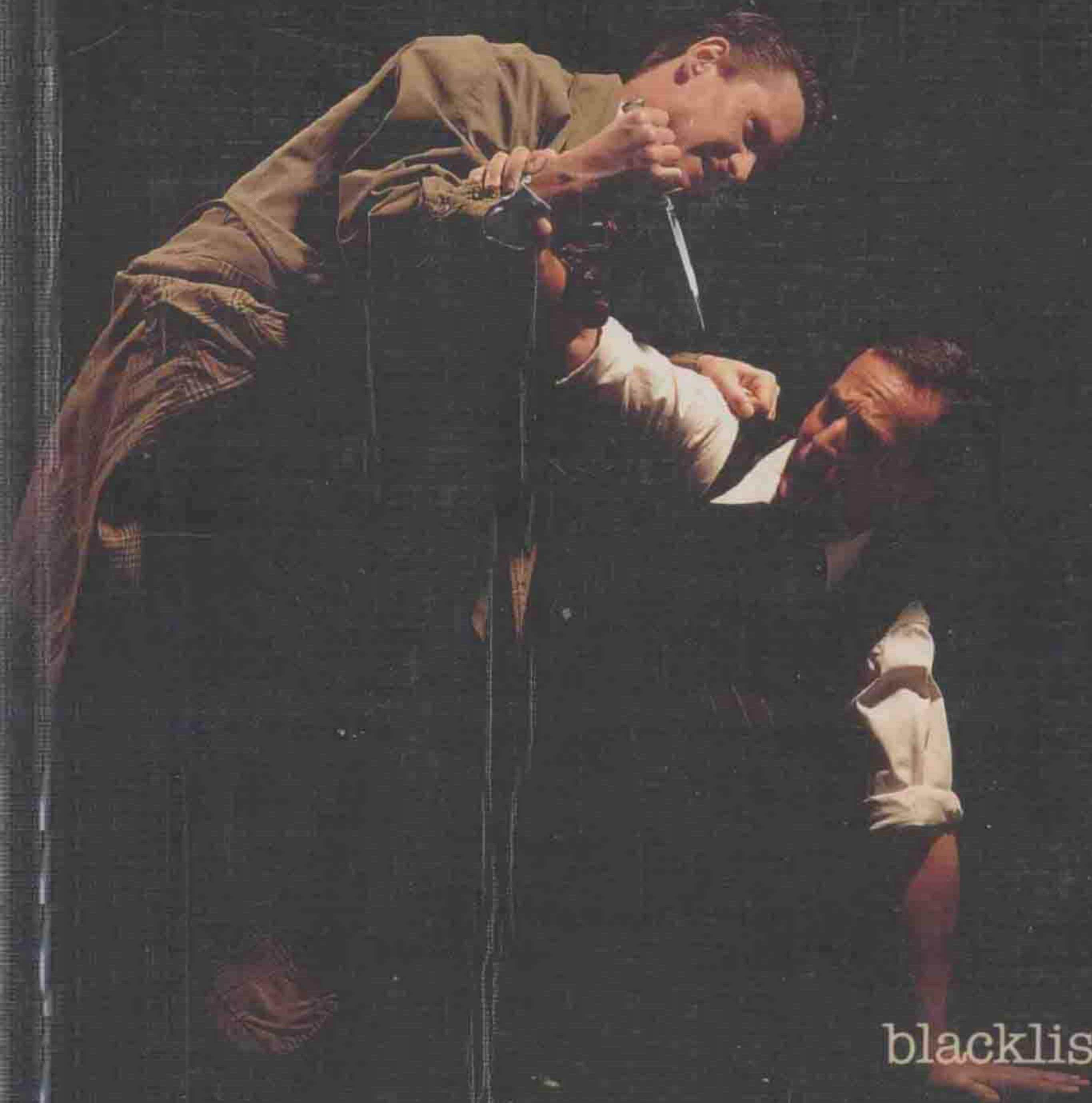


JON CLEARY

YOU,  
THE JURY



blacklist.

blacklist.

