. You are an inventor yourself, Mr. Franklin—speak for me.

FRANKLIN You are right, Mr. Fitch. When I was younger I had young ideas about these things. I thought to give away my brain children. I invented a stove and asked no reward for my invention except the warm glow of my own beneficence. But a more practical gentleman in England took out a patent and grew wealthy warming people at my stove. The best way to encourage invention, friends, is to encourage the inventors.

Music [*Up and under.*]

1ST VOICE Today, we read Section 8, Article I of the Constitution of the United States:

2D VOICE [*Reading.*] The Congress shall have power . . . to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

3D VOICE The complexities of a Machine Age have not only multiplied inventions and patents a thousandfold, but raised a thousand new questions to which the present and future must find the answer!

4TH VOICE What are the rights of society to new inventions which will make life easier for the many, but bring present ruin to a few investors?

5TH VOICE Take, for example, the hypothetical case of a newly invented razor blade which will last indefinitely. Should new laws be made compelling the holder of the patent on this invention either to use it or give it up?

1ST VOICE Is there any freedom for an inventor even under liberal patent laws when the costs of experimentation and research are prohibitive?

2D VOICE Should the State supply free laboratories for struggling inventors who otherwise must see their brain work become the property of the great monopolies?

3D VOICE Should invention ever be suppressed for the public good? What about new poison gases, suicide bombing planes, and germ spreaders for war?

4TH VOICE Who shall decide whether an invention is socially good or evil? The invention of the automobile gave work to millions.

5TH VOICE Should the state use the ingenuity of its inventors to create other new employment?

Music [*Up and out.*]

ANNOUNCER Struggle for Freedom never ends! Ground that is lost must be regained! Each generation must re-win its rights! Eternal vigilance is *still* the price of liberty! Let us strive on, to the end that our children's children may always know the glorious fulfillment of that noblest cry known to man—"Let Freedom Ring!"

Music [*Closing theme . . . Fade under and out.*]

PRODUCTION NOTES

[1] Sound of man speaking through dictagraph may be obtained by having person speak into an inverted megaphone with end covered. Do not have the big business men talk as they look in cartoons. Have them speak normally and rationally as they generally do.

[2] To reproduce the sound of a cracking whip, take two inch-wide strips of leather, hold them together and parallel, move hands together and quickly snap apart.

[3] The voice to sound like that of a man pulling a weight needs an actual strain. Therefore, have the actor pull on his left wrist with his right hand until the vocal chords react properly.

[4] Leonardo's speech has something of the same quality that Milton had in script 4. Remember he is not orating; he is thinking aloud.

[5] Elizabeth should be played as a tight-lipped, bitter, autocratic woman. She is never uncertain; never overkind.

[6] The old man is the hero of this scene. Do not rush his lines. All of his movements must be accomplished very slowly and his speeches should be timed accordingly.

NOTE.—Additional helps may be found in the general production notes on page 375.

LESSON AIDS

"The one sure thing is change!" This is an oft-repeated phrase today. Yet in primitive times man progressed slowly. There was little change. "Like father, like son; like mother, like daughter." Then came fire, the gift of the gods! And with fire came the hearth and the home—domestic life. The crude, crooked stick scratched the ground around the cave's entrance. The hunter added stone to club. He was yet to lengthen his arm still farther with the spear and the bow. Then came the symbol on rock and reed.

He began to erect great monuments to his kings and his gods. His power was still sheer man-power. To help him raise the great cruel blocks of stone, some forgotten genius thought out the ramp, another the lever, another the wheel. These were of immense service. His pace quickened. His awakening mind reached out to explore the land, the water, the skies!

Old ways of doing and living changed slowly, but they changed. Many of these changes were resisted strongly by those who were used to the good old ways of living and doing. "Progress in invention has always meant suffering, but it has eventually freed men of their worst drudgery."

And he who frees man from drudgery is a benefactor of the human race. Yet, too often his reward has been ridicule, neglect, poverty, imprisonment, and even death. Eventually society came to realize the debt it owed its great inventors. At first they were only granted badges of merit or distinction by Duke or King; then awards of gold were given them for their brain children; some authorities granted them *monopolies;* and at long last, came protection by the laws of the land. These last we call "patents" and "copyrights." Are you sure of the distinction between these terms? What is a "monopoly"? And what does it mean to have a "patent pending"?

Let us give the inventive genius his due in the long story of Man's progress from his crude cave by the river bank to the great towering structures of his metropolis.

I. Activities

1. "Who's Who" in Patent Rights?
   - (a) Roger Bacon
   - (b) DaVinci
   - (c) Galileo
   - (d) Joseph Jenks
   - (e) Samuel Slater
   - (f) John Fitch
   - (g) Aldus
   - (h) John Kempe
2. Investigate the building of one of the pyramids of Egypt and give a picture of its construction: (1) time involved, (2) methods, (3) purposes.

3. (Page 264.) "Progress in invention has always caused momentary suffering, but it has eventually freed man from his worst drudgery." Give concrete illustrations of the truth of this statement.
4. "Here in your hands, Leonardo, you hold that which would overturn an age, plunge a bewildered generation into ruin. Do you dare play God and create a new world"? (Page 271.) Do you think this fear of DaVinci was justified? Look up the term "*cultural lag*" in *Our Changing Social Order*, by Gavian, Grey, & Groves, or in any other sociology text. What significance has this term to our study?
5. Of late, we have heard much of and about "technocracy." A special report on this subject would be helpful.
6. Trace down the years the steps by means of which man finally got the right of patent—the right to protection for his ideas.
7. Write a prose-poem on "The Dreams and Dreads of DaVinci."
8. Special reports:
   (1) How would you go about getting a patent for an invention?
   (2) How would you obtain a copyright for a book that you had written?
9. Outline the significant steps in the Industrial Revolution. (*See* Shapiro's, *Modern and Contemporary European History.*)
10. Draw a contrasting picture of life in a New England home in the middle of the—
    (a) 18th century.
    (b) 19th century.
    (c) 20th century.
    (d) 21st century.
11. Read and report on—
    (1) Mark Twain's, *A Connecticut Yankee in King Arthur's Court.*
    (2) H. G. Wells,' *Men Like Gods.*

II. Discussion and Debate

1. What was the purpose in telling at the beginning of this script the story of young Gilmore's invention?
2. In the scene between Vespasian and the inventive citizen, Vespasian says, "If it freed ten slaves from the work of grinding corn, what would I do with those ten slaves?" This problem persists down through the years. Any machine today which does the work of 100 men raises the problem of what to do with those hundred men. Many suggestions have recently been made that "Science take a holiday." Do you agree?
3. How can you account for the attitude of so able a queen as Elizabeth in the matter of patent rights?
4. What are the rights to any new invention of (1) the inventor? (2) the industrial or manufacturing plant whose business might

be harmed by the new invention? (3) the plant whose business might be helped by the new invention? (4) society as a whole?

5. Should patent rights and copyrights be limited in time or should they be granted for an indefinite period?

III. Watch the Spot!

1. "Man's life has changed more in the last 100 years than in all the previous centuries back to the pyramids."—J. H. Robinson.
2. "My machines would make a new life for men, easier, happier, if only society would make itself over for them."—DaVinci.
3. He who frees man from drudgery is a benefactor of the human race.

MUSIC PRODUCTION NOTES

Compositions used (orchestrations, unless specified)

1. Let Freedom Ring, theme by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).
2. The Tantalizer, P. P. 52, by Perry (M. Witmark & Sons).
3. Andante Tragico, C. E. 35, by Beghom (Harms, Inc., New York City).
4. The Brute, P. P. 37, by Kriens (Harms, Inc.).
5. Tragic Episode, C. E. 33, by Kriens (Harms, Inc.).
6. Romanza, C. E. 45, by Savino (Harms, Inc.).
7. Constant Love, C. E. 4, by Shilkret (Harms, Inc.).
8. Yearning, P. P. 50, by Grau (M. Witmark & Sons).
9. Polite Society, C. E. 2, by Shilkret (M. Witmark & Sons).

How to use them (C–1 means composition 1, etc.)

Pages 259, 260	Uset heme 1 as directed in general music notes at end of script.
Page 264	Play C–2 first eight measures ending on the G chord of the ninth measure.
Page 266	Play C–3 starting with six sixteenth note upbeats to two measures before the end. Play broadly and out.
Page 268	Play C–3 the measures five, six, seven, eight.
Page 269	Play C–4 the first two measures.
Page 270	Play C–5 the first two measures ending allargando.
Page 271	Play C–6 from the beginning; fade under entire speech of Leonardo's.
Page 271	Finish music from last cue.

Page 274	Play C–7, the measures 13, 14, 15, 16.
Page 279	Play C–5 beginning at "Desolate." Play seven measures ending in a chord of E flat major. (The melody note should be G at the ending of the eighth measure.)
Page 280	Play C–8 the last four measures.
Page 281	Play C–9 the four measures before the last key change.
Page 283	Theme as directed.

The Reverend Richard Baxter before Lord Jeffreys. From a painting by E. N. Ward, R. A. The artist has caught Jeffreys in a traditional fit of temper at a trial which exemplified his very worst conduct.

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission.

30-MINUTE SCRIPT

Script 11

RIGHT OF HABEAS CORPUS

[*Footnotes on page 313*]

CAST

ANNOUNCER
VOICES
ATTORNEY SMITH
KING JOHN
HUBERT DE BURGH
SIR THOMAS DARNEL
LADY OF COURT
KING CHARLES
JUDGE JEFFREYS
MR. LORRY
LUCIE MANETTE
DEFARGE
DR. MANETTE
LINCOLN
Alien, Officials, Lawyer, Judges, Counselors, Ghosts

Music [*Patriotic fanfare . . . Roll of drums . . . Built up to—*]
[*Three strokes of great bell.*]

ANNOUNCER [*Dramatically.*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to radio idea of program with sound of sonorous bell worked into orchestration.*]
[*At triumphant finish of song, orchestra segues into soft background music for announcer, bell motif still softly heard.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy wrested these rights from kings and gave them to you! These rights are now a part of the law of the land! Celebrating this 150th Anniversary of our Constitution the . . . (*local group*) and the . . . (*local radio station*) present the ageless story of man's unending struggle for freedom! Tonight we consider another of our blood-bought Bill of Rights—the right of "Habeas Corpus!"

Music [*Up and out.*]

Sound [*Telephone bell.*] [*Receiver off.*]

SMITH Hello. Yes, this is Attorney Smith . . . oh, yes, Mrs. Ellis, what can I do for you? . . . They've arrested your husband! Great Scott, what for? . . . What do you mean, "you don't know"? Didn't the officers have a warrant? Didn't they tell him what the charge was? . . . Day before yesterday! And he's been in jail ever since without bail or a hearing? Why, this is an outrage! . . . I don't wonder you're excited Mrs. Ellis, but don't worry too much. I'll go right down to see Judge Halsey now and get a writ of Habeas Corpus for Joe. . . . You don't want any writ—you want Joe? [*Laughs.*] Of course, but you don't understand. Let me explain, Habeas Corpus means this: It's an order from the judge to the *jailer,* commanding the *jailer* to bring Joe into court at once, to see whether he is legally imprisoned. . . . Why certainly, if the officers won't prefer a charge, or can't make out a fair case, our Habeas Corpus writ will have Joe home this

evening. Is that clear? . . . No, no, don't thank *me;* thank the Constitution!

Sound [*Receiver up.*]

Music [*Up and out.*]

1ST VOICE When a court issues a writ of Habeas Corpus it recognizes one of man's most ancient rights, written into his heart before it was written into his laws—the right to fair play.

2D VOICE Two years ago, Tom Mooney, who had been a prisoner for 18 years, petitioned the Supreme Court of the United States for a writ of Habeas Corpus. His plea was that his original trial had been only a pretense.

3D VOICE This action causes a great deal of discussion. Let us listen in at a lawyers' luncheon club where Mooney's plea is the subject of conversation.

Sound [1] [*Dishes.*]

1ST LAWYER I tell you fellows it isn't a question of one man's guilt or innocence, it's a question of every man's rights.

2D LAWYER Rights! If Tom Mooney hasn't had every right of the law I don't know who has! His case has been reviewed by every court in the State and by every Governor in the last 20 years.

3D LAWYER Yes, but even if he had a fair trial as far as the records go, the law takes other things into consideration these days. Remember the date of his trial?

4TH LAWYER Let me see—1917, wasn't it?

3D LAWYER Right, and what does that date suggest to you?

4TH LAWYER War hysteria, of course.

3D LAWYER We're not living in the time of Louis XV, when a man could be spirited away to jail and kept hidden behind an iron mask the rest of his life for reasons of the public good!

2D LAWYER Certainly we aren't, but this fellow has had every recourse of the law.

1ST LAWYER How about the writ of Habeas Corpus he's asking for now?

2D LAWYER After 18 years—and what the highest court in the State has called a fair trial? He's wasting his time in Washington!

4TH LAWYER Well, I feel like Basset here—I don't give a continental whether he's guilty or innocent, but I do care a good deal whether his rights—and consequently my rights—to the protection of Habeas Corpus are guaranteed by the Constitution of this country or not!

Sound [*Door bangs open.*]

5TH LAWYER [*Fading in.*] Have you seen the afternoon papers?

ALL [*Ad lib.*] No. Any news?

5TH LAWYER News! I should say so, news for every lawyer and every man who might possibly get into the clutches of the law! The Supreme Court has decided the petition in the Mooney case.

ALL [*Excitedly.*] What does it say? Read it!

5TH LAWYER [*Reading.*] Um—let's see—Due process of law is a requirement that cannot be deemed to be satisfied if a State has contrived a conviction through the pretense of a trial . . . the writ of Habeas Corpus is available in that State. Upon the State courts equally with

the courts of the Union rests the obligation to guard and enforce every right secured by the Constitution.

4TH LAWYER What do they tell Mooney to do!

5TH LAWYER To use every right he has in the State courts and then come to the Supreme Court again, if necessary, and they will give him a writ of Habeas Corpus!

Sound [*Murmur.*]

1ST LAWYER Gentlemen, do you realize this is the most important step of the century in assuring mankind a fair trial?

Music [*Up and out.*]

1ST VOICE We begin the story of man's struggle for adequate legal protection against unjust imprisonment in a tent on the Thames in the year 1215. At Runnymede the barons demand in their great charter the legal right to their own bodies.

Music [*Trumpets calling.*]

1ST VOICE Hark to Magna Charta! "No freeman shall be taken or imprisoned, nor will we go upon him nor send upon him but by the law of the land!"

2D VOICE When the triumphant barons have left the field, the discomfited king falls in a fit in the cow-shed where he has left his horses, and rolls upon the straw.

JOHN [*Fading in . . . Groaning.*] Ah, they had better have taken my life than my kingly dignities! I have robbed my sons this day! Until an hour ago the king was the law—now I must come crawling into court to beg some sweaty magistrate to save me from my enemies.

HUBERT DE BURGH [*Soothingly.*] King John! When you lie there it is England rolling in the dust! Let me help you rise!

JOHN Hubert de Burgh! So I have one loyal knight left, have I?

HUBERT Loyal to the death, Your Majesty, your death or mine.

JOHN You heard them, Hugh! You saw them thrust a quill into my hand and make me sign away the birthright of a king!

HUBERT Aye, my lord, I saw a Norman King carry his foreign notions to defeat. I heard the voice of free England speak.

JOHN Foreign notions—what do you mean, Hubert de Burgh?

HUBERT I mean, sire, that Europe cannot understand our English love of liberty. There is a narrow strip of water—bitter and black—that forever separates England from the Continent. You and you fathers have spent too much time on the other side of that water, Sire!

JOHN If I should throw you into some forgotten dungeon for your impudence, what good would that scrap of paper I signed today do you?

