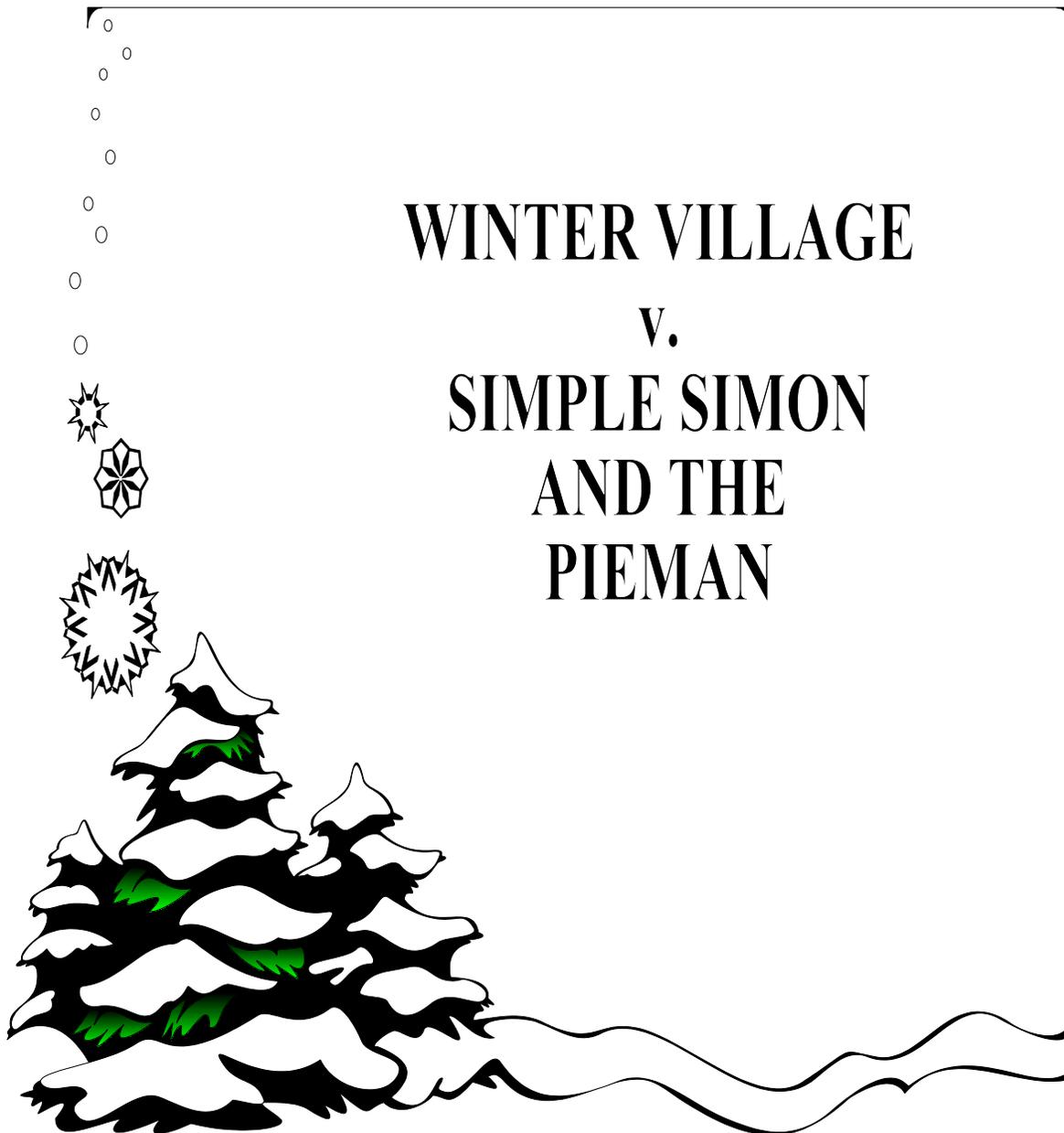


WINTER VILLAGE

v.