**JON CLEARY**

**YOU, THE JURY**

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& ROBERTSON  
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Jon Cleary was born in 1917 in Erskineville, New South Wales. He was educated at the Marist Brothers School, Randwick, and left school just before his fifteenth birthday. During the years of the Depression in the 1930s he was in and out of work constantly, but managed to gain experience in a variety of jobs: factory worker, travelling salesman, laundryman, dole worker on the roads . . .

He joined the AIF early in 1940 and saw service in the Middle East and New Guinea. He started writing during the war and by war's end he had had short stories published in most of the world's leading magazines. In the last months of the war he wrote his first novel, *You Can't See Round Corners*, but lost the manuscript in a cyclone in New Guinea. On his leaving the army he rewrote the book and at the end of 1946 won second prize with it in the *Sydney Morning Herald's* first national novel competition.

Since *You Can't See Round Corners*, Cleary has published thirty-eight novels and two books of short stories. His third novel, *Just Let Me Be* (retitled *You, the Jury*), won the Australian Literature Society's gold medal for the Best Australian Novel of 1950. In 1974 his novel *Peter's Pence* was voted the winner of the Edgar Allan Poe award for the best Crime Novel of the year in the United States.

Ten of Cleary's novels have been filmed for either the cinema or television and Cleary himself has worked in the United States and Britain in both film and television. One of his latest books, *Now and Then, Amen*, is currently being prepared for shooting in Australia as a mini-series.

He works on a thirty-year-old typewriter and, at seventy-three, still produces a novel a year and the occasional original screenplay. He once tried working on a word processor, but found it did not produce any better phrases, better characters or better story line.

*The locale of this story belongs to reality, but the people in it belong to my imagination. Anyone who sees himself here is mistaken.*

# CHAPTER ONE

The sun was already warm, climbing through a clear, smooth sky from the paleness above the horizon on to the high blue right overhead, and as they walked down Carr Street and turned into Brook, stopping for a moment on the corner at the top of the hill, smelling the sea coming in on the faint breeze, they could see the bright shine of the bay and the long white flash of the breakers off the southern end of the beach.

'Going down this morning?' Harry said, nodding down towards the beach.

'I don't think so,' Joe said, and they walked on. 'Too bloody tired. And Connie wants to go to a hop tonight, so I better grab what sleep I can. I dunno how you keep it up.'

Harry laughed, an easy ready laugh. 'Youth, that's what it is, sport. You forgotten all about it.'

Harry Brennan was twenty. He was slightly above medium height with the promise of being taller, and his frame, solid even now, was still developing. He was going to be a big man and he knew it: he walked with a premature confidence, his curly reddish-fair head looking down from heights it had not yet achieved, and carried his arms stiffly from the shoulders and bent at the elbows as if ready to brush aside the rest of the world. There was everything about him to raise antagonism in anyone meeting him for the first time, and yet there was something, perhaps the sincerity in his

quick smile or the friendliness in his young, rough-deep voice, that made people like him immediately.

'Yeah, that's it. Too old at twenty-eight.' And Joe Brennan grinned at his brother.

They looked like brothers. Joe was an inch shorter than Harry and wider in the shoulders and trunk, but he had the same curly hair, fairer than Harry's and worn not so long, and the same hard-boned, blunt face with the wide, friendly mouth, the broad, bony nose, and the aggressive chin. Only in their manner was there a difference: Joe had none of Harry's look of arrogance and his presence was as quiet as his slow, pleasant voice.

They passed the Catholic church, walking on the opposite side of the road, aware of the tall, thin darkness of the tower against the brilliant sky, and hearing the quick, fragile shouts of children in the schoolyard beside the church. Joe touched the brim of the old army slouch hat he wore.

'You still do that,' Harry said, raising an eyebrow; he borrowed gestures and expressions from film stars as a woman borrowed hair styles. 'Why?'

'What?'

'That dipping your lid when you pass the church. You don't go to Mass any more, so why d'you worry about it?'

They crossed the bridge, and in the cutting beneath their feet a city-bound tram laboured up from the stop at Havelock Avenue, the sound coming up at them loudly and harshly, banishing the laughing, shouting children across the road into silence.

