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### Performance Notes

The ACTRESS (singer) will play all roles in this piece. Changes in posture, vocal tone, acting style, and stage location will help distinguish the different characters she inhabits. One simple costume should suffice, perhaps standard concert black. The attorneys and defendant will likely move around the stage as if addressing a courtroom, with the Judge (at the podium) and the Witness (in a chair) confined to their props. Speech that is strictly notated can have some slight flexibility, with the strong accents where written. Speech over underscore can be timed to best fill the space, allowing dramatic instinct to prevail.

**Duration: ca. 25:00**

### Cast of Characters

**CAST OF CHARACTERS** (*In order of appearance*)

**JUDGE WARD HUNT:** Northern District of New York

**RICHARD CROWLEY:** Prosecuting Attorney for the United States, Northern District of New York

**HENRY H. SELDEN:** Attorney for the Defense

**MR. BEVERLY JONES:** Witness

**SUSAN B. ANTHONY:** Defendant

### Properties

A wooden podium with a gavel which the **JUDGE** will use.

A wooden chair which the **WITNESS** will use.

A period lamp could be placed on the piano, pulling it into the scene, or any other period furniture or objects could be used which would add authenticity to the surroundings.

### Composer's Notes

It is astonishing to consider that women could not legally vote in the United States until 1920. New Zealand, Australia, Norway, Portugal and Canada all preceded the US in respecting women's suffrage. In 1872, Susan B. Anthony showed up to vote in the 29th district of New York State. For this infraction she was taken to trial the following year, and accused of violating the statutes of the United States of America. This dramatization draws on material from the transcript of "The Trial of Susan B. Anthony," published in 1874.

Historians may have issue with how the composer handled this material. The transcript was read with an eye toward what was theatrical and would best play on the dramatic stage. Outlandish liberties were taken in constructing the libretto. Passages from different parts were freely pieced together and words and phrases were altered or invented to serve the dramatic and musical needs of the moment. (Several songs contain mostly original lyrics with a little of the transcript sprinkled in.) There was a second trial in which the election inspectors were prosecuted for allowing Miss Anthony to vote. Some of this transcript was used in the cross examination of Beverly Jones. Extensive citing of legal precedent and related events have been omitted to keep the storytelling succinct. In short, a long and complex legal preceding has been distilled down to what the composer feels tells the story in a concise and (it is to be hoped) engaging way.

—Steven Mark Kohn

## Libretto

*(All characters are portrayed by the ACTRESS. Sentences in **boldface** are either sung or spoken in strict rhythm. Sentences in regular typeface are spoken in non-strict rhythm.)*

### 1. PRELUDE

*(The ACTRESS approaches the podium assuming the role of **JUDGE WARD HUNT**, Northern District of New York. She stands at the podium and strikes it five times with a gavel, bringing the court to order, and sings.)*

**On this, the third Tuesday of January,  
in the northern district of New York State,  
in the year of our Lord one thousand eight hundred and seventy-three,  
good and lawful men do, upon their oaths,  
present that Susan B. Anthony, in the county of Monroe,  
on the 5th day of November, in the year of our Lord  
one thousand eight hundred and seventy-two,  
did knowingly, wrongfully and unlawfully  
cast her vote for a representative in the Congress of the United States  
and, being a member of the female sex,  
behaved in a manner  
contrary to the statutes of the United States of America,  
knowingly, and unlawfully.**

The accused enters a plea of not guilty.

Mr. Crowley, we will hear an opening statement from the prosecution.

### 2. OPENING ARGUMENTS: THE PROSECUTION

*(The ACTRESS assumes the role of **RICHARD CROWLEY**, Prosecuting Attorney for the United States, Northern District of New York and speaks/sings the following.)*

Thank you, your honor.

May it please the court and gentlemen of the jury...

**There was an election in this state!  
November 5th of eighteen seventy-two, to be exact.  
Where we were given the solemn duty and obligation  
of choosing representatives  
for our district and the state at large!**

Now, on that very day,  
hard to believe, I know, but...

**Susan B. Anthony  
arrived at the polling station  
bold as brass, and for all to see  
she cast her vote!**

Assuming it was her right!

**I say assuming, for it is a right to which  
she was not entitled!**

**The facts are not in question.**

**The law is not in question.**

**What she wants,**

**what she feels,**

**what she believes**

**is not to be debated here today!**

**The law states she had no right.**

**She had no right!**

This is merely a question of law.

Plain and simple.

Miss Anthony voted illegally,

and it will be to you, gentlemen...

to find her guilty.

Thank you.

