

MEDICINE SHOW

---

A five-act play

By

Stephen Most

© 1974, Stephen Most

Contact: [smost@earthlink.net](mailto:smost@earthlink.net)

## CAST OF CHARACTERS

## MODOCS

Captain Jack (Kintpuash)  
 Rock Dave  
 Scarface Charley  
 Lost River Lizzie  
 Hooker Jim  
 Bogus Charley  
 Queen Mary  
 Old Woman  
 Curly Headed Doctor

## MILITARY TRIBUNAL

Judge-Advocate (a major)  
 Captain Hasbrouck

## OTHER MILITARY

Colonel Green  
 General E. R. S. Canby  
 Lieutenant Boutelle  
 Private MacFarland  
 Private Swenson  
 Private Smiley

## CIVILIANS

Miller  
 Alfred B. Meacham  
 Ivan Applegate  
 Reverend Thomas  
 Chaplain

## PRODUCTION NOTES

The play begins at a military tribunal at Fort Klamath, Oregon in July, 1873. This tribunal and the subsequent execution of CAPTAIN JACK bring the Modoc War to a conclusion. Fought in and near the lavabeds of northeastern California, the Modoc War was a decisive moment in the conquest of the West. After the full might of the U.S. Army-comprising five troops of calvary, five companies of infantry, and four batteries of artillerymen-failed to dislodge a band of Indians from their lava stronghold, a negotiated attempt to pressure the MODOCS to surrender without inflicting further casualties on his forces led to the assassination of GENERAL E. R. S. CANBY by Modoc leader CAPTAIN JACK. Both men favored a negotiated settlement; both believed that a Modoc reservation was the best solution to the conflict between the Indians and the settlers who inhabited their country. However, General Canby's superiors insisted on terms of surrender that were unacceptable to the victorious Indians, and Captain Jack's warriors pressured their leader to kill the general during negotiations.

Their tragedy was a cause celebre at the time. This was the first war whose news became known to the public almost instantaneously, thanks to telegraph dispatches and mass circulation newspapers. It is a war whose true face can be seen today, without sensationalism or sentimentality, for it left in its wake extensive historical sources, many of which-negotiation records, trial transcripts, and numerous passages in memoirs-are in dialogue form.

The following re-creation of the Modoc War is a work of the imagination, yet it is a documentary play as well, incorporating speeches spoken at critical moments during the war.

ACT ONE

SCENE ONE

Accompanied by COLONEL GREEN, commanding officer at Fort Klamath, members of the military commission enter and sit at a table. SOLDIERS, their rifles ready, stand guard. Bothered by sounds of hammering, COLONEL GREEN closes the window.

JUDGE-ADVOCATE

This session will come to order. Guard, bring in the prisoner.

A guard brings in CAPTAIN JACK, whose arms and legs are chained.

JuDGE-ADVOCATE

I note that the accused is in attendance. Captain Jack, do you wish to introduce counsel? Do you have a lawyer?

CAPTAIN JACK

No one speaks for me.

JuDGE-ADVOCATE

Be advised of the charge against you: murder in violation of the laws of war. The specification is that you, who are called and commonly known as Captain Jack, are a member of a band of Modoc Indians and that you, acting as representative of said Modoc band, did meet, at or near the lavabeds situated near Tule Lake in the State of California on or about the 11th day of April, 1873 under a flag of truce and suspension of hostilities, Brigadier General E.R.S. Canby, U.S.A., and did thereupon in wanton violation of said flag of truce, willfully, feloniously and of malice aforethought, kill and murder said Brigadier-General Canby. How do you plead, guilty or not guilty? What is your plea?

CAPTAIN JACK

I cannot talk with chains on my legs. My heart is not strong when my legs are chained. And I hardly know how to talk here. I do not know how white people talk in such a place as this.

JUDGE-ADVOCATE

Talk exactly as if you were at home. Think of this as a council. Or a powwow.

HASBROUCK

Or a negotiation. You're good at that.

SCENE TWO

The camp at Lost River. Lizzie wears a basket cap but otherwise dresses like a frontierswomen. The MEN wear pants, boots, and wool shirts. SCARFACE CHARLEY enters with a basket.

ROCK DAVE

How did you do?

SCARFACE

Not well.

ROCK DAVE

Go after rabbits. Yesterday I caught enough to make a blanket.

LIZZIE

Miller will give us flour.

ROCK DAVE

The last time I went to Miller's, he wouldn't let me past his fence. Later I found out Wild Gal was in there.

CAPTAIN JACK

(enters)

What did you catch?

SCARFACE

Eight trout.

CAPTAIN JACK

Take four to Hooker's camp. His people are afraid they won't make it through winter.

SCARFACE

Some are afraid because some of them have no fear.

CAPTAIN JACK

Hooker!

SCARFACE

I hear your men have an appetite for Boshtin beef.

HOOKER JIM

(enters)

I can't tell my people not to eat.

CAPTAIN JACK

Tell them we can't take cattle. We can't let Boshtin be too afraid or angry at us.

HOOKER JIM

Curly Headed Doctor says they have to fear us.

CAPTAIN JACK

He dreams our land will swallow them and restore the way it was. That's not possible. We have to live with Boshtin.

HOOKER JIM

I want to live on our land. How can we when they fence it off? When you led us back to Lost River, you said Boshtin will let us live here.

CAPTAIN JACK

Some Boshtin are filthy with lies and greed, but some have hearts. I visited Judge Steele in Yreka when I was young and he was Indian Agent. The judge gave me a pass so I could be among Boshtin and learn their ways.

HOOKER JIM

A pass! To go through our country!

CAPTAIN JACK

He gave me permission to trade and to guide travelers so they would know they could trust me. I earned horses from Boshtin. I listened to them, found how they think. And when the judge said he will get us a reservation on Lost River, I knew that was the answer for us, if we could get along with his people.

HOOKER JIM

He made that promise years ago. What came of it?

CAPTAIN JACK

General Canby asked the Indian Commissioner to give our land back.

HOOKER JIM

Maybe they'll give us something. Someday. But how will we make it through the winter? We made a mistake bringing our families here.

CAPTAIN JACK

When we left Klamath Lake, what did you think you were going to find? No one living in our country? You know why Meacham took us away from here: so Boshtin could run cattle on our land. Now everything but Shasti mountain has changed. It is hard to accept, but we too must change. There's no use dreaming with Curly Headed Doctor of the old ways coming back. The way we lived when we were young will never return.

HOOKER JIM

Do you really think Boshtin will give us a reservation?

CAPTAIN JACK

Oh, yes.

HOOKER JIM

On our land? Who will decide these things? Men with good hearts? Or filthy with lies and greed?

CAPTAIN JACK

The men who want us to have our land are men with good hearts.

HOOKER JIM

If we let Boshtin rule us, we will suffer as bad as we did on Klamath Lake. So when my people say, we'd better go back there now, I can't disagree. When Doctor says, never submit to them, I can't disagree with him either.

CAPTAIN JACK

We will stay in our country. This will be our village. Right here, within sight of Shasti Mountain. I was born here and I will die in this place. When Ben Wright came and killed my father before my eyes, I swore I will die here. Maybe I will live a long time, maybe not, but I'm not going back to Klamath country.

HOOKER JIM

Some of my people want to go now, before winter comes. Wintering without food, some of our children and our old people will die.

CAPTAIN JACK

Give him those trout.

HOOKER JIM

My wife can't eat fish.

LIZZIE

You didn't tell us she was pregnant. That will be good for you, to be a father.

HOOKER JIM

I want a son to hunt with.

SCARFACE

Tomorrow let's hunt near Medicine Lake. There's elk there.

SCENE THREE

MILLER is fixing his fence. BOGUS CHARLEY approaches him.

BOGUS CHARLEY

That fence cuts the land.

MILLER

So my landlord don't want to improve the property.

BOGUS CHARLEY

It was better before you came. Our horses had plenty to eat. We didn't have to ask for hay.

MILLER

Look, Bogus-

BOGUS CHARLEY

Bogus Charley is what Boshtin call me.

MILLER

Why don't you take a pig for rent?

BOGUS CHARLEY

A pig would be good.

MILLER

Bring it to your people. From me.

BOGUS CHARLEY

Still walking?



MILLER

I slaughtered it this morning. When you get it to your village, put it in a pit. Let the meat cook slowly. And when you eat it, think about this fence that helps my animals grow fat.

BOGUS CHARLEY

I will think about your fence, Miller. Give me hay for my horse.

MILLER

All right. Take some hay. But next time you come here, bring my old saddlehorse with you.

BOGUS CHARLEY

That's my horse now.

MILLER

I'm going to win it back from you. And not playing that stick game of yours. We'll see how do at five card draw.

BOGUS CHARLEY

I'll get a steer next time.

#### SCENE FOUR

Fort Klamath. A.B. MEACHAM enters the camp commander's office where GENERAL CANBY is packing his clothes into a dufflebag.

MEACHAM

General Canby, may I disturb you for a moment.

CAPTAIN JACK

What's on your mind, Meacham?

MEACHAM

When do you leave?

CANBY

Immediately. The Department of the Columbia is too great a region for one man to oversee, but I do my best. I would rather be here than in Portland.

MEACHAM

This is magnificent country.

CANBY

Excuse me if I continue to pack.

MEACHAM

Of course. General, I have a petition for you from settlers in the Lost River region.

CANBY

The Modoc troubles.

MEACHAM

Yes

CANBY

I will not fail to read it. Now, I have a long day's ride ahead of me.

MEACHAM

It might be worth looking at before you leave Fort Klamath, General. The document is signed by forty-four-

CANBY

Stolen fodder and broken fences. Serious business! They want the U.S. Army to protect their haycocks.

MEACHAM

Some say their lives are being threatened.

CANBY

Ah! They claim they're "repeatedly on the verge of a desolating Indian war." But look who endangers them: "a petty Indian chief with twenty desperadoes and a squalid band of three hundred miserable savages." Hardly a military juggernaut. The greater threat comes from the settlers than the 'savages.'

MEACHAM

General, we both advocate a separate Modoc reservation. But while the Commissioner fails to act, some of the ranchers are all too active. They talk about attacking the Modoc camps on Lost River.

CANBY

There's no risk in bluffing.

MEACHAM

General, if the Army does not return the Modocs to the Klamath Reservation, I believe they'll take action on their own.

CANBY

That would provoke a war. Are they insane?

