

(A courtroom. The actor portraying Daniel REDICK, in plain contemporary dress, addresses the audience.)

REDICK

David Bradford got away. The Whiskey Rebellion's notorious leader escaped and never faced trial for his allegedly treasonous actions during the Insurrection of 1794. According to the tale that everyone tells but no one believes, David Bradford was enjoying the comforts of his palatial home, perhaps enjoying a whiskey, when word came that a cavalry unit with orders to arrest him was just outside the gate. Our intrepid protagonist leapt from a rear second-story window onto his faithful steed who, by some miracle, was not only saddled up and ready to go, but knew just where to stand. David then rode off into the autumn night, the cavalry hot on his trail but clearly no match for his superior horsemanship.

(The actor begins to don his costume—suitable for a prominent attorney in 1795 America.)

It's nonsense, of course. In truth, Bradford left town in a most unhurried fashion and traveled in relative comfort on a coal barge down the Ohio River. I'm sure it was a most pleasant voyage.

(Beat, as the actor dons his wig, continues to prepare.)

I like to believe David Bradford made up that first story himself. It does allow him a mythical status that, perhaps, he deserves. Of course, he could've secured that status in another way, and that is what brings us here this evening. Let's imagine, shall we, that, oh...say, when David Bradford leapt from that rear window, his horse wasn't quite so accommodating, and the poor man ended up on his seditious backside in the rose bushes. Seized by the awaiting cavalry, he is then hauled off to Philadelphia to face trial for treason. Would that not have secured his legacy in grand fashion? Consider Sir Thomas More, that man for all seasons. Refusing to acknowledge Henry VIII as the Supreme Head of the Church of England, More was convicted of treason in a magnificently theatrical trial. He lost his life for his defiance of the crown, true, but secured for himself an immortal afterlife as a martyr—the most saintly of humanists, the most human of saints. Might David Bradford have imagined such a hereafter for himself? We'll never know. Still...just for tonight, let's...imagine.

(He puts the finishing touches on his costume, and we notice a change in demeanor as he assumes his character.)

From here on in, know me as Daniel Redick, esquire. David Bradford's trusted friend, fellow insurrectionist, and on this summer's day in 1795, his defense attorney.

(Lights shift and the BAILIFF appears carrying a staff. He makes three loud, ceremonial raps on the floor before intoning his greeting.)

BAILIFF

Oyez! Oyez! Oyez! All persons having business before the United States District Court for the District of Pennsylvania, the honorable Richard Peters presiding, are admonished to draw near and give their attention. God save the United States of America and this Honorable Court.

(The BAILIFF bangs the staff three more times as the JUDGE appears at his place at the bench.)

JUDGE

Good morning, gentlemen. Calling the case of the People of the United States versus David Bradford. Are both sides ready?

RALEIGH

Federal Prosecutor William Raleigh, ready for the people, your honor.

REDICK

Daniel Redick, Esquire, ready for the defense, your honor.

JUDGE

Proceed, Mr. Raleigh.

RALEIGH

Your Honor, gentlemen of the jury—Be it known that whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death by hanging. The defendant in this case, one David Bradford of Washington County, Pennsylvania did, in protest of a rightfully established law of these United States, conspire to organize armed resistance against the federal government. Two, the defendant did incite others to commit illegal and violent actions resulting in the destruction of property, injury to body and soul, and the loss of human life. Three, the defendant did seek to establish a separate nation within the borders of these United States. Four—

(REDICK steps forward and addresses the audience as RALEIGH continues to mime his address to the court.)

REDICK

Will Raleigh, my esteemed colleague and legal adversary, does like to prattle on. Allow me to briefly summarize. After his arrest, my client David Bradford was brought to Philadelphia and incarcerated in the stockade. Having pled not guilty to all charges, David endured imprisonment until the summer months of 1795 when his case finally came to trial before Federal Justice Richard Peters.

(Lights shift and the JUDGE pounds his gavel. RALEIGH sits, as does REDICK. The BAILIFF retreats to his prescribed position.)

JUDGE

Mr. Raleigh, call your first witness.

RALEIGH

Your honor, I call to the stand General John Neville.

(NEVILLE enters and crosses to the witness chair, as does the BAILIFF, carrying a bible. NEVILLE places his hand on the bible and raises his right hand.)

BAILIFF

Do you promise to tell the truth, the whole truth, and nothing but the truth, /so—

NEVILLE

/So help me God!

(NEVILLE sits with dramatic flair as the BAILIFF moves to his post.)

RALEIGH

Please state your name.

NEVILLE

General John Neville of the Continental Army, the United States of America.

RALEIGH

Did you serve in the war to win freedom from British tyranny?

NEVILLE

I did most proudly serve with my brothers-in-arms at Trenton, Princeton, Monmouth. I endured that harsh yet noble season at Valley Forge and would do so again to serve my country and His Excellency President Washington.

RALEIGH

You served under General Washington?

NEVILLE

Yes, my service to our nation's most esteemed commander-in-chief goes back nearly twenty years to the expedition against the Shawnee. As an officer in the Virginia militia—and I believe it is worth noting, your honor, that I was born of English stock and my mother was, in fact, cousin to Lord Fairfax. Lord Fairfax, as I'm sure your honor is aware, first came to Virginia sixty years ago and played a most significant role in settling that turbulent—

REDICK

(rising)

Your honor, we are all very impressed with the General's service and pedigree, but it's hot in here. We will stipulate that General Neville is a true hero of the Revolution and a most honorable gentleman. In return, we ask that Mr. Raleigh kindly get to the bloody point.

JUDGE

Mind your tone, Mr. Redick. I don't know how things are done in the western counties, but this is Philadelphia, sir, where dignity and decorum walk hand in hand with justice and mercy.

REDICK

No disrespect intended, your honor, I merely—

JUDGE

Your point is well taken, however. Mr. Raleigh, the court instructs you to limit your inquiry to the treasonous allegations against Mr. Bradford.

(REDICK takes his seat.)

RALEIGH

Yes, your honor. General Neville, in what capacity do you currently serve your government?

NEVILLE

In the spring of 1791, Secretary Hamilton—that's Alexander Hamilton, your honor—personally appointed me inspector of the revenue for the purpose of federal excise collection.

RALEIGH

You're a tax collector.

NEVILLE

Yes sir, in the counties of Allegheny, Fayette, Westmoreland, and...

(He clears his throat, then with some distaste and a menacing glance at  
BRADFORD...)

Washington.

RALEIGH

So, it is your job to collect the much-maligned whiskey tax in the western region of Pennsylvania.

NEVILLE

Yes.

RALEIGH

What does that entail?

NEVILLE

My deputies locate stills in the area, ensure that each still is properly registered, then collect the duty, then issue a certificate stamped with the Treasury Department seal. That is how the process is supposed to work.

RALEIGH

Are you implying that the process does not work that way?

NEVILLE

West of the Alleghenies, no sir, it does not.

RALEIGH

And why is that?

NEVILLE

(looking directly at BRADFORD)

Lawlessness. Blatant disrespect of authority. In Washington County expressly, there is a pernicious and persistent attempt to undermine the rule of law at every step.

(He points his finger at BRADFORD)

Mr. Bradford here is personally responsible for acts of violence and trea/chery—

REDICK

(as he quickly stands)

/Objection. Unfounded and /prejudicial.

NEVILLE

/—violence and treachery so /willful and—

REDICK

/Your honor, please instruct /the witness—

NEVILLE

/Of treason against /the very nation—

REDICK

/Your honor, I implore—

(JUDGE loudly bangs his gavel and both men stop. JUDGE points his gavel at REDICK.)