HUBERT The dream must always march ahead of the reality! Let the idea of freedom from false imprisonment find words, and it will soon find the machinery of the law to enforce it!

JOHN Yet you call yourself loyal, Hubert de Burgh!

HUBERT — And I am loyal, King John. Look you, I prick my finger with my dagger. To the last drop of that hot blood I will defend England and England's king!

Music — [*Up and out.*]

1ST VOICE — For 16 years Hubert de Burgh staunchly tried to reconcile absolutism of kings with the growing demand of Englishmen for their rights. Then John's son, Henry the III, is persuaded to forget the Magna Charta and throw his father's faithful minister, Hubert de Burgh, into prison without trial, without charge.

2D VOICE — Two years later, in 1234, Hubert is released from prison with a decision momentous in the story of human liberty. In effect it is this:

3D VOICE — Hubert de Burgh was taken, imprisoned, and outlawed by command of the King and contrary to the law of the land. This outlawry is declared null and void!

4TH VOICE — Although the words "Habeas Corpus" are not to appear in the courts for 200 years, Hubert de Burgh's release is an outstanding exercise of this right!

5TH VOICE — But even after Habeas Corpus becomes a custom of the courts the kings of England continue to struggle for their divine right to imprison their subjects at their royal will.

1ST VOICE — Champions of the people arise in the form of fearless judges who defend lesser men from the rage of kings with the little weapon of a sheepskin writ. Such a one, at the beginning of the seventeenth century was Sir Edward Coke, Lord Chief Justice of England!

2D VOICE — From the bench he did not hesitate to condemn the illegal acts of the throne. And when the infuriated king sent him to the Tower it was a triumphal march between lines of cheering crowds.

VOICES — [*Fading in.*] Sir Edward Coke! Hurrah for Coke!

3D VOICE — 1627! Coke by this time has been released from prison. All England now awaits a case that will really test the King's authority. It comes when the Five Knights are arrested and imprisoned by a secret order of King Charles for refusing to lend him money. They demand freedom and a public trial on a writ of Habeas Corpus. In the Court of the King's Bench they face the servile judges whom the King has chosen to replace Coke. . . .

Sound — [*Fade in . . . Rapping of gavel.*]

CLERK — [*Reading.*] The Petition of Sir John Corbett; Sir Thomas Darnel; Sir Edmund Hampden; Sir John Heveningham; Sir Walter Earl; against the warden of the Fleet Prison.

JUDGE — What is the nature of this petition?

CLERK — This is an application for a writ of Habeas Corpus.

DARNEL — If it please your lordship, these gentlemen and I demand as our right to know why we have been haled from our homes and imprisoned among criminals.

JUDGE — In your own hearts you know full well the reason.

COUNSEL — As their counsel may I remind your lordship it is their right to have the charge publicly set into words, that they may prepare a defense.

JUDGE — The Court will listen to arguments of petitioners' counsel.

COUNSEL — The writ of Habeas Corpus is the only means the subject hath to obtain his liberty. This imprisonment cannot stand with the laws of the realm or that of Magna Charta. These five men now petition that they may have the justice that is their birthright.

JUDGE — The Court will listen to the King's counsel.

KING'S COUNSEL — For reasons of state we cannot disclose why these men are imprisoned. Whether or not they are guilty of crime is immaterial. In some cases persons known to be innocent must be kept in custody for an indefinite time because they might be dangerous if set at liberty.

Sound — [*Murmur of voices.*]

Sound — [*Rapping of gavel.*]

CLERK — Silence in the Court. Harken to the decision of His Majesty's Court.

JUDGE — The petition of the prisoners is denied. If a man be committed by the commandment of the King, he is not to be delivered by Habeas Corpus in this court. For we know not the cause of the commitment, which may be for reasons of state. We make no doubt but the King, if you seek him, he knowing the cause why you are imprisoned, will have mercy.

Music — [*Up and out.*]

1ST VOICE — It is not the King's mercy the five knights want, but their rights! The King exercises neither justice nor mercy, but returns them to prison. But their sacrifice is not in vain. Parliament itself is up in arms at the decision of the King's hireling judge.

2D VOICE Lord Coke prepares a petition restating the ancient rights of Habeas Corpus, and Parliament sends it to Whitehall for the signature of Charles the I.

GIRL [*Fade in . . . singing with harp accompaniment.*] "Drink to me only with thine eyes" . . .

KING [*Singing.*] "And I will pledge with mine" . . .

Sound 2 [*Knock on door.*]
[*Door.*]

SERVANT [*Off.*] Your Majesty, a messenger from Westminster.

KING Bid him enter. [*Aside.*] I will finish with this tiresome business at once, my love.

MESSENGER [*Fading in.*] Your subjects, gracious Majesty, humbly present this Petition of Right which they beg you to read and sign.

KING [*Yawning.*] Rights! They're always prattling of their rights! Well, let's see what they want this time! [*Reading.*] "That freemen be imprisoned or detained only by the law of the land or due process of law and not by the King's special command without any charge." [*Furiously.*] Why how dare you bring me this impertinence!

MESSENGER Then the King refuses to sign?

KING [*Uneasily.*] Wait! Be not so hasty! Tell my loyal Parliament that I wish my subjects should have no reason to complain of wrongs or oppressions . . .

MESSENGER I fear, Your Majesty, Parliament will not be satisfied with less than the royal seal upon this document. [*Fading.*] I bid you good day, Sire.

Sound [*Door closes.*]

KING [*Furiously.*] This is all the fault of those five knights! Am I to receive orders like a servant!

GIRL Shall I tell you how to get your way, my lord?

KING You? What do you know of parliaments and courts?

GIRL [*Shyly.*] I know they're men. And any woman knows how to get her way of men.

KING Even kings, I suppose.

GIRL [*Demurely.*] Yes, Sire, even kings.

KING Well, then, tell me how shall I keep my rights?

GIRL By seeming to yield them. Look, Sire, sign their Petition—win their gratitude, but remember, it can do you no harm if your enemies make the laws as long as your friends *enforce* them.

KING Zounds! But it's the cleverest little head in the kingdom! I'll send for my judges.

Music [*Very short transition.*]

JUDGE Your Majesty, we, your judges, have examined the Petition of Right.

KING [*Furiously*] I would rather give up my throne than give up my right to imprison my subjects!

JUDGE [*With sly meaning.*] We, your judges, assure you that you may feel free to sign this Petition. Its phrases may mean much or again may mean nothing. What for instance is "the law of the land"; what is "due process of law"? They are whatever the courts, which interpret the law, consider they shall be. Like other laws, this petition will have to be interpreted, and we, your loyal judges, assure you that your privileges will remain unchanged.

Music [*Up and out.*]

1ST VOICE When authority is forced to grant liberties, it tries to nullify them! King Charles goes too far in his opposition to the will of the people and loses his head on the executioner's block, but his successors continue to use unscrupulous judges as cat's paws to snatch their royal prerogatives back for them.

2D VOICE The last and most infamous of these venal judges is George, Lord Jeffreys.

3D VOICE Virtual ruler of London, he condemns men to death without a trial, and travels through the realm holding the terrible mockery of a court called by history the "Bloody Assizes" in which hundreds are executed without Habeas Corpus, or a fair trial.

4TH VOICE With the downfall of James II, Jeffreys realizes that his reign of lawless law is over. Disguised as a common sailor he flees to the London docks to escape to France. Secure in his disguise, he stops at a grog shop for a last drink of ale. . . .

Sound [*Clinking of glasses.*] [*Quiet background conversation.*]

JEFFREYS A pot of ale, boy, and quickly or I'll have you hanged!

BOY [*Cockney accent.*] "oo do you think you are—'angin' folks, sailor? Bloody Jeffreys maybe! [*Laughs.*] [*Fading.*] I'll be earnin' my sovereign, sir—[*Pause.*] [*Fading in.*] Draw me a tankard of musty, Meg. I got a sailor yonder offerin' me a sovereign.

MEG A sovereign! Where is he?

BOY Over there—at that table in the corner.

MEG Looks like a nasty customer!

MAN Customers offering sovereigns are not nasty, Meg. Let's take a look—[*With exclamation.*] That man! God help us! Torturer—Murderer! Fiend—

BOY Hey, what's the matter?

MAN I couldn't be mistaken. I stood in the dock once while he played with me as a cat plays with a mouse. Every line of that face is graved on my brain . . .

MEG Who is he?

MAN Judge Jeffreys—who has sent a thousand men to meet their God without a chance to defend themselves!

BOY & MEG [*Ad lib.*] No, you're wrong! You must be mistaken!

MAN I know that face I tell you! [*Raising voice.*] Your attention all! Do you know who's here, in this room—amongst us, friends? The Hanging Judge himself! The great Lord Jeffreys togged out in a hand-me-down suit from a slop chest!

VOICES [*A murmur rising to threatening cries.*] Jeffreys! Where is he! Show him to us!

MAN [*Shouting.*] There he is! Cowering there in the corner—look at him! Look at the great Jeffreys shake in his shoes!

JEFFREYS [*Above mutter of crowd.*] Help! Constable! Lock me up! Take me to the Tower!

MAN [*Laughing wildly.*] The Tower, that's the only safe place in England for George Jeffreys!

Music [*Up and under.*]

VOICE In the Tower the swaggering bully who has sent so many men to their death without pity, cowers in his cell. His terror aggravates an old malady. In his delirium he seems to see the forms and hear the voices of his victims . . .

JEFFREYS [*Whimpering.*] No, no, it was James who told me to do everything I did. These Stuart kings put themselves in the place of God. They want the law to obey the king. . . . I myself am a mild man, mild as milk. [*With moan.*] What strange shadows there are in this cell! I could almost swear. . . . [*With shriek.*] Look! That one there—who are you?

THOMAS ARMSTRONG [3] [*Ghostly and sepulchral voice.*] You should remember me well; I was Sir Thomas Armstrong, before you sent me to my death without a trial. . . .

JEFFREYS [*Whimpering.*] And you—you in your bishop's robes. You look like that Archbishop Plunkett I sent to the Tower, but you aren't, are you? [*Whispering.*] You're a living priest come to give me absolution?

ARCHBISHOP PLUNKETT [3] [*Ghostly sepulchral tone.*] You shall receive as much absolution, George Jeffreys, as you gave justice.

JEFFREYS [*Stammering.*] No, no, don't crowd around me, pointing. I was not to blame . . . You condemn me without hearing my defense . . . is that just. . . .

VOICE [*Shadows laughing sepulchrally.*] Ha! ha! Judge Jeffreys asks for justice! He gave us the Bloody Assize, and he asks for a fair trial! Ha! ha!

Music [*Up and out.*]

1ST VOICE After the Stuarts, with their stubborn belief in their divine right to punish and destroy their enemies, a series of acts are passed, fixing Habeas Corpus firmly in the laws of England.

2D VOICE What human life is like without this right, Englishmen of the seventeenth and eighteenth centuries can see across the narrow Channel.

3D VOICE For two centuries forgotten faces peer between the bars of oubliettes in Continental dungeons, and lettres de cachet, secret orders to imprison, signed in blank by the King, send a man's neighbor, relatives, or even his wife and children to prison.

4TH VOICE Charles Dickens in the *Tale of Two Cities* gives a picture of human helplessness where Habeas Corpus did not exist.

Music [*Under.*]

1ST VOICE Dr. Manette, a harmless French physician, has chanced upon a shameful secret of a noble family. Without trial or accusation they have him imprisoned in the Bastille on a lettre de cachet. There he is forgotten for many years.

Music [*Out.*]

LORRY Miss Manette, I beg you to listen to me quietly . . . I am a man of business. I do not know how to deal with agitated ladies. I ask you to consider a suppositious case . . . that of a man who had an enemy. A very powerful enemy who could exercise a privilege of filling up blank forms for the consignment of anyone to prison.

LUCIE MANETTE Mr. Lorry! Are you telling me [*Brokenly*] that my father——

LORRY Calmness, my dear young lady, I beg! Now let us suppose that no tidings of this unfortunate gentleman had reached those who might befriend him until lately when. . . . Don't kneel! In heaven's name, why should you kneel to me, my dear child!

LUCIE For the truth! Dear, good, compassionate sir—tell me the truth! My father is alive?

LORRY Courage, Miss Manette! Business, remember! Your father has been found. Greatly changed. Still—alive! An old servant of his, named Defarge, has taken him to his house in Paris.

LUCIE I am going to see him! No, [*Sobbing*] I am going to see his ghost!

Music [*Short transition.*]

1ST VOICE In Paris, Lucie Manette and Mr. Lorry are conducted up steep stairs to a loft over the wine shop of Edward Defarge.

Sound [*Feet climbing.*]

LORRY You take out a key, Citizen Defarge! Surely it is not necessary to keep this unfortunate gentleman locked in?

DEFARGE It *is* necessary.

LORRY But why—why?

DEFARGE Why? Because he has lived so long locked up that he would be frightened if his door was left open, that's why!

Sound [*Key grating, heavy door opening.*]

DEFARGE [*Going off.*] Good day, Doctor——

LORRY Come in, my child, come in.

LUCIE [*Whisper.*] I am afraid of it.

LORRY Of it? What?

LUCIE I mean of him. Of my father.

LORRY Lean on my arm, my dear—and now across the threshold—so——

Sound [*Tapping of hammer.*]

DEFARGE Still hard at work I see, Doctor.

MANETTE [*Cracked voice—Slowly—Confused.*] What did you say?

DEFARGE I said you were working.

MANETTE Yes . . . I am . . . working.
[*Silence.*]

Sound [*Tapping of hammer, girl's sobs.*]

DEFARGE Are you going to finish that pair of shoes today?

MANETTE I can't say. I suppose so. I don't know. . . .

DEFARGE You have visitors, you see. Here is a monsieur who knows a well-made shoe when he sees it. Show it to him.

LORRY It is a handsome shoe. Won't you tell me its maker's name, sir?

MANETTE [*With effort.*] I forget what it was you asked me. Was it for my name?

LORRY Yes.

MANETTE One Hundred Five, North Tower.

LORRY You are not a shoemaker by trade?

MANETTE No . . . I wasn't a shoemaker—once. I—I learned it here.

LORRY [*With emotion.*] Dr. Manette! Look at me! Don't you remember your old banker? [*Silence.*]

Sound [*Tapping of hammer, girl's stifled sobs.*]

LUCIE Draw farther back. Let me try. . . .

Sound [*Tapping of hammer.*]

MANETTE [*Faint amazement.*] Are you—the jailer's daughter?

LUCIE No—do I not remind you, perhaps, of someone . . . long ago . . .

MANETTE That hair—wait. I have hair like that in this bag here—round my neck . . .

LUCIE [*Very low as though to others.*] I pray you, gentlemen, do not come near us, do not speak, do not move . . .

MANETTE It is the same, but how can it be? [*Laboriously.*] That night . . . when I was summoned . . . she laid her head upon my shoulder. . . . When they brought me to the North Tower . . . I found these long golden hairs on my sleeve. I said "you will leave me these? They will never help me to escape in body, though they may in the spirit." . . . [*Great cry.*] But it wasn't you? You are too young, too blooming! It can't be! It was all so long ago . . .

LUCIE [*Weeping.*] Oh sir, at another time I shall tell you my name and who my mother was and my father, my dear father.

MANETTE Her voice . . .

LUCIE If you hear in my voice a resemblance to a voice that once was sweet to your ears, weep for it! If you touch my hair and the touch recalls a beloved head that lay on your breast when you were young and free, oh, weep for it! Weep for it!

LORRY [*Aside.*] See, he leans his head against her—like a child.

DEFARGE He is beginning to remember.

LUCIE If, when I tell you your long agony is over and I have come to take you home, I cause you to think of your useful life laid waste, weep for it!

