

Chapter 21

She stopped shyly at the railing and waited to get Judge Taylor's attention. She was in a fresh apron and she carried an envelope in her hand.

Judge Taylor saw her and said, "It's Calpurnia, isn't it?"

"Yes sir," she said. "Could I just pass this note to Mr. Finch, please sir? It hasn't got anything to do with—with the trial."

Judge Taylor nodded and Atticus took the envelope from Calpurnia. He opened it, read its contents and said, "Judge, I—this note is from my sister. She says my children are missing, haven't turned up since noon... I... could you—"

"I know where they are, Atticus." Mr. Underwood spoke up. "They're right up yonder in the colored balcony—been there since precisely one-eighteen P.M."

Our father turned around and looked up. "Jem, come down from there," he called. Then he said something to the Judge we didn't hear. We climbed across Reverend Sykes and made our way to the staircase.

Atticus and Calpurnia met us downstairs. Calpurnia looked peeved, but Atticus looked exhausted.

Jem was jumping in excitement. "We've won, haven't we?"

"I've no idea," said Atticus shortly. "You've been here all afternoon? Go home with Calpurnia and get your supper—and stay home."

"Aw, Atticus, let us come back," pleaded Jem. "Please let us hear the verdict, *please* sir."

"The jury might be out and back in a minute, we don't know—" but we could tell Atticus was relenting. "Well, you've heard it all, so you might as well hear the rest. Tell you what, you all can come back when you've eaten your supper—eat slowly, now, you won't miss anything important—and if the jury's still out, you can wait with us. But I expect it'll be over before you get back."

“You think they’ll acquit him that fast?” asked Jem.

Atticus opened his mouth to answer, but shut it and left us.

I prayed that Reverend Sykes would save our seats for us, but stopped praying when I remembered that people got up and left in droves when the jury was out—tonight, they’d overrun the drugstore, the O.K. Café and the hotel, that is, unless they had brought their suppers too.

Calpurnia marched us home: “—skin every one of you alive, the very idea, you children listenin’ to all that! Mister Jem, don’t you know better’n to take your little sister to that trial? Miss Alexandra’ll absolutely have a stroke of paralysis when she finds out! Ain’t fittin’ for children to hear...”

The streetlights were on, and we glimpsed Calpurnia’s indignant profile as we passed beneath them. “Mister Jem, I thought you was gettin’ some kinda head on your shoulders—the very idea, she’s your little sister! The very *idea*, sir! You oughta be perfectly ashamed of yourself—ain’t you got any sense at all?”

I was exhilarated. So many things had happened so fast I felt it would take years to sort them out, and now here was Calpurnia giving her precious Jem down the country—what new marvels would the evening bring?

Jem was chuckling. “Don’t you want to hear about it, Cal?”

“Hush your mouth, sir! When you oughta be hangin’ your head in shame you go along laughin’ —” Calpurnia revived a series of rusty threats that moved Jem to little remorse, and she sailed up the front steps with her classic, “If Mr. Finch don’t wear you out, I will—get in that house, sir!”

Jem went in grinning, and Calpurnia nodded tacit consent to having Dill in to supper. “You all call Miss Rachel right now and tell her where you are,” she told him. “She’s run distracted lookin’ for you—you watch out she don’t ship you back to Meridian first thing in the mornin’.”

Aunt Alexandra met us and nearly fainted when Calpurnia told her where we were. I guess it hurt her when we told her Atticus said we could go back, because she didn’t say a word during supper. She just rearranged food on her plate, looking at it sadly while Calpurnia served Jem, Dill and me with a vengeance. Calpurnia poured milk, dished out potato salad and ham, muttering, “shamed of

yourselves,” in varying degrees of intensity. “Now you all eat slow,” was her final command.

Reverend Sykes had saved our places. We were surprised to find that we had been gone nearly an hour, and were equally surprised to find the courtroom exactly as we had left it, with minor changes: the jury box was empty, the defendant was gone; Judge Taylor had been gone, but he reappeared as we were seating ourselves.

“Nobody’s moved, hardly,” said Jem.

“They moved around some when the jury went out,” said Reverend Sykes. “The menfolk down there got the womenfolk their suppers, and they fed their babies.”

“How long have they been out?” asked Jem.

“‘bout thirty minutes. Mr. Finch and Mr. Gilmer did some more talkin’, and Judge Taylor charged the jury.”

“How was he?” asked Jem.

“What say? Oh, he did right well. I ain’t complainin’ one bit—he was mighty fair-minded. He sorta said if you believe this, then you’ll have to return one verdict, but if you believe this, you’ll have to return another one. I thought he was leanin’ a little to our side—” Reverend Sykes scratched his head.

