

The Bloody Deed of 1857

The play that haunts you

A true story by Elise Gainer

Contact:
Elise Gainer
New York, NY
917-579-8527
elisesings@me.com

CAST OF CHARACTERS

Harvey Burdell
Emma Cunningham
Lewis Lefferts

Shadow Actor 1

Dr. Francis
Dr. Main
Officer Edgar Davis
John Eckel
Abraham Oakey Hall

Shadow Actor 2

Edward Downes Connery
Ervin Spicer
Henry L. Clinton

Shadow Actress 1

Millicent "Minnie" Seymour
Elizabeth Seymour

Shadow Actress 2

Charlotte Worthington
Augusta Cunningham
Mary Donahoe
Dimis Hubbard

SETTINGS

A mid-19th Century Parlor

"The instruments of darkness tell us truths" MacBeth, Act 1
Sc 3

"For truth is truth to the end of reckoning" Measure for
Measure, Act 5, Sc1

In 1857 an 'inquest' was an official hearing conducted by a Coroner at the scene of the crime on the day of discovery with the purpose of determining the cause of death and to gather any evidence that may determine how and why a crime was committed.

This is a true story. All of the events in this script are based on inquest and trial testimony, newspaper accounts (New York Herald, New York Daily Tribune, New York Daily Times, various historical pamphlets, and the books Celebrated Trials by Henry Lauren Clinton and Butchery on Bond Street: Sexual Politics & The Burdell-Cunningham Case in Ante-Bellum New York by Benjamin Feldman. Much of the inquest and trial testimony is verbatim from the public record.

This is a play of direct address to the audience, which means the lead actors should really make eye contact in order to plead their case. All inquest witnesses should deliver their responses to the audience seeing them as the jurors from the past and Mr. Connery. Some moments are indicated in the script but these are the minimum suggestions.

Rules of Limbo

Actor 1, Actor 2, Actress 1, and Actress 2 are Shadow Helpers in Limbo and play multiple characters from the past.

The function of the shadow people in limbo is to facilitate Lewis, Emma and Harvey's journey to the truth and to help them see the consequences of their past actions. Their purpose is to teach. They do not smile, speak, or interact in any way with any of the characters. They wear black masks at the start and end of the play to signify that the character on stage is unwilling to overcome their denial. When Shadow People become a person from the past, they put on a hat, a colorful bustle over their petticoat, gloves, and other accessories distinguishing them. At those times, they fully embody the person. The inquest witnesses are speaking from the past only and do not see or acknowledge the ghosts of Harvey, Emma, or Lewis.

SCENE 1

The show begins on a literal street corner outside of the venue. CHARLOTTE WORTHINGTON arrives 20 minutes before the start time. MILLICENT "MINNIE" SEYMOUR arrives 5 minutes before the start and greets Charlotte. They are obviously a couple.

Once guests arrive, Minnie steps slightly away to do a cleansing ritual. She lights sacred Palo Santo wood and walks around the gathering guests and quietly clears the energy.

The two Shadow Men arrive a few moments late, joining the group as though they are audience members.

Charlotte gives lanterns with candles to the first 10 groups. Once all the guests are checked in Charlotte begins.

CHARLOTTE

Everyone, we would like to get started. Please allow me introduce you to my partner, Millicent Seymour.

MINNIE

I know. The olden times wants their name back. Just call me Minnie. Welcome to our seance, and thank you for meeting us here. The owner of the parlor wishes to keep its location a secret to avoid the curiosity seekers drawn to the macabre.

CHARLOTTE

On January 30, 1857, someone stabbed Dr. Harvey Burdell, a prominent dentist, 15 times. The crime was never solved, and the apartment where the murder took place has since been vacant. It's this way.

(Minnie and Charlotte lead the group to spot just before the entrance)

MINNIE

I met a friend across the street for dinner a few weeks ago. Although I had never been on this street before, it felt familiar. It felt nostalgic, as though I had a connection to this place. And every night since, I've had horrible nightmares where I'm trapped in a dark room. A man is calling my name. I know he is from my past, a past I can't remember.

CHARLOTTE

Every night she screams herself awake. It's been making her sick, so I did some research and learned of the vacant apartment and its grisly past.

MINNIE

Do you believe in ghosts? Show of hands. That's good. Your belief will aid us tonight. And to the skeptics, I just ask you to have an open mind. I never had that luxury. I've seen ghosts all of my life. I'm a medium, but now I need your help. I need to conduct a seance to get to the heart of my haunting.

CHARLOTTE

And we need the energy of a group. Your life force will help the spirits to manifest. If you haven't done so, turn off your phone, or you may find the battery drained at the end of the night.

MINNIE

There is nothing you will need to do, but be a witness to all that unfolds. No matter what happens, nothing can hurt you, but please don't break our circle.

CHARLOTTE

If we fail in learning the truth tonight, I fear what will happen to her.

MINNIE

Let us proceed

(Minnie leads the group up the stairs, Charlotte follows last.)

Minnie opens the door with a key,
turns on the chandelier, and leads
the group into the cobwebbed, dusty
room. The furniture is draped with
dust cloths)

MINNIE

Please place your lanterns here and gather in a circle around
me.

(She holds up a ribbon)

Tonight this ribbon represents our circle which can not be
broken. Who believes in ghosts?

(She hands the ribbon to one of
those people)

We will send our energy to the ribbon. Now everyone place a
hand on the ribbon or place your hand on the shoulder of a
person touching it. Take a deep breath and let it out.

(She has the guests take
three deep breaths)

May our inner light infuse this fabric with protection and
create a connection to the next world.

(Minnie drapes the ribbon over her
shoulders)

Very good.

CHARLOTTE

(Indicates the chairs)

Let's remove these cloths and take a seat.

*The two Shadow actors have moved
to predetermined chairs. Objects
are found on chairs: Books with
spring-loaded paper butterflies
underneath, A gavel, a glass,
papers, an old bottle of alcohol,
a silver tankard, a tea cup and
saucer*

MINNIE

I can take those books.

Paper Butterflies fly up

CHARLOTTE

(Looking at a butterfly)

Many cultures associate butterflies with the soul.

(Charlotte and Minnie sets the drop
cloths and butterflies aside)

MINNIE

Anything else you find, hand it to me.

(Minnie briefly handles each item
and places them around the room.
She is picking up impressions from
the past)

MINNIE

I feel a lot of people crowded here. An event, something
official happened in this room.

CHARLOTTE

The inquest probably. In the mid-1800's there would be an
official hearing conducted on the day a homicide was
discovered, often at the murder site in order to gather
evidence and determine how the crime occurred. Residents of
the home were usually put under house arrest for the duration
of the inquest.

MINNIE

These objects are all central to the haunting.

(Minnie walks to the spot where the
blood stain is hidden beneath a
throw rug)

Oh. It happened here. I feel two, no, three spirits here. Two
of them are male, not young.

The front door slams shut

MINNIE

We should begin.

(Charlotte turns off the
chandelier)

MINNIE

(Sits, indicating the
candles)

May our candles light the way to the truth. This ribbon
(wraps it around her wrist)
represents the sacred circle we have formed in the name of
all that is good.

(Closes her eyes)

Dear Spirit Guides, as I sit with you now, I open my heart. I
ask that any energy be given for my absolute good. All
negative entities, energies that are not of the highest and
greatest source go with God, go with the Angels. Dr. Harvey
Burdell, we invite you to join us. We seek your knowledge and
insight, and we summon you with the power of love and light.
It's not enough. I need everyone to repeat after me.

(All speak)

"We summon you with the power of love and light. We summon
you with the power of love and light. We summon you with the
power of love and light."

(Minnie's posture changes, she goes
into a deep trance, becoming
ELIZABETH SEYMOUR, sad and
heartbroken. Her accent has "a down-
East twang grafted on an Irish
brogue")

MINNIE

Why, why did I do it?

CHARLOTTE

What did you do?

MINNIE

I hurt him.

CHARLOTTE

Why did you hurt him?

MINNIE

I, I didn't see how we could be together.

CHARLOTTE

Who are you speaking about?

MINNIE

Harvey!

CHARLOTTE

What is your name?

*The sound of footsteps come into
the room*

MINNIE

What did you do?

CHARLOTTE

What is your name?

MINNIE

I must know the truth.

CHARLOTTE

What is your name?

MINNIE

Tell me what you did.

*(Minnie comes out of the trance,
looks around the room)*

CHARLOTTE

Who were you?

MINNIE

My former self.

CHARLOTTE

Do you know your name?

MINNIE

Only that it begins with an E.

CHARLOTTE

Who were you speaking to?

MINNIE

One of the ghosts.

Footsteps are again heard in the room

If you hear my voice, will you give us a sign?

A servant's bell hanging on the wall rings

Are you a man?

The bell rings

Is this Harvey Burdell?

The bell rings

Do you know you that you are dead?

