

B.L. Morrison School  
Postville

presents

"GONE, BUT NOT FORGOTTEN"

CAST

{ Derek Bailey	- -	Jeffrey Pilgrim
{ Cnst. S. Nelson		
Arnold Cooper (Ace)	--	Jerry Goudie
Jessica	-	Samantha Pilgrim
Ricky	-	Joan Goudie
{ Judge B. Warner	-	Lindsay Gear
{ Doctor Swyers		
{ Mrs. Bailey	-	Yvonne Fudge
{ D.A. Angela Brown		
Chesley McDonald	-	Barbara Edmunds
Bailiff (Court)	-	Marlene Sheppard

CREW

Marlene Sheppard

TEACHER

Kay Mews

Dean Dyson  
Henry Gordon Academy

LABRADOR CREATIVE ARTS FESTIVAL 1989



SCENE 1

Curtain opens,

- Street Corner Scene
- 3 Friends are talking

Derek: (Squeezes his hands against his head.) I can't take it anymore! My mother is driving me crazy. She won't leave me alone, I can't do anything right.

Jessie: (Puts her hand on Derek's shoulder.) Ah Derek, take it easy. I know your mother can't be that bad.

Derek: (Pulls away.) What do you know about my mother? You don't live with her day in and day out, putting up with her nagging and complaining.

Ricki: Cool it, don't have a cow!

Jessie: Listen, you always got us, you're never alone. If things get too bad you can crash at our place.

Derek: Thanks guys, but it doesn't solve my problem. My ole lady is still on my case and I'm really getting fed-up with her. Ever since dad died she's been nothin' but trouble. (Sarcastic) Her ole man all over the house!

Ricki: Get some help, try talking to someone Derek.

Jessie: YA man! go see the school councilior He can help you better than anyone.

Derek: Talking is just a waste of time. I'm goin' check out the joe on the corner, I've heard that he's got good stuff and I got the good money. (Smile on his face)

Ricki: (Angrily) Ya right, Derek, I'm sure your going to blow away all that money for one night of stupidity.

Derek: Did you ever try it?

Ricki: No, and I don't ever plan to.

Jessie: Calm down you guys (Looks at her watch) I gotta go, suppers ready.

Ricki: I gotta go too- I gotta date with Foxie Roxie .  
(They all laugh.)

Jessie: You wish, she wouldn't look twice at you. See ya man.  
(pats Derek on the back) Stay cool.

The two friends separate and Derek walks to the end of the street.

Derek: Ya see ya guys later. (in a low voice)

(in the shadow stands Ace. He speaks coldly, yet invitingly)

Ace: Eh man, what can I do for you? You look down, wanna get high?  
I can make you feel like you never felt before.

Derek: How much is it gonna cost me?

Ace: How much you got?

Derek: 50 bucks.

(pusher indicates for the victim to move to a darker place.)

Ace: Come here ( indicates to side of stage, looks around slyly)  
(takes out bag of cocaine) Try this.

Derek: What kind of effect will it have on me?

Ace: If your too young to handle the stuff, fine with me!  
I'll see you later pal.

Derek: No dont leave, I'm cool. I can handle it. ( desperately)

Ace: O.k fine. (pulls dope out of pocket and hands it to Derek  
Derek gives him money.)

Ace: Now remember man I'm the one you got it from, I'm the one  
to tell your friends about, Theres plenty where this came from.

Derek: Allright, I'll remember .(Ace leaves the stage)  
(CURTAIN CLOSES)

SCENE 2

-Derek in Alleyway

-Night time, It's very dirty, Garbage cans all over the place.

-Cat Sounds

-(Spotlight on Derek.)

Derek: I wonder if it will really take my problems away?  
(Tries dope, powders flour all over His face. He looks doped-up, eyes roll.)

Derek: Like wow man! Ah!! This stuff really got a kick.  
(Laughs-Sings & practically acts like someone on drugs- Stupid, Foolish, Crazy.)

(Sound effects for Cat.)