*(The ACTRESS approaches the podium, assumes the role of JUDGE WARD HUNT and speaks.)*

Mr. Selden, the defense may now present opening remarks.

*(The ACTRESS assumes the role of HENRY H. SELDEN, Attorney for the defense, and speaks/sings the following.)*

### 3. OPENING ARGUMENTS: THE DEFENSE

Thank you, your honor.

**I have never known  
of anybody brought to trial  
merely on account of their sex.**

**Being born is not a crime  
and neither is the way we're made.  
Though it now appears  
that justice may be blind.**

**Are not women bound by laws  
to the same extent as men?  
Why then would they not share  
in the choosing of those who make the laws?**

There is a document you may have heard of,  
written nearly one hundred years ago.

**It states that "Governments derive  
their just powers from the consent of the governed."  
But who are the governed?**

*(addressing the jury)*

Us?

Sir?

You and I?

Gentlemen!

Yes, all of us here!

But is she not governed?

She must obey the laws as we do.

Ah, but she has no voice!

What if you, sir, had no voice?

*(accusing all the men in the courtroom [audience] directly)*

Silence!

You will hold your tongue!

Impertinence!

How dare you!

You have no voice!

Be silent!

*(grand pause)*

Ah...*(pause)*

and we thought we had abolished slavery.

**There is one transgression here...**

**and we are all to blame.**

**For we have made women property**

**of their husbands and fathers,**

**banishing their names,**

**and their rights,**

**and their fates!**

**But laws can be amended.**

**A more perfect union made.**

**The consent of the governed,**

**all of the governed!**

**It was written long ago.**

**Let us now see**

**if it can be applied**

**with fairness**

**and justice for all.**

I leave it to you, gentlemen.

*(The ACTRESS approaches the podium, assumes the role JUDGE WARD HUNT and speaks.)*

Mr. Crowley, the prosecution may call its first witness.

*(The ACTRESS assumes the role of Prosecuting Attorney RICHARD CROWLEY, and speaks.)*

Thank you, your honor.  
 I call Mr. Beverly Jones to the stand.  
 Mr. Jones, please recount for us the events of  
 November 5th, 1872.

*(The ACTRESS assumes the role of the witness MR. BEVERLY JONES and speaks.)*

Oh!

*(Mr. Jones is jolted into character as if just realizing with surprise, that he is "on." He then timidly and clumsily makes his way to the witness chair.)*

Uh...um...okay...uh...well...(he takes his seat)  
 so...

#### 4. THE WITNESS: PART 1

Here's how it happened.  
 There I was workin' as election official  
 with Edwin Marsh and William Hall.  
 I don't mind, just tryin' to help, you know.  
 Doin' my civic duty is all.

Now, in comes Susan B. with sev'ral of her friends.  
 I recognized her right there at the door  
 'cause I seen her at the post office,  
 'round town, here and there,  
 you get to know people...  
 sometimes over at the grocery store.

But anyway...

She tells me she's comin' in to vote,  
 actin' like she owns the whole darn place!  
 And I said, "Hold on here,  
 you can't be doin' that!  
 Not in New York State anyways..."

So, she's lookin' at me like I got two heads.  
 Then she tells me she's a legal voter,  
 registered, bonified, sanctified and all and I said,  
 "Wait a minute. Let's be reasonable."  
 I told her she's a woman—well she is.  
 Not that there's anything wrong with that.  
 My mother was a woman and a fine one.  
 It's just that we all know New York don't allow women voters!  
 That's what I meant, legally speakin'.

We told her straight up she couldn't vote.  
 We laid out there clear as day!  
 But that didn't matter  
 'cause she voted anyway.  
 That's the God's own truth.  
 I got nothin' more to say.

*(The ACTRESS stands, assumes the role of **RICHARD CROWLEY**, prosecuting attorney, and speaks.)*

An original rendition, but there are the facts, gentlemen. We have a sworn witness.  
Miss Anthony voted. She broke the law. Your duty is clear.

*(The ACTRESS approaches the podium, assumes the role of **JUDGE WARD HUNT** and speaks the following.)*

Mr. Selden, the defense may cross examine the witness.

*(The ACTRESS assumes the role of Defense Attorney **HENRY H. SELDEN**, and speaks.)*

Thank you, your honor.

Mr. Jones, you have testified that on the date in question,

Miss Anthony did in fact cast her vote.

Knowing, as you have stated, that this was illegal, explain to the court the circumstances which transpired, and how you did, in the end, allow her and several other women to place their votes in the ballot box.

*(The ACTRESS awkwardly assumes the role of the witness, **MR. BEVERLY JONES**, and speaks, moving toward the witness chair.)*

Uh...(awkward pause)

um...okay...right...well...(he sits)

## 5. THE WITNESS: PART 2

As I was sayin',

Miss Anthony told me she was gonna vote.