JUDGE

Mr. Redick, I have warned you once to mind your tone.

(REDICK starts to speak again but the JUDGE raps the gavel.)

Enough, sir! You will be given ample opportunity to question the witness.

(BRADFORD grabs REDICK's arm and pulls him into his chair.)

Carry on, Mr. Raleigh.

RALEIGH

Thank you, your honor. General Neville, you had a gentleman by the name of John Connor in your employ. Am I correct?

NEVILLE

John Connor, yes. He was engaged to serve warrants against those rascals who refused to pay the whiskey tax.

RALEIGH

Was he successful?

NEVILLE

No, he was not. When word got out that Mr. Connor was engaged for such a purpose, he was abducted and horsewhipped like a common criminal. He was then stripped naked, covered with steaming tar, and stuck with feathers. Mr. Connor survived...I think. But the warrants in his possession were stolen, probably destroyed. Official government documents, mind you—destroyed! This alone stands as treason in my eyes.

RALEIGH

Yes, thank you, General. Now, were you a victim of violence in the insurrection?

NEVILLE

You refer, I presume, to the events of July 1794, one year ago?

RALEIGH

I do indeed, General. Now—

REDICK

(rising)

Your honor, I renew my earlier objection to this line of /questioning.

JUDGE

/Overruled.

REDICK

(continuous from above)

There is no evidence to suggest that Mr. Bradford was present at the attack—

JUDGE

Overruled! Sit down, Mr. Redick, or you will be escorted from this /courtroom!

REDICK

/But your honor, to recount these events at trial is unduly prejudicial /to my—

JUDGE

/Bailiff, remove this man from the courtroom.

(The BAILIFF moves quickly towards REDICK as BRADFORD quickly rises to his feet.)

BRADFORD

Your honor, that won't be necessary. I apologize for my attorney's behavior.

REDICK

But—

BRADFORD

Sit down, Daniel.

REDICK

Your honor—

(BRADFORD pushes REDICK into his chair. The BAILIFF backs away, looks at the JUDGE, who glares at BRADFORD. The BAILIFF stands ready.)

BRADFORD

Your honor, please understand that Mr. Redick's sin is not one of malice toward the court but of overzealous passion for the law. Mr. Redick's love of the law is exceeded only by his respect for those wise and benevolent judges, such as yourself, who dispense justice and wisdom with the courage of a lion. I humbly request that Mr. Redick be allowed to remain in the courtroom.

(Beat)

I would throw myself on the mercy of the court, but I don't think anyone wants to see that.

JUDGE

This is my final warning, Mr. Redick.

BRADFORD

Your honor is as merciful as he is wise.

JUDGE

Don't push it, Mr. Bradford. Mr. Raleigh, please carry on.

RALEIGH

Thank you, your honor. July, 1794. Bower Hill. General Neville, what can you recall?

NEVILLE

The events in question occurred over the course of two nights. On the day of the first attack, I was engaged in the disagreeable task of serving writs on distillers who had been delinquent in paying the tax. At each stop, I was greeted with profound hostility and contempt.

RALEIGH

For what reason, sir?

NEVILLE

For doing my duty, sir. In the pursuit of the rule of law, I was cursed at, spat upon, threatened with my very life by men whose freedom I had fought and nearly died for during the revolution.

RALEIGH

Well said, sir. Now, General—

NEVILLE

Ah, but it was at the William Miller farm, my last stop of the day, that I first spotted the posse of whiskey rebels, shadowing my every move. Shots were fired. To warn, to wound, or to kill—who could say? But realizing these scoundrels could shoot a flea off the nose of a hound a hundred yards away, I knew it best not to antagonize them further, so I made the short trip to my home at Bower Hill.

RALEIGH

Yes. Now, once at Bower /Hill—

NEVILLE

/Once at Bower Hill, I immediately prepared for a raid. My slaves set to barricading the estate, covering the windows with planking, generally doing what they could to secure the area. Yet, when the midnight hour came and went without incident, my wife and I took to our bed, our granddaughter and a houseguest having retired hours earlier. But I'll be damned if the insurgent rogues didn't wait until the wee hours of the morning.

RALEIGH

Were your slaves not capable of defending your home?

NEVILLE

My slaves had been vigorously drilled for defense, but alas, it was early morning and the slaves had already taken to the fields for work, leaving me in the house as its sole defender. I steeled myself for attack, and sure enough, the rebels opened fire, their bullets shredding the planking on the windows. Smoke and noise everywhere, my precious granddaughter lay

NEVILLE (cont'd)

terrified on the parlor floor. My wife and her friend began loading guns, passing them to me as I moved from window to window taking shots at the renegades, passing a gun back to my wife for reloading, taking a newly loaded one, returning fire—and, by God, we drove them off!

(NEVILLE sits back, taking a breath, and theatrically mopping his brow with a handkerchief. RALEIGH takes his time, letting NEVILLE's dramatic testimony have its effect.)

RALEIGH

And the following night?

NEVILLE

(back in the saddle)

The following night. Knowing they'd be back, I brought in reinforcements. My brother-in-law Major Abraham Kirkpatrick, a proud veteran of the revolution, commanded a garrison of federal troops. They arrived at Bower Hill well ahead of the rebels; but when the rebels arrived, they did so in full force, over 500 strong.

RALEIGH

Did the rebels make any attempts at diplomacy, General?

NEVILLE

At first, but it was clearly a ruse, for even during this display, rebels began setting outbuildings on fire without the slightest provocation. Thank God, my wife and grandchild had been removed from the premises, for shortly thereafter, gunfire erupted once again.

RALEIGH

The troops commanded by Major Kirkpatrick, were they able to put up a defense?

NEVILLE

Yes, but they were clearly outnumbered and, ultimately, poor Abraham had no choice but to surrender. I had been strategically positioned in a ravine just below the house. Looking back from my vantage point, I watched as the rebels marched into my home, drank my whiskey, piled my furniture high like so much kindling and set it ablaze. They burned my barns and my stables, shot my pigs and horses, held my slaves at gunpoint. Displaying their deviant character, the rebels took pity on the wretched slaves and, when it was all over, the only buildings left standing were the slave quarters. It was a dark night of the soul, indeed.

RALEIGH

Yes. Thank you, General. Thank you for your service to this country, and for your brave and forthright testimony here today.

(NEVILLE nods solemnly.)

I presently have no further questions, your honor.

JUDGE

Mr. Redick, you may question the witness.

REDICK

(rising)

Thank you, your honor. General Neville, you are a distiller of whiskey yourself, is that correct?

NEVILLE

I keep a still, yes.

REDICK

More than one as I understand it. Might I describe you as a large-scale distiller?

NEVILLE

If it gratifies you to do so.

REDICK

I assume you did not hesitate to pay the federal excise tax on whiskey.

NEVILLE

I paid the tax without complaint, proud to serve my government and my president.

REDICK

Is it fair to say that you benefitted from the whiskey tax?

NEVILLE

All citizens of this nation benefit when the law is observed.

REDICK

Let me ask it this way. Did your whiskey sales increase with the passage of the federal excise tax?

(NEVILLE looks to RALEIGH, confused by the question.)

It's a simple question, General. Did your sales increase with the passage of the federal excise tax on whiskey? Yes or—

NEVILLE

I do not know, sir. I would have to examine my books, which, unfortunately, I neglected to bring to Philadelphia with me.

