

Mr. Gilmer interrupted. "Objection," he said. "Can't see what witness's literacy has to do with the case, irrelevant'n'immaterial."

Judge Taylor was about to speak but Atticus said, "Judge, if you'll allow the question plus another one you'll soon see."

"All right, let's see," said Judge Taylor, "but make sure we see, Atticus. Overruled."

Mr. Gilmer seemed as curious as the rest of us as to what bearing the state of Mr. Ewell's education had on the case.

"I'll repeat the question," said Atticus. "Can you read and write?"

"I most positively can."

"Will you write your name and show us?"

"I most positively will. How do you think I sign my relief checks?"

Mr. Ewell was endearing himself to his fellow citizens. The whispers and chuckles below us probably had to do with what a card he was.

I was becoming nervous. Atticus seemed to know what he was doing—but it seemed to me that he'd gone frog-sticking without a light. Never, never, never, on cross-examination ask a witness a question you don't already know the answer to, was a tenet I absorbed with my baby-food. Do it, and you'll often get an answer you don't want, an answer that might wreck your case.

Atticus was reaching into the inside pocket of his coat. He drew out an envelope, then reached into his vest pocket and unclipped his fountain pen. He moved leisurely, and had turned so that he was in full view of the jury. He unscrewed the fountain-pen cap and placed it gently on his table. He shook the pen a little, then handed it with the envelope to the witness. "Would you write your

seen at a dead standstill in open court, and the Cunninghams stopped him. Old Sarum, their stamping grounds, was populated by two families separate and apart in the beginning, but unfortunately bearing the same name. The Cunninghams married the Coninghams until the spelling of the names was academic—academic until a Cunningham disputed a Coningham over land titles and took to the law. During a controversy of this character, Jeems Cunningham testified that his mother spelled it Cunningham on deeds and things, but she was really a Coningham, she was an uncertain speller, a seldom reader, and was given to looking far away sometimes when she sat on the front gallery in the evening. After nine hours of listening to the eccentricities of Old Sarum's inhabitants, Judge Taylor threw the case out of court. When asked upon what grounds, Judge Taylor said, "Champertous connivance," and declared he hoped to God the litigants were satisfied by each having had their public say. They were.

That was all they had wanted in the first place.

Judge Taylor had one interesting habit. He permitted smoking in his courtroom but did not himself indulge: sometimes, if one was lucky, one had the privilege of watching him put a long dry cigar into his mouth and munch it slowly up. Bit by bit the dead cigar would disappear, to reappear some hours later as a flat slick mess, its essence extracted and mingling with Judge Taylor's digestive juices. I once asked Atticus how Mrs. Taylor stood to kiss him, but Atticus said they didn't kiss much.

The witness stand was to the right of Judge Taylor, and when we got to our seats Mr. Heck Tate was already on it.

Chapter 17

“Jem,” I said, “are those the Ewells sittin’ down yonder?”
“Hush,” said Jem, “Mr. Heck Tate’s testifyin’.”

Mr. Tate had dressed for the occasion. He wore an ordinary business suit, which made him look somehow like every other man: gone were his high boots, lumber jacket, and bullet-studded belt. From that moment he ceased to terrify me. He was sitting forward in the witness chair, his hands clasped between his knees, listening attentively to the circuit solicitor.

The solicitor, a Mr. Gilmer, was not well known to us. He was from Abbottsville; we saw him only when court convened, and that rarely, for court was of no special interest to Jem and me. A balding, smooth-faced man, he could have been anywhere between forty and sixty. Although his back was to us, we knew he had a slight cast in one of his eyes which he used to his advantage: he seemed to be looking at a person when he was actually doing nothing of the kind, thus he was hell on juries and witnesses. The jury, thinking themselves under close scrutiny, paid attention; so did the witnesses, thinking likewise.

“...in your own words, Mr. Tate,” Mr. Gilmer was saying.

“Well,” said Mr. Tate, touching his glasses and speaking to his knees, “I was called—”

“Could you say it to the jury, Mr. Tate? Thank you. Who called you?”

“Yes,” he said.

“Do you agree with his description of Mayella’s injuries?”

“How’s that?”

Atticus looked around at Mr. Gilmer and smiled. Mr. Ewell seemed determined not to give the defense the time of day.

“Mr. Tate testified that her right eye was blackened, that she was beaten around the—”

“Oh yeah,” said the witness. “I hold with everything Tate said.”

