

THE TRIAL OF SUSAN B. ANTHONY

Libretto by Steven Mark Kohn,
based on “The Trial of Susan B. Anthony”

(All characters are portrayed by THE ACTRESS)

1. PRELUDE

*The ACTRESS assumes the role of **JUDGE WARD HUNT**, Northern District of New York. She stands at the podium and strikes it five times with a gavel, bringing the court to order. She sings.)*

**On this, the third Tuesday of January,
in the northern district of New York State,
in the year of our Lord one thousand eight hundred and seventy-three,
good and lawful men do, upon their oaths,
present that Susan B. Anthony, in the county of Monroe,
on the 5th day of November, in the year of our Lord
one thousand eight hundred and seventy-two,
did knowingly, wrongfully and unlawfully
cast her vote for a representative in the congress of the United States
and, being a member of the female sex,
behaved in a manner
contrary to the statutes of the United States of America.
Knowingly, and unlawfully**

The accused enters a plea of not guilty.

Mr. Crowley, we will hear an opening statement from the prosecution.

2. OPENING ARGUMENTS; THE PROSECUTION

*(The ACTRESS assumes the role of **RICHARD CROWLEY**, Prosecuting Attorney for the United States, Northern District of New York and speaks/sings the following.)*

Thank you, your honor.

May it please the court and gentlemen of the jury...

**There was an election in this state!
November 5th of eighteen seventy-two, to be exact.
Where we were given the solemn duty and obligation
of choosing representatives
for our district and the state at large!**

**Now, on that very day,
hard to believe, I know, but...
Susan B. Anthony
arrived at the polling station
bold as brass and for all to see
she cast her vote!**

Assuming it was her right!

I say assuming, for it is a right to which

she was not entitled!

The facts are not in question.

The law is not in question.

What she wants,

what she feels,

what she believes

is not to be debated here today!

The law states she had no right.

She had no right!

This is a question of law.

Miss Anthony voted illegally.

And it will be to you, gentlemen...

to find her guilty

Thank you.

*(The ACTRESS approaches the podium, assumes the role of **JUDGE WARD HUNT** and speaks.)*

Mr. Selden, the defense may now present opening remarks.

*(The ACTRESS assumes the role of **HENRY H. SELDEN**, Attorney for the defense and speaks/sings the following.)*

3. OPENING ARGUMENTS; THE DEFENSE

Thank you, your honor.

I have never known

of anybody brought to trial

merely on account of their sex.

Being born is not a crime

and neither is the way we're made,

though it now appears

that justice may be blind.

Are not women bound by laws

to the same extent as men?

Why then would they not share

in the choosing of those who make the laws?

There is a document you may have heard of,

written nearly one hundred years ago...

It states that "Governments derive

their just powers from the consent of the governed."

But who are the governed?

(addressing the jury)

Us?

Sir?

You and I?

Gentlemen!

Yes, all of us here!

But is she not governed?

She must obey the laws as we do.

Ah, but she has no voice!

What if you, sir, had no voice?!

(accusing all the men in the courtroom (audience) directly)

Silence!

You will hold your tongue!

Impertinence!

How dare you!

You have no voice!

Be silent!

(grand pause)

Ahh... *(pause)*

And we thought we had abolished slavery.

**There is one transgression here...
and we are all to blame.**

**For we have made women property
of their husbands and fathers,
banishing their names
and their rights
and their fates!**

**But laws can be amended.
A more perfect union made.
The consent of the governed,
all of the governed!
It was written long ago.
Let us now see
if it can be applied
with fairness
and justice for all.**

I leave it to you, Gentlemen.

*(The ACTRESS approaches the podium, assumes the role **JUDGE WARD HUNT** and speaks.)*

Mr. Crowley, the prosecution may call its first witness.

*(The ACTRESS assumes the role of **RICHARD CROWLEY**, prosecuting attorney, and speaks.)*

Thank you, your honor.
I call Mr. Beverly Jones to the stand.
Mr. Jones, please recount for us the events of
November 5th, 1872.

*(the ACTRESS assumes the role of the witness **MR. BEVERLY JONES** and speaks)*

Oh!

(Mr. Jones is jolted into character as if just realizing with surprise, that he is "on". He then timidly and clumsily makes his way to the witness chair.)

uh...um...okay...uh...well... *(he takes his seat)*
so...

4. THE WITNESS (PART 1)

**Here's how it happened.
There I was actin' as election inspector
with Edwin Marsh and William Hall.
I don't mind, just tryin' to help, you know.
Doin' my civic duty is all.**

**Now, in comes Susan B. with sev'ral of her friends.
I recognized her right there at the door
cause I seen her at the post office,
'round town, here and there,
you get to know people...
sometimes over at the grocery store**

but anyway-

**She tells me she's comin' in to vote,
actin' like she owns the whole darn place!
And I said "hold on here,
you can't be doin' that!
...not in New York State anyways..."**

**So, she's lookin' at me like I got two heads.
Then she tells me she's a legal voter,
registered, bonified, sanctified and all and I said
"wait a minute. Let's be reasonable."
I told her she's a woman-well she is.
Not that there's anything wrong with that.
My mother was a woman and a fine one.
It's just that we all know New York don't allow women voters.
That's what I meant, legally speakin'.**

We told her straight up she couldn't vote.

