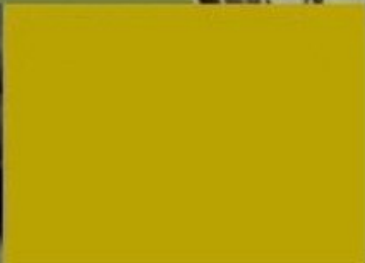


# The Clemency of the Court

Willa Cather





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"Damn you! What do you mean by giving me hooping like that?"

Serge Povolitchky folded his big workworn hands and was silent. That helpless, doglike silence of his always had a bad effect on the guard's temper, and he turned on him afresh.

"What do you mean by it, I say? Maybe you think you are some better than the rest of us; maybe you think you are too good to work. We'll see about that."

Serge still stared at the ground, muttering in a low, husky voice, "I could make some broom, I think. I would try much."

"O, you would, would you? So you don't try now? We will see about that. We will send you to a school where you can learn to hoop barrels. We have a school here, a little, dark school, a night school, you know, where we teach men a great many things."

Serge looked up appealingly into the man's face and his eyelids quivered with terror, but he said nothing, so the guard continued:

"Now I'll sit down here and watch you hoop them barrels, and if you don't do a mighty good job, I'll report you to the warden and have you strung up as high

as a rope can twist.

Serge turned to his work again. He did wish the guard would not watch him; it seemed to him that he could hoop all right if he did not feel the guard's eye on him all the time. His hands had never done anything but dig and plow and they were so clumsy he could not make them do right.

The guard began to swear and Serge trembled so he could scarcely hold his hammer. He was very much afraid of the dark cell. His cell was next to it and often at night he had heard the men groaning and shrieking when the pain got bad, and begging the guards for water. He heard one poor fellow get delirious when the rope cut and strangled him, and talk to his mother all night long, begging her not to hug him so hard, for she hurt him.

The guard went out and Serge worked on, never even stopping to wipe the sweat from his face.

It was strange he could not hoop as well as the other men, for he was as strong and stalwart as they, but he was so clumsy at it. He thought he could work in the broom room if they would only let him. He had handled straw all his life, and it would seem good to work at the broom corn that had the scent of outdoors about it. But they said the broom room was full. He felt weak and sick all over, somehow. He could not work in the house, he had never been indoors a whole day in his life until he came here.

Serge was born in the western part of the State, where he did not see many people. His mother was a handsome Russian girl, one of a Russian colony that a railroad had brought West to build grades. His father was supposed to be a railroad contractor, no one knew surely. At any rate by no will of his own or wish of his own, Serge existed. When he was a few months old, his mother had drowned herself in a pond so small that no one ever quite saw how she managed to do it.

Baba Skaldi, an old Russian woman of the colony, took Serge and brought him up among her own children. A hard enough life he had of it with her. She fed him what her children would not eat, and clothed him in what her children would not wear. She used to boast to baba Konach that she got a man's work out of the young rat. There was one pleasure in Serge's life with her. Often at night after she had beaten him and he lay sobbing on the floor in the corner, she would tell her children stories of Russia. They were beautiful stories, Serge thought. In spite of all her cruelty he never quite disliked baba Skaldi because she could tell such fine stories. The story told oftenest was one about her own brother. He had done something wrong, Serge could never make out just what, and had been sent to Siberia. His wife had gone with him. The baba told all about the journey to Siberia as she had heard it from returned convicts; all about the awful marches in the mud and ice, and how on the boundary line the men would weep and fall down and kiss the soil of Russia. When her brother reached the prison, he and his wife used to work in the mines.

His wife was too good a woman to get on well in the prison, the baba said, and one day she had been knouted to death at the command of an officer. After that her husband tried in many ways to kill himself, but they always caught him at it. At last, one night, he bit deep into his arm and tore open the veins with his teeth and bled to death. The officials found him dead with his teeth still set in his lacerated arm.

When she finished the little boys used to cry out at the awfulness of it, but their mother would soothe them and tell them that such things could not possibly happen here, because in this country the State took care of people. In Russia there was no State, only the great Tzar. Ah, yes, the State would take care of the children! The baba had heard a Fourth-of-July speech once, and she had great ideas about the State.

Serge used to listen till his eyes grew big, and play that he was that brother of the baba's and that he had been knouted by the officials and that was why his

little legs smarted so. Sometimes he would steal out in the snow in his bare feet and take a sunflower stalk and play he was hunting bears in Russia, or would walk about on the little frozen pond where his mother had died and think it was the Volga. Before his birth his mother used to go off alone and sit in the snow for hours to cool the fever in her head and weep and think about her own country. The feeling for the snow and the love for it seemed to go into the boy's blood, somehow. He was never so happy as when he saw the white flakes whirling.

When he was twelve years old a farmer took him to work for his board and clothes. Then a change came into Serge's life. That first morning [as] he stood, awkward and embarrassed, in the Davis kitchen, holding his hands under his hat and shuffling his bare feet over the floor, a little yellow cur came up to him and began to rub its nose against his leg. He held out his hand and the dog licked it. Serge bent over him, stroking him and calling him Russian pet names. For the first time in his lonely, loveless life, he felt that something liked him.