She walked right up to sign her name.

I told her, "Sorry, but that ain't gonna happen."

I gently reminded her of the

laws of New York State,

but she kept pushin' and pokin'...my God!

That woman was so persistent!

And then she claims she has these rights

under the Constitution of the U-NI-ted States,

Said it just like that, U-NI-ted States,

leaned on the "N," U-NI-ted.

And then she asks if I know the Fourteenth Amendment  
or the Twelfth, or Thirteenth, one a' them.

I told her I might a' heard of it,

but the truth is I ain't never heard a' none a' them.

So, she pulls out a big old curly piece a' paper,

and commences to readin' that Amendment to me...

out loud! Right there, in the room, for ev'ryone to hear!

It was shameful and embarrassin' to see!

*(pause, spoken freely)*



Ya ever get one a' those headaches...the bad one, ya know? (pressing on his forehead)  
Where it's...it's like pressin' right here on your forehead  
really hard...and you can't even focus your eyes?

*(pause, realizing...)*

Sorry...

**So anyway,  
I tell Miss Anthony  
the only way I'm gonna let her vote  
is if she swears an oath on the Bible.  
So, I took out my Bible.  
I carry it with me at all times...  
gives me comfort.**

**She took the oath, her hand on the Bible!** (Melody based on the tune "Holy, Holy, Holy" by John Bacchus Dykes [1861].)  
**We made her admit that she was  
challenged then and there!  
We tried to stop her, my hand on the Bible!** *(he rises from the chair filled with religious fervor)*  
**We made her admit to that, we made her swear!**

**But that didn't seem to do a whole heck of a lot.** *(sitting down again...)*  
**If it had, we wouldn't be here, I guess.  
Well, right about then, my head was hurtin' bad.  
So, I just gave up.  
I realize we could a' done more to stop her.  
It was just such a gall danged...**

**Sorry...awkward mess!**

*(The ACTRESS stands, approaches the podium, and assumes the role of JUDGE WARD HUNT who speaks/sings the following.)*

Thank you, Mr. Jones.

*(the Judge pounds the gavel three times)*

**We have heard remarks  
as to the events of November fifth,  
of eighteen hundred and seventy-two.  
Susan B. Anthony,  
what have you to say on your own behalf  
before judgement is rendered?**

*(Leaving the podium, the ACTRESS assumes the role of SUSAN B. ANTHONY and speaks/sings the following.)*



## 6. THE DEFENDANT'S STATEMENT

I have many things to say,  
but I fear they will fall on unwilling ears.

**Where is justice?**  
**I heard about it somewhere as a child.**  
**It was called America...**  
**justice for all.**

**Where is freedom?**  
**Residing on a shelf in some back room?**  
**For I cannot find it here**  
**inside this darkened hall.**

Everything I love,  
everything I thought I knew about this nation,  
has been buried under words today,  
twisted and perverted  
into this bizarre theatrical display.

**Where is justice?**  
**Is freedom there for all or only some?**  
**How much patience will it take,**  
**how much fighting will it take,**  
**for us to overcome?**

**My civil rights,**  
**trampled in the dirt, laid to waste!**  
**I am scolded like a child,**  
**told to mind my place.**

**And I must bow before the judges**  
**who will reconcile my fate!**  
**All are my superiors,**  
**each and every one above me!**  
**What brutality.**  
**What...hypocrisy.**

**Where is justice?**  
**I heard about it somewhere as a child.**  
**It was called America.**  
**Where is my America?**

I know now what I must do.  
Urge all women to the truth  
that resistance to tyranny  
**is obedience to God!**

*(The ACTRESS makes her way to the podium, assuming the role of JUDGE WARD HUNT who will have the last word.)*

7. THE VERDICT

*(pounding the gavel violently)*

Enough!

We will hear no more from you!

The prisoner will sit down and remain silent!

**The right to vote is not granted by the Constitution,  
but by the individual states  
who set their own requirements.**

**If New York State should provide that  
no one under the age of thirty can vote,  
than that is the law.**

**And if the state should decide that no one having grey hair  
or the use of their limbs shall be entitled to vote,  
than that is the law.**

**If the fifteenth amendment had contained the word “sex,”  
then Miss Anthony’s argument might have had some weight.  
But the amendment does not contain that word.**

**Ignorance of the law excuses no one!  
But there was no ignorance here.  
She knew exactly what she was doing!  
It was her goal.  
And her intent.  
She knew the law.  
She took the risk,  
and she will bear the consequences!**

**Susan B. Anthony...**

**This court finds you...guilty, *(a stroke of the gavel)*  
guilty. *(another stroke of the gavel)***

The jury is dismissed.  
Thank you, gentlemen, for your patience.  
Justice has been served.