“You do?” asked Atticus mildly. “I just want to make sure.” He went to the court reporter, said something, and the reporter entertained us for some minutes by reading Mr. Tate’s testimony as if it were stock-market quotations: “...which eye her left oh yes that’d make it her right it was her right eye Mr. Finch I remember now she was bunged.” He flipped the page. “Up on that side of the face Sheriff please repeat what you said it was her right eye I said—”

“Thank you, Bert,” said Atticus. “You heard it again, Mr. Ewell. Do you have anything to add to it? Do you agree with the sheriff?”

“I holds with Tate. Her eye was blacked and she was mighty beat up.”

The little man seemed to have forgotten his previous humiliation from the bench.

It was becoming evident that he thought Atticus an easy match. He seemed to grow ruddy again; his chest swelled, and once more he was a red little rooster. I thought he’d burst his shirt at Atticus’s next question:

“Mr. Ewell, can you read and write?”

“Just a minute, sir,” said Atticus genially. “Could I ask you a question or two?”

Mr. Ewell backed up into the witness chair, settled himself, and regarded Atticus with haughty suspicion, an expression common to Maycomb County witnesses when confronted by opposing counsel.

“Mr. Ewell,” Atticus began, “folks were doing a lot of running that night. Let’s see, you say you ran to the house, you ran to the window, you ran inside, you ran to Mayella, you ran for Mr. Tate. Did you, during all this running, run for a doctor?”

“Wadn’t no need to. I seen what happened.”

“But there’s one thing I don’t understand,” said Atticus. “Weren’t you concerned with Mayella’s condition?”

“I most positively was,” said Mr. Ewell. “I seen who done it.”

“No, I mean her physical condition. Did you not think the nature of her injuries warranted immediate medical attention?”

“What?”

“Didn’t you think she should have had a doctor, immediately?”

The witness said he never thought of it, he had never called a doctor to any of his’n in his life, and if he had it would have cost him five dollars.

“That all?” he asked.

“Not quite,” said Atticus casually. “Mr. Ewell, you heard the sheriff’s testimony, didn’t you?”

“How’s that?”

“You were in the courtroom when Mr. Heck Tate was on the stand, weren’t you? You heard everything he said, didn’t you?”

Mr. Ewell considered the matter carefully, and seemed to decide that the question was safe.

Mr. Tate said, “I was fetched by Bob—by Mr. Bob Ewell yonder, one night—”

“What night, sir?”

Mr. Tate said, “It was the night of November twenty-first. I was just leaving my office to go home when B—Mr. Ewell came in, very excited he was, and said get out to his house quick, some nigger’d raped his girl.”

“Did you go?”

“Certainly. Got in the car and went out as fast as I could.”

“And what did you find?”

“Found her lying on the floor in the middle of the front room, one on the right as you go in. She was pretty well beat up, but I heaved her to her feet and she washed her face in a bucket in the corner and said she was all right. I asked her who hurt her and she said it was Tom Robinson—”

Judge Taylor, who had been concentrating on his fingernails, looked up as if he were expecting an objection, but Atticus was quiet.

“—asked her if he beat her like that, she said yes he had. Asked her if he took advantage of her and she said yes he did. So I went down to Robinson’s house and brought him back. She identified him as the one, so I took him in. That’s all there was to it.”

“Thank you,” said Mr. Gilmer.

Judge Taylor said, “Any questions, Atticus?”

“Yes,” said my father. He was sitting behind his table; his chair was skewed to one side, his legs were crossed and one arm was resting on the back of his chair.

“Did you call a doctor, Sheriff? Did anybody call a doctor?” asked Atticus.

“No sir,” said Mr. Tate.

“Didn’t call a doctor?”

“No sir,” repeated Mr. Tate.

“Why not?” There was an edge to Atticus’s voice.

“Well I can tell you why I didn’t. It wasn’t necessary, Mr. Finch. She was mighty banged up. Something sho‘ happened, it was obvious.”

“But you didn’t call a doctor? While you were there did anyone send for one, fetch one, carry her to one?”

“No sir—”

Judge Taylor broke in. “He’s answered the question three times, Atticus. He didn’t call a doctor.”

Atticus said, “I just wanted to make sure, Judge,” and the judge smiled.

Jem’s hand, which was resting on the balcony rail, tightened around it. He drew in his breath suddenly. Glancing below, I saw no corresponding reaction, and wondered if Jem was trying to be dramatic. Dill was watching peacefully, and so was Reverend Sykes beside him.

“What is it?” I whispered, and got a terse, “Sh-h!”

“Sheriff,” Atticus was saying, “you say she was mighty banged up. In what way?”

“Well—”

“Just describe her injuries, Heck.”

