

DR. THORNDYKE
HIS FAMOUS CASES
AS DESCRIBED BY
R. AUSTIN FREEMAN

Number Twenty Five

Phyllis
Annesley's
Peril

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“ONE is sometimes disposed to regret,” said Thorndyke, as we sat waiting for the arrival of Mr. Mayfield, the solicitor, “that our practice is so largely concerned with the sordid and the unpleasant.”

“Yes,” I agreed. “Medical Jurisprudence is not always a particularly delicate subject. But it is our line of practice and we have got to take it as we find it.”

“A philosophic conclusion, Jervis,” he rejoined, “and worthy of my learned friend. It happens that the most intimate contact of Law and Medicine is in crimes against the person and consequently the proper study of the Medical Jurist is crime of that type. It is a regrettable fact, but we must accept it.”

“At the same time,” said I, “there don’t seem to be any Medico-legal issues in this Bland case. The woman was obviously murdered. The only question is, who murdered her? And the answer to that question seems pretty obvious.”

“It does,” said Thorndyke. “But we shall be better able to judge when we have heard what Mayfield has to tell us. And I think I hear him coming up the stairs now.”

I rose to open the door for our visitor, and, as he entered, I looked at him curiously. Mr. Mayfield was quite a young man, and the mixture of deference and nervousness in his manner as he entered the room suggested no great professional experience.

“I am afraid, sir,” said he, taking the easy-chair that Thorndyke offered him, “that I ought to have come to you sooner, for the inquest, or, at least, the police court proceedings.”

“You reserved your defence, I think?” said Thorndyke.

“Yes,” replied the solicitor, with a wry smile. “I had to. There seemed to be nothing to say. So I put in a plea of Not Guilty and reserved the defence in the hope that something might turn up. But I am gravelled completely. It looks a perfectly hopeless case. I don’t know how it strikes you, sir.”

“I have seen only the newspaper reports,” said Thorndyke. “They are certainly not encouraging. But let us disregard them. I suggest that you recite the facts of the case and I can ask any questions that are necessary to elucidate

it further.”

“Very well, sir,” said Mayfield. “Then I will begin with the disappearance of Mrs. Lucy Bland. That occurred about the eighteenth of last May. At that time she was living, apart from her husband, at Wimbledon, in furnished lodgings. After lunch on the eighteenth she went out, saying that she should not be home until night. She was seen by someone who knew her at Wimbledon Station on the down side about three o’clock. At shortly after six probably on the same day, she went to the Post Office at Lower Ditton to buy some stamps. The postmistress, who knew her by sight, is certain that she called there, but cannot swear to the exact date. At any rate, she did not go home that night and was never seen alive again. Her landlady communicated with her husband and he at once applied to the police. But all the inquiries that were made led to nothing. She had disappeared without leaving a trace.

“The discovery was made four months later, on the sixteenth of September. On that day some workmen went to ‘The Larches,’ a smallish, old-fashioned, riverside house just outside Lower Ditton, to examine the electric wiring. The house was let to a new tenant, and as the meter had shown an unaccountable leakage of current during the previous quarter, they went to see what was wrong.

“To get at the main, they had to take up part of the floor of the dining-room; and when they got the boards up, they were horrified to discover a pair of feet—evidently a woman’s feet—projecting from under the next board. They immediately went to the police station and reported what they had seen, whereupon the inspector and a sergeant accompanied them back to the house and directed them to take up several more boards, which they did; and there, jammed in between the joists, was the body of a woman who was subsequently identified as Mrs. Lucy Bland. The corpse appeared to be perfectly fresh and only quite recently dead; but at the post-mortem it was discovered that it had been embalmed or preserved by injecting a solution of formaldehyde and might have been dead three or four months. The cause of death was given at the inquest as suffocation, probably preceded by the forcible administration of chloroform.”

“The house, I understand,” said Thorndyke, “belongs to one of the accused?”

