

Sutter, Reed, Sheriff, Eddy

be described as unnatural and depraved, he killed the wife of our chosen leader—Mrs. Tamsen Donner!

KESEBERG. (*Leaping up.*) No!

REED. We shall demonstrate that these deeds were carried out by design. Not out of necessity, mind you, but by choice!

KESEBERG. What choice?

REED. To the degradation of his own humanity, to the damnation of his immortal soul, this man embraced evil! And once his transgressions have been exposed here and established beyond denial, we will demand of this court that he be put to death!

SUTTER. Gentlemen, you may summon your witnesses. Mr. Reed— (*Reed is about to call Eddy.*)

KESEBERG. (*Moving to Sutter.*) Excuse me, Herr Sutter, I forgot to present this— (*He passes a paper to Sutter.*) I have been accused of malingering at Lake Truckee for some criminal purpose. The charge is false. At no time was it possible for me to leave that place. I was unfit. As evidence, I offer a sworn statement—written and signed by Mr. Patrick Breen, a respected member of the Donner Party.

SUTTER. Sheriff, read it aloud.

SHERIFF. If I can. Looks like he just learned how to write. (*Reading.*) "I, Patrick Breen, age 40, born in Ireland, but of sound mind, make the following declaration of my own free will. One day last winter—to be precise, on October 25, 1846, Mr. Lewis Keseberg hurt his foot real bad. We were getting ready to leave Truckee Meadows on our way to the lake. Mr. Keseberg went out hunting after geese. Being a poor shot, I don't believe he got any. After a spell we saw Mr. Keseberg come limping out of the surrounding brush. It was clear the man had stepped down a steep bank and landed in some willow stubs. One had lodged deep in the underside of his foot."

KESEBERG. Just so.

SHERIFF. (*Resumes reading.*) "For a long time after that I never seen the gentleman walk any distance. On account of the before-mentioned injury. With all due respect, Patrick Breen."

KESEBERG. Clearly, I was in no condition to leave Lake Truckee.

SUTTER. Mr. Reed, your first witness . . . .

REED. We call William Eddy.

SHERIFF. Mr. William Eddy! (*Eddy moves to the witness stand but, as with the others, he need not remain there.*)

REED. William, please introduce yourself.

EDDY. My name is Will Eddy. I hail from Illinois same as you and Bill Foster. I'm a carriage-maker by trade. When all of us started out together from Springfield, I had a family—my wife Eleanor and two children. (*Pause.*) I don't have them any more.

REED. The first group to escape from Lake Truckee and make it over the mountains, fifteen heroic men and women, had to make snowshoes in order to get through those drifts.

EDDY. We called ourselves the Snowshoe Party.

REED. The reason so many survived is mainly due to your efforts as leader.

EDDY. I take no special credit.

REED. You should. More than once your group was ready to give up. To lie down in the snow and die. Towards the end it was you who went on alone. With feet all bloody and swollen, Alcalde, this man walked the remaining miles to this Fort. Behind him, with every footprint, he left a trail of blood later used to locate the others left in the snow and waiting to die.

SUTTER. According to my diary, the Snowshoe Party did not reach the Fort until January 17. How much time was spent in coming out?

EDDY. One month.

SUTTER. A month! To traverse fifty miles!

REED. Alcalde, these men had never been in the mountains. Having no compass or proper map—

EDDY. We lost our way.

SUTTER. But after we learned of the predicament from you, Mr. Reed, we sent two of my best Indian lads to the Lake to guide the rest of you back. Having *them* to show you the route, how was it possible to get lost?

EDDY. Those guides . . . the Indians . . . they died soon after we started out.

SUTTER. (*Apparently satisfied.*) Continue, Mr. Reed.

REED. William, how well did you know, Mr. Keseberg?

EDDY. Well enough, considering. His family and mine, we'd been part of the Donner Party wagon-train for nearly half a year.

REED. So, between the time Keseberg first hurt his foot and the time you departed with other members of the Snowshoe Party, a period of seven weeks, were you not able to observe him?

EDDY. I had such opportunity.

REED. Give us your impression as to the seriousness of his injury.

EDDY. I don't deny he hurt his foot. He had some difficulty