

Farjeon Benjamin Leopold

The Nine of Hearts



Benjamin Farjeon
The Nine of Hearts

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B. L. Farjeon

The Nine of Hearts / A Novel

PART THE FIRST

THE TRIAL OF EDWARD LAYTON

I

A STRANGE DECISION

This morning, at the Central Criminal Court, Mr. Justice Fenmore resumed the trial of Edward Layton for the wilful murder of his wife, Agnes Layton, on the morning of the 26th of March, by the administration of poisonous narcotics in such quantities as to produce death. Extraordinary as was the excitement caused by yesterday's proceedings, the public interest in this mysterious murder was intensified by the strange decision arrived at by the prisoner on this the third day of his trial.

The Attorney-general, Mr. J. Protheroe, Q.C., and Mr. Standing conducted the case on behalf of the Crown.

The widely spread rumor that an episode of a startling character was impending, received confirmation immediately upon the entrance of the prisoner in the dock. He presented a care-worn appearance, and while the usual formalities were in progress, it was observed that he and his counsel (Mr. Bainbridge, Q.C.) were in earnest consultation, and it appeared as if the learned gentleman were endeavoring to overcome some resolution which the prisoner had formed. At the termination of this conversation Mr. Bainbridge, turning to the Bench, said,

"I have to claim your lordship's indulgence for a statement which I find it necessary to make. It is in the remembrance of your lordship that on the first day of this trial the prisoner was undefended, being, as it appeared, resolutely determined to defend himself. Yesterday morning-that is, upon the second day of the trial-I informed your lordship that the prisoner had been prevailed upon by his friends to intrust his defence to me. Being satisfied in my own mind that nothing would occur to disturb this arrangement-which I venture to say was an advisable one-I did not feel called upon to mention that the prisoner's consent to accept legal aid was very reluctantly given. That this was so, however, is proved by what has since transpired. Both in writing and by word of mouth the prisoner now insists upon conducting his own case, and has distinctly informed me that he will not permit me to act for him. I am empowered to say that his decision is not in any sense personal to myself. It is simply, and regrettably, that he has resolved not to be defended or represented by counsel. In these circumstances I have no option but to place myself in your lordship's hands."

Prisoner. "My lord-"

Mr. Justice Fenmore. "Silence. Your counsel will speak for you."

Prisoner. "My lord, I have no counsel. I am defending myself, and no person shall speak for me."

Mr. Justice Fenmore. "Prisoner at the bar, it is my duty to tell you that the decision at which you have arrived is grave and unwise."

Prisoner. "Of that, my lord, I am the best judge."

Mr. Justice Fenmore. "You may not be. It is scarcely necessary for me to point out to you, a man of intelligence and good education, that there are points in every case, and especially in a case so momentous as this, which an unjudicial, or, to speak more correctly, a mind not legally trained, is almost certain to overlook."

Prisoner. "I understand your lordship, and I thank you but if my acquittal of the terrible crime for which I am now being tried is to be brought about by legal technicalities, I shall prefer not to owe my release to those means. I, better than any man here-unless, indeed, the actual murderer be present-know whether I am innocent or guilty, and in the course I have determined to pursue I am acting in what I believe to be my best interests. Your lordship has referred to me as a man of intelligence and good education. These qualifications will sufficiently serve me, but I do not rely upon them alone. I have really had some sort of legal training, and as I assuredly know that I shall conduct my own defence in a manner which will recommend itself to my heart and my conscience, so do I believe that, if I choose to exercise it-and I suppose most men in my position would so choose-I have legal knowledge sufficient for my needs. The learned counsel who has addressed your lordship has put the matter most fairly. My consent that he should defend me was reluctantly given, and I reserved to myself the right to withdraw it. He has mentioned that this withdrawal is not personal to himself. It is true. To him, above all others, would I intrust my defence, were it not that I have cogent and imperative reasons for trusting no man. I shall not displease one so earnest and high-minded as he when I state that he once gave me his friendship, and that I felt honored by it. Your lordship will pardon me for this statement, the admission of which I feel to be unusual in such a case. I have made it only for the purpose of emphasizing his correct view. My lord, I stand upon my rights. I will conduct my own defence."

The trial was then proceeded with.

II

THE EVIDENCE OF JAMES MOORHOUSE, COACHMAN

The first witness called was James Moorhouse, whose examination was looked forward to with great interest, as likely to tell heavily either for or against the prisoner. He is a sturdy man, of middle age, with an expression of intense earnestness in his face, and although he gave his evidence in a perfectly straightforward manner, it was apparent that his sympathies were with the prisoner.

The Attorney general. "Your name is James Moorhouse?"

Witness. "It is, sir."

The Attorney-general. "Were you in the prisoner's employment?"

Witness. "Yes, sir."

The Attorney-general. "In what capacity?"

Witness. "As his coachman."

The Attorney-general. "For how long were you so employed?"

Witness. "For a matter of three years."

The Attorney-general. "Are you a teetotaler?"

Witness. "Yes, sir."

The Attorney-general. "During the three years you worked for the prisoner were you in the habit of driving him out regularly?"

Witness. "Yes, sir pretty nearly every day."

The Attorney-general. "Were you the only coachman on the establishment?"

Witness. "I was, sir."

The Attorney-general. "Being in his employment so long, you are, I suppose, perfectly familiar with his figure?"

Witness. "I am, sir without hearing his voice, I should know him in the dark."

The Attorney-general. "You are sure of that?"

Witness. "Quite sure, sir."

The Attorney-general. "Is your eyesight good?"

Witness. "It is very strong. I can see a longish way."

The Attorney-general. "You have been in the habit of driving the prisoner often at night?"

Witness. "Yes, sir."

The Attorney-general. "And your eyes, therefore, have got trained to his figure, as it were?"

Witness. "Yes, sir."

The Attorney-general. "You have had to look out for him on dark nights from a distance?"

Witness. "I have had to do that, sir."

The Attorney-general. "When the people were coming out of a theatre, for instance?"

Witness. "Yes, sir; and at other places as well."

The Attorney-general. "Therefore, it is not likely you could be mistaken in him?"

Witness. "It is hardly possible, sir."

The Attorney-general. "You remember the night of the 25th of March?"

Witness. "Yes, sir, and the day too."

The Attorney-general. "Why do you include the day in your answer?"

Witness. "Because it was the hardest day's work I have done for many a year."

The Attorney-general. "The hardest day's driving, do you mean?"

Witness. "Yes, sir. I was on the box from eleven o'clock in the morning till an hour past midnight."

The Attorney-general. "Driving your master, the prisoner?"

Witness. "Yes, sir."

The Attorney-general. "And no other person?"

Witness. "Not till evening, sir. It was about-"

The Attorney-general. "We will come to the particulars presently. You were not driving all the time?"

Witness. "No, sir; the horses couldn't have stood it."

The Attorney-general. "Do you mean that there were stoppages?"

Witness. "Yes, sir."

The Attorney-general. "Did the prisoner usually work his horses so hard?"