“Well, she was beaten around the head. There was already bruises comin’ on her arms, and it happened about thirty minutes before—”

sexual intercourse with your daughter?”

“Yes, I did.”

The spectators were quiet, but the defendant said something. Atticus whispered to him, and Tom Robinson was silent.

“You say you were at the window?” asked Mr. Gilmer.

“Yes sir.”

“How far is it from the ground?”

“‘bout three foot.”

“Did you have a clear view of the room?”

“Yes sir.”

“How did the room look?”

“Well, it was all slung about, like there was a fight.”

“What did you do when you saw the defendant?”

“Well, I run around the house to get in, but he run out the front door just ahead of me. I sawed who he was, all right. I was too distracted about Mayella to run after’im. I run in the house and she was lyin’ on the floor squallin’—”

“Then what did you do?”

“Why, I run for Tate quick as I could. I knowed who it was, all right, lived down yonder in that nigger-nest, passed the house every day. Jedge, I’ve asked this county for fifteen years to clean out that nest down yonder, they’re dangerous to live around ‘sides devaluin’ my property—”

“Thank you, Mr. Ewell,” said Mr. Gilmer hurriedly.

The witness made a hasty descent from the stand and ran smack into Atticus, who had risen to question him. Judge Taylor permitted the court to laugh.

As Judge Taylor banged his gavel, Mr. Ewell was sitting smugly in the witness chair, surveying his handiwork. With one phrase he had turned happy picknickers into a sulky, tense, murmuring crowd, being slowly hypnotized by gavel taps lessening in intensity until the only sound in the courtroom was a dim pink-pink- pink: the judge might have been rapping the bench with a pencil.

In possession of his court once more, Judge Taylor leaned back in his chair. He looked suddenly weary; his age was showing, and I thought about what Atticus had said—he and Mrs. Taylor didn't kiss much—he must have been nearly seventy.

"There has been a request," Judge Taylor said, "that this courtroom be cleared of spectators, or at least of women and children, a request that will be denied for the time being. People generally see what they look for, and hear what they listen for, and they have the right to subject their children to it, but I can assure you of one thing: you will receive what you see and hear in silence or you will leave this courtroom, but you won't leave it until the whole boiling of you come before me on contempt charges. Mr. Ewell, you will keep your testimony within the confines of Christian English usage, if that is possible. Proceed, Mr. Gilmer."

Mr. Ewell reminded me of a deaf-mute. I was sure he had never heard the words Judge Taylor directed at him—his mouth struggled silently with them—but their import registered on his face. Smugness faded from it, replaced by a dogged earnestness that fooled Judge Taylor not at all: as long as Mr. Ewell was on the stand, the judge kept his eyes on him, as if daring him to make a false move.

Mr. Gilmer and Atticus exchanged glances. Atticus was sitting down again, his fist rested on his cheek and we could not see his face. Mr. Gilmer looked rather desperate. A question from Judge Taylor made him relax: "Mr. Ewell, did you see the defendant having

"How do you know?"

Mr. Tate grinned. "Sorry, that's what they said. Anyway, she was pretty bruised up when I got there, and she had a black eye comin'."

"Which eye?"

Mr. Tate blinked and ran his hands through his hair. "Let's see," he said softly, then he looked at Atticus as if he considered the question childish. "Can't you remember?" Atticus asked.

Mr. Tate pointed to an invisible person five inches in front of him and said, "Her left."

"Wait a minute, Sheriff," said Atticus. "Was it her left facing you or her left looking the same way you were?"

Mr. Tate said, "Oh yes, that'd make it her right. It was her right eye, Mr. Finch. I remember now, she was bunged up on that side of her face..."

Mr. Tate blinked again, as if something had suddenly been made plain to him. Then he turned his head and looked around at Tom Robinson. As if by instinct, Tom Robinson raised his head.

Something had been made plain to Atticus also, and it brought him to his feet. "Sheriff, please repeat what you said."

"It was her right eye, I said."

"No..." Atticus walked to the court reporter's desk and bent down to the furiously scribbling hand. It stopped, flipped back the shorthand pad, and the court reporter said, "'Mr. Finch. I remember now she was bunged up on that side of the face.'"

Atticus looked up at Mr. Tate. "Which side again, Heck?"

"The right side, Mr. Finch, but she had more bruises—you wanta hear about 'em?"

Atticus seemed to be bordering on another question, but he thought better of it and said, "Yes, what were her other injuries?" As Mr. Tate answered, Atticus turned and looked at Tom Robinson as if to say this was something they hadn't bargained for.

