

= Night of January 16th =

Night of January 16th is a theatrical play , inspired by the death of the " Match King " , Ivar Kreuger , written by Ayn Rand . It takes place entirely in a courtroom during a murder trial . An unusual feature of the play is that members of the audience are chosen to play the roles of jury members . The court is hearing the case of Karen Andre , a former secretary and lover of businessman Bjorn Faulkner , of whose murder Andre is accused . The play does not directly portray the events leading to Faulkner 's death ; instead the jury must rely on character testimony and decide whether Andre is guilty . The play 's ending depends on the verdict . Rand 's intention was to dramatize a conflict between individualism and conformity , with the jury 's verdict revealing which viewpoint they preferred .

The play was first produced in 1934 in Los Angeles under the title Woman on Trial ; it received positive reviews and enjoyed moderate commercial success . Producer Al Woods took it to Broadway during the 1935 - 36 season and re - @ - @ titled it Night of January 16th . It drew attention for use of a jury and became a hit , running for seven months . Doris Nolan , in her Broadway debut , received positive criticism for her portrayal of the lead role . Several regional productions followed . An off @ - @ Broadway revival in 1973 , under the title Penthouse Legend , was a commercial and critical failure .

Rand had many heated disputes with Woods over script changes he wanted for the Broadway production . Their disputes climaxed in an arbitration hearing when Rand discovered he had diverted a portion of her royalties to pay for a script doctor . Because of the changes , Rand disliked the Broadway production and the version published for amateur productions , so in 1968 she re @ - @ edited the script for publication as the " definitive " version . A movie loosely based on the play was released in 1941 ; the story has also been adapted for television and radio .

= = History = =

Rand drew inspiration for the play from two sources . After seeing The Trial of Mary Dugan , a 1927 melodrama about a showgirl prosecuted for killing her wealthy lover , Rand decided to write her own play featuring a trial . Rand 's play would have no fixed ending ; the ending could vary depending on the result of the trial . She based her victim on Ivar Kreuger , a Swedish businessman known as the " Match King " who held monopolies on the manufacture of matches . When Kreuger 's business empire became financially unstable , he shot himself after being accused of undertaking underhanded and possibly illegal financial deals . From this incident , Rand was inspired to make the victim a businessman of great ambition and dubious character , who had given multiple people motives for his murder .

Rand wrote Night of January 16th in 1933 . She was 28 years old and had been in the United States for seven years after emigrating from the Soviet Union , where her strong anti @ - @ Communist opinions had put her at risk . Rand had never written a stage play , but had worked in Hollywood as a junior screenwriter for Cecil B. DeMille , and later in RKO Studios ' wardrobe department . In September 1932 , Rand sold an original screenplay , Red Pawn , to Universal Studios and quit RKO to finish her first novel , We the Living . She wrote the stage play with the hope of making money from it while she was finishing her novel . By 1934 , her agent was trying to sell the play and the novel , but both were repeatedly rejected . Red Pawn was shelved and Rand 's contract for rewrites on it expired . Rand 's husband , an actor , was getting only minor roles with little pay , putting the couple in financial difficulties . With the last of her money from Red Pawn exhausted , Rand got an offer for her new play from Al Woods , who had produced The Trial of Mary Dugan for Broadway . The contract included a condition that Woods could make changes to the script . Wary that he would destroy her vision of the play to create a more conventional drama , Rand turned Woods down . Soon after , she accepted an offer from Welsh actor E. E. Clive to produce the play in Los Angeles . It opened in October 1934 under the title Woman on Trial .

At the end of the play 's run in Los Angeles , Woods renewed his offer to produce the play on Broadway . Although he was a renowned producer of many famous plays in a career of more than

three decades , Woods had lost much of his fortune after the Wall Street Crash of 1929 and had not produced a hit in several years . Being refused by a neophyte author shocked him and increased his interest . Woods still wanted the right to make script changes , but he made adjustments to the contract to give Rand more influence . She reluctantly agreed to his terms .