Witness. "Not at all, sir. He was a good master to man and beast."

The Attorney-general. "Why do you look so frequently at the prisoner?"

Witness. "I can't tell you, sir, except that I shouldn't like to say anything to hurt him."

The Attorney-general. "But you are here to speak the truth."

Witness. "I intend to speak it, sir."

The Attorney-general. "For reasons which you have given, your remembrance of what occurred on the 25th of March is likely to be exceptionally faithful?"

Witness. "For those and other reasons, sir."

The Attorney-general. "Now, commence on the morning of that day. What were your first instructions?"

Witness. "To be ready with the carriage at eleven o'clock."

The Attorney-general. "You were ready?"

Witness. "Yes, sir."

The Attorney-general. "In what way did you fix the time? By guessing?"

Witness. "By my watch, sir-the best time-keeper in London."

The Attorney-general. "At eleven o'clock, then, you were on the box, waiting for your master?"

Witness. "Yes, sir."

The Attorney-general. "He came out to you?"

Witness. "Yes, sir."

The Attorney-general. "Did he tell you immediately where to drive to?"

Witness. "Not immediately, sir. He stood with his hand on the carriage door, and seemed to be considering."

The Attorney-general. "Did he remain long considering?"

Witness. "For three or four minutes, sir-which seemed a longish time."

The Attorney-general. "And then?"

Witness. "Then he told me to drive to Finchley."

The Attorney-general. "What address did he give you?"

Witness. "None in particular, sir. He said, 'Drive to Finchley, on the road to High Barnet. I will tell you when to stop.'"

The Attorney-general. "Well?"

Witness. "I drove as directed, and when we were about midway between Finchley and High Barnet he called to me to stop."

The Attorney-general. "Were you then at the gate, or in the front of any house?"

Witness. "No, sir. We were on the high-road, and there was no house within twenty yards of us."

The Attorney-general. "Are you familiar with the locality?"

Witness. "No, sir, I am not."

The Attorney-general. "You had never driven your master there before?"

Witness. "Never, sir."

The Attorney-general. "Would you be able to mark the point of stoppage on a map of the road between Finchley and High Barnet?"

Witness. "I will try, sir, but I shouldn't like to be positive."

(A map was here handed to the witness, who, after a careful study of it, made a mark upon it with a pencil.)

The Attorney-general. "You will not swear that this is the exact spot?"

Witness. "No, sir."

The Attorney-general. "But to the best of your knowledge it is?"

Witness. "Yes, sir, to the best of my knowledge."

The Attorney-general. "The prisoner called to you to stop. What then?"

Witness. "I drew up immediately, and he got out."

The Attorney-general. "What were his next instructions?"

Witness. "He told me to wait for him, and to turn the horses' heads."

The Attorney-general. "Towards London?"

Witness. "Yes, sir."

The Attorney-general. "Did he say how long he would be away?"

Witness. "About five or ten minutes, he said."

The Attorney-general. "In point of fact, how long was it before he returned?"

Witness. "Thirty-two minutes by my watch."

The Attorney-general. "You always time yourself?"

Witness. "Yes, sir, always it's a habit."

The Attorney-general. "Did he make any remark upon his return, about his being away longer than he expected?"

Witness. "No, sir. He seemed to be occupied with something."

The Attorney-general. "Occupied in thinking of something?"

Witness. "Yes, sir."

The Attorney-general. "When he left you, in which direction did he go?"

Witness. "He walked on towards High Barnet till he came to a bend in the road. He went round that and I lost sight of him."

The Attorney-general. "Did he return the same way?"

Witness. "No, sir he startled me a bit."

The Attorney-general. "How?"

Witness. "I was looking out for him in the direction he had taken, when I suddenly heard him speak at my elbow."

The Attorney-general. "How do you account for it?"

Witness. "He must have taken a short cut back across some fields. If I had been on my box I might have seen him, but I was standing in the road, and there was a hedge, more than man high, on the side he came back to me."

The Attorney-general. "What did you do when he reappeared?"

Witness. "I prepared to start."

The Attorney-general. "Did he tell you immediately where to drive to?"

Witness. "No, sir. He stood considering, just as he did when we first set out."

The Attorney-general. "And then?"

Witness. "He told me to drive back the way we had come, but not to drive too quickly."

The Attorney-general. "You did so?"

Witness. "Yes, sir."

The Attorney-general. "Where did you next stop?"

Witness. "Midway between Finchley and Crouch End."

The Attorney-general. "At a house?"

Witness. "No, sir; at a part of the road where there were no houses."

The Attorney-general. "He called to you, as before, to stop?"

Witness. "Yes, sir. He got out, and said, 'Moorhouse, meet me here in about an hour or an hour and a quarter.' I said, 'Yes, sir,' and I asked him whether I should bait the horses at an inn we had passed half a mile down the road. He did not answer me, but walked quickly away."

The Attorney-general. "Can you say why he did not answer you?"

Witness. "No, sir, except that he did not hear me."

The Attorney-general. "You spoke distinctly?"

Witness. "Yes, sir."

The Attorney-general. "Have you observed, at any time during your employment, that he was at all deaf?"

Witness. "No, sir; but he seemed, the whole of that day, to have something on his mind which kept him from thinking of anything else, or attending to it."

The Attorney-general. "After he walked quickly away, what did you do?"

Witness. "As I had more than an hour to spare I drove back to the inn I spoke of, and baited my horses, and had a bite of bread-and-cheese myself."

The Attorney-general. "Anything to drink?"

Witness. "A bottle of ginger-beer."

The Attorney-general. "Timing yourself as usual, were you back on the spot you left the prisoner at the end of the hour and a quarter?"

Witness. "To the minute."

The Attorney-general. "Was he waiting for you?"

Witness. "No, sir. I saw nothing of him for another two hours."

The Attorney-general. "Did he return by the road he quitted you?"

Witness. "No, sir. He came back another way."

The Attorney-general. "As before?"

Witness. "Yes, sir, as before."

The Attorney-general. "What time was it then?"

Witness. "Seven o'clock."

The Attorney-general. "Was it getting dark?"

Witness. "It was already dark, sir, and beginning to drizzle."

The Attorney-general. "What were the next instructions?"

Witness. "To drive to the Metropolitan Music Hall, Edgeware Road."

The Attorney-general. "You drove there?"

Witness. "Yes, sir, and my master got out."

The Attorney-general. "Saying what?"

Witness. "Moorhouse,' he said, 'I don't know how long I shall remain here. It may be an hour or only a few minutes. Keep near.'"

The Attorney-general. "You obeyed his instructions?"

Witness. "Yes, sir. I kept within hail, and my master came out at half-past nine."

The Attorney-general. "Alone?"

Witness. "No, sir. He was accompanied by a man."

The Attorney-general. "A young or an old man?"

Witness. "I can't say."

The Attorney-general. "But you saw him?"

Witness. "Only his back. They walked away from the carriage."

The Attorney-general. "There is generally something in the gait of a man which, within limits, denotes his age—that is to say, as whether he is young or old? Cannot you be guided by that fact?"

