

Resting: When he is finished playing cards, the active lawyer must declare that he is resting. At this point, and not before, this player may offer a “Plea Bargain” to his opponent, by which the money held by the Court would be divided in any way to which the two parties agree.

If the Plea Bargain is accepted, the trial ends and the money is divided accordingly. Otherwise, the trial continues.

You can only offer a Plea Bargain after you have rested. If you start bargaining, or make an offer that gets a response, you rest whether you meant to or not.

Step 5, The Defense Makes His Case: The Defense now becomes the active player and may perform any number of the actions described above.

After playing his cards and resting, the Defense may offer a Plea Bargain to the Prosecutor under the same terms described above.

Step 6, The Prosecutor's Final Argument: After the Defense rests, the Prosecution is allowed to play one more card, which is called his Final Argument. This card can be Evidence, a Witness, a new Charge, or a Motion. The Prosecution may then offer one final Plea Bargain before letting the Jury deliberate.

Note: If your Final Argument is a Motion that meets with an Objection, it does not count as your last card. You may still play one more card.

Step 7, Roll the Jury: After both parties have rested, and if no Plea Bargain has been made, the Prosecution rolls two dice and adds them to the Jury Value. If the result is 13 or higher, the Prosecution wins. If it is 12 or lower, the Defense wins.

The winner of the case takes all the money in the Court. The Suspect and Charge cards are discarded, along with all other cards played on this case, and the turn passes to the left.

Note that the Prosecutor always wins if the Jury value is 11 or higher. There is no Jury Value so low that the Defense has a guaranteed win. The Prosecutor is the favorite when the Jury Value is 6 or higher.

Ending the Game:

The game ends when the deck and the Lineup are out of cards and there are no more Pending Cases on the table, or when it is clear that no more Cases can be made or tried.

It is possible that players will take a few “null” turns during the endgame if the Lineup is empty; however, it's usually advisable to defend a Pending Case rather than do nothing.

The lawyer with the most money wins. Which is to say, the lawyer with the most prestige.

In games with 6 or 7 players, you may wish to recycle the discards once. If you don't, a game that large will have very few turns per player. If you like this option, make sure to agree beforehand on playing the two-deck game. Also, when you reshuffle, do it at the right time: you must shuffle the discards and replace the deck at any moment when the Lineup or a player needs another card, and not before. This procedure makes sure that the discard pile is there as long as possible when someone needs it for Short Memory.

Strategy:

Try to learn which hands are better for prosecuting and defending. If you have a lot of small Charges, or Evidence that's good for the Defense, seek out and defend the richest cases you can find. If your hand is better suited to prosecution, do what you can to start a valuable case.

If your case relies on a random factor like a high-valued Witness or a Motion that may be Objected to, play that card first so you can decide whether it's worth spending the rest of your hand.

Effective plea bargaining is the key to success. Understand what your odds are of winning a given case, assuming all the variables, and don't be greedy when making offers. Unless you need the full amount to win the game, taking half a case is always better than taking none of it.

About the Artist: Charles Dana Gibson, 1867-1944. American illustrator and father of the idealized American woman known as the “Gibson Girl.”

Gibson's works now reside in the public domain and we thank him deeply for his posthumous and royalty-free contribution to our game.



Witch Trial

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Game designed by **James Ernest**

Illustrations by **Charles Dana Gibson (1867-1944)**

Special thanks to the many domesticated and free-range Guinea Pigs who will do anything for a lighter sentence, including **Elizabeth Marshall, Dave Howell, Jeff Vogel, Mariann Kriszan, Neil and Natalie Ford, Rick Fish, Mark Simmons, Jeff Tidball, Tom and Cathy Saxton, Rich and JoAnne Gain, Toivo Rovainen, and Carol Monahan.**



Rules Document and Information Sheet:

Whereas, certain parties named elsewhere (“The Players”) desire to engage in the game entitled **Witch Trial** (“The Game”) with the intent of effecting certain circumstances including but not limited to the reenactment of fictional witch trials in pseudo-colonial America involving the prosecution and defense of witches, suspected witches, and other ne'er-do-wells and malcontents; the strategic play of cards based on hunches, mathematics, and other methods of deduction; and other pursuits such as idle banter not necessarily associated with the storyline or mechanisms of The Game but arising as a matter of course from the playing thereof (collectively, “The Fun”);

Whereas, Cheapass Games, a game company formed under the laws of the State of Washington and having a website located at **www.cheapass.com** where you can always go and buy all the great new Cheapass Games day or night rain or shine all the live long day (“Cheapass”) has certain valuable knowledge of The Game and has created The Game with the intent of spreading love and joy throughout the universe; and

Whereas Cheapass desires to convey to The Players the methods, modes, articles, pleasantries, accouterments, rules, devices, errors, understandings, and wherewithal associated with correct and proper execution of the play of The Game with the intent of assigning as much as practicable to The Players of The Fun;

Now Therefore the parties agree as follows:

Article 1: Equipment

The Equipment of The Game shall consist of the following: The 84-card **Deck** and **Board** (provided), as well as **two 6-sided Dice**, paper **Money**, and one **Penny** or other suitable counter (to be furnished by The Players).

