WITNESS FOR THE PROSECUTION*
A Murder Mystery in Three Acts

BY AGATHA CHRISTIE

[AGATHA CHRISTIE (Agatha Mary Clarissa Christie) was working as a dispenser in a Red Cross Hospital and thought it would be fun to write a detective story. It must have been, for she has written over fifty of them. She was born in Devonshire and many of her stories have been turned into pictures and plays. "The Murder of Roger Ackroyd" was one of her several well-known motion pictures and her book "Murder on the Nile" showed up on Broadway as "Hidden Horizon" in 1946. However, Broadway remembers her best for her play "Ten Little Indians" done in 1944 and which ran for 426 performances.]

IN the Temple Chambers of Sir Wilfrid Robarts, Q.C., a clerk is answering the telephone: "Sir Wilfrid Robarts' chambers. Oh, it's you, Charles. No, Sir Wilfrid's in court. Won't be back just yet. . . . Yes, Shuttleworth case. . . . What—with Myers for the prosecution and Banter trying it? He's been giving judgment for close on two hours already. . . . No, not an earthly this evening. We're full up. Can give you an appointment tomorrow. . . . No, couldn't possibly. I'm expecting Mayhew, of Mayhew and Brinskill, you know, any minute now. . . . Well, so long."

As the clerk sorts papers on Sir Wilfrid's desk, he is irritated by the presence of Greta, the office girl. Her constant sloppiness annoys him: Greta wishes to make tea well before the tea hour; there is also an error in her typing. "Just one word," says adenoidal Greta. "Anyone might do that." The clerk's icy rejoinder is: "The word you have left out is the word not. The omission of it entirely alters the sense." This only seems rather funny to Greta. "Counsel's Chambers are no place to be funny in," says the tight-lipped clerk. "The law, Greta, is a serious business and should be treated accordingly." He dismisses her to make tea.

Clerk—Mr. Mayhew, of Mayhew and Brinskill, will be here shortly. A Mr. Leonard Vole is also expected. They may come together or separately.

Greta (excited)—Leonard Vole? Why, that’s the name—it was in the paper...

Clerk (repressively)—The tea, Greta.

Greta—... asked to communicate with the police as he might be able to give them useful information...

The clerk gets rid of her, and continues checking his papers, till Greta ushers in Mr. Mayhew, a middle-aged solicitor. Accompanying him is Leonard Vole, a likable, friendly young man of twenty-seven. To Mr. Mayhew, the clerk is most deferential, and hurries out to fetch Sir Wilfrid from the robing room.

Although Mayhew placidly seats himself, he can understand Leonard’s general restlessness. But he won’t let Leonard accept a cup of tea from Greta, who has returned to stare at him. There is no nonsense in Mr. Mayhew’s voice as he cuts Leonard short: “No, thank you,” he tells Greta. Getting a smile from Leonard, she quickly vanishes.

In the midst of his pacing, Leonard tells Mayhew that this all seems like a dream—that it all seems so silly. Mayhew rather sharply questions such an attitude. Explaining himself, Leonard says: “I mean I’ve always been a friendly sort of chap—get on with people and all that. I mean, I’m not the sort of fellow that does—well, anything violent. (A pause.) But I suppose it will be—all right, won’t it? I mean you don’t get convicted for things you haven’t done in this country, do you?” “Our English judicial system,” states Mayhew, “is, in my opinion, the finest in the world.” Leonard finds cold comfort in this when he remembers a recently rectified miscarriage of justice: A Mr. Beck was finally pardoned after languishing for years in prison, “pardoned” for something he’d never done. “The important thing,” Mayhew says, “was Beck was set at liberty.” “Yes, it was all right for him. But if it had been murder, now—” Leonard collapses into a chair at this thought: “If it had been murder it would have been too late. He would have been hanged.” Trying to calm him, Mayhew goes over the details of Leonard’s background: “You are, at present, I understand, out of a job?” Leonard is embarrassed: he thinks this has to do with paying the solicitor’s fee. Such a thought in turn disturbs Mayhew, who had only wanted to have his facts straight. Leonard thereupon answers readily enough: he is unemployed at present; has been unemployed, in fact, for a couple of months. Before that he was a
mechanic for three months, and before that . . . As Mayhew listens
to this chronicle of past jobs, he turns a bit sharp. Was Leonard
discharged? he asks.

Not at all, Leonard tells him airily. He had words with the fore­
man, so he quit. The job before that became a bit awkward because
it involved the affections of the boss’ daughter, but the parting was
amicable. Before that, he was selling egg beaters on commission.
"Indeed," breathes Mayhew. "And a rotten job they were, too,"
Leonard adds. "I could have invented a better egg beater myself.
(Catching Mayhew's mood.) You're thinking I'm a bit of a drifter,
sir? It's true in a way—but I'm not really like that. Doing my
army service unsettled me a bit—that and being abroad. I was in
Germany. It was fine there. That's where I met my wife. She's
an actress. Since I've come back to this country I can't seem some­
how to settle down properly. I don't know really just what I want
to do. . . . I like working on cars best—and thinking out new gadg­
ets for them. That's interesting, that is. And you see—" At this
point Sir Wilfrid Robarts makes an imposing entrance.

Sir Wilfrid greets his friend Mayhew and comments on today's
trial; he acknowledges the introduction to Leonard and asks him to
sit down. Leonard does so at once. After inquiries about Mayhew's
family's health, the talk goes right back to today's courtroom. Sir
Wilfrid is glad to say he won the case.

MAYHEW—It always gives you satisfaction to beat Myers, doesn't
it?
SIR WILFRID—It gives me satisfaction to beat anyone.

MAYHEW—But especially Myers.

SIR WILFRID—Especially Myers. He's an irritating gentleman.
He always seems to bring out the worst in me.

MAYHEW—That would appear to be mutual. You irritate him
because you hardly ever let him finish a sentence.

SIR WILFRID—He irritates me because of that mannerism of his.
It's this— (clears throat and adjusts imaginary wig) that drives me
to distraction, and he will call me Ro-barts—Robarts! But he's a
very able advocate, if only he'd remember not to ask leading ques­
tions when he knows damn well he shouldn't. But let's get down to
business.

A sense of urgency has made Mayhew bring Leonard Vole to Sir
Wilfrid. Leonard bluntly puts it: "My wife thinks I'm going to be
arrested. (Looks embarrassed.) She's much cleverer than I am—
so she may be right.” “Arrested for what?” asks Sir Wilfrid. Leonard is even more embarrassed to say: “For murder.”

Mayhew gives Sir Wilfrid a concise account of the murder of Miss Emily French, the reports of which Sir Wilfrid had read in the press. “She was a maiden lady,” Mayhew says, “living alone but for an elderly housekeeper, in a house at Hampstead. On the night of October fourteenth her housekeeper returned at eleven o’clock to find that apparently the place had been broken into, and that her mistress had been coshed on the back of the head and killed.”

He turns to Leonard: “That is right?” “That’s right,” Leonard answers; and then continues: “It’s quite an ordinary sort of thing to happen nowadays. And then, the other day, the papers said that the police were anxious to interview a Mr. Leonard Vole, who had visited Miss French earlier on the evening in question, as they thought he might be able to give them useful information. So of course I went along to the police station and they asked me a lot of questions.”

Sir Wilfrid asks quickly: “Did they caution you?” Leonard is vague as to whether they did or not. “Oh, well,” says Sir Wilfrid, having exchanged glances with Mayhew, “can’t be helped now.” “Anyway,” Leonard continues, “it sounded damned silly to me. I told them all I could and they were very polite and seemed quite satisfied and all that. When I got home and told Romaine about it—my wife, that is—well, she got the wind up. She seemed to think that they—well—that they’d got hold of the idea that I might have done it. So I thought perhaps I ought to get hold of a solicitor—(to Mayhew) so I came along to you. I thought you’d be able to tell me what I ought to do about it.”

He says this with an anxious look at both men.

