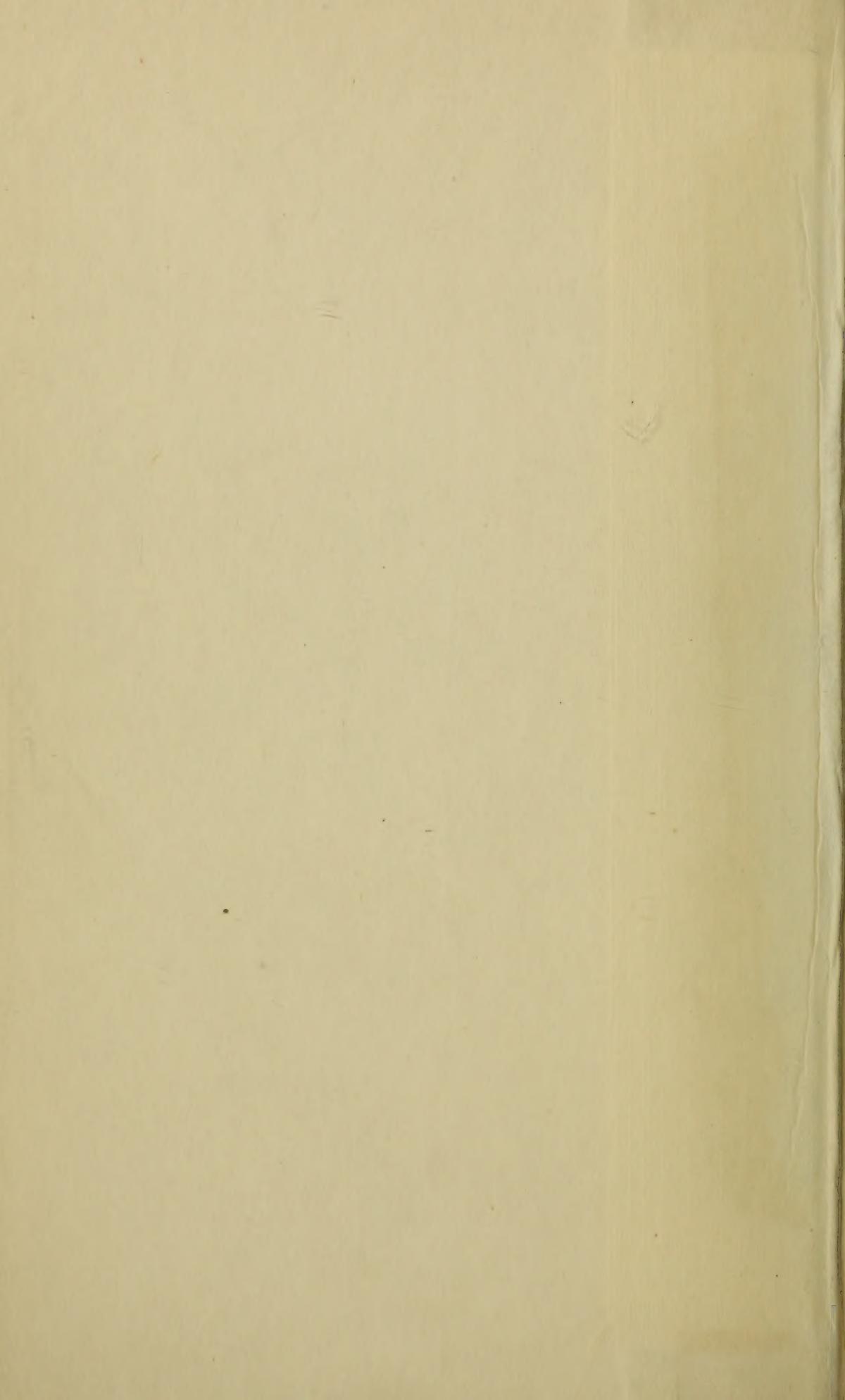


UNIVERSITY OF TORONTO



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MURDER MOST MYSTERIOUS

AUTHOR OF

C.I.D.

MURDER BY PERSONS UNKNOWN

POLICE ENCYCLOPÆDIA

THE STORY OF CRIME

ORIENTAL CRIME

THE INDIAN CRIMINAL

WOMAN AND CRIME

THE PENGE MYSTERY

BURKE AND HARE

PRITCHARD THE POISONER

THE MYSTERY OF THE RED BARN

THE TRAGIC BRIDES

TRIUMPHS OF DETECTION

DR. LAWSON

GEORGE CHAPMAN ETC.

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# MURDER MOST MYSTERIOUS

BY  
HARGRAVE LEE ADAM

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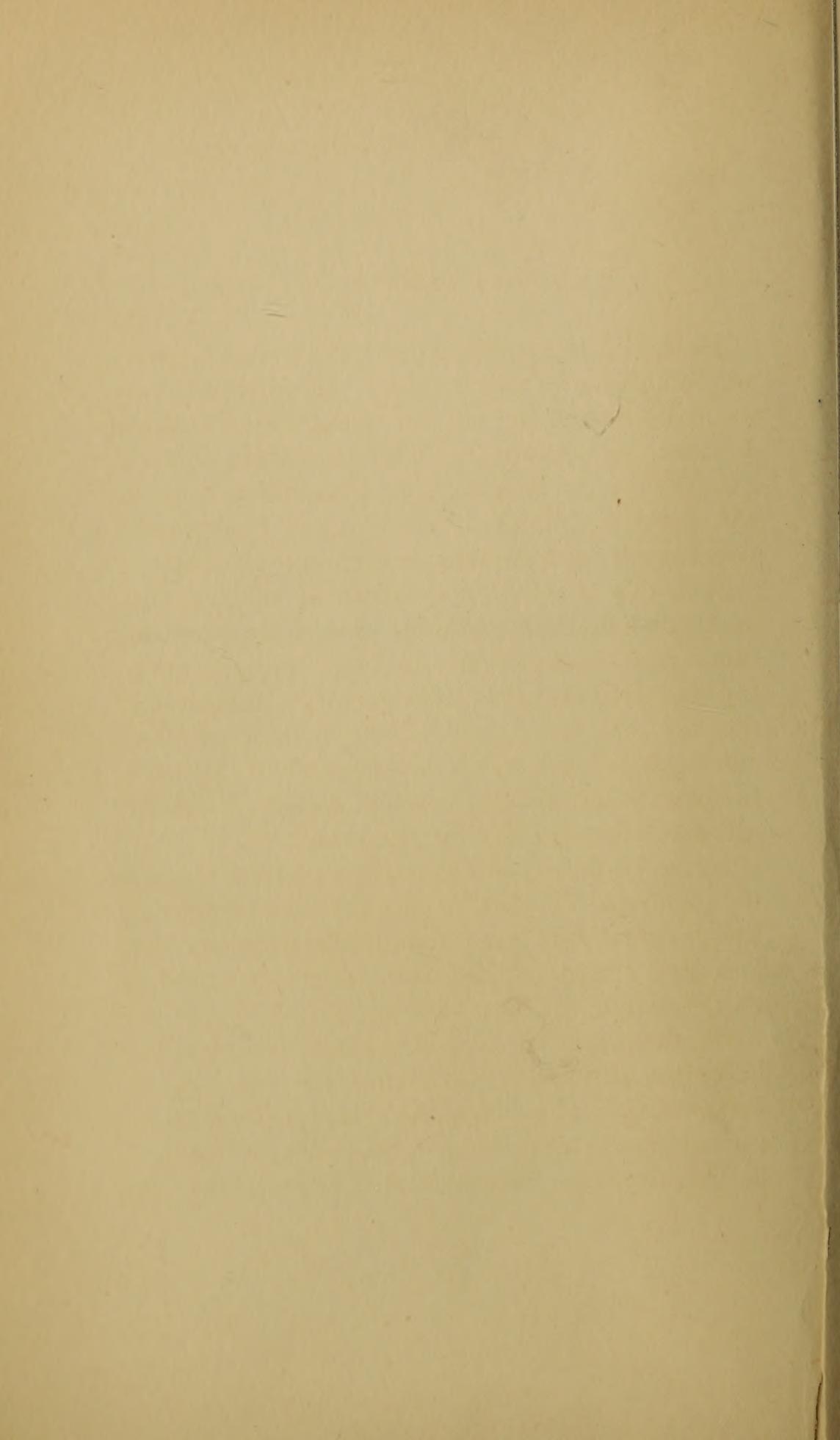


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“O, that we might read the mind of a murderer!”



## FOREWORD

IN the ensuing pages I have dealt with a group of "unfinished" murder cases, all of which have occurred during the last few years. By unfinished I mean, as doubtless will be readily understood, cases where the law has gone unsatisfied. I prefer the word "unfinished" to that of "unsolved", which such cases sometimes certainly are not.

It is true that in the remarkable Wallace case, as in the equally remarkable case of Dr. Knowles, there was a conviction. In both cases, however, the convictions were subsequently quashed and the accused went free. Thus neither of these cases can be said, in the fullest sense of the word, to have been finished, since nobody paid the ultimate legal penalty for the crime.

In the Wallace case I have been enabled, through the courtesy of the proprietors and Editor of the *Liverpool Post*, to quote freely from the very excellent report of the trial which appeared in that journal.

In the case of Dr. Knowles the appellant had the invaluable assistance of Mr. D. N. Pritt, K.C., who appeared for him when the appeal case came before the Privy Council, and who was instrumental in procuring the

ultimate release of Dr. Knowles. One may here also allude to the interesting fact that since then Mr. Pritt has again appeared before the Privy Council, this time representing three prisoners who had escaped from the much advertised and notorious French penal settlement known as Devil's Island. Again Mr. Pritt was successful in securing the release of his clients.

I have been fortunate enough to obtain access, through an exclusive source, to the printed details of the so-called trial of Dr. Knowles in Africa, by means of which I have been enabled to present a comparatively comprehensive narrative of this exceptional case. I commend the details of the proceedings in Africa to the careful attention of those of my readers whose knowledge of the administration of British criminal law is confined to this country, and who are, upon occasion, inclined to be somewhat captious about it.

As I did in a former volume, I invite the reader to work out his own solutions of the mysteries presented by the various cases dealt with, although in each instance I have endeavoured to give him a "lead".

In my previous work, *C.I.D.*, I am reminded by several correspondents that I have gone astray on several points of English and Scots criminal law. The subject of law, either criminal or common, I need scarcely point out, is a very complicated and technical one, and therefore somewhat difficult

for a mere layman to handle. So that I am not myself very much surprised, although not at all gratified, to learn that I have succeeded in achieving several "slips." All my correctors are qualified lawyers and I am taking this, the first available opportunity, of giving their corrections publicity and so putting myself right with my readers generally.

I have stated, what I then believed to be a fact, that the Scots third verdict of "Not Proven" was equivalent to our Coroner's "open" verdict, and that in the event of additional evidence coming to light, the accused man might be re-arrested and again put upon his trial. I have also described how in Scotland a prisoner is subjected to a severe cross-examination by the Procurator-Fiscal in the process of his being called upon to "emit a declaration."

Mr. Roland Waugh, the Procurator-Fiscal of Dunfermline, has written and corrected me on these two points in the following words: "Not for many years has a Scots prisoner been subjected to a 'gruelling interrogation', as I think you put it. As a matter of fact, since 1887 all prisoners are entitled to a private interview with a law agent before declaration, and to have their law agent (solicitor) present at the examination. In practice the declaration, which is written on the form of which I enclose a sample, almost invariably ended, after the stock queries, 'I have nothing to say in regard to the charge of — which has

been read over to me'. Since the passing of the Summary Jurisdiction (Scotland) Act, 1908, a declaration is not now essential in any shape, and is very seldom used.

“Our ‘Not Proven’ verdict does not give opportunity for a second trial. Once a case has been brought to proof, the accused has ‘tholed his assize’ and cannot be retried.”

Mr. Waugh enclosed a copy of the Declaration form and of the form of “Petition”.

I also received a long letter from Mr. James Hyslop, of the firm of solicitors, Messrs. J. & C. M. Hyslop, of Dumfries, dealing with these same points. It gives all the law on the subjects and is far too long to quote here, nor would it be necessary, since the ultimate results are the same as those described by Mr. Waugh. Mr. Hyslop points out that a prisoner can and sometimes does object to making a declaration, and that when an examination occurs it is conducted by the Sheriff in the presence of the Procurator-Fiscal.

I am much indebted to my correspondents for the trouble they have taken in the matter.

In dealing with the Goddard case I appear to have created a wrong impression in the mind of at least one of my readers. This was Sir Maurice Gwyer, Treasury Solicitor, of Storey’s Gate, who has written me about it. I have not space to do more than present a résumé of my correspondent’s letter, which I do as follows:

In dealing with the civil proceedings, which

were brought by the Crown for the purpose of recovering the moneys found in the possession of ex-Sgt. Goddard, I said, "The law has now settled the matter in favour of Goddard". Sir Maurice Gwyer denies this, and proceeds to point out that the learned Judge (Mr. Justice Rowlatt) ruled that moneys in the form of bribes, received by a member of the Metropolitan Police, might be recovered by the Crown, "on the general common law principle that an employer can demand that his servant or agent hands over to him all moneys received by the servant or agent in the course of his service or agency. . . ."

I agree. Sir Maurice has evidently misunderstood me. I was, perhaps, not too happy in the wording of the paragraph quoted. I meant to infer that the *case* was decided in favour of Goddard. Let me be a little more explicit. As my correspondent points out, the Judge, after hearing a lengthy argument from Sir Leslie Scott on behalf of the defendant, gave judgment for the Crown for a portion of the money, which they had proved had been received by Goddard by way of bribes, and for Goddard for the remainder of the money (the bulk of it) as his lordship maintained that the Crown had failed to show that this sum also was received by the defendant in the way of bribery. Since the defendant was allowed to retain the bulk of the money I thought, and still think, I was justified in stating that the case was decided in his favour.

But I did not wish to infer, as Sir Maurice Gwyer seems to think I meant, that the general law of Bribery and Corruption was in any way involved in this ruling. It had, in fact, no connection with it except to uphold it.

I think this should remove all doubt or misunderstanding in the matter. I further cordially agree with my correspondent when he adds that it is very important that no countenance should be given to the idea that public servants may take bribes legally and with impunity. The Goddard case, he rightly points out, is, so far as the Metropolitan Police is concerned, a direct authority to the contrary. In this connection I should like to point out that, in the volume referred to, I drew attention to the difficulties the authorities had to deal with in regard to the *moral* aspect of the case.

In my book I also made reference, quoting Sir Archibald Bodkin at the time, to the legal slang term of "soup", and I have apparently given a wrong impression of its meaning, as Sir Maurice Gwyer points out in the following interesting manner:

"I do not think that 'soup' has ever been another name for a 'dock' brief. When I attended Criminal Courts many years ago in London and on Circuit, 'soups' were briefs in minor police prosecutions, which were distributed among members of the Sessions Bar Mess, in order of seniority. I suppose that in London a 'soup' would come round to a

member of the Mess once in every four or five weeks, and it was said that it was from them that some of the older members of the Mess drew their entire income. 'Soups' were always prosecutions, 'dock' briefs were, and are, always defences, so called because the prisoner instructs Counsel from the dock without the intervention of a solicitor."

I repeat that I am much indebted to my several correspondents for their kindly and painstaking intervention and I have given their valuable corrections the fullest and earliest publication available to me, as all suggested might be done.

I must apologise to my readers for keeping them so long in the perusal of this Foreword (supposing they have been perusing it, which they may very well not have been doing) which I will now proceed to close with these final words:

The cases which I have included in my varied survey do not constitute the whole of the cases of the kind which have occurred during the period of time which they cover. I have merely made a selection from the whole number. Cases of mysterious murder appear to be occurring with more and more frequency—are being added to as I write—a fact which may justifiably be rather alarming to most people. In the vast continent of America, of course, such statistics would be regarded as gratifying rather than disturbing. But in this small island, unused to the criminal activity of even a Chicago, they can scarcely be expected to be

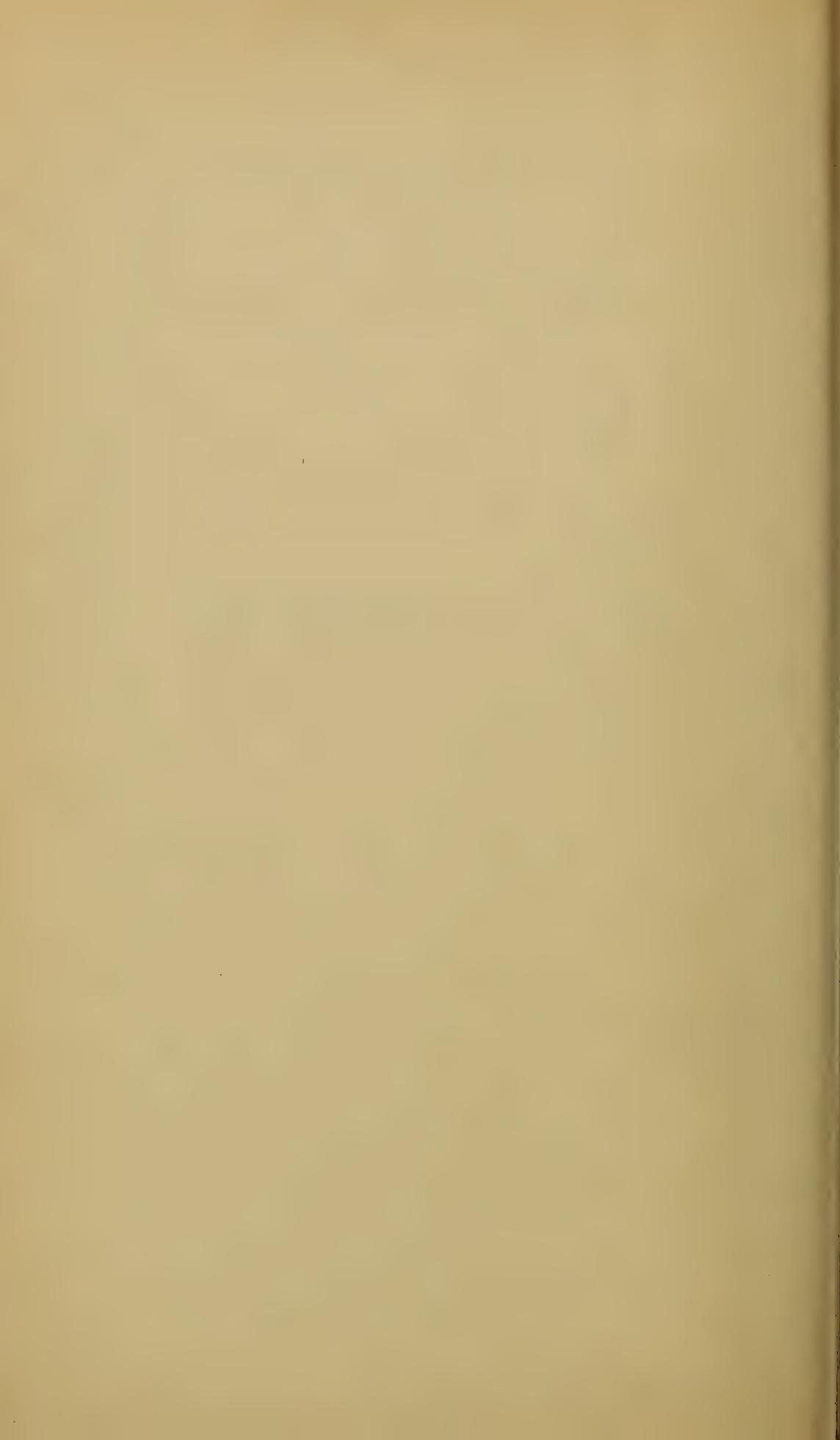
received with complacency. They, however, afford plenty of material for the chroniclers of such events, and as I happen to be one of that ilk, I shall say no more about it. Also there is no need to "shoot" the police, as they are doing their best.

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MURDER MOST MYSTERIOUS



# MURDER MOST MYSTERIOUS

## I

### THE PISTOL SHOT

(*The Case of Dr. Benjamin Knowles, Ashanti, 1928.*)

#### (a)

IN the year 1928 Dr. Benjamin Knowles, a medical officer in the employment of the Administration of the Colony of Ashanti, was living with his wife, who had formerly been an actress in this country, and known under the name of Madge Clifton, at a place called Bekwai, distant about twenty miles from Kumasi, in the Crown Colony of the Gold Coast.

Dr. Knowles had been serving there for some years, occasionally going on circuit, as it were, or as it was called there, "on tour". The nearest medical man to Bekwai was resident at Kumasi. Needless to explain that it was very hot there, so hot, in fact, sometimes that the walls of the house were too hot to touch. This was doubtless chiefly the cause of the Government officials of the district—or at all events some of them—leading a somewhat

hectic existence, in which drink and sometimes drugs played a prominent part.

On Saturday, October 20th, 1928, Mr. and Mrs. Knowles gave a luncheon party at their bungalow at Bekwai, at which there were present as guests Mr. Mangin, District Commissioner, Mr. Bradfield, Inspector of Government Works, Agent for Millers Limited, Bekwai. The luncheon party was a merry affair, and there was much laughing and joking. There was also, of course, plenty to drink, although it is not suggested that there was necessarily excessive drinking. By 2.30 all the guests had departed.

Adjoining the dining-room was the bedroom. In it and side by side were two separate bedsteads, both being covered, canopy-wise, with a mosquito net. After the guests had departed, Dr. Knowles went into the bedroom and lay down upon one of the beds. He was followed a little later by his wife. By then the doctor was in a drowsy condition, half asleep and half awake. The entrance of his wife into the bedroom aroused him and some conversation between the two ensued.

At that time two native servants, or "boys", were busy preparing tea on the verandah, having been told to do so by Dr. Knowles. One of these servants was named Sampson, and had been in the employment of Dr. Knowles about three weeks only. His position was that of "steward boy". He had previously served the lunch, and after lunch had gone into the town, returning for tea by a train which came through from Sekondi to Kumasi. As

he was preparing the tea he heard "something burst inside the bedroom like a gun". Then he heard Mrs. Knowles cry out, "Ah! Ah! Ah!" Then he said that he heard his master say, "Show me". The other servant, named Bondo Fra Fra, also heard the report, which he described as a "ping". Sampson became alarmed, and told his fellow servant that he should go and get assistance. He thereupon ran to the house of the District Commissioner, Mr. Mangin. He saw the Commissioner's boys and told them he wanted to see their master. Mr. Mangin appeared from the bathroom, and Sampson said to him, "Will you please come and see what is inside bungalow". He then returned to Dr. Knowles' bungalow.

Mr. Mangin then got into his car and drove over to the bungalow of Dr. Knowles. He stopped outside the front door and called to the doctor. He then saw Knowles walk from the dining-room to the bedroom. He was naked. He subsequently emerged from the bedroom with a towel wound round him, and came out on to the steps. He apologised for disturbing the doctor, but explained that he had heard that a shot had been heard, and that Mrs. Knowles had also been heard to scream. He then asked if there had been an accident, and if he could be of any assistance. The doctor appeared to be rather surprised and annoyed, and said there was no cause for alarm and that things were "all right". The Commissioner, being satisfied with this assurance, returned to his own bungalow.

Subsequently the news of the mysterious happening at the bungalow of Dr. Knowles reached the ears of a surgeon specialist named Howard Walter Gush, stationed at Kumasi. As a result of what he heard Dr. Gush got into his car and motored over to Bekwai. He entered Dr. Knowles' bungalow. He called for Dr. Knowles and the doctor asked who it was. Dr. Gush gave his name, and Knowles then came out of his bedroom. Dr. Gush then apologised for his sudden intrusion.

Knowles was dressed in pyjamas, and appeared to Dr. Gush very confused and physically extremely weak. He appeared to be suffering from the effects of alcohol, that is to say, the old effects. Dr. Knowles asked his visitor to sit down, and they both sat.

"I have been told there has been an accident," observed Dr. Gush.

"Who told you?" asked Knowles.

"Mr. Applegate, the Provincial Commissioner," replied Mr. Gush.

"There has been a domestic fracas," explained Knowles.

"What happened?" said Gush.

Dr. Knowles then bared his left leg and showed that it was covered with bruises. He said that his wife had flogged him with an Indian club. He also said that she had been nagging him the previous afternoon, and that he told her that if she did not leave the room he would put a bullet in her. Dr. Gush then asked if he might see Mrs. Knowles. Dr. Knowles then went into the bedroom with the

ostensible purpose of asking his wife, and Gush heard Mrs. Knowles say, "I would like to see Dr. Gush."

Both men then went into the bedroom. Dr. Gush saw Mrs. Knowles standing at the foot of one of the beds in her nightdress. He asked if he might examine the wounds. He also asked Mrs. Knowles how the accident had happened. The lady then explained that she had been examining her husband's revolver, which had recently been cleaned by the police, that she put the revolver down on a chair and shortly after sat upon it. She then tried to remove it from beneath her, but the open-work sleeve of her dress caught in the trigger and the weapon went off.

"Speak the truth," said Dr. Knowles.

"Shut up, Benjy," replied Mrs. Knowles. "You don't know what you are talking about."

To this observation Dr. Knowles made no reply.

Dr. Gush then proceeded to examine the wounds. He found one of them in the left buttock, about the size of a threepenny bit, with marks of dried blood about the wound. The second wound was on the right side of the abdomen and was about the size of a sixpenny piece. The former was the entry wound and the latter the exit wound. There was blood between the legs. Dr. Gush said that it would be necessary that Mrs. Knowles should go into hospital at Kumasi, and both Mr. and Mrs. Knowles agreed to this. He then suggested that Mrs. Knowles should first have a warm bath. At this stage of the

interview Dr. Knowles was sitting in a wicker chair near the door, and when Dr. Gush asked him to move as he, Dr. Gush, wished to go out to his car, Dr. Knowles made no response. Dr. Gush then lifted the chair with Knowles in it and put him out of the way.

Dr. Gush then gave one of the boys instructions to prepare a warm bath for Mrs. Knowles, and went across to the bungalow of the District Commissioner, which was situated quite near, and outside which he had left his car. Having had a chat with the Commissioner, he took his car back to Dr. Knowles' bungalow. By that time Mrs. Knowles was ready dressed to depart. Dr. Gush then asked Knowles for the revolver, and Knowles replied that he did not know where it was. Mrs. Knowles, however, said that it was in a uniform case, the key of which she produced from her bag. Dr. Gush then went and opened the case, in which he found the revolver, on top of some clothes. He did not see any holster. He unloaded the revolver, and found that there were five live cartridges in it and one empty case. The cartridges were all similar. The revolver was a Webly. Dr. Gush then wrapped the revolver and the cartridges in a towel and put them in his pocket. The following day he handed them over to Major Smith, the Assistant Commissioner of Police. He took Mrs. Knowles to the Colonial Hospital at Kumasi, and there treated her wounds. He found that they had already been treated with iodine. That, with rest, would be the correct treatment.

Dr. Gush realised at once that the wound was a serious one, that, in fact, it was almost impossible that Mrs. Knowles could recover. So serious was her condition that it was deemed advisable to take a declaration from her, and on the 23rd, in the presence of the police and Dr. Knowles, the following declaration was obtained from the patient, being sworn on a Bible:

“There was a revolver standing or lying on a bookcase. It had been cleaned. I took it up and put it on the table near the bed. The boy came with the afternoon tea. I put the revolver carelessly on the chair, near the bed. I took a cup of tea, sitting on the chair. I sat on the gun. As I got up it caught in my dress with a lace frill. I tried to take it away from the lace, and suddenly it went off, the bullet passing through my leg. I did not realise I was shot until I saw blood running from my leg. I am not in fear of death.”

It was signed by Mrs. Knowles and witnessed by Mr. E. A. Burner, District Commissioner for Ashanti, who asked Dr. Knowles if he wished to put any questions. Dr. Knowles replied that he did not.

Mr. Burner also issued the following attestations:

“I certify that this statement contains accurately the whole of the statement made by Harriet Louise Knowles, given to me in the Colonial Hospital, Kumasi, on the 22nd day of October, 1928. My reason for taking this statement is that I have reason

to believe that H. L. Knowles is a dying woman, from wounds received.

“I hereby certify that statement was given to me on oath in the presence of Dr. B. Knowles and Major Smith, A.C.P.”

Mrs. Knowles died shortly after, on October 22nd.

Before the taking of the dying declaration of Mrs. Knowles, Major H. E. Smith, of His Majesty's Reserve of Officers, Acting Commissioner of Police, Ashanti, accompanied by Mr. Morris, Assistant Commissioner of Police, paid a visit to the bungalow of Dr. Knowles at Bekwai. His mission was ostensibly one of close investigation. Leaving Mr. Morris in the dressing-room, Major Smith went into the bedroom. He observed the following details. As has already been described, there were two beds, standing side by side, with a mosquito net covering both. Facing him as he went in from the lounge, there was a wicker chair standing in front of a cupboard. Between the dressing-table and the cupboard was another wicker chair. These were the only chairs in the room. By the side of the bed nearest the door was a small deal table. It had no cloth on it and books and papers were standing on the top. On the far corner, away from the bed, there appeared to be the impression of the butt of the palm of the hand in blood. The mosquito net was down, and lying on the bed nearest the door.

Major Smith knew Dr. Knowles. He found him lying on one of the beds in his pyjamas, reading a

piece of paper. It was an ordinary letter connected with his professional duties. He said to Knowles:

“I am Harry Edmonstone Smith, a police officer, and I am going to detain you on suspicion of having caused grievous harm to Mrs. Knowles.”

He then cautioned him, and told him that Dr. Gush had said that Mrs. Knowles was in a dangerous condition, and that it was necessary for a dying declaration to be taken.

“I can't come to-day,” replied Knowles.

“It is advisable,” said the officer, “for you to be present for your own sake.”

“Am I under arrest?” asked Knowles.

“No,” replied Smith. “At present I have no warrant. But if you do not come voluntarily I shall obtain a warrant.”

“I am quite willing to come,” observed Dr. Knowles, and got out of bed.

Major Smith noticed that he was obviously very weak and ill. He was unable to walk and, assisted by Mr. Morris, Major Smith got him to a chair. He was, however, quite rational and knew precisely what was happening. He several times complained of his nerves, saying that they were all gone. As he sat on a chair he sponged his face and washed his teeth, instructing one of the boys to pack a suit-case for him. Major Smith asked him if he could tell him anything about a lace frock his wife was supposed to be wearing at the time the accident happened.

“I expect it has been washed,” replied Knowles, “thrown away, burnt or something.”

Major Smith then examined the mosquito net, and noticed that at the head of the bed there were two smoked holes in it, about six inches from the mattress. That is to say the holes were in two folds of the net, which was there double. The hole was on the net nearest the door. The sheets on the bed where Dr. Knowles had been lying were blood-stained.

“I am going to take possession of the net and the sheet,” said Smith.

“Take what you want,” languidly replied Knowles.

As the officer was removing the bedding he found a revolver holster under the pillow. He showed it to Knowles.

“They took the revolver yesterday,” remarked the latter. At that time he was sitting on a wicker chair in front of the cupboard. He added, referring to his wife, “I think she will roll up, you know.” Meaning, of course, that he thought she would die.

At this stage Mr. Morris discovered some blood-stained lady’s garment in the dressing-room. Between the two rooms there were louvred doors, and the garment was hanging on one of these, as though it had been carelessly thrown there. It was examined and a hole was found in it which might have been caused by a .455 bullet, or, the police admitted, it might have been an ordinary tear.

Mr. Hanson, a dispenser at Bekwai, who was working under Dr. Knowles, then joined the search party. It might be here explained that on the day of the luncheon party Mr. Hansen had dispensed medicine for Dr. Knowles. He had given him a sleeping draught and sent him a hypodermic syringe and some morphia. Dr. Knowles was being assisted to dress by one of the boys. The doctor was in a violent sweat. He had a whisky and soda and one or two cigarettes. Just before his departure for the hospital he turned to Mr. Hansen and said, "Good-bye, Mr. Hansen, if I don't see you any more." And at the same time he drew his hand across his throat.

The party then set out. On the way to Kumasi Dr. Knowles appeared quite normal, although he continued in a violent sweat. Mr. Morris was in the car, and Dr. Knowles conversed with him, said he had not seen him before, and asked him if it was his first tour. He continued to smoke cigarettes and to doze occasionally. At Kumasi Major Smith left Dr. Knowles in Mr. Morris' bungalow, while he went to procure the warrant for arrest. While he was away Dr. Knowles appeared very upset and several times repeated, "The whole business is very bad".

Mr. Morris then reminded him of the caution which Major Smith had given him as to talking, and he replied, "That's all right. I don't care what happens to me, I am worried about my wife." A little later he said, "If my wife rolls up it means a murder case". And, still ignoring Major Smith's

warning, he observed, "It is a bad show and has upset me very much. If my wife rolls up I will be hung by the neck until I am dead". Then Major Smith returned with the warrant, which, at the request of Dr. Knowles, he read out as follows:

"IN THE SUPREME COURT OF THE GOLD COAST COLONY. Whereas Benjamin Knowles, of Bekwai, is accused of the offence that he on the 20th October, 1928, at Bekwai, and within the jurisdiction of this Court, did use a certain fire-arm, to wit a revolver, with intent unlawfully to cause dangerous harm to one Mrs. H. L. Knowles. You are hereby commanded in His Majesty's name forthwith to apprehend the said Benjamin Knowles and produce him before the Court at Kumasi. Issued at Kumasi the 22nd day of October, 1928. (Signed) F. McDOWELL, Ag.C.J.A."

Dr. Knowles was in a pretty bad condition at this time, and it is safe to say was not altogether responsible for what he said and did. When Major Smith returned with the warrant he found him sitting with a pail between his legs, in which Knowles had been sick. After the warrant had been read, he said, "I am under arrest now, am I?" and Major Smith replied, "Yes". Then Knowles said, "What I am worrying about is where I shall sleep". He then asked the officer, "Have you heard how the missis is?" Major Smith replied that he had not. It was then 2.30 p.m.

Major Smith then told Dr. Knowles that it would be necessary that he should be present at the hospital while his wife made her statement and they both got into the car. As he was getting in, Knowles said, "It is a bad show, if she rolls up I am afraid I am for it". It is evidence of his irresponsible mental condition that he kept repeating the same or similar phrases. Then came the business of taking the statement of the dying Mrs. Knowles. It was a solemn occasion, and as the Bible was being passed to Mrs. Knowles, Dr. Knowles said to her, "Now, my dear, tell the real truth". To which Mrs. Knowles replied, "I shall tell the real truth". Then came the taking of the statement and the subsequent death of Mrs. Knowles, as already described.

That same afternoon Dr. Knowles was brought before the Police Magistrate and the District Commissioner, and remanded for a week. Major Smith had already had a sentry placed over the bungalow of Dr. Knowles at Bekwai.

It might be mentioned here that after the statement had been taken from Mrs. Knowles, the latter heard it stated that her husband was then under arrest. She expressed surprise, and protested that he could not have done it, as he was in bed at the time. That was the last service the poor woman was able to do her afflicted husband, for she expired shortly after.

The following day a further search of the bungalow at Bekwai was conducted by Major Smith, who was accompanied by Assistant Commissioner of

Police, Mr. Simmons, and Mr. Morris. Superintendent Afful was already there, and had discovered a used revolver bullet, which Major Smith took possession of. It appeared to be a .455. The louvred doors were wide open. In the dressing-room Smith noticed a wardrobe, which had clothes in it. He noticed a hole in it, with a crack which ran up and down from it. (Major Smith, I might remark, was a veritable Sherlock Holmes and we shall presently see how he carried out some curious tests.)

Major Smith closely examined the hole in the wardrobe. He opened the door and found the woodwork round the hole inside was torn and jagged. He came to the conclusion that it had been recently done. On the first shelf were some female clothing and immediately above was another impression as of a bullet. There were no signs of a bullet mark on the louvred doors. Both Mr. Morris and Mr. Simmons were assisting in these examinations. A little later Mr. Morris drew the attention of Major Smith to the table by the bed. The top was made of thin matchboard, and in this was a hole, which seemed to Smith to have been caused by a bullet and recently done. The fracture appeared new. Major Smith then made the following test. He got a length of string, held the end of it against the impression at the back of the wardrobe, threaded it through the hole in the door, continuing the string in a straight line at the same angle, and it came to the bullet mark on the top of the table. Continuing the string further he found that it came approxi-

mately to the same position as the hole in the mosquito net would have been if the net were drawn down. All the others—Mr. Morris, Mr. Simmons and Superintendent Afful—witnessed this test.

The inference to be drawn was obvious. Somebody—presumably the prisoner, Dr. Knowles—was lying on the bed, and fired his revolver at Mrs. Knowles, the bullet passing through her body, the table and the wardrobe, making the holes in its flight which were discovered. At first this sounds reasonable, even convincing. A very interesting, not to say ingenious theory. But it was subsequently proved to be quite fallacious. The police had to admit that the bullet, having passed through the body of Mrs. Knowles, who was a big woman, would certainly not have force enough left to also penetrate the table and wardrobe, which was situated some distance away. A human body has great stopping power with a bullet, and by the time the bullet had emerged from the body of Mrs. Knowles there was very little impetus left in it.

Then the police shifted their ground a bit and argued that there were two shots fired, although there was no witness who was prepared to swear that he heard more than one shot on that occasion. Strangely enough the police at length succeeded in finding a second bullet in the bungalow, and this discovery seemed to confirm their second theory. Unfortunately for them, however, this second bullet was accounted for in a quite rational and convincing manner. Some time before the death of Mrs.

Knowles, that lady, who was subject to occasional fits of irritability and wilfulness, did, in fact, fire the revolver in question at the door of the wardrobe, which accounted for the hole in the door and the finding of the second bullet. Mrs. Knowles had some knowledge of fire arms, and was used to handling them, so it was not strange that she should be playing about with the revolver in that manner.

Finally, therefore, the police had to adhere to their original theory and the only tenable one, namely, that the prisoner fired the revolver at his wife in the heat of a quarrel, while he lay on the bed, and as his wife was standing near in the act of disrobing.

A very close search of the bungalow was made, but no other bullet holes could be discovered. But Major Smith was still anxious to trace Mrs. Knowles' lace frock, the one that, according to her statement, had caused the revolver to go off. It, however, could nowhere be found. They even unsuccessfully searched the latrine. Finally certain articles of clothing and bits of furniture were removed from the bungalow and taken possession of by the police. These included a chair, on the legs of which were small spots of blood.

The position now was that Mrs. Knowles had died from a revolver shot, her husband was in custody charged with her murder and the police were very busy building up the case against him. The life of Dr. Knowles was then in far greater jeopardy than would be the life of a man charged with murder in

this country. Dr. Knowles was now securely in a snare from which it must have seemed to him that it was hopeless for him to endeavour to extricate himself. It appears obvious that he was himself fully conscious of the great peril in which he stood, as indicated by his repeated hysterical utterances as to his being "for it" and so on.

