Trial Script

**\*Mr. Heck Tate has just been called to the witness stand. Mr. Gilmer, the prosecuting attorney, has just asked Mr. Tate who called the Ewell home.**

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Mr. Gilmer. . . .In your own words, Mr. Tate?

Mr. Tate: Well, I was called— (he touches his glasses and speaks to his knees)

Mr. Gilmer: Could you say it to the jury, Mr. Tate? Thank you. Who called you?

Mr. Tate: I was fetched by Bob – by Mr. Bob Ewell yonder, one night ----

Mr. Gilmer: What night, sir?

Mr. Tate: 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 to get out to his house quick, some nigger’d raped his girl.

Mr. Gilmer: Did you go?

Mr. Tate: Certainly. Got in my car and went out as fast as I could.

Mr. Gilmer: And what did you find?

Mr. Tate: 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

– 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.

Mr. Gilmer: Thank you.

Judge Taylor: Any questions, Atticus?

Atticus: Yes. Did you call a doctor, Sheriff? Did anybody call a doctor?

Mr. Tate: No sir.

Atticus: Why not?

Mr. Tate: 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.

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

Mr. Tate: No sir –

Judge Taylor: He’s answered the question three times, Atticus. He didn’t call a doctor.

Atticus: I just wanted to make sure, Judge.

Atticus: Sheriff, you say she was mighty banged up. In what way?

Mr. Tate: Well –

Atticus: Just describe her injuries, Heck.

Mr. Tate: Well, she was beaten around the head. There was already bruises comin’ on her arms, and it happened thirty minutes before –

Atticus: How do you know?

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

Atticus: Which eye?

Mr. Tate: Let’s see.

Atticus: Can’t you remember?

Mr. Tate: Her left.

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

Mr. Tate: 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…

Atticus: Sheriff, please repeat what you said.

Mr. Tate: It was her right eye, I said.

Atticus: No. . .

Court Reporter: Mr. Finch. I remember now she was bunged up on that side of her face…

Atticus: Which side again, Heck?

Mr. Tate: The right side, Mr. Finch, but she had more bruises – you wanta hear about ‘em?

Atticus: Yes, what were her other injuries?

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Mr. Tate: Her arms were bruised, and she showed me her neck. There were definite finger marks on her gullet –

Atticus: All around her throat? At the back of her neck?

Mr. Tate: I’d say they were all around, Mr. Finch.

Atticus: You would?

Mr. Tate: Yes sir, she had a small throat, anybody could’a reached around it with –

Atticus: Just answer the question yes or no, please, Sheriff.

Court Clerk: --- Mr. Robert Ewell!

Mr. Ewell: ----so help me God,

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Mr. Gilmer: Mr. Robert Ewell?

Mr. Ewell: That’s m’name, cap’n.

Mr. GilmerL Are you the father of Mayella Ewell?

Mr. Ewell: Well, If I aint, I can’t do nothing about it now, her ma’s dead.

Judge Taylor: Are you the father of Mayella Ewell?

Mr. Ewell: Yes sir.

Judge Taylor: This is the first time you’ve ever been in court? I don’t recall ever seeing you here. 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? All right, Mr. Gilmer?

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.

Mr. Ewell: 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 –

Mr. Gilmer: What time was it, Mr. Ewell?

Mr. Ewell: Just ‘fore sundown. Well, I was sayin’ Mayella was screamin’ fit to beat Jesus –

Mr. Gilmer: Yes? She was screaming?

Mr: Ewell: 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 th’ window and I seen – (Mr. Ewell points at Tom Robinson) I seen that black nigger yonder ruttin’ on my Mayella.

**\*Judge Taylor pounds on his gavel to restore order. Atticus approaches the bench and has a brief discussion with the judge.**

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Judge Taylor: There has been a request 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 the 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. Gilmer is desperate at this point, so the judge asks Mr. Ewell a question to help him relax.**

Judge Taylor: Mr. Ewell, did you see the defendant having sexual intercourse with you daughter?

Mr. Ewell: Yes I did.

Mr. Girlmer: You say you were at the window?

Mr. Ewell: Yes sir.

Mr. Gilmer: How far is it from the ground?

Mr. Ewell: ‘bout three foot.

Mr. Gilmer: Did you have a clear view of the room?

Mr. Ewell: Yes sir.

Mr. Gilmer: How did the room look?

Mr. Ewell: Well, it was all slung about, like there was a fight.

Mr. Gilmer: What did you do when you saw the defendant?

Mr. Ewell: 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’ –

Mr. Gilmer: Then what did you do?

Mr. Ewell: 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 country from fifteen years to clean out that nest down yonder, they’re dangerous to live around ‘sides devaluin’ my property –

Mr. Gilmer: Thank you, Mr. Ewell.

Atticus: Just a minute, sir. Could I ask you a question or two?

Atticus: Mr. Ewell, 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?

Mr. Ewell: Wadn’t no need to. I seen what happened.

Atticus: But there’s one thing I don’t understand. Weren’t you concerned with Mayella’s condition?

Mr. Ewell: I most positively was. I seen who done it.

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

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Mr. Ewell: What?

Atticus: Didn’t you think she should have a doctor, immediately?