“Yes. Miss Phyllis Annesley. It is her freehold, and she lived in it until recently. Last autumn, however, she took to travelling about and then partly dismantled the house and stored most of the furniture; but she kept two bedrooms furnished and the kitchen and dining-room in just usable condition, and she used to put up there for a day or two in the intervals of her journeys,

either alone or with her maid.”

“And as to Miss Annesley’s relations with the Blands?”

“She had known them both for some years. With Leonard Bland she was admittedly on affectionate terms, though there is no suggestion of improper relations between them. But Bland used to visit her when she lived there and they used to go for picnics on the river in the boat belonging to the house. Mrs. Bland also occasionally visited Miss Annesley, and they seem to have been on quite civil terms. Of course, she knew about her husband’s affection for the lady, but she doesn’t seem to have had any strong feeling about it.”

“And what were the relations of the husband and wife?” asked Thorndyke.

“Rather queer. They didn’t suit one another, so they simply agreed to go their own ways. But they don’t seem to have been unfriendly, and Mr. Bland was most scrupulous in regard to his financial obligations to his wife. He not only allowed her liberal maintenance but went out of his way to make provision for her. I will give you an instance, which impressed me very much.

“An old acquaintance of his, a Mr. Julius Wicks, who had been working for some years in the film studio at Los Angeles, came to England about a year ago and proposed to Bland that they should start one or two picture theatres in the provinces, Bland to find the money—which he was able to do—and Wicks to provide the technical knowledge and do the actual management. Bland agreed, and a partnership was arranged on the basis of two-thirds of the profits to Bland and one-third to Wicks; with the proviso that if Bland should die, all his rights as partner should be vested in his wife.”

“And supposing Wicks should die?”

“Well, Wicks was not married, though he was engaged to a film actress. On his death, his share would go to Bland, and similarly, on Bland’s death, if he should die after his wife, his share would go to his partner.”

“Bland seems to have been a fairly good business man,” said I.

“Yes,” Mayfield agreed. “The arrangement was all in his favour. But he was the capitalist, you see. However, the point is that Bland was quite mindful of his wife’s interests. There was nothing like enmity.”

“Then,” said Thorndyke, “one motive is excluded. Was the question of divorce ever raised?”

“It couldn’t be,” said Mayfield. “There were no grounds on either side. But it seems to have been recognised and admitted that if Bland had been free he would have married Miss Annesley. They were greatly attached to one

another.”

“That seems a fairly solid motive,” said I.

“It appears to be,” Mayfield admitted. “But to me, who have known these people for years and have always had the highest opinion of them, it seems—well, I can’t associate this atrocious crime with them at all. However, that is not to the point. I must get on with the facts.

“Very soon after the discovery at ‘The Larches,’ the police learned that there had been rumours in Lower Ditton for some time past of strange happenings at the house and that two labourers named Brodie and Stanton knew something definite. They accordingly looked up these two men and examined them separately, when both men made substantially identical statements, which were to this effect:

“About the middle of May—neither of them was able to give an exact date—between nine and ten in the evening, they were walking together along the lane in which ‘The Larches’ is situated when they saw a man lurking in the front garden of the house. As they were passing, he came to the gate and beckoned to them, and when they approached he whispered: ‘I say, mates, there’s something rummy going on in this house.’

“‘How do you know?’ asked Brodie.

“‘I’ve been looking in through a hole in the shutter,’ the man replied. ‘They seem to be hiding something under the floor. Come and have a look.’

“The two men followed him up the garden to the back of the house, where he took them to one of the windows of a ground-floor room and pointed to two holes in the outside shutters.

“‘Just take a peep in through them,’ said he.