Derek: Ha-rd man!! FATAL!!! (Sits on garbage can & falls over.  
Cat jumps & meows- Derek barks like a dog.)

Derek: Nice pussy cat! Here kitty, kitty. (Angrily) You stupid Pig!!  
(Cat is pulled from stage by string, Derek jumps up & runs after it. He trips & falls while the cat leaves stage.)

Derek: (Painfully makes a face) OH-----O-----H!!  
(Derek gets up raises fists over His head.)

Derek: (Proudly) I won, I won! Hey look mommy, I'm flying. (At this time He's trying to fly.) I can fly! I can fly! (Stops- apparently dizzy & falls down!)

(Ricki & Jessie are heard coming & laughing & joking with each other)

Jessie: Why'd you want to meet me anyway?

Ricki: Did Derek's mother call you? She called me.

Jessie: No, why?

Ricki: She sounded kind of upset, Derek wasn't home yet.

Jessie: (FRIGHTENED) Rick look!!!! (Pointing toward Derek face down.)

(Ricki runs over to the body)

Ricki: Jessie it's Derek, Call an ambulance! (Jessie stands there stund, in shock.) NOW!!!!!!

Jessie: (runs to the phone booth) Send an ambulance quick!!  
(Hangs up, than picks up phone again) In the ally on 23rd street, HURRY!!!

*(Jessie returns to scene as Ricki is holding Derek)*

Jessie: *Derek please don't die ( Sobbing & Crying)*

*(Ricki catches a glance of a bag of cocaine, picks it up  
& shows Jessie)*

Ricki:*(Shocked) Jess, it was drugs!!!*

*(Sits there looking at each other, ambulance is heard in the  
background and red light is flashing, Curtain closing)*

END OF SCENE...

SCENE 3

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In waiting room, Ricki, Jessie, policeman, everyone is quiet and solemn (enters Mrs. Bailey)

Mrs. Bailey: (crying desperately) Where's my son!?! Where is he???

(Goes over and grabs Ricki very dramatically)

Mrs. Bailey: Tell me where Derek is?

Ricki: Calm down Mrs. Bailey! We're waiting for the DR. to tell us how he is.

Mrs. Bailey: (crying) What happened to my baby? What's going on? (Puts her hands to her face, sobs & sits down)

P. MAN: MRS. Bailey we found your son in the alley. I'm <sup>surpr</sup> to say he was lying unconscious from drug overdose. (Puts two of his hands on her shoulders.)

Mrs. Bailey: (Shoves his hands off) Are you telling me my son is a junkie?

P. man: I'm sorry ma'am I \_\_\_\_\_ (At this moment the DR. enters)

Mrs. Bailey: Doctor? (she jumps up!)

DOCTOR: I'm sorry we did all <sup>we</sup> could. (in a low voice)

Jessie: YOU- you mean his dead. (very sad voice)

DR: I'm sorry.

(Ricki punches his hand obviously very upset, mom goes hysterical,

Jessie tries to comfort mom, Policeman walks over to Ricki!)

Policeman: Do you know where your friend got the drugs?

Ricki: Leave me alone man, don't talk to me (very upset)

Policeman: (very professional) Sorry son, but we really need information  
Anything you tell us would be greatly appreciated.

Ricki: Jessie, come here talk to this guy will ya! (points to cop)

(Jess goes over to cop)

Jessie: (asks cop) What do you want to know?

Policeman: Do you know where Derek got the drugs?

Jessie: (helpfully) There's this guy on the corner of our street.  
His name is Ace, isn't it Rick?

(Ricki just shrugs and mumbles something.)

Jessie: (impatiently) Ricki!! Don't be such a jerk! What is wrong with you? This guy (points to cop) can really help us get revenge for Derek.

Ricki:(upset) Lay off Jess! Our best friend just died, don't you even care?

Jessie: Yes I care---he was my best freind too. This is our way of helping, we can get the pusher busted, put in jail for murder.

I don't know about you but I'm going to put this guy in jail for a long time.

