

**DIE A D  
SUBJECT  
SO LO MON  
DIE P**



Perpetual  
Imagination

A Mystery Thriller in One Act



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DEAD SUBJECT  
A Mystery in One Act  
For Four Actors

By Solomon Deep

Dead Subject

A Mystery in One Act

By Solomon Deep

DRAMATIS PERSONAE

Dirk Binder - Photographer

Officer Harry Culpepper - Homicide Detective

Officer Carl Wallace - Homicide Detective (Victim)

Dr. Jacob Hill - City Coroner

SETTING

A MURDER VICTIM is on the floor of a living room apartment with a sheet over his torso and head. DIRK BINDER, a photographer, is taking pictures and laying down index cards with numbers. This is the scene of a murder, and there is a heavy solemnity in the air. It is sometime between the 1950s through the late 1970s.

The murder victim is wearing heavy dirty steelworker overalls. There is a sleever bar on the floor next to him, the apparent implement of the crime.

DIRK BINDER is a bit lanky but could be played by anyone 20-50. Should be physically unimposing, but mentally solid as steel. Binder should not come off as arrogant, but rather calculated and sly, with an intelligence slightly beyond the audience's grasp. His flashbulb is blinding and lights up the entire room when he takes a shot, and he carries the tools of a crime photographer - evidence cards with numbers, scale ruler, etc. As a production note, it isn't necessary, but it would be striking to have some kind of wireless memory card setup or separate projected slideshow where the photos he takes could be edited on the fly and projected on a screen on stage above the actors in a grainy noir manner.

DR. JACOB HILL, medical examiner, enters the room while Binder works. He imposing in the room; old, experienced, and knows the drill. He stands near the door still wearing his coat. He has the attitude of only being in the room momentarily.

The VICTIM is surrounded by a chalk outline. He has a WALLET

with a license, union card, and fifty dollars. There is a COAT RACK with a heavy pocketed coat. There is a SIDEBBOARD with a rotary telephone.

BINDER

(working)

Well, Officer Wallace is here somewhere...I just need to place the tags and get these shots in before anyone disturbs the crime scene.

HILL

I can come back in, what? Twenty minutes?

BINDER

That should be perfect. I think you were a little early anyway; I still have a lot of shots to take before anything can get moved. Thank you, Dr. Hill.

HILL

(on his way out)

Don't mention it.

BINDER

Have a good night if I don't see you.

HILL

You too Binder, thanks.

Binder turns and contemplates the body for a moment, but then continues placing tags and taking photos once he hears someone coming. He may also have a ruler that he places on the scene to measure composition and relative size.

A door opens and in walks OFFICER HARRY CULPEPPER, homicide detective. He is a brash, cliché murder cop from the noir rags, but seems to only be acting the part. Underneath he is a greasy, insecure man. At first he should appear to be arrogant and intimidating, but as the act wears on the veneer begins to show cracks in his personality. By the end of the scene, he should still be so incapable of the self-realization that he still can't believe what is happening. He walks in as if he was in the middle of a sentence, addressing Binder.

CULPEPPER

...Unlike most photographers, it's probably pretty easy when they're already posed for you.

BINDER

Yeah, they're like taking Latin.

CULPEPPER

How's that?

BINDER

Dead subjects.

Culpepper shakes his head in reaction to the bad joke. He walks to victim.

CULPEPPER

What do we got here, Dirk?

BINDER

Middle aged man, rough around the edges. Seems to me to be pretty obvious what happened - someone was in here already, there was an argument, this fellow was knocked over the head with that thing right there, and whammo, see ya later, Susan.

CULPEPPER

(Approaches and examines  
sleever bar)

Hmm. A sleever.

BINDER

Yeah. Is that some kinda tool?

CULPEPPER

No, it is a sleever bar. Builders - iron workers - use it when they are placing steel beams for buildings to help align them. The crane lowers it from the air, and this has a few jobs from aligning rivet holes to working as a pivot.

BINDER

I see.

CULPEPPER

So we have the tool and we have the victim. What do we have from the coroner?

BINDER

Nothing yet - he was in here looking for Wallace a little while ago. You just missed him.

CULPEPPER

Hmm...

Culpepper moves to examine face of victim's head, and Binder shoots the camera from his hip with a bright flash.

BINDER

(shooting camera from hip as  
Cul. touches sheet)

Don't... I... Still working through the crime scene - almost done. I have everything but the spatters around the head, the head, and this side of the room, if you want to worry about that end.

