even hear the train coming. And whoever did murder the father did it as well as he could.

FOUR. So?

EIGHT [*moving back to his place, at right end of table, not sitting*]. The kid is dumb enough to do everything to associate himself with the switch knife—a switch knife murder—and then a moment after the murder he becomes smart. The kid is smart enough to make a kind of wound that would lead us to suspect someone else, and yet at the same instant he is dumb enough to do the killing as an el train is going by, and then a moment later he is smart enough to wipe fingerprints away. To make this boy guilty you have to say he is dumb from eight o'clock until about midnight and then about midnight he is smart one second, then dumb for a few seconds and then smart again and then once again he becomes stupid, so stupid that he does not think of a good alibi. Now is this kid smart or is he dumb? To say that he is guilty you have to toss his intelligence like a pancake. There is doubt, doubt, doubt. [*Beats table with fist as he emphasizes word "doubt."*]

FOUR. I hadn't thought of that.

EIGHT. And the old man downstairs. On the stand he swore that it was fifteen seconds; he insisted on fifteen seconds, but we all agree that it must have been almost forty seconds.

NINE. Does the old man lie half the time and then does he tell the truth the other half of the time?

EIGHT. For the kid to be guilty he must be stupid, then smart, then stupid and then smart and so on, and, also, for the kid to be guilty the old man downstairs must be a liar half of the time and the other half of the time he must tell the truth. You can reasonably doubt. [*Sits again. There is a moment of silence.*]

SEVEN [*breaking silence*]. I'm sold on "reasonable doubt."

TWO. I think I am, too.

SIX. I wanted more talk, and now I've had it.

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. [*Jurors* TWO, FIVE, SIX, SEVEN, EIGHT, NINE, ELEVEN *and* TWELVE *raise their hands immediately.* FOREMAN *looks around table carefully and then he, too, raises his hand. He looks around table, counting silently.*] Nine. [*Hands go down.*] All those voting guilty. [*Jurors* THREE, FOUR *and* TEN *raise their hands.*] 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 let me 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 goes to window and looks out. He is followed by* ELEVEN.] Human life don't mean as much to them as it does to us. Hey, where are you all going? Look, these people're 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 window.*] I've known a few who were pretty decent, but that's the exception. Most of them, it's like they have no feelings. They can do anything. What's going on here? [FOREMAN *gets up and goes to window, followed by* SEVEN *and* TWELVE.] 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 knife as* FOUR *gets up and starts toward* TEN. *All the other* JURORS *have their backs turned on* TEN.] Well, don't you know about them? Listen to me! What are you doing? I'm trying to tell you something. . . . [FOUR

dows of the last two cars of the el and saw the body fall. Right?

FOUR. Right.

TWELVE. So?

EIGHT [*slowly*]. The last two cars. [*Slight pause, then repeats.*] The last two cars.

TEN. What are you giving us here?

EIGHT. An el train 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 do you mean! Sure, he could have heard it.

EIGHT. With an el train going by?

THREE. He said the boy yelled it out.

EIGHT. An el train makes a lot of noise.

THREE. It's enough for me.

FOUR. It's enough for me, too.

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

TWO. Maybe the old man 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?

EIGHT [*shaking his head*]. Something doesn't fit.

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 [*hard, to* THREE]. What does that have to do with a man's life? [*Then, to* NINE.] Why might the old man have lied? You have a right to be heard.

NINE [*after moment's hesitation*]. It's just that I looked at him for a very long time. The seam of his jacket was split

under his arm. Did you notice that? He was a very old man with a torn jacket, and he carried two canes. [*Gets up, moves* R *and leans against wall.*] 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. This is 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 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. Well—[*Loud and brassy.*]—that's the most fantastic story I've ever heard. How can you make up a thing like that?

NINE [*doggedly*]. I'm not making it up.

THREE. You must be making it up. People don't lie about things like that.

NINE. He made himself believe he told the truth.

THREE. What do you know about it?

NINE [*low but firm*]. I speak from experience.

SEVEN. What!

NINE. I am the same man.

FOUR. I think we all understand now. Thank you. [NINE *moves slowly back to table and sits.*]

THREE [*as* NINE *sits*]. If you want to admit you're a liar, it's all right by me.

EIGHT. Now, that is too much!

THREE. He's a liar. He just told us so.

EIGHT. He did not say he was a liar; he was explaining.

THREE [*to* NINE]. Didn't you admit that you're a liar?

EIGHT [*to* THREE]. Please—he was explaining the circumstances so that we could understand why the old man might have lied. There is a difference.

THREE. A liar is a liar, that's all there is to it.

EIGHT. I didn't see as well as they told me I would see, but I did see what happened on the other side.

TEN [*snapping at* EIGHT]. You see—do you see?

FOREMAN [*sitting again*]. 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?

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.

FOUR. They heard the father hit the boy twice and then saw the boy walk angrily out of the house.

SIX. Right.

EIGHT. 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. [*Rises, goes to water cooler for a drink and then sits again.*]

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.

EIGHT. I don't.

FOUR. Neither do I. Go on.

SEVEN. Look at the kid's record. He stole a car. He's been arrested for mugging. I think they said he stabbed somebody in the arm.

FOUR. They did.

SEVEN. He was picked up for knife fighting. At fifteen he was in reform school.

THREE. And they sent him to reform school for stabbing someone!

SEVEN [*with sarcasm*]. 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! On a kid like that.

THREE. You're right. It's the kids. The way they are—you know? They don't listen. [*Bitterly.*] 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! I hate tough kids! You work your heart out. . . . [*Pauses.*] All right. Let's get on with it. . . . [*Gets up and goes to window, very embarrassed.*]

#3

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 the 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. 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 [*rising, slamming his hand down on table*]. There is something personal! [*Then he catches himself, and, seeing* EVERYONE *looking at him, sits down, fists clenched.*]

THREE [*turning from window*]. Come on, now. He didn't mean you, feller. Let's not be so sensitive. [*There is a long pause.*]

EIGHT [*breaking silence*]. Who did he mean?

ELEVEN. I can understand this sensitivity.

FOREMAN. Now let's stop the bickering.