(He chuckles and shares his bemusement with the JUDGE.)

REDICK

But once the tax was in place, you added several stills to your operation, did you not? Federal tax records indicate that three additional stills were registered in the spring of 1792—

NEVILLE

And the taxes paid!

REDICK

Yes, and two more later in the fall of that same year.

RALEIGH

(rising)

Your honor, might I inquire what point Mr. Redick is trying to make?

REDICK

Merely to observe, your honor, that while the whiskey tax drove a great many smaller distillers out of business, large-scale operators, like General Neville here, benefitted from their /failure.

RALEIGH

/Objection! Irrelevant to the matter of Mr. Bradford's treasonous activities and therefore—

JUDGE

Sustained. Mr. Redick, you will cease with this line of /questioning—

(BRADFORD stands.)

BRADFORD

/Neville made money by shutting down good, honest /men!

JUDGE

/Mr. Bradford!

REDICK

/David, sit down!

BRADFORD

And the government, they gave this man even more power by making him a tax collector!

JUDGE

(erupting)

Mr. Bradford, sit down and be quiet!!!

(The BAILIFF moves toward BRADFORD but REDICK, moving swiftly, gets to him first and sits BRADFORD roughly into his chair.)

REDICK

I apologize, your honor, it will not happen again. I promise you!

JUDGE

Mr. Redick, I don't know how they do things in the western counties, but this is Philadelphia, the very cradle of liberty and the birthplace of our newfound nation. We do things properly here, do you understand me, sir?

REDICK

Yes, your honor—

JUDGE

You will keep your client in hand. Now, I have sustained Mr. Raleigh's objection. Any and all reference to General Neville's private business dealings are to be stricken from the record and disregarded by the jury. Mr. Redick, you may not pursue that line of questioning further. And Mr. Bradford...stop talking! Carry on, Mr. Redick.

REDICK

Thank you. General Neville, you stated earlier that, and I quote, to the best of my recollection, “I steeled myself for attack and the rebels opened fire.” How did I do?

NEVILLE

It captures the essence.

REDICK

Thank you. Why did the rebels start shooting?

NEVILLE

Not being a rebel myself, I cannot say.

REDICK

Who shot and killed Oliver Miller?

(Beat, NEVILLE looking nervously towards RALEIGH)

Oliver Miller. The first casualty on that first night of the Bower Hill incident. You do remember that there were casualties on that—

NEVILLE

I remember every detail of those two nights, Mr. Redick.

REDICK

Then who murdered Oliver /Miller?

RALEIGH

(rising)

/Objection to the use of the inflammatory term ‘murder’. During an exchange of gunfire, how can we single out one man’s death as—

REDICK

There was no exchange of gunfire until Oliver Miller had been struck by a bullet fired from the Neville home. I call that murder and I am /asking who fired—

RALEIGH

/I further object to this entire line of questioning. It has no bearing on the charges of treason /against—

REDICK

/Mr. Raleigh introduced the attack on Bower Hill into these proceedings, over my objections, I might add. Surely, I should be allowed to challenge the General’s version /of events—

RALEIGH

/General Neville is not on trial!

REDICK

Maybe he should be!

JUDGE

Enough of that, Mr. Redick!

RALEIGH

Your honor, this is an attempt to smear General Neville's good name and to cast him, a hero of the revolution, as the villain. It's unpatriotic, and I object vigorously!

JUDGE

Overruled.

RALEIGH

Begging your honor's pardon, I—

JUDGE

Your objection is overruled, Mr. Raleigh.

(RALEIGH sits.)

Mr. Redick, you will refrain from using the word 'murder', but you may continue with your line of questioning.

REDICK

Thank you, your honor. Who killed Oliver Miller? Was it you, General?

NEVILLE

Those men were trespassing on my land.

REDICK

It's a simple yes or no /question.

NEVILLE

/Trespassing! It's a crime and I have every right, in such a circumstance, to protect my life and the life of my family.

REDICK

Did you kill Oliver Miller?

NEVILLE

I opened my door and called out to the rabble, asking them to identify themselves. A man, I know not who, answered that I should avail myself of his...protection. In other words, allow myself to be taken into custody. By this...this rowdy band of turncoats from Washington County, of all godforsaken places. I wintered at Valley Forge, serving side by side with the greatest general—no, the greatest man this nation will ever know. And I was to become their prisoner? I'd rather be burned at the stake.

REDICK

I'll see if that can be arranged.

(Simultaneously, the JUDGE raps the gavel and RALEIGH jumps to his feet.)

JUDGE

Mr. Redick, /mind your tone!

RALEIGH

Ob/jection!

REDICK

/Withdrawn! So, General, you opened the door and called out to the rabble. Then what?

NEVILLE

I told the men to stand off...and I fired one shot. One shot. I would later learn that it had struck a young man and...

REDICK

Killed him.

(NEVILLE nods)

The young man's name was Oliver Miller. He was seventeen.

NEVILLE

And he should never have been on my property!

REDICK

So, it was in response to your gunshot that the rebels opened fire on your home?

NEVILLE

Not being a rebel myself, I cannot say.

REDICK

One more question, General. Did you see my client, Mr. Bradford, that night? Or the following night, while you were strategically positioned in the ravine, perhaps? Did you see David Bradford?

NEVILLE

I saw no one's face that I recognized.

REDICK

So, you did not see my client at Bower Hill. Is this correct?

NEVILLE

No, but I hold Mr. Bradford personally responsible for the destruction wrought on those two /nights—

REDICK

/How can he be responsible if he wasn't /even—

NEVILLE

(pointing at BRADFORD)

/That man was rabble rousing all over the western counties, vilifying the government, poisoning men's minds, and nearly driving this nation into a civil war! We had a small taste of Mr. Bradford's persuasive abilities here in the courtroom only moments ago. Imagine him addressing the unwashed buffoons of Washington County!

(REDICK starts to speak, but NEVILLE presses on, standing as he does so.)

David Bradford is a traitor and should be hanged from the highest tree in the land, his body on full display for all to see! Give me a rope and I will gladly do the deed myself!!!

(Beat)

REDICK

No further questions, your honor.

(REDICK sits next to BRADFORD.)

JUDGE

Follow up, Mr. Raleigh?

(A beat as NEVILLE collects himself, sits and readies himself for more questions.)

RALEIGH

Not at this time, your honor.

JUDGE

General, you may step down.

(NEVILLE does so.)

Call your next witness, Mr. Raleigh.

RALEIGH

(to his feet)

I call John Mitchell to the stand.

(Lights shift, REDICK addresses the audience.)

REDICK

I knew John Mitchell. Not well, but I knew him to be a fixture in David's hometown of Washington. I had also seen John at several insurgency meetings at the church at Mingo Creek where...well, you'll hear more about that in a moment. Many people thought John Mitchell was simple-minded. He was quiet and kept to himself and, as a result, the term half-wit was bandied about by the other men, especially once the whiskey started to pour. I, on the other hand, felt there was something of substance to this man.

(John MITCHELL shambles in, stands before the judge. A young boy, 11 years old, enters and stands next to MITCHELL.)

And on this particular day, he had a companion with him.

(Lights shift. The boy, JOHNNY, carries a large satchel and holds his father's hand tightly. They stand in front of the bench until the BAILIFF takes MITCHELL's arm and directs him to the witness stand. JOHNNY follows.)

JUDGE

Son, why don't you take a seat in the space behind—

JOHNNY

I ain't leavin' my Pa.