Rand arrived in New York at the beginning of December 1934 in anticipation of the opening in January . The play 's financing failed , delaying the production for several months until Woods arranged new financing from theater owner Lee Shubert . When work resumed , Rand 's relationship with Woods quickly soured as he demanded changes she later derided as " a junk heap of worn , irrelevant melodramatic devices " . Woods had made his success on Broadway with low @-@ brow melodramas such as Nellie , the Beautiful Cloak Model and risqué comedies such as The Demi @-@ Virgin . Woods was not interested in what he called Rand 's " highfalutin speeches " , preferring the dramatic conflict to focus on concrete elements , such as whether the defendant had a gun . The changes to Rand 's play included the creation of a new character , a gun moll played by Shubert 's mistress .

The contract between Woods and Rand allowed him to hire collaborators if he thought it necessary , and pay them a limited portion of the author 's royalties . He first hired John Hayden to direct , paying him one percent from Rand 's 10 @-@ percent royalty . Although Hayden was a successful Broadway director , Rand disliked him and later called him " a very ratty Broadway hanger @-@ on " . As auditions for the play began in Philadelphia , Woods demanded further script changes and was frustrated by Rand 's refusal to make some of them . He engaged Louis Weitzenkorn , the author of a previous hit , Five Star Final , to act as a script doctor . Rand 's relationship with Weitzenkorn was worse than those with Woods or Hayden ; she and Weitzenkorn argued over political differences as well as his ideas for the play . Woods gave Weitzenkorn another one percent from Rand 's royalties without informing her . Rand filed a claim against Woods with the American Arbitration Association . She objected to Weitzenkorn receiving any portion of her royalties , telling the arbitration panel Weitzenkorn had added only a single line to the play , which was cut after the auditions . Upon hearing this testimony , one of the arbitrators responded incredulously , " That was all he did ? " In two hearings , the panel ruled that Weitzenkorn should receive his agreed @-@ upon one percent , but that Woods could not deduct the payment from Rand 's royalties because she had not been notified in advance .

Despite the disputes between Rand and Woods , the play opened at Shubert 's Ambassador Theatre in September 1935 and ran for seven months . Night of January 16th was the last theatrical success for either Rand or Woods . Rand 's next play , Ideal , went unsold , and a 1940 stage adaptation of We the Living flopped . She achieved lasting success and financial stability with her 1943 novel , The Fountainhead . Woods produced six more plays ; none were hits and when he died in 1951 , he was bankrupt and living in a hotel .

= = = Published versions = = =

Night of January 16th was first published in an edition for amateur theater organizations in 1936 , using a version edited by drama professor Nathaniel Edward Reeid , which included further changes to eliminate elements such as swearing and smoking . Rand disowned this version because of the changes . In 1960 , Rand 's protégé Nathaniel Branden asked about doing a public reading of the play for students at the Nathaniel Branden Institute . Rand did not want him to use the amateur version ; she created a revised text that eliminated most of Woods ' and Reeid 's changes . She had her " final , definitive version " published in 1968 with an introduction about the play 's history . Rand made several dozen further small changes in language for an off @-@ Broadway revival in 1973 .

= = = Title changes = = =

Although best known as Night of January 16th , the play 's title changed multiple times and several alternative titles were considered . Rand 's working title was Penthouse Legend . When Clive picked up the play , he thought Rand 's title suggested a fantasy story that would discourage potential

patrons . The play was called *The Verdict* during the Hollywood Playhouse rehearsals , but opened with the title *Woman on Trial* . When Woods took the play to Broadway , he insisted on a new title . He offered Rand a choice between *The Black Sedan* and *Night of January 16th* . Rand liked neither , but picked the latter . Woods later suggested two more name changes , but did not implement them . Prior to the opening , he considered renaming the play *The Night is Young* . After the play opened , he considered changing its name each day to match the current date .

When Rand published her version of the play in 1968 , she wrote that although she disliked the Broadway title , it was too well known to change it again . She agreed to using *Penthouse Legend* as the title for the 1973 revival production .

### = = Synopsis = =

The plot of *Night of January 16th* centers on the trial of secretary Karen Andre for the murder of her employer , business executive Bjorn Faulkner , who defrauded his company of millions of dollars to invest in the gold trade . In the wake of a financial crash , he was facing bankruptcy . The play 's events occur entirely in a courtroom ; Faulkner himself is never seen . On the night of January 16 , Faulkner and Andre were in the penthouse of the Faulkner Building in New York City , when Faulkner apparently fell to his death . Within the three acts , the prosecutor Mr. Flint and Andre 's defense attorney Mr. Stevens call witnesses whose testimonies build conflicting stories .