MEACHAM

I regret to say this, General, but I have concluded that the forcible arrest of the Modoc leaders and the return of their tribe to Lake Klamath is the necessary course of action. I see no other way to secure peace and mete out justice.

CANBY

You can tell those ranchers that I do not think the application of force they ask for would be either expedient or just.

MEACHAM

Those men are not going to tolerate any more raids. You've got to do something.

CANBY

Those Modocs will not return to a reservation where they were exposed to hostilities from the Klamaths without protection from the Indian agent.

MEACHAM

I will assure the Modoc leaders that they will be well taken care of.

CANBY

Perhaps they do not trust the Indian Department, Mr. Meacham, given their experiences and their imperfect reasoning powers.

MEACHAM

They can't stay where they are. As winter sets in, they'll either starve or steal. And it won't just be a few desperadoes. They will all be at it.

CANBY

Change hats with me for a moment, Meacham. Put yourself in my place. Then I will look at the situation as if I were the Indian Superintendent.

MEACHAM

I don't know if our hat sizes match.

CANBY

Allow me to imagine for a moment, Meacham, that mine is comparable to yours.

MEACHAM

Oh, but General, I meant quite the contrary.

CANBY

As commanding officer, would you think that the forces available at Fort Klamath are capable of taking two armed camps of Modocs to a place they have already found intolerable?

MEACHAM

I would bring in reinforcements.

CANBY

That would alert the Modocs. Even if we could spare the men. And we can't spare them. Do you know that 10 to 20% of our men go over the hill?

MEACHAM

They're bored. I'd give them something to do.

CANBY

It's that damn mining. They think they're going to get rich. You meet miners with made-up names like Poker Jim or Montana Jake, you can bet their real names are on the rolls of the armed forces.

MEACHAM

Even if you can't spare any more men, I would say your current force is adequate for this operation.

CANBY

I would pray that you were right. For my part, if I were Superintendent, I think that should the Modocs return to Klamath Agency, they might leave again. There wouldn't be enough troops to hold them. And certainly the Klamath Indians will not allow their rivals a livable parcel of land or adequate supplies. Not if the past is a guide to the future. No, I would not recommend such a cruel and futile course of action as to force them once more to live on that reservation.

MEACHAM

If I were commanding officer I would wonder what good are troops that remain on the parade grounds! They at least could be preventing-

CANBY

You have done your duty, Mr. Meacham. I assure you, I will do mine. I will adopt all proper means to prevent a collision. And if hostilities should actually commence or become inevitable, I will take prompt and energetic measures.

MEACHAM

I only hope your measures do not come too late.

SCENE FIVE

SCARFACE and HOOKER at MILLER's ranch.

SCARFACE

Have you heard what people are saying? Bluecoats are coming to round us up like cattle.

HOOKER JIM

What do you know about it?

MILLER

This is the first I've heard.

SCARFACE

Men were talking in Linkville.

MILLER

In the saloon. Men who spend too much time with their horses.

SCARFACE

Queen Mary heard them. She says they had a map of our camps.

MILLER

Every one knows she's Captain Jack's sister. Anyone seriously plotting an attack wouldn't expose-

HOOKER JIM

Queen Mary said they plan to attack us.

MILLER

It's not going to happen, believe me.

HOOKER JIM

The eyes show what the tongue hides.

MILLER

Look, you Modocs get together, decide what you're going to do, and then you do it. You hear men talk about an attack against you and you figure it will happen. But you have to understand how my nation works. My neighbors can't tell the Army what to do. Those bluecoats at Fort Klamath are under the command of Major Green. Major Green has to follow the orders of his tyee, General Canby. And Canby has to obey the head tyee of all, President Grant, who lives in a large white house way to the east, far beyond the mountains. What people say here or in Linkville doesn't matter because they made President Grant their tyee, and he decides what to do.

SCARFACE

How does he know what to do if he lives far beyond the mountains?

MILLER

He listens to General Canby. Canby says you should have a reservation here on Lost River. So President Grant isn't going to send soldiers to take you away.

HOOKER JIM

I say, look twice at a two-faced man. We are warning all you settlers: when the bluecoats come, stay home if you like to live.

SCARFACE

I will tell Captain Jack what you say. But we will be ready. WAnd we will be watching you.

ACT TWO

SCENE ONE

The commandpost at Fort Klamath.  
IVAN APPELEGATE enters. LIEUTENANT  
BOUTELLE, the officer of the day,  
receives him.

APPELEGATE

Where's Major Green, lieutenant?

BOUTELLE

He'll be here shortly.

What are your numbers?  
 APPLEGATE

No change lately.  
 BOUTELLE

I'll bet boredom is your biggest enemy.  
 APPLEGATE

I have plenty to do.  
 BOUTELLE

I mean for the fort. You're so far away from the Indian troubles.  
 APPLEGATE

Trouble can occur anywhere, Mr. Applegate.  
 BOUTELLE

MAJOR GREEN enters with PRIVATE  
 MACFARLAND.

Svenson started it, sir!  
 MAC

I heard differently.  
 GREEN

He's a bloody liar!  
 MAC

Take this man to the guardpost, Lieutenant.  
 GREEN

Don't put me in there! You've got to hear what happened.  
 MAC

I've heard enough from you.  
 GREEN

You don't know how he provoked me, Major.  
 MAC

BOUTELLE exits with MACFARLAND.

Major-  
 APPLEGATE

General Canby saw the petition. He made his decision.  
 GREEN

APPLEGATE

So did the Lost River ranchers. They're planning a round-up. Tomorrow they make their move, with or without your forces. I told you I'd let you know.

GREEN

Stop them. I'll contact the general.

APPLEGATE

They will not wait. The savages have pushed them beyond patience.

GREEN

You must stop them.

APPLEGATE

I told them they need your men and guns to succeed. They won't listen.

GREEN

I have my orders.

APPLEGATE

General Canby does not know how bad things are. That medicine man has got them all fired up with mumbo jumbo. They believe they can kill us all and get away with it.

GREEN

They haven't all gone mad.

APPLEGATE

With Curly Headed Doctor's medicine, they don't fear settlers, the Army, or anyone. Their medicine is to get rid of us.

GREEN

If settlers plan to attack such crazy Indians, they must have some spirit help themselves. Look. Tell those men to wait a week. I'll send a report to Portland-

APPLEGATE

The plan is in motion. They'll surprise them at daybreak.

GREEN

Is every Lost River ranchers in on this?

APPLEGATE

Almost all of them. And volunteers from Linkville. I don't know the exact number-



GREEN

That depends on how full the saloon is. You'll be lucky to get half of them on horseback. This is folly, Applegate, and you know it.

APPLEGATE

This is long overdue. And it is authorized by the Office of Indian Affairs.

APPLEGATE hands GREEN a letter.

APPLEGATE

I don't need to remind you that your regulations direct you "to render such military assistance as may be necessary-

BOTH

-to enable the Indian Agent to carry out his orders from Washington."

GREEN

I can't circumvent General Canby. I could be courtmartialed-

APPLEGATE

Read it, Major.

GREEN

"I have received your report, dated the 17th ultimo, relative to the removal of the Modoc Indians to the Klamath reservation. You state that the leaders of the Modoc Indians are desperadoes, brave, daring, and reckless, who defy the authority of the government with impunity. You are directed to remove them to the Klamath reservation-peacably if you can, forcibly if you must."

APPLEGATE

You won't be courtmartialed for helping the Indian Agent carry out an order.

GREEN

Not if the action succeeds.

APPLEGATE

That comes from the highest authority, Major. Don't forget the election we just had.

GREEN

President Grant campaigned on a peace platform.

APPLEGATE

"Let us have peace." And we will. Influential men are ready to turn the rest of Modoc country into grazing land. Substantial sums of money have been invested to secure this opportunity.

GREEN

Grant's campaign was greenbacked by cattlemen?

APPLEGATE takes a dollar from his pocket.

APPLEGATE

You know, Major, that this is the fodder of our country.

GREEN

All I seek is advancement as a soldier, Mr. Applegate.

APPLEGATE

I assure you, you will be serving your own best interests as well as those of our nation.

GREEN

Lieutenant!

BOUTELLE enters.

GREEN

Tell the men to pack their gear, clean their guns, and prepare for inspection.

BOUTELLE

It's my opinion, Major, that we have enough men to provoke a fight but not enough to win.

GREEN

We will have civilian reinforcements.

BOUTELLE

Sir-

GREEN

Get the men ready. We must reach Lost River at dawn: when it's dark enough for the Modocs to be sleeping and light enough to shoot if necessary.

BOUTELLE starts to go.

GREEN

Oh, Lieutenant. You'd better release Private MacFarland. We may need that extra man.

SCENE TWO

The sound of crickets. CAPTAIN JACK stands outside in the darkness before dawn. QUEEN MARY enters.

QUEEN MARY

Why do you stand watch?

CAPTAIN JACK

A vision dream. I had Scarface go back to his lodge.

QUEEN MARY

Who's on Hooker's side?

CAPTAIN JACK

Hooker sleeps little these days.

QUEEN MARY

His little one keeps him from sleeping.

CAPTAIN JACK

I saw him again.

QUEEN MARY

Did he look-?

CAPTAIN JACK

Not like the other times.

QUEEN MARY

He will never rest.

CAPTAIN JACK

That shock in the face of betrayal when Ben Wright pulled the rifle from his blanket, the fury when he shot, that's not what I saw tonight. Father looked stern as when we were young and he made us go to the river at dawn. He pointed up, and a star crossed the sky, dimming the other stars-

A splash followed by a rifle shot sounds in the distance.

QUEEN MARY

Over by Natural Bridge.

CAPTAIN JACK

Near Hooker's camp.

DISTANT VOICE

God damn it!

CAPTAIN JACK and QUEEN MARY look at each other, turn, and exit in different directions.

SCENE THREE

BOUTELLE, GREEN, and APPLGATE enter.

GREEN

(to soldiers offstage)

Skirmish line, men. Rifles ready.

QUEEN MARY

(enters)

I see you bring your friends today.

APPLGATE

Where's your brother?

QUEEN MARY

Find him yourself.

Scarface and other men enter. They carry rifles.

APPLGATE

What do you think, Major?

GREEN

There's going to be a fight, and the sooner we open it, the better.

(to soldiers offstage)

Aim over their heads. Prepare to shoot.

(to Boutelle)

Disarm Scarface and his men.

CAPTAIN JACK enters. BOUTELLE stops  
in his tracks.