'I dunno. Maybe it's just habit,' Joe said. 'Or anything else you like to call it. Maybe I'm scared. I still believe in God and I guess I still believe in the Church and it's just laziness that keeps me away. Maybe I'm scared that some day what the nuns and brothers and priests used to talk about, the answers to the questions in the catechism, will all catch up with me . . .' The sun was behind the church

tower and the long shadow fell across them: he heard the thin shouts and screams in the schoolyard and hell came back out of childhood to haunt him. Then they were walking in the sun again; somewhere in the flats they were passing a radio blared pagan jazz, full of the sensations of the blood, and beneath their feet a dirty word was scrawled in childish chalk. 'Or maybe I'm just superstitious.'

'You oughta make up your mind what you wanna be. A Catholic or not.'

'You reckon the Pope might be worried about me?'

Harry shrugged a shoulder and spread a hand, another second-hand gesture. 'He might be. Right now they might be talking about Joe Brennan in the Vatican.'

'If they are they'll let him know. Are you a Tyke or not?'

'I'm not.' Definitely: he spoke with the blind brash wisdom of youth. Religion was for suckers: no one needed it who had confidence in himself. The arms crooked a little more at the elbows and the chin became a little more aggressive.

'What are you, then?'

'I dunno.' He had never considered it: he sought to classify himself: 'A—a heretic, I suppose.'

'You're the first I met. I often read about you. How are you, mate?'

Joe was smiling and Harry returned the smile. 'Righto, righto,' he said. 'But you can't be two things. You gotta be one or the other.'

'Thanks, granddad. I think I'll stick to being a milkman.' And Joe jangled the two-gallon can he carried in his hand.

A cab, sleek as a yellow beetle, swung round the corner ahead of them and drew into the kerb before a block of flats. A man got out. He turned from paying the driver as the Brennans drew level with him and spoke against the quickly speeded motor of the cab as it drove away.

'Hullo, Joe. Harry. Waddia know?' Bill Pepper was a short round man with a round, red-brown face with a dark line



of freckles, like tribal markings, running from cheekbone across the bridge of his nose to cheekbone. He had a quick, nervous manner, continually beating the air with swift, plump hands and his small bright eyes, though not shifty, could not keep still and seemed to be for ever looking for something beyond what they could immediately see. He had an air of insecurity about him.

'Hullo, Bill,' Joe said. 'Late this morning?'

Pepper spread his hands, the sun glinting on a broad gold ring on a finger of the right hand, then like diving birds they swooped back to his sides. 'Had a big night last night. Had some Yanks in from one of the boats and we couldn't get rid of 'em. Not without making a fuss, and I don't like that. How's the milk-carting?'

Joe smiled and gently banged the can against his knee. 'Gives us a living.'

'Just,' Harry said.

'Well, I'm for bed,' Pepper said. 'See you again. Be good.'

He went into the block of flats, his hands slicing a farewell out of the air, and the Brennans walked on.

The thick hush of a warm morning lay all over Coogee, hanging like something almost tangible over the hilly suburb, oppressive as an oven from which the fire had just been raked. Heat was everywhere, coming up from the pavement beneath their feet, reflected from the houses they passed, in the thick, sweat-provoking air about them, as if it still lingered from yesterday, and all the days of the past week, and the position of the sun didn't mean a thing. On the north side of the valley, where the steep roads gleamed blue in the early sun, the houses were smudged patterns of colour and shadow, quiet and flattened with distance. Occasionally there was a flash, like a distant noiseless explosion, as sun caught on the windows of a moving car. A postal van climbed one of the roads, like a red bead spinning to the top of a blue ribbon. Beyond the crest of the ridge a flying boat,

translucent in the shimmer of heat, planed silently down to the base at Rose Bay. To the east, far out on the sea, a ship was stuck in molten silver, and smoke drifted thinly from it as if it were beginning to smoulder.

