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Family Plays

STARK DRAMA

Comedy/Drama by
Michael V. McGee

STARK DRAMA

"We have had such a wonderful response to *Stark Drama* that we scheduled an additional performance. Thank you for providing us with such a challenging and rewarding play."

(Kerri G. Huffman, North Stanly High School, New London, N.C.)

Comedy/Drama. By Michael V. McGee. *Cast: 6m., 2w., extras.* *Stark Drama* takes an honest, but humorous, look at the shortcomings of our judicial system. As the play begins, Gilbert Stark is on death row in a state penitentiary awaiting execution. He was sentenced to die seven years ago. Stark hates being caged like an animal and, therefore, wants to be executed. Against Stark's wishes, his attorney, Roger Advance, is seeking another stay of execution on the eve of the execution date. The governor is concerned about the situation because it's an election year. If he grants a stay of execution, the conservatives will say he's soft on crime. If he allows Stark to be executed, the liberals will say he's heartless and cruel. Roger Advance has a solution for the governor's problem—let Stark escape, the guards will shoot him, and the governor doesn't have to make a decision concerning Stark's execution. The governor agrees to have Advance appointed as a judge if the plan succeeds. On the eve of Stark's execution, the governor, his attorney, a guard, a cook, a human rights activist, the foreman of the jury that convicted him, another member of the jury, the judge that sentenced him to die, a reporter and a cameraman come to see Stark in his cell. What happens amidst the confusion? The prisoner walks out of his cell and sits in the audience. A pungent satire on the bungling of America's criminal justice system while bringing up an interesting question: Is it cruel and unusual punishment to keep an inmate on death row awaiting execution for years? First produced by the Fairbanks, Alaska, drama association's After Hours Theatre. *One int. set: a cell on death row. Time: the present. Approximate running time: 30 to 35 minutes. Code: SZ8.*

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Stark Drama

STARK DRAMA

IN ONE ACT

by

MICHAEL V. McGEE

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MICHAEL V. MCGEE

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(STARK DRAMA)

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STARK DRAMA

Cast of Characters

GILBERT STARK
FOREMAN OF THE JURY
WOMAN JURIST
GUARD
ROGER ADVANCE, ATTORNEY
***JUDGE CRATER**
MRS. STARK
REVEREND POTASH
***PROFESSOR BAGGINS**
***THE GOVERNOR**
***THE COOK**
***THE REPORTER**
***THE CAMERAMAN**

***Male or Female**

**First produced by the Fairbanks, Alaska, Drama Association's
After Hours Theatre**

Synopsis

**The action of the play takes place in a cell on Death Row, in a
State Penitentiary. The time is the present.**

ABOUT THE PLAY

STARK DRAMA takes an honest, but humorous, look at the shortcomings of our judicial system. As the play begins, Gilbert Stark is on death row in a state penitentiary awaiting execution. He was sentenced to die seven years ago. Stark hates being caged like an animal and, therefore, wants to be executed. Against Stark's wishes, his attorney, Roger Advance, is seeking another stay of execution, on the eve of the execution date.

The Governor is concerned about the situation because it's an election year. If he grants a stay of execution, the conservatives will say he's soft on crime. If he allows Stark to be executed, the liberals will say he's heartless and cruel. Advance, Stark's opportunist attorney, has a solution for the Governor's problem—let Stark escape, the guards will shoot him, and the governor doesn't have to make a decision concerning Stark's execution. The Governor agrees to have Advance appointed as a judge if the plan succeeds.

On the eve of Stark's execution, the governor, his attorney, a guard, a cook, a human rights activist, the foreman of the jury that convicted him, another member of the jury, the judge that sentenced him to die, a reporter, and a cameraman come to see Stark in his cell. What happens amidst the confusion? This play pokes fun at the judicial system while bringing up an interesting question: Is it cruel and unusual punishment to keep an inmate on death row awaiting execution for years?

PRODUCTION NOTES

Properties

On Stage: Bunk bed, wash basin, commode, table and chair.

