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# TWELVE ANGRY MEN

## REGINALD ROSE

### CHARACTERS

**Foreman** A small, petty man who is impressed with the authority he has and handles himself quite formally. Not overly bright, but dogged.

**Juror Number Two** A meek, hesitant man who finds it difficult to maintain any opinions of his own. Easily swayed and adopts the opinion of the last person to whom he has spoken.

**Juror Number Three** A very strong, very forceful, extremely opinionated man within whom can be detected a streak of sadism. A humorless man who is intolerant of opinions other than his own and accustomed to forcing his wishes and views upon others.

**Juror Number Four** Seems to be a man of wealth and position. A practiced speaker who presents himself well at all times, seems to feel a little bit above the rest of the jurors. His only concern is with the facts in this case, and he is appalled at the behavior of the others.

**Juror Number Five** A naive, very frightened young man who takes his obligations in this case very seriously, but who finds it difficult to speak up when his elders have the floor.

**Juror Number Six** An honest but dull witted man who comes upon his decisions slowly and carefully. A man who finds it difficult to create positive opinions, but who must listen to and digest and accept those opinions offered by others which appeal to him most.

**Juror Number Seven** A loud, flashy, glad-handed salesman type who has more important things to do than to sit on a jury. He is quick to show temper, quick to form opinions on things about which he knows nothing. Is a bully and, of course, a coward.

**Juror Number Eight** A quiet, thoughtful, gentle man. A man who sees all sides of every question and constantly seeks the truth. A man of strength tempered with compassion. Above all, a man who wants justice to be done and will fight to see that it is.

**Juror Number Nine** A mild, gentle old man, long since defeated by life and now merely waiting to die. A man who recognizes himself for what he is-and mourns the days when it would have been possible to be courageous without shielding himself behind his many years.

#### **Juror Number Ten**

A narrow-minded bigot<sup>1</sup>, a man who has been nowhere and is going nowhere and knows it deep within him

**Juror Number Eleven** A refugee from Europe who had come to this country seeking freedom, he will honestly seek justice because he has suffered through so much injustice.

**Juror Number Twelve** A slick, bright advertising man who thinks of human beings in terms of percentages, graphs, and polls and has no real understanding of people. A superficial snob, but is trying to be a good fellow.

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<sup>1</sup> **bigot** (big' at) *n.*: A narrow-minded person; one who holds blindly and intolerantly to a particular opinion.

## ACT I

[*Fade in on a jury box. Twelve men are seated in it, listening intently to the voice of the JUDGE as he charges them<sup>2</sup>. We do not see the JUDGE. He speaks in slow, measured tones and his voice is grave. The camera drifts over the faces of the JURYMEN as the JUDGE speaks and we see that most of their heads are turned to camera's left. SEVEN looks down at his hands. THREE looks off in another direction, the direction in which the defendant would be sitting. TEN keeps moving his head back and forth nervously. The JUDGE drones on.*]

**JUDGE.** Murder in the first degree—premeditated homicide<sup>3</sup>—is the most serious charge tried in our criminal courts. You've heard a long and complex case, gentlemen, and it is now your duty to sit down to try and separate the facts from the fancy. One man is dead. The life of another is at stake. If there is a reasonable doubt<sup>4</sup> in your minds as to the guilt of the accused . . . then you must declare him not guilty. If, however, there is no reasonable doubt, then he must be found guilty. Whichever way you decide, the verdict must be unanimous. I urge you to deliberate honestly and thoughtfully. You are faced with a grave responsibility. Thank you, gentlemen.

[*There is a long pause*]

**CLERK.** [*Droning*] The jury will retire.

[*And now, slowly, almost hesitantly, the members of the jury begin to rise. Awkwardly, they file out of the jury box and of camera to the left. Camera holds on jury box, then fades out.*]

*Fade in on a large, bare, unpleasant-looking room. This is the jury room in the county criminal court of a large Eastern city. It is about 4:00 P.M. The room is furnished with a long conference table and a dozen chairs. The walls are bare, drab, and badly in need of a fresh coat of paint. Along one wall is a row of windows which look out on the skyline of the city's financial district. High on another wall is an electric clock. A washroom opens off the jury room. In one*

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<sup>2</sup>**charges them:** Gives the jurors instruction in points of law they need to know in order to carry out their duties.

<sup>3</sup>**premeditated homicide** (pri med' o tat' id ham' a ski): Murder that is planned in advance.

<sup>4</sup>**reasonable doubt:** Uncertainty because of lack of conclusive evidence.

*corner of the room is a water fountain. On the table are pads, pencils, ashtrays. One of the windows is open. Papers blow across the table and onto the floor as the door opens. Lettered on the outside of the door are the words "Jury Room." A uniformed GUARD holds the door open. Slowly, almost self-consciously, the twelve JURORS file in. The GUARD counts them as they enter the door, his lips moving, but no sound coming forth. Four or five of the JURORS light cigarettes as they enter the room. FIVE lights his pipe, which he smokes constantly throughout the play. TWO and TWELVE go to the water fountain, NINE goes into the washroom, the door of which is lettered "Men." Several of the JURORS take seats at the table. Others stand awkwardly around the room. Several look out the windows. These are men who are ill at ease, who do not really know each other to talk to, and who wish they were anywhere but here. SEVEN, standing at window, takes out a pack of gum, takes a piece, and offers it around. There are no takers. He mops his brow.]*

**SEVEN.** [To SIX] Y'know something? It's hot. [SIX nods.] You'd think they'd at least air-condition the place. I almost dropped dead in court.

[SEVEN opens the window a bit wider. The GUARD looks them over and checks his count. Then, satisfied, he makes ready to leave.]

**GUARD.** Okay, gentlemen. Everybody's here. If there's anything you want, I'm right outside. Just knock.

[He exits, closing the door. Silently they all look at the door. We hear the lock clicking.]

**FIVE.** I never knew they locked the door.

**TEN.** [*Blowing nose*] Sure, they lock the door. What did you think?

**FIVE.** I don't know. It just never occurred to me.

[*Some of the JURORS are taking off their jackets. Others are sitting down at the table. They still are reluctant to talk to each other. FOREMAN is at head of table, tearing slips of paper for ballots. Now we get a close shot of EIGHT. He looks out the window. We hear THREE talking to TWO.*]

**THREE.** Six days. They should have finished it in two. Talk, talk, talk. Did you ever hear so much talk about nothing?

**TWO.** [*Nervously laughing*] Well . . . I guess . . . they're entitled.

**THREE.** Everybody gets a fair trial. [*He shakes his head.*] That's the system. Well, I suppose you can't say anything against it.

[*TWO looks at him nervously, nods, and goes over to water cooler. Cut to shot of EIGHT staring out window. Cut to table. SEVEN stands at the table, putting out a cigarette.*]

**SEVEN.** [To TEN] How did you like that business about the knife? Did you ever hear a phonier story?

**TEN.** [*Wisely*] Well, look, you've gotta expect that. You know what you're dealing with.

**SEVEN.** Yeah, I suppose. What's the matter, you got a cold?

**TEN.** [*Blowing*] A lulu. These hot-weather colds can kill you.

[*SEVEN nods sympathetically.*]

**FOREMAN.** [*Briskly*] All right, gentlemen. Let's take seats.

**SEVEN.** Right. This better be fast. I've got tickets to *The Seven Year Itch*<sup>5</sup> tonight. I must be the only guy in the whole world who hasn't seen it yet. [*He laughs and sits down.*] Okay, your honor, start the show.

[*They all begin to sit down. The FOREMAN is seated at the head of the table. EIGHT continues to look out the window.*]

**FOREMAN.** [To EIGHT] How about sitting down?

[*EIGHT doesn't hear him.*] The gentleman at the window.

[*EIGHT turns, startled.*]

**FOREMAN.** How about sitting down?

**EIGHT.** Oh, I'm sorry. [*He heads for a seat.*]

**TEN.** [To SIX] It's tough to figure, isn't it? A kid kills his father. Bing! Just like that. Well, it's the element. They let the kids run wild. Maybe it serves 'em right.