At the beginning of the first act , the judge asks the court clerk to call jurors from the audience . Once the jurors are seated , the prosecution argument begins . Flint explains that Andre was not just Faulkner 's secretary , but also his lover . He says Faulkner jilted her to marry Nancy Lee Whitfield and fired Andre , motivating Andre to murder him . Flint then calls a series of witnesses , starting with the medical examiner , who testifies that Faulkner 's body was so damaged by the fall that it was impossible to determine whether he was killed by the impact or was already dead . An elderly night watchman and a private investigator both describe the events they saw that evening . A police inspector testifies to finding a suicide note . Faulkner 's very religious housekeeper disapprovingly describes the sexual relationship between Andre and Faulkner , and says she saw Andre with another man after Faulkner 's marriage . Nancy Lee testifies about her and Faulkner 's courtship and marriage , portraying both as idyllic . The act ends with Andre speaking out @-@ of @-@ turn to accuse Nancy Lee of lying .

The second act continues the prosecution 's case , with Flint calling John Graham Whitfield ? Faulkner 's father @-@ in @-@ law and president of Whitfield National Bank . He testifies about a large loan he made to Faulkner . In his cross @-@ examination , defense attorney Stevens suggests the loan was used to buy Faulkner 's marriage to Whitfield 's daughter . After this testimony , the prosecution rests and the defense argument begins . A handwriting expert testifies about the signature on the suicide note . Faulkner 's bookkeeper describes events between Andre 's dismissal and the night of Faulkner 's death , and related financial matters . Andre takes the stand and describes her relationship with Faulkner as both his lover and his partner in financial fraud . She says she did not resent his marriage because it was a business deal to secure credit from the Whitfield Bank . As she starts to explain the reasons for Faulkner 's alleged suicide , she is interrupted by the arrival of " Guts " Regan , an infamous gangster , who tells Andre that Faulkner is dead . Despite being on trial for Faulkner 's murder , Andre is shocked by this news and faints .

The final act continues Andre 's testimony ; she is now somber rather than defiant . She says she , Faulkner , and Regan had conspired to fake Faulkner 's suicide so they could escape with money stolen from Whitfield . Regan , who was also in love with Andre , provided the stolen body of one of his already @-@ dead gang associates , " Lefty " O 'Toole , to throw from the building . In cross @-@ examination , Flint suggests she and Regan were using knowledge of past criminal activities to blackmail Faulkner . Stevens then calls Regan , who testifies that he was due to meet Faulkner at a getaway plane after leaving the stolen body with Andre ; however , Faulkner did not arrive and the plane was missing . Instead of Faulkner , Regan encountered Whitfield , who gave him a check that was , according to Regan , to buy his silence . Regan later found the missing plane , which had been burned with what he presumes is Faulkner 's body inside . Flint 's cross @-@ examination

offers an alternative theory : Regan put the stolen body into the plane to create doubt about Andre 's guilt , and the check from Whitfield was protection money to Regan 's gang . In the play 's Broadway and amateur versions , the next witness is Roberta Van Renssler , an exotic dancer and wife of O 'Toole , who believes Regan killed her husband . This character does not appear in Rand 's preferred version of the play . Stevens then recalls two witnesses to follow @-@ up on issues from Regan 's testimony . The defense and prosecution then give their closing arguments .

The jury retires to vote while the characters repeat highlights from their testimony under a spotlight . The jury then returns to announce its verdict . One of two short endings follows . If found not guilty , Andre thanks the jury . If found guilty , she says the jury have spared her from committing suicide . In Reeid 's amateur version , after either verdict the judge berates the jurors for their bad judgment and declares that they cannot serve on a jury again .

= = Productions = =

Night of January 16th has had several professional productions under three titles . It first opened at the Hollywood Playhouse in Los Angeles as Woman on Trial . E. E. Clive produced the play and Barbara Bedford played Andre . The production opened on October 22 , 1934 , and closed in late November 1934 .

The most successful production was at the Ambassador Theatre on Broadway , where it was titled Night of January 16th ; this version was produced by Woods and directed by John Hayden . Doris Nolan played the defendant . The play opened on September 16 , 1935 , and closed on April 4 , 1936 , with 283 performances .