CAPTAIN JACK

Why did you bring soldiers? Why are those men across the  
river pointing guns at Hooker's camp? Are you another Ben  
Wright?

APPLEGATE

We do not come to fight or harm you, Jack. You are to come in  
peace to Klamath Agency where by treaty you agreed to live.

CAPTAIN JACK

I will not talk to your guns.

APPLEGATE

We do not want trouble, Jack.

CAPTAIN JACK

When Ben Wright was Indian Agent he too spoke about peace.  
Some of our men remember how he made peace—giving us a feast  
to thank the Great Spirit and serving us a steer spiced with  
poison. Then, when we refused to eat, he and his men pulled  
guns out of their blankets and opened fire. Now you come in  
the dark. But you did not catch us in our blankets.

APPLEGATE

The way to Fort Klamath is long. That's why we came early.  
Let us not think of Ben Wright or of Bloody Point, the  
massacre he avenged. Those pioneers traveling the Applegate  
Trail meant no harm to your people.

CAPTAIN JACK

I opposed that ambush though I was a child and too young for  
council. My father told me, be silent, but I stepped forward  
and stood on the rock facing my elders. I told them, "Boshtin  
are many, like trees on the mountain. We cannot kill them  
all, we must learn to live with them." Now you are everywhere  
and we are few. I do not want my people to die fighting. But  
we will live on our land and not with the Klamath as your  
captives.

GREEN

Let's act while we have the advantage.

APPLEGATE

I can handle this. Put down your rifle, Jack. Your men will  
do what you do.

CAPTAIN JACK

Why should we disarm before you and your men? I've never fought white people. I don't want to.

APPLEGATE

If you sincerely mean that, Jack, hand me your Springfield, and I promise you no one will get hurt.

CAPTAIN JACK puts his rifle on the ground.

GREEN

(to the other Modocs)

Put 'em down, one by one, right here.

SCARFACE puts his rifle down.

BOUTELLE

Take your pistol off and hand it over.

SCARFACE

You got my rifle. This pistol stays. I will not shoot it.

BOUTELLE

Here, Injun, give me that. Damn you, do it quick!

SCARFACE

I am no dog to be shouted at. I am a man and not afraid of you.

BOUTELLE

Son of a bitch! I'll teach you to talk back.

BOUTELLE and SCARFACE shoot simultaneously. Both miss. The MODOCS grab their rifles and run offstage. Gunshots are heard from the direction of Hooker's camp across the river.

GREEN

(to his men offstage)

Go after them! Cut 'em off!

BOUTELLE

Charge 'em hard! You are white, they are red: the darker skin gives way.

GREEN

(to Applegate)

The General's going to skin me for this.

(to Boutelle)

Take your platoon, ford the river, tell those idiots to stop shooting. Then check out every cabin from here to Bloody Point.

BOUTELLE

What about the wounded?

GREEN

I'll see to them.

Applegate exits with Boutelle. An old woman wearing a blanket enters.

OLD WOMAN

Can you halt the wind? Can you stop the rains? Can you hold back snow or the ground shaking? Nobody, nobody can do that, nobody!

SCENE FOUR

A natural fortress in The lavabeds

LIZZIE

I don't like this cave. Ben Wright camped here.

QUEEN MARY

It is ours now. Do not fear his shadow. Fear brings the enemy inside our camp.

LIZZIE

I'll gather branches.

CAPTAIN JACK

(coming out of the cave)

No fire. Bluecoats will find us soon enough. I just hope we can get everyone safely here.

QUEEN MARY

Let us purify ourselves of Boshtin ways. Starting with our real names. Not Captain Jack but Kintpuash. Not Lizzie but Tule Basket Maker. I am Changing Woman from this day.

CAPTAIN JACK

Here comes Scarface Charley with his name on his cheek.

SCARFACE

(enters)

I could not hold my heart down.

CAPTAIN JACK

You had to stand up to him.

SCARFACE

You were right to put down your rifle. I know you never want to see more of our people killed.

CAPTAIN JACK

You were right, too, cousin. Sometimes you have to do what's right no matter what comes of it.

SCARFACE

On the way here, going round the lake, I saw some Boshtin and called out, "Ride for your lives!" They turned around quick.

QUEEN MARY

Why did you say that?

SCARFACE

I saw Hooker and his men riding with extra horses--settlers' horses. They were holding their rifles high. And over by Boddy's place, I saw some flames.

LIZZIE

Fire burns fast when the wind blows.

CAPTAIN JACK

Did you see Doctor?

HOOKER and BOGUS enter carrying a bucket, sacks of flour, and rifles.

LIZZIE

Give me the bucket. I'll get water.

SCARFACE

Where did you get that?



HOOKER JIM

From Boshtin!

BOGUS CHARLEY

When we shot Boddy, his wife came outside, screaming. I held up my hand. "We do not make war on women!"

HOOKER JIM

Then we found Miller.

CAPTAIN JACK

Miller!

SCARFACE

Miller was our friend.

HOOKER JIM

Boshtin are enemies! Every one!

BOGUS CHARLEY

His wife was killed today. And the baby.

QUEEN MARY

This is a great sorrow.

CAPTAIN JACK

Who did it?

BOGUS CHARLEY

Ranchers and some men from Linkville. They'd been hiding behind the big boulder, and they came out shooting. Two of them killed my brother's family. Doctor's mother is dead, and Big Ike's children. They deserved what we did to them.

SCARFACE

Was Miller there?

CAPTAIN JACK

I share your grief. We mourn the ones we lost today. But Miller did nothing to us. You should not have killed him. Now we can never go back. Bluecoats will come to make bones and homeless shadows of our people.

HOOKER JIM

It is better to fight like a man than run like a deer. Let us take back our country. I am ready to die.

CAPTAIN JACK

It is easier to die than to live. You speak as one man only. A man whose grief is great.

I do not blame you for what you say. I feel as you do. But I am the voice of our people. I must speak for our ancestors and for the not-yet-born. And I tell you, Boshtin will come and keep coming, no matter what we do. We must not submit to them. But I cannot say, let us fight and die until I am sure there is no other way.

BOGUS CHARLEY

What do you say, Scarface? We can fight Boshtin from these lavabeds. We can tear down their fences and chase their fat cattle to these rocks. They will never take us out of here.

SCARFACE

Even if all Boshtin are enemies, Kintpuash is right: we cannot stand against them all. You know my heart: I am ready to die. But maybe we can stop this fight. We cannot win it.

HOOKER JIM

We are few today. But if we keep fighting, our brother Mowatocknie who live along Hot Creek will come to these rocks. Achumawi and Atsugewi warriors will leave their pitted river to fight beside us. And Smohalla's people will join us. They know how to rid the land of Boshtin!

CAPTAIN JACK

For every band that joins us, another will side with Boshtin men and guns. We know who the Warm Springs will fight for. And the Shasti, whose people we take as slaves. And the plaikni and other Klamath people. They will come after us, to show they are friends of the Boshtin. Let us clear our mind of foolish hope. When we who stand here fall, no one will stand in our place. Now we choose our path. Where the heart of my people goes will I go. I say only this: the coyote can't fight the grizzly and live. So will it be with us if we make war.

With an otherworldly scream, CURLY HEADED DOCTOR enters wearing hawk feathers and a bearclaw necklace, brandishing a medicine pole from which a hide and feathers hang. He falls and writhes as if possessed, then slowly rises.

CURLY HEADED DOCTOR

The dead around Shasti peak hovering see and protect us.

BOGUS CHARLEY

The spirit speaks!

## CURLY HEADED DOCTOR

These rocks are our ancestors. They will not let us die. No Boshtin will enter our stronghold and live. No Mowatocknie within this can be killed. Boshtin bullets will bounce back at them because my medicine reaches the sky.

DOCTOR shrieks. Blood pours from his mouth. He falls and writhes as if possessed, then slowly rises. DOCTOR removes an ugly object from his mouth and throws it far.

## CURLY HEADED DOCTOR

What do I take from my mouth?

## HOOKER &amp; BOGUS

The pain I take from my mouth.

## CURLY HEADED DOCTOR

What do I take out?

## HOOKER &amp; BOGUS

The pain I take out.

## CURLY HEADED DOCTOR

What do I suck out?

## HOOKER &amp; BOGUS

The pain I suck out.

## CURLY HEADED DOCTOR

What do I blow about?

## HOOKER &amp; BOGUS

The pain I blow about.

## CURLY HEADED DOCTOR

Pain rises into the sky. I stand on the rim of my nest enveloped in flames. What am I? What am I? I, the song, I walk here.

## DOCTOR, HOOKER &amp; BOGUS

What am I? What am I? I, the song, I walk here.

Doctor leads SCARFACE, HOOKER & BOGUS offstage.

CAPTAIN JACK

I never thought that I would see this day.

QUEEN MARY

You cannot raise the skies.

LIZZIE

Strong words give the heart courage.

CAPTAIN JACK

A stick, once broken, cannot be made whole again.

SCENE FIVE

The ARMY camp near the MODOC Stronghold. Three privates, MACFARLAND, SVENSON and SMILEY, await the order to march into the lavabeds. MAC is playing a banjo as APPELEGATE enters.

MAC

"We'll cover you with glory,"  
Say recruiters for the cause-

APPELEGATE

They say that music tames the savage beast. Go on.

MAC

I was just tuning.

APPELEGATE

You ready to fight Indians?

MAC

If I'd known I'd be running natives off a pile of rocks, I'd have stayed in Ireland.

SVENSON

You shoulda stayed.

MAC

I was tired of starving. Me being young and full of dreams, I thought I'd get rich in America.

APPLEGATE

You'll have your chance when we clear the land of savages.

SVENSON

Land is the wealth that lasts. When I get out of the Army, I'm gonna buy a ranch on Tule Lake.

MAC

You'll be for hire all your life.

SVENSON

The hell! I'm gonna have property right on that lake. Raise cattle. Go duck hunting when I please.

MAC

I'm no thief with a gun, to steal land for you.

SMILEY

Don't you want to shoot some Moducks?

APPLEGATE

If Ireland had leprechauns like we have Indians, you'd understand that the red man and the white can't live together. And by nature's law, the survival of the fittest, the red man must disappear.

MAC

You mean survival of the fattest: the law of bankers and bunkomen.

SVENSON

Watch what you're sayin'.

MAC

I'll say what I damn well please.

APPLEGATE

The strong win the struggle for existence. A deer in the tropics is no bigger than a coyote. Go north where only the vigorous survive the rigors of winter and you find caribou. Nature selects the breed that will endure and eliminates the weaklings.