MANETTE You are—that child we talked of—

LUCIE [*With cry.*] There! There! Lay you head on my shoulder. It is home, my dearest! Oh gentlemen, thank God for us, thank God . . .

Music [*Up and out.*]

1ST VOICE — Such injustices as this cannot persist forever. From the taking of the Bastille and the freeing of its political victims, begins the triumph of the principle of Habeas Corpus throughout the civilized world!

2D VOICE — But like every other right of man, Habeas Corpus is most endangered at times of national emergency!

3D VOICE — Every charter of liberty in England or America has always provided for its suspension in times of peril to the state. Listen to the words of the Constitution . . .

4TH VOICE — "The privilege of the writ of Habeas Corpus shall not be suspended, unless when in cases of rebellion or invasion, the public safety may require it!"

5TH VOICE — But the excuse of "public safety" is one of the greatest dangers to man's ancient right to freedom from arrest without charge and imprisonment without trial.

1ST VOICE — The Civil War is the first great American crisis to test the right of Habeas Corpus in the New World!

2D VOICE — One of its hardest battles was fought in the private study of the White House between Lincoln the Lawyer and Lincoln the Chief Executive. . . . Let us imagine him alone as few men have been alone, talking out his problem with himself.

Sound — [*Door shut.*]

LINCOLN [4] — [*Fading in . . . Broodingly, the lawyer.*] There! We'll shut out the advisers and name-callers, and settle this ourself, Abraham Lincoln! Here's this man Merriman arrested

for drilling Southern sympathizers in Maryland. He asks for a writ of Habeas Corpus. The court has granted him this writ. The army refuses to give him up. What are you going to do about this, Abraham?

LINCOLN [*In second tone, louder, Lincoln the executive.*] You are right, Abraham. It *is* a terrible responsibility to deny a man his legal rights. And yet if men are to have any guarantee of any rights in the future they must have first a stable government. And how can I save the government if its enemies can use a writ of Habeas Corpus to try the issues of the war in a court-room? Tell me that, Abraham.

LINCOLN [*First tone, the lawyer.*] The Chief Justice of the Supreme Court has reminded you that one who is sworn to take care that the laws be faithfully executed should not himself violate them! Remember that, Abraham Lincoln.

LINCOLN [*Second tone, the executive.*] The whole of the laws I was sworn to execute are being resisted in one third of the States! Are all the laws but one to be broken and the government itself to go to pieces?

LINCOLN [*The lawyer.*] You will be called a dictator!

LINCOLN [*The executive.*] Let them defeat me at the polls then!

LINCOLN [*Lawyer.*] They will say that you disobeyed the Constitution.

LINCOLN [*Executive.*] But it is my first duty to save the Constitution. To preserve the Union I must win this war. We will not think of

what men will say of us, Abraham Lincoln. We will do out duty as we see it, God helping us . . .

Sound [*Rings bell.*]

LINCOLN [*Continues, executive.*] We will give the order to continue the suspension of the writ of Habeas Corpus in military cases as long as this danger to the Union shall last!

Music [*Up and out.*]

1ST VOICE The wartime suspension of the right of Habeas Corpus which Lincoln honestly believed necessary to the preservation of the government, outlasted its need by a decade. The troubles of reconstruction were multiplied manyfold by the denial of Habeas Corpus to men called enemies of the state at the discretion of an hysterical public opinion and a biased military.

2D VOICE The lessons of the reconstruction period were so terrible that American courts and executives ever since have leaned backward in their anxiety to preserve and extend this valued right of mankind!

3D VOICE Here for example is a recent case in which Habeas Corpus was used to save a life! An alien, visiting the United States receives notice that his papers are not in order and he is to be sent back to his own country by the next steamship. He visits the immigration authorities . . .

ALIEN [*Fading in.*] This notice that I have received . . .

OFFICIAL [*Crisply.*] Yes, yes, what about it?

ALIEN It is a sentence of death!

OFFICIAL [*Startled.*] Sentence of death! Nonsense, it's only a deportation order. You will be returned safely to your own country.

ALIEN And what will my own country do to me? I will tell you. It will arrest me at the dock. It will send me to a detention camp for a little while. Then it will shoot me.

OFFICIAL But why? What have you done?

ALIEN I have dared to disagree with my country's theory of government!—I criticize their policies—zut!

OFFICIAL Well, that's tough! But what can I do?

ALIEN Give me a chance to talk to your courts, your government! When they hear my story they will be merciful.

OFFICIAL There isn't much time to arrange for an inquiry. Your boat sails tomorrow.

ALIEN In your fortunate country it is no crime to think as you please! Let me stay here!

OFFICIAL I wish there were something I could do. But there isn't a thing—unless—hold on, there's just [*Fading.*] a chance there might be something. . . .
[*Pause.*]

LAWYER [*Fading in.*] [*Finishing plea.*] And so, Your Honor, I ask for this writ of Habeas Corpus, not to interfere with justice but to insure justice by giving this man here time to prepare a plea.

JUDGE There is no precedent for the use of Habeas Corpus in such a case. Yet these are unprecedented times. I am inclined to consider

the purpose for which this writ was intended —to prevent injustice, and so I grant this writ of Habeas Corpus.

1ST VOICE Like all our other liberties, this right to Habeas Corpus changes its aspects with the changing times. Today agitation of labor, unpopular minorities, and racial prejudice raise questions without historical precedent.

2D VOICE What can be done to keep the cherished right of Habeas Corpus from abuse by gangsters and other public enemies to delay justice and clog the courts?

3D VOICE How can men be educated to understand and demand their rights to Habeas Corpus?

4TH VOICE Should military authority and martial law during strikes and public disturbances deprive a man of his rights to the protection of Habeas Corpus?

5TH VOICE What about using Habeas Corpus to prevent the third degree?

1ST VOICE The future is certain to find new usage for this writ!

Music [*Up and out.*]

ANNOUNCER Struggle for Freedom never ends! Ground that is lost must be regained! Each generation must re-win its rights! Eternal vigilance is *still* the price of liberty! Let us strive on, to the end that our children's children may always know the glorious fulfillment of that noblest cry known to man—"Let Freedom Ring!"

Music [*Closing theme . . . Fade under and out.*]

PRODUCTION NOTES

[1] The sound of dishes should be heard only occasionally and lightly. Have you ever heard a radio program in which a luncheon scene sounds like a lively fight?

[2] The singing should not break off abruptly when the knocking is heard. Let it continue for one or two notes.

[3] The ghosts of Armstrong and Plunkett should be played through echo chambers if possible, otherwise through megaphones to give an eerie quality.

[4] The battle of Lincoln, the executive, and Lincoln, the lawyer, is a very difficult acting job. One man must play two distinct characters. It is suggested that the executive be played aloud, the lawyer in a half-whisper.

NOTE.—Additional helps may be found in the general production notes on page 375.

LESSON AIDS

The little weapon of a sheepskin writ has often withstood the rage of kings. The name of that writ is "Habeas Corpus." Translated freely it means, "You may have the body," but the longer Latin phrase in which these two words appear states: "You are commanded that you have the body of the prisoner in court, that he may be disposed of." It is, as you see, an order of the Court to the one in charge of a prisoner to produce him that inquiry may be made into the reasons for his imprisonment.

What does a man own if he does not own the right to his own body? The instinct of self-defense is so inborn that it is often called the first law of nature. In savage states a man fights with tooth and nail, club and stone, to defend his person. In civilization, he fends off those enemies who would jeopardize his personal safety and freedom with the little weapon of a "parchment writ."

The term "Habeas Corpus" may sound legalistic and uninteresting at first, but any study of the significance of this right will prove to you that this "sheepskin writ" can tell a very colorful story. Have you not often seen the term in the newspapers? Behind it lies the story of man's long struggle for legal protection. Read the story of King John at Runnymede in such a book as Green's, *Short History of the English People,* and you will see how it all began in a "tent on the Thames." 1215 was a great date in *American* History. Why? Can you name in order the Stuart Kings and tell something of each one of them as far as the Divine Right of Kings is concerned? Do you think they truly believed that "the King can do no wrong"?

We are told in the Constitution that "the privilege of the writ of Habeas Corpus shall not be suspended unless when in cases of rebellion or invasion the *public safety* may require it." Do you see wisdom in this provision? What might be meant by the expression, "the excuse of public safety"?

I. Activities

1. Write a "Who's Who" for this study in which you include:
   (a) Sir Edward Coke.
   (b) Hubert de Burgh.
   (c) Charles I.
   (d) George Jeffreys.
2. From the script, construct a dramatization of the Five Knights making their appeal for the right of Habeas Corpus.
3. Special report: Investigate the story of Judge Jeffreys and his "Bloody Assizes," in the days of Stuart King James II. Present your finding to the class.

4. Special research questions: Why do you think the Dr. Manette incident was given so large a place in the script? Where was the Bastille? What were lettres de cachet? In the light of history of the Bastille, is the story overdrawn?
5. Study the abuse of Habeas Corpus during the Reconstruction Period of our Nation's history.

II. Discussion and Debate

1. Class exercise: The *Tom Mooney Case.* Let four members of the class impersonate four lawyers discussing the question: "Has Tom Mooney had a fair trial?"
2. What is your interpretation of the phrase, "*Due process of Law,*" as stated in the 5th Amendment to the Constitution?
3. Do you consider that Hubert de Burgh was a loyal subject to his king? Does he give a new Interpretation to the word *loyalty?*
4. "There is a narrow strip of water—bitter and black—that forever separates England from the Continent." Is this as true today as it was in the days of Hubert de Burgh?
5. "The King can do no wrong:" What was the basis for this statement?
6. The script closes with this statement: "Like all our other liberties, this right to Habeas Corpus changes its aspects with the changing times." Today what can be done (1) to keep the cherished right of Habeas Corpus from abuse by gangsters and other public enemies; (2) in case of martial law during strikes and public disturbances; (3) to prevent the third degree; (4) to prevent its use against unpopular minorities and racial groups?
7. A debate: Resolved that—
   Abraham Lincoln was justified in suspending the right of Habeas Corpus during the War between the States.

III. Watch This Spot!

1. "When authority is forced to grant liberties it tries to nullify them." [Page 300.]
2. King Thutmose III, of Egypt, 1500 B. C.—He appointed the Chief Judge of his kingdom with these words of instructions: "Mayest thou see to it for thyself to do everything after that which is in accordance with the law. *Thou shalt punish a man only after thou has let him hear that on account of which thou punished him.*"

MUSIC PRODUCTION NOTES

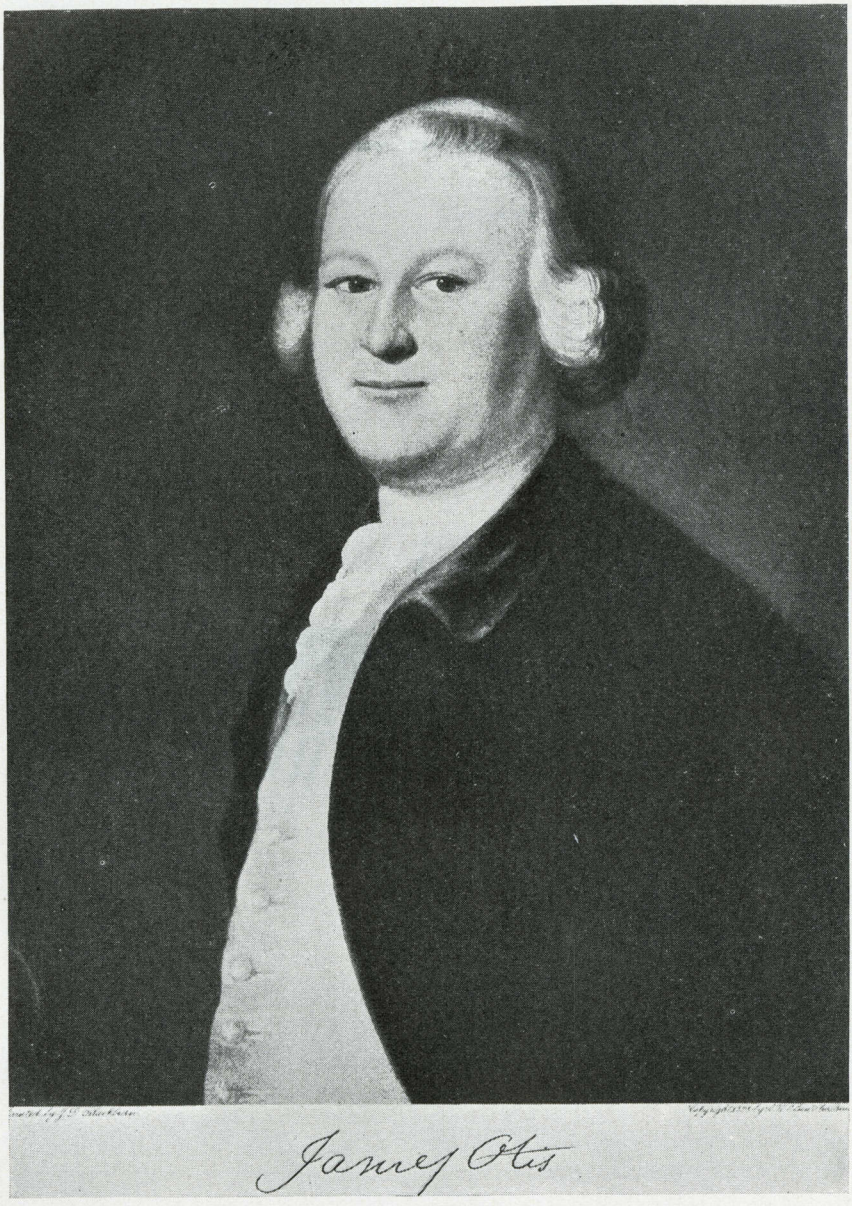
Composition used (orchestration, unless specified).

1. Let Freedom Ring, theme, by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).
2. The Love Song, selection by Offenbach (Harms, Inc., New York City).
3. No, No, Nanette, selection by Youmans (Harms, Inc.).
4. Heart Pangs, P. P. 35, by Fink (M. Witmark & Sons).
5. Drink to Me only with Thine Eyes. Any collection or addition for voice will do since this is not to be performed by orchestra.
6. Intermezzo Sinfonico, C. E. 42, by Savino (Harms, Inc.).
7. Scene Pathetique, C. E. 17, by Kriens (Harms, Inc.).
8. Andante Tragico, C. E. 35, by Beghom (Harms, Inc.).
9. Battle Hymn of the Republic, contained in National Melodies. (Carl Fischer, New York).
10. "Chanson Triste," C. E. 46, by Gretchaninoff (Harms, Inc.).

How to use them (C–1 means composition 1, etc.).

Page 289	Use theme 1 as directed in general music notes at end of script.
Page 290	C–1, the measures 21, 22, 23, 24.
Page 291	C–1, the measures 9, 10, 11, 12.
Page 293	Play C–2 the first two measures and the first chord in the third measure.
Page 295	Play C–3, measures 5 to 10, inclusive.
Page 297	Play C–4 from the Coda, the last four measures.
Page 298	Have the actors sing without accompaniment of the orchestra except harp or spinet.
Page 299	Play C–6 the first four measures in the "Mosso" ending with a ritardendo.
Page 300	Play C–6 the four measures before "Mosso" and the first chord in D major, at the "Mosso."
Page 302	Play C–7 starting at "Tragico E Largamente" for six measures.
Page 303	Play C–7 one measure before the maestosso very loud and very slow.
Page 303	Play C–8 from the upbeat to the "andante con molto appassionato." Fade under speech of the first voice and into.
Page 304	This ends last music cue started.