**SIMPLE SIMON
AND THE
PIEMAN**



Utah Law-Related Education Project
645 South 200 East
SLC, Utah 84111

WINTER VILLAGE V. SIMPLE SIMON AND PIEMAN

Written by: Betsy Coddington, Oregon Law-Related Education Project

Based upon the story book “Mother Goose for Christmas”,

by William Pene Du Bois, Viking Press.

- Scene: A very snowy and chilly Christmas morning in the Winter Village courtroom.
- Judge: Today we will be hearing the case of Winter Village v. Simple Simon and the Pieman, whom you see sitting at the defense table. (Judge gestures toward defense table.) The charge against these two men is Goosenapping One. Before we begin the witness testimony, will the jury please rise and be sworn? Raise your right hands, please. Do you solemnly swear that you will listen to all the testimony and other evidence presented in this case and that after doing so will carefully consider the facts and evidence in an impartial manner and will not allow any prejudices or biases you might have enter into your careful consideration of this case?
- Jury: I will.
- Judge: Please be seated. (Jury sits.) Now, does the prosecuting attorney wish to make an opening statement?
- Prosecuting Attorney: Your Honor and Ladies and Gentlemen of the jury, early on December 24th, Little Tommy Tucker witnessed a terrible incident in our Village! He was on his way into the Mother Goose Book Shop to buy his best friend, Bo Peep, a last minute Christmas gift. As he was entering the shop, all of the sudden two strange men ran past him into the shop. Then they left as fast as they had come. One of the men had Goosey Gander, who was honking something fierce, with a rope around his fragile neck, and the other man had Mother Goose by her wrist, dragging her along like a sack of potatoes. Today, we will show you that those two men, seated right over there at that table, are guilty of Goosenapping One and should be punished accordingly. As you know, your Honor, our Village has always been free of violence and crime, and this incident should be an example to everyone that we will not tolerate such nonsense in our Village.
- Judge: Thank you, counselor. Does the defense wish to make an opening statement?

Defense Attorney: Yes, Your Honor, thank you. Ladies and Gentlemen of the jury, my clients are certainly not guilty of this alleged crime of Goosenapping One. Today we will show you my client only borrowed Mother Goose and Goosey Gander. They borrowed them to do a good Christmas deed for all of the Villagers here in this courtroom. Do you really think that these two gentle men look as if they are capable of committing such a horrible crime as Goosenapping? After you hear our testimony, I am quite sure you will agree with me.

Judge: Thank you, counselor. The prosecutor may now call its first witness.

Prosecuting Attorney: We would like to call Little Tommy Tucker as our first witness, your Honor.

Clerk: Little Tommy Tucker. Please come forward and be sworn. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth?

Tommy: Yes.

Prosecuting Attorney: Tommy, can you tell us what happened on the morning of December 24th around 11:00 a.m.?

Tommy: Yes. I was on my way into the Mother Goose Book Shop to pick up a very nice book on shepherding for my friend, Little Bo Peep, when those two strangers (points) rushed into the store, nearly running me over. The big one was wearing checkered pants and had on a white coat with lots of red stains all over it. It looked like blood! The other one, he was kind of simple looking, was tall with long, loose-looking arms and legs and a huge mouth that hung open so you could see all of his big teeth.

Prosecuting Attorney: And then what happened when they got inside the shop?

Tommy: They grabbed Mother Goose and Goosey Gander and hauled them off. Goosey had a rope around his neck, and Mother Goose was being dragged by her tiny wrist.

Prosecuting Attorney: Who was dragging them?

Tommy: The big one.

Prosecuting Attorney: What was the other man doing?

Tommy: He followed the others with a big bag slung over his shoulder. He was drooling, and all I could think about was those two men cooking up our goose friends for Christmas dinner. I was just frantic!!

Prosecuting Attorney: Do you know where they carried the geese?