Witness. "No, sir. I paid no particular attention to him. It was my master I was chiefly observing."

The Attorney-general. "You have not the slightest idea as to the age of the man who came out of the Metropolitan Music Hall with the prisoner?"

Witness. "Not the slightest, sir."

The Attorney-general. "Did you observe nothing particular as to his dress? Was there any peculiarity about it?"

Witness. "I observed nothing particular about him. Whatever I might say of the man, paying such little attention to him, wouldn't be worth much."

The Attorney-general. "I recognize that you are giving your evidence in a very fair manner, and if I press you upon any point it is for the purpose of assisting your memory. You recollect that the prisoner on that night wore a coat of a distinct pattern?"

Witness. "Yes, sir. He had on an ulster with a Scotch check, which couldn't be mistaken."

The Attorney-general. "What was it lined with?"

Witness. "With blue cloth."

The Attorney-general. "He wore this ulster when he entered the music hall?"

Witness. "Yes, sir, and when he came out of the music hall."

The Attorney-general. "It is this which makes me think it likely you might have observed some distinguishing mark in the dress of the man who came out with him?"

Witness. "I have nothing in my mind, sir, respecting his dress."

The Attorney-general. "Very well, I will no longer press it. As to his height?"

Witness. "As well as I can remember, he was about the same height as my master."

The Attorney-general. "Did you notice the color of his hair, or whether it was long or short?"

Witness. "No, sir."

The Attorney-general. "If it had been long white hair, you would most likely have noticed it?"

Witness. "In that case, yes, sir."

The Attorney-general. "We may assume, then, that he had not long white hair?"

Witness. "I think I am safe in saying that much."

The Attorney-general. "Or white hair at all?"

Witness. "I shouldn't like to commit myself there, sir. If his hair had been white and short, I don't think it would have struck me."

The Attorney-general. "Did he and the prisoner walk out of sight?"

Witness. "No, sir. They walked to the corner of a street, and stood there talking for a little while-I should say for fifteen or twenty minutes. Then the man went away, down the street, which hid him from me, and my master returned to the carriage."

The Attorney-general. "While they were talking, their backs were still turned to you?"

Witness. "Yes, sir."

The Attorney-general. "Was there anything observable in their manner of conversing? Were they calm? Did they remain perfectly still?"

Witness. "No, sir. My master was calm enough, but his companion appeared to be very excited. My master seemed to be trying to persuade him to do something."

The Attorney-general. "From their attitude, should you have assumed that his arguments prevailed?"

Witness. "I can't possibly say, sir."

The Attorney-general. "Well, then, the man went away and the prisoner returned to you. What were his next directions?"

Witness. "To drive to Bloomsbury Square, and stop where he directed me."

The Attorney-general. "You did so?"

Witness. "Yes, sir. When we reached the square in Queen Street he pulled the check-string, and I stopped there. He got out of the carriage and looked about him."

The Attorney-general. "As if in search of some person?"

Witness. "Yes, sir."

The Attorney-general. "Did he make any remark to you?"

Witness. "He said, 'If you see a young lady in a gray cloak pass by, you can tell her I am in the square.'"

The Attorney-general. "Did he remain with you after that?"

Witness. "No, sir; he walked right round the square. When he came up to me he asked if I had seen a young lady dressed as he had described. I told him no, I hadn't, and he bade me keep a sharp lookout, and left me again."

The Attorney-general. "To walk round the square again?"

Witness. "Yes, sir. He walked round three or four times, I should say, and every time he came up to me he asked me if I was sure I had not seen the young lady; if I was sure she had not passed me. I gave him the same answer as I did before, and he left me again. He could not have been more than half-way round when I saw a lady in a gray cloak coming my way. She was walking hurriedly, and looking about her. I advanced to speak to her, but she started back the moment I made a step towards her, and ran to the other side of the road, and crossed into the square at a distance from me. I should have gone up to her had I not been afraid to leave my horses; but seeing that she began to walk round the square in the opposite direction my master had taken, I was satisfied that they must meet."

The Attorney-general. "In point of fact, did they meet? Relate what you saw that bears upon it."

Witness. "A little while afterwards I saw them together, talking to each other. They did not walk on the pavement close to the houses, but on the other side, close to the railings. I don't know how many times they made the circle of the square, but they must have been away about twenty minutes or so. Then they came up to me together, and my master opened the door of the carriage, and the lady got in. When she was inside, he said to me that there was no occasion for me to mention what I had seen or that he had spoken to me about the lady."

The Attorney-general. "All this time was it raining?"

Witness. "Yes, sir."

The Attorney-general. "Did they have umbrellas?"

Witness. "Neither of them, sir."

The Attorney-general. "They must have got wet?"

Witness. "They couldn't help getting wet."

The Attorney-general. "Did they seem to mind it?"

Witness. "They didn't say anything about it."

The Attorney-general. "While they were walking round the square, did they meet any persons?"

Witness. "A few passed them, and they got out of their way, it seemed to me."

The Attorney-general. "As if they desired to avoid observation?"

Witness. "Yes, sir."

The Attorney-general. "That would be a reasonable construction to put upon the circumstance of their walking, during their conversation, on the least-frequented side of the square, near the railings?"

Witness. "Yes, I think so."

The Attorney-general. "Although the neighborhood is a fairly busy one during the day, are there many people passing through Bloomsbury Square at night?"

Witness. "Not many, I should say."

The Attorney-general. "The square is not very well lighted up?"

Witness. "Not very."

The Attorney-general. "Did you see a policeman while you were waiting?"

Witness. "One, and only once."

The Attorney-general. "Did he speak to you?"

Witness. "No, sir."

The Attorney-general. "He passed on through the square?"

Witness. "Yes, sir."

The Attorney-general. "Reference has been made to an ulster of a peculiar pattern which the prisoner was in the habit of wearing. You said it was an ulster which could not be mistaken. Are you certain of that?"

Witness. "Quite certain."

The Attorney-general. "Is it within your recollection how long the prisoner has worn this ulster?"

Witness. "He had it made last year."

The Attorney-general. "Would you recognize it if you saw it?"

Witness. "Oh yes."

The Attorney-general. "Is this it?" (Ulster produced.)

Witness. "Yes, that is it."

The Attorney-general. "You swear to it?"

Witness. "I do."

The Attorney-general. "You have said that the prisoner came out of his house wearing this ulster. Now, on the occasions you have described, when the prisoner left his carriage and returned to it, was this ulster ever off his back?"

Witness. "He wore it all the time."

The Attorney-general. "You are positive he did not at any time leave you with this ulster on, and return wearing another?"

Witness. "I am positive of it."

The Attorney-general. "After the lady got into the carriage, and the prisoner told you there was no occasion for you to mention what you had seen, or that he had spoken to you about the lady, what did he do?"

Witness. "He told me to drive to Prevost's Restaurant, in Church Street, Soho, and then he got into the carriage."

The Attorney-general. "At any time during the night did you see the lady's face?"