“Each of the men put an eye to one of the holes and looked in; and this is what they both saw:—There were two rooms, communicating, with a wide arch between. Through the arch and at the far end of the second room were two persons, a man and a woman. They were on their hands and knees, apparently doing something to the floor. Presently the man, who had on a painter’s white blouse, rose and picked up a board which he stood on end against the wall. Then he stooped again and seemed to lay hold of something that lay on the floor—something that looked like a large bundle or a roll of carpet. At this moment something passed across in front of the holes and shut out the view—so that there must have been a third person in the room. When the obstructing body moved away again, the man was kneeling on the floor looking down at the bundle and the woman had come forward and was standing just in the arch

with a pair of pincers in her hand. She was dressed in a spotted pinafore with a white sailor collar, and both the men recognised her at once as Miss Annesley.”

“They knew her by sight, then?” said Thorndyke.

“Yes. They were Ditton men. It is a small place and everybody in it must have known Miss Annesley—and Bland, too, for that matter. Well, they saw her standing in the archway quite distinctly. Neither of the men has the least doubt as to her identity. They watched her for, perhaps, half a minute. Then the invisible person inside moved in front of the peepholes and shut out the scene.

“When the obstruction moved away, the woman was back in the farther room, kneeling on the floor. The bundle had disappeared and the man was in the act of taking the board, which he had rested against the wall, and laying it in its place in the floor. After this, the obstruction kept coming and going, so that the watchers only got occasional glimpses of what was going on. They saw the man apparently hammering nails into the floor and they heard faint sounds of knocking. On one occasion, towards the end of the proceedings, they saw the man standing in the archway with his face towards them, apparently looking at something in his hand. They couldn’t see what the thing was, but they clearly recognised the man as Mr. Bland, whom they both knew well by sight. Then the view was shut out again, and when they next saw Mr. Bland, he was standing by Miss Annesley in the farther room, looking down at the floor and taking off his blouse. As it seemed that the business was over and that Bland and Miss Annesley would probably be coming out, the men thought it best to clear off, lest they should be seen.

“As they walked up the lane, they discussed the mysterious proceedings that they had witnessed, but could make nothing of them. The stranger suggested that perhaps Miss Annesley was hiding her plate or valuables to keep them safe while she was travelling, and hinted that it might be worth someone’s while to take the floor up later on and see what was there. But this suggestion Brodie and Stanton, who are most respectable men, condemned strongly, and they agreed that, as the affair was no concern of theirs, they had better say nothing about it. But they evidently must have talked to some extent, for the affair got to be spoken about in the village, and, of course, when the body was discovered under the floor, the gossip soon reached the ears of the police.”

“Has the third man come forward to give evidence?” Thorndyke asked.

“No, he has not been found yet. He was a stranger to both the men; apparently a labourer or farm-hand on tramp. But nothing is known about him.

So that is the case; and it is about as hopeless as it is possible to be. Of course, there is the known character of the accused; but against that is a perfectly intelligible motive and the evidence of two eye-witnesses. Do you think you would be disposed to undertake the defence, sir? I realise that it is asking a great deal of you.”

“I should like to think the matter over,” said Thorndyke, “and make a few preliminary inquiries. And I should want to read over the depositions in full detail. Can you let me have them?”

“I have a verbatim report of the police court proceedings and of the inquest. I will leave them with you now. And when may I hope to have your decision?”

“By the day after to-morrow at the latest,” was the reply, on which the young solicitor produced a bundle of papers from his bag, and having laid them on the table, thanked us both and took his leave.

“Well, Thorndyke,” I said when Mayfield had gone, “I am fairly mystified. I know you would not undertake a merely formal defence, but what else you could do is, I must confess, beyond my imagination. It seems to me that the prosecution have only to call the witnesses and the verdict of ‘Guilty’ follows automatically.”

“That is how it appears to me,” said Thorndyke. “And if it still appears so when I have read the reports and made my preliminary investigations, I shall decline the brief. But appearances are sometimes misleading.”

With this he took the reports and the notebook, in which he had made a few brief memoranda of Mayfield’s summary of the case, and drawing a chair to the table, proceeded, with quiet concentration, to read through and make notes on the evidence. When he had finished, he passed the reports to me and rose, pocketing his notebook and glancing at his watch.