Jem smiled. “He’s not supposed to lean, Reverend, but don’t fret, we’ve won it,” he said wisely. “Don’t see how any jury could convict on what we heard—”

“Now don’t you be so confident, Mr. Jem, I ain’t ever seen any jury decide in favor of a colored man over a white man...” But Jem took exception to Reverend Sykes, and we were subjected to a lengthy review of the evidence with Jem’s ideas on the law regarding rape: it wasn’t rape if she let you, but she had to be eighteen—in Alabama, that is—and Mayella was nineteen. Apparently you had to kick and holler, you had to be overpowered and stomped on, preferably knocked stone cold. If you were under eighteen, you didn’t have to go through all this.

“Mr. Jem,” Reverend Sykes demurred, “this ain’t a polite thing for little ladies to hear...”

“Aw, she doesn’t know what we’re talkin’ about,” said Jem. “Scout, this is too old for you, ain’t it?”

“It most certainly is not, I know every word you’re saying.” Perhaps I was too convincing, because Jem hushed and never discussed the subject again.

“What time is it, Reverend?” he asked.

“Gettin’ on toward eight.”

I looked down and saw Atticus strolling around with his hands in his pockets: he made a tour of the windows, then walked by the railing over to the jury box. He looked in it, inspected Judge Taylor on his throne, then went back to where he started. I caught his eye and waved to him. He acknowledged my salute with a nod, and resumed his tour.

Mr. Gilmer was standing at the windows talking to Mr. Underwood. Bert, the court reporter, was chain-smoking: he sat back with his feet on the table.

But the officers of the court, the ones present—Atticus, Mr. Gilmer, Judge Taylor sound asleep, and Bert, were the only ones whose behavior seemed normal. I had never seen a packed courtroom so still. Sometimes a baby would cry out fretfully, and a child would scurry out, but the grown people sat as if they were in church. In the balcony, the Negroes sat and stood around us with biblical patience.

The old courthouse clock suffered its preliminary strain and struck the hour, eight deafening bongs that shook our bones.

When it bonged eleven times I was past feeling: tired from fighting sleep, I allowed myself a short nap against Reverend Sykes’s comfortable arm and shoulder. I jerked awake and made an honest effort to remain so, by looking down and concentrating on the heads below: there were sixteen bald ones, fourteen men that could pass for redheads, forty heads varying between brown and black, and—I remembered something Jem had once explained to me when he went through a brief period of psychical research: he said if enough people—a stadium full, maybe—were to concentrate on one thing, such as setting a tree afire in the woods, that the tree would ignite of its own accord. I toyed with the idea of asking everyone below to concentrate on setting Tom Robinson free, but thought if they were as tired as I, it wouldn’t work.

Dill was sound asleep, his head on Jem’s shoulder, and Jem was quiet.

“Ain’t it a long time?” I asked him.

“Sure is, Scout,” he said happily.

“Well, from the way you put it, it’d just take five minutes.”

Jem raised his eyebrows. “There are things you don’t understand,” he said, and I was too weary to argue.

But I must have been reasonably awake, or I would not have received the impression that was creeping into me. It was not unlike one I had last winter, and I shivered, though the night was hot. The feeling grew until the atmosphere in the courtroom was exactly the same as a cold February morning, when the mockingbirds were still, and the carpenters had stopped hammering on Miss Maudie’s new house, and every wood door in the neighborhood was shut as tight as the doors of the Radley Place. A deserted, waiting, empty street, and the courtroom was packed with people. A steaming summer night was no different from a winter morning. Mr. Heck Tate, who had entered the courtroom and was talking to Atticus, might have been wearing his high boots and lumber jacket. Atticus had stopped his tranquil journey and had put his foot onto the bottom rung of a chair; as he listened to what Mr. Tate was saying, he ran his hand slowly up and down his thigh. I expected Mr. Tate to say any minute, “Take him, Mr. Finch...”

But Mr. Tate said, “This court will come to order,” in a voice that rang with authority, and the heads below us jerked up. Mr. Tate left the room and returned with Tom Robinson. He steered Tom to his place beside Atticus, and stood there. Judge Taylor had roused himself to sudden alertness and was sitting up straight, looking at the empty jury box.

What happened after that had a dreamlike quality: in a dream I saw the jury return, moving like underwater swimmers, and Judge Taylor’s voice came from far away and was tiny. I saw something only a lawyer’s child could be expected to see, could be expected to watch for, and it was like watching Atticus walk into the street, raise a rifle to his shoulder and pull the trigger, but watching all the time knowing that the gun was empty.

A jury never looks at a defendant it has convicted, and when this jury came in, not one of them looked at Tom Robinson. The foreman handed a piece of paper to Mr. Tate who handed it to the clerk who handed it to the judge...

I shut my eyes. Judge Taylor was polling the jury: “Guilty... guilty... guilty... guilty...” I peeked at Jem: his hands were white from gripping the balcony rail, and his shoulders jerked as if each “guilty” was a separate stab between them. Judge Taylor was saying something. His gavel was in his fist, but he wasn’t using it. Dimly, I saw Atticus pushing papers from the table into his briefcase. He snapped it shut, went to the court reporter and said something, nodded to Mr. Gilmer, and then went to Tom Robinson and whispered something to him. Atticus put his hand on Tom’s shoulder as he whispered. Atticus took his coat off the back of his chair and pulled it over his shoulder. Then he left the courtroom, but not by his usual exit. He must have wanted to go home the short way, because he walked quickly down the middle aisle toward the south exit. I followed the top of his head as he made his way to the door. He did not look up.

