

J. R. Clifford One-Act Trial Re-enactment Script
(used with the school power point presentation)

STARCHER

**SHOWS POWERPOINT WITH FREE BUT VERY BRIEF
NARRATION, UP TO THE SLIDE CALING FOR EXCERPT FROM
TRIAL, WHICH IS FOLLOWED BY:**

(BLANK SLIDE ON POWERPOINT)

THEN STARCHER CALLS UP AND SEATS:

**The NARRATOR (Kitty Dooley), JUDGE, CLIFFORD, WILLIAMS,
MEYER, JUROR ONE, and JUROR TWO.**

JUDGE

(JUDGE STANDS AND STEPS FORWARD)

**Good morning, everyone. Mr. Clifford, Please call your first
witness**

(JUDGE SITS DOWN)

CLIFFORD

(CLIFFORD STANDS AND STEPS FORWARD)

I call Mrs. Carrie Williams.

(WILLIAMS STANDS AND STEPS FORWARD)

State your name.

WILLIAMS

My name is Mrs. Carrie M. Williams.

CLIFFORD

Mrs. Williams, did you have a written teaching contract with the Board of Education?

WILLIAMS

No, the School Board refused to give me a contract for eight months, like the contracts that they gave the teachers at the white school. The Board wanted me to sign a contract for only five months. But I would not do it.

CLIFFORD

Mrs. Williams, what happened after five months?

WILLIAMS

I kept on teaching, but the school board would not continue to pay me. My husband and I used our savings to live on, so that I could give my pupils a fair education. I am still owed three months' wages -- \$120.00.

CLIFFORD

So it was solely a desire for a fair education for your pupils that motivated you?

WILLIAMS

A fair education – and a legal education!

CLIFFORD

Thank you, Mrs. Williams.

(WILLIAMS SITS DOWN)

For my next witness, I call Mr. H. A. Meyer.

(MEYER STANDS AND STEPS FORWARD)

State your name and occupation.

MEYER

My name is Harold A. Meyer. I am employed as a Vice-President of the Davis Coal and Coke Company. I am also the secretary of the Board of Education of Fairfax District, Tucker County.

CLIFFORD

In the 1892-1893 school year, the colored children's school received funds for five months, while the white children's school received funds for eight months. Why was that, Mr. Meyer?

MEYER

Well, it was simple arithmetic. We calculated the number of white children in the district, and the number of colored children. There were less colored, so their share of the taxes only allowed for five months of school.

CLIFFORD

Mr. Meyer, could you not *raise* the property taxes -- to pay for a full eight-month term of school for *both* white and colored children?

MEYER

I don't know . . . I mean, that would mean . . .

CLIFFORD

Mr. Meyer, does the Davis Coal and Coke Company own large tracts of property in the Fairfax District of Tucker County, and pay most of the school tax?

MEYER

Of course the Davis Coal and Coke Company does pay a large portion of the school property tax, but that's not the . . .

CLIFFORD (interrupting)

Thank you, Mr. Meyer, I have no further questions.

(MEYER SITS DOWN)

CLIFFORD (TO JURORS)

Members of the Jury, thank you for your attention to Teacher Carrie Williams' case. The simple issue that you must decide is: will we follow the law of the State of West Virginia? The law requires that the school board must provide the necessary funds for the colored children's schooling, even if it means that the Davis Coal and Coke Company will pay more in taxes. Mrs. Carrie Williams earned that \$120.00 -- as a just and law-abiding citizen of this land. I see such citizens before me today. Members of the jury, it is your *duty* to award my client \$120.00. And I thank you again for your attention.

(JUDGE STANDS AND STEPS FORWARD)

JUDGE (TO JURORS)

Members of the Jury, the time has come for you to deliberate on your verdict.

(JURORS STAND AND STEP FORWARD)

JUROR ONE (TO JUROR TWO)

You know, the School Board let her keep on teaching. They could have locked her and the children out of the school, but they didn't.

JUROR TWO (TO JUROR ONE)

If colored children don't get a good education, their parents will not want to live and work in our new State. And we need workers here to help our community grow.

