

AN ACT OF KINDNESS

TIME

July 1923 – October 1927

SETTING

The focus of our attention is a seven-foot-high judges' bench spanning the width of the stage. This is the 1927 home of the U.S. Supreme Court in the Old Senate Chamber of the U.S. Capitol. Ornate carvings in marbled wood dress the front of the bench. Nine high-back leather chairs appear along the top of the bench when required.

The front of the bench also hides entrances and exits, allowing people to appear and disappear in an instant.

The play is best served by a stage free of all other props, furniture and set pieces except those absolutely necessary to the immediate action.

All attire is mid-1920s, reflecting the specific geography, education and social class of the individual, as do all dialects.

Scenes should move quickly, flowing one into the other, without pause, and never a blackout. The primary transformation of the stage is accomplished through lighting, specific and aggressive.

And because this is a play of regrettable history, there are many shadows.

CHARACTERS

ACTOR #1

AUBREY STRODE – mid 50s; attorney for Dr. Priddy and the Colony

ACTOR #2

CARRIE BUCK – late teens; extremely innocent

ACTOR #3

LOUISA HUBBARD STRODE – mid 20s; wife of Aubrey Strode

MARY DUKE – late 20s; secretary of public welfare

ACTOR #4

ALICE DOBBS – early 40s; Carrie's foster mother

CAROLINE WILHELM – mid 40s; Red Cross social worker

EMMA BUCK – late 40s; Carrie's mother, a bit slow

ACTOR #5

CLARENCE GARLAND – early 20s; Alice Dobbs' nephew

CONGRESSIONAL PAGE – early 20s; a page in the Virginia Senate

DR. J.C. COULTER – mid 60s; Dobbses' family physician

DR. JOHN BELL – early 50s; Colony doctor and Priddy's successor

ARTHUR ESTABROOK – late 30s; member of Carnegie Institution

LOUIS BRANDEIS – mid 60s; Justice of the U.S. Supreme Court

BOARD MEMBER #1 – on the Colony Special Board of Directors

ACTOR #6

JOHN DOBBS – late 40s; Carrie’s foster father

HARRY LAUGHLIN – mid 40s; superintendent of the Eugenics Record Office

HENRY GODDARD – mid 50s; Director of Research at the Vineland Training School for Feeble-Minded Boys and Girls

CALVIN COOLIDGE – early 50s; president of the United States

IRVING WHITEHEAD – mid 50s; Carrie’s attorney

PIERCE BUTLER – late 50s; U.S. Supreme Court Justice

ACTOR #7

DR. ALBERT PRIDDY – late 50s; director of the Virginia Colony for Epileptics and Feeble-Minded

CHARLES D. SHACKELFORD – early 60s; justice of the peace

THEODORE ROOSEVELT – mid 60s; former U.S. president

WILLIAM HOWARD TAFT – late 60s; Chief Justice of the Supreme Court and former U.S. president

BOARD MEMBER #2 – on the Colony Special Board of Directors

ACTOR #8

DR. JOSEPH DEJARNETTE – late 50s; superintendent of the Western State Hospital

SIR FRANCIS GALTON – late 70s; English Victorian sociologist, psychologist, anthropologist and eugenicist

ROBERT SHELTON – early 60s; local lawyer and Carrie’s court-appointed legal guardian

OLIVER WENDELL HOLMES JR. – late 80s; U.S. Supreme Court senior Associate Justice

BOARD MEMBER #1 – on the Colony Special Board of Directors.

AN ACT OF KINDNESS

ACT I

In the dark, the sharp sound of a gavel strike.

With the sound, two spotlights pop on to reveal OLIVER WENDELL HOLMES and AUBREY STRODE.

HOLMES is seated with the other eight Supreme Court judges on the bench, fourth from the left. In the center chair, barely discernible in the shadows is WILLIAM HOWARD TAFT. To HOLMES' right is LOUIS BRANDEIS, also in shadow. The remaining six judges sit in near total darkness.

AUBREY stands with his back to us, looking up at HOLMES.

OLIVER WENDELL HOLMES: This opinion by the United States Supreme Court is the response to a judgment of the Court of Appeals of the State of Virginia affirming a judgment of the Circuit Court of Amherst County in which the defendant — the superintendent of the State Colony for Epileptics and Feeble-minded — was ordered to perform the operation of salpingectomy upon Carrie Buck, the plaintiff, for the purpose of making her sterile. The decision of this court is that—

AUBREY STRODE (*turning away from HOLMES*): –STOP!