Policeman:(turns to Ricki) Will you help ?

Ricki:(determined) ok, lets do it!!!!

This scene ends with the song.

Curtin closes

SCENE IV

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alleyway props

characters-- Policeman

Ricki

Jessie

Ace

Policeman; If this guy suspects anything, ANYTHING I want you to back off, get away from the guy

Ricki:(concerned) Hey man, I hope you know what you're doing, I don't want Jessie to end up like Derek.

Jessie: This is the best way Rick, It's my choice and I want to do this..... for derek.

Ricki: Just be careful okay babe.(goes over and kisses her on the cheek)

Policeman: Alright, you know what you gotta do Jess?

..(Jess nods her head)

Ricki: Are you scared Jess ?

Jessie: (bravely) Sure I am, but I gotta do this, I just got to.

Policeman; Your a brave young lady, you know that? Derek must have been some guy.

Jessie: He was. (in a low voice)

(walkie talkie is heard buzzing, Policeman takes out the talkie and answers "Nelson here" Person on other end answers back "Suspect is in position" Nelson replies "Got it".)

Policeman:(to Jessie) Are you ready?

Jessie:(NODS her head) A bit nervous, but I'm ready! (Policeman and Ricki moves to side of stage- still slightly visible AS Jessie approaches street corner, the same one where Derek and Ace met before. After a few seconds Ace appears..)



Jessie:(hesitately) I -I heard you-

Ace: Spit it out kid, I don't got time to waste.

Jessie:(gaining confidence) Derek told me you got some hard stuff.I  
need it man, I need it now.

Ace: Derek? (unsure of the name)

Jessie: yah man ! The guy you sold the dope to , the other day, remember?

Ace:(remembering) you mean the preppy with the 50 bucks? If you got money  
like he had I got time for you.

Jessie: I got money, how does 75 bucks sound.

Ace: Now we're talking! (opens pocket to reveal dope) This can make you feel  
alot better than Derek did.

Jessie:(mutters) ya right!

Ace: wha ya say?

Jessie:(depressed) Nothin, just give me the dope.

Ace: A little impatient aren't you ?

Jessie:(desperate) I need it now!

Ace: Alright, alright here it is (hands her dope) now scadda!

(Policeman comes up behind Ace)

Policeman: Don't move! Your under arrest for possession with intent to traffic  
narcotics....

Ace:(shocked) Hey man leave me alone you got nothing on me(Points to Jessie)  
I'll get you for this kid.

Policeman: Okay knock it off. You have the right to remain silent, anything  
you say can and will be held against you.....

End of scene IV

curtin closes

SCENE 5

Courtroom: Everyone in place.( Bailiff enters )

Bailiff: All rise.Court is now in session.The Crown vs. Mr. Arnold Copper,case #157 Judge.B.Warner presiding.

Judge Warner: Would the defendant please rise.Mr. Cooper, you have been charged with possession and trafficking in narcotics to minors.How do you plead,guilty or not guilty?

Arnold Cooper: Not guilty!

Judge Warner: Is the Crown prepared to make its opening statement?

Ms. Brown (C.P.): Yes your Honor. We intend to prove beyond any reasonable doubt that the accused, on the night of August 19th, 1989 did indeed pursue and sell narcotics to a minor namely Derek Bailey, who died as a result of an overdose of the afore mentioned drug.

Judge Warner; Thank-you Ms. Brown, would the defence please present your opening statement.

Ms. McDonald (Def.): Yes,your honor. We intend to prove that on August 19,1989 Mr. Cooper was nowhere near Mr. Derek Bailey, and did not supply the youth with any illegal drugs.

Judge Warner: Would the crown call it's first witness.

(Bailiff brings Doctor's report to Judge)

Ms. Brown: Yes your honor, the crown would like to draw your attention to Exhibit "A" which is Doctor Swyers' coronary report for Derek Bailey. On page 2 paragraph 1 of this report you will read the cause of death was overdose of cocaine. Paragraph 3 on the same page states the time of death to be "between 8o'clock and 8:15 pm, August 19,1989"

Judge Warner: Be it known that the court enters Doctor Swyers' report as Exhibit "A" Please continue Ms. Brown.