Mr. Ewell: I never thought of it. I’ve never called a doctor in my whole life. If I had, it would have cost me five dollars. That all?

Atticus: Not quite. Mr. Ewell, you heard the Sheriff’s testimony, didn’t you?

Mr. Ewell: How’s that?

Atticus: You were in the courtroom when Mr. Heck Tate was on the stand, weren’t you?

Mr. Ewell: Yes.

Atticus: Do you agree with his descriptions of Mayella’s injuries?

Mr. Ewell: How’s that?

Atticus: Mr. Tate testified that her right eye was blackened, that she was beaten around the –

Mr. Ewell: Oh yeah. I hold with everything Tate said.

Atticus: You do? I just want to make sure.

Court Reporter: . . . 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 up on that side of the face Sheriff please repeat what you said it was her right eye I said---

Atticus: Thank you, Bert. You heard it again, Mr. Ewell. Do you have anything to add to it? Do you agree with the Sheriff?

Mr. Ewell: I hold with Tate. Her eye was blackened and she was mighty beat up.

Atticus: Mr. Ewell, can you read and write?

Mr. Gilmer: Objection. Can’t see what the witness’ literacy has to do with the case, irrelevant’n’immaterial.

Atticus: Judge, if you’ll allow the question plus another one you’ll soon see.

Judge Taylor: All right, let’s see, but make sure we see, Atticus. Overruled.

Atticus: I repeat the question. Can you read and write?

Mr. Ewell: I most positively can.

Atticus: Will you write your name and show us?

Mr. Ewell: I most positively will. How do you think I sign my relief checks?

Atticus: Would you write your name for us? Clearly now, so the jury can see you do it.

Mr. Ewell: What’s so intrestin’?

Judge Taylor: You’re left-handed, Mr. Ewell.

Mr. Gilmer: About your writing with your left hand, are you ambidextrous, Mr. Ewell?

Mr. Ewell: I most positively am not. I can use one hand hood as the other. One hand good as the other.

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**\*Mayella takes the stand next.**

Court Clerk: Mayella Violet Ewell---!

Mr. Gilmer: Where were you at dusk on that evening?

Mayella: On the porch.

Mr. Gilmer: Which porch?

Mayella: Ain’t but one, the front porch.

Mr. Gilmer: What were you doing on the porch?

Mayella: Nothin’.

Mr. Gilmer: Just tell us what happened. You can do that, can’t you?

**\*Mayella begins to cry.**

Judge Taylor: That’s enough now. Don’t be ‘fraid of anybody here, as long as you tell the truth. All this is strange to you, I know, but you’ve nothing to be ashamed of and nothing to fear. What are you scared of?

Judge Taylor: What was that?

Mayella: Him

Judge Taylor: Mr. Finch?

Mayella: Don’t want him doin’ me like he done Papa, tryin’ make him out left-handed. . .

Judge Taylor: How old are you?

Mayella: Nineteen-and-a-half.

Judge Taylor: Mr. Finch has no idea of scaring you, and if he did, I’m here to stop him. That’s one thing and sitting up here for. Now you’re a big girl, so you can just sit up straight and tell the – tell us what happened to you. You can do that, can’t you?

Mayella: Well sir, I was on the porch and -- and he came along and, you see, there was this old chiffarobe in the yard Papa’d brought in to chop up for kindlin’ -- Papa told me to do it while he was off in the woods but I wadn’t feelin’ strong enough then, so he came by –

Mr. Gilmer: Who is he?

Mr. Gilmer: I’ll have to ask you to be more specific, please. The reporter can’t put down gestures very well.

Mayella: That’n yonder. Robinson.

Mr. Gilmer: Then what happened?

Mayella: I said come here, nigger, and bust up this chiffarobe for me, I gotta nickel for you. He coulda done it easy enough, he could. So he come in the yard an’ I went in the house to get him the nickel and I turned around and ‘fore I knew it he was on me. Just run up behind me, he did. He got me round the neck, cussin’ me an’ sayin’ dirt – I fought’n’hollered, but he had me round the neck. He hit me agin’n’agin – he chunked me on the floor an’ chocked me’n took advantage of me.

Mr. Gilmer: Did you scream? Did you scream and fight back?

Mayella: Reckon I did, hollered for all I was worth, kicked and hollered as loud as I could.

Mr. Gilmer: Then what happened?

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Mayella: I don’t remember too good, but next thing I knew Papa was in the room a’standing over me hollerin’ who done it, who done it? Then I sorta fainted an’ the next thing I knew Mr. Tate was pullin’ me up offa the floor and leadin’ me to the water bucket.

Mr. Gilmer: You say you fought him off as hard as you could? Fought him tooth and nail?

Mayella: I positively did.

Mr. Gilmer: You are positive that he took full advantage of you?

Mayella: He done what he was after.

Mr. Gilmer: That’s’s all for the time being, but you stay there. I expect big bad Mr. Finch has some questions to ask you.

Judge Taylor: State will not prejudice the witness against counsel for the defense, at least not this time.

Atticus: Miss Mayella, I won’t try to scare you for a while, not yet. Let’s just get acquainted. How old are you?

Mayella: Said I was nineteen, said it to the judge yonder.