1.1 The Money

The “Money” in The Game actually represents prestige. It is well known that lawyers have never been in it just for the money, but for the betterment and enrichment of society. And besides, more prestige means more money.

1.2 The Cards

The **Witch Trial** Deck is composed of 84 cards in five types, including **Suspects, Charges, Evidence, Motions, and Objections**. **Suspects** represent the suspected Witches who will go on trial and serve as Witnesses. **Charges** go with the Suspects to form Cases. **Evidence** can be played on either side of the courtroom to help sway the Jury. **Motions** represent unusual trial tactics such as Appeals, Drama, etc. **Objections** counteract the Motions.

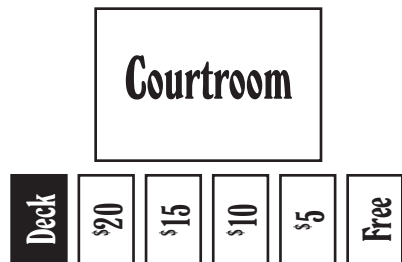
1.3 The Board

Included in the game is a small board representing the **Courtroom**. It has space for one **Suspect** and one **Charge**, a stack of money (“Legal Fees”), and the **Jury**. Use a Penny in the Jury Box to track the **Jury Value**.

To Begin:

Each player starts with \$50. Put the rest of the money in the bank, and choose a banker to handle it. Shuffle the deck, and deal a hand of five cards to each player. Then deal a “Lineup” of five cards face up beside the deck. This lineup starts beside the deck and goes across the Courtroom as shown in the figure below. (The prices will be explained shortly.)

Determine randomly who will go first. Play will proceed to the left.



On Your Turn:

First, draw one card from the top of the deck. Then you may do exactly **one** of the following:

1: Buy a Card. You may buy one card from the Lineup. The first card in the Lineup is free, the next card costs \$5, the next \$10, \$15, and the last is \$20. The money you pay for this card goes into the “Legal Fees” pile in the Courtroom.

Once you buy a card, the cards above it slide down, and a new \$20 card is added immediately from the deck. Once you buy a card, your turn ends.

Note: There is no upper or lower limit to the size of your hand. If you use a lot of cards in one trial it will take several turns to replace them, so make sure you're getting the full value out of every card you play.

2: Create a Case. To get a case started, you must either match a **Suspect** card from your hand with a **Charge** in the lineup, or a **Charge** in your hand with a **Suspect** in the Lineup.

The Suspect and Charge will sit together in front of you as your “Pending Case.” You can have only one Pending Case at a time.

Taking a card from the Lineup in this manner doesn't cost anything. The cards in the lineup move down, and a new \$20 card is added immediately.

Setting up a Pending Case ends your turn.

3: Defend a Pending Case. If there is a Pending Case in front of another player, you may choose to defend it. This case goes right to court as described under “Going to Trial,” below. After the trial, your turn ends.

4: Find a Court-Appointed Defender. If you have a Pending Case in front of you, you can choose to select a public defender randomly, as follows.

Every player except you rolls two dice. The player who makes the lowest roll must defend your case. The case goes immediately to court, as described below. After the trial, your turn ends.

Ending your Turn: You will probably have done one of the four actions described above, though it is also legal to pass.

After your turn is over, whether it included a trial or not, the turn passes to the left.

Going to Trial:

Trials happen frequently and are the only way to make money. (Er, “Prestige.”) When a Trial begins, place the Suspect and Charge cards in the Courtroom. Only the Prosecutor and Defender will be involved in this case; the other players are simply spectators.

Step 1, Pay the Defender: The Suspect has a “Defense” budget, which goes immediately from the Bank to the Defender who takes the case. This is the same whether the Defender chose to defend the case or had it thrust upon him by the Public Defender's office.

Step 2, Stock the Court: The Charge has an amount of Court money written on it. Add that money to the “Legal Fees” pile in the Courtroom. This money, along with any other money already sitting in the Court, will be awarded to the winner of this trial.

Step 3, Set the Jury Value: The deliberation of the Jury will eventually be represented by a roll of two dice, modified by a number called the “Jury Value.”