(Silence)

Are you trapped?

The bell rings furiously

All of the people here tonight, are here to help you.

All of the lights go out

Everyone stay still. They can't hurt you.

In the darkness thumps are heard. A cold breeze is felt by some in the room. Whispering is heard throughout the room: 'Truth is Truth to the End of Reckoning, The instruments of darkness tell us truths'. Others feel fabric brush them. The scent of lavender is detected.

There are the sounds of books falling to the ground, the sound of a few staggering steps, a thump against a wall, all the while the sound of stabbing.

Then a cry of 'Murder' followed by more stabbing, 15 stabs exactly, and then a sliding and thud.

In the brief silence.

HARVEY

Elizabeth! Elizabeth!

The creak of the floor is heard again. The exact sequence of sounds begin again. In the silence after the second sequence:

HARVEY

(Making three thumps as previously heard)

Let this end.

Before the murder sound sequence completes a third time, Minnie's voice is heard loudly above the murder, stopping it.

MINNIE

Truth is truth to the end of reckoning.

The first Shadow person strikes a match, lighting a lantern, a second Shadow person does the same, then the third, and the fourth shadow person in rapid order. Limbo lights rise, revealing Harvey Burdell lying in a pool of blood, clutching a bell. EMMA CUNNINGHAM and LEWIS LEFFERTS are in other parts of the room.

EMMA

Light!

HARVEY

(To shadows)

Who are you? Answer me.

During the following exchange, Lewis goes to the doors and finds they are locked. At the second door, he turns and leans against it. He is a laid-back, Southern Gentleman with the exception of the behavioral tick of pulling down on the cuffs of his sleeves throughout.

EMMA

Harvey?

HARVEY

Emma!

EMMA

(They embrace)

Harvey!

HARVEY

(Noticing the silence)

It stopped.

EMMA

Thank God.

HARVEY

Are we dead?

EMMA

I think so.

HARVEY

I don't remember dying. Do you?

EMMA

No.

HARVEY

Then how do you know-

EMMA

You died before me.

HARVEY

(To audience)

And all of you. Are you dead as well?

EMMA

I don't think dead is the proper word for any of us.

HARVEY

Someone spoke to me in the darkness, said you are here to help us, but I don't know any of you.

EMMA

Nor do I, however, you,

(to Lewis)

Sir, look familiar.

HARVEY

(To Lewis)

Who are you?

LEWIS

(Southern accent)

I was a juror at your inquest.

HARVEY

My inquest?

LEWIS

You were murdered.

(Emma rushes to a door, locked)

HARVEY

Murdered?

(Lewis gestures to the blood stain on Harvey's clothing)

LEWIS

Your shirt, sir.

(Emma has gone to the other door. It too is locked)

EMMA

Harvey, do you have the key?

HARVEY

How?

EMMA

(To the audience, starting to look
for a key)

Does anyone have the key?

(Lewis makes a slashing gesture
across his throat)

HARVEY

Who?

EMMA

They never found out.

HARVEY

Are we are ghosts, haunting our own house?

EMMA

(She opens the trunk, a colored
light spills out. She closes it)

The house is haunting us.

HARVEY

Why are we in our parlor?

LEWIS

(Indicating the stain on the
rug.)

This is where they found your body.

HARVEY

Who? Who did this to me?

EMMA

(To Lewis)

Why are you here?

LEWIS

(Pulls on sleeve cuff)

For the same reason as all of them.

EMMA

To help us? Then help look for a key.

LEWIS

Why do you want to leave?

EMMA

This might be heaven for you in here with these scantily-clad women, but not me. I want to find my daughter.

HARVEY

Augusta is dead?

EMMA

Yes, and I need to see her.

LEWIS

But you don't know what is out there.

EMMA

I am not afraid.

LEWIS

Maybe you should be.

EMMA

We're dead. What could harm us?

LEWIS

(Adjusts the other cuff.)

Maybe it's your reckoning. Is your conscience clear?

EMMA

Is yours?

LEWIS

You are the one trapped.

EMMA

Harvey, please try the door.

HARVEY

(Tries a door - locked)

Who would do this to me? What happened?

Inquest Light/Sound Change.

*Shadow Actor 2 as MR. EDWARD
CONNERY Connery*

EDWARD

(Rings bell to get the
attention of the room full
of whispering)

Gentlemen of the Jury, I have to congratulate you that our labors in this important case are approaching a close, and I cannot refrain from expressing my thanks to you for the patient attention which you have bestowed on this case.

(Looks over paper in his
hand)

Now have you agreed upon your verdict?

LEWIS

(In the past)

Yes, Mr. Connery.

EDWARD

(Hands paper to Lewis)

Read it out please.

LEWIS

(Reads)

"An inquisition taken at the house of the late Dr. Harvey Burdell, No. 31 Bond Street, in the Fifteenth Ward of the City of New York, in the county of New York, this 14th day of February, in the year of our Lord one thousand eight hundred and fifty-seven, find that Emma Augusta Cunningham was the principal in the commission of said murder."

(End flashback)

*Lewis bewildered takes the paper
to the pile, reviews the other
papers as an idea forms.*

EMMA

Time to go.

(Emma tries the door again.
Continues to look for keys)

HARVEY

You?

EMMA

No. The verdict was wrong. The inquest was a sham.

LEWIS

Hardly that.

EMMA

You failed to find the truth. That coroner, Mr. Connery who conducted the proceedings was impeached.

HARVEY

But you stood trial?

EMMA

I was acquitted. Harvey, you know me. I would never harm you. Now let us leave this dreadful place. Don't you want to see Augusta?

LEWIS

How many years did you live after Harvey's death?

EMMA

Thirty.

LEWIS

Thirty!

(To Harvey)

Think on that.

EMMA

What of it?

LEWIS

Did you stay in this house?

EMMA

No. His relatives sued for his estate, and I lost everything. Lewis: And yet here are the papers from the inquest. The room is set just as it was for the inquest.

HARVEY

And you were there?

LEWIS

I can take you through all of the testimony.

EMMA

Please don't.

HARVEY

Emma, I want to solve my murder.

(To audience)

You must help me by being our jurors.

EMMA

To what end? Death did not finish us.

LEWIS

And yet you are here, the site of the murder.

HARVEY

Why else are we all together? Help me, Emma. I want to know what happened.

LEWIS

The instruments of darkness tell us truths.

EMMA

Shakespeare, so?

LEWIS

Something I heard in the dark.

(Indicating the shadows)

From them.

HARVEY

I want the truth.

EMMA

Are you sure you can face it?

LEWIS

Dr. Francis testified about the condition of the body.

The fight is choreographed in time with DR. FRANCIS speech based on the following description of how the murder happened from an 1857 newspaper: The assassin (Shadow Actor 1, identity and gender not distinct) approaches his victim with a rope, he attempts to choke him to death in a quiet way; but the villain found that he could not accomplish his purpose and abandons the choking and begins stabbing the Doctor, who springs up and grapples with this assailant and finding that it was to be a struggle for life, exerts his strength, rushes the murderer back into the corner of the room by the door and there receives the two fatal stabs in the neck " one of which separates the jugular. As the murdered man reels, the blood spurts and at the same time the assassin strikes at his heart an upward or lunging stroke and another downward, followed by several other after he is down. He falls and dies.

The following speech will be cut off by Harvey's line at the point when the murder above has completed.

DR. FRANCIS

(Takes time looking at notes as he goes)

I was called at ten in the morning of the 31st of January to examine the person of Dr. Harvey Burdell. The body was lying in a large quantity of blood. His tongue protruded forcibly between his teeth, and the neck bore evident traces of strangulation with the distinct mark of a ligature. Wounds were found on the body;

one at the angle of the jaw was ascertained to be 6-1/4 inches in depth and extended from the left zygomatic process over the malar bone just below the inferior edge of the right clavicle reaching the cavity of the thorax dividing the cartilage. On the chest and abdomen were found six deeply incised wounds.

HARVEY

Enough of my mutilation!

DR. FRANCIS

We found 15 wounds in all which appeared to have been inflicted with a sharp pointed instrument.

(End Inquest)

EMMA

Do you remember now?

HARVEY

Yes, no. It was dark. Someone came up behind me. It happened so fast. I don't know who it was. Why didn't you stop it?

EMMA

Oh my love, I wish I had, but we had all retired.

LEWIS

The commotion was loud. William Ross, a stranger to all in this household, testified that he heard the cry of murder from the street as he passed by the house.

HARVEY

What time was that?

LEWIS

About 10:45 pm.

HARVEY

You were awake.

EMMA

We heard nothing.

HARVEY

I want to believe you, but -

EMMA

Augusta slept with me that night. She testified.

Inquest Light/Sound Change

*Shadow Actress 2 as AUGUSTA
CUNNINGHAM, Shadow Actor 2 as
EDWARD CONNERY*

EDWARD

(Pouring himself a cup of
tea, adding alcohol from a
flask.)