Binder gestures toward the victim's feet and the stage left side of the room. Culpepper retrieves the victim's wallet from the front pocket of his overalls without moving the sheet.

CULPEPPER

(kneeling, examining wallet  
and contents)

What do we have here... Fifty dollars cash. This wasn't a robbery. Driver's license lists a Henry Alexander Bartlett, age forty one, Bridgeport Boulevard... Blue collar guy, middle class part of town. One membership card for the British American Club, and one union card for Ironworkers local sixteen. Well, that's interesting.

BINDER

Why's that?

CULPEPPER

(still examining wallet)

Today's paper - there was an article about a big vote today. Union president was up, and it was something about Chuck Paulson - the incumbent - being too buddy-buddy with the local politicians and businesspeople. He was getting a lot of guff from his own men about the failed strike and the working conditions constantly going down without a fight. There were two people up as contenders, I don't remember their names, but they were old school. Violence and fireworks and 'no, no, no.'

BINDER

That makes sense. What happened with the strike?

CULPEPPER

What happens with all failed strikes? Scabs, and the building kept getting built regardless of the workers pacing outside and throwing tomatoes at the pieces of trash that came in to do their work for half as much. It starts with tomatoes, but with the right president the tomatoes sometimes get a little hard and turn into bricks. I'll tell you what, though. When that building falls down it isn't the Ironworkers problem. Did Wallace say anything when he was here?

BINDER

Not really. He was down, but...

(frustrated)

Wanted me to get my job done, first.

Culpepper gives a "what can you do, I got a job to do, too" sort of shrug and moves to the sideboard where there is a telephone and puts the wallet down.

BINDER

He is in a rare mood today. He's having a hard time with his wife.

CULPEPPER

I get that.

BINDER

(accusingly, suspicious)

How so?

CULPEPPER

Don't we all?

BINDER

You ain't married, detective.

CULPEPPER

Exactly.

There is a pause, and Culpepper turns his attention to the telephone and picks it up. Binder continues to take photos.

CULPEPPER

(looking at the wallet)

Dispatch? Culpepper 429. Listen, I am going to need a ten forty-three - whatever you can give me - on a Henry Alexander Bartlett, forty-one, Bridegeport Boulevard. Investigating crime scene and I can call back in a little while. Oh, you will? Okay.

(Looking at number on phone)

Wildwood 5-6-2-8... Thanks, dispatch.

Culpepper hangs up. He places the wallet on the sideboard.

CULPEPPER

Okay, so we have a crime scene, a victim, identity, and affiliations. We just need to figure out the motive and why he was here.

BINDER

When Wallace and I got here, he asked the doorman about that. This is a by-the-hour kinda roach motel. Think there was static at home, or he was doing a little bit on the side?

CULPEPPER

I don't think so. That's just a myth.

BINDER

Is it?

CULPEPPER

Who actually does that? I have seen people fooling around on their wives in cars, in serious hotels, hell, even in their own beds, but only drug fiends and whores use places like this.

BINDER

You've 'seen'? The way you talk about women-

CULPEPPER

I've been in this business long enough to see a lot of things. You're right... I've also not been the most considerate gentleman with women,...but neither me nor any cuckolds I'm aware of sinks this low. The ladies won't have it.

BINDER

I'm sure they appreciate that. Nice to know.

CULPEPPER

I'm also forgetting about guys that are coming into town for the first time, but that's not the case with this guy. You could walk to his house from here without breaking a sweat...Hmm...

Culpepper examines something, Binder photographs. Culpepper changes his focus and walks to the coat rack.

CULPEPPER

You get this stuff yet?

BINDER

Yeah, I got that whole side of the room.

The PHONE RINGS. Culpepper returns to the sideboard and lifts the receiver.

CULPEPPER

(on phone)

Yup. Culpepper, here. Anything on Bartlett? Dead? Oh. Still, nothing from the wife since? I see. Yup. Yup. Can you give me - okay,

(writing in a small notebook)

Cindy Bartlett. Any kids or anything? Okay. Okay, thanks.

(To Binder, hanging up)

Dispatch says Bartlett has been missing for six months and was seen in the hospital with a handful of other guys when the Crown Street riot happened.

Culpepper walks over to the wallet on the sideboard. He removes the union card.

BINDER

Crown Street riot?

