THE YOUNG LAWYER

A Play by John Martin Ramsay v1.5 September 9, 2018

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TIME: 7:00 PM September 5, 1970 **PLACE:** ...Holling's Holler, Clay County, North Carolina

CAST OF CHARACTERS

speaking parts: Mr. Ballew Mrs. Ballew Dr. Harry Harrison, Director of Broadmore Folk School Earl Emmett, local high school drop out Loyal Lawson, intern from Dartmouth College Attorney Bill Bailey Carl Cramer, Earl's cousin Emil Emmett, Earl's father bailiff Judge Quentin Quisling non-speaking parts: Jeremy Ballew, age 18 Jean Ballew, age 17 James Ballew age 15 Joshua Ballew, age 13 3 high school age boys 4 high school age girls Eleanor Emmett, Earl's mother Paul Peale, Broadmore's dairy manager prosecutor clerk sheriff assorted spectators

ONE ACT SCENE ONE

SETTING: It is dusk at Broadmore Folk School in the Mountains of North Carolina where a country dance has just started in the gymnasium. People are still arriving dressed for an evening of community dancing. They enter the foyer where HARRY HARRISON, the school's Director, sits at a registration desk to welcome people and collect admission fees. Dance music led by a fiddler plays Forked Deer or some similar tune.

AT CURTAIN RISE: JEFF BALLEW, his wife JEN-NY and their four children: JEREMY (18), JEAN (17), JAMES (15), and JOSHUA (13) are gathered at the desk although the teenagers are politely but excitedly craning their necks to see the dancing already in progress and to see which of their friends might be on the floor. JENNY, although dutifully next to her husband is, like her children, bright-eyed with excitement and eager to enter the auditorium.

HARRY HARRISON:

It's ten dollars, Mr. Ballew; just ten dollars per family! I'm so glad you brought your whole family. Jeremy must soon be old enough to come to the folk school for one of our new programs.

[JEREMY hears his name and looks toward the two men].

JEFF BALLEW:

He's been accepted at Western Carolina University and will be starting there next week. This dance will sort of be a farewell; he is the first one leaving the nest.

JENNY BALLEW:

We're going to miss him terribly. But, I am so happy that he wants to go to college. Not all of the boys in his class are. He wants to be a surgeon.

[She looks at JEREMY with great pride.]

EARL EMMETT comes in wearing khaki pants and a long sleeve dress shirt which is not tucked into his trousers. His hair is still damp from a shower and is carefully combed. He and Jeremy notice each other but the BALLEWS are exiting into the dance hall and EARL is left facing HARRY HARRISON, who heartily welcomes him.

HARRY HARRISON:

Hi, Earl! I'm so glad you came to the dance. It's a good way to get started on the right foot (he smiles at his own joke). We want you new students to feel at home here at Broadmore. You look great! How did the milking go? The cows never take a break do they - not even for Christmas or New Years? We are so glad to have you on the dairy crew.

(looking carefully at Earl).

Earl, may I ask you to tuck in your shirt-tails, like the Ballews? Broadmore likes to set high standards.

A noisy group of Broadmore's new students enter, six or seven boys and girls of high school age, all dressed in clean but inexpensive clothing. They say "Hi, Earl," but he stiffens and exits while the others move toward the door into the dance hall.

LOYAL LAWSON:: enters. He is a twenty year old wearing tailored trousers and a nice sport shirt.

One of the boys in the group of teens commands attention by practicing the instructions they had been given about how to invite a girl for a dance. He bows and extends his hand toward one of the girls.

BOY 1: Would you give me the honor of the next dance?

GIRL 1: It would be my pleasure. (she curtseys) The students excitedly giggle as the girl and boy take hands and, with the others following, they all dash into the dance hall.

HARRY HARRISON: Loyal, did you see Earl leave?

LOYAL LAWSON:

Yes sir, Dr. Harrison. He seemed angry about something. Stormed out and didn't even look at me.

HARRY HARRISON:

I'm afraid I offended him. I asked him to tuck in his shirt tails. It doesn't make that much difference to me but Miss Bueler will likely be here tonight and would let me know that it is important to uphold high standards in dress as well as in everything else. I am more interested in getting our local students to find things in life that they enjoy and would like to give their lives to. We are so pleased to have you Dartmouth College students at Broadmore to help us. I was so glad when Earl decided to enroll in Broadmore's program for local youth. They have dropped out of school and don't know how to get on with their lives. I would hate to see Earl quit after only one week.