**FOREMAN.** Is everybody here?

**TWELVE.** The old man's inside.

[*The FOREMAN turns to the washroom just as the door opens. NINE comes out, embarrassed.*]

**FOREMAN.** We'd like to get started.

**NINE.** Forgive me, gentlemen. I didn't mean to keep you waiting.

**FOREMAN.** It's all right. Find a seat.

[*NINE heads for a seat and sits down. They look at the FOREMAN expectantly.*]

**FOREMAN.** All right. Now, you gentlemen can handle this any way you want to. I mean, I'm not going to make any rules. If we want to discuss it first and then vote, that's one way. Or we can vote right now to see how we stand.

**SEVEN.** Let's vote now. Who knows, maybe] we can all go home.

**TEN.** Yeah. Let's see who's where.

**THREE.** Right. Let's vote now.

**FOREMAN.** Anybody doesn't want to vote?

[*He looks around the table. There is no answer.*] Okay, all those voting guilty raise your hands.

[*Seven or eight hands go up immediately. Several others go up more slowly. Everyone looks around the table. There are two hands not raised, NINE'S and EIGHT'S. NINE'S hand goes up slowly now as the FOREMAN counts.*]

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<sup>5</sup>*The Seven Year Itch*: A popular Broadway comedy during the 1950's.

**FOREMAN.** . . . Nine . . . ten . . . eleven . . . That's eleven for guilty. Okay. Not guilty? [EIGHT'S *hand is raised.*] One. Right. Okay. Eleven to one; guilty. Now we know where we are.

**THREE.** Somebody's in left field. [To EIGHT] You think he's not guilty?

**EIGHT.** [*Quietly*] I don't know.

**THREE.** I never saw a guiltier man in my life. You sat right in court and heard the same thing I did. The man's a dangerous killer. You could see it.

**EIGHT.** He's nineteen years old.

**THREE.** That's old enough. He knifed his own father. Four inches into the chest. An innocent little nineteen-year-old kid. They proved it a dozen different ways. Do you want me to list them?

**EIGHT.** No.

**TEN.** [To EIGHT] Well, do you believe his story?

**EIGHT.** I don't know whether I believe it or not. Maybe I don't.

**SEVEN.** So what'd you vote not guilty for?

**EIGHT.** There were eleven votes for guilty. It's not so easy for me to raise my hand and send a boy off to die without talking about it first.

**SEVEN.** Who says it's easy for me?

**EIGHT.** No one

**SEVEN.** What, just because I voted fast? I think the guy's guilty. You couldn't change my mind if you talked for a hundred years.

**EIGHT.** I don't want to change your mind. I just want to talk for a while. Look, this boy's been kicked around all his life. You know, living in a slum, his mother dead since he was nine. That's not a very good head start. He's a tough, angry kid. You know why slum kids get that way? Because we knock 'em on the head once a day, every day. I think maybe we owe him a few words. That's all.

[*He looks around the table. Some of them look back coldly. Some cannot look at him. Only NINE nods slowly. TWELVE doodles steadily. FOUR begins to comb his hair.*]

**TEN.** I don't mind telling you this, mister. We don't owe him a thing. He got a fair trial, didn't he? You know what that trial cost? He's lucky he got it. Look, we're all grown-ups here. You're not going to tell us that we're supposed to believe him, knowing what he is. I've lived among 'em all my life. You can't believe a word they say. You know that.

**NINE.** [*To TEN very slowly*] I don't know that. What a terrible thing for a man to believe! Since when is dishonesty a group characteristic? You have no monopoly on the truth—

**THREE.** [*Interrupting*] All right. It's not Sunday. We don't need a sermon.

**NINE.** What this man says is very dangerous—

[*EIGHT puts his hand on NINE'S arm and stops him. Somehow his touch and his gentle expression calm the old man. He draws a deep breath and relaxes.*]

**FOUR.** I don't see any need for arguing like this. I think we ought to be able to behave like gentlemen.

**SEVEN.** Right!

**FOUR.** If we're going to discuss this case, let's discuss the facts.

**FOREMAN.** I think that's a good point. We have a job to do. Let's do it.

**ELEVEN.** [*With accent*] If you gentlemen don't mind, I'm going to close the window. [*He gets up and does so.*] [*Apologetically*] It was blowing on my neck.

[*TEN blows his nose fiercely.*]

**TWELVE.** I may have an idea here. I'm just thinking out loud now, but it seems to me that it's up to us to convince this gentleman [*Indicating EIGHT*] that we're right and he's wrong. Maybe if we each took a minute or two, you know, if we sort of try it on for size

**FOREMAN.** That sounds fair enough. Supposing we go once around the table.

**SEVEN.** Okay, let's start it off.

**FOREMAN.** Right. [To TWO] I guess you're first.

**TWO.** [*Timidly*] Oh. Well... [*Long pause*] I just think he's guilty. I thought it was obvious. I mean nobody proved otherwise.

**EIGHT.** [*Quietly*] Nobody has to prove otherwise. The burden of proof is on the prosecution<sup>6</sup>. The defendant doesn't have to open his mouth. That's in the Constitution. The Fifth Amendment<sup>7</sup>. You've heard of it.

**TWO.** [*Flustered*] Well, sure, I've heard of it. I know what it is. I . . . what I meant . . . well, anyway, I think he was guilty.

**THREE.** Okay, let's get to the facts. Number one, let's take the old man who lived on the second floor right underneath the room where the murder took place. At ten minutes after twelve on the night of the killing he heard loud noises in the upstairs apartment. He said it sounded like a fight. Then he heard the kid say to his father, "I'm gonna kill you." A Second later he heard a body falling, and he ran to the door of his apartment, looked out, and saw the kid running down the stairs and out of the house. Then he called the police. They found the father with a knife in his chest.

**FOREMAN.** And the coroner<sup>8</sup> fixed the time of death at around midnight.

**THREE.** Right. Now what else do you want?

**FOUR.** The boy's entire story is flimsy. He claimed he was at the movies. That's a little ridiculous, isn't it? He couldn't even remember what pictures he saw.

**THREE.** That's right. Did you hear that? [*To FOUR*] You're absolutely right.

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<sup>6</sup>**prosecution** (pras' a kyo'd' salon) n.: The conducting of criminal proceedings in court against a person.

<sup>7</sup>**Fifth Amendment:** In the U.S. Constitution, the amendment that says no person "shall be compelled in any criminal case to be a witness against himself."

<sup>8</sup>**coroner** (k6r' a nor) n.: A public official whose chief duty is to determine the cause of

**TEN.** Look, what about the woman across the street? If her testimony don't prove it, then nothing does.

**TWELVE.** That's right. She saw the killing, didn't she?

**FOREMAN.** Let's go in order.

**TEN.** [*Loud*] Just a minute. Here's a woman who's lying in bed and can't sleep. It's hot, you know. [*He gets up and begins to walk around, blowing his nose and talking.*] Anyway, she looks out the window, and right across the street she sees the kid stick the knife into his father. She's known the kid all his life. His window is right opposite hers, across the el<sup>9</sup> tracks, and she swore she saw him do it.

**EIGHT.** Through the windows of a passing elevated train.

**TEN.** Okay. And they proved in court that you can look through the windows of a passing el train at night and see what's happening on the other side. They proved it.

**EIGHT.** I'd like to ask you something. How come you believed her? She's one of "them," too, isn't she?

[TEN walks over to EIGHT.]

**TEN.** You're a pretty smart fellow, aren't you?

**FOREMAN.** [*Rising*] Now take it easy. [THREE gets up and goes to TEN.]

**THREE.** Come on. Sit down. [*He leads TEN back to his seat.*] What're you letting him get you all upset for? Relax.

[TEN and THREE Sit down.]

**FOREMAN.** Let's calm down now. [To FIVE] It's your turn.

**FIVE.** I'll pass it.

**FOREMAN.** That's your privilege. [*To six*] How about you?

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<sup>9</sup>**el:** An elevated railway.

**SIX.** *[Slowly]* I don't know. I started to be convinced, you know, with the testimony from those people across the hall. Didn't they say something about an argument between the father and the boy around seven o'clock that night? I mean; I can be wrong.

**ELEVEN.** I think it was eight o'clock. Not seven.

**EIGHT.** That's right. Eight o'clock. They heard the father hit the boy twice and then saw the boy walk angrily out of the house. What does that prove?

**SIX.** Well, it doesn't exactly prove anything. It's just part of the picture. I didn't say it proved anything.

**FOREMAN.** Anything else?

**SIX.** No.

*[six goes to the water fountain.]*

**FOREMAN.** *[To SEVEN]* All right. How about you?

**SEVEN.** I don't know, most of it's been said already. We can talk all day about this thing, but I think we're wasting our time. Look at the kid's record. At fifteen he was in reform school. He stole a car. He's been arrested for mugging. He was picked up for knife-fighting. I think they said he stabbed somebody in the arm. This is a very fine boy.

