A STORY

The Cat and the Constitution

By EUSTACE COCKRELL

He went to the city once in a while and today he was driving home. The air was still, it sat on the country, hot and heavy. Sat on the fine black land where on still nights you heard the growing corn.

His name was Taliaferro Davis and he thought of the land through which he drove and the people in it because it was a little bit his and he was of it.

He thought of a phrase: The trouble with the South is that the Republicans can't win it so they do nothing for it. The Democrats do nothing for it because they don't have to win it and the Independents do nothing for it because we don't deserve it.

He would like to pick up a hitchhiker and say that to him to see what the hitchhiker would say; and then he saw the figure far down the road, too well dressed to be a Negro, walking. He drew up the car, his nineteen-thirty-seven car that groaned a little as it slowed and the walker turned.

He was a Negro, quite dark, young, well dressed.

Taliaferro Davis thought first *I'll speed up and go on*. But Taliaferro wasn't rude and he made up a whole conversation with his wife. "Picked up a darky today, so dressed up, I thought he was white. Didn't know whether to put him in the back seat—but then people would think I was his chauffeur—(laughter) or the front. People'd think I thought he was as good as . . ."

The boy got in the front seat as Taliaferro held open the door.

"Thank you, *sir*."

"Going far?"

Eustace Cockrell has written for radio, television and the movies, and is well known as a writer of short fiction. For the past four years he has been on the staff of *Fortnight*, West Coast news magazine, but he is now free lancing again. He hopes to begin work on a play soon.

"Home, other side of Griffithtown."

"Carry you there in a jiffy." Then Taliaferro said quickly, "Trouble with the South is the Democrats win whether they help it or not, the Republicans lose it whether they help it or not and the Independents won't help it because we don't deserve it."

The boy chuckled. "Colored folks live jammed up in Harlem, worst living in the world." He had some accent when he said that, familiar accent. "New York City, New York."

"Just what I say," Taliaferro said. "My name's Tol-ver Davis."

"T-a-l-i-a-f-e-r-r-o?" The boy spelt out.

"Yeah."

"So's mine, sir."

"Well, I'll be damned, named for the same folks, maybe? I been around here, us Davises, a long time."

Taliaferro Davis drove in silence and the boy beside him hummed a tune, a kind of happy bluesy tune.

Worry about money, your wife, about the kids, about the South; about everything but things you ought to worry about. Ought to hustle, ought to work more but hell, a lawyer . . . a little town. Ought to hum a tune, going down the road. Madgie was better than she got, deserved better—lots better. All screwed up in problems, but think about the wrong ones. House needed fixin', people needed payin', behind in the insurance and the schools for the kids weren't worth a damn.

"I live in Sassoon," Taliaferro Davis said. "Lawyer."

"Yes, sir." The boy hummed the tune. "I been going to school in the North, New York City, New York. I came back to see the folks. Live outside Griffithtown, other side. Didn't expect the ride; I'll surprise 'em."

"You like it up north?"

"It's different, sir."

"How do you feel . . . ? I mean, hell, I don't know what I mean. . . . I ain't much, just a piddlin' poor lawyer. What you studyin'?"

"How to be an accountant, sir."

"You say *sir* to folks up north?"

The Negro boy hummed his little tune. "I try to be polite all over the country, Mister Davis."

Taliaferro looked down at the boy and grinned. "You're all right, but then, oh well, I wish I was young again, goin' to school . . . race problem, quite a race problem. Hard, hard problem. Colored folks are quite a . . . damn New Englanders fetched 'em . . . to start." He looked at the boy beside him.

The boy hummed his little tune, happy to be getting home before he expected to get home.

"Man's black or a man's white. I recognize there's a problem. I recognize it. There is, isn't there?"

"We got one, too, Mr. Davis. White folks is our problem."

Taliaferro Davis laughed. "Damned if they ain't, us too, that is us—too. Damn white people. . . ."