MAC

The Indians are suited to this climate. They've been here long enough.

## APPLEGATE

To this climate, yes, but not to civilization; that's the point. Man is the highest form of life. We are the highest form of man. We can raise enough beef in this basin to feed California. We can ship it across the country on trains. All future generations will be in your debt, for by routing the enemy, you will clear the way for lasting peace and growing abundance. God be with you.

APPLEGATE exits.

## SMILEY

Here's a conquest for you, man: catch yourself a squaw and strum her banjo. You may not get any land, but at least you'll get the lay of the land.

## MAC

No wonder Sherman said war is hell.

(plays)

"We'll cover you with glory,"  
say recruiters for the cause,  
"and if the fight gets gory,  
we'll inter you with applause."

So stand by your glasses steady  
the world's a round of lies  
Hurrah for the dead already  
and three cheers for the next who dies

"Shoot while the battle rages  
through lava rocks and mud  
and you will get your wages  
of greenbacks for your blood."

So stand by your glasses steady  
the world's a round of lies  
Hurrah for the dead already  
and three cheers for the next who dies

And so I go to battle  
because an order's given  
but rather would skedaddle  
than send the reds to heaven

So stand by your glasses steady  
the world's a round of lies  
Hurrah for the dead already  
and three cheers for the next who dies

## SCENE SIX

CURLY HEADED DOCTOR

We call on you ancestors  
 In the shadow world.  
 Come to these rocks  
 so that our children may live!  
 We call on all our relations  
 to dance in our circle  
 and free the land of Boshtin.

And when we come together from all directions  
 no longer can Boshtin keep us apart with guns  
 while they carve the land like a carcass.

Hear my vision:

In the morning when the Earth resounds  
 a fog will blind and confuse Boshtin attackers.  
 Darkness of day will fall across their eyes  
 for the spirits of Earth and Sky  
 move with us here.  
 The spirits of our ancestors  
 spirits of our not-yet-born  
 move with us here in our circle.

On this rock the tree blossoms.  
 In the dark vision comes.  
 With one mind we are praying:  
 Here is the power to live!

## SCENE SEVEN

As MAJOR GREEN speaks to his  
 troops, fog rolls across the  
 battlefield.

GREEN

Atten-tion!

BOUTELLE

(enters)

Sir, we took their canoes. All of them.

GREEN

Did Bernard signal?

BOUTELLE

He's in position.

GREEN

Then we're ready. Listen closely. For every Indian, there are seven of you. Follow our battleplan and we'll run them out of their Stronghold. First, a personal note. I fought Apaches for five years, and I have never seen troops in better condition for a movement against hostile Indians. Now, B and G companies are in position east of the Stronghold. You will line up in the west, with California volunteers on the left flank by the lake, the 21st infantry next, the Oregon militia here, and H Troop cavalry on the right flank. When the howitzers fire, Bernard and Jackson's men will attack from the east, meanwhile swinging south. You infantry are to advance until you engage the enemy. When you do, the cavalry will pivot, meeting B and G companies south of the Stronghold and clamping them in our vise. We will then march northward, driving the Modocs into the lake so you boys can shoot them from the shoreline. Is that clear?

VOICES

Yes.

GREEN

What did you say?

VOICES

Yes, sir!

GREEN

Are you ready? Speak up, all of you.

VOICES

Yes, sir!

GREEN

Now move to your positions and knock those Modocs out of their goddamn rocks. Good luck and good shooting.

BOUTELLE

Forward on the line.

VOICES

Forward on the line. Forward on the line.

BOUTELLE

Keep moving.

GREEN

I can't see a damn thing. Goddamn fog!



The sound of gunfire.

GREEN

Who the hell is that?

BOUTELLE

Bernard's opened fire.

GREEN

Too soon! He exposed his position.

VOICES

My leg's broke. Get me out of here!

GREEN

Give him cover.

BOGUS CHARLEY

Don't shoot! You're firing on your own men!

GREEN

Hold your fire!

BOUTELLE

Major, that's Bogus Charley's voice.

GREEN

Blasted bastards!

SCARFACE

What do you want boys? How long you gonna fight us?

(He fires his pistol)

What's the matter, can't you hear? Ain't you got ears?

(He shoots again)

Can't you talk? Ain't you got a mouth?

(another shot)

BOUTELLE

Ow! They got my shoulder. Jesus! That hurts! Damn it!

QUEEN MARY

You come to fight Indians and you make noise like that?

HOOKER JIM

(mocking)

Ow, ow! I'm hit!

## GREEN

Knock them off that rock and get up there. Come on, men, keep moving. Go ahead, hit me, you bastards. Just try, just try it. Forward, damn you, keep moving.

A volley of Modoc fire fails to hit him.

## VOICES

My artery is severed. I'm losing blood. Come get me. Don't leave me to their knives. Get me out of here! Litter bearer, over here! Get me out of here!

## SCARFACE

All you soldiermans what ain't dead yet, go home. Go home! I don't want to kill you all in one day.

## ENTR'ACTE

A. B. MEACHAM, wearing a white bandage wrapped like a turban, pushes a cart carrying bottles of "Modoc Indian Oil."

## MEACHAM

Impressive, is it not? Not only the nobility of a Scarface Charlie but also the ability of the tribe to defeat a much larger Army. Judgement has not yet been rendered regarding the guilt of Captain Jack. But there is no doubt about the prowess of his people. This does not surprise those of us who know the American Indian. For many years he has stood as the epitome of physical manhood. Why is this so? Why was no Indian ever known to have rheumatism, decayed teeth, or dyspepsia? It is simply because the Indian race, knowing nothing of the thousand and one drugs physicians give to their patients, employ none but Nature's remedies in the treatment of disease. In the Spring of the year when flowers bloom, trees bud, and green grasses cover the hillside, the Indian women gather roots, herbs, flowers and barks. These are boiled down, and the entire tribe, young and old, drinks a potion which purifies their blood and invigorates them with the full glow of strong, healthy man and womanhood. The Indians believe it to be the Great Spirit's medicine. It has no equal. And now that Science has learned to preserve its virtues with alcohol, the civilized world can have the benefits of this wonderful medicine. Every family should have a bottle. It is a doctor in the house. Here is safe, sure, and speedy relief for all nervous and inflammatory pains. If you are suffering from diarrhea, dysentary, or any pain of the stomach and bowels, take Modoc Indian Oil.

It is certain to cure toothache in one minute, headache in five minutes, neuralgia in ten minutes, and sore throat in one night. Use it internally or externally. So if you suffer from a sour stomach, a coated, swollen tongue, a fatty covering of the eyeballs, susceptibility to chills, a constant ache midway down the backbone, a frequent headache over the eyes, a blurring of the vision, and great depression of spirits without known cause, take the Great Spirit's own cure, only eight bits a bottle: Modoc Indian Oil, the greatest medicine on Earth.

ACT THREE

SCENE ONE

The tribunal is in session.

JUDGE-ADVOCATE

The proceedings will reconvene. You will now come to order! I said, 'order!' We will hear from the next witness.

MEACHAM enters, his head wrapped in a white bandage. CAPTAIN JACK is astonished.

CAPTAIN JACK

Meacham! He came back!

MEACHAM

Why, Jack, you surprised? Thought I was dead? You know that Jesus Christ came back, and Our Lord's wounds were more severe than mine.

JUDGE-ADVOCATE

Mr. Meacham, your miraculous recovery notwithstanding, we will require you to take the oath.

MEACHAM

Yes, of course. Forgive me my moment of levity.

MEACHAM puts his left hand on a Bible and raises his right.

JUDGE-ADVOCATE

Do you, sir, promise to tell the truth, the whole truth, and nothing but the truth, so help you God?

MEACHAM

I do.

JUDGE-ADVOCATE

For the record, will you state your name?

MEACHAM

Alfred B. Meacham.

JUDGE-ADVOCATE

Are you a citizen of the United States?

JUDGE-ADVOCATE

I am.

JUDGE-ADVOCATE

What position did you hold in connection with the late war with the Modocs?

MEACHAM

I was a peace commissioner.

JUDGE-ADVOCATE

At the time of the event now in course of investigation, who were your associates?

MEACHAM

General Canby, of course, and Reverend Eleazer Thomas.

JUDGE-ADVOCATE

Did you have meetings with the Indians in the month of April last?

MEACHAM

We had two meetings: on the third, if my memory serves me correctly, and on Good Friday the eleventh.

JUDGE-ADVOCATE

And where did those meetings take place?

MEACHAM

In the lavabeds in front of a tent we had pitched there in case of rain.

## SCENE TWO

The lavabed negotiation grounds.  
 APPELEGATE enters with GENERAL  
 CANBY.

CANBY

I want to express to you my regret that you have to withdraw from the Commission. It seemed to me only fitting that you take part in it.

APPELEGATE

Whoever serves the public is exposed to the sharp tongue of slander, General. And I cannot afford that. Fortunately the Commission will not suffer any lack of experience due to my absence. Mr. Meacham has a thorough understanding of the Indian character, and as a former Indian agent he knows the Modocs particularly well.

MEACHAM

(entering)

I know it costs less to feed an Indian than to fight him.

CANBY

I am glad you are available to take Mr. Applegate's place.

MEACHAM

I am gratified, General, that our government, heeding the call of Christian humanity, seeks to make peaceful accommodation with those heathen savages. I am hopeful that justice and right will temper the power and might that you command.

CANBY

I applaud your sentiments, Meacham.

APPELEGATE

And I must go. I hope that Providence will shine upon your undertaking.

CANBY

Thank you, Applegate.

APPELEGATE exits as CAPTAIN JACK,  
 SCARFACE, HOOKER, and BOGUS enter.

CANBY

Now we lack only Reverend Thomas. Oh, here he comes.

THOMAS

(enters)

How do you do. I have come a long way to see you and make peace.

BOGUS CHARLEY

Very good. Me no want to fight.

THOMAS

You will be a good Indian, will you not?

BoGUS CHARLEY

Yes, bully!

THOMAS

You won't lie to me and I won't lie to you.

BOGUS CHARLEY

Yes. You no gas, me no gas.

THOMAS turns smiling to the other  
COMMISSIONERS. There is vigorous  
handshaking all around.

CAPTAIN JACK

We can make peace quick, General, if you will meet me half way. My word is good and solid as a big rock. But if your word is more than words, I will be surprised, for it will be the first time a white man stood up to his words with us.