CULPEPPER

Yeah. That's the riot that happened when the scabs crossed the picket lines with that truck that carried a bunch of other workers into the construction site. The union guys beat them to hell - wouldn't let 'em in. No witnesses, no problems at all, unsurprisingly.

BINDER

I remember that.

CULPEPPER

(frustrated)

This doesn't make any sense though. I didn't notice it at first, but this union card expired a month and a half ago.

BINDER

It does if he got laid off and... Wait, weren't you just saying this happened a few months ago?

CULPEPPER

Yeah.

BINDER

(thinking)

What if he was one of the scabs?

CULPEPPER

That's an idea. Okay, so he's fired,  
and then loses his union membership  
when his dues lapse, and then what?  
He's a scab because he just needs to  
work, and then... He disappears?

BINDER

He disappears.

CULPEPPER

His wife?

BINDER

What about her?

CULPEPPER

People who disappear don't have  
families and people who love them.  
Wives and families start to wonder  
things.

BINDER

(accusatory, Culpepper doesn't  
notice)

They do, huh?

(back to analyzing)

Wouldn't that be consistent with a  
bunch of muscle pushing you around for  
stealing work?

CULPEPPER

I guess, but we need more than that.

Culpepper's attention moves back to the coat.

CULPEPPER

Well, let's see.

He finds a CRUMPLED BIRTHDAY CARD.

CULPEPPER

It's a birthday card, all messed up.  
Apparently this bloke didn't like  
birthday cards.

BINDER

I didn't know it was your birthday?

CULPEPPER

Yeah, hah. Last week, buddy. Not much  
on here, except the greeting, 'hope you  
have a grand slam birthday, love  
Wanda.'

(looking to body)

Naughty boy, Mr. Bartlett. Your wife's  
name is Cindy. Know any Wandas, Binder?

BINDER

Isn't Wallace's wife named Wanda?

CULPEPPER

Wanda Wallace. I think you're right.  
Can't forget a name like that. Can't  
forget a rack like that, can ya?

BINDER

That good?

CULPEPPER

Hey, she might be married, but that  
ring doesn't make my eyes stop working.

BINDER

That ring doesn't stop a lot of things  
with a lot of people.

CULPEPPER

Hey, wise guy, if she was here right  
now you'd be ogling her as much as I  
would be.

BINDER

Never seen her - but if she's as much  
trouble as Wallace is making her sound,  
no thank you.

CULPEPPER

Yeah, I guess I always had a thing for the crazy type. It's in my DNA. Maybe I got it from my mother, who knows. Anyway, we have this card...

BINDER

Yeah, but I don't think it means anything. Could be his sister, or his great aunt; heck, it could be for you from Wallace's old lady, but-

CULPEPPER

(in an instant rage)

-What the hell are you saying man?

BINDER

(satisfied, yet defensive)

I was just making a joke. What the heck are you so upset about all of a sudden?

CULPEPPER

(regaining composure)

It just makes no sense. Why would a card to me be in this idiot's jacket, right? Get your head straight.

(refocusing)

Okay so we have the stiff murdered because he was a scab. Murdered with the tool of the trade. Nothing new. Great. We have motive. Now, who, when, and why here?

BINDER

Well, just some union thugs?

CULPEPPER

Let's take a look at the weapon. Did you take all your pictures of that? Mind if I dust?

BINDER

All set. Be my guest.

Culpepper takes out a dusting kit and goes to work. They talk while they both continue working.

CULPEPPER

I suppose we can see how many union thugs were touching this thing.

Culpepper dusts the bar quickly.

CULPEPPER

Huh... Huh! Well, it looks like we just have one killer.

BINDER

That's promising, right?

CULPEPPER

Well, that, or it goes against what we thought about the union if there was a scuffle. Maybe there was no scuffle, I mean - wait.

He points at the center of the sleever bar.

CULPEPPER

That's where most of the prints are, so...

A lightbulb goes off, and he rips a slip of paper off his pad and colors in the finger of the victim and presses it.

BINDER

What are you doing?

CULPEPPER

Oh - you got these shots, right?

BINDER

Yeah.

CULPEPPER

Just a dumb thought, right off the bat.

Culpepper takes out a magnifying glass and holds the paper up to the sleever bar at various points, comparing.

CULPEPPER

Just as I thought. This is his sleever bar. Looks like our victim smashed his own head in with it.

BINDER

That makes no sense.

CULPEPPER

No kidding. Well, it makes perfect sense, it is Bartlett here's sleever bar. But he hasn't worked in months and he certainly wasn't using it today.