Atticus: So you did, so you did, ma’am. You’ll have to bear with me, Miss Mayella, I’m getting along and can’t remember as well as I used to. I might ask you things you’ve already said before, but you’ll give me an answer, won’t you? Good.

Mayella: Won’t answer a word you say long as you keep on mockin’ me.

Atticus: Ma’am?

Mayella: Long’s you keep on makin’ fun o’me.

Judge Taylor: Mr. Finch is not making fun of you. What’s the matter with you?

Mayella: Long’s he keeps on callin’ me ma’am and sayin’ Miss Mayella. I don’t hafta take his sass, I ain’t called upon to take it.

Judge Taylor: That’s just Mr. Finch’s way. We’ve done business in this court for years and years, and Mr. Finch is always courteous to everybody. He’s not trying to mock you, he’s trying to be polite. That’s just his way. Atticus, let’s get on with these proceedings, and let the record show the witness has not been sassed, her views to the contrary.

Atticus: You say you’re nineteen. How many sisters and brothers have you?

Mayella: Seb’m.

Atticus: You the eldest? The oldest?

Mayella: Yes.

Atticus: How long has your mother been dead?

Mayella: Don’t know – long time.

Atticus: Did you ever go to school?

Mayella: Read’n’write as good as Papa yonder.

Atticus: How long did you go to school?

Mayella: two year – three year – dunno.

Atticus: Miss Mayella, a nineteen-year-old girl like you must have friends. Who are your friends?

Mayella: Friends?

Atticus: Yes, don’t you know anyone near your age, or older, or younger? Boys and girls? Just ordinary friends?

Mayella: You makin’ fun o’me agin, Mr. Finch?

Atticus: Do you love your father, Miss Mayella?

Mayella: Love him, whatcha mean?

Atticus: I mean, is he good to you, is he easy to get along with?

Mayella: He does tollable, ‘cept when –

Atticus: Except when?

Mayella: Except when nothin’. I said he does tollable.

Atticus: Except when he’s drinking?

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Atticus: Does he ever go after you?

Mayella: How you mean?

Atticus: When he’s – riled, has he ever beaten you?

Judge Taylor: Answer the question, Miss Mayella.

Mayella: My paw’s never touched a hair o’my head in my life. He never touched me.

Atticus: We’ve had a good visit, Miss Mayella, and now I guess we’d better get to the case. You say you asked Tom Robinson to come chop a – what was it?

Mayella: A chiffarobe, a old dresser full of drawers on one side.

Atticus: Was Tom Robinson well known to you?

Mayella: Whaddya mean?

Atticus: I mead did you know who he was, where he lived?

Mayella: I knowed who he was, he passed by the house every day.

Atticus: Was this the first time you asked him to come inside the fence?

Atticus: Was---

Mayella: Yes, it was.

Atticus: Didn’t you ever ask him to come inside the fence before?

Mayella: I did not, I certainly did not.

Atticus: One did not’s enough. You never asked him to do any odd jobs for you before?

Mayella: I mighta. There was several niggers around.

Atticus: Can you remember any other occasions?

Mayella: No.

Atticus: All right, now to what happened. You said Tom Robinson was behind you in the room when you turned around, that right?

Mayella: Yes.

Atticus: You said he “got you around the neck cussing and saying dirt” – is that right?

Mayella: ‘t’s right.

Atticus: You said ‘he caught me and choked me and took advantage of me’ – is that right?

Mayella: That’s what I said.

Atticus: Do you remember him beating you about the face? You seem sure enough that he choked you. All this time you were fighting back, remember? You “kicked and hollered as loud as you could.” Do you remember him beating you about the face?

Atticus: It’s an easy question, Miss Mayella, so I’ll try again. Do you remember him beating you about the face? Do you remember him beating you about the face?

Mayella: No, I don’t recollect if he hit me. I mean yes I do, he hit me.

Atticus: Was your last sentence your answer?

Mayella: Huh? Yes, he hit – I just don’t remember, I just don’t remember… it all happened so quick.

Judge Taylor: Don’t you cry, young woman –

Atticus: Let her cry if she wants to Judge. We’ve got all the time in the world.

Mayella: I’ll answer any question you got – get me up here an’ mock me, will you? I’ll answer any question you got –

Atticus: That’s fine. They’re only a few more. Miss Mayella, not to be tedious, you’ve testified that the defendant hit you, grabbed you around the neck, choked you, and took advantage of you. I want to be sure you have the right man. Will you identify the man who raped you?

Mayellal: I will, that’s him right yonder.

Atticus: Tom, stand up. Let Miss Mayella have a good long look at you. Is this the man, Miss Mayella?

**\*Tom stands up. His left arm is twelve inches shorter than his right arm, and it hangs limp at his side.**

Atticus: Is this the man who raped you?

Mayella: It most certainly is.

Atticus: How?

Mayella: I don’t know how he done it, but he don’t it – I said it all happened so fast I –

Atticus: Now let’s consider this calmly –

Mr. Gilmer: Objection! He is browbeating the witness.

Judge Taylor: Oh sit down, Horace, he’s doing nothing of the sort. If anything, the witness is browbeating Atticus.

Atticus: Now, Miss Mayella, you’ve testified that the defendant choked and beat you – you didn’t say that he sneaked up behind you and knocked you cold, but you turned around and there he was – do you wish to reconsider any of your testimony?