When the play 's success on Broadway was clear , Woods launched productions of the play in other cities , starting with San Francisco . It opened there at the Geary Theater on December 30 , 1935 , and ran for five weeks with Nedda Harrigan in the lead role . Harrigan stayed with the show when it moved to the El Capitan theater in Los Angeles , where it opened on March 1 , 1936 . After the Broadway production closed , Woods started a road tour that included productions in Boston and Chicago .

International productions of the play included shows in London , Montreal , and Sydney . The production in London opened on September 29 , 1936 , where Phoebe Foster took the lead role for her first appearance on the London stage . It closed after 22 performances . A production in Montreal opened on June 16 , 1941 , starring Fay Wray as Andre and Robert Wilcox as Regan . In Sydney , the play opened at the Minerva Theatre on June 19 , 1944 , with Thelma Grigg as Andre .

In 1972 , Rand approved an off @-@ Broadway revival of the play , which used her preferred version of the script and her original title , Penthouse Legend . It was produced by Phillip and Kay Nolte Smith , a married couple who were friends with Rand . Kay Smith also starred in the production under the stage name Kay Gillian . It opened at the McAlpin Rooftop Theater on February 22 , 1973 , and closed on March 18 , 1973 , after 30 performances .

= = Broadway cast and characters = =

The play 's protagonist and lead female role is the defendant , Karen Andre . Woods considered several actresses for the role , but with Rand 's support he cast an unusual choice , an actress named Doris Nolan . It was Nolan 's Broadway debut ; her previous professional acting experience was a failed attempt at completing a movie scene . At 17 years old , she was cast as a presumably @-@ older femme fatale . Woods was Nolan 's manager and got a commission from her contract . Nolan was inexperienced and was nervous throughout rehearsals . When other actresses visited , she feared they were there to replace her . Although Rand later said she was " not a sensational actress " , reviewers praised her performance . Nolan left the cast in March to take a movie contract from Universal Studios .

Rand actively pushed for Walter Pidgeon to be cast in the role of " Guts " Regan . Woods objected at first , but eventually gave Pidgeon the part . As with Nolan , reviewers approved the choice . Pidgeon left the production after about a month to take a role in another play , There 's Wisdom in

Women . Despite Rand 's objections , he was replaced with William Bakewell ; Rand recommended Morgan Conway , who played the same role in Woman on Trial .

= = Dramatic analysis = =

= = = Jury element = = =

The selection of a jury from the play 's audience was the primary dramatic innovation of Night of January 16th . It created concerns among many of the producers who considered and rejected the play . Although Woods liked the idea , Hayden worried it would destroy the theatrical illusion ; he feared audience members might refuse to participate . Successful jury selections during previews indicated this would not be a problem . This criticism dissipated following the play 's success ; it became famous for its " jury gimmick " .

The play 's jury has sometimes enlisted famous participants ; the Broadway selections were rigged to call on celebrities known to be in the audience . The jury for the Broadway opening included attorney Edward J. Reilly ? who was known from the Lindbergh kidnapping trial earlier that year ? and boxing champion Jack Dempsey . Jurors for subsequent Broadway performances included actors Ricardo Cortez , Fania Marinoff , Chester Morris , Margaret Wycherly , and Roland Young ; attorneys Dudley Field Malone and Samuel Leibowitz ; baseball player Babe Ruth ; bridge player Ely Culbertson ; director Eddie Buzzell ; and James Roosevelt ? son of President Franklin Roosevelt . At a special performance for the blind , Helen Keller sat on the jury . The jurors for the London opening included musician Jack Hylton and actors Adrienne Allen , Raymond Massey , and Vera Pearce . Opening night jurors in Sydney included cartoonist Jimmy Bancks , tennis champion Jack Crawford , writer Ethel Knight Kelly , and attorneys Bill Dovey , Vernon Treatt , and Richard Windeyer .

Woods decided the jury for the Broadway run would employ some jury service rules of the New York courts . One such rule was the payment of jurors three dollars per day for their participation , which meant the selected audience members profited by at least 25 cents after subtracting the ticket price . Another was that only men could serve on a jury , although Woods made exceptions , for example at the performance Keller attended . He later loosened the rule to allow women jurors at matinee performances twice a week . Unlike a normal criminal trial , verdicts required only a majority vote rather than unanimity .