Page 304	Same as last music.
Page 307	Play C–6 the last four measures.
Page 310	Play C–9 the last four measures of the chorus (refrain).
Page 312	Play C–10 the last four measures with one-eighth note upbeat, up and out.
Page 312	Theme as directed.



Portrait and autograph of James Otis. From a painting by J. G. Blackburn. The reader needs little imagination to picture the man shown here defying royal injustice.

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission.

30-MINUTE SCRIPT

Script 12

RIGHT OF FREEDOM OF HOME

[*Footnotes on page 342*]

CAST

ANNOUNCER	JUSTICE BRANDEIS	HALLOWELL
VOICES	LORD EGREMONT	SHEAFE
3 ENFORCEMENT OFFICERS	HALIFAX	JIM HUNT
STENOGRAPHER	WOOD	MRS. HUNT
CHIEF OF BOOTLEGGERS	JOHN WILKES	Hunt Children
SOGGY	KING GEORGE III	Vigilantes
BOY	LORD-IN-WAITING	Officers
GIRL	GRIDLEY	Rustics
JUSTICE HOLMES	JAMES OTIS	Men on the Street, etc.

Music [*Patriotic fanfare . . . Roll of drums . . . Built up to—*]
[*Three strokes of great bell.*]

ANNOUNCER [*Dramatically.*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to radio idea of program with sound of sonorous bell worked into orchestration.*]
[*At triumphant finish of song—Orchestra segues into soft background music for announcer, bell motif still softly heard.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy wrested these rights from kings and gave them to you! These rights are now a part of the law of the land. Celebrating this 150th Anniversary of our Constitution, the . . . (*local group*) and the . . . (*local radio station*) present the ageless story of man's unending struggle for freedom! Tonight we consider another of our blood-bought Constitutional rights—the "Right to Privacy of the Home!"

Music [*Up and out.*]

1ST VOICE The right to his own home is probably the first right which primitive man recognized. No laws were needed to tell the apelike Neanderthal man that the cave he lived in was his to defend against the world!

2D VOICE William Pitt said, "The poorest man may in his cottage bid defiance to all the forces of the crown. It may be frail, its roof may shake, the wind may blow through it, the storm may enter, the rain may enter, but the king . . . may not enter; all his force dare not cross the threshold of the ruined tenement."

3D VOICE Through the ages man might be a slave in the quarry, or the field, or the factory, but at home he was a king! Authority might take away other rights and man would submit, but let Authority try to pass his threshold, and his inborn human dignity asserted itself to protest!

1ST VOICE But the enemies of the home are many and varied. Ambition, jealousy, revenge, the pride of rulers . . . have all beaten on men's

doors. Even the enforcement of the law has threatened individual privacy. And with the turning of time man's ingenuity has created new menaces to man's ancient sanctuary.

2D VOICE The enforcement of the prohibition law brings new problems of the Right to the Privacy of the Home into the courts, and sheds a modern light on it. In 1926, in the State of Washington, a group of Federal enforcement officers are gathered about a tapped telephone wire. The wire runs from the home of a wealthy ranch owner, suspected of being the mastermind of a gigantic bootlegging ring . . .

Sound [*Door opening.*]

1ST OFFICER [*Fading in.*] Got anything yet, boys?

2D OFFICER Naw, nothing but family stuff.

3D OFFICER Read him what you've got in your notebook, Mary.

MARY[1] [*Laughing.*] At nine eight, the cook called up the market and ordered a leg of lamb, string beans, and a package of bluing; at ten-thirty, some dame sat on the wire for an hour getting up a bridge party . . . the youngest daughter quarreled with her boy friend at noon and broke a date to the movies, and that's all so far today . . .

1ST OFFICER Not a word yet from the master of the house?

2D OFFICER Naw; he must use carrier pigeons to run his business!

3D OFFICER [*Excitedly.*] Shh! Someone's on the 'phone now . . .

1ST OFFICER Everybody get set—we're all witnesses, remember.

2D OFFICER Got your pencil ready to take it down, Mary?

MARY [*Excitedly.*] All ready.

CHIEF [*Filter mike in.*] . . . [*Quietly.*] Hello . . . Soggy? This is the Chief.

VOICE [*Far away.*] Hello, Chief. What's the dope?

CHIEF Listen—the *Falcon* left Vancouver last night loaded. They'll anchor 12 miles off shore tonight opposite the ranch. How's it look?

SOGGY It's a swell night for us, Chief—pea-soup fog down here now.

CHIEF Well—this is a big job—fifty grand . . . I don't want any accidents . . .

SOGGY Okay, Chief. I'll keep my eyes peeled . . . g'bye.

Sound [*Click of receiver.*]

1ST OFFICER [*Filter mike out.*] Aha! Now we're getting somewhere.

Music [*Up and out.*]

1ST VOICE For several months the officers listened to every conversation that came from the suspected bootlegger's home. What they heard led to his arrest. Convicted, he appealed his case to the Supreme Court of the United States, contending that the privacy of his home had been invaded, and that evidence so obtained should not be used against him.

2D VOICE The majority of the Court sustained the verdict of "Guilty." Although they agreed with the defendant that the privacy of the home could not be invaded without special warrant to secure evidence, five Justices found no precedent for calling wire-tapping an invasion of the Right of the Privacy of the Home.

3D VOICE The minority of the Supreme Court—four Justices—condemned wire-tapping. Their ringing phrases of dissent brought legislative action in many States to protect the home against this modern form of invasion.

4TH VOICE Listen to the words of Justice Holmes: . . .

HOLMES [2] "I think . . . that the government ought not to use evidence obtained, and only obtainable, by a criminal act. . . . I think it a lesser evil that some criminals should escape than that the government should play an ignoble part."

4TH VOICE And now listen to the words of Justice Brandeis: . . .

BRANDEIS [2] "Heretofore, force and violence were the only means of invading the home. But today discovery and invention have made it possible for the government, by means far more effective than stretching upon the rack, to obtain disclosure in court of what is whispered in the closet. Ways may some day be developed by which the government, without removing papers from secret drawers, can reproduce them in court and by which it will be enabled to expose to a jury the most intimate occurrences of the home." . . .

5TH VOICE And but a few years later Justice Brandeis' prediction has come true. Instruments placed outside the house, or outside the walls of an apartment, may pick up and record conversations within, though unheard by the human ear. Television may soon make walls transparent. Man's cleverness at invention today menaces his own privacy.

1ST VOICE Even in feudal times, the intrusion of the lords and others in authority into the homes of the serfs, was more figurative than physical. Their rights and privileges extended to the persons of those gathered about the cottage hearths; they had power to meddle in the marriage of their tenants' daughters, but they seldom ventured to push open a rickety door or step inside the meanest hut.

2D VOICE When feudalism forgot to respect the ancient right of personal privacy, it stirred up a Wat Tyler insurrection. The people spoke. . . .

Music [*Up and under.*]

3D VOICE [*Rustic twang.*] The tax collector set his shoulder to my door: He laid his hands on my women folk when they barred his way!

4TH VOICE [*Woman.*] When I said I hadn't the money for 'em, they pushed by me and dragged the mattress off my bed!

5TH VOICE We may be serfs in the fields, but we're masters under our own roofs! There's some things a man wasn't made to stand—and breakin' into his house is one!

3D VOICE Wat Tyler says he'll lead us to London to tell the king our wrongs. Come on neighbors. . . .

Music [*Up and out.*]

ALL [*Ad lib.*] To London! [*Fading.*] Wat Tyler and London! etc.

1ST VOICE With the establishment of a parliament, political parties arise! In their struggle for control their leaders stop at nothing! To learn their enemies' plans, and to gather damaging evidence it is necessary to open desks, ransack closets and bureaus.

2D VOICE — And now begins the lawless reign of search and seizure! Authority finds the special warrant prescribed by custom and the courts too hampering and invents the general warrant. This general warrant names the offense, but not the offender, opening the homes of any citizen to the rummaging of jealousy, hate, ambition, or even curiosity!

3D VOICE — 1763! Swashbuckling, bullyragging Member of Parliament John Wilkes, the darling of the rabble, the bane of fat and feudal George the III, defies the world and the devil and—authority's weapon of the general warrant!

4TH VOICE — On April 23, an issue of the periodical, *The North Briton,* stirs the ministry to fury with Wilkes' charge of despotism and corruption! And on the morning of April 30th, Lord Egremont, with Secretary of State Halifax, sit in Halifax's house nervously waiting the return of messengers sent to Wilkes with a general warrant.

LORD EGREMONT[3] — [*Fading in.*] I say, do you think—perhaps we may have acted rather hastily? Remember, His Majesty warned us all to have nothing more to do with that devil Wilkes.

HALIFAX — We consulted the Attorney General about issuing the warrant and he said it was legal.

EGREMONT — Well, well, why don't those messengers bring us news of the fellow's arrest?

HALIFAX — He's defied authority long enough. I'm only looking for libelous papers, but I'm hoping to run across treason!

Sound — [*Door.*]

HALIFAX Here's Wood now! Well? What's happened? Where is he?

WOOD [*Fading in.*] Blest if I know!

HALIFAX Didn't you tell him I requested him to come here to discuss the *North Briton* article?

WOOD Yes, and he said he was sorry, but he'd never been introduced to you.

Sound [*Sputtering.*]

EGREMONT What else did the fellow say?

WOOD That general warrants were illegal and he proposed to put an end to them once and for all!

EGREMONT [*Fretfully.*] I told you, Halifax, we should have been more cautious. This Wilkes is the ugliest man in England, but he has a smooth tongue. He says, himself, he can talk away his face in half an hour.

Sound [*Voices off . . . Knocking.*]

EGREMONT Now what the devil—look from the windows—see who it is—

WOOD Hush! Speaking of the devil here's our man now! In a sedan chair accompanied by half the riff-raff in town, cheering him!

Sound [*Door opens.*]
[*Voices off—Wilkes and liberty! Hooray!*]

WILKES[4] [*Silken smooth.*] [*Fading in.*] Ah! Good day, gentlemen! You wished to see me?

EGREMONT [*Stammering.*] Er–er–yes–yes, Wilkes——

WILKES It must have been pressing business that would make peers of the realm like Lord Egremont and Lord Halifax here order my bedroom broken open and my person seized without a legal warrant.

HALIFAX You were arrested under a general warrant, Mr. Wilkes.

WOOD We want to ask you some questions, Mr. Wilkes.

WILKES The paintings in this room are excellent! That portrait there—what expression! What color!

EGREMONT We didn't bring you here to discuss art, Wilkes. You're a prisoner.

WILKES On what charge?

HALIFAX We will name the charge when we have examined your papers.

WILKES So you're adding robbery of my house to your other crimes, my lords!

ALL [*Angrily.*] Crimes—what do you mean?

WILKES We shall soon see whether housebreaking is still a crime in England!

WOOD Do you threaten your rulers, Mr. Wilkes?

WILKES It's time to end these fishing expeditions, as I believe some magistrate—the guardian of our liberties—jokingly calls these little excursions into our bureau drawers! And I mean to end them!

EGREMONT And how do you intend to do this, if I may ask?

WILKES Certainly you may ask. I am going to sue Lord Halifax and Mr. Wood here for damages.

HALIFAX Mr. Wilkes, we have had enough of your insolence, sir. You may choose to be confined in the Tower, or Newgate, or—since you are a Member of Parliament—you may choose to remain here in my custody.

WILKES — Thank you so much, but since I make it a rule never to accept hospitality, except from friends, I choose the Tower.

EGREMONT — Ha! That's one place where you can't play disloyal games.

WILKES — True, true. I shall play solitaire—though I do assure you my card sense is so bad [*Laughing—Meaningly*] that I am quite unable to tell a king from a knave.

Music — [*Up and under.*]

VOICE — Six days later John Wilkes appears before the Court of Common Pleas to be tried for libel. The only evidence against him is contained in papers taken from his house under cover of the general warrant. He addresses Chief Justice Pratt in resounding words.

WILKES — The liberty of all peers and gentlemen, and what touches me more sensibly, that of all the middling and inferior sort of people, is in my case, this day, to be finally decided upon—to determine whether English liberty shall be reality or a shadow.

VOICE — Wilkes was not only freed, but promptly sued Wood and was given a verdict of a thousand pounds in damages. More important than money was the Judge's verdict. . . .

JUDGE — This general warrant is unconstitutional, illegal, and absolutely void!

Music — [*Up and under.*]

1ST VOICE — More than 10 years later Wilkes is still fighting for the freedom of the home, this time in behalf of his ardent admirers, the Sons of Liberty in Boston, Mass., who have written him of their own struggles for this right!

2D VOICE Wilkes is now Lord Mayor of London. With his aldermen he goes to present a petition to George III in behalf of the colonies.

LORD [*Fading in.*] Your Majesty, the Lord Mayor and the aldermen of London desire to present a petition.

KING [4] [*Violently.*] Egad, that devil Wilkes here—in my palace!

LORD He sent Your Majesty a message. He desires you to receive the petition *sitting on your throne.*

KING [*Exploding.*] On my throne! Why the blackguard! The impudent upstart! . . .

LORD What shall I tell him, Your Majesty?

KING Tell him I am always willing to receive petitions from my loyal subjects, but I am the judge where I shall sit when I receive them.

LORD Yes, Sire.

KING [*To self.*] Wait a moment! That devil Wilkes is the hero of the people—even my disloyal colonists in Boston write him their troubles. What's to become of kings if any hideous commoner in a night cap can give them orders!

LORD Shall I tell them Your Majesty does not wish to see them?

KING No, no, no. [*Fretfully.*] Then that devil Wilkes will think I'm afraid of him. Let them come in. But tell the Lord Mayor that he must not expect me to speak to him personally!

LORD [*Fading.*] Very good, Sire. I shall bring him from the anteroom.

KING [*Angrily.*] He needn't think he can order George the III around! I'll show him . . . [*Calling.*] Wait a minute! Until——

LORD [*Slightly off.*] Yes, Your Majesty?

KING Until I get settled on this plaguey throne!

Pause [*Footsteps, fading.*]

WILKES [*Fading in.*] Ah, there you are at last—well, will his Serene Highness deign to receive his humble subjects? [*Sarcastically.*]

LORD The King will receive you, Mr. Wilkes and gentlemen, on two conditions.

WILKES And they . . . are?

LORD First, that it is understood that he will not speak to you personally.

WILKES The caution is needless. I did not expect that honor.

LORD And second—His Majesty insists on receiving the petition—sitting on his throne.

WILKES Oh, he does, does he? Very good. Show us in!

LORD [*Thumping on floor with staff.*] His Honor, the Lord Mayor of London, and the Aldermen of London to see His Gracious Majesty, George the Third, King of Great Britain.

WILKES (aside) Will you be so good, my lord, as to hand His Majesty this petition?

[*Footsteps.*]

LORD-IN-WAITING Certainly, Mr. Wilkes!

KING Will you be so good, my lord, as to read it to me?

LORD — Certainly, Your Majesty. [*Reading.*] "Petition presented to the King. Your Majesty's dutiful subjects beg leave to declare their abhorrence of measures which have been pursued to the oppression of our fellow subjects in America. It is with deep concern that we have seen the sanctuary of their houses laid open to violation at the will and pleasure [*Fading*] of every officer and servant in the customs!"

Music — [*Up and out.*]

1ST VOICE — The petition of John Wilkes refers to the struggle of these transplanted Englishmen for the privacy of their homes in their new land.

2D VOICE — To discover smuggled merchandise, the courts of the colonies, under instruction from England, have been issuing writs of assistance to customs-house officials.

3D VOICE — These writs of assistance permit officers to enter any warehouse, ship, or home to search for smuggled goods on bare suspicion.

4TH VOICE — The merchants of Boston claim that these warrants are an invasion of their Right to the Privacy of their Homes and demand a hearing. On the appointed day, in February 1761, as many citizens of Boston as the room will hold crowd into the council chamber of the court. In order that he may champion the rights of the people, brilliant, fiery James Otis, the Patrick Henry of Boston, has resigned his well-paid office of advocate-general for the Crown.