Mayhew asks Leonard to tell Sir Wilfrid how he made Miss French’s acquaintance. Apparently it was through his rescuing some of her dropped parcels from the middle of Oxford Street. She was grateful out of all proportion, Leonard said: “... anyone would think I’d saved her life instead of parcels.” Never expecting to see her again, it so happened that a few days later he sat behind her in a theatre: “She looked around and recognized me and we began to talk, and in the end she asked me to come to see her.” “And you went?” asks Sir Wilfrid. “Yes,” Leonard replies. “She’d urged me to name a day specially and it seemed rather churlish to refuse. So I said I’d go on the following Saturday.”

He knew nothing about her except that she lived alone with a housekeeper and eight cats, in a beautifully furnished house.

Sir Wilfrid—Had you reason to believe she was well off?
Leonard—Well, she talked as though she was.
SIR WILFRID—And you yourself?
LEONARD (cheerfully)—Oh, I'm practically stony broke and have been for a long time.
SIR WILFRID—Unfortunate.
LEONARD—Yes, rather. Oh, you mean people will say I was sucking up to her for her money?
SIR WILFRID (disarmed)—I shouldn't have put it quite like that, but in the essence, yes, that is possibly what people might say.
LEONARD—It isn't really true, you know. As a matter of fact I was sorry for her. I thought she was lonely. I was brought up by an old aunt, Aunt Betsy, and I like old ladies.
SIR WILFRID—You say old ladies. Do you know what age Miss French was?
LEONARD—Well, I didn't know, but I read it in the paper after she was murdered. She was fifty-six.
SIR WILFRID—Fifty-six. You consider that old, Mr. Vole, but I should doubt if Miss Emily French considered herself old.
LEONARD—But you can't call it a chicken, can you?
SIR WILFRID—Well, let us get on. You went to see Miss French fairly frequently?

He went once or twice a week, but never with his wife. Leonard frankly admits that Miss French wouldn't have been pleased had he brought her. "You see," Leonard says, "she got rather fond of me." He objects when Sir Wilfrid suggests he means she was in love with him: "Oh, good Lord, no, nothing of that kind. Just pampered me and spoiled me, that sort of thing."

SIR WILFRID (after a moment's pause)—You see, Mr. Vole, I have no doubt part of the police case against you, if there is a case against you, which as yet we have no definite reason to suppose, will be why did you, young, good-looking, married, devote so much of your time to an elderly woman with whom you could hardly have very much in common?
LEONARD (gloomily)—Yes, I know they'll say I was after her for her money. And in a way perhaps that's true. But only in a way.
SIR WILFRID (slightly disarmed)—Well, at least you're frank, Mr. Vole. Can you explain a little more clearly?
LEONARD—Well, she made no secret of the fact that she was rolling in money. As I told you, Romaine and I—that's my wife—are pretty hard up. I'll admit that I did hope that if I was really in a tight place she'd lend me some money. I'm being honest about it.
SIR WILFRID—Did you ask her for a loan?
LEONARD—No, I didn't. I mean, things weren't desperate. (He
becomes suddenly rather more serious as though he realized the gravity of that.) Of course, I can see—it does look rather bad for me.

Sir Wilfrid wants to find out why Miss French never had Leonard bring his wife. And Leonard, it seems, had kept her out of the picture so Miss French’s interest in him wouldn’t lessen; so Miss French might be willing to finance an invention of his. He admits it’s hard to explain, but he hadn’t really sponged and at no time had he ever taken money from her.

Asked about the housekeeper, Leonard describes her—her name is Janet Mackenzie—as a regular old tyrant. . . . “Fairly bullied poor Miss French. Looked after her very well and all that, but the poor old dear couldn’t call her soul her own when Janet was about. (Adds thoughtfully.) Janet didn’t like me at all.”

SIR WILFRID—Why didn’t she like you?
LEONARD—Oh, jealous, I expect. I don’t think she liked my helping Miss French with her business affairs.
SIR WILFRID—Oh, so you helped Miss French with her business affairs?

Leonard tells breezily of helping her with her investments, and filling in forms and things like that. Sir Wilfrid then asks Leonard an extremely serious question, and demands a truthful answer: did Leonard at any time convert any of these securities to his own use? Before Leonard can make an indignant denial, Sir Wilfrid asks him to think before answering: “Because, you see, there are two points of view. Either we can make a feature of your probity and honesty—or, if you swindled the woman in any way, then we must take the line that you had no motive for murder, since you had already a profitable source of income. You can see there are advantages in either point of view. What I want is the truth. Take your time if you like before you reply.” Leonard solemnly says: “I assure you, Sir Wilfrid, that I played dead straight and you won’t find anything to the contrary. Dead straight.”

Gratified, Sir Wilfrid proceeds to the night of the murder itself. Mayhew supplies the date: October fourteenth. Leonard cheerfully describes his visit to the lady: it was prompted by his finding a new gadget he thought might interest her, and by the fact that Friday was Janet’s night off and that Miss French might be lonely. Sir Wilfrid notes with disapproval that Leonard knew it was Janet’s night out, but lets him get on with his story. “Well,” continues Leonard, “I got there at a quarter to eight. She’d finished her supper
but I had a cup of coffee with her and we played a game of double
demon. Then at nine o’clock I said good night to her and went
home.”

SIR WILFRID—You told me the housekeeper said she came home
that evening earlier than usual.
LEONARD—Yes, the police told me she came back for something
she’d forgotten and she heard—or she says she heard—somebody
talking with Miss French. Well, whoever it was, it wasn’t me.
SIR WILFRID—Can you prove that, Mr. Vole?
LEONARD—Yes, of course I can prove it. I was at home again
with my wife by then. That’s what the police kept asking me.
Where I was at nine-thirty. Well, I mean some days one wouldn’t
know where one was. As it happens, I can remember quite well that
I’d gone straight home to Romaine and we hadn’t gone out again.

He lived in a tiny flat behind Euston Station, but didn’t suppose
anyone saw him return there. “Why should they?” Leonard says.
All Sir Wilfrid means is that it would have been an advantage if they
had. “But surely you don’t think—” protests Leonard. “I mean,
if she were really killed at half past nine—my wife’s evidence is all
I need, isn’t it?” Sir Wilfrid and Mayhew just look at each other.
Mayhew takes over to ask if he can be sure his wife will say he was
at home at that time. Leonard is sure she will.

MAYHEW—You are very fond of your wife and your wife is very
fond of you?
LEONARD (face softening)—Romaine is absolutely devoted to me.
She’s the most devoted wife any man could have.
MAYHEW—I see. You are happily married.
LEONARD—Couldn’t be happier. Romaine’s wonderful—abso-
lutely wonderful. I’d like you to know her, Mr. Mayhew.

After knocking, Greta brings in the evening papers, points out
something in one of them for Sir Wilfrid, and leaves. Mayhew tries
to find out more about Leonard’s walk home on the night of the
murder—for which he has no witnesses. Leonard doesn’t think that
unsupported by any other evidence may not be completely convinc-
ing, Mr. Vole,” adds Sir Wilfrid.
And he reminds Leonard that it’s not he, but the jury, that has to
be convinced. Having thus chastened Leonard, Sir Wilfrid next—
with the item from the newspaper—flabbergasts him: “You are
aware, are you not, that Miss French left a will leaving you all her money?” Leonard was not aware, can hardly believe it. She had never said a word on the subject. Mayhew asks him if he’s quite sure. “Absolutely sure,” Leonard insists. “I’m very grateful to her —yet, in a way I rather wish now that she hadn’t. I mean it—it’s a bit unfortunate as things are, isn’t it, sir?” It supplies Leonard with a very adequate motive, Sir Wilfrid answers, “if he knew about it,” which he says he didn’t.

What with how matters stand, Sir Wilfrid feels that Leonard should face the probability of being arrested. Both he and Mayhew assure him in the friendliest way that they will do everything they can to help him, and to look after his wife, who (Leonard is sure) will be in a terrible state. Leonard can’t believe that he may actually stand in the prisoner’s box. Nor can he see why the police don’t think it was a burglar: the newspaper reports speak of a forced window, smashed glass, and things strewn all around. “The police must have some good reason for not thinking that it was a burglary,” comments Mayhew.