CANBY

You will see that you are negotiating with a man of his word.

CAPTAIN JACK

Then two men have met.

CANBY

Now hear my plan for peace.

CAPTAIN JACK

You want to lay out a plan and have me agree with you?

CANBY

Why, yes.

CAPTAIN JACK

It takes two or more to agree. If you will agree to half of what my people want, we can get along fine.

CANBY

Captain Jack, I want you to understand that you are not to dictate to me. I am to make peace with you, nothing else.

CAPTAIN JACK

You should be aware of the fact that I am not your prisoner or your slave, so do not try to dictate to me either. Give me a reservation on Lost River. That's all I ask.

CANBY

Jack, I am not empowered to give you land.

CAPTAIN JACK

Then let us live in these lavabeds. White men would never want to make homes here.

MEACHAM

Jack, we cannot promise you anything until we make peace.

CAPTAIN JACK

I will not agree to anything until you agree to give me a home in my country.

MEACHAM

You could never get along with the white people in this country. There has been blood spilt by your people, Jack.

CAPTAIN JACK

And blood spilt by your people, Meacham.

CANBY

We are not here to talk about what happened in the past. We are here to talk of peace.

MEACHAM

Yes, but after what they did to innocent settlers, people around here are afraid. We've got to consider that.

CANBY

No matter what has happened, the point is this: you Indians have got to come under the white man's law. Our law is for all people. So get your people together and lead them out of these rocks holding a white flag-

MEACHAM

A white flag means peace.

CANBY

-and no one will hurt you.

THOMAS

We want to help you so we can all live in peace.

CAPTAIN JACK

If you want to help us, give us a home here in our country. We will harm no one.

THOMAS

Brother Jack, God sent me here to make peace with you. We are going to do it, I know. All we have to do is trust God, who sees and hears everything, and everything will come around all right.

CAPTAIN JACK

Brother Thomas, what good does it do to trust God when I can't trust these men in brass buttons?

CANBY

What have these brass buttons done to you?

CAPTAIN JACK

They came to our camp at night. They fired at us at dawn.

MEACHAM

Your men killed settlers, innocent settlers.

CAPTAIN JACK

Do you say we are not to have a home in our country because our men killed some settlers?

CANBY

If you give up the men who murdered the settlers, we might make arrangements for you to live in your country. I can't promise, but-

CAPTAIN JACK

Will you give up to us the men who shot our people?

CANBY

Jack, you have no law. Only one law can live at a time.

CAPTAIN JACK

Here's what I'll do. I will give up my men who killed settlers to be tried by your law if you will try the men who shot our people by your law.



HOOKER and BOGUS look at CAPTAIN JACK with astonishment, then at each other. BOGUS is about to speak, but HOOKER quiets him.

CANBY

I'm afraid that what you suggest is impossible. Your people were killed in a military engagement; that doesn't come under civilian law.

CAPTAIN JACK

My men killed settlers after your men attacked us. If in time of war you can do anything, so can we. Only one law can live at a time, you say.

MEACHAM

It is getting late. I think we had better quit for the day. Maybe in our next council we will come to terms.

THOMAS

We will surely reach an agreement, with God's help.

SCARFACE

And brass buttons. I see you move in troops and supplies while you pretend to talk peace. Your soldiers are not here for a good purpose.

THOMAS

Oh, don't let them scare you, brother.

SCARFACE

Don't worry, preacherman, I ain't scared. But next meeting, there be no soldiers, just peace talkers, unarmed.

CAPTAIN JACK

Yes, or there will be no meeting.

CANBY

Agreed.

CANBY and CAPTAIN JACK shake hands.

CANBY

When you are ready for our next council, let us know.

The COMMISSIONERS go into the tent. The MODOCS argue as they leave the councilgrounds.

HOOKER JIM

You know they'll hang us!

CAPTAIN JACK

I won't give anyone up. I said, if they tried those men who fired on your village, who killed your family, then I would let my men be tried for killing Boshtin. Do you think they will really try a white man who killed an Indian?

BOGUS CHARLEY

Then why did you say it?

CAPTAIN JACK

To show the lie. To show them I see the lies they hide behind.

HOOKER JIM

You'd give us up to end this war.

CAPTAIN JACK

I could give up a horse and I wouldn't cry about it, but I couldn't give up my men. And I won't.

SCARFACE exits with HOOKER and  
BOGUS. LIZZIE enters to escort  
CAPTAIN JACK back to the  
Stronghold.

LIZZIE

What happened?

CAPTAIN JACK

They want us to surrender.

LIZZIE

What are you going to do?

CAPTAIN JACK

I thought I could talk to Canby. But he spoke doubletalk. It's so easy to make war. Making peace is what's difficult.

SCENE THREE

The lavabed stronghold

BOGUS CHARLEY

There's nothing to talk to them about. We'll fight until they go away.

CAPTAIN JACK

They will never go away. We must show them we're not leaving these rocks. They don't want this. And they don't want more of their men to die.

HOOKER JIM

They want us to die. They want you to give us to their ropes.

CAPTAIN JACK

I said only when Boshtin who killed our people got punished. They will never do that.

HOOKER JIM

You'll make a deal with Canby and let us be hanged.

CAPTAIN JACK

I won't do that. They must let us all live, or we will keep fighting them.

BOGUS CHARLEY

Then what are you talking for? Bluecoats have been moving big guns with fireballs the size of a man's head as near as they can get them to our Stronghold. Peacetalk lets them do that without getting shot at. What good is that for us? What do you think you'll get by talking?

CAPTAIN JACK

General Canby didn't want this war. I know he wants peace. We have to show him that letting us live here is the price of peace.

BOGUS CHARLEY

Your father trusted Ben Wright. Now you trust General Canby. Have you learned nothing? Are you too afraid to do what you have to do?

HOOKER JIM

No more talk! Let us kill them in Council.

CAPTAIN JACK

I cannot agree with you.

BOGUS CHARLEY

Next time you meet Canby, kill him. I will shoot Meacham.

HOOKER JIM

And I that crow in preacher's clothes.

CAPTAIN JACK

They will destroy us if we do that. You see how many men they have out there.

CURLY HEADED DOCTOR

Shoot the first goose of a flock, does the flock not scatter? Shoot General Canby and his men will run. Then they will know we walk without fear. Our dance protects us all. My medicine turns their bullets into air; yes, even their fireballs will bounce back, so powerful is my medicine. You saw how none of us got killed in battle, but still you do not see. These rocks are our ancestors. They fight beside us. They will not let us be driven from our land!

CAPTAIN JACK

I say to kill General Canby in council is a coward's act. I will not do to Canby what Ben Wright did to my father.

HOOKER JIM

A coward talks when it is time to fight. It is brave to show you dare do anything. Be a man. Kill Canby!

CAPTAIN JACK

I cannot promise-

HOOKER JIM

You coward! You fish-hearted woman!

HOOKER grabs LIZZIE's basket cap and puts it on CAPTAIN JACK's head. BOGUS wraps him with a shawl as they fling him to the ground. As CAPTAIN JACK tries to rise, they trip and taunt him.

BOGUS CHARLEY

Look at you. Just like a woman.

HOOKER JIM

Kill Canby or be killed yourself.

SCARFACE intervenes and helps CAPTAIN JACK to his feet.

CAPTAIN JACK

We will not attack the Commissioners until they do something wrong. They promised no one shall be hurt in time of council. I promised we would commit no war act. Let us show that we hold to our word. Do not make me act in fear and shame.

If you love our people, think what killing Canby will bring down on us.

SCARFACE

Your talk is good, but it is too late for talk.

CAPTAIN JACK

Who wants me to kill him?

Every WARRIOR except for SCARFACE  
steps away from CAPTAIN JACK and  
toward DOCTOR.

CAPTAIN JACK

I see you do not love life or anything else. Then hear me: if Canby refuses to let us live in our country—and I will ask him again—only then will I commit the coward's act. But if he says here we may live, or by Lost River, or near Hot Creek, I will not kill him. Do you hear me?

CURLY HEADED DOCTOR

As lightning strikes and fire devours the hillside, we will fight 'til all the Boshtin flee. Then we will leave these caves where our children freeze. Surely as the stars turn, the way that has been chosen is the best.

ALL but CAPTAIN JACK exit.

CAPTAIN JACK

I feel lost and among strangers. My heart tells me I might as well talk to the wind, and I cannot keep my heart down. Life is sweet, life is strong. Man fights to save his life; only with a clear heart should he kill. The heart must be pure to shoot deer on a hillslope. To kill a man, one must walk right in the eyes of men. That is our way. Is it better to kill a man than to trust a man and take a chance he may kill you? Father, tell me. If you had killed Ben Wright, would you be alive today? Would I? Would any Mowatocknie? Was it not better for us that you were killed than that you killed him? But how can I as leader say it is better to die than to take life wrongly?

LIZZIE and QUEEN MARY enter.

QUEEN MARY

Brother.

CAPTAIN JACK

I have thrown away my country.

QUEEN MARY

You cannot let them think you are a coward. You cannot let Curly Headed Doctor be our leader. Show that your heart is with his. Tell Doctor you want to be with our father, that you want to ask him what to do.

CAPTAIN JACK

I told them I would give Canby another chance to change his mind. And then, if he still refuses... But he will, I know it.

QUEEN MARY

And then...

CAPTAIN JACK

I'll have to kill him.

QUEEN MARY

Tell Doctor to help you find Father's spirit. Tell him you're preparing yourself for that last council. Doctor will believe you are getting ready to avenge Father's death. Then he and the others will let you lead them.

CAPTAIN JACK

To destruction.

QUEEN MARY

Not if Canby is afraid to meet with you. Or if he decides he'd better do what you say.

CAPTAIN JACK

How can we bring fear inside his camp? He doesn't fear us. He simply wants us to give up without killing more bluecoats.

QUEEN MARY

Yesterday Wild Gal was in the bluecoat camp. You know what one man gave her for a feel of flesh? Balls to blow his heart out! That man thought the war was over. General Canby must think we are afraid, that we don't believe we can win. He's wrong. He has to know that. If the Commissioners find out we won't surrender, that we'd even kill Canby if he won't let us stay in our country, maybe they'll give in.

CAPTAIN JACK

How will they find that out?

QUEEN MARY

Convince the men you're ready to kill Canby. I will turn the Boshtins' heads. I can do it.

She exits.

LIZZIE

Don't talk to Doctor. You won't fool him. His medicine is powerful. He will turn you into your father's spirit.