Arnold Cooper: Your honor, the crown would like to call Cnst. Scott Nelson to the stand.

( Const. Nelson comes to the stand)

Bailiff: Please put your **right hand** on the Bible and raise your left hand. Do you swear to tell the truth, <sup>the whole truth,</sup> and nothing but the truth so help you God?

Const. Nelson: I Do.

Ms. Brown: How long have you been stationed in this area of Toronto?

Const. Nelson: Four years.

Ms. Brown: Then you know the neighbourhood really well? Am I correct?

Const. Nelson: Yes, I've been called to this neighbourhood several times for similar offences.

Ms. Brown: What sort of offences?

Const. Nelson: Narcotics in this neighbourhood is openly sold. We try without succeeding to stop the pushers. Nothing can be done.

Ms. Brown: Have you ever encountered problems with the defendent Arnold Cooper during those 4 years?

Const. Nelson: We've had complaints about him but never enough evidence to press charges.

Ms. Brown: Const. could you please define the word "traffic" in the terms of trafficking narcotics for the court .

Const. Nelson: It means selling or giving drugs.

Ms. Brown: Could you please read section 2a and b of the Narcotic Control Act to this court.

Const. Nelson: The Narcotic Control Act defines the term traffic as follows:

- 2a) to manufacture, sell, give, administer, transport, send, deliver, or distribute, or
- b) to offer to do anything mentioned in paragraph a.

Ms. Brown: Please continue.

Const. Nelson: The offence of trafficking is contained in section

4.(1): No person shall traffic in a narcotic or any substance represented or held out by him to be a narcotic.

MS. Brown: Thank-you. According to this act, the defendent, Arnold Cooper has committed the ultimate crime by selling narcotics to a minor, am I correct?

Ms. McDonald: Objection your honor! This has not yet been proven.

Judge Warner: Sustained.

Ms. Brown: I withdraw the statement your honor. Have you listened to the evidence Jessica Daniels taped when the defendent was arrested?

Const. Nelson: Yes.

Ms. Brown: Your honor, the tape we are referring to is labeled Exhibit "B". It verifies the conversation between Jessica Daniels and the accused. No further questions.

Judge Warner: Would the defendent wish to cross examine?

Ms. McDonald: Yes your honor. Const. Nelson, when did your shift start on September 2, 1989?

Const. Nelson: At 8 am.

Ms. McDonald: When did it end that night?

Const. Nelson: It was suppose to end at 4:00 pm, but I had to stay on duty until 9:30 pm.

Ms. McDonald: So are you saying then that you worked overtime that evening?

Const. Nelson: Yes.

MS.McDonald: If you worked your regular 8 hour shift, plus 5½ hours overtime, wouldn't you say you were rather overtired by the time you arrived at the scene of the crime?

Const. Nelson: Yes, I suppose so.

Ms. McDonald: No further questions your honor.

Judge Warner: Does the crown wish to call any other witnesses?

Ms. Brown: Yes, your honor . The crown calls Richard Taylor to the stand.

Bailiff: Please put your right hand on the bible and raise your left hand. Do you swear to tell the truth, the whole truth, and nothing but the truth so help you God?

R. Taylor: I DO.

Ms. Brown: State your full name and address.

R. Taylor: Richard Taylor, I live at 310 23rd St. in North Toronto.

Ms. Brown: What was your association with the deceased, Derek Bailey?

R. Taylor: He was a good friend of mine.

Ms. Brown: Were you aware of his home situation?

R. Taylor: Yes, on the day of his death he was quite upset as he told us of his problems with his mom.

Ms. Brown: Would you recall as much of that conversation as possible for the court.

