

Scene 3 courtroom: Davenport, Bannister, Judge, Drummond,
Meeker, Mrs. Krebs, Sillers

DAVENPORT

Do you attend church regularly, Mr. Bannister?

BANNISTER

Only on Sundays.

DAVENPORT

That's good enough for the prosecution. Your Honour, we will
accept this man as a member of the jury.

(BANNISTER starts towards the jury box, off stage.)

JUDGE

One moment, Mr. Bannister. You're not excused.

BANNISTER

(A little petulant)

I wanted that there front seat in the jury box.

DRUMMOND

(Rising)

Well, hold your horses, Bannister. You may get it yet!

(BANNISTER returns to the witness chair.)

JUDGE

Mr. Drummond, you may examine the venireman.

DRUMMOND

Thank you, Your Honour. Mr. Bannister, how come you're so
anxious to get that front seat over there?

BANNISTER

Everybody says this is going to be quite a show.

DRUMMOND

I hear the same thing. Ever read anything in a book about
Evolution?

BANNISTER

Nope.

DRUMMOND

Or about a fella named Darwin?

BANNISTER

Can't say I have.

DRUMMOND

I'll beat you read your Bible.

BANNISTER

Nope.

DRUMMOND

How come?

BANNISTER

Can't read.

DRUMMOND

Well, you are fortunate. *(There are a few titters from the spectators.)* He'll do.

(BANNISTER turns toward the JUDGE, poised.)

JUDGE

Take your seat, Mr. Bannister. *(BANNISTER, beaming, races to the jury box as if shot from a gun.)* Mr. Meeker, will you call a venireman to fill the twelfth and last seat on the jury?

MEEKER

(Calling towards the audience)

Jessie Krebs. You're next, Jessie.

(MEEKER brings MRS. KREBS to the stand.)

MEEKER

State your name and occupation.

MRS. KREBS

Jessie Matilda Krebs. Boarding house proprietor.

DAVENPORT

Do you believe in the Bible, Mrs. Krebs?

MRS. KREBS

(Vigorously)

I believe in the Holy Word of God. And I believe in Matthew Harrison Brady!

(There is some applause, and a few scattered "Amens".)

DAVENPORT

This woman is acceptable to the prosecution.

JUDGE

Very well. Mr. Drummond?

DRUMMOND

(Quietly, without rising)

No questions. Not acceptable.

DAVENPORT

(Annoyed)

Does Mr. Drummond refuse this woman a place on the jury simply because she believes in the Bible?

DRUMMOND

If you find an Evolutionist in this town, you can refuse him or her.

DAVENPORT

(Angrily)

I object to the defence attorney rejecting a worthy citizen without so much as asking her a question!

DRUMMOND

(Agreeably)

All right. I'll ask her a question. *(Saunters over to MRS. KREBS)* How are you?

MRS. KREBS

(A little surprised)

Kinda hot.

DRUMMOND

So am I. Excused.

(MRS. KREBS looks at the JUDGE, confused)

JUDGE

You are excused from jury duty, Mrs. Krebs. You may step down.

MEEKER

State your name and occupation.

SILLERS

George Sillers. I work at the feed store.

DAVENPORT

Tell me, sir. Would you call yourself a religious man?

SILLERS

I guess I'm as religious as the next man.

DAVENPORT

Mr. Sillers. Do you have any personal opinions with regard to the defendant that might prejudice you on his behalf?

SILLERS

Cates? I don't hardly know him. He bought some peat moss from me once, and paid his bill.

DAVENPORT

Mr. Sillers impresses me as an honest, God-fearing man. I accept him.

JUDGE

Thank you. Mr Drummond?

DRUMMOND

(Strolling towards the witness chair)

Mr. Sillers, you just said you were a religious man. Tell me something. Do you work at it very hard?

SILLERS

Well, I'm pretty busy down at the feed store. My wife tends to the religion for both of us.

DRUMMOND

In other words, you take care of this life, and your wife takes care of the next one?

DAVENPORT

Objection.

JUDGE

Objection sustained.

DRUMMOND

While your wife was tending to the religion, Mr. Sillers, did you ever happen to bump into a fella named Charles Darwin?

SILLERS

Not till recent.

DRUMMOND

From what you've heard about this Darwin, do you think your wife would want to have him over for Sunday dinner?

DAVENPORT

Your Honour, my worthy opponent from Chicago is cluttering the issue with hypothetical questions -

DRUMMOND

(Wheeling)

I'm doing *your* job.

DAVENPORT

The prosecution is perfectly able to handle its own arguments.

DRUMMOND

Look, I've established that Mr. Sillers isn't working very hard at religion. Now, for your sake, I want to make sure he isn't working at Evolution.

SILLERS

(Simply)

I'm just working at the feed store.

DRUMMOND

(To the JUDGE)

This man's all right. *(Turning)* Take a box seat, Mr. Sillers.