Book—GILBERT STARK

Briefcase—ROGER ADVANCE

**Potted plant, deodorant, toothpaste and brush, calendar for wall
and other comfort items in bag—MRS. STARK**

Bible—REVEREND POTASH

Dustcloth (from bag)—MRS. STARK

Tea tray with tea and cups—GUARD and COOK

Pad and pencil—REPORTER

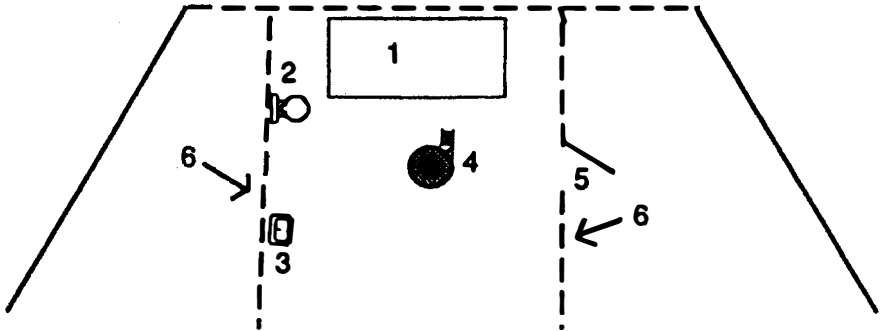
Flash or video camera—CAMERAMAN

Costumes and Make-Up

The play takes place today. GILBERT STARK would be in prison garb, probably a grey uniform with no frills and slippers without laces. REVEREND POTASH may be wearing a minister's collar, possibly dressed in black. MRS. STARK may be dressed in a conservative, possibly homemade dress. The GUARD would be in uniform. The COOK* may be dressed in white wearing a chef's hat. ROGER ADVANCE and THE GOVERNOR would be dressed in coat and tie. The FOREMAN OF THE JURY and JUDGE CRATER* may also be in coat and tie, or the FOREMAN may wear a dress shirt, tie and slacks while JUDGE may wear the black judicial robes. The WOMAN JURIST may be dressed in the current attire of today's businesswoman. PROFESSOR BAGGINS* may possibly be in an old-fashioned three-piece suit with bowtie and wearing studious-looking glasses. The REPORTER* and CAMERAMAN* could be attired in a dress shirt, tie and slacks, or the REPORTER may possibly be wearing a coat and tie with the CAMERAMAN dressed more casually (a T-shirt maybe).

*These roles may be played by men or women. The appropriate costumes for women should be substituted, if necessary.

Floor Plan



1—Bunk bed

2—Commode

3—Wash basin

4—Table and chair

5—Cell door, with big key in lock

6—The cell may be outlined with bars, solid flats, or other indication of cell walls.

STARK DRAMA

[A cell on Death Row, State Penitentiary, approximately 8 x 10 feet: a box open on one side to the audience. Furnishings consist of a bunk, a table, a chair, a wash basin, commode without seat or cover. There is a door on one side of the cell, solid except for a small barred window through which the GUARD constantly watches. There is no inside knob on the door. GILBERT STARK is dressed in a simple grey uniform. He is seated on his bunk reading a book.

AT RISE, he puts the book down and walks casually downstage "through" the end of the cell to address the audience. He is sullen and bitter]

GIL. Good evening. So you came to see what the death cell looks like. Not content to read about it in your paper or see it on TV. You had to come. Even paid money. I'm the man in the cage, Gilbert Stark. And you? You are the audience holding its breath—betting—arguing. Will he die? Should he die? You are part of the action, for your laws, your courts, your lawyers put me here. Will he die? Can your conscience carry that? Is he guiltier than you? Will I die? *[Spreads arms like the crucified Christ]* Forgive them, Father, for they know not what they do.

FOREMAN. *[From seat near rear of audience. CHARACTERS speaking from the audience stand, but there are no house lights or spots turned on them except as noted]* You're absolutely right you'll die! We saw to that!

GIL. *[Still holding arms out]* Ah—my audience has a spokesman. Who are you?

FOREMAN. I was your jury foreman.

GIL. *[Lowering arms]* Yes! I remember.