LOYAL LAWSON::

Yes sir, Dr. Harrison. Earl knows how to work. You should see him shoveling silage to those cows. He's tough, doesn't have an ounce of fat on him. I'd like to talk with him but he doesn't talk much.

HARRY HARRISON:

He's had a tough life and I hope that the experience at Broadmore -that getting to know other young men like you -would help put him on a different path. You aim to be a lawyer, don't you?

LOYAL LAWSON:

Yes, sir.

HARRY HARRISON:

Would you see if you can find Earl? Show an interest in him, tell him about your dreams. Maybe you can talk him into coming to the dance and I don't care if his shirt-tails are in or out.

LOYAL LAWSON:

Yes sir. That's why I came to Broadmore. I wanted to meet people like Earl and get to know them.

HARRY HARRISON:

Excellent.

LOYAL LAWSON: leaves and HARRY HARRISON packs up the registration papers and closes the cash box. The dance music volume increases as the lights fade.

SCENE TWO

The lights come up on a dormitory room. EARL EMMETT has his duffle bag on the bed and is packing his belongings. There is a knock on the door. EARL stiffens and then continues stuffing his clothes into the bag.

EARL EMMETT:

What-a ya wan't?

The door opens and LOYAL LAWSON: peaks in.

LOYAL LAWSON:

Hi Earl. Mind if I come in? I saw you leaving the dance. Seemed like you were upset. Are you packing up? I was looking forward to getting to know you. Not much time for chit chat when we are working down at the dairy. Is something wrong? EARL EMMETT: Not really. I don't think I belong here.

LOYAL LAWSON:

You going home?

EARL EMMETT:

Nah, I don't belong there neither. My cousin was wantin' me to go with him tonight. I tole him no but he'd be glad for me ta go with him.

LOYAL LAWSON sits on Earl's bed.

LOYAL LAWSON:

Where's he going?

EARL EMMETT:

Spot lightin'.

LOYAL LAWSON: (mimicking Earl's inflection) Spot lightin'?

EARL EMMETT:

It's a good night for spot lightin. My cousin said he's seen the deer grazin' in the bottoms since the half moon has been climbin' the last few nights.

Loyal Lawson:

What is spot lightin'?

EARL EMMETT: It's agin the law.

Loyal Lawson:

I never heard of anything called spot lightin'.

EARL EMMETT: Nah. You ain't from around here.

LOYAL LAWSON:

Tell me about it. I'm interested. I came down here to get away from all the classes, books, and dumb stuff they force on us and talk, talk, talk. I want to get out in the real world and do something different. I'd like to learn to work like I saw you forking that silage this afternoon. Man, I'd like to be able to see what it's like to do an honest day's work.

EARL EMMETT:

I told you it's agin the law.

LOYAL LAWSON:

But, why? Why is it agin' the law?

EARL EMMETT sits on the bed and turns to LOYAL LAWSON.

EARL EMMETT:

First, you can't just go out a kill a deer. You hafta have a license. When my great gandpap moved here he didn't need no license. When you needed some meat, you learned where the deer were feeding and went and shot one. Then the government said you had to buy a license and could only take a deer in the fall on certain dates. But the wardens don't find you if you go out at night. My cousin has a spot light. You shine it in the deer's eyes and it is so scared it can't move. It's the best way to take a deer.

LOYAL LAWSON:

What if I went with you? If you don't show up to milk the cows in the morning, Paul Peale will miss you. You're his best hand. If I went with you, spot lightin', would you stay at Broadmore? I think that you can teach me lots of things.

SCENE THREE

LOYAL LAWSON is sitting on a bed in a jail cell. He is worn out from the emotions of last night and lack of sleep. A guard unlocks the cell door and BILL BAILEY enters. He is a tall man but a bit stooped from too much time occupied in a chair. His clothes are loose and a bit crumpled like someone who just got out of bed and hurriedly dressed in yesterday's clothes. He enters, plunks down in the only chair in the room as he addresses LOYAL LAWSON.