BAILIFF

(reaching for JOHNNY)

Come on, boy, let's put you in the—

(JOHNNY yanks his arm away from the BAILIFF and goes behind his father.)

JOHNNY

I said I ain't leavin' my Pa!

MITCHELL

Boy stays with me.

BRADFORD

Hey, Johnny. Johnny Mitchell, is that you?

JOHNNY

Hey, Mister B!

BRADFORD

You're a long way from home, fella.

JUDGE

Mr. Bradford, you know this boy?

BRADFORD

This is Mr. Mitchell's boy, Johnny.

(He offers a friendly nod to MITCHELL)

John, good to see you.

(MITCHELL nods but doesn't meet BRADFORD's eyes.)

JUDGE

Could you please explain to the boy that he needs to sit in the gallery so his father can take the witness stand?

JOHNNY

Mr. B don't gotta explain nothin' to me. I just ain't leavin' my pa's side. I come a long way and I ain't lettin' go of him now.

JUDGE

A long way from where, son?

JOHNNY

Home.

BRADFORD

The Mitchells live in Washington County, your honor. We're neighbors, aren't we, Johnny? How'd you get here, son?

JOHNNY

They come and took Pa, said they was bringin' him here to Phil'delphia and Ma didn't want him to be alone. She had to look after the farm, so she got old Mr. Keefer to swear he'd bring me here. You know Mr. Keefer, don't you Mr. B?

BRADFORD

Jedediah Keefer, sure.

JOHNNY

He ain't such a good fella, I found out.

BRADFORD

I could've told you that.

JOHNNY

Yeah. Ma gave me a sack full of biscuits, crabapples, and whiskey, and told me to follow Mr. Keefer. Except Keefer, the old codger, he drank most of my whiskey, smacked me around some, and tried to take my biscuits, so I got rid of him.

JUDGE

And you came all this way by yourself?

JOHNNY

Met up with a preacher man. Said he'd bring me here to Phil'delphia, if only I'd get baptized. So, here I am, saved by the lord Jesus Christ, and ain't no way I'm leavin' my Pa now!

BRADFORD

Your honor, with all due respect, I don't see the harm in letting Johnny sit with his father while he—

BAILIFF

That's not up to you, Bradford.

JUDGE

Bailiff—

(The BAILIFF quickly grabs JOHNNY's arm and yanks him away from his father.)

BAILIFF

Come on, boy, judge says /you gotta—

JOHNNY

Let go of me or I'll —

MITCHELL

Leave my boy go, you son of a—

(And MITCHELL goes after the BAILIFF, tackling him from behind. JOHNNY breaks free. The JUDGE bangs the gavel loudly, shouting...)

JUDGE

Order in the court! I will have order!

(BRADFORD and REDICK jump in and pull MITCHELL off the BAILIFF. RALEIGH helps the BAILIFF to his feet. JOHNNY runs and hides behind his father.)

MITCHELL

Judge, you tell that man he touch my boy again, I'll kill /him.

JUDGE

/Order!

MITCHELL

I will. I'll kill the son of a—

JUDGE

(with a violent rap of the gavel)

SILENCE!

(A beat as all eyes go to the JUDGE)

Mr. Bradford, is everyone from Washington County this unruly?

BRADFORD

Yes, your honor.

JUDGE

Mr. Redick, I urge you to keep your witness under /control.

REDICK

/Not my /witness.

RALEIGH

/He's my witness, your honor.

JUDGE

Whoever he belongs to, keep him under control!

RALEIGH

Yes, sir. Are we moving forward?

JUDGE

Yes, yes. Let's get this thing over with. Mr. Mitchell, take the stand.

(REDICK gently pushes MITCHELL and JOHNNY toward the witness stand.)

Bailiff, swear Mr. Mitchell in. Son, you can stay with your father, but you must be quiet.

JOHNNY

I ain't got much to say anyhow.

JUDGE

Splendid. Bailiff?

(BAILIFF picks up the bible, crosses to MITCHELL, holds out the bible.)

BAILIFF

Do you promise to tell the truth, the whole truth, and nothing but the truth, so help you God?

MITCHELL

Yes.

JUDGE

You may be seated, Mr. Mitchell. Mr. Raleigh, proceed.

RALEIGH

Thank you, your honor. State your name for the court, sir.

MITCHELL

John Mitchell.

RALEIGH

Do you understand why you are here, Mr. Mitchell?

MITCHELL

So's I can tell about Mr. Bradford.

RALEIGH

Yes. You currently reside in the stockade here in Philadelphia, is that correct?

(MITCHELL nods)

JUDGE

Speak your answers aloud, please, Mr. Mitchell.

MITCHELL

Stockade, yessir.

RALEIGH

And why are you in the stockade, Mr. Mitchell?

MITCHELL

On account I robbed the mail. They said they was gonna hang me for it.

RALEIGH

But no one is going to hang you, Mr. Mitchell, because you and I made an agreement. You agreed to testify against Mr. Bradford in exchange for clemency. Is that correct?

MITCHELL

Does that mean I can go home?

RALEIGH

It does.

MITCHELL

Today?

RALEIGH

We'll see. Let's have you answer some questions first.

MITCHELL

Ask.

RALEIGH

How did you come to know Mr. Bradford?

MITCHELL

Everybody knowed Mr. Bradford. He had that big old house, middle of town.

RALEIGH

And you've been to his house, correct?

MITCHELL

One time, yessir.

RALEIGH

Yes. We'll come to that later. Now, did you ever hear Mr. Bradford speak in public?

MITCHELL

Coupla times.

RALEIGH

And what did he talk about?

MITCHELL

Mostly about the whiskey tax.

RALEIGH

What did he say about it?

MITCHELL

How it was wrong.

RALEIGH

How it was wrong. Would you call Mr. Bradford a captivating speaker?

MITCHELL

You mean did people listen to him?

RALEIGH

Yes.

MITCHELL

Sure. Lots of folks was riled up about the whiskey tax.

RALEIGH

And I take it that Mr. Bradford's speeches got them more riled up. Is that true?

MITCHELL

I reckon.

RALEIGH

Where did you hear Mr. Bradford speak exactly?

MITCHELL

Out Mingo Creek way. There's this church out there that...well, some of the fellas from around, they was spending some time out there and um...well—

RALEIGH

Why were they spending time out there?

(MITCHELL doesn't answer.)

The Mingo Creek Church was a meeting place for the rebellion. Is that fair /to say?

REDICK

/Objection. Counsel is leading the witness.

JUDGE

Sustained.

RALEIGH

Can you recall some of the things that Mr. Bradford said in his remarks at the Mingo Creek /Church?

JOHNNY

/I heard Mr. B give a talk once.

(BRADFORD can't resist a snicker.)

RALEIGH

Son—

JOHNNY

He told me and a bunch of boys not to go bothering Mr. Foster, 'cause he was an old scatterbrain and he'd start yammerin' on about Injuns and how they was savages, and me and the boys, we'd start hoopin' and hollerin' just like Injuns and Mr. Foster'd get all worked up but Mr. B., he told us to stop 'cause it was mean—

(BRADFORD laughs out loud at the memory)

Remember that, Mr. B?

BRADFORD

I do, Johnny. And you boys minded me pretty well, if I recall.

JOHNNY

Yes, sir.

BRADFORD

Of course, that might have had more to do with my wife bringing you boys /that—

JOHNNY

/She brung us that cornbread with marmalade and it was mighty tasty. Judge, you oughta tried this cornbread. It was—

RALEIGH

(petulant)  
Your honor!