Do you swear positively that the answers you give to the questions put to you in regard to the murder of Dr. Burdell, any knowledge you possess in regard to the parties immediately antecedent to this or otherwise will be the truth, the whole truth, and nothing but the truth, so help you God?

AUGUSTA

I do.

EDWARD

You are the oldest daughter of Mrs. Cunningham.

AUGUSTA

I am.

EDWARD

Did you have any difficulty with the Doctor?

AUGUSTA

No, Sir

EDWARD

No harsh words with him?

AUGUSTA

No, sir.

EDWARD

Perfectly good terms?

AUGUSTA

Yes, Sir.

EDWARD

When was the first difficulty between your mother and the Doctor.

AUGUSTA

I never remember any.

EDWARD

They were on good terms?

AUGUSTA

Very good terms indeed. He seemed to think everything ought to be just as she said.

EDWARD

What time did you go to bed last night?

AUGUSTA

We generally retired between nine and eleven.

EDWARD

That is rather a wide margin. Is it nearer eleven than nine?

AUGUSTA

We were never particular about any time.

EDWARD

That is a very simple question; what time did you go to bed, nine, ten, or eleven?

AUGUSTA

It was nearer ten than eleven.

EDWARD

Did you sleep with anyone last night?

AUGUSTA

My mother.

EDWARD

Who went to sleep first?

AUGUSTA

I cannot say for I did not ask.

EDWARD

Are you a sound sleeper?

AUGUSTA

My health has been delicate for some time, so I generally sleep very sound.

EDWARD

(To audience)

Generally a person in ill health don't sleep very sound.

AUGUSTA

I sleep very sound.

(End Inquest)

LEWIS

Is it possible she lied?

EMMA

How dare you. Harvey will tell you, Augusta was a sweet, honorable young lady.

HARVEY

Devoted to her mother.

EMMA

And to you.

(To Lewis)

Do you suppose Mr. Eckel and my other children lied as well?

(To Audience)

I was imprisoned in my rooms, grieving Harvey's death, when Mr. Connery burst in and demanded that I remove all of my garments. I stood in a perfectly nude state before a policeman, Dr. Woodward, and Mr. Connery's son. All men. Their prying eyes an invasion. Afterward, Mr. Connery, forged my signature on a document stating that I granted permission to search my body, but that was a lie. They found no marks, no scratches, no bruises.

LEWIS

(Opens the trunk and
retrieves a burlap bag with
a bloody petticoat inside)

There were bloodstains on clothing found in the empty bedroom in the attic. As I recall the room where you and your daughters dress?

EMMA

(Searching the papers in the pile. Holds up the report)

Mr. Connery assembled a medical commission. They reported that the stains upon the skirt, were of menstrual origin.

(Hands paper to audience.)

Menstrual blood, which belonged to one of my two daughters. However, there were marks of blood upon the stairway wall leading to the front door. Blood was also found upon the front door near the handle, leading out of the house.

Lewis: Or placed there to give the impression the killer left the house. The remains of burned fabric were found in the fireplace grate.

EMMA

Had those been burned that night, the whole neighborhood would have smelled it for days.

Inquest Light/Sound Change

Shadow Actor 1 as DR. MAIN

DR. MAIN

My wife and I live across the street and when we returned home last night a little after 1 o'clock, the smell was so strong that I perceived it on turning into the street. It was a smell as of wool burning; there was a slight wind coming from the South and the air was heavy. The next morning, I was the one who came across and entered Dr. Burdell's room first after the boy made the alarm of his being dead; I opened the Doctor's door and found him lying on his face. He was cold; I raised his head to see if he had cut his throat for I thought he had committed suicide, seeing so much blood about his throat; I looked around to see if there was any weapon; his desk was open; I locked the door. Mr. Eckel came down stairs, saying Mrs. Cunningham and the young ladies had fainted; I went up and found the oldest daughter laying partly across the bed, and she appeared to be in great agony; I tried to relieve her, and loosened her corset; the old lady was exclaiming, "He is dead, and I always liked him, and thought a great deal of him!" I thought her 'fainting' differed from the others.

End Inquest

EMMA

Only moments before I found out someone murdered Harvey. How should one behave under such dreadful circumstances? Is there a proper way to faint?

LEWIS

And what of the smell?

EMMA

It probably came from New Jersey.

LEWIS

(Opens a wooden box on the table)

The police discovered this 5-1/2" dagger in Emma's room.

EMMA

(Going through paper pile)

The commission's report stated

(Hands paper to Harvey)

read this:

HARVEY

'The dagger was first examined and the blade found slightly stained near the hilt, but the woolen lining of the guard though in contact with the spots, showed no appearance of blood; neither the smooth surfaces of the handle exhibited trace of blood, nor probably could any have been removed by washing.'

(He hands the paper to an audience member.)

It was bigger, the knife.

LEWIS

How were things between you before you died?

EMMA

They were good. We had a trip planned to Europe.

HARVEY

I don't remember. I don't remember.

LEWIS

You ran the household?

EMMA

Yes, I leased Harvey's house from May 1856 to May 1857 and ran it as a lodging house.

LEWIS

And Harvey trusted you?

EMMA

Absolutely.

LEWIS

The maid testified about a disturbance that occurred last October.

EMMA

We squabbled occasionally but who doesn't?

*Inquest Light/Sound Change -
Shadow Actor 2 as Edward.*

Shadow Actress 2 as MARY DONAHOE

EDWARD

You knew Dr. Burdell?

MARY

Yes, Sir, I did; I attended to his office room and waited upon his bedroom.

EDWARD

Did you ever observe him to have any female in the bedroom?

MARY

Never, Sir, by any chance; I always considered him a very correct gentleman.

EDWARD

Did you ever see Mrs. Cunningham in his bedroom?

MARY

Of course she had keys with which she could go into it when she liked, but I never saw her there at an improper hour. Edward: I don't know about that. Propriety don't depend on the hour, whether it's dark or daylight. Was he a passionate or quiet man?

MARY

He seemed to me to be a very singular sort of gentleman; very eccentric as I might call it; but when Mrs. Cunningham would put him in a passion, he would be in a passion, and then soften the next minute.

EDWARD

Do you recall a particular time when he was in such a state?

MARY

I remember an occasion last fall when he accused her of stealing papers from his desk when he was out.

*Flashback - Shadow Actor 1 as
OFFICER EDGAR DAVIS.*

OFFICER DAVIS

(To Harvey.)

Your houseboy bid I come.

HARVEY

Officer, I thank you. I wish to report a theft. My landlady, Mrs. Emma Cunningham, took a key out of my pocket while I was asleep and stole important papers from my safe.

EMMA

(Rushing in)

You mustn't believe anything he says. He is lying. He has ruined me and my family.

OFFICER DAVIS

Madam, I ask that you -

EMMA

(Striking Harvey on the
chest)

I will get satisfaction, I will have your heart's blood.
Officer Davis steps between them.

OFFICER DAVIS

You are the one who is in the wrong. I suggest you keep your temper for you do not know what may happen. Now Sir, I recommend you go to the Police Magistrate and file a complaint, and you may request a search warrant.

However if this matter becomes public, it would injure you both, so it's best if you settle this between yourselves or enlist the aid of a mutual friend.

End Flashback

LEWIS

She has quite a temper.

HARVEY

Yes, she does.

LEWIS

(To Emma)

You'd have his heart's blood?

EMMA

Not literally. It's called a figure of speech. I had a right to be angry. He humiliated me by calling the police.

LEWIS

Sounded like he had just cause.

EMMA

He lied. His partner, Ervin Spicer, who worked here at the time submitted an affidavit.

HARVEY AND LEWIS

What?

*Emma hands a paper to Shadow
Actor 2 - as ERVIN SPICER*

Inquest Lighting/Sound Change

ERVIN

Mrs. Cunningham came up into the office after the Doctor and the policeman left and requested me to take her keys and search every drawer and trunk in the house. I looked in every place I thought a note could be concealed until the Doctor came back. When he did he said, Damn it, I have not lost any note. I only did it to drive the damned bitch out of the house. The same day I asked her if she loved Dr Burdell after his abusing her so. She said she loved him as she did her very being, and the children loved him.

End Inquest

Emma picks up the paper, hands it to the audience.

EMMA

And I still do.

(Emma and Harvey connect for moment)

LEWIS

Doctor, did you fabricate the theft?

HARVEY

(With regret)

Yes, I did.

LEWIS

Why on earth?

HARVEY

I hoped to anger her enough that she would break our wedding engagement.

LEWIS

Why couldn't you end it?

EMMA

He didn't want to end us. He loved me, but he was jealous and wanted to punish me.

LEWIS

Because of Mr. Eckel?

*Inquest Light/Sound Change.
Actress 2 as MARY DONAHOE.*

EDWARD

Did you ever see the lodger, Mr. Eckel, go into Mrs. Cunningham's bedroom?