Tommy: Yes, I saw them run over to the old Queen of Hearts Bakery. But it has been boarded up for months, so I knew they were up to no good. I saw the tall one pull off the boards from one window, open the shutters, and break the window to get in.

Prosecuting Attorney: And then what did you do?

Tommy: I was so upset that I ran all over the Village and told everyone what I had just seen.

Prosecuting Attorney: That's all, Your Honor. Thank you, Tommy.

Judge: Does the Defense wish to cross examine this witness?

Defense Attorney: Yes, Your Honor. Mr. Tucker, to the best of your knowledge, were the two men hurting Mother Goose and Goosey Gander?

Tommy: Well, I couldn't tell for sure, but it didn't seem to me that either goose really wanted to go with them. I'd say that they were being very rough with these two geese!

Defense Attorney: Is there anything else you remember about what happened?

Tommy: Well, yes, now that I think about it. Mother Goose was reciting a very nice poem, and it really made me sad. It went like this: "Christmas comes but once a year, and when it comes it brings good cheer."

Defense Attorney: Why do you think she was reciting this poem, Tommy?

Prosecuting Attorney: Objection, Your Honor. This line of questioning is irrelevant. Tommy has no idea why she might be reciting the poem.

Judge: Objection sustained. Please do not answer that question, Tommy. Please go on to your next question, counselor.

Defense Attorney: That's all, Your Honor. I have no further questions.

Judge: Mr. Tucker may leave the stand. (Tommy leaves the stand and sits

down.)

Judge: Prosecution may call its next witness.

Prosecuting Attorney: I'd like to call Little Boy Blue to the stand.

Clerk: Calls Little Boy Blue to the stand. (Repeat swearing in procedure above.)

Prosecuting Attorney: Little Boy Blue, can you tell us what you remember about what happened in the Village on December 24th?

Little Boy Blue: Well, after Tommy Tucker told us what had happened, we all walked over to the Queen of Hearts. All the way over, we were racking our brains for a way to save our goose friends, and everyone was very quiet. When we reached the top of Pippin Hill, we were shocked to see black smoke pouring from the chimney. I was so shocked that I remember blurting out, "They're cooking Mother Goose and Goosey Gander". But Mary, Mary, Quite Contrary said, "Maybe they started a fire just to keep warm."

Prosecuting Attorney: Thank you, Boy Blue. No further questions, your Honor.

Judge: Does the Defense have any questions to ask this witness?

Defense Attorney: Yes, Your Honor, just one question. Boy Blue, did you actually SEE them burning the goose or did you SMELL roasting goose at any time?

Little Boy Blue: Well, no. I guess not. But . . .

Defense Attorney: Thank you, that's all. (Little Boy Blue steps down.)

Judge: Call your next witness, please.

Prosecuting Attorney: Your Honor, I realize this is unusual, but I'd like to call both Jack and Jill to the stand at the same time. As you know, they are inseparable, but they do have something important to tell us here today.

Judge: This is highly unusual, but in the Christmas spirit I will allow them both to take the witness stand at the same time.

Clerk: (Calls Jack and Jill and repeats swearing in.)

Prosecuting Attorney: Jack, can you tell us anything new about what happened yesterday?

Jack: Yes, after we saw the black sooty smoke pouring from the chimney, I told everyone I had a plan to save our friends. I suggested that Jill and I, and the rest of the people who had gathered atop Pippin Hill near the bakery, form a water brigade. That way we could throw water on the fire so the men couldn't roast our two friends; that is, if it wasn't too late already. I said that Jill and I would be willing to run up and down to the chimney if the others would pass the buckets to us.

Prosecuting Attorney: Did your plan work?

Jill: No, it didn't. In fact, we didn't even get to try it out because everyone was afraid of getting too close to the bakery. I guess they thought the two men might snatch some of us, too.

Prosecuting Attorney: Thank you, Jack and Jill.

Judge: Any cross examination by the Defense?

Defense Attorney: No, Your Honor, I have no questions for these witnesses.