JUDGE

(a light rap of the gavel)  
All right, all right. Son, didn't I tell you that you could stay with your pa, but you had to be quiet?

JOHNNY

Yeah, but I knowed the answer so's I figgered I was helpin'.

(BRADFORD laughs.)

RALEIGH

You're not helping!

JUDGE

Calm down, Mr. Raleigh. Son—

JOHNNY

I ain't your son. You can just call me Johnny.

JUDGE

Johnny, very well. Johnny, we have serious business to tend to and we need you to be quiet. Can you do that for me?

JOHNNY

Make no never mind to me. Long as I can be with my Pa.

JUDGE

Good boy. Proceed, Mr. Raleigh.

RALEIGH

Thank you, your honor. Mr. Mitchell, um...let's move on. Were you involved in the raid on the home of a man by the name of William Faulkner?

(MITCHELL glances nervously toward BRADFORD, then back to RALEIGH.

RALEIGH moves in a few steps and speaks in a lower voice to MITCHELL.)

John, remember we talked about this? Now, I promise you won't get into any more trouble. But you must tell me about the raid, you understand?

(MITCHELL nods, RALEIGH speaks in a full voice.)

Were you involved in the raid on the home of William Faulkner?

MITCHELL

Yes, sir.

RALEIGH

Tell me what happened at the Faulkner home.

MITCHELL

Me and a bunch of fellas, we painted our faces up like Injuns and went to Faulkner's house. Some of the fellas, they wanted to tar and feather him. One old boy, he wanted to kill him. But when we got there, weren't no one home so the same old boy said we should burn the house down.

RALEIGH

Did you?

MITCHELL

No. We just throwed some beds on the floor, yanked down some curtains, sliced 'em up with our knives. Then we smashed up the inside. Tables, chairs, windows, all around the kitchen.

RALEIGH

Why were you doing these things? Did you know?

MITCHELL

'Cause that Faulkner fella what lived there, he let that miserable cuss Neville rent a room in his house.

RALEIGH

You mean General Neville, the tax collector?

MITCHELL

Yeah. Him. Set up his office right there in that house. So's he could come out, take our money, drag us off to—

RALEIGH

So, Mr. Faulkner dared to rent an office to a federal tax collector and you, along with a group of like-minded men, decided to vandalize his home. Is that what you're telling this court?

MITCHELL

That Neville, he was making trouble for a lot of good people and...well, folks was pretty mad with this Faulkner for givin' him a place to be. So, we was teachin' him a lesson.

RALEIGH

That night after you left the Faulkner house, where did you go?

(MITCHELL looks nervously at BRADFORD)

Mr. Mitchell, where did you go?

MITCHELL

Mr. Bradford's house. He was throwin' us a party.

RALEIGH

A party? Why?

MITCHELL

Guess he was pretty happy about what we done to Faulkner. Wanted to celebrate, he said.

RALEIGH

Mr. Bradford wanted to celebrate your criminal activity?  
(MITCHELL just shrugs.)  
Just you or did all the men go?

MITCHELL

All.

RALEIGH

How many? Twenty? Thirty men?

MITCHELL

Thereabouts.

RALEIGH

Did you speak with Mr. Bradford that night?

MITCHELL

Yes.

RALEIGH

About what?

MITCHELL

He...give me a shot of whiskey and told me he was proud of me. That we'd done a real good thing.

RALEIGH

Mr. Bradford considered the willful destruction of property a 'real good thing?'  
(MITCHELL nods.)

Mr. Mitchell, did Mr. Bradford ask you to rob the United States mail?  
(Short beat)

Mr. Mitchell, did Mr. Bradford ask you to rob the mail?

(MITCHELL glances nervously at BRADFORD, then quickly looks away.)

BRADFORD

It's all right, John. Tell him the truth.

MITCHELL

Yes, sir. Mr. Bradford ask me to rob the mail.

RALEIGH

Do you know why he asked you?

MITCHELL

He knowed I was a man of my word.

RALEIGH

He said this to you?

MITCHELL

Yes, sir. He clapped his arm 'round my shoulder and says, "John, you're a good man. I know I can count on you."

RALEIGH

He could count on you to break the law. And, in fact, you laid in wait and when the postal delivery came riding into town, you painted up your face, pulled out a gun, and threatened to kill the rider unless he handed over the mail?

MITCHELL

Yes, sir, God forgive me, that's what I done.

RALEIGH

Did you know Mr. Bradford's purpose in wanting to rob the mail?

MITCHELL

No.

RALEIGH

So, you robbed the mail merely because David Bradford, asked you to do so? He was that persuasive?

MITCHELL

Reckon.

RALEIGH

So, if Mr. Bradford here told you to kill a man—

MITCHELL

He never asked me to kill no one!

RALEIGH

But you would if he /asked—

MITCHELL

/No, sir!

RALEIGH

You threatened to kill a man over the U.S. mail. Why /wouldn't—

MITCHELL

But I never /woulda—

REDICK

(to his feet)

/Your honor, he's badgering his own witness!

JUDGE

(with a rap of the gavel)

Sit down, Mr. Redick.

MITCHELL

And Mr. Bradford never woulda /asked me to—

REDICK

/I object to the—

JUDGE

Overruled!

MITCHELL

(standing suddenly, impassioned)

Mr. Bradford's a good man! One of the finest men I ever knowed!

RALEIGH

A good man?

(MITCHELL nods.)

Why? Because he gave you a shot of whiskey and congratulated you on your escapades at the Faulkner home? That makes him a good man? Or is that he asked you to commit a crime on his behalf, to put your own life at risk because he was too much of a coward to do the deed himself? Is that what makes him such a good man? Because here you sit, John Mitchell. In the stockade. Waiting for the hangman to—

MITCHELL

You said you wasn't gonna hang me.

RALEIGH

/No, we won't hang you, John. You said you'd testify, and, thus far, you've lived up to your end of the bargain. When we're done here, you can take your boy and go home. But every day for the rest of your life, I want you to remember my face. I want you to remember how I made it possible for you to live out your life on your farm out there in Washington County. And then I want you to remember his face.

(He points at BRADFORD)

That is the countenance of a traitor!

REDICK

(jumping to his feet, angry)

Objection!

RALEIGH

Remember that face! That's the man who put a noose around your neck and would've left you to die if we hadn't tracked him down and put him /on trial.

REDICK

/Your honor!

RALEIGH

Take a good long look!

(MITCHELL finally looks at BRADFORD, who looks back unflinching. Beat.)

No more questions, your honor.

JUDGE

Your witness, Mr. Redick.

(REDICK is already up and moving, coming close to MITCHELL.)

REDICK

A moment ago, Mr. Raleigh asked you if knew Mr. Bradford's purpose in robbing the mail. And you said you didn't know.

MITCHELL

I didn't know. I don't—

REDICK

That's not true, is it John?

(MITCHELL, confused, tries to stammer out an answer.)

The whiskey tax, John. You and Mr. Bradford both knew that the whiskey tax was wrong. Isn't that /correct?

RALEIGH

/Your honor, the legitimacy of the whiskey tax /is not—

REDICK

/Isn't that right, John? You both knew it was /wrong!

RALEIGH

/Your /honor—

JUDGE

/Mr. Redick—

REDICK

/And you robbed the mail because you wanted to stop the whiskey /tax?

RALEIGH

/The whiskey tax is not on trial /here!

REDICK

Because it's wrong, isn't it, John? The whiskey /tax—

MITCHELL

You're damn straight it's wrong!