BINDER

Circumstantial?

CULPEPPER

Apparently. Or, if it was used, how?... Can I take a look at the head now?

BINDER

(sort of stalling)

Uh, well... I haven't quite gotten any shots of that, yet. I was waiting until... Well, now is-

CULPEPPER

Spit it out.

BINDER

Now is a good a time as any, I guess. Could you take the shroud off and I'll take some shots?

CULPEPPER

(removing shroud)

Yeah. Jeez Binder, you do this everyday, you'd think this would get easi-

(sees face)

That is ghastly. His face is frozen in bracing himself for the hit or something. I see how you feel.

Binder takes shots, nervously. Culpepper tilts his head.

CULPEPPER

You know, this guy looks... This guy looks a little like Wallace.

BINDER  
(very nervous)  
He does?

CULPEPPER  
Yeah...If Wallace was having a bowel  
movement and his head covered in blood,  
this would be exactly what he looks  
like, heh.

BINDER  
I don't see it.

CULPEPPER  
Yeah, well, that's because you're  
freaked out and can't take a joke. Make  
a print of this for me so I can tease  
Wallace with it - or play a practical  
joke on his wife or something.

BINDER  
When would you do that?

CULPEPPER  
What?

BINDER  
Play a joke on his wife?

CULPEPPER  
(nervously - removing shroud)  
I don't know. I would somehow. It would  
be worth it.

BINDER  
Oh.

CULPEPPER  
What is your obsession with Wallace and  
his wife, huh? When I came in, you  
didn't say a word about where he went,  
how long he would be gone - he isn't  
back yet - and all you mentioned was  
that he left and was having a fight  
with his wife like every other guy in  
the universe. Hell, he is probably out  
screwing one of the fine ladies of  
sixteenth street in this here hovel and

CULPEPPER

(continued)

got the doorman to give him an extra key for the investigation. Can't blame the guy, can ya? He probably doesn't even have to pay the whore and it is a charitable gift for all I know.

BINDER

For all you know? You seem to know a lot more about it than I do.

CULPEPPER

I don't have to tell you, the guy is as fruity as a Christmas cake, extra nuts - and he doesn't care for her, and that's why she gives him such a hard time.

BINDER

How do you know that?

CULPEPPER

(nervous, frustrated)

Nights at the bar with him, I don't know. I just-

(obviously change subject)

Let's work.

BINDER

Okay... Okay.

Culpepper kneels down and examines head, grabs jaw and moves from side to side.

CULPEPPER

(removes hand and looks at it)

That's strange.

BINDER

What?

CULPEPPER

You hot?

BINDER

Yeah...

CULPEPPER

Me too. My hands are sweaty or something.

Back to the body, Culpepper wipes his hand on his slacks and examines the head.

CULPEPPER

No obvious sign of contusions or anything, but I have seen the right hit knock a guy at the base of the skull where it meets the neck, right here  
(illustrating with his hand)  
and the guy is dead in an instant.

He feels around behind the neck.

CULPEPPER

Boy this guy is stiff. This must have happened in the last twelve hours...  
(feeling around behind neck)  
Yeah, this part moves and feels pebbly, so with the rigor mortis set and this part stiff and the other parts malleable, I can only guess he was clocked here from behind and killed with blunt force to the base of the skull. I'm still not sure about the weapon, though.

He gets up and walks back to the sleever bar.

CULPEPPER

This could have done it, but maybe a different one. Maybe there are a bunch of guys after him. Union guys. They tell them to meet him up here, and then confront him. All of them with sleevevers, and the guy behind him whacks him when he gives a wrong answer or something. Whammo! and they're out of here. That might explain that his name isn't in the register, but...

BINDER

What?

CULPEPPER

No one uses their real name, and the door man has no recollection of who came in.

BINDER

They never do.

CULPEPPER

You got that right. Well, Dr. Hill will be back any minute and can give a cause of death on the certificate, and I will file the report as unsolved, but obvious what happened - union dispute - and they'll get the guys when the guys get caught heavy handing some other scab, lock them up with twenty murders on their heads, and frankly I don't give a damn.

BINDER

Seems reasonable to me.

CULPEPPER

I just can't believe how much this guy looks like Wallace. I wonder if this Cindy looks like Wallace's wife, as well? A single man like me, with a few miles on the odometer, well I think I could move in on her after explaining how he unfortunately shuffled off this mortal coil.

BINDER

You're a real scumbag, Culpepper.