**EIGHT.** Ever since he was five years old his father beat him up regularly He used his fists.

**SEVEN.** So would I! A kid like that.

**THREE.** You're right. It's the kids. The way they are—you know? They don't listen. *[Bitter]* I've got a kid. When he was eight years old he ran away from a fight. I saw him. I was so ashamed, I told him right out, "I'm gonna make a man out of you or I'm gonna bust you up into little pieces trying." When he was fifteen he hit me in the face. He's big, you know. I haven't seen him in three years. Rotten kid! You work your heart out. . . . *[Pause]* All right. Let's get on with it. *[Looks away embarrassed]*

**FOUR.** We're missing the point here. This boy—let's say he's a product of a filthy neighborhood and a broken home. We can't help that. We're not here to go into reasons why slums are breeding grounds for

criminals. They are. I know it. So do you. The children who come out of slum backgrounds are potential menaces to society.

**TEN.** You said it there. I don't want any part of them, believe me.

*[There is a dead silence for a moment, and then FIVE speaks haltingly.]*

**FIVE.** I've lived in a slum all my life—

**TEN.** Oh, now wait a second!

**FIVE.** I used to play in a backyard that was filled with garbage. Maybe it still smells on me.

**FOREMAN.** Now let's be reasonable. There's nothing personal *[FIVE stands up.]*

**FIVE.** There is something personal!

*[Then he catches himself and, seeing everyone looking at him, sits down, fists clenched.]*

**THREE.** *[Persuasively]* Come on, now. He didn't mean you, feller. Let's not be so sensitive.

**ELEVEN.** I can understand this sensitivity.

**FOREMAN.** Now let's stop the bickering. We're wasting time. *[To EIGHT]* It's your turn.

**EIGHT.** All right. I had a peculiar feeling about this trial. Somehow I felt that the defense counsel never really conducted a thorough cross-examination<sup>10</sup>. I mean, he was appointed by the court to defend the boy. He hardly seemed interested. Too many questions were left unasked.

**THREE.** *[Annoyed]* What about the ones that were asked? For instance, let's talk about that cute little switch-knife.<sup>11</sup> You know, the one that fine upright kid admitted buying.

**EIGHT.** All right. Let's talk about it. Let's get it in here and look at it. I'd like to see it again, Mr. Foreman.

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<sup>10</sup>**cross examination** n.: The questioning of a witness who has already been questioned by the opposing side

<sup>11</sup>**switch-knife:** A large jackknife that snaps open when a release button on the handle is pressed.

*[The FOREMAN looks at him questioningly and then gets up and goes to the door. During the following dialogue the FOREMAN knocks, the GUARD comes in, the FOREMAN whispers to him, the GUARD nods and leaves, locking the door.]*

**THREE.** We all know what it looks like. I don't see why we have to look at it again. [To FOUR] What do you think?

**FOUR.** The gentleman has a right to see exhibits in evidence.<sup>12</sup>

**THREE.** *[Shrugging]* Okay with me.

**FOUR.** [ To EIGHT] This knife is a pretty strong piece of evidence, don't you agree?

**EIGHT.** I do.

**FOUR.** The boy admits going out of his house at eight o'clock after being slapped by his father.

*[There is a long pause.]*

**EIGHT.** Or punched.

**FOUR.** Or punched. He went to a neighborhood store and bought a switch-knife. The storekeeper was arrested the following day when he admitted selling it to the boy. It's a very unusual knife. The storekeeper identified it and said it was the only one of its kind he had in stock. Why did the boy get it? *[Sarcastically]* As a present for a friend of his, he says. Am I right so far?

**EIGHT.** Right.

**THREE.** You bet he's right. *[To all]* Now listen to this man. He knows what he's talking about.

**FOUR.** Next, the boy claims that on the way home the knife must have fallen through a hole in his coat pocket, that he never saw it again. Now there's a story, gentlemen. You know what actually happened. The boy took the knife home and a few hours later stabbed his father with it and even remembered to wipe off the fingerprints.

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<sup>12</sup>**exhibits in evidence** n.: Documents or objects officially presented as evidence in a trial.

*[The door opens and the GUARD walks in with an oddly designed knife with a tag on it. FOUR gets up and takes it from him. The GUARD exits.]*

**FOUR.** Everyone connected with the case identified this knife. Now are you trying to tell me that someone picked it up off the street and went up to the boy's house and stabbed his father with it just to be amusing?

**EIGHT.** No, I'm saying that it's possible that the boy lost the knife and that someone else stabbed his father with a similar knife. It's possible.

*[FOUR flips open the knife and jams it into the table.]*

**FOUR.** Take a look at that knife. It's a very strange knife. I've never seen one like it before in my life. Neither had the storekeeper who sold it to him.

*[EIGHT reaches casually into his pocket and withdraws an object. No one notices this. He stands up quietly.]*

**FOUR.** Aren't you trying to make us accept a pretty incredible coincidence?

**EIGHT.** I'm not trying to make anyone accept it. I'm just saying it's possible.

**THREE.** *[Shouting]* And I'm saying it's not possible.

*[EIGHT swiftly flicks open the blade of a switch knife and jams it into the table next to the first one. They are exactly alike. There are several gasps and everyone stares at the knife. There is a long silence.]*

**THREE.** *[Slowly, amazed]* What are you trying to do?

**TEN.** *[Loud]* Yeah, what is this? Who do you think you are?

**FIVE.** Look at it! It's the same knife!

**FOREMAN.** Quiet! Let's be quiet.

*[They quiet down.]*

**FOUR.** Where did you get it?

**EIGHT.** I got it last night in a little junk shop around the corner from the boy's house. It cost two dollars.

**THREE.** Now listen to me! You pulled a real smart trick here, but you proved absolutely zero. Maybe there are ten knives like that, so what?

**EIGHT.** Maybe there are.

**THREE.** The boy lied and you know it.

**EIGHT.** He may have lied. [To TEN] Do you think he lied?

**TEN.** [*Violently*] Now that's a stupid question. Sure he lied!

**EIGHT.** [To Fowl] Do you?

**FOUR.** You don't have to ask me that. You know my answer. He lied.

**EIGHT.** [*To FIVE*] Do you think he lied?

[*FIVE can't answer immediately. He looks around nervously.*]

**FIVE.** I . . . I don't know.

**SEVEN.** Now wait a second. What are you, the guy's lawyer? Listen, there are still eleven of us who think he's guilty. You're alone. What do you think you're gonna accomplish? If you want to be stubborn and hang this jury,<sup>13</sup> he'll be tried again and found guilty, sure as he's born.

**EIGHT.** You're probably right.

**SEVEN.** So what are you gonna do about it? We can be here all night.

**NINE.** It's only one night. A man may die.

[*SEVEN glares at NINE for a long while, but has no answer. EIGHT looks closely at NINE and we begin to sense a rapport between them. There is a long silence. Then suddenly everyone begins to talk at once.*]

**THREE.** Well, whose fault is that?

**SIX.** Do you think maybe if we went over it again?

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<sup>13</sup>**hang this jury:** Prevent this jury from reaching a verdict.

What I mean is—

**TEN.** Did anyone force him to kill his father? [*To THREE*] How do you like him? Like someone forced him!

**ELEVEN.** Perhaps this is not the point.

**FIVE.** No one forced anyone. But listen—

**TWELVE.** Look, gentlemen, we can spitball all night here.

**TWO.** Well, I was going to say—

**SEVEN.** Just a minute. Some of us've got better things to do than sit around a jury room.

**FOUR.** I can't understand a word in here. Why do we all have to talk at once?

**FOREMAN.** He's right. I think we ought to get on with it.

[*EIGHT has been listening to this exchange closely.*]

**THREE.** [*To EIGHT*] Well, what do you say? You're the one holding up the show.

**EIGHT.** [*Standing*] I've got a proposition to make.

[*We catch a close shot of FIVE looking steadily at him as he talks. FIVE, seemingly puzzled, listens closely.*]

**EIGHT.** I want to call for a vote. I want you eleven men to vote by secret ballot. I'll abstain. If there are still eleven votes for guilty, I won't stand alone. We'll take in a guilty verdict right now.