Taliaferro Davis looked down the hard road, into the setting sun and felt the exuberance of the ground around him, damp and fecund. Rich land. He said, "Say an old lady died and she didn't have chick nor child nor kith nor kin, nothin' but a cat. She left all her money to the cat. Ever' damn cent, a million dollars after taxes. Ever' red cent to that old cat. Now the Probate Court, they'd take care of that cat until he died and then they'd be a fight for that money or maybe they kill that cat. But say the cat, he came to court and he said right out, plain English, 'Reason that old lady left me that money was because I could talk and I kept her company. I want my money; that old lady bored hell out of me for years and I want my money.' "

The colored boy laughed, loudly. "Cat couldn't spend the money."

"Sure as hell could," Taliaferro Davis said. "Cat could talk, had a million, hire some man to carry his money. Cat goin' around, man following him with a croker sack full of money. Drop into a butcher store, man followin' him. 'Order us up a ton of liver, gonna set up liver to every damn cat in the county. Count out the money.' Man say, 'Yes, Mr. Tom!' " . . .

"Have to be a colored man," the Negro boy said. "White man wouldn't work for a cat. . . ."

"Hell, he wouldn't. I'd be right respectful to a cat had a million dollars. . . . I don't know why I think of those things. They come into my mind when I ought to be thinking about how to do better, hustle, make money."

"We're coming into Griffithtown. If you'll let me out, please, other side of that little lane, sir."

He let the boy out. I'd trade off black to be starting, yes, man, any damn color on the chart to be starting over, he thought. I'd like to owe me some different people and get me some fresh worries.

The sign said "Narrow Road" and he saw the concrete abutments of the culvert ahead of him as the sun lay horizontal rays upon the earth. He shoved down on the accelerator aware of the time going. Aware of his life going, aware for a long instant of himself and time and his failure. The car gathered itself and the right front tire, tired and swollen with the heat, let go with an unimportant pop and then there was the big crash, the smaller crash, the little settling groan.

The colored boy heard the sounds and turned and looked up the road and he stood an instant, hearing the silence. He started running.

* * *

The doctor was a very young and very blond man, with the fine impersonality of internship still upon him. He looked at Taliaferro Davis from behind his rimless glasses and smiled a smile he was practicing for later days and richer patients. In an accent strange from Tulane over Minnesota, he said, "Cut a big artery. Bled white, truly. Big transfusion. Man has five quarts of blood, say; we gave you three new ones."

"Right interestin'," Taliaferro said. "Feel all right, too, feel real good."

"Type O," the doctor said, "comparatively rare. Lucky. Found three ex-soldiers here that knew their type, said it was O. Didn't have time to check. Took their word. Just fooling around, old college try, ethics, et cetera. Actually thought you were dead."

"Feel right shiny," Taliaferro said and he hummed a tiny snatch of tune.

"They did it bigger on occasion in the army, I've heard. Four quarts. But I'm down here on fevers, malaria; kind of out of my line. Very interesting." The doctor smiled his smile again. "Here's your wife again, got the boy with her." He paused. "You can go home soon."

Taliaferro Davis said to his wife when she came and looked at him with anxious loving eyes, "Good as new, honey. I can go home real soon."

Bradford Davis, a large twelve, said: "Mess a people called about you, pop. A gang of 'em. You must know everybody in the county. They were worried, too."

"Honey," Madge Davis said, lowering her voice, nodding to the door the doctor had walked out of, "did he say, did he say how much?"

"He ain't worryin', honey. The blood donaters, they didn't take anything, didn't want anything. . . ."

"Who . . . ?"

"Some soldiers around, ex-soldiers, knew what type they were, what type their blood was. Oh," he said, a little pride in his voice, "kinda rare. Hell, the Doc ain't worryin'. I told him about the insurance it being in arrears. Kitchen leak bad in that shower of rain last night?"

"Yeah, poppa," his son said, "run a regular *stream*."

"Guess we need a whole new roof."

"Was you unconscious, pop?"

"Didn't know straight up for two whole days."

"We're surely thankful," Madge Davis said. "Car's a total wreck."

"Total," his son said.

"Damn Northern insurance companies; all those insurance companies always up in New England. Seems funny to me."

"A mess of people called," his son said. "Phone ringing all day long."