Let us now describe why that peril to his life was so great.

Having been brought before the Magistrate and Commissioner in the lower court, he was duly committed to take his trial at the Chief Commissioner's Court in the Eastern Province of Ashanti, which was held at Kumasi, on November 13, 1928, before His Honour Frank John James Foster McDowell, Acting Circuit Judge of Ashanti.

We shall now proceed to deal with this trial, perhaps one of the most remarkable that ever was held within British dominions.

(b)

The cause *Rex versus Benjamin Knowles* must inevitably stand out prominently for all time in the archives of British criminal trials. The prisoner was charged with the murder of Harriet Louise Knowles, contrary to Section 224 of the Criminal Code. The prisoner pleaded Not Guilty. The Prosecution was conducted by Mr. Piegrome, Commissioner of Police. There was neither Solicitor nor Counsel for the Defence. It is definitely laid down by the laws

of Ashanti that "In no cause or matter, civil or criminal, shall the employment of a barrister or solicitor be allowed". There may or may not be a jury, and this question seems to be within the power of the Judge himself to decide. At all events there was no jury at the trial of Dr. Knowles. Thus, in this case, you have the extraordinary situation of the prosecution of a trial for murder being conducted by the police who bring the charge, and the onus of defence being placed upon the shoulders of the accused man himself!

To give the evidence in detail would be but to repeat much that has gone before. One need only touch here and there upon salient and interesting incidents.

There were no opening speeches, the evidence being taken at once. When the witness had given his evidence-in-chief, the prisoner proceeded to cross-examine him. The serious disadvantage this was to the prisoner is at once obvious, for however good his case may be, no man, especially one finding himself in such a perilous position, is as qualified to deal effectively with the evidence as would a properly qualified barrister be. Dr. Knowles did his best, and was occasionally successful in discounting much of the evidence given against him. This was the more noticeable when he made reference to the dying statement of his wife. I give a portion of his cross-examination of Dr. Gush:

KNOWLES: Had my wife full possession of her mental faculties when she made her statement?

GUSH: She certainly had.

KNOWLES: When she made the statement did you think I was normal?"

GUSH: I did not. I saw you arrive, you stumbled up the steps, you were still very confused and very dazed.

KNOWLES: Was there any sign I had taken drugs?

GUSH: I think you had. I formed this opinion, that your condition both at the hospital and at Bekwai was due to three conditions: Alcohol, opium or morphia and shock at the accident.

(Notice that the witness describes it as an "accident".)

KNOWLES: You know from the position of the wounds there must have been a lot of blood?

GUSH: Yes.

KNOWLES: Ante-mortem, there must have been a continuous stream of blood?

GUSH: Yes.

KNOWLES: Would not the first thing to do be to stop the bleeding?

GUSH: Undoubtedly.

KNOWLES: And to enjoin absolute rest?

GUSH: Perfectly correct.

KNOWLES: On your first examination would you not think the wound might recover with rest, opiates and stopping the hæmorrhage—you have seen cases like that?

GUSH: I have.

KNOWLES: She was under my care for twenty-four hours. Do you think that, under the circumstances, what I did was good practice?

GUSH: Yes.

Knowles also put the following interesting questions to Mr. Mangin, the District Commissioner:

“Your bungalow is nearly the same type as mine?”

“Yes,” replied Mangin.

“What is the bedroom temperature like?”

“Frightfully hot,” replied Mangin, “you can feel the walls hot when you touch them.”

“It is too hot to sleep in pyjamas in the afternoon?” suggested Knowles.

“Yes,” agreed the Commissioner, “I myself only use a towel.”

The object of these questions was, of course, to prove that the appearance of Dr. Knowles in an almost nude condition in his bungalow which, at first glance, would seem to indicate a distraught condition, was merely quite the usual thing in that place.

He shook the evidence of Sampson under cross-examination and made it clear that the servant was not telling the truth in some details and that he was prejudiced against his master. He also cross-examined to some effect the police chief, Major Smith. He upset that official's story about the supposed line the bullet which killed Mrs. Knowles had taken, and compelled Smith to admit

that he knew nothing about the stopping power of the human body.

When all the witnesses had been heard and cross-examined, Dr. Knowles went into the witness-box to give evidence in his own defence. As he had no counsel he was called upon to make a statement. Having been sworn, he proceeded to say emphatically that he did not murder his wife, nor did he shoot her. He also maintained that there was no evidence of intent. He declared that he was very fond of his wife and that she was very fond of him. There was no money trouble. The doctor then went into some intimate details as to his wife's natural condition which accounted for much of the blood found in the bungalow. It also had some bearing on the actual shooting, as to the stopping power of his wife's body. These details may not be given in a book of this kind, but must be taken for granted.

Dr. Knowles admitted that there were occasional quarrels between himself and his wife, and at such times, he said, his wife, especially if she had taken any drink, became hysterical. He also admitted that at lunch on the day of the tragedy he himself had had some drink, although he was perfectly sober. After the guests had departed he and his wife had one or two more drinks, and then a quarrel arose "about nothing". It was so trivial in fact, he explained, that he forgot all about it. For some nights he had been sleeping badly and was frightfully tired. He went to bed with a towel round him

and was soon asleep. He saw his wife come into the room and start to undress. The next he remembered was the hearing a shot fired. It woke him up and he heard his wife exclaim, "My God, I am shot!" Immediately he jumped up and said, "Show me, show me".

Mrs. Knowles was then only in her dressing-gown. He examined her and saw a wound on her leg. Blood was pouring out of it in a continuous stream. His first instinct was to stop the bleeding. She was in great pain. He got some cotton wool and dissecting forceps and plugged the main wound with iodine. It took some time to do this. He then plugged the other wound in the abdomen and got his wife into bed. She had been standing the whole time. As she was still in great pain he gave her a little brandy or whisky and milk. He then gave her a sleeping draught. At the time he was perfectly sober. He was sleepy but not drunk. He took some of the draught himself. His wife said to him, "People will think I have done this myself purposely". Knowles replied, "All you have to do is to lie quiet. I will take all the blame for it." He then referred to the visit of Mr. Mangin, who, he said, he knew could be of no assistance to him in regard to his wife's recovery. He, Dr. Knowles himself, had done all that was possible.

Such was Dr. Knowles' version of what happened in the bedroom, which only he and his wife had any personal knowledge of. He added some observations about the prejudice and untruthfulness of the

“boy” Sampson, whom he did not engage but who was taken on by his wife. In reference to the mosquito net, he said that it had been in use about seven months, had never been taken down to be washed, and that in addition to the hole that had been pointed out, it had innumerable other holes. He also commented on the two bullets which were found by the police.

He was cross-examined by the Commissioner of Police. I give a portion of the interrogatory.

COUNSEL: Why does it matter if the police found two bullets or one?

KNOWLES: Because there was only one shot fired and no evidence of more than one wound.

COUNSEL: Can you account for the second bullet?

KNOWLES: It was to my mind the bullet that went through my wife, and the one in the wardrobe had been there for months.

COUNSEL: So the clothes in the wardrobe had not been moved for months?

KNOWLES: Mrs. Knowles was careless about housekeeping. It is quite possible the bottom layers had been there for months. We did not go out much.

COUNSEL: Sampson said they were taken out regularly?

KNOWLES: They were never taken out regularly. Sampson had only been three weeks with me.

COUNSEL: You say you didn't want to engage Sampson?

KNOWLES: My wife ran the house. He came with a series of books (references), some of which did not appear to be in a white man's writing. I showed some to Mr. Mangin and told the boy to come back, but Mrs. Knowles engaged him in the interval against my advice.

COUNSEL: In spite of your wishes to the contrary?

KNOWLES: Exactly. I was doubtful if his testimonials were genuine and she engaged him against my advice.

COUNSEL: You say you had never seen Bonga Fra Fra?

KNOWLES: There are so many boys round my kitchen I wouldn't have noticed him. Kofi (another servant) is a Bekwai boy and there are many boys round.

COUNSEL: You hadn't seen him around the house?

KNOWLES: I hadn't noticed him.

COUNSEL: I suggest you were in such a condition from drink and drugs that you didn't see him?

KNOWLES: Prior to the accident I was not suffering from drink and drugs.

COUNSEL: I understand that your wife used to beat you?

KNOWLES: Sometimes when hysterical and after a silly argument. She was very concerned about it after. It didn't hurt me and I didn't take it seriously, nor did she.

COUNSEL: You went out of your way to show bruises on your leg?

KNOWLES: Yes, I may have. I never wore sock suspenders and I may have just shown the bruises by way of conversation. I didn't want any sympathy or anything of that sort.

The object of the cross-examination was clearly to prove that Dr. Knowles had some real grievance against his wife and a motive for killing her. Counsel pointed out that he had said that he had fired the shot, but he protested that he did not. He admitted that, under the influence of drugs, he had stated that he had threatened to put a bullet through his wife, but had not said that he had done so. He had told his wife that he was prepared to take the blame of having fired the shot, so that, apparently, it should not be thought that Mrs. Knowles had attempted to commit suicide. He confirmed his wife's version of the accident. Counsel asked him why the boy Sampson should lie, and Dr. Knowles replied,

“He was the boy who picked up the bullets. He hated me. He rushed off to the police and has since helped the police. He has said that I shouted ‘Show me’ *before* the shot. That is a lie. It was *after* the shot. There was nothing to shout about before. There was a mutual dislike between us. Instead of going to the police, a good type of boy would have brought the bullets to me instead of pocketing them and giving them to the police. He is a low down Cameroon boy with no sense of honour or truth.”

The cross-examination was a very long and exhaustive one, and Dr. Knowles stood it well, and

had he been tried by a jury he must have created in their minds a deep impression of his innocence. However, he did not appear to have done so in the mind of the Judge, who, as no witnesses were called for the defence, at once proceeded to sum up.

His lordship very carefully traversed the evidence which had been given for the prosecution, practically telling the story of the alleged crime all over again. In reference to the statement made by Mrs. Knowles, he said,

“The accuracy of Mrs. Knowles’ statement is challenged by the prosecution, and the case for the Court to decide is as to whether this was in fact an accident or whether Mrs. Knowles’ statement was the untruthful effort of a generous woman to save her husband from the consequences of a crime.”

His lordship’s comments on the rather loose and irresponsible utterances of Dr. Knowles after the shooting were as follows:

“As to the various remarks made to the police officers and Mr. Hansen, the prisoner states that the idea of murder never entered into his head, and that he was acting under a fixed idea, which it would take an expert psychologist to explain. To that one can only say that from that it is clear from the remarks already quoted—‘If she rolls up I shall be hanged by the neck until I am dead’, etc.—that the idea of murder was in his mind, and that the somewhat subtle defence of an obscure mental process by which all these statements are merely manifestations of a fixed idea to protect his wife and have no

relation to truth, is not one that can commend itself to a Court of Law, without strong technical evidence to support it. And it must be noted that he never said it was an accident, but went out of his way to show considerable provocation.”

The summing-up was a long and rather rambling one, and in its general drift was decidedly unfavourable to the accused. His lordship concluded in the following words:

“Taken as above the evidence against the prisoner appears overwhelming.

“Now I have no reason to doubt that both Dr. and Mrs. Knowles were extremely fond of each other, but the *ménage* was, I hope, a somewhat unusual one amongst persons of the professional class. It would appear that Mrs. Knowles was a somewhat hysterical person and, her husband hints, addicted to drink. If his evidence is correct, she had twice fired off a revolver past him to frighten him and had bitten his ear. He had on at least two occasions shown bruises inflicted by her, and as the prisoner put it, ‘She used to think an Indian club was sufficient to stop an argument once or twice’.

“There is one point that should be mentioned in his favour, and that is that his theory that the bullet that passed through Mrs. Knowles’ body, lost its *vis a tergo* and might have kicked against the bedstead would possibly be compatible with the furrow on the bullet found by Kofi, but there is no evidence that this was in fact the bullet that killed Mrs. Knowles.”

(This does not appear very lucid, but I will let it go at that.)

His lordship concluded:

“I confess that the real evidence is very confusing, but I think that the evidence, including that afforded by the prisoner himself, is overwhelming, and I think there can be no reasonable doubt of the prisoner’s guilt. From the nature of the defence I am unable to say fully what was his mental state at the time or what *immediate* provocation he had received. I find the prisoner guilty of the murder of his wife, Harriet Knowles.”

A rather curious finish to a remarkable summing up. Although, as his lordship says, the evidence is “very confusing”, he still finds it “overwhelming” against the accused!

In reply to this finding Dr. Knowles makes strong protest, which, in the official report is referred to as a “rambling statement”. He rightly and vehemently protested, as a British citizen, against being tried without a jury and without being allowed counsel, for in the absence of the latter he was unable to formulate his questions properly.

However, this protest was of no avail, and the Judge proceeded in due course to sentence him to death:

“Benjamin Knowles, the sentence of the Court is that you be taken to a place to be hereafter appointed by the Governor and that there you be hanged by the neck until you are dead. And may the Lord have mercy upon your soul.”

(c)

The sentence on Dr. Knowles was not carried out, it being subsequently reduced by the Governor to one of penal servitude for life. Dr. Knowles was imprisoned in Ashanti, the prison in which he was confined being staffed with black warders.

But Dr. Knowles had many friends in this country among medical students, as well as in Aberdeen, his native town. There were also his sister and his mother, who were prepared to make sacrifices on his behalf. So steps were taken to assist him and to prove that innocence in which they had implicit faith. A solicitor was engaged and an appeal was made to the Judicial Committee of the Privy Council for permission to appeal. This was at length granted and accordingly Dr. Knowles was brought to this country and lodged in Maidstone Prison pending the hearing of the appeal. As his health was very bad he was received into the hospital, where he remained until the conclusion of the appeal. He was not able to appear in court.

The Judicial Committee which sat to consider the case of Dr. Knowles consisted of five judges, namely, the Lord Chancellor, Viscount Dunedin, Lord Darling, Lord Atkin and Lord Tankerton. They sat in a large room, at a long table, in their ordinary clothes. There was no scarlet and ermine. It was in November, 1929, and cold. A cheerful fire burned in a capacious grate just behind their lordships, which

a sober-garbed official occasionally stoked. The proceedings were conducted in a very sedate manner and all voices were subdued to almost a whisper.

Dr. Knowles was represented by Mr. D. N. Pritt, K.C., who stood at a desk situated near their lordships, from which he read out, in a kind of conversational voice, the details of this very remarkable case. During this recital the Judges made passing and occasional comments, directed to vital points in the evidence. For instance, when Mr. Pritt related how Dr. Knowles had made the observation about his wife "rolling up", the voice of Lord Dunedin was heard remarking: "'Roll up'? That's a slang expression I don't know."

Then Mr. Pritt came to his rescue by explaining, "I think it means 'She will die'."

This seemed to satisfy Lord Dunedin, who nodded his head comprehensively.

"It is contended," pointed out Mr. Pritt, "by the prosecution that there was a plot by Dr. Knowles or his wife to hide the facts."

"Is there any evidence of a plot?" asked Lord Darling.

"No," replied Mr. Pritt emphatically.

Mr. Pritt then went on to read out the account of the incident in the bedroom, when the shot was fired which killed Mrs. Knowles. He pointed out that the prosecution asserted that Mrs. Knowles, who was known to be used to the handling of fire-arms, would not do such a silly thing as the defence had stated she did, by sitting on the weapon, and so on.

Then said Mr. Pritt, commenting on this.

“But women do silly things, even when not drunk.”

This observation seemed to amuse their lordships, who all indulged in a broad and sage grin.

Then Mr. Pritt quoted this passage from the evidence:

“If his evidence is correct, she had twice fired off a revolver past him to frighten him, and had bitten his ear on at least two occasions. He had showed bruises inflicted by her, and as he put it, ‘she used to think an Indian club was sufficient to stop an argument’.”

This concluded the reading of the evidence, or, as one may put it, the case for the defence. Mr. Pritt’s place at the reading-desk was then taken by the Attorney-General, Sir William Jowett, K.C., who represented the prosecution. He then proceeded to argue from the point of view of the prosecution.

“Who fired the shot?” he asked in a quiet tone and without any attempt at emphasis or rhetoric. “Has it, or has it not, been proved that it was fired by Dr. Knowles?”

“With intent to murder?” inquired Lord Atkin.

“With intent to murder,” replied Sir William.

Counsel then repeated the salient and most vital parts of the evidence advanced by the prosecution, pointing out the importance of the incident of the violent quarrel between Dr. Knowles and his wife, the threat uttered by Dr. Knowles that he would

put a bullet through his wife, and the evidence of the bruises on his leg as shown by Dr. Knowles. His contention was that Dr. Knowles, while lying on the bed, fired at his wife through the mosquito net.

“The position is this,” he explained. “The man is lying on the bed after a violent quarrel. The revolver is within reach, and then a shot and a cry. . . . The native boys run over and fetch Mr. Mangin, a neighbour. Dr. Knowles tells him he doesn’t want any help, and then calls the boys together and is annoyed with them because they have brought Mr. Mangin. Why is he annoyed?”

“Perhaps he didn’t want anybody butting in,” suggested Lord Tankerton.

Sir William continued:

“After the shot, a hole is noticed in the mosquito net which the native boys had not seen before. That might have been made by a bullet. If it were, then the revolver was fired by someone who was on the bed. When Dr. Knowles’ wife was dying he said, ‘If my wife rolls up I will be hanged by the neck until I am dead’.”

At this stage the Judges and counsel put their heads together, as it were, and had a quiet little conversation, taking the various points into consideration. Sir William Jowett agreed that the phrasing of the judgment was not by any means happy, although he maintained that the verdict was not wrong. Lord Darling then pointed out that, as there was no jury, the judge was not called upon to say anything. But—and this was a vital point—

the Judge did not seem to consider the possibility of a verdict of manslaughter.

“A Judge who condescends to reason gives a hostage to fortune,” retorted Sir William.

Sir William then proceeded to argue that if the sleeve of Mrs. Knowles' lace dress—which, by the way was never found—had caught in the trigger, the revolver could not possibly have shot her in the thigh.

Lord Atkin then tried an experiment, in an attempt to reconstruct the action. He half rose from his chair and felt for an imaginary revolver on the seat.

Then Lord Dunedin offered a suggestion:

“The lace dress may have been on the chair,” he said, “and the revolver got entangled in it. She need not necessarily have been wearing it.”

Finally Sir William said:

“If your lordships feel there is any reasonable doubt about this man's guilt, so far as I am concerned I should like your lordships not to be too strictly bound by legal considerations. I feel frankly it would be very wrong for a man to spend his life in prison if there is any reasonable doubt at all.”

After which act of generous capitulation on the part of counsel for the prosecution, the end seemed pretty certain.

The Judges then went into a short conference and announced their decision in these few but fateful words:

“We propose humbly to advise His Majesty to allow the appeal and quash the conviction.”

These simple words were spoken in such a subdued voice by the Lord Chancellor as to be almost a whisper, but they brought joy to the hearts of several people who were vitally concerned. In the room were the sister of Dr. Knowles, Mrs. Ashby, and the sister of the dead woman, both of whom were deeply grateful at the result of the appeal. Said Mrs. Knowles' sister:

"I am glad. I am sure it is what my sister would have wished." In distant Aberdeen also there was the mother of the prisoner, who was overjoyed at the news.

Dr. Knowles had been in prison over a year. In the ordinary course of things he would have had to remain in prison some weeks longer so that due legal effect could be given to the finding of the Judges. The case was unique and there was no precedent. The Home Secretary, Mr. Clynes, however, made his own precedent, and gave orders for the immediate release of Dr. Knowles. The glad tidings were conveyed to the doctor and steps taken for his release. A large crowd was waiting for the appearance of Dr. Knowles, and a ruse had to be resorted to evade it. In a car was the doctor's sister, his solicitor and a friend. This was driven away from one gate while Dr. Knowles was being released from another and a private exit. The two cars subsequently met about ten miles away and the doctor entered the one containing his friends.

And so at long last the victim of African circumstantial evidence was restored to freedom and the welcome arms of his kith and kin.

The Judicial Committee of the Privy Council, in pronouncing their decision, notified counsel that they would give their reasons for arriving at this decision later. These reasons were embodied in a printed document, which was issued four months after the hearing of the appeal. It stated:

“There was not the slightest inquiry into whether, assuming the shot was fired by the accused, the act amounted to manslaughter and not murder. There is no attempt to face the question of whether the standard of proof required to prove murder as against manslaughter has in this case been reached. If the case had been before a jury and the Judge had not explained to them the possibility of a verdict of manslaughter, but had said if not accident the only alternative is murder, that would have been an erroneous summing-up. That is what is to be found in the judgment.

“Their lordships are therefore, as the learned Judge failed to consider the question, bound to consider whether the evidence here reached the standard of proof necessary to involve a conviction of murder. They are clearly of opinion that it did not.”

Thus ended this quite exceptional and unique case of alleged murder, which certainly, I should think, deserves to be included among cases of murders of mystery.

In reviewing the case one is struck with how it seems to embody wellnigh all the elements requisite for the construction of what one may term a perfect case of miscarriage of justice. It is safe to say that

no writer of fiction would dare to venture on the construction of such a plot, or even think of one of such outrageous circumstance.

In the first instance, we have the abnormal scene for the enaction of the tragedy, a remote and far-flung corner of this vast empire. The climate which, to an Englishman, must have had grave effects upon his mental stamina and balance. The hectic and, to a certain extent, irresponsible life. The almost inevitable—certainly pardonable—recourse to drink and drugs. The comparatively lonely life of Knowles and his wife. The alien servants, with the animosity of at least one of them. The habit of always keeping a loaded firearm at the bedside—which was adopted on account of rumours of burglars—and the precarious way in which it was sometimes handled.

Then you have to consider the bickerings of Knowles and his wife, which, however, may not have been of a very serious nature, yet serious enough to play a vital part in the tragedy impending. Then the tragedy itself, enacted within the seclusion of the bedroom, with no human eye to observe but that of the victim and of her husband, yet withal the ear, the malignant ear of the malicious native servant without. Then you have the strange police proceedings which, from first to last, do not seem to have included the bare possibility of the accused's innocence, but were directed avidly and of single purpose to the effective running to earth of their quarry. This partial and prejudiced research was even extended to the Bench, as demonstrated by the

Judicial Committee of the Privy Council, for they find that the Judge in Ashanti did not for a moment consider the possibility of manslaughter but was intent exclusively upon proof of murder.

Then you have the remarkable method of criminal procedure, that deprived the prisoner of the right of being tried by a jury and callously denied him the professional and skilful services of either solicitor or counsel. Thus they left him forlorn indeed and isolated, called upon to defend himself in primitive form against all the power that the local State could bring to bear upon him. That he was condemned is scarcely to be wondered at and that the Governor subsequently decided to forgo the last grim ceremony cannot unfortunately be accounted to either an acute sense of justice or mercy on the part of those nearest and officially concerned. It would seem, rather, that, after mature and temperate consideration, the official mind was somewhat shaken at the contemplation of consummating what might yet prove to be a woeful misconception of law and justice.

Dr. Knowles passed through a terrible ordeal, literally through the shadow of the valley of death. That he eventually emerged from it a free man one can regard as little short of miraculous. We need not entertain any doubt as to his innocence. We should give full credence to that solemn utterance of his dying wife—which the legal powers of Ashanti shamefully discredited—that the shooting of herself was the result of a vicarious act, and not an act of homicide on the part of her husband.

## II

### THE SILENT HOUR

*(The Case of Louisa Maud Steele, Blackheath,  
January, 1931.)*

ON the evening of Thursday, January 23rd, 1931, about eight o'clock, Miss Louisa Steele, a domestic servant, left her place of employment, in Lee Road, Lewisham, for the purpose of making one or two local calls. She was expected back again about nine. She had to call at a house a few yards away, in order to return a book to a neighbour which her mistress had borrowed. Then she would go on to a chemist's shop to obtain some medicine. The night was wet and windy, therefore it was not supposed that she would remain out of doors longer than was necessary.

It was not Miss Steele's usual day or evening out, but she enjoyed a good deal of freedom with her mistress, a Miss Andrews, a professor of music, and at all times could go out if she wished to. The previous day, Wednesday, she had her usual half-day out, when she visited her parents at Ann Street, Plumstead. Upon that occasion she visited a relation in hospital, and when she returned she asked one of her brothers if he would go to the

pictures with her. The brother, however, was unable to accompany her, so she went alone. That was the last her parents saw of her that day.

Miss Steele was aged nineteen and was a very steady, well-behaved girl, and much respected and valued by her employer. She did not return as was expected on the Thursday evening to the house in Lee Road. As time went on and she was still absent Miss Andrews became uneasy. When eleven o'clock came and Miss Steele did not appear, Miss Andrews became thoroughly alarmed. So much so, in fact, that she went to the local police and reported the matter.

Miss Steele was away all night. She had not been to her parents' house at Plumstead. What had become of her?

That question was destined shortly to be answered in a very tragic manner.

Shortly before eight o'clock on the following Friday morning, a lamplighter, employed by the South Metropolitan Gas Company, named Leslie Hall, was walking across Blackheath, from Pond Road, in order to put out the lights in Shooters Hill Road, when he saw something lying on the path. It was then light and the weather was still wet and windy. In fact it was pouring with rain. Time became an important factor in this discovery. Hall had started his round at 6.30. It took him about an hour and a half to extinguish all the lights. He had just crossed the Princess of Wales Road when he saw the object on the

path. He reckoned the time then was 7.40. He was walking on the grass. The object was lying on a left incline from where he was walking, about twenty yards away. He at first thought that it was a bundle of clothes somebody had left there. When he approached nearer, however, he discovered to his amazement that it was the body of a woman.

He could see her head and hair. Also the top part of her shoulders and her right arm, which was bent above her head. Her coat was over the rest of the body, except one knee, which was bent and showing. She was lying on her back. The coat was a woman's dark coloured coat, with fur cuffs. There was also a dark, navy-blue garment beside her. There was a path about thirty yards away, and on this Hall saw a cyclist, and he called to him. He told him to fetch a policeman, and the cyclist did so. He was away about twenty minutes, during which time Hall kept guard over the body. At the moment he found the body, Hall saw nobody else on the heath.

When the local police realised that a brutal and mysterious murder had been committed, they at once communicated with Scotland Yard, and the case was put into the capable and experienced hands of Chief Superintendent Ashley and Superintendent Charles Cooper, who were soon on the spot, bringing with them many assistants. In fact the full force of the C.I.D. was brought to bear upon what was realised was a very important case. At

one time there were no fewer than a hundred detectives working on it at the same time.

The body proved to be that of the missing girl, Louisa Steele. She had been killed in a very savage manner. She had been strangled, a tape in the neck of her dress having been utilised for the purpose. In addition to this there were various mutilations about the face and neck. At first it was thought to be another "Ripper" murder, no doubt in consequence of these same mutilations. But this soon proved not to be the case, for the method of the murder was found to be quite distinct from that which was invariably adopted by that notorious and still undiscovered criminal.

After Scotland Yard had taken many photographs of the body where it lay, it was removed to the Greenwich mortuary. The murder was one of a perfectly frantic description, for the unfortunate girl's clothes had been torn from her body. But there was no evidence that any attempt had been made to outrage her. It seemed clear that the murderer had crept up behind Miss Steele and so sudden and savage was his attack that the victim had no chance to scream or call out. She must have died within a few minutes without making a sound.

What possible motive could there be for such a murder as this? There was apparently no motive whatever, if one omits that of mere blood lust. The sheer lust of killing, which occurs sometimes with members of the human race, which is not

characteristic, though, of the beasts of the field, who generally kill for food. There was the theory that the murder was the work of a roving maniac, and certainly the very nature of the attack would readily suggest this. It was the opinion of the police at the time and I believe still is. One is simply driven to this conclusion in the absence of any other possible and rational explanation.

As has already been pointed out, the police worked very hard on the case, carrying on their close investigations throughout the twenty-four hours by means of relays of officers. The tragedy naturally created considerable alarm in the district, particularly among women, who carefully avoided the heath during the hours of darkness. They were, in fact, warned by the police to keep away, for it soon came to light that several other women had been attacked by a mysterious assailant just prior to the murder of Miss Steele.

It was at first thought that the murder had been committed elsewhere and the body brought to the heath by motor car, but this was found not to be so. The murder was undoubtedly committed at or near the spot where the body was found. Somebody reported to the police that between seven and eight p.m. on the Thursday night, a man was seen crossing the heath from Shooters Hill, on a road that runs near the Princess of Wales pond. With him was a girl, who was crying. This attracted a passer-by, and the man, seeing that he was observed, left the girl and came up to the passer-by in an

aggressive manner and asked why he was being watched. The girl then remonstrated with him, requesting him to "Come back, Jack. Leave him alone."

A description of this man was given as follows: "Age about 25. Height 5 ft. 8 in. Clean shaven, with a pale face and a twisted lower lip. On the right side of his face is a newly-made scratch. Dressed in a worn mackintosh, light coloured, and of an Army pattern. Hat, a dirty, soft-grey one, and voice rather coarse."

This description was broadcast by the B.B.C.

The police appealed to this man to come forward, as he might or might not be of assistance to them.

The coroner's inquest on the body of Miss Steele was opened on Tuesday, January 27th, by the Greenwich Coroner, Dr. H. S. Knight. It was adjourned until February 17th, in order that Sir Bernard Spilsbury, the well-known pathologist, might make a thorough examination of the body. There were no women on the jury. Detective-Superintendent Cooper, with other Scotland Yard detectives, were present in court.

The parents of the dead girl, Mr. and Mrs. Steele, who were dressed in black, were seated near the fire. Both were weeping and presented a sad spectacle. The father took the stand first. He was a tall, grey-haired man, and was described as a general labourer. He had identified the body. His evidence was brief and merely consisted of a description of the visit paid to him by his daughter

the day prior to the murder and which has already been alluded to. He was followed by Miss Andrews, the sister of the dead girl's employer, also dressed in black. She stated that she lived at the house in Lee Road with her sister and her father, who was a retired gun manufacturer.

"Had you employed Miss Steele for a long time?" asked the coroner.

"Just over two years as general help," replied Miss Andrews. "She slept in."

"Was it usual for her to go for a walk after supper?" asked the coroner.

"Always on Tuesdays and Thursdays," replied Miss Andrews, "she generally started out about a quarter to eight. Wednesday, Saturday and Sunday were her half-days and evenings out. On Wednesday and Sunday she went out after lunch. On Saturday she went out at 5 p.m. She was free on these days until 10 p.m. She was always very regular in returning, and sometimes came back at 8.45 p.m."

Miss Andrews further explained that the girl performed her duties in the normal way on the Thursday, and did not know whether she would be able to go out that evening, as they were expecting a relative to supper. Thus she would not be likely to have made any arrangement for that night. It would be improbable that she would have made an appointment with anybody.

In the evening Miss Andrews went to a Sunday school treat, leaving her sister, Miss Mabel Andrews,

in charge until half-past nine. In the meantime Miss Mabel Andrews sent the girl to take back a book, which she had borrowed, to a friend's house, a few doors up the road. After that she was to go to a chemist's shop, should it be open. After that Miss Steele was to be at liberty to go for a short walk, but it was thought more likely that she would return at once to the house. She had to fetch some syrup of senna from the chemist's. If she got it she would probably return at once. If not she might take a walk, probably along Belmont Hill.

"She had your permission for such a walk?" asked the coroner.

"Yes," replied Miss Andrews, "but she had been warned against going on the heath, or any side walks."

When she left the house, the girl was wearing a black coat, with a brown fur collar and cuffs, brown felt hat, black frock with a green neckband and a silk scarf. She left shortly before eight o'clock. It was subsequently ascertained that, although she duly returned the book, she did not obtain the medicine.

"As far as you know," asked the coroner, "did she have any young men or followers?"

"None," replied Miss Andrews.

"She was a quiet, modest girl," continued the coroner, "and well-conducted?"

"Yes," replied Miss Andrews.

The inquest was resumed and concluded on February 17th. Before the court opened Superintendent Cooper had a long conference with the

coroner, and they both studied a large map of the heath which was fastened to the wall. Sir Bernard Spilsbury was present to give evidence, and he also had a short conference with the coroner before entering the witness-box. The father of the dead girl was also present in court.

Sir Bernard Spilsbury's evidence was to the effect that he had made a post-mortem examination on January 23rd. The lips were livid. There were many small hæmorrhages in the whites of the eyes and in the skin of the forehead, the root of the nose, and round the eyes and cheeks. The tongue was between the teeth, and across the front and sides of the neck was a shallow depression, crossing the Adam's apple in front. Above this, on the right side, was a bruise, and two below it. Beneath the right eye there was a roughly rectangular abrasion, running across the cheek, with fine parallel scratches traversing it. The right bone of the nose was fractured, and there was also bruising of the deeper tissues beneath all the facial injuries.

There were also some terrible injuries on the body, which Sir Bernard described in detail. He pointed out that there were some superficial wounds, which had the appearance of having been inflicted with teeth. There were no injuries to either the skull or the spine. The brain and its covering were congested.

There were bloodstains on the clothing, which had been torn, probably, explained Sir Bernard, while being removed from the body. There were

no cuts upon them. Around the upper edge of the neck of the dress a length of tape, about half an inch wide, had been sewn. This had been drawn tightly round the neck. Sir Bernard summed up to the effect that death had been caused by asphyxia, due to strangulation.

“And that would be produced by?” queried the coroner.

“By the strictures of the band pressing upon the front and sides of the neck,” replied Sir Bernard.

“Does the depression on the neck,” asked the coroner, “correspond very closely with the tape of the dress?”

“Yes, fairly closely,” replied Sir Bernard. “In my opinion the girl was attacked from behind and the neck of the dress was drawn forcibly backwards, while counter pressure was made on the back of the head and neck.”

“Would she be able to cry out?” said the coroner.

“No,” replied Sir Bernard, “not after the pressure had been made. She would probably lose consciousness in a few seconds, so that she could offer no effectual resistance. Probably the pressure was released before death took place. Most of the other injuries were inflicted during life. The injuries to the nose and to the lip, also the right cheek, may all have been caused by a single kick, while the girl was on the ground. A kick may also have caused the other injuries and bruises. From

the fact that there was blood upon the ground, it seems pretty certain that the injuries were inflicted on the spot.”

Sir Bernard added that there was no indication of any attempt at violation.

In reply to a juror, Sir Bernard explained that the strangulation would not have required a very great deal of pressure, and that if the tape were pulled from behind, such pressure would produce unconsciousness in a very short time, and death would ensue within five or ten minutes. It would not make much difference if the pressure were released before death had actually occurred.

“I really wanted to know,” continued the juror, “if the girl was unconscious immediately she was attacked?”

“Yes,” replied Sir Bernard, “she would lose consciousness in a few seconds and never regain consciousness.”

That concluded the evidence of Sir Bernard Spilsbury, and his place in the witness-box was taken by Miss Kathleen Andrews, professor of music, by whom Miss Steele was employed. Her evidence differed somewhat from that of her sister, given at the last hearing. She said the girl left the house about ten minutes to eight on January 22nd, and was to have gone across the road to a friend's house, and then on to the butcher's. The girl usually took a walk after supper, but she was almost always home by about nine o'clock, although allowed out till ten. She said that when the girl

did not return she became very alarmed. At eleven o'clock she notified the police.

"She was a good girl?" said the coroner.

"Yes," replied the witness. "She had been in my employ for two years. I knew of no acquaintances to keep the girl out. There were no young men. She always seemed to be a decent, modest, hard-working girl, and was perfectly happy."

The returning of the book was testified to by the friend who received it from the girl.

Then came some interesting evidence from a clerk, living at New Cross, who on the night of the tragedy, was on Blackheath with a lady friend. They sat on a seat near Shooters Hill Road until a quarter past nine. They then left to go towards Greenwich. They walked across the road on to the footpath and continued about two-thirds of the way, when they left it to go on to the grass. They stopped to talk, and then noticed something on the grass, about seven to ten yards away. They could not make out what it was, but it looked like a couple on the ground. There was no movement, but there was a covering which looked like a black coat. They could see part of a head beneath the coat.

They had heard no disturbance or quarrelling on any other seat, nor did they see anything in the nature of a scuffle in the direction of the object on the grass. Then they went on their way.

On January 23rd a hat was found on the heath, and this was produced in court and identified

by Miss Andrews as having belonged to Miss Steele.

Detective Inspector Cory, of Scotland Yard, was the next witness. He described how he found the body, and produced a small shoe, the heel of which was found in the girl's left hand. A blue scarf was also found about thirty yards away. The officer further explained that since the crime was reported very extensive inquiries had been made, but they had been unable to find anyone who was with the girl after she had left her employer's premises.

"I suppose you have delved very deeply into the life of this girl?" asked the coroner.

"Yes," replied Inspector Cory, "and the result has been that undoubtedly she was a girl of fine character—good moral character. She was a girl of very few friends, and, so far as we can ascertain, no male friends."

"You found no undesirable acquaintances?" said the coroner.

"Not a trace of any," replied Cory.

"Did anything strike you about the injuries?" asked the coroner.

"The only inference one can draw is," replied the officer, "that it was done by a maniac. There is not the slightest doubt."

That concluded the evidence and the coroner proceeded to sum up.

"I do not think," he said, addressing the jury, "it will be any advantage to take up your time further in the hope that something may turn up.

Considerably over a thousand statements have been taken from persons thought to have anything to do with it, and hundreds of people who just happened to be living near have been questioned. It is obvious the girl was murdered in a most violent and terrible manner. It may be that it was an insane person, and that person may have no recollection of the matter. He may even be sheltered by someone who has no knowledge of it at the present time. (It will be recalled that much the same observations were made about the notorious 'Jack the Ripper'.) But you are not concerned with the mentality of the murderer."

The jury then returned their "open" verdict without leaving the box.

The coroner then again addressed them:

"You have heard that the police have gone most completely into the past of this girl. Sir Bernard Spilsbury has told you that she was a pure girl. Whenever anything happens to a young girl like this, gossip is very likely to draw a wrong inference, and it is as well that you should have these facts before you. Both her mistresses had a very high opinion of her, and her past life has stood the concentrated attention of experienced police officers for three weeks. I think, perhaps, that should be stated, because often it does injury to the character of a person who has the misfortune to meet with such a terrible end."

This was a rather scathing comment on the attitude of mind of supposed Christians. So it

seems that a person may not even be murdered under certain circumstances without having their moral character lightly dealt with. In this connection one is reminded of the words of the late Jerome K. Jerome, which occur in his book, *My Life and Times*, and in which he sums up the whole human race as: "still of low intelligence and evil instincts." Alas!

The last words which were uttered in the public recital of this most poignant tragedy, emanated from the distracted father of the murdered girl, who, in heart-fervent tones, exclaimed:

"I would like to meet him!"