MARY

Aye, Sir. I have frequently seen Mr. Eckel in Mrs. Cunningham's room, but not after 10:30 at night as that was about the time I went to bed.

EDWARD

Was Mr. Eckel in the habit of being in her bedroom every night?

MARY

For the last month or so he was. I considered that they were going to get married; at least I thought so from their keeping that sort of company.

EDWARD

You thought her conduct was too loose?

MARY

Aye, I did, Sir, as a widow lady, I thought she should have had more discretion than keeping him sitting there so late at night. The last thing on going to bed was always to put on coal for them, and I would leave him sitting there. He never was in his own room but on a Sunday night.

EDWARD

You remember now, Mary, that you have taken this oath, and I know you don't mean to endanger your soul for anybody.

MARY

No, Sir.

EDWARD

Did you ever see him kiss her?

MARY

I did not, sir, but they seemed very intimate, and I'll speak plain. I did not like the way they acted; I thought she did not act prudent for a woman that had grown up daughters.

EDWARD

That's right, Mary; I knew from where you came from that you would speak right. You thought her conduct didn't show much discretion?

MARY

Aye, Sir. Hannah told me that Miss Augusta had told her that she went up to her mother's bedroom one night and found it locked, and she went and looked through the keyhole of Eckel's room, and she saw him come out Mrs. Cunningham's room by a side door and he was not dressed.

EDWARD

(To audience)

Gentlemen, there's only one cause for a man to come out of a lady's bedroom unclothed.

(To Mary)

Did you ever happen to notice her bed?

MARY

Well Sir, I thought to myself that everything was not as it ought to be - and may God forgive me if I am wrong - but so far as I believe two slept in it, and I have been a chambermaid for a long time.

EDWARD

Did you ever hear any threat from Mrs. Cunningham towards Dr. Burdell?

MARY

I never heard her directly say so to any one but she said that it was time he was out of the world, that he was a very bad man, and Mr. Eckel said it would be little matter for him if he did get a knock if it could be done handy. He sat beside Mrs. Cunningham, and I hated to see him look at her so when he said that.

End Inquest

EMMA

You can not trust anything she says. She was partial to Harvey.

LEWIS

Are you calling into question Dr. Burdell's honor?

EMMA

No, hers.

Flashback

*Shadow Actress 2 continues as
Mary*

MARY

(Very Drunk, Singing
throughout following scene)

Camptown ladies sing this song, Doo-dah! doo-dah!

Camptown race-track five miles long, Oh, doo-dah day!
 I came down there with my hat caved in, Doo-dah! doo-dah!
 I go back home with a pocket full of tin, Oh, doo-dah day!

HARVEY

What is this? Mary, drunk again? Shhh, now.

(Harvey tries to get Mary to stand
 to walk out of the room.)

Let's get you to bed. We don't want Emma finding you like
 this.

MARY

Going to run all night!
 Going to run all day!
 I'll bet my money on the bob-tail nag,
 Somebody bet on the bay.

EMMA

What's going on here?

(Mary stops singing, starts
 giggling. Harvey tries to hold her
 up, pretending she isn't drunk)

Let her go.

(Harvey does, and she sinks to the
 ground)

EMMA

Drunk again.

HARVEY

Not that bad.

EMMA

(To Mary)

Pack your bags.

HARVEY

Emma, give the girl a chance.

EMMA

This is the third time this month. I'll not have it.

HARVEY

I know, my love, but I'll talk to her, put her on the right tract.

EMMA

Very well, but your forgiving nature will get you into trouble.

End Flashback

LEWIS

There needs no ghost come from the grave to tell us this.

EMMA

Thanks you, Horatio. I discovered her drunk again two days before the murder and discharged her. She used the inquest for her revenge.

LEWIS

And Mr. Eckel?

EMMA

Harvey frequently left me alone, so Mr Eckel befriended me.
(To Audience)
He never acted inappropriately, a gentleman at all times.

HARVEY

I looked through the keyhole. You seemed to be enjoying his horizontal refreshment. Tell the truth.

LEWIS

Truth is truth to the end of reckoning.

EMMA

Stop the Shakespeare. I slept with him once.

HARVEY

Once?

EMMA

Once in a while.

LEWIS

We considered Mr. Eckel a co-conspirator.

EMMA

And that was absurd. The man loved animals. He had 22 canaries.

HARVEY

They made a God-awful racket.

EMMA

Hardly a violent nature.

Inquest Light/Sound Change

Shadow Actor 1 as JOHN ECKEL

JOHN

I rent a room and part of the time take my meals here. I never knew of any angry feeling existed between Dr. Burdell and Mrs. Cunningham, except the quarrel about some papers. I did not see the doctor for 10 days. I got up this morning about 8 o'clock and went downstairs, and I did not observe the clots or blood on the wall. I heard no noise from the time I went to bed until I got up this morning, and I never heard anyone threaten the Doctor. I know no more about the matter.

End Inquest

EMMA

No evidence linked Mr. Eckel to your murder. After you died, I never saw him again.

LEWIS

And yet you engaged in sexual intercourse while being engaged to Dr. Burdell. Hardly a virtuous nature.

EMMA

Are you calling me a whore? A Harlot, strumpet, streetwalker, stargazer. So many names for a woman, but none for men who trounce, poke, put their broomstick into anyone with a bonnet. I took one lover, and I am the whore. God help us if a woman should enjoy sex as much as a man.

LEWIS

I wouldn't be taking the Lord's name in vain.

EMMA

The Lord isn't here. Harvey was the philanderer.

HARVEY

Fake news.

EMMA

Augusta watched you through the key hole.

HARVEY

Didn't think that sort of thing would interest her.

EMMA

(To Lewis)

You should stop focusing on me. He angered many husbands.

Flashback Light and Sound of a clock ticking.

Actress 2 as DIMIS HUBBARD

Harvey turns and goes to pour himself a drink. Dimis sneaks up and puts her hands over his eyes.

DIMIS

Guess who?

HARVEY

My darling, Dimis?

DIMIS

You peeked.

HARVEY

Emma?

DIMIS

Still a bed, moaning.

HARVEY

She'll recover.

DIMIS

Too bad.

HARVEY

Naughty girl.

DIMIS

Why did you propose to her?

HARVEY

None of your business, but I will never marry. Where's William?

DIMIS

Off to a brothel on Mercer Street.

HARVEY

(Starts to kiss her neck)

Splendid.

DIMIS

Harvey, you must help me. His lecherous ways are more than I can bear. I must divorce him.

HARVEY

Aren't you over-reacting? You have your fun too.

DIMIS

He infected me with a venereal disease. The doctor treated it, but I risk my life if I stay with him.

HARVEY

That sounds a bit dramatic. Why not visit your Aunt in Sackett's Harbor?

DIMIS

That protects me only for a time. I need to obtain a divorce, but none of my relations will petition the court on my behalf as is required.

HARVEY

Marriage is messy, which is why I plan to avoid it.

DIMIS

I must be free of him. He could've infected me with syphilis and that is a death sentence. Harvey, I can not bear another moment with him.

HARVEY

Calm yourself.

DIMIS

He's violent. He rapes me. I fear he'll kill me.

HARVEY

Shhhh, you're safe. I won't let that happen.

DIMIS

So will you represent me?

HARVEY

No, my love, that would be unseemly. Emma shall be your representative.

DIMIS

She would agree to this?

HARVEY

To keep me happy, yes, but I will ask her on one condition.

DIMIS

(Presses her body against
him.)

Yes?

HARVEY

You must agree to marry someone else.

DIMIS

But Harvey-

HARVEY

You must have no designs on me.

DIMIS

Even though we have so much fun?

HARVEY

That needn't stop and on your next wedding day, I will present you with a gift of \$7,000.

DIMIS

(Beat)

You've persuaded me.

(She kisses him)

End flashback.

EMMA

She was his cousin, his first cousin. Augusta was too shocked to tell me of your arrangement until after I discovered the affair myself.

LEWIS

First cousins do tend to be frowned upon.

HARVEY

I discouraged the intimate part of the friendship.

EMMA

By giving her \$7,000?

HARVEY

I offered her the money to dissuade her from any designs on me.

EMMA

Was the intercourse also intended to dissuade?

HARVEY

Emma coldly threw her out of the streets and forbade me to see her.

EMMA

The point is her husband was a violent man. If he found out about the affair, he would've killed you.

LEWIS

And yet you continued the alliance?

HARVEY

She was my dearest friend and confidant.

LEWIS

At the inquest she did mention a secret you shared.

*Inquest Light/Sound change to
Edward.*

EDWARD

Did anything unpleasant happen when you saw him last?

DIMIS

On the Friday that he died, he said he wished to get her out of the house.

EDWARD

Did he give you any reason why?

DIMIS

He had trouble with her and wished to get rid of her as soon as he could.