CAPTAIN JACK

You believe he brings spirits back from the dead? Do you believe these rocks were fighting beside us? That a medicine shield kept bullets away from our stronghold?

LIZZIE

He has powers.

CAPTAIN JACK takes a spent bullet from his pocket.

CAPTAIN JACK

Look at this. I found it right over there. The bullets hit all right. Bluecoats couldn't aim them because of the fog. That's why none of us was killed. No man can turn away bullets. No man can bring back the dead. The spirit people leave among the living is all that remains. And I know my father's spirit. I will not follow it. He wanted to kill Boshtin at Bloody Point. He brought Ben Wright against us. Vengeance is a plague. I will not spread it further.

LIZZIE

Then don't tell Doctor you seek your father's spirit.

CAPTAIN JACK

I must show him that I walk within the circle.

LIZZIE

You say where the heart of our people goes will you go. But where is that heart taking us?

CAPTAIN JACK

Go inside.

LIZZIE goes back into the cave.  
CAPTAIN JACK starts gathering stones and putting them into a wide circle. DOCTOR enters.

CURLY HEADED DOCTOR

What are you doing?

CAPTAIN JACK

Bringing back the spirits of those who died at Ben Wright's council.

CURLY HEADED DOCTOR

Is that what you want?

CAPTAIN JACK

Only then can I do what I must do.

CURLY HEADED DOCTOR

Make yourself ready.

DOCTOR pulls a feather from the medicine pole and holds it between them.

CURLY HEADED DOCTOR

Here I stand in this valley of many voices  
by the bones and homeless shadows of my people.  
Feather of Medicine Hawk, skin of white deer,  
come into our hearts.  
Enter our heads and help us think.  
Enter our eyes and help us see.  
Enter our ears so we may hear.  
Enter our arms and make us strong.

DOCTOR hands the feather to CAPTAIN JACK. He gathers sticks and places them in a stack at the center of the circle of stones.

CURLY HEADED DOCTOR

Bones, you shadows of sleep  
come dance a great spiraling path  
toward Shasti mountain.  
What, you would rather be bones?  
The spirits of bones and not the bones of spirits?  
Ha, I have you now! Stop struggling.  
With you I will people the upper world.

DOCTOR throws the 'bones' in the four directions.



CURLY HEADED DOCTOR

You are Shasti, people of the sacred mountain.  
 You are Klamath, people of the sacred lake.  
 People of the Pitted River, you are warriors.  
 Mowatocknie, you are bravest of all.  
 Here by the lake of tule reeds  
 when many and many enemies oppose you  
 remember: the power is here!

CAPTAIN JACK

What must I do?

CURLY HEADED DOCTOR

Go past the stronghold ridge into the pit where that big-  
 horned ramskull stares through its sockets. Speak there to  
 your father. You will find him. And he will give you vision.  
 You will see  
 the earth roll into a ball  
 and swallow all Boshtin.  
 You will feel  
 the heart of our people  
 pounding through your ribs.  
 You will know  
 the power is here, it holds with us:  
 Here is the power to live!

SCENE FOUR

APRIL 11, 1873. THE ARMY CAMP IN  
 THE LAVABEDS. GENERAL CANBY ENTERS.  
 REVEREND THOMAS GREET'S HIM.

THOMAS

General, I have good news. As this Good Friday dawned I was  
 kneeling on a crevice in the pedregal praying for peace when-

CANBY

You were out in the lavabeds alone?

THOMAS

One needs no escort to pray, General. The rising sun cast  
 radiance like the blood of Our Lord on clouds so high above  
 the mountains and our humble struggle here below that I could  
 not but marvel. I knelt then and prayed when suddenly Bogus  
 Charley appeared as if to answer my prayer. He said his  
 people will meet with us today. They ask only that to show  
 our good faith, we come unarmed.

CAPTAIN JACK

Today is fine with me. Of course we'll have to see what Meacham says. Lieutenant.

BOUTELLE

(enters)

Yes, sir.

CANBY

Tell Meacham to join us.

BOUTELLE

Right away, sir.

BOUTELLE exits.

THOMAS

Do you know what Bogus told me, General? "God has put a new fire into our hearts."

CANBY

I hope it's true.

THOMAS

The redemption of one sinner matters more to Our Lord than the salvation of a multitude of righteous men. For their fate is ordained, while-

CANBY

That's one way to look at it. From a layman's point of view, Reverend, this Modoc change of heart, if they do mean it, shows that our strategy is paying off: talk peace but keep the pressure on; move in more men, more guns; let them see the new tents, the nearly thousandman force, the cohorn mortars, the howitzers. Little by little they realize we are strong beyond their power to resist. So without invoking Providence, I have reason to hope they have seen the light and will come to terms with us. Whatever the state of their souls, it is in their interest to give in.

THOMAS

I have always believed, General, that one man with faith is stronger than a hundred with interest only.

CANBY

Yes indeed. Ah, here comes Meacham. Now we can decide.

MEACHAM

(enters)

Don't tell me: they want to "make peace." I know all about it. I was informed that they mean to kill us all.

CANBY

Who gave you that information?

MEACHAM

A squaw I have reason to trust who has reason to know. She was very frightened, but she had to tell me.

CANBY

Those Modocs are clever, Meacham. That was a threat. In situations like these, threats are standard procedure. Anything that may make us lose our nerve and back down, they're sure to try.

MEACHAM

I really don't think she would-

CANBY

Consider at least the possibility that I am right.

MEACHAM

Of course, General. Did the Modocs ask that we arrive unarmed?

THOMAS

Why, yes. We already agreed-

MEACHAM

Well, there I draw the line. I'm not going without a gun. General, don't you see? It's so obvious what they intend.

CANBY

I understand how they must feel with our forces half a mile away. They don't trust us, and going with open hands is the best way I know to win them over. But you have nothing to fear. Look over at Signal Rock. That fieldglass has been watching the trail all morning, and it will keep strict watch over our council. Our men are prepared to move at once against the Modocs if necessary.

MEACHAM

Gentlemen, my cool, deliberate opinion is that if we go to talk peace today, we will be carried back, cut to pieces, tonight.

THOMAS

Our agreement is to go unarmed. We must be faithful to our compact, Meacham, and leave the outcome in the hands of God.

MEACHAM

God does not drop down revolvers just when you need them.

CANBY

Do you really think a handful of men will attack us when they're surrounded by a thousand soldiers?

MEACHAM

The Modocs beat us in battle; they are not going to surrender. They are desperate and they are dangerous. Do not delude yourself.

THOMAS

Brother Meacham, we are going to make peace, not war. God did not send us to do so noble a work with so evil an end in prospect.

MEACHAM

Promise me this at least: if they appear threatening, agree to their demands. Say anything rather than give them cause-

CANBY

Mr. Meacham, I have had more or less connection with the Indian service for thirty years, and I have never made a promise that could not be carried out nor have I ever acted contrary to my word. It is because of false promises that Indians have no confidence in white men. Besides, to go armed contrary to our compact might jeopardize our lives. If they became aware in any way that one of us concealed a weapon, they would assume treachery on our part, and even if we remained unharmed, our mission would surely fail. Well, Captain Jack must be getting tired of waiting. Let us go before he changes his mind.

SCENE FIVE

THE COMMISSIONERS MEET CAPTAIN JACK, BOGUS, HOOKER, AND SCARFACE ON THE COUNCIL GROUNDS. MEACHAM REMOVES HIS COAT AND PLACES IT WITHIN REACH.

CANBY

My Modoc friends, my heart feels good today. I know you better every time we meet. When I was a young man, I moved a band of Mikasuki from their old home in Florida to a new one. They did not like me at first, but when they got to know me, they made me a chief and gave me a name that means Friend of the Indian.

Many years later when I visited them, they were glad to see me. I have no doubt that someday you Modoc people will like me as those Indians did and receive me as kindly.

CAPTAIN JACK

Take the soldiers away, and then we will thank you.

CANBY

Those soldiers won't shoot you. But if you act mean and won't listen to me and these men, maybe the Great Father will say, "My soldiers, get Captain Jack and all his people out of the lava beds." And if you kill those soldiers, the Great Father will send more. Now, best thing you can do is come out of these rocks with me. What do you say, Jack; you understand everything now. What I say is law; that is, if you and I can agree.

CAPTAIN JACK draws a line with a stick.

CAPTAIN JACK

General Canby, the agreements you make are straight as a rattlesnake. We made a compact to commit no war act while we counceled. Have I made any act of war?

CANBY

No, nor have I.

CAPTAIN JACK

You moved troops closer to our stronghold. You brought howitzers and many more soldiers toward our camp. You steal our horses. Is that peace? Your word is no good. Take away your soldiers; take those big guns away; then we talk peace.

CANBY

The Great Father will send them away once we make peace.

THOMAS

Much trouble and blood would be saved if we opened our hearts. We are all children of one Father. He sees all we do. Our hearts are open to Him. We are good men. We do not want more blood shed. Let us be your friends.

HOOKER JIM grabs MEACHAM'S coat.

HOOKER JIM

Me Old Man Meacham now. Do I look like Old Man Meacham?

MEACHAM

Here, Hooker, put my hat on. Then you'll be Meacham.

HOOKER JIM

I get hat purty quick, you keep awhile.

MEACHAM

Well, give me the coat for now. I'm feeling cold.

CAPTAIN JACK

General Canby, do you agree to what I ask or not? Take your soldiers away or promise me a home in my country. Now is your chance, Canby.

MEACHAM

General, for heaven's sake, promise him!

CANBY

I'm sorry, I am not authorized-

CAPTAIN JACK

Let us go back to Lost River. Let us live by Hot Creek. Give us these rocks for our home. Canby, give us these rocks!

CANBY

I'll tell you what: I will ask the Great Father-

CAPTAIN JACK

Do you think we are so fearful we will surrender for a promise? Treachery will not work for you, lying Boshtin! Ot-we-kau-tux! [All ready]

CANBY

Jack, what does this mean?

CAPTAIN JACK

No more words!

CAPTAIN JACK shoots CANBY and takes his coat. BOGUS fires at THOMAS.

THOMAS

Bogus, don't shoot any more.

BOGUS CHARLEY

Why doesn't God help you?

THOMAS

Have mercy, have mercy on me.

BOGUS CHARLEY

Your medicine's weak, preacherman.

THOMAS expires. BOGUS takes his coat. MEACHAM pulls a pistol from his coat pocket, but it doesn't fire.