Witness. "Not at any time."

The Attorney-general. "Were you familiar with Prevost's Restaurant?"

Witness. "No, I had never been there, and I was in doubt where Church Street was. I had to inquire my way."

The Attorney-general. "Could not the prisoner tell you?"

Witness. "I asked him, and he said he could not direct me."

The Attorney-general. "However, you found the restaurant?"

Witness. "Yes."

The Attorney-general. "And then?"

Witness. "My master and the lady entered the restaurant."

The Attorney-general. "What did your master say to you?"

Witness. "He told me to wait near the door."

The Attorney-general. "Did you know what time it was when you drew up at the restaurant?"

Witness. "It was ten minutes to eleven."

The Attorney-general. "How long were you kept waiting?"

Witness. "Exactly an hour and five minutes."

The Attorney-general. "That will bring it to five minutes to twelve?"

Witness. "Yes, sir."

The Attorney-general. "Did the prisoner then come from the restaurant?"

Witness. "Yes, accompanied by the lady."

The Attorney-general. "It was still raining?"

Witness. "Raining hard now."

The Attorney-general. "Did he appear flurried? Was he excited?"

Witness. "His movements were very hurried, which I thought was due to the rain, and perhaps to his having had a little too much wine. He opened the door of the carriage quickly, and the lady jumped in, to avoid the rain, I suppose. My master got in quickly after her."

The Attorney-general. "But he gave you instructions?"

Witness. "All he said was, 'Home!'"

The Attorney-general. "Calmly?"

Witness. "No, sir. Although he only said one word, I noticed that his voice was thick. It was because of that I suspected he had taken a little too much wine."

The Attorney-general. "Did you observe that he had his ulster on?"

Witness. "Yes, he had it on."

The Attorney-general. "You drove home-and then?"

Witness. "My master got out, helped the lady out-no, I am making a mistake."

The Attorney-general. "Commence again."

Witness. "My master got out, opened the street door with his latch-key, then returned to the carriage and helped the lady out, and they both passed into the house."

The Attorney-general. "Were his actions steady?"

Witness. "They were not, sir. He seemed to be in a strange hurry."

The Attorney-general. "Did he say nothing to you?"

Witness. "Nothing. And thinking my day's work was over, I took the horses to the stable. I was glad enough."

The Attorney-general. "The prisoner was in the habit of carrying a latch-key?"

Witness. "Yes, and always let himself into the house."

The Attorney-general. "Did you observe whether the gas in the hall was lighted?"

Witness. "It was. It was always kept on when my master was out. His habit was to turn it off himself, the servants sometimes being abed."

The Attorney-general. "Now, during the time you were in the prisoner's employment, had you ever passed such a day as this you have described?"

Witness. "Never."

The Attorney-general. "Did you ever know him to come home with a lady, alone, at that hour of the night?"

Witness. "Never."

The Attorney-general. "All the incidents of the day were unusual?"

Witness. "Very unusual. I thought them very strange."

The Attorney-general. "The question I am about to put is, in another form, partly a repetition of one you have already answered. Did you ever know the prisoner to come home in the carriage late at night with a strange lady-that is, with any other lady than his wife?"

Witness. "Never. With a gentleman sometimes, and sometimes with more than one gentleman; but never with a strange lady."

The Attorney-general. "He occasionally came home late with friends?"

Witness. "Oh yes; but then his wife was always with him."

The Attorney-general. "During the last few months was this usual?"

Witness. "No. Mrs. Layton was an invalid, and seldom drove out-not once during the last three or four months at night."

The Attorney-general. "On the day we have gone through-the 25th of March did you see anything of Mrs. Layton?"

Witness. "No, sir, she was seriously ill."

The Attorney-general. "That, however, is not within your personal observation?"

Witness. "No, sir. My duties were outside the house."

The Attorney-general. "The lady whom he brought home on the night of the 25th of March was not his wife?"

Witness. "No, sir. Mrs. Layton had been confined to her room for several weeks."

The Attorney-general. "You are quite positive on this point?"

Witness. "Quite positive, sir."

The Attorney-general. "That will do."

(To the surprise of every person in court, who expected that the witness would be subjected to a long cross-examination, the prisoner asked but few questions.)

Prisoner. "You say that at five minutes to twelve I came out of Prevost's Restaurant?"

Witness. "You and the lady, sir."

Prisoner. "It was a dark night?"

Witness. "It was, sir."

Prisoner. "Did I call for you?"

Witness. "No, sir. I saw you come out of the restaurant with the lady, and I drew up at once. I was within half a dozen yards of the door."

Prisoner. "When the lady and I got into the carriage, as you say, and I called out, Home!' you observed that my voice was thick and my manner flurried?"

Witness. "Yes, sir."

Prisoner. "Did it occur to you then, or does it occur to you now, that the voice which uttered that word was not my voice?"

Witness. "No, sir."

Prisoner. "You are certain it was my voice?"

Witness. "Yes, sir."

Prisoner. "I wore my ulster?"

Witness. "Yes, sir."

Prisoner. "You drove home, and you saw me open the street door with a latch-key and pass into the house with the lady?"

Witness. "Yes, sir."

Prisoner. "Still with my ulster on?"

Witness. "Yes, sir."

Prisoner. "Did I turn my face towards you?"

Witness. "No, sir."

Prisoner. "If I had done so, could you have recognized my features in the darkness?"

Witness. "Scarcely, sir."

Prisoner. "You know nothing more?"

Witness. "Nothing more, sir."

Prisoner. "I do not put the question offensively-you have been a good servant, and I have never had occasion to find fault with you-but you are positive that the version you have given of my later movements is correct?"

Witness (who appeared much distressed). "I am positive, sir."

Prisoner. "I have nothing more to ask, Moorhouse."

Witness. "Thank you, sir."

Re-examined. "You are a strict teetotaler?"

Witness. "Yes, sir."

The Attorney-general. "Did you take any ale or spirits during the day?"

Witness. "No, sir. I have touched neither for years."

The Attorney-general. "The prisoner's figure being familiar to you, and your eyesight being so strong that you could distinguish him in the darkness, is it likely that you could be mistaken in him on this night?"

Witness (reluctantly). "It is not likely, sir."

The Attorney-general. "Scarcely possible?"

Witness. "Scarcely possible, sir."

III

THE EVIDENCE OF ADOLF WOLFSTEIN, WAITER

The next witness called was Adolf Wolfstein, a waiter in Prevost's Restaurant.

The Attorney-general. "Your name is Adolf Wolfstein?"

Witness. "Yes."

The Attorney-general. "What is your trade?"

Witness. "I am a waiter."

The Attorney-general. "Where are you employed?"

Witness. "At Prevost's, in Church Street, Soho."

The Attorney-general. "How long have you been in employment there?"

Witness. "A little more than seven weeks."

The Attorney-general. "Do you remember the date on which you entered your present service?"

Witness. "Yes, it was the 25th of March."

The Attorney-general. "So that the 25th of March is impressed upon your memory?"