= = = Themes = = =

Rand described Night of January 16th as " a sense @-@ of @-@ life play " . She did not want its events to be taken literally , but to be understood as a representation of different ways of approaching life . Andre represents an ambitious , confident , non @-@ conformist approach to life , while the prosecution witnesses represent conformity , envy of success , and the desire for power over others . Rand believed the jury 's decision at each performance revealed the attitude of the jurors towards these two conflicting senses of life . Rand supported individualism and considered Andre " not guilty " . She said she wanted the play to convey the viewpoint : " Your life , your achievement , your happiness , your person are of paramount importance . Live up to your highest vision of yourself no matter what the circumstances you might encounter . An exalted view of self @-@ esteem is man 's most admirable quality . " She said the play " is not a philosophical treatise on morality " and represents this view only in a basic way .

Several later commentators have interpreted the play as a reflection of Rand 's early interest in the ideas of Friedrich Nietzsche . Shoshana Milgram saw elements of Nietzsche 's morality in the descriptions of Bjorn Faulkner , who " never thought of things as right or wrong " . Ronald Merrill went further , calling the play " a powerful and eloquent plea for the Nietzschean worldview " of the superiority of the " superman " ; this is represented by Faulkner , who Merrill interprets as rejecting external moral authority and the " slave morality " of ordinary people . Others found significance in

Rand 's admiration of the play 's criminal characters . Historian Jennifer Burns said Rand " found criminality an irresistible metaphor for individualism " because of the influence on her of " Nietzsche 's transvaluation of values [ that ] changed criminals into heroes " . Rand said criminality was not the important attribute of the characters ; she said a criminal could serve as " an eloquent symbol " of independence and rebellion against conformity , but stated , " I do not think , nor did I think when I wrote this play , that a swindler is a heroic character or that a respectable banker is a villain " . Merrill dismissed this explanation as a cover @-@ up for the play 's promotion of Nietzschean ideas that Rand later rejected . Similarly , biographer Anne Heller said Rand " later renounced her romantic fascination with criminals " , making the characters ' criminality an embarrassment for her .

= = Reception = =

Since its premiere , Night of January 16th has had a mixed reception . The initial Los Angeles run as Woman on Trial received complimentary reviews ; Rand was disappointed reviews focused on the play 's melodrama and its similarity to The Trial of Mary Dugan , while paying little attention to aspects she considered more important , such as the contrasting ideas of individualism and conformity . Rand later described the production as " badly handicapped by lack of funds " and " competent , but somewhat unexciting " , but it performed reasonably well at the box office during its short run .

The Broadway production received largely positive reviews that praised its melodrama and the acting of Nolan and Pidgeon . Commonweal described it as " well constructed , well enough written , admirably directed ... and excellently acted " . The Brooklyn Daily Eagle said the action came in " fits and starts " , but praised the acting and the novelty of the use of a jury . New York Post critic John Mason Brown said the play had some flaws , but was an exciting , above @-@ average melodrama . Brooks Atkinson gave it a negative review in The New York Times , calling it " the usual brew of hokum " . A review from Theatre Arts Monthly was also dismissive , calling the play a " fashionable game " that would be " fun in a parlor " but seemed " pretty foolish " on stage . Some reviews focused on Woods as the source of the play 's positive attributes because he had had many previous theatrical successes . Time said Woods was repeating a successful formula from The Trial of Mary Dugan . Reviews that praised these elements were an embarrassment to Rand , who considered Woods ' changes to be negative . Again , reviewers ignored the broader themes that Rand considered important .

Professional productions in other North American cities typically received positive reviews . Austin B. Fenger described the production at San Francisco 's Geary Theater as " darned good theater " that was " well acted " and " crisply written " . Charles Collins said the Chicago production was " a first class story " that was " well acted by an admirably selected cast " . Thomas Archer 's review of the Montreal production described it as " realistic " and " absorbing " .

The London production in 1936 received mostly positive reviews but was not a commercial success . A reviewer for The Times praised Foster 's performance as " tense and beautiful " . In The Daily Telegraph , reviewer W. A. Darlington said the show would be popular with audiences , but the production ended its run in less than a month . The review in The Glasgow Herald described it as a " strong , quick thriller " , but with inferior dialog to The Trial of Mary Dugan . The reviewer for The Spectator was more critical , saying the play itself was " strong " , but was undermined by " mediocre playing " from " bad actors " .