EDWARD

Did Dr. Burdell tell you that there were threats made to him. Throw your mind back.

DIMIS

He said she threatened to take his life if he told some things regarding her daughter.

EDWARD

A secret?

DIMIS

Yes, sir, something he knew about her daughter. Then he told her that he told me the secret.

EDWARD

What did Mrs. Cunningham say when she learned that he told you?

DIMIS

She said she would take his life for doing so.

End Inquest

EMMA

I never said that. She lied or you did.

LEWIS

What was the secret?

EMMA

If you must know, in 1855, I took Augusta to Dr. Wellington's Water Cure. They treat hysteria. It's where I met Harvey.

LEWIS

(to Harvey)

You were hysterical?

HARVEY

Good God, no.

(To Emma)

And neither was Augusta.

EMMA

Satyriasis. The physician told him he suffered from Satyriasis. After being found with his brother's wife, Harvey agree to go.

HARVEY

I have a healthy sexual appetite.

EMMA

Had. You're dead.

(To Lewis)

His brother ran a successful dental practice and took Harvey on as a partner. After the affair, he hated Harvey. He claimed Harvey stole his patients and his wife.

HARVEY

But he would never kill me.

EMMA

You don't know that, and he wasn't the only cuckolded husband. Harvey slept with many of his patients.

HARVEY

A simple exchange of services. The unfortunate women forced to work on Mercer Street couldn't afford proper dental care, so I took pity on them. I never discriminated against the disadvantaged.

LEWIS

I see, a business transaction. Quite noble of you.

EMMA

For God's sake.

HARVEY

But it made you mad with jealousy, especially Elizabeth.

LEWIS

Who?

HARVEY

Elizabeth Seymour.

LEWIS

The clairvoyant?

EMMA

The witch threatened me.

LEWIS

When was this?

EMMA

During the inquest.

LEWIS

A policeman found her in your room, but she said didn't see you.

HARVEY

You remember everything, don't you?

LEWIS

That's why I'm here.

*Flashback. Shadow Actress 1 as
ELIZABETH SEYMOUR.*

ELIZABETH

Mrs. Cunningham.

EMMA

How did you get in here?

ELIZABETH

I'm here to testify.

EMMA

The inquest is being held on the parlor floor below. I suggest you hurry along.

ELIZABETH

Are you sure that's what you want?

EMMA

Speak plainly.

ELIZABETH

Do you want me to testify about your jealousy? Your spying? Your threats? It won't paint you in a favorable light.

EMMA

I see. How much do you want?

ELIZABETH

\$500

EMMA

Is that all Harvey was worth to you?

ELIZABETH

Harvey was my world.

EMMA

And yet you murdered him to blackmail me.

ELIZABETH

Me? Harvey told me he wanted you out of his house, that you fought just days before the murder. I will make sure they find you guilty.

EMMA

You threaten me? You are nothing but a cheap con artist. I know about you and your husband's arrest after blackmailing Mr. Stuyvesant out of \$10,000. Convenient that he died suddenly and the charges were dropped. Shall I share that in my testimony?

ELIZABETH

That was all my husband's doing.

EMMA

But you were the one who lured him into sex, and now Harvey's blood stains your hands. Get out.

*Elizabeth turns and walks into
the Inquest flashback*

EDWARD

When I rebuked the policeman for letting you into the room with Mrs. Cunningham, had you not had a conversation with her, on the virtue of your oath?

ELIZABETH

On my oath I had not. I have not spoken to her at all. The officer saw me alone, and he told me to come into the fire to warm my feet. He ought not to have brought me there if it was wrong.

EDWARD

Mrs. Seymour, what do you do to support yourself and husband?

ELIZABETH

I am a clairvoyant and examine persons who are sick and prescribe for them while in the clairvoyant state. We have many fine people whom the doctors cannot tell what ails them, and I can.

EDWARD

Aha! You can?

ELIZABETH

You may laugh, but it is so.

EDWARD

How many times have you seen Mrs. Cunningham?

ELIZABETH

I suppose she has been at my house altogether a half dozen times. Sometimes she came to ask me about business and at other times it was to see my husband.

EDWARD

What was the object of Mrs. Cunningham's consulting you?

ELIZABETH

She said her daughter was sick; that she had the heart disease, that she feared her lungs were diseased, and she was afraid she would not live. That is all I know of her business.

EDWARD

What did she want of your husband?

ELIZABETH

She asked my husband to do her a favor, as she was a lone woman and had no one to protect her; She sent him to a house in Mercer Street kept by a Mrs. Stevens. She said that Mrs. Stevens visited the doctor nearly every day and was locked into his room. She believed the Doctor's part of the house to be used for bad purposes, and she wanted to bring the thing to light.

EDWARD

Did she seem to be jealous?

ELIZABETH

One might think so.

End Inquest

EMMA

(To audience)

I ran a respectable boarding house, and I needed to know if this Mrs. Stevens was a prostitute. My reputation was at stake.

HARVEY

You already knew I kept the company of prostitutes. Tell them the real reason you went to see Elizabeth.

EMMA

Don't you see now that she only cared about money. She lied in her testimony. She killed you to blackmail me.

HARVEY

(Unsure)

She did what she did to survive. You've always hated her. She made me happy, and you couldn't handle that.

*Flashback - Actress 1 continues
as Elizabeth, approaches Harvey
and begins to unbutton his vest.
Sound of clocks ticking.*

ELIZABETH

We have to make this one last, love.

HARVEY

I can go as long as you like.

ELIZABETH

I want to memorize your every expression, every crease, and texture.

HARVEY

To sustain you until our next visit?

ELIZABETH

To comfort me forever. I can't see you again.

HARVEY

Does George know?

ELIZABETH

Not yet, but your betrothed, she kept saying betrothed, came to see me.

HARVEY

Emma?

ELIZABETH

She shared this sad little story about how your patient, Mrs. Stevens, is corrupting you.

HARVEY

Good God.

ELIZABETH

So she paid George to look into her business.

HARVEY

Why George?

ELIZABETH

To get him out of the house. After he left, her manner changed, grew quite cold. She told me that if I did not quit my liaison with you, that she would tell George about us.

HARVEY

Damn her.

ELIZABETH

I love you, Harvey, but George will kill me if he finds out.

HARVEY

I will not give you up again.

ELIZABETH

You must. I never told you, but when he got out of prison, he kidnapped our child and forced me to return to him. Then we moved to Hudson and ran a boarding house there, but his real business was robbing the neighbors. When I told him I was going to the authorities, he set fire to the place, destroying the evidence. One man burned to death. He didn't care. He will kill me before letting me go.

HARVEY

Elizabeth-

ELIZABETH

Marry Mrs. Cunningham. She seems to love you passionately. Forget me.

HARVEY

That I will never do.

End Flashback

HARVEY

You were artful.

EMMA

I stopped it to protect you.

HARVEY

Protect me?

EMMA

Your weakness with women jeopardized our place in society, a standing we fought for.

HARVEY

You threatened her life.

EMMA

I never-

HARVEY

Her husband was insane.

LEWIS

Who wouldn't be upset to find out their lover was with another? Harvey had an affair with his cousin, Mrs. Stevens, and now the tryst with Mrs. Seymour. Jealousy often leads to murder.

EMMA

I wasn't jealous of Mrs. Steven, and Mrs. Seymour was a flame from his past that jeopardized his future.

LEWIS

What past?

HARVEY

Elizabeth came to me for dental work in 1845 when her husband was in prison.

LEWIS

She was lonely.

HARVEY

She was happy the brute was out of the way.

LEWIS

You seduced her.

HARVEY

She bewitched me, but she fled town when he was released.

LEWIS

And you found her last summer?

HARVEY

She wrote me.

EMMA

And I ended it. She was beneath you.

HARVEY

She came from a better family than yours. Her husband dragged her down.

LEWIS

Let's return to the topic of jealousy.

HARVEY

Let's.

LEWIS

(To Emma))

Isn't it true that after the affair with Elizabeth, you became enraged when you saw this letter?

EMMA

What letter?

LEWIS

Presented as evidence.

(He reads)

"October 15, 1856, Cousin Dimis: I received your letter two days since. You say you are ready to come to New York whenever I say the word. Mrs. Cunningham is about to take some steps to injure me.."

EMMA

Let me see that.

(Reads)

"Hold yourself in readiness to come to this city at a moment's notice." You told me Dimis was out of your life.

HARVEY

(Shrugs, grabs the letter.
Hands to audience.)

We were family.

LEWIS

What did you mean that she was taking steps to injure you.

HARVEY

A few days after that letter, she sued me for breach of contract.

EMMA

For not marrying me as he promised. He proposed to me in the summer of 1855.

HARVEY

If you can call it that.

EMMA

And a year later he failed to fulfill his commitment, so I had him arrested as was my right.

HARVEY

She would only drop the charges if I agreed to go through with the marriage.