The Brennans crossed Dudley Street and began to climb the hill. They walked up past open doors, hearing voices or music from the radios, catching a glimpse of a family photo in a hall or an unmade bed through an open window, looking in on other people's private living. A car pulled out from the kerb, rolling down the hill, sun shining on its polished body, and a woman, a baby in her arms and a small child clinging to her skirt, stood on the veranda of a house and waved to the man in the car as he drove away. On the front lawn of the house next door a man pushed a mower, the sound crisp and sharp as a cicada and the grass flying out in a fine green spray, and farther up the hill a woman was energetically sweeping her front steps. Two girls came down the hill, cool and colourful in floral and stripes, but these were hairdressers from an exclusive city salon, with ideas above mere milkmen, and they went past with a swing of hips and their eyes fixed on a point level with the top of the church tower.

Harry looked back over his shoulder at them. 'I wouldn't mind giving that dark one a slap on the rump.'

'Righto, Romeo. But she'll never give you a knock-down while you're just a milkman. You'll have to go up in the world.'

'I wonder how I'd do if I made my dough the way Bill Pepper does? He'd make enough to get women interested in him. Geez! What a life! Just sitting back running a baccarat school while the dough comes rolling in.'

'It's okay if you wanna earn your money that way. I wouldn't be keen on it.'

'You got too much conscience, that's your trouble. What's the matter with it? Maybe it ain't legal, but it's honest, ain't it?'

'Oh, I suppose so. I don't think Bill 'ud run a crooked

game. Maybe it's just because I ain't the gambling sort.' He had long ago forsaken chance and what it might bring him. For the six years between his leaving school and joining the army it had laughed in his face, tossing him a job and then taking it away from him, throwing him on to that other battlefield long before the bombs began to fall in '39. He was wedded to security now, the sure thing, the regular pay-packet every Friday.

'Well, I would be if it meant I could earn my dough easier than the way I do now.' He wallowed in a dream of luxury: he could feel the smoothness of silk shirts against his body, the power of a Packard beneath him, the crispness of banknotes in his hand. There was only one life, and that was the rich man's. His scuffed and milk-stained shoes walked over a newspaper that announced the latest lottery results; somebody else's fortune drifted off the pavement behind him and lay in the gutter.

'Dad's been trying hard enough and long enough,' Joe said. 'He musta bought a coupla Rolls for the bookies, but so far he ain't collected anything himself.'

'That's his own fault for following the horses. You can't win there—it's just a racket run by the trainers and jockeys. You gotta see the way they live to see who gets the money outa racing. I know. I serve some of 'em. Nah, there's plenty other ways that are surer. Anyhow, I'm not gonna be driving a milk-cart all my life.'

'Ambitious, eh?'

'Yeah. What's wrong with that?' He raised a banner; the world lay beaten before him.

'Nothing, nothing.' He'd been like it himself once: He was going to be a great cartoonist, another Low or Phil May. But his ambition had worn out along with his shoes as he tramped round from office to office, from factory to factory, and in the end all he wanted to be was anything but unemployed. 'When you're rich, gimme your milk order, will you?'

Harry smiled and raised his thumb. 'Ah, up your jumper! Anyhow, you wait and see. I'm a local boy that's gunna make good.'

They could feel the sun hot on their backs as they climbed the hill, and their shadows moved darkly and obliquely before them. On a lawn in front of a house on the other side of the street a water-spray spun quickly, the water hanging like a fine plume in the air then falling slowly with the gleam of sun clinging to it.

'It's gunna be a beaut again today,' Harry said.

A woman was sweeping the path from the front door of her house to the gate, and she looked up as they approached her. There was an air of fastidiousness about her, in the house-gloves she wore and in the way she stood away from the broom as she wielded it, and her auburn-tinted hair was immaculately dressed even at this early hour. She walked to the gate, and putting her head on one side, smiled with the tentative smile of one about to ask a favour.

'Oh, milkie!'

Joe pulled up, and Harry walked slowly on. 'Yeah, Mrs Casparius?'

'Do you think you could manage two bottles of cream for me tomorrow?' Her lush, throaty voice was lush still with coyness.

'I dunno, Mrs—' Casparius was too much of a word, and he left it at that. 'I only get ten bottles a week for all my customers, and you had a bottle last Sunday.'