“Read the evidence through carefully, Jervis,” said he, “and tell me if you see any possible way out. I have one or two calls to make, but I shall not be more than an hour. When I come back, I should like to hear your views on the case.”

During his absence I read the reports through with the closest attention. Something in Thorndyke’s tone had seemed to hint at a possible flaw in the case for the prosecution. But I could find no escape from the conviction that these two persons were guilty. The reports merely amplified what Mayfield had told us; and the added detail, especially in the case of the eye-witnesses, only made the evidence more conclusive. I could not see the material for even

a formal defence.

In less than an hour my colleague re-entered the room, and I was about to give him my impressions of the evidence when he said:

“It is rather early, Jervis, but I think we had better go and get some lunch. I have arranged to go down to Ditton this afternoon and have a look at the house. Mayfield has given me a note to the police sergeant, who has the key and is virtually in possession.”

“I don’t see what you will gain by looking at the house,” said I.

“Neither do I,” he replied. “But it is a good rule always to inspect the scene of a crime and check the evidence as far as possible.”

“Well,” I said, “it is a forlorn hope. I have read through the evidence and it seems to me that the accused are as good as convicted. I can see no line of defence at all. Can you?”

“At present I cannot,” he replied. “But there are one or two points that I should like to clear up before I decide whether or not to undertake the defence. And I have a great belief in first-hand observation.”

We consumed a simplified lunch at one of our regular haunts in Fleet Street and from thence were conveyed by a taxi to Waterloo, where we caught the selected train to Lower Ditton. I had put the reports in my pocket, and during our journey I read them over again, to see if I could discover any point that would be cleared up by an inspection of the premises.

For, in spite of the rather vague purpose implied by Thorndyke’s explanation, something in my colleague’s manner, coupled with long experience of his methods, made me suspect that he had some definite object in view. But nothing was said by either of us during the journey, nor did we discuss the case; indeed, so far as I could see, there was nothing to discuss.

Our reception at the Lower Ditton Police Station was something more than cordial. The sergeant recognised Thorndyke instantly—it appeared that he was an enthusiastic admirer of my colleague—and after a brief glance at Mayfield’s note, took a key from his desk and put on his helmet.

“Lord bless you, sir,” said he, “I don’t need to be told who you are. I’ve seen you in court, and heard you. I’ll come along with you to the house myself.”

I suspected that Thorndyke would have gladly dispensed with this attention, but he accepted it with genial courtesy, and we went forth through the village and along the quiet lane in which the ill-omened house was situated.

And as we went, the sergeant commented on the case with curiously unofficial freedom.

“You’ve got your work cut out, sir, if you are going to conduct the defence. But I wish you luck. I’ve known Miss Annesley for some years—she was well known in the village here—and a nicer, gentler, more pleasant lady you wouldn’t wish to meet. To think of her in connection with a murder—and such a murder, too—such a brutal, callous affair! Well, it’s beyond me. And yet there it is, unless those two men are lying.”

“Is there any reason to suppose that they are?” I asked.

“Well, no; there isn’t. They are good, sober, decent men. And it would be such an atrociously wicked lie. And they both knew the prisoners, and liked them. Everybody liked Mr. Bland and Miss Annesley, though their friendship for one another may not have been quite in order. But I can tell you, sir, these two men are frightfully cut up at having to give evidence. This is the house.”

He opened a gate and we entered the garden, beyond which was a smallish, old-fashioned house, of which the ground-floor windows were protected by outside shutters. We walked round to the back of the house, where was another garden with a lawn and a path leading down to the river.

“Is that a boat-house?” Thorndyke asked, pointing to a small gable that appeared above a clump of lilac bushes.

“Yes,” replied the sergeant. “And there is a boat in it; a good, beamy, comfortable tub that Miss Annesley and her friend used to go out picnicking in. This is the window that the men peeped in at, but you can’t see much now because the room is all dark.”