(Short beat)

That bloody tax, it was gonna ruin me. Ain't that right, Johnny!

JOHNNY

Damn straight!

RALEIGH

Your honor, I object to this line of questioning—

JOHNNY

Ah, stuff it, you old—

REDICK

Johnny, shhh!

RALEIGH

And I object to this boy being allowed to—

(JUDGE raps the gavel and they all go silent.)

JUDGE

Mr. Redick, where are you headed with this line of questioning regarding the mail robbery?

REDICK

Your honor, my esteemed colleague—esteemed by whom, I couldn't say, but esteemed nonetheless—claims that Mr. Mitchell was motivated to rob the mail exclusively by my client. I am merely trying to demonstrate that John Mitchell was provoked even more by an unjust—

RALEIGH

Your honor—

REDICK

By what he perceived to be an unjust law. John Mitchell was not merely the instrument of an influential man; he was driven by fear and desperation. And that fear and desperation, I contend, were put there by the federal government of these United States of America.

RALEIGH

Your honor, I reiterate—the merits of the whiskey tax are not at issue in this courtroom and are in fact irrelevant to the matter of the charges against this defendant.

JUDGE

Overruled, Mr. Raleigh.

RALEIGH

Your honor—

JUDGE

(with a rap of the gavel)  
Overruled! Proceed, Mr. Redick.

(RALEIGH sits loudly and angrily.)

REDICK

John, you said a moment ago that the whiskey tax was going to ruin you.

JOHNNY

Damn straight!

(The JUDGE raps the gavel and REDICK motions to JOHNNY for silence.  
JOHNNY nods in agreement.)

REDICK

Can you explain to the court just what you mean?

(A pause as MITCHELL considers his task. Looks at his son, takes a deep breath and starts.)

MITCHELL

Wasn't never my aim to be a rebel 'gainst this country. I believed in America. Years back, I heard about them fellas up in Boston throwin' that tea in the ocean and I thought, Godspeed. Don't take no guff from them British. And when they come lookin' for soldiers to fight in that war, I said, "Sign me up!" Hell, I even killed me a few of them Brits at Brandywine. Come back home, settle down with a good woman, got me a fine boy here, and... just tryin' to get by. But then somebody says they's puttin' a tax on the whiskey. Tax? Hell, I thought that's why we fought the British! I can't pay no tax! But that Neville, that son of a...he show up on my farm, says I gotta pay two-hundred fifty dollar 'cause I never paid no tax on my still. I ain't got no money. We eat what we can grow on the farm, and I use my whiskey for tradin'. Only way I can get money is to sell off my land and then how're we gonna eat? But this Neville, he says the United States gov'ment demands it. Hell, where was the gov'ment when we needed help fightin' off the Injuns? Nowheres, but soon's they want their taxes, gov'ment fellas is everywhere. Then, this Neville, he tells me I gotta travel all the way to Phil'delphia to pay the fine. So, now I gotta forsake my family, leave them to starve so's I can ride for three days to put money I ain't got in the blue-blood hand of some rich fella?! I thought this was America. I thought this new country was gonna do things different!

(Beat)

Mr. Bradford, he's the only rich man I know agrees with me. Treats me with respect, like I was as good as him. So, when he says, "John, I know I can count on you," I says right back, "Yes, sir, you damn sure can!" And that's why I done it, you wanna know. That's why I tore up the Faulkner home, that's why I robbed the mail, that's why I done some other things I ain't gonna tell you about. That damn whiskey tax. It come in and ruin everything.

RALEIGH

(to his feet)

Your honor, I must strenuously renew my objection at this time. The whiskey tax is not on trial /here, and—

MITCHELL

(to his feet)

/It damn well oughta be on trial!!!

(The JUDGE loudly raps his gavel.)

JUDGE

Mr. Mitchell, sit down this /instant or I will—

MITCHELL

(with increasing anger, pointing at RALEIGH)

/Hell, mister, you're just as bad as all the rest of /them other rich folk.

JUDGE

(banging the gavel)  
/Mr. Mitchell!

MITCHELL

Takin' the noose offa my neck—

JUDGE  
Bailiff, get that man under control.

MITCHELL (cont'd)  
—just so's you can strap it on Mr. Bradford. It ain't right! It just ain't right!!!

(The BAILIFF moves quickly to the witness box, reaches out to grasp MITCHELL but JOHNNY steps up to intervene.)

JOHNNY

Get your hands offa my Pa!

JUDGE  
Son, sit down or I'll—

BRADFORD  
Johnny, don't get involved with—

(The BAILIFF yanks at JOHNNY and the boy comes tumbling out of the witness box. MITCHELL angrily grabs the BAILIFF by the shirtfront. JUDGE raps the gavel loudly to no avail.)

MITCHELL

I said I'd kill you, you touch my boy again!

(MITCHELL goes to punch the BAILIFF as chaos erupts in the courtroom— BRADFORD bounding over the defendant's table, REDICK calling out to BRADFORD to stop, then chasing after him. RALEIGH is silent, retreating from the action. The JUDGE bangs the gavel and ineffectually calls out...)

JUDGE

Order! Order!

(The BAILIFF ducks MITCHELL's punch and comes back with a punch that lands in MITCHELL's gut, doubling him over. JOHNNY bellows as if he's been hit. BAILIFF grabs MITCHELL and pulls him into a wrestling hold, BRADFORD trying to intervene, REDICK trying to intervene in BRADFORD's intervention. JOHNNY reaches into his sack and whips out a flintlock pistol, points it at the BAILIFF, and shouts as loudly as he can...)

JOHNNY

GET YOUR STINKIN' HANDS OFFA MY PA!!!

(Everyone freezes, all eyes on JOHNNY.)

I said, get your hands offa my pa!

(The BAILIFF lets go of MITCHELL and backs away.)

JUDGE

Son, put the pistol—

JOHNNY

I ain't your son! Pa, don't worry, I ain't gonna let him hurt you.

(The BAILIFF makes a move toward JOHNNY but JOHNNY's too fast for him, aims at the BAILIFF who is now perilously close to the barrel of the gun.)

I ain't afraid to shoot you, mister.

MITCHELL

Johnny—

JOHNNY

I ain't, Pa! Already shot that devil Keefer when he smacked me one too many times.

BRADFORD

You shot Jedediah Keefer?!

JOHNNY

Yes, sir.

BRADFORD

Did you kill him?

JOHNNY

Didn't stop to find out. Just shot him and run.

JUDGE

Young man, you could pay a terrible price for shooting a man like that.

JOHNNY

No, sir. I been saved by the lord Jesus Christ since then. Preacher said all my sins is washed away.

(BRADFORD steps forward.)

BRADFORD

Johnny, give me the gun.

JOHNNY

Not gonna let 'em hurt my pa.

BRADFORD

They won't hurt your pa. I'll see to it. But you're a good boy, Johnny. I always thought so, smart as a whip with a heart of gold, and I don't want to see you getting in trouble, fella. And if you pull the trigger, you're gonna be in big trouble. John, tell him.

MITCHELL

Johnny, Mr. B's right. Trust him.

BRADFORD

Give me the gun, Johnny. All will be well. You have my solemn promise.

(JOHNNY looks to his father, who nods affirmatively. JOHNNY hands the gun off to BRADFORD. Almost instantaneously, the BAILIFF steps in and yanks the gun away from the unprepared BRADFORD. The BAILIFF points the gun at MITCHELL, grabs JOHNNY roughly by the arm.)