Referring, of course, to the murderer.

The police also would have been very glad to have met him. But it was not to be. And it is certainly due to no fault of theirs that the mystery remains unsolved. It was and is an unsolvable mystery. Out of the blue, as it were, and the void and the fancied peaceful seclusion of that pleasant suburb, the hand of a violent and relentless assassin was thrust and summarily crushed the life out of that innocent child, while indulging in a healthful walk upon the wind-swept heath. And then was gone again! It is really very disturbing, and reminds one of the distant past, when London, particularly outer London, was a place of insecurity and peril, and where after dark one had to walk with cautious step.

The main difficulty with which the police were faced, as they themselves admitted, was to account

for the movements of the girl between the hour she left the house in Lee Road to the presumed time of the murder, about nine o'clock. As she left home about eight, this left one hour unaccounted for—the silent hour, as it were. The police, in spite of their very close and prolonged investigations, failed to discover anyone who was in a position to say that they either saw or spoke to or heard anything about Miss Steele during that hour. What became of her, what did she do and where did she go, during that time? There was no definite reply to these queries forthcoming. Thus the police found themselves up against a blank wall in their researches and could go no further.

Let us, however, try to throw some light upon this dark hour.

We know that Miss Steele left the house in Lee Road for the purpose of making certain calls. One was to return a borrowed book to the owner, who lived a few yards away. This call was made and the lady who received the book from the girl said she saw nobody, no man, loitering about near the house at the time she received the book from the girl. The next call was evidently to be made at a shop, which also would not be far away. Miss Kathleen Andrews said the girl was next to call at a butcher's shop, but her sister said that it was at a chemist's she was to call and fetch a certain medicine. It does not matter very much, however, which shop it was, or whether it was both. The evidence is that she did not in fact call at either.

So far as can be ascertained she did not make any other call after she left the book in Lee Road. Therefore it seems that, since the place of the next call could not have been far away, something must have happened to her soon after she had left the house in Lee Road. What was it? Did she meet somebody and go straight for a walk upon the heath? Not at all likely. There is ample evidence that the girl would not have neglected to have made the call or calls at the shops. Then how are we to account for her actions subsequent to the first call? I think they may be accounted for in this way:

I will rule out the suggestion that she met somebody. It is highly improbable that she would be indulging in a secret meeting with anybody, she was not that kind of girl. It is true that the police discovered among her belongings an unfinished letter, addressed to "My dear Jack." At first they reasonably supposed that they had alighted upon a valuable clue. They found the young man to whom the letter was being written and soon became convinced that he had nothing to do with the murder, nor was he in a position to assist them in any way. He was just a friend of the girl's, but who knew little about her movements. Thus, I say, we must rule out of our consideration any idea of a prearranged meeting.

This, then, it seems to me is what might have happened: Having made the first call, she at once made her way towards the shops, only to find them shut. There does not appear to have been any

allusion made to this possibility. It was certainly rather late for suburban shops to be open in the middle of the week. Shops close much earlier now than they used to do before the war. It is true that finding the shop closed, she might have knocked, but there is no evidence that she did. Certainly there is no evidence that she did not go as far as the shops. Well, supposing she found them closed, and that she was therefore unable to procure the articles she wanted, she turned her steps towards the heath, with the intention of taking that stroll which she was in the habit of doing. Since she knew she need not get in before ten there was no need for her to hurry. Even if she got back by nine, she still had plenty of time before her. So she proceeded slowly and at her leisure.

The heath is an extensive place and it would occupy a considerable time to go far round or across it. Thus it might very well be that it was getting towards nine before the girl met with her assailant, or was suddenly attacked by him. He may have been dogging her footsteps for some time, waiting for a favourable opportunity to attack. This he might have done without alarming her by walking on the turf and under cover of the darkness of the night. It does not appear that the precise hour of the murder was fixed. The nearest that the police were able to get to it was through the medium of the clerk, who undoubtedly saw the body. But this does not fix the exact moment of

the killing, which may have occurred some time before. So that the time between the girl's call in Lee Road and the actual murder may not have been so long as was supposed.

If this theory be correct and thus accounts for the girl's movements during the "silent hour," it does not, unfortunately, do anything further towards solving the mystery. It was this dumb hour which so bothered the police. They said that if they could have found somebody who saw or talked with the girl during that period, they would have been able to carry on their investigations much more effectively. It seems pretty clear, however, that she did not meet anybody during that time other than her slayer. Nor, under the circumstances, would she be likely to, as can be readily understood. A young woman who "keeps herself to herself," as this young woman seemed to have been in the habit of doing, would not be likely to meet and chat with anybody while taking a little stroll on her own. Particularly as it was at night and on a wide stretch of heath.

If, on the other hand, you rule out the suggestion of the shops being shut, then the mystery is impenetrable. For argue as you may there is no discoverable reason why Miss Steele, a steady and quiet girl and devoted to the interests of her employers, should have failed to make the other calls. It is true that from the moment she left the house where she returned the book, her movements became enshrouded in mystery and there is

no accounting for them, provided, I repeat, you dismiss the idea of the closed shops. In the ordinary course of things it seems highly improbable that the girl would have failed to make the calls at the shops, and the fact that she did not do so, leaves one vainly guessing.

That she went on to the heath of her own accord seems beyond all doubt. But that she would go straight there without first calling at the shops seems highly improbable. Therefore, what happened to take her on to the heath without first calling at the shops? The most likely explanation is the meeting with somebody that she knew. But there is no evidence at all of this, and the known character of the girl, and the circumstances of her life, are all against it. The idea that she was kidnapped, as it were, before she had time to go to the shops, and then taken on to the heath, is too wild to be entertained. What, then, happened to her?

That there was a homicidal lunatic roaming about the district at the time, appears obvious. As has already been pointed out, several young women were attacked by a mysterious assailant shortly before Miss Steele met her death. One of these women described how a man suddenly appeared and made a grab at her neck, but that she screamed so loudly that the man became alarmed and made off. That young woman was fortunate in being able to scream, and very likely owed her life to the opportunity given her to raise

an alarm so quickly. It seems that the murderer, realising that he failed in that instance through the noise raised by his intended victim, made sure of Miss Steele by not giving her an opportunity of screaming. As Sir Bernard Spilsbury said, he must have come up behind her and grabbed her round the neck so suddenly and tightly as to cause her to become unconscious almost at once.

What became of him? Not a trace of him was to be found, either of his coming or his going. He came like a shadow and so departed. The only clue, if such it could be called, as to his retreat, was supplied by somebody who saw a strange man call at a wayside café at Catford, about two miles from Blackheath, in the early hours of the morning following the murder. He was noticed to be very agitated and that there was blood on his hands and face. He drank a cup of coffee and then hurried away. The police followed up this clue at once and made extensive inquiries on the spot, warning all sorts and conditions of people to keep their eyes open for this individual. They also questioned innumerable persons who might possibly have seen the mysterious bloodstained man. All to no purpose, however. He was never traced. Thus he remained and still remains as elusive as the notorious "Jack the Ripper", who at one time he was thought to be. But as the Ripper murders occurred over forty years ago, this was hardly likely.

Well, there the matter rests. It may be that the

truth will eventually come to light, and the police be enabled to finish the job which they have had in the meantime to "pigeon-hole". But certainly at the moment it does not seem at all likely.

. . . . .

In July, 1931, a young girl named Ivy Godden was murdered near her home at Ruckinge, a village near Ashford, in Kent. She was missing for two days, when her body was found buried in a wood not far away. Suspicion soon fixed upon a young man named Salvage, a poultry farmer, of the same place. He was promptly arrested and charged with the murder. The motive was vague. He was eventually tried at the Old Bailey, having in the meantime retracted his confession and put in a plea of Not Guilty. He was, however, convicted and being pronounced insane, consigned to Broadmoor Asylum, D.H.M.P.

While awaiting trial he also confessed to the murder on Blackheath, the details of which are given in the foregoing narrative. An investigation was duly held and it was then made obvious that it was quite impossible that Salvage could have committed the Blackheath murder. The confession was merely a symptom of his mental derangement.

### III

#### THE STILL TONGUE

*(The Case of Miss Margery Wren, Ramsgate,  
September, 1930.)*

ABOUT six o'clock on a Saturday evening in September, 1930, a little girl named Ellen Marvell, called at a small general shop, situated in Church Road, Ramsgate, and kept by an aged maiden lady, named Miss Margery Wren, for the purpose of making a purchase. She found Miss Wren in a prostrate condition in the shop and quite unable to serve her. Alarmed, the girl returned home and told her father. The latter at once went to the shop and saw Miss Wren, who had evidently been severely injured in some way or other. He spoke to her and asked her what was the matter, in that general way which people do.

"I have just had a tumble," replied Miss Wren, "that's all."

But this reply did not satisfy her neighbour, who sent his little girl for a doctor and himself went for the police. Soon after the Chief Constable of Ramsgate, Mr. S. F. Butler, arrived on the scene. He was so impressed with what he saw at the shop that he at once communicated with Scotland Yard,

which brought Chief Inspector Hambrook and Detective Sergeant Carson to Ramsgate, they having been given charge of the case.

Miss Wren was removed to hospital in a very weak condition. It was clearly a case of murder, and why the victim should have tried to create the impression that her injuries were the result of an accident was and still is a mystery. She had been savagely attacked with a pair of tongs, which were found on the premises, bloodstained and with hair clinging to them. With these Miss Wren had been battered about the head.

Miss Wren was eighty-two years old, and had formerly lived with a sister who, however, had died about two years before. Since then Miss Wren had been living alone. She was supposed by some people—neighbours mostly—to be possessed of considerable means. Upon examination of the will of Miss Jane Wren—the sister—at Somerset House, it was found that she had died leaving property valued at £921 12s. 7d. She appointed Mr. Stewart Watson Oldershaw, solicitor, of Lincoln's Inn, and Mr. Harry Jarratt, insurance agent, of Picton Road, Ramsgate, to act as executors and trustees. Her furniture and personal effects she left to her sister, Margery Wren. She also directed that her freehold cottage and shop, together with the goodwill of the business, should be held in trust, the income to be paid to the sister. On the death of the latter it was to pass to Richard Archibald, Chapel Place, Ramsgate.

Living as Miss Wren did, entirely alone, it was not surprising that she was supposed to have a good deal of money hidden somewhere on the premises. It seems inevitable that when either a man or woman elects to live alone that they should acquire the reputation of being a miser and in the habit of hoarding large sums of money on the premises. This, however, proved not to be so in the case of Miss Wren. There certainly was money on the premises, and it was found in various strange and unexpected places, hidden in various receptacles in all parts of the house, but in the aggregate it did not amount to much. They were all small sums, just a few shillings, and so on.

Not a very big business was done at the shop, which was regarded as the "tuck shop" by the children of St. George's School, situated nearby. In fact Miss Wren drew most of her customers from this school. And so small was the business that it was the opinion of her relatives that had it not been for her private means she would have been unable to carry on.

So severe were the injuries inflicted upon the unfortunate lady that she lingered but a few hours and died on the following day. She died, it may be added, without furnishing the police with the slightest clue as to the identity of her slayer. She was unconscious most of the time, but during her brief periods of consciousness she uttered words which would appear to make it quite clear that she was not murdered for plunder. In fact it was

found that her money was practically intact. So robbery was not the motive of the murder. What, then, was the motive? Here are the different brief statements or observations made by Miss Wren at the hospital in the presence of the police, who waited patiently and anxiously all the time for her to supply them with some clue to work upon:—

“He tried to borrow £10.”

“I don’t know why he should have come into the shop, then.”

“Is the little black bag safe?”

This bag was one which Miss Wren was in the habit of carrying about with her, and to which she seemed to attach considerable importance. It was thought that she might have kept large sums of money in it, but this was merely a conjecture. The bag was found and taken possession of by the police. It apparently held nothing of importance. Just before she expired, and having been warned that her end was near, Miss Wren made this pregnant observation:

“You say I am dying. Well, that means I am going home. Let him live in his sins.”

Here was an intriguing, not to say exasperating, mystery for you! How disappointed the police must have been. The dying woman obviously knew who her murderer was, but for some reason or other, determined to keep a still tongue about it and so allow the culprit to go unpunished. What was the motive of this very mysterious murder?

The Chief Constable of Ramsgate made the following public announcement:

“The police are now convinced beyond all doubt that Miss Margery Wren was the victim of a brutal and savage murder. This disposes of any theory that may still exist in the minds of the public to the effect that Miss Wren may have met her death by accident.

“I earnestly appeal to any person entering or leaving the shop between the hours of 2 p.m. and 6 p.m. on Saturday last, or to anyone who saw any person in the vicinity of the shop or entering or leaving the premises between these hours, to communicate with me at once.”

As usual under such circumstances, the police were called upon to interview many people in the matter, and to receive various statements. A young woman, for instance, called at the police station and said she saw a man, whose description she gave, loitering near the shop about an hour before the time Miss Wren was found injured. The statement was confirmed by another woman who lived near. This supposed clue was followed up by the police but, like many other statements investigated by them, it unfortunately led to nothing. In the first place these descriptions are usually very vague, and are rather difficult to deal with. Also at such times people become inspired and ultra-suspicious, and quite trivial incidents and innocent persons become magnified in their minds as something or somebody portentous. Very often when such

suspected persons are traced they prove to have had nothing at all to do with the tragedy. All of which adds considerably to the difficulties of the task before the police. And it has this unfortunate result: It puts the police on to the wrong scent, and while they are following a false track they are unconsciously and, of course, unintentionally, aiding the culprit in making his get-away. Time is a most important factor in such an investigation, and every hour, even every minute, that elapses between discovery and arrest automatically increases the difficulty of pursuit, and widens the distance between the police and their quarry.

Finger-prints were found on the premises, and these were dealt with by Detective Inspector Greville, the head of the Finger-print Department at Scotland Yard, but this unfortunately led to no practical result. Many photographs were taken inside the house, and the bloodstained tongs submitted to the closest scientific tests. In the shop was found a small linen handkerchief, which was at first thought to be a valuable clue. It bore a certain name, and the owner was eventually traced and proved to be a ten-year-old boy, whose father had an office near the shop. Both the boy and his father went to the police-station and identified the handkerchief. It was one of a half-dozen which an aunt had sent as a present for the little boy and his brother. They had been marked by the mother, so that the boys should not quarrel over them. All but the one in question had since been lost.

Apparently this one had been dropped by the boy while in the shop making a purchase. The police were satisfied with the explanation. And so away went another "valuable clue". It was very disappointing.

One particular man who was under suspicion was taken to the station, where he was detained several hours, during which time he was subjected to repeated questioning. Apparently his answers proved satisfactory, for he was afterwards released and was not again interrogated.

Some interesting details as to the deceased woman's relations were furnished by a female cousin. It appeared that Miss Wren, in her will, left the contents of her shop and any other property she possessed, to be divided between the aforesaid cousin and the latter's sister, both of whom also lived in Ramsgate. One of these cousins had been a widow for twenty-seven years and had seven children. One of these was a Police Constable in the Metropolitan Police Force. At the time he was spending his holiday at Ramsgate and in consequence of the tragic happening at the "tuck shop", had been granted an extension of leave.

Miss Wren had been seen by her cousin, the widow, on the day of the murder, and she then seemed as usual. She was getting feeble and was, being "old-fashioned", as it is called, in the habit of wearing long skirts, which occasionally tripped her up as she went along. It was also recorded by the cousin that about five or six months ago

Miss Wren had fallen while trying to reach some boxes on a shelf, and had injured her face. All of which facts have no relevant bearing on the tragedy, which was clearly that of murder. The supposition of accident, which had at first been entertained, had since been ruled out of consideration.

At one stage of their investigations the police made a "reconstruction" of the crime, which was quite in the French way of dealing with such a legal tragedy. They enlisted the services of a female neighbour of Miss Wren's, who impersonated the dead woman. She followed the supposed movements of Miss Wren on the day of the murder, walked into the shop, assumed certain poses and sat in Miss Wren's chair. All the while the police were actively employed in taking photographs and making copious notes.

A good deal of importance was attached to the nature of the wounds received by Miss Wren. It was thought that she was first attacked while sitting in the chair, and that afterwards she fell to the ground. Her assailant then delivered the majority of the blows. There were some peculiar marks on the throat, which indicated that she had been clutched there by her murderer, either in an attempt to strangle her, or in order to stifle her cries. It was also thought that an effort had been made to gag her. Church Road was very quiet on a Saturday afternoon, with little or no traffic passing, yet nobody appeared to have heard any screams or cries coming from the tuck shop.

Mrs. Cook, the elderly cousin of Miss Wren, did all she could to assist the police. Unfortunately this was not much, so unexpected and mysterious was the whole affair. For some years Mrs. Cook had been in close touch with Miss Wren, but was unable to give the name of any man who might have been acquainted with or had any dealings with Miss Wren. She had never heard the deceased speak of anybody but in a friendly way. So that the man who entered the shop and committed the murder was to all concerned, "a man of mystery." It was known, however, that Miss Wren had lent various sums of money, but these were probably merely small sums, and the deceased made no reference to the transactions. There appeared to be a good deal of doubt as to how much money Miss Wren had on the premises, whether she had a "secret hoard" and whether the small sums found were all that she possessed.

An interesting fact which came to light during the investigations was that the deceased lady belonged to a family which was distantly connected with that of Sir Christopher Wren, and that of Admiral Wren, a naval officer of generations ago, whose portrait hung on the wall of the sitting-room of the shop in Church Road.

The post-mortem examination made by Sir Bernard Spilsbury added fresh and significant details to the tragic story. The well-known pathologist placed it beyond conjecture that Miss Wren's throat had received violent pressure from

the hands of a man who had undoubtedly attempted to strangle her. This pressure, considered Sir Bernard, was sufficient in itself to have caused the death of a woman of the age of Miss Wren. In addition to this, as we know, the unfortunate woman must have been very severely wounded about the head with the tongs.

The mystery, however, in spite of these enlightening facts, seemed to deepen day by day. It was coming to be regarded as one of the most curious crimes of recent years. It was said that there was far more behind it than an attack on a lonely shopkeeper by a man who just walked into the shop. It seemed certain, after a very close scrutiny of the premises had been made, that it was not an ordinary murder for robbery. That is to say, it was not a case of a man entering the place on the off-chance of getting anything he might find on the premises. He had a definite object beyond that. He had evidently made a search of the whole place, both upstairs and downstairs. In a room upstairs the police found that two drawers were taken from a cupboard and searched, the contents being strewn on the floor. This recalls the incident in the murder of an old woman in Scotland, of which the unfortunate man Oscar Slater was wrongly convicted. These two cases are strangely similar in their main features. In the Scotch case the mysterious assailant (whose identity has since become known) had entered the flat and murdered Miss Gilchrist. He had then searched the rooms

for something—probably a document of some kind—which he badly wanted to get possession of. He probably failed to find it, and so took away with him a brooch belonging to his victim, with the idea no doubt of creating the impression that the motive of the attack was that of robbery. That is what the police thought and that is what led them to go after and arrest the wrong man. In the Ramsgate case the police rightly rejected the robbery motive and realised that something quite different had prompted the attack. It was not done to get possession of Miss Wren's money or portable valuables, which might be found on the premises, but in order to get possession of a *document*. Unfortunately, however, this did not help them much, for they were unable to lay their hands on the culprit. That he was known to Miss Wren seemed obvious, but why she should have shielded her assailant with her last breath was beyond understanding.

On the drawers which the police took possession of were found some finger-prints. These were carefully preserved and subsequently photographed. But here again the clue unfortunately proved to be useless. They could not compare them with any other finger-prints. There were no other prints like them in their archives, which proved that the culprit, whoever he was, had not been through the hands of the police. Thus finger-prints, invaluable clues as they are under other circumstances, become futile in such a case as this.

Time passed and in spite of the strenuous efforts made by the police—both Scotland Yard and the local police, who worked together on the case—the chance of taking the culprit seemed more remote than ever. Surmising that the assassin must inevitably have been extensively bloodstained, the police addressed a request to dyers and cleaners to let them know if they had been called upon to clean any bloodstained garments lately. They also appealed for information about persons seen near Miss Wren's shop on the day of the murder between the hours of 3.30 and 6.30. But the response to these appeals was practically nil. The police conjectured that the man, after entering the shop, must have gone into the room behind. Then ensued a quarrel with Miss Wren, words led to blows and the man hit her on the head with the tongs, rushed upstairs and ransacked the drawers in search of something which, however, he could not find. He then came downstairs again, found Miss Wren still alive and tried to strangle her with his hands. Then, believing her to be dead, he left the premises.

Later on a curious story about the past of Miss Wren and her deceased sister was discovered by the police in the course of their investigations. It appeared that the two sisters, Miss Margery Wren and Miss Mary Jane Wren, had been in domestic service. Yet, in spite of this humble occupation, the one who died first left property worth £900. How was she able to save so much? It was further

elicited that many years before the murder the two sisters had befriended a girl, who was in unfortunate circumstances. A lifelong friend of the two sisters stated that at the time of this incident the Wren sisters were in the service of an officer and that the girl they befriended was about to become a mother. After the child was born the girl married a man who looked after the child. Unfortunately the man died and then the sisters Wren agreed to look after the child. It was a girl, and eventually grew up to be very pretty and charming. The father of the child was a wealthy man and knew of its adoption by the Wrens. At length the girl married. She had several children and then she died. The story is rather complicated and involved, but the police, with the hope of coming across something in it to connect up with the murder, investigated it as far as they were able. But their energies were not rewarded, for they were unable to discover anything definite in it to help them.

It was thought that Miss Wren must have been worth a "good bit," and that she had been known to refer to her solicitor and her "agent," but here again nothing definite could be discovered.

Eventually, on October 24th, the coroner's inquiry was concluded.

The coroner asked Chief Inspector Hambrook the question:

"Have you been able to find any evidence to corroborate her later statements that she came by her injuries as a result of a fall?"

"No, sir," replied the inspector.

"Have you," continued the coroner, "been able to find any evidence to corroborate her later statement that she had been attacked by the persons whom she named?"

"No, sir," again replied the inspector.

It had apparently been the intention of Miss Wren to lead the police away from the real culprit by naming two other men as the possible assailants, who, however, were found to have had nothing to do with it.

The coroner then made comments on the case as a whole, by way of summary.

"So far as motive is concerned," he said, "the deceased woman does not appear to have made any allegations as to being robbed. In addition to this there is very little discrepancy between the amount of money found in the house and the amount of money the woman said she had. It would be futile to speculate as to other possible motives. We cannot look at the evidence without seeing that in spite of Miss Wren's physical disabilities, there is strong evidence of normal mental alertness. It shows she was a person of active and acute intelligence. Her answers show that she appreciated the position.

"Just before she died, Miss Wren had a talk with the vicar. It seems reasonable to suggest that a person who knew she was facing death would be unlikely to go to her death with a lie on her lips. She made a dying declaration, in the

knowledge that she was dying, and it is very important with reference to the interpretation to be put on her earlier statements to remember that in the face of death she said, 'I do not wish to make any statement.'

"Immediately the vicar had left she said to Mrs. Baldwin, a friend, apparently with satisfaction, 'I did not tell him anything, see.' Putting these things together, I think you will come to the conclusion she was a woman who had a secret to keep and who kept it. She was always on her guard when a police officer was present. If you come to the conclusion that she knew who her assailant was and did not intend to tell, I think that is a conclusion which would be warranted by an impartial survey of her different stages. The reason she refused to tell may be assumed to be that she wished to shield someone. I am disposed to attach more importance to the statement made by the dead woman when she was unconscious than to the statements made when she was in full possession of her senses. In one of these unconscious moments she said, 'You can't take it. Oh, don't.'

"I want to tell you that there is no evidence on which you could find a verdict against any of the persons referred to in her statements. The fullest inquiries have been made into the circumstances, and if any real evidence had resulted from the inquiries it would have been brought before you."

The verdict was the inevitable "open" one, to the effect that the murder was committed by "some person or persons unknown".

And there the matter has remained ever since. As to what the secret was which Miss Wren guarded so jealously there is not a scrap of evidence to indicate. The motive was strong enough to seal her lips even in the presence of death. The reader will have to find his own solution in his own way, for no assistance, beyond what has been related above, can be vouchsafed him by the writer or by anybody who had anything to do with the investigation of the tragic occurrence.

## IV

### THE BODY IN THE DITCH

*(The Case of Agnes Kesson, Epsom, June, 1930.)*

(a)

EARLY on the morning of Thursday, June 5th, 1930, while an attendant at the Horton Mental Asylum was making his way along Horton Lane, near Epsom, in Surrey, he suddenly came upon a body lying in the ditch by the side of the road. The spot was situated just beneath a tall tree. It was evidently the body of a female, being clothed only in underwear. At first the attendant thought she was merely asleep, but upon going closer he became satisfied that she was dead.

He at once raised an alarm. He went to the gate of the asylum and informed the gate-foreman, a Mr. Catlin. The latter then telephoned the doctor of the institution, a female practitioner named Coffey. Dr. Coffey soon arrived on the scene, examined the body and sent for the police. The latter, realising the importance of the case, immediately got into communication with Scotland Yard. The case was given into the charge of the well-known and prominent member of the C.I.D., Superintendent Brown, who, with several assistants,

was very soon at Horton Lane, having driven there in a fast car.

Photographs were at once taken of the body. It was seen to be that of a young woman with blue eyes and a mass of fair hair. She was wearing a pale blue petticoat, bordered with lace, silk stockings, but no shoes. A black shoe which was found lying on the edge of the ditch was at first believed to have belonged to her, but subsequent investigation proved that this was not so. The body was lying with the feet at the bottom of the ditch, the head resting in a gully, the arms being raised above the head and the mouth open. There were no signs of a struggle having taken place at the spot. Apparently the body had been brought and placed there. There were marks of a motor car wheels in the road near by, and they appeared to have been made comparatively recently. It was thought that she had been strangled elsewhere and then deposited in the ditch. It was estimated that the body must have been there between five and six hours.

Horton Lane is a pretty, sylvan, winding road, leading from Epsom to Tolworth and Kingston. It is narrow and not much used. Near where the body was found was a row of small cottages. None of the occupants of these heard anything unusual during the night.

One of the first steps taken by the police was to communicate with all stations in London and the Home Counties, asking for information as to missing girls. So far no clue as to identity could

be found. There were no laundry marks on the clothing. In the afternoon the body was removed by ambulance to Epsom mortuary. The description which was circulated to all stations was as follows: "Age 22 to 24, height 5 ft. 4 in. or 5 in., complexion fresh, hair light brown, bobbed, round face, well built. The body was dressed only in underclothing, consisting of blue striped cami-knickers, blue under bodice, flesh-coloured stockings and suspenders. No other clothing."

It was not long, however, before the body was identified as that of a young woman named Agnes Kesson, aged twenty, a native of Falkirk. She had come south three or four years before. She had been working as a waitress at a garage and tea-house, called The Nook, at Burgh Heath, and which was kept by a Mr. F. W. Deats and his wife. Inquiries revealed the fact that she had been engaged to a mechanic there, named Robert Harper. She had given notice to leave, as she intended to go as barmaid at the King's Arms Hotel, Carshalton, where a friend of hers, a Mrs. Young, was cook. Deats had arranged for Harper to drive her over and take her box, but Miss Kesson would seem to have made other arrangements about her luggage. On the Tuesday a Carter Paterson van drove up to the tea-room for the purpose of collecting Miss Kesson's box, and did in fact take it away.

This move on the part of Miss Kesson considerably surprised Mr. Deats and he remonstrated with her about it.

"Surely you're going to let 'Scotch Bob' (Harper was known by that appellation) take the box for you," said her employer, "I have arranged it."

"No," was the laconic reply of Miss Kesson.

After the box was removed Miss Kesson went upstairs in order to change her clothes. (These facts were supplied to the police by Mr. Deats.) Miss Kesson put on a black dress and a black hat. When she came downstairs again her employer asked her,

"Where are you going?"

"I'm going out," replied the waitress.

Thereupon, taking her insurance cards with her, she departed.

It was then about 2.30 in the afternoon. The last thing she said as she left was,

"Tell Bob to tell Mrs. Young to get my box, and send it on to the address. She knows."

Mr. Deats said that he did not understand what she meant. However, he later on delivered the message to the young fellow, who thereupon went to Carshalton and saw Mrs. Young. He waited for Miss Kesson, but she did not arrive. Mrs. Young was puzzled about her non-appearance. She had completely and mysteriously disappeared. Deats said that he did not know what had become of her. He knew that she received a telephone message in the afternoon and that she seemed quite her usual self, in fact she was rather jolly. Nor did Harper know anything which was calculated to throw any light upon the girl's disappearance.

On the following day, Wednesday, which was Derby Day, about three o'clock in the afternoon, Deats said he saw a motor cyclist pass the café with a girl riding pillion. They were travelling very fast and simply "flashed past". The girl looked back and he recognised his former assistant, Agnes Kesson. He did not know the man.

Agnes Kesson had arrived at Deat's shop to take up her duties the previous Christmas. Prior to this she had been a barmaid at a public-house in Sutton, where she remained some years. Occasionally, said Deats, she would talk about the pillion rides she had had. She had a brother in the Army. She had very little money when she arrived at The Nook. Since then, however, she had managed to save some and had opened an account at the Burgh Heath Post Office.

The police made extensive inquiries among various garages as to the car which it was conjectured had brought the body to the ditch. It had a much worn tyre. They were, however, unable to trace it.

Naturally Agnes Kesson's father was much upset when he heard of the tragedy. He observed: "I have lost a bonny girl, one who never gave me a moment's trouble, and one who worked hard from her earliest years. I knew she had been keeping company with a young man for some time, but I learned when she was home on holiday last August, that she had broken off the engagement". He at once set out for London.

Gradually various clues began to reach the police. One of these was that supplied by a labourer, who lived not far from where the body was found. He said that between 12 and 2 a.m. on Wednesday night he heard a woman scream. He immediately jumped out of bed and looked out of the window. He saw a motor car and near it a man was standing. A girl was on the path and she was crying. The man crossed to her, apparently said something to her, and she then got into the car, which was driven away.

Another story came from a Purley man, who said he saw a girl, answering the description of Miss Kesson, with a man on Wednesday evening, about twenty-four hours after she disappeared. Several men were brought to the station and put up for identification but, as often happens, under such circumstances, the witnesses failed to identify, and so the men were released.

Harper was much upset about the affair. He explained that on the day Miss Kesson disappeared he had driven Mrs. Deats to Tooting on a shopping expedition. When he left Miss Kesson was in the kitchen. He said good-bye to her. He returned late in the afternoon and then found Miss Kesson had gone. He neither knew which way she went or whether she had any luggage with her. He said that they both got on very well together, and would probably have been married soon.

Deats advanced this theory of what had happened: Miss Kesson had many admirers, who

used to come to the café and hang about. Some had known her before. They became a bit of a nuisance to Deats, who tried to get rid of them, and would call Harper for the purpose. One of these young fellows represented himself as well off, and evidently attracted the girl by his manner. Deats thought that she may have made an appointment with him, have met him and gone in his car. He did not know who he could be. He noticed that on the morning of her disappearance she seemed agitated and evidently did not want Harper to take her to Carshalton. When she left she turned up the lane, instead of, as he thought she should, going down to the corner for the bus stop.

The great mystery of the tragedy, as it presented itself to the police, was: Where was Agnes Kesson during Tuesday night and Wednesday? Also: What had become of her clothing?

(b)

The inquest was opened on Tuesday, June 10th, at the police-station, by Mr. G. Wills Taylor, the East Surrey Coroner. Only formal evidence, however, was taken on that occasion, the father of the dead girl being the only witness. The inquest was then adjourned till the 25th, when it was again adjourned till July 4th. These adjournments were arranged in order to leave the police free to carry on their investigations. They took many statements from various people, one of which was

concerning the missing motor cyclist who was supposed to have taken the deceased girl on a pillion ride on the Wednesday. None of these statements were, unfortunately, of much value or assistance.

At the resumed inquest on July 4th more evidence was taken. It was said that Miss Kesson had promised to wait until Mrs. Deats came back. She did not, however. Why? She left behind her a blue felt hat, a pair of kid gloves, a pair of brown shoes, a pair of stockings, a vest, an attaché case, tooth paste, curling irons and some preparation for the hair. Her trunk was not labelled.

These details were supplied by Mrs. Deats in the witness-box. Then ensued the following dialogue between the witness and the coroner:

CORONER: Did your husband know where the box was going to?

MRS. D.: Not until the evening. He saw Carter Paterson's man coming home and asked him where the box was.

CORONER: Why should your husband concern himself as to where the box went to?

MRS. D.: It was natural. He was her employer.

CORONER: Why was your husband anxious?

MRS. D.: I cannot say. He felt he would like to know where she went. Previously she had told him she was going to Sutton.

CORONER: Was there any other reason why he was concerned where the box went?

MRS. D.: None whatever.

CORONER: Just think, Mrs. Deats?

MRS. D.: None whatever, unless it was in Bob's interest.

CORONER: Why was your husband concerned on Mr. Harper's account?

MRS. D.: Because he works for him and because he is a good workman.

CORONER: Did you know your husband went to Wallington Police Station on Tuesday night?

MRS. D.: I did not know where he went. I only know that he and Mr. Harper went out. I was told they went to Carshalton.

CORONER: Did your husband say anything to you about any money that was missing?

MRS. D.: He has said he was short and that he might have mislaid it. He said it was notes.

CORONER: Your husband has told you from time to time there has been a shortage of money. Do you blame anybody for it?

MRS. D.: We could not blame anybody unless we had proof.

Evidence was also given by Mrs. Young, who said that Mr. and Mrs. Deats and Harper did not like her, Mrs. Young. Agnes Kesson had told her that she was going to the Duke's Head at Tadworth. She said that Kesson and Harper quarrelled occasionally and that the girl had a violent temper. In fact, she added, both had.

It further transpired that Deats said that he had lost £7 and an account-book, and that he was going to get a warrant to search Kesson's box.

He did, in fact, go to the police station but could not get a warrant. When Mrs. Young heard about this she was very indignant, for she said she knew that Kesson was quite straight and honest.

The inquest was resumed on the following day, when additional facts were brought to light, although the light they shed on the mystery was not very brilliant. A piece of string was produced, with which, it was thought, Kesson was strangled. It was found somewhere in the neighbourhood of the lane where the body was discovered. It also transpired that friendship existed between Kesson and other unknown young fellows. Deats's son and Harper had gone out in the middle of the night with a car. A police-constable testified that he saw Deats and Harper in a car about 11.10 on Wednesday night, driving towards the main road to Brighton.

When Kesson disappeared, Harper wrote the following letter to her sister in Scotland:

“I am writing to ask if you have any information about Agnes, as she left here yesterday to go to her new job and I am very anxious to know where she is.

“Her new job is with Mrs. Young, which I very much object to, as I think too much of Agnes to go to Mrs. Young, and she knows it. If you don't mind my saying so, if she is home, don't let her go back to London where her luggage is.

“Please wire me if she has come home safe. Tell her to write me as I am very worried about her.”

The inquest was again adjourned and resumed on July 9th. The interest in it became keener than ever. The most important witness to enter the box on this occasion was Mr. Deats. He related how, on the night of Derby Day, that is on the Wednesday, while he was clearing up, he heard a tap on the window. He was asked by a man to go to Sutton and pick up a Mrs. Smith. He knew Mrs. Smith. But he failed to find her at Sutton. He was then hailed by two men, whom he drove to a road in Sutton. He then returned home, where he arrived about twenty minutes or a quarter to two. He did not know the man who called him.

"I think there is nothing more I can assist you with," he concluded.

"There is nothing more you know?" asked the coroner.

"Nothing as far as I can tell," replied Deats.

"Is there nothing more you know?" persisted the coroner.

"I don't know anything more," said Mr. Deats.

"We will leave it at that," concluded the coroner.

"You can stand down for the time being."

The coroner had been very pressing with his questions. Deats was in the box for over two hours.

The coroner then addressed the jury as follows:

"There is one person who has not been called. You have heard Mr. Deats say about the tapping on the window and Mrs. Smith. A statement by a witness can be produced dealing with this matter, but not at this point.

“So the position now is that with one exception you have heard the stories of all the witnesses who have been able to throw any light on the subject.

“It is the duty of the Court to be satisfied upon several points, amongst them, how Agnes Kesson came to her death. This Court is going to see that that duty is done. It cannot be done to-day.

“It is quite clear that somebody knows something. Somebody is keeping back something which has not been produced in evidence so far. You have not heard any direct evidence at all as to where Agnes Kesson was on Tuesday afternoon and evening. I say someone is keeping something back, and the whole truth has not been told you here.”

With which cryptic words the coroner again adjourned his inquiry until August 13th.

In the meantime the police continued their investigations with unflagging zeal. An interesting development was the removal of a stair from the cellar steps of Mr. Deats's café at Burgh Heath, so that certain stains might be chemically examined. Subsequently it was returned by Superintendent Brown with, it was said, the remark, “It is no good. It has not helped us”. To which Mr. Deats replied, “I never expected it would”.

Another interesting development was the appearance on the scene of an old man named Gorringe, who, while attending the races at Epsom, stayed at The Nook two nights, occupying, it was said, the room that had formerly been Miss Kesson's.

He declared that he had seen Miss Kesson twice the same afternoon at the races. She was accompanied, he said, by a young man, who walked in a jaunty, swaggering manner, and was dressed in a grey suit, and wore a cap and brown boots.

There were several other people who were supposed to have seen Agnes Kesson, or thought they had seen her, shortly before her body was found. One of these was a woman named Crawford who lived at Epsom and who said that on the morning of Derby Day she saw a man and a girl, whom she believed was Miss Kesson. They called to ask for a needle and cotton to repair a hole in the girl's stocking. She identified the stocking at the inquest.

Somebody else was supposed to have seen her on Derby day, shortly after the big race, accompanied by a broad-shouldered young man, about twenty-seven and clean-shaven.

A "titled woman", living at Brighton, informed the police that she saw two men with a car on the night of the murder in the lane where the body was found. She thought the men were handling a sack, but she would not be able to identify them.

All these clues, if such they could be called, were, it must be admitted, of a rather vague description. The men whom the supposed Agnes Kesson was with might not have had anything to do with the crime, and the woman may not have been Agnes Kesson at all. At all events nothing came of any of the clues, none of the men were traced, nor

did any of them come forward in response to the police invitation to do so.