I looked at the two French windows, which opened on to the lawn, and reflected on this new instance of the folly of wrong-doers. Each window was fitted with a pair of strong shutters, which bolted on the inside, and each shutter was pierced, about five feet from the sill, by a circular hole a little over an inch in diameter. It seemed incredible that two sane persons, engaged in the concealment of a murdered body, should have left those four holes uncovered for any chance eavesdropper to spy on their doings.

But my astonishment at this lack of precaution was still greater when the sergeant admitted us and we stood inside the room, for both the windows, as well as the pair in the farther room, were furnished with heavy curtains.

“Yes,” said the sergeant, in answer to my comment, “it’s a queer thing how people overlook matters of vital importance. You see, they drew the drawing-room curtains all right, but they forgot these. Is there anything in particular that

you want to see, sir?"

"I should like to see where the body was hidden," said Thorndyke, "but I will just look round the rooms first."

He walked slowly to and fro, looking about him and evidently fixing the appearance of the rooms on his memory. Not that there was much to see or remember. The two nearly square rooms communicated through a wide arch, once closed by curtains, as shown by the brass curtain-rod. The back room had been completely dismantled with the exception of the window curtains, but the front room, although the floor and the walls were bare, was not entirely unfurnished. The sideboard was still in position and bore at each end a tall electric light standard, as did also the mantelpiece. There were three dining chairs and a good-sized gate-leg table stood closed against the wall.

"I see you have not had the floor-boards nailed down," said Thorndyke.

"No, sir; not yet. So we can see where the body was hidden and where the electric main is. The electricians took up the wrong board at first—that is how they came to discover the body. And one of them said that the boards over the main had been raised recently, and he thought that the—er—the accused had meant to hide the body there, but when they got the floor up they struck the main and had to choose a fresh place."

He stooped, and lifting the loose boards, which he stood on end against the mantelpiece, exposed the joists and the earth floor about a foot below them. In one of the spaces the electric main ran and in the adjoining one the apparently disused gas main.

"This is where we found poor Mrs. Bland," said the sergeant, pointing to an empty space. "It was an awful sight. Gave me quite a turn. The poor lady was lying on her side, jammed down between the joists and her nose flattened up against one of the timbers. They must have been brutes that did it, and I can't—I really can't believe that Miss Annesley was one of them."

"It looks a narrow place for a body to lie in," said I.

"The joists are sixteen inches apart," said Thorndyke, laying his pocket rule across the space, "and two and a half inches thick. Heavy timber and wide spaces."

He stood up, and turning round, looked towards the windows of the back room. I followed his glance and noted, almost with a start, the two holes in the shutter of the left-hand window (the right-hand window, of course, from outside) glaring into the darkened room like a pair of inquisitive, accusing eyes. The holes in the other window were hardly visible, and the reason for the

difference was obvious. The one window had small panes and thick muntins, or sash-bars, whereas the other was glazed with large sheets of plate glass and had no muntins.

“Of course it would be dark at the time,” I said in response to his unspoken comment, “and this room would be lighted up, more or less.”

“Not so very dark in May,” he replied. “There is a furnished bedroom, isn’t there, sergeant?”

“Two, sir,” was the reply; and the sergeant forthwith opened the door and led the way across the hall and up the stairs.

“This is Miss Annesley’s room,” he said, opening a door gingerly and peering in.

We entered the room and looked about us with vague curiosity. It was a simply-furnished room, but dainty and tasteful, with its small four-post bedstead, light easy-chair and little, ladylike writing-table.

“That’s Mr. Bland,” said the sergeant, pointing to a double photograph-frame on the table, “and the lady is Miss Annesley herself.”

I took up the frame and looked curiously at the two portraits. For a pair of murderers they were certainly uncommonly prepossessing. The man, who looked about thirty-five, was a typical good-looking, middle-class Englishman, while the woman was distinctly handsome, with a thoughtful, refined and gentle cast of face.

“She has something of a Japanese air,” said I, “with that coil on the top of the head and the big ivory hairpin stuck through it.”