The Davises gave him enough to eat and enough to wear and they did not beat him. He could not read or talk English, so they treated him very much as they did the horses. He stayed there seven years because he did not have sense enough to know that he was utterly miserable and could go somewhere else, and because the Slavonic instinct was in him to labor and keep silent.

The dog was the only thing that made life endurable. He called the dog Matushka, which was the name by which he always thought of his mother. He used to go to town sometimes, but he did not enjoy it, people frightened him so. When the town girls used to pass him dressed in their pretty dresses with their clean, white hands, he thought of his bare feet and his rough, tawny hair and his ragged overalls, and he would slink away behind his team with Matushka. On the coldest winter nights he always slept in the barn with the dog for a bedfellow. As he and the dog cuddled up to each other in the hay, he used to think about things, most often about Russia and the State.

Russia must be a fine country but he was glad he did not live there, because the State was much better. The State was so very good to people. Once a man came there to get Davis to vote for him, and he asked Serge who his father was. Serge said he had none. The man only smiled and said, "Well, never mind, the State will be a father to you, my lad, and a mother."

Serge had a vague idea that the State must be an abstract thing of some kind, but he always thought of her as a woman with kind eyes, dressed in white with a yellow light about her head, and a little child in her arms, like the picture of the virgin in the church. He always took off his hat when he passed the court house in town, because he had an idea that it had something to do with the State someway. He thought he owed the State a great deal for something, he did not know what; that the State would do something great for him some day, because he had no one else. After his chores he used to go and sit down in the corral with his back against the wire fence and his chin on his knees and look at the sunset. He never got much pleasure out of it, it was always like watching something die. It made him feel desolate and lonesome to see so much sky, yet he always sat there, irresistibly fascinated. It was not much wonder that his eyes grew dull and his brain heavy, sitting there evening after evening with his dog, staring across the brown, windswept prairies that never lead anywhere, but always stretch on and on in a great yearning for something they never reach. He liked the plains because he thought they must be like the Russian steppes, and because they seemed like himself, always lonely and empty-handed.

One day when he was helping Davis top a haystack, Davis got angry at the dog for some reason and kicked at it. Serge threw out his arm and caught the blow himself. Davis, angrier than before, caught the hatchet and laid the dog's head open. He threw down the bloody hatchet and, telling Serge to go clean it, he bent over his work. Serge stood motionless, as dazed and helpless as if he had been struck himself. The dog's tail quivered and its legs moved weakly, its

breath came through its throat in faint, wheezing groans and from its bleeding head its two dark eyes, clouded with pain, still looked lovingly up at him. He dropped on his knees beside it and lifted its poor head against his heart. It was only for a moment. It laid its paw upon his arm and then was still. Serge laid the dog gently down and rose. He took the bloody hatchet and went up behind his master. He did not hurry and he did not falter. He raised the weapon and struck down, clove through the man's skull from crown to chin, even as the man had struck the dog. Then he went to the barn to get a shovel to bury the dog. As he passed the house, the woman called out to him to tell her husband to come to dinner. He answered simply, "He will not come to dinner today. I killed him behind the haystack."

She rushed from the house with a shriek and when she caught sight of what lay behind the haystack, she started for the nearest farm house. Serge went to the barn for the shovel. He had no consciousness of having done wrong. He did not even think about the dead man. His heart seemed to cling to the side of his chest, the only thing he had ever loved was dead. He went to the haymow where he and Matushka slept every night and took a box from under the hay from which he drew a red silk handkerchief, the only "pretty thing," and indeed, the only handkerchief he had ever possessed. He went back to the haystack and never once glancing at the man, took the dog in his arms.

There was one spot on the farm that Serge liked. He and Matushka used often to go there on Sundays. It was a little, marshy pool, grown up in cattails and reeds with a few scraggy willows on the banks. The grass used to be quite green there, not red and gray like the buffalo grass.

There he carried Matushka. He laid him down and began to dig a grave under the willows. The worst of it was that the world went on just as usual. The winds were laughing away among the rushes, sending the water slapping against the banks. The meadow larks sang in the corn field and the sun shone just as it did yesterday and all the while Matushka was dead and his own heart



was breaking in his breast. When the hole was deep enough, he took the handkerchief from his pocket and tied it neatly about poor Matushka's mangled head. Then he pulled a few wild roses and laid them on its breast and fell sobbing across the body of the little yellow cur. Presently he saw the neighbors coming over the hill with Mrs. Davis, and he laid the dog in the grave amid covered him up.

About his trial Serge remembered very little, except that they had taken him to the court house and he had not found the State. He remembered that the room was full of people, and some of them talked a great deal, and that the young lawyer who defended him cried when his sentence was read. That lawyer seemed to understand it all, about Matushka and the State, and everything.