All light on HOLMES, TAFT and the other judges snaps off.

A moment, then AUBREY walks forward and looks at us, his eyes scanning the audience, stopping occasionally to stare at the unsuspecting, then focusing on someone new.

AUBREY wants to speak, but is struggling to begin.

AUBREY STRODE (*to us*): I would like, uh, to be able to ... it's important that I ...

From somewhere, a young woman's sudden and horrifying scream. She is in great pain.

There is no reaction from AUBREY. He continues to watch us.

CLARENCE GARLAND stumbles into the light. He is affixing the shoulder strap of his overalls and zipping up his fly. Panicked, he looks around quickly to ensure he is not seen, oblivious to the presence of AUBREY, as AUBREY is to him.

CLARENCE hurries off.

AUBREY searches the audience for a friendly face.

AUBREY STRODE: It wasn't as if ... I don't know how best to ...

CARRIE BUCK reveals herself from where CLARENCE appeared, interrupting Aubrey. She moves slowly, painfully, one hand gripping tightly a dress that has been ripped asunder. Her other hand, bloodied, clutches her loins.

CARRIE walks dazed and wobbly, hesitantly moving forward. There is no acknowledgment by AUBREY.

She starts off but then turns her bruised and tear-streaked face to stare directly at AUBREY. A few seconds, then AUBREY turns to her. They lock eyes.

When AUBREY breaks off to face us again, CARRIE turns and disappears into the shadows.

AUBREY STRODE: Perhaps it's best if I ... if I were to ... try to ... the way it began ...

MARY DUKE, ALICE DOBBS and JOHN DOBBS enter.

AUBREY watches.

MARY DUKE: You have a well-made home, Mrs. Dobbs.

ALICE DOBBS: God as my witness, Miss Duke, we have done our Christian best to make Carrie welcome here. Church *and* Sunday School, and Bible study Wednesday nights.

MARY DUKE: You clearly have the Devil on the run. And you say she's been with you ...

JOHN DOBBS: Twelve—

ALICE DOBBS: —*Thirteen* years. February of 1910. It was a struggle at first — we have our own daughter, you know, nearly the same age as Carrie — but as she's grown older, Carrie has proven herself to be competent at housework and other chores.

JOHN DOBBS: I'll swear by her peanut soup.

MARY DUKE: Do you know much about Carrie's life prior to coming to live with you?

ALICE DOBBS: John, you should—

JOHN DOBBS: —As a peace officer here in Charlottesville, I had several run-ins with Carrie's mother, living on the streets with Carrie and her two siblings. I've always known Emma Buck — that's Carrie's mama — to be a woman of questionable morality and—

ALICE DOBBS: —And when John told me about this dear little girl and the squalor in which she was situated, well, being God-fearing people we just had to embrace Carrie as one of our own. As an act of kindness.

MARY DUKE: This was when Carrie was how old?

JOHN DOBBS: Six.

MARY DUKE: That would make her seventeen now?

ALICE DOBBS: Just turned. In July. Past the age of consent.

MARY DUKE: Yes. Mr. and Mrs Dobbs, how may the public welfare office be of assistance to you today?

ALBERT PRIDDY and JOSEPH DEJARNETTE appear from the shadows, walking toward AUBREY.

ALBERT PRIDDY: Aubrey!

Lights out on the DOBBSES and DUKE.

AUBREY STRODE: Hello, Albert. *(off a look from ALBERT)*
Dr. Priddy.

ALBERT PRIDDY: Have you a minute?

AUBREY STRODE: There's a floor vote momentarily, but if we're brief.

ALBERT PRIDDY *(introductions)*: Doctor Joseph DeJarnette. Superintendent at Western State Hospital. Joseph, Senator Aubrey Strode.

AUBREY STRODE *(shaking hands)*: Doctor, it's a pleasure to finally meet. Alb— Dr. Priddy has spoken quite highly of you.

JOSEPH DEJARNETTE *(smoking a cigarette)*: You say that as though it should surprise me.

ALBERT PRIDDY: Aubrey, the State Hospital Board desires that a new eugenic sterilization bill be introduced through the Virginia Congress.

AUBREY STRODE: I suspected that to be the purpose of your visit. You informed them it would be a colossal waste of time and money?

ALBERT PRIDDY: They don't agree. And I concur. Public understanding of heredity and the importance of eugenics has increased significantly since our last attempt to push a bill through.