"...her arms were bruised, and she showed me her neck. There were definite finger marks on her gullet—"

"All around her throat? At the back of her neck?"

"I'd say they were all around, Mr. Finch."

"You would?"

"Yes sir, she had a small throat, anybody could'a reached around it with—"

"Just answer the question yes or no, please, Sheriff," said Atticus dryly, and Mr. Tate fell silent.

Atticus sat down and nodded to the circuit solicitor, who shook his head at the judge, who nodded to Mr. Tate, who rose stiffly and stepped down from the witness stand.

Below us, heads turned, feet scraped the floor, babies were shifted to shoulders, and a few children scampered out of the courtroom. The Negroes behind us whispered softly among themselves; Dill was asking Reverend Sykes what it was all about, but Reverend Sykes said he didn't know. So far, things were utterly dull: nobody had thundered, there were no arguments between opposing counsel, there was no drama; a grave disappointment to all present, it seemed. Atticus was proceeding amiably, as if he were involved in a title dispute. With his infinite capacity for calming turbulent seas, he could make a rape case as dry as a sermon. Gone was the terror in my mind of stale whiskey and barnyard smells, of sleepy-eyed sullen men, of a husky voice calling in the night, "Mr. Finch? They gone?"

Our nightmare had gone with daylight, everything would come

th' window and I seen—" Mr. Ewell's face grew scarlet. He stood up and pointed his finger at Tom Robinson. "—I seen that black nigger yonder ruttin' on my Mayella!"

So serene was Judge Taylor's court, that he had few occasions to use his gavel, but he hammered fully five minutes. Atticus was on his feet at the bench saying something to him, Mr. Heck Tate as first officer of the county stood in the middle aisle quelling the packed courtroom. Behind us, there was an angry muffled groan from the colored people.

Reverend Sykes leaned across Dill and me, pulling at Jem's elbow. "Mr. Jem," he said, "you better take Miss Jean Louise home. Mr. Jem, you hear me?"

Jem turned his head. "Scout, go home. Dill, you'n Scout go home." "You gotta make me first," I said, remembering Atticus's blessed dictum.

Jem scowled furiously at me, then said to Reverend Sykes, "I think it's okay, Reverend, she doesn't understand it."

I was mortally offended. "I most certainly do, I c'n understand anything you can."

"Aw hush. She doesn't understand it, Reverend, she ain't nine yet."

Reverend Sykes's black eyes were anxious. "Mr. Finch know you all are here? This ain't fit for Miss Jean Louise or you boys either."

Jem shook his head. "He can't see us this far away. It's all right, Reverend."

I knew Jem would win, because I knew nothing could make him leave now. Dill and I were safe, for a while: Atticus could see us from where he was, if he looked.

suddenly.

“Yes sir,” Mr. Ewell said meekly.

Judge Taylor went on in tones of good will: “This the first time you’ve ever been in court? I don’t recall ever seeing you here.” At the witness’s affirmative nod he continued, “Well, let’s get something straight. There will be no more audibly obscene speculations on any subject from anybody in this courtroom as long as I’m sitting here. Do you understand?”

Mr. Ewell nodded, but I don’t think he did. Judge Taylor sighed and said, “All right, Mr. Gilmer?”

“Thank you, sir. Mr. Ewell, would you tell us in your own words what happened on the evening of November twenty-first, please?”

Jem grinned and pushed his hair back. Just-in-your-own words was Mr. Gilmer’s trademark. We often wondered who else’s words Mr. Gilmer was afraid his witness might employ.

“Well, the night of November twenty-one I was comin’ in from the woods with a load o’ kindlin’ and just as I got to the fence I heard Mayella screamin’ like a stuck hog inside the house—”

Here Judge Taylor glanced sharply at the witness and must have decided his speculations devoid of evil intent, for he subsided sleepily.

“What time was it, Mr. Ewell?”

“Just ‘fore sundown. Well, I was sayin’ Mayella was screamin’ fit to beat Jesus—” another glance from the bench silenced Mr. Ewell. “Yes? She was screaming?” said Mr. Gilmer.

Mr. Ewell looked confusedly at the judge. “Well, Mayella was raisin’ this holy racket so I dropped m’load and run as fast as I could but I run into th’ fence, but when I got distangled I run up to

out all right.

All the spectators were as relaxed as Judge Taylor, except Jem. His mouth was twisted into a purposeful half-grin, and his eyes happy about, and he said something about corroborating evidence, which made me sure he was showing off.

“...Robert E. Lee Ewell!”