"We *been* here, son. We got Nigras here *named* for us, took the name when they came from Africa. Naturally everybody knows us."

"Before the war, your father's people . . .," Madge Davis began.

"I can't imagine no war fought without no planes. . . ."

"Goodness gracious, Bradford!"

"That boy's a triple negative man; wonder where he picks it up!" Taliaferro said and sat up a little in his bed. "You know, Madge, I been thinking. I'm gonna run for Solicitor, pays pretty good. Got to thinkin', all those people call us up, you I mean, about me. Poor but popular. And everybody knows I'm honest."

"Solicitor, pop. Hot dog, Mr. D.A."

"Shut up, Bradford. With no car I don't see . . ."

"Hell, I'll campaign afoot. Little sympathy won't do any harm."

"Tol'ver," Madge Davis said, "seems like you've changed."

"I just been thinkin'." Taliaferro Davis hummed the little tune and then he whistled it some. "Just thinkin'," he said. "I'm gonna be happy. I'm gonna grin and hum. I got the prettiest wife and the best kids—how's little Madgie—owe a few rednecks and I ain't got any money. I'll make an A-1 Solicitor, honest and fair and a good old name, fine old name, Nigras all over this part of the country named for me; wish they could vote. Yes, M'am, I'm gonna file, come the time, for People's Attorney."

"Make speeches, Pop?"

"Sure."

"Well, Tol'ver Davis. . . ."

"I ain't so damned old, give me a kiss, honey . . . shut up, Bradford."

"Mark Cross's going to run again. . . ."

"Sure. I'll make him hunt the brush."

"He's a dirty campaigner. . . ."

"Made Mr. Dicey Brown leave the country, talked about him so last election."

"Mr. Dicey was a *Republican*," Taliaferro said contemptuously. "Didn't anybody contest Mark in the primary? Republicans run in Sassoon County just to hear the wind whistle in their ears."

"Republicans *never* win in Sassoon County?" Bradford Davis asked idly. "Can't feature no war without even no tanks. . . ."

"No, not since sixty-six. . . . Son, lemme ask you a question . . . you're always talkin' about studyin' the law; say a woman, an old woman with five million dollars, she died and left every red cent to a cat. Now the Probate Judge he . . . Hush, Bradford, this cat could *talk*. . . ."

* * *

They sat in the kitchen under where the leak was when it rained. Bradford, upstairs, splashed in the tub, sloshed water on the floor. Taliaferro Davis in his good seersucker suit, already wilted, looked across the clean kitchen table toward his wife.

"Little Madgie asleep?" he said heavily.

"Yes."

"Now let me tell it, tell it my own way."

"You saw them?"

"I was in Griffithtown, got to thinkin', thank those fellows, saved my life, pretty near a quart of blood apiece."

Bradford yelled down from the hall. "Why they have the primary first Tuesday after the first Monday in August, pop?"

"I don't know. . . . Yes, Madge, honey. . . . You go to bed, Bradford, you're gonna be busy haulin' voters tomorrow."

"Can't I come down for the speakin'?"

"Hush up. Yes." Taliaferro smiled at his wife but the muscles in his face felt tight, funny. "And I been so damn happy. Maybe that's why."

He looked at his shoes.

"They was Tol-ver Davis's two cousins, you know the Nigra I told you about. Them and Tol'ver. Quart apiece."

Madge Davis sat still and looked at her husband. "Everybody that knows," she said, "says a man is a man."

"I ain't worryin' about that. Hell, three fifths darky blood, you think I'm worrying about that? I think Mark found out about it. I had him beat goin' into tonight, the speakin' tonight on the courthouse lawn, I had him barely beat."

"I guess everybody had plasma might be part anything with that foolish thinking."

"Foolish? Clear crazy. But there's stupid people in Sassoon. In the South," he said finally, bitterly.

"And the North, East and West."

"Well, we got to go on down there. Every county candidate speaks from the courthouse tonight." He leaned back looking up and trying to let some slackness into the muscles of his face. "See right through that hole," he said. "Star right exactly there."

They went out of the house and walked down the street between big spreading trees. Hot tonight, finishing the corn and opening the cotton. They didn't talk much, they knew each other very well, they loved each other very well. Their son galloped past them.