FOREMAN. We found you guilty on all counts, called for the death penalty. Your crimes were heinous.

WOMAN JURIST. *[From seat in front row—to Foreman]* But I wanted to recommend clemency.

GIL. Aha! Another spokespeople. *Vox populi!*

FOREMAN. But you didn't vote for clemency. You voted with the rest of us for death!

WOMAN JURIST. You talked me into it. I wish I could change it now. I thought they'd do it and get it done with—but not like this—after seven years.

FOREMAN. Too late now.

WOMAN JURIST. I wish it weren't.

FOREMAN. He will die.

WOMAN JURIST. I wish he wouldn't. *[FOREMAN and WOMAN JURIST sit down]*

GIL. *[To Audience]* So there you have it. Dissension in the ranks. Staunch resolution and wavering enterprise.

GUARD. *[Thru bars]* Mr. Stark.

GIL. *[Returning to cell and sitting on bunk. Picks up book]* Yes.

GUARD. Your attorney is here.

GIL. Which one?

GUARD. Mr. Advance.

GIL. Send him away. I don't want to see him. *[Cell door opens. ADVANCE enters. Cell door closes and locks. GUARD again looks thru door]*

GIL. *[To Guard]* Thank you, James. You may serve tea. *[To Advance]* And welcome, Roger Advance, Esquire, of the legal denizens of Advance, Retard, and Retract. You are fired. Get out.

ADVANCE. It's a beautiful day out, Mr. Stark, and it is Rector, Advance, and Rector. The sun's shining, and we'll soon have you out in it. *[ADVANCE takes papers out of brief case and shuffles through them]*

GIL. You've been saying that for seven years. Doesn't it ever cloud up outside?

ADVANCE. I'm on my way to the governor's office, but I just stopped by to give you a report.

GIL. Report? All present and accounted for, sir.

ADVANCE. *[Looking at watch]* Let's see—it's a quarter after two.

GIL. *[Musically, after Westminster chimes]* BONG, BONG, BONG, BONG.

ADVANCE. At two, Mr. Rector—that's Mr. Bert Rector, our senior partner—

GIL. *[Interrupting]* Mr. Retard.

ADVANCE. —had an appointment with Judge Hamilton to request a new trial on the ground that you were previously improperly represented and your then attorney erred in not requesting a change of venue.

GIL. Please don't.

ADVANCE. It would only give us a little time, but it is a dramatic move, and it will be more dramatic when the State's attorneys and the appellate courts get through with it. Good publicity for you. Publicity is the greatest thing we have going right now. We'll knock the wars right off the tube.

GIL. And draw in hundreds of clients.

ADVANCE. Don't be that way, Mr. Stark. Also, Mr. Herman Rector, the junior partner, mind you—and don't say "Mr. Retract"—is also presenting another petition to the State Supreme Court right now for a writ of certiorari. That'll also make the tube. And I'm submitting a plea for clemency to the governor in twenty minutes, so I have to hurry.

GIL. [*Resignedly*] I won't sign it. I've told you.

ADVANCE. I'm sure he'll accept it. I certainly hope so—for our sake as well as yours. Your case has taken a tremendous amount of work. We are glad to meet responsibilities head on this way, of course, and we could not leave things as they were. You would have died years ago—that was why we volunteered to Judge Crater to defend you.

GIL. You're fired.

ADVANCE. That young friend of yours was really balling up your case. They'd have executed you. Now there's a chance we may get you out or at least get your sentence cut to a life term. [*Going back to papers*] Let's see—

GIL. I do not want a life term.

ADVANCE. Oh yes. The ACLU and the NAACP have organized a demonstration out front for today, and both are filing petitions in the Federal Courts also. I'm not sure of the contents since I do not yet have copies, but I'll find out. Somewhat irregular—

GIL. Please go away.

ADVANCE. I signed the clemency petition for you as your attorney. I attached a statement from Dr. French at the University. He's head of the anthropology department. Perhaps you've heard of him.

GIL. NAACP? Anthropology? I don't believe this.