**SEVEN.** Okay. Let's do it.

**FOREMAN.** That sounds fair. Is everyone agreed?

[*They all nod their heads. EIGHT walks over to the window, looks out for a moment., and then faces them.*]

**FOREMAN.** Pass these along.

[*The FOREMAN passes ballot slips to all of them, and now EIGHT watches them tensely as they begin to write.*]

[*Fade out*]



## ACT II

[*Fade in on same scene, no time lapse. EIGHT stands tensely watching as the JURORS write on their ballots. He stays perfectly still as one by one they fold the ballots and pass them along to the FOREMAN. The FOREMAN takes them, riffles through the folded ballots, counts eleven, and now begins to open them. He reads each one out loud and lays it aside. They watch him quietly, and all we hear is his voice and the sound of TWO sucking on a cough drop.*]

**FOREMAN.** Guilty. Guilty. Guilty. Guilty. Guilty. Guilty. Guilty. Guilty. Guilty. [He pauses at the tenth ballot and then reads it.] Not Guilty.

[THREE slams down hard on the table. The FOREMAN opens the last ballot.]

Guilty.

**TEN.** [Angry] How do you like that!

**SEVEN.** Who was it? I think we have a right to know.

**ELEVEN.** Excuse me. This was a secret ballot. We agreed on this point, no? If the gentleman wants it to remain secret—

**THREE.** [Standing up angrily] What do you mean? There are no secrets in here! I know who it was. [He turns to FIVE.] What's the matter with you? You come in here and you vote guilty and then this slick preacher starts to tear your heart out with stories about a poor little kid who just couldn't help becoming a murderer. So you change your vote. If that isn't the most sickening—

[FIVE stares at THREE frightened at this outburst.]

**FOREMAN.** Now hold it.

**THREE.** Hold it? We're trying to put a guilty man into the chair where he belongs—and all of a sudden we're paying attention to fairy tales.

**FIVE.** Now just a minute—

**ELEVEN.** Please. I would like to say something here. I have always thought that a man was entitled to have unpopular opinions in this country. This is the reason I came here. I wanted to have the right to disagree. In my own country, I am ashamed to say—

**TEN.** What do we have to listen to now—the whole history of your country?

**SEVEN.** Yeah, let's stick to the subject. [To FIVE] I want to ask you what made you change your vote.

[There is a long pause as SEVEN and FIVE eye each other angrily.]

**NINE.** [Quietly] There's nothing for him to tell you. He didn't change his vote. I did. [There is a pause.] Maybe you'd like to know why.

**THREE.** No, we wouldn't like to know why.

**FOREMAN.** The man wants to talk.

**NINE.** Thank you. [Pointing at EIGHT] This gentleman chose to stand alone against us. That's his right. It takes a great deal of courage to stand alone even if you believe in something very strongly. He left the verdict up to us. He gambled for support and I gave it to him. I want to hear more. The vote is ten to two.

**TEN.** That's fine. If the speech is over, let's go on.

[FOREMAN gets up, goes to door, knocks, hands GUARD the tagged switch-knife and sits down again.]

**THREE.** [To FIVE] Look, buddy, I was a little excited. Well, you know how it is. I . . . I didn't mean to get nasty. Nothing personal.

[FIVE looks at him.]

**SEVEN.** [To EIGHT] Look, supposing you answer me this. If the kid didn't kill him, who did?

**EIGHT.** As far as I know, we're 'supposed to decide whether or not the boy on trial is guilty. We're not concerned with anyone else's motives here.

**NINE.** Guilty beyond a reasonable doubt. This is an important thing to remember.

**THREE.** [To TEN] Everyone's a lawyer. [To NINE] Supposing you explain what your reasonable doubts are.

**NINE.** This is not easy. So far, it's only a feeling I have. A feeling. Perhaps you don't understand.

**TEN.** A feeling! What are we gonna do, spend the night talking about your feelings? What about the facts?

**THREE.** You said a mouthful. *[To NINE]* Look, the old man heard the kid yell, "I'm gonna kill you." A second later he heard the father's body falling, and he saw the boy running out of the house fifteen seconds after that.

**TWELVE.** That's right. And let's not forget the woman across the street. She looked into the open window and saw the boy stab his father. She saw it. Now if that's not enough for you . . .

**EIGHT.** It's not enough for me.

**SEVEN.** How do you like him? It's like talking into a dead phone.

**FOUR.** The woman saw the killing through the windows of a moving elevated train. The train had five cars, and she saw it through the windows of the last two. She remembers the most insignificant details.

*[Cut to close shot of TWELVE, who doodles a picture of an el train on a scrap of paper.]*

**THREE.** Well, what have you got to say about that?

**EIGHT.** I don't know. It doesn't sound right to me.

**THREE.** Well, supposing you think about it. *[To TWELVE]* Lend me your pencil.

*[TWELVE gives it to him. He draws a tick-tack-toe square on the same sheet of paper on which TWELVE has drawn the train. He fills in an X, hands the pencil to TWELVE.]*

**THREE.** Your turn. We might as well pass the time.

*[TWELVE takes the pencil. EIGHT stands up and snatches the paper away. THREE leaps up.]*

**THREE.** Wait a minute!

**EIGHT.** *[Hard]* This isn't a game.

**THREE.** *[Angry]* Who do you think you are?

**SEVEN.** *[Rising]* All right, let's take it easy.

**THREE.** I've got a good mind to walk around this table and belt him one!

**FOREMAN.** Now, please. I don't want any fights in here.

**THREE.** Did ya see him? The nerve! The absolute nerve!

**TEN.** All right. Forget it. It don't mean anything.

**SIX.** How about sitting down.

**THREE.** This isn't a game. Who does he think he is?

*[He lets them sit him down. EIGHT remains standing, holding the scrap of paper. He looks at it closely now and seems to be suddenly interested in it. Then he throws it back toward THREE. It lands in center of table. THREE is angered again at this, but FOUR puts his hand on his arm. EIGHT speaks now and his voice is more intense.]*

**EIGHT.** *[To FOUR]* Take a look at that sketch. How long does it take an elevated train going at top speed to pass a given point?

**FOUR.** What has that got to do with anything?

**EIGHT.** How long? Guess.

**FOUR.** I wouldn't have the slightest idea.

**EIGHT.** *[To FIVE]* What do you think?

**FIVE.** About ten or twelve seconds, maybe.

**EIGHT.** I'd say that was a fair guess. Anyone else?

**ELEVEN.** I would think about ten seconds, perhaps.

**TWO.** About ten seconds.

**FOUR.** All right. Say ten seconds. What are you getting at?

**EIGHT.** This. An el train passes a given point in ten seconds. That given point is the window of the room in which the killing took place. You can almost reach out of the window of that room and touch the el. Right? [*Several of them nod.*] All right. Now let me ask you this. Did anyone here ever live right next to the el tracks? I have. When your window is open and the train goes by, the noise is almost unbearable. You can't hear yourself think.

**TEN.** Okay. You can't hear yourself think. Will you get to the point?

**EIGHT.** The old man heard the boy say, "I'm going to kill you," and one second later he heard a body fall. One second. That's the testimony, right?

**TWO.** Right.

**EIGHT.** The woman across the street looked through the windows of the last two cars of the el and saw the body fall. Right? The *last two* cars.

**TEN.** What are you giving us here?

**EIGHT.** An el takes ten seconds to pass a given point or two seconds per car. That el had been going by the old man's window for at least six seconds, and maybe more, before the body fell, according to the woman. The old man would have had to hear the boy say, "I'm going to kill you," while the front of the el was roaring past his nose. It's not possible that he could have heard it.

**THREE.** What d'ya mean! Sure he could have heard it:

**EIGHT.** Could he?

**THREE.** He said the boy yelled it out. That's enough for me.

**NINE.** I don't think he could have heard it.

**TWO.** Maybe he didn't hear it. I mean with the el noise—

**THREE.** What are you people talking about? Are you calling the old man a liar?

**FIVE.** Well, it stands to reason.

**THREE.** You're crazy. Why would he lie? What's he got to gain?

**NINE.** Attention, maybe.

**THREE.** You keep coming up with these bright sayings. Why don't you send one in to a newspaper? They pay two dollars.

[*EIGHT looks hard at THREE and then turns to NINE.*]

**EIGHT.** [*Softly*] Why might the old man have lied? You have a right to be heard.

**NINE.** It's just that I looked at him for a very long time. The seam of his jacket was split under the arm. Did you notice that? He was a very old man with a torn jacket, and he carried two canes. I think I know him better than anyone here. This is a quiet, frightened, insignificant man who has been nothing all his life, who has never had recognition—his name in the newspapers. Nobody knows him after seventy-five years. That's a very sad thing. A man like this needs to be recognized. To be questioned, and listened to, and quoted just once. This is very important.