Someone was punching me, but I was reluctant to take my eyes from the people below us, and from the image of Atticus’s lonely walk down the aisle.

“Miss Jean Louise?”

I looked around. They were standing. All around us and in the balcony on the opposite wall, the Negroes were getting to their feet. Reverend Sykes’s voice was as distant as Judge Taylor’s:

“Miss Jean Louise, stand up. Your father’s passin’.”

[Contents](#) - [Prev](#) / [Next](#)

Chapter 22

It was Jem’s turn to cry. His face was streaked with angry tears as we made our way through the cheerful crowd. “It ain’t right,” he muttered, all the way to the corner of the square where we found Atticus waiting. Atticus was standing under the street light looking as though nothing had happened: his vest was buttoned, his collar and tie were neatly in place, his watch-chain glistened, he was his

impassive self again.

“It ain’t right, Atticus,” said Jem.

“No son, it’s not right.”

We walked home.

Aunt Alexandra was waiting up. She was in her dressing gown, and I could have sworn she had on her corset underneath it. “I’m sorry, brother,” she murmured. Having never heard her call Atticus “brother” before, I stole a glance at Jem, but he was not listening. He would look up at Atticus, then down at the floor, and I wondered if he thought Atticus somehow responsible for Tom Robinson’s conviction.

“Is he all right?” Aunty asked, indicating Jem.

“He’ll be so presently,” said Atticus. “It was a little too strong for him.” Our father sighed. “I’m going to bed,” he said. “If I don’t wake up in the morning, don’t call me.”

“I didn’t think it wise in the first place to let them—”

“This is their home, sister,” said Atticus. “We’ve made it this way for them, they might as well learn to cope with it.”

“But they don’t have to go to the courthouse and wallow in it—”

“It’s just as much Maycomb County as missionary teas.”

“Atticus—” Aunt Alexandra’s eyes were anxious. “You are the last person I thought would turn bitter over this.”

“I’m not bitter, just tired. I’m going to bed.”

“Atticus—” said Jem bleakly.

He turned in the doorway. “What, son?”

“How could they do it, how could they?”

“I don’t know, but they did it. They’ve done it before and they did it tonight and they’ll do it again and when they do it—seems that only children weep. Good night.”

But things are always better in the morning. Atticus rose at his usual ungodly hour and was in the livingroom behind the *Mobile Register* when we stumbled in.

Jem's morning face posed the question his sleepy lips struggled to ask.

"It's not time to worry yet," Atticus reassured him, as we went to the diningroom.

"We're not through yet. There'll be an appeal, you can count on that. Gracious alive, Cal, what's all this?" He was staring at his breakfast plate.

Calpurnia said, "Tom Robinson's daddy sent you along this chicken this morning. I fixed it."

"You tell him I'm proud to get it—bet they don't have chicken for breakfast at the White House. What are these?"

"Rolls," said Calpurnia. "Estelle down at the hotel sent 'em."

Atticus looked up at her, puzzled, and she said, "You better step out here and see what's in the kitchen, Mr. Finch."

We followed him. The kitchen table was loaded with enough food to bury the family: hunks of salt pork, tomatoes, beans, even scuppernongs. Atticus grinned when he found a jar of pickled pigs' knuckles. "Reckon Aunty'll let me eat these in the diningroom?"

Calpurnia said, "This was all 'round the back steps when I got here this morning. They—they 'preciate what you did, Mr. Finch. They—they aren't oversteppin' themselves, are they?"

Atticus's eyes filled with tears. He did not speak for a moment. "Tell them I'm very grateful," he said. "Tell them—tell them they must never do this again. Times are too hard..."

He left the kitchen, went in the diningroom and excused himself to Aunt Alexandra, put on his hat and went to town.

We heard Dill's step in the hall, so Calpurnia left Atticus's uneaten breakfast on the table. Between rabbit-bites Dill told us of Miss Rachel's reaction to last night, which was: if a man like Atticus Finch wants to butt his head against a stone wall it's his head.

"I'da got her told," growled Dill, gnawing a chicken leg, "but she didn't look much like tellin' this morning. Said she was up half the night wonderin' where I was, said she'da had the sheriff after me but he was at the hearing."

"Dill, you've got to stop goin' off without tellin' her," said Jem. "It just

aggravates her.”

Dill sighed patiently. “I told her till I was blue in the face where I was goin’ — she’s just seein’ too many snakes in the closet. Bet that woman drinks a pint for breakfast every morning — know she drinks two glasses full. Seen her.”

“Don’t talk like that, Dill,” said Aunt Alexandra. “It’s not becoming to a child. It’s —cynical.”

“I ain’t cynical, Miss Alexandra. Tellin’ the truth’s not cynical, is it?”

“The way you tell it, it is.”