ADVANCE. His statement says that although you may be sane—since we cannot prove otherwise, although God knows we have tried—it sure would help if you'd cooperate—it says that self-survival is the universal first law of nature, and even if you are sane you must be a little bent if you don't want to survive. I'm sure the governor will accept it. It is an election year. And all this publicity—

GIL. . . . Will get Dr. French a grant for a trip down the Zambesi. Will you please get out—get off my case?

ADVANCE. [*Looking at watch*] Certainly. I must get to the governor's office. Now don't worry. We'll get it put off or something. Here are copies of all the petitions and writs. [*Lays them on table. To Guard*] Guard, I'm through.

[*GUARD opens door. ADVANCE leaves. GUARD closes and locks door. GIL at the same time advances downstage to footlights*]

GIL. [*To Audience*] Did you follow all that? But I guess you remember the case. I wanted to plead guilty. I had a friend, a young lawyer, talked me into pleading not guilty. When he lost the case and lost on appeal, they appointed a new attorney.

JUDGE CRATER. [*A small spot picks him as he rises from his audience seat. He wears judicial robes*] Mr. Stark. It's the right of every person charged with a criminal offense to be represented by a competent attorney. That right is guaranteed by both the Federal and State Constitutions.

GIL. An attorney of his choice.

JUDGE CRATER. [*He mounts the stage*] Of course—of his choice. But the fact is, Mr. Stark, that Mr. Peter was young, inexperienced. You may of course also keep him on, but he isn't representing your best interests. His failure to submit additional writs or appeals amounts to gross negligence or worse. I am afraid—

GIL. He is following my instructions, your honor, my wishes. I cannot stand being penned up. I'd rather die.

JUDGE CRATER. Nonetheless, you must be protected from any temporary weakness of character or momentary emotional upset you could regret later. You have been sentenced to die—

GIL. You sentenced me, Judge Crater.

JUDGE CRATER. The jury said your crimes were heinous, that you deserved to die, and recommended death. I sentenced death, but you cannot be executed without the full protection of the law—due process and justice.

GIL. Due process? Justice? They caused this sword to hang over me seven years—this pit with the pendulum swinging seven years? What about cruel and unusual punishment?

JUDGE CRATER. Cruel and unusual punishment? You will have to see Mr. Advance about that. He might file a writ—although I believe that argument is always defeated. It is all a part of due process, Mr. Stark. Where would we be without due process?

GIL. For one thing, I'd be dead.

JUDGE CRATER. Exactly.

GIL. And you *[beat]* would be out of a job.

GUARD. *[Thru bars]* Mr. Stark, your mother is here.

[JUDGE CRATER returns to his seat and sits. GIL starts back into cell]

GIL. My mother. That's all I need. *[GUARD admits MRS. STARK, closes and locks door behind her]*

MRS. STARK. *[Rushes up and embraces Gil]* Oh, my poor boy!

GIL. *[To Guard]* Thank you, James. You may serve tea.

MRS. STARK. *[Recovering poise]* Yes, tea would be nice.

GIL. There won't be any.

MRS. STARK. Well, why not?

GIL. There never is. It's a joke. *[During the ensuing conversation, MRS. STARK places various convenience and comfort items she has brought with her around cell: potted plant, deodorant, toothpaste and brush, calendar on wall, books, etc.]*

MRS. STARK. Oh, Gilbert. How can you joke at a time like this? Here you are going to die in the morning. It's no time for joking! Oh, Gilbert, isn't there anything I can do? Won't you change your mind and ask the governor for clemency? I've asked, of course; I've begged, but it isn't the same thing if you refuse to.

GIL. No, I don't think so.

MRS. STARK. Why not, Gilbert? Don't you want to live?

GIL. I've told you. No—I really don't. Not here. Not in a cell just waiting for death. You know what I feel like?

MRS. STARK. No, Gilbert.

GIL. I feel like Tuffy.

MRS. STARK. Tuffy—my dog? Oh, really, Gilbert.

GIL. Yes, that stupid dog. You keep him locked in the apartment, tell him when to eat, sleep, mate. When you take him out, he goes on a chain. If he escapes the chain, the dog catcher picks him up, and the pound kills him. He's just waiting to die.