When the Clerk announces the “gentlemen,” Sir Wilfrid goes out to speak to the police, while Mayhew, patting Leonard’s shoulder, advises him to make no further statements. Sir Wilfrid returns with a diffident Inspector, who very courteously produces a warrant for his arrest. Inspector Hearne warns Leonard that anything he says may be used in evidence. “Okay,” says Leonard, looking nervously at Sir Wilfrid, “I’m ready.” With a polite “good afternoon” and a proper word about the weather, Inspector Hearne hopes that “we haven’t inconvenienced you, Sir Wilfrid.” “I am never inconvenienced,” Sir Wilfrid answers.

After the door closes on Leonard and the police, Sir Wilfrid and Mayhew agree that the young man is in a worse mess than he seems to realize. “How does he strike you?” Mayhew asks.

SIR WILFRID—Extraordinarily naïve. Yet in some ways quite shrewd. Intelligent, I should say. But he certainly doesn’t realize the danger of his position.

MAYHEW—Do you think he did it?

SIR WILFRID—I’ve no idea. On the whole, I should say not. (Sharply.) You agree?

MAYHEW—I agree.

SIR WILFRID—Oh, well, he seems to have impressed both of us favorably. I can’t think why. I never heard a weaker story. God knows what we’re going to do with it! The only evidence in his favor seems to be his wife’s—and who’s going to believe a wife?
MAYHEW (with dry humor)—It has been known to happen.

SIR WILFRID—She’s a foreigner, too. Nine out of the twelve in a jury box believe a foreigner is lying, anyway. She’ll be emotional and upset, and won’t understand what the prosecuting counsel says to her. Still, we shall have to interview her. You’ll see, she’ll have hysterics all over my chambers.

Perhaps, Mayhew suggests, Sir Wilfrid would rather not accept the brief. “Who says I won’t accept it?” booms Sir Wilfrid. “Just because I point out that the boy has an absolute tomfool story to tell.” But it’s a true one, Mayhew feels. Sir Wilfrid thinks it must be a true one. . . . “It couldn’t be so idiotic if it wasn’t true. . . .” But it was Leonard’s manner of blurting things out that made it believable. Mayhew thinks he has a good personality. Good for the jury, Sir Wilfrid thinks.


As Greta goes for Mrs. Vole, Sir Wilfrid adds: “And we’re probably three credulous fools, taken in by a young man with a pleasing personality.”

Mrs. Vole does not have a pleasing, easy personality. She’s an attractive but strangely ironic foreigner. Sir Wilfrid is quite put off to find there are no tears, no flutterings, no helplessness. Having expected Mrs. Vole to be upset, Sir Wilfrid finds her calmness downright disconcerting. When she is told of Leonard’s arrest, she doesn’t turn a hair. All Sir Wilfrid can do is commend her for her “fortitude.” “The great thing,” he tells her, “is to be calm and to tackle all this sensibly.” This suits Romaine Vole perfectly, she wants nothing hidden from her, she wishes to “know the worst.”

In between compliments to Romaine, Sir Wilfrid tries fishing for information about Leonard’s friendship with Miss French. He comes up with an empty hook.

SIR WILFRID—You yourself did not object at all to your husband’s friendship with this old lady?

ROMAINE—I do not think I objected, no.

SIR WILFRID—You have, of course, perfect trust in your husband, Mrs. Vole. Knowing him as well as you do—

ROMAINE—Yes, I know Leonard very well.

SIR WILFRID—I can’t tell you how much I admire your calm and
your courage, Mrs. Vole. Knowing as I do how devoted you are to him . . .

ROMAINE—So you know how devoted I am to him?

SIR WILFRID—Of course.

ROMAINE—But excuse me, I am a foreigner. I do not always know your English terms. But is there not a saying about knowing something of your own knowledge? You do not know that I am devoted to Leonard, of your own knowledge, do you, Sir Wilfrid? (She is smiling.)

SIR WILFRID (slightly disconcerted)—No, no, that is of course true. But your husband told me.

ROMAINE—Leonard told you how devoted I was to him?

SIR WILFRID—Indeed, he spoke of your devotion in the most moving terms.

ROMAINE—Men, I often think, are very stupid.

Sir Wilfrid tries to find out whether Romaine knew anything of Miss French's will. She answers yes—from the afternoon papers. Asked if Leonard knew nothing, Romaine answers: "Is that what he told you?" "Yes," says Sir Wilfrid. And he adds: "You don't suggest anything different?" "No," says Romaine silkily. "Oh, no. I do not suggest anything." To Sir Wilfrid's assurance that Miss French undoubtedly regarded Leonard as a son, Romaine inquires: "You think Miss French looked upon Leonard as a son?" Having thus flustered Sir Wilfrid, she now startles him: "What hypocrites you are in this country."

To each question about Leonard's whereabouts on the evening of October fourteenth, Romaine answers just as Leonard said she would, but her tone and manner of answering sow confusion. Asked what she means by all this, Romaine ever so sweetly answers: "That is what Leonard wants me to say, is it not?" "It's the truth," Sir Wilfrid answers. "You said so just now." Romaine wants to make sure: "If I say: yes, it is so, Leonard was with me in the flat at nine-thirty—will they acquit him? Will they let him go?" Mayhew, thoroughly puzzled, says: "If you are both speaking the truth, then they will—er—have to acquit him." "But," Romaine answers, "when I said that—to the police, I do not think they believed me." Instead of being distressed, she seems almost satisfied. "What makes you think they did not believe you?" inquires Sir Wilfrid. Romaine, with sudden malice, answers: "Perhaps I did not say it very well?"

Sir Wilfrid says: "Perhaps your husband's position is not quite clear to you?"
WITNESS FOR THE PROSECUTION

ROMAINE—I have already said that I want to understand fully just how black the case against—my husband is. I say to the police: Leonard was at home with me at nine-thirty—and they do not believe me. But perhaps there is someone who saw him leave Miss French's house, or who saw him in the street on his way home? (Looks sharply and rather slyly from one to the other. SIR WILFRID looks inquiringly at MAYHEW.)

MAYHEW (reluctantly)—Your husband cannot think of, or re­member anything helpful of that kind.

ROMAINE—So it will be only his word—and mine. (With intensity.) And mine. (Rises abruptly to her feet.) Thank you, that is what I wanted to know.

They beg her not to go—there are so many things to discuss. Romaine, now openly mocking, brings up the oath she will have to swear on the witness stand, and causes further confusion by even casting doubt on her love for Leonard.

SIR WILFRID—You are aware, Mrs. Vole, that you cannot by law be called to give testimony damaging to your husband?

ROMAINE—How very convenient.

SIR WILFRID—And your husband can—

ROMAINE (interrupts)—He is not my husband.

SIR WILFRID—What?

ROMAINE—Leonard Vole is not my husband. He went through a form of marriage with me in Berlin. He got me out of the Russian Zone and brought me to this country. I did not tell him, but I had a husband living at the time.

SIR WILFRID—He got you out of the Russian sector and safely to this country. You should be very grateful to him. (Sharply.) Are you?

ROMAINE—One can get tired of gratitude.

SIR WILFRID—Has Leonard Vole ever injured you in any way?

ROMAINE (scornfully)—Leonard? Injured me? He worships the ground I walk on.

SIR WILFRID—And you? (Again there is a duel of eyes between them. Then she laughs and turns away.)

ROMAINE—You want to know too much.

Wishing to clear up some of these ambiguities, Mayhew asks coldly what happened on the evening of October fourteenth. As if by rote, Romaine monotonously repeats: "Leonard came in at twenty-five minutes past nine and did not go out again. I have given him an
alibi, have I not?” Sir Wilfrid says: “You have, Mrs. Vole,” adding, “You’re a very remarkable woman, Mrs. Vole.” “And you are satisfied, I hope?” says Romaine as she sweeps out the door. Sir Wilfrid is damned if he’s satisfied, nor Mayhew either. Convinced she is up to something, Sir Wilfrid would like to know what. Mayhew wonders what will happen if they put her in the witness box. “God knows!” answers Sir Wilfrid.