Judge: Witnesses may leave the stand. (Jack and Jill leave the stand and sit down.) Then the Prosecuting Attorney may call the next witness.

Prosecuting Attorney: We would like to call Bo-Peep to the stand.

Clerk: (Calls Bo Peep. Repeats swearing in.)

Prosecuting Attorney: Bo Peep, how did you fit into all this?

Bo Peep: Well, after no one volunteered to help Jack and Jill fetch water, I thought of another plan for saving our two friends. I figured that maybe singing Christmas carols might soften up those two goosenappers. I know that when I sing carols while tending my sheep, I am always so filled with the Christmas spirit that I couldn't possibly think of doing anything as evil as roasting two nice geese!!

Prosecuting Attorney: And did you all sing?

Bo Peep: Yes, we all did, and it was very beautiful. Tom Tom's father played his pipes, and Little Boy Blue blew his horn. The cat even played his fiddle!! So we sang and sang outside the bakery all day long and into the night. Everyone was there — Humpty Dumpty, the cow who jumped over the moon, Little Miss Muffett, Georgey Porgey, and I can't even remember all the other names right now.

Prosecuting Attorney: How long did you sing?

Bo Peep: We sang all through Christmas Eve and into Christmas morning — not one person left. We'd built a couple of bonfires to keep us warm.

Prosecuting Attorney: Those are all the questions I have for this witness, Your Honor.

Judge: Do you wish to cross examine Bo Peep?

Defense Attorney: Yes, thank you. Bo Peep, what happened after the sun came up Christmas Day?

Bo Peep: All of a sudden the black smoke turned a bluish gray color. I noticed it first and screamed right in the middle of the chorus of *Jingle Bells*, "Goodness, I smell sugar and spice and everything nice."

Defense Attorney: Then did you still think they were roasting your friends?

Bo Peep: W-e-e-l-l-l, I didn't really know. There were so many smells all mixed together that I couldn't really tell for sure.

Defense Attorney: Thank you, that is all, Your Honor.

(Bo Peep steps down)

Judge: Does the Prosecution have any further witnesses?

Prosecuting Attorney: No, Your Honor, we rest our case.

Judge: Does the Defense wish to call any witnesses today?

Defense Attorney: Yes, we'd like to call Simple Simon to the stand, please.

Clerk: (Calls Simple Simon to the stand. Repeats swearing in.)

Defense Attorney: Did you Goosenap Mother Goose and Goosey Gander?

Simple Simon: Oh, no, well, I don't think, uh, I stole them. Well, I don't know really. I get confused you know. I'm sorry if I did something bad. I didn't really mean to do something bad. I was just following along behind the Pieman over there, so I didn't know, uh, what was going on.

Defense Attorney: Thank you, Simple Simon. That's all, Your Honor.

Judge: Does the Prosecution wish to cross examine Mr. Simon?

Prosecuting Attorney: Yes, thank you, Your Honor. Simple Simon, did you do something bad?

Simple Simon: Why, uh, I don't think so, but I'm so mixed up right now, that I can't think straight. I must have, though, since we're in court and on trial!

Prosecuting Attorney: That's all.

Judge: Simple Simon, you may step down and return to your seat at the table. (Simon goes over to plaintiff table instead of defense table).

Judge: No, no Simon, to the other table, please.

Defense Attorney: I'd like to call the Pieman as my next witness.

Clerk: (Calls Pieman to the stand. Repeats swearing in.)

Defense Attorney: Where do you live, Pieman?

Pieman: St. Ives, the town closest to this Village — until just the other day. I was a very fine baker in St. Ives . I bake cookies, cakes, and my favorite is cherry tarts. You can see that I'm not very tidy when I work, so that is why I have all these cherry stains on my nice white coat here. (Points to stains.)

Defense Attorney: What were you doing in the Queen of Hearts Bakery Shop on December 24th?

Pieman: Well, I read in the St. Ives newspaper that the Queen of Hearts was up for sale and so I checked into it and bought it. I was so overjoyed to finally have my own shop that I decided to move to Winter Village quickly — in time for the holidays.