R. Taylor: Well, that afternoon we were walking home from school when Derek started talking about his mom getting on his case all the time. He sounded very upset and almost devastated, he mentioned going to the corner to meet with "Ace" who was known for selling drugs in the neighborhood.

Ms. McDonald: Objection, your honor! The witness is inferring that my client is guilty of trafficking, which has not been proven.

Judge Warner: Sustained.

Ms. Brown: Please <sup>strike</sup> that last statement from the record. Continue  
Mr. Taylor.

R. Taylor: Well, we left him shortly after that and went home.

Ms. Brown: Where did Derek go?

R. Taylor: I'm not sure, but he went in the direction of the corner.

Ms. Brown: Were you alone then?

R. Taylor: No, Jessica Daniels was with me.

Ms. Brown: Was that the last you saw of Derek?

R. Taylor: No, After I was home for a while Derek's mother called wondering if I knew why Derek was so late getting home. I called Jessica and asked her to meet me back at the corner where we left Derek.

Ms. Brown : Please tell the court what you saw when you arrived back at the corner.

R. Taylor: Well, Jess spotted something in the alley so we went over to see what it was and we found Derek...he was face down and unconscious... (breaks down). I.. I.. stayed with Derek and Jess ran to call an ambulance. When Jess got back I stood up, that's when I saw the bag of dope-I mean cocaine. After that..my memory is kinda foggy...the ambulance came and we all went to the hospital.

Ms. Brown: Thank-you Ricky. The bag of cocaine mentioned is Exhibit "C". No further questions your honor.

Judge Warner: Does the defence wish to cross examine?

Ms. McDonald: Yes, your honor, Mr. Taylor do you have any proof that it was Ace who sold your friend the drugs?

R. Taylor: No, but he was the one the other kids got it from- Derek was looking for HIM! (points to the accused).

Ms. McDonald: How did you know Derek Bailey didn't have the drugs with him at the time of your conversation?

R. Taylor: No way, man, he had money-\$50.00.

Ms. McDonald: Did you see the money?

R. Taylor: Ah-ah..no, but he patted his pocket as he talked of it.

Ms. McDonald: So you didn't ACTUALLY see the money?

R. Taylor: I... I... guess not.

Ms. Brown: Objection your honor. The defence is baggering the witness.

Judge Warner: Sustained

Ms. McDonald: I'll rephrase the question your honor. Mr. Taylor, did you or did you not see money on the person of Derek Bailey?

R. Taylor: No, I did not.

Ms. McDonald: No further questions your honor.

Ms. Brown: Your honor, may I ask the witness one further question?

Judge Warner: Very well

Ms. Brown: Mr. Taylor, did you or did you not see any drugs on the person of Derek Bailey?

R. Taylor: No, I did not.

Ms. Brown: No further questions your honor.

Judge Warner: You may step down. Ms. Brown, do you wish to call any other witnesses?

Ms. Brown: Yes, your honor, The crown calls Miss Jessica Daniels to the stand.

Bailiff: Please put your right hand on the bible, and raise your left hand. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

J. Daniels: I DO.

Ms. Brown: State your full name and address.

J. Daniels: Jessica Daniels, I live at 320, 23rd Street in North Toronto.

Ms. Brown: Were you in the courtroom when Richard Taylor testified before this court?

J. Daniels: Yes, I was.



Ms. Brown: Would you say that Mr. Taylor has given an accurate account of the events of August 19, 1989?

J. Daniels: Yes, I agree with everything Ricky said.

Ms. Brown: To your knowledge, had Derek Bailey ever experimented with drugs?

J. Daniels: No, Derek and I were pretty close, He told me all kinds of things that he felt or done, but he never mentioned drugs.

Ms. Brown: You said that you and Derek talked about a number of things. Did he ever discuss drug users, pushers, or anything of that nature?

J. Daniels: We did work on a Drug Abuse Project in school and Derek was strongly against any type of drug abuse.

Ms. Brown: Do you think that Derek was upset enough on Aug. 19th. to try something he didn't really believe in?