**MAYHEW**—The prosecution would break her down in no time, especially if it were Myers.

**SIR WILFRID**—If it’s not the Attorney General, it probably will be.

**MAYHEW**—Then what’s your line of attack?

**SIR WILFRID**—The usual. Keep interrupting—as many objections as possible.

**MAYHEW**—What beats me is that young Vole is convinced of her devotion.

**SIR WILFRID**—Don’t put your trust in that. Any woman can fool a man if she wants to and if he’s in love with her.

**MAYHEW**—He’s in love with her, all right. And trusts her completely.

**SIR WILFRID**—More fool he. Never trust a woman.

**ACT II**

Six weeks later, Leonard is on trial at the Old Bailey. Before a bewigged presiding judge, and a jury of his peers, he has pleaded “Not guilty.” As was expected, Mr. Myers, Q.C., in wig and gown, is for the prosecution.

The Judge himself speaks before Mr. Myers opens the trial: “Members of the jury, the proper time for me to sum up the evidence to you and instruct you as to the law is after you have heard all the evidence. But because there has been a considerable amount of publicity about this case in the press, I would just like to say this to you now. By the oath which each of you has just taken, you swore to try this case on the evidence. That means on the evidence that you are now going to hear and see. It does not mean that you are to consider also anything you have heard or read before taking your oaths. You must shut out from your minds everything except what will take place in this court. You must not let anything else influence your minds in favor of or against the prisoner. I am quite sure that you will do your duty conscientiously in the way that I have indicated. Yes, Mr. Myers.”

Mr. Myers rises and addresses the court: “May it please you, my
Members of the jury, I appear in this case with my learned friend Mr. Barton for the prosecution, and my learned friends Sir Wilfrid Robarts (he pronounces it Ro-barts) and Mr. Brogan-Moore appear for the defense. This is a case of murder. The facts are simple and up to a certain point are not in dispute. You will hear how the prisoner, a young and, you may think, a not unattractive man, made the acquaintance of Miss Emily French, a woman of fifty-six. How he was treated by her with kindness and even with affection. The nature of that affection you will have to decide for yourselves. Dr. Wyatt will tell you that in his opinion death occurred at some time between nine-thirty and ten on the night of the fourteenth of October last. You will hear the evidence of Janet Mackenzie, who was Miss French’s faithful and devoted housekeeper. The fourteenth of October—it was a Friday—was Janet Mackenzie’s night out, but on this occasion she happened to return for a few minutes at nine twenty-five. She let herself in with a key and upon going upstairs to her room she passed the door of the sitting room. She will tell you that in the sitting room she heard the voices of Miss French and of the prisoner, Leonard Vole.”

Leonard cries out: “That’s not true. It wasn’t me.” Myers continues: “Janet Mackenzie was surprised since, as far as she knew, Miss French had not expected Leonard Vole to call that evening. However, she went out again and when she returned finally at eleven she found Miss Emily French murdered, the room in disorder, a window smashed and the curtains blowing wildly. Horror-stricken, Janet Mackenzie immediately rang up the police. I should tell you that the prisoner was arrested on the twentieth of October. It is the case for the prosecution that Miss Emily Jane French was murdered between nine-thirty and ten P.M. on the evening of the fourteenth of October, by a blow from a cosh and that that blow was struck by the prisoner. I will now call Inspector Hearne.”

The matter-of-fact Inspector is sworn in, and in unexcited tones tells of receiving an emergency call, of finding Miss French’s body, and of the disorder in the room where she was found. Inspector Hearne tells that an attempt had been made to force the window with some implement, possibly a chisel. He tells also how glass was strewn about the floor as well as on the ground outside the window.

MR. MYERS—Is there any particular significance in finding glass both inside and outside the window?
INSPECTOR—The glass outside was not consistent with the window having been forced from outside.
MYERS—You mean that if it had been forced from the inside there
had been an attempt to make it look as though it had been done from the outside?

SIR WILFRID—I object. My learned friend is putting words into the witness's mouth. He really must observe the rules of evidence.

But Myers leads up to his point: "In any other case where the windows have been forced from the outside, have you found glass on the outside of the window some distance below, on the ground?" "No," answers the Inspector. "No," says Myers, and gets on with his case, to the Inspector's finding no fingerprints save those of Miss French herself; those of Janet Mackenzie; and those of the prisoner. The Inspector is next asked to repeat the statement Leonard made when arrested. The Inspector repeats: "Okay, I'm ready." His tone makes Leonard's nervous statement sound cocky.

"Now, Inspector," continues Myers, "you say the room had the appearance of a robbery having been committed?"

SIR WILFRID—That is just what the Inspector did not say. If your lordship remembers, that was a suggestion made by my friend—and quite improperly made—to which I objected.

JUDGE—You are quite right, Sir Wilfrid. At the same time I'm not sure that the Inspector is not entitled to give evidence of any facts which might tend to prove that the disorder of the room was not the work of a person who broke in from outside for the purpose of robbery.

SIR WILFRID—My lord, may I respectfully agree with what your lordship has said? Facts, yes. But not the mere expression of opinion without even the facts on which it is based.

MYERS—Perhaps, my lord, if I phrased my question in this way my friend would be satisfied. Inspector, could you say from what you saw whether there had or had not been a bona fide breaking in from outside the house?

SIR WILFRID—My lord, I really must continue my objection. My learned friend is again seeking to obtain an opinion from this witness.

JUDGE—Yes, Mr. Myers, I think you will have to do a little better than that.

MYERS—Inspector, did you find anything inconsistent with a breaking in from outside?

INSPECTOR—Only the glass, sir.

MYERS—Nothing else?

INSPECTOR—No, sir, there was nothing else.

JUDGE—We all seem to have drawn a blank there, Mr. Myers.
Myers brings out that the jewels Miss French was wearing were left untouched, nor had anything else been taken. Next Myers asks: “Do you produce a jacket, Inspector?” And a jacket is placed in evidence. This was found by the Inspector in the prisoner’s flat, and sent to Mr. Clegg at the lab to be tested for possible bloodstains. “Lastly,” says Myers, “Inspector, do you produce the will of Miss French?” “I do, sir,” answers Inspector Hearne. As far as the Inspector can ascertain, this will of October eighth left a net amount of eighty-five thousand pounds to the prisoner.

Mr. Myers sits down.

Sir Wilfrid takes on the Inspector, and in a moment has him agreeing that a burglar, when breaking in, almost always wears gloves. “So the absence of fingerprints in a case of robbery would hardly surprise you?” “No, sir,” says the Inspector. He also concedes that the chisel marks made while trying to force the window were on the outside. But, the Inspector adds, the marks could have been made from inside or out, because the adjacent windows were casements, and it would have been simple to open one, lean out and force the catch of the other. “Tell me,” says Sir Wilfrid, “did you find any chisel near the premises, or at the prisoner’s flat?” At the prisoner’s flat, the Inspector found one—but it didn’t fit. “According to my learned friend,” Sir Wilfrid drives on, “Janet Mackenzie said that curtains were blowing. Perhaps you noticed that fact yourself?” “Well, yes, sir,” answers the Inspector, “they did blow about.” Sir Wilfrid’s point is that probably the burglar had forced the window from the outside; and that as the window swung back in a strong wind, some of the glass might easily have fallen on the outside.

Next Sir Wilfrid has the Inspector deplore with him the recent rise in crimes of violence. But when Sir Wilfrid proceeds to conjure up some young thugs intent on assaulting and robbing Miss French, Myers objects: “I submit that it is impossible for Inspector Hearne to guess at what went on in the minds of some entirely problematical young criminals who may not even exist.” Sliding on to his next point, without apparently noticing the objection, Sir Wilfrid emphasizes that Leonard had always protested his innocence. “Yes, sir,” says the Inspector. Then Sir Wilfrid puts a knife in the Inspector’s hands—a good, sharp-edged French vegetable knife that Mrs. Vole had first brought to the Inspector’s attention at her flat. Having emphasized the knife’s sharp edge, Sir Wilfrid now asks the Inspector: “And if you were cutting—say, ham—carving it, that is, and your hand slipped with this knife, it would be capable of inflicting a very nasty cut, and one which would bleed profusely?” Myers objects: “That is a matter of opinion, and medical opinion at that.”
SIR WILFRID—I withdraw the question. I will ask you instead, Inspector, if the prisoner, when questioned by you as to the stains on the sleeve of his jacket, drew your attention to a recently healed scar on his wrist, and stated that it had been caused by a household knife when he was slicing ham?