Serge thought he was the handsomest and most learned man in the world. He had fought day and night for Serge, without sleeping and almost without eating. Serge could always see him as he looked when he paced up and down the platform, shaking the hair back from his brow and trying to get it through the heads of the jurymen that love was love, even if it was for a dog. The people told Serge that his sentence had been commuted from death to imprisonment for life by the clemency of the court, but he knew well enough that it was by the talk of that lawyer. He had not deserted Serge after the trial even, he had come with him to the prison and had seen him put on his convict clothing.

"It's the State's badge of knighthood, Serge," he said, bitterly, touching one of the stripes.

"The old emblem of the royal garter, to show that your blood is royal."

Just as the six o'clock whistle was blowing, the guard returned.

"You are to go to your cell tonight, and if you don't do no better in the morning, you are to be strung up in the dark cell, come along."

Serge laid down his hammer and followed him to his cell. Some of the men made little bookshelves for their cells and pasted pictures on the walls. Serge had neither books nor pictures, and he did not know how to ask for any, so his cell was bare. The cells were only six by four, just a little larger than a grave.

As a rule, the prisoners suffered from no particular cruelty, only from the elimination of all those little delicacies that make men men. The aim of the prison authorities seemed to be to make everything unnecessarily ugly and repulsive. The little things in which fine feeling is most truly manifest received no respect at all. Serge's bringing up had been none of the best, but it took him some time to get used to eating without knife or fork the indifferent food thrust in square tin bowls under the door of his cell. Most of the men read at night, but he could not read, so he lay tossing on his iron bunk, wondering how the fields were looking. His greatest deprivation was that he could not see the fields. The love of the plains was strong in him. It had always been so, ever since he was a little fellow, when the brown grass was up to his shoulders and the straw stacks were the golden mountains of fairyland. Men from the cities on the hills never understand this love, but the men from the plain country know what I mean. When he had tired himself out with longing, he turned over and fell asleep. He was never impatient, for he believed that the State would come some day and explain, and take him to herself. He watched for her coming every day, hoped for it every night.

In the morning the work went no better. They watched him all the time and he could do nothing. At noon they took him into the dark cell and strung him up. They put his arms behind him and tied them together, then passed the rope about his neck, drawing [his] arms up as high as they could be stretched, so that if he let them "sag" he would strangle, and so they left him. The cell was perfectly bare and was not long enough for a man to lie at full length in. The prisoners were told to stand up, so Serge stood. At night his arms were let down long enough for him to eat his bread and water, then he was roped up again. All night long he stood there. By the end of the next day the pain in his

arms was almost unendurable. They were paralyzed from the shoulder down so that the guard had to feed him like a baby. The next day and the next night and the next day he lay upon the floor of the cell, suffering as though every muscle were being individually wrenched from his arms. He had not been out of the bare cell for four days. All the ventilation came through some little auger holes in the door and the heat and odor were becoming unbearable. He had thought on the first night that the pain would kill him before morning, but he had endured over eighty-four hours of it and when the guard came in with his bread and water he found him lying with his eyes closed and his teeth set on his lip. He roused him with a kick and held the bread and water out to him, but Serge took only the water.

"Rope too tight?" growled the guard. Serge said nothing. He was almost dead now and he wanted to finish for he could not hoop barrels.

"Gittin so stuck up you can't speak, are you? Well, we'll just stretch you up a bit tighter." And he gave the stick in the rope another vicious twist that almost tore the arms from their sockets and sent a thrill of agony through the man's whole frame. Then Serge was left alone. The fever raged in his veins and about midnight his thirst was intolerable. He lay with his mouth open and his tongue hanging out. The pain in his arms made his whole body tremble like a man with a chill. He could no longer keep his arms up amid the ropes were beginning to strangle him. He did not call for help. He had heard poor devils shriek for help all night long and get no relief. He suffered, as the people of his mother's nation, in hopeless silence. The blood of the serf was in him, blood that has cowered beneath the knout for centuries and uttered no complaint. Then the State would surely come soon, she would not let them kill him. His mother, the State!

He fell into a half stupor. He dreamed about what the baba used to tell about the bargemen in their bearskin coats coming down the Volga in the spring when the ice had broken up and gone out; about how the wolves used to howl and follow the sledges across the snow in the starlight.

That cold, white snow, that lay in ridges and banks! He thought he felt it in his mouth and he awoke and found himself licking the stone floor. He thought how lovely the plains would look in the morning when the sun was up; how the sunflowers would shake themselves in the wind, how the corn leaves would shine and how the cobwebs would sparkle all over the grass and the air would be clear and blue, the birds would begin to sing, the colts would run and jump in the pasture and the black bull would begin to bellow for his corn.

The rope grew tighter and tighter. The State must come soon now. He thought he felt the dog's cold nose against his throat. He tried to call its name, but the sound only came in an inarticulate gurgle. He drew his knees up to his chin and died.

And so it was that this great mother, the State, took this wilful, restless child of hers and put him to sleep in her bosom.