Jem’s eyes flashed at her, but he said to Dill, “Let’s go. You can take that runner with you.”

When we went to the front porch, Miss Stephanie Crawford was busy telling it to Miss Maudie Atkinson and Mr. Avery. They looked around at us and went on talking. Jem made a feral noise in his throat. I wished for a weapon.

“I hate grown folks lookin’ at you,” said Dill. “Makes you feel like you’ve done something.”

Miss Maudie yelled for Jem Finch to come there.

Jem groaned and heaved himself up from the swing. “We’ll go with you,” Dill said.

Miss Stephanie’s nose quivered with curiosity. She wanted to know who all gave us permission to go to court — she didn’t see us but it was all over town this morning that we were in the Colored balcony. Did Atticus put us up there as a sort of —? Wasn’t it right close up there with all those —? Did Scout understand all the —? Didn’t it make us mad to see our daddy beat?

“Hush, Stephanie.” Miss Maudie’s diction was deadly. “I’ve not got all the morning to pass on the porch — Jem Finch, I called to find out if you and your colleagues can eat some cake. Got up at five to make it, so you better say yes. Excuse us, Stephanie. Good morning, Mr. Avery.”

There was a big cake and two little ones on Miss Maudie’s kitchen table. There should have been three little ones. It was not like Miss Maudie to forget Dill, and we must have shown it. But we understood when she cut from the big cake and gave the slice to Jem.

As we ate, we sensed that this was Miss Maudie's way of saying that as far as she was concerned, nothing had changed. She sat quietly in a kitchen chair, watching us.

Suddenly she spoke: "Don't fret, Jem. Things are never as bad as they seem."

Indoors, when Miss Maudie wanted to say something lengthy she spread her fingers on her knees and settled her bridgework. This she did, and we waited.

"I simply want to tell you that there are some men in this world who were born to do our unpleasant jobs for us. Your father's one of them."

"Oh," said Jem. "Well."

"Don't you oh well me, sir," Miss Maudie replied, recognizing Jem's fatalistic noises, "you are not old enough to appreciate what I said."

Jem was staring at his half-eaten cake. "It's like bein' a caterpillar in a cocoon, that's what it is," he said. "Like somethin' asleep wrapped up in a warm place. I always thought Maycomb folks were the best folks in the world, least that's what they seemed like."

"We're the safest folks in the world," said Miss Maudie. "We're so rarely called on to be Christians, but when we are, we've got men like Atticus to go for us."

Jem grinned ruefully. "Wish the rest of the county thought that."

"You'd be surprised how many of us do."

"Who?" Jem's voice rose. "Who in this town did one thing to help Tom Robinson, just who?"

"His colored friends for one thing, and people like us. People like Judge Taylor. People like Mr. Heck Tate. Stop eating and start thinking, Jem. Did it ever strike you that Judge Taylor naming Atticus to defend that boy was no accident? That Judge Taylor might have had his reasons for naming him?"

This was a thought. Court-appointed defenses were usually given to Maxwell Green, Maycomb's latest addition to the bar, who needed the experience.

Maxwell Green should have had Tom Robinson's case.

"You think about that," Miss Maudie was saying. "It was no accident. I was sittin' there on the porch last night, waiting. I waited and waited to see you all come

down the sidewalk, and as I waited I thought, Atticus Finch won't win, he can't win, but he's the only man in these parts who can keep a jury out so long in a case like that. And I thought to myself, well, we're making a step—it's just a baby-step, but it's a step."

"It's all right to talk like that—can't any Christian judges and lawyers make up for heathen juries," Jem muttered. "Soon's I get grown—"

"That's something you'll have to take up with your father," Miss Maudie said.

We went down Miss Maudie's cool new steps into the sunshine and found Mr. Avery and Miss Stephanie Crawford still at it. They had moved down the sidewalk and were standing in front of Miss Stephanie's house. Miss Rachel was walking toward them.

"I think I'll be a clown when I get grown," said Dill.

Jem and I stopped in our tracks.

"Yes sir, a clown," he said. "There ain't one thing in this world I can do about folks except laugh, so I'm gonna join the circus and laugh my head off."

"You got it backwards, Dill," said Jem. "Clowns are sad, it's folks that laugh at them."

"Well I'm gonna be a new kind of clown. I'm gonna stand in the middle of the ring and laugh at the folks. Just looka yonder," he pointed. "Every one of 'em oughta be ridin' broomsticks. Aunt Rachel already does."

Miss Stephanie and Miss Rachel were waving wildly at us, in a way that did not give the lie to Dill's observation.

"Oh gosh," breathed Jem. "I reckon it'd be ugly not to see 'em."

Something was wrong. Mr. Avery was red in the face from a sneezing spell and nearly blew us off the sidewalk when we came up. Miss Stephanie was trembling with excitement, and Miss Rachel caught Dill's shoulder. "You get on in the back yard and stay there," she said. "There's danger a'comin'."

"What's matter?" I asked.