CULPEPPER

Yeah, well, you'd do it too.

BINDER

I suppose I would have my way with Wallace's wife if given the opportunity, sure.

CULPEPPER

(Nostalgic reflection)  
See? We're all the same.

BINDER

But I guess the difference is I  
wouldn't actually do it.

Culpepper starts checking the other pockets of the body. He  
takes out few incidental items and puts them on the floor  
haphazardly. Jackknife, key wallet, period articles.

CULPEPPER

Well, so what? So what if some guy did?  
We are animals living in a cage. We  
need a little happiness. This wife of  
his is frigid in his hands because he  
probably doesn't take care of her and  
they live their little boring lives,  
and when they are apart that woman  
turns into the wildest minx who could  
break you in half, if you know what I  
mean. All the whi-

He takes out a photograph from the pocket. He turns white.

BINDER

What is it?

CULPEPPER

It's a picture.

BINDER

Of what?

CULPEPPER

(slowly)

Two people.

BINDER

Who are the two people?

CULPEPPER

One looks like... One looks like  
Wallace's wife, and one...

BINDER

Yeah?

Culpepper shoves the picture into his pocket.

BINDER

You can't do that!

CULPEPPER

The hell I can, no one should see this.  
(to the corpse)  
How did you get this, huh? What kinda  
game is this?

BINDER

Take it easy, Culpepper

CULPEPPER

(shouting at corpse)  
Who took this, huh? What kinda union  
racket is this, huh? Is this some kind  
of reverse blackmail or something? Some  
kind of sick joke?

Culpepper slaps the stiff.

CULPEPPER

Tell me! Wipe that terrible face and  
tell me.

BINDER

Who is in the picture, Culpepper?

CULPEPPER

I am, okay? I am and I am ramming  
Wallace's wife. He can't take care of  
her, and I give her the tiniest bit of  
pleasure on this earth. He has no idea.  
He has no idea about it and no harm in  
working out what it is like to do  
something that helps deal with this  
terrible life. Her terrible, miserable  
life and marriage.

(to Binder)

Binder, I'll kill you if you mention  
one word of this to anyone.

BINDER

Who do you think took that picture,  
Culpepper?

CULPEPPER

You? Why?

BINDER

I've been following you two for weeks,  
every chance I got.

CULPEPPER

Why?!

BINDER

Because it isn't right. None of it is.  
It is all a game to you, just playing  
with people's lives like it is nothing.

Culpepper gets up and gets in Binder's face.

CULPEPPER

Who paid you to say that?

BINDER

Who do you think? Same person who paid  
me for the pictures. You're a piece of  
trash, Culpepper, and it's time to take  
out the garbage.

CULPEPPER

What the hell are you saying?

BINDER

I am saying everything Wallace hasn't  
said up to this point. At first he  
hired me to find out what was going on  
- on my own time, of course. Between  
snapping stiffs for my paycheck, I  
followed you around and snapped some  
stiffs for fun, so to speak. I followed  
you to their house, to the Italian  
restaurant where you had some nice  
passionate dinners, to the rat motel  
next to the highway which I just  
learned you apparently consider to be a  
fine establishment of romantic  
reputation. My camera and I have been  
on every one of your adventures. We've  
been there for the first, and we'll be  
there for the last.

CULPEPPER

The last! What are you talking about?

BINDER

What do you think, do you think that all of this is for show? A forgotten room on the forgotten side of town way outside your jurisdiction? What were you doing here, Culpepper? Shooting up drugs? Catching a quickie? It would be unfortunate for anything to happen to you, wouldn't it?

CULPEPPER

You ain't doing nothing, string bean. Besides, people would look for me.

BINDER

Who? Wendy Wallace? Cindy Bartlett?

CULPEPPER

Who is Cindy Bartlett?

BINDER

This stiff's wife who hasn't seen her husband in six months.

CULPEPPER

Well, now she's got him.

BINDER

(ironic sorry)

Yeah... Unfortunately, his face was too messed up for an open casket.

CULPEPPER

What?

BINDER

He got mixed up in something real bad.

CULPEPPER

(feeling cornered)

You're crazy. Wait till the sergeant hears about this.

Binder steps forward, Culpepper steps back, almost on to the body. Binder is between Culpepper and the door.

BINDER

Oh, he'll hear about it. He won't be hearing about the affair, though.

CULPEPPER

You got that straight.

Culpepper starts fiddling with a gun from a holster under his arm.