The Jury Value roughly represents how many jurors think the defendant is guilty at any given time, and it is tracked using a penny and the twelve spaces in the Jury Box. The higher the Jury Value, the more likely the Suspect will be found guilty of the Charge. The Jury Value can never go higher than 12 or lower than 1, so if anything pushes the Jury Value outside this legal range, the extra value is simply wasted.

To set the Jury Value at the beginning of the trial, add the Guilt of the Suspect with the Severity of the Charge. This will always be a number between 1 and 12.

Note: All the Charges have certain Suspects who are more or less likely to have committed them. For example, Smuggling is usually worth 5, but it is worth **+2** if it is paired with Lewis the Bum. If you are trying Lewis the Bum for Smuggling, the Charge has a Severity of 7, so the Jury starts with a value of 11.

What the Jury Value Means: When the trial is over, the Prosecution will roll two dice and add the roll to the Jury Value. If the total is 13 or higher, the Suspect is found guilty and the Prosecutor wins the case. If not, the Suspect is set free and the victory goes to the Defense.

Knowing the Jury Value is a good way to guess how the Jury will vote, but it's almost never a guarantee.

Step 4, The Prosecutor Makes His Case: The Prosecution acts first in every trial, and may play any number of the following cards in any order. After the Prosecution rests, the Defense will become active and can play the same kinds of cards.

Active Lawyer's Cards (no particular order):

a) Evidence. Evidence cards have two numbers, a positive value if played by the Prosecution, and a negative value if played by the Defense. This value represents the effect that the card has on the Jury.

When you play an Evidence card, you change the Jury Value by the appropriate amount. For example, when a Prosecutor plays Faithful Pet, he raises the Jury Value by 3 points (to a maximum value of 12). If a Defender played Faithful Pet, he would reduce the Jury Value by 2.

It's good form to explain how evidence supports your case, even though this has no bearing on the game. Depending on how you spin it, the existence of a Faithful Pet could suggest that the accused is guilty (no pet would be that faithful unless bewitched) or that she is not (obviously no criminal would have a faithful pet).

b) Witnesses. Suspect cards can be played as Witnesses, which work a little like Evidence. However, they are a bit more unpredictable.

When you play a Witness, you must **roll one die** and compare the roll to the Guilt value of the Witness. If you roll **equal to or higher** than this value, the Witness changes the Jury by its Guilt value (positive when played by the Prosecution, negative when played by the Defense). Otherwise, the Witness does nothing.

For example, if the Defense calls Lewis the Bum (Guilt 4) as a Witness, the Defender rolls one die. On a 1-3, Lewis has no effect. On a 4-6, he subtracts 4 points from the Jury Value. (If the Prosecution had played Lewis, he would **add** 4 points instead of subtracting.)

c) Charge. You can play a new Charge to replace the current one. No matter who plays it, the new Charge will change the Jury Value by the difference between its own Severity and the Severity of the previous Charge.

For example, if a Charge worth 2 is played to replace a Charge worth 6, the Jury Value will go down by 4. ($2 - 6 = -4$) Obviously, this play benefits the Defense, so only the Defense would normally make it.

When a Charge has a **modified** Severity when paired with a particular Suspect, remember to use that value when comparing the two Charges. For example, if Lewis the Bum was first accused of Golfing (Severity 3 for Lewis) but the Charge is trumped up to Smuggling (5+2, which is 7 for Lewis) then the Jury Value will go up by 4 points. ($7 - 3 = 4$)

Note: New Charges do not affect the amount of money in the Court. They only change the Jury Value.

d) Motions. Motion Cards are all different, and they all describe their effects. However, some notes may be useful in interpreting them:

The “You” on a Motion card refers to the player who plays it. “Opponent” refers only to the other lawyer involved in this trial.

To “throw a case out” means to stop trying the case immediately and discard all the cards, including the Suspect and Charge.

Discards: Since all cards used in a trial must remain on the table until the trial is over, none of them is technically in the discard pile until the trial ends. Therefore, Short Memory can only recover cards that were played previous to this case.

Playing Objections: An Objection cancels all the effects of a Motion, and causes the Motion card to be discarded. Objections can only be played as follows: while you are active, your **opponent** can play an Objection in response to any Motion you play. Objection is the only card that can be played out of turn, and only by the inactive lawyer in the case.

Unlike other cards, Objections stick around. Instead of discarding an Objection, you must hand the Objection to the player whose Motion you cancelled.

An Objection cancels **all** the effects of a Motion, so for example if Drama is played and Objected to, the player doesn't get to re-roll the Jury Value, but also is not forced to rest. You cannot object to a motion once it has been carried out, i.e., after the Drama dice roll.

Because of the existence of Objections, it is always polite to pause briefly before carrying out the effects of any Motion card, to give your opponent a chance to Object to it.

You cannot Object to an Objection, because an Objection is not a Motion.