LEWIS

After the trial your relatives challenged the marriage and the courts ruled it a fraud.

EMMA

(Pulls the certificate from the paper pile and hands it to an audience member.)

But it wasn't.

LEWIS

Yet you kept it a secret.

EMMA

We were going to announce it in June.

HARVEY

(Memories are returning)

I remember. I intended to have it annulled.

EMMA

He was quite happy after the marriage.

HARVEY

I began to fear for my life.

EMMA

He joked with Augusta about being her father.

HARVEY

It was Augusta who gave me cause to worry.

EMMA

What?

HARVEY

(To audience)

On the day we married, Augusta and Emma fought.

EMMA

It was nothing.

HARVEY

Augusta was quite upset. She warned me about you.

Flashback - Actress 2 is AUGUSTA CUNNINGHAM. More clocks ticking.

Emma pours herself a cup of tea.

The sound of sex is heard.

AUGUSTA

Is Dimis here for a visit?

EMMA

Augusta!

AUGUSTA

Sounds like her.

EMMA

It is Mrs. Stevens, for the last time.

AUGUSTA

Really?

EMMA

Harvey and I are to be married tonight.

AUGUSTA

Married. Why?

EMMA

Your brothers and sisters need a father.

AUGUSTA

He won't be able to stop this business with other women. He loves you mother, but this is a sickness.

EMMA

He will stop after he's taken the vows of matrimony. Now go change your clothes. I want you to be my witness.

AUGUSTA

Mama, I love the doctor. He's the only person who really sees me, who understands who I am-

EMMA

So you should be happy for us.

AUGUSTA

I want to be, but this is a mistake. I know it. I feel it.

EMMA

Augusta, I will hear no more. Now go and dress.

AUGUSTA

Mama, please, don't hurt him. Like you hurt father.

EMMA

What are you talking about?

AUGUSTA

You made father sick.

EMMA

Your father came back from the West with a fever.

AUGUSTA

But you made him worse. The broth you fed him every night. It killed him.

EMMA

What?

AUGUSTA

We were broke. He had life insurance. How else did you pay for your social trips to Saratoga?

EMMA

That's a horrible thing to say.

AUGUSTA

And now that money is gone, you need Harvey's.

EMMA

You ungrateful girl. I sacrificed for you, for your singing lessons, your finishing school, but that was all a waste. You should be married, but instead you are a . . . burden.

AUGUSTA

You know I can't help it.

EMMA

I have tolerated your weakness, hid it so that your brothers and sisters will have a decent place in society. The alternative is an alms house. You have never seen inside of one, but they reek of excrement. Spiders and rats crawling on you. Is that how you wish to live?

AUGUSTA

No, mother.

EMMA

Perhaps you prefer to work in a house on Mercer Street?

AUGUSTA

No, Mother.

EMMA

Then you will be happy for my marriage?

AUGUSTA

Yes, Mother.

End Flashback

LEWIS

She killed her first husband.

HARVEY

I didn't believe her at the time.

EMMA

And you still shouldn't. It's a wild story. You were very happy after the wedding. Don't you remember?

HARVEY

But then you stopped sharing my bed.

EMMA

Augusta took sick. She needed me.

HARVEY

You made her sick, and then you went back to John Eckel.

EMMA

Because you went back to Elizabeth Seymour.

HARVEY

She wanted me back.

EMMA

You loved me.

HARVEY

I loved many women.

EMMA

But I never cast you off, abandoned you like she did despite everything you did to me.

HARVEY

I did nothing to you.

EMMA

The past does not lie.

Flashback

A clock is chiming the hour.

EMMA

Oh, is that the time? Have we missed the last ferry?

HARVEY

Have no worries. I've rented this room.

EMMA

You planned this?

HARVEY

Of course not. I read the schedule wrong. When you excused yourself after dinner, I asked the proprietor for a room.

EMMA

Then you will ask for another for yourself.

HARVEY

As you wish, but first a token of my affection.

Harvey opens the trunk, a different colored light illuminates from within. He reaches in and pulls out a music box, and offers it as a gift to Emma. She opens it and it plays Beethoven's Romance. At the same time, two shadow actors open a box and pull out a large curtain of lace from inside.

EMMA

It's beautiful. I love it.

(She sets it down. Harvey comes up behind her.)

HARVEY

(Kissing her neck.)

You smell of roses. So delicious.

Stepping up on stools, the Shadows slowly raise the lace curtain creating a wall separating Emma and Harvey from the audience. A light turns on behind the couple casting their shadows on the lace wall. Harvey is kissing Emma's neck as his hands begin to lift her skirts. Emma pushes his hands away. The kissing and touching becomes passionate. All the while Emma keeps stopping the progress of his hands on her skirt. A struggle ensues.

EMMA

No. No. No.

Harvey pins her arms, turns her face into the curtain. Harvey is behind her, pulling up her skirt, presumably undoing his trousers and forcing himself on her from behind.

EMMA

(Her face against the
curtain)

Stop! Please! No.

*Harvey thrusts against her
multiple times. He finally stops.*

HARVEY

(in Emma's ear)

Wasn't that fun?

EMMA

(Quiet, controlled)

Let go of me.

*The curtain drops. Emma adjusts
her skirt and her dignity and
moves away.*

HARVEY

But we are just getting started.

EMMA

Please leave.

HARVEY

You wanted it.

EMMA

Just go.

HARVEY

What's wrong with you? I felt your passion.

EMMA

A kiss, a touch, but a lady has limits.

HARVEY

You're not a school girl.

EMMA

And I'm not free for the taking.

HARVEY

Are you saying you won't have me?

EMMA

Only on my terms, a proposal. A public engagement.

HARVEY

I will never marry.

EMMA

Then you will never be accepted to the upper class. You need me for that. I know your type, Harvey. You are rich, but money won't get you an invitation to the exclusive clubs of the Beekmans and Strongs. You need me to school you in society's decorum.

HARVEY

But you don't need me.

EMMA

That's true. I don't. I have other suitors, a Senator even, but there's more to marriage than money; There is affection, real affection is rare, and my children genuinely care for you and you them. Perhaps I am wrong?

End flashback

LEWIS

You agreed to the engagement. Why?

HARVEY

She was smart, exciting, and charming.

EMMA

I still am.

LEWIS

Why did you want him after what he did?

EMMA

Men grab, grope, force themselves on women all the time. Are you pretending you haven't done the same?

LEWIS

This isn't about me.

EMMA

Marriage offered a modicum of protection.

LEWIS

Was that the only reason?

EMMA

He was good with the children, and he was falling in love with me, but I didn't know what I was going to have to sacrifice.

Flashback

Emma stumbles to a chair. Two shadow people pull a piece of muslin cloth from a hiding place. They hold it up and hide her. A light casts her shadow on the cloth. Meanwhile Harvey gets a doctor's bag and chamber pot. When he comes around the curtain to Emma's side, the light moves off of Emma, making her invisible and moves to the ceiling. During the following we see the shadow of Harvey's hands as he rolls up his sleeves and moves different antique instruments through the light.

EMMA

Harvey, are you there?

HARVEY

(Goes to trunk, removes a doctor's bag and chamber pot)

I am coming.

EMMA

I am so sick. I still can't eat. Would you bring me some water?

HARVEY

In a minute.

EMMA

What are you doing?

HARVEY
I'm going to examine you.

EMMA
You're a dentist.

HARVEY
I know enough. Lie back.

EMMA
But-

HARVEY
Please, lie back. I want to make you better. Raise your night clothes.

EMMA
Why?

HARVEY
I need to examine you.

EMMA
You think I'm pregnant? I am too old.

HARVEY
You still bleed every month.

EMMA
I was never sick like this with any of my children.

HARVEY
Slide down here.

EMMA
(From the discomfort)

Uh.
That is cold.

(Beat)
Well?

(Beat)
Am I?

(Beat)
Can you tell-

HARVEY

Hold still.

EMMA

What are you doing?

(They struggle. A slap is heard)

HARVEY

I said hold still.

EMMA

Oh! Stop! Oh God! Stop!

(She screams)

Harvey comes around the curtain. Disheveled, wiping his hands on a bloody cloth.

End flashback

HARVEY

(To audience, looks at the cloth in his hand)

It was a horrible thing to do. I know it. But if I allowed myself to think about it, I couldn't do it. I'm good at not thinking. I do unpleasant things to people every day. I'm a dentist. She didn't fight me as much the second time. Yes, I ended a second pregnancy, but it was dangerous at her age to carry a child. She was dreadfully sick both times, and I feared the pregnancy or birth would kill her. I loved her, and I couldn't bear-

EMMA

Don't you dare do that. Don't make it about love. You didn't want the burden. That was why you did it. Don't use me to justify the horror that you did.

HARVEY

OK. Ok. You're right. It was wrong.

EMMA

You took my children from me.

HARVEY

But I did love you.