BINDER

You'll just have disappeared after seeing this murder. Work is over, no call, no show. Done. You're done. Wallace will have submitted a great crime scene report on poor Bartlett here-

CULPEPPER

Wallace isn't here.

BINDER

He's here -and I will accidentally ruin some of the negatives. It happens, and to mess up such a low profile case's photos after twenty years without a mistake, well, I won't even get a slap on the wrist.

Culpepper pulls out his gun, and points it at Binder.

CULPEPPER

What is all of this about?

BINDER

(fearlessly)

It's about my friend, and it's about what's right. You ruined Wallace's marriage because you were screwing around with his wife. Now, it's time to pay up.

CULPEPPER

Outta my way.

BINDER

Not a chance.

Culpepper starts walking toward the door, hastily.

CULPEPPER

Well, you don't have a choice. I'm out  
of here.

Binder steps in front of him.

BINDER

Wait.

CULPEPPER

What? Last chance to start making sense  
Binder.

Binder lifts his camera up, and as he does, the BODY COMES ALIVE  
behind Culpepper and raises the sleeve bar. It is WALLACE.  
Music begins.

BINDER

Smile!

Wallace makes a sound behind Culpepper as he's standing up, and  
Culpepper spins around.

CULPEPPER

Wallace!

BLACKOUT.

MUSIC in crescendo.

The following is seen in snippets with the flash from Binder's  
camera.

Image: Wallace slamming the sleeve bar into Culpepper's head.

Image: Culpepper on floor, Wallace slamming sleeve bar into  
Culpepper's face (his face needs to be unrecognizable to the  
characters examining him).

Image: Wallace dragging the body to match crime scene.

Image: Wallace changing out of coveralls and putting them on  
Culpepper's body.

Image: Wallace putting sheet over Culpepper's head.

Quickly during the blackout, Culpepper puts on Wallace's coveralls and lays under the sheet. There should be no indication that this man is a police officer. Under Wallace's coveralls was a police uniform, and they essentially switch places and roles now that Culpepper is dead. On the reverse side of the sheet should be blood, so when the switch happens the scene should also look slightly different. The sleever bar is in the exact same position as before. The chalk outline is also there, but it should be a little bit shorter or out of place in relation to the new victim. Actor playing Culpepper should help to make the scene work more swiftly, but needs to be dead when the flashes happen.

LIGHTS.

The lights come up, and Binder hands Wallace a police officer's hat. Wallace straightens it on his head.

The sheet has blood around the face where there wasn't any before. The scene looks exactly the same as before besides that detail. Dr. Hill is just reentering.

WALLACE

...and I wrote that he-

HILL

There you are! Where'd you find him, Binder?

WALLACE

I was in here taking a nap, what did you think I was doing?

HILL

(moving toward the body)  
Don't start with me.

WALLACE

(thrusting a report into Hill's hands, stopping him)  
It's all here. Continuation of the union dispute with local eleven. This poor scab got his face rearranged, and nary a print in the room.

HILL

(examining the notes)

If you've seen one of these, you've seen them all.

(walking over and lifting the sheet so he looks at corpse and audience can see the new blood)

Ugh. Blunt force trauma...I swear these guys are animals. Makes the men's face look like a spaghetti can and they can't even give them a proper open-casket wake.

(drops the sheet and hands notes back to Wallace)

Brutal world, boys.

BINDER

You can say that, again.

HILL

I'm a man of science, but I will say this: don't ever let your left hand know what your right hand is doing. Don't screw over the little fellas... or mess around on yours or someone else's wife. Stick to the good book, and you won't end up looking like this guy.

The men contemplate in silence while looking down at the body. Binder and Wallace smile, but they should be blocked behind Hill so only the audience sees them.

HILL

He's dead.

(looking up to Wallace)

No need for an autopsy with that report, officer. Have him sent straight to the mortuary. Tell them I'll get the death certificate straight to them and send you and city hall a copy...

Hill begins to turn and leave, and freezes. He gestures at the feet of the body where the chalk is shorter than the body.

HILL  
(pointing to outline, somewhat  
serious)  
What, did you run out of chalk here?

The men freeze.

HILL  
(laughing, slaps Wallace with  
the hand he is pointing with)  
I'm only giving you a hard time.  
I'm done here.

Hill walks out, and the men stand in silence. The lights dim to black as Binder slowly brings the camera up to his face. In the blackness of the theater, a few more flashes illuminate the body.

BLACKOUT.

