

really was—stuffed the money into his pockets and celebrated the event by drinking over their still-bleeding bodies.

The defense argued that Jefferson was innocent of all charges except being at the wrong place at the wrong time. There was absolutely no proof that there had been a conspiracy between himself and the other two. The fact that Mr. Gropé shot only Brother and Bear was proof of Jefferson's innocence. Why did Mr. Gropé shoot one boy twice and never shoot at Jefferson once? Because Jefferson was merely an innocent bystander. He took the whiskey to calm his nerves, not to celebrate. He took the money out of hunger and plain stupidity.

"Gentlemen of the jury, look at this—this—this boy. I almost said man, but I can't say man. Oh, sure, he has reached the age of twenty-one, when we, civilized men, consider the male species has reached manhood, but would you call this—this—this a man? No, not I. I would call it a boy and a fool. A fool is not aware of right and wrong. A fool does what others tell him to do. A fool got into that automobile. A man with a modicum of intelligence would have seen that those racketeers meant no good. But not a fool. A fool got into that automobile. A fool rode to the grocery store. A fool stood by and watched this happen, not having the sense to run.

"Gentlemen of the jury, look at him—look at him—look at this. Do you see a man sitting here? Do you see a man sitting here? I ask you, I implore, look carefully—do you see a man sitting here? Look at the shape of this skull, this face as flat as the palm of my hand—look deeply into those eyes. Do you see a modicum of intelligence? Do you see anyone here who could plan a murder, a robbery, can plan—can plan—can plan anything? A cornered animal to strike quickly out of fear, a trait inherited from his ancestors in the deepest jungle of blackest Africa—yes, yes, that he can do—but to plan? To plan, gentlemen of the jury? No, gentlemen, this skull here holds no plans. What you see here is a thing that acts on command. A thing to hold the handle of a plow, a thing to load your bales of cotton,

a thing to dig your ditches, to chop your wood, to pull your corn. That is what you see here, but you do not see anything capable of planning a robbery or a murder. He does not even know the size of his clothes or his shoes. Ask him to name the months of the year. Ask him does Christmas come before or after the Fourth of July? Mention the names of Keats, Byron, Scott, and see whether the eyes will show one moment of recognition. Ask him to describe a rose, to quote one passage from the Constitution or the Bill of Rights. Gentlemen of the jury, this man planned a robbery? Oh, pardon me, pardon me, I surely did not mean to insult your intelligence by saying 'man'—would you please forgive me for committing such an error?

"Gentlemen of the jury, who would be hurt if you took this life? Look back to that second row. Please look. I want all twelve of you honorable men to turn your heads and look back to that second row. What you see there has been everything to him—mama, grandmother, godmother—everything. Look at her, gentlemen of the jury, look at her well. Take this away from her, and she has no reason to go on living. We may see him as not much, but he's her reason for existence. Think on that, gentlemen, think on it.

"Gentlemen of the jury, be merciful. For God's sake, be merciful. He is innocent of all charges brought against him.

"But let us say he was not. Let us for a moment say he was not. What justice would there be to take this life? Justice, gentlemen? Why, I would just as soon put a hog in the electric chair as this.

"I thank you, gentlemen, from the bottom of my heart, for your kind patience. I have no more to say, except this: We must live with our own conscience. Each and every one of us must live with his own conscience."

The jury retired, and it returned a verdict after lunch: guilty of robbery and murder in the first degree. The judge commended the twelve white men for reaching a quick and just verdict. This was Friday. He would pass sentence on Monday.