5TH VOICE — The judges in their crimson robes, cambric bands, and enormous wigs sit about a huge open fire. Mr. Gridley, arguing for the Crown finishes his speech.

GRIDLEY And in closing, gentlemen, I claim this case to be very simple. It all depends upon this one consideration—whether the Parliament of Great Britain is the sovereign legislator of the kingdom or not.

Sound [*Low hum of conversation.*]

MAN James Otis is going to speak now. Listen . . .

Sound [*Conversation out—Silence.*]

OTIS [*Starting off—Then fade in full.*] Gentlemen, let the consequences be what they may, I am determined to proceed!

The only principles of public conduct worthy of a man are to sacrifice estate, ease, health, and applause, even life to the sacred call of his country! I will proceed at once to the subject of this writ. Your lordships will find in the old books precedents of general warrants to search suspected houses. But in more modern books you will find only special warrants to search designated houses in which a complainant has sworn he believes goods are concealed. . . . This writ is a power that places the liberty of every man in the hands of every petty officer. Everyone may become a tyrant in a perfectly legal manner. Here is an example: Mr. Justice Malley called Mr. Ware, customs officer, before him by constable to answer for swearing on Sunday. "My lord, are you quite done?" asked Mr. Ware. "Yes", said the judge. "Then I will show you a little of *my* power" said Mr. Ware—"I command *you* to permit me to search your house for smuggled goods!"

[*Laughter.*]

JUSTICE [*Slightly off.*] Mr. Otis, surely as a lawyer you know that similar writs of assistance are used in England.

OTIS My lord, I will not dispute the taste of Parliament in passing such acts nor the wisdom of the people of England in submitting to them, but they are not calculated for this country!

JUDGE [*Slightly off.*] But, Mr. Otis, these writs derive from old statutes.

OTIS I do not deny that there have been injustices in England, and for them, one king lost his head and another king his throne.

JUDGE [*Slightly off.*] But surely Parliament is the supreme law.

OTIS There is a law written on men's hearts before parliaments were dreamed of. A man's right to his home is derived from nature and the Author of nature, and is inherent, inalienable, indefeasible by any laws, pacts, contracts, covenants, or stipulations which man could devise. In his house man is an independent sovereign. The club he snaps from the tree for a weapon is his own, his bow and arrow are his own property. If he has killed a squirrel, or taken an eel or a sculpin, it is his property, and no creature nor beast has a right to take it from him. The security of rights to life, liberty, and property, which surely include one's dwelling, has been the object of all struggles against arbitrary power, temporal or spiritual, civil or political, military or ecclesiastical, in every age!

Sound [*Applause and comment.*]

MAN [*Aside.*] Otis sows the seed of patriotism and heroism.

2D MAN [*Solemnly.*] Yes, today we have seen the child, Independence, born.

Music [*Up and out.*]

1ST VOICE Chief Justice Thomas Hutchinson, terrified by the popular storm which Otis has raised, refers the question of continuing the writs of assistance to England. When they are declared legal, the colonists answer the judiciary with torches.

2D VOICE And yet, in spite of all warnings, the pride of authority refuses to yield.

3D VOICE September 1766, the Riots of Boston!

HALLOWELL [5] [*Fading in.*] Let me see now—oh yes, that's the house yonder! Sheafe!

SHEAFE [5] [*Timid voice.*] But Mister Hallowell! I don't like the look of that front door. It looks stubborn, it do.

HALLOWELL It doesn't look as though 'twould kick down easy, does it?

SHEAFE [*Complainingly.*] These Boston people are so touchy about their doors, too. Like as not they've got a pistol behind that one.

HALLOWELL Well, Sheafe, there's no use wasting time. I instruct, order, and command you to enter the aforesaid house of the aforementioned Daniel Malcolm at once, immejit, and instanter.

SHEAFE But Mister Hallowell . . .

HALLOWELL Come, come. I'm the Collector of Customs. You're only deputy collector. You take orders from me.

SHEAFE And while they're shooting me with a pistol, what are *you* going to be doing, Mister Hallowell?

HALLOWELL I'll be standing behind you holding the writ of assistance, of course—stupid.

SHEAFE [*Moaning.*] Well, it do go against the grain. [*Knocking timidly.*]

HALLOWELL Louder. What are you afraid of, man? You've got the law behind you!

SHEAFE I'd rather have the law in front of me. [*Knocking louder.*] Hullo in there! Hullo!

MALCOLM [*Off mike muffled as if within.*] Who's there and what do you want?

SHEAFE [*Weakly.*] Open in the name of the law!

HALLOWELL [*Loudly.*] Open in the name of the King!

MALCOLM [*Off.*] Kings have no right in my house!

SHEAFE [*Aside.*] Oh deary me, if these colonists hadn't so many rights it 'ud be easier for us.

HALLOWELL Mister Daniel Malcolm, I've come to search your house for smuggled rum!

MALCOLM [*Off mike.*] Have you got a search warrant?

HALLOWELL No; but I've got a writ of assistance.

MALCOLM And I've got a sword and a pistol to answer your writ of assistance.

SHEAFE [*Mournfully.*] Oh losh, I'm too mild-spirited a man for this business. I should have been a tailor.

HALLOWELL You certainly should. 'Twould take nine of you to make one man. Open that cellar door, I'm going in!

MALCOLM [*Inside threateningly.*] If you set foot in my house, you're dead men!

Sound [*Voices coming up.*] What's going on here? Who are you? etc.

SHEAFE Oh dear, now the neighbors are coming!

HALLOWELL Now, now, friends, we're the King's customs officers on the King's business.

MAN [*Fading in.*] What's Daniel Malcolm done?

HALLOWELL We don't know he's done anything. We suspect he's drinking rum without a stamp on it! I've got a writ of assistance here.

NEIGHBORS [*Jeering ad lib.*] Aw, we'll assist you! etc. . . .

MAN [*Jeering.*] We'll assist you into the next world if you come around here breaking into folks' houses!

HALLOWELL [*Furiously.*] I've had enough of this. Open that door!

Sound [*Furious pounding and kicking on door.*]

Sound [*Shot from inside.*]

SHEAFE Oh, lordy, he's a-shootin' at us—

WOMAN [*Angrily.*] Are we going to stand for this neighbors? Havin' our houses searched for Lord knows what, breaking open my bureau drawer, tracking mud through my fresh sanded parlor?

ALL [*Angrily.*] That's right! Kill the customs men! Down with writs of assistance.

HALLOWELL Hurry, Sheafe! Get the sheriff! Tell him to bring the soldiers.

MALCOLM [*Inside.*] Bring on the whole British Army,– I'll send for James Otis. . . .

SHEAFE James Otis! [*Going.*] Good-bye!

HALLOWELL James Otis! Heaven have mercy! [*Calling.*] Hey, wait for me, Sheafe,—I'm a-coming too. . . .

Music [*Up and out.*]

1ST VOICE After the Boston Riots, which are started by this attempt to search the home of Daniel Malcolm, Governor Bernard writes despairingly to England that writs of assistance are useless in Boston. "No one dares to discover or prosecute the offender."

2D VOICE Of all the reasons for bitterness toward the mother country, perhaps the one longest remembered, most resented, is the Quartering Act which the New York assembly is forced to pass. Under this act, soldiers are quartered in the homes of citizens, regardless of protest.

1ST VOICE With these outrages fresh in their minds, the founding fathers write the Third and Fourth Amendments to the Constitution into the Bill of Rights.

2D VOICE "No soldier shall in time of peace be quartered in any house without the consent of the owner! Nor in time of war, but in the manner to be prescribed by law."

3D VOICE "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated."

4TH VOICE And is the American home always safe today because of these amendments? Is your home protected from invasion by a mob? What is the remedy if local authority obligingly averts its eyes?

5TH VOICE — This happened a few years ago in a California town, where a seamen's strike is in progress. Business is tied up, and bitter feelings are loosed. The Hunt family is gathered for a peaceful evening at home.

RADIO — [*Filter.*] [*Fading in.*] At noon today all Pacific coast ports are still tied up and no hope of settlement of the strike is in sight. The Governor has been asked to call out the militia. . . .

MRS. HUNT — [*Above radio.*] Oh, turn that radio off, Jim. The children can't do their home work.

Sound — [*Radio snapped off.*]

JAMES — All right, Mother, I just wanted to hear the last news about the strike.

MRS. HUNT — Yes; Mrs. Peters was saying today that you'd better be careful about how you make speeches for the strikers.

JAMES — Pooh! This is a free country, Mother.

Sound — [*Phone rings.*]

Sound — [*Receiver off.*]

JAMES — [*Off.*] Hello! Yes,—who? The Vigilantes! On their way down here after me! . . . Well, thanks for the tip, Joe. So long!

Sound — [*Receiver up.*]

MRS. HUNT — [*Calling.*] Anything wrong, Jim?

JAMES — [*Fading in.*] Now, Mother, don't get excited. That was Joe Potter.

MR. HUNT — What's Joe want?

JAMES — He says those anti-strike-fellows—the Vigilantes—are on their way down here to the house. . . .

ALL [*Ad lib.*] Here? Oh Jim! Daddy!

JAMES Now, now, don't get upset. It's probably a lot of hot air, but Junior—

JUNIOR Yes, dad?

JAMES You run out to the corner, and ask Officer Reynolds to send a couple of cops around to guard the house.

MRS. HUNT Oh, Jim, do you think they'll. . . .

JAMES Now, honey, it's all right, but—it's just as well to be prepared.

JUNIOR [*Fading.*] I'll have the cops here in a minute.

Sound [*Door.*]

MRS. HUNT Oh, Jim, I'm frightened.

JAMES Now, nobody's goin' to break into a man's house in a civilized country, Mother. It's against the Constitution. . . .

Sound [*Off.*] [*Growl of voices coming nearer.*]

MRS. HUNT I know, but—listen—Oh, Jim, they're coming . . . The Vigilantes—are coming!

JAMES Yep, you're right. Everybody keep calm now. I'll lock the door.

Sound [*Voices closer.*]

JAMES Bessie, get away from the window——

BESSIE Oh Daddy, they've got a big beam——

Sound [*Banging on door.*]

VIGILANTE [*Calling off.*] Hello, there, Jim Hunt!

JAMES Yes? What do you want?

VOICES Open up there!

JAMES [*Calling.*] This is my private house! You can't come in here without a search warrant.

VOICES [*Laughter.*] Here's our warrant!

Sound [*Heavy blows of battering ram, then splintering of wood.*]

MRS. HUNT AND BESSIE [*Screaming.*] Oh! Oh!

JAMES Get out of here! [*Above crashing.*] I say get out of my house.

MRS. HUNT [*Calling.*] Police! Police!

1ST VIGILANTE Shut up that yipping! Fat chance you've got for police protection—spending your days inciting strikers!

2D VIGILANTE Want us to search the drawers and cupboards, eh?

3D VIGILANTE Yeah. Ransack the whole damn house.

Sound [*Furniture moved.*]

JAMES What do you think you're looking for?

1ST VIGILANTE Disloyal literature, you sap——

JAMES But I haven't any papers here. This is our home! We live here!

2D VIGILANTE [*Laughing.*] Yeah! Well, you won't be living here much longer.

Sound [*Crashing of glass.*]

MRS. HUNT Oh, Jim, what can we do?

JUNIOR [*Calling and fading in.*] Here's the policeman, Daddy!

MRS. HUNT Oh, thank God, Officer. . . .

JAMES [*Calling.*] Officer! These men are destroying my private property!

OFFICER Yeah! So what?

3D VIGILANTE Yes, go ahead—ask the cops to protect you—go on——

Sound [*Crashing.*]

JIM Officer, its your duty to. . . .

OFFICER Listen, Mister, you're not telling me my duty! Best thing you can do is to get out of town. Folks don't seem to *like* you here.

ALL VIGILANTES You didn't say half of it!

Sound [*Crash.*]

MRS. HUNT [*Weeping.*] Jim, they've broken my wedding things. . . . They're carrying off our insurance papers . . . and your old love letters. . . .

JAMES [*Furiously.*] I'll sue somebody for this! We'll see whether an American citizen has got a right to his own home or not!

Music [*Up and out.*]

1ST VOICE The man whom we have called Jim Hunt here, really did sue the city for the damage done to his property and the court awarded him a judgment of two thousand dollars for his chairs and tables—recognition of the fact that local authorities should have acted in the case. But nothing could ever pay for the night of horror which his family endured.

Music [*Up and out.*]

ANNOUNCER One way of safeguarding rights is to discuss them. How would you answer these questions——

1ST VOICE — Should evidence obtained by secret means such as wire-tapping be used to convict actual criminals? Nineteen States say no! Twenty-three admit such evidence.

2D VOICE — Does the protection of the public warrant the practice of planting police spies in suspected homes to obtain evidence?

3D VOICE — Since criminals are among the first to use new inventions, should police officers be restricted in fighting fire with fire?

4TH VOICE — Should it be legal or illegal to take telephoto photographs through a private window?

5th VOICE — Should a home on wheels—the automobile trailer—be accorded the privacy of a home?

Music — [*Up and out.*]

ANNOUNCER — Struggle for Freedom never ends! Ground that is lost must be regained! Each generation must re-win it's rights!
Eternal vigilance is *still* the price of liberty!
Let us strive on, to the end that our children's children may always know the glorious fulfillment of that noblest cry known to man—"Let Freedom Ring!"

Music — [*Closing theme . . . Fade under and out.*]

PRODUCTION NOTES

[1] Mary is the typical stenographer and should be played very matter-of-factly.

[2] The voices of Holmes and Brandeis should both be dignified, but there should be a definite difference between the two voices doing these parts.

[3] The English lords should be played with slight English accents, but if the voices do not sound real, play the parts straight but with real dignity.

[4] The King must be a blustering, stupid person, and in contrast Wilkes must be sure and caustic.

[5] Sheafe is a Mr. Milquetoast type, whereas, Hallowell is a boisterous person. This scene should definitely be played for comedy.

NOTE.—Additional helps may be found in the general production notes on page 375.

LESSON AIDS

William Pitt, one of England's most brilliant ministers, speaking on the old theme that an "Englishman's house is his castle," remarked: "The poorest man may in his cottage bid defiance to all the forces of the Crown. It may be frail, its roof may shake, the wind may blow through it; the storm may enter, the rain may enter, but *the King may not enter;* and his force dare not cross the threshold of the ruined tenement."

"The privacy of the home" has come to be a commonplace in the English language. It was one of Nature's laws thousands of years before it was written out in legal terminology in Blackstone's *Commentaries on the English Common Law.* Young America was trained on Blackstone's *Commentaries.* It was the youthful Lincoln's first law book, and he came to know it almost literally by heart.

Jefferson expressed the same ideal in the immortal words of the Declaration of Independence: "The right of the people to be secure in their persons, homes, papers, and effects, against unreasonable searches and seizures, shall not be violated."

And he had good reasons for his statement! There was the abuse of "Quartering soldiers in times of peace," and there were the infamous "Writs of Assistance" which James Otis opposed so vehemently and eloquently. Do you understand the difference between a general search warrant and a special writ, like the Writ of Assistance? What is the significance of the term "assistance"? On the day that Otis made his famous plea, a young Harvard student, John Adams, crowded into the old Boston State house. Years later, in describing the scene he said, "On that day, the child Independence was born!" Do you follow his line of reasoning?