**TWELVE.** And you're trying to tell us he lied about a thing like this just so that he could be important?

**NINE.** No, he wouldn't really lie. But perhaps he'd make himself believe that he heard those words and recognized the boy's face.

**THREE.** [*Loud*] Well, that's the most fantastic story I've ever heard. How can you make up a thing like that? What do you know about it?

**NINE.** [*Low*] I speak from experience.

[*There is a long pause. Then the FOREMAN clears his throat.*]

**FOREMAN.** [*To EIGHT*] All right. Is there anything else?

[*EIGHT is looking at NINE. TWO offers the FOREMAN a box of cough drops. The FOREMAN pushes it away.*]

**TWO.** [*Hesitantly*] Anybody . . . want a cough . . . drop?

**FOREMAN.** [*Sharply*] Come on. Let's get on with it.

**EIGHT.** I'll take one.

[Two almost gratefully slides him one along the table.]

Thanks.

[TWO nods and EIGHT puts the cough drop into his mouth.]

**EIGHT.** Now. There's something else I'd like to point out here. I think we proved that the old man couldn't have heard the boy say, "I'm going to kill you," but supposing he really did hear it? This phrase: how many times has each of you used it? Probably hundreds. "If you do that once more, Junior, I'm going to murder you." "Come on, Rocky, kill him!" We say it every day. This doesn't mean that we're going to kill someone.

**THREE.** Wait a minute. The phrase was "I'm going to kill you," and the kid screamed it out at the top of his lungs. Don't try and tell me he didn't mean it. Anybody says a thing like that the way he said it—they mean it.

**TEN.** And how they mean it!

**EIGHT.** Well, let me ask you this. Do you really think the boy would shout out a thing like that so the whole neighborhood would hear it? I don't think so. He's much too bright for that.

**TEN.** [Exploding] Bright! He's a common, ignorant slob. He don't even speak good English!

**ELEVEN.** [Slowly] He *doesn't* even speak good English.

[TEN stares angrily at ELEVEN, and there is silence for a moment. Then FIVE looks around the table nervously.]

**FIVE.** I'd like to change my vote to not guilty.

[THREE gets up and walks to the window, furious, but trying to control himself.]

**FOREMAN.** Are you sure?

**FIVE.** Yes. I'm sure.

**FOREMAN.** The vote is nine to three in favor of guilty.

**SEVEN.** Well, if that isn't the end. [To FIVE] What are you basing it on? Stories this guy—[Indicating EIGHT]—made up! He oughta write for *Amazing Detective Monthly*. He'd make a fortune. Listen, the kid had a lawyer, didn't he? Why didn't his lawyer bring up all these points?

**FIVE.** Lawyers can't think of everything.

**SEVEN.** Oh, brother! [To EIGHT] You sit in here and pull stories out of thin air. Now we're supposed to believe that the old man didn't get up out of bed, run to the door, and see the kid beat it downstairs fifteen seconds after the killing. He's only saying he did to be important.

**FIVE.** Did the old man say he ran to the door?

**SEVEN.** Ran. Walked. What's the difference? He got there.

**FIVE.** I don't remember what he said. But I don't see how he could run.

**FOUR.** He said he went from his bedroom to the front door. That's enough, isn't it?

**EIGHT.** Where was his bedroom again?

**TEN.** Down the hall somewhere. I thought you remembered everything. Don't you remember that?

**EIGHT.** No. Mr. Foreman, I'd like to take a look at the diagram of the apartment.

**SEVEN.** Why don't we have them run the trial over just so you can get everything straight?

**EIGHT.** Mr. Foreman—

**FOREMAN.** [Rising] I heard you.

[The FOREMAN gets up, goes to door during following dialogue. He knocks on door, GUARD opens it, he whispers to GUARD, GUARD nods and closes door.]

**THREE.** [To EIGHT] All right. What's this for? How come you're the only one in the room who wants to see exhibits all the time?

**FIVE.** I want to see this one, too.

**THREE.** And I want to stop wasting time.

**FOUR.** If we're going to start wading through all that nonsense about where the body was found...

**EIGHT.** We're not. We're going to find out how a man who's had two strokes in the past three years, and who walks with a pair of canes, could get to his front door in fifteen seconds.

**THREE.** He said twenty seconds.

**TWO.** He said fifteen.

**THREE.** How does he know how long fifteen seconds is? You can't judge that kind of a thing.

**NINE.** He said fifteen. He was positive about it.

**THREE.** *[Angry]* He's an old man. You saw him. Half the time he was confused. How could he be positive about . . . anything?

*[THREE looks around sheepishly, unable to cover up his blunder. The door opens and the GUARD walks in, carrying a large pen-and-ink diagram of the apartment. It is a railroad flat.<sup>14</sup> A bedroom faces the el tracks. Behind it is a series of rooms off a long hall. In the front bedroom is a diagram of the spot where the body was found. At the back of the apartment we see the entrance into the apartment hall from the building hall. We see a flight of stairs in the building hall. The diagram is clearly labeled and included in the information on it are the dimensions of the various rooms. The GUARD gives the diagram to the FOREMAN.]*

**GUARD.** This what you wanted?

**FOREMAN.** That's right. Thank you.

*[The GUARD nods and exits. EIGHT goes to FOREMAN and reaches for it.]*

**EIGHT.** May I?

*[The FOREMAN nods. EIGHT takes the diagram and sets it up on a chair so that all can see it. EIGHT looks it over. Several of the JURORS get up to see it better. THREE, TEN, and SEVEN, however, barely bother to look at it.]*

**SEVEN.** *[To TEN]* Do me a favor. Wake me up when this is over.

**EIGHT.** *[Ignoring him]* All right. This is the apartment in which the killing took place. The old man's apartment is directly beneath it and exactly the same. *[Pointing]* Here are the el tracks. The bedroom. Another bedroom. Living room. Bathroom. Kitchen. And this is the hall. Here's the front door to the apartment. And here are the steps. *[Pointing to front bedroom and then front door]* Now the old man was in bed in this room. He says he got up, went out into the hall, down the hall to the front door, opened it, and looked out just in time to see the boy racing down the stairs. Am I right?

**THREE.** That's the story.

**EIGHT.** Fifteen seconds after he heard the body fall.

**ELEVEN.** Correct.

**EIGHT.** His bed was at the window. It's—*[Looking closer]*—twelve feet from his bed to the bedroom door. The length of the hall is forty-three feet, six inches. He had to get up out of bed, get his canes, walk twelve feet, open the bedroom door, walk forty-three feet, and open the front door—all in fifteen seconds. Do you think this possible?

**TEN.** You know it's possible.

**ELEVEN.** He can only walk very slowly. They had to help him into the witness chair.

**THREE.** You make it sound like a long walk. It's not.

*[EIGHT gets up, goes to the end of the room, and takes two chairs. He puts them together to indicate a bed.]*

**NINE.** For an old man who uses canes, it's a long walk.

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<sup>14</sup>**railroad flat:** An apartment whose rooms are in a straight line.

**THREE.** *[To EIGHT]* What are you doing?

**EIGHT.** I want to try this thing. Let's see how long it took him. I'm going to pace off twelve feet—the length of the bedroom. *[He begins to do so.]*

**THREE.** You're crazy. You can't re-create a thing like that.

**ELEVEN.** Perhaps if we could see it . . . this is an important point.

**THREE.** *[Mad]* It's a ridiculous waste of time.

**SIX.** Let him do it.

**EIGHT.** Hand me a chair. *[Someone pushes a chair to him.]* All right. This is the bedroom door. Now how far would you say it is from here to the door of this room?

**SIX.** I'd say it was twenty feet.

**TWO:** Just about—

**EIGHT.** Twenty feet is close enough. All right, from here to the door and back is about forty feet. It's shorter than the length of the hall, wouldn't you say that?