ATTORNEY BILL BAILEY:

Loyal Lawson? I'm Bill Bailey, Earl Emmet's uncle. I'm an attorney. Earl called me this morning and said that the sheriff picked you up last night in the Hensley bottoms. He feels real bad about that and asked me to help you. Want to tell me about what's going on?

LOYAL LAWSON:

(Hesitatingly) Well, Dr. Harrison at Broadmore Folk School asked me to get to know Earl. His cousin, Carl Cramer, picked us up, stopped along the road, and left me in the car.

ATTORNEY BILL BAILEY:

Is that all?

LOYAL LAWSON:

The sheriff came along, asked for my driver's license and wanted to know where I got the car.

ATTORNEY BILL BAILEY:

So?

LOYAL LAWSON:

He found bloody newspapers in the trunk and a blackjack under the seat, arrested me and put me in jail. He said I was being arrested for possession of a stolen car, evidence of a bloody crime, and possession of a lethal weapon. It's all a terrible mistake.

ATTORNEY BILL BAILEY:

Have you made a phone call? Have you called anybody? You are entitled to one.

LOYAL LAWSON:

Yes sir. I called Dr. Harrison at Broadmore and he said he would come into town as soon as he could. He said that Earl had not shown up to milk the cows this morning and he had to go down to help with the cows. Earl showed up before they finished.

ATTORNEY BILL BAILEY:

He did show up? I guess he called me after that.

LOYAL LAWSON:

Dr. Harrison said Earl was all scratched up from getting back to the School over the Hensley Ridge. He told Dr. Harrison that he had been out spot lightin' with his cousin and that I had refused to go out with them and stayed in the car. He said when they saw the sheriff pull up, they were afraid and Earl headed back to the School to get help.

ATTORNEY BILL BAILEY:

So, Earl told Harrison they were spot lightin'?

LOYAL LAWSON:

Yes sir. That's what he told me.

ATTORNEY BILL BAILEY:

That's no good, son. This is better. I told Earl that they picked you up to help Carl's sister with her homework. Earl and Carl stopped to take a leak and freaked out when the sheriff came by. They shouldn't have left you like they did but they didn't want to have nothing to do with the sheriff. He's the one what put Earl's daddy in prison. We'd better let Mr. Harrison know what happened before he spreads rumors about spot lighting. That's a felony, you know.

LOYAL LAWSON:

Earl told me it was "agin the law." But I didn't do anything wrong.

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ATTORNEY BILL BAILEY:

Of course not, son. You was just goin' to he'p a girl with her homework.

LOYAL LAWSON:

No sir!

ATTORNEY BILL BAILEY:

Look, son. I'm a lawyer and I'm tryin' t' he'p ya. Better to stick with my story if I'm goin' to represent you in court.

LOYAL LAWSON:

I'm going to court?

ATTORNEY BILL BAILEY:

Oh, yes sir! They've got you booked for car theft. You were the only one in the car. You didn't have your driver's license, no insurance and it wasn't your car. You had a blackjack hidden under the seat and bloody newspapers in the trunk. Oh, it will go to trial. Better let me he'p ya. I'll see you this afternoon `lessen Mr. Harrison bails you out. Here's my card.

BILL BAILEY hands LOYAL LAWSON his card and leaves the cell. LAWSON puts his head in his hands as the lights fade.

SCENE FOUR

Two hours later. Footsteps are heard, a rattling of keys, and HARRY HARRISON is permitted to enter the cell.

HARRY HARRISON:

I'm so sorry, Loyal. I had no idea that you would end up in jail instead of convincing Earl to come to the dance! I've arranged for your bail and we can leave now. We will have to face a trial. But let's talk first. What went on last night? Paul Peal called me at five and told me that Earl had not shown up. I went down to help put out feed and milk the cows. Before we were done, Earl came in with scratches on his face and arms. He apologized for being late and went right to work finishing the chores. He said that he and his cousin, Carl Cramer, had taken you on a ride. But they had left you in the car and saw the sheriff come and take you. He thought you might be in jail. I asked him why they had left you in the car. He said that you didn't want to go with them. I asked him what he and Carl were doing and he told me that they were spot lighting and that you refused to help. You were left in the car with the spot light?

LOYAL LAWSON:

Yes sir. Earl had told me in was illegal and I didn't want to get in any trouble.

HARRY HARRISON:

Well, you are in trouble! Were you holding the spotlight for them?