Witness. "It is for another reason impressed upon my memory."

The Attorney-general. "Simply answer the questions I put to you. You are a German?"

Witness. "No, I am French."

The Attorney-general. "But your name is German, is it not?"

Witness. "Wolfstein is. It was my father's name, who settled in France when he was a young man."

The Attorney-general. "You understand English perfectly?"

Witness. "Oh yes; perfectly. I spoke it when I was a boy."

The Attorney-general. "Look at the prisoner. Do you recognize him?"

Witness. "Yes."

The Attorney-general. "Did you see him on the 25th of March?"

Witness. "Yes. Monsieur came to the restaurant on that day."

The Attorney-general. "At what hour?"

Witness. "At eleven o'clock at night."

The Attorney-general. "Was he alone?"

Witness. "No; monsieur had a lady with him."

The Attorney-general. "Did he occupy a private room? If you wish to explain yourself on this matter you can do so."

Witness. "I was coming down-stairs when I saw monsieur enter from the street with a lady. He looked about him, and seeing me, asked if he could have supper in a private room. I showed monsieur and madame up-stairs to a room in which I served."

The Attorney-general. "What occurred then?"

Witness. "I handed monsieur the *menu*."

The Attorney-general. "In English, the bill of fare?"

Witness. "Yes."

The Attorney-general. "What did he order?"

Witness. "Tortue claire."

The Attorney-general. "In English, clear turtle soup?"

Witness. "Yes."

The Attorney-general. "Did he consult the lady?"

Witness. "No."

The Attorney-general. "Was he long in selecting the kind of soup he ordered?"

Witness. "No. It was on the instant."

The Attorney-general. "He merely glanced at the bill of fare?"

Witness. "That is so."

The Attorney-general. "Did you get the soup and place it before him?"

Witness. "I first asked monsieur, 'For two?' He said, quickly, 'Yes, for two.' Then I served it."

The Attorney-general. "In a tureen?"

Witness. "Yes, in a tureen."

The Attorney-general. "When you placed the soup before him, did he order any wine?"

Witness. "I handed monsieur the wine-list, and he said, 'Champagne.' I asked him of what kind. He said, 'The best.'"

The Attorney-general. "You brought the best?"

Witness. "Yes."

The Attorney-general. "That is, the most expensive?"

Witness. "Of necessity."

The Attorney-general. "When you placed the wine before him, did you observe anything that struck you as unusual?"

Witness. "Yes; it was that, like other people, they should have been drinking their soup, or have finished it; but they had not drunk it."

The Attorney-general. "Had it been served from the tureen into their plates?"

Witness. "No, not a spoonful. It was as I brought it-not touched."

The Attorney-general. "As they were not eating, what were they doing?"

Witness. "They were engaged in conversation."

The Attorney-general. "Very earnestly?"

Witness. "Very earnestly."

The Attorney-general. "And speaking very low?"

Witness. "Very low."

The Attorney-general. "Did you hear anything they said?"

Witness. "Not a word."

The Attorney-general. "Upon observing that they had not commenced their soup, did you make any remark?"

Witness. "Yes. I said, 'Does not monsieur like the soup?'"

The Attorney-general. "What was his answer?"

Witness. "He answered, 'Oh yes, it is very good,' and slightly pushed the tureen away with his hand."

The Attorney-general. "Indicating that he had done with it?"

Witness. "I regarded it so, and I removed it."

The Attorney-general. "Did he object to its being removed?"

Witness. "No, not at all."

The Attorney-general. "Did the lady object-did she seem surprised?"

Witness. "No; she said not a word, nor did she look surprised."

The Attorney-general. "Your answer to the last question causes me to ask whether the lady was old or young?"

Witness. "But I do not know."

The Attorney-general. "You said she did not look surprised?"

Witness. "It is that she did not appear surprised. She did not look up. In truth, she had her veil down."

The Attorney general. "Had she removed her cloak?"

Witness. "No."

The Attorney-general. "Did she keep it on all the time she was in the room?"

Witness. "Yes; all the time."

The Attorney-general. "Now, when you asked the prisoner if he liked the soup, and he answered, 'Oh yes, it is very good,' you were surprised to find that they had not drunk a spoonful?"

Witness. "Why, yes, it was surprising."

The Attorney-general. "Did the prisoner pour out the champagne?"

Witness. "I filled a glass for madame and one for monsieur."

The Attorney-general. "Did the prisoner order another dish?"

Witness. "I asked monsieur, 'What will you have to follow?' and handed him the *menu*-the bill of fare. He said, 'Salmon cutlets.' 'For two, monsieur?' I asked. 'For two,' he said. I served them."

The Attorney-general. "Did he at any time summon you by ringing the bell?"

Witness. "No. It appeared to me that monsieur did not wish to be disturbed therefore I did not disturb him, but I noticed-"

The Attorney-general. "You noticed what?"

Witness. "That, as with the soup, monsieur ate nothing, and helped madame to nothing. I waited till I thought it was time, and then I went to the table and asked whether he did not like the salmon cutlets. Monsieur answered, 'Oh yes, they are very good,' and pushed them away as before. I removed them, as with the soup. What will monsieur have to follow?' I asked. 'Ices,' he said. 'Vanille?' I asked. 'Yes,' he said, 'Vanille.' I brought them. They were not eaten."

The Attorney-general. "Did they drink the wine?"

Witness. "Monsieur once raised his glass to his lips, but tasted it only, and as if he had no heart in it."

The Attorney-general. "Did he order anything else?"

Witness. "No. When I asked him, he said, 'The bill.' I brought it."

The Attorney-general. "What did it amount to?"

Witness. "One pound four shillings."

The Attorney-general. "How much of the champagne was drunk?"

Witness. "Half a glass-not more."

The Attorney-general. "Did not the lady drink any of hers?"

Witness. "Not any."

The Attorney-general. "Did the prisoner make any remark as to the amount of the bill?"

Witness. "Oh no; he gave me a sovereign and a half-sovereign, and said, 'That will do.'"

The Attorney-general. "Meaning that you could keep the change?"

Witness. "I took it so, and he said nothing."

The Attorney-general. "A good customer?"

Witness. "A very good customer. Not many such."

The Attorney-general. "Without a murmur or a remark, the prisoner paid you thirty shillings for half a glass of champagne?"

Witness. "That is so. It was, as I say, surprising. I did not forget it."

The Attorney-general. "It was not a circumstance to forget. You say that the lady who accompanied the prisoner did not remove her cloak or veil. Was that the case the whole of the time she was in the room?"

Witness. "The whole of the time."

The Attorney-general. "Her gloves-did she wear those the whole of the time?"

Witness. "But, no. I remember once seeing her hand ungloved."

The Attorney-general. "Her right or left hand? Be particular in your answer, and think before you speak, if it is necessary. My object is to ascertain whether the lady was married, and wore a wedding-ring."

Witness (smiling). "But a wedding-ring matters not. Those wear them who are not married."

The Attorney-general. "Reply to my question. Was it her right or her left hand which you saw ungloved?"