**NINE.** A few feet, maybe.

**TEN.** Look, this is absolutely insane. What makes you think you can—

**EIGHT.** Do you mind if I try it? According to you, it'll only take fifteen seconds. We can spare that.

*[He walks over to the two chairs now and lies down on them.]* Who's got a watch with a second hand?

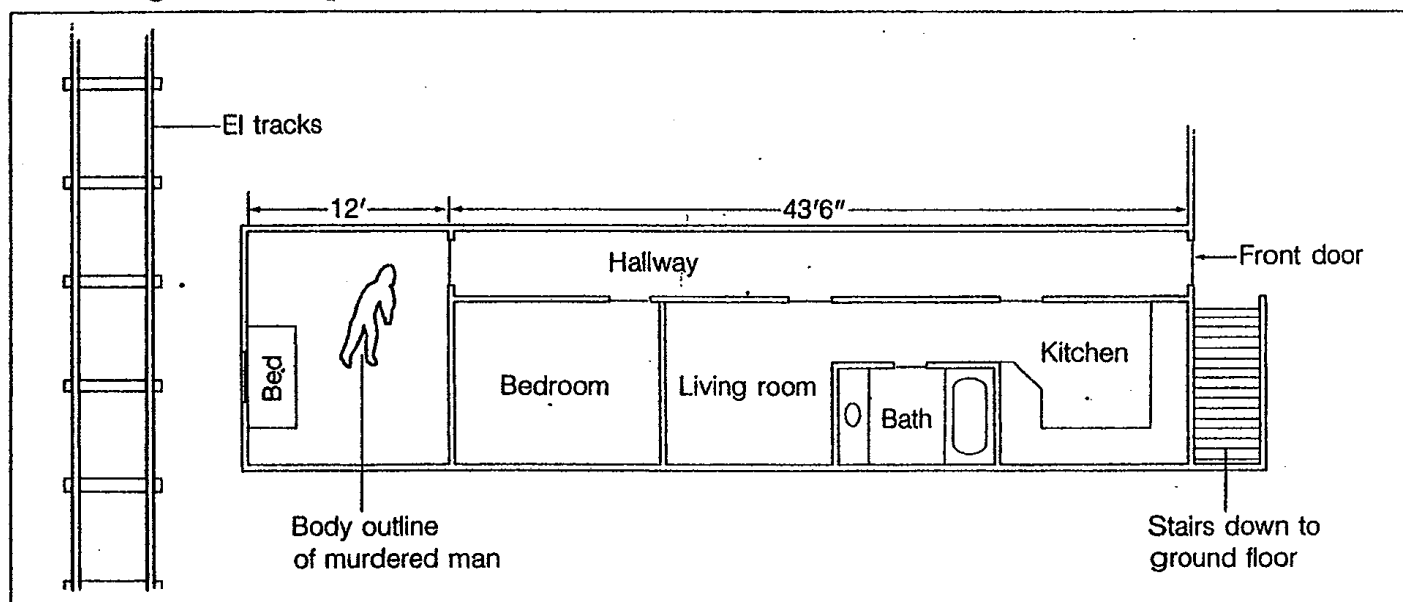
**Two.** I have.

**EIGHT.** When you want me to start, stamp your foot. That'll be the body falling. Time me from there. *[He lies down on the chairs.]* Let's say he keeps his canes right at his bedside. Right?

**TWO.** Right!

**EIGHT.** Okay. I'm ready.

*The layout of the apartment*



*[They all watch carefully. TWO stares at his watch, waiting for the second hand to reach sixty. Then, as it does, he stamps his foot loudly. EIGHT begins to get up. Slowly he swings his legs over the edges of the chairs, reaches for imaginary canes, and struggles to his feet. TWO stares at the watch. EIGHT walks as a crippled old man would walk, toward the chair which is serving as the bedroom door. He gets to it and pretends to open it.]*

**TEN.** *[Shouting]* Speed it up. He walked twice as fast as that.

*[EIGHT. not having stopped for this outburst, begins to walk the simulated forty foot hallway.]*

**ELEVEN.** This is, I think, even more quickly than the old man walked in the courtroom.

**EIGHT.** If you think I should go faster, I will.

*[He speeds up his pace slightly. He reaches the door and turns now, heading back, hobbling as an old man would hobble, bent over his imaginary canes. They watch him tensely. He hobbles back to the chair, which also serves as the front door. He stops there and pretends to unlock the door. Then he pretends to push it open.]*

**EIGHT.** *[Loud]* Stop.

**TWO.** Right.

**EIGHT.** What's the time?

**TWO.** Fifteen . . . twenty . . . thirty . . . thirty- one seconds exactly.

**ELEVEN.** Thirty-one seconds.

*[Some of the JURORS ad-lib<sup>15</sup> their surprise to each other.]*

**EIGHT.** It's my guess that the old man was trying to get to the door, heard someone racing down the stairs, and assumed that it was the boy.

**SIX.** I think that's possible.

**THREE.** *[Infuriated]* Assumed? Now, listen to me, you people. I've seen all kinds of dishonesty in my day . . . but this little display takes the cake. *[To FOUR]* Tell him, will you?

*[FOUR sits silently. THREE looks at him and then he strides over to EIGHT.]*

**THREE.** You come in here with your heart bleeding all over the floor about slum kids and injustice and your make up these wild stories, and you've got some soft-hearted old ladies listening to you. Well I'm not. I'm getting real sick of it. *[To all]* What's the matter with you people? This kid is guilty! He's got to burn! We're letting him slip through our fingers here.

**EIGHT.** *[Calmly]* Our fingers. Are you his executioner?

**THREE.** *[Raging]* I'm one of 'em.

**EIGHT.** Perhaps you'd like to pull the switch.

**THREE.** *[Shouting]* For this kid? You bet I'd like to pull the switch!

**EIGHT.** I'm sorry for you.

**THREE.** *[Shouting]* Don't start with me.

**EIGHT.** What it must feel like to want to pull the switch!

**THREE.** Shut Up!

**EIGHT.** You're a sadist.<sup>16</sup>

**THREE.** *[Louder]* Shut up!

**EIGHT.** *[Strong]* You want to see this boy die because you personally want it—not because of the facts.

**THREE.** *[Shouting]* Shut up!

*[He lunges at EIGHT, but is caught by two of the JURORS and held. He struggles as EIGHT watches calmly.]*

**THREE.** *[Screaming]* Let me go! I'll kill him. I'll kill him!

**EIGHT.** *[Softly]* You don't really mean you'll kill me, do you?

*[THREE stops struggling now and stares at EIGHT. All the JURORS watch in silence as we fade out.]*

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<sup>16</sup>**sadist** (sad' ist) n.: One who gets pleasure from inflicting physical or psychological pain on others.

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<sup>15</sup>**ad-lib** (ad' lib') v. To add words not in the script.

### ACT III

*[Fade in on same scene. No time lapse. THREE glares angrily at EIGHT. He is still held by two JURORS. After a long pause, he shakes himself loose and turns away. He walks to the windows. The other JURORS stand around the room now, shocked by this display of anger. There is silence. Then the door opens and the GUARD enters. He looks around the room.]*

**GUARD.** Is there anything wrong, gentleman I heard some noise.

**FOREMAN.** No. There's nothing wrong.

*[He points to the large diagram of the apartment.]*

You can take that back. We're finished with it.

*[The GUARD nods and takes the diagram. He looks curiously at some of the JURORS and exits. The JURORS still are silent. Some of them slowly begin to sit down. THREE still stands at the window. He turns around now. The JURORS look at him.]*

**THREE.** [Loud] Well, what are you looking at?

*[They turn away. He goes back to his seat now. Silently the rest of the JURORS take their seats. TWELVE begins to doodle. TEN blows his nose, but no one speaks. Then, finally—]*

**FOUR.** I don't see why we have to behave like children here.

**ELEVEN.** Nor do I. We have a responsibility. This is a remarkable thing about democracy. That we are . . . what is the word?... Ah, notified! That we are notified by mail to come down to this place and decide on the guilt or innocence of a man we have not known before. We have nothing to gain or lose by our verdict. This is one of the reasons why we are strong. We should not make it a personal thing.