*Blackout*

*(The End)*

—Steven Mark Kohn  
based on “The Trial of Susan B. Anthony” (1874)

for Adriana Zabala

# The Trial of Susan B. Anthony

*A Dramatic Song Cycle  
for Mezzo Soprano and Piano*

Libretto and Music by  
Steven Mark Kohn (BMI)

Based on "The Trial of Susan B. Anthony" (1874)

## 1. Prelude

Evenly, somberly ♩ = 76–80

(THE ACTRESS approaches the podium, assuming the role of **JUDGE WARD HUNT**.)

Fast, with relentless intensity ♩ = 126–132

(**JUDGE WARD HUNT** strikes the gavel, bringing the court to order and then sings.)

(gavel strikes, in tempo)

Fast, with relentless intensity ♩ = 126–132

11 *f* with brooding intensity

(gavel) On this, the third

with relentless intensity

*ff* legato sempre *mf*

*Copy Review is illegal only*

14 Tues - day of Jan - u - ar - y, in the north - ern dis - trict of

*più p*

*Copy Review is illegal only*

17 New York State, in the year of our Lord *gliss.*

*mf*

*Copy Review is illegal only*

20

one thou - sand eight hun - dred and

Musical score for measures 20-22. The vocal line is in treble clef with a 2/4 time signature. The piano accompaniment is in grand staff (treble and bass clefs). The key signature has one sharp (F#). The lyrics are "one thou - sand eight hun - dred and".

23

sev - en - ty three, *più p* good and law - ful

Musical score for measures 23-25. The vocal line is in treble clef with a 2/4 time signature. The piano accompaniment is in grand staff. The key signature has one sharp (F#). The lyrics are "sev - en - ty three, good and law - ful". The piano part includes a triplet in measure 23 and a *più p* marking in measure 25.

26

men do, up - on their oaths, pre -

Musical score for measures 26-28. The vocal line is in treble clef with a 2/4 time signature. The piano accompaniment is in grand staff. The key signature has one sharp (F#). The lyrics are "men do, up - on their oaths, pre -".

29

sent that *più f* Su - san B. An - tho - ny,

Musical score for measures 29-31. The vocal line is in treble clef with a 2/4 time signature. The piano accompaniment is in grand staff. The key signature has one sharp (F#). The lyrics are "sent that Su - san B. An - tho - ny,". The piano part includes a *più f* marking in measure 30 and a triplet in measure 31.

## 2. Opening Arguments:

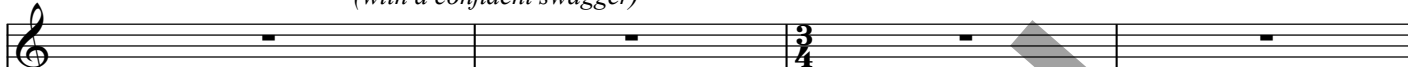
### The Prosecution

Uptempo, with patriotic verve ♩ = 132–138

(Spoken/sung as **RICHARD CROWLEY.**)

(with a confident swagger)

72



Thank you, your honor.

May it please the court

Uptempo, with patriotic verve ♩ = 132–138



*rit. molto*

**In tempo**

76



and Gentlemen of the jury . . .

There was an e -

*rit. molto*

**In tempo**



80



lec-tion in this state!

No - vem - ber fifth of

eigh-teen sev-en - ty - two,

to be ex - act.

Where



84 *f*  
 we were giv-en the so - lemn du-ty and ob - li - ga-tion of choos-ing rep-re-sent-a - tives

88 *più f* *p sub.*  
 for our dis - trict and the state at large! Now, on that ver - y day,

92 (spoken as an aside) *f sub.* *mf*  
 hard to be-lieve, I know, but... Su - san B. An - tho-ny ar - rived at the poll - ing sta-tion

96 *ff*  
 bold as brass, and for all to see she cast her vote! Assuming it was her right!