I passed the frame to Thorndyke, who regarded each portrait attentively, and then, taking both photographs out of the frame, closely examined each in turn, back and front, before replacing them.

“The other bedroom,” said the sergeant as Thorndyke laid down the frame, “is the spare room. There’s nothing to see in it.”

Nevertheless he conducted us into it, and when we had verified his statement we returned downstairs.

“Before we go,” said Thorndyke, “I will just see what is opposite those holes.”

He walked to the window and was just looking out through one of the holes when the sergeant, who had followed him closely, suddenly slid along the floor and nearly fell.

“Well, I never!” he exclaimed, recovering himself and stooping to pick up some small object. “There’s a dangerous thing to leave lying about the floor. Bit of slate pencil—at least, that is what it looks like.”

He handed it to Thorndyke, who glanced at it and remarked:

“Yes, things that roll under the foot are apt to produce broken bones; but I think you had better take care of it. I may have to ask you something about it at the trial.”

We bade the sergeant farewell at the bottom of the lane, and as we turned into the footpath to the station I said:

“We don’t seem to have picked up very much more than Mayfield told us—excepting that bit of slate pencil. By the way, why did you tell the sergeant to keep it?”

“On the broad principle of keeping everything, relevant or irrelevant. But it wasn’t slate pencil; it was a fragment of a small carbon rod.”

“Presumably dropped by the electricians who had been working in the room,” said I, and then asked: “Have you come to any decision about this case?”

“Yes; I shall undertake the defence.”

“Well,” I said, “I can’t imagine what line you will take. Strong suspicion would have fallen on these two persons even if there had been no witnesses; but the evidence of those two eye-witnesses seems to clench the matter.”

“Precisely,” said Thorndyke. “That is my position. I rest my case on the evidence of those two men—as I hope it will appear under cross-examination.”

This statement of Thorndyke’s gave me much food for reflection during the days that followed. But it was not very nourishing food, for the case still remained perfectly incomprehensible. To be sure, if the evidence of the two eye-witnesses could be shown to be false, the case against the prisoners would break down, since it would bring another suspected person into view. But their evidence was clearly not false. They were men of known respectability and no one doubted the truth of their statements.

Nor was the obscurity of the case lightened in any way by Thorndyke’s proceedings. We called together on the two prisoners, but from neither did we elicit any fresh facts.

Neither could establish a clear alibi or suggest any explanation of the eye-witnesses’ statements. They gave a simple denial of having been in the house

at that time or of having ever taken up the floor.

Both prisoners, however, impressed me favourably. Bland, whom we interviewed at Brixton, seemed a pleasant, manly fellow, frank and straightforward though quite shrewd and business-like; while Miss Annesley, whom we saw at Holloway, was a really charming young lady—sweet-faced, dignified and very gracious and gentle in manner. In one respect, indeed, I found her disappointing. The picturesque coil had disappeared from the top of her head and her hair had been shortened (“bobbed” is, I believe, the correct term) into a mere fringe. Thorndyke also noticed the change, and in fact commented on it.

“Yes,” she admitted, “it is a disimprovement in my case. It doesn’t suit me. But I really had no choice. When I was in Paris in the spring I had an accident. I was having my hair cleaned with petrol when it caught fire. It was most alarming. The hairdresser had the presence of mind to throw a damp towel over my head, and that saved my life. But my hair was nearly all burnt. There was nothing for it but to have it trimmed as evenly as possible. But it looked horrid at first. I had my photograph taken by Barton soon after I came home, just as a record, you know, and it looks awfully odd. I look like a Bluecoat boy.”

“By the way,” said Thorndyke, “when did you return?”

“I landed in England about the middle of April and went straight to my little flat at Paddington, where I have been living ever since.”

“You don’t remember where you were on the eighteenth of May?”

“I was living at my flat, but I can’t remember what I did on that day. You don’t, as a rule, unless you keep a diary, which I do not.”