'Yes, I know, and it's terrible of me to be asking again so soon. I feel so selfish and really embarrassed. But this is an extra-special occasion. I'm having business friends of my husband to dinner, and I want to make it as nice as possible. So do you think you could let me have a couple of bottles and I shan't ask again for months? There'll be something in it for you.' The smile widened, expensive false teeth coming out between thickly painted lips, and she

lowered her head to look up at him from beneath traced eyebrows: fifteen years ago that look had trapped Morry, her husband, unexciting, dependable Morry, plump, bald, well-off and nearly twenty years her senior.

Joe wanted to laugh; he wanted to call her a bitch, and yet there was something ridiculous about her coy way of asking the favour. 'Well, I'll see what I can do, Missus. But don't bank on it. We mightn't get any cream at all tomorrow.'

'Oh, you're a—' She pulled up sharply, and Joe knew she had almost called him a darling. 'Oh, thank you, thank you very much. I shan't forget you, milkie. It's little things like this that make life so much easier for us housewives.'

'I wouldn't know. I'm a milkman.' And he walked on, leaving her high, flattering, empty laugh behind him.

'What's she want?' Harry said.

'Coupla bottles of cream. She's always at it. She had a bottle on Sunday.'

'Some of these women are beauts. They're always after something.' Harry spat disgustedly into the gutter; women were good for only one thing: none of them would ever make a mug out of him. 'Always expecting things to be just like they was before the war.'

'Well, that's like a woman, ain't it?' Joe said. 'You know what Mum's like—picks up in the middle of something we were talking about a month ago. Time don't mean a thing to 'em. And neither does a war, to some of 'em.'

'She,' Harry jerked his thumb back over his shoulder, 'used to belong to one of them comfort funds during the war. I used to see her going into town, dolled up to the nines, going in to give the boys some comfort.'

'Well, I suppose she'd be all right with a bag over her head. She's got the necessary in the other places, and it ain't bad.'

'I like 'em a bit younger, m'self. She must be thirty-six or seven.'

'Yeah, maybe she's past her prime,' Joe grinned. 'Anyhow, Mrs Cascara is gunna come a gutser. She'll be having dinner tomorrow night *without* cream.'

Harry patted the pockets of the mackintosh he carried over his arm. 'She'd be screaming blue murder if she knew I had two bottles in here. So would a lotta other women. I don't give my week's quota away. What's the good? I get ten bottles for three hundred customers. If I give a bottle to Mrs Brown, then Mrs Smith kicks up a stink, and if I give 'em both a bottle, then someone else gets to hear of it, and then everyone's on my neck, crying out for a bottle. So I hang on to it, and the Brennans have cream every day and nobody's the wiser and everybody's happy, most of all the Brennans.'

A youth about Harry's age came out of a gate ahead of them and swung down towards them, walking quickly, glancing at his watch.

'Hello, Des,' Joe said. 'Running late again?'

Des Hart's thin, long face broke into a long-toothed smile. 'Always the same. They don't run the shop to suit me. Wish I was youse two—on your way home and I ain't even started yet. Lucky bastards.'

He passed them and they heard him going down the hill behind them in a run.

'Lucky bastards!' Harry said. 'Geez! A counter-jumper, and all he wants to be is us, a coupla milkmen!'

Joe grinned. 'No ambition, has he?'

'Righto, righto. Quit rubbing it in.' They had reached the top of the hill and turned into Oberon Street. The green cage of a bus, the white, bored faces of its captives staring out at them, went past in a road-trembling rumble. People at the stop on the other side of the road stood for a moment with raised, hailing arms, like figures in a newsreel of the thirties, then self-consciously they dropped them and stared after the disappearing bus, silently cursing the driver for

not stopping. They looked at their watches and their foreheads creased in frowns, and some of them began to tap their feet impatiently. 'But you wait and see. I'm not gunna be like all them bunnies over there for the rest of my life. And all the people in the places we come past this morning. Christ, it gets me how some people never go anywhere or do anything, just stick in the one little rut all their lives.'

'Like me?' They crossed the road, feeling the macadamised surface already warm beneath their shoes. Another bus went past, the tattered voice of the conductor floating back behind it as he called for fares, and through the open doorway of a house came the thickly sweet voice of a male radio announcer running a women's session.

