

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

THREE. Right. Let's vote now.

EIGHT. All right. Let us vote.

FOREMAN. Anybody doesn't want to vote? [*Looks around table. There is a pause as ALL look at each other.*]

SEVEN. That was easy.

FOREMAN. Okay. All those voting guilty raise your hands.

[*JURORS THREE, SEVEN, TEN and TWELVE put their hands up instantly. The FOREMAN and TWO, FOUR, FIVE and SIX follow a second later. Then ELEVEN raises his hand and a moment later NINE puts his hand up.*] Eight—nine—ten—eleven—that's eleven for guilty. Okay. Not guilty? [*EIGHT's hand goes up. ALL turn to look at him.*]

THREE. Hey, you're in left field!

FOREMAN. Okay. Eleven to one. Eleven guilty, one not guilty.

Now we know where we stand.

THREE [*rising, to EIGHT*]. Do you really believe he's not guilty?

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

SEVEN [*to FOREMAN*]. After six days, he doesn't know.

TWELVE. In six days I could learn calculus. This is A, B, C.

EIGHT. I don't believe that it is as simple as A, B, C.

THREE. I never saw a guiltier man in my life. [*Sits again.*]

EIGHT. What does a guilty man look like? He is not guilty until we say he is guilty. Are we to vote on his face?

THREE. You sat right in court and heard the same things I did.

The man's a dangerous killer. You could see it.

EIGHT. Where do you look to see if a man is a killer?

THREE [*irritated by him*]. Oh, well! . . .

EIGHT [*with quiet insistence*]. I would like to know. Tell me what the facial characteristics of a killer are. Maybe you know something I don't know.

FOUR. Look! What is there about the case that makes you think the boy is innocent?

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.

FOUR [*to THREE*]. I agree with you that the boy is guilty but I think we should try to avoid emotionally colored arguments.

THREE. All right. They proved it a dozen different ways. Do you want me to list them?

EIGHT. No.

TEN [*rising, putting his feet on seat of chair and sitting on back of it, then, to EIGHT*]. Well, do you believe that stupid story he told?

FOUR [*to TEN*]. Now, now.

TEN. Do you believe the kid's 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?

FOUR. Or me?

EIGHT. No one.

FOREMAN. He's still just as guilty, whether it's an easy vote or a hard vote.

SEVEN [*belligerently*]. Is there something wrong because I voted fast?

EIGHT. Not necessarily.

SEVEN. 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.

THREE. Just what are you thinking of?

EIGHT. I 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 over the head once a day, every day. I think maybe we owe him a few words. That's all.

START  
STORY

~~FOUR~~ [Looks around table. He is met by cold looks. NINE nods slowly while FOUR begins to comb his hair.]

FOUR. All right, it's hard, sure—it was hard for me. Everything I've got I fought for. I worked my way through college. That was a long time ago, and perhaps you do forget. I fought, yes, but I never killed.

THREE. I know what it's like. I never killed nobody.

TWELVE. I've been kicked around, too. Wait until you've worked in an ad agency and the big boy that buys the advertising walks in. We all know.

ELEVEN [*who speaks with an accent*]. In my country, in Europe, kicking was a science, but let's try to find something better than that.

TEN [*to EIGHT*]. I don't mind telling you this, mister. We don't owe the kid 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 [*not heeding*]. What this man says is very dangerous. [EIGHT puts his hand on NINE's arm and stops him. NINE 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!

TWELVE [*smiling up at FOUR*]. Oh, all right, if you insist.

FOUR [*to TWELVE*]. Thank you.

TWELVE. Sure.

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

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

ELEVEN. If you gentlemen don't mind, I'm going to close the window. [*Gets up and does so, then, apologetically as he moves back to table.*] It was blowing on my neck. [TEN blows his nose fiercely as he gets down from back of chair and sits again.]

SEVEN. If you don't mind, I'd like to have the window open.

ELEVEN. But it was blowing on me.

SEVEN. Don't you want a little air? It's summer—it's hot.

ELEVEN. I was very uncomfortable.

SEVEN. There are twelve of us in this room; it's the only window. If you don't mind!

ELEVEN. I have some rights, too.

SEVEN. So do the rest of us.

FOUR [*to ELEVEN*]. Couldn't you trade chairs with someone at the other end of the table?

ELEVEN. All right, I will open the window, if someone would trade. [*Goes to window and opens it. TWO gets up and goes to ELEVEN's chair, near right end of table.*]

TWO [*motioning*]. Take my chair.

ELEVEN. Thank you. [*Goes to TWO's chair, near left end of table.*]

FOREMAN. Shall we get back to the case?

THREE. Yeah, let's.

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—[*Motioning toward EIGHT.*—that we're right and he's wrong. Maybe if we each talk for a minute or two. You know—try it on for size.

FOREMAN. That sounds fair enough.

FOUR. Very fair.

FOREMAN. Supposing we go once around the table.

SEVEN. Okay—let's start it off.

FOREMAN. Right. [*To TWO.*] We'll start with you.

TWO [*timidly*]. Oh. Well . . . [*There is a long pause.*] I just think he's guilty. I thought it was obvious.

EIGHT. In what way was it obvious?

TWO. I mean that nobody proved otherwise.

EIGHT [*quietly*]. Nobody has to prove otherwise; innocent until proven guilty. The burden of proof is on the prosecution. The defendant doesn't have to open his mouth. That's in the Constitution. The Fifth Amendment. You've heard of it.

FOUR. Everyone has.

TWO [*flustered*]. Well, sure—I've heard of it. I know what it is . . . I . . . what I meant . . . well, anyway . . . I think he's guilty!

EIGHT [*looking at TWO, shaking his head slowly*]. No reasons—just guilty. There is a life at stake here.

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 downstairs and out of the house. Then he called the police. They found the father with a knife in his chest.

FOREMAN. And the coroner fixed the time of death at around midnight.

THREE. Right. Now what else do you want?

EIGHT. It doesn't seem to fit.

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 picture he saw.

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

FIVE. He didn't have any ticket stub.

EIGHT. Who keeps a ticket stub at the movies?

FOUR [*to FIVE*]. That's true enough.

FIVE. I suppose, but the cashier didn't remember him.

THREE. And the ticket taker didn't, either.

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 [*rapping on table*]. Let's go in order.

TEN [*loudly*]. Just a minute. Here's a woman who's lying in bed and can't sleep. It's hot, you know. [*Gets up and begins to walk around at L stage, blowing his nose and talking.*] Anyway, she wakes up and she looks out the window, and right across the street she sees the kid stick the knife into his father.

EIGHT. How can she really be sure it was the kid when she saw it through the windows of a passing elevated train?

TEN [*pausing D L*]. She's known the kid all his life. His window is right opposite hers—across the el tracks—and she swore she saw him do it.

EIGHT. I heard her swear to it.

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. Weren't you telling us just a minute or two ago that you can't trust *them*? That you can't believe *them*.

TEN [*coldly*]. So?

EIGHT. Then I'd like to ask you something. How come you believed her? She's one of *them*, too, isn't she? [*TEN crosses up 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. [*Leads TEN back to his seat.*]

What're you letting him get you all upset for? Relax. [*TEN and THREE sit down.*]

~~FOUR. Gentlemen, they did take us out to the woman's room and we looked through the windows of a passing el train~~

~~[To EIGHT.] didn't we?~~

~~EIGHT. Yes. [Now.] We did.~~

~~FOUR. And weren't you able to see what happened on the other side?~~