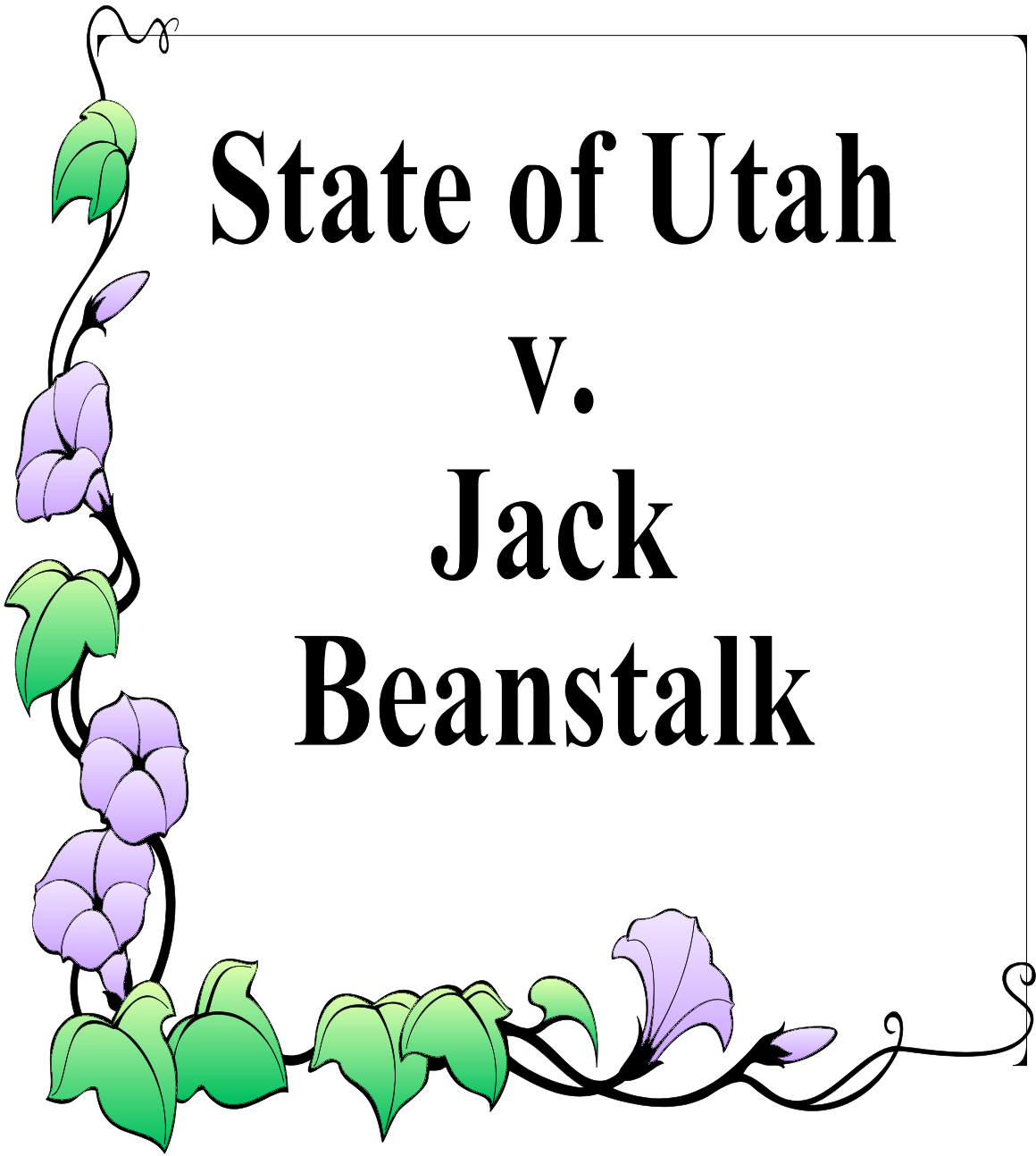


**State of Utah**  
**v.**  
**Jack**  
**Beanstalk**





# STATE OF UTAH v. JACK BEANSTALK

written by Diane Asper

The Ninth District Court  
State of Utah  
Case No. 87-002

Sound Effects: Computer keyboard sounds.

News Reporter: The story of Jack and the Beanstalk ends after Jack has stolen the Giant's possessions and cut down the beanstalk. The reader doesn't know what happens to Jack after that.

In real life, the victims (the Giant and his wife) would probably complain to the police. The police would find Jack and ask him to tell his side of the story. If there were good reason to believe that the Giant's story were true, the police would arrest Jack. Jack would have to go to court with the Giant and there would be a trial. You will be watching the scene from the trial, State of Utah v. Jack Beanstalk.