*(secco)* *gliss.* *f* *ff* *sfz*



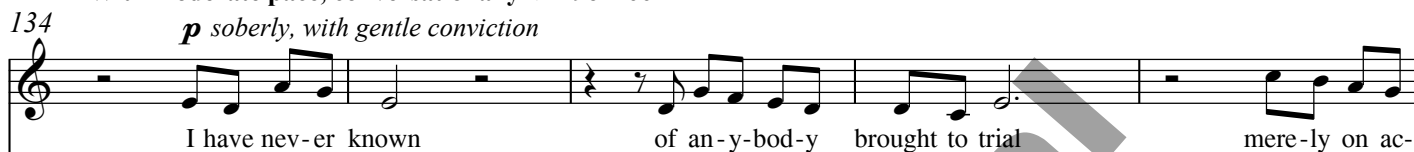
# 3. Opening Arguments:

## The Defense

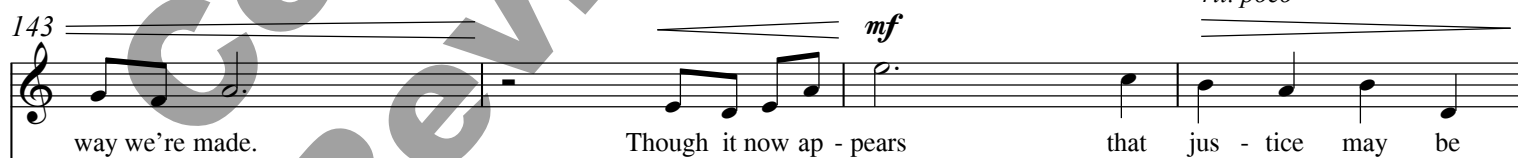
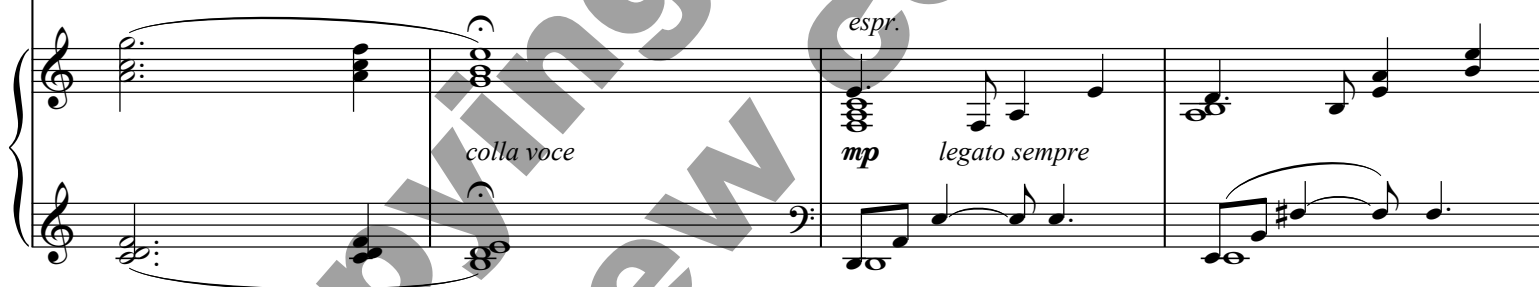
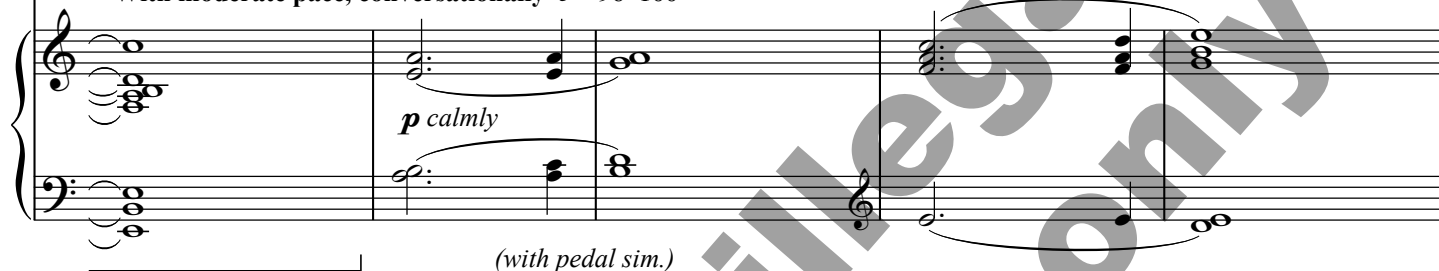
(Sung as **HENRY H. SELDEN.**)

With moderate pace, conversationally ♩ = 96–100

*p* soberly, with gentle conviction



With moderate pace, conversationally ♩ = 96–100



147 *pp* *a tempo*

blind. Are not wo-men bound by laws to the same ex-tent as

*pp* *a tempo*

Ped. Ped.

151 *mf*

men? Why then would they not share in the choos-ing of

*mf*

Ped. (with pedal sim.)