This was not very promising. As we came away from the prison, I felt, on the one hand, a conviction that this sweet, gracious lady could have had no hand in this horrible crime, and on the other an utter despair of extricating her from the web of circumstances in which she had become enmeshed.

From Thorndyke I could gather nothing, except that he was going on with his investigations—a significant fact, in his case. To my artfully disguised questions he had one invariable reply: “My dear Jervis, you have read the evidence, you have seen the house, you have all the facts. Think the case over and consider the possibilities of cross-examination.” And that was all I could get out of him.

He was certainly very busy, but his activities only increased my bewilderment. He sent a well-known architect down to make a scale-plan of

the house and grounds; and he dispatched Polton to take photographs of the place from every possible point of view. The latter, indeed, was up to his eyes in work, and enjoying himself amazingly, but as secret as an oyster. As he went about, beaming with happiness and crinkling with self-complacency, he exasperated me to that extent that I could have banged his little head against the wall. In short, though I had watched the development of the case from the beginning, I was still without a glimmer of understanding of it even when I took my seat in court on the morning of the trial.

It was a memorable occasion, and every incident in it is still vivid in my memory. Particularly do I remember looking with a sort of horrified fascination at the female prisoner, standing by her friend in the dock, pale but composed and looking the very type and picture of womanly beauty and dignity; and reflecting with a shudder that the graceful neck—looking longer and more slender from the shortness of the hair—might very probably be, within a matter of days, encircled by the hangman's rope. These lugubrious reflections were interrupted by the entrance of two persons, a man and a woman, who were apparently connected with the case, since as they took their seats they both looked towards the dock and exchanged silent greetings with the prisoners.

“Do you know who those people are, Mayfield?” I asked.

“That is Mr. Julius Wicks, Mr. Bland's partner, and his fiancée, Miss Eugenia Kropp, the film actress,” he replied.

I was about to ask him if they were here to give evidence when, the preliminaries having come to an end, the counsel for the Crown, Sir John Turville, rose and began his opening speech.

It was a good speech and eminently correct; but its very moderation made it the more damaging. It began with an outline of the facts, almost identical with Mayfield's summary, and a statement of the evidence which would presently be given by the principal witnesses.

“And now,” said Sir John, when he had finished his recital, “let us bring these facts to a focus. Considered as a related group, this is what they show us. On the sixteenth of September there is found, concealed under the floor of a certain room in a certain house, the body of a woman who has evidently been murdered. That woman is the separated wife of a man who is on affectionate terms with another woman whom he would admittedly wish to marry and who would be willing to marry him. This murdered woman is, in short, the obstacle to the marriage desired by these two persons. Now the house in which the corpse is concealed is the property of one of those two persons, and both of

them have access to it; and no other person has access to it. Here, then, to begin with, is a set of profoundly suspicious circumstances.

“But there are others far more significant. That unfortunate lady, the unwanted wife of the prisoner, Bland, disappeared mysteriously on the eighteenth of last May; and witnesses will prove that the body was deposited under the floor on or about that date. Now, on or about that same date, in that same house, in that same room, in the same part of that room, those two persons, the prisoners at the bar, were seen by two eminently respectable witnesses in the act of concealing some large object under the floor. What could that object have been? The floor of the room has been taken up and nothing whatever but the corpse of this poor murdered lady has been found under it. The irresistible conclusion is that those two persons were then and there engaged in concealing that corpse.

“To sum up, then, the reasons for believing that the prisoners are guilty of the crime with which they are charged are threefold. They had an intelligible and strong motive to commit that crime; they had the opportunity to commit it; and we have evidence from two eye-witnesses which makes it practically an observed fact that the prisoners did actually commit that crime.”

As the Crown counsel sat down, pending the swearing of the first witness, I turned to Thorndyke and said anxiously:

“I can’t imagine what you are going to reply to that.”

“My reply,” he answered quietly, “will be largely governed by what I am able to elicit in cross-examination.”