INSPECTOR—that is what he said.

SIR WILFRID—And you were told the same thing by the prisoner’s wife?

INSPECTOR—the first time. Afterwards—

SIR WILFRID (sharply)—A simple yes or no, please. Did the prisoner’s wife show you this knife and tell you that her husband had cut his wrist with it slicing ham?

INSPECTOR—Yes, she did.

MYERS (rises)—What first drew your attention to that jacket, Inspector?

INSPECTOR—the sleeve appeared to have been recently washed.

MYERS—And you were told this story about an accident with a kitchen knife?

INSPECTOR—Yes, sir.

MYERS—And your attention was drawn to a scar on the prisoner’s wrist?

INSPECTOR—Yes, sir.

MYERS—Granted that that scar was made by this particular knife, there was nothing to show whether it was an accident or done deliberately?

SIR WILFRID—Really, my lord, if my learned friend is going to answer his own questions, the presence of the witness seems to be superfluous.

MYERS (resignedly)—I withdraw the question. Thank you, Inspector.

The Inspector stands down, and the police surgeon, Dr. Wyatt, takes his place on the witness stand. Dr. Wyatt tells of his examination, at eleven p.m., October fourteenth, of Miss French’s body. He places her death at somewhere between nine-thirty and ten p.m., and as caused by a blow on the head with something like a cosh. Asked if Miss French had struggled with her murderer, Dr. Wyatt says no, she was apparently taken quite unawares. With this, Myers rests.

SIR WILFRID—Really, my lord, if my learned friend is going to answer his own questions, the presence of the witness seems to be superfluous.

MYERS (resignedly)—I withdraw the question. Thank you, Inspector.

Dr. Wyatt—Only one. On the left side, at the asterion.

SIR WILFRID—I beg your pardon? Where?
Dr. Wyatt—The asterion. The junction of the parietal, occipital and temple bones.

Sir Wilfrid—Oh, yes. And in layman’s language, where is that?

Dr. Wyatt—Behind the left ear.

Sir Wilfrid—Would that indicate that the blow had been struck by a left-handed person?

Dr. Wyatt—It’s difficult to say. The blow appeared to have been struck directly from behind, because the bruising ran perpendicularly. I should say it is really impossible to say whether it was delivered by a right- or left-handed man.

Sir Wilfrid—We don’t know yet that it was a man, Doctor. But will you agree, from the position of the blow, that if anything it is more likely to have been delivered by a left-handed person?

The Doctor thinks it possible but cannot be sure. Next, Sir Wilfrid has Dr. Wyatt concede that blood would inevitably have got on the hand and arm that struck the blow, and in all likelihood only on that hand and arm. Dr. Wyatt further agrees that no great strength was needed to strike such a blow. “It would not necessarily be a man who had struck the blow. A woman could have done so equally well?” “Certainly,” says Dr. Wyatt, neatly paving the way for Myers’ next witness, Janet Mackenzie.

Janet, who was Miss French’s housekeeper, is a dour Scotswoman. Even before she testifies, her look in the prisoner’s direction tells of her loathing for him. Mr. Myers first brings out Janet’s long and loyal service to Miss French.

Janet describes her late mistress as a “warmhearted body—too warmhearted at times, I’m thinking. A wee bit impulsive, too. There was times when she’d have no sense at all. She was easily flattered, you see.” Myers now wishes Janet to tell how often the prisoner visited Miss French.

Janet—To begin with, once a week, but later it was oftener. Two and even three times he’d come. He’d sit there flattering her, telling her how young she looked and noticing any new clothes she was wearing.

Myers (rather hastily)—Quite, quite. Now will you tell the jury in your own words, Miss Mackenzie, about the events of October fourteenth.

Janet—It was a Friday and my night out. I was going round to see some friends of mine in Glenister Road, which is not above three minutes’ walk. I left the house at half past seven. I’d promised to take my friend the pattern of a knitted cardigan that she’d admired.
When I got there I found I'd left it behind, so after supper I said I'd slip back and get it as it was a fine night and no distance. I got back to the house at twenty-five past nine. I let myself in with my key and went upstairs to my room. As I passed the sitting-room door I heard the prisoner in there talking to Miss French.

**MYERS**—You were sure it was the prisoner you heard?

**JANET**—Aye, I know his voice well enough. With him calling so often. An agreeable voice it was. I'll not say it wasn't. Talking and laughing they were. But it was no business of mine so I went up and fetched the pattern, came down and let myself out and went back to my friend.

**MYERS**—Now, I want these times very exact. You say that you re-entered the house at twenty-five past nine.

**JANET**—Aye. It was just after twenty past nine when I left Glenister Road.

**MYERS**—How do you know that, Miss Mackenzie?

**JANET**—By the clock on my friend's mantelpiece, and I compared it with my watch and the time was the same.

When, later, Janet came home for the night, she found Miss French—with her head beaten in—lying on the floor of the sitting room. "Everything was tossed hither and thither, the broken vase on the floor and the curtains flying in the wind." After Janet called the police, she searched the house and found no one, and found nothing else in disorder.

Myers has Janet tell what she knows of the prisoner. The one thing she knows is that he needed money. "Did he ask Miss French for money?" Myers asks. "He was too clever for that," says Janet. "Did he help Miss French with her business affairs—with her income tax returns, for instance?" Yes, says Janet, he did and there was no need of it: "Miss French had a good, clear head for business." But in the matter of wills, it seems, Miss French was most erratic. She would make them and tear them up, at one time leaving her money to help old people, the next time to help cats and dogs. Her last will was drawn on October eighth: "I heard her speaking to Mr. Stokes, the lawyer," says Janet, "saying he was to come tomorrow, she was making a new will. He was there at the time—the prisoner, I mean, kind of protesting, saying No, no. And the mistress said, 'But I want to, my dear boy. I want to. Remember that day I was nearly run over by a bus. It might happen any time.'"

**MYERS**—Were you aware, Miss Mackenzie, that Leonard Vole was a married man?
JANET—No, indeed. Neither was the mistress.

SIR WILFRID—I object. What Miss French knew or did not know is pure conjecture on Janet Mackenzie's part.

Myers asks Janet to support her opinion with facts.

JANET—There was the books she ordered from the library. There was the Life of Baroness Burdett Coutts and one about Disraeli and his wife. Both of them about women who'd married men younger than themselves. I knew what she was thinking.

JUDGE—I'm afraid we cannot admit that.

JANET—Why?

JUDGE—Members of the jury, it is possible for a woman to read the Life of Disraeli without contemplating marriage with a man younger than herself.

Mr. Myers now formally concludes his part of Janet's testimony.

Sir Wilfrid rises for the cross-examination. He uses a courtroom kindliness that catches Janet very neatly. She frankly acknowledges that the previous will had been made out to her, and that the present one, which left the bulk of the fortune to Leonard, provided her with only an annuity. "It will be a wicked injustice if he ever touches a penny of that money," she cries.

Sir Wilfrid worms out of Janet the possibility that she kept Miss French from having friends; that the friendship with Leonard Vole made her angry because she didn't want Miss French imposed on; and that she disliked the way Miss French depended on Leonard.

Sir Wilfrid speaks of the prisoner's influence on Miss French and of her affection for him. Janet admits to this, but won't concede that if Leonard had asked Miss French for money she would have given it to him. Sir Wilfrid then moves on to the night of the murder, when Janet said she heard Leonard and Miss French talking together.