I. Activities

1. Make a "Who's Who" for the Freedom of the Home. Include:
   (a) William Pitt.
   (b) Justice Holmes.
   (c) Justice Brandeis.
   (d) John Wilkes.
   (e) James Otis.
2. Daniel Malcolm, typifying Mr. Average Citizen, successfully withstood the invasion of his home. [Page 335.] Such threats to the privacy of the home brought on the Boston riots. Investigate these riots and report to the class.
3. Dramatize the scene presented on page 333 when James Otis made his famous plea against the Writs of Assistance. The hearing was held in the old State House, Boston. Note the crimson robed

justices: Mr. Gridley for the Crown; James Otis, "a flame of fire," for the colonies; the crowd jamming all available space.

4. What was the Quartering Act? Why has such an act always been particularly distasteful to free man?
5. Write out a definition of "Home" from the viewpoint of each of the following: (1) Poet; (2) A mother; (3) A lawyer.

II. Discussion and Debate

1. Should police officers be permitted to use mechanical means such as wire-tapping and dictaphones to find out what is going on within a home? Note the decisions of Mr. Justice Holmes and Mr. Justice Brandeis. The majority of the Supreme Court did not agree with these statements. Do you?
2. Does the protection of the public warrant the practice of planting spies ("stool-pigeons," as they are popularly called) in the home? Such spies usually act as servants, inspectors, etc.
3. A new problem has arisen in the form of the automobile trailer. Should such a dwelling be accorded the privacy of the home? Is it a home or is it an automobile?
4. What were your emotional reactions to the Jim Hunt story? Was justice done?
5. Debate: *Resolved,* That trailer-dwellers who have no permanent legal residence should be taxed on the basis of the amount of time spent in any community.

III. Watch This Spot!

1. An Englishman's home is his castle.
2. Casa mia, casa mia per piccinia che che pu sia tu mi sembri una badia. (Italian.)
3. Trauten heim gleck allein. (German.)
4. Charbonnier est rei chez lui. (French.)
5. "There is a law written on men's hearts before parliaments were dreamed of. A man's right to his home is derived from Nature and the author of Nature."—Otis.

MUSIC PRODUCTION NOTES

Compositions used (orchestrations, unless specified).

1. Let Freedom Ring, theme by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).
2. Misterioso Marziale, C. E. 26, by Cafarella (Harms, Inc., New York City).
3. Parasites of the Night, C. E. 14, by Brunelli (Harms, Inc.).
4. America, in National Melodies, by Beyer (Carl Fischer, New York City).
5. The Get-away, C. E. 30, by Suesse (Harms, Inc.).
6. Tragic Episode, C. E. 33, by Kriens (Harms, Inc.).

How to use them (C–1 means composition 1, etc.).

Pages 319, 320	Use theme 1 as directed in general music notes at end of script.
Page 322	Play C–2, the measures 12, 13, 14, 15, and the first beat in the second ending, up and out.
Page 324	Play C–2 starting at the thirty-third measure, counting the repeat, and play up to and including the first chord in the "Poco Meno Mosso." Music up under and out on next cue.
Page 328	Play C–3 from the fifth measure, up and under the following speech of the voice. Fade at the end of that speech.
Page 328	Play the same as page also bringing the music under the following speeches of the first voice and the second voice.
Page 331	Play C–3 the measures three, four, five, six, ending with an allargando.
Page 334	Play C–4, the measures three, four, five, six, up and out.
Page 337	Play C–5 the last seven measures up and out.
Page 341	Play C–6 the first two measures up and out.
Pages 341, 342	Begin theme for closing as directed.

The Last Moments of John Brown by Thomas Hovenden, N. A. This famous picture summarizes well the story of John Brown as shown in the script. Every detail of the picture, from John Brown's carpet slippers to the expressions on the faces, will reward close study.

This program is a product of the United States Department of the Interior, Office of Education, Washington, D. C. The script remains the property of the Government and must not be sponsored commercially. It may be duplicated for any educational purpose without further permission.

30-MINUTE SCRIPT

Script 13

RIGHT OF RACIAL EQUALITY

[*Footnotes on page 369*]

CAST

ANNOUNCER	JOHN C. CALHOUN	JOHN BROWN
VOICES	SECRETARY	MRS. BROWN
WILLIAM PENN	SAM HOUSTON	CLARENCE DARROW
DELAWARE CHIEF	TAHLHANTUSKY	Black Legion men,
COMMISSIONER	BOWRING	Indian, etc.

Music [*Patriotic fanfare . . . Roll of drums . . . Built up to—*]
[*Three strokes of great bell.*]

ANNOUNCER [*Dramatically.*] Let Freedom Ring!

Music [*Chorus and orchestra in special song dedicated to radio idea of program with sound of sonorous bell worked into orchestration.*] [*At triumphant finish of song—Orchestra segues into soft background music for announcer, bell motif still softly heard.*]

ANNOUNCER [*Over.*] Once only kings had the rights you enjoy today! Democracy wrested these rights from kings and gave them to you! These rights are now a part of the law of the land!

Celebrating this 150th Anniversary of our Constitution the . . . (*local group*) and the . . . (*local radio station*) story of man's unending struggle for freedom! Tonight we consider another of our Constitutional Rights—The Right of Racial Equality!

1ST VOICE Civilization has never yet achieved just relations among men of the same race, so it is not surprising that it has been even less successful with relationships among different races. This problem is as old as History. Let us question the Past. . . .

2D VOICE [1] Hail! Ancient Egypt——

3D VOICE [*Coming through the tube.*] Hail! Twentieth Century America! What would you know of the dead past?

2D VOICE How did *you* face the race problem?

3D VOICE Ah—thousands of years before the fair-haired men of the northlands made their homes in caves and girded themselves in the skins of wild beasts, Egypt held dominion over the civilized world. Our ships brought men of many races to our magnificent capital on the Nile. We made them our slaves and with them we built great pyramids and temples. Our culture rested on the broad foundation of slavery. We held the children of Abraham as our slaves until Moses called on his Jehovah for deliverance.

2D VOICE Hail! Ancient Rome——

4TH VOICE [*Coming through the tube.*] Hail! Modern America!

2D VOICE How did you Romans deal with different races?

4TH VOICE Like the older cultures in Egypt, and in Greece, our great Roman Empire was erected upon the backs of slaves. Some we brought across the waters to Rome where they entertained us in the games and turned their talents to the service of our civilization. We even enslaved the proud and learned Greeks as tutors for our youth. But most of the millions who bowed to the majesty that was Rome, lived in their own lands under the rule of our Governors. We created two systems of law—*one* for the Roman citizen, *another* for the rest of mankind.

Music [*Up and out discordant violent.*]

1ST VOICE America is one of the few countries even today which have written the great ideal of racial equality into their fundamental law.

2D VOICE The Thirteenth Amendment to the Constitution!
"Neither slavery nor involuntary servitude—shall exist within the United States—"

3D VOICE The Fourteenth Amendment!
"All persons born or naturalized in the United States—are citizens of the United States and of the State wherein they reside. No State . . . shall . . . deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

4TH VOICE The Fifteenth Amendment!
"The right of citizens of the United States to vote shall not be denied or abridged . . . on account of race, color, or previous condition of servitude."

1ST VOICE — But these great Constitutional ideals are ahead of actual practice even in America. Patience, understanding, and education, must still struggle with the age-old enemies of ignorance, fear, economic rivalry, human prejudice and antagonisms. Public opinion still lags behind the laws.

Music — [*Deep, elemental, barbaric strains of "Birth of a Nation" variety.*]

2D VOICE — Racial struggle has been going on in America ever since the first white man set foot upon the red man's continent.

3D VOICE — Some of the colonists treat the Indians as savages, some treat them like friends and equals. Among these latter is benevolent William Penn who in 1683 makes a treaty with the Delaware tribe—a treaty between the white man's government and the Indians that is not ratified by an oath and yet is never infringed by either of its makers. . . .

Sound — [*Tom tom and Indian music for a strain.*]

CHIEF[2] — [*Shouting command.*] Sa-ton-ron Sa-Ta-ke-on-a! *Attention members of tribe!*
[*Silence.*]

CHIEF — Our White Brother would speak to us.

PENN — I have great love and regard towards you. And I desire to win and gain your love and friendship by a kind, just, and peaceable life. To that end I have met with you under this elm tree at Shackamoxon, on the banks of this great river. As long as its waters run let us be friends!

ALL — [*Shouts of approval.*]

PENN — I have here the money with which I buy your lands for my colony. You shall sell only as much land as you can spare, and we will buy no more than is our need. If there shall be any dispute hereafter let it be settled, not by the Indians, not by the whites, but by both of us sitting together in friendship and understanding.

CHIEF — We will live in love with William Penn and his children as long as the sun and moon give light. And now let us celebrate this new friendship with a feast and a dance!

Sound — [*Tom toms and music.*]

1ST VOICE — With the formation of the Government of the United States, Indian tribes are treated as nations. In 1778 the United States makes the first treaty with the Delaware Nation, pledging among other things:

2D VOICE — "Whereas the enemies of the United States have endeavored to persuade the Indians that it is our plan to kill them and take possession of their country, the United States guarantee the said Nation of Delaware all their territorial rights in the fullest and most ample manner, and the Delawares shall be entitled to send a representative to Congress to protect these rights."

3d VOICE — But the white man, eager for land to the West, moves relentlessly on, in spite of his solemn treaties. From the first it is an unequal struggle between two economies—the complex economy of commerce and trade and the primitive economy of the hunt. The plow, the axe, the hammer, driving away the game upon which one race subsists, reduce that race quickly from independent nations to subject tribes.

4TH VOICE For a century the Indians, proud and free, struggle to maintain their racial dignity with the white man's weapons of treaties, conferences, petitions, and in final despair, war.

5TH VOICE A great council of 13 tribes meets the commissioners of the United States in 1793 to make a last effort to preserve the Ohio River as the boundary of the white man's advance.

Music [*Tom tom up and out.*]

COMMISSIONER Chiefs of the tribes beyond the Ohio, the Great White Father has sent us to make new treaties with you.

CHIEF What does the Great White Father do with the old treaties?

COMMISSIONER It is true that former treaties placed the white frontier at the Ohio, but his people are multiplying like the grains of the corn. They need homes and farms. They turn their faces toward the setting sun.

CHIEF Come, White Brother, tell us, what shall we do? Each day you build more fences and drive away the animals. Our way of life depends upon the freedom of the forest. Your way of life is different. We want only the right to live like our fathers.

COMMISSIONER I understand the words of your heart. Perhaps one more move to the West will suffice to make room for the white brothers who seek more land.

CHIEF We have already moved our wigwams far from the hunting grounds of our fathers to make room for the palefaces. Our fear is that at last our race shall be inferior, dependent on white man's bounty, strangers in our own land.

COMMISSIONER Your Great White Father wishes to do you justice. He offers to give you money for your lands.

CHIEF Money? It is no good. Indians only give it back to the White Man for trinkets and make animals of themselves with the White Man's fire-water. We want the lands given us by the Great Spirit—lands where trees stand and where the rivers flow. Money! That is the swift bow and the sharp arrow to the white men. Distribute this money among these people who want our land. Assure us what land we have left, and we shall be enemies no longer.

Music [*Up and fade out under next speech.*]

1ST VOICE While the red man is driven to fight with his primitive weapons for his rights, a white champion of the Indian is growing up in a Cherokee camp.

2D VOICE And in 1818, young Sam Houston, six-feet-six, pays a remarkable visit to John C. Calhoun, Secretary of War, with his Indian friend Tah-lhan-tusky.

Sound [*Fade in. Rapping on door.*]

CALHOUN [3] [*Within muffled.*] Come in!

SECRETARY The Indian agent from Tennessee, Sam Houston, is here, sir, with a party of Cherokee chiefs.

CALHOUN Well, why don't you show them in?

SECRETARY Well, sir, prepare yourself for a shock—he's as naked as the rest of them.

CALHOUN [*With exclamation.*] A white man—in blanket and feathers—disgusting!

SECRETARY Don't you remember, sir, Andrew Jackson wrote you about him?—Said he was a good fighter, but had queer ideas about the savages. He lived with them when he was a boy, I believe, or something.

CALHOUN A renegade from his own race. Terrible! But send them in.

SECRETARY [*Door—off mike.*] This way, Mr. Houston. This way –er–ah–gentlemen.

Sound [*Feet shuffling.*]

HOUSTON [3] [*Fade in.*] Mr. Secretary, may I introduce myself. Lieutenant Sam Houston of the United States Army, or as my friends here call me, CO-lon-neh, The Raven.

CALHOUN (*Coldly.*] How do you do, sir.

HOUSTON My more-than father, my dearer-than-a-brother, Chief Tah-lhan-tusky, has a message to the White Chief.

CALHOUN I understand that those Indians have come to protest the proposed removal of the tribe of Cherokees to the new territory of Arkansas.

HOUSTON On the contrary, Mr. Calhoun. But I will let Tah-lhan-tusky explain.

TAHLHANTUSKY [3] The West is the darkening land, the abode of evil. The Cherokees have no wish to turn their backs on the East, the sun-land. But there is something worse than the danger of the West. That is the destruction of our pride of race, our ways of life. We must go to save ourselves from becoming white. Already some of my people have lost their birthright. They farm instead of hunt. They bargain. They drink rum. They have become no better than the white man.

CALHOUN No better than the white man!

HOUSTON [*Laughing.*] That's a viewpoint new to the superior race, isn't it, Mr. Secretary? But what the Indians really want is racial integrity and not amalgamation into the white civilization. They do not want to lose their customs, their culture, their soul.

CALHOUN I shall present their wishes to the President. I know that he favors Indian removal beyond the Mississippi, although he wants it for a slightly different reason.

Sound [*Rings bell.*]

SECRETARY [*Off.*] Yes, Mr. Secretary?

CALHOUN Please conduct my guests to the White House, where their White Father, President Monroe, has prepared a feast in their honor.

Sound [*Murmur of Indian gutturals and feet fading out.*]

CALHOUN Mr. Houston, may I ask you to remain a moment?

HOUSTON Certainly, Mr. Calhoun.

Sound [*Door closes.*]

CALHOUN [*Striking violent blow on desk.*] How dare you, sir, disgrace your race and insult your government by appearing here in a breech cloth and beads like a savage!

HOUSTON [*Furiously.*] Sir! Such an attitude as your words bespeak is at the root of our difficulties with the Indian Nations.

CALHOUN They should never have been treated as nations from the beginning! They wither at the touch of civilization.

HOUSTON If by civilization you refer to our habit of making treaties only to break them, I agree with you, sir, that the Indian is not civilized.

CALHOUN Treaties should be made only between equals!

HOUSTON Sir, this country was founded on the simple statement that all men are created equal. To be sure the Constitution does not mention Negro slavery or the Indian question, but until they are settled and all men—white, black, red—in this republic are protected by the same laws there will be no true liberty in these United States. I bid you good day, sir!

Music [*Up and under—next speech only.*]

1ST VOICE Sam Houston—Governor of Tennessee! General Sam Houston. President Houston of the Republic of Texas. Senator Houston—in every capacity throughout a long life he struggles for legal recognition of Indian rights.

2D VOICE The right of racial equality as Houston sees it includes the right of the Indian to live his own life in his own way, and at the same time enjoy the same civil liberties as the white man.

3D VOICE An old man, seamed with the scars of war and of life, Sam Houston stands in the Senate and denounces the plan of dividing the last hunting ground of the Indian into the white States of Nebraska and Kansas.

HOUSTON Mr. President, it seems to be a foregone conclusion that the Indians must go from place to place, that there is to be no rest for them. When they emigrated to Arkansas, the President told them! "The white men shall never again encroach upon you, as long as the water flows, or grass grows, or the sun rises to show

your pathway, so long you shall be protected by this Government and never again removed!" Well, sir, what is now proposed to be done? How you can organize this territory in the face of that solemn guarantee I cannot conceive. If the Indians are to be driven off—if they have no rights to be respected, do not at least make mockery of solemn treaties, do not destroy and disgrace the forms of negotiation, but march your men with bayonets and tell them—"You must go." There is something manly in that.