Here the first witness was called—the electrician who discovered the body—and gave his evidence, but Thorndyke made no cross-examination. He was followed by the sergeant, who described the discovery in more detail. As the Crown counsel sat down, Thorndyke rose, and I pricked up my ears.

“Have you mentioned everything that you saw or found in this room?” he asked.

“Yes, at that time. Later—on the second of October—I found a small piece of a carbon pencil on the floor of the front room near the window.”

He produced from his pocket an envelope from which he extracted the fragment of the alleged “slate pencil” and passed it to Thorndyke, who, having passed it to the judge with the intimation that he wished it to be put in evidence, sat down. The judge inspected the fragment curiously and then cast an inquisitive glance at Thorndyke—as he had done once or twice before. For my colleague’s appearance in the rôle of counsel was a rare event, and one

usually productive of surprises.

To the long succession of witnesses who followed Thorndyke listened attentively but did not cross-examine. I saw the judge look at him curiously from time to time and my own curiosity grew more and more intense. Evidently he was saving himself up for the crucial witnesses. At length the name of James Brodie was called, and a serious-looking elderly workman entered the box. He gave his evidence clearly and confidently, though with manifest reluctance, and I could see that his vivid description of that sinister scene made a great impression on the jury. When the examination in chief was finished, Thorndyke rose, and the judge settled himself to listen with an air of close attention.

“Have you ever been inside ‘The Larches’?” Thorndyke asked.

“No, sir. I’ve passed the house twice every day for years, but I’ve never been inside it.”

“When you looked in through the shutter, was the room well lighted?”

“No, ’twas very dim. I could only just see what the people were doing.”

“Yet you recognised Miss Annesley quite clearly?”

“Not at first, I didn’t. Not until she came and stood in the archway. The light seemed quite good there.”

“Did you see her come out of the front room and walk to the arch?”

“No. I saw her in the front room and then something must have stopped up the hole, for ’twas all dark. Then the hole got clear again and I saw her standing in the arch. But I only saw her for a moment or two. Then the hole got stopped again and when it opened she was back in the front room.”

“How did you know that the woman in the front room was Miss Annesley? Could you see her face in that dim light?”

“No, but I could tell her by her dress. She wore a striped pinafore with a big, white sailor-collar. Besides, there wasn’t nobody else there.”

“And with regard to Mr. Bland. Did you see him walk out of the front room and up to the arch?”

“No. ’Twas the same as with Miss Annesley. Something kept passing across the hole. I see him in the front room; then I see him in the arch and then I see him in the front room again.”

“When they were in the archway, were they moving or standing still?”

“They both seemed to be standing quite still.”

“Was Miss Annesley looking straight towards you?”

“No. Her face was turned away a little.”

“I want you to look at these photographs and tell us if any of them shows the head in the position in which you saw it.”

He handed a bundle of photographs to the witness, who looked at them, one after another, and at length picked out one.

“That is exactly how she looked,” said he. “She might have been standing for this very picture.”

He passed the photograph to Thorndyke, who noted the number written on it and passed it to the judge, who also noted the number and laid it on his desk. Thorndyke then resumed:

“You say the light was very dim in the front room. Were the electric lamps alight?”

“None that I could see were alight.”

“How many electric lamps could you see?”

“Well, there was three hanging from the ceiling and there was two standards on the mantelpiece and one on the sideboard. None of them was alight.”

“Was there only one standard on the sideboard?”

“There may have been more, but I couldn’t see ’em because I could only see just one corner of the sideboard.”

“Could you see the whole of the mantelpiece?”

“Yes. There was a standard lamp at each end.”

“Could you see anything on the near side of the mantelpiece?”

“There was a table there: a folding table with twisted legs. But I could only see part of that. The side of the arch cut it off.”

“You have said that you could see Miss Annesley quite clearly and could see how she was dressed. Could you see how her hair was arranged?”

“Yes. ’Twas done up on the top of her head in what they calls a bun and there was a sort of a skewer stuck through it.”

As the witness gave this answer, a light broke on me. Not a very clear