EMMA

Why wasn't I enough?

HARVEY

(Beat)

Because you didn't love me. You wanted only my money.

Emma: Then why didn't you offer me a financial settlement? I would have taken it, but you were greedy.

Flashback

Augusta walks up to the trunk humming a song, carrying a book. She sits and pulls a letter that was tucked inside. She opens it and a lock of hair falls out. She picks up the hair and caresses her cheek with it. Harvey approaches her from behind and starts to molest her.

AUGUSTA

Stop! What are you - Stop! Let go! Ma!

Harvey tries to cover her mouth. Augusta pulls his hair, tries to scratch him. Emma rushes in and pulls Harvey off her daughter.

EMMA

Stop it. Stop. Let her go.

AUGUSTA

Harvey, Why?! You were my friend.

(Looks at both, then escapes to a corner)

EMMA

You're demented.

HARVEY

Desperate. I want you out of this house. If you want to protect your daughter's purity, you'll leave.

EMMA

I'll send her away to school.

HARVEY

Dimis is moving back in.

EMMA

Elizabeth won't like that.

HARVEY

She doesn't care, she loves me.

EMMA

I'll publish the marriage certificate in the papers.

HARVEY

Glad you brought that up. I have a document for you to sign, an annulment.

EMMA

I'll never sign that.

HARVEY

If you don't, I'll share your little secret.

EMMA

What secret.

HARVEY

Augusta.

EMMA

What about her?

HARVEY

She was expelled from school.

EMMA

Yes, a misunderstanding about a sweater she borrowed.

HARVEY

Stole

EMMA

The papers reported it already.

HARVEY

And that was to hide the more scandalous truth.

EMMA

I don't know what you are talking about.

HARVEY

Yes, you do. You eldest unmarried daughter has no beau and yet you never take her to the Saratoga Social Seasons. You take Helen instead.

EMMA

Augusta doesn't travel well. She has a weak constitution.

HARVEY

Hysteria is what you said. But that isn't the real reason why you took her to Wellington's Water Cure. You hoped the doctor's sexual stimulations would heal her. She told me all about it.

EMMA

No one will believe you.

HARVEY

Dimis did.

EMMA

You'll regret that.

HARVEY

Society loves a scandal. Not only will people believe it, they will embellish upon it.

EMMA

Augusta cares for you. Why would you hurt your family?

HARVEY

I am not your fucking family. The only family I had was my whore mother who kicked me out of the house without a pissing penny when I was still a boy. My money I made myself and no Jezebel is gonna take it off a me, so you will sign this paper, or I will shout your dirty secret to the whole city. Augusta rushes up to Harvey.

EMMA

Augusta, no.

(Harvey grabs her, pins her arms,
pushes her up against the wall)

AUGUSTA

You are a bad man!

HARVEY

Keep your god damned children away from me.

End Flashback

Shadow Actor 1 ALVAH BLAISDELL

Shadow Actor 2 as EDWARD CONNERY

Inquest flashback

ALVAH

Dr. Burdell is naturally very happy and full of fun. He was very passionate and quick over it, and very friendly, which accounts probably for the many settlements with Mrs. Cunningham. He had many quarrels with her and afterward settled them.

EDWARD

If you confine yourself to one fact, I need not put questions to you at all. Do you know of any altercation between him and Mrs. Cunningham, any threats to destroy his life?

ALVAH

He told me on Friday.

EDWARD

On Friday last?

ALVAH

Yes, I visited him on the day he died.

EDWARD

From who did he say the threats came?

ALVAH

From the persons in the house, naming Mrs. Cunningham and her daughter. He said he had a fight with them the Saturday before.

EDWARD

That is right. Go on very easily; you need not stop at all.

ALVAH

He said that they had been in the habit after he had gone in his room in the evening, of opening his door quietly, and when he turned round to look at them, they would go out. He was very much afraid. He said they threatened violence against his person. He said this: "I want you should come and stay with me; I want to you to come tonight; I'm very melancholy and I don't know the reason except these circumstances, and I want you to come."

EDWARD

To come tonight? The last night of his life?

ALVAH

Yes, Sir. He implored me to meet him at 7 pm, and I said I would, but circumstances prevented me.

End Flashback

HARVEY

If only you had met me, Alvah.

(To Emma))

I knew you were going to destroy me. And you did.

EMMA

I never threatened you.

(Indicating audience))

No one has heard any threat of violence except from you. You turned on your family, you attacked Augusta, hurt her deeply.

HARVEY

Is that why she lied for you?

LEWIS

Do you see the truth now?

HARVEY

What happened at trial? How did they acquit her?

Trial Flashback

*Light, Gavel sound. Actor 1 as
OAKLEY HALL*

OAKY

On the night of January 30th, a murder created all over the country an excitement almost unparalleled. We propose that all the circumstances show the marks of dreadful hate, a revenge for some injury; that among the inmates of that house was one who, more than any other person in the world, had the motive, with malice aforethought, to premeditate and accomplish that horrible deed; and that deed was the deed of a woman a deed planned and contemplated from a different standpoint from which men of the world contemplate crime, perpetrated to a great extent with that ignorance of human nature which, compared with men of the world, woman at all times in history have possessed. When we open the book of history, we are forced to come to the conviction that crime knows no sex. While in our earliest studies of Roman history we read of her who, having murdered her husband, the servant of Imperial Rome, drove her chariot over the dead body of her father; and Agnes, Queen of Hungary, who bathed her feet in the blood of sixty-three knights, and the infamy of that Lady Macbeth, a prototype of just such a woman as this defendant. I deem it my duty to call up this woman, with that original immortal mind that became the original fiend, Eve. All through life, since Emma knew Harvey, she pursued him with a fiendish hate, jealousy, and a fiendish revenge, until the knife of this woman-fiend found its unholy repose in the heart of him whom she thought to have made her own.

Actor 2 as HENRY L. CLINTON

CLINTON

The District Attorney told you that Mrs. Cunningham haunted Dr. Burdell for three long years-

HARVEY

She still does!

CLINTON

-that she dogged him at every step in public and in private, that she was his persecutor - his tormentor. I concede that Mr. Hall was honestly mistaken. He knew not that Harvey Burdell sought her; that he importuned her with his attentions; that he courted her; that he paid her every attention which an honorable man could pay an honest, intelligent, high-minded woman.

Let me first call your attention to the leading features of the case of the prosecution, which he not only failed to prove, but which he has conclusively disproved. The District Attorney told you that these parties lived on very ill terms, yet Augusta stated that Emma and Harvey were on very good terms. The District Attorney also told you that whoever murdered Dr. Burdell was covered with blood. Here, remember, that the whole house was searched, yet the result of this search – this scientific search – revealed nothing adverse to the inmates of that house. This fact should have spoken trumpet-tongued in their defense. Had they participated in that terrible crime, could they so speedily have removed entirely all bloody trace of their guilt? Mrs. Burdell should not only be acquitted, but vindicated. This is not merely a struggle for liberty – not merely a struggle for life – we battle for character, without which life is but a withering curse; life without character is as the body after the soul has fled.

End Trial

EMMA

I did not kill you, Harvey.

LEWIS

We the jury will decide.

(To audience)

Fellow Jurors, please raise your hand if you think Mrs. Emma Cunningham-

EMMA

Burdell. Mrs. Emma Burdell. This is futile.

LEWIS

Pardon me, if you think Mrs. Emma Burdell is innocent of the crime, please raise your hand.

(If not a clear majority, continue)

Now please raise your if you think she is guilty.

He counts

See 3 different responses

For Tie

Tie
LEWIS

HARVEY
(To Lewis)
Your vote breaks it.

Guilty
LEWIS

EMMA
(To Harvey)
You think you know the truth? Are you free now?
(To Lewis)
Try the door.

(Lewis tries the door, still
locked)

For Guilty

Guilty
LEWIS

EMMA
(To Harvey)
You think you know the truth? Are you free now?
(To Lewis)
Try the door.

(Lewis tries the door, still
locked)

For Innocent

Innocent
LEWIS

EMMA
As I said.
(To Lewis)
This mock inquest revealed nothing. Try the door.

(Lewis tries the door, still
locked)

After the vote

HARVEY

You must confess. Just confess. You puppeteered everyone for your own means. You didn't genuinely care for me, for your own children. Your love was only equal to what you got in return.

EMMA

And what I got were lies, broken promises, rape, and abortions. All you had to do was give me money to support my family, but instead you betrayed Augusta, the only person who ever loved you for yourself.

HARVEY

And you murdered me for it.

EMMA

You only believe that because of him, the way he orchestrated the past to his liking. Why are you really here, Mr. Lefferts?

LEWIS

(Indicating the audience))

I'm here to help, like them.

HARVEY

And he has.

EMMA

Has he?

(To Lewis)

Why wouldn't the door open for you? Are you are trapped like us. Why is that?