LOYAL LAWSON:

(looking down, embarrassed) Yes, sir.

HARRY HARRISON:

By holding the light you will be considered an accomplice. I'm sure that we can clear up the charges of car theft, the black jack and the bloody newspapers. But spot lighting is a felony. That will be a big problem for you and may keep you from becoming a lawyer.

LOYAL LAWSON:

Did you know that Earl's uncle is a lawyer? He gave me his card.

(Loyal hands the card to Harrison)

He made up a story about Carl picking us up for me to help Carl's sister with her homework. We went out spot lighting. Why would he make up a story like that? I don't know what I'm going to do! I wish I had never signed up for Broadmore. What will I tell my parents? What will I tell Dr. MacArthur up at Dartmouth? It makes me sick.

HARRY HARRISON:

I don't know, Loyal. I feel terrible, too. I do believe that honesty is almost always the best policy. I understand that Bailey is trying to help but I would find it difficult to lie, especially to lie in court. I'll need to talk with Bailey and with Earl's father. Did you know that he just got out of jail himself? LOYAL LAWSON: Mr. Bailey told me that. What was he convicted of?

HARRY HARRISON:

Emil Emmett had a small farm and raised corn as his cash crop. When the price dropped back in 1965 he took his corn to a moonshiner up Shooting Creek and helped run it off. They got caught when they sold it without paying taxes on it. Mr. Emmett went to jail and his wife had to manage the farm with Earl's help. Earl dropped out of school. They did not raise corn the next year. Now that he's back home, he urged Earl to come to our boarding program at Broadmore for better opportunities. It is difficult for many rural youth in these mountains to meet the challenges of life in a world changing so fast. You are a part of that vision for Earl and many others like him. I guess that you and I will be learning, too, from this experience. Let's try our best to make something out of it. Come on, let's get back to the School. We've got to look at all of the angles for this trial. And we've got cows to milk!

The two men exit as the lights dim and music of Milk Bucket Boogie covers the scene change.

SCENE FIVE

At the courthouse, HARRY HARRISON, LOYAL LAWSON and EARL EMMETT are arranging a semicircle of chairs for a meeting in one corner of the courtroom before the trial.

HARRY HARRISON: Your mom and dad are coming, Earl?

EARL EMMETT:

They said they'd be here. Carl is bringing them and Uncle Bill, too.

HARRY HARRISON:

Good. We need to prepare for this trial. Bailey said it is scheduled for ten o'clock. Let's see —seven chairs. Good. He should be here soon. There is a knock on the door. HARRY HARRI-SON hurries over to open it and welcome each one heartily.

HARRY HARRISON:

Hey there, Carl. Come in. Mr. and Mrs. Emmett-so glad you got here early so we can prepare. And, Attorney Bailey. Shall we put you in the middle where everyone can hear what you have to tell us about the trial?

EARL EMMETT takes LOYAL LAWSON over and introduces him to his parents as everyone takes a seat.

HARRY HARRISON:

Mr. Bailey, What can we expect at this trial? Tell us what we need to know.

ATTORNEY BILL BAILEY:

I'm glad to see you three boys have nice clean clothes and have your hair combed. Looks make a difference. We must all stand when the bailiff calls out "All rise." The judge will come in and we can sit down, but only after he does. The bailiff will read the charges. The charges of car theft, the blackjack and the blood in the trunk were dismissed after I talked with the sheriff. But all three of you boys have been charged with spot lighting which is a felony. They really don't have anything on you. I recommend that you each plead not quilty and let me handle the disposition. A felony is a serious crime and can ruin you for life. (pause) If you plead not guilty, you are entitled to a trial by a jury. I will be glad to represent you but a jury has to be selected, there are court costs, sentencing if you are found guilty and it is better all the way around to plead "Not guilty."

There is a period of silence as each one processes Bailey's plan. Each one looks uncomfortable glancing at each other. HARRISON breaks the silence.

HARRY HARRISON:

Attorney Bailey, we appreciate what you have already done to help these boys. It would be a shame for these young men at the beginning of their adult lives to be charged with a felony, possibly spend time in jail instead of being in school, getting a job and getting on with their lives. It breaks my heart. But I find it is also best policy, in all situations, to be honest. Honesty is the best policy. That is what we teach at Broadmore. I can't see how lying will erase the truth of what has happened. Each boy has to decide for himself. I can't make a decision for them. Can we discuss this?