"Ain't you heard yet? It's all over town—"

At that moment Aunt Alexandra came to the door and called us, but she was too

late. It was Miss Stephanie's pleasure to tell us: this morning Mr. Bob Ewell stopped Atticus on the post office corner, spat in his face, and told him he'd get him if it took the rest of his life.

[Contents](#) - [Prev](#) / [Next](#)

Chapter 23

"I wish Bob Ewell wouldn't chew tobacco," was all Atticus said about it.

According to Miss Stephanie Crawford, however, Atticus was leaving the post office when Mr. Ewell approached him, cursed him, spat on him, and threatened to kill him. Miss Stephanie (who, by the time she had told it twice was there and had seen it all—passing by from the Jitney Jungle, she was)—Miss Stephanie said Atticus didn't bat an eye, just took out his handkerchief and wiped his face and stood there and let Mr. Ewell call him names wild horses could not bring her to repeat. Mr. Ewell was a veteran of an obscure war; that plus Atticus's peaceful reaction probably prompted him to inquire, "Too proud to fight, you nigger-lovin' bastard?" Miss Stephanie said Atticus said, "No, too old," put his hands in his pockets and strolled on. Miss Stephanie said you had to hand it to Atticus Finch, he could be right dry sometimes.

Jem and I didn't think it entertaining.

"After all, though," I said, "he was the deadest shot in the county one time. He could—"

"You know he wouldn't carry a gun, Scout. He ain't even got one—" said Jem.

"You know he didn't even have one down at the jail that night. He told me havin' a gun around's an invitation to somebody to shoot you."

"This is different," I said. "We can ask him to borrow one."

We did, and he said, "Nonsense."

Dill was of the opinion that an appeal to Atticus's better nature might work: after

all, we would starve if Mr. Ewell killed him, besides be raised exclusively by Aunt Alexandra, and we all knew the first thing she'd do before Atticus was under the ground good would be to fire Calpurnia. Jem said it might work if I cried and flung a fit, being young and a girl. That didn't work either. But when he noticed us dragging around the neighborhood, not eating, taking little interest in our normal pursuits, Atticus discovered how deeply frightened we were. He tempted Jem with a new football magazine one night; when he saw Jem flip the pages and toss it aside, he said, "What's bothering you, son?"

Jem came to the point: "Mr. Ewell."

"What has happened?"

"Nothing's happened. We're scared for you, and we think you oughta do something about him."

Atticus smiled wryly. "Do what? Put him under a peace bond?"

"When a man says he's gonna get you, looks like he means it."

"He meant it when he said it," said Atticus. "Jem, see if you can stand in Bob Ewell's shoes a minute. I destroyed his last shred of credibility at that trial, if he had any to begin with. The man had to have some kind of comeback, his kind always does. So if spitting in my face and threatening me saved Mayella Ewell one extra beating, that's something I'll gladly take. He had to take it out on somebody and I'd rather it be me than that houseful of children out there. You understand?"

Jem nodded.

Aunt Alexandra entered the room as Atticus was saying, "We don't have anything to fear from Bob Ewell, he got it all out of his system that morning."

"I wouldn't be so sure of that, Atticus," she said. "His kind'd do anything to pay off a grudge. You know how those people are."

"What on earth could Ewell do to me, sister?"

"Something furtive," Aunt Alexandra said. "You may count on that."

"Nobody has much chance to be furtive in Maycomb," Atticus answered.

After that, we were not afraid. Summer was melting away, and we made the most of it. Atticus assured us that nothing would happen to Tom Robinson until the

higher court reviewed his case, and that Tom had a good chance of going free, or at least of having a new trial. He was at Enfield Prison Farm, seventy miles away in Chester County. I asked Atticus if Tom's wife and children were allowed to visit him, but Atticus said no.

"If he loses his appeal," I asked one evening, "what'll happen to him?"

"He'll go to the chair," said Atticus, "unless the Governor commutes his sentence. Not time to worry yet, Scout. We've got a good chance."

Jem was sprawled on the sofa reading *Popular Mechanics*. He looked up. "It ain't right. He didn't kill anybody even if he was guilty. He didn't take anybody's life."

"You know rape's a capital offense in Alabama," said Atticus.

"Yessir, but the jury didn't have to give him death—if they wanted to they could've gave him twenty years."

"Given," said Atticus. "Tom Robinson's a colored man, Jem. No jury in this part of the world's going to say, 'We think you're guilty, but not very,' on a charge like that. It was either a straight acquittal or nothing."

Jem was shaking his head. "I know it's not right, but I can't figure out what's wrong—maybe rape shouldn't be a capital offense..."

Atticus dropped his newspaper beside his chair. He said he didn't have any quarrel with the rape statute, none what ever, but he did have deep misgivings when the state asked for and the jury gave a death penalty on purely circumstantial evidence. He glanced at me, saw I was listening, and made it easier. "—I mean, before a man is sentenced to death for murder, say, there should be one or two eye-witnesses. Some one should be able to say, 'Yes, I was there and saw him pull the trigger.'"