'Well, no. You been somewhere, at least. You were in the war, and you saw some other parts of the world.'

'Wog country and boong country. I'd rather stayed home.' But he knew that was a lie; travel was one of the few good things about war, one of the few memories worth retaining. It was probably why he had pitied the Greeks and Cretans he had seen: they had fought in their own streets, dying by violence in familiar surroundings, aware of horror against the background of their own homes. He looked about the street now, a little startled by the memory of exploding death, and was suddenly glad of the peace and solidity of the morning scene.

'You reckoned Greece was all right.'

'It was. But how much time did I have to look at it?' High mountains whose snowtops trailed off into grey clouds; the pattern of olive-grove terraces against the steep hillsides; the glistening, winding road that fell away like a spinning, oily rope down into the valley beneath you; the field of yellow poppies all about you as you sat behind the machine-gun; and the final memory of all, the clearest memory of a country famed for its memories, the parachutes against the early morning sky. Five weeks to see a country, and

Jerry on your tail all the time, and people lying dead in the little burial grounds of their own front gardens. Greece had been all right, but every time he remembered it there was superimposed on it those other memories, and they were the ones that were most affecting.

'All right,' Harry said. 'So you do get me down. You and everyone else who don't wanna get outa this dull locality. I dunno why you don't look around for another job, something where you'd get more money and could work yourself up and maybe move around a bit. I didn't know whether you were fair dinkum when you wrote home while you was in the army and asked me to try and get you on at the yard. I thought you'd be trying for something else. You got brains, more than I got, and you don't do anything with 'em.'

'I get along without trouble. That's something, these days.'

'Well, what's a bit of trouble?' He would meet it and conquer it: he was prepared for anything. 'You can't go on for ever without meeting it.'

'I'm hoping.' He would recognise it if he did meet it again: its face was familiar.

'Aah!' Harry disgustedly flapped his hand. 'Sometimes I wonder how you and me can be brothers. We ain't a bit alike.'

Joe grinned. 'Don't let it worry you. You're getting to sound a bit like Connie. She's ambitious, too.'

'She's a girl after my own heart. I wish I was a few years older, we might get together.'

'I'll poke you in the eye if ever I catch you mucking about with her. I ain't that easygoing.'

Harry laughed and raised the eyebrow. 'Don't you trust me, sport?'

They walked behind the crowd of people waiting for the bus on the corner of the street, nodding to some they knew, Harry staring speculatively at the girls, and turned into Arden Street. Another bus rolled down, slowing to take the corner, people standing in crowded discomfort on the rear platform



and the conductor yelling vainly, *Move along inside there!* The crowd at the corner surged forward and then stopped, as if lost and bewildered, as the bus went past.

'Sheep,' Harry said, then they had reached the front gate of their home.

It was a narrow, semi-detached, red-brick cottage with a tiled veranda fronted by a low stone wall. Three steps led down to a tiled path that separated the two small patches of lawn and ran down to the front gate. The gate and fence and woodwork of the house were painted a bright cream, offset with green, and an enamel plate beside the front door proclaimed *Haere Mai*.

A small boy, about eleven, carrying a school case and dressed in a dark, short-panted suit, his neck circled by a cerise and blue striped tie, and carrying a school cap in his hand, came out of the front door and waited for them to come in the gate.

'Here he is,' Harry said. 'Young Timothy, the pride of the Brennans. Ain't Mum coming out to wave her darling goodbye?'

'In your eye,' the boy said. 'And quit calling me Timothy. I ain't a sis.'

'Ain't?' Joe said.

'Oh, all right. Gosh, I dunno why I gotta watch what I say all the time, and you can talk how you like.'

'If ever I catch you talking like those two, especially their swearing, I'll clip you under the ear.'

Florence Brennan had come out on to the veranda and now sat down on the seat beneath the front bedroom windows. She began to fan herself with the copy of the morning paper she carried.

'Phew, it's going to be a scorcher again today!' Tiny beads of perspiration lay along her upper lip as if they had been sprayed there. 'I'm feeling done in already.'

Flo Brennan was fifty, but looked six years younger, and