Janet, it turns out, couldn't hear their words, just their voices and laughter. Though she stoutly maintains that it was Leonard's voice she heard through the closed door, Sir Wilfrid clouds her testimony by getting her to admit that she had applied for a hearing apparatus. "So," says Sir Wilfrid, "your hearing isn't very good, is that right? (Lowers his voice.) When I say to you, Miss Mackenzie, that you could not possibly recognize a voice through a closed door, what do you answer? (Pause.) Can you tell me what I said?" "I can no' hear anyone if they mumble," answers Janet.

Sir Wilfrid's next attempt is a dismal failure. He tries to attribute the voices Janet heard to actors on the wireless, only for her to say
that the wireless was away being repaired that week. He winds up his cross-examination with the thought that had Leonard married Miss French, he might have had Janet dismissed. She says: "He would have used his influence; oh, yes, he would have done his best to make her get rid of me."

SIR WILFRID—I see. You felt the prisoner was a very real menace to your present way of life at the time.

JANET—He'd have changed everything.

SIR WILFRID—Yes, very upsetting. No wonder you feel so bitterly against the prisoner. (End of cross-examination. MYERS rises.)

MYERS—My learned friend has been at great pains to extract from you an admission of vindictiveness towards the prisoner . . .

SIR WILFRID (without rising, and audibly for the benefit of the jury)—A painless extraction—quite painless.

Myers now makes little headway with Janet, but asks one question more before finishing: "You say you recognized Leonard Vole's voice through the closed door. Will you tell the jury how you knew it was his?" Says Janet: "You know a person's voice without hearing exactly what they are saying." Myers thanks her, and she leaves the stand.

For his next witness, Myers has Thomas Clegg of the New Scotland Yard Lab. Clegg says that the blood found on the prisoner's washed jacket sleeve was type "0." Miss French's blood type was "0." Sir Wilfrid, when his turn comes, simply reveals that Leonard Vole's blood-bank donor's card proves that he too is type "0." Myers asks Clegg: "Blood group '0' is a very common one, is it not?" "Oh, yes," says Clegg. "At least forty-two per cent of people are in blood group '0.'"

The last witness for the prosecution proves a stunning surprise: it's Romaine—but Heilger, not Vole. Because—as she says—her husband is still alive, her marriage to Leonard is not valid. Sir Wilfrid rises and indignantly protests: "My lord, I have the most serious objection to this witness giving evidence at all. We have the undeniable fact of marriage between this witness and the prisoner, and no proof whatsoever of this so-called previous marriage." But Myers has Mrs. Heilger's marriage certificate to show the Judge, who examines it and accepts it. Leonard cries out: "Romaine! What are you doing here—what are you saying?" The Judge says: "I must have silence. As your counsel will tell you, Vole, you will very shortly have an opportunity of speaking in your own defense."

And he will have to, for under Myers' questioning, Romaine says
that Leonard returned home at ten minutes past ten. Agonizingly Leonard protests and is hushed up by Mayhew. Cowed, shrinking, Leonard covers his face with his hands, saying almost inaudibly, "I—I don't understand."

Romaine goes on: "He was breathing hard, very excited. He threw off his coat and examined the sleeves. Then he told me to wash the cuffs. They had blood on them." Asked what she did, she repeats: "I said, 'What have you done?'" Myers asks: "What did the prisoner say to that?" "He said," Romaine answers, "'I've killed her.'" Leonard goes into a frenzy, requiring the Warden to control him. The Judge warns Romaine, who answers: "I am to speak the truth, am I not?"

To the question why she had changed her story, Romaine cries with sudden passion: "Because it is murder. I cannot go on lying to save him. I am grateful to him, yes. He married me and brought me to this country. What he has asked me to do, always I have done it because I was grateful." "Because you loved him?" asks Myers. "I never loved him," says Romaine. She passionately agrees that because of this gratitude she at first was going to give him his alibi, but she felt that it was wrong, because it was murder. . . . "I cannot come into court and lie and say that he was there with me at the time it was done. I cannot do it. I cannot do it."

MYERS—So what did you do?

ROMAINE—I did not know what to do. I do not know your country and I am afraid of the police. So I write a letter to my ambassador, and I say I do not wish to tell any more lies. I wish to speak the truth.

MYERS—This is the truth—that Leonard Vole returned that night at ten minutes past ten. That he had blood on the sleeves of his coat, that he said to you, "I killed her." That is the truth before God?

ROMAINE—That is the truth.

Sir Wilfrid, in a cold fury, asks her, "Is it the truth?" "Yes," says Romaine.

SIR WILFRID—I suggest to you that on the night of October fourteenth Leonard Vole was at home with you at nine-thirty, the time that the murder was committed. I suggest to you that this whole story of yours is a wicked fabrication, that you have for some reason a grudge against the prisoner, and that this is your way of expressing it.
ROMAINE—No.

SIR WILFRID—You realize that you are on oath?

ROMAINE—Yes.

SIR WILFRID—I warn you, Mrs. Heilger, that if you care nothing for the prisoner, be careful on your own account. The penalty for perjury is heavy.

Passing over Myers’ protests at these theatrical outbursts, Sir Wilfrid mixes Romaine up on what she said about the blood on the jacket cuffs, then suggests that her memory as to other parts of her story is equally untrustworthy. Romaine insists she lied previously on Leonard’s orders.

SIR WILFRID—The question is whether you were lying then or whether you are lying now. If you were really appalled at murder having been committed, you could have told the truth to the police when they first questioned you.

ROMAINE—I was afraid of Leonard.

SIR WILFRID (gesturing towards the woeful figure of LEONARD in the dock)—You were afraid of Leonard Vole—afraid of the man whose heart and spirit you’ve just broken. I think the jury will know which of you to believe. (Sits down.)

MYERS (rising)—Romaine Heilger. I ask you once more, is the evidence you have given the truth, the whole truth and nothing but the truth?

ROMAINE—It is.

MYERS—My lord, that is the case for the prosecution.

The Judge calls on the defense. Sir Wilfrid rises, and addressing his lordship and the members of the jury, acknowledges there is a case of strong circumstantial evidence the prisoner must answer. . . . “You have heard the police and other expert witnesses. They have given fair, impartial evidence as is their duty. Against them I have nothing to say. On the other hand, you have heard Janet Mackenzie and the woman who calls herself Romaine Vole. Can you believe that their testimony is not warped? Janet Mackenzie—cut out of her rich mistress’ will, because her position was usurped, quite unwittingly by this unfortunate boy . . . Romaine Vole—Heilger—whatever she calls herself, who trapped him into marriage, whilst concealing from him the fact that she was married already. That woman owes him more than she can ever repay. She used him to save her from political persecution. But she admits no love for him. He has served his purpose. I will ask you to be very careful how you be-
lieve her testimony, the testimony of a woman who, for all we know, has been brought up to believe the pernicious doctrine that lying is a weapon to be used to serve one's own ends. Members of the jury, I call the prisoner, Leonard Vole.

Leonard is sworn in, to be his own sole witness. Sir Wilfrid has him repeat his friendly, homely statements about Miss French's reminding him of his Aunt Betsy who was such a dear. Next he assures Sir Wilfrid that Miss French indeed knew of his marriage.

SIR WILFRID—So there was no question of marriage between you.
LEONARD—Of course not. I've told you, she treated me as though she was an indulgent aunt. Almost like a mother.
SIR WILFRID—And in return you did everything for her that you could.
LEONARD (simply)—I was very fond of her.

Asked to tell in his own words what happened on the night of October fourteenth, Leonard tells of having nothing to do that night, so, armed with a new cat brush as a present, he paid a call on Miss French. He got there before eight, played a game of double demon with the lady, and left without seeing Janet Mackenzie. "Did you know Janet Mackenzie was out?" asks Sir Wilfrid. "Well," says Leonard, "I didn't think about it." Leonard says he left just before nine, and got home at nine twenty-five. "And your wife," says Sir Wilfrid, "I will call her your wife—was at home then?" "Yes, of course she was," Leonard exclaims. "I—I think she must have gone mad. I—" And there was no washing of jackets that night; Romaine washed it the next morning, Leonard tells Sir Wilfrid. "She said it had got blood on it from a cut on my wrist." He displays the mark on his wrist to the court. Leonard testifies he was stunned to read of the murder in the next evening's paper. "The papers said it was a burglar," says Leonard. "I never dreamed of anything else." But wanting to help in every way possible, he voluntarily went to the police when they broadcast that they wanted to interview him.