"But lots of folks have been hung—hanged—on circumstantial evidence," said Jem.

"I know, and lots of 'em probably deserved it, too—but in the absence of eye-witnesses there's always a doubt, some times only the shadow of a doubt. The law says 'reasonable doubt,' but I think a defendant's entitled to the shadow of a doubt. There's always the possibility, no matter how improbable, that he's innocent."

“Then it all goes back to the jury, then. We oughta do away with juries.” Jem was adamant.

Atticus tried hard not to smile but couldn't help it. “You're rather hard on us, son. I think maybe there might be a better way. Change the law. Change it so that only judges have the power of fixing the penalty in capital cases.”

“Then go up to Montgomery and change the law.”

“You'd be surprised how hard that'd be. I won't live to see the law changed, and if you live to see it you'll be an old man.”

This was not good enough for Jem. “No sir, they oughta do away with juries. He wasn't guilty in the first place and they said he was.”

“If you had been on that jury, son, and eleven other boys like you, Tom would be a free man,” said Atticus. “So far nothing in your life has interfered with your reasoning process. Those are twelve reasonable men in everyday life, Tom's jury, but you saw something come between them and reason. You saw the same thing that night in front of the jail. When that crew went away, they didn't go as reasonable men, they went because we were there. There's something in our world that makes men lose their heads—they couldn't be fair if they tried. In our courts, when it's a white man's word against a black man's, the white man always wins. They're ugly, but those are the facts of life.”

“Doesn't make it right,” said Jem stolidly. He beat his fist softly on his knee.

“You just can't convict a man on evidence like that—you can't.”

“You couldn't, but they could and did. The older you grow the more of it you'll see. The one place where a man ought to get a square deal is in a courtroom, be he any color of the rainbow, but people have a way of carrying their resentments right into a jury box. As you grow older, you'll see white men cheat black men every day of your life, but let me tell you something and don't you forget it—whenever a white man does that to a black man, no matter who he is, how rich he is, or how fine a family he comes from, that white man is trash.”

Atticus was speaking so quietly his last word crashed on our ears. I looked up, and his face was vehement. “There's nothing more sickening to me than a low-grade white man who'll take advantage of a Negro's ignorance. Don't fool yourselves—it's all adding up and one of these days we're going to pay the bill

for it. I hope it's not in you children's time."

Jem was scratching his head. Suddenly his eyes widened. "Atticus," he said, "why don't people like us and Miss Maudie ever sit on juries? You never see anybody from Maycomb on a jury—they all come from out in the woods."

Atticus leaned back in his rocking-chair. For some reason he looked pleased with Jem. "I was wondering when that'd occur to you," he said. "There are lots of reasons. For one thing, Miss Maudie can't serve on a jury because she's a woman —"

"You mean women in Alabama can't—?" I was indignant.

"I do. I guess it's to protect our frail ladies from sordid cases like Tom's. Besides," Atticus grinned, "I doubt if we'd ever get a complete case tried—the ladies'd be interrupting to ask questions."

Jem and I laughed. Miss Maudie on a jury would be impressive. I thought of old Mrs. Dubose in her wheelchair—"Stop that rapping, John Taylor, I want to ask this man something." Perhaps our forefathers were wise.

Atticus was saying, "With people like us—that's our share of the bill. We generally get the juries we deserve. Our stout Maycomb citizens aren't interested, in the first place. In the second place, they're afraid. Then, they're—"

"Afraid, why?" asked Jem.

"Well, what if—say, Mr. Link Deas had to decide the amount of damages to award, say, Miss Maudie, when Miss Rachel ran over her with a car. Link wouldn't like the thought of losing either lady's business at his store, would he? So he tells Judge Taylor that he can't serve on the jury because he doesn't have anybody to keep store for him while he's gone. So Judge Taylor excuses him. Sometimes he excuses him wrathfully."

"What'd make him think either one of 'em'd stop trading with him?" I asked.

Jem said, "Miss Rachel would, Miss Maudie wouldn't. But a jury's vote's secret, Atticus."

Our father chuckled. "You've many more miles to go, son. A jury's vote's supposed to be secret. Serving on a jury forces a man to make up his mind and declare himself about something. Men don't like to do that. Sometimes it's

unpleasant.”

“Tom’s jury sho‘ made up its mind in a hurry,” Jem muttered.

Atticus’s fingers went to his watchpocket. “No it didn’t,” he said, more to himself than to us. “That was the one thing that made me think, well, this may be the shadow of a beginning. That jury took a few hours. An inevitable verdict, maybe, but usually it takes ‘em just a few minutes. This time—” he broke off and looked at us. “You might like to know that there was one fellow who took considerable wearing down—in the beginning he was rarin’ for an outright acquittal.”

“Who?” Jem was astonished.

Atticus’s eyes twinkled. “It’s not for me to say, but I’ll tell you this much. He was one of your Old Sarum friends...”

“One of the Cunninghams?” Jem yelped. “One of—I didn’t recognize any of ‘em... you’re jokin’.” He looked at Atticus from the corners of his eyes.