MEACHAM

Blast! Half-cocked!

HOOKER shoots him. MEACHAM falls. HOOKER strips MEACHAM down to his red flannels.

BOGUS CHARLEY

Bluecoats! Hurry!

The MODOCS run off. MEACHAM staggers to his feet

MEACHAM

Don't shoot! Don't shoot! I'm a white man!

ACT FOUR

SCENE ONE

AT FORT KLAMATH BETWEEN SESSIONS OF  
THE TRIBUNAL.

GREEN

We could hang him today. The scaffold is almost done.

HASBROUCK

The structure won't hold yet. There's a piece missing.

GREEN

It's perfectly well built.

HASBROUCK

But our case isn't.

GREEN

Our case is complete. No one doubts that Captain Jack killed Canby. He has no defense.

HASBROUCK

I overheard him asking Meacham to be his advocate.

GREEN

Meacham refused of course.

HASBROUCK

Of course.

GREEN

Were he to defend Jack, everyone would think Meacham was scalped of his brains.

HASBROUCK

Yes, but in effect Meacham gave Jack a defense whether someone argues the Indian's case or not.

GREEN

His testimony-

HASBROUCK

was completely unconvincing. For one thing, Meacham said he only heard the shots that killed the general. He was too busy fumbling for his revolver! So we have no witness who saw the fatal moment. And even had Meacham witnessed it, we must take into account that story about Hooker Jim and Bogus Charley forcing their chief to assassinate the general.

GREEN

That doesn't exonerate him. What are you driving at?

HASBROUCK

How do we explain the fact that Hooker Jim and Bogus Charley are walking unguarded around the fort, free to come and go as they please, even though they are accused of murdering settlers, even though they were among those who attacked the Peace Commissioners? If we're going to hang Captain Jack, we should hang them as well.

GREEN

We won't do that.

HASBROUCK

Why not?

GREEN

Let's just say we're honoring an agreement.



HASBROUCK

You know, I think Canby really wanted to help those savages.

SCENE TWO

DURING THE EARLY HOURS OF APRIL  
12,1873, MORTAR SHELLS BOMBARD THE  
STRONGHOLD.

CURLY HEADED DOCTOR

Stay in the cave, people. Don't let those bluecoats frighten you. They cannot hurt us in these rocks. My medicine makes balls from their thurguns bounce back at them.

SCARFACE

You said they would scatter like geese.

CURLY HEADED DOCTOR

They will.

SCARFACE

I don't see them running.

CURLY HEADED DOCTOR

They will, but not right away. You see, Boshtin are people, but they don't act like people. They have things that tell them what to do. Only when they see that their things can't help them anymore will they run away. And then they will be too frightened to fight again.

LIZZIE

What are you talking about?

CURLY HEADED DOCTOR

They have three great things: the cross, the book, and the gun. The cross is the god who told them to take the land; the book holds their ancestors who tell them how to live; and the gun makes those who do not do what they say disappear. But their god does not help them here; their book does not tell them how to live with us; and their guns cannot hurt us. Thanks to my medicine, they are the ones who must disappear.

QUEEN MARY

You do not know why they came or what they will do.

CURLY HEADED DOCTOR

Oh, I know. And I know better than to be afraid of Boshtin. They believe that a god made them in His image to rule over all the people, like little gods.

HOOKER JIM

(enters)

They've blocked our way to the lake.

LIZZIE

How will we get water?

QUEEN MARY

We can find a way around them.

SCARFACE

If they got men this close, they're coming in here.

The loudest explosion yet frightens  
everyone but DOCTOR.

CAPTAIN JACK

(enters)

We can't stay here any longer. We'd better leave this  
stronghold. Let's gather our food and weapons. We can go  
south through the crevice.

CURLY HEADED DOCTOR

In here they can't hurt us. If we leave, how will the rock  
people find us? Don't let your fear control you, Kintpuash.

CAPTAIN JACK

I fear nothing now. I'm not afraid of death or your medicine,  
dancing doctor!

CAPTAIN JACK rips DOCTOR'S medicine  
pouch from his neck.

SCARFACE

Give it back, cousin. We've got to stay together or they'll  
get us for sure. I'll take some men to the north and make  
noise. Bluecoats will think we're defending our people there.

BOGUS CHARLEY

(enters)

Shacknasty got killed.

HOOKER JIM

What happened?

BOGUS CHARLEY

He tried to get the powder out of a fireball. With an axe.  
His body's in the big pit.

QUEEN MARY

(to DOCTOR)

You said no Modoc would die. These rocks no longer protect us.

SCARFACE

Anyone who wants to make noise at the bluecoats, come with me.

SCARFACE goes, followed by HOOKER  
and BOGUS.

CAPTAIN JACK

Whoever wants to walk out of here now, come with me. We're going to head up the canyon near Willow Creek. We'd better be careful no one gets hurt or lost.

CAPTAIN JACK leaves with QUEEN MARY  
and LIZZIE. To the sounds of mortar  
shells and howling, DOCTOR speaks  
to his spirit.

CURLY HEADED DOCTOR

Where are you, my power?  
Why do you not come?  
My heart dries up.  
I cannot get rid of this bitterness.

Through the wind I call you.  
Answer my heart.  
I run down the mountain  
like howling wind.

Where are you, my power?  
I am a head only.  
I remember everything  
But know not what to do.

DOCTOR goes. HOOKER and BOGUS  
enter.

BOGUS CHARLEY

What are you going to do?

HOOKER JIM

We can't stay here. Now that we killed that general-

BOGUS CHARLEY

We didn't do it. Kintpuash killed him. Our leader made us do it.

HOOKER JIM

Why do you speak like that?

BOGUS CHARLEY

The bluecoats want his head. They will need trackers to find him.

HOOKER JIM

Are you not a warrior?

BOGUS CHARLEY

Mowatocknie can do nothing for us. Bluecoats can save our lives.

HOOKER JIM

Bluecoats will hang us high for what we've done.

BOGUS CHARLEY

Remember what Miller said? Their people do what people on top of them say. The general's death is what they care about now. They'll hang Kintpuash for killing Canby. And they'll help us if we turn him in. You'll see. We pay their price and they'll let us live.

HOOKER JIM

I will fight and die.

BOGUS CHARLEY

I followed you to Lost River. I will not follow you this time.

HOOKER JIM

Bluecoats will be here soon. You do what you want.

HOOKER goes. Hearing SOLDIERS nearby, BOGUS follows him.

SCENE THREE

SOLDIERS ENTER THE STRONGHOLD.

VOICES

Watch out! Do you see them? Careful, they might be in ambush. Look out! Hold your fire, it's me. Stay where we can see you, stupid ass!

BOUTELLE

They're not playing possum. They're gone. Not an Indian in sight.

GREEN

The Stronghold is ours. Take that weird stick with feathers down. No, wait.

SMILEY

Don't that beat the Devil and the Dutch?

GREEN ties a flag to the medicine stick.

MAC

Those Indians sure are superstitious.

GREEN

Let's hear it: For General Canby and the flag!

SOLDIERS

For General Canby and the flag!

GREEN

Remember General Canby!

SOLDIERS

Remember General Canby!

BOUTELLE

This is his victory.

GREEN

Where do you think they went?

SVENSON

You don't suppose they're in one of those lava tubes?

MAC

Those things have no way out. They're not fools.

GREEN

I bet they're still in the lavabeds. Tell Captain Matson to lead E Company southwest to that butte to see if there's any sign of them.

BOUTELLE

Yes, sir.

GREEN

I'll set up camp here. Last thing we want is to let them back between these walls. Cochise would still be fighting if he had this place. I chased Apaches all through Arizona, but this whacks anything I ever saw.

SCENE FOUR

THE LAVABEDS. SOUNDS OF BATTLE.  
PRIVATE MACFARLAND IS ON WATCH.

MAC

In truth it is a gallant sight  
To see a thousand men of might  
With guns and cannon, day and night  
Bombard a band of Indians.

For every foot of lavabed  
We throw a pound of hissing lead  
A ton for every Modoc head  
We blast in battery

God bless us if we kill them all  
The men and women, great and small  
And not a babe is left to squall  
Its hatred of our victory

For we're the true Americans  
Inheritors of all that's grand  
We've conquered Freedom's native land  
O say, can you see?

SMILEY

(enters)

E Company's going to need some help.

MAC

I hear they encountered the savages.

SMILEY

Warriors were at the butte waiting in ambush. One of our men got away.

MAC

One man? And the rest?

SMILEY

Dead or wounded.

MAC

Bloody hell!

SMILEY

I've got to report to the lieutenant. You're on extended watch.

MAC

Sounds like the Army is deserting me. I always thought it would be the other way around.

SMILEY

Here's extra ammunition. Look carefully by the big pit. They might come back for the cattle they stole.

MAC

Don't you worry. They won't steal any cows out from under me.

SMILEY exits.

MAC

Chief Captain Jack got off his back  
And let the Modocs through a crack  
And now they're making rapid tracks  
Across the lava flow

The Army saved the day again  
The night belongs to Modoc men  
And now there is no telling when  
The savages will show

At least we've got them on the run  
And soon the rule of ball and gun  
Will make the Modoc Indian  
Submit to state control

For we're the true Americans  
Inheritors of all that's grand  
We'll conquer Freedom's native land  
O say can you see?

For we're the true Americans  
Inheritors of all that's grand

We'll conquer Freedom's native land  
The home of the braves!

SCENE FIVE

ARMY FIELD HEADQUARTERS

APPLEGATE

Look at this headline, Colonel: ARMY ROUTED, MODOCS STILL AT  
LARGE.

GREEN

We lost one-

APPLEGATE

Never have I known such an ignominious enterprise.

GREEN

We lost one company on reconnaissance, a terrible loss, but  
there was no rout of the Army, I can assure you-

APPLEGATE

It's been six months and a half million dollars, and you have  
lost sixty lives, including General Canby, while the Modocs  
have the run of the countryside. If this goes on much longer,  
we will have a conflagration to contend with, an Indian  
uprising throughout the Northwest.

GREEN

Don't worry, Applegate. The Modocs have won every battle, but  
they'll lose the war. They can't keep hiding, feed all those  
people, and fight at the same time.

APPLEGATE

Indians are used to living on little food.

GREEN

Had you fed them adequately, they would still be at Klamath  
Agency, and none of those lives-

APPLEGATE

Now that you have so brilliantly dispersed them into the  
hills, they are surely dining with the Paiutes and the Pit  
Rivers.