Sir Bernard Spilsbury was able to supply some interesting and valuable details as to the nature of the murder. He said that the deceased girl had been strangled with a cord, after having been struck over the head with some heavy, blunt instrument. He also said that she probably had a meal within two hours of her death. Where did she have this? It might have been indoors somewhere with the man or men who afterwards murdered her, subsequently conveying her body—possibly in a sack—to the lane where it was found. Since there was no evidence of a struggle having taken place on the spot, and no medical evidence that she had struggled, it seems pretty certain that the murder was not committed where the body was found. In addition to this there was nobody who came forward to say that they had heard anything in the shape of a cry at that spot on that night—with the exception of the man who said that he heard a scream and looked out of his bedroom window—already referred to. This incident, however, may not have had anything to do with the crime. The police, at all events, were quite satisfied that the murder had taken place elsewhere, and that the body had been conveyed to the ditch where it was found.

Weeks went by and still no solution to this baffling mystery was forthcoming. The police were at a “loose end”. Not the least mysterious feature

of the tragedy was that of motive. What could the motive have been? It was true that the girl's gold watch, handbag and clothes were missing, but they were scarcely of sufficient value to constitute a motive. It was also inexplicable why she should have been so scantily clad. There was no evidence of her having been outraged.

The question of motive in murder cases is always very uncertain and intriguing. Some criminologists have sought to provide a solution by calling the motive the "removal" of a person. All murders, however, can be put into that category, for all murderers desire the "removal" of their victim. That is obvious and apparent. But in many cases of murder the true motive is subtle, and lies far below the surface. An effort is sometimes made to mask it, as it were, by creating the impression that the murder was committed for some commonplace reason, like that, for instance, of robbery. This is quite a frequent form of camouflage, particularly in cases of what are known as "brothel murders". In the Epsom case the motive was certainly not robbery. What was it? If that question could be answered the solution of the mystery would at once be achieved. I mean as to the author of the murder. At no time, however, was the motive apparent.

(c)

The inquest was again resumed on August 14th and was prolific of "dramatic incidents". The

gentleman named Gorringe, already referred to, went into the witness-box and told his story in detail. He explained that he had come forward as he saw in a newspaper that his evidence was desired. He twice saw the couple on the Epsom racecourse, he repeated, at first near the St. Dunstan's marquee on the course, between 3.30 and 3.45, and subsequently, after the last race, he got off a stile near Tattenham Corner in order to allow them to cross. He said that he had no doubt that the girl was Miss Kesson, who had served him at the tea-rooms at Burgh Heath. He described the man as wearing a grey suit, a soft collar and tie, brown shoes and fancy socks. He had very dark hair.

In reply to the coroner as to whether he knew who Miss Kesson's companion was, the witness said:

"I have come to the conclusion that the same young man I have seen lives in this district. I have a vivid recollection I have spoken to him. Whether he told me he lived at Sutton or Kingswood I do not know. I am positively certain I have seen him previous to the time I saw him here."

That was the sum and substance of his testimony.

The most important event of the day was the recalling of Mr. F. W. Deats. He was apparently deaf, and the coroner had to repeat his opening question several times before the witness appeared to hear him. Said the coroner:

"Mr. Deats, I do not quite know whether you fully realise the purpose of this inquiry. In arriving

at their verdict the jury will have to decide how much they believe, and how much they do not believe, you understand?"

"Yes," replied Deats.

"I am explaining this to you," continued the coroner, "to enable you to do full justice to yourself."

The coroner then recalled the incident in connection with the missing account-book and the fact that Mr. Deats went to the police-station to get a search-warrant.

"Suppose," said the coroner, "that a witness comes into this court and says on oath that you knew where that book was on the Sunday, what would you say?"

"That he or she is telling a lie," promptly replied Deats.

The coroner then reverted to the incident of the tap on the window and asked the witness if he had found the Mrs. Smith he had been sent to pick up. Deats replied,

"Mrs. Smith is Mrs. Greenhalgh. I did not think of her in that name, and I did not think it was her I would have to pick up."

The coroner pointed out that the witness was now telling the court that there was no Mrs. Smith but a Mrs. Greenhalgh.

"Mrs. Smith is Mrs. Greenhalgh," explained Deats, "but I knew them as Smiths. I believe her sister is still Miss Smith. I have often picked up Mrs. Greenhalgh's brother."

"You told the jury," said the coroner, "you did not see this person who tapped at the window?"

"I just saw his face with a cap," replied Deats.

"Have you seen him since?" asked the coroner.

"No," replied Deats. "It must be somebody who knew that I let cars on hire, and somebody who knew Mrs. Smith, of Cannon Lane. It might have been somebody at Burgh Heath, but I am rather at a loss about it, as I have been sent on so many wild-goose journeys."

Then, in a somewhat insinuating voice, the coroner put this to the witness:

"There is one little point, to do yourself justice, you might explain. You said that on the same night the telephone bell rang and somebody asked you to pick them up at Kingswood Station, and you said no. Can you explain how it was you refused this offer?"

"I already had the other," replied Deats. "One would have been five shillings and the other two-and-six."

The coroner then asked why he had not called either his son or Harper, and he replied that it was not worth calling them out for half-a-crown.

"I am quite sure you realise the seriousness of this," said the coroner impressively. "It is necessary or desirable for you to produce the person who, you say, gave you that order."

"Well," replied Deats, "I took it as a wild-goose chase. I think it was done for devilment, because they knew I was a bit ratty that night."

“Who by?” asked the coroner.

“You cannot tell,” vaguely replied Deats.

“I am asking you to tell,” pressed the coroner.

“You cannot mention names,” protested Deats.

“If the person would only willingly come forward who tapped on my window, let them. Then they cannot say I have any spite.”

“Just take up that oath card and read it,” requested the coroner.

Deats picked up the card and commented on the words: “I have sworn. I have told the truth and the whole truth, but on this particular occasion——”

The coroner interrupted him.

“Mr. Deats,” he said, “you have sworn to tell the truth and the whole truth, and now you are saying you are keeping something back.”

Deats made no reply, but stood in the box in a thoughtful mood. The coroner watched him closely and then again asked him whether he did not know who the person was who tapped on his window. At length said the witness:

“I say ——,” mentioning the name of a neighbour. “They are opposition people to me,” he added by way of explanation.

“Then why,” asked the coroner, “have you not told us about this man, Mr. ——, before?”

“Because it is public,” replied Deats. “If we are trying to catch a man we must not tell everyone what we are after. If we do, the man will cover up every track he can. I did, in fact, mention the matter to the police.”

Then the coroner proceeded:

“Assuming that Mr. —— or the —— family, altogether or individually, deny anything about it, we are back again to the original question of whether you can produce them.”

“I could not go any further,” admitted Deats. “Mr. —— is the only person I can think of. I have had opposition from them ever since I went into those premises. I have even had to put a fence up to stop the annoyance.”

The witness, being asked if he could remember anything further, observed:

“Well, I can’t say, although I know of a young man who has never turned up to our place from the Tuesday. I don’t think it is of any importance, though why he should stop away I don’t know.”

“What is his name?” asked the coroner.

“Mr. ——” replied Deats.

“Have you told the police?”

“No, because we never thought of it until this morning. I could not tell you his address. We have seen him go by, but he has not been to our place since. He was often talking to the girl, but I do not think he would do anything wrong.”

That concluded the evidence of Mr. Deats.

The next witness was the female shorthand-typist, who used to keep Mr. Deats’s books, Miss Winifred Annie Woodhouse. She said she searched for the account-book on the Saturday before Miss Kesson left the tea-rooms. She was assisted by Mr. and Mrs. Deats and Harper. They failed to find it.

On the Sunday Deats told her that Miss Kesson was leaving and that he did not like it.

“Did he say if he had found the book?” asked the coroner.

“Yes,” replied the witness. “He said he had found it that Sunday morning, burned in the grate, but intact.”

This led to a “scene”. The coroner asked Deats to come forward and stand facing Miss Woodhouse, which Deats at once did. Then the coroner thus addressed him:

“Miss Woodhouse has sworn that, on Sunday, June 1st, you went to her house in the afternoon, and she asked you if you had found the book. She said that you said, ‘Yes, burned in the grate, but intact’.”

“I did not say that,” replied Deats, although he admitted that he must have said “something similar.” He went on to explain: “I was paid on the Monday morning, June 2nd, in respect of an account in the missing book”.

That concluded the evidence of Miss Woodhouse, and her place in the witness-box was taken by Mrs. Elsie Louise Greenhalgh, of Cannon Lane, Burgh Heath, who said that her maiden name was Smith. She stated that Mr. Deats asked her if she knew a Welshman or had one lodging with her. He then explained that someone had tapped on his window and asked him to meet Mrs. Smith, of Cannon Lane. He, thinking it was something to do with her, said he went to meet a train at Sutton

Station. She told him she was not expecting anyone at all. Then said Deats, "I was out late with the car and I should like you to say you were expecting somebody".

Mrs. Greenhalgh said that she told him that she could not do that as she was not expecting anybody. She then went on to explain to Mr. Deats that she had received a letter from one of her brothers, and that he would have been the one she might have been expecting. Then, she said, Deats appealed to her to help him by saying that she was expecting her brother. She would not agree and Deats then went away. Subsequently, explained Mrs. Greenhalgh, she received messages from Deats, sent through one of her children, asking if she had any gentlemen to see her, appealing to her to answer "yes or no".

Mrs. Greenhalgh then said that she had had to go to Mr. Deats for relief, as the relieving officer attended at Mr. Deats's shop, and as she had ignored the messages sent by Deats, the latter waylaid her. He called her by name, but she took no notice of him. She said that he even followed her all the way to the school road, still calling her, but that she told him she was in a hurry.

"I was so afraid of Mr. Deats' appearance," she said, "when I turned round that the next week I took my sister with me."

Her evidence continued:

"When I got into Mr. Deats' shop the following Thursday Mrs. Deats flew at me, and asked me

what I meant by not waiting to see what Mr. Deats had to say to me. I would not discuss anything with her. When I came out she accused me of telling lies. I said I had not, and did not wish to discuss anything with her. She then said, 'I have been a good friend to you, and you will suffer for this'. I walked out of the shop. The relieving officer heard every word. I was afraid of Mrs. Deats' appearance at the time. She looked to me like a mad woman. I walked out of the shop and sent to Scotland Yard and informed them of the way I had been treated. Since then I have been nowhere near the shop."

The coroner then directed that that part of the evidence that referred to Mr. Deats should be read over to him, and Deats left his seat and stood by the clerk while the evidence was read over to him. When the clerk came to the passage: "It would be a great help to me if you could say he was coming", Deats shook his head and said, "That is entirely wrong. I had no reason why I should say that".

Mrs. Deats was then called to the witness-box and Mrs. Greenhalgh's statement read over to her.

"There are two lies in it," said Mrs. Deats, and then, turning to Mrs. Greenhalgh, she asked her: "Did I say to you that Mr. Deats wants to see you a minute?"

"No, not to my knowledge," replied Mrs. Greenhalgh.

“Yes, I did,” insisted Mrs. Deats. “I have had some of you before. I have been a good friend to you.”

“I have had enough of it,” chimed in Mrs. Greenhalgh.

At another stage in the reading over of the evidence of Mrs. Greenhalgh, Mrs. Deats exclaimed:

“Cut that out!”

“You accused me of telling you lies,” said Mrs. Greenhalgh. “My sister was there to hear it.”

“Then,” said Mrs. Deats, “your sister is as big a liar as you are.”

At which retort there was laughter in court.

All these cordial conversational exchanges, however, were not carrying the case forward towards a solution of the mystery. Eventually the hearing was again postponed until September 15th. Just prior to this, however, an unusual incident occurred. The proceedings had been closed, as usual, by the coroner’s officer calling upon any person who can give information to come forward and be heard, when the coroner directed the officer to go outside and call the proclamation there. This was done and when the officer returned the coroner asked him if there had been any reply, and the officer said, “No reply, sir”. That concluded the hearing. This incident was supposed to have had some connection with the coroner’s announcement, made at a previous hearing, to the effect that “someone was keeping something back”.

The final sitting of the coroner's inquest was held on September 15th, when a new witness was called. This was a man named Hodson, of Waterloo Road, S.E., who said that on Derby Day he met a young woman, with whom he got into conversation. He described her as being of middle height, about ten or eleven stone in weight and very dark. She wore a tam-o'-shanter hat. He was with her most of the afternoon, up till about 7.15 p.m. While walking along the London Road with her a motor car suddenly drove up and took her away. When the car pulled up a man got out and got hold of the girl, said the witness. At the same time he said, "I have just had enough of you". To which the girl replied, "I am fed up with you". Or words to that effect.

The witness was asked to describe the man, and he said he was dark, with rather piercing eyes. His shirt was open at the neck. It was rather difficult to see whether he was clean-shaven or not, said Hodson, as he was very dark and dirty looking. The car, he said, was of a hackney carriage type. Someone else was driving, but he could not see who it was. He said he had since seen the man who jumped out of the car, while he was with Police Sergeant Wells, outside a garage. The witness was then asked if he saw the man in court. Hodson then gazed round the court and suddenly stopping, raised his arm and pointed at Mr. Deats. "Yes," he said, "he is there. That is the fellow."

The witness went on to explain, when requested

by the coroner, how he came to make this identification outside a garage. He had communicated with the police and had been taken out in a motor-car by detectives. On the way he described where he and the girl had wandered over the Downs and through various streets, the detectives making notes all the time. When they got outside the garage—presumably that belonging to Mr. Deats—he saw Deats drive up in a car and said that is the man. The car also, he said, looked like the one that had picked up the girl.

Hodson was then asked to explain how he came to report the matter to the police, and he supplied the following particulars. He said that he heard them talking about it in Romford, and it all came back to him when he heard the name Deats. The girl he had been with was Scotch and spoke with a strong accent. She told him that she was working for a man named "Dates". This, it then occurred to him, might have been her way of pronouncing the name "Deats".

The coroner further pressed the witness for additional details as to the girl's dress, and Hodson said she had a coat over her arm and a blue jumper with a pleated skirt to match. She was very dark and had good teeth. The witness added that the car that took the girl away went on to London. He confessed that he did not even then know whether it was the girl or not.

The witness was cross-examined by Mr. Thesiger, and explained in reply to questions that he went

to the races on Thursday and Friday and slept at Epsom Station on the Thursday night. He stayed the week-end in London. It was when he was in the market-place at Romford that he first began to connect the incident of the girl he met with the Epsom case. It was when he saw a newspaper placard with the words, "Deats questioned in the witness-box" on it. He first met the woman against Tattenham Corner. She spoke first. She said "It's a bonnie afternoon," or something of the kind.

Detective Sergeant Wells was the next witness. He described the incidents of the drive with Hodson as a passenger. When outside the garage Hodson saw a man standing by a motor-bicycle, and said that he looked like the man who caught hold of the car. It was then that a Daimler car drove up and Hodson said that the driver looked like the man who caught hold of the girl. He also said that the car looked like the same one. He, Wells, duly reported the details.

Apparently not much importance was attached to the evidence of Hodson, as it disagreed with other facts which were known to be correct. For instance, P.C. James Rose described Miss Kesson as "on the fair side". He also said she had no blue jumper with pleated skirt to match. There were also other details in Hodson's evidence which did not tally.

At this stage the coroner said to Superintendent Brown, "Do you feel that any further information

can, at any time, be brought to my notice?" To which the officer replied, "No, not within a reasonable time".

The coroner then proceeded to sum up.

He pointed out to the jury that if they accepted the evidence that Agnes Kesson died four to eight hours before 6 a.m., and she had a meal two hours before death, it would be reasonable for them to consider very closely the evidence of anything that happened during that material time—from 10 o'clock or later on Wednesday night, until two or thereabouts on Thursday morning. He also referred to the fact that the evidence of Mr. Deats was that he was driving towards the main Brighton road on his way to Sutton in response to a message, following a tap on the window. On the other hand a police officer said that he turned to the right, away from Sutton. He also pointed out that the description given by Hodson of the hair and clothes of the young woman did not agree with that of the police.

The summing-up occupied about forty minutes.

The jury retired and were back again in court in six minutes. Their verdict was the one generally anticipated, namely, an "open" one. They found that the girl had been murdered by strangulation, but that there was not sufficient evidence to show by whom.

And there the matter has remained ever since.

It is altogether a perplexing case. Not the least mysterious feature of it is the absence, or apparent

absence, of motive. The salient facts are: She was young and good-looking. Although there were some articles belonging to her missing, it was clearly not a case of robbery. She had received a telephonic message shortly before she left the café. She clearly intended to go to a new berth. As she had had a meal two hours before her murder, the latter must have been committed indoors somewhere and the body removed to where it was found.

There is a striking similarity between this case and that of the murder of a girl in Richmond Park a short time ago. In the latter case the man was caught and hanged. But precisely the same features will be found in both cases. It seems pretty obvious that the reason that Miss Kesson did not arrive at Carshalton was because she met somebody with whom she spent a good deal of time—a meeting that culminated in her murder. Although medical evidence proved that no attempt had been made to outrage her, this does not wholly exclude the hypothesis that her murderer had designs in that direction. In the Richmond Park case we know that the motive was rape, although the assailant did not achieve his object, nor attempt to do so. The girl put up an energetic fight and murder resulted. We also know that Miss Kesson was a hefty Scotch girl and had a violent temper. She also, we may be sure, would put up a good fight, which would have a similar result as that in the Richmond Park case. That it was not premeditated seems clearly indicated by the nature

of the "weapon"—a piece of string, hastily snatched up. The blow preceding the strangling also suggests the culmination of a murderous and frantic struggle. The articles which were missing might very well have been taken with a view to creating the impression that it was a murder for robbery, and so lead the police away from the true motive.

As to the identity of the culprit, there is lamentably little evidence to direct one. The police did their best, receiving and considering something like 400 statements. If they really did know in their own minds as to who the culprit was—which sometimes happens in such cases, as I have had occasion to point out before—then they manifestly were unable to proceed on that intelligence on account of those vexatious limitations of the laws of evidence which occasionally hamper them so seriously. But as there is no "statute of limitations" in regard to the functioning of the criminal law, we may yet have a solution vouchsafed in this case of most mysterious murder.

## V

### THE BURNED-OUT MOTOR-CAR

*(The Case of Evelyn Foster, Otterburn, January, 1931.)*

“I HAVE been murdered. I have been murdered.”

Those were the last words uttered by Evelyn Foster, the twenty-seven-year-old daughter of a garage proprietor at Otterburn, Northumberland. Shortly after she died.

During intermittent periods of consciousness she had told a strange story. She was a practised motorist and often drove cars about for her father. The previous day she had driven three passengers to Rochester, a neighbouring village. On her way back, she stated, she was accosted by a stranger, who spoke to her at Elishaw, a village two miles from Otterburn. He said he wanted to go to Ponteland in order to catch a bus to Newcastle. He arranged to meet Miss Foster at a hotel in the village, and he would then tell her if he wanted her again. Miss Foster said that she called at the hotel, but found that the man had not been there. However, she picked him up a few minutes later on the bridge, just below the hotel, about 7.30 p.m. He then told her to drive him to Newcastle, and

she took him as far as Belsay. He then stopped her again and told her to drive back. When she asked him why he wanted to go back, he struck her in the eye and tried to get hold of the wheel of the car. There was a struggle between the two and the man eventually succeeded in getting control of the car, which he drove away with Miss Foster inside.

The car was driven along the road to Otterburn until it had arrived at a lonely spot known as Wolf's Neck, where the car was turned off the road and run down a three-foot bank on to the moor for about seventy yards. During this period Miss Foster said she must have been unconscious, for she was suddenly brought to her senses by the jerking or jolting of the car as it passed over the uneven ground. The man, she explained, then got out, took something out of his pocket, and applied a light to it. There followed a blaze and a muffled explosion. Miss Foster felt as though she was being suffocated and struggled to get to the door of the car. She at length managed to open it and crawl out of the car. She then remembered seeing a man going back to the road. She shortly after heard another car coming along the road, which was followed by whispering. She then saw the man get into the car, which was driven away.

It was then about 8.30 in the evening. About an hour later one of Mr. Foster's buses was returning along the road from Newcastle, being driven by a

Mr. Johnson. The latter saw a motor-car smouldering on the moors and pulled up. He and the conductor then went to investigate. They were astonished to find that it was a car belonging to their own firm. Then they heard moans and found Miss Foster lying on the ground. They at once took her home, where she died a few hours after, as already described.

It was said that both Miss Foster's eyes were black and blue from the blows she had received, and nearly all the skin was burned from her body. It was a wonder she had lived as long as she did. The police were notified and took steps at once to trace the assailant. They circulated to all the surrounding stations the description of the man as supplied by Miss Foster while she was *in extremis*. He was described as a man with a Tyneside accent, about 5 ft. 6 in. high and aged about twenty-five or twenty-six, clean-shaven, wearing a dark tweed suit, a bowler hat and an overcoat. She also said that he had a plausible tongue and seemed to be a man of some education. He told her that he had a car of his own, and all the time he was in the car he was smoking cigarettes.

No trace whatever could be found of this man. It was thought he must have had a good knowledge of the locality to be able to so effectually disappear without leaving a trace behind him. The last bus to Newcastle left Otterburn at 7.30, so that the man must have been picked up by a passing motor-car. Another detail supplied by Miss Foster was the fact

that the man had told her that he had been picked up by a party of motorists at Jedburgh. They were on their way to Hexham. He had had tea with them at Jedburgh. They were said to have been in a dark saloon car. The police tried to get in touch with them so that they might get a fuller description of the assailant, but failed to do so. They could not be traced any more than the man could.

The murder appeared to be motiveless. It was not robbery, for Miss Foster's bag, containing about 30s., was found near the car, the contents being untouched. There was no trace of an outrage having been attempted, nor did Miss Foster say that any such attempt had been made. While driving back from Belsay, she said, the man had offered her a cigarette, and when she refused he remarked, "I see you are one of those independent sort".

The ordeal through which Miss Foster had passed was a very severe one. All her clothes had been burned off and she was exposed to the effects of a keen frost. She was rolling about in agony, moaning and sucking the grass, and asking for water.

The burned car was removed from the scene and taken back to the garage at Otterburn, where it was carefully examined by the police. In the back of the car was a burned-out petrol tin. It was the custom to always keep a full two-gallon tin in the car for emergencies.

Miss Foster was a good-looking young woman,

had driven cars for her father for years, and was very popular in the district, where, of course, she was well known.

The driver of the bus, Mr. Johnson, later added fresh details.

He said that it was by the merest chance that he saw the blazing car. The flames had nearly all died down and only the back wheel was still burning. At first he thought there was nobody in the car, that it was, in fact, abandoned. But upon looking closer he observed the girl on the ground. She was lying face downwards about nine or ten yards from the car. She was bare from the waist downwards. She seemed to be licking the ice on the ground. He wrapped her in his overcoat and took her home. On the way she kept muttering, "Oh, that awful man. He has gone in a motor-car". Over and over again she kept exclaiming, "Oh, that awful man".

The police took the unusual step of having a message broadcasted by the B.B.C. containing a description of the motor-car party who were supposed to have picked up the assailant. It ran as follows:

"The police are anxious to trace a four-seater closed, dark-coloured car, index mark TN, with a number consisting of four figures, the last figure or figure but one being a two. The car was described as possibly an Essex, and had left the Reesdale Hotel, near Otterburn, Northumberland, about 7 p.m., with three men of the following description:

"FIRST. About 28, 5 ft. 8 in. in height; short, dark moustache, very bad teeth, dark hair, thin in front; dressed in dark overcoat with broad belt, and wearing a thin blue-striped collar.

X"SECOND. About 40, 5ft. 5in. in height; broad face, prominent cheek bones, very bad teeth, practically none in upper jaw; wearing slate-coloured suit, no overcoat or hat, badly in need of a shave. Wearing a thin blue-striped turndown collar.

"THIRD. About 30, 5ft. 7in. in height, well built; wearing a blue overcoat and had no hat.

"All the men speaking with a Scottish accent.

"The destination of the car is believed to be London, and it had come from Scotland via Jedburgh."

Although it had not been considered necessary to enlist the aid of Scotland Yard, the latter were rendering a certain measure of assistance.

Shortly after these three men were found and interviewed by the police. They said that they gave no lift to anybody of the description of the "wanted" man. So away went that "clue". Other clues were the discovery of a footprint, a glove and a cap near the burned-out car. But like the other clues they led to nothing.

A Mr. W. Jennings, a motor-car expert of Morpeth, supplied an interesting theory of how the car left the road and finished in flames on the moor. He said that the car was apparently pulled up at the side of the road, on the right hand, coming

from Newcastle to Otterburn. It was then, he said, re-started and driven over the six-foot embankment of rough stones, in gear, locked to the right. There must have been somebody at the wheel, as the car was righted after it had crossed a ditch about thirty yards from where it went over. It seemed evident that the car must have been fired after it had stopped, as there was no trace of burning in its wake. Had, on the other hand, the car been burning it must have charred the bracken and grass over which it passed. A close examination of the car proved that there was no reason why it should have taken fire itself. Therefore it must have been deliberately fired by an outside agency. There was no evidence of a struggle in the car having caused it to go over the side, nor any sign of a skid on the road. Another interesting fact was that the spot where the car left the road was the only place where the car *could* be driven off the road. The plug of the petrol tank had been removed. It might have been jerked out or it might have been removed by the murderer in order to get more petrol with which to fire the car.

Professor Stuart MacDonald, the well-known pathologist, of the College of Medicine, Newcastle, was called in to consult with Dr. McEachran, of Bellingham, who made the post-mortem examination. Mr. P. M. Dodds, the coroner, opened the inquest on the afternoon of Thursday, January 8th, at the Otterburn Memorial Hall. Prior to that Mr. Dodds, accompanied by Police Inspector

Russell and other officers, visited the spot on the moor where the car was found and made an examination of the patch of burned heather. They were closely watched by a large crowd of sightseers, which had gathered from all parts, and the scene generally reminded one of a "reconstruction" of a crime in France.

Only a short time before the deceased girl, Miss Foster, had attended a Boxing Night dance at the Memorial Hall where the inquest on her body was held. In fact, the festive decorations had not yet been removed, and just above the coroner's table hung a withered bunch of mistletoe.

At the outset the coroner pointed out that the case presented many difficulties and that a great deal of investigation had yet to be done. He also intimated that a considerable time must elapse before the inquest could be resumed, but that would depend largely on what transpired during the next few days. The only witness was the father of the dead girl, Mr. J. J. Foster, a short, well-built, sturdy-looking man, with grey hair. He gave formal evidence of identification, when the inquest was provisionally adjourned until February 2nd.

In the meantime nothing of much importance had transpired, certainly nothing very enlightening, and on February 2nd the inquest was duly resumed. The coroner said in opening that he was prepared to sit on the following day as well and then make another short adjournment. By this time the

interest in the case had become greatly intensified and many people, some of whom had travelled many miles through the wintry weather to be present, crowded round the hall with the hope of getting inside. Among the jury was the vicar of Otterburn, who had officiated at the funeral of the victim, the local postmaster and other local tradesmen, all of whom had known Miss Foster well. The police, of course, were in full attendance, bringing with them many "exhibits" and innumerable documents.

The first witness was the mother of the dead girl, Mrs. Margaret Foster. She gave a detailed account of the movements and statements of her daughter prior to and subsequent to the tragedy. She said that her daughter left home at 6.35 p.m. in order to take some passengers who had arrived at Otterburn by omnibus on to Rochester. She returned from Rochester about 7 o'clock and said that a man she had brought from Elishaw wanted to go on to Ponteland in order to catch a bus.

At this stage the coroner made a statement to the jury. He warned them that the evidence about to be given by the witness constituted a statement made by her daughter while she lay in a dying condition. He pointed out that they must not take it as evidence of fact, but merely as a line of inquiry, so that it might be compared with other evidence which would be given, so as to determine whether it was true or not.

Mrs. Foster then went on to relate the details

of the story as given to her by her daughter, much of which has already been presented to the reader. The man, said her daughter, alighted from a car at Elishaw, and said he had missed the Scottish bus at Jedburgh. He wanted a lift to Ponteland. She said the man looked respectable and a gentleman and "a bit of a knut". He asked her what the charge would be and she told him £2. She then brought him to Otterburn, afterwards making her way to the garage for petrol. Her intention was to pick him up again at the Percy Arms, in the village. Her sister, Dorothy, suggested that she should take with her a young man named George Philipson, with whom she was then keeping company. With this Mrs. Foster agreed, said she thought it was a good idea, and that she might pick him up in the village. To this the girl agreed and then drove away.

Mrs. Foster saw no more of her daughter until she was brought home in a dying condition a few hours after. When she asked her daughter what had happened the girl replied, "It was that man; he hit me and burned me". Her mother then asked her why she did not take young Philipson with her, and she replied that she did not see him as she passed through the village. A doctor, a nurse and the police were summoned. The girl then told her story of what had happened. She said they went through Belsay, passing two cars which she thought she knew. At Belsay her passenger said there was no bus there, but Miss

Foster told him that there might be one further on. Later the man said he would go back, and Miss Foster asked him why, as they had gone so far. The man replied, "That has got nothing to do with you".

Miss Foster said she then turned the car round and felt the man "creeping along the seat". He took hold of the steering wheel and said he would drive back. He also struck her in the eye with his hand. Her eye was sore, she could scarcely see, and it felt as though there was "sand in it". The man was then sitting next to her, holding the wheel. They stopped at the top of the hill by Wolf's Jaw. It was then he asked her to have a cigarette and on her refusing, made the remark, "Well, you are an independent young woman".

The man then, said Miss Foster, started knocking her about, and pushed her into the back of the car. She said she fought for her life. The man then took something from his pocket and threw it over her. It was a "bottle or a tin" and she then "just went up in a blaze". All she felt afterwards for some time was a bump, as though the car was going over rough ground. She said she was all ablaze, did not know how she got out of the car, and was sucking the grass, she was so thirsty. She said she next thought she heard a whistle, and a "squeaking or scrunching" sound, and thought it was a motor-car. But she did not know which way it went.

Mrs. Foster questioned her daughter about this man, and Miss Foster said that the man said he

did not know much about Newcastle and that he lived down in the Midlands. She also asked her daughter about the car from which the man alighted at Elishaw, and she said that there was a woman in the driver's seat and two men at the back.

The coroner asked Mrs. Foster what was the mental condition of her daughter when she made this statement, and Mrs. Foster replied, "Perfectly lucid and sane".

"Do you think that at any time she thought she was going to die?" asked the coroner.

"I don't know," replied Mrs. Foster. "She did say to the nurse that she thought that she would not get over it. To me she said: 'Mother, my eyes are swollen up. I can't see. I wonder if I shall see again'."

"Had you any cause for anxiety that night?" asked the coroner.

"No," replied Mrs. Foster. "She was used to driving, but generally someone went with her at night."

"It was really an exceptional thing on this particular night that she was alone?" observed the coroner, and Mrs. Foster agreed that it was.

Here the examination of the witness was taken up by Mr. Smirk, a solicitor representing the police. He asked Mrs. Foster about the description of the man as given by her daughter. Mrs. Foster replied that the only description given by her was that he was dark, clean-shaven and wore a dark overcoat and a bowler hat. Mr. Smirk then

pointed out to the witness that she had from time to time made several statements to the police, but that until to-day she had never used the phrase, "looked like a bit of a knut". Mrs. Foster agreed that that was so. The coroner then eased matters by remarking that Mrs. Foster had said before that the man was well dressed, which was probably what her daughter meant.

The inquest was adjourned, and resumed the following day. A roadman named Kennedy, of Knowlesgate, a village on the main road between Otterburn and Belsay, gave evidence. He said he was on the main road at Kirkwhelpington on the evening of January 6th, walking north towards Knowlesgate. Shortly after 8 o'clock a dark saloon car, travelling very fast, overtook him. A man was driving it and he saw part of his face through the glass as the car flashed past. He saw nobody else in the car. He visited the scene of the tragedy the day after it occurred. He was cross-examined by Mr. T. H. Smith, representing the police, who suggested to the witness that he had never said anything to the police about the car in question until he had been approached by the police ten days afterwards. The witness replied that he had mentioned it to a police-constable, but could not be definite about it.

The next witness was a motor salesman of Hawick, named Beatty, who on January 6th drove a car from Darlington to Hawick, passing through Durham, Ponteland and Belsay. He reached

home about 10.50 p.m. In passing the spot known as Wolf's Jaw he saw a blaze on the right hand side. He saw smoke and flames and slowed down and put on his brakes. He was asked if his brakes squeaked at all and he replied that they did not. This was, of course, in reference to the statement made by Miss Foster that she thought she heard a squeaking or scrunching.

Beatty said he looked towards the flames and saw that it was a car. He saw no movement. The car appeared to be burned out. He reckoned that it had been burning for about half an hour. He thought it had been abandoned, so he drove on. The time was then between 9.30 and 10 p.m.

The brother of Miss Foster then gave evidence. On January 7th he visited the scene of the tragedy with Inspector Russell and noticed that the car was in low gear. He saw his sister shortly before she started for Rochester with passengers, and after she was brought home injured. He asked her whether it was the man whom she had taken to Ponteland who had injured her, and she said it was and described him as being a little taller than her brother, but not so stout. He wore a bowler hat and dark overcoat.

The police then gave evidence of being present when Miss Foster made her statement and suggesting some of the questions.

The inquest was again adjourned, and resumed on February 5th. Important evidence was now given by Professor Stuart MacDonald, pathologist

of Durham University, and by Dr. McEachran, of Bellingham, who was called in to Miss Foster when she was brought home injured. Another doctor, a Dr. Miller, was also in attendance. Dr. McEachran said that Miss Foster was suffering from shock and burns, and that there was little chance of her recovery. He was present, he explained while Miss Foster was being questioned, and he agreed with Mrs. Foster that the girl was at the time quite lucid and sane.

Then came Professor McDonald, who, on January 8th, with the assistance of Dr. McEachran, held the post-mortem examination. He read out from his notes the following details:

“The features were obscured by burns, but there appeared to be discoloration about the root of the nose. Extensive burns were distributed about various parts of the body. No external marks suggesting injury apart from the burns were found on any other part of the body. An internal examination showed no injuries except severe burning. From these appearances we are of opinion that the cause of death was shock, the result of severe external burning. The distribution of the burns and their severity suggest that certain portions of the clothing had contained some inflammable substance. The distribution of the burned areas suggests that Miss Foster was sitting during some period of the burning. The situation of other burns indicates that there had been splashes of an inflammable liquid.”

Professor MacDonald said there was no evidence of outrage. He had examined a bunch of heather, two bunches of grass, a door handle of the car and a portion of the mudguard for bloodstains, but the results were negative. There was absolutely no trace or evidence of bruising of the face. There were no signs of Miss Foster's arms having been nipped, as she had said they had been. Supposing that she had been lying in the back of the car, on the seat, with her head leaning forward, he could quite understand the injuries he found.

The coroner then put this question:

"Assuming the car was where you saw it, and she threw some petrol into the back of the car and set fire to it, with her left leg probably on the running board and her right on the edge of the step, could the flames have come back and blinded her?"

"I think it quite possible," replied Professor MacDonald. "I cannot quite understand, if that were the explanation, why there should have been such localisation of burns," he added.

In reply to Mr. Smirk, he said that he found no evidence of the girl having been struck. The burns might have been caused in various ways.

Professor MacDonald was then questioned by Mr. E. Bates, who represented the Foster family. He said that if petrol were poured over anyone it would probably soak through to the back of the clothes, which might possibly account for the burns at the girl's back.

“In her statement to her mother,” said Mr. Bates, “Miss Foster said she was struck in the eye and that it felt as if some sand had been thrown in. Is that compatible with her having had a light blow in the eye? It would leave no trace?”

“No trace,” agreed the Professor.

The Rev. J. Brierly, the vicar of Otterburn and a member of the jury, then asked this question:

“In your examination of the face you say there was a bluish discoloration. Does that suggest a bruising of the face?”

“Yes,” replied Professor MacDonald. “In a microscopical examination I found signs compatible with burning. There was really no evidence of bruising by a blow.”

The next witness was Mr. W. Jennings, motor engineer, of Morpeth. He had examined the wheel tracks on the moor and from them inferred that the speed of the car, when it left the road, could not have been more than ten miles an hour. Which of course would be very slow for a car. He went on to explain that the erratic nature of the wheel marks indicated that the car had been out of control, but that later on it had become under control again. He considered that the fire had been caused by some outside agency after the car had stopped. The fire had begun at the rear of the body of the car and swept forward in an upward direction.

The coroner then quoted from Miss Foster’s statement, where she said that the man crept

along the seat and took hold of the wheel, and asked Mr. Jennings: "Could a car be driven that way?" to which Mr. Jennings replied:

"It would be a very difficult thing to do if she acquiesced, or permitted him to drive without resisting, and almost impossible if she resisted."

That concluded the evidence. The coroner then summed up, his speech to the jury occupying something like an hour. I quote some of the most pregnant passages from it. After warning the jury to dismiss from their minds any rumours they might have heard, he said:

"Crimes are committed in very many ways, sometimes for obvious reasons, sometimes for reasons unknown, and in this case we are dealing with a question as to whether somebody, a stranger, is implicated or whether the girl herself has done it. I think you will be quite safe in eliminating any idea of suicide. There is no evidence of it."

He then pointed out that the two main points were:

"Was the girl murdered or did she set fire to the car and in doing so obtain the burns accidentally? If it was a case of murder, then the man must have been a homicidal maniac.

"If the girl has done it herself you must consider what her object might have been. Was her object to obtain money through the insurance on the car?"

The coroner proceeded:

“There were two policies, one for £450, covering the car in a garage only, and another one covering cars up to 30 horse-power in the sum of £700.

“On the other hand, there are cases of persons obsessed with the idea of notoriety. That might be a factor in this case.”

The coroner went on to point out to the jury that witnesses had said that they did not see a man in the car, or get out of the car, when it arrived at the Foster garage. It was an astonishing thing, he said, that in a short area of about 40 yards, if her story were true, nobody had seen the stranger. Then again, Miss Foster had said that the car was on fire in the road. If this were so it would have been impossible to have driven it across the moor. Such an idea would be nonsense. It also seemed apparent that the cap of the petrol tank had been removed before the fire occurred.

“If the girl did it, how was it done?” asked the coroner. “It has been suggested that she may have been standing with one of her feet on the step and the other on the running-board, pouring petrol on the cushions, and that when she lighted it the flames came back and caught her. Is not the position of the burns most consistent with a theory of this description? There is no direct evidence that the burns were caused by another person.”

The jury then retired and were away over two hours. They returned with a verdict that Miss Foster had been murdered “by some person or persons unknown”.

The coroner then asked them if that meant that they found that some individual had wilfully poured petrol over Miss Foster and set her on fire, and they said that it did.

The verdict was received by the villagers with loudly expressed approval. The verdict, however, did not satisfy the girl's father, Mr. J. J. Foster, who took exception to some of the observations made by the coroner in his summing-up. So he wrote a letter to the Home Secretary about it. In this he complained that many painful and scandalous innuendoes were made against his daughter at the inquest. He had said that his daughter had been accused of herself setting fire to the car to obtain insurance money, pointing out that insurance companies settle a claim on the market value of a car and not on the sum for which it is insured.