“One of their connections. On a hunch, I didn’t strike him. Just on a hunch. Could’ve, but I didn’t.”

“Golly Moses,” Jem said reverently. “One minute they’re tryin’ to kill him and the next they’re tryin’ to turn him loose... I’ll never understand those folks as long as I live.”

Atticus said you just had to know ‘em. He said the Cunninghams hadn’t taken anything from or off of anybody since they migrated to the New World. He said the other thing about them was, once you earned their respect they were for you tooth and nail. Atticus said he had a feeling, nothing more than a suspicion, that they left the jail that night with considerable respect for the Finches. Then too, he said, it took a thunderbolt plus another Cunningham to make one of them change his mind. “If we’d had two of that crowd, we’d’ve had a hung jury.”

Jem said slowly, “You mean you actually put on the jury a man who wanted to kill you the night before? How could you take such a risk, Atticus, how could you?”

“When you analyze it, there was little risk. There’s no difference between one man who’s going to convict and another man who’s going to convict, is there? There’s a faint difference between a man who’s going to convict and a man who’s

a little disturbed in his mind, isn't there? He was the only uncertainty on the whole list."

"What kin was that man to Mr. Walter Cunningham?" I asked.

Atticus rose, stretched and yawned. It was not even our bedtime, but we knew he wanted a chance to read his newspaper. He picked it up, folded it, and tapped my head. "Let's see now," he droned to himself. "I've got it. Double first cousin."

"How can that be?"

"Two sisters married two brothers. That's all I'll tell you—you figure it out."

I tortured myself and decided that if I married Jem and Dill had a sister whom he married our children would be double first cousins. "Gee minetti, Jem," I said, when Atticus had gone, "they're funny folks. 'd you hear that, Aunty?"

Aunt Alexandra was hooking a rug and not watching us, but she was listening. She sat in her chair with her workbasket beside it, her rug spread across her lap. Why ladies hooked woolen rugs on boiling nights never became clear to me.

"I heard it," she said.

I remembered the distant disastrous occasion when I rushed to young Walter Cunningham's defense. Now I was glad I'd done it. "Soon's school starts I'm gonna ask Walter home to dinner," I planned, having forgotten my private resolve to beat him up the next time I saw him. "He can stay over sometimes after school, too. Atticus could drive him back to Old Sarum. Maybe he could spend the night with us sometime, okay, Jem?"

"We'll see about that," Aunt Alexandra said, a declaration that with her was always a threat, never a promise. Surprised, I turned to her. "Why not, Aunty? They're good folks."

She looked at me over her sewing glasses. "Jean Louise, there is no doubt in my mind that they're good folks. But they're not our kind of folks."

Jem says, "She means they're yappy, Scout."

"What's a yap?"

"Aw, tacky. They like fiddlin' and things like that."

"Well I do too—"

“Don’t be silly, Jean Louise,” said Aunt Alexandra. “The thing is, you can scrub Walter Cunningham till he shines, you can put him in shoes and a new suit, but he’ll never be like Jem. Besides, there’s a drinking streak in that family a mile wide. Finch women aren’t interested in that sort of people.”

“Aun-ty,” said Jem, “she ain’t nine yet.”

“She may as well learn it now.”

Aunt Alexandra had spoken. I was reminded vividly of the last time she had put her foot down. I never knew why. It was when I was absorbed with plans to visit Calpurnia’s house—I was curious, interested; I wanted to be her “company,” to see how she lived, who her friends were. I might as well have wanted to see the other side of the moon. This time the tactics were different, but Aunt Alexandra’s aim was the same. Perhaps this was why she had come to live with us—to help us choose our friends. I would hold her off as long as I could: “If they’re good folks, then why can’t I be nice to Walter?”

“I didn’t say not to be nice to him. You should be friendly and polite to him, you should be gracious to everybody, dear. But you don’t have to invite him home.”

“What if he was kin to us, Aunty?”

“The fact is that he is not kin to us, but if he were, my answer would be the same.”

“Aunty,” Jem spoke up, “Atticus says you can choose your friends but you sho’ can’t choose your family, an’ they’re still kin to you no matter whether you acknowledge ‘em or not, and it makes you look right silly when you don’t.”

“That’s your father all over again,” said Aunt Alexandra, “and I still say that Jean Louise will not invite Walter Cunningham to this house. If he were her double first cousin once removed he would still not be received in this house unless he comes to see Atticus on business. Now that is that.”

She had said Indeed Not, but this time she would give her reasons: “But I want to play with Walter, Aunty, why can’t I?”

She took off her glasses and stared at me. “I’ll tell you why,” she said. “Because—he—is—trash, that’s why you can’t play with him. I’ll not have you around him, picking up his habits and learning Lord-knows-what. You’re enough of a problem to your father as it is.”

I don't know what I would have done, but Jem stopped me. He caught me by the shoulders, put his arm around me, and led me sobbing in fury to his bedroom. Atticus heard us and poked his head around the door. "'s all right, sir," Jem said gruffly, "'s not anything." Atticus went away.