(Indicating the audience)

Oh, and they haven't helped. They are just witnessing, feasting on our transgressions, Harvey's and my sins, but what about yours?

LEWIS

You're babbling nonsense.

(To Harvey)

She's your murderer.

EMMA

You keep fussing with your shirt cuffs, please roll up your sleeves, Mr. Lefferts. What are you hiding?

LEWIS

(Drops the Southern accent)

You want to see this? And this? (Lewis shows two bloody scrapes of fabric hiding jagged scars on his wrists.) These were acts of courage. Takes guts to bite the flesh from not one but both of your own wrists. The State of New Jersey sentenced me to death and I wanted to deprive the damned prosecutor the chance to gloat.

EMMA AND ELIZABETH

George.

*Lewis puts on chains. Flashback -
Actress 1 as Elizabeth Seymour*

LEWIS

Look what the sewer coughed up.

ELIZABETH

I saw in the newspaper you're to be executed.

LEWIS

And you came running, full of sympathy. What's it been, six years?

ELIZABETH

The paper said you invested \$6000 in bonds, but you told your lawyer you have no wife.

LEWIS

Lewis/George: My wife died in 1857.

ELIZABETH

You left after Dr. Burdell's murder. Tell me what you did.

LEWIS

I bashed in the head of a piss-ant jeweler in Princeton.

ELIZABETH

What did you do to Harvey?

LEWIS

Ask yourself that question.

ELIZABETH

You had many lovers. I had one.

LEWIS

And were you Harvey's only one? You were just his Friday fur glove. He had a different one every day of the week.

ELIZABETH

But at least he could perform. You were impotent, a shadow of the man he was. He was rich and successful. Your life is worth no more than the scum on his shoe.

LEWIS

Guard! This woman is leaving.

ELIZABETH

Your daughter needs that money. At least have the decency to help her.

LEWIS

My wife is a god-damned whore and my child is a bastard. Fuck my wife and fuck my child.

(Elizabeth slaps Lewis across the
face)

They are all dead to me.

End Flashback

HARVEY

What did you do?

LEWIS

(To Harvey)

I fucking killed you, that's what I did. Glad about it too.

(Harvey charges him, grabs him)

Didn't you hear? I'm already dead. Lefferts was just one of my many names. Three days before your murder, I received an anonymous letter,

(Pulls it from his pocket,
hands it to Harvey)

informing me that you were doctoring my wife's thatch as well as her teeth, and your appetites didn't end there it seems. The English Ladybird I kept at the Union Square Hotel also enjoyed your examinations.

(To Audience)

I decided to investigate, so on January 30th, I found him, dining at the Metropolitan Hotel. Slipping into my other alias, (British) George Symonds, I lured him to a Faro game. The bastard won \$6000! (Goes to trunk on next lines and gets 4-sided dirk) After listening to his boasting and bragging about his conquests of my women, I trailed him back here. I'm handy with a lock.

(Holds up knife)

Ain't she a beauty?

(Turns to Harvey)

I showed you whose dick was bigger. Should of taken your pecker for a prize. Police learned that George Symonds played cards with you that night but because this Mr . Symonds was known to frequent a whore house along side political men in power, they thought it best not to seek his acquaintance, so the morning after the murder, I arrived here, turned on my good manners, and Southern

(He flips on the accent)

charm, and Mr. Connery selected me for the jury. I enjoyed the perfume of your rotting corpse

(He takes a deep breath))

as I listened to the details of my bloody deed. Under everyone's stinking noses I sat.

(To audience)

Had you all fooled as well. My name on Emma Cuntingham's inquest verdict. How's that for irony?

HARVEY

You never confessed?

LEWIS

When I did this

(showing wrists)

the guards found me before the blood run out. They tied me down spread eagle. It was a low point, and I confessed, but no one cared two shits for you anymore.

HARVEY

You're a monster.

LEWIS

That's what they called me. S'pose I was. I killed eight men.

EMMA

And you denied your wife?

LEWIS

That I regret. I loved that woman. Only person I ever loved throughout my entire shit-poor life.

HARVEY

What happened to your money?

LEWIS

I gave everything to Uncle Scie, the old man who emptied my piss bucket, then I did the hangman's jig. I went out with a smile on my face and this piece of pie from my last meal in my pocket. Told them I was saving it for later. I think I will enjoy it now.

Lewis walks to the door. Looks back at everyone, takes a bite of his pie and leaves.

A Clock Gong is heard.

Emma runs to the doors. Locked.

EMMA

He's out? I don't understand.

HARVEY

(Holding up the letter)

What did you do?

EMMA

I didn't tell him to kill you.

HARVEY

But when you sent this letter, you knew he would.

Flashback. Augusta is rereading her letter, hold the lock of hair, doesn't hear her mother approach. Emma snatches letter from her hands.

AUGUSTA

No mama, no.

EMMA

Going behind my back again?

AUGUSTA

It was an old letter, I promise.

EMMA

You disobedient girl. Shame on you.
(She tears up the letter)

AUGUSTA

Don't, please it is all I have left.

EMMA

Torturing yourself with a past that cannot be.

AUGUSTA

You are so cruel.

EMMA

I'm sending you back to Doctor Wellington's.

AUGUSTA

It didn't fix me. I have known true love ma. I know you don't want to hear that, but we loved, love each other, and I'm not a bad person for loving someone.

EMMA

Emma: You belong in a mad house.

When she says the word 'mad', the murder of Burdell begins and is heard exactly as at the top of the show.

AUGUSTA

You're the one whose sick. You have a black heart without a soul.

EMMA

Blackwell's Asylum. That's where I'll send you.

When the murder noises become obvious.

AUGUSTA

What is that?

EMMA

It's nothing. Get into bed.

AUGUSTA

Someone is being hurt. We have to call for help.

EMMA

Shhh. Be quiet.

AUGUSTA

Someone is hurting Harvey.

EMMA

We don't know who is out there.

AUGUSTA

But you do, don't you, mother.

EMMA

You will say you were asleep. You-

AUGUSTA

We have to help him, please-

EMMA

You heard nothing.

AUGUSTA

No, mama, I beg of you-

EMMA

If you don't do everything I say then I will tell the world of your perversity.

Your fornicating with a woman, and you and your precious Polly will be ruined. Do you understand me?
 Augusta: You're making me a murderer. I can't- I can't I-

She runs to the door but it is locked. She looks at Emma, who holds up keys.

EMMA

Oh but you will.

The murder stops. Both women look at the door, silence.

AUGUSTA

Harvey, no.

(She sinks to her knees)

End Flashback

HARVEY

Oh God. Oh God, Augusta. I'm sorry, I'm so, so sorry. It was my fault.

EMMA

I didn't want you to die.

HARVEY

Poor Augusta. What our deeds cost her.

EMMA

Our deeds? I had to protect her from you.

(Shadow people put on their masks)

HARVEY

Is that what you did? You can't face the remorse, can you? The pain is so... breathtaking...

(Harvey turns toward the door)

EMMA

It won't open.

(It does. Harvey leaves)

EMMA

Wait. Don't leave me.

Door closes, locked. A clock gong is heard. Shadow people blow out the lanterns.

EMMA

(Runs to the other door, locked, To audience)

Let me out.

(The shadows go to their lanterns and blow out their lights)

No, no, no. Not the light.

(Emma lights a candle. Turns to audience as Shadows close in and circle her)

I did nothing wrong. You heard him. He said it was his fault.

Blackout except for Emma's candle. We hear Augusta's voice saying over and over: 'You have a black heart without a soul.'

EMMA

I did nothing wrong. I did nothing. Nothing. Nothing.

A Shadow person blows the candle out. Blackout.

Whispering similar to the start fills the room.

MINNIE

Truth is truth to the end of reckoning.

Seance tea lanterns come on. Minnie is in a partial trance state. She is holding the ribbon circle.

CHARLOTTE

Is Emma still trapped?

MINNIE

Yes, but we can't help her at this time. She's not ready to see herself.

CHARLOTTE

Who were you in that life time?

MINNIE

Elizabeth Seymour.

CHARLOTTE

Why do you feel so sad and guilty?

MINNIE

Because my affair caused Harvey's murder.

CHARLOTTE

Do you see now that many people caused Harvey's murder?

MINNIE

Yes.

CHARLOTTE

Are you willing to acknowledge your mistakes and release the past?

MINNIE

Yes. I surrender to my karma.

(Minnie comes out of the
trance. Opens her eyes)

It's over. He's gone. Gone.

CHARLOTTE

(She embraces Minnie)

Oh thank God!

(Minnie and Charlotte go around and
briefly thank audience members for
their participation)

MINNIE

May all those hurt by my actions be at peace. Angels and spirits, thank you for the wisdom and insight you have granted us. Protect this house and the people who have been here during our stay in your realm.

(Holding up the ribbon)

In the name of the light we thank you for helping us see and
heal our bloody deeds.

Final Blackout