"There was not a tittle of evidence," he protested, "to support these shameful theories, but I recognise that they were, perhaps, inevitable, distressing though they were to my family. The jury's verdict vindicated my girl's integrity and good faith."

The letter then went on to point out that in an interview with a newspaper reporter, the Chief Constable of Northumberland had stated that the verdict was against the weight of evidence. He protested against the police defending themselves in a case of failure by attacking his dead daughter.

The letter concluded:

“This is a matter to which I earnestly hope and pray you will devote your attention, in conjunction with the following questions:

“1. Was my daughter’s burned car left unprotected for hours so that finger-prints could not be taken?

“2. Is it also a fact that the police made no attempt to check footprints on the scene of the tragedy until the ground had been trampled over by curious sightseers?

“3. Why were the skill and experience of Scotland Yard ignored by the Northumberland police?

“We have suffered a great bereavement and terrible shock that will remain with us to the end of our days. All I can do now is to defend my daughter’s honour along lines which may protect other parents from the painful procedure to which Mrs. Foster and myself have been subjected.”

The Home Secretary, Mr. J. R. Clynes, acknowledged receipt of the letter and said he would reply to it in due course.

It transpired that Miss Foster left estate valued at £1,400.

No doubt the Home Secretary made full inquiries into the matter, as is usual under such circumstances. No further steps, however, would appear to have been taken, and there the mystery remains to-day.

As to what really occurred on that tragic night the reader must form his own judgment, basing

his opinion upon the evidence which has been given in the preceding pages. The coroner's jury has placed it upon record that Miss Foster was deliberately murdered by some person who is still at large. As the coroner pointed out, it is difficult to conceive what motive the murderer had for such a terrible deed, if you except that the culprit, as suggested by the coroner, was a homicidal lunatic. There was really no motive at all. If murder it were, then it was an absolutely purposeless murder, and only a homicidal lunatic could have committed such a deed.

The suggestion made by the coroner that Miss Foster might have committed the deed herself in order to gratify a desire for notoriety—"get into the limelight" as it is sometimes called—will scarcely bear scrutiny. It is inconceivable that a girl, however much she might desire to "make a noise", would deliberately condemn herself to such a painful ordeal as that which led to her death. It might, of course, have been an accident, brought about by some mysterious means—she might have been taken suddenly ill and not known quite what she was about—and the tale she told the result of imagination arising from hysteria. But of course it is but a vague suggestion.

It is safe to say that this was one of the most mysterious murders ever committed.

## VI

### THE LATE CALLER

(*The Case of Edward Creed, Bayswater, July, 1926.*)

IN the year 1926 Edward Creed was manager of the old-established cheesemonger's shop belonging to Messrs. Philip Lowry & Co., and situated at Leinster Terrace, off the Bayswater Road, Lancaster Gate. He was forty-six years of age, was a member of the Special Constabulary and had been in his berth many years. He lived with his wife and daughters in Denbigh Terrace, Notting Hill.

On the evening of July 28th an assistant, named Alfred Leonard, left the shop about ten minutes past seven. Prior to this Leonard had, as was the custom at the shop, deposited a basin of hot water in the cellar for Creed to wash in. He also lit the gas in the cellar. Then went upstairs again, said "Good night" to Creed and left. When he got outside and the door was closed, he heard Creed place the safety catch on the door from the inside. He saw no suspicious characters hanging about outside.

By that time Creed had made up his accounts and locked the money in the safe, which was in the

office, leaving only a few coppers in the register till.

Three hours later a Mr. Andrews, a chemist next door, noticed a strong smell of gas emanating from the cheesemonger's shop. He tried the door but found it locked. He became alarmed and called a constable. Between them they forced an entry. They found the shop in great disorder. A box-bicycle, used for delivering goods, had bloodstains on it. There were splashes of blood on the walls, a pool of blood by the door which led to the cellar stairs. Half way down the latter they discovered the body of Mr. Creed, in a huddled-up position, as though it had been thrown down the stairs by somebody. A very strong smell of gas was proceeding from the cellar. Upon further investigation they found that three gas jets were fully turned on but unlighted.

Thus was brought to light one of those grim and stealthy tragedies which go to swell the already long list of London's unsolved mysteries. Scotland Yard were promptly notified, and Chief Constable Wensley, accompanied by Superintendents Nicholls and Ashley, were soon on the spot and bringing their combined skill and experience to bear upon the problem.

They discovered two left-hand, bloodstained gloves on the floor, one rather larger than the other. The safe had been rifled, the door having been opened by a key taken from the pocket of the dead man. The latter had been killed by repeated and

heavy blows over the head with a formidable weapon. It was thought a "jemmy". The police "reconstructed" the crime as follows: Creed had gone downstairs to wash when he heard somebody knocking on the front door. This would not alarm him, as it was quite customary for late callers to be served after closing time. He then went upstairs and opened the door. Immediately the assailant or assailants (it was believed that there were two) entered the shop, closing the door behind them and at once launched a savage attack upon Creed.

At this stage it will be interesting to point out the striking resemblance between this murder and that at Deptford, committed by the brothers Stratton. In both cases we have a shop with a locked door, the knock on the door, the custom for serving callers at unseasonable hours, the sudden attack, the ruthless murder, the robbery and the retreat of the culprits. They are what one may term "groove" murders, that is to say, murders where the methods adopted are invariably to be found moving in the same groove or channel. There may be plagiarism about it, as criminals undoubtedly copy and endeavour to improve upon one another's methods. The police were luckier in the Deptford case than they were in that at Bayswater.

Creed was a well-built and courageous man, and there existed evidence that he put up a severe struggle. He was, however, evidently overcome by

superior numbers and from the fact that he was taken unawares. Having been beaten to death, or at all events into unconsciousness, he was thrown downstairs. The safe was then opened and rifled, between £70 and £80 (it was afterwards ascertained) being taken. The assassins then went below and turned on the gas with the idea, one would suppose, of creating a fire somehow, so that all traces of the crime might be destroyed. They then quietly left the premises, fastening the door behind them. Apparently nobody saw them go, and thus they were able to make a clean get-away.

Although the culprits do not appear to have been seen near the place after the tragedy had been enacted, there were persons who were in a position to say that they probably saw them shortly prior to the tragedy. These persons were interviewed by the police. Among them was a police pensioner, named William Tucker, who lived near. He said he saw two men loitering about the shop about seven o'clock. They occasionally looked into the shop. He watched them, as their behaviour was suspicious and Mr. Tucker was an ex-policeman. A policeman was on "point" duty, quite near. The men caught sight of him and soon after disappeared. But they returned shortly after. One then stood near the corner of the street, the other on the opposite side of the way. The latter carried a basket of flowers, which gave him the appearance of a flower-seller. That was the last that Mr. Tucker saw of the men.

The police issued the following descriptions of two "wanted" men:

"(1) About 32, height 5 ft. 11 in. to 6 ft. Dressed in rough fashion.

"(2) Height 5 ft. 6 in. to 5 ft. 7 in. One leg shorter than other, causing him to walk with a pronounced limp. Of rough appearance."

It must be admitted that these descriptions seem rather vague, but they were the best the police could issue with the material at their disposal.

As usual under such circumstances statements were taken from various people. For instance, two women said they saw two rough men hanging about the shop a few nights before the murder, but they were unable to describe them very well. In fact no two descriptions tallied, except that one was taller than the other, and that one limped.

Another story, which came from a young woman, seemed to have something in it. She said she saw two men standing on the flat roof of the shop shortly before the murder. She had communicated this information about the time the murder was discovered and had then disappeared and could not be found. The police communicated with various coast towns—such, for instance, as Eastbourne, Worthing and other places around that part of the coast—asking the local police to keep a watch for the arrival of any suspicious-looking newcomers.

There were finger smudges and faint fingerprints found in the shop, and these were photographed, but they proved to be of little assistance.

News reached Scotland Yard from Birmingham to the effect that two men had visited the public baths and changed their clothes, leaving their old ones behind. The clothes they left behind consisted of a grey swallow-tailed coat, grey trousers with black stripe, waistcoat and blue jacket. There were stains on the clothes, probably of paint. The stains, however, might be bloodstains, and they were to be subjected to tests. Pieces were taken out for this purpose. The men left the baths dressed as follows: 1. New blue tweed suit, black boots, much worn, soft collar and tie, hard bowler hat. 2. New light grey suit, with stripes in the cloth, black boots, much worn, dark trilby hat, collar and tie.

Upon the strength of this and other information, the police issued the following amended and amplified descriptions of the two "wanted" men:

"(1). Aged 27 or 28, height 5 ft. 8 in. or 5 ft. 9 in., thinly built, dark features, short-clipped black moustache, sunken eyes, short-cropped hair at back, dark and well brushed back: walks with a jerk in his right leg.

"(2). Aged between 45 and 50, height between 5 ft. 5 in. and 5 ft. 6 in., medium build, sallow complexion, sandy moustache, round shouldered."

Scotland Yard were inundated with reports about the two "wanted" men having been seen, coming from all parts of the country. The task of attending to all these was a heavy one, and unfortunately led to no practical result. The descriptions were rather vague, and the only resemblance between the men who were seen and those who were "wanted" was apparently the limp. As a matter of fact it was rather a "jerk" than a limp.

The inquest was opened at Paddington on August 13th, by Mr. H. R. Oswald. It was a short hearing, only evidence of identification being taken. The coroner apologized to the jury for having to adjourn so soon, but he did so at the request of the police. He also mentioned that he had received some anonymous letters about the case. He explained that he did not want to give the case away to any possible criminal by any revelation in his court. He could have called Dr. Bronte and other important witnesses, but it would be inexpedient to do so on that day.

An anonymous letter had also been received by the police, to which they evidently attached considerable importance. They appealed to the writer of it to come forward, but there was no response. The coroner also appealed. He said: "I should like to point out to the individual concerned, whoever it may be, that he or she owes a public duty to the country and to justice in this case—a very brutal and cowardly murder—to come forward and state definitely what he or she knows. It is very

misleading to the police to keep behind the scenes. If the person would come forward and say what his information is the police can investigate it, and see if there is any foundation for the statement made, otherwise it is wasting the time of the police, throwing them on the wrong scent, and helping a criminal to escape.

“I appeal to that individual to take his or her courage in both hands and say definitely what the information is. If fear is the reason for the person keeping in the background I will tell him or her that he or she need have no fear at all as to the consequences.

“The person will be afforded ample protection, and even if personal violence is feared through giving evidence, in this case the individual concerned ought to have a certain amount of personal courage in the interests of the public, the State, and justice, and exercise that personal courage by coming forward and defying any person who has threatened him or her.”

The police themselves also issued the following official intimation to the individual in question:

“No response has been received by the police to the appeal made through the Press for the anonymous writer who sent two letters to Chief Constable Wensley to get into touch with him.

“These letters were postmarked August 4th and August 9th respectively, the first being addressed to Insp. Wensley and marked ‘Important, Urgent’,

and the second addressed to Chief Con. Wensley and marked 'Personal'.

"It is again requested that the writer of them communicate with the Chief Constable, making an appointment. Should the writer fail to come forward by midday on Saturday, August 14th, the police authorities will reluctantly be compelled to publish a specimen of the handwriting."

The letters were evidently written in a disguised handwriting. The threat to publish a specimen of the handwriting was evidently made with a view to frightening the author into coming forward. If so, it failed, as nobody responded. Nor, so far as can be ascertained, was a specimen of the handwriting published. Probably there had been no real intention of doing so.

However, on August 23rd, another anonymous letter was received by the police, obviously written by the same person and again in disguised handwriting. From the style and diction and general phraseology of the documents it seemed probable that the writer was a person of some education, who still obstinately refused to come forward. The police had interviewed over 100 persons on the case, although not the individual they particularly wanted to interview.

The police believed that the murderer or murderers, were acquainted with Creed. All the previous assistants were found and questioned, their replies being satisfactory, and proving that they were in no way connected with or knew

anything about the tragedy. There were two ticket-of-leave men who had not "reported", but these also proved to be outside the case.

The inquest was resumed on September 1st, at which the coroner made the following additional statement:

"Unfortunately no person has been arrested who could be said to be suspected of this foul act, and so far as I can see there is no prospect that an arrest is near. It will be wasting your time and the time of the witnesses to keep on adjourning the case. A verdict that the murder was committed by some person unknown will not prevent the police prosecuting any person who may be arrested later. If a person is discovered twenty-five years hence to have committed the murder he may yet be hanged, and the person in this case, whoever he is, may lay that in his conscience."

Mere formal evidence was then taken, and the only possible verdict returned, namely, that of murder against "some person or persons unknown".

In an article which the coroner, Mr. Oswald, subsequently wrote for an evening paper, he referred to the murder as a "perfect crime". Presumably a perfect crime is one where the perpetrator is never discovered. If that is so, there must have been many perfect crimes committed from time to time. At one time there was an attempt to make this murder out as one of revenge, but clearly it was just a well-planned murder for

robbery. That the culprit or culprits had an intimate knowledge of the habits and movements of Creed is obvious, but most skilful crooks make themselves well acquainted with the ground on which they are going to "work" before attempting a coup. The men who murdered Creed had probably well studied the place and the movements of Creed very carefully before they acted, and then they did so with great speed and precision. That they were not taken is proof of the skill with which they laid their plans and the adroitness with which they executed them. Of course they may yet be taken, but the probability is that they will not.

## VII

### THE PAYING GUEST

(*The Case of Hilary Rougier, Woking, August, 1926.*)

(a)

IN the year 1926 Mr. Hilary Rougier, a retired farmer, who had formerly lived in Guernsey, was staying as a "paying guest" at a house called "Nuthurst", situated at Lower Knaphill, about two miles from Woking. The house had been rented furnished by a Mr. and Mrs. Lerwill, who were friends of Rougier's, with whom they had been acquainted some years. Mr. Rougier suffered from extreme asthma. He was very old.

On July 23rd, Dr. Brewer, a local practitioner, was summoned by telephone to see him. He was received by Mrs. Lerwill, who asked him to wait while she fetched Rougier from the garden, where the old man used to spend a good deal of his time pottering about. Dr. Brewer saw him, and he appeared to him to be a healthy man for his age. He found slight signs, only slight signs, of bronchial trouble. Dr. Brewer noticed that the old man appeared, as he described it, "subdued". He

never spoke for himself, Mrs. Lerwill speaking for him and seeming to monopolise the conversation.

On August 14th Dr. Brewer received another and a very urgent summons to Nuthurst to see Rougier. This message was also a telephonic one. As before, he first saw Mrs. Lerwill. On going into Mr. Rougier's room he found him in an unconscious condition. In fact he was actually dying and was beyond all aid. He was livid, quietly and automatically breathing. His pulse was feeble, and the old fellow was all but dead. There were no signs of external injuries. He merely examined him casually, as he was absolutely beyond aid. Dr. Brewer regarded it as a case of severe cerebral hæmorrhage, having occurred during the night. A little later he received a message at his house over the telephone to the effect that the patient had passed away.

Dr. Brewer duly issued a certificate on August 16th, giving the cause of death as senile decay, cerebral hæmorrhage and coma. He had no suspicion that there was anything wrong.

On each occasion that Dr. Brewer was at Nuthurst he never once saw Mr. Rougier alone. Mrs. Lerwill was always with him and did all the talking. It seemed to Dr. Brewer that the old fellow was not allowed to speak for himself. He said that before Rougier could speak Mrs. Lerwill "butted in" and spoke for him.

Mr. Rougier was duly buried in St. John's

Churchyard, Woking. In spite of the fact that he was always regarded as a wealthy man, it was found that all he possessed at the time of his death was £50. This surprised several people who had good reasons for believing that they knew what his financial position was.

Well, Mr. Rougier had died and Mr. Rougier was buried and his body had lain in the ground for about a year and a half when some startling events occurred. Early in 1928 rumours arose that all was not as it should be in connection with the death of Mr. Rougier. An application was made to the Home Office for permission to exhume his body. This was granted and on March 16th the exhumation took place. It was attended by the well-known pathologist, Sir Bernard Spilsbury, who was accompanied by Superintendent Boshier, of the local police. Sir Bernard found the face of the corpse covered with a white handkerchief, which was marked in the corner with the word "Lerwill". He found no external mark of injury. There was no hæmorrhage on the surface or the substance of the brain. He found no sign of disease in him. In the stomach were no signs of disease or poisoning. He came to the conclusion that death was not due to cerebral hæmorrhage, nor was there any sign of disease of the brain to account for death. In short there was no ascertainable cause of death. Not even that of senile decay. There was nothing to account for either death or the period of unconsciousness which preceded it.

The conclusion thus arrived at was that Mr. Rougier did not die from natural causes.

(b)

The inquest was opened on Thursday, May 17th, 1928, by Mr. G. Wells Taylor, at Woking, and was continued for many days. Mr. W. B. Frampton was present to represent Mr. Lerwill, Mr. J. G. Symes appearing for Mrs. Lerwill. Mr. W. Crosse represented Mrs. Carey Smith, sister of the deceased Mr. Rougier. There was a large array of bottles and tins in the court.

The first witness called was Dr. Roche Lynch, the well-known expert, who had made an analysis of portions of Rougier's body, and found alkaloid morphine in the organs. He suggested that Rougier must have taken a considerable quantity of morphine before his death. The amount present was small, but the fact that any was found in the viscera as long as eighteen months after burial indicated that he must have taken a considerable quantity shortly before death. In fact, the finding of morphine at all after so long a period was surprising, as it had a tendency to disappear as putrefaction proceeds.

It must have been a fatal dose. The symptoms of a large dose were: First a period of excitement. Then the victim becomes sleepy, falls off to sleep, sleep deepens to coma, from which it is impossible to arouse him. He may also be blue in the face, and with a slow pulse.

Dr. Lynch said that he had been handed 119 articles which had been taken from the house, a considerable number of which contained food and medical preparations. One bottle was labelled "Linctus—one tablespoonful to be taken if the cough is troublesome." It contained .15 per cent of morphine. The whole bottle would contain getting on for a fatal dose. There were also tubes of morphine not yet opened. A bottle labelled "Laudanum" contained tincture of opium, which was 1 per cent morphine. A considerable quantity had been taken from the bottle and would have produced the results found by the analyst.

Here the foreman of the jury put the following question to the witness: "You have told us that death was due to a fatal dose of morphine. That is the impression the jury have got."

"I cannot say that," replied Dr. Lynch.

The inquest was then adjourned till the following day, and was thence continued daily.

Miss Mary Hope, of Queen's Gate, London, the owner of Nuthurst, gave details of the letting of that house. She described how the house came to be let to the Lerwills, who had two small children. She said that she had shut one or two of the cupboards before leaving the house. One of the cupboards contained chiefly clothing and books. Another had many bottles in it, one or two had belonged to her father, who was a doctor. The bottles had been there many years. Altogether there were about 120 bottles. Some of them

contained poison. One was a bottle of morphine. She was shown a bottle taken possession of by the police, and upon examining it Miss Hope said that it had contained more when she last saw it. Also she said that she did not remember the label "poison" on it, nor was there a cork floating about inside as there was now.

Miss Hope returned to Nuthurst about October, 1926. The Lerwills had then gone, leaving the key with an agent or a neighbour. In the meantime she had heard of the death which had taken place in the house. She went to have a look at the rooms. She was not satisfied with one of them. It smelt musty, an odour that was not at all pleasant. Also the bedstead was discoloured, the polish had been rubbed off the head, as though it had been scrubbed.

A sister of Miss Hope also explained that the rent was to be paid by instalments, but only a third that was due had been received and that the matter was in the hands of a lawyer.

Evidence was then given by a Miss Dayborn, a domestic help, who said that she took shaving water up to Mr. Rougier the day he died. She found him breathing heavily. She shook him but he did not speak. Becoming alarmed, she fetched the nurse and Mrs. Lerwill. The doctor was sent for, who said that Mr. Rougier could not live long. In fact he died at four o'clock that afternoon.

Miss Dayborn was followed by the trained children's nurse, Miss Aldridge, who was employed

by the Lerwills. She said that she had never seen Mr. Rougier write anything. She had, however, seen him sign documents, and had witnessed his signature. Mr. Lerwill did not sleep at home on the day that Mr. Rougier died, nor the day before. She did not remember seeing him during the day. She said that Mr. Rougier seemed to be very fond of Mr. and Mrs. Lerwill.

Then came Mr. R. Hilliard, of Crosby House, Chigwell, who married Rougier's niece and had heard of the death of Rougier. He at once telephoned to Nuthurst. Mrs. Lerwill replied. She said that she was alone in the house with her children and asked that the funeral might take place as soon as possible, on account of the children. The funeral was accordingly arranged. Mr. Hilliard was present. After the return to the house he made a search for Mr. Rougier's belongings, being helped to do so by Mr. and Mrs. Lerwill. He was surprised that he could not find the deceased man's cheque book. In the course of conversation before the funeral, he explained, Mrs. Lerwill had suggested cremation.

"Have you since attached any importance to that suggestion?" asked the Foreman of the Jury.

"Yes, I have," emphatically replied the witness.

The witness stand was then taken by Mr. A. W. Crosse, of Bedford Square, who was acting for Mrs. Carey Smith, the sister of Mr. Rougier. He described how he went to Nuthurst to make inquiries about Mr. Rougier's death. He saw Mrs.

Lerwill, who merely referred him to her solicitor at Brighton. She afforded him no other assistance or furnished him with any information. He said he thought it strange that Mr. Rougier should leave so little, when he should have been worth between £5,000 and £6,000. Rougier was paying the Lerwills so much for living at Nuthurst.

Mr. Crosse then saw Mrs. Lerwill's solicitor, but he could get no satisfaction out of him. He eventually found Rougier's pass-book, which contained many cheques made payable to the Lerwills. He thought it very extraordinary. He eventually succeeded in getting possession of some documents from a bank at Horsham, where Mrs. Lerwill had an account. These included some cheques. There were twelve of them, several of them payable to Lerwill, the various sums including those of £130, £53, £60, £85 and £40. There was also a "bearer" cheque for the large sum of £1,850. The earliest cheque was drawn in 1924 and the latest in 1926.

Mrs. Smith, of Crosby House, Essex, the sister of the dead man, then went into the box.

Mrs. Smith explained that her brother was left sufficient money by his father to enable him to live comfortably. She last saw him alive in the spring of 1925. He consulted her about selling his house at Guernsey, which was eventually sold for £3,080. Mrs. Lerwill was present at this interview. Mrs. Lerwill said that she would like a private interview with Rougier, which was accorded her and which lasted for five minutes. As a rule,

she said, her brother was most careful about money matters. A cheque was produced, made out to E. C. Smith, being the witness herself, dated December 10th, 1924, about which she was asked. She explained that when she paid it into the bank the latter would not cash it, as they were not satisfied with the signature. She also said that she had to press him for this cheque.

A number of cheques were then handed to the witness, and she closely examined them. She said that some were not in her brother's handwriting, some of the signatures were also doubtful. The cheque for £1,850 she said was not in her brother's handwriting. She doubted whether he would have signed a cheque that was not in his own handwriting. She also said that the house at Guernsey was to have been hers, and that he always consulted her as to change of tenancy. After her brother's death she made inquiries at his bank in Guernsey and was surprised to find that everything had been withdrawn. She then thought that it had been deposited in another bank, but was astonished to find that there was nothing left.

Mr. H. T. Knott, the manager of Barclay's Bank, Horsham, then gave evidence. He said that Mrs. Lerwill opened her account on December 10th, 1925, closing it July, 1927. Mr. Lerwill had no account there. He said that the cheque for £1,850, made out to bearer, was, he believed, paid in by Mrs. Lerwill. The witness also proved the paying in of other cheques of varying amounts.

Then came Mr. Lerwill. Before he was asked any questions the coroner thus addressed him: "You know the words of the oath, and, of course, appreciate that these words are not idle words. You also know, I have no doubt, that it is a principle of British justice that no one is obliged to say anything that will incriminate himself".

The witness nodded and his examination was proceeded with.

He described himself as of "no occupation", and gave his address as West End Park, Chesham. He then went on to explain that when he and his wife were living at Bexhill, Mr. Rougier asked if he could live with them. They consented, and he lived with them at various places, including Hassocks, near Brighton, Broadbridge Heath and Lower Knaphill. At Broadbridge his, Rougier's, health began to fail, his breathing being very difficult. He said himself he thought it was due to his advanced age. During the last month of his life, the witness said, the old man's breathing became very bad, so bad, indeed, that he was hardly able to speak.

Lerwill said that he was in London a few days before Rougier died. One day his wife sent to him that Rougier was worse. He at once went to Woking, and returned to town again in the afternoon. He was then questioned about the cheques, and said that he was perfectly certain that every cheque produced in court had been signed by Rougier. He explained that the money had been

given to him from time to time by Rougier in order to help him, and that Rougier had expressed himself as glad to be able to do so. He admitted that although he had no occupation he had been trying to get something to do. The coroner then asked him who, under the circumstances, was going to pay the four-and-a-half guineas rent of the house they had taken, and the witness replied that he would himself have done so had not a catering business he had taken at Woking failed.

In answer to a question as to why a doctor had not been called before, the witness explained that as the old man had been getting worse during the last week or two a doctor could only go on giving him medicine. When he returned to Nuthurst, he added, he did, in fact, suggest that a doctor should be called that day. Asked as to the footing on which Rougier was in the house, the witness replied that of a paying guest. (This was true enough. He was certainly a *paying* guest.) No arrangements, however, the witness admitted, had been made as to maintenance. No payments were made during the first month or two. Rougier had helped him in various business arrangements. Before he came to live with them he had helped with a guarantee. Rougier had paid nothing at Horsham and Nuthurst, although the witness admitted that he had received "certain amounts" from him.

Lerwill could not remember when the last payment was made.

"I wonder if I can remind you," commented the coroner.

He then handed the witness some cheques, calling his special attention to the one for £80.

"I do not remember receiving that," replied the witness, "though probably I did."

"The payments were very frequent," remarked the coroner.

"That is money he had been giving me for my different debts and one thing and another," replied Lerwill.

The witness could not point to any cheque which could be said to have been in payment of maintenance, nor did he know why there was no record of any cheque being paid after May, 1926. All cheques, he explained, were "gifts".

A cheque for £950, payable to a solicitor, was put to him, and he said that he was in debt at the time and this cheque was in settlement. He was then shown the cheque for £1,850.

"I filled that cheque for Mr. Rougier," he said. "It was partly to pay off a guarantee for me to the Westminster Bank at Woking for £750. He, Mr. Rougier, as guarantor, was called upon to pay that for me."

The examination of Mr. Lerwill was adjourned at this stage. In the meantime Dr. Brewer was recalled, and said he was quite certain that the news of the death of Rougier was sent to him by telephone at 12 o'clock in the day, when he returned for lunch. Witnesses had said that Rougier

had died at four in the afternoon. The doctor also said that "most certainly" Rougier's condition was consistent with morphine poisoning.

Miss Hope was also recalled, and being shown a bottle of morphine tablets, said she did not recognise them as having been in the cupboard.

When the examination of Mr. Lerwill was resumed, he was asked further about certain cheques. Why did he make them out?

"Mr. Rougier would say," replied Lerwill, "Just write it out and I will sign it'."

"What was the inducement offered?" asked the coroner.

"No inducement whatever," replied Lerwill. "I said I had certain debts, and he said he would be glad to help me."

"Were any of the cheques obtained by means of any threat?" asked the coroner.

"None whatever," replied Lerwill.

"Would you give the same answer regarding this cheque for £1,850?" asked the coroner.

"Absolutely," replied Lerwill.

The witness went on to explain that he had not seen Rougier's pass-book until he came into court. He thought he was worth more than he really was. He had himself received from him between £5,000 and £6,000.

"In March there was only £150 left," said the coroner. "In May you had a cheque for £80. How was Mr. Rougier going to maintain himself on what was left?"

"I have not the faintest idea," replied the witness. "I should have looked after him, or my people would."

"Why should your people be called upon to maintain Mr. Rougier," asked the coroner, "from whom you have had £5,000 or £6,000?"

"My people would have looked after him if I had asked them," he replied.

The coroner then remarked that morphine had been found in Rougier's body and asked him if he knew anything about it.

"Nothing whatever," he replied.

"Do you suggest Rougier got it himself?" asked the coroner.

"He might have done," replied Lerwill.

"Do you consider he took it himself?" asked the coroner, to which the witness replied, "I cannot say."

The witness was then asked to explain the presence in the house of a bottle of laudanum, and he said that Rougier asked him to get some for his dog's paws, which were afflicted with eczema. He denied all knowledge of the phial of morphine or bottle of laudanum found in the cupboard, as he had never "explored" the cupboard.

The witness was then cross-examined by Mr. Crosse, representing Mrs. Smith.

"Have you any explanation as to why he should give you £6,000 and leave himself with only £50?" was his first question.

"No," replied Lerwill. "I think he wanted to

help me and he did it. He said he had never been so happy in his life as when he was living with me."

"Don't you think it was an extraordinary thing," continued Mr. Crosse, "that he died just when he had got rid of all his money?"

"I don't think it extraordinary," replied Lerwill.

That concluded the examination and cross-examination of Lerwill.

The jury then expressed their dissatisfaction at the witness not being able to be more definite about the purchase of laudanum for Rougier's dog. They could not make out, they said, why, as Rougier was known to be fond of walking, he had not gone to the chemist's himself.

Mrs. Lerwill then went into the box.

She explained that Mr. Rougier took dislikes to people and asked not to be left alone with Dr. Brewer. Also Rougier would not answer questions put to him by the doctor.

Questioned on the subject of finance, she said that she had no money of her own, it all belonged to her husband. The banking account was opened in her name as her husband was in difficulties at the time. In reply to a question, she denied ever having administered any noxious drug to Rougier.

Mr. A. A. H. Hardwicke, solicitor, of Brighton, then gave evidence. He said that he acted for Mr. and Mrs. Lerwill in the summer of 1925, and met Rougier on several occasions. Rougier had

told him that he had known Lerwill since he was a boy and that he was very fond of him. In fact there was, he said, nobody he cared about but the Lerwills. He further said he was prepared to advance sums of money to help Lerwill. Rougier said he had once lived with his sister, but was so uncomfortable with her that he left and went to live with the Lerwills.

A police sergeant then entered the witness-box and said:

“After the statement by Mr. Lerwill to-day I caused inquiries to be made at Horsham with reference to the bottle of laudanum, and the reply I received was: ‘Search has been made in the poison registers of all chemists in Horsham. No record of sale of poison to W. F. Lerwill since 1924. All sold have been contained in prescriptions’.”

The final hearing of the inquest was held on Wednesday, May 30th. The coroner stated that he had received a number of anonymous letters bearing on the case, but said that no notice should be taken of them.

Mrs. Lerwill was recalled, and questioned about certain letters in her handwriting. An explanation of the matters referred to in these, which were not all connected with the death of Rougier, was supplied by Mr. Preston, a solicitor, of Bishopsgate. It transpired during this explanation that it was contemplated bringing an action against Lerwill for the return of the money obtained from Rougier

but whether such an action was ever launched does not appear to be obvious. Mrs. Smith's solicitor was supposed to have had the matter in hand.

That concluded the taking of evidence.

A proclamation was then made for any other witnesses to come forward, it being read by the coroner's officer from both doors of the court.

The coroner then made a brief summing-up. He pointed out to the jury that it would be wrong for them to name any person or persons in a finding involving a criminal offence, unless they were satisfied without a reasonable doubt that there was a *prima facie* case on the evidence against the person named.

At the request of the jury, the coroner read over the evidence of Mrs. Lerwill. They then retired and shortly after returned with the verdict that Mr. Rougier died from morphine poisoning not self-administered.

Which of course meant that Mr. Rougier had been murdered by somebody not named.

After the verdict was returned and as Lerwill was leaving the court, a police constable said to him "Superintendent Boshier wants to speak to you". Lerwill then strolled up to the Superintendent and asked him, "Do you want to see me?" "No," replied Boshier, and that was all that transpired. Mrs. Lerwill then asked a constable if the Superintendent wanted to see her, and the constable replied, "No, it is all right". "What did he call

me back for?" asked Mrs. Lerwill. There the peculiar incident ended, Mr. and Mrs. Lerwill leaving the building by separate exits.

Thus the matter ended and no light has since been thrown on the mystery of Hilary Rougier's death. In the following September it cropped up again. A "development" was supposed to have occurred. Superintendent Boshier, who was then on holiday, was recalled by the Home Office and had a conference with the C.I.D. The incident was shrouded in mystery, and no details were vouchsafed for publication. Nothing transpired, and there has been silence ever since. It was just one of those little vague sequels which often attend the aftermath of unsolved murder mysteries, like the intermittent flickerings of a conflagration prior to its total extinction.

As to who achieved the "removal" of old man Rougier with the depleted exchequer, who shall or can say? The whole mind of the police on the subject would no doubt be very interesting and enlightening, but of all classes of the community the police are least able to perform that mental revelation. It is one of those cases where the reader must form his own judgment, basing his opinion on the facts which have been laid before him.

## VIII

### THE SECRET OF THE BUNGALOW

(*The Case of Thomas Henry Jackson, February, 1929.*)

(a)

IN the early part of the year 1929 there lived at a bungalow at The Mumbles, Swansea, a Mr. and Mrs. Jackson. They had an adopted child, a little girl named Betty. On February 4th, Mrs. Jackson, accompanied by a neighbour named Mrs. Dimick, went to a cinema. Mr. Jackson went to bed. There was a dog in the house. When the two women returned from the picture theatre it was about ten o'clock. They separated, making their way to their respective homes. Mr. Dimick, however, had not had time to get indoors when she was alarmed by hearing a loud screaming coming from the direction of the Jackson bungalow. So she at once made her way there. On going to the back of the Jackson bungalow she found Mrs. Jackson upon the ground and being lifted up by her husband. This was near the back door of the bungalow. Mrs. Jackson was bleeding from the head and was unconscious. She was carried indoors to the scullery.

A little later another neighbour, a Mrs. Gammon, came in and offered to help. While in bed Jackson had been suddenly roused by hearing screaming at the back of the bungalow. He had immediately got up and gone out, accompanied by his dog, and found his wife lying on the ground. She had evidently been savagely attacked and beaten about the head with some blunt instrument. No weapon was found near the place of attack.

Jackson and Mrs. Dimick did their best to revive Mrs. Jackson, but she remained unconscious. They bathed her face and attended to her generally. Later—about midnight—a doctor was called, and Mrs. Jackson was conveyed to hospital in a taxi cab. Eventually the police were notified of the case by telephone by the night porter of the hospital.

Mrs. Jackson was wearing an overcoat, on the collar of which there was blood. Most of the blood was on the lining, on the right side. The coat was over her head, as though she had raised it to protect herself against the blows, or her assailant had covered her head with it in order to smother her cries. She was lying about eight feet from the back door, where she had collapsed. A few days later Mrs. Jackson died without having once regained consciousness and without uttering a word. Thus the mystery was sealed.

(b)

Mrs. Jackson was regarded by most people who knew her, or thought they knew her, in the vicinity

where she lived, as a woman of considerable mystery. She lived well, even luxuriously, and always had plenty of money. She did not seem to have any particular occupation, although she had created the impression that she was an authoress. She received many letters, some of which were supposed to come from her agent, who had her business affairs in hand. As a matter of fact, she was not an authoress, and was incapable of writing a line worthy of being published. She had an occupation which was very far removed from that of an authoress, an occupation which was at once degraded and criminal. We shall next proceed to turn a few pages of her grim history and describe her career which culminated in her savage murder.

Early in the year 1919 she was lunching at the Corner House in the Strand when she got into conversation with a man who was seated near her. After a little while she asked him his name and he said it was Ingram. He also said that he had been badly wounded in the war. They chummed up together and afterwards went to the pictures. Eventually the lady, who lived in the country, had to return, and the two went to Waterloo Station. They arranged to meet again in a day or two. They met, had dinner together and again went to the theatre. We may as well reveal the fact that Ingram was really Jackson, who, with a few pals, was having a few days' recreation in London. The lady said she was Madame B——, that she was an authoress and

that she had to see her agent occasionally to see what commissions, if any, he had for her.

Jackson took her to be a woman of wealth who perhaps was dabbling in authorship as a hobby. She was always elegantly dressed and had a charming way with her. She was liberal with her money, even to the degree of extravagance, and would sometimes give as much as a pound note as a tip for quite a trifling service.

After a few weeks' acquaintance the lady invited Jackson (as we will now call him) to her house at Southampton Terrace, Farnborough. It was a fine house, well furnished, and she appeared to be living there alone. A next-door neighbour did cooking for her and a girl came in to do the cleaning. Jackson stayed there for some weeks, and became very fond of his friend. So that when one day Madame B——, presumably she had represented herself as a widow, asked him if he would like to marry her, he was not disinclined to fall in with her suggestion. In addition to the fact that he had become very fond of her, there was the tempting prospect of becoming the husband of a wealthy woman, more particularly as he himself was not by any means in affluent circumstances.

So a marriage was accordingly arranged. But before the ceremony could be performed the lady wanted one little detail attended to. She had seen Jackson's discharge papers and by that means had learned his true name. She objected that Jackson was much too prosaic a name for her to assume,

so she insisted that he should adhere to the name of Ingram, and that, in addition, he should promote himself to the rank of Captain. He agreed, and so shortly after he was married to the lady in the name of Captain Ingram. The marriage took place at a register office, although the name of the regiment he was supposed to be in was not given.

They spent their honeymoon by travelling about to different places, and finally settled at a place called Warwick Farm, Ash Vale, Surrey, which Jackson described as "a compact little place of about seven-and-a-half acres". Here his wife became very extravagant in the manner in which she embellished the property, expending large sums of money in stocking the place with all kinds of ornamental and fruit trees, poultry, pigs, etc. She must have spent thousands of pounds on the place, and paid any price that was asked her for anything she wanted. She did not haggle but paid right away. She also dealt liberally with her servants, giving them freely all sorts of luxuries, such, for instance, as port, cake, biscuits, lavish dinners, and so on. And in return they thoroughly neglected their duties, so it was said.

For about three years they remained at Ash Vale, each year going for a wonderful summer holiday.

In 1922 Jackson had a desire to see his people at Swansea, but could not very well do so in his assumed name. This difficulty, however, was surmounted by the two getting married again at a

Cardiff register office in the name of Jackson. He then introduced his wife to his people and got a job as an exhibition billiards player. His father kept the Ship Inn, and the two stayed there for a fortnight. Mrs. Jackson became very fond of Swansea and it was decided to settle there. It was while they were at Ash Vale that, as they were not likely to have any children of their own, they adopted the little girl, Betty. The adoption was carried out in due legal form. Mrs. Jackson wanted it to be believed that the child was, in fact, her own, and means were taken to create that impression. Eventually Mrs. Jackson took the bungalow at The Mumbles, where she lived with her husband until the tragedy which put an end to her career.