Defense Attorney: When did you arrive here in this Village?

Pieman: Well, I closed the deal three days ago, packed all my things and helped Simon pack his, and arrived here Christmas Eve day in the morning.

Defense Attorney: Did you come alone?

Pieman: No, Simple Simon came along with me. I needed someone with a strong back to help me carry all my things here and to help repair and to clean the shop. Simon was the perfect helper — he's very strong and works hard.

Defense Attorney: When you arrived here, what did you do.

Pieman: Well, I didn't know where the Bakery was, so I went into the nearest shop - the bookstore - to get directions. The goose who seemed to be in charge just ignored us. She never offered to help us. Well, I was getting very upset, so I grabbed her by the wrist and dragged her out of the shop. I told her that if she didn't want to bother to give us directions, then I would force her to show me where the bakery was! I was so anxious to get to my new bakery that I got carried away with myself! I noticed Goosey Gander tied to a chair, so I just grabbed his rope and brought him along too. I figured I'd better not leave him there alone.

Defense Attorney: Thank you, Pieman. (Sits and Prosecution begins cross examination.)

Prosecuting Attorney: Did you force Mother Goose and Goosey Gander to go with you?

Pieman: Yes, I suppose I did, but . . .

Prosecuting Attorney: Thank you, that's all the questions I have for the Pieman, Your Honor.
(Defense calls Goosey Gander to the stand.)

Defense Attorney: What happened on Christmas Eve in the morning?

Goosey Gander: Well, I'd been at the bookstore with Mother Goose all morning. I'd been very grumpy that day because I was so disappointed that there would be no holiday sweets this year. You know, the Queen of Hearts Bakery was shut down after someone stole all the tarts one day. Anyway, Mother Goose tied me to a chair because I was flying all around the shop — I need the practice, so I fly whenever I get the chance. I was sitting there and all of a sudden, two men ran into the store and just grabbed Mother Goose and me and pulled us out the door!!!

Defense Attorney: Did you know these two men?

Goosey Gander: Gosh, no! I'd never seen them before in my life!! I was just trembling with fear and started honking as loud as I could to attract attention. I honk whenever I'm frightened.

Defense Attorney: Where did the men take you?

Goosey Gander: Well, they took us to the Queen of Hearts Bakery. The simple one just pulled off the shutters and got us inside lickety split. He's very strong. He quickly hammered boards up as soon as we were inside. I was really scared then and started honking again, but I'm sure no one could hear me.

Defense Attorney: Did the men hurt you?

Goosey Gander: Well, my neck is a little sore from being pulled along in such a hurry, but no, I'm not really hurt.

(Defense Sits. Prosecution conducts cross examination.)

Prosecuting Attorney: You say that you did not know these men, is that right, Goosey?

Goosey Gander: No, I'd never seen them before in my life. I'm sure they don't belong in our Village.

Prosecuting Attorney: And you said that they grabbed you both without asking?

Goosey Gander: Yes.

Prosecuting Attorney: And they were rather rough with you, is that right?

Goosey Gander: Yes, they were. They didn't give Mother Goose a chance to wait on Little Tommy Tucker or lock up the shop, and they really DID just pull and drag us out of there. I can't imagine why they did that to us!

Prosecuting Attorney: Your Honor, I'd like to have this rope marked as the Prosecution's Exhibit A, please.

(Clerk marks rope and attorney then hands rope to witness.)

Prosecuting Attorney: Goosey, do you recognize this rope?

Goosey Gander: Yes, it's the same rope that Mother Goose used to tie me up with.

Prosecuting Attorney: So, then this is the rope that the two defendants used to drag you out of the book shop?

Goosey Gander: Yes, it is — you can see how heavy it is. It really rubbed my neck and made it very sore!!!

Prosecuting Attorney: I'd like to submit this rope into evidence, Your Honor.

Judge: Does Defense counsel have any objections?