LOYAL LAWSON:

Attorney Bailey came to see me when I was in jail. I appreciate that. But, like he just told us, he wanted me to buy into his story that we were on our way to help Carl's sister with her homework. No, I was holding the spotlight while Earl and Carl went out to shoot a deer. I knew it was wrong, at least legally. But, laws don't always take into consideration the circumstances. I guess that is why we have juries. A jury actually can take circumstance into consideration regardless of the letter of the law. Juries can do that! But, juries are not always right either. I also know I don't want to tell a lie.

CARL CRAMER:

Are you going to plead guilty? Are you going to tell the court that I was spot lighting?

LOYAL LAWSON:

Carl, I'm not going to tell a lie but I can also keep my mouth shut. If I take an oath to tell the truth, I will tell the truth or I will say nothing.

ATTORNEY BILL BAILEY:

I wish you'd listen to me. I'm a lawyer. You don't understand how our courts work. Believe me, it's not like what you have learned in your law classes. Plead not guilty and I'll take care of it. Any other questions?

> People are arriving for the trial and finding seats in the courtroom. ATTORNEY BAILEY gets up to go to his seat in the front as LOYAL LAWSON confronts him.

> > LOYAL LAWSON:

I don't want you representing me.

BAILEY shrugs and moves on. The others get up and start heading toward their seats. EMIL EMMETT hangs back, goes over to HARRY HARRISON and LOYAL LAWSON and says,

EMIL EMMETT:

I'm glad you stood up to Bailey. I've taught my boy to tell the truth.

HARRY HARRISON:

Is Earl going to plead guilty?

EMIL EMMETT:

I don't know. Bill Bailey wants him to say, "Your Honor. Not guilty." It would kill me if Earl went to prison.

BAILEY escorts the three boys to front row seats on the left while the others find seats among those already gathered. The seven students from Broadmore are already in place with a few other family, friends and gawkers. After HARRY HARRISON and MR. AND MRS. EMMETT are seated near the front, PAUL PEALE enters and sits on HARRISON'S left. He whispers to HARRISON. The prosecutor, bailiff, clerk, and sheriff are already at their stations.

BAILIFF:

All rise!

JUDGE QUENTIN QUISLING enters, papers in hand, deposits them on the podium, eyes the three boys and then takes his seat. All take their seats except for the bailiff.

BAILIFF:

Court is now in session in the matter of spot lighting on the night of September 5, 1970. Sheriff Zorba arrested Loyal Lawson in the act of using a spotlight in the Hensley bottoms. Loyal Lawson, please rise. How do you plead to the charge?

LOYAL LAWSON:

Your honor, I plead guilty.

There is an audible reaction in the courtroom and ATTORNEY BAILEY is seen setting his jaw in a frown.

BAILIFF:

Earl Emmett, please rise. You are also charged with spotlighting in the Hensley bottoms on the night of September 5, 1970. How do you plead?

EARL EMMETT:

Your honor, I plead guilty.

EMIL EMMETT and HARRY HARRISON look at each other with a grateful smile while ATTORNEY BAILEY stiffens his back and raises his head, chin up in a posture of one ready for any task.

BAILIFF:

Carl Cramer, please rise. You are charged with spotlighting in the Hensley bottoms on the night of September 5, 1970. Sheriff Zorba found your car at the scene. How do you plead?

CARL CRAMER is looking down, glances at the other two boys and then faces the judge and says...

CARL CRAMER: I plead guilty as charged, your honor.

JUDGE QUISLING addresses the boys.

JUDGE QUISLING:

Young men, I have researched your records. Our two local boys have good enough reputations in this county and have never been in trouble with the court before. Mr. Lawson is enrolled in Dartmouth College in New Hampshire and is spending this term at Broadmore Folk School here in Clay County assisting with the Internship in Rural Living program in which Earl Emmett is also enrolled. I am not sure that you boys understand what your guilty pleas will mean for your futures. No voting, no Armed Service, a prison sentence. Attorney Bailey and I had supper together last night and he told me that Dr. Harrison was pushing for a guilty plea. I do not want to see you boys going down that path. We are not putting this one in the record books. No. But let me tell you, if any of you get into trouble with the law for the rest of 1970 and all of 1971, this case will be reentered. Do you understand? No mischief! Case dismissed. Court is adjourned.