BRADFORD (cont'd)

Your honor—

JUDGE

Bailiff, remove the witness and his son from this courtroom immediately.

BAILIFF

Yes, your honor.

(The BAILIFF moves JOHNNY and MITCHELL toward the exit.)

JUDGE

Have them both taken to the stockade!

BRADFORD

The stockade!

BAILIFF

Yes, your honor.

BRADFORD

You can't be serious. The stockade—

JOHNNY

(as he is being dragged away)

Mr. B!

(The JUDGE raps the gavel.)

JUDGE

Silence in this courtroom!

BRADFORD

Johnny, don't worry. I'll take care of—

JUDGE

(with a thunderous rap of the gavel)

SILENCE!

JOHNNY

Mr. B!!!

(JOHNNY and MITCHELL are forced out by the BAILIFF, who gives MITCHELL one last push as they exit.)

BRADFORD

Johnny, I—

(The door slams loudly behind them.)

BRADFORD (cont'd)

You can't send Johnny to the /stockade—

JUDGE

/Mr. Bradford, I am warning /you.

REDICK

(taking BRADFORD's arm)

/David, sit /down.

BRADFORD

(yanking his arm away from REDICK)

/No! I will not be silent! I will not be—

(Rap of the gavel)

JUDGE

There are armed guards just outside this courtroom, Mr. Bradford.

BRADFORD

Your honor, please, he's just a boy, a frightened boy and—

JUDGE

I can get have you clapped in chains at a moment's /notice.

BRADFORD

Your honor...respectfully, I...I've been sitting in that stockade for over six months and I can tell you, it is no place for a young boy—

RALEIGH

Then he shouldn't have pulled a gun /on us!

BRADFORD

/I got the gun away from him. And I did so by making him a promise, by assuring Johnny that all would be /well and—

JUDGE

/That's enough, Mr. /Bradford.

BRADFORD

/But, judge, please...what will happen to that boy? What will happen to his /father—

RALEIGH

/The law will take its course!

BRADFORD

The law! What do you know about the law, you /buffoon!

JUDGE

/Guards!

REDICK

(trying to force him into his seat)  
David, that's /enough!

BRADFORD

/I made that boy a promise!!!

JUDGE

GUARDS!!!

(A rap of the gavel and lights change quickly. All go silent except for REDICK, who addresses the audience.)

REDICK

Two soldiers entered the courtroom and, within moments, had secured irons on the legs of David Bradford. I objected until my voice was raw but to no avail.

JUDGE

(with another rap of the gavel)  
Mr. Raleigh, call your next witness.

REDICK

There were more witnesses. A man named Fulton testified about hearing Bradford deliver an angry and passionate oration at the Mingo Creek Church. One of Neville's deputies talked about the difficulty of collecting the excise tax in Washington County.

(Short beat)

My friend David Bradford sat quiet and still for all of it, barely even looking up, as if the chains on his body had sapped his strength. It was not until mid-afternoon that his eyes flashed again.

RALEIGH

I call to the stand...Hugh Henry Brackenridge.

REDICK

Brackenridge. I knew he could very well be the man to send David Bradford to the gallows. Brackenridge found himself on the wrong side of the law when he spoke out against the despised whiskey tax. Realizing he might be dragged into a courtroom to face charges of treason himself, his political leanings shifted. On this day, he was desperate to prove himself a true patriot and faithful son of the new nation. On this day, he was here to keep David Bradford in chains.

(Lights shift to reveal the full courtroom. BRACKENRIDGE is seated in the witness chair.)

BRACKENRIDGE

David Bradford wanted nothing less than the establishment of a new nation. It was to be composed of the western counties of Pennsylvania, with parts of Virginia and Maryland to be thrown in for good measure.

RALEIGH

Did Mr. Bradford take strides in establishing this new nation you speak of?

BRACKENRIDGE

Fortunately, Mr. Bradford had not the capacity to form any deep consistent plan and his vision of a new realm was ill-fated. But he used this utopian dream to stir up his disciples.

RALEIGH

His ‘disciples’?

BRACKENRIDGE

Disciples. It is the only word that captures their devotion to Mr. Bradford. Believe me, Mr. Bradford’s talent for popular declamation is profound. He employed this skill often and with scant regard for consequences. A great gift used injudiciously may do great harm. Such was the case with Mr. Bradford’s inflammatory rhetoric.

RALEIGH

Which you personally witnessed. Correct, sir?

BRACKENRIDGE

On numerous occasions. He is a vain, shallow man and—

REDICK

(to his feet)

Objection! Is Mr. Brackenridge here simply to say rude things about my client?

JUDGE

Sustained. Mr. Brackenridge, please refrain from—

BRADFORD

(To his feet, his chains rattling as he does so.)

Your honor, I wish to ask the court—

(The JUDGE raps his gavel loudly, as REDICK stands, pushing BRADFORD back into his seat.)

JUDGE

Mr. Bradford, be seated this instant!

REDICK

David, this is not the time to—

BRADFORD

The matter of John Mitchell and his /boy—

JUDGE

/Mr. Bradford, this is the third time you have raised this issue—

BRADFORD

And it is yet to be resolved! All I ask—

JUDGE

It is none of your concern, sir. Sit and be quiet or I will take actions to silence /you!

BRADFORD

/I am already clapped in chains! What more can you do to me?

JUDGE

If you wish to find out, keep talking!

REDICK

(desperately trying to get BRADFORD back into his chair)  
David, that's enough! /Please—

JUDGE

/Mr. Redick, if you cannot control your control your client—

REDICK

My deepest apologies, your honor.

(He pushes BRADFORD roughly into his seat, his chains clanging loudly. He glares at BRADFORD who, in turn, glares angrily at the JUDGE. After a stand-off, BRADFORD sits back in his chair, looks down.)

BRACKENRIDGE

This is precisely the sort of vain, shallow behavior that I referenced only a moment—

REDICK

(to his feet, angrily)  
Your honor, please instruct the witness to answer only those questions put to him by Mr. /Raleigh—

JUDGE

/Mr. Redick, I—

REDICK

(continuous from above)  
—and to refrain from expressing his biases so—

JUDGE

(with a rap of the gavel)  
Mr. Redick, sit down!  
(After a beat, REDICK reluctantly does so.)  
Continue, Mr. Raleigh.

RALEIGH

Thank you, your honor. Mr. Brackenridge, as a more moderate member of the insurgency, were you aware of the plan to rob the United States mail?

BRACKENRIDGE

I learned of Mr. Bradford's plan to rob the mail only after it had been executed.

RALEIGH

Why did you not report the crime to the authorities?

BRACKENRIDGE

I did not report this crime, afraid that doing so might spark further violence.

RALEIGH

Spark further violence. Could you elaborate, Mr. Brackenridge?

BRACKENRIDGE

Well...imagine if Mr. Bradford had been seized by the authorities. Would he not then have achieved a sort of... martyrdom? His followers, how might they have responded?

RALEIGH

You're suggesting they might have reacted violently. Is that correct?

BRACKENRIDGE

Indeed, that was my concern. We had already endured death and destruction at General Neville's estate at Bower Hill. And at the time of the mail robbery, there was already talk, most of it from Mr. Bradford himself, of marching into Pittsburgh and reducing that city to ashes. Now, as you know, the march did take place and, I am pleased to report, Pittsburgh is still standing. But had Mr. Bradford been incarcerated, thus inflaming his zealous supporters, would this still be the case?