Defense Attorney: No, Your Honor, we don't object.

Judge: Then the rope shall be entered as Prosecution's Exhibit A.

Prosecuting Attorney: (Gives rope to the clerk.) Thank you, Goosey, no more questions.

Defense Attorney: (Defense calls Mother Goose to stand.)
Did these men snatch you away from your bookstore on December 24th?

Mother Goose: Yes, they did.

Defense Attorney: Where did they take you?

Mother Goose: To the old Queen of Hearts Bakery.

Defense Attorney: Did you know why they took you there?

Mother Goose: No, I didn't know at the time. I thought for sure that they were going to eat us because the tall one was drooling so much and the big one had blood all over his shirt. They were so rough with us, too. Then when they shut us up inside the Bakery — well, I was sure it was the end.

Defense Attorney: Why, thank you Mother Goose very much. That's all.

(Prosecution conducts cross examination.)

Prosecuting Attorney: So, Mother Goose, you're saying that you were indeed snatched, or Goosenapped, away from your bookshop by these two men?

Mother Goose: Yes, that is what I just said, but . . .

Prosecuting Attorney: Thank you, no further questions. (Helps Mother Goose sit down.)

Judge: Does the Defense have any more witnesses?

Defense Attorney: No, Your Honor, the Defense rests.

Judge: Does the Prosecution wish to make a closing argument?

Prosecuting Attorney: Ladies and Gentlemen of the jury, clearly all testimony should indicate to you that Mother Goose and Goosey Gander were indeed Goosenapped. You have heard the testimony which proves that they were snatched from their bookshop and carried off to the Queen of Hearts Bakery without their consent. Mother Goose admitted that she was snatched. And Tommy Tucker witnessed the snatching. And you all heard that Goosey was so frightened he honked at the top of his lungs! He certainly had not agreed to be hauled from the bookshop! In fact, you heard him tell us that he suffered injuries from the incident. So, you see from these facts that Pieman and Simple Simon did commit the crime of Goosenapping One. Thank you, Your Honor and Ladies and Gentlemen.

Judge: Does the Defense wish to make closing arguments?

Defense Attorney: Ladies and Gentlemen of the jury, although the Prosecuting Attorney claims that my clients here are guilty of Goosenapping One, we have heard the Pieman tell us that it was only because of his excitement to get to his new bakery that he carried the geese away. We admit that my clients got a bit rough when they carried Mother Goose and Goosey Gander off in such a hurry, but they never intended to harm either of them, and they didn't mean to leave poor Little Tommy Tucker alone in the shop. Simple Simon and the Pieman are both kind and polite men. They have never been accused of any crime before this. To show you they did not mean any harm, they have invited you all to the new Queen of Hearts Bakery Shop for a wonderful holiday feast! Now Ladies and Gentlemen, how can you possibly find such kind and generous men guilty of Goosenapping One. This was all just a big mistake. Thank you.

Judge: Ladies and Gentlemen of the jury, you are now instructed to consider all the facts you have just heard in this case. In addition, you must apply the facts to the law. The law in this case concerns Goosenapping One. That crime is defined as the intentional taking, without consent, of any goose and to hold that goose against his/her will for any length of time without letting him/her go where he/she chooses to go. Therefore, to find the defendants guilty, you must decide that they took Mother Goose and Goosey Gander intentionally. You must also find that neither goose went voluntarily (on his/her own) and that they were kept in a place where they didn't want to be. Remember that you are only to consider the facts and the law and that you must not allow any of your own prejudices or feelings to sway

your decision.

You may now be excused. You will have five minutes to deliberate and then you must return with a verdict. Nine out of twelve of you must agree in order to find the defendants guilty. After the jury leaves, the court will be in recess for approximately five minutes.

(Clerk leads jury out.) (After five minutes the jury returns to courtroom, and the foreperson hands the judge the verdict. Judge then asks foreperson to read the verdict to the court.)

Jury Foreperson: (Reads verdict to court.)