155 (spoken freely)

those who make the laws? There is a document you may have heard of,

*sfz* *mp* *p*

159 *mf*

written nearly one hundred years ago. It states that "Gov-ern-ments de-rive their just pow-ers from the con-

*mf*

163 *rit.* A bit faster ♩ = 102

sent of the gov-erned." But who are the gov-erned? Us?

*rit.* A bit faster ♩ = 102

*sfz p sub.* *l.h. eerily legato*

166 *f* (addressing the jury, indignantly)

Sir? You and I? Gen-tle-men! Yes, all of us here! But is

*sfz* *(l.h.)* *(p sempre)*

170

she not gov-erned? She must o-bey the laws as

*sfz* *(l.h.)*

*Red.*

174 *with growing rage*

we do. Ah, but she has no voice! What if

*sfz* *(l.h.)*

*Red.*

## 4. The Witness:

## Part 1

(Spoken/sung as **MR. BEVERLY JONES**, witness.)

*Mr. Jones is jolted into character as if just realizing with surprise that he is "on." He then timidly and clumsily makes his way to the witness chair.*

234 **In tempo** *rit.*

Oh! (pause) uh... (pause) um... okay... uh... well... so...

**In tempo** *rit.*

*p* *molto* *sfz*

**Fast and rollicking** ♩ = 168

236 *mf* (spoken in rhythm)

Here's how it hap-pen-ed. There I was, work-in' as e - lec - tion of - fi - cial with

**Fast and rollicking** ♩ = 168

*sfz* *p* with a light touch throughout

239

Ed - win Marsh and Wil - liam Hall. I don't mind, just

242

try - in' to help, — you know. Doin' my civ - ic du - ty is all. — Now,

245

in comes Su - san B. with sev - 'ral of her friends. I re - cog - nized her right there

248

at the door 'cause I seen her at the

*più f* *mp*

251

post of - fice 'round town here and there, you get to know people . . . (pause)

**Freely, senza misura**

**Freely, senza misura**

## 254 In tempo

some - times o - ver at the gro - cer - y store. But an - y - way . . .

**In tempo**

she tells me she's com - in' in to vote, act - in' like she owns the

*più f*

whole darn place! And I said, "Hold on here, you

*f*

*f sub.*

*mp*

can't be do - in' that! Not in New York State a - ny - ways . . ." So, she's

*mf*

*p*

# 5. The Witness:

## Part 2

(The ACTRESS suddenly and awkwardly assumes the role of witness **BEVERLY JONES**, and speaks; approaching the witness chair . . . he sits.)

323 **Fast, as before** ♩ = 168 **mp**

Uh . . . (awkward pause) . . . um . . . o-kay . . . right . . . well . . . As I was say-in', Miss An-tho-ny told me

**Fast, as before** ♩ = 168 **p with a light touch**

326 she was gon - na vote. She walked right up to sign her

329 name. I told her, "Sor - ry,

The musical score is for a piano and voice. It consists of three systems of music. The first system starts at measure 323 and ends at measure 325. The second system starts at measure 326 and ends at measure 328. The third system starts at measure 329 and ends at measure 331. The score is written for a piano and a voice. The piano part is in the lower staves, and the voice part is in the upper staff. The tempo is marked 'Fast, as before' with a metronome marking of ♩ = 168. The dynamics are marked 'mp' (mezzo-piano) and 'p' (piano). The score includes lyrics for the voice part. There is a large diagonal watermark across the page that reads 'Copying is illegal' and 'Review only'.



