

Georgia, Sutter, Reed, Mrs Reed, Keseberg

EDDY. Lies!

SUTTER. Mr. Keseberg, you are saying you had no choice—

KESEBERG. None at all! Never!

SUTTER. Then you were forced to such action out of cruel necessity—

KESEBERG. Ja, forced! *(Suddenly he points an accusing finger at Reed and the defendants.)* They forced me to it! When they abandoned me! Without shame or pity!

REED. No one abandoned this man—

KESEBERG. I am speaking!

SUTTER. Continue, Mr. Keseberg.

KESEBERG. Sacred promises were made and then broken. Conveniently forgotten. They came back for women and babies. Am I not a person also? Is not a man like myself worth saving? Five weeks alone in that place! With nothing to do but think . . . *such thoughts!* To sink *lower and lower!* When they deserted me that way they made me into that disgusting bird—the vulture—that lives by feeding off the dead. Because of them I am unclean! That I shall never forgive!

REED. Lewis, there was no way for me to carry you out. If only I could have!

SUTTER. Mr. Reed, you may question.

REED. Alcalde, we reserve the right to question Mr. Keseberg at some other time.

KESEBERG. Any time!

EDDY. James, we have to prove he's lying.

REED. The counter-charge is *murder*, William. We have yet to prove that.

EDDY. Then prove it.

REED. Sheriff—you'll find my wife waiting outside. Please ask her to step in.

SHERIFF. *(Going to door.)* Mrs. Reed—we require your presence, ma'am.

REED. As our next witness, we call the child Georgia Donner.

EDDY. Must we question the child?

REED. When I consented to be your counsel, William, I warned you there would be no holding back.

FOSTER. We did not expect this.

REED. There's a good deal none of us expected, and no doubt more to come. *(Enter Mrs. Keseberg.)*

MRS. KESEBERG. How can they think to use the child? *(Keseberg takes his wife aside.)*

SUTTER. Mr. Reed, there is concern whether such a young child, being without a proper guardian, should be subject to the rigors of this trial.

REED. Being a father, I share your concern, Alcalde. However, without this child and her sisters we'll never uncover the fate of their two little boys.

SUTTER. Mr. Keseberg, how do you respond?

KESEBERG. Whatever the court decides. *(Sutter nods to Sheriff.)*

SHERIFF. Georgia Donner! *(He exits.)*

SUTTER. The value of this testimony is beyond dispute and cannot be rightly denied.

REED. Thank you.

SUTTER. However, I must caution you gentlemen. If any attempt is made to mislead, confuse or otherwise exploit the child, I promise you it will go hard with that person. *(The young girl, Georgia Donner, is led on by the Sheriff and followed by Mrs. Reed. Georgia runs over to Eddy who holds her close and calms her fears.)*

SUTTER. Child, please tell us your name.

GEORGIA. *(By rote.)* "My name is Georgia Donner. I am the daughter of Mr. and Mrs. George Donner. My parents are dead."

SUTTER. Who told you to say that?

GEORGIA. Mama had us learn it before she sent us away.

SUTTER. *(Taking Bible from Sheriff.)* Georgia, do you swear to tell the truth, the whole truth, and nothing but the truth so help you God? *(Pause.)* You must say "I do."

GEORGIA. I do.

SUTTER. *(Returning to his usual place.)* Proceed.

REED. Georgia, how did you come over the mountains?

GEORGIA. Mr. Eddy took me the whole way. I rode on his back.

REED. Can you remember, Georgia, when your mother took you and your sisters down to the Lake to stay with Mrs. Foster and Mr. Keseberg?

GEORGIA. We went there after our daddy took sick. Momma said we'd have to stay there so we could go out.

REED. Georgia, did Mrs. Foster treat you kindly?

GEORGIA. She was a lot like our Grandma. But there was nothing to eat. And we were afraid . . .

REED. Afraid of what?

GEORGIA. *(Softly; looking at Keseberg.)* Him.

REED. Speak up, child, we have to hear you. Were you afraid of Mr. Keseberg?

GEORGIA. Yes, sir.