We must now go back again chronologically and relate some incidents which occurred prior to those related above.

During the war Mrs. Jackson, posing as a lady of distinction and means, mixed freely with young military officers. It may be said at once that she was, in fact, of very humble origin, being the daughter of an agricultural labourer, who subsequently became a gardener. She was not in any way entitled to any of the exalted positions which she assumed. At one time she claimed to be the daughter of the Duke of Abercorn. She came to make use of the name B—— as she had been living with a man of that name. She had freely blackmailed the officers with whom she had become acquainted, or those of them she managed to get

into her clutches, at which, by the way, she was eminently successful. This humble, though relentless, Delilah made victims wherever she went, and pitiful tragedy ever followed in her wake. But the most poignant of all was that connected with a criminal charge, which doubtless had a direct connection with her eventual untimely though not unwelcome passing hence.

One day, while this human privateer was "cruising" along Charing Cross Road, her baleful eyes fell upon a man who held an official position in connection with a trade union. In the racy phraseology of the day, he "fell for her". As is usual with such decoys, the woman had an unfailing instinct for "spotting" precisely the man who would become an easy and a complete victim. The man in question was such an individual. The meeting occurred somewhere in the year 1914. The woman was then calling herself Mollie B——. As usual, she was the first to speak. Unfortunately for himself, the man responded. The two adjourned to a tea shop, where the lady promptly and sincerely "told the tale". He listened sympathetically to the mendacious narrative poured into his ears by the adventuress, and her tale was a tale of woe. She was, she said, starving. Her husband, she declared, was a clerk who could get no work, who was so poor in fact that he was unable to obtain enough food to keep body and soul together. It looked as though the woman must have had some intuitive knowledge of the man's career, for he was, in fact,

himself a working man, who, by means of application and unremitting industry, had raised himself to a position of trust and prominence with the union in question. How natural for such a man to sympathise with a woman in such a presumed position! And sympathise he did.

The acquaintance grew, as the woman intended it should, until it became of an intimate character. It was not long before Delilah had extracted or extorted from her victim full information as to his position. She learned that he was secretary and treasurer of the union and that he had control of large sums of money. This was just the kind of "bird" she most desired to snare, and one, moreover, ready and easy for the plucking. She was not long in beginning this process of acquirement. Incidentally she also learned—and this was valuable information for her—that the man was a married man with children and that he had a comfortable though not ostentatious home in the southern suburbs of London. He lived in a "respectable" circle, and his good name and his peace of mind were precious to him. That good name and peace of mind were now in her possession and she meant to make him pay dearly for it. She would let him retain it, but at a pretty stiff price. It would be at the cost of her own life of luxury and self-indulgence.

Thus began this sordid and sorrowful tragedy. It was mainly from this victim that Mrs. Jackson acquired her wealth with which she made such a

lavish show wherever she went, and not, as she led some people to suppose, from the work of her pen, which would not have procured her one of the meals which heartless blackmail had bought for her. It is pretty certain that on one isolated occasion only had any intimate intercourse occurred between her and her victim, yet for many years afterwards the lavish "bleeding" process continued. Deeper and deeper into the inextricable mire went the luckless man. To keep the dread secret safe the man filched and filched from his trust funds until the aggregate amount assumed formidable proportions. When his falsifications had mounted to well-nigh £20,000, most of which had gone into the capacious maw of Mrs. Jackson, the truth came to light, and, costly as it had been, the dread secret was out and the fierce light of public ignominy beat upon the ruined man.

He was arrested and duly appeared at the police-court. His association with Mrs. Jackson, of course, became known, and she was called upon to give evidence. Then a strange thing occurred. Her name was suppressed! Subsequently a judge asked why, and the police then explained that they thought that by doing this it might lead to restitution or partial restitution. Whoever thought that must have been poor readers of human nature. Restitution from such a woman as Mrs. Jackson! The idea was preposterous and they ought to have known it. However, this degraded woman, who should have been held up to shame and loathing,

was shielded behind the alias of "Madame X." And as such she was known all through it. In fact the case became known as the "Madame X Case". Eventually the man appeared at the Central Criminal Court, although Mrs. Jackson was not called there. She appeared only at the police court. The man was duly convicted and sentenced to five years' penal servitude. The woman went back to her debauchery. We do not know what happened to the man's unfortunate wife and children. Perhaps it would be as well not to inquire into it. But our imagination can supply a good deal of the story and our hearts feel sore at the bitter reflection.

We will now move forward again to the scene and date of the murder.

(c)

When the police searched the bungalow they found a motor tyre wrench hidden under a cushion on a chair. They took possession of this, as they considered that it might very well have been the weapon with which the murder had been committed. It was not long, as may very well be supposed, before suspicion was directed towards Jackson, and shortly after, in fact, he was arrested and charged with the crime. He protested his innocence. The trial took place the following July at the Glamorgan Assizes at Swansea, before Mr. Justice Wright. Mr. Trevor Hunt, K.C., led for

the prosecution, and Mr. Jenkin Jones defended Jackson.

What was the case for the prosecution? It was by no means a strong one. Mr. Hunt seemed to have some difficulty in making it convincing. The argument he put forward was that, money having run short after the trial at the Old Bailey, Jackson was desirous of getting rid of what was now an encumbrance to him, that Mrs. Jackson had got inside the house on the night of the murder and taken off her hat, and that she was at once attacked by Jackson, that she ran outside and there fell down. The jacket, he also argued, was used by Jackson to shield him from getting bloodstained and to smother the woman's cries. He said that while on the way to the hospital Jackson, although he had twice said he would advise the police, did not do so. Also that when the two neighbours came in he did not say anything about his wife having been attacked. He further said that Jackson had purposely created an atmosphere of mystery about his wife, although there was really no mystery about her.

None of these arguments appear very cogent. Was there not mystery about the woman? Her whole life was shrouded in mystery, and necessarily so on account of the degraded life she was leading. Her watchwords were deceit and mystery. The fact that Jackson does not seem to have acquainted the police at once is not necessarily significant. Different people behave differently in the face of

emergencies. The police were sure to hear of it, and Jackson did, in fact, do his best for his wife immediately he found her. Which is scarcely the behaviour of a guilty man. No weapon was ever found, if you except the motor tyre wrench. And one can hardly credit the supposition of the prosecution that Jackson, after murdering his wife with it, popped it under the cushion so that the police could afterwards find it! He would, of course, have got rid of it altogether, which would not have been a difficult thing to do with such a weapon. It was not said, so far as can be ascertained, whether there were any traces of blood upon it. It was, however, evident that no traces of blood were to be found upon Jackson himself, which, even with the assistance of the jacket as a screen, would be very improbable if he were the assailant.

Mrs. Jackson was married, in the first instance, to Jackson in her maiden name, Kate Atkinson, which was her real name. It transpired during the trial that Mrs. Jackson was constantly dreading something, that she was always in a very nervous condition, which was not surprising under the circumstances. She occasionally received anonymous threatening letters, two of which were read in court. They were worded as follows:

“Lest you forget. This is to tell you that we are watching you and we will get you. You husband-stealer. You robber of miners’ money that would

have fed starving children; you and that man of yours. I suppose he is somebody's husband as well.

"When we get you we will tar and feather you, and for every quid you have taken from us you will get another lump of tar and one more feather.

"We will show people you are black outside as you are in. We don't mind doing quod for you. . . . We will get you yet."

The other letter ran:

"DEAR MADAME,—We are still watching and waiting. The pleasure is ours. When you don't expect us we will drop on you, and when we have finished with you your own mother won't know you.

"You foul thing. Call yourself a woman, do you? You are a disgrace to the name.

"How many more men have you blackmailed until they have to pinch money to shut you up?"

The prosecution suggested that these letters were written by the prisoner for the purpose of leading suspicion away from himself, but there was nothing but a suggestion in it. There was certainly no evidence to confirm it, nor does there appear to have been any attempt to do more than throw out the suggestion.

The brother of the dead woman, a Liverpool fireman, named Robert Atkinson, gave evidence.

He said he had not seen his sister for fifteen years. The witness, in faltering tones, asked if he might make an appeal. When the judge asked him what he wanted to say, he said:

“Only this. I am here representing my family. I want to say that we go out to my brother-in-law with open arms and love.”

These words were received with sympathetic applause and murmurs.

Dr. A. F. S. Sladden, of the Swansea Hospital, produced a human skull, on which he had marked the position of nine wounds found on Mrs. Jackson's head, and Detective Wright, of the Swansea police, said that he found a pair of woman's gloves on a table in the bungalow. On the inside of the right hand gauntlet was a piece of earth with a hair hanging to it.

Then came Chief Inspector Collins, of Scotland Yard, who testified to taking a long statement from Jackson on February 15th, which took the form of the story of the prisoner's life. Jackson appears to have made a pretty exhaustive confession, withholding nothing concerning himself and his doings. The statement was begun, so the Inspector said, at 10.15 at night, and was continued until midnight. There was an interval then until 12.45, when the note-taking was continued until about 2 a.m. The following day the statement was continued at 2 p.m. and concluded at 6 p.m.

This statement contained most of the facts already set forth above. In it Jackson said that he

regarded his wife as a person who had received a brilliant education, by reason of her speech and personality. She had told him that she was the youngest daughter of the Duke of Abercorn. He also related how they came to adopt the girl, Betty, and how, on one occasion, at Swansea, a parcel of woollies arrived for the child. The inner wrapping was addressed to Lord —, and Jackson's wife led him to believe that the child was the illegitimate offspring of that Peer. Of course there was no truth in it.

One of the witnesses was a man, who said that he lived for a time with "Madame X", who was known as Molly B—. In reply to Mr. Trevor Hunt, he said that he would not describe her as being a well-educated woman, but clever and a good talker. He was asked by counsel whether he had ever written a threatening letter to Molly B—, and he said that he never had. He went on to explain that he first met the woman while walking down Piccadilly. She was never a model, as was supposed, but she would occasionally bring him manuscripts of stories. She did not write the stories. He had thought that the chapter in his life connected with this woman was closed for ever.

Detective Inspector John Dean, of the Metropolitan Police, gave particulars of the case at the Old Bailey, which has already been dealt with. His evidence was merely formal.

The well-known pathologist, who has appeared in so many celebrated cases, Dr. Roche Lynch, gave some interesting evidence as to the nature of the attack upon Mrs. Jackson. For the purpose of illustrating his theories a dressmaker's dummy figure was produced in court, on which was fitted the jumper and loosely-fitting black coat which Mrs. Jackson was wearing at the time she was attacked. Dr. Lynch then demonstrated to the jury how the cuts in the clothing might have been caused. In addition to the tyre lever or wrench, a broken bottle had also been suggested as the weapon which might have been employed. Dr. Lynch said he had experimented with both and had succeeded in obtaining similar cuts with both. Which, although interesting, was not, it must be confessed, very decisive or definite.

At this stage Mr. Jenkin Jones, on behalf of the prisoner, submitted that there was no case to go to a jury. The Judge, however, ruled that there was, so Mr. Jones called his client to the witness-box. Mr. Jackson made a good witness, telling his story in a quiet, self-contained and convincing manner. He said, referring to his discovery of the murder: "I had gone to bed some little time after my wife had gone to the cinema. Suddenly I heard a peculiar scream, then another, and a third at the back of the bungalow. I ran downstairs with my dog, which was barking. When I opened the back door I saw my wife on the ground with one hand slightly raised. She appeared to be on

her knees. About five or six yards away was Mrs. Dimick."

He then went on to describe how he, with the assistance of Mrs. Dimick, got his wife inside the bungalow. He then went up to dress, leaving Mrs. Dimick to bathe his wife's face. When the doctor arrived he asked who might have done it, and Jackson replied that he had no idea. He then referred to the fact that his wife had received several anonymous and threatening letters, and that she was in consequence in a very nervous condition.

He then described the taking of a statement from him by Inspector Collins. He said that when the Inspector suggested stopping, at 2 a.m., he said he would rather continue.

"Did you answer all the questions put to you?" asked Mr. Jones.

"I answered them all," replied Jackson, "but my answers were never put down in my own language."

"Did you hide anything?" asked Mr. Jones.

"I had nothing to hide," quietly replied Jackson.

"Did you murder your wife?" was Mr. Jones' final and crucial question.

"No," replied Jackson. "I looked after her for ten years."

Jackson was cross-examined by Mr. Trevor Hunt. One of his questions was:

"Did you, within a day or two of the attack on your wife, say to more than one person, 'They are trying to say I did it'?"

"I was only too pleased to answer anything," was Jackson's reply, adding, "I am innocent."

"Were you surprised," continued Mr. Hunt, "because you thought that by all your talk about mystery you had bluffed the police into thinking you were innocent?"

"There was no such thing as bluff in what I said," protested Jackson.

"Are you sure," pressed Mr. Hunt, "that when your wife returned you did not have a quarrel and that you lost your temper?"

"I never spoke or did anything to my wife until I found her outside," replied Jackson emphatically.

In this connection it is interesting to refer to the evidence of Mrs. Dimick, who said that the scream she heard, which was of course the scream uttered by Mrs. Jackson when she was being attacked, came so quickly after their separating that there was not time for Jackson to have had any encounter with his wife.

At the conclusion of counsel's cross-examination, Mr. Justice Wright put some questions to the witness.

"If you thought that some stranger had struck your wife's head, why didn't you raise a hue and cry at once and call for the police?"

"I didn't know until after," replied Jackson. "I thought she had a cut on the face until we had bathed it."

"You must have seen what she was suffering

from," continued the Judge, "when the lamp was brought out?"

"We couldn't see any cut of any description until the doctor cut my wife's hair away," said Jackson.

"But someone had struck her violent blows on the head?" continued the Judge.

"We didn't know whether she had been struck or had fallen," replied the witness.

"But there is nothing to fall on," retorted the Judge, "the ground is soft."

Then Mr. Hunt intervened with some supplementary questions.

"Why didn't you call the police?" he asked.

"I didn't think," replied Jackson.

"But you have said you were frightened," continued counsel. "What were you frightened of?"

"My wife had always been frightened," replied Jackson.

"Please answer the question and don't go off in a cloud of words," protested Mr. Hunt. "Why were you frightened?"

"I didn't know what had happened," replied Jackson.

"Is that the best answer you can give?" asked counsel.

"That is all I can say," said Jackson.

"Did you ask the doctor to telephone for the police?" was counsel's next question.

"Yes," replied Jackson.

Here the Judge intervened again.

“But you knew that someone had manhandled your wife,” he said. “Why did you not get the police on the track?”

“I thought the doctor would know what to do,” was Jackson’s reply.

In his statement Jackson had said that when he met his wife he had £400, and that he had an idea of going to Australia. Counsel asked him why he did not go, and he replied that he would not be able to pay £140 for fares and still have enough to set up in business there. Being pressed very hard on this point, Jackson suddenly lost his characteristic self-control and made a heated reply:

“My money is my own affair!” he almost shouted. “What has my money to do with this business?”

“You will see in a moment,” replied Mr. Hunt. “Did you on occasions get as indignant with your wife as you have just been with me?” slyly asked counsel.

“I am not indignant,” protested Jackson. “I was simply wondering about your manner,” he observed quietly, having cooled down again. “Think of what I have been through,” he added with some emotion, “four months in gaol for nothing.”

But Mr. Hunt persisted in pressing his point:

“But did you ever display the same temper with your wife?” he repeated.

In reply Jackson quietly observed,

“I never get out of temper.”

Mr. Hunt continued:

“Did you not think when your wife’s money had disappeared that it would be good to get rid of her and her bad temper?” he asked.

“She was quick tempered,” admitted Jackson, “but she was the most charming woman you could meet.”

“Do you think it charming of her to take a carving knife to you?” Mr. Hunt asked.

This incident, referred to by counsel, was described in the statement already referred to. During one of their squabbles Mrs. Jackson had threatened him with a carving knife.

“Anyone would do that under the impulse of the moment,” said Jackson. “She never hurt me.”

“But you ran away?” said counsel.

“That was only sensible,” said Jackson, with a faint smile.

“You say that this is a case in which a cloud of suspicion has been built up against you,” continued Mr. Hunt, “but that you have not created mystery about your wife to protect yourself?”

“I have only told you what I know,” replied Jackson.

The speeches by counsel did not occupy a great deal of time. Mr. Jones made an eloquent and spirited effort on behalf of his client. His arguments were both forcible and convincing. He declared that there was not sufficient evidence on which to condemn a fly. He maintained that Jackson’s conduct was not that of one who had

murdered his wife, and that if he had meant to murder his wife he would not have adopted the painstaking methods he did to revive her.

The argument adopted by Mr. Hunt on behalf of the prosecution was that Jackson had got tired of working and earning a livelihood for both, after he had been benefiting so extensively from his wife in the past. He suggested that on the night of the murder the two had a quarrel, and that the prisoner's subsequent conduct was consistent with his efforts to save himself from the consequences of the deed.

The Judge, during his summing-up, made pregnant observations which were anything but favourable towards the prisoner. He warned the jury not to allow sentiment to influence them in their judgment. He said it seemed to him that the theory of the prosecution was a most reasonable and rational one, and that he did not see how any other view of the sequence of events, and the nature of the attack, was possible.

“If any stranger did murder this woman,” his lordship declared, “it must have been the result of a deliberate scheme and of set purpose. I have heard no evidence which would indicate in any way that Mrs. Jackson had any enemies likely to do her harm. . . . There is circumstantial evidence against the prisoner which, I venture to think, is very strong. There is no evidence of any secret enemy.”

In the face of all that was revealed as to the

past of the dead woman, these observations on the part of the Judge are difficult to understand. Clearly he was altogether ignoring the anonymous letters, which does not seem fair to the accused, since not the slightest evidence was produced to even suggest that they were written by the prisoner. His lordship was also ignoring the fact that it had been clearly demonstrated that Mrs. Jackson was at all times very nervous and apprehensive of the attack of a secret enemy.

It is also rather difficult to understand how counsel for the prosecution could argue, in face of the evidence of Mrs. Dimick, that there arose a quarrel between Jackson and his wife which led to the murder. It takes some time for a quarrel to be worked up till it culminates in a deed of killing.

However, the jury would appear to have thought differently from both the Judge and counsel for the prosecution, for, after an hour's deliberation, they returned with a verdict of acquittal. And it seemed to afford the foreman of the jury considerable satisfaction to utter the words, "Not guilty".

The verdict was received, moreover, with general and loudly expressed approval, both inside and outside the court. In fact, it assumed the dimensions of a full-sized demonstration.

Thus Jackson returned to his friends a free man, and the case has since remained, "unfinished". That is to say, the real culprit has never been taken. It seems pretty clear, however, that Mrs. Jackson was murdered with premeditation and of

set-purpose by somebody connected with one of her many blackmailing exploits. She had evidently been watched for some time, and on the night that she went to the cinema with her neighbour, Mrs. Dimick, the murderer concealed himself somewhere near the bungalow, awaiting her return. When she arrived he suddenly launched a violent attack upon her, and then cleared off before anybody had time to appear, taking his weapon with him. I think the police would have stood a better chance of tracking him if they had not so quickly and exclusively fixed their minds upon the preconceived idea that Jackson was the culprit.

It will be observed that the same Judge presided over this trial as that of the Liverpool insurance official, Wallace—Mr. Justice Wright. It is interesting to compare the two cases, because in each instance the jury returned a verdict which did not seem to be indicated by the Judge's summing-up. In the Liverpool case the story of which follows this, Mr. Justice Wright almost directly and definitely intimated to the jury that there was not sufficient evidence on which to convict. Yet, in spite of that weighty opinion, they took little time to arrive at a verdict of Guilty. In the Jackson case, as we have seen, the jury, in spite of what one must regard as a distinctly unfavourable summing-up for the prisoner, took about the same time to arrive at a verdict of acquittal.

These are notable exceptions to the general rule. There sometimes exist certain factors in the story

of a crime and in its presentation to the court by counsel, which make such an impression on the minds of the jurymen that they are led to ignore much that the Judge says in his final address. I shall presently indicate what I believe brought about that state of things in the Liverpool case. In the Jackson case there seems to be little doubt that the jury were much impressed in Jackson's favour by the details which were revealed of the odious life led by the dead woman. One can scarcely be surprised at this. But in spite of the sentimental side of the verdict, I venture to think that the finding of the jury was correct upon the evidence put forward.

## IX

### THE CLUE OF THE TELEPHONE MESSAGE

*(The Case of William Herbert Wallace, Liverpool,  
January, 1931.)*

(a)

WILLIAM HERBERT WALLACE, living at Wolverton Street, Anfield, Liverpool, had for some years been employed as an insurance agent. He had been many years at the house where he lived, was well-known and respected by his neighbours and lived happily with his wife. In fact they were regarded by all who knew them as an "ideal couple". There were no children. The company Wallace was employed by was the Prudential.

Wallace was a member of the Central Chess Club, which met at the Central Café, North John Street. On Monday evening, January 19th, 1931, a telephone message was received at the Café, requesting Wallace to meet a man named Qualtrough, at 25 Menlove Gardens East, at 7.30 the next night. The message was received by the captain of the club, a Mr. Beattie, who passed it on to Wallace, at the same time remarking that it was "in the nature of your business". Meaning,

of course, that it was probably from somebody who wished to take out an insurance policy. Wallace replied that he did not know where Menlove Gardens East were. It was known that the message came from a call-box situated about 400 yards from where Wallace lived. The district where the appointment was made was some miles from Wallace's residence. Although he did not know where the particular thoroughfare called Menlove Gardens East was, he was pretty familiar with the district itself. He decided to keep the appointment the following evening.

We now move on to the night of the appointment and take note of the following incidents. At 6.30 that evening a boy delivered milk at Wallace's house. He saw and spoke to Mrs. Wallace—she was an elderly lady—and that was the last that anybody saw of that unfortunate lady alive.

Wallace left the house at about 6.45, and at about 7.6 or 7.10, he boarded a car at the junction of Smithdown Lane and Lodge Lane. On the way he made active inquiries for Menlove Gardens East. He asked two conductors and a police constable, two of whom told him that there was no such place. While talking to the constable, so it was said, he pulled out his watch and remarked, "It isn't eight o'clock yet". This may have had some connection in his mind with the time of his appointment, to the effect, possibly, that there was yet time to keep it.

In a further effort to discover the whereabouts of Menlove Gardens East, Wallace entered a news-agent's shop in Allerton Road and asked for a directory, at the same time informing the proprietress that he was looking for Menlove Gardens East. Apparently he failed to discover the address and returned home, where he arrived about 8.30. He had, in fact, come to the conclusion that the address given him was a false one, and this fact aroused suspicions in his mind as to the object of the message. Simultaneously with this thought there arose in his mind fears as to the safety of his wife—a frail little woman, in delicate health—so that he returned to his house with all speed. The idea which had shaped itself in his mind was that the message had been sent by burglars, who had used that device to get him out of the way.

Next to Wallace's house there lived a Mr. Johnston. About 8.45 on the night in question, that gentleman was leaving his house by the back way, with his wife. As he did so he caught sight of Wallace, approaching his own back door. Said Wallace to his next-door neighbour, "Have you heard anything unusual to-night?" Mr. Johnston replied, "No, what has happened?" Then Wallace said, "I have tried both the back and the front doors, and they are both locked against me".

Mr. Johnston then suggested that Wallace should have another try. Wallace thereupon opened the outer door, went along the passage and opened the inner door, calling back to Johnston, "It opens

now". Then the latter said, "Have a look round and I will wait". Wallace then entered his house. He at once went upstairs, but saw nothing to alarm him. He then returned downstairs and went into the front sitting-room, where a terrible sight met his eyes. His wife was lying dead upon the floor! Her head had been battered in.

In the meantime Mr. Johnston had been following the movements of his neighbour up and downstairs by means of the light that the latter carried. He was rather anxious to know whether things were all right inside, and presently Wallace came out again in a state of agitation and exclaimed, "Come and see. She has been killed". Thereupon Mr. Johnston and his wife went inside and saw the body of Mrs. Wallace lying on the floor. Wallace then took them into the kitchen and pointed to a cabinet, the door of which had been wrenched off. He also took down a cash-box, which was on a shelf about 7 ft. high, opened it and announced that about £4 was missing. These discoveries seemed to confirm the burglary theory.

Near the body of Mrs. Wallace was a bloodstained mackintosh or raincoat. This belonged to Wallace, had been used by him that day, and usually hung up in the hall. Mrs. Wallace had been killed by being struck many times over the head with some blunt instrument. A poker and a metal rod were missing from the house. They were never found. Either of these, it was confidently conjectured, might have been the weapon employed.

There were some peculiar features about this murder. There was no blood anywhere except near where the body lay. With two exceptions. In the bedroom upstairs, where the Wallaces slept, there was a vase on the mantelpiece. In this, sticking out and plain for anybody to see, were five Treasury notes. Upon one of these was a bloodstain. There was also a small stain of blood on the pan of a W.C. upstairs. The room in which the body of Mrs. Wallace was found was not one in which the Wallaces usually lived, but was only used on special occasions, when, for instance, a friend might call. The Wallaces invariably lived in the kitchen. There was a gas-fire in the sitting-room, which had been lighted. In the kitchen, on the table, was a newspaper, which Mrs. Wallace had been reading. Also some sewing, which she had been employed in. Therefore it would seem that she had gone into the front room for some special purpose. If it was for the purpose of receiving a caller, then it must have been somebody with whom she was acquainted, or who had legitimate business to discuss with her.

It was surmised that she had been struck, either while seated in the chair, near which her body was found, and then fallen over, or else while she was in the act of lighting the gasfire. The mackintosh was partly burnt, as though it had come into contact with the fire. She had a bad cold, and it was thought that she might have put the mackintosh round her shoulders, and that when she fell the

mackintosh came up against the flame of the fire. These, of course, were mere conjectures.

Thus was accomplished and discovered one of the most baffling murders of modern—or for that matter of any—times. The body of Mrs. Wallace was removed to the mortuary and the police took charge of the case.

The first assumption was that the murder was the work of burglars, who had broken into the house and robbed it. The murder was a mere “incident” in the task of obtaining spoil. The burglars were supposed to have “silenced” the only obstacle to the achievement of their desires. But there were certain fundamental objections to this theory. In the first place the house in which the Wallaces lived was a small one, and not likely to attract the ordinary professional cracksman, and it is inconceivable that any but an ordinary cracksman would have attempted such a “job”. In addition to this, the crime occurred early in the evening, hours before burglaries usually occur. Furthermore—and this was an extremely difficult objection to surmount—there was not the slightest sign of a forcible entry having been made. In addition to these obstinate facts was the presence of the Treasury notes in the vase upstairs, which would certainly not have been left behind by burglars. Nor would burglars, it would appear safe to assume, have indulged in the elaborate process of sending a bogus telephone message the day before. They would probably have watched

Wallace away from the house—having previously made themselves acquainted with his movements—and then entered.

Evidently the police became impressed with these peculiar facts, and carried on their investigations accordingly. It is true that at first they entertained the possibility of a burglarious entry, and Detective Superintendent Hubert Moore, who took charge of the proceedings, telephoned from Anfield Road Station to all inspectors to detail men to all lodging-houses, railway-stations and night cafés. Efforts were also made to discover the weapon. Drains were searched and open spaces examined, but without result.

It was pretty clear that whoever the murderer was he must have been extensively splashed with blood. Wallace was searched and closely examined by the police, but not a trace of blood was found on him. He also made a statement to the police, in which he detailed his movements prior to and subsequent to the murder. He said that he and his wife had tea in the kitchen, where cups and saucers were, in fact found, and that afterwards he left to keep the appointment with his mysterious messenger. The statement ended with the words, "I have no suspicion of anyone".

Two days later, however, on the 22nd, Wallace called at the Detective Office in Dale Street and said, "I think I have some important information for you". He then made a further statement, in which he named certain individuals who might

have been concerned in the crime. The names of these individuals were rightly suppressed. One of them, however, was known as "Mr. P." He was said at one time to have been employed by the Prudential and, Wallace declared, had collected premiums he had not paid in. Wallace further stated that the insurance superintendent had told him, Wallace, that the parents of "Mr. P." had paid about £30 in settlement of these defalcations. This story was subsequently revised by an official of the Prudential Company, who contradicted that part of it connected with the £30 supposed to have been paid, and said that a "certain sum" was merely offered.

Wallace also furnished further particulars about "Mr. P." to the effect that he had visited at his house, was known by Mrs. Wallace, and that he was familiar with his, Wallace's, movements and habits as to collections and the keeping of money in the house. He also cited another person who had likewise worked for the company and had taken his, Wallace's, place for a time during an illness he had had the previous December. This individual also, suggested Wallace, had had "financial irregularities" with the company. Both these men, explained Wallace, were well known to Mrs. Wallace, who would have had no hesitation in admitting either of them.

In addition to these names, Wallace supplied those of many other business friends and acquaintances who would have been admitted without hesitation by Mrs. Wallace, had they called.

Another incident, which impressed the police very much, occurred as follows.

One day, after having been to the Dale Street Detective Office, Wallace met the captain of his Chess Club, a Mr. Beattie, who, it will be remembered, received the mysterious telephone message for Wallace. The latter asked him to be more definite as to the time the message was received, at the same time remarking, "It is of great importance to me". The police said that they could not understand why it should be of such importance to him. He was asked by Superintendent Moore why he considered it to be so important to him, and Wallace's reply was, "I had an idea. We all have ideas. It was indiscreet of me".

When one takes all these facts into consideration one can scarcely be surprised that eventually the police decided to arrest Wallace and charge him with the murder of his wife. This event occurred on February 2nd. Wallace's reply was, "What can I say to such a charge, of which I am absolutely innocent?"

He was arrested by Superintendent Moore and taken before the magistrates as usual. He was eventually committed to take his trial at the Liverpool Assizes. He protested his innocence all through.

(b)

It must be admitted that the police had a difficult case to build up, but they succeeded in doing it with remarkable skill. Their arguments were

certainly very strong, and we shall deal with these in due order.

First the telephone message. Their argument as to this was that it was sent by Wallace himself, in order to create an alibi. It was clear, said they, that if anybody else had been desirous of getting Wallace out of the way, he need not have resorted to this device, for he could have waited near the house until he had seen Wallace leave in the ordinary course of things and then got in. How would he know also, having sent the message, that it would not be received by Wallace himself? In addition to this, and assuming that the man who sent the message was indeed a genuine client desirous of taking out a policy, why did he not write to Wallace at his house or even call there? Again, reverting to the burglar theory, having sent the message, the burglar or burglars would then have to keep watch on the house to make sure that Wallace had left. As he might leave from either the front or the back way, they would have to keep watch on both sides of the house. If only one man was involved in it, this would be rather a difficult task. Altogether the telephone message seemed to the police a very unconvincing incident, from the point of view of burglars.

Not unreasonably, they watched Wallace and his movements very closely. One of the officers remembered that on the afternoon of the murder he passed him in the street, and that he noticed that Wallace looked very pale and agitated, the

inference being of course that he then had in contemplation the crime of which he was subsequently charged.

In connection with the murder itself, they put forward a very startling theory. The fact that Wallace had not a trace of blood upon him seemed a flat contradiction of his possible guilt, bearing in mind the fact that the murderer must certainly have been much bloodstained. The presence of the mackintosh near the body supplied them with an explanation, or what they considered to be an explanation. Wallace, they contended, in order to avoid becoming bloodstained, had stripped himself naked and then donned the mackintosh, which would have covered most of his body, leaving only the lower part of his legs exposed. Any blood he may have got upon them he must have washed off, afterwards dressing himself again. It was said that he may even have had a bath. It was certainly rather unfortunate for this theory that no trace of anybody having had a bath in the bathroom upstairs could be discovered. The only towel found there was quite dry. As this examination was made soon after the murder was committed, had the towel been in use it would certainly have been wet then.

The police also laid stress upon the fact that although Wallace, in the first instance, stated definitely that he suspected nobody, he soon after, as we have seen, made a further statement, in which he supplied the names of a good many

people whom he would appear to have suspected. Why had he altered his mind on this point so completely and so quickly?

Another factor which the police considered to be of importance was the behaviour of Wallace immediately after the crime was discovered. He was described by several officers who were present as being absolutely cool and indifferent, smoking cigarettes and behaving generally not at all like a man who had just discovered that his wife had been brutally done to death. This, of course, is a psychological point. All people do not behave alike in the face of an emergency. Some are cool, while others are greatly agitated. It is a matter of temperament, apparently. A good deal has been said and written about the mien of a prisoner in the dock, in relation to guilt or innocence, but I am afraid that the inference sometimes drawn cannot be altogether relied upon. Nevertheless, officials who have had long experience of studying prisoners in the dock can generally and pretty reliably "spot" an old hand, however much he may strive to conceal the fact. By the same means he would probably be enabled to discern the presence of a first offender or even of an innocent person. But there is no hard-and-fast rule one can lay down on the question. That is to say, one cannot argue that because the occupant of the dock is calm and collected that he is necessarily either innocent or guilty. He may be either. You can argue on the one hand that calmness indicates

consciousness of innocence, or that it means an old hand is merely putting up an effective bit of histrionic ability. And you might be right. So, too much importance should not be attributed to the behaviour of Wallace upon that occasion. It resolves itself into a mere matter of opinion and has not much evidential value.

The police, however, were on firmer ground when they came to the return of Wallace to his house and his discovery of the murder. When his neighbour, Mr. Johnston, as will be recalled, saw him he said that both back and front doors were locked against him. Yet almost directly after he opened the back door with ease. The lock of the front door was known to have been out of order for some time, and would occasionally "stick", which would account for his not being able to open it. The contention of the police was, of course, that this show of being locked out of his house by Wallace was done purposely to impress his neighbour with the burglary theory and in support of his alibi.

Reverting to the message received over the telephone. We have seen that the police contention was that Wallace sent this message himself in order to create an alibi. But the gentleman who received the message, the captain of the Chess Club, Mr. Beattie, emphatically declared that the voice of the speaker was not that of Wallace. In any event, a voice heard over the telephone has not much evidential value, and in a serious charge

such as that of murder, would be very dangerous to rely upon. It is true that one may recognise a voice over the telephone, and it is equally true that one may be deceived about a voice heard over the telephone. Supposing you know the speaker very well and are in the habit of listening to his voice over the telephone, you may be pretty confident that you will know it. Yet, as I have pointed out, you may be deceived. Voices differ a good deal, people do not always speak in precisely the same tone, or the telephone may be slightly out of order and so distort the voice. Another important point is that, as there are striking similarities in faces and walks and human backs, so there are, as it were, "doubles" in voices. So that one might suppose that one is listening to the voice of a man one is acquainted with, to find subsequently that it is, however, that of an entire stranger, endowed with a similar voice to one's friend. All of which emphasizes the danger of accepting a voice over a telephone as evidence in a trial for murder.

Unless, of course, it is strongly corroborated with some other relevant and proven facts. And the police, in the Wallace case, sought to provide this corroboration by producing evidence as to the time Wallace left his home, which would fit in with the supposition that he himself sent the telephonic message. It would also confirm motive. Here they found themselves up against some nice calculations. They had to rely upon the not

always reliable factor of time as testified to by human agency. They produced a boy who swore that he delivered milk, as already recorded, at Wallace's house, and then saw Mrs. Wallace alive at the hour of 6.30 on the evening of the murder. This would enable the murder to have been committed and Wallace to keep the appointment made over the telephone by the mysterious "Mr. Qualtrough". If anybody saw Mrs. Wallace at a later hour it would upset the case for the police, or go a good way towards doing so. The defence did, in fact, produce another witness, a boy who delivered a newspaper at the house at a later time and saw Mrs. Wallace. The police witness also was induced, under cross-examination, to alter slightly the hour at which he said he was at the house, putting it forward some minutes. Supposing this evidence was reliable, the police case became weakened and jeopardised thereby. The police were also blamed for not themselves producing this witness, in fact, were accused of purposely and designedly keeping him in the background, knowing that his evidence was in favour of the defence. The police, in response, denied this, explaining that they considered the witness they had called sufficient for the purpose, and that they needed no other to confirm their contention. Which seems a reasonable explanation.

But unfortunately the important, and as I have pointed out rather unreliable factor of time, as dealt with through human agency, has many times

before both confused and confounded the most carefully prepared case, on one side or the other. It is sometimes as little reliable as is the evidence of identification by memory of faces—that prolific producer of miscarriage of justice.

The above were the principal points in the case for the prosecution, which, one must confess, was far from being unassailable.

The trial was duly heard on Wednesday, April 22nd, 1931, and three succeeding days, at the Liverpool Assizes, before Mr. Justice Wright. The case for the prosecution was entrusted to the capable hands of Mr. E. G. Hemmerde, K.C., Recorder of Liverpool, who had with him Mr. Leslie Walsh. The prisoner was most ably defended by Mr. Roland Oliver, K.C., who was accompanied by Mr. S. Scholefield Allen. The case aroused great interest, as may well be imagined, not only locally but throughout the country. The prisoner was described as William Herbert Wallace, fifty-two, an insurance agent, and he was charged with the wilful murder of his wife, Julia. As is usual nowadays, at these grim functions, there were many women present in court.

I have already presented the outline of the case for the prosecution, but I propose further to reproduce some portions of the speech for the prosecution, and thus present to the reader some of the forceful arguments of counsel in support of the police case.

Dealing with the incident of the receipt of the

telephonic message at the chess club, Mr. Hemmerde said:

“This chess club is not a club that advertises. It is a little club, and the meeting there would be known only to a few members. You may think it curious that a stranger to the prisoner, speaking from a place 400 yards from his house, where, according to him, he actually was at the time (Wallace was supposed to have been at home when the message was received at the club), should have rung up the City Café. You would have thought that he might have called at the house, written to the house, or left a note there. You will have to consider whether this giving of this name and address was part of a cunningly-laid scheme to create an alibi for the next night, or whether it was a genuine message.

“One would imagine that a person knowing the Menlove Avenue district, as the prisoner did, would have an idea that Menlove Gardens would—as a matter of fact they do—open off Menlove Avenue. We are dealing with a man who was in the district from time to time, having music lessons quite near.”

It should be explained that Wallace was at the time taking music lessons in the district in which the appointment was made and in which he failed to discover the address named.

“You may think,” continued counsel, “that some of the ignorance developed by the prisoner on this occasion was not genuine, but was assumed,

because it was necessary, if we are taking the right view of the facts, that he should, as far as possible, draw attention to the fact that the next night he was going at 7.30 to be somewhere some miles away from his house.