CURTAIN.

## Perpetual Imagination

881 Main Street #10, Fitchburg, MA 01420

### Performance Contract / Memorandum of Understanding

- I. Read and agree with all portions of this contract and its stipulations.
- II. Perpetual Imagination is a publisher located at 881 Main Street, Fitchburg, MA 01420. We hold and reserve all rights to our information, work, publications, and productions, and will release temporary performance rights at no cost to nonprofit and educational institutions worldwide upon approval. Certain conditions must be met, and these conditions must be initialed one by one in the contract. This contract must be signed and approved prior to rights being released to your organization, and two (2) copies of the contract must be received by PerpetualImagination at least six (6) weeks prior to the first scheduled date of the performance.

1. If you have less than six (6) weeks, this form may be scanned and emailed to [info@perpetualimagination.com](mailto:info@perpetualimagination.com) at least three (3) weeks prior to the first performance, and we will release rights through email.
  - a. If this is the case, we must receive two (2) signed physical copies and be able to return them within one (1) week of the first scheduled performance.

\_\_\_\_\_  
(initial)

- III. All production material (posters, programs, adverts, etc) must contain the following :

1. The Title of the Play (initial)
2. The Name of the Author
3. The following statement  
“Produced under special agreement with  
Perpetual Imaignation  
881 Main Street #10  
Fitchburg, MA 01420  
[www.perpetualimagination.com](http://www.perpetualimagination.com)”

\_\_\_\_\_  
(initial)

IV. A PROGRAM from the performance must be mailed within six months to Perpetual Imagination, 881 Main Street #10, Fitchburg, MA 01420

\_\_\_\_\_  
(initial)

V. A DVD or CD with a video file of the performance must be mailed within six months to Perpetual Imagination, 881 Main Street #10, Fitchburg, MA 01420.

1. You are allowed to distribute the same video file or DVD to the performers, BUT you are not allowed to charge any more than the COST of the media plus 20% for labor in making the copies. For instance, if the DVDs you are copying onto were purchased from the local office supply store at \$20.00 for a package of 50, that means that each DVD is worth \$0.40. You are allowed to charge your performers and production team anywhere from \$0.00 to \$0.48 for the copy, but no more. Pay to ship the video should be a separate line item at cost. Pay for a videographer should also be a separate line item at cost. The idea here is that those in the production wishing for a copy of the production are not taken advantage of or allowing someone to profit off of the production of the film.
2. If you create a film, you must have explicit permission from the performers and/or their families (if the performer is a minor) in writing that you will be filming the performance(s). All local/state laws and bylaws of your organization must be followed in regards to filming participants, including those specific to performers who are minors.

\_\_\_\_\_  
(initial)

VI. You are allowed to upload film of the performance YouTube, Vivo, SchoolTube, BitTorrent, or similar service.

1. If you upload the film to the internet, you must have explicit permission from the performers (and/or their families if the performer is a minor) in writing that they have knowledge the video will be distributed over the internet. All local/state laws and bylaws of your organization must be followed in regards to filming participants.
2. The film must follow all local, state, and national laws of speech and copyright.
  - a. For instance, if you use music or images in the film, be wary of copyright permissions to use that music or image in the play from the creator of the work of art.
3. You may not charge any money, nor make any money from the distribution of the video over the internet, nor can a third party make money from your distribution.

- a. For instance, YouTube allows advertisements to run in your video and you can make money off of the advertisement. You must turn this option off when uploading the film. You are not allowed, for instance, to use copyrighted music without permission and allows a third party to make money off of your video because of this claim to the music.
- 4. You must have the copyright symbol followed by the year and the name of your organization in the video, as well as the copyright symbol, the year the script was written. You must also name all performers and all of the information required by the production in contract item III.
  - a. For instance if you perform “Our Impossible Compartment” in 2017, and your organization's name is “Calderwood Players”, at the end of the film it should say “©2017 Calderwood Players, ©2013 PerpetualImagination”
  - b. The video, in any stylized fashion that is appropriate for your film, must contain all information required by contract item III, I.e., production company name and address, correct author name, correct title, and “produced under special agreement with PerpetualImagination”.
  - c. The video must be attributed to creative commons license BY-NC-ND. See [www.creativecommons.org](http://www.creativecommons.org) for more information.
  - d. The video must also contain the title, author, and perpetualimagination website in the text video description on the website. <http://www.perpetualimagination.com>.
  - e. Please send a link to all online instances of the video to [info@perpetualimagination.com](mailto:info@perpetualimagination.com)

\_\_\_\_\_  
(initial)

- VII. Final attendance and sales per performance must be reported.
  - 1. This is strictly for use and records of PerpetualImagination
  - 2. We may use the data recorded for promotional purposes.