Characters:	News Reporter	Giant
	Jury Members (1-5)	Wife
	Prosecutor	Jack Beanstalk
	Defense Attorney	Mrs. Beanstalk
	Bailiff	Judge
	Court Clerk	

Bailiff: The Ninth District Court of the State of Utah is now in session, the Honorable Judge \_\_\_\_\_, presiding. Present in the courtroom are:

The Defendant, Jack Beanstalk  
The Defendant's mother, Mrs. Beanstalk  
Mr. Giant, victim and witness  
Mrs. Giant, witness  
Prosecutor: \_\_\_\_\_, attorney for the State of Utah  
Defense Attorney: \_\_\_\_\_, attorney for Jack  
Court Clerk: \_\_\_\_\_  
Bailiff: \_\_\_\_\_

Judge: We are here today in the case of the State of Utah v. Jack Beanstalk.

Jury #1: The jury is selected first. This is completed before the trial starts.

Jury #2: To be chosen as a jury member, you have to be a U.S. citizen and a taxpayer.

Jury #3: Members of this jury are questioned to determine if they are suitable. That means that judge and attorneys ask the jurors questions to find appropriate people to have on the jury.

Jury #4: The questions that may be asked of potential jurors include: 1) Does the jury member know the defendant? 2) Is there anything which may cause him or her to be unfair to Jack or the Giant, like: "Do you hate the Giant or Jack?"

Jury #5: Between 4 and 12 jurors are chosen, depending on the seriousness of the charge. One person in the jury acts as a leader, or foreman.

(Jury Members are seated.)

### **Opening Statements:**

Prosecutor: Ladies and gentlemen of the jury, I will prove that Jack Beanstalk carried away the white hen, two bags of gold, and the magic harp with the intent to keep them from the owner. I will show you evidence and present witnesses that will prove that Jack is guilty of theft. You must decide that Jack, the defendant, is guilty.

Defense Attorney: Ladies and gentlemen of the jury, you will be shown by the witnesses and the evidence that Jack is innocent. Jack was in danger of being hurt by the Giant and he did not intend to keep the objects. Jack was just borrowing the white, two bags of gold, and the magic harp, and he planned to return them.

### **Case for the Prosecution:**

Prosecutor: I will prove beyond a reasonable doubt that Jack stole the white hen, two bags of gold, and the magic harp with the intent to carry away the property and not return the items to the Giant! I would like to call my first witness, Mrs. Giant. (The wife comes to the witness stand.)

Court Clerk: (To the witness.) Raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth.

Wife: I do. (Sits down.)

Prosecutor: Mrs. Giant, there was a young man who came to your door three separate times and asked to be let in. Is that young man in the courtroom today?

Wife: Yes, he is right over there (points to Jack). He came to my door three different times in three different costumes, but I know it was the same person each time.

Prosecutor: Were there any objects missing after the visits from this young man?

Wife: Yes, after each visit there was one object missing in my home. After the first visit, a white hen that lays golden eggs was missing. After the second visit, two bags of gold were missing, and after the third visit, a magic harp was missing.

Prosecutor: Thank you, Mrs. Giant.

Defense Attorney: Mrs. Giant, you only saw this person at your door for maybe three to five seconds before having to hide him in your closet. Is this true?

Wife: Yes.

Defense Attorney: I see that you wear thick glasses Mrs. Giant. Did you have your glasses on the three times this young man came to your door?

Wife: No, I was not wearing my glasses.

Defense Attorney: Thank you, Mrs. Giant.

Judge: The witness may leave the stand. (Mrs. Giant leaves stand.)

Prosecutor: I would like to call my second witness, Mr. Giant. (Giant comes forward to witness stand.)

Court Clerk: (To the witness.) Raise your right hand, please. Do you swear to tell the truth, the whole truth, and nothing but the truth?

Giant: I do.

Prosecutor: Mr. Giant, you are a law abiding citizen. Would you let the jury know what happened on March 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup>.

Defense Attorney: Objection, Your Honor. The witness should not be allowed to tell a long story.

Judge: Objection sustained. (To attorney) Please ask the witness separate questions.

Prosecutor: Mr. Giant, what happened on March 4<sup>th</sup>?

Giant: On March 4<sup>th</sup> I fell asleep at the dinner table, and when I woke up, my white hen was missing.

Prosecutor: What happened on March 5<sup>th</sup>?

Giant: On March 5<sup>th</sup> after dinner, I fell asleep in my Lazy Boy recliner and when I woke up, my two bags of gold were gone.

Prosecutor: And what occurred on March 6<sup>th</sup>?

Giant: March 6<sup>th</sup>, I was listening to some classical music made by my magic harp. I dozed off and when I awoke, my harp was gone.

Prosecutor: Thank you, Mr. Giant.