“At 6.30 on the night of the tragedy a boy delivered milk at the Wallaces’ house. He spoke to Mrs. Wallace, and that was the last time she was seen alive. We know that at that time, from Wallace’s own statement, he was there, and apparently left the house somewhere about 6.45, and you may take it that if he is guilty of this atrocious crime, it must have been committed within the time from 6.30 to about 6.50, because between 7.6 and 7.10 he boarded a car at the junction of Smithdown Lane and Lodge Lane.”

Mr. Hemmerde then dealt with the incident of Wallace’s return to his house.

“Remember that he is living there,” said counsel, “with a woman of about his own age, who, as far as we know, hasn’t an enemy in the world—a frail, rather old-fashioned woman—in one of those little streets where you would hardly expect burglars to find a very rich harvest. Immediately he found out, as he says, that there was no Menlove Gardens East, he hurried home, because he felt suspicious. Why he should feel suspicious because someone had given him a wrong address it is difficult to gather.

“Now, mark what happens when he hurries home. At 8.45 Mr. Johnston, who lives next door at No. 31, was leaving the house through the back

entry with his wife. As Mr. Johnston comes into the entry he sees the prisoner going towards his own entry door. The prisoner says to Mr. Johnston—remember he is only just home—‘Have you heard anything unusual to-night?’ Mr. Johnston says, ‘No, what has happened?’ Wallace says, ‘I have tried the back and front, and they are locked against me’. Mr. Johnston suggested that he should try again, and Wallace opened the yard door, and went up to the kitchen door, and said, ‘It opens now’. Then said Mr. Johnston, ‘Look round and I will wait’.

“Suppose you come to the conclusion that these doors never were shut against him, that the front door, which has an odd and troublesome lock, was in the condition it had been in for a very long time, and that the back door was open? You then come to the conclusion that the man who could perfectly well get in if he wanted to, pretended that he could not get in.

“Now follow Wallace’s course about the house. If you went into a house like that, where would you go if you left your wife downstairs? Would you have looked in the downstairs room or gone upstairs? It is clear that Wallace goes upstairs and then comes down and goes into the sitting-room at the front of the house. Then he finds his wife dead on the floor. Her head was battered in with—apparently—one terrific blow, and then ten others; eleven brutal blows. She had been dead at least three hours.”

Mr. Hemmerde then dealt with the incident of the partly burnt mackintosh.

“Who had an interest in destroying that mackintosh?” he asked. “Assuming that someone had broken into that house—there is no trace at all that anyone did—and then killed this woman, it is possible that such a person might have taken down the raincoat and put it on to prevent the blood getting upon his clothes, but, having done so, why should a stranger to the house want to destroy the mackintosh? What concern would it be for a man of criminal intention who came in and killed this woman to destroy someone else’s raincoat?”

“There is plenty of blood upon the coat, but there was no blood whatever to be found on the prisoner’s clothes. Although there was blood in the sitting-room and although the person who did this clearly went upstairs immediately afterwards, there is not the faintest trace of blood on the stairs. The man who broke that woman’s skull and killed her, left her in a pool of blood, and got upstairs without leaving the slightest trace, but in the lavatory, in the pan of the water-closet, there was a clot of blood—the same blood, you will hear, as the woman bled downstairs.

“There was in that room downstairs, and had been for some time by the gas-stove, a sort of iron poker, amply sufficient to have done this deed. The day after this tragedy this poker was gone.”

(Mr. Hemmerde here held up a metal rod about

18 inches long, which, he said, was similar to the poker referred to.)

“I would now draw your attention to the fact that there is no blood whatever on the stairs, because the Crown suggests to you that whoever did this deed was taking elaborate precautions. The history of our own criminal courts shows what elaborate precautions people sometimes take. One of the most famous criminal trials turned on a man committing a crime when he was naked.

“A man might very well commit a crime wearing a raincoat, like one might wear a dressing-gown, come down as he was just going to have a bath, with nothing on upon which blood could fasten, and, with anything like care, he might get away leaving the raincoat there, and perform the necessary washing, if he were very careful. There was hot and cold water in the kitchen, but whoever did this deed did not take advantage of that fact. He went upstairs and, as I suggest to you, went with great caution.”

Such were the main arguments contained in the case for the Crown, as presented by Mr. Hemmerde. A friend of Wallace's, of many years standing, testified that Wallace was a placid, intellectual man, varied in habits and studies, and never giving any signs of violent temper. He was of a scientific turn, and had a chemical laboratory in his back bedroom. At one time he gave lectures on a scientific subject at the Technical School, Byrom

Street. This friend also declared that Wallace and his wife were a happy couple.

These facts were, of course, brought out by counsel for the defence, Mr. Oliver, who strenuously and emphatically challenged the assertions and arguments of the prosecution. There can be no doubt that he succeeded in shaking a good deal of the evidence produced against his client. One of the witnesses produced by the prosecution, and whose evidence subsequently led to a good deal of controversy, was the police surgeon, Professor J. E. W. M'Fall. I shall reproduce some of his evidence. He testified as follows:

"I arrived at the house at 9.50 on the night of the murder. Mrs. Wallace's body lay face downwards. The head was badly battered in on the left side above and in front of the ear, where there was a large open wound, approximately half an inch by three inches, from which bone and brain substance was protruding. At the back, on the left of the head, there was a big depression of the skull with several wounds. There was a large patch of blood clot on the edge of the rug and another large patch and a piece of bone by the edge of the matting on which the head was lying.

"The hands and lower arms were cold, but the upper arms and body were warm. Rigor mortis was present in the left arm and neck. The head was fixed rigidly. I came to the conclusion that death had taken place quite four hours before ten

o'clock. The margin of error could not possibly be more than half an hour to an hour."

"Could you form a view where Mrs. Wallace was when the blow was struck?" asked Mr. Hemmerde.

"Yes," replied the witness, "in front of the armchair by the fireplace. I think it is a little too low to be standing. It suggests itself to my mind that the person had been sitting on the chair with her head slightly forward turned to the left, as if talking to someone. The wound in front of Mrs. Wallace's head was the most severe, and, in my opinion, was the first blow struck. All the blows could be inflicted in less than half a minute, and death would take place practically immediately with the first blow. The other ten blows would be struck when the head lay on the floor."

The witness agreed that a piece of metal like that produced might have inflicted the injuries. He did not think, however, that the mackintosh found near the body had, as was suggested, been thrown over her shoulders by Mrs. Wallace.

Dr. M'Fall made these observations as to the demeanour of Wallace upon the occasion of his, Dr. M'Fall's, visit to the house:

"I was very much struck with his demeanour. It was abnormal. He was too quiet, too collected for a person whose wife had been killed in that way. He was not nearly so affected as I was myself. He was smoking cigarettes most of the time."

I have already made observations about this part of the evidence. It is a matter of opinion, and opinions will always differ on the point.

Professor M'Fall made this pregnant suggestion concerning what he considered to be the mental condition of the man who committed the deed:

"I have seen many of this kind, and know that it is no ordinary case of assault or serious injury. It is a case of frenzy."

This was tantamount to suggesting that the prisoner committed the deed during an attack of temporary insanity, which would, of course, fill up the gap created by the absence of a motive. This brought Mr. Oliver to his feet with this sharp retort:

"So, if this is the work of a maniac, and Wallace is a sane man, he did not do it?"

To which Dr. M'Fall responded:

"He may be sane now."

But Mr. Oliver would not accept this solution, and continued with determination:

"The fact that a man has been sane fifty-two years, and has been sane while in custody for the last three months, would rather tend to prove that he has always been sane?"

"Not necessarily," persisted the witness, adding these significant words, which caused most people to ponder deeply: "We know very little about the private lives of people, or their thoughts."

It seemed pretty clear that the bloodstain on one of the notes found upstairs, and that in the

lavatory, might have been made by the fingers of the police during their investigations. At one time the house was nearly full of police officials.

There appeared to be a good deal of uncertainty, which was never definitely cleared up, as to how much money was on the premises at the time of the murder. An official of the Prudential stated that Wallace's collections might have been anything from £30 to £100. It depended upon the day of the week and as to whether certain premiums fell due. The sum evidently varied a good deal. When Wallace examined the cash-box he gave it as his opinion, you will remember, that there were only a few pounds missing, and he certainly should have known. On the ground, just below where the cash-box had stood on the top of the cabinet, were several silver coins, as though they had been dropped in the hurry of ransacking the box.

In this connection it might be mentioned that Wallace had over £150 to his credit at the bank, which was his own money and had no connection with the money which he had collected for the company. It went to prove that he was not in any way in want of funds. If the murder were committed for robbery it seems uncertain how much money the culprit managed to get away with.

Superintendent Moore, in his evidence, stated that Wallace wanted to sleep at the house on the night of the murder but that he would not

permit it. Instead he sent him by motor-car to the house of his sister-in-law, some miles away. Wallace did, however, the Superintendent went on to explain, in fact sleep at the house on the night of the 22nd. The following morning Wallace attended at the police-station and gave the police a good deal of assistance in connection with their investigations in the case.

A point was made by the prosecution in connection with the mackintosh which was found near the body. It belonged to Wallace and had been hanging up in the hall. When he was asked about this garment, said Superintendent Moore, he hesitated a good deal before acknowledging that it was his. The prosecution maintained that there need have been no hesitation on his part, as it was obviously his coat. Mr. Oliver explained this hesitation by stating that he, Wallace, had been asked so many times about it before, when he had already acknowledged the ownership, that he began to wonder whether it was in fact his coat. Hence the hesitation.

It should always be borne in mind that in cases of murder, or any other serious forms of crime, the importance of the smallest detail is magnified to the utmost dimensions. I am not losing sight of the fact, however, that quite trifling incidents prove sometimes to be of the greatest significance. But not all of them which emerge at a criminal trial. One had to be very cautious in forming a judgment.

Mr. Oliver made a most vigorous and trenchant speech in his opening for the defence. I shall quote some of its most telling passages. He said:

“This case has been thrown at the jury. In effect the Crown have said, ‘If he did not do it, who did?’ That is not the way to approach it. It should be asked, ‘Who is the man?’ We know something of Wallace now. He is fifty, a delicate, mild man, liked by everyone who knows him; a man of considerable education, and refined, and, as his diary showed (Wallace kept a diary, which was found in the house), one with considerable gifts of expression. That is the man charged with this frightful crime.

“The question you must ask is, ‘Why?’ There is no suggestion of ill-feeling between Wallace and his wife. He has £152 in the bank. He had nothing to gain, and there is no suggestion of any other woman. If you are going to convict a man for murder on the flimsiest circumstantial evidence, can you possibly say why?”

Counsel referred contemptuously to Professor M’Fall and his theory as to “frenzy”, which, he declared, he had no right to have put forward.

“I have nothing to say against my learned friend, Mr. Hemmerde, in this matter,” he explained. “The witness forced this theory upon the court because he realised, as the police realised, that this motiveless crime, alleged to have been committed by a devoted husband, presented almost insuperable problems. In fifty-two years no one

has ever suggested that the prisoner was not perfectly sane. He has been under medical supervision ever since his arrest, and I ask you to disregard Dr. M'Fall's statement.

"I suggest to you that this deed was not the result of sudden fury. If the accused did this thing, he calculated it all out at least twenty-four hours before, for the prosecution's case stands or falls on the authenticity of the telephone call twenty-four hours before. It can be proved that this perfectly normal man was behaving perfectly normally throughout January 19th and 20th, which means that, contemplating this frightful crime, he was going about his daily business and showing no signs of it!

"Let me say now that this is what is sometimes called a police case. If there is one kind of crime that is an abomination to the police, it is an unsolved murder. Everybody attacks them if they cannot get a solution. They are apt to take a biased view of the case, and pursue it relentlessly.

"Thus, because Constable Rothwell sees Wallace with his hands to his eyes, he was 'ghastly' and 'wiping his eyes', thinking, of course, of the crime he was going to commit that evening! I can call as many witnesses as you want to hear to say that on the day of the murder there was nothing the matter with Wallace at all."

I would like to introduce a few remarks here. Counsel, I suggest, was rather unfair to the police. It scarcely needs any pointing out that it is as much

the business of the police to use their best endeavours to prove their case against an accused person as it is the business of counsel for the defence to get his client off if he can, independent of whether he believes in his client's innocence or guilt, as the case may be. I venture to point out that Mr. Oliver was also not fair to the police when he made the observation about unsolved murders. When the police have presented their case they have fulfilled their duty. If the verdict goes against them it is not their fault. They have nothing to blame or reproach themselves with about it. Of course if the verdict confirms them it conveys a certain amount of satisfaction, just as it does to counsel when the verdict goes in his favour. I think we may allow that the police, under such circumstances, are not unscrupulous, as counsel would have us believe, but merely conscientious, as they should be.

Therefore the police can scarcely be blamed for putting forward the evidence of Constable Rothwell, in spite of the fact—and surely counsel should have pointed this out—that it conflicted with the evidence given by other witnesses as to the prisoner's remarkable *calmness* and *indifference* after the murder had been committed! Which proves how difficult it is to determine the evidential value of a person's demeanour in an emergency.

Mr. Oliver continued:

“Where is the evidence to support the suggestion that Wallace sent the telephone message to himself?”

Three operators said it was a perfectly ordinary man's voice, and Mr. Beattie, who had known Wallace for well over eight years, said it would require a great stretch of imagination to think the voice was Wallace's. If he did not send that message he is an innocent man, and how can you say that the prosecution has even started to prove that he sent it? For two hours he played chess with that message in his pocket, and won his game. What do you think must have been going on in his mind if that was his message, and the stepping-stone to the murder of his wife? What sort of chess would he play?

"It may occur to you that a man planning the murder would avoid telephoning to Wallace when Wallace himself might answer the call. If he had watched Wallace away from his house on the 12th, why did he not go in then and do the murder? One reason against it is that the watcher could not be sure he had gone to the chess club. Another is that there would be more money in the house on the Tuesday evening.

"If Wallace had, as alleged by the police, been preparing an alibi, it would have been some preparation to say that his wife would have let in Qualtrough, or anyone else, had they called; but, in actual fact, he had said that she would let no one in unless she had known them personally. He also said that he could not think of anyone who knew he would be going to the club. These things speak loudly against its being a concocted alibi."

Mr. Oliver then proceeded to put what he termed the "vital point in the case":

"When was Mrs. Wallace last seen alive? It is common ground that Wallace must have left the house within a minute or two of 6.45 p.m. If he left even at 7.30 he was almost certain to be innocent, but if he left at any time after 6.30 he must be innocent.

"In considering what the murderer had to do between the crime and leaving the house, you must remember that Wallace was searched the same night, and there was no trace of blood on his clothes, hands, face, or body; yet, according to witnesses, he must have been heavily spotted with blood. Before he left he must be absolutely clean. His clothes could not be washed, but would have to be got rid of. For the first time we now hear the suggestion that Wallace was naked in a mackintosh. If so, his hair, hands, and legs from the knees down would be covered with blood. He would have to have a bath and dress himself. There was no sign that anyone had had a bath at that time."

Other vital points in the evidence for the prosecution Mr. Oliver dealt with as follows:

"The bar of iron which has been mentioned in the case as being the probable weapon employed, has not been found in the only piece of waste ground on the prisoner's way that night, or in any drain. Where is it? It would have taken time to burn the mackintosh. If the witness, Close, is

right, Wallace had from 6.30 or some time later, until about a quarter to seven, but I will call three other witnesses on this point, against whom not a word can be said. One of these says that Close stated afterwards that he had seen Mrs. Wallace alive at a quarter to seven when he delivered the milk. When this came to the knowledge of the police it must have been a terrible shock, for, if Close had delivered the milk at a quarter to seven, this man is clear. The argument of the delivered milk at 6.30 is, I suppose, that it gives sufficient time for the crime to have been committed. Close subsequently altered the time to between 6.30 and a quarter to seven. That is half-way between the truth and the police case.

“As to why the accused should act at all on a message from an unknown person, I would remind you that it was business in which he might draw 20 per cent commission. There is nothing ‘dreadfully suspicious’ about his conversation with the tramway man. Everything he did was perfectly rational. There is no rag of evidence except police suspicion.

“The defence has been wretchedly hampered by the police withholding the names of witnesses whom they were not calling. Are the police afraid to help the defence? There is no reason why these people should not have been called except that their evidence does not fit in with the police case. The police have done everything to draw ropes in front of this man to prevent facts coming out.”

Again counsel was most unjust to the police. I think it may very well be that the ultimate and surprising result of the trial was due not a little to this unfair criticism of the police. Surely Mr. Oliver does not suggest that the police, in addition to working on their own case, should also work upon that of the defence! There is nothing at all unreasonable or out of order in the police refraining from calling certain witnesses. Why should they call a witness whose evidence would conflict with their theory, and be hostile to the evidence of other witnesses whom they do call? How could a prosecution be maintained on such lines?

Mr. Oliver dealt with the evidence of the mackintosh, found near the body, in the following manner:

“The police theory is that the murderer threw it down when he had committed the crime. You have a photograph showing the mackintosh put as if it had been so thrown down, but the police superintendent has said that the photographer must have caught his foot in it on his way out. That must have been after the photograph was taken. Are you impressed by this, or Mr. Johnston’s statement that it was the sort of thing a woman would throw over her shoulders when she had a cold? With regard to the burning, is it not obvious that it was on her shoulder when she fell and burnt her skirt on the gas fire?”

The skirt worn by Mrs. Wallace was burnt as well as the mackintosh.

Mr. Oliver concluded his remarkable speech, portions only of which I have given, as follows:

“Although I have no need to submit an alternative theory to that of the prosecution, I will do so. My suggestion is, then, that when Wallace had left the house a watcher called and was admitted for the purpose of ‘leaving a note’ for Wallace. The wife would light the parlour fire and, as she arose, was struck down. That covers the facts, and explains why a fire was alight in the room never used, while the woman’s sewing and the evening paper were on the table in the kitchen, showing they had obviously been sitting there with a fire.

“I would ask you to bear in mind Wallace’s undoubted affection for his wife, the utter absence of motive, his condition of comfort so far as money was concerned, his character—a gentle, kindly man of refined tastes, who could write that diary and congratulate himself on seventeen years of married life. That is the man you are asked to convict of murder, and that is the man to whom I am now going to ask you to listen. I need not have called him. His story has been told over and over again to the police. I do not think there ever was a case in which so many statements were taken.

“Remember that in so far as statements were made by him on that Friday night, if he is an innocent man, consider what condition of mind he must have been in, whether quiet, as the police say; stunned by shock; or whether sobbing when

alone, as Mrs. Johnston says. If he has made a slip or two, remember the circumstances.”

Wallace was then called. He made a good witness, speaking distinctly and calmly and convincingly. He said he had been married over eighteen years and would describe his relations with his wife as “perfect”. He corroborated his counsel in all particulars, emphatically repudiating the bare suggestion of murder.

Then Mr. Oliver put this direct question to his client:

“I suppose I must put this question to you. I think it follows from what you said. Did you lay a hand upon your wife that night?”

“I think,” replied Wallace, “in going out of the back door, I did what I often enough do; I just patted her on the shoulder, and said, ‘I won’t be any longer than I can help.’”

“I don’t mean that,” responded counsel. “Did you injure her in any way?”

“Oh, no, certainly not,” replied Wallace.

Wallace confirmed the story told by the Johnstons, and explained that his wife knew all about the message received from Mr. Qualtrough, and advised him to go, as it might be worth his while. He further stated that he never made a decision in a difficulty without first consulting his wife.

Wallace thus explained the finding of the body:

“I could see my wife lying there on the floor. My first impression was that she was in a fit, but that lasted only a fraction of a second. I stooped

down with a lighted match and saw the blood, and saw that she was hit."

He further accounted for his calmness in these words:

"I was really agitated but was trying to act as coolly and calmly as possible, and was smoking cigarettes for the sake of something to do. The inaction was more than I could stand, and I had to do something to avoid breaking down. I did break down absolutely."

Wallace had to undergo a severe cross-examination at the hands of Mr. Hemmerde. It transpired that a superintendent of the Prudential, a Mr. Crewe, lived in the district in which Menlove Gardens was situated and was well acquainted with the neighbourhood. Wallace, however, did not state until quite late in the proceedings that he had called there. Mr. Hemmerde examined him on this vital point.

"I put it to you," said counsel, "that you never said until to-day you called at Mr. Crewe's. Of course you realise now the importance of the point that you were quite near your superintendent, who knew the district well, and yet you asked everybody else instead of going to see him?"

At this stage Mr. Oliver intervened to explain that Mr. Crewe was out at the time.

"My learned friend does not see the point," responded Mr. Hemmerde. "Wallace did not know he was out. He has never said until to-day that he ever went to Mr. Crewe's."

Counsel then turned to the question of the amount of Prudential money in the house, and suggested that the average was rather £10 than £25, but to this Wallace would not agree.

Wallace having stated that he knew his wife had no enemies, counsel said:

“Although you gave the police the names of certain people who might have been admitted to the house, is there one you have the slightest suspicion of being guilty of this murder?”

“Not one,” replied Wallace.

Then came the question of the telephone message.

“Presumably,” said counsel, “as he rang up the City Café, he must have expected you to be there?”

“Possibly,” replied Wallace.

“An admirable opportunity for him to have gone round to your house only a few minutes away?” insinuated counsel.

“Yes,” agreed the witness.

“And your wife left there alone?” continued counsel.

“Yes,” again responded the witness.

“Has anyone left a message for you before at the City Café?” asked counsel, very impressively and suggestively.

“No,” replied Wallace, quietly and readily.

“Has anyone left a message for you of that kind before?” persisted counsel.

“No,” replied Wallace. “I have never received a message like that before in my life.”

"Of course," continued counsel, "Mr. Qualtrough had no possible means of knowing that you would receive it that night?"

"That is so," agreed Wallace.

"Then he rang you up," commented counsel, "at 7.20, and without knowing you would ever get the message or ever go to Menlove Gardens. Apparently he was ready waiting for your departure the next night?"

"It looks like it," readily agreed Wallace.

"Did it ever occur to you," proceeded counsel with emphasis, "that he would have to watch both doors, front and back?"

Wallace hesitated just for a few moments and then replied thoughtfully,

"No, it didn't."

"Had you any anxiety in leaving your wife that night?" asked counsel.

"No," again came a monosyllabic reply from the witness.

"Not only could he not know that you got his message," continued counsel, "and that you would go, but he could not have known that you would not look up a directory and find there was no such place."

"That is so," again agreed Wallace.

"Of course," explained counsel, "you could have found out at once if you had looked up the directory?"

"I could have done," was the almost indifferent reply of the witness.

“As a matter of fact,” summed-up counsel, “looking back upon events, doesn’t it strike you that all these inquiries as to the address were absolutely unnecessary?”

“It didn’t strike me at all,” was Wallace’s uncompromising reply.

But he agreed with counsel directly after that he might have rung up Mr. Crewe at his office during the day and found out where Menlove Gardens East was.

As this mysterious telephonic message was undoubtedly one of the most vital as well as the most intriguing factors in the case, counsel was evidently loath to leave it. So he continued:

“On the night of the café incident you were making so much of the name Qualtrough on the way back?”

“I talked to a friend of mine about it, a Mr. Caird,” replied Wallace. “It occurred to me it was rather a peculiar name. I simply asked Mr. Caird if he had heard of it. It was an entirely new name to me.”

“Doesn’t the whole thing strike you,” said counsel, “as very remarkable that he should ring you up for business in another district and expect you to go there, and yet, without knowing whether you had gone there or not, wait outside your house for a chance to murder your wife?”

“Yes, it is curious,” agreed Wallace.

“It would have been easy for him to give a right address?” suggested counsel.

"He might have done," agreed the witness.

"A wrong address is essential to a course of evidence for an alibi," was counsel's next pregnant suggestion. Then after an impressive pause, "Do you follow that?"

"No, I do not follow you," was the witness's quiet reply.

Mr. Hemmerde then repeated the question slowly and with emphasis, when Wallace indicated that he appreciated the point.

One may fairly term this incident as dramatic. There was profound silence in court during these fateful interchanges, the atmosphere being tense.

"You told Police-constable Williams," continued Mr. Hemmerde, "that when you could not find Menlove Gardens East you became suspicious and returned home?"

"I think so, yes," replied Wallace.

"Why did you become suspicious?" asked counsel.

"Seeing that I could not find either the man or the place," replied Wallace, "I had an idea that something was not quite right, and, seeing there had been a burglary in our street fairly recently and a number of tragedies there possibly eighteen months or two years ago, I was rather inclined at first to think that something of that sort might have been attempted at my own house. But I did not become unduly upset."

Counsel now returned to the receipt of the telephone message.

“Didn’t it occur to you,” he asked, “that the address might have been taken down wrongly on the telephone?”

“It occurred to me among other possibilities,” said Wallace.

“You became suspicious?” went on counsel.

“I was uneasy,” said Wallace.

“When you reached home,” said counsel, “you expected to find your wife in, and a light in the kitchen?”

“That was what one would expect to find,” agreed Wallace.

The fateful dialogue was continued thus:

COUNSEL: Did it make you suspicious when you found there was no light in the kitchen?

WITNESS: Yes, I was still uneasy. I could not understand why there should be no light in the living kitchen.

COUNSEL: How were you able to see there was no light in the kitchen—through the window of the back-kitchen?

WITNESS: Yes.

COUNSEL: Didn’t Police-constable Williams say to you, “When you first came up the yard did you notice any light shining through the curtains?”

WITNESS: That is so.

COUNSEL: And you said, “The curtains would prevent the light from escaping?”

WITNESS: Quite correct.

COUNSEL: There is a door separating the kitchen

from the back kitchen? (Presumably meaning the scullery.)

WITNESS: Yes.

COUNSEL: If that was shut, how would there be any light from the kitchen to the back kitchen?

WITNESS: There would not be any, but I do not say the door was closed.

COUNSEL: But if it had been closed there would have been nothing to make you uneasy?

WITNESS: I could not have seen it.

COUNSEL: What was there before entering the house, with reference to the light in the kitchen, that could make you uneasy?

WITNESS: When I tried the back door in the first attempt, in walking away from it I looked through the back kitchen window and I could see across at the angle that there was no light shining in the kitchen.

COUNSEL: But if the door were shut there would not have been?

WITNESS: I had no reason to suppose that the door was shut. The mere fact that I could not get in, coupled with the fact that there was no light showing anywhere, naturally made me uneasy.

The questioning now became very close, counsel pressing witness very hard.

COUNSEL: If she was sitting there, as you thought, making herself comfortable for the evening, would you not have expected the door to be shut?

WITNESS: Not necessarily.

COUNSEL: Not when she had a cold?

WITNESS: Not necessarily.

COUNSEL: I am not talking about "not necessarily". I am talking about a woman with a cold left nursing it in the kitchen. Wouldn't you expect her to have the door shut?

WITNESS: She might possibly.

COUNSEL: I put it to you that when you say you were made uneasy by seeing there was no light in the kitchen, you were not in a position to see whether there was or not?

WITNESS: I submit I was.

COUNSEL: When were you looking through the back kitchen window?

WITNESS: After my first attempt to open the back kitchen door.

COUNSEL: Before the Johnstons had seen you?

WITNESS: Yes, before I went round to the front door the second time.

COUNSEL: Is it the fact that when you could not get in the first time you looked through the window, and that made you uneasy?

WITNESS: I think that was the order of it.

COUNSEL: You said just now, in answer to Mr. Oliver, "When I could not get in I thought nothing. When I knocked at the back door I thought she might have gone to the post."

WITNESS: It is quite possible.

COUNSEL: Then you were not uneasy then?

WITNESS: I was both uneasy and not uneasy, if you can follow me. It was a very difficult position, and I don't quite know exactly what I did think.

I thought she might have gone to the post or that she might have gone upstairs. I did not know what to think.

COUNSEL: You were uneasy at the tram junction?

WITNESS: Yes.

COUNSEL: You continued uneasy on your way home.

WITNESS: I was not unduly alarmed.

COUNSEL: And you swear you were talking to nobody outside?

WITNESS: I do.

COUNSEL: I am putting it to you that you had no reason whatever to be suspicious when you returned home, before you knew?

WITNESS: I knew what?

COUNSEL: Exactly what had happened inside the house?

WITNESS: How could I know?

COUNSEL: P.C. Williams says you told him your wife accompanied you to the back door and waited a little way down the entry with you. Did she do that?

WITNESS: No.

COUNSEL: Did you say that?

WITNESS: I don't think so.

COUNSEL: You heard Williams say he remembered distinctly that you said that, because he wondered at the time if someone had slipped into the house when her back was turned. You, apparently, are not sure you did not say it?

WITNESS: I am certain I did not, because my

wife would never come down the back entry with me. We always parted at the back door. In my opinion, this constable has misunderstood what I said.

COUNSEL: When you found the back door would not open, did that increase your uneasiness?

WITNESS: Yes. It made me feel things were not quite right.

Counsel then turned his attention to the condition of the locks of the front and back doors at the time. Wallace explained that they had occasionally had trouble with the front door lock for quite a long period, although they had never had any difficulty in getting into the house. Upon this occasion, however, the key would not turn at all. Although he thought at the time that the back door was locked or bolted, he did not think so now. He thought that the lock must have stuck, as it had done on many occasions before.

Counsel took him up at this point.

COUNSEL: If the lock had often stuck, what made you so uneasy?

WITNESS: It was unusual for me to go to the front door and find I could not open it, and then go round to the back door and find myself unable to open it, or to get an answer to my knocking. Naturally I was a bit uneasy.

COUNSEL: At the time you thought the back door was locked?

WITNESS: I think at the moment I rather had that opinion.

I am presenting this evidence in full, for it was of vital importance, which counsel evidently considered it, as he persisted with it at great length.

The cross-examination continued:

COUNSEL: When did you cease to have that opinion?

WITNESS: I don't know.

COUNSEL: Let us be quite clear. The result of your investigation leaves you now under the impression that the front door was locked and the back door was stiff?

WITNESS: The front door was actually bolted.

COUNSEL: And the back door stiff?

WITNESS: Yes.

COUNSEL: Did you still believe that someone was in the house?

WITNESS: No.

COUNSEL: Did you ever believe it?

WITNESS: I might have done at the moment.

Counsel then left that point and turned his attention to the weapon. Wallace denied that he knew anything about the iron bar, which had been referred to as having been in the house just before the murder. Its presence in the house had been testified to by a Mrs. Draper, who had formerly been employed in the house as a kind of char-woman. This was in addition to the poker also referred to. Wallace also denied that he assumed that his wife had been struck with something. He also said that she did not have fits, as had been stated, but was subject to heart attacks.

The cross-examination continued:

COUNSEL: You have heard there was no evidence of breaking in or of anything being taken except the £4 in the cash-box. Did the front bedroom strike you as having been genuinely tumbled by a thief or disarranged by an assassin?

WITNESS: It did not strike me either way.

COUNSEL: Does it strike you as being at all probable that man would remember to turn off the gas before he went out? (The gas in the room where the body lay had been turned off.)

WITNESS: In view of the fact that the mackintosh was burned, I should say yes.

COUNSEL: Does it not occur to you as strange that a total stranger murdering your wife would have troubled to turn off the gas?

WITNESS: No, it is not very improbable. I expect he would turn out the light, and see he had left the fire on and turn it out too.

Counsel submitted that the theory of a thief was contradicted by everything in the house. He then turned to the incident of Wallace's questioning Mr. Beattie as to the precise time the telephone message was received.

"Why should you regard it," he asked the witness, "as an indiscretion to press Mr. Beattie about the time of the telephone message?"

"I felt," replied Wallace, "as a suspected person, that it was indiscreet to discuss a case with a man who might be called to give evidence."

"Do you mean to suggest," said counsel, "that

you ever had the slightest fear of what the police would find out?"

"I had no fear whatever!" emphatically replied Wallace.

"Then why should you worry about any indiscretion?" persisted Mr. Hemmerde.

"Because I realised I was suspected," replied Wallace, "and anything I said might be misconstrued."

"Was a single thing ever said to you that you were suspected?" continued counsel.

"Nothing was said," replied Wallace. "But I realised I must have been followed."

Counsel then again returned to the question of the doors.

"You are convinced," he said, "that the front door was bolted when you came back, but the back door was only stiff?"

"That is so," replied Wallace.

That concluded the cross-examination of Wallace. His own counsel, Mr. Oliver, then put the following curious question to him:

"Was it your habit to play the violin naked in a mackintosh?"

"No," replied Wallace.

He then returned to the dock, having been in the witness-box for three hours.

There was clearly a connection between this last question of Mr. Oliver's and the theory of the prosecution that the prisoner had murdered his wife while naked except for the mackintosh.

One might almost say, of course, there was a difference between the medical experts, for there usually is. The defence called Professor J. H. Dible, Professor of Pathology at Liverpool University, who disagreed with the expert evidence for the prosecution as to the time of the murder as indicated by the post-mortem condition of rigor mortis. Whereupon the Judge commented:

“There seems to be a great difference of opinion among the experts in this case.”

To which Professor Dible replied:

“It is a notoriously difficult subject.”

It is clearly not a fixed science. This difference of opinion on the part of the defence would tend to make it improbable, if not impossible, for the prisoner to have committed the murder. The testimony on both sides, pro and con, was equally qualified and confident. Who is to decide when doctors disagree? In this instance the jury, of course, and they did decide.

Another impression of Professor Dible was that the assailant must have become spattered with blood. The testimony on the other side, however, was that he need not have been much bloodstained if he were wearing the mackintosh—only a little on the lower portions of the legs.

Mr. Oliver dealt with the evidence of the police-constable who said that he passed Wallace on the afternoon of the murder and that he noticed he looked pale and agitated. Counsel said that he was prepared to call many people who would

testify that they saw Wallace on that day and that he was quite normal. The Judge, however, intimated that Mr. Oliver need not do that, and that it must not be assumed that a man's demeanour might indicate that he was going to commit a crime. That was tantamount to a direction to the jury to ignore this evidence.

After several witnesses had been called for the defence, whose evidence tended to contradict that of the prosecution as to the time Mrs. Wallace was last seen, Mr. Oliver made his final appeal. And a very impassioned one it was, although it seems a pity that he should again have attacked the police. He reproached them for not calling certain evidence in these words: "The police had that evidence but they did not call it. How many other statements have they got which might throw light on the matter?" He continued: "What is the case for the police? It has varied from day to day. At the police-court it was Wallace in a mackintosh who killed his wife. No suggestion then that he was naked. Professor M'Fall has sought to impress us with the suggestion that there were indubitable stains of blood on the mackintosh, showing how the blood had squirted, but if there is one word of truth in that why was it left till the trial? Not a word of such a suggestion was made at the police-court, and I ask you to reject the suggestion."

Counsel then referred to Wallace's attitude in the witness-box, which had been remarkably calm and collected.

“I suppose,” said Mr. Oliver, “it will be said by the Recorder, ‘What a cruel man!’ On the other hand, if he had been agitated the Recorder no doubt would have said, ‘Do you think that was the demeanour of an innocent man?’ Is there no such thing as the calmness of innocence? Did you notice the way Wallace answered questions? Did you hear him fence once or prevaricate? Did you hear the frankness of his admissions?”

Mr. Oliver made this effective conclusion:

“The burden of proof in this case lies upon the Crown. Here we have a case of a crime without a motive, a man against whose character there is no word to be said, a man whose affection for his wife cannot be doubted, a man charged with the murder of the woman who was his only companion. The Romans had a maxim, which is as true to-day as it was in the early days, that ‘no one ever suddenly became the basest of men’. How can you conceive of a man with such antecedents as those of the prisoner doing this thing? It is not enough for you to think it is possible that he did it—not nearly enough.”

Mr. Hemmerde followed with his final speech, in which he again outlined the story for the prosecution, reiterating and emphasizing his various points. Dealing with the telephone call he said:

“We have a man trying to ring up Wallace, who had left his house at a time that might perfectly well have brought him straight to the call-box from

which the message was sent. It was a box that Wallace had used. Whoever sent the message went to a box where there was no light except a reflected, indirect light, and where anybody could perfectly well telephone without drawing attention. Nobody but Wallace knew that Wallace was going to be at the café—on Wallace's own story. The voice on the telephone was confident and strong and inclined to be gruff. If a person was imitating another person's voice you might imagine he would do so in a voice that had all those characteristics. If the man had had important business and wanted to speak to a man he did not know, would he not have arranged to ring up later, on finding Wallace was not at the café, instead of leaving the message to someone else? According to the story for the defence, Qualtrough must have taken all his steps on the assumption that the message got home to the man he wanted to move."

Counsel then dealt with Wallace's efforts to find Menlove Gardens East:

"Do you think a man who was really searching for that address," he said, "would have asked all the questions and gone finally to a newsagent's after being told by the police there was no such address? When you hear the suggestion that the murder might have been committed a considerable time after Wallace left, you have to bear in mind that the unknown man had chosen an address so little distant away that Wallace might easily have been back by eight o'clock. Do you think

for a moment that the man would have run that risk?

“Having found that there was no such address, why should Wallace declare that he became suspicious? It was quite possible for a mistake to have been made over the telephone.”

Counsel then dealt with the actual scene of the murder:

“The defence have suggested,” he said, “that the room in which Mrs. Wallace was found was practically never used except when visitors came, but actually it was used regularly whenever Mr. and Mrs. Wallace had music. Supposing Wallace did not tell his wife he was going out on the night in question and that she prepared for a musical evening—the piano was open and music on it—and that she was struck down in that room, her dress might have been burnt.

“I repudiate absolutely the suggestion that the police have been coaching witnesses or suppressing evidence. On all points there is ample evidence to support the theory of the prosecution that the man in the telephone-box was the prisoner, and that Mrs. Wallace was last seen round about 6.30. As regards the time of death, there was ample time for Wallace to do everything. Never mind about the clot of blood and other fine points. The question is: Can you believe anyone would think of committing such a crime for the small gains in an insurance agent’s house? Are you satisfied that prisoner’s attitude was that of an innocent

man? You can only convict the prisoner if you are satisfied beyond all reasonable doubt that he is guilty. If you do not think he is guilty, it will be your duty, of course, to acquit him, and I hope that nothing that has fallen from me has led you to suppose anything to the contrary."

One must admit that this speech was a manifestly fair one, and that Mr. Hemmerde did not strain the case against the prisoner.

Then came Mr. Justice Wright's summing-up, which occupied about an hour. As this is invariably a vital stage of a trial for murder, I propose to give the Judge's comments to the jury on this perplexing case at length. In solemn and well-balanced tones, Mr. Justice Wright summed up the case as follows:

"I need not warn you," he began, "to approach the case without any preconceived notions. Your business is to listen to the evidence and to consider that and nothing else. This murder, I imagine, must be almost unexampled in the annals of crime. It was committed some time on the evening of January 20th, in a house in a populous neighbourhood, and was so devised and arranged that not a trace, as far as I can see, remained which would point to anyone as the murderer.