Witness. "I cannot remember."
The Attorney-general. "Try."
Witness. "It is of no use. I cannot remember."
The Attorney-general. "Can you remember whether it was a small or a large hand?"
Witness. "It was a small white hand."
The Attorney-general. "The hand, presumably, of a lady?"
Witness. "Or of a member of the theatre. Who can tell? We have many such."
The Attorney-general. "Were there rings upon her fingers?"
Witness. "I observed one of turquoises and diamonds."
The Attorney-general. "Was it a ring with any particular setting by which it could be identified?"
Witness. "A ring set with diamonds and turquoises. That is all I know."
The Attorney-general. "Would you recognize it again if you saw it?"
Witness. "I cannot say. I think not. I did not particularly remark it."
The Attorney-general. "Did you remark the color of her gloves?"
Witness. "They were black gloves."
The Attorney-general. "Of kid?"
Witness. "Yes, of kid."
The Attorney-general. "At what time did the prisoner and his companion leave the restaurant?"
Witness. "It must have been about twelve."
The Attorney-general. "Why do you say 'It must have been about twelve?'"
Witness. "Because I did not see them leave the room."
The Attorney-general. "You can, however, fix the time within a few minutes?"
Witness. "Oh yes. At a quarter to twelve, as near as I can remember, I had occasion to go down-stairs. When I returned, after three or four minutes, monsieur and madame were gone."
The Attorney-general. "Were you aware that they had a carriage waiting for them?"
Witness. "Only that I heard so. I did not see it."
(The witness was then briefly cross-examined by the prisoner.)
Prisoner. "You say that you saw me enter the restaurant from the street, and that I asked you if I could have supper in a private room?"
Witness. "That is so."
Prisoner. "Did you show me into a private room?"
Witness. "Yes."
Prisoner. "Where other persons could not enter?"
Witness. "Oh no; it was a room for six or eight persons."
Prisoner. "During the time I was there, did you attend to other persons besides me?"
Witness. "Yes."
Prisoner. "The room was not strictly private?"
Witness. "As private as I have said."
Prisoner. "What was the first thing I did when I went to the table you pointed out to me?"
Witness. "You removed your overcoat. It was wet with rain; and it surprised me that madame did not remove hers, which was also wet with rain."
Mr. Justice Fenmore. "Do not make remarks. Simply answer the questions put to you."
Witness. "Yes, my lord."
Prisoner. "What did I do with the overcoat when I had taken it off?"
Witness. "You hung it up behind you."
Prisoner. "On a peg in the wall?"
Witness. "Yes."
Prisoner. "Was this peg quite close to the table at which I sat?"
Witness. "No, it was at a little distance."

Prisoner. "At the back of me?"

Witness. "Yes."

Prisoner. "Did I put the overcoat on before I left the room?"

Witness. "Yes."

Mr. Justice Fenmore. "You have said in examination that you did not see the prisoner and his companion leave the room."

Witness. "But when I returned, after being away for three or four minutes, monsieur was gone, and the coat was also gone."

Prisoner. "Then you did not see me put on the overcoat?"

Witness. "No."

Prisoner. "I have nothing more to ask you."

Re-examined. "Would you be able to recognize the overcoat which the prisoner wore?"

Witness. "Oh yes; it was remarkable."

The Attorney-general. "Is this it?" (Ulster produced.)

Witness. "Yes; it is the same."

At this stage the court adjourned for luncheon.

IV THE EVIDENCE OF LUMLEY RICH, DETECTIVE OFFICER. – THE NINE OF HEARTS

Upon the reassembling of the court, the first witness called was Lumley Rich.

The Attorney-general. "You belong to the detective force?"

Witness. "I do."

The Attorney-general. "On the 26th of March were you called to the prisoner's house?"

Witness. "Yes."

The Attorney-general. "At what hour of the morning?"

Witness. "At seven o'clock."

The Attorney-general. "Was the prisoner in the house at the time?"

Witness. "He was not."

The Attorney-general. "Whom did you see for the purpose of information?"

Witness. "The prisoner's coachman, James Moorhouse, and Ida White, lady's-maid, and other servants."

The Attorney-general. "What passed between you and the coachman?"

Witness. "I asked him at what time on the previous night the prisoner returned home. He said at about twenty minutes past twelve, and that the prisoner entered his house accompanied by a lady, opening the street door with his latch-key. I asked him if he had seen the prisoner since, and he replied that he had not. I asked him from what part of his dress the prisoner took the latch-key, and he replied, from the pocket of the ulster he wore."

The Attorney-general. "Although the prisoner was not at home, was this ulster in his house?"

Witness. "Yes, it was hanging on the coat-rack in the hall."

The Attorney-general. "Did you take possession of it?"

Witness. "I did."

The Attorney-general. "Did you search the pockets?"

Witness. "Yes."

The Attorney-general. "What did you find in them?"

Witness. "The latch-key of the street door and a playing-card."

The Attorney-general. "Nothing else?"

Witness. "Nothing else."

The Attorney-general. "Is this the latch-key?" (Latch-key produced.)

Witness. "It is."

The Attorney-general. "Is this the playing-card?" (Playing-card, the Nine of Hearts, produced.)

Witness. "It is."

The Attorney-general. "How do you recognize it?"

Witness. "By a private mark I put in the corner."

The Attorney-general. "There was absolutely nothing else in the pockets of the ulster?"

Witness. "Nothing else."

The Attorney-general. "Did you see the prisoner before you left the house?"

Witness. "I did."

The Attorney-general. "Describe what passed."

Witness. "The prisoner suddenly made his appearance while I was questioning the servants, and inquired my business there. I told him I was an officer, and that I was there because of his wife being found dead in her bed. 'Dead!' he cried; 'my wife!' and he rushed to her room. I followed him. He looked at her and sunk into a chair. He seemed stupefied. I had his ulster coat hanging on my

arm, and I told him I had taken possession of it. He nodded vacantly. A moment or two afterwards he laid his hand upon the ulster, and demanded to know where I had obtained it. I informed him from the coat-rack in the hall. He cried, 'Impossible!' and as it seemed to me he was about to speak again, I informed him that anything he said might be used in evidence against him. 'In evidence!' he cried, 'against me!' 'Yes,' I replied; there has been murder done here.' 'Murder!' he cried; 'and I am suspected!' To that remark I did not reply, but repeated my caution. He said, 'Thank you,' and did not utter another word."

The prisoner did not cross-examine the witness; and this was the more surprising as it was remarked by all in court that upon the production of the playing-card, the Nine of Hearts, he was greatly agitated.

V

THE EVIDENCE OF IDA WHITE, LADY'S-MAID

The next witness called was Ida White, an attractive-looking woman about thirty years of age.

The Attorney-general. "What is your name?"

Witness. "Ida White."

The Attorney-general. "Do you know the prisoner?"

Witness. "Yes; he was my master."

The Attorney-general. "In what capacity were you employed?"

Witness. "I was lady's-maid to his wife, my poor dead mistress."