Music [*Up and out.*]

1ST VOICE In the wake of empire building comes another policy. The Indian Reorganization Act of 1934 provides among other things for civic and cultural freedom and opportunity for the Indians. In the words of the present Commissioner of Indian Affairs, John Collier, the most recent policy of the United States toward the Indians urges——

JOHN COLLIER "Indian property must not pass to the whites: Indian family life must be respected and reinforced; Indian culture must be appreciated, used, and brought into the stream of American culture as a whole; and the Indian as a race must not die, but must grow and live."

Music [*Up and out.*]

1ST VOICE While the march of progress is driving the buffalo from the plains, the West welcomes the Oriental to do the hard labor of developing a rugged land. At first there is no race inequality between the yellow and the white!

2D VOICE 1848!

3D VOICE Welcome to the Chinese! The most worthy of our newly adopted citizens! Chinamen are sober, law-abiding, clean, honest!

4TH VOICE They're sure useful round this camp! Who'd cook and wash dishes and clothes for us if they weren't here!

5TH VOICE This is a great country! There's plenty of room for everyone! Welcome to the Chinese!

Music [*Up and under.*]

1ST VOICE Eighteen forty-nine. The discovery of gold in California! Very rapidly the attitude toward the Oriental changes!

2D VOICE These Chinese live to themselves! They're secretive—dangerous! They can't be assimilated into white society!

3D VOICE Pretty pass when a Chinaman can help himself to a white man's country!

4TH VOICE Hadn't ought to be allowed—send him back to China where he belongs!

5TH VOICE If the law doesn't help us drive these pigtails out, we'll take the law into our own hands!

Music [*Up and out.*]

1ST VOICE What has happened to change welcome into threat—friendship into race rivalry?

2D VOICE With the discovery of gold, the Chinaman has become a rival instead of a helper. Mobs are formed. Authority looks the other way.

3D VOICE The depression and scarcity of jobs which follow the gold rush intensify racial enmity. It is always easier to blame those who are unlike ourselves than our own kind.

4TH VOICE Although Orientals are now forbidden by law to settle in the United States, still under our Constitution the second generation of both Chinese and Japanese are citizens and entitled to all the privileges of citizenship.

5TH VOICE These young American heirs of racial enmity have become modern Americans. Three hundred and sixty days a year they live an American life, wear American clothes, speak American slang.

1ST VOICE But on the other five days in Los Angeles the entire city flies oriental banners and its streets are filled with the beauty of ancient costumes, strange headdresses, and the pageantry of a race that was old while the white man was wearing skins in the forest.

Music [*Up shrill and under.*]

2D VOICE It is the Nisei Festival in Los Angeles. All the city and State officials join the Japanese in celebrating the Festival of the Nisei—the Second Generation.

3D VOICE During the festival the shades of George Washington and Abraham Lincoln are introduced to the spirits of the illustrious dead of Japan in the elaborate ceremony of Shintoism.

Music [*Up and out.*]

4TH VOICE When the settlers came, the Indian was here. It was *his* native land. But the Negro was torn unwillingly away from his racial birthplace to serve in the conquest of a new empire. The story is told of the English writer of hymns, Bowring, who traveled to America on a ship called *Christian*——

BOWRING [*To himself—Musing.*] And tomorrow I set foot again on the soil of a free land! How merciful is the Lord!

Sound [*Off mike.*] [*Wailing and groaning.*]

CAPTAIN [*Shouting to a seaman.*] Get the first mate! The slaves are on a rampage!

SEAMAN Aye, aye, Sir.

CAPTAIN Hurry! . . . I'm sorry, Mr. Bowring . . . Didn't see your foot.

BOWRING Quite all right, Captain. I say, what's up?

CAPTAIN [*From a little distance.*] Blacks raising the devil, sir. Down in the hold.

Sound [*Distant wailing and groaning.*]

BOWRING Anything I can do? [*Calling.*]

CAPTAIN [*From longer distance—Shouting.*] Oh no! We can handle these savages. . . .
[*Slams door.*]

BOWRING [*To himself.*] [*Reflective.*] Savage—the spirit of the Lord; . . . calming the savage breast . . . It—it has the elements of a hymn. . . .

Music [*Voices singing "In the Cross of Christ I Glory!" Fade.*]

1ST VOICE Slave trade! It is a business—a profitable one while it lasts. English and Spanish ships bring thousands of Africans to the New World.

2D VOICE But slavery as an institution does not flourish vigorously in a land in which every citizen is thinking of freedom. From 1695 the colonists impose duties to discourage the slave trade. The British enforcement of the trade

is mentioned in the first draft of the Declaration of Independence as one of the causes of the Revolution.

3D VOICE — The Ordinance of 1787 makes the Great Northwest Territory free!

4TH VOICE — The Constitution of the United States provides for the possible abolishment of slave importation after 20 years.

5TH VOICE — Slavery is a dying institution when suddenly a new sound is heard in the land . . . the cotton gin!

Sound — [*Clatter of cotton gin behind speech.*]

1ST VOICE — The invention of the cotton gin by Eli Whitney enables the fibre to be separated from the cotton seed at high speed. Cotton is planted on thousands of acres in the Southland, in order to feed the ravening maw of the English textile mills.
[*The following lines start low and slow and increase in tempo and volume.*]

Music — [*Drum rolls after each voice.*]

1ST VOICE — The cotton gin is fast—

2D VOICE — More orders from England—

3D VOICE — Textile factories grow in America—

4TH VOICE — More land for *cotton*—

5TH VOICE — More slaves to grow *cotton*—

1ST VOICE — Prosperity for *cotton*—

2D VOICE — Leisure and culture from *cotton*—

3D VOICE — Free trade for *cotton*—

Music — [*Up and abrupt stop.*]

1ST VOICE Free trade and slave labor are the basis of southern prosperity. Cotton is King and the South is his Kingdom! The manufacturing North demands tariff protection and operates with wage-labor. Men are caught in a whirlpool of economic forces.

2D VOICE A Negro, Dred Scott, slave and descendant of slaves, is carried by his owner into the territories of Illinois and Minnesota and sues for his freedom, claiming that in these free States he has lost his status as a slave.

3D VOICE The Supreme Court decision holding in substance that as a slave or descendant of slaves he is not a citizen and cannot come into court creates a crisis!

4TH VOICE After the Dred Scott decision only a spark is necessary to set off national conflagration! That spark is furnished by the fantastic action of a man whom many have called a madman and a few have called a martyr to his passion for liberty.

5TH VOICE John Brown of Ossawattomie sets out to free the slaves with a force of twenty neighbors and two sons and a fanatic belief that his example will stir sluggish public opinion to end slavery.

1ST VOICE And on the night of December first 1859 he sits, his feet stuck in his old carpet slippers, waiting to die for "treason, conspiring and advising with the slaves, and the murder of United States soldiers."

KEEPER [*Off.*] In here, Mrs. Brown.

Sound [*Key grating in lock.*] [*Door opens.*]

KEEPER [*Coming up.*] Sorry, but you can't stay but a moment, Ma'am.

MRS. BROWN [4] I know. Thank you kindly.

Sound [*Door closes.*]

MRS. BROWN [*Coming up.*] John. . . .

JOHN BROWN [*As though rousing from abstraction.*] Why, Mary Anne! You came all this way—

MRS. BROWN [*Fluttering.*] I—I brought you your Sunday suit, John—for—for—[*Faintly*] tomorrow—

JOHN BROWN That was thoughtful of you, my dear. I'd like to meet my Maker looking my best.

MRS. BROWN I brushed it good, but it's kinda shabby—you never did take any care of yourself. . . .

JOHN There was always the Cause to save the money for, Mary Anne.

MRS. BROWN Yes—there's always been—the Cause.

JOHN I've been blessed in my family. Both my wives—all of my children—have given up everything gladly for my work. And they must go on with it! Tell them that, Mary Anne—tell them that they musn't rest as long as one black man calls a white man "Master."

MRS. BROWN [*With cry.*] Oh—John—don't talk so wild! I was hoping——

JOHN Hoping that I'd beg them for mercy? Hoping that I'd promise not to do the work the Lord's called me to do?

MRS. BROWN Oh John—if you said you didn't know what you was doing—if you told 'em about your mother and so many of her folks being queer in the head they'd—they'd let you come home. . . .

JOHN [*Musing.*] I hoped that Harpers Ferry'd be the beginning and the end. I thought fair-minded men must be sick and tired of words—words. I thought they only wanted a signal to rise in such holy anger the slaves' shackles would fall to the ground of themselves. Maybe I was a madman—as they called me in court—to think freedom could be won without bloodshed. Well, they've had blood . . . Four of my boys. . . .

MRS. BROWN [*Sobbing.*] And now you. Oh, John—what good can you do the slaves—dead?

JOHN [*Slowly.*] I don't know, Mary Anne. Maybe more good . . . than if I stayed alive and died 20 years from now in my bed like the milk-and-water abolitionists!

MRS. BROWN But how—how—

JOHN They can hang me—but my soul will go marching on.

Sound [*Clock strikes five.*]

MRS. BROWN The guard'll be calling me any moment now, I guess. Is there anything else you want to say, John. . . .

JOHN I suppose I should be making my will, Mary Anne. Except that I haven't anything to leave.

MRS. BROWN We'll manage all right. Don't you fret.

JOHN Wait! Give me that pen there, Mary Anne, and that paper. I'll write my last will and testament. [*Writing.*] I bequeath a free Kansas to the Nation. I leave the white race this message; "Abhor with undying hatred that sum of all villainies, slavery." I give my black brethren the last of my thoughts

and prayers on this earth. And having no worldly goods to will to anyone, I leave to humanity my example—and my soul. Signed John Brown of Ossawattomie!

MRS. BROWN [*Brokenly.*] Oh—John . . . John!

Sound [*Grating in lock—Door opens.*]

KEEPER You'll have to leave, Ma'am. It's getting near sunrise.

MRS. BROWN Good-bye—John . . .

JOHN Good-bye, Mary Anne.

Sound [*Doors clang shut.*] [*Negro chant far away.*]

Music [*Faintly background—Negro chant.*]

Go down Moses
Way down in Egypt lan'
Tell Ole Pharaoh
Let my people go.

Israel was in Egyp' Lan'
oppress so hard dey couldn't stan'
Let my people go! [*Fade out.*]

VOICE 1931! The recent depression is at a low point, when one of the periodically recurring organizations, based on misunderstanding, hate, and prejudice, is in process of formation. A group of hitherto law-abiding citizens meets to take a mystic oath somewhere in a mid-western State.

LEADER [*Fading in.*] Are you a native-born, white, protestant, gentile American?

APPLICANT [*Nervously.*] I am.

LEADER Will you accept for your roof the sky, your bed the earth, and your reward death?

APPLICANT I will.

LEADER Do you believe in white supremacy? Do you believe in restricted immigration? Would you be willing to sign your name in your own blood?

APPLICANT I would.

LEADER Then repeat these words: I, hereby, on my sacred honor before these Black Knights do promise and swear that I will submit to all the tortures mankind can inflict . . . [*Fade*] rather than reveal a single word of this, my oath.

ANNOUNCER The Black Legion spreads among a depression-stricken people. Some time later on the outskirts of an industrial city another chapter is added to the story of racial conflict.

Sound [*Fade in marching feet.*]

LIEUTENANT Company Halt! Atten—shun!

Sound [*Feet shuffling . . . Snap to attention.*]

LIEUTENANT The Colonel has something important to say to you men.

COLONEL[5] [*Voice of power.*] Some of you are new to the Black Legion. To you I say that today the native white people of America are menaced on every hand, from above and from below. We regard as enemies to ourselves and our country all cults and creeds believing in racial equality. Remember your oath! "Before violating a single clause of this, my obligation, I will pray to an avenging God and an unmerciful devil to tear my heart out and roast it over the flames."

ALL [*Ad lib.*] That's right, Colonel. We're with you.

Music [*Short roll of drums ending in cymbal crash.*]

1ST VOICE The Black Legion launches a program of threats and intimidation.

2D VOICE On all sorts of pretenses men of other races and religions are haled before its tribunal to be insulted, beaten, outraged.

3D VOICE Lawlessness thrives on lawlessness and soon the Black Legion metes out death to those it has sworn to hate and destroy.

4TH VOICE But the Constitution stretches forth its stern hand to protect the rights of the American citizen.

5TH VOICE The States in which the Black Legion is carrying on its nefarious work swiftly and thoroughly investigate the lawless activities of this un-American organization and today half a hundred of its leaders have been sent to jail, many of them for life.

Music [*Up and out.*]

1ST VOICE But still the struggle for the right of racial equality goes on. On the one side the age-old enemies to human brotherhood—economic insecurity, misunderstanding of differences and cultures, jealousy, greed. On the other side a growing interest in neighboring racial groups, education in world-thinking, a new social-mindedness, and a shrinking world which makes all economies interdependent.

2D VOICE We have questioned the Past. Let us ask the Future! [*Calling.*] Watchman, tell us of the night, what its signs and portents are!

3D VOICE [*Hollow—unearthly.*] The problems of racial equality are still unsolved, but time is solving what man has not wisdom or courage to do fully. Listen to truly great words spoken in our day in a courtroom in Michigan by a lawyer defending a Negro physician . . . he speaks of our black citizens, but he speaks for all alien races and strangers in a strange land.

DARROW I am the last one to come here to stir up race hatred, or any other hatred. I do not believe in the law of hate. I may not be true to my ideals always, but I believe in the law of love, and I believe you can do nothing with hatred. I would like to see a time when man loves his fellowman, and forgets his color or his creed. We will never be civilized until that time comes. I know the Negro race has a long road to go. I believe the life of the Negro race has been a life of tragedy, of injustice, of oppression. The law has made him equal, but man has not. And, after all, the last analysis is, what has man done?—and not what has the law done? I know there is a long road ahead of him, before he can take the place which I believe he should take. I know that before him there are suffering, sorrow, tribulation, and death among the blacks, and perhaps the whites. I am sorry. I would do what I could to avert it. I would advise patience; I would advise toleration; I would advise understanding; I would advise all of those things which are necessary for men to live together.

Music [*Dramatic chords up and out.*]

1ST VOICE These understanding words of Clarence Darrow, lawyer for the Defense of the Defense-

less, emphasize once more there are many questions still to be thought out before the right of racial equality is realized. For example:

2D VOICE — In the interest of people of different races living together amicably in a well-ordered state of society, how can racial equality be established and preserved without raising embarrassing questions of social equality?

3D VOICE — Is it a national loss to encourage emigrants to abandon their language, customs, and native arts?

4TH VOICE — Is the right to racial equality a social as well as a political right? Can social equality be achieved by laws?

5TH VOICE — What effect will labor organization have on racial equality?

Music — [*Up and out.*]

ANNOUNCER — The struggle for Freedom never ends. Ground that is lost must be regained! Each generation must re-win its rights! Eternal vigilance is *still* the price of liberty! Let us strive on, to the end that our children's children may always know the glorious fulfillment of that noblest cry known to man—"Let Freedom Ring!"

Music — [*Closing theme . . . Fade under and out.*]

PRODUCTION NOTES

[1] The voices coming from the dead past must have an eerie effect which can be obtained by talking through pipes or into bottles. Each word should be said very plainly and slowly and in a monotone to give the effect of dead people.

[2] The Chief should not talk in grunts and groans. Let him speak slowly but distinctly. This is true elsewhere in the script also.

[3] Calhoun and Houston should have slight southern accents and again Tahlhantusky should speak slowly and in a low voice, not like the popular radio conception of the Indian Chief.