Mayella: You want me to say something that didn’t happen?

Atticus: No, ma’am, I want you to say something that did happen. Tell us once more, please, what happened?

Mayella: I just told’ja what happened.

Atticus: You testified that you turned around and there he was. He choked you then?

Mayella: Yes.

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Atticus: Then he released your throat and hit you?

Mayella: I said he did.

Atticus: He blacked your left eye with his right fist?

Mayella: I ducked and it – it glanced, that’s what it did. I ducked and it glanced off.

Atticus: You’re becoming suddenly clear on this point. A while ago you couldn’t remember too well, could you?

Mayella: I said he hit me.

Atticus: All right. He choked you, he hit you, then he raped you, that right?

Mayella: It most certainly is.

Atticus: You’re a strong girl, what were you doing there all the time, just standing there?

Mayella: I told’ja I hollered’n’kicked’n’fought –

Judge Taylor: One question at a time, Atticus. Give the witness a chance to answer.

Atticus: All right, Why didn’t you run?

Mayella: I tried –

Atticus: Tried to? What kept you from it?

Mayella: I – he slung me down. That’s what he did, he slung me down’n got on top of me.

Atticus: You were screaming all this time?

Mayella: I certainly was.

Atticus: Then why didn’t the other children hear you? Where were they? At the dump? Where were they? (No answer) Why didn’t your screams make them come running? The dump’s closer than the woods, isn’t it? (No answer) Or didn’t you scream until you saw your father in the window? You didn’t think to scream until then, did you? (No answer) Did you scream first at your father instead of at Tom Robinson? Was that it? (No answer) Who beat you up? Tom Robinson or your father? What did your father see in the window, the crime of rape, or the best defense to it? Why don’t you tell the truth, child, didn’t Bob Ewell beat you up?

**\*Silence then Mayella speaks.**

Mayella: I got somethin’ to say.

Atticus: Do you want to tell us what happened?

Mayella: I got somethin’ to say an’ then I ain’t gonna say no more. That nigger yonder took advantage of me an’ if you fine fancy gentlemen don’t wanta do nothin’ about it then you’re all yellow stinkin’ cowards, stinkin’ cowards, the lot of you. Your fancy airs don’t come to nothin’ – you ma’amin’ and Miss Mayellerin’ don’t come to nothin’, Mr. Finch –

**\*Mayella cries for awhile and then leaves the stand. The court takes a ten minute recess, and Atticus calls Tom Robinson to the stand.**

Mr. Gilmer: The state rests.

Judge Taylor: It’s time we all did. We’ll take ten minutes.

Judge Taylor: It’s getting’ on to four, shall we try to wind up this afternoon? How about it Atticus?

Atticus: I think we can.

Judge Taylor: How many witnesses you got?A

Atticus: One

Judge Taylor: Well, call him.

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Judge Taylor: That’ll do Tom.

Atticus: It must have been disorderly. What did it consist of?

Tom: Got in a fight with another man, he tried to cut me.

Atticus: Did he succeed?

Tom: Yes suh, a little, not enough to hurt. You see, I---

Atticus: Yes. You were both convicted?

Tom: Yes suh, I had to serve ‘cause I couldn’t pay the fine. Other fellow paid his’n.

Atticus: Were you acquainted with Mayella Violet Ewell?

Tom: Yes suh, I had to pass her place goin’ to and from the field every day.

Atticus: Whose field?

Tom: I picks for Mr. Link Deas.

Atticus: Were you picking cotton in November?

Tom: No suh, I works in his yard fall an’ wintertime. I works pretty steady for him all year round, he’s got a lot of pecan trees’n things.

Atticus: You say you had to pass the Ewell place to get to and from work. Is there any other way to go?

Tom: No suh, none’s I know of.

Atticus: Tom, did she ever speak to you?

Tom: Why, yes suh, I’d tip m’hat when I’d go by, and one day she asked me to come inside the fence and bust up a chiffarobe for her.

Atticus: When did she ask you to chop up the – the chiffarobe?

Tom: Mr. Finch, it was way last spring. I remember it because it was choppin’ time and I had my hoe with me. I said I didn’t have nothin’ but this hoe, but she said she had a hatchet. She give me the hatchet and I broke up the chiffarobe. She said “I reckon I’ll hafta give you a nickel, won’t I?” an’ I said, “No ma’am, there ain’t no charge.” Then I went home. Mr. Finch, that was way last spring, way over a year ago.

Atticus: Did you ever go on the place again?

Tom: Yes suh.

Atticus: When?

Tom: Well, I went lots of times.

Atticus: Under what circumstances?

Tom: Please, suh?

Atticus: Why did you go inside the fence lots of times?

Tom: She’d call me in, suh. Seemed like every time I passed by yonder she’d have some little somethin’ for me to do – choping’ kindling’, totin’ water for her. She watered them red flowers every day –

Atticus: Were you paid for your services?

Tom: No suh, not after she offered me a nickel the first time. I was glad to do it, Mr. Ewell didn’t seem to help her none, and neither did the chillun, and I knowed she didn’t have no nickels to spare.

Atticus: Where were the other children?

Tom: They was always around, all over the place. They’d watch me work, some of ‘em, some of ‘em’d set in the window.