Sir Wilfrid next guides Leonard to Miss French's will, of which Leonard swears he knew nothing. As for Romaine's testimony, Leonard not only can't understand it, but it just wasn't true. Sir Wilfrid stresses his arriving home at nine twenty-five and having supper with his wife. Concluding, Sir Wilfrid asks: "Are you right- or left-handed?" "Right-handed," says Leonard. "I'm going to ask you just one more question, Mr. Vole," says Sir Wilfrid, then dramatically
asks him: "Did you kill Emily French?" "No, I did not," answers Leonard in clear tones.

As prosecutor, Mr. Myers gives Leonard a rough time of it. He starts with the money angle and hangs on to it. Leonard cultivated Miss French for her money. Leonard was desperate for money. Leonard was unemployed. Using Leonard's own word "worried," Myers drives on: "You were worried about money, you met a wealthy woman and you courted her acquaintance assiduously." "You make it sound all twisted," protests Leonard. "I tell you I liked her." Why did Leonard help Miss French with her income tax forms when Janet Mackenzie reports she was well able to deal with them herself? "Well," says Leonard, "that's not what she said to me. She said those forms worried her terribly." Myers wonders why Leonard never took Romaine to see Miss French. Leonard says: "Oh, I don't know. She didn't like women, I don't think." "She preferred," suggests Myers, "shall we say, personable young men? And you didn't insist on bringing your wife?"

Leonard—No, of course I didn't. You see, she knew my wife was a foreigner and she—oh, I don't know, she seemed to think we didn't get on.

Myers—That was the impression you gave her?

Leonard—No, I didn't. She—well, I think it was wishful thinking on her part.

Myers—You mean she was infatuated with you?

Leonard—No, she wasn't infatuated, but she, oh, it's like mothers are sometimes with a son.

Myers—How?

Leonard—They don't want him to like a girl or get engaged or anything of that kind.

Myers—You hoped, didn't you, for some monetary advantage from your friendship with Miss French?

Leonard—Not in the way you mean.

Myers—Not in the way I mean? You seem to know what I mean better than I know myself. In what way, then, did you hope for monetary advantage? I repeat, in what way did you hope for monetary advantage?

Leonard tries to describe the invention he wished Miss French to finance. Myers now introduces a new topic: why was Leonard making inquiries about foreign cruises? Leonard, in the company of a strawberry blonde, visited a travel bureau. Leonard defiantly announces that he had been feeling fed up; this was make-believe and
fun, and he had enjoyed it. Myers comments on the remarkable coincidence of Miss French's death a few days later, and of Leonard's being her heir. Myers quotes Leonard's timetable for the night of October fourteenth, and Romaine's contradictory testimony of Leonard's arriving home at ten minutes past ten. Myers, over Leonard's protesting shouts, ruthlessly presses on.

MYERS—Can you suggest any reason why this young woman, who has been passing as your wife, should deliberately give the evidence she has given if it were not true?

LEONARD—No, I can't. That's the awful thing. There's no reason at all. I think she must have gone mad.

MYERS—You think she must have gone mad? She seemed extremely sane and self-possessed. But insanity is the only reason you can suggest.

LEONARD—I don't understand it. Oh, God—what's happened—what's changed her?

MYERS—Very effective, I'm sure. But in this court we deal with facts. And the fact is, Mr. Vole, that we have only your word for it that you left Emily French's house at the time you say you did, and that you arrived home at five and twenty minutes past nine, and that you did not go out again.

LEONARD (wildly)—Someone must have seen me—in the street—or going into the house.

MYERS—One would certainly think so—but the only person who did see you come home that night says it was at ten minutes past ten. And that person says that you had blood on your clothes.

Leonard breaks down, crying and protesting that Myers is twisting everything he says. "You came home at ten past ten," Myers pounds away. Leonard cries he didn't, he's got to be believed. "You killed Emily French," says Myers. "I didn't do it," cries Leonard, "I didn't kill her. I've never killed anybody. Oh, God! It's a nightmare. It's some awful, evil dream."

ACT III

Returing after court to Sir Wilfrid's chambers, Mayhew and Sir Wilfrid hold a not-too-cheerful post-mortem of the day's proceedings. In particular, they rant at Romaine's beastly behavior. Only the office girl's unshaken confidence in Leonard renews Sir Wilfrid's hope and determination: he'll get him off but God knows how!

Mayhew and Sir Wilfrid are well aware that without any corrob-
rative testimony, Leonard's own statements are insufficient. Everything is against him: his fingerprints, the will, the travel-agency business, his unconvincing cruise story. This last, however, Mayhew and Sir Wilfrid can understand. (Sir Wilfrid's wife plans trips she never intends to take; and Mayhew's wife has the real estate bug, all of her projects being castles in the air.) But getting back to the hard facts of the trial, both men agree that Janet Mackenzie's obvious prejudice against Leonard may help with the jury. Sir Wilfrid works himself up to feel that Janet Mackenzie is capable of anything, might stop at nothing. As the horrified Mayhew says: "Good Lord. Do you mean . . . ?" a clerk enters to announce a very strange visitor: "A common young woman with a free way of talking," who says she has something that might help Leonard Vole. Grasping at any straw, Sir Wilfrid resigns himself to seeing her.

The woman turns out to be a flamboyant, cheaply dressed cockney, with crude make-up and a mass of tousled yellow hair. Looking sharply from Mayhew to Sir Wilfrid, she shrills: "Here, what's this? Two o'yer? I'm not talking to two of yer." She is introduced to Leonard's solicitor and counsel for defense. Peering at Sir Wilfrid, the woman relaxes: "So you are, dear. Didn't recognize you without your wig. Lovely you all look in them wigs. Havin' a bit of confab, are you? Well, maybe I can help you if you make it worth my while."

In court today, she watched that "Jezebel" give her evidence, and now she's ready to produce hers, for a price. The woman demands a hundred quid for the letters in her hand, but Sir Wilfrid spars, hoping for a look at them before he offers any sum at all. Mayhew offers ten pounds; after cockney screams of derision, the price is finally put at twenty. In exchange for her money, the woman hands over letters in Romaine Vole's handwriting.

The letters, as the men read them, seem incredible. "How did you get hold of these?" Sir Wilfrid demands of the woman. "That'd be telling," she answers. "What have you got against Romaine Vole?" he next asks. Suddenly, dramatically, the woman jerks a goose neck lamp so that the light falls on her slashed, disfigured face. Shocked beyond belief, Sir Wilfrid asks: "Did she do that to you?" No, says the woman, it was the chap Romaine had stolen away from her. Sir Wilfrid, moved, asks: "Did you go to the police about it?" "Go to the p'lice? Me? Not likely. 'Sides, it wasn't 'is fault. Not really. It was hers, all hers. Getting 'im away from me, turning 'im against me. But I waited my time. I follered 'er about and watched 'er. I know some of the things she's bin up to. I know where the bloke lives who she goes to see on the sly sometimes.
That's how I got hold of them letters. So now you know the whole story, mister. Want to kiss me?" Sir Wilfrid shrinks back from the outthrust face. "I don't blame yer," says the woman. Deeply sorry for her, Sir Wilfrid gives her five pounds more.

Eagerly turning back to the letters, the men don't notice the woman quietly slipping out of the door, and by the time they look up, she has disappeared. They have neither her name nor her address, but in spite of such handicaps, Sir Wilfrid is full of fight. Having something to go on at last, they have to plan their procedure, and go into a huddle as the curtain falls.

Scene II

Next morning at the Old Bailey, the court is surprised and Mr. Myers thoroughly annoyed that Sir Wilfrid wishes to introduce new evidence.

Judge—When exactly, Sir Wilfrid, did this evidence come to your knowledge?

Sir Wilfrid—It was brought to me after the court was adjourned last night.

Myers—My lord, I must object to my learned friend's request. The case for the prosecution is closed, and . . .