GREEN

Those scattered tribes won't unite any more than the Chinese  
will join the Mexicans in the Sacramento Valley. Even within  
each tribe there are factions.



APPLEGATE

Why aren't your Indian scouts tracking them down?

GREEN

They tracked them into the mountains. But some warriors fired on them and made them retreat. I have complete confidence in my scouts, but it will take time.

APPLEGATE

We don't have time! Don't you realize, men are reading about the martyr General Canby and that cunning warrior Captain Jack every week, and not just in San Francisco. There are correspondents here from London and New York.

GREEN

They're on me like flies.

APPLEGATE

The story of this war is going around the world. How do you think that looks in the halls of the War Department, in the White House? Do you think your superiors are saying, don't worry, we'll win the war? Do you think President Grant is touting the success of his peace policy? Colonel, if you don't bring this war to an immediate and successful conclusion-

BOUTELLE enters with HOOKER and BOGUS.

BOUTELLE

They want a word with you, Colonel.

SCENE SIX

IN THE MOUNTAINS NORTH OF THE LAVABEDS.

LIZZIE

Listen: water. We're near Willow Creek.

QUEEN MARY

When we reach the canyon of many caves, we can rest.

LIZZIE

There's roots and piñon seeds there. We haven't had piñon seeds for a long time.

SCARFACE enters with ROCK DAVE

QUEEN MARY

You got here quickly, cousin.

SCARFACE

We hurried after you.

CAPTAIN JACK

(enters)

Is everyone with you? Was anyone caught or killed?

LIZZIE

Doctor went off on his own.

SCARFACE

What about Hooker and Bogus?

QUEEN MARY

Aren't they with you?

ROCK DAVE

Let's go into the canyon.

SCARFACE

Who's covering the trail?

HOOKER JIM

(enters with BOGUS CHARLEY)

The bluecoats say they won't hurt us if we make peace.

CAPTAIN JACK

Make peace! You made me kill General Canby. Now you talk like him.

BOGUS CHARLEY

We are protecting our people.

QUEEN MARY

You have turned on us, bird-hearted men!

LIZZIE

May dogshit cling nastily to you!

BOGUS CHARLEY

Be glad we have not left this work to the bluecoats. You still have a chance to live if you do the right thing.

CAPTAIN JACK

I am no fool. Your word is as crooked as theirs. I could have given you up. But I would not betray my men. And now you are slaves for the bluecoats!

HOOKER JIM

That is no way to talk to your friends.

CAPTAIN JACK

Sometimes a man gets blind and shoots his friends. But I am not blind today.

BOUTELLE

(BOUTELLE enters, his rifle  
aimed at CAPTAIN JACK)

Surrender, Jack, and no one will get hurt.

CAPTAIN JACK

Starving to death hurts plenty. A bullet kills quick.

ACT FIVE

SCENE ONE

THE TRIBUNAL ROOM. THE JUDGE-  
ADVOCATE ENTERS.

GREEN

Are you ready to wrap it up?

JUDGE-ADVOCATE

We have one more witness.

GREEN

There is no other witness.

JUDGE-ADVOCATE

Colonel, we don't want the non-hostile Indians in camp to think our legal procedures are a mask for naked force.

GREEN

Who will you put on the stand?

JUDGE-ADVOCATE

One of their own.

HASBROUCK

All rise. Everyone rise.

JUDGE-ADVOCATE

This session will come to order. Bring the prisoner in.

A GUARD brings CAPTAIN JACK into  
court.

JUDGE-ADVOCATE

I now call our next witness to the stand. Come forward,  
Hooker Jim.

CAPTAIN JACK

Now you come to talk against me. I see you're learning to be  
Boshtin.

JUDGE-ADVOCATE

If the prisoner does not hold his peace, he will have to  
leave the courtroom.

CAPTAIN JACK

Dear are his kin, but nearer is his neck.

JUDGE-ADVOCATE

Guard!

CAPTAIN JACK

I'll hold my peace. I've been holding it a long time.

JUDGE-ADVOCATE

Step forward, Hooker Jim. Help him with the oath, Captain.

HOOKER looks puzzled as CAPTAIN  
HASBROUCK puts his left hand on the  
Bible.

JUDGE-ADVOCATE

Do you promise to tell the truth, the whole truth, and  
nothing but the truth, so help you God?

HASBROUCK

Say, 'I do.'

CAPTAIN JACK

Watch out. That's what Boshtin say when they get married.

JUDGE-ADVOCATE

I won't warn you again, Captain Jack. If you want an opportunity to speak, you will be recognized in due course, but not before. Let the witness be informed that the oath, which is required by law, ensures the truthfulness of testimony. With the left hand one swears on the Book because the Book was written by the Great Spirit who watches you and will punish you if you do not tell the truth. With the right hand one swears before the law because the law is also watching you and will punish you if you perjure yourself. Is that clear? Now you must swear.

HASBROUCK

Swear!

HOOKER JIM

God damn it!

HASBROUCK

Say, 'I swear.'

HOOKER JIM

Okay.

JUDGE-ADVOCATE

Good. You will now answer truthfully the following questions. What is your name?

HOOKER JIM

Hooker Jim.

JUDGE-ADVOCATE

Very good. Were you present when General Canby was killed?

HOOKER JIM

Yes.

JUDGE-ADVOCATE

Did you know that he and the other Peace Commissioners were to be killed?

HOOKER JIM

Yes.

JUDGE-ADVOCATE

How did you know that the Peace Commissioners were to be killed?

HOOKER JIM

I heard Captain Jack talking about it.

JUDGE-ADVOCATE

Where were you when you heard this?

HOOKER JIM

At Captain Jack's cave in the Stronghold.

JUDGE-ADVOCATE

And you heard Captain Jack advocate the killing of the Peace Commissioners?

HOOKER JIM

Yes.

JUDGE-ADVOCATE

That is all. The witness may step down.

CAPTAIN JACK

I have questions for him. Why did you force me to kill Canby? Why did you hunt me down?

JUDGE-ADVOCATE

Captain Jack-

CAPTAIN JACK

Why do you give him freedom for treachery?

JUDGE-ADVOCATE

Captain Jack, the case against you has been presented in full. You have the right to speak if you choose to do so.

CAPTAIN JACK

No white man can say I objected to their coming to my country. I was always willing to let them live here. When I was young I considered myself the same as a white man and had a few friends who gave me passes and good advice. But my white friends are not here today. I have always dealt upright and honest with everybody. When soldiers came to Lost River and started the fight, I did not know why they were mad at me. After the attack I went into the lavabeds. I did not think Hooker and Bogus would kill settlers when they went around the lake. I never told them to kill anyone. They wanted to fight white people, not me. I am not like one of your leaders who makes his men do what he says. My people would not listen to me. Yes, I shot Canby. I was forced to do it by those men who gave themselves up and ran me down.

I see no crime in my heart. I thought I would die fighting you. You drove me from mountain to valley, from valley to mountain like a wounded deer. Now you got me here. Do not treat my young people badly because of what I did. The government ought to care for my young people. See the good land and the size of the country you have taken away from us. If I wanted to talk more I could open the eyes of all of you to the murders of our people by white men. Not one man was ever punished for those killings. You can shoot any Indian any time you want to whether we are at war or living in peace. I charge you with murder, not once but many times. When Ben Wright killed over forty of my people, he was praised for his crime. We were holding a peace meeting, and he killed all those people, my father was one of them, and Boshtin in Yreka gave Wright a fine dinner and a big dance in his honor and named him Indian Agent. Now here I am. Killed one man who was pretending to talk peace with me. My own warriors forced me to do it, I did not want to. The law says, hang him. He is nothing but an Indian anyhow. We can kill them any time for nothing, but this one has done something, so let him hang. I see that I have no chance. My days are gone. So now I quit talking.

SCENE TWO

A DRUMBEAT BEGINS. CAPTAIN JACK IS LED TO THE GALLOWS. SOLDIERS FORCE THE MODOCS TO WITNESS HIS EXECUTION. APPLGATE, MEACHAM, AND GREEN ARE AMONG THE SPECTATORS.

APPLGATE

Congratulations, Colonel.

GREEN

We fought hard for this day.

APPLGATE

Especially you. It's not official yet, but you're up for a Congressional Medal of Honor.

GREEN

I'm overwhelmed!

MEACHAM

Congratulations! This is a great day for all of us, a red-letter day as it were. May History record that from this time forth we had peace with the Indian.

APPLEGATE

Yes, I think the other tribes will see the writing on the wall.

MEACHAM

I hear they're going to be marched to the train station.

GREEN

President Grant has ordered that the Modocs be scattered, their name no longer heard. By merging their members into other tribes we intend to extinguish their so-called national existence and teach the other hostiles a lesson.

MEACHAM

Too bad it has to be this way. Poor devils.

APPLEGATE

People naturally have human sympathy with the savages, especially when they live far away from them. Considering what you've been through, Meacham, your feelings are especially admirable. We need sympathy, God knows, but channeled in the right direction. We must win public opinion to the justness of our cause.

GREEN

That's right. The people here would murder every Modoc if we let them. There is only one way to make peace, Meacham. Only one way.

SCENE THREE

AS CAPTAIN JACK REACHES THE FOOT OF  
THE GALLOWS, A CHAPLAIN MEETS HIM.

CHAPLAIN

Christ came for his red children as well as for his white children, Captain Jack. If they refuse to accept Him, the Great Spirit will send them to a bad place. But Jack, you need not fear to die. I believe that you are going to a good place.

CAPTAIN JACK

Is that so?

CHAPLAIN

If you accept Christ as your Savior, you will never want for anything. God will provide.



CAPTAIN JACK

Do you like your heaven, preacherman?

CHAPLAIN

Oh yes, it is beautiful.

CAPTAIN JACK

I tell you what: you can take my place.

CHAPLAIN

Oh no, I couldn't!

CAPTAIN JACK

Yes you could. Go for me to your good place and I will give you twenty head of horses to go with you. I don't want to die today.

CHAPLAIN

My time will come soon enough, Jack. Peace be with you.

A soldier places CAPTAIN JACK on  
the scaffold.

CHAPLAIN

Our Father who art in heaven, hallowed be thy name. Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation but deliver us from evil, for Thine is the kingdom and the power and the glory for ever and ever. Amen.

CAPTAIN JACK is hanged. The funereal drumbeat resumes as soldiers march the MODOCS, who are chained, offstage.