Atticus: Would Miss Mayella talk to you?

Tom: Yes sir, she talked to me.

Atticus: Did you ever, at any time, go on the Ewell property – did you ever set foot on the Ewell property without an express invitation from one of them?

Tom: No suh, Mr. Finch, I never did. I wouldn’t do that, suh.

Atticus: Tom, what happened to you on the evening of November twenty-first of last year?

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Tom: Mr. Finch, I was goin’ home as usual that evenin’, an’ when I passed the Ewell place Miss Maylla were on the porch, like she said she were. It seemed real quiet like, an’ I didn’t quite know why. I was studyin’ why, just passin’ by, when she says for me to come there and help her a minute. Well, I went inside the fence an’ looked around for some kindlin’ to work on, but I didn’t see none, and she says, “Naw, I got somethin’ for you inside the house. Th’ old door’s off its hinges an’ fall’s comin’ on pretty fast.”I said you got a screwdriver, Miss Mayella? She said she sho’ had. Well, I went up the steps an’ she motioned me to come inside, and I went in the front room an’ looked at the door. I said Miss Mayella, this door look all right. I pulled it back’n forth and those hinges was all right. They she shet the door in my face. Mr. Finch, I was wonderin’ why it was so quiet like, an’ it come to me that there weren’t a chile on the palce, not a one of ‘em, and I said Miss Mayella, where are the chillun? I say where the chillun? An’ she says – she was laughin’, sort of—she says they all gone to town to get ice creams. She says, “took me a slap year to save seb’m nickels, but I done it. They all gone to town.”

Atticus: What did you say then, Tom?

Tom: I said somethin’ like, why Miss Mayella, that’s right smart o’you to treat ‘em. An’ she said, “You think so?” I don’t think she understood what I was thinkin’ – I meant it was smart of her to save like that, an’ nice of her to treat ‘em.

Atticus: I understand you, Tom. Go on.

Tom: Well, I said I best be goin’, I couldn’t do nothin’ for her, an’ she says oh yes I could, an’ I ask her what, and she says to just step on that chair yonder an’ git that box down from on top of that chiffarobe.

Atticus: Not the same chiffarobe you busted up?

Tom: Naw suh, another one. Most as tall as the room. So I done what she told me, an’ I was just reachin’ when the next thing I knows she – she’d grabbed me round the legs, grabbed me round the legs, Mr. Finch. She scared me so bad I hopped down an’ turned the chair over – that was the only thing, only furniture, ‘sturbed in that room, Mr. Finch, when I left it. I swear ‘fore God.

Atticus: What happened after you turned the chair over?

Atticus: Tom, you’re sworn to tell the whole truth. Will you tell it? What happened after that?

Judge Taylor: Answer the question.

Tom: Mr. Finch, I got down offa that chair an’ turned around an’ she sorta jumped on me.

Atticus: Jumped on you? Violently?

Tom: No suh, she – she hugged me. She hugged me round the waist.

Atticus: Then what did she do?

Tom: She reached up an’ kissed me ‘side of the face. She says she never kissed a grown man before an’ she might as well kiss a nigger. She says what her papa do to her don’t count. She says, “Kiss me back, nigger.” I say Miss Mayella lemme outta here an’ I tried to run but she got her back to the door an’ I’da had to push her. I didn’t want to harm her, Mr. Finch, an’ I say lemme pass, but just when I say it Mr. Ewell yonder hollered through th’ window.

Atticus: What did he say?

Tom: Somthin’ not fittin’ to say – not fittin’ for these folks’n chillum to hear –

Atticus: What did he say, Tom? You must tell the jury what he said.

Tom: He says you goddamn whore, I’ll kill ya.

Atticus: Then what happened?

Tom: Mr. Finch, I was runnin’ so fast I didn’t know what happened.

Atticus: Tom, did you rape Mayella Ewell?

Tom: I did not, suh.

Atticus: Did you harm her in any way?

Tom: I did not, suh.

Atticus: Did you resist her advances?

Tom: Mr. Finch, I tried. I tried to ‘thout bein’ ugly to her. I didn’t want to be ugly, I didn’t wanta push her or nothin’.

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Atticus: Tom, go back once more to Mr. Ewell. Did he say anything to you?

Tom: Not anything, suh. He mighta said somethin’, but I weren’t there –

Atticus: That’ll do. What did you hear, who was he talking to?

Tom: Mr. Finch, he were talkin’ and lookin’ at Miss Mayella.

Atticus: Then you ran?

Tom: I sho’ did, suh.

Atticus: Why did you run?

Tom: I was scared, suh.

Atticus: Why were you scared?

Tom: Mr. Finch, if you was a nigger like me, you’d be scared, too.

Link Deas: I just want the whole lot of you to know one thing right now. That boy’s worked for me eight years an’ I ain’t had a speck o’trouble outa him. Not a speck.

Judge Taylor: Shut your mouth, sir! Link Deas, if you have anything you want to say you can say it under oath and at the proper time, but until then you get out of this room, you hear me? Get out of this room, sir, you hear me? I’ll be damned if I’ll listen to this case again.

Judge Taylor: Go ahead Mr. Gilmer.