JOSEPH DEJARNETTE: And the governor has said he will lobby on the bill's behalf.

AUBREY STRODE: It's of little consequence. I don't believe this Congress has the appetite for a sterilization law at this time.

JOSEPH DEJARNETTE: At this time is exactly why we need to act.

ALBERT PRIDDY: Aubrey, to put it simply, without greatly increasing the tax rate, it's becoming less and less financially feasible for Virginia to house the growing numbers of feebleminded.

AUBREY STRODE: You sound more like a politician than a physician.

ALBERT PRIDDY: As superintendent of the Colony, I'm oftentimes called upon to be both. (*holding out a book*) This will get you started.

AUBREY STRODE: Me?

ALBERT PRIDDY: Of course. Who better to introduce the legislation than the attorney instrumental in establishing the Colony? This book has a "Model Eugenical Sterilization Law" you can exploit to write our own bill that should be acceptable to the Virginia legislature.

AUBREY STRODE (*taking the book, noting the author*): I met Harry Laughlin briefly. He's a despicable racist and raging anti-Semite.

JOSEPH DEJARNETTE (*instantly annoyed*): Albert, this isn't—

PRIDDY puts up a hand to silence DEJARNETTE.

ALBERT PRIDDY (*calmly*): Aubrey, Harry Laughlin serves as special adviser on eugenics to the U.S. Congress. The model law he provides in this book will do most of the work for you in drafting the bill.

CONGRESSIONAL PAGE enters.

CONGRESSIONAL PAGE: Sorry to interrupt, Colonel Strode. They're ready to vote.

AUBREY STRODE (*to PRIDDY*): Let me read what Laughlin has to say.

AUBREY disappears with the PAGE, then PRIDDY and DEJARNETTE in a different direction.

We return to the DOBBSES who continue to speak to MARY DUKE.

ALICE DOBBS: Ours is a small community, Miss Duke. A community where people talk. This has always been a Christian home, and we don't deserve to be stained by Carrie Buck's ... debauchery.

CARRIE appears, standing apart from the DOBBSES/DUKE scene.

AUBREY also enters, carrying the book given to him by PRIDDY. He again watches the DOBBSES.

JOHN DOBBS: Just a few months ago, we left Carrie alone for several days while Mrs. Dobbs and me went to visit my folks.

CARRIE begins to sing the church hymn Are You Washed In the Blood?

CARRIE BUCK (*slowly, with joy, as the DOBBS continue*):
Have you been to Jesus for the cleansing pow'r?

JOHN DOBBS: Carrie ignored her good and proper upbringing and succumbed to temptation and her carnal weakness. And is now in the family way.

CARRIE BUCK:
Are you washed in the blood of the Lamb?

ALICE DOBBS: She has become ungovernable, given to out-breaks of temper and hallucinations. But John might have a solution.

CARRIE BUCK:
Are you fully trustin' in His grace this hour?

JOHN DOBBS: About four years ago, Carrie's mother was sent away to live at that epileptic hospital outside Lynchburg.

CARRIE BUCK:

Are you washed in the blood of the Lamb?

ALICE DOBBS: The Virginia Colony for the Epileptic and Feeble-Minded.

JOHN DOBBS: Yeah. Now we ain't saying Carrie is either of those, but neither was her mama so far as I could tell—

CARRIE BUCK:

*Are you washed, in the blood,
In the soul-cleansin' blood of the Lamb?*

ALICE DOBBS: —But she was a bit simple, you said so yourself, and so is Carrie.

JOHN DOBBS: She is. And we were thinking, if Carrie might be put there, in the Colony, until this whole baby business is completed—

ALICE DOBBS: —And it would give the girl a chance to be with her mama!

As CARRIE continues to sing, the lights go down on the DOBBSES and MARY DUKE.

AUBREY opens his book and starts to read, triggering the appearance of HARRY LAUGHLIN.

CARRIE BUCK:

*Are your garments spotless?
Are they white as snow?
Are you washed in the blood of the Lamb?*

HARRY LAUGHLIN (*over Carrie's singing*): The experimental period for eugenical sterilization legislation has been passed so that it is now possible to enact a just and eugenically effective statute. Said statute allows for a surgical operation upon the reproductive organs of the human female, the consequence of which that the power to procreate offspring is permanently nullified.

With the end of CARRIE'S song she disappears.

AUBREY senses the change and looks up, but then returns to the book.