Judge—Mr. Myers, I had not intended to rule on this question without first observing the customary formality of inviting your observations on the matter. (Myers subsides.)

Sir Wilfrid—My lord, in a case where evidence vital to the prisoner comes into possession of his legal advisers at any time before the jury have returned their verdict, I contend that such evidence is not only admissible, but desirable. Happily there is clear authority to support my proposition, to be found in the case of the King against Stillman, reported in 1926 Appeal Cases at page 463. (Opening law report.)

Judge—You needn't trouble to cite the authority, Sir Wilfrid. I am quite familiar with it. I should like to hear the prosecution. Now, Mr. Myers.

Myers—In my respectful submission, my lord, the course my friend proposes is, save in exceptional circumstances, quite unprecedented. And what, may I ask, is this startling new evidence of which Sir Wilfrid speaks?


Judge—I should like to see these letters to which you refer, Sir Wilfrid. (The letters are handed up, and the judge reads them.)
MYERS—My friend was good enough to tell me only as we came into court that he intended to make this submission, so that I have had no opportunity to examine the authorities. But I seem to remember a case in, I think, 1930, the King against Porter, I believe . . .

JUDGE—No, Mr. Myers, the King against Potter, and it was reported in 1931. I remember the case well. I appeared for the prosecution.

MYERS—And if my memory serves me well, your lordship's similar objection was sustained.

JUDGE—Your memory for once serves you ill, Mr. Myers. My objection then was overruled by Mr. Justice Swindon—as yours is now, by me.

Romaine Heilger, recalled to the witness stand, starts violently when Sir Wilfrid asks: "Mrs. Heilger, do you know a certain man whose Christian name is Max?" She knows no one by that name, and further denies ever writing him a letter, or that it was one letter in a series written over a considerable period of time. As Sir Wilfrid pounds away, she becomes agitated, and cries that what he says is all lies. Says Sir Wilfrid: "You would seem to have been on intimate terms with this man." At this, Leonard yells his protest, until he is requested to remain quiet in his own interests. "I am not concerned with the general trend of this correspondence," says Sir Wilfrid. "I am only interested in one particular letter." He reads: "'My beloved Max. An extraordinary thing has happened. I believe all our difficulties may be ended. . . .'" Romaine, in a frenzy, refuses to listen, then shrieks that it was stolen, then refuses to listen to anything at all. Suggesting that it is she who has lied, Sir Wilfrid says he has her reasons in black and white. He sets his trap: "Because a way had opened before you to freedom—and in planning to take that way, the fact that an innocent man would be sent to his death meant nothing to you. You have even included that final deadly touch of how you yourself managed accidentally to wound Leonard Vole with a ham knife." Romaine, caught, cries: "I never wrote that! I wrote that he did it himself cutting the ham."

Sir Wilfrid is triumphant.

Romaine, casting aside all restraint, curses.

LEONARD (shouting)—Leave her alone. Don't bully her.

ROMAINE (looking around wildly)—Let me out of here. . . . Let me go. . . . (About to collapse.)
JUDGE—Usher, give the witness a chair. (ROMAINE sinks on chair, sobs hysterically and buries her face in hands.) Sir Wilfrid, will you now read the letter aloud so that the jury can hear it?

SIR WILFRID—“My beloved Max. An extraordinary thing has happened. I believe all our difficulties may be ended. I can come to you without fear of endangering the valuable work you are doing in this country. The old lady I told you about has been murdered and I think Leonard is suspected. He was there earlier that night and his fingerprints will be all over the place. Nine-thirty seems to be the time. Leonard was home by then, but his alibi depends on me—on me. Supposing I say he came home much later and that he had blood on his clothes—he did have blood on his sleeve, because he cut his wrist at supper, so you see it would all fit in. I can even say he told me he killed her. Oh, Max, beloved! tell me I can go ahead—it would be so wonderful to be free from playing the part of a loving, grateful wife. I know the cause and the Party come first, but if Leonard were convicted of murder, I could come to you safely and we could be together for always. Your adoring Romaine.”
Asked by the Judge if she has something to say, Romaine, frozen in defeat, says: “Nothing,” but to a pleading Leonard, she fairly spits that of course she wrote it.

Myers, his case and witness gone, is in no more position to continue than Romaine. The Judge sounds a warning to Romaine that this is not the end of the matter for her. . . . “In this country you cannot commit perjury without being brought to account for it . . . the sentence for perjury can be severe. . . .”

Instructed to address the jury, Sir Wilfrid completes his defense as the lights dim; when they go on again, the jury is returning with their verdict: “Not guilty.” And the session is over.

Discharged and free to leave, Leonard joins Mayhew and Sir Wilfrid on the emptying courtroom floor. While they are engaged in mutual congratulations, Romaine is led into the room by a cautious policeman who doesn’t want her to leave until the menacing crowd has dispersed and she can safely get by.

Sir Wilfrid prevents her approaching Leonard, who is drawn to one side by Mayhew. While Mayhew and Leonard talk of the fortune he is about to receive, and Leonard boyishly dismisses it as meaning little after all he’s been through, Sir Wilfrid balefully eyes Romaine. Not unhappily, he tells her that she can expect a prison sentence for perjury: “It may interest you to know,” he says, “that I took your measure the first time we met. I made up my mind then to beat you at your little game, and, by God, I’ve done it. I’ve got him off—in spite of you!”

ROMAINE—In spite of me!

SIR WILFRID—You don’t deny, do you, that you did your best to hang him?

ROMAINE—Would they have believed me if I had said that he was at home with me that night, and did not go out? Would they?

SIR WILFRID (slightly uncomfortable)—Why not?

ROMAINE—Because they would have said to themselves: This woman loves this man—she would say or do anything for him. They would have had sympathy with me, yes. But they would not have believed me.

SIR WILFRID—If you’d been speaking the truth they would.

ROMAINE—I wonder. . . . I did not want their sympathy—I wanted them to dislike me, to mistrust me, to be convinced that I was a liar. And then, when my lies were broken down—then they believed! . . . (Makes gesture of hands.) So now you know the whole story, mister: like to kiss me?

SIR WILFRID (thunderstruck)—My God!
Romaine—Yes, the woman with the letters. I wrote those letters I brought to you. I was that woman. It wasn’t you who won freedom for Leonard. It was I. And because of it I shall go to prison. . . . (Her eyes close.) But at the end of it Leonard and I will be together again. Happy . . . loving each other.

Sir Wilfrid (moved)—My dear . . . but couldn’t you trust me? We believe, you know, that our British system of justice upholds the truth. We’d have got him off.

Romaine—I couldn’t risk it. (Slowly.) You see, you thought he was innocent—

Sir Wilfrid (with quick appreciation)—And you knew he was innocent. I understand.

Romaine—But you do not understand at all. I knew he was guilty.

But the play is still not over. The author still has a trick or so up her sleeve. If you have not been fooled so far perhaps you can go on and guess it. Mrs. Christie has particularly requested that the outcome should not be published at the present time.
A ROOSTER crows, and dawn is near as old man Noah stumbles into his primitive living room. Trying to escape the horror of a recent dream, he drinks deeply from a jug, then wanders heavily about the room. His wife, Esther, finds him on his knees.

Esther feels the drinking is the cause of his trouble. Once her annoyance at being waked up has passed, she quietly asks him what he dreamt. "Esther, tuchter," Noah solemnly says, "the whole world's gonna be destroyed!" "Our world?" says Esther. "And that was the dream? That's all? . . ." Daylight begins coming through the latticed windows, as, more in relief than anxiety and with a certain enjoyment, she questions Noah. "God appeared to me in a dream," he tells her with a heartbroken glance. With a loud laugh, Esther says: "Noah, Noah, tell the truth—when they gave out the brains, you weren't hiding behind the house?" Noah ignores this for another drink. "You had enough to drink," Esther says. "He pours and he pours, just like a pig."

NOAH (loftily)—You should be satisfied that I drink, otherwise I'd leave you. (The drink in him, NOAH wipes his mouth and sets himself a little grandly, head cocked to one side.) Esther, hear me

* Copyright, 1954 by Clifford Odets.