Mr. Gilmer: You were given thirty days for disorderly conduct, Robinson?

Tom: Yes suh.

Mr. Gilmer: What’d the nigger look like when you got through with him?

Tom: He beat me, Mr. Gilmer.

Mr. Gilmer: Yes, but you were convicted, weren’t you?

Atticus: It was a misdemeanor and it’s in the record, Judge.

Judge Taylor: Witness’ll answer, though.

Tom: Yes suh, I got thirty days.

Mr. Gilmer: Robinson, you’re pretty good at busting up chiffarobes and kindling with one hand, aren’t you?

Tom: I reckon so, suh.

Mr. Gilmer: Strong enough to choke the breath out of a woman and sling her to the floor?

Tom: I never done that, suh.

Mr. Gilmer: But you are strong enough to?

Tom: I reckon so, suh.

Mr. Gilmer: Had your eye on her a long time, hadn’t you, boy?

Tom: No suh, I never looked at her.

Mr. Gilmer: Then you were mighty polite to do all that chopping and hauling for her, weren’t you, boy?

Tom: I was just tryin’ to help her out, suh.

Mr. Gilmer: That was mighty generous of you, you had chores at home after your regular work, didn’t you?

Tom: Yes suh.

Mr. Gilmer: Why didn’t you do them instead of Miss Ewell’s?

Tom: I done ‘em both, suh.

Mr. Gilmer: You must have been pretty busy. Why?

Tom: Why what, suh?

Mr. Gilmer: Why were you so anxious to do that woman’s chores?

Tom: Looked like she didn’t have nobody to help her, like I says –

Mr. Gilmer: With Mr. Ewell and seven children on the place, boy?

Tom: Well, I says it looked like they never help her none –

Mr. Gilmer: You did all this chopping and work from sheer goodness, boy?

Tom: Tried to help her, I says.

Mr. Gilmer: You’re a mighty good fellow, it seems – did all this for not one penny?

**Page 264-266**

Tom: Yes suh. I felt right sorry for her, she seemed to try more’n the rest of ‘em –

Mr. Gilmer: *You* felt sorry for *her*, youfelt *sorry* for her?

Mr. Gilmer: Now you went by the house as usual, last November twenty-first, and she asked you to bust up a chiffarobe?

Tom: No suh.

Mr. Gilmer: Do you deny that you went by the house?

Tom: No suh – she said she had somethin’ for me to do inside the house –

Mr. Gilmer: She says she asked you to bust up a chiffarobe, is that right?

Tom: No suh, it ain’t.

Mr. Gilmer: Then you say she’s lying, boy?

Tom: I don’t say she’s lying, Mr. Gilmer, I say she’s mistaken in her mind.

Mr. Gilmer: Didn’t Mr. Ewell run you off the place, boy?

Tom: No suh, I don’t think he did.

Mr. Gilmer: Don’t think, what do you mean?

Tom: I mean I didn’t stay long enough for him to run me off.

Mr. Gilmer: You’re very candid about this, why did you run so fast?

Tom: I says I was scared.

Mr. Gilmer: If you had a clear conscience, why were you scared?

Tom: Like I says before, it weren’t safe for any nigger to be in a – fix like that.

Mr. Gilmer: But you weren’t in a fix – you testified that you were resisting Miss Ewell. Were you so scared that she’d hurt, you ran, a big buck like you?

Tom: No suh, I’s scared I’d be in court, just like I am now.

Mr. Gilmer: Scared of arrest, scared you’d have to face up to what you did?

Tom: No suh, scared I’d hafta face up to what I didn’t do.

Mr. Gilmer: Are you being impudent to me, boy?

Tom: No suh, I didn’t go to be.

Pages **265-270**

This was as much as I heard of Mr. Gilmer’s cross-examination, because Jem made me take Dill out. For some reason Dill had started crying and couldn’t stop; quietly at first, then his sobs were heard by several people in the balcony. Jem said if I didn’t go with him he’d make me, and Reverend Sykes said I’d better go, so I went. Dill had seemed to be all right that day, nothing wrong with him, but I guessed he hadn’t fully recovered from running away. “Ain’t you feeling good?” I asked, when we reached the bottom of the stairs. Dill tried to pull himself together as we ran down the south steps. Mr. Link Deas was a lonely figure on the top step. “Anything happenin‘, Scout?” he asked as we went by. “No sir,” I answered over my shoulder. “Dill here, he’s sick.” “Come on out under the trees,” I said. “Heat got you, I expect.” We chose the fattest live oak and we sat under it. “It was just him I couldn’t stand,” Dill said. “Who, Tom?” “That old Mr. Gilmer doin‘ him thataway, talking so hateful to him—” “Dill, that’s his job. Why, if we didn’t have prosecutors—well, we couldn’t have defense attorneys, I reckon.” Dill exhaled patiently. “I know all that, Scout. It was the way he said it made me sick, plain sick.” “He’s supposed to act that way, Dill, he was cross—” “He didn’t act that way when—” “Dill, those were his own witnesses.” “Well, Mr. Finch didn’t act that way to Mayella and old man Ewell when he cross-examined them. The way that man called him ‘boy’ all the time an‘ sneered at him, an’ looked around at the jury every time he answered—” “Well, Dill, after all he’s just a Negro.” “I don’t care one speck. It ain’t right, somehow it ain’t right to do ‘em that way. Hasn’t anybody got any business talkin’ like that—it just makes me sick.” “That’s just Mr. Gilmer’s way, Dill, he does ‘em all that way. You’ve never seen him get good’n down on one yet. Why, when—well, today Mr. Gilmer seemed to me like he wasn’t half trying. They do ’em all that way, most lawyers, I mean.” “Mr. Finch doesn’t.” “He’s not an example, Dill, he’s—” I was trying to grope in my memory for a sharp phrase of Miss Maudie Atkinson’s. I had it: “He’s the same in the courtroom as he is on the public streets.” “That’s not what I mean,” said Dill. “I know what you mean, boy,” said a voice behind us. We thought it came from the tree-trunk, but it belonged to Mr. Dolphus Raymond. He peered around the trunk at us. “You aren’t thin-hided, it just makes you sick, doesn’t it?”