> JUDGE QUISLING exits to his chambers. The spectators react joyfully. The students make their way over to the three defendants and HARRY HARRISON puts his arm around EMIL EM-METT'S shoulder and steers him toward ATTOR-NEY BAILEY. As the lights dim, everyone freezes. The frozen diorama is still slightly visible in the dim light as a spotlight picks out HARRY HARRISON. He thaws and addresses the audience.

HARRY HARRISON:

How about that! Attorney Bailey and Judge Quisling break bread together and justice is served. Two men can solve a situation the courts were set up to adjudicate. They understand the system and its failings. I wonder how this will affect Loyal Lawson? Will he become a lawyer or a judge? What kind of a lawyer will he be? His experiences at Broadmore Folk School, did they have any impact on his life? As an educator I often wonder what effect I have had on my students. And so much of what they learn is out of my hands. Like spot lighting. I didn't plan that. Hey, (shielding his eyes and looking into the spotlight, hunting for its operator and speaking to him) Take that light off of me. Let me see what happened after I died. Put the light on Loyal!

The light pans over the frozen figures to focus on LOYAL LAWSON. LAWSON thaws and wakes as out of a dream.

LOYAL LAWSON:

Broadmore Folk School. So long ago. It certainly did put a spotlight on me and like the deer it froze me. I was the one being unfairly targeted. I unknowingly broke the law but only to help Earl. I wasn't going to shoot a deer. That's why I stayed in the car. So long ago. I lost touch with Earl, sent him a letter when I was back at Dartmouth but never got a reply. Whatever happened to him? Oh, yes, I am a judge and try to use the legal system to adjudicate justice. Conditions are usually complicated but I do what I can within the law to...... Lawson's voice fades out as the spotlight searches out EARL EMMETT who straightens up, stands tall, and confidently smiles.

EARL EMMETT:

When we got back to Broadmore after the trial, one of the cows had delivered a heifer calf. Dr. Harrison named it Honor because we had had honor in the court. I stayed at the school and when I left the end of May, Dr. Harrison and Paul Peale gave Honor to me. My dad and I started a diary farm and I married a girl I met at a country dance at the school. We have three kids and they help with the chores. You should see Timothy with a shovel. I taught him to keep his shirttails tucked in!

> EARL EMMETT smiles as he thinks back over his good fortune. The spotlight shifts to CARL CRAMER who scuffles his feet and furtively darts glances here and there.

CARL CRAMER:

I broke parole, shot a deer in broad daylight but I didn't have a license. Judge Quisling put me in jail. I got in with the wrong crowd in prison and have been in and out of prison three times. I like it better off in the woods, kinda like my Cherokee ancestors. I guess you'd say I'm homeless. I feel at home in the woods and stay out of trouble there. It gets lonesome sometimes but people can get you into a heap of trouble. Bet Loyal wishes he'd never gone out with Earl and me!

The light switches to JUDGE QUENTIN QUIS-LING.

JUDGE QUENTIN QUISLING:

We all make judgements. However, I have made a profession of judging. I respect the law and am committed to enforcing it. I've learned that laws are not perfect; sometimes they are absolutely wrong. That's why I like being a judge. I can often use my own good judgement in applying the law. (as if assuring himself) That's why I like being a judge. But I am looking forward to retiring next year. Society has become too contentious. The letter of the law is being used to bolster one side against the other and good judgement has been squeezed to death. Yes, I'll be glad to be an ordinary citizen and be free to once again use my own good judgement. The spotlight leaves Judge Quisling and focuses on ATTORNEY BILL BAILEY. He thaws and steps forward center stage to address the audience.

ATTORNEY BILL BAILEY:

What I care about is what I care about. Yeh! Myself—and my community. We lawyers are hired to help people. I get paid and they take the consequences. I could have gotten those three boys off if they'd listened to me. They didn't and I didn't get paid. I went to see the Judge because I do care about my neighbor, not just myself.

> The spotlight focuses on the BAILIFF. As the full stage is flooded with light and the house lights come up and everyone thaws, BAILIFF intones with a twinkle in his eye.....

BAILIFF: All rise! We will have honor in this court.

Curtain