JUROR ONE (TO JUDGE)

Your Honor, we have reached a verdict. We find for the Plaintiff, Mrs. Carrie Williams, in the amount of \$120.00.

(applause – ALL CAST SITS DOWN)

(NARRATOR STANDS)

NARRATOR

Carrie Williams has won in the Circuit Court of Tucker County. But the School Board has appealed the lower court decision to the West Virginia Supreme Court of Appeals. Why does the School Board think they can win? To answer this question, we need a short illustrated history Lesson:

(RESUME POWERPOINT)

After the Civil War ended, and after Abraham Lincoln was assassinated, (LINCOLN), abolitionist leaders like Frederick O. Douglass (DOUGLAS) and Harriett Tubman (TUBMAN) worked to make all racial discrimination illegal.

In 1868, when J. R. Clifford was twenty years old, the 14th Amendment to the Constitution (AMENDMENT) was ratified. The purpose of the 14th Amendment was to make racial discrimination illegal.

But the still-powerful forces that supported racial discrimination didn't give up. By the 1890s, hundreds of "Jim Crow" laws imposed segregation and stripped blacks of their rights. (COLORED ONLY SIGN)

How could this happen under the 14th Amendment? It's a sad story. The federal courts read the 14th Amendment very narrowly. In the 1898 case of *Plessy v. Ferguson*, the United States Supreme Court upheld racial segregation. (SEGREGATED SCHOOL).

But black Americans did not give up, or stop their struggle. They organized under the leadership of people like J. R. Clifford, Dr. William E. B. Dubois (DUBOIS) Carter G. Woodson, (WOODSON); Memphis Tennessee Garrison (GARRISON); and A. Phillip Randolph (RANDOLPH).

Black Americans formed groups like the Niagara Movement, the forerunner to the NAACP. (NIAGARA MOVEMENT MEN) (NIAGARA MOVEMENT WOMEN).

Finally, after nearly one hundred years of legal segregation and discrimination, in 1954, in the case of *Brown v. Board of Education*, Thurgood Marshall (MARSHALL) persuaded the United States Supreme Court that the 14th Amendment

means what it says. And the *Brown* decision became the catalyst for the modern civil rights movement. (ROSA PARKS) (MARTIN LUTHER KING)

(BLANK SLIDE ON POWERPOINT)

But in 1898 -- more than fifty years before the *Brown* decision -- the national legal climate is hostile to black rights. Will the West Virginia Supreme Court give the legal "OK" to the School Board's actions?

Let's hear an excerpt from the Court's decision.

(NARRATOR SITS DOWN)

(JUDGE STANDS AND STEPS FORWARD)

JUDGE

We conclude that discrimination against the colored people, because of color alone, is contrary to public policy and the law of the land. If any discrimination in education should be made, it should be *favorable to, and not against*, the colored people.

The Board says in this case that school terms of equal length would have cost more money for the colored children. But the law guaranteed colored pupils eight months of school, and even though it cost many times in proportion to what the white schools cost, *they should have had it*.

We find that the Board of Education was acting illegally in offering Mrs. Carrie Williams a five-month contract, when she was entitled to an eight-month contract. Mrs. Williams was entitled to collect wages for her full eight months' teaching. Therefore, this Court rules unanimously that the

judgment of the Circuit Court of Tucker County in favor of the plaintiff Carrie Williams is affirmed.

(JUDGE SITS DOWN)

(NARRATOR STANDS AND STEPS FORWARD)

NARRATOR

Today, just as in Carrie Williams' time, we face division and discrimination arising from our nation's legacy of human slavery. The courageous spirit of J.R. Clifford and Carrie Williams is alive in the work of millions of people today, who are working for justice and a better future for all people.

Thank you to our cast. And now let's have some discussion.

NARRATOR RESUMES POWERPOINT -- ASKS QUESTIONS ON LAST SLIDE

WHEN THEY LEAVE, GIVE EVERYONE A HANDOUT, OFFER NEWSPAPERS