*[There is a long, awkward pause.]*

**TWELVE.** Well—we're still nowhere. Who's got an idea?

**SIX.** I think maybe we should try another vote. Mr. Foreman?

**FOREMAN.** It's all right with me. Anybody doesn't want to vote?

*[He looks around the table.]*

**SEVEN.** All right, let's do it.

**THREE.** I want an open ballot. Let's call out our votes. I want to know who stands where.

**FOREMAN.** That sounds fair. Anyone object?  
*[No one does.]*

All right. I'll call off your jury numbers. *[He takes a pencil and paper and makes marks now in one of two columns after each vote.]*

**FOREMAN.** I vote guilty. Number Two?

**TWO.** Not guilty.

**FOREMAN.** Number Three?

**THREE.** Guilty.

**FOREMAN.** Number Four?

**FOUR.** Guilty.

**FOREMAN.** Number Five?

**FIVE.** Not guilty.

**FOREMAN.** Number Six?

**SIX.** Not guilty.

**FOREMAN.** Number Seven?

**SEVEN.** Guilty.

**FOREMAN.** Number Eight?

**EIGHT.** Not guilty.

**FOREMAN.** Number Nine?

**NINE.** Not guilty.

**FOREMAN.** Number Ten?



**TEN.** Guilty.

**FOREMAN.** Number Eleven?

**ELEVEN.** Not guilty.

**FOREMAN.** Number Twelve?

**TWELVE.** Guilty.

**FOUR.** Six to six.

**TEN.** [Mad] I'll tell you something. The crime is being committed right in this room.

**FOREMAN.** The vote is six to six.

**THREE.** I'm ready to walk into court right now and declare a hung jury. There's no point in this going on anymore.

**SEVEN.** I go for that, too. Let's take it in to the judge and let the kid take his chances with twelve other guys.

**FIVE.** [To SEVEN] You mean you still don't think there's room for reasonable doubt?

**SEVEN.** No, I don't.

**ELEVEN.** I beg your pardon. Maybe you don't understand the term "reasonable doubt."

**SEVEN.** [Angry] What do you mean I don't understand it? Who do you think you are to talk to me like that? [To all] How do you like this guy? He comes over here running for his life, and before he can even take a big breath he's telling us how to run the show. The arrogance of him!

**FIVE.** [To SEVEN] Wait a second. Nobody around here's asking where you came from.

**SEVEN.** I was born right here.

**FIVE.** Or where your father came from.. . [He looks at SEVEN, who doesn't answer but looks away.] Maybe it wouldn't hurt us to take a few tips from people who come running here! Maybe they learned something we don't know. We're not so perfect!

**ELEVEN.** Please—I am used to this. It's all right. Thank you.

**FIVE.** It's not all right!

**SEVEN.** Okay, okay, I apologize. Is that what you want?

**FIVE.** That's what I want.

**FOREMAN.** All right. Let's stop the arguing. Who's got something constructive to say?

**TWO.** [Hesitantly], Well, something's been bothering me a little...this whole business about the stab wound and how it was made, the downward angle of it, you know?

**THREE.** Don't tell me we're gonna start that. They went over it and over it in court.

**TWO.** I know they did—but I don't go along with it. The boy is five feet eight inches tall. His father was six two. That's a difference of six inches. It's a very awkward thing to stab *down* into the chest of someone who's half a foot taller than you are.

[THREE jumps up, holding the knife.]

**THREE.** Look, you're not going to be satisfied till you see it again. I'm going to give you a demonstration. Somebody get up.

[He looks around the table. EIGHT stands up and walks toward him. THREE closes the knife and puts it in his pocket. They stand face to face and look at each other for a moment.]

**THREE.** Okay. [To TWO] Now watch this. I don't want to have to do it again. [He crouches down now until he is quite a bit shorter than EIGHT.] Is that six inches?

**TWELVE.** That's more than six inches.

**THREE.** Okay, let it be more. [He reaches into his pocket and takes out the knife. He flicks it open, changes its position in his hand, and holds the knife aloft, ready to stab. He and EIGHT look steadily into each other's eyes. Then he stabs downward, hard.]

**Two.** *[Shouting]* Look out!

*[He stops short just as the blade reaches EIGHT'S chest. THREE laughs.]*

**SIX.** That's not funny

**FIVE.** What's the matter with you?

**THREE.** Now Just calm down. Nobody's hurt, are they?

**EIGHT.** *[Low]* No. Nobody's hurt.

**THREE.** All right. There's your angle. Take a look at it. Down and in. That's how I'd stab a taller man in the chest, and that's how it was done. Take a look at it and tell me I'm wrong.

*[Two doesn't answer. THREE looks at him for a moment, then jams the knife into the table, and sits down. They all look at the knife.]*

**SIX.** Down and in. I guess there's no argument.

*[EIGHT picks the knife out of the table and closes it. He flicks it open and, changing its position in his hand, stabs downward with it.]*

**EIGHT.** *[To six]* Did you ever stab a man?

**SIX.** Of course not.

**EIGHT.** *[To THREE]* Did you?

**THREE.** All right, let's not be silly.

**EIGHT.** Did you?

**THREE.** *[Loud]* No, I didn't!

**EIGHT.** Where do you get all your information about how it's done?

**THREE.** What do you mean? It's just common sense.

**EIGHT.** Have you ever seen a man stabbed?

**THREE.** *[Pauses and looks around the room nervously]* No.

**EIGHT.** All right. I want to ask you something. The boy was an experienced knife fighter. He was even sent to reform school for knifing someone, isn't that so?

**TWELVE.** That's right.

**EIGHT.** Look at this. *[EIGHT closes the knife, flicks it open, and changes the position of the knife so that he can stab overhanded.]* Doesn't it seem like an awkward way to handle a knife?

**THREE.** What are you asking me for?

*[EIGHT closes the blade and flicks it open, holds it ready to slash underhanded.]*

**FIVE.** Wait a minute! What's the matter with me? Give me that. *[He reaches out for the knife.]*

**EIGHT.** Have you ever seen a knife fight?

**FIVE.** Yes, I have.

**EIGHT.** In the movies?

**FIVE.** In my backyard. On my stoop. In the vacant lot across the street. Too many of them. Switch-knives came with the neighborhood where I lived. Funny I didn't think of it before. I guess you try to forget those things. *[Flicking the knife open]* Anyone who's ever used a switch-knife would never have stabbed downward. You don't handle a switch-knife that way. You use it underhanded.

**EIGHT.** Then he couldn't have made the kind of wound which killed his father:

**FIVE.** No. He couldn't have. Not if he'd ever had any experience with switch-knives.

**THREE.** I don't believe it.

**TEN.** Neither do I. You're giving us a lot of mumbo jumbo.

**EIGHT.** *[To TWELVE]* What do you think?

**TWELVE.** *[Hesitantly]* Well . . . I don't know.

**EIGHT.** *[To SEVEN]* What about you?

**SEVEN.** Listen, I'll tell you something. I'm a little sick of this whole thing already. We're getting nowhere fast. Let's break it up and go home. I'm changing my vote to not guilty.

**THREE.** You're what?

**SEVEN.** You heard me. I've had enough.

**THREE.** What do you mean, you've had enough? That's no answer.

**ELEVEN.** [*Angry*] I think perhaps you're right. This is not an answer. [*To SEVEN*] What kind of a man are you? You have sat here and voted guilty with everyone else because there are some theater tickets burning a hole in your pocket. Now you have changed your vote for the same reason. I do not think you have the right to play like this with a man's life. This is an ugly and terrible thing to do.

**SEVEN.** Now wait a minute . . . you can't talk like that to me.

**ELEVEN.** [*Strong*] I can talk like that to you! If you want to vote not guilty, then do it because you are convinced the man is not guilty. If you believe he is guilty, then vote that way. Or don't you have the . . . the . . . guts—the guts to do what you think is right?

**SEVEN.** Now listen . . .

**ELEVEN.** Is it guilty or not guilty?

**SEVEN.** [*Hesitantly*] I told you. Not...guilty.

**ELEVEN.** [*Hard*] Why?

**SEVEN.** I don't have to—

**ELEVEN.** You have to! Say it! Why?

[*They stare at each other for a long while.*]

**SEVEN.** [*Low*] I . . . don't think . . . he's guilty.

**EIGHT.** [*Fast*] I want another vote.

**FOREMAN.** Okay, there's another vote called for.

I guess the quickest way is a show of hands. Anybody object? [*No one does.*] All right. All those voting not guilty, raise your hands.