Defense Attorney: Mr. Giant, did you ever see the person who took these objects?

Giant: No.

Defense Attorney: Mr. Giant, your neighbors have overheard you saying that you hate human beings, and you enjoy crushing their bones. Is this true?

Giant: I may have said that I don't like human beings, but I've never hurt or eaten any of them.

Defense Attorney: Thank you, Mr. Giant.

Judge: The witness may leave the stand. (Giant sits down.)

Prosecutor: I would like to call my last witness, Mrs. Beanstalk. (Jack's mother comes forward.)

Court Clerk: (To the witness.) Do you swear to tell the truth, the whole truth, and nothing but the truth?

Jack's mom: I do. (Jack's mother sits down.)

Prosecutor: Mrs. Beanstalk, is it true that a white hen, two bags of gold, and a magic harp were found on your property in your home?

Jack's Mom: Yes, but I didn't know where my son was getting these objects. He said that he was borrowing them, and he planned to give the items back.

Defense Attorney: Mrs. Beanstalk, do you consider your son an honest person?

Jack's Mom: Yes, very honest.

Defense Attorney: Would your son ever take objects off of another person's property with the intent to keep the items?

Jack's Mom: No.

Defense Attorney: Thank you, Mrs. Beanstalk.

Judge: The witness may leave the stand. (Mother leaves stand and sits down.)

### **Case for the Defense**

Defense Attorney: I will prove that Jack is innocent and show that he did not intend to keep the white hen, the two bags of gold, and the magic harp. Jack was going to give these items back. I would like to call my first witness, Jack Beanstalk. (Jack comes forward.)

Court Clerk: (To the witness.) Do you swear to tell the truth, the whole truth, and nothing but the truth?

Jack: I do.

Defense Attorney: Jack, what happened on the day of March 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup>?

Jack: On March 4<sup>th</sup> I noticed a beanstalk in my backyard. I climbed to the top and found a castle. The woman let me in and had me hide in the closet because she said her husband hated human beings. While sneaking out of the closet, a white hen followed me home. On March 5<sup>th</sup> I went back, and I hid in the closet again. While sneaking out, I saw two bags of gold, and I borrowed them. My mom and I were very poor at the time. March 6<sup>th</sup> I climbed up the beanstalk one more time. The woman let me in once more and hid me in the closet. I sneaked out of the castle, and when I got home, I found a magic harp in my pocket. I planned on returning the items.

Defense Attorney: Thank you, Jack.

Prosecutor: Jack, were there two bags of gold, a white hen, and a magic harp found on your property?

Jack: Yes.

Prosecutor: Thank you, Jack.

Judge: The witness may leave the stand. (Jack leaves the stand and sits down.)

Defense Attorney: I call my final witness, Mrs. Beanstalk. (Jack's mom comes forward.)

Defense Attorney: Mrs. Beanstalk, you and your son were very poor and only had a few crumbs left in the house. Did you son try everything possible to help get food for both of you?

Jack's Mom: Yes, he is a very good son. He tried everything to get food and money for our small family.

Prosecutor: Mrs. Beanstalk, did you know that your son Jack had the white hen, two bags of gold, and a magic harp, and you never tried to stop him from taking the objects?

Jack's Mom: I knew Jack had the objects. I tried to stop him from going up the beanstalk after he went up the first time.

Prosecutor: Thank you, Mrs. Beanstalk.

Judge: The witness may leave the stand. (Jack's mother leaves the stand and sits down.)

### **Closing Statements**

Prosecutor: Ladies and gentlemen of the jury, you have heard the evidence. Jack's mother knew he had the objects, but didn't try to stop him. There were feathers found on one of his costumes, and a white hen, two bags of gold, and a magic harp were missing after Jack's visits to Mr. Giant's castle. Jack was a thief after being protected by Mrs. Giant. You should find him guilty of theft.

Defense Attorney: Ladies and gentlemen of the jury, from the evidence heard, we don't know that the person who stole the white hen, two bags of gold, and the magic harp was Jack. The giant's wife has very poor eye sight, and she wasn't wearing her glasses. Also, the Giant's wife let Jack in the castle. He did not force his way into the castle. Jack said he was borrowing the objects, which is different from stealing the items. I think it is your job to find the defendant, Jack, not guilty!

Judge: Ladies and gentlemen of the jury, it is your job to decide if Jack is guilty. Remember: theft is the taking of an object off someone's property with no intent to return it. The defendant, Jack, if found guilty in a criminal case, may be sentenced to prison, be fined money, or be ordered to pay back the owner for the stolen items — or all three.

Jury: (Goes out to make a decision. Then comes back in.)

### **Verdict**

Jury Foreman: We find the defendant, Jack Beanstalk, \_\_\_\_\_.