RALEIGH

Yes, thank you, Mr. Brackenridge. Might you clarify for us, sir, Mr. Bradford's motive for robbing the mail?

BRACKENRIDGE

Yes, the motive. Mr. Bradford was determined to intercept all correspondence coming from the western counties to headed to Philadelphia.

RALEIGH

For what reason?

BRACKENRIDGE

He was trying to learn what citizens in the western counties might be saying to those at the head of the government in the east.

RALEIGH

So, Mr. Bradford stole private correspondence to spy on his fellow citizens in the western counties. Correct?

BRACKENRIDGE

Precisely. Well put, sir.

RALEIGH

And what did he find?

BRACKENRIDGE

Well...as you know, eavesdroppers seldom hear any good of themselves.

(He laughs, looks to the JUDGE and RALEIGH to share his levity. Neither man responds.)

BRACKENRIDGE (cont'd)

And, while some letters did give great offense to Mr. Bradford, there was nothing of substance as pertains to the original intent of the robbery.

RALEIGH

So, the stratagem failed to produce any results.

BRACKENRIDGE

None. It was an act of madness, fueled by suspicion and conceit. The real tragedy in this instance is that an obscure, ignorant man named John Mitchell was then accused of Mr. Bradford's crime and, as I understand it, is to be hanged for it! Not that anyone will mourn a half-wit like John Mitchell, but still—

(BRADFORD is on his feet in an instant, his chains rattling fiercely. He bellows at BRACKENRIDGE.)

BRADFORD

You dare call John Mitchell a half-wit!

JUDGE

Mr. Bradford!!!

BRADFORD

You are not fit to wipe the mud from that man's boots!!!

JUDGE

Bailiff!

(The BAILIFF leaps into action, moving swiftly to BRADFORD as BRACKENRIDGE stands, declaiming...)

BRACKENRIDGE

Madness! If this man were not so dangerous, he would deserve our pity!

(Chaos erupts. The BAILIFF steps forward and is about to strike but BRADFORD catches the BAILIFF's arm, twists it, and presses the man's face into the tabletop. BRADFORD pulls a large knife from a sheath on the BAILIFF's belt and holds the knife to his throat.)

JUDGE

Mr. Bradford!!! Let that man go!!!

(The JUDGE is about to bellow for the guards but, seeing this, BRADFORD takes charge.)

BRADFORD

Call for the guards and I will slit this man's throat!!!

(A collective gasp, followed by a pause. BRADFORD holds the blade of the knife against the BAILIFF's neck. Beat.)

What is to happen to John Mitchell and his son?

(No answer as RALEIGH and the JUDGE look back and forth at one another.  
BRADFORD presses the knife closer to the BAILIFF.)

BRADFORD (cont'd)

Do not mistake me, gentlemen, I will kill this man. What is to happen to John Mitchell and his son?!

RALEIGH

They will be dealt with according to the tenets of the law.

BRADFORD

Whose law?

RALEIGH

The law of the...the boy will be tried for...Dear God, he pulled a gun on the court and shot another man in cold blood! We can't turn our backs on—

BRADFORD

What of the father?

JUDGE

Mr. Bradford—

BRADFORD

What of the father?!

RALEIGH

He will hang.

REDICK

But he testified for the prosecution! How can you—

BRADFORD

No!

RALEIGH

The state was very clear with Mr. Mitchell regarding the expectations of his testimony. He failed to live up to his end /of the bargain.

REDICK

/But—

RALEIGH

He will hang!

(The BAILIFF tries to break away, but BRADFORD pulls back the knife as if to thrust it into the BAILIFF's back.)

JUDGE

Mr. Bradford, I beg of you, sir. I don't know how you do things in the western counties, but here in the—

BRADFORD

In the western counties, we keep our promises!

(He lowers the knife so that it hovers just above the terrified BAILIFF.)

In the western counties, we look after one another! When one man is harmed by an unjust law, we come to his aid, even if it means challenging authority. And, yes, even if that authority is the all-powerful United States of America!

(Beat)

What are we to become? This new nation? What are we to become if our government is so short-sighted that it cannot see, or does not care, that while a rich man like General Neville flourishes, poor men like John Mitchell, must be made to suffer? What are we to become if when men fight against injustice, they are clapped in chains and marked as traitors? I assure you, gentlemen, tables will someday turn. You think the Whiskey Rebellion is the end of it? No. The day will come when General Neville's slaves will rise up and demand their freedom, I promise you. And for every John Mitchell you hang, there are thousands more ready to take his place and, if necessary, fight back. And boys like Johnny Mitchell, if we cannot learn to treat them with common decency, they will grow into men and come to revile this nation.

(His voice cracks a little.)

He's just a boy. A good boy who was frightened for the life of his father and you think it just to charge him? To turn his fear into a crime and throw him in the stockade?!

(BRADFORD lifts the knife above his head and slams it down into the table right beside the BAILIFF. All others freeze in terror as BRADFORD quickly backs away from the table.)

I wish to change my plea.

REDICK

David, no!

RALEIGH

What did you—

BRADFORD

Guilty as charged, on all counts.

REDICK

David, please don't—

BRADFORD

On one condition.

RALEIGH

What condition?

REDICK

David, please—

RALEIGH

What condition?

BRADFORD

That John Mitchell and his boy be allowed to go free, not charged or punished for any crime, and permitted to make their way home to Washington County without harassment. Promise

BRADFORD (cont'd)

me that and you may do with me what you will. Hang me from the highest tree in the land, my body on full display for all to see.

REDICK

Your honor, if I may—

(The JUDGE raps his gavel once, very loudly.)

JUDGE

Mr. Raleigh, do the people accept Mr. Bradford's offer?

REDICK

Your honor—

RALEIGH

The people accept.

REDICK

No!

JUDGE

The jury is dismissed. Bailiff?

(The beleaguered BAILIFF gets to his feet. He is shaky but attentive.)

BAILIFF

Yes, your honor?

JUDGE

Take the prisoner to his cell.

REDICK

Your honor, I beg of you—

JUDGE

(with a gavel rap)

This court is adjourned.

BAILIFF

All rise!

(Lights shift suddenly, and our focus is now on REDICK as he addresses the audience.)

REDICK

And just like that...it was over. I watched as my friend was hauled from the courtroom. He was smiling. As if he had won. And maybe he had. Maybe this is what David Bradford wanted all along. To die for a cause he truly believed in.

(REDICK reaches up and removes the wig from his head, becoming the actor he was at the beginning of the play. He removes a few items of his costume as he speaks.)

REDICK (cont'd)

But, of course, we know that David Bradford did not stand trial. He did not hang from the highest tree in the land for all to see. Having escaped to Spanish territories in the fall of 1794, David Bradford lived out his life as a wealthy planter. Pardoned by President John Adams in 1799, Bradford returned to Washington, Pennsylvania only once, in 1801, to sell his house on Main Street. Neither did John Mitchell hang, it must be said. Pardoned for his role in robbing the U.S. Mail, Mitchell and his boy presumably returned to their quiet lives in the green, rolling hills of western Pennsylvania.

(Beat)

I still like to think that David Bradford would have savored the opportunity to stand trial for his supposed crimes. History tells us that he loved the spotlight and for a natural orator like David Bradford, where, in 1795, would that light have shone brighter than in a court of law? And so, just for tonight, we have tried to give Mr. Bradford his due as a hero of the people. In the fashion of Sir Thomas More—a saint for the noble cause of democracy.

(Beat)

Thank you for imagining with us. Good night.

THE END