The 1973 revival as Penthouse Legend was a failure and received strongly negative reviews . A reviewer for The Village Voice complimented the story 's melodramatic plot twists but said it was " preposterously badly written " and described the production as " conventional and obvious " . In The New York Times , Clive Barnes called the play tedious and said the acting was " not particularly good " . It closed within a few weeks .

Academics and biographers reviewing the play have also expressed mixed opinions . Theater scholar Gerald Bordman declared it " an unexceptional courtroom drama " made popular by the jury element , although he noted praise for the acting of Breese and Pidgeon . Historian James Baker described Rand 's presentation of courtroom behavior as unrealistic , but said audiences forgive this

because the play 's dramatic moments are " so much fun " . He said the play was " great entertainment " that is " held together by an enormously attractive woman and a gimmick " , but " it is not philosophy " and fails to convey the themes Rand had in mind . Jennifer Burns expressed a similar view , stating that the play 's attempts to portray individualism had " dubious results ... Rand intended Bjorn Faulkner to embody heroic individualism , but in the play he comes off as little more than an unscrupulous businessman with a taste for rough sex " . Literature scholar Mimi Reisel Gladstein described the play as " significant for dramatic ingenuity and thematic content " . Rand biographer Anne Heller considered it " engaging , if stilted " , while Ronald Merrill described it as " a skillfully constructed drama " undercut by " Rand 's peculiar inability to write an effective mystery plot without leaving holes " . Mystery critic Marvin Lachman noted the novelty of the use of a jury but called the play unrealistic with " stilted dialogue " and " stereotypical characters " .

= = Adaptations = =

= = = Movies = = =

The movie rights to Night of January 16th were initially purchased by Metro @-@ Goldwyn @-@ Mayer ( MGM ) in October 1934 as a possible vehicle for Loretta Young . They hired Rand to write a screenplay , but the project was scrapped . After MGM 's option expired , Woods considered making a movie version through a production company of his own , but in 1938 RKO Pictures bought the rights for \$ 10 @,@ 000 , a fee split between Woods and Rand . RKO considered Claudette Colbert and Lucille Ball as possible stars , but they also gave up on the adaptation . The rights were resold to Paramount Pictures in July 1939 for \$ 35 @,@ 000 . Paramount released a movie in 1941 ; Rand did not participate in the production . The film was directed by William Clemens , and Delmer Daves , Robert Pirosh , and Eve Greene were engaged to prepare a new screenplay .

The new screenplay altered the plot significantly , focusing on Steve Van Ruyle ( Robert Preston ) , a sailor who inherits a position on the board of a company headed by Bjorn Faulkner ( Nils Asther ) . Unlike the play , in which Faulkner is already dead , he appears in the film as a living character who is apparently murdered . Suspicion falls on Faulkner 's secretary Kit Lane ( Ellen Drew ) ; Van Ruyle decides to investigate the alleged crime . Faulkner is discovered hiding in Cuba after faking his own death . Rand said only a single line from her original dialog appeared in the movie , which she dismissed as a " cheap , trashy vulgarity " . The film received little attention when it was released , and most reviews of it were negative .

In 1989 , Bollywood director Anant Balani 's debut film Gawaahi , a Hindi @-@ language adaptation of Night of January 16th starring Indian actress Zeenat Aman , was released .

= = = Television and radio = = =

Night of January 16th was adapted for several television anthology series in the 1950s and 1960s . The first was WOR @-@ TV 's Broadway Television Theatre , which aired its adaptation on July 14 , 1952 , with a cast that included Neil Hamilton and Virginia Gilmore . On CBS , the Lux Video Theatre presented a version of Night of January 16th on May 10 , 1956 , starring Phyllis Thaxter as Andre . In the United Kingdom , Maxine Audley took the lead role for an ITV Play of the Week broadcast on January 12 , 1960 ; Cec Linder played the district attorney . The broadcast had been scheduled for October 6 , 1959 , but was delayed to avoid its possible interpretation as political commentary before the general election held later that week . A radio adaptation of the play was broadcast on the BBC Home Service on August 4 , 1962 .