\_\_\_\_\_  
(initial)

VIII. Two (2) reserved complimentary tickets for each performance must be held at the box office for each performance. PerpetualImagination may send representatives to any performance, and will be allowed two (2) seats.

1. We also reserve the right to redistribute these tickets at our discretion, for example, if we give them away in an online contest.

\_\_\_\_\_  
(initial)

IX. We reserve the right to update or revoke this contract at any time.

\_\_\_\_\_  
(initial)

X. The “free” performance rights to this play are contingent on several factors, including nonprofit status of your performance group or school, the beneficent details of the performance, and other factors. For-profit institutions may be asked to provide money for the rights to the performances, and this rate will be based upon information provided in the contractual notes by the institution on ticket cost, seats available, and other considerations.

\_\_\_\_\_  
(initial)

XI. You may print and reproduce the play as many times as you like within the contractual period, but not afterward. PerpetualImagination does not provide duplications.

\_\_\_\_\_  
(initial)

**CONTRACT INFORMATION**

Your Name: \_\_\_\_\_

Institution Name: \_\_\_\_\_

Institution Principal / Director: \_\_\_\_\_

Company Name (name of theater company): \_\_\_\_\_

Theater Name: \_\_\_\_\_

Website: \_\_\_\_\_

Contact Email: \_\_\_\_\_

Contact Phone: \_\_\_\_\_

Best time to reach you? \_\_\_\_\_

Are you interested in a skype session between actors/director and the author?

\_\_\_ YES \_\_\_ NO Suggested Dates/Times: \_\_\_\_\_

Seats in the Theater: \_\_\_\_\_ Expected Attendance per Performance: \_\_\_\_\_

Performance Dates (mm/dd/yyyy): \_\_\_\_\_

Rehearsal Date Span: \_\_\_\_\_ to \_\_\_\_\_, Totaling \_\_\_\_\_ Rehearsals.

Full Price Cost Per Ticket: \_\_\_\_\_

Discounted Rate Tiers and Tickets: \_\_\_\_\_

The percentage of all receipts (ticket and concession income) to be reinvested into future shows or programming for the theater must equal 100% outside of costs for renting the space (for instance, if your institution needs to pay a town to use the theater, electricity costs, security and janitorial costs, etc). The idea for royalty free rights simply comes from the concept that these plays will benefit the theatrical community where it is being performed.

What percentage of receipts beyond will be reinvested into the theatrical institution? \_\_\_\_\_

What incidental rental, security, janitorial, and other costs have been identified to perform this play? What is the cost for each expense?

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**THE PLAY**

Title of Play: \_\_\_\_\_

Author of Play: \_\_\_\_\_

Will you be using our promotional materials, or creating your own?

\_\_\_\_\_ We will be using PerpetualImagination's designs

\_\_\_\_\_ We will be creating our own.

**TO BE COMPLETED AT THE END OF THE RUN**

Actual Attendance / Performances

DATE ATTENDANCE / TICKETS SOLD

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Total attendance: \_\_\_\_\_

Total box office receipts: \_\_\_\_\_

Total concessions receipts: \_\_\_\_\_

Percentage of all receipts directly benefitting this or future productions (must = 100%): \_\_\_\_\_

**SPAN OF RIGHTS and RIGHTS AGREEMENT**

**(complete this form except for total \$, and return it for authorization)**

\_\_\_\_\_, representative of \_\_\_\_\_ is hereby granted temporary rights of reproduction, rehearsal, and performance of PerpetualImagination's play

\_\_\_\_\_ by \_\_\_\_\_ for a period beginning \_\_\_\_\_ and ending \_\_\_\_\_. The theatrical company is being offered the rights to this play for a total of \$\_\_\_\_\_. This contract / memorandum of understanding has been signed by all parties, and all parts of the contract will be respected and followed to the letter as understanding of this agreement. After the time stipulated, all rights return to PerpetualImagination.

Organization Representatives

Signature of requestor of rights: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Title: \_\_\_\_\_

Signature of Principal / Director: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Title: \_\_\_\_\_

PerpetualImagination Representatives

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print: \_\_\_\_\_ Title: \_\_\_\_\_