"All the evidence is circumstantial, and a man cannot be convicted of any crime, least of all that of murder, merely on probabilities, unless they are so strong as to amount to a reasonable certainty. The question here is not 'Who did this murder?'

but 'Did the prisoner do it?' or rather, has it been proved to your reasonable satisfaction and beyond all reasonable doubt that the prisoner did it?

"The question of motive can be put on one side as far as the accused is concerned. The evidence is that to all appearances Wallace and his wife were living together in happiness and amity and there was no pecuniary inducement that one can see for the accused to have desired the death of his wife. Is there any reasonable presumption that it was the accused who telephoned the message to the chess club? On that point also the evidence is purely circumstantial."

His lordship then dealt with the conversation between Wallace and Mr. Beattie as to the time of the telephone message:

"It is said," remarked the Judge, "that that was the mark of an uneasy conscience, and that point has been somewhat stressed. It may be, on the other hand, if the prisoner was already feeling himself to be the object of suspicion, he might perfectly well have made these inquiries simply to impress upon Mr. Beattie the importance of being accurate if any question should arise. It would, one would imagine, be very dangerous to draw any inference seriously adverse to the prisoner from that conversation.

"You have heard some description of the crime so far as it can be reconstructed. It was a crime which apparently involved—because here we are in the range of speculation—this woman going into

the sitting-room and no doubt turning on the light and lighting the stove. No doubt the couple generally lived in the kitchen, yet on occasion they went into the sitting-room when they wanted to have some music, and on occasion when visitors came. Mrs. Wallace would take them into the sitting-room and light the fire. There are two theories—at least there were once—as to how she was struck. One of them was that she was sitting in the armchair by the fireplace and was struck down with a blow, and then, when she fell on the floor, the remaining ten blows were administered. That would mean that the assailant came to her and attacked her in front, and, of course, on that view, it is very difficult to believe that the assailant was the husband wearing the mackintosh. If he was going out there and then, one asks why should he wear a mackintosh, and why should she light a fire? If she lighted a fire under the impression that he was not going out, but that they were going to have some music, why should he come in with a mackintosh on?

“It does appear now that the more probable reconstruction of the tragedy is that she was struck down when stooping over the fire, or it may be just when she had lighted it, and this is said for two reasons—the burning of the skirt and the burning of the mackintosh. Mrs. Johnston, as soon as she saw the mackintosh, said Mrs. Wallace must have thrown it over her shoulders. Whether she had any reason for thinking that is obscure.

The prisoner, so far as I can follow, never drew Mrs. Johnston's attention to the fact that the mackintosh was his, but he mentioned it to others, including Williams and Moore, and thought there was some doubt as to whether or not it was his. One has to be careful not to over emphasise these small difficulties in contradiction in considering the position of this man whether he is innocent or guilty. He had been through a great deal that night, and when reference is made to small discrepancies in his statement I cannot help thinking that it is wonderful his statements are so lucid and apparently consistent as they have been.

“Whoever did the murder—the evidence seems conclusive—must have been seriously splashed with blood. It was a very bad wound and one of the arteries in the forehead had been severed, and it is quite obvious from the picture and the photograph that there must have been splashes of blood on the murderer. How, in the name of Providence, did the murderer go without leaving a trace behind? What time had the prisoner if he was the murderer? That is a most vital point in the case. If you think, on the evidence as to times, that the times are so short, either to make it impossible for the prisoner to have done this act or to make it very improbable, that would be a very strong element in your conclusion on the real question of the case. It is for the prosecution to prove the facts which are only consistent according to reasonable methods of judgment to prove the guilt of the prisoner.

“The times given in evidence are not very precise, although there is one time which I think precise, and that is the time the prisoner boarded the tram at Lodge Lane. The fact that you can fix that time enables you to fix with a certain amount of certainty when he must have left the house.

“I must say I do not agree with any attacks made upon the police in connection with the conduct of this case. I think they have done their work with great enthusiasm and ability, but I cannot help thinking they were guilty of an error of judgment in not calling the two witnesses, Jones and Wildman, in the conduct of the prosecution. (This was in reference to the time Mrs. Wallace was last seen alive.) It is true that Jones’s time may have been a little uncertain; and Wildman, although he had mentioned the matter to his mother, had already associated it—though I don’t think it affected the matter—with the solicitor for the defence. But they are witnesses in a case of this sort where the ascertainment of the time is so important. They are witnesses who, I think, should have been called by the prosecution. The case of the prosecution, as it stands, depends entirely upon the evidence of Close.

“You may think the medical evidence does not afford you much guidance or assistance as to when the woman met her death. The evidence leads to conflicting views. You may think that it does not do much to enable you to say when the woman was

killed. It may be that the evidence is consistent. The criminal got into the house, committed the murder and went away. So far as weapons were concerned, the prosecution had called Mrs. Draper, who said that two things were missing—an iron bar and a poker. If the prisoner committed the murder, he could not have used both those weapons, but the question was, how did he get rid of them? One would have thought the tram conductor on the car in which the prisoner travelled must have noticed if he were carrying an iron bar or a poker, but he did not seem to have seen anything of the kind.

“Referring to what happened at the house, the prosecution said that just as the prisoner had faked the telephone message and sought to fake an alibi, so he faked the discovery of the crime, and the prosecution relied for that on his own story. You have to consider whether that helped them to form a basis of decision. If the prisoner had been wandering about for an hour and a half seeking someone, and then found the doors of his house did not open as readily as he expected, it might well be he would lose his head to some extent, and not act with the deliberation and wisdom which criminals are always expected to act when their proceedings are canvassed.

“Wallace told Police-constable Williams that the front door was bolted. Williams said he did not hear any bolt drawn, but that was about all he could say. Mrs. Johnston did not notice, one

way or the other. Prisoner said he at first thought there was someone in the house, but that was only a conjecture, and he now thought he was wrong. If the door was bolted, the question of the lock was immaterial. On the other hand, if the lock was there and the door was unbolted, then he ought to have opened it. You will have to consider whether you attach any importance to the fact that he appeared to fail to work a somewhat defective lock though the defect might have been of old standing.

“Of course if Wallace was in a state of mental disturbance, having been on a wild goose chase and being rather worried because he could not get in at once, that might account for some difficulty. On the other hand, the prosecution said, ‘Nothing of the sort. He knew exactly what he was doing and he was feigning a difficulty that did not exist’.

“The question you have to determine is not ‘Who can have done this?’ Human nature is very strange. You may have a man masquerading as Qualtrough and sending the bogus messages, and then, if he did not actually see the prisoner leave the house he might knock at the door, and if Mrs. Wallace had been told the prisoner was seeking an interview with Qualtrough, he might be admitted. If he were admitted he would soon find out that the prisoner was not in the house. On the other hand, if he had found he was in the house he could go away. It is difficult to say what motive

there could have been for such a thing. It is difficult to think there can be such a person to devise all these things, but, then again, there is the difficulty of motive as far as the prisoner is concerned. It is difficult to see how the man can have got away leaving no trace, but there are equal difficulties connected with the prisoner.

“However you regard the matter, the whole crime is so skilfully devised and so skilfully executed, and there is such an absence of a trace of anything to incriminate anybody as to make it very difficult to say—it is a matter entirely for you—that it can be brought home to anybody in particular. Can you say it is absolutely impossible that there was an unknown murderer who has covered up his traces? But putting that aside as not being the real question, can you say,—taking the evidence as a whole and bearing in mind the strength of the case put forward by the police and by the prosecution—that you are satisfied beyond reasonable doubt that it was the hand of the prisoner and no other hand that murdered this woman?

“If you are not satisfied, whatever your feelings may be, whatever your surmise or suspicion or prejudice may be, if it is not established to your reasonable satisfaction as a matter of legal evidence and legal proof, then it is your duty to find the prisoner not guilty. Of course, if you are so satisfied, it is equally your duty to find him guilty, but you have to be satisfied by legal evidence in this court

and by legal proof. Whatever you may think generally, that is the acid test which you must apply in coming to your verdict."

Thus ended his lordship's most interesting summing-up, which was listened to by everybody in court with rapt attention. Then came the most trying and psychological period of a trial for murder, namely, the retirement of the jury for the consideration of their verdict. Between that moment and that of their return is a painful time for everyone concerned, most of all, one would imagine, for the prisoner at the bar. But Wallace did not seem to have lost his strangely consistent imperturbability when, after the absence from the court of an hour, during which time the jury were absorbed in the task of deciding his fate, as to whether he should live or die, he reappeared in the dock to hear his fate. That fate did not seem in doubt to all those who regarded the faces of the jurymen as they filed back to their places: They were very grave, as they invariably are when their decision is adverse to the prisoner.

In reply to the usual question, the foreman pronounce the verdict of "Guilty". It was received by a veritable gasp in court, clearly proving that it was unexpected by the majority of those present. The prisoner, however, did not budge nor blench, and when asked if he had anything to say why sentence of death should not be passed, quietly replied, "I am not guilty. I don't want to say anything else". Then the Judge, assuming the

black cap and in solemn tones, in which there might be traced a slight quaver, observed:

“William Herbert Wallace, the jury, after a very careful hearing, have found you guilty of the murder of your wife. For the crime of murder, by the law of this country, there is only one sentence, and that sentence I now pass upon you.”

By this time Canon Dwelly, the High Sheriff's chaplain, had moved along the bench and stood beside the Judge. Then followed the dread words of the death sentence, finishing with “May the Lord have mercy on your soul.” To which the chaplain responded with “Amen.”

During this ordeal Wallace stood with his hands clasped behind him, looking steadfastly at the Judge as sentence was pronounced. A most absorbing “situation”. Not once, not even at this vital and terrible moment in his prolonged ordeal, did that inexplicable and masterful composure desert the prisoner. No more baffling human enigma ever stood in the dock. When the warders who stood around him gently tapped him on the shoulder, indicating that the tribunal was ended and that he should now quit the dock, he turned and silently walked down the stairs, disappearing from view and leaving the whole court at gaze and lost in wonder and amazement, not untinged with pity.

Thus ended this notable trial, one of the most notable, it is safe to say, ever heard in this country, particularly in view of the remarkable sequel which followed shortly after.

It now falls to be considered as to why the jury, in face of the summing-up of the Judge, which, as can be plainly seen, was most favourable towards the prisoner, brought in their adverse verdict after only one hour's consideration. The case simply teemed with difficulties for them. They did not give the prisoner the benefit of any of the doubts with which the case was beset and in spite of the Judge's clear implication that they should do so. This is the more remarkable as, in nine cases out of ten, the Judge's summing-up is invariably the basis of a jury's verdict. That is to say, a jury is invariably much influenced and guided in their decision by what the Judge says in his final summing-up. I have always found that it is very difficult to say definitely how a case of the kind is going until the Judge sums up. Then you may be pretty sure.

You cannot realise the influence a Judge has on a jury by merely *reading* a report of his speech. Mere words do not convey a full and complete impression of the Judge's attitude. To obtain this you must be in court and observe his lordship's gestures, emphases, facial play, intonation of voice, and so on. However impartial a Judge may be—and our Judges, I need scarcely point out, are always manifestly and studiously impartial—he cannot altogether eliminate his own personal opinion. After all, he is only human. Nothing could have been fairer than Mr. Justice Wright's summing-up in this case, but still you could clearly

perceive, by reading between the lines, as it were, that he was not himself satisfied that the prosecution had made out their case. It will be noticed that, in passing sentence, he made no observation as to whether he approved of the sentence or not, which a Judge sometimes does. Clear indication of his uncertainty of mind in the matter.

Why, then, did the jury convict? What influences operated as factors to convince them that the prisoner was guilty? I think there were several. One of them, I venture to believe, was the rather severe and manifestly unfair criticism of the police by counsel for the defence. Even the Judge took up the cudgels in their defence. This kind of captious complaining often defeats its own object. It convinced the jury that the police case was so strong that the defence were *afraid* of it. Hence the abuse. The defence of the police by the Judge also confirmed them in this supposition. Another factor was, in my opinion, the cross-examination of Wallace by Mr. Hemmerde. It was most telling and obviously made a deep impression on the minds of the jury, which, not even the wise and cautious words of the Judge could eradicate. I believe also that the strangely unassailable composure of the prisoner made an unfavourable impression upon them. Lastly, the jury were faced with this challenging problem: If Wallace did not commit the murder, who did? And their minds failed to grasp the idea that anybody else could have committed it. So they adopted the

only alternative that seemed available to them. The Judge, it will be observed, practically told them that so mysterious was the crime that the evidence was insufficient to point to anybody in particular as the culprit. However, they evidently thought it was, and acted accordingly.

We have heard from time to time a good deal about a possible "perfect murder". Here, without a doubt, we have it. This case easily beats any work of fiction ever turned out by the most skilful writer of detective stories. We have the no mean testimony of the Judge on the point. I will repeat it: "This murder, I imagine, must be almost unexampled in the annals of crime . . . so devised and arranged that not a trace, as far as I can see, remains which points *to anyone as the murderer*". One would have thought that these weighty words, emanating from the occupant of the bench, would have prevented the jury returning a confident and unanimous verdict of guilty. Clearly they thought they knew better than his lordship.

Argue as you may about this case, you cannot come to any definite conclusion as to who the author of the crime might be or what the motive. The possibilities are very few. Let us consider them. I have already referred to the theory of a burglar, but it will bear a little further looking into. As has already been pointed out, there were no marks of a forcible entry having been made. There was no indication of how the supposed

burglar entered the place, or, as the Judge pointed out, of the manner of his retreat. His motive, of course, would be theft. He took, we will say, the money from the cash-box—£4—but left the notes in the room upstairs. A very singular thing for a burglar to do. He certainly would not fail to have gone upstairs. Nothing else was missing.

Now let us regard the burglary, or supposed burglary, in relation to the murder. The theory is that the burglar encountered Mrs. Wallace, and struck her down in order that he might make his get-away. The first blow that was struck was a very severe one, and not only rendered the victim unconscious but practically killed her. Since this would have enabled the burglar to get away without interference, why did he remain behind and occupy precious moments in delivering the other quite unnecessary ten blows? It will thus be seen that this also was a very singular thing for a burglar to do. Also, and presuming that the burglar was the individual who sent the telephone message, he must have known sufficient of Wallace's home affairs to be aware that, although he had removed Wallace there was still Mrs. Wallace in the house and that he would have to deal with her. Is it probable that a burglar, under such circumstances, would have gone into the house and committed such a desperate deed for such a small sum of money as was likely to be found there? In the highest degree improbable. It is a rare thing nowadays for burglars to commit murder, or even

acts of violence short of murder, rather do they avoid such a thing. It is true that we still have what are technically known as "shooting burglars"—like the late Steinie Morrison—but they are rather scarce, and would certainly not "operate" in such houses as those where Wallace lived.

Thus the theory or possibility of a burglar having committed the murder must be dismissed from our consideration, as the police also obviously dismissed it from their consideration quite early in their investigations.

Let us now consider the vital question of motive, which the prosecution were chided for not having put forward. It need scarcely be pointed out, since the fact is now common knowledge, that the prosecution are not called upon to provide a motive. If they can, by means of proven facts, make the guilt of the accused appear convincingly obvious, they have discharged their legal duty. They have, in fact, fulfilled their mission in merely *presenting* these facts. They are in no way legally concerned with motive. Of course, if they can also show what the motive was it tends to strengthen their case. But it does not necessarily weaken it if they do not do so. So that it is no fault of the police that they did not insist upon a motive.

Supposing for the moment that the case for the prosecution were true, what motive could Wallace have had for the commission of such a deed? It is admittedly difficult to find one, and as we know, the police failed to find one. It could not have

been a financial motive, for Wallace was quite comfortably off. He would gain nothing by the death of his wife, and it is to be presumed that she was not insured for any considerable sum since no mention was made of it by either side during the run of the case. So we must rule out financial motive from the case, with the exception of the improbable one of the burglar.

There was, however, a fugitive kind of mention of "another woman". We know that from time to time murders have been committed for the possession, the unfettered possession, of a much desired woman. It has been rather melodramatically called the "eternal triangle", that is to say two women and one man, or two men and one woman, and one has to be "removed". I repeat such cases have been known, but I have never heard of a case of the kind where some evidence was not forthcoming as to the existence of the other woman. In this case there is not the shadow of a clue as to the existence of any other woman. So we must dismiss that also from our consideration.

What other possible motives are there? Well, the one which leaps most readily to the mind is that of *revenge*. Was the murder committed by someone who had a spite against either Wallace or his wife? And in this connection we must take this further point into consideration: Was the murder committed by a woman? It may be doubted whether a woman could be capable of inflicting such very severe injuries, which would

appear to be the result of the display of more strength than is usually possessed by women. But this I think, like many other familiar ideas concerning the female sex, is a fallacy. A woman, under the influence of strong passion, and with such a weapon as was available and was clearly used, was capable of inflicting very severe injuries, quite as severe as those which battered out the life of Mrs. Wallace.

In this connection it was stated, more than once if my memory is not at fault, that Mrs. Wallace "had not an enemy in the world". This is such a familiar phrase as to be made use of glibly and without much thought. It requires only a little reflection to appreciate how inaccurate this must be. Just think of it. A human being with not a single enemy in the world! I doubt if such a thing could be said of the angels in heaven. It must be obvious that there can be very few human beings without enemies, open and avowed, or secret and subtle. Such loose and delusive ideas as these gradually creep into our everyday conversation. They have very little evidential value.

No doubt both Mr. and Mrs. Wallace were well known and much respected in the neighbourhood where they lived. They were and had been for a long time on very amicable relations with one another. They had many genuine friends, but that neither had any enemies is rather too much to suppose. So the factor of revenge must be taken into consideration. But as to who bore this feeling

of animosity against either or both of them, and what was the cause of the enmity, one is unable, in the entire absence of any clue, to even hint at. But that "an enemy hath done this", seems to be well to the fore among the probabilities.

(c)

In due course an appeal was lodged on behalf of Wallace, who, in the meantime, was being held for execution. The appeal was duly heard at the High Courts in London on May 18th, and occupied two days. There were three judges: Mr. Justice Branson, Lord Hewart (Lord Chief Justice of England), and Mr. Justice Hawke. The counsel in the appeal were the same as at the trial.

In the meantime the result of the trial had raised much controversy, the verdict being very unpopular, especially in the neighbourhood of Liverpool. So strong was the feeling against the verdict in fact that intercessory prayers were offered up on the prisoner's behalf in Liverpool Cathedral. Commenting on this unusual proceeding, the Bishop of Liverpool said: "I agree with the criticism that the prayers were unusual. So also were the circumstances. I think the confidence of a large section of the public, in the administration of justice through juries, has been shaken by this case, and it is exceedingly important that it should be restored. We expressed no opinion in the prayers as to whether Wallace was actually

guilty, but we met a feeling that the verdict was not justified by the evidence given at the trial. That is why I allowed the prayers. In my view, it is the duty of the Church to meet and turn into prayer public anxiety of this kind. I should hope that the Church will always be alive to its duty of watching public events and giving, without prejudice, the opportunity for public intercession."

Opinions will doubtless differ as to the wisdom or justification for such ecclesiastical intercession. But it was one of the many remarkable incidents which attended a very remarkable case.

If it were possible for the dramatic characteristics of the trial at Liverpool to be exceeded it occurred at the appeal at the High Courts in London. It was intensely dramatic. Both counsel pressed their respective points with sincerity, Mr. Oliver, perhaps, being rather more emphatic and insistent than his learned friend, Mr. Hemmerde. In the dock stood a tall, grey-haired, pale-faced man, wearing gold-rimmed spectacles. It was Wallace, upon whose face were clearly depicted the shattering effects of the ordeal he was passing through. For some moments he stood with his hands clasped behind his back, when he was told by the Lord Chief Justice that he might sit down. He then relapsed wearily into a chair, leaned forward and listened attentively to the arguments of counsel. He was, of course, accompanied by warders.

Mr. Hemmerde put the case for the Crown in a virile speech which occupied four hours to deliver. This, of course, followed the speech of Mr. Oliver on behalf of the appeal, the grounds of which were that evidence did not justify the verdict. "The main ground," said Mr. Oliver, "is this: That a man who may well be quite innocent has been convicted of murder and sentenced to death." He further argued that the case should have been withdrawn from the jury at the Liverpool Assizes. He pointed out that there was no admission of any sort and no material to assist the prosecution obtained from the prisoner in the witness-box. Counsel emphasised the facts of the perfectly affectionate relations which existed between Wallace and his wife and insisted that there was no semblance of a motive for the murder so far as his client was concerned.

Mr. Oliver returned to his attack upon the police, reiterating the charges against them which he had made in the lower court. These strictures drew from Mr. Justice Branson the observation: "I was wondering whether we were trying this case or the Liverpool police". In this connection Mr. Hemmerde said:

"If this case was pressed, I pressed it, and I take full responsibility for everything that was done in the case. The police had nothing to do with the conduct of the case. We heard expressions in one speech at the trial that the police had goaded a milk-boy to put his time up, that they had coached

witnesses, that they had brought them into line and that they had suppressed evidence. I absolutely refused in my speech to the jury to be taken off what was really the conduct of the case by those attacks, and I want to say here and now that, so far as the police are concerned, I took charge of the case at least a week before." Counsel also pointed out this relevant fact: "It was not a City of Liverpool jury, but a jury of the County of Lancashire, deliberately chosen at the request of my learned friend."

Not the least interesting features of the hearing were the searching questions put to counsel by the Judges. For instance, Mr. Justice Branson asked Mr. Hemmerde:

"Assuming the murder was not committed by the appellant, what evidence is there that the telephone call was put through by him?" There was of course no such evidence. At most it was an inference. There was nobody who was prepared to swear that the voice was that of Wallace. On the contrary, the person who received the message, Mr. Beattie, was quite confident that the voice was not that of Wallace.

Mr. Hemmerde advanced the following arguments:

"It is common ground," he said, "that the person who murdered this unfortunate woman was either the person who sent that message or the person who has been convicted of the murder, because common sense eliminates other possi-

bilities. It is clear that the murderer, whoever he was, went upstairs and made some show of disturbance in the front room."

Then counsel declared that Wallace had ample time in which to clean himself after the murder.

"There is the question of the time taken for dressing," remarked Lord Hewart. "Would not appellant have to take off his clothes as well as put them on again?"

"Not as I visualise it," replied counsel.

"At any rate your theory," said Mr. Justice Hawke, "involves that the appellant would have to put on his clothes?"

"I shall not shirk any issue," said Mr. Hemmerde. "I pointed out at the beginning that this case was an extremely difficult one."

Counsel went on to argue that not only was there a case upon which the jury might convict, but an extremely strong case. Otherwise, it would mean that if a man were clever enough to telephone from a dark spot when no one was about and do a thing like this, he would be absolutely safe, because whatever he did afterwards was merely arguing back to the fact that he was in the telephone-box."

It was clear that this telephone message exercised the minds of the Judges very much, and that they were not at all satisfied about it.

Mr. Hemmerde had with him an iron bar similar to that which was missing and which it was contended might have been the weapon employed. He drew an impressive verbal picture of the

sitting-room, with the stage set, as it were, for a musical evening, with music on the piano and the gas fire lit. In this description Wallace seemed very much interested. He leaned forward and closely followed every word of counsel, and also seemed almost fascinated by the appearance of the iron bar, which counsel waved about as he spoke.

Mr. Hemmerde reiterated his argument as to the murderer having carefully prepared for the deed, that he was naked with the exception of the mackintosh, and that he had plenty of time in which to have removed the little blood which might have got on to his feet. Wallace, he pointed out, had not been arrested until February. This drew from Mr. Oliver the observation that Wallace had been carefully searched for traces of blood on the same night.

"I do not think I am saying anything wrong," responded Mr. Hemmerde. "As a matter of fact he was not undressed that night, was he?"

"He was carefully searched," replied Mr. Oliver.

"I suggest that he came downstairs," continued Mr. Hemmerde, "and surprised his wife. The story is far more probable than that someone got into the house on some pretence that night and, having got in, killed this unfortunate woman."

Next counsel dwelt upon the inaccuracies contained in Wallace's statements, when Mr. Justice Branson observed:

"Assume that he was innocent and that he left his wife and went off on this wild-goose chase to Menlove Gardens East, and he came back and

was shocked to find that his wife had been murdered in his absence, is it to be wondered at that he should not be certain whether his wife came with him to the back door before he left or whether she came down the entry." "I should think every detail," said counsel, "would be quite clear in his mind, bearing in mind the fact that it was the night his wife had been murdered."

Mr. Hemmerde also dwelt at length upon the prisoner's answers and demeanour generally towards the Johnstons, arguing that he did not exhibit any particular alarm. He also touched upon the incident of the ownership of the mackintosh, how the prisoner hesitated about admitting that it was his when he must have known that it belonged to him, which drew from Mr. Justice Hawke the observation:

"If they kept on asking you 'Is this your coat?' might you not say, 'If there is a patch it is mine?'"

Then Lord Hewart asked:

"Do you mean that the appellant repudiated having said that the mackintosh was his?"

"That is what the inspector suggested," replied Mr. Hemmerde.

To which Lord Hewart replied:

"Ah!"

"And I am inclined to associate myself with it," said Mr. Hemmerde.

Said Mr. Justice Branson:

"It appears that if he had already admitted that the mackintosh was his, he was only checking it

by saying that if it had two patches in it it was his. The two patches were there."

"Suppose the two patches had been burned," replied Mr. Hemmerde, "much of it had been burned!"

Mr. Hemmerde then observed that there was an extraordinary reluctance to-day on the part of juries to convict, but, with all consideration of the facts, they had done so here.

With that remark Mr. Hemmerde sat down.

Mr. Oliver added a few words more:

"Putting the case as it seems to me fairly," he said, "grappling with everything, there remain here a number of suspicious circumstances, but nothing in the nature of proof."

Which seems rather a good and succinct summary of this very strange case.

Thus the case had been argued pro and con, and there was nothing more but to await the decision of the Judges. A profound hush fell upon the assembly. You might have heard the proverbial pin fall. What would the Judges do was the unspoken question of all present. Was the prisoner to live or die? All eyes were directed towards the three dignified and scarlet-robed figures on the bench, who were conferring together. At last they announced that they would retire for a few minutes, rose to their feet and disappeared behind the curtains at the back. Then ensued a period of painful suspense. It lasted for forty-five minutes, when the Judges returned, looking very grave.

One's heart took an extra beat, when one realised that this might indicate the worst. The prisoner, looking even more livid than before, stood with hands clasped behind him and passing his tongue spasmodically over his parched lips.

Lord Hewart began his speech very slowly and very quietly, yet he spoke with precision and quite clearly.

"It would not have been at all surprising," he said, "if the trial had resulted in an acquittal, for the case is one of eminent difficulty and doubt. But we are not concerned with suspicion, however grave, or with theories, however ingenious. There is not so far as we can see any ground for any imputation upon the fairness of the police. The conclusion at which we have arrived is that the case against the appellant, which we have anxiously considered and discussed, was not proved with that certainty which is necessary in order to justify a verdict of guilty. The result will be that the appeal will be allowed and this conviction quashed."

Although half expected, the decision came as an extraordinary surprise. Such a thing had not happened for twenty years! Only twice had it occurred since the Criminal Court of Appeal was established. It meant that Wallace was once more a free man. The effect upon him of the decision was magical. At first he looked bewildered, then his face lit up with a smile and he murmured, "Splendid!" His brother sat in the well of the court, and to him he nodded delightedly, a saluta-

tion which was heartily reciprocated. Verily this man had passed through the valley of the shadow of death! Happily very few human beings are called upon to endure such a terrible ordeal. There was no demonstration in court, although, of course, there was plenty of excitement exhibited on all hands.

About a quarter of an hour later Wallace, dressed in a bowler hat and an overcoat and smoking a cigarette, emerged from the court and was met by a few friends. Among the latter was Mr. E. T. Palmer, Labour M.P. for Greenwich and secretary of the Trade Union of which Wallace is a member. The latter was carrying a small parcel of his belongings, and expressed his intention of getting a cup of tea. He left in a taxi. But before departing he made one or two pregnant observations to pressing and anxious inquirers. He said, for instance, "I don't think I have any feelings left. I felt a little shaky when the Judge started delivering judgment. I didn't know what was going to happen." And this was the feeling of most people who were present in court.

The defence of Wallace cost a good deal of money, more than he was in a position to find himself. He, however, received valuable assistance from the Prudential, his brother, and I believe his Union. It was also said that the Prudential were keeping his berth open for him. The case was mentioned in the House of Commons, the Home Secretary being questioned as to the probability of

Wallace being compensated. The reply was that there was no likelihood of this happening, as there was no reason for awarding compensation under the circumstances. Although it may appear hard on the accused, yet one can realise the truth of the Home Secretary's assertion. It does not appear to come under the heading of "miscarriages of justice". The decision of the Appeal Court merely means that, in the opinion of the judges, the evidence adduced at the Assize Court did not justify the conviction, and therefore the verdict is *set aside*. The position would have been much the same had the jury at the Assize Court *disagreed*.

Here is an interesting list of "leading dates" in this strange case, as published by the *News-Chronicle*, and which presents the story of the case in tabloid, as it were:

- Jan. 19—Message left at club for Mr. W. H. Wallace, to meet an unknown man the following night.
- Jan. 20—Wallace seen in distressed condition during afternoon by constable. Mrs. Wallace last seen alive at 6.30 p.m. Crime discovered by husband at 8.30 p.m. Mrs. Wallace's dead body in front room, after husband has found message to be a fake.
- Jan. 21—Search commenced for "Mr. Qualtrough", who sent the telephone message.
- Jan. 22—All night search for weapon.
- Jan. 23—Inquest opened.
- Jan. 24—Taximan tells of a "highly agitated fare" at 7 p.m. on the night of the murder.
- Jan. 25—Burial of victim.
- Feb. 2—Mr. Wallace arrested and charged with murder.
- Feb. 3—Declares his innocence to magistrates.
- Feb. 19—Hearing resumed.

- Apl. 22—Charged at Liverpool Assizes. Wallace pleaded “Not guilty”.
- Apl. 26—Found guilty after an hour’s consideration by jury at close of four days’ hearing. Mr. Justice Wright said the murder was “unexampled in annals of crime”. There were no finger prints, no sign of forcible entry, no bloodstains, except where crime was committed, and no motive.
- Apl. 27—Wallace goes on hunger strike in cell.
- May 1—Breaks his fast.
- May 4—Fund for appeal raised.
- May 17—Prayers offered in Liverpool Cathedral for His Majesty’s Judges of Appeal, and intercession service held.
- May 18—Appeal heard in London.
- May 19—Wallace free.

Thus we have one more case added to the already long list of so-called “unsolved mysteries”. Not the least notable of them, one may add. The brutal murderer of Mrs. Wallace is an “unknown”. We know that there are human beings who will kill for no particular benefit to themselves, either financial or otherwise, but merely for the lust of killing. Primitive savages, upon whom civilisation has laid but a very thin veneer. We may be sure, in the absence of any ordinary motive, that the slayer of that unhappy lady, Mrs. Wallace, was one of those primordial brutes, both mentally and temperamentally, but little removed from the Stone Age. We may say that much, although we may not be in a position to point definitely to the particular individual. Therefore the question as to who killed Mrs. Wallace is likely to remain an impenetrable secret for all time.

## X

### THE DEAD DRIVER

*(The Case of Samuel Fell Wilson, Warsop,  
September, 1930.)*

WHILE cycling along a lonely road, outside the mining village of Warsop, about five miles from Mansfield, in the early hours of Tuesday, September 23rd, 1930, P.C. Holland saw a motor car, without lights, drawn up by the roadside. He pulled up and made an investigation. He called to the driver, but got no reply. He then opened the door at the side and found a man seated on the driver's seat dead. He had evidently been shot through the head and shoulder.

Subsequent inquiry fixed the identity of the dead man as Samuel Fell Wilson, a provision merchant of Sherwood Road, Warsop. He had left Warsop the previous day for Clipstone, a mining village four miles away, for the purpose of getting orders and collecting money. By an examination of a memorandum book which was found in his pocket it was ascertained that he had collected well over £20. Only about £6 was found on him. It seemed clear then that it was a case of murder for robbery.

The local police communicated with Scotland

Yard, and Chief Inspector Berrett, well-known in connection with the Kennedy and Brown case, was dispatched to take charge of the investigation. He had with him as an assistant, Sergeant Harris, and the London officers worked in touch with Colonel Lemon, Chief Constable of Nottinghamshire and Superintendent Neate, in charge of the area where the murder was committed. They had frequent conferences at Mansfield Police Station.

The provision shop at Warsop was owned by the murdered man's father. Clues of various kinds came into possession of the police, and a good deal of interviewing was done by them and statements taken, as usually happens on such occasions. One man whom the police questioned said that he saw two flashes in the distance and saw two men running across a field near where the murder was committed. Another story was connected with a man who was seen to hide something under the bushes about a quarter of a mile from the spot where the car was found. He was seen to pull his cap over his eyes, and disappeared into the darkness. Unfortunately, however, the police failed to find any parcel, although they thoroughly searched the bushes.

The scene of the crime was formerly part of Sherwood Forest, famous for the legendary exploits of bold Robin Hood and his merry men. This fact, however, although lending an element of romance to the venue, did not assist in clearing up the mystery. For mystery it was and still remains. The

weapon from which the fatal shots were fired was never found, although diligent search was made for it by the police and their many assistants. They even went to the extent of cutting down the undergrowth around the spot in the hope of finding something. The weapon was thought to be a double-barrelled gun. One strange feature of the crime was that there were but few pellet marks on the side of the car, which, by the way, was a motor van.

A Mr. Parke, of Warsop, said he cycled past the stationary van about 9.40 on the previous night. He flashed his lamp on it but saw nobody on the driver's seat.

The shots that killed Mr. Wilson were apparently heard by several people, who took little notice of them, thinking that they were merely shots fired by farmers or poachers. The police theory was that the murderer signalled to Mr. Wilson to stop, then jumped on the running-board and shot Wilson at close quarters while the car was slowing down. The second shot was apparently fired in the face of Mr. Wilson, who fell from the driving wheel. The murderer then hastily took what money he could find, switched off the engine, put out the lights and made off. Careful examination of the hand brake, the door and other parts of the vehicle for the appearance of finger-prints was not attended with success. The father of the dead man was astonished at the crime, as he said that he knew of no enemies his son had or of anybody who could

have done such a terrible thing. "I shall not rest until his murderer has been brought to book!" he declared.

The inquest was opened by Mr. S. G. Warburton in the local mission room the following day.

"I propose to call only formal evidence of identification," said Mr. Warburton, "and such evidence as is necessary to show the cause of death, and then I propose to adjourn the inquest to a later date. I think you will have little difficulty in finding that this man was brutally murdered."

In spite of the fact that no finger-prints were found on the car, Inspector Cherril and Sergeant O'Brien, of Scotland Yard's Finger-print Department, took photographs of some marks which were found on the engine-switch, the hand brake and the light switch. This was done with a view to determining whether the murderer or his victim put on the brake and stopped the engine.

It was not an unusual thing for shots to be heard about that spot, but since the tragedy, it was said, no shots had been heard. The spot where the car was found was the quietest part of the road, and screened on either side. The murderer was believed to be a man who had an intimate knowledge of Mr. Wilson's movements. The last people to see him alive were Mr. and Mrs. Charles Reynolds, of Forest Road, Clipstone. Wilson had been in the habit of calling upon them every Monday night for the last three or four years. He was usually pretty punctual, varying very little—not

more than a quarter of an hour—in his hour of arrival. He was there on the Monday night in question, arriving at 8.30. He stayed twenty minutes and then said, “I must be going on. I have only one call to make, at Mr. White’s, the ice-cream dealer, and then I shall soon be home again.” He never reached Mr. White’s house. About two hundred yards from it he met his death. He passed the spot where he was killed about the same time he was in the habit of passing, a fact which was doubtless known to his assailant, who had laid his plans accordingly.

Mr. Wilson had previously called upon Mr. and Mrs. Gould, of Clipstone, and they said he had a bag of copper and one of silver, which he was in the habit of keeping in the outside pockets of his jacket. He was so carrying them on the Monday night.

The car was taken to Mansfield Police Station and carefully guarded. Microscopical examination of the pellets and grains of powder found on the side of the car was made. From this it was believed that the gun was probably one owned by a poacher. The cartridges were what are known as “poacher treated”. That is to say that a certain number of pellets had been extracted from the cartridges. There were plenty of poachers about that part, and on the night of the murder several of these were known to be out.

Inspector Berrett took a private room in the village and there he interviewed many people.

One man said he saw a car in Forest Road on the night of the murder about ten o'clock. He himself was in a car, and by the light from his own head-lamps he saw a man inside the other car, with one hand on the wheel, and leaning to the left of the car. This must have been Mr. Wilson's car. Mr. Wilson was then dead, and the man with his hand on the wheel must have been his murderer, probably half concealing himself while the other car passed. The informant said that there were two friends in the car and that everything was all right.

Clues, more or less vague, continued to reach the police, but unfortunately, they led only to a loose end. The proprietors of two inns in the district said that they had both changed a Treasury note for a customer on the Saturday following the crime on which was a bloodstain. Unfortunately this discovery led to nothing practical.

Inspector Berrett, skilful detective as he is, was unable to clear up this mystery. Since as I have before stated, there is no "statute of limitations" in connection with crime investigation, the callous and brutal murderer of Mr. Wilson may yet be found and punished. It is not a very difficult case to define or classify. It was clearly murder for robbery, as most murders are in some form or other. There is not the slightest indication that anybody bore the dead man any grudge or had any grievance against him. Sometimes this does happen and the robbery which

accompanies the murder is designed to act as a "red herring" to lead the police off the scent. But in this case it was not so. Mr. Wilson was a prosaic tradesman, carrying on his business in a successful and systematic manner. In fact, it may have been his very self-disciplinary habits which suggested the crime to the culprit. He must have become acquainted with Mr. Wilson's habits, although he may himself have been quite unknown to Mr. Wilson. He carefully watched him, knew precisely how he was in the habit of making calls for the purpose of doing business and collecting money, which was invariably in cash. He made himself familiar with the route usually and faithfully followed by his intended victim, planted himself in ambush at the most retired and sequestered part of that route, and as Mr. Wilson was driving past, suddenly appeared and held him up. He may have made some sort of excuse for so doing at first, asked some commonplace question, and then, having got into a favourable position for the commission of the deed, proceeded to swiftly and effectively carry it into execution, making a clean "get-away" afterwards.

A murder committed under such circumstances invariably offers a difficult problem for police solution. The very *isolation* of it constitutes a serious obstacle to free investigation. However, let us hope that at long last the murderer of the luckless Mr. Wilson may be brought to judgment.









*[Faint, illegible handwritten text or markings]*

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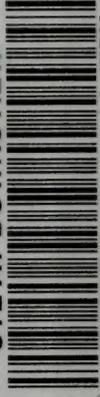
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