The Attorney-general. "Were you in her service before she was married?"

Witness. "Yes."

The Attorney-general. "What was her maiden name?"

Witness. "Agnes Beach."

The Attorney-general. "When you first entered her service were her parents alive?"

Witness. "Both of them."

The Attorney-general. "Do they still live?"

Witness. "No. Mrs. Beach died on my mistress's wedding-day; Mr. Beach died in February of this year."

The Attorney-general. "Was your late mistress very much affected at her mother's death?"

Witness. "She almost lost her reason. She fell into a fever, and was scarcely expected to live. It was weeks before she recovered."

The Attorney-general. "Have you any knowledge of the circumstances of your mistress's engagement with the prisoner?"

Witness. "She was very much in love with him."

The Attorney-general. "And he with her?"

Witness. "I don't think so."

The Attorney-general. "And according to your observation, not being in love with her, he engaged himself to her?"

Witness. "Yes."

The Attorney-general. "Was she a good-looking woman?"

Witness. "She would not generally be considered so."

The Attorney-general. "Is this a fairly good likeness of her?"

(Photograph of the deceased produced, which, after the witness had examined it, was handed to the jury. It represented a woman, very plain, with a face which seemed to lack intelligence.)

Witness. "It is very like her."

The Attorney-general. "Was she strong-minded?"

Witness. "No, she was not but she was very obstinate when she took it into her head."

The Attorney-general. "How old was she at the time of her engagement with the prisoner?"

Witness. "Twenty-eight."

The Attorney-general. "Do you know the prisoner's age at the time?"

Witness. "My mistress told me he was twenty-four."

The Attorney-general. "Was she well-formed?"

Witness. "No."

The Attorney-general. "Had she a good figure?"

Witness. "No."

The Attorney-general. "Many plain women have some peculiar attraction, either in manners or features. Had she anything of this kind to distinguish her?"

Witness. "I cannot say she had."

The Attorney-general. "But there might have been other attractions. Was she brilliant in conversation?"

Witness. "On the contrary. She had very little to say for herself upon general subjects."

The Attorney-general. "But she was passionately in love with the prisoner?"

Witness. "Passionately."

The Attorney-general. "Did she limp?"

Witness. "Yes. One leg was shorter than the other."

The Attorney-general. "Had she known the prisoner for any length of time before the engagement?"

Witness. "For a few weeks only, I believe."

The Attorney-general. "In what way did he make her acquaintance?"

Witness. "He came to the house."

The Attorney-general. "In a friendly way?"

Witness. "He came first upon business."

The Attorney-general. "To see whom?"

Witness. "My mistress's father, Mr. Beach."

The Attorney-general. "Upon what business?"

Witness. "Upon betting business, my mistress said."

The Attorney-general. "What was Mr. Beach's occupation?"

Witness. "He was a book-maker."

The Attorney-general. "A betting man?"

Witness. "Yes. He used to make large books."

The Attorney-general. "On racing?"

Witness. "Yes."

The Attorney-general. "Was he an educated man?"

Witness. "No."

The Attorney-general. "Would you call him a vulgar man?"

Witness. "Yes."

The Attorney-general. "Did he move in good society?"

Witness. "He did not."

The Attorney-general. "But he was rich?"

Witness. "Very rich. He drank a great deal of champagne."

The Attorney-general. "You say the prisoner first came to the house upon business. Do you know upon what particular business?"

Witness. "It was something about horses, and bets he had made upon them."

The Attorney-general. "Bets which he had lost?"

Witness. "Yes."

The Attorney-general. "How was it that your mistress became acquainted with him on that occasion, when the fact was that he came upon business?"

Witness. "He was asked by Mr. Beach to stay to dinner, and he stayed."

The Attorney-general. "Mr. Beach, you say, was not in good society. Had he any desire to get into it?"

Witness. "He was crazy about it."

The Attorney-general. "Upon the first occasion of the prisoner dining at Mr. Beach's house, did your mistress make any remark with reference to the prisoner?"

Witness. "She never ceased speaking about him. She said she had seen the handsomest man in the world."

The Attorney-general. "Narrate as briefly as you can what occurred between your mistress and the prisoner up to the time they were engaged."

Witness. "He came five or six times to the house, and every time he came my mistress was more and more in love with him. I understood from what she told me that he was in difficulties, and that he had lost a great deal of money at horse-racing."

The Attorney-general. "Did he keep racing horses?"

Witness. "I did not understand that, but that he had been betting upon horses. There was money owing not only to Mr. Beach, but to other book-makers as well, and the prisoner wished Mr. Beach to arrange the whole matter. 'Those things are easily arranged,' I said to my mistress; 'all you have to do is to pay.' 'But supposing you haven't the money to pay?' asked my mistress. 'I thought Mr. Layton was a gentleman,' I said. 'There are poor gentlemen as well as rich gentlemen,' my mistress said, 'and my papa gets a lot of money out of all sorts of people.' That was true enough; I have heard him and his friends chuckling over it many times, and Mr. Beach used to call them a lot of something fools. I heard a great deal about 'swells,' as Mr. Beach called them, being ruined by backing horses, and I knew that that was the way he had grown rich. He used to say that he had got a lot of stuck-up swells under his thumb. 'I can arrange Mr. Layton's business with papa,' my mistress said; and when I found her practising songs at the piano, out of time and out of tune-for she had no ear for music-I knew that she was making up to him. It came about as she wished, and one night she told me she was the happiest woman in the world-that Mr. Layton had proposed and she had accepted him."

The Attorney-general. "Were there rejoicings in the house?"

Witness. "A good many big dinners were given, but I can't say much for the company. My mistress was sometimes very happy, and sometimes very miserable. To-day she complained that he was cold to her, to-morrow she would go on in the most ridiculous way because he gave her a flower, as though it was better than a big diamond."

The Attorney-general. "Did he seem to be wanting in attention to her during the courtship?"

Witness. "He wasn't a very warm lover, as far as I could see. But my mistress was so much in love that she put up with anything. He had only to give her a smile or a pleasant word, and you would think she was in heaven."

The Attorney-general. "How did the prisoner get along with Mr. Beach?"

Witness. "I know they had words on two or three occasions."

The Attorney-general. "About what?"

Witness. "About the settlements. My mistress told me, and she said her father was a screw."

The Attorney-general. "A screw! What was meant by the word?"

Witness. "That he was mean and sharp, that was what she meant."

The Attorney-general. "Go on. That her father was a screw-"

Witness. "And wanted to bind Mr. Layton down too tight. He had conversations with her about it."

The Attorney-general. "He! Who?"

Witness. "Mr. Layton."

The Attorney-general. "Did he seek these conversations?"

Witness. "Oh no; they were of her seeking. She was afraid that something might occur to break off the engagement. She said to me more than once, 'If anything goes wrong, I sha'n't care to live.' I never in all my life saw a woman so madly in love as she was."

The Attorney-general. "Do you know the result of those conversations about the settlements between the prisoner and your mistress?"