J. Daniels: Derek was very confused and stressed out. I fear he wouldn't have needed much persuasion.

Ms. Brown: Have you ever heard the name "Ace" before this case?

J. Daniels: Yes, most of the kids in our school knew him as the pusher on the corner. A lot of the kids from my school use drugs and they talk about Ace as tho' he is a god.

Ms. McDonald: Objection, your honor, the witness is making statements regarding the reputation of my client.

Judge Warner: Overruled. The witness is merely stating information she has heard.

Ms. Brown: Thank-you your honor, now Miss Daniels, with reference to Derek Bailey, did he know the defendant to be a supplier of cocaine?

J. Daniels: Yes, he did.

Ms. Brown: No further questions, your Honor.

Judge Warner: Does the defence wish to cross-examine?

Ms. McDonald: Yes your honor. Miss Daniels, don't you think that perhaps your feelings for the deceased is interfering with your judgement of Mr. Arnold Cooper?

Ms. Brown: Objection your honor, The defence is leading the witness

Judge Warner: Sustained.

Ms. McDonald: Very well your honor. Miss Daniels did you personally see Mr. Arnold Cooper sell any type of drugs on the corner?

J. Daniels: Yes. on the night of the police stakeout, I was the volunteer that acted as the person interested in buying drugs.

Arnold Cooper: Ah man- no way, no fair man, she's lyin' judge!

Judge Warner: Order, order! Please refrain from interrupting Mr. Cooper or I'll charge you in contempt of court! Continue Miss Daniels.

J. Daniels: Well... Mr. Cooper-Ace- was very willing to sell me drugs.

Ms. McDonald: Ah..no further questions your honor.

Judge Warner: Does the crown wish to call any other witnesses?

Ms. Brown: No your honor.

Judge Warner: Does the defense wish to call any witnesses?

Ms. McDonald: Yes, your honor, the defense calls Mr Arnold Cooper to the stand in his own defense.

Bailiff: Please put your right hand on the Bible, and raise your left hand. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God,

A. Cooper: I Do.

Ms. McDonald: State your full name and address.

A. Cooper: Ah.. my name is Arnold Cooper, but my friends call me Ace. you can call me Ace.

Ms. McDonald: Very well..Ace..what is your address?

A. Cooper: I've got a pad, I mean apartment, on Younge Street.

Ms. McDonald: Could you please inform the court where you were on the night of Aug. 19, 1989.

A. Cooper: I was out man. I mean cruisin' round, you know-drivin', lookin', hangin' out.

Ms. McDonald: Was there anyone with you?

A. Cooper: No. I was alone, man, I'm a very private person- if you get my drift.

Ms. McDonald: It has been alleged that you, on the night of Aug. 19, 1989 did intentionally sell a quantity of cocaine to a minor- namely Derek Bailey. Are you guilty of this charge?

A. Cooper: No way man (stamps foot &slaps fist) No way! I stay away from kids, man.

Ms. McDonald: So you're saying **then**, that you did not sell drugs to Derek Bailey?

A. Cooper: That's right, man.

Ms. McDonald: No further questions your honor.

Judge Warner: Does the crown wish to cross-examine?

Ms. Brown: Yes your honor, Mr. Cooper, you were arrested on Sept. 2, 1989 for attempting to sell the exact same drugs to a minor who was working with the police. Are we to believe you now, in the case of Derek Bail

A. Cooper: (slowly) Well,...ah...well...man, how was I suppose to know he was a minor I mean-she-I mean- like ah man- what am I saying-... anyway the night is foggy in my mind. But I swear I didn't know he was a minor (breaks down).

Ms. Brown: No further questions your honor.

Judge Warner: Does the defense have any other witnesses?

Ms. McDonald: No, your honor.

Judge Warner: With a statement like that, Mr. Cooper, we have no other choice but to find you guilty of the charges laid. I will pass sentencing tomorrow morning at 9:00am. You will also appear in the supreme court of Canada on a 2nd degree murder charge following tomorrows session.

Court is adjourned.