332

but that ain't gon - na hap - pen." I gent - ly re -

335

mind - ed her of the laws of New York State,

338

but she kept push - in' and po - kin'... my

341

*f* **senza misura** **In tempo** *f*

God! That woman was so persistent! And then she claims she has these

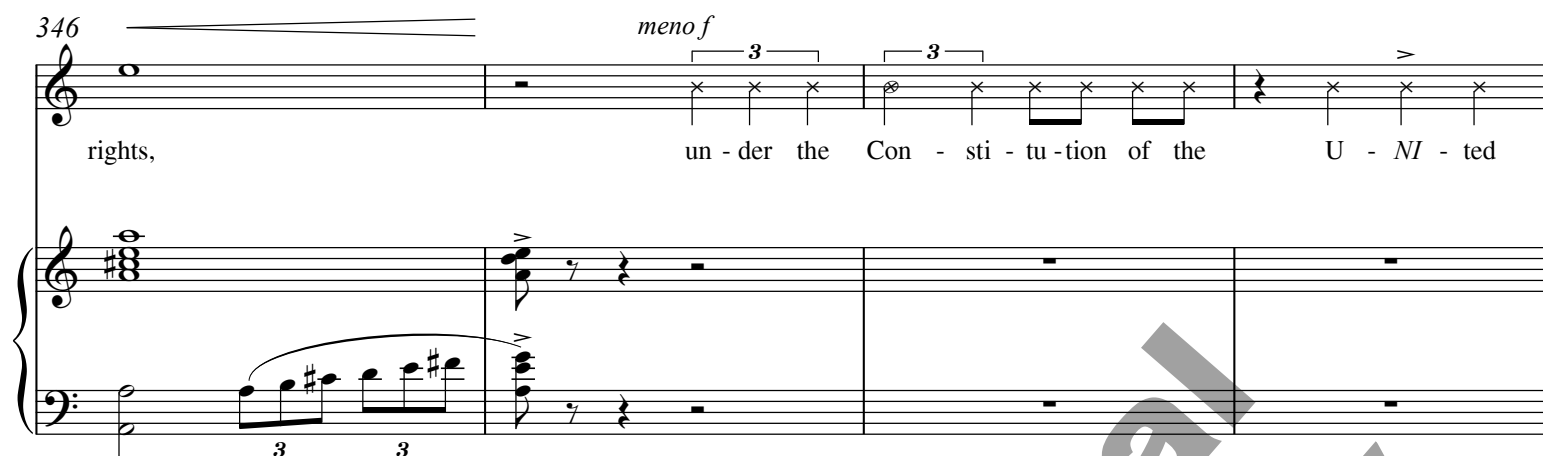
*f* **senza misura** **In tempo**

*sfz* *f*

(with pedal)