**Chapter 20**

“Come on round here, son, I got something that’ll settle your stomach.” As Mr. Dolphus Raymond was an evil man I accepted his invitation reluctantly, but I followed Dill. Somehow, I didn’t think Atticus would like it if we became friendly with Mr. Raymond, and I knew Aunt Alexandra wouldn’t. “Here,” he said, offering Dill his paper sack with straws in it. “Take a good sip, it’ll quieten you.” Dill sucked on the straws, smiled, and pulled at length. “Hee hee,” said Mr. Raymond, evidently taking delight in corrupting a child. “Dill, you watch out, now,” I warned. Dill released the straws and grinned. “Scout, it’s nothing but Coca-Cola.” Mr. Raymond sat up against the tree-trunk. He had been lying on the grass. “You little folks won’t tell on me now, will you? It’d ruin my reputation if you did.” “You mean all you drink in that sack’s Coca-Cola? Just plain Coca-Cola?” “Yes ma’am,” Mr. Raymond nodded. I liked his smell: it was of leather, horses, cottonseed. He wore the only English riding boots I had ever seen. “That’s all I drink, most of the time.” “Then you just pretend you’re half—? I beg your pardon, sir,” I caught myself. “I didn’t mean to be—” Mr. Raymond chuckled, not at all offended, and I tried to frame a discreet question: “Why do you do like you do?” “Wh—oh yes, you mean why do I pretend? Well, it’s very simple,” he said. “Some folks don’t—like the way I live. Now I could say the hell with ‘em, I don’t care if they don’t like it. I do say I don’t care if they don’t like it, right enough—but I don’t say the hell with ’em, see?” Dill and I said, “No sir.” “I try to give ‘em a reason, you see. It helps folks if they can latch onto a reason. When I come to town, which is seldom, if I weave a little and drink out of this sack, folks can say Dolphus Raymond’s in the clutches of whiskey—that’s why he won’t change his ways. He can’t help himself, that’s why he lives the way he does.” “That ain’t honest, Mr. Raymond, making yourself out badder’n you are already—” “It ain’t honest but it’s mighty helpful to folks. Secretly, Miss Finch, I’m not much of a drinker, but you see they could never, never understand that I live like I do because that’s the way I want to live.” I had a feeling that I shouldn’t be here listening to this sinful man who had mixed children and didn’t care who knew it, but he was fascinating. I had never encountered a being who deliberately perpetrated fraud against himself. But why had he entrusted us with his deepest secret? I asked him why. “Because you’re children and you can understand it,” he said, “and because I heard that one—” He jerked his head at Dill: “Things haven’t caught up with that one’s instinct yet. Let him get a little older and he won’t get sick and cry. Maybe things’ll strike him as being—not quite right, say, but he won’t cry, not when he gets a few years on him.” “Cry about what, Mr. Raymond?” Dill’s maleness was beginning to assert itself. “Cry about the simple hell people give other people—without even thinking. Cry about the hell white people give colored folks, without even stopping to think that they’re people, too.” “Atticus says cheatin‘ a colored man is ten times worse than cheatin’ a white man,” I muttered. “Says it’s the worst thing you can do.” Mr. Raymond said, “I don’t reckon it’s—Miss Jean Louise, you don’t know your pa’s not a run-of-the-mill man, it’ll take a few years for that to sink in—you haven’t seen enough of the world yet. You haven’t even seen this town, but all you gotta do is step back inside the courthouse.” Which reminded me that we were missing nearly all of Mr. Gilmer’s cross-examination. I looked at the sun, and it was dropping fast behind the store-tops on the west side of the square. Between two fires, I could not decide which I wanted to jump into: Mr. Raymond or the 5th Judicial Circuit Court. “C’mon, Dill,” I said. “You all right, now?” “Yeah. Glad t’ve metcha, Mr. Raymond, and thanks for the drink, it was mighty settlin‘.” We raced back to the courthouse, up the steps, up two flights of stairs, and edged our way along the balcony rail. Reverend Sykes had saved our seats.

The courtroom was still, and again I wondered where the babies were. Judge Taylor’s cigar was a brown speck in the center of his mouth; Mr. Gilmer was writing on one of the yellow pads on his table, trying to outdo the court reporter, whose hand was jerking rapidly. “Shoot,” I muttered, “we missed it.” Atticus was halfway through his speech to the jury. He had evidently pulled some papers from his briefcase that rested beside his chair, because they were on his table. Tom Robinson was toying with them.