[4] It is suggested that John Brown be played very quietly. You will often find that understatement will heighten the dramatic effect much more than continual shouting on the part of characters. Mrs. Brown should be a little hysterical but always giving the feeling that she is trying to keep herself together for her husband's sake.

[5] The speech of the Colonel is the climax of this entire script and must be played to a tremendous climax else the entire script falls flat. Let the Colonel take plenty of time in delivering his lines because he is speaking for all intolerance.

NOTE.—Additional helps may be found in the general production notes on page 375.

"I would like to see the time when man loves his fellow man and forgets his color and creed. We will never be civilized until that time comes." In these words of Darrow, we see what might be called a measuring-rod for civilization. Many may not accept his judgment, but if one does, how much civilization do we really have in this twentieth century?

No truer statement has ever been written in a biology book, and no more significant one has ever been found in a work on sociology than the simple little sentence, "There are men and there are men!" Of the two billion and more people who now inhabit the earth, no two can be found who are identical. So far as we know, no two persons ever have been exactly alike. And because individuals and groups differ we have all the social problems of mankind, not least among which is that of racial antagonism.

The largest categories of our differing groups are called *races.* The term race is one of the most misused and misunderstood of our more common words. Using a good dictionary and an encyclopedia, see if you can construct a satisfactory definition for this term. Perhaps you will find it helpful to make the same investigation of the word *nationality.*

Equality is another interesting term! Can equality exist if no two people and no two groups are alike? When we speak of Racial Equality, what does this term signify? Can you find any examples from history where two races have lived together politically, socially, and economically on an equal basis? Can you find examples to show that one race has very often thought of another as inferior, and has treated that race as such? Have you ever known the origin of the term *enemy?*

"Civis Romanus Sum"—"I am a Roman citizen!" These are the proud words of the apostle Paul, and he often used them as a protective shield. When you say, "I am an American citizen," does it distinguish you from an alien in our midst as Paul's statement distinguished him?

Racial Equality is still an unrealized ideal. Much of our religion and the best of our philosophy has stressed the ethical rightness of racial equality. But so grounded are our feelings of difference between races and so deep are our emotional reactions against strange or unlike peoples that we must learn to substitute reason for emotion in judging and evaluating groups different from our own. And that is not easy!

I. Activities

1. "Who's Who" in Racial Equality:
   (a) William Penn.
   (b) Sam Houston.
   (c) John C. Calhoun.
   (d) Clarence Darrow.
   (e) John Collier.
   (f) John Brown.
2. Read over the 13th, 14th, and 15th Amendments. Memorize the definition of citizenship in the 14th Amendment. The script states (page 350) that "these constitutional ideals are ahead of actual practice." Make suggestions for bringing practice into harmony with the ideal.
3. Sam Houston has been called the most colorful figure in American history. Read a good story of his life, *The Raven*, by Marquis James, and make a report on some phase of his career, for example, his great speech before the Senate. (He was dressed in an Indian robe!)
4. Write out your own definition of "Americanization." Prepare to defend your statement.
5. Make a drawing or a model of Eli Whitney's cotton gin which will show how it worked. It has often been said that this invention caused the War between the States. Do you think this statement is true?
6. The Dred Scott Case: Have one student present the opinion of Chief Justice Taney and another student present that of President Lincoln.
7. Read *John Brown's Body*, by Benet.

II. Discussion and Debate

1. Compare the treatment of the Jews by the Egyptians in Biblical days, the treatment of the barbarians by the Romans, and the treatment of the Indians by the Americans.
2. Would you have preferred to be a citizen in Rome in the age of Augustus, or of Greece in the age of Pericles? Why?
3. Contrast the spirit which prevailed in Penn's treatment of the Indians with the motive behind most our Indian "treaties."
4. At what angle should our immigration door be set? (*a*) wide open? (*b*) closed? (*c*) 3 percent of 1890? (*d*) your own suggestion?
5. Organizations like the Black Legion, when their activities have been investigated, have been declared unconstitutional. Do such organizations have a place in present-day America?
6. Debate: Resolved that the Chinese exclusion act should be repealed.

III. Watch This Spot!

1. "I never was so mean as to despise a man because he was poor, or because he was ignorant, or because he was black."—John A. Andrew, War Governor of Massachusetts.
2. "Civilization is at bottom an economic fact, at top an ethical fact. Beneath the economic, lie geographical conditions, and these in the last analysis are factors in the formation of our ethical standards." —Ellen C. Semple.
3. "I would like to see a time when man loves his fellow man and forgets his color and his creed. We will never be civilized until that time comes."—Clarence Darrow.
4. "Americanization means giving the immigrant the best America has to offer and retaining for America the best in the Immigrant." —E. S. Bogardus.
5. We can never see clearly until we learn to look through the eyes of others.
6. Ignorance and intolerance—companions in arms!

MUSIC PRODUCTION NOTES

Compositions used (orchestrations, unless specified).

1. Let Freedom Ring, theme by Rudolf Schramm (Remick Music Corporation, Rockefeller Center, New York City).
2. Andante Tragico, C. E. 35, by Beghom (Harms, Inc., New York City).
3. Clash of the Tribes, P. P. 12, by Trinkhaus (M. Witmark & Sons).
4. Indian Wedding Feast, P. P. 48, by Trinkhaus (M. Witmark & Sons).
5. The Brute, P. P. 37, by Kriens (M. Witmark & Sons).
6. A Chinese Festival, P. P. 15, by Trinkhaus (M. Witmark & Sons).
7. A Wedding Procession, from The Willow Plate, by V. Herbert (Harms, Inc.).
8. In the Cross of Christ I Glory, contained in many hymn books.
9. Drum Rolls, to be improvised by snare drum.
10. Go Down Moses, Negro spiritual, traditional. Any edition for voices preferably. Orchestra can be added to this if desired.
11. The Siege, P. P. 8, by Wilson (M. Witmark & Sons).
12. Polite Society, C. E. 2, by Shilkret (Harms, Inc.).

How to use them (C–1 means composition 1, etc.).

Pages 347, 348	Use theme 1 as directed in general music notes at end of script.
Page 349	Play C–2, the measures, five, six, seven, eight.
Page 350	Play C–3 from the beginning and underneath the speeches of the first voice and the second voice, then fade for tom tom, and let tom tom alone continue until on page 350 the chief calls for silence. There stop abruptly.
Pages 351, 352	Play C–4 starting at the allegro con fuoco; continue this music under the speeches of the first, second, and third voice, and on page 352, fourth and fifth voice ending at the music cue in middle of page 352.

Page 353	Play C–4 from letter C in the moderato e pastorale. Play for four measures fading under the speech of the first voice.
Page 356	Same as page 353.
Page 357	Play C–5 the first two bars and out.
Page 357	Play C–4 from letter C in the moderato e pastorale; play four measures. Disregard Indian Love Call.
Page 358	Play C–6 from E, four measures and fade.
Page 358	Play C–6 from A to B.
Page 359	Play C–7 from the beginning up and under the speeches of the first and second voice then up and out at next music cue.
Page 360	Sing or play the last eight bars of the hymn and out.
Page 361	A short, arresting drum roll after each speech of the following voices ending on next music cue.
Page 365	Voices singing one or two verses of Go Down Moses.
Page 366	Short drum roll as directed.
Page 367	Play C–11, the two measures before, and the three measures after letter A.
Page 368	Play C–12, the measures, 13, 14, 15, 16. Up and out.
Page 369	Begin theme and continue as directed.

GENERAL PRODUCTION NOTES FOR THE SERIES AS A WHOLE

[*Individual notes, as found advisable, are placed at the end of each script*]

I. Three publications of the Office of Education, obtainable free through the Radio Script Exchange, give invaluable general information about producing radio plays. They are the *Radio Manual,* the *Radio Glossary,* and the *Manual on Sound Effects.*

II. The following are some suggestions applying directly to the *Let Freedom Ring* Series:

A. Announcements and comments.

The opening announcement *Let Freedom Ring* should be spoken with as much meaning and force as the familiar slogans of popular programs. It sets the stage for the entire show.

When "voices" carry short speeches, be sure, first, that the voices have different pitches in order to give contrast; and, second, that they "punch" each line. In fact, all voices which simply make statements of facts must be forceful and clipped; again refer to current practice on the radio. Lines of narrators and commentators should be rapped out like the staccato of a machine gun.

B. Mob, crowd, and *ad lib* scenes.

If a direction calls for "all," assign each actor a line, however brief, as his share. If their contributions are left to chance, you may have a chorus of voices saying the same thing, or even, perhaps, dead silence.

Crowd scenes which demand mumbling voices should have the cast assigned real lines which fit the occasion. The sounds of crowds should decline gradually, since no crowd is normally under sufficient control to lapse into sudden silence. When a gavel is used for a meeting to come to order, the same precaution should be taken.

A closing door, or similar incident, however, will usually demand the sudden cessation of the noise of the crowd.

In *ad lib* directions, be sure the spirit of the *ad libs* builds up the scene. They will vary from the hesitating comment of perplexity to scenes in which the actors do not wait for cues, and one speech tops another as the excitement grows. In all the above situations, effect can be gained by giving individual voice characteristics even to the persons in a fairly large group.

C. Dialects and accents.
The scripts call for various accents, such as German, Scotch, rural, and cockney. In general, unless you can cast a person who can make the accent absolutely authentic, play the scene "straight," that is, without accent. Inaccurate accents and dialects will ruin the whole effect of your play.

D. Voice characterization.
Voice selection is so important that at the risk of repeating what has been said many times in other places we make the following suggestions:
The actors in any one scene must have easily distinguished voices, or the show dies on its feet. Most scenes have a hero and a villain. The hero's voice should be sympathetic, and the villain's unsympathetic; that is, they should have this effect on the listeners.
Voices should be matched with the popular conception of a well-known character. For instance, Washington should have a low dignified, friendly voice, and Patrick Henry one which suggests the public rostrum.
When persons substantially of the same education and class appear in one scene each voice must contrast with the other, in spite of similarities due to social status or other common traits.
Every voice must be studied through the microphone apart from any visual impression of the speaker. Your eyes will only warp your judgment.
When voices are indicated, the number you use is immaterial if you secure the necessary quality and variation demanded and the action goes on *without pauses*. The scripts usually employ five voices, but that number may be adjusted to your limitations.

E. Each script ends with a series of dramatized questions which on the stage might be called "blackouts." These "blackouts" must begin and end with precision. If the scenes run together the listener will be mystified.

F. Miscellaneous hints.
When music is played "under" voices, a good balance must be preserved. The music must be distinct and yet leave the words clearly audible. "Fading out" of a speech is best accomplished by having the actor slowly back away from the microphone while speaking; "fading in" is the reverse process.

Local studios can be of great help in sound effects, but experiment will produce some which are ridiculously simple,[1] for instance, a horse blowing is produced by holding one's lips together completely relaxed and letting the breath come quickly through them; excellent thunder can be made by putting "B. B." shots in an inflated balloon and slowly turning it in front of the microphone; hoof beats can be reproduced by hitting the open palms against the chest in proper cadence; the effect of echoing can be obtained by talking into an empty metal container; faint revolver shots are duplicated by slapping a flat stick on a leather-covered surface.

Don't rush the show. Allow time for all effects to become established with your audience. If the show is too long, cut dialogue and incidents rather than effects. One golden rule of radio is: Never leave anything to the listener's imagination when he needs music, sound effects, or dialogue to tell him what is happening.

[1] See Manual on Sound Effects, obtainable from Radio Script Exchange, Office of Education.

INSTRUCTIONS FOR MUSIC

Use of the Theme Song in Connection with the Scripts of the "Let Freedom Ring!" Series

The most effective way to render the theme song is as a chorus number, although it can be performed as a vocal solo with piano or organ accompaniment. If an orchestra is available the music will be still more effective.[1]

The procedure of using the theme will be the same in every program.

Go on the air by playing the two bars' introduction. If chimes are available, play E, B, and D chime, with each of the first three chords. An ordinary bell can also be used in a similar manner to give the opening some realism. Then stop for the announcer to say "Let Freedom Ring!"

Thereafter, continue immediately with the theme at No. 1. This continues full voice until measure No. 7. From there on continue softly humming without change of tempo while the announcer reads his next following paragraph. Be sure to keep the music soft enough. Remember that the announcer's words must be clearly heard since they carry the meaning for the entire program to follow. Except for the first script, you continue the humming up to measure No. 33. There again full voice to the end of the theme song. Be sure that a special rehearsal is held between the music and the announcer to fit the announcer's speech to the length of the hummed part of the music. The announcer's speech during that period shall begin with "once only kings . . ." and ends where the script is marked "music up and out." As for script 1, the humming is continued to the end of the song and then the song repeated, humming until the music cue on page 2, which is marked, burst into "Let Freedom Ring!" There, if the proper tempo has been followed, you will find yourself at measure No. 33. Thereafter, all the music can finish full voice.

To close program, the theme song is again used in a similar manner. Before the announcer, towards the close of the program, starts his sentence, "Struggle for freedom never ends . . ." you start your theme, introduction and all (voices in full until measure No. 17). Then again humming while the announcer reads the closing paragraph which should be fitted to time out, so that the announcer finishes when the music has arrived at measure No. 33. Then bring the voices up full and finish the song. If time allows, add the special ending. In case the program runs "short," keep on repeating the theme song

[1] The theme song to "Let Freedom Ring!" has been published, and can be secured at M. Witmark & Sons, music publishers, RCA Building, Rockefeller Center, New York City. If orchestration is desired, please mention instruments required.

according to the amount of time left to fill in from either measure No. 1, or No. 17, or No. 33.

The Use of Recordings in Place of Part or All of the Instrumental Music Suggested in the Music Notes for Each Script

It is recognized that it is impossible for all organizations desiring to present "Let Freedom Ring!" on the stage or over the air, to supply the entire instrumental and choral music suggested for the maximum production. For such cases phonograph recordings can be substituted for part or the whole of the music.

It is impossible to mark places in recordings. Therefore, any production unit using a phonograph record must select, by playing the record, the music sequences which will interpret the dramatic action of the script. In the following suggestions there is sufficient musical material to answer all demands of the series.

As the theme song, *America,* Victor record 2635–V, or *The National Emblem,* V–19842–A, or any imposing march.

Religious motif: *The Adagio Pathetique,* Victor X35003–B or *Angelus,* Victor 35767–A.

For motif of uproar, excitement, and hurry: Victor X16009–A or X16008–A, or X16142–A, or portions of the *Semiramide Overture,* Victor 35827–A & B, or the *William Tell Overture,* Victor 20606.

For triumphant or stately motif: *The Triumphal March* by Grieg, Victor 35763–A.

For dainty old-time motif: *Minuets,* Victor 20636–A and Victor X16054–B.

For courtroom or other dramatic motif: The *Sakuntala Overture,* Victor 22535–36 and *Forza del Destino,* Victor 21865–A & B.

For gay and joyful motif: *Badinage,* Victor 9147–A and *Minuet,* Victor 9649–B.

For neutral motif: *Salut d'amour,* Victor 22599.

For mysterious motif: *Misterioso,* by Kempinski, Victor X16068–A.

For humorous or grotesque motif: *Scherzando,* Victor X16006–A.

For patriotic motif: *America,* Victor 20635–B, *Battle Hymn of the Republic,* Victor 22013, *Yankee Doodle,* Victor 20166–A, *Over There,* Victor X16154, *Go Down Moses,* Victor 20166–A.

The above records should be sufficient for all music transition necessary for the "Let Freedom Ring!" series. In case you are producing the series over a local station or have access to its facilities, it is possible that many of the above or acceptable substitutes may be available without purchase.

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1938

33435°—38

KYA

APPROVED H. L. Ewbank

DATE June 9, 1938

B9085922482
B89085922482A