"Have a chew, Scout." Jem dug into his pocket and extracted a Tootsie Roll. It took a few minutes to work the candy into a comfortable wad inside my jaw.

Jem was rearranging the objects on his dresser. His hair stuck up behind and down in front, and I wondered if it would ever look like a man's—maybe if he shaved it off and started over, his hair would grow back neatly in place. His eyebrows were becoming heavier, and I noticed a new slimness about his body. He was growing taller. When he looked around, he must have thought I would start crying again, for he said, "Show you something if you won't tell anybody." I said what. He unbuttoned his shirt, grinning shyly.

"Well what?"

"Well can't you see it?"

"Well no."

"Well it's hair."

"Where?"

"There. Right there."

He had been a comfort to me, so I said it looked lovely, but I didn't see anything.

"It's real nice, Jem."

"Under my arms, too," he said. "Goin' out for football next year. Scout, don't let Aunty aggravate you."

It seemed only yesterday that he was telling me not to aggravate Aunty.

"You know she's not used to girls," said Jem, "leastways, not girls like you. She's trying to make you a lady. Can't you take up sewin' or somethin'?"

"Hell no. She doesn't like me, that's all there is to it, and I don't care. It was her callin' Walter Cunningham trash that got me goin', Jem, not what she said about being a problem to Atticus. We got that all straight one time, I asked him if I was a problem and he said not much of one, at most one that he could always figure out, and not to worry my head a second about botherin' him. Naw, it was Walter—

that boy's not trash, Jem. He ain't like the Ewells."

Jem kicked off his shoes and swung his feet to the bed. He propped himself against a pillow and switched on the reading light. "You know something, Scout? I've got it all figured out, now. I've thought about it a lot lately and I've got it figured out. There's four kinds of folks in the world. There's the ordinary kind like us and the neighbors, there's the kind like the Cunninghams out in the woods, the kind like the Ewells down at the dump, and the Negroes."

"What about the Chinese, and the Cajuns down yonder in Baldwin County?"

"I mean in Maycomb County. The thing about it is, our kind of folks don't like the Cunninghams, the Cunninghams don't like the Ewells, and the Ewells hate and despise the colored folks."

I told Jem if that was so, then why didn't Tom's jury, made up of folks like the Cunninghams, acquit Tom to spite the Ewells?"

Jem waved my question away as being infantile.

"You know," he said, "I've seen Atticus pat his foot when there's fiddlin' on the radio, and he loves pot liquor better'n any man I ever saw—"

"Then that makes us like the Cunninghams," I said. "I can't see why Aunty—"

"No, lemme finish—it does, but we're still different somehow. Atticus said one time the reason Aunty's so hipped on the family is because all we've got's background and not a dime to our names."

"Well Jem, I don't know—Atticus told me one time that most of this Old Family stuff's foolishness because everybody's family's just as old as everybody else's. I said did that include the colored folks and Englishmen and he said yes."

"Background doesn't mean Old Family," said Jem. "I think it's how long your family's been readin' and writin'. Scout, I've studied this real hard and that's the only reason I can think of. Somewhere along when the Finches were in Egypt one of 'em must have learned a hieroglyphic or two and he taught his boy." Jem laughed. "Imagine Aunty being proud her great-granddaddy could read an' write—ladies pick funny things to be proud of."

"Well I'm glad he could, or who'da taught Atticus and them, and if Atticus couldn't read, you and me'd be in a fix. I don't think that's what background is,

Jem.”

“Well then, how do you explain why the Cunninghams are different? Mr. Walter can hardly sign his name, I’ve seen him. We’ve just been readin’ and writin’ longer’n they have.”

“No, everybody’s gotta learn, nobody’s born knowin’. That Walter’s as smart as he can be, he just gets held back sometimes because he has to stay out and help his daddy. Nothin’s wrong with him. Naw, Jem, I think there’s just one kind of folks. Folks.”

Jem turned around and punched his pillow. When he settled back his face was cloudy. He was going into one of his declines, and I grew wary. His brows came together; his mouth became a thin line. He was silent for a while.

“That’s what I thought, too,” he said at last, “when I was your age. If there’s just one kind of folks, why can’t they get along with each other? If they’re all alike, why do they go out of their way to despise each other? Scout, I think I’m beginning to understand something. I think I’m beginning to understand why Boo Radley’s stayed shut up in the house all this time... it’s because he *wants* to stay inside.”

[Contents](#) - [Prev](#) / [Next](#)

Chapter 24

Calpurnia wore her stiffest starched apron. She carried a tray of charlotte. She backed up to the swinging door and pressed gently. I admired the ease and grace with which she handled heavy loads of dainty things. So did Aunt Alexandra, I guess, because she had let Calpurnia serve today.

August was on the brink of September. Dill would be leaving for Meridian tomorrow; today he was off with Jem at Barker’s Eddy. Jem had discovered with angry amazement that nobody had ever bothered to teach Dill how to swim, a