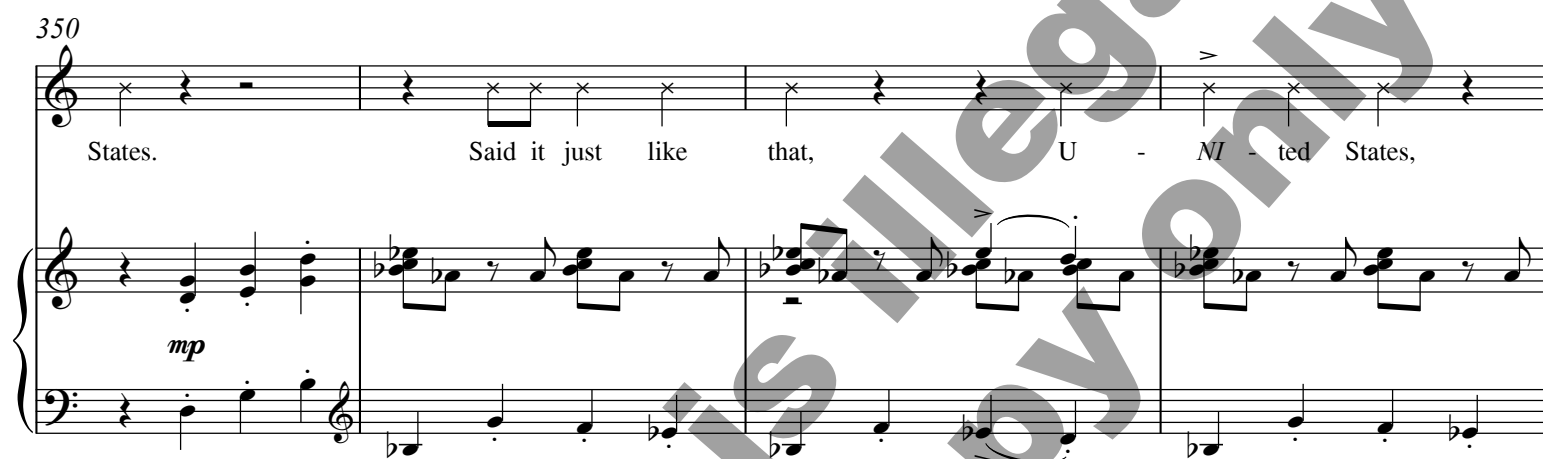
346 *meno f*

rights, un - der the Con - sti - tu - tion of the U - NI - ted



350 *mp*

States. Said it just like that, U - NI - ted States,



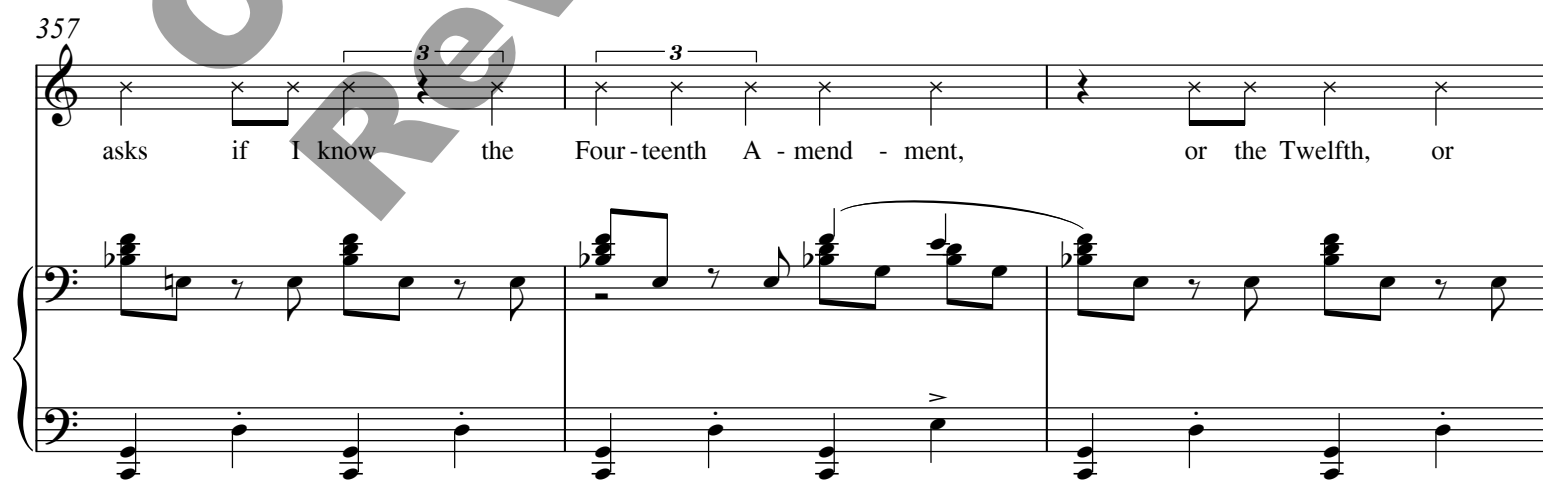
354 *p*

leaned on the "N," U - NI - ted. And then she



357

asks if I know the Four - teenth A - mend - ment, or the Twelfth, or



## 6. The Defendant's Statement

**Slower, more measured**

$\text{♩} = 60-66$

(Leaving the podium,  
the ACTRESS becomes **SUSAN B. ANTHONY.**)

(She speaks/sings.)

459

I have many things to say, but I fear

**Slower, more measured**  
 $\text{♩} = 60-66$

*pp espressivo molto*

**Moderately, with some freedom**

$\text{♩} = 84-92$

463

they will fall on unwilling ears. Where is jus - tice? I

**Moderately, with some freedom**  
 $\text{♩} = 84-92$

*mp* *p*

467

heard a - bout it some - where as a child. It was called A - mer - i - ca...

471

*poco più f*

jus - tice for all. Where is

*legato, espr. sempre*

(with pedal always)

474

free-dom? Re - sid - ing on a shelf in some back room?

*poco più f*

477

*mp*

For I can not find it here in - side this dark - ened

*mp*

480

*mf pressing forward*

hall. Ev - 'ry - thing I love, ev - 'ry - thing I

*ppp*

*pp*

*mf pressing forward*

483

thought I knew a - bout this na - tion, has been bur - ied un - der words to -

486 *ff*

day, twist - ed and per - vert - ed in - to

*ff colla voce*

Slower still

489

this bi - zarre the - at - ri - cal dis - play.

*p*

492 *rit.* *p* *a tempo*

Where is jus - tice? Is free - dom there for all or on - ly

*rit.* *pp* *p*

## 7. The Verdict

(JUDGE WARD HUNT  
pounds the gavel violently, and speaks freely.)

548

Enough! We will hear no more from you! The prisoner will sit down and remain

*p* repeat figures and accelerate

Fast and relentless, as at the beginning

♩ = 126–132

549

(JUDGE WARD HUNT sings) *mf*

silent!

Fast and relentless, as at the beginning  
♩ = 126–132

*legato sempre*  
*ff*

*mf*

The right to vote is not

552

grant - ed by the Con - sti - tu - tion, but by the

555

in - di - vid - u - al states who set their own re -

558

*p*

quire - ments. If New York State should pro - vide that

561

*f*

no one un - der the age of thir - ty can vote, then

564

that is the law. And if the state should de -



567

cide that no one hav - ing grey hair

570

or the use of thier limbs shall be en -

573

ti - tled to vote, then that is the law.

576

*pp sempre; eerily, non vibrato*

If the fif - teenth a - mend - ment had con - tained the word

*pp sempre; eerily legato*