Witness. "Both Mr. Beach and Mr. Layton stood out, and I don't believe either of them would have given way if my mistress had not taken it up. She and her father had some warm scenes."

The Attorney-general. "By 'warm' do you mean 'angry?'"

Witness. "Yes."

The Attorney-general. "Whose money was it that was in dispute?"

Witness. "Mr. Beach's. He was rich; Mr. Layton had no money to settle. My mistress used to say, 'I know that I am not very handsome, but I can make Mr. Layton comfortable all his life, and I am sure we shall get along very well together. Papa shall do whatever I want.'"

The Attorney-general. "Then is it your impression that the prisoner paid court to her for her money?"

Witness. "I don't think he would have looked at her else."

The Attorney-general. "And that your mistress was aware of it?"

Witness. "She must have had some notion of it, but it couldn't have been a pleasant thing for her to talk much about, and it seemed to me that she was glad to avoid it. She didn't think she was as plain as she was. No woman does."

The Attorney-general. "How was the matter finally arranged?"

Witness. "The money was settled upon my mistress, and after her death it was to go to Mr. Layton."

The Attorney-general. "Do you know what the amount was?"

Witness. "My mistress told me it was £20,000."

The Attorney-general. "Which would come absolutely into the prisoner's possession when his wife died?"

Witness. "I understood so. My mistress did say something else about the settlement. 'There's one thing I would like put in about the money,' she said, 'and that is, that it shouldn't be his if he married again; but I would not dare to mention it.'"

The Attorney-general. "Did she give you a reason for not daring to mention it?"

Witness. "Yes; that he would break the engagement."

The Attorney-general. "Now, about the wedding. Was it a private or public wedding?"

Witness. "Not private-oh no, not at all! there were at least a hundred at the wedding breakfast, and any amount of champagne was opened."

The Attorney-general. "What kind of company?"

Witness. "Mixed-very much mixed."

The Attorney-general. "Be more explicit. Were there many of Mr. Beach's set there?"

Witness. "They were all of his set."

The Attorney-general. "But some of the prisoner's friends were there as well?"

Witness. "Not one. There were words about it."

The Attorney-general. "On the wedding-day?"

Witness. "Yes."

The Attorney-general. "Words between whom?"

Witness. "Between Mr. Beach and Mr. Layton. I heard Mr. Beach say, 'I gave you thirty invitations to fill up and Mr. Layton answered, didn't fill up one of them. I didn't intend that a friend of mine should meet such a crew as I knew you would get together.' 'Not good enough for you, I suppose?' said Mr. Beach. 'No,' said Mr. Layton, 'decidedly not good enough,' and then he walked away."

The Attorney-general. "Did your mistress make any remark on the subject?"

Witness. "No she was too happy to find fault with anything. She was delighted, too, with the wedding presents. There was nearly a room full of them."

The Attorney-general. "Many of them from the prisoner's friends?"

Witness. "Not one."

The Attorney-general. "Do you mean to inform the court that not a single friend or relative of the prisoner's was present, and that among the wedding presents there was not a single token from his connections?"

Witness. "Not a single one."

The Attorney-general. "Well, they were married, and they went away?"

Witness. "Yes; they took the night train to Paris."

The Attorney-general. "Did you accompany them?"

Witness. "No."

The Attorney-general. "Did your mistress's mother die before they left?"

Witness. "No; some hours afterwards, and a telegram was sent on to them in Paris, at the Hotel Bristol."

The Attorney-general. "What is the next thing you remember?"

Witness. "A telegram arrived from Mr. Layton, requesting me to come to Paris immediately. We received the telegram at about two o'clock on the day after the wedding, and I went by the night train."

The Attorney-general. "Did any person meet you?"

Witness. "Yes; Mr. Layton. He said my mistress was very ill, and he took me to the hotel. She was in bed, and she remained there for several weeks. I attended her the whole of the time."

The Attorney-general. "Did she have good doctors?"

Witness. "The best that could be got."

The Attorney-general. "Was the prisoner attentive to her?"

Witness. "Pretty well; *I shouldn't have liked it.*"

The Attorney-general. "What do you mean by that?"

Witness. "Well, he never sat by her bedside for any length of time; he never held her hand; he never kissed her. Oh, it is easy to tell when a man loves a woman!"

The Attorney-general. "How long was it before she was able to get about?"

Witness. "Quite three months."

The Attorney-general. "Did she then return to England with her husband?"

Witness. "Not for another month. They went to Italy, and I went with them."

The Attorney-general. "Did the prisoner's attentions to his wife undergo any marked change after her convalescence? Was he more affectionate-more lovingly attentive?"

Witness. "Not that I saw. All he seemed to crave for was excitement. It was nothing but rushing here and rushing there. Every night some theatre or entertainment to go to; every day riding about, and dining out at different places."

The Attorney-general. "So that there was not much of home life?"

Witness. "None at all."

The Attorney-general. "Was this state of things agreeable to your mistress?"

Witness. "I am not sure. Sometimes she suggested to her husband that they should spend a quiet evening at home, but he always replied that he had tickets, or had taken seats, for some place of entertainment. When she spoke to me of the life they were leading, she used to say how attentive her husband was to her, and how he was always looking out for something to amuse her. But I did not regard it in that light; I thought it was more for himself than for her that he kept up such a round of excitement. It helped him to forget."

The Attorney-general. "To forget what?"

Witness. "That he was a married man."

The Attorney-general. "During those early days were there any quarrels between them?"

Witness. "No, not what you can call quarrels. Sometimes she complained, or found fault, but he seldom at that time answered her in any way to cause a quarrel-that is, so far as he was concerned. It was different afterwards. There were occasions during their honey-moon-if you can call it a honey-moon-and at first when they were settled at home, when his silence provoked my mistress, and made her madder than an open row would have done. But the more she stormed the quieter he was, and these scenes always ended in one way: Mr. Layton would leave the house, and remain absent for a good many hours. Then my poor mistress would torment herself dreadfully, and would cry her eyes

out, and rave and stamp about like a distracted creature. 'He will never come back!' she would say. 'I have driven him from me! He will make away with himself! What a wretch I am!' A ring at the bell or a knock at the door would send her flying down-stairs to see if it was her husband. I was really afraid sometimes that she would go quite out of her mind. Then, when he came back, she would rush up to him and throw her arms round his neck, and sob, and fall upon her knees to ask forgiveness. It was a dreadful life to lead."

The Attorney-general. "In what way would the prisoner receive these tokens of penitence on the part of your mistress?"

Witness. "In just the same way as he received her scoldings. The one remark I heard him make to her in those days-not always in the same words, but always to the same effect-was, 'You should have more control over yourself.' I used to wonder that a man could be so provoked and keep so cool. But a person may be cold outside and hot inside."

The Attorney-general. "Do you think that was the case with the prisoner?"

Witness. "Yes, I do think so."

The Attorney-general. "Well, they came home and settled down?"

Witness. "Yes."

The Attorney-general. "Now about the home they occupied? Did they rent it, or was it their own property?"

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