In answer to the clerk’s booming voice, a little bantam cock of a man rose and strutted to the stand, the back of his neck reddening at the sound of his name. When he turned around to take the oath, we saw that his face was as red as his neck. We also saw no resemblance to his namesake. A shock of wispy new-washed hair stood up from his forehead; his nose was thin, pointed, and shiny; he had no chin to speak of—it seemed to be part of his crepey neck.

“—so help me God,” he crowed.

Every town the size of Maycomb had families like the Ewells. No economic fluctuations changed their status—people like the Ewells lived as guests of the county in prosperity as well as in the depths of a depression. No truant officers could keep their numerous offspring in school; no public health officer could free them from congenital defects, various worms, and the diseases indigenous to filthy surroundings.

Maycomb’s Ewells lived behind the town garbage dump in what was once a Negro cabin. The cabin’s plank walls were supplemented with sheets of corrugated iron, its roof shingled with tin cans hammered flat, so only its general shape suggested its original design: square, with four tiny rooms opening onto a shotgun hall, the cabin rested uneasily upon four irregular lumps of limestone. Its windows were merely open spaces in the walls, which in the summertime were covered with greasy strips of cheesecloth to keep out the varmints that feasted on Maycomb’s refuse.

The varmints had a lean time of it, for the Ewells gave the dump a thorough gleaning every day, and the fruits of their industry (those that were not eaten) made the plot of ground around the cabin look like the playhouse of an insane child: what passed for a fence was bits of tree-limbs, broomsticks and tool shafts, all tipped with rusty hammer-heads, snaggle-toothed rake heads, shovels, axes and grubbing hoes, held on with pieces of barbed wire. Enclosed by this barricade was a dirty yard containing the remains of a Model-T Ford (on blocks), a discarded dentist's chair, an ancient icebox, plus lesser items: old shoes, worn-out table radios, picture frames, and fruit jars, under which scrawny orange chickens pecked hopefully.

One corner of the yard, though, bewildered Maycomb. Against the fence, in a line, were six chipped-enamel slop jars holding brilliant red geraniums, cared for as tenderly as if they belonged to Miss Maudie Atkinson, had Miss Maudie deigned to permit a geranium on her premises. People said they were Mayella Ewell's.

Nobody was quite sure how many children were on the place. Some people said six, others said nine; there were always several dirty-faced ones at the windows when anyone passed by. Nobody had occasion to pass by except at Christmas, when the churches delivered baskets, and when the mayor of Maycomb asked us to please help the garbage collector by dumping our own trees and trash.

Atticus took us with him last Christmas when he complied with the mayor's request. A dirt road ran from the highway past the dump, down to a small Negro settlement some five hundred yards beyond the Ewells'. It was necessary either to back out to the highway or go the full length of the road and turn around; most people turned around in the Negroes' front yards. In the frosty December dusk, their cabins looked neat and snug with pale blue smoke rising from the chimneys and doorways glowing amber from the fires inside. There were delicious smells about: chicken, bacon

frying crisp as the twilight air. Jem and I detected squirrel cooking, but it took an old countryman like Atticus to identify possum and rabbit, aromas that vanished when we rode back past the Ewell residence.

All the little man on the witness stand had that made him any better than his nearest neighbors was, that if scrubbed with lye soap in very hot water, his skin was white.

"Mr. Robert Ewell?" asked Mr. Gilmer.

"That's m' name, cap'n," said the witness.

Mr. Gilmer's back stiffened a little, and I felt sorry for him. Perhaps I'd better explain something now. I've heard that lawyers' children, on seeing their parents in court in the heat of argument, get the wrong idea: they think opposing counsel to be the personal enemies of their parents, they suffer agonies, and are surprised to see them often go out arm-in-arm with their tormenters during the first recess. This was not true of Jem and me. We acquired no traumas from watching our father win or lose. I'm sorry that I can't provide any drama in this respect; if I did, it would not be true. We could tell, however, when debate became more acrimonious than professional, but this was from watching lawyers other than our father. I never heard Atticus raise his voice in my life, except to a deaf witness.

Mr. Gilmer was doing his job, as Atticus was doing his. Besides, Mr. Ewell was Mr. Gilmer's witness, and he had no business being rude to him of all people.

"Are you the father of Mayella Ewell?" was the next question.

"Well, if I ain't I can't do nothing about it now, her ma's dead," was the answer.

Judge Taylor stirred. He turned slowly in his swivel chair and looked benignly at the witness. "Are you the father of Mayella Ewell?" he asked, in a way that made the laughter below us stop