**Pages 270-275**

Atticus: . . . absence of any corroborative evidence, this man was indicted on a capital charge and is now on trial for his life…

Atticus: With the court’s permission—

**\*Atticus gives his statement to the jury**

Atticus: Gentlemen. . . Gentlemen, I shall be brief, but I would like to use my remaining time with you to remind you that this case is not a difficult one, it requires no minute sifting of complicated facts, but it does require you to be sure beyond all reasonable doubt as to the guilt of the defendant. To begin with, this case should never have come to trial. This case is as simple as black and white.

The state has not produced one iota of medical evidence to the effect that the crime Tom Robinson is charged with ever took place. It has relied instead upon the testimony of two witnesses whose evidence has not only been called into serious question on cross-examination, but has been flatly contradicted by the defendant. The defendant is not guilty, but somebody in this courtroom is.

I have nothing but pity in my heart for the chief witness for the state, but my pity does not extend so far as to her putting a man’s life at stake, which she has done in an effort to get rid of her own guilt.

I say guilt, gentlemen, because it was guilt that motivated her. She has committed no crime, she has merely broken a rigid and time-honored code of our society, a code so severe that whoever breaks it is hounded from our midst as unfit to live with. She is the victim of cruel poverty and ignorance, but I cannot pity her: she is white. She knew full well the enormity of her offense, but because her desires were stronger than the code she was breaking, she persisted in breaking it. She persisted, and her subsequent reaction is something that all of us have known at one time or another. She did something every child has done—she tried to put the evidence of her offense away from her. But in this case she was no child hiding stolen contraband: she struck out at her victim—of necessity she must put him away from her—he must be removed from her presence, from this world. She must destroy the evidence of her offense.

What was the evidence of her offense? Tom Robinson, a human being. She must put Tom Robinson away from her. Tom Robinson was her daily reminder of what she did. What did she do? She tempted a Negro.

She was white, and she tempted a Negro. She did something that in our society is unspeakable: she kissed a black man. Not an old Uncle, but a strong young Negro man. No code mattered to her before she broke it, but it came crashing down on her afterwards.

Her father saw it, and the defendant has testified as to his remarks. What did her father do? We don’t know, but there is circumstantial evidence to indicate that Mayella Ewell was beaten savagely by someone who led almost exclusively with his left. We do know in part what Mr. Ewell did: he did what any God-fearing, persevering, respectable white man would do under the circumstances—he swore out a warrant, no doubt signing it with his left hand, and Tom Robinson now sits before you, having taken the oath with the only good hand he possesses—his right hand.

And so a quiet, respectable, humble Negro who had the unmitigated temerity to ‘feel sorry’ for a white woman has had to put his word against two white people’s. I need not remind you of their appearance and conduct on the stand—you saw them for yourselves. The witnesses for the state, with the exception of the sheriff of Maycomb County, have presented themselves to you gentlemen, to this court, in the cynical confidence that their testimony would not be doubted, confident that you gentlemen would go along with them on the assumption—the evil assumption—that *all* Negroes lie, that *all* Negroes are basically immoral beings, that *all* Negro men are not to be trusted around our women, an assumption one associates with minds of their caliber.

Which, gentlemen, we know is in itself a lie as black as Tom Robinson’s skin, a lie I do not have to point out to you. You know the truth, and the truth is this: some Negroes lie, some Negroes are immoral, some Negro men are not to be trusted around women—black or white. But this is a truth that applies to the human race and to no particular race of men. There is not a person in this courtroom who has never told a lie, who has never done an immoral thing, and there is no man living who has never looked upon a woman without desire.

One more thing, gentlemen, before I quit. Thomas Jefferson once said that all men are created equal, a phrase that the Yankees and the distaff side of the Executive branch in Washington are fond of hurling at us. There is a tendency in this year of grace, 1935, for certain people to use this phrase out of context, to satisfy all conditions. The most ridiculous example I can think of is that the people who run public education promote the stupid and idle along with the industrious—because all men are created equal, educators will gravely tell you, the children left behind suffer terrible feelings of inferiority. We know all men are not created equal in the sense some people would have us believe—some people are smarter than others, some people have more opportunity because they’re born with it, some men make more money than others, some ladies make better cakes than others—some people are born gifted beyond the normal scope of most men.

But there is one way in this country in which all men are created equal—there is one human institution that makes a pauper the equal of a Rockefeller, the stupid man the equal of an Einstein, and the ignorant man the equal of any college president. That institution, gentlemen, is a court. It can be the Supreme Court of the United States or the humblest J.P. court in the land, or this honorable court which you serve. Our courts have their faults, as does any human institution, but in this country our courts are the great levelers, and in our courts all men are created equal.

I’m no idealist to believe firmly in the integrity of our courts and in the jury system—that is no ideal to me, it is a living, working reality. Gentlemen, a court is no better than each man of you sitting before me on this jury. A court is only as sound as its jury, and a jury is only as sound as the men who make it up. I am confident that you gentlemen will review without passion the evidence you have heard, come to a decision, and restore this defendant to his family. In the name of God, do your duty.