

ACT I

The jury room of a New York Court of Law, 1957. A very hot summer afternoon.

It is a large, drab, bare room in need of painting, with three windows in the back wall through which can be seen the New York skyline. Off the jury room is a washroom with washbasin, soap, and towels (visible on stage) and a lavatory beyond. A large, scarred table is center with twelve chairs around it. A bench stands against the wall and there are several extra chairs and a small table in the room, plus a watercooler, with paper cups and a wastebasket and an electric fan over the bench and a clock above the cooler and row of books for coats, with a shelf over it. There are pencils, pads, and ashtrays on the table. At night the room is lit by fluorescent lighting with the switch next to the door.

When the CURTAIN rises, the room is empty. The voice of the JUDGE is heard.

JUDGE'S VOICE . . . and that concludes the court's explanation of the legal aspects of this case. And now, gentlemen of the jury, I come to my final instruction to you. Murder in the first degree—premeditated homicide—is the most serious charge tried in our criminal courts. You've listened to the testimony and you've had the law read to you and interpreted as it applies to this case. It now becomes your duty to try and separate the facts from the fancy. One man is dead. The life of another is at stake. I urge you to deliberate honestly and

thoughtfully. If there is a reasonable doubt—then you must bring me a verdict of “not guilty.” If, however, there is no reasonable doubt—then you must, in good conscience, find the accused guilty. However you decide, your verdict must be unanimous. In the event you find the accused guilty, the bench will not entertain a recommendation for mercy. The death sentence is mandatory in this case.

The door opens and the GUARD enters. He carries a clipboard with a list of the jurors.

I don't envy you your job. You are faced with a grave responsibility. Thank you, gentlemen.

There is a brief pause. Sound of JURORS walking, talking.

GUARD: All right, let's move along, gentlemen.

The JURORS enter.

The GUARD checks his list.

The 9TH JUROR, an old man, crosses, goes into the wash-room, and exits to the lavatory.

The 4TH JUROR begins to read a newspaper. Several JURORS open the windows. Others move awkwardly about the room. There is no conversation for a few moments. The 3RD JUROR takes out some notes and studies them. The 2ND JUROR crosses to the watercooler, and gets a cup of water. The FOREMAN tears a sheet from a notepad and tears up little slips of paper for ballots. The GUARD crosses to the 12TH JUROR and checks his name. The 7TH JUROR crosses to the 4TH JUROR and offers him a stick of gum. The 4TH JUROR shakes his head.

7TH JUROR [turning to the 8TH JUROR]: Do you want some gum?

8TH JUROR [smiling]: No, thanks.

The 7TH JUROR vigorously chews a piece of gum himself and crosses to the 6TH JUROR.

7TH JUROR [mopping his brow]: Y'know something? I phoned up for the weather. This is the hottest day of the year.

The 6TH JUROR nods and gazes out of the window.

You'd think they'd at least air-condition the place. I almost dropped dead in court.

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

The Guard exits and in the silence the sound is heard of the door being locked.

5TH JUROR: I never knew they locked the door.

10TH JUROR: Sure they lock the door. What'd you think?

5TH JUROR: I don't know. It just never occurred to me.

The 10TH JUROR crosses and pauses beside the FOREMAN and indicates the slips of paper.

10TH JUROR: Hey, what's that for?

FOREMAN: Well, I figured we might want to vote by ballots.

10TH JUROR: Great idea! Maybe we can get him elected senator. [He laughs until he begins to cough.]

The FOREMAN looks at his watch and compares it with the clock. The 3RD JUROR takes a cup of water from the water-cooler, moves to the 2ND JUROR, and looks around the room as he sips the water.

3RD JUROR [to the 2ND JUROR]: How'd you like it?

2ND JUROR [mildly]: I don't know, it was pretty interesting.

3RD JUROR: Yeah? I was falling asleep.

2ND JUROR: I mean, I've never been on a jury before.

3RD JUROR: Really? I've sat on juries, and it always amazes me the way these lawyers can talk, and talk and talk, even when the case is as obvious as this one. I mean, did you ever hear so much talk about nothing?

2ND JUROR: Well, I guess they're entitled.

3RD JUROR: Sure they are. Everybody deserves a fair trial. That's the system. Listen, I'm the last one to say anything against it, but I'm telling you sometimes I think we'd be better off if we took these tough kids and slapped 'em down before they make trouble, you know? Save us a lot of time and money.

The 2ND JUROR looks nervously at the 3RD JUROR, nods, rises, moves to the watercooler, refills his cup and stands alone, sipping.

7TH JUROR [to the FOREMAN]: Hey, how about getting started here?

3RD JUROR: Yeah, let's get this over with. We've probably all got things to do.

FOREMAN: Well, I was figuring we'd take a five-minute break. I mean, the old man's in the bathroom . . .