Taliaferro laughed. "All three of 'em," he said in a low voice, "black as the ace of spades."

Bradford galloped back, said, "Why don't they have the primary election on the third of August every time, why the first Tuesday after the first Monday?"

"I don't know," Taliaferro said and watched his son gallop away, his white shoes twinkling in the blackness.

"I thanked 'em," he said. "I thanked them politely and real, real grateful. Hell, Madge, I'm glad to be alive, I'm glad I got you and little Madge at home, and Bradford. . . ."

"Bradford loved it about the cat."

"Old Mark, he may say it. He was over there, they said, they didn't see him, but he was usin' around over there, talkin' to the doctor."

"That boy, that wonderful boy, that malaria-loving boy," Madge said.

"I didn't ask him did he tell Mark—hell, Mark found it out. I know that. Does he say it? That's the thing. He swing fifty votes he'll beat me. You can figure these little elections close when you campaign like I did."

"Oh, he wouldn't."

They came into the square and Taliaferro squeezed his wife's arm and went away from her, walking up to the lighted platform where sat the candidates like children for diplomas in uniforms of white seersucker.

Mark Cross wore a large black bow tie and didn't look at Taliaferro.

The Incumbent County Clerk (unopposed) introduced a speaker.

Taliaferro took his speech out of his pocket and read a couple of familiar lines. He put it back in another pocket and sat and waited a long time, not hearing anything until Mark Cross was introduced.

Mark Cross was a fat jolly man who strangely didn't mind the heat.

He was fat and jolly and people liked him and Taliaferro Davis thought, *He's a symbol of a sickness, because people like him. He's what we don't deserve.*

Mark Cross made two rolling phrases roll and then he alluded to the supremacy of whites and got a cheer and then he stopped and said it right out about Taliaferro Davis being, well, he *had* blood, three fifths, roughly, Nigra.

He made it funny. Just enough funny, not mean about it, quite. Just kind of funny. He was a man running hard for office.

Taliaferro looked up and saw his wife way out there and way way

out there the colored folks, and closer, people he knew, laughing at him, they were, and he sat there and felt his face get tighter and tighter.

Finally Mark, he finished. He told them that it wasn't Taliaferro's fault. But then well . . . Taliaferro kept all through the campaign talkin' rights, rights for everybody. He hadn't seemed like that before.

Taliaferro sat there. The county clerk said his name and he got up and took his speech out of his pocket and threw it down. Said: "Speech I was gonna make, had the word Constitution in it, had Democracy in it." He didn't know what to say and he looked out over the crowd and saw Taliaferro Davis way out yonder with his two black cousins and his black daddy. Taliaferro Davis said, "Us Davises *been* around here a long, long time. We got colored folks named for us all over the state, all over the South."

He looked out again and saw the people, and he thought they were good people, would do well to have him their attorney. He said, "I figure every man named Davis, named Tol'ver Davis, ought to be able to vote. Black or white . . . and go to school." Some clapped. He remembered something.

He said loud as he could, suddenly grinning, hearing a tune in his head. "But that ain't the issue."

He took a deep breath. "Few years back Mark he had pneumonia, sent him to the city . . . before penicillin. They cured him up, give him a serum, big dose of serum, to fit his *type* of pneumonia. Serum went right into his blood. Still there."

He looked out at them, laughing at them, "Serum made from blood of rabbits." The long pause, making up a fraction. "Issue is would you rather have a Solicitor one fifth rabbit or would you rather have a Solicitor three fifths colored?"

They started laughing. They whooped and laughed and he held up his hand, finally.

"I want to ask Mr. Mark Cross a question. A make-believe case. An old woman dies, one million dollars, she leaves, million after taxes. And every red cent, she leaves to this Negro boy, right here in Sassoon. Now this Negro boy he's a deaf mute. . . ."

Hell, he thought, I don't care whether I win tomorrow or not. I'm a well man, and if they stay this quiet at least they'll hear this story, the cat that could talk will be a Negro that can't and I'll make it lots longer and get the Constitution into it because they'll listen, now.