HARRY LAUGHLIN: The socially inadequate classes, and the ones most in need of sterilization, are the following: the Epileptic; the Feeble-minded; the Insane; the Criminalistic (including the delinquent and wayward); the Inebriate (including drug habitués); the Diseased (including the tuberculous, the syphilitic, the leprous, and others); the Blind; the Deaf ... the Deformed; the Dependent (including orphans, ne'er-do-wells, the homeless, tramps and paupers); and all Immigrants.

AUBREY closes the book and HARRY LAUGHLIN disappears.

ALICE DOBBS hurries on.

ALICE DOBBS: Carrie? Carrie Elizabeth!

CARRIE appears, now six months pregnant.

CARRIE BUCK: Yes, Mrs. Dobbs. I was sweeping the porch.

ALICE DOBBS: I've told you before, I don't want you outside the house. Someone might see you.

CARRIE BUCK: I keep my back to the street.

ALICE DOBBS: Even so, what if a solicitor should come to the door?

CARRIE BUCK: I would be quick to plop down and poof out my dress.

Carrie demonstrates, and is able to sufficiently hide her pregnancy.

ALICE DOBBS: Don't be nonsensical. Stand up. You're too old for that behavior. (*matter-of-factly*) Carrie, you're to move away.

CARRIE BUCK: To where?

ALICE DOBBS: To a home for girls like you. Your mother is there.

CARRIE BUCK (*excited*): She is? Mama is in a delicate condition?

ALICE DOBBS: No. Of course not. I don't think so. Not that I know of. She could be. But that isn't why she's there.

CARRIE BUCK: Is this punishment for the baby? Your nephew, he forced himself upon me, I begged him to—

ALICE DOBBS: —Carrie! You must never speak of that to *anyone*! Others won't be so kind as Mr. Dobbs and I have been. There are laws against what you did.

CARRIE BUCK (*confused*): Against what *I* ... But I didn't—

ALICE DOBBS: —Have faith in Jesus, Carrie. The Lord is your protector.

CARRIE is suddenly surrounded as judge CHARLES SHACKELFORD, J.C. COULTER and JOHN DOBBS appear from the shadows.

SHACKELFORD takes his place as the Commission hearing judge, COULTER and the DOBBSES as witnesses.

The swirl of activity further confuses CARRIE, who stands alone.

AUBREY is still to one side, a silent observer.

CHARLES SHACKELFORD: Justice of the Peace Charles D. Shackleford, convening this hearing of the Commission on Feeble-mindedness. January twenty-third, 1924. In attendance are foster parents John and Alice Dobbs and the Dobbsses' family physician, Dr. J.C. Coulter. And Carrie Buck. Miss Buck, do you understand the purpose of this inquisition? (*no response*) Miss Buck?

CARRIE BUCK: Yes?

CHARLES SHACKELFORD: Do you understand why we are here today?

CARRIE BUCK: So I can be with my mama? Is she here?

CHARLES SHACKELFORD: I'm sorry?

J.C. COULTER: Judge Shackelford, if I may. Doctor J.C. Coulter, the Dobbses' family physician. Carrie's mother, Emma Buck, is a resident of the Virginia Colony for Epileptics and Feeble-Minded. Nearly four years now. Carrie has been informed that she will be able to see her mother, should your honor decide placing her at the Colony to be an appropriate course of action.

CHARLES SHACKELFORD: I see. Thank you, Dr. Coulter. *(to CARRIE)* Well, Carrie, let's see what we can do to reunite you with your mama. Would you like that?

CARRIE BUCK: Yes, sir.

CHARLES SHACKELFORD *(to COULTER)*: Doctor, since you're now on the record, I'll begin the questioning with you. I have your personal examination report of Miss Buck. A clean bill of health. She has no noteworthy physical condition worth mentioning?

J.C. COULTER: No, your Honor.

CHARLES SHACKELFORD: In your examination, it appears that you found her to be mentally responsive, is that correct?

J.C. COULTER: It is. To the extent that she's able.

CHARLES SHACKELFORD: And what is that?

SIR FRANCIS GALTON appears near AUBREY.

Like AUBREY, he also holds a book; unlike AUBREY, he is attired in the clothing of Victorian England.

GALTON watches the hearing, along with AUBREY.

J.C. COULTER: I've known Carrie since she first came to live with Mr. and Mrs. Dobbs at the age of six, and she has always been comparatively slow.

CHARLES SHACKELFORD: Comparatively. Compared to what?