**We laid out there clear as day!
But that didn't matter
cause she voted anyway.
That's the God's own truth.
I got nothin' more to say.**

*(The ACTRESS stands, assumes the role of **RICHARD CROWLEY**, prosecuting attorney, and speaks.)*

An original rendition, but there are the facts, gentlemen. We have a sworn witness.
Miss Anthony voted. She broke the law. Your duty is clear.

*(The ACTRESS approaches the podium, assumes the role of **JUDGE WARD HUNT** and speaks the following.)*

Mr. Selden, the defense may cross examine the witness.

*(The ACTRESS assumes the role of **HENRY H. SELDEN**, attorney for the defense, and speaks.)*

Thank you, your honor.
Mr. Jones, you have testified that on the date in question,
Miss Anthony did in fact cast her vote.
Knowing, as you have stated that this was illegal, explain to the court the
circumstances which transpired, and how you did, in the end, allow her
and several other women to place their votes in the ballot box.

*(The ACTRESS awkwardly assumes the role of the witness, **MR. BEVERLY JONES**, and speaks, moving
toward the witness chair.)*

Uh... *(awkward pause)*
um...o-kay...right...well... *(he sits)*

5. THE WITNESS (PART 2)

**As I was sayin'
Miss Anthony told me she was gonna vote.
She walked right up to sign her name.
I told her "sorry, but that ain't gonna happen".
I gently reminded her of the
laws of New York State.
But she kept pushin' and pokin' my God!**

That woman was so persistent!

**And then she claims she has these rights
under the constitution of the United States.
Said it just like that U-*NI*-ted States,
leaned on the "N", U-*NI*-ted.**

**And then she asks if I know the fourteenth amendment
or the twelfth or thirteenth, one a' them.
I told her I mighta' heard of it.
But the truth is I ain't never heard a' none a' them.**

**So, she pulls out a big old curly piece a' paper
and commences to readin' that amendment to me
out loud! Right there in the room for ev'ryone to hear!
It was shameful and embarrassin' to see!**

(pause, spoken freely)

Ya ever get one a' those headaches...the bad one, ya know? *(pressing on his forehead)*
Where it's...it's like pressin' right here on your forehead
really hard...and you can't even focus your eyes?

(pause, realizing...)

...sorry...

**So anyway
I tell Miss Anthony
the only way I'm gonna let her vote
is if she swears an oath on the Bible.
So, I took out my Bible.
I carry it with me at all times...
gives me comfort.**

She took the oath, her hand on the Bible! *(melody based on "Holy, Holy, Holy", John Bacchus Dykes, 1861)*
**We made her admit that she was
challenged then and there!
We tried to stop her, my hand on the Bible!** *(he rises from the chair filled with religious fervor)*
We made her admit to that, we made her swear!

**...but that didn't seem to do a whole heck of a lot... *(sitting down again...)*
If it had, we wouldn't be here, I guess.
Well, right about then, my head was hurtin' bad.
So, I just gave up.
I realize we coulda' done more to stop her.
It was just such a Gall Danged!-**

...sorry...

awkward mess.

(The ACTRESS stands, approaches the podium and assumes the role of JUDGE WARD HUNT who speaks/sings the following)

Thank you, Mr. Jones.

(The Judge pounds the gavel three times)

**We have heard remarks
as to the events of November fifth,
of eighteen hundred and seventy-two.**

**Susan B. Anthony,
what have you to say on your own behalf
before judgement is rendered?**

(Leaving the podium, the ACTRESS assumes the role of SUSAN B. ANTHONY and speaks/sings the following)

6. THE DEFENDANT'S STATEMENT

I have many things to say,
but I fear they will fall on unwilling ears.

**Where is justice?
I heard about it somewhere as a child.
It was called America...
justice for all.**

**Where is freedom?
Residing on a shelf in some back room?
For I cannot find it here
inside this darkened hall.**

**Everything I love
Everything I thought I knew about this nation
has been buried under words today,
twisted and perverted
into this bizarre theatrical display.**

**Where is justice?
Is freedom there for all or only some?
How much patience will it take,
how much fighting will it take,
for us to overcome?**

**My civil rights,
trampled in the dirt, laid to waste!
I am scolded like a child,
told to mind my place.**

**And I must bow before the judges
who will reconcile my fate.
All are my superiors.
Each and every one above me!
What brutality.
What...hypocrisy.**

**Where is justice?
I heard about it somewhere as a child.
It was called America.
Where is my America?**

I know now what I must do.

Urge all women to the truth
that resistance to tyranny is
obedience to God!

(The ACTRESS makes her way to the podium, assuming the role of JUDGE WARD HUNT who will have the last word)

7. THE VERDICT

(Pounding the gavel violently)

Enough!
We will hear no more from you!
The prisoner will sit down and remain silent!

**The right to vote is not granted by the constitution,
but by the individual states
who set their own requirements.**

**If New York State should provide that
no one under the age of thirty can vote,
than that is the law.
And if the state should decide that no one having grey hair
or the use of their limbs shall be entitled to vote,
than that is the law!**

**If the fifteenth amendment had contained the word “sex”,
then Miss Anthony’s argument might have had some weight.
But the amendment does not contain that word.**

**Ignorance of the law excuses no one!
But there was no ignorance here.
She knew exactly what she was doing!
It was her goal.
And her intent.
She knew the law.
She took the risk
and she will bear the consequences!**

Susan B. Anthony...

**This court finds you...guilty. *(a stroke of the gavel)*
Guilty. *(another stroke of the gavel)***

The jury is dismissed.
Thank you, gentlemen, for your patience.
Justice has been served.

(end)