[*TWO, FIVE, SIX, SEVEN, EIGHT, NINE, and ELEVEN raise their hands immediately. Then, slowly, TWELVE raises his hand. The FOREMAN looks around the table carefully and then he too raises his hand. He looks around the table, counting silently.*]

**FOREMAN.** Nine. [*The hands go down.*] All those voting guilty.

[*THREE, FOUR, and TEN raise their hands.*]

**FOREMAN** Three. [*They lower their hands.*] The vote is nine to three in favor of acquittal.

**TEN.** I don't understand you people. How can you believe this kid is innocent? Look, you know how those people lie. I don't have to tell you. They don't know what the truth is. And lemme tell you, they— [*FIVE gets up from table, turns his back to it, and goes to window.*]—don't need any real big reason to kill someone either. You know, they get drunk, and *bang*, someone's lying in the gutter. Nobody's blaming them. That's how they are. You know what I mean? Violent!

[*NINE gets up and does the same. He is followed by ELEVEN.*]

**TEN.** Human life don't mean as much to them as it does to us. Hey, where are you going? Look, these people are drinking and fighting all the time, and if somebody gets killed, so somebody gets killed. They don't care. Oh, sure, there are some good things about them, too. Look, I'm the first to say that.

[*EIGHT gets up, and then TWO and SIX follow him to the window.*]

**TEN.** I've known a few who were pretty de cent, but that's the exception. Most of them, it's like they have no feelings. They can do anything. What's going on here?

[*The FOREMAN gets up and goes to the window, followed by SEVEN and TWELVE.*]

**TEN.** I'm speaking my piece, and you —Listen to me! They're no good. There's not a one of 'em who's any good. We better watch out. Take it from me. This kid on trial...

[**THREE** sits at table toying with the knife and **FOUR** gets up and starts for the window. All have their backs to **TEN**.]

**TEN.** Well, don't you know about them? Listen to me! What are you doing? I'm trying to tell you something. . . .

[**FOUR** stands over him as he trails off. There is a dead silence. Then **FOUR** speaks softly.]

**FOUR.** I've had enough. If you open your mouth again, I'm going to split your skull.

[**FOUR** stands there and looks at him. No one moves or speaks. **TEN** looks at him, then looks down at the table.]

**TEN.** [*Softly*] I'm only trying to tell you. . . . [There is a long pause as **FOUR** stares down at **TEN**.]

**FOUR.** [*To all*] All right. Sit down, everybody.

[*They all move back to their seats. When they are all seated, FOUR then sits down.*]

**FOUR.** [*Quietly*] I still believe the boy is guilty of murder. I'll tell you why. To me, the most damning evidence was given by the woman across the street who claimed she actually saw the murder committed.

**THREE.** That's right. As far as I'm concerned, that's the most important testimony.

**EIGHT.** All right. Let's go over her testimony. What exactly did she say?

**FOUR.** I believe I can recount it accurately. She said that she went to bed at about eleven o'clock that night. Her bed was next to the open window, and she could look out of the window while lying down and see directly into the window across the street. She tossed and turned for over an hour, unable to fall asleep. Finally she turned toward the window at about twelve-ten and, as she looked out, she saw the boy stab his father. As far as I can see, this is unshakable testimony.

**THREE.** That's what I mean. That's the whole case.

[**TWO** takes off his eyeglasses and begins to polish them, as they all sit silently watching him.]

**FOUR.** [*To the JURY*] Frankly, I don't see how you can vote for acquittal. [*To TWELVE*] What do you think about it?

**TWELVE.** Well . . . maybe . . . there's so much evidence to sift.

**THREE.** What do you mean, maybe? He's absolutely right. You can throw out all the other evidence.

**FOUR.** That was my feeling.

[**TWO**, polishing his glasses, squints at clock, can't see it. **SIX** watches him closely.]

**TWO.** What time is it?

**ELEVEN.** Ten minutes of six.

**TWO.** It's late. You don't suppose they'd let us go home and finish it in the morning. I've got a kid with mumps.

**FIVE.** Not a chance.

**SIX.** [*To TWO*]. Pardon me. Can't you see the clock without your glasses?

**TWO.** Not clearly. Why?

**SIX.** Oh, I don't know. Look, this may be a dumb thought, but what do you do when you wake up at night and want to know what time it is?

**TWO.** What do you mean? I put on my glasses and look at the clock.

**SIX.** You don't wear them to bed.

**TWO.** Of course not. No one wears eyeglasses to bed.

**TWELVE.** What's all this for?

**SIX.** Well, I was thinking. You know the woman who testified that she saw the killing wears glasses.

**THREE.** So does my grandmother. So what?

**EIGHT.** Your grandmother isn't a murder witness.

**SIX.** Look, stop me if I'm wrong. This woman wouldn't wear her eyeglasses to bed, would she?

**FOREMAN.** Wait a minute! Did she wear glasses at all? I don't remember.

**ELEVEN.** [*Excited*] Of course she did. The woman wore bifocals.<sup>17</sup> I remember this very clearly. They looked quite strong.

**NINE.** That's right. Bifocals. She never took them off.

**FOUR.** She did wear glasses. Funny. I never thought of it.

**EIGHT.** Listen, she wasn't wearing them in bed. That's for sure. She testified that in the midst of her tossing and turning she rolled over and looked casually out the window. The murder was taking place as she looked out, and the lights went out a split second later. She couldn't have had time to put on her glasses. Now maybe she honestly thought she saw the boy kill his father. I say that she saw only a blur.

**THREE.** How do you know what she saw? Maybe she's farsighted. [*He looks around. No one answers.*]

**THREE.** [*Loud*] How does he know all these things?

[*There is silence.*]

**EIGHT.** Does anyone think there still is not a reasonable doubt?

[*He looks around the room, then squarely at TEN. TEN looks down and shakes his head no.*]

**THREE.** [*Loud*] I think he's guilty.

**EIGHT.** [*Calmly*] Does anyone else?

**FOUR.** [*Quietly*] No. I'm convinced.

**EIGHT.** [*To THREE*] You're alone.

**THREE.** I don't care whether I'm alone or not! I have a right.

**EIGHT.** You have a right.

[*There is a pause. They all look at THREE.*]

**THREE.** Well, I told you I think the kid's guilty. What else do you want?

**EIGHT.** Your arguments.

[*They all look at THREE.*]

**THREE.** I gave you my arguments.

**EIGHT.** We're not convinced. We're waiting to hear them again. We have time.

[*THREE runs to FOUR and grabs his arm*]

**THREE.** [*Pleading*] Listen. What's the matter with you? You're the guy. You made all the arguments. You can't turn now. A guilty man's gonna be walking the streets. A murderer. He's got to die! Stay with me.

**FOUR.** I'm sorry. There's a reasonable doubt in my mind.

**EIGHT.** We're waiting.

[*THREE turns violently on him.*]

**THREE.** [*Shouting*] You lousy bunch of bleedin' hearts...you're not going to intimidate me! [*They all look at THREE.*] I'm entitled to my opinion! [*No one answers him.*] It's gonna be a hung jury! That's it!

**EIGHT.** There's nothing we can do about that, except hope that some night, maybe in a few months, you'll get some sleep.

**FIVE.** You're all alone.

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<sup>17</sup>**bifocals** (bi' fO' k'lz) n.: A pair of glasses with one part of each lens for close focus and the other part of each lens for distant focus.

**NINE.** It takes a great deal of courage to stand alone.

*[THREE looks around at all of them for a long time. They sit silently, waiting for him to speak, and all of them despise him for his stubbornness. Then, suddenly, his face contorts as if he is about to cry, and he slams his fist down on the table.]*

**THREE.** [Thundering] *All right!*

*[THREE turns his back on them. There is silence for a moment and then the FOREMAN goes to the door and knocks on it. It opens. The GUARD looks in and sees them all standing. The GUARD holds the door for them as they begin slowly to file out. EIGHT waits at the door as the others file past him. Finally he and THREE are the only ones left. THREE turns around and sees that they are alone. Slowly he moves toward the door. Then he stops at the table. He pulls the switch-knife out of the table and walks over to EIGHT with it. He holds it in the approved knife-fighter fashion and looks long and hard at EIGHT, pointing the knife at his belly. EIGHT stares back. Then THREE turns the knife around. EIGHT takes it by the handle. THREE exits. EIGHT closes the knife, puts it away, and, taking a last look around the room, exits, closing the door. The camera moves in close on the littered table in the empty room, and we clearly see a slip of crumpled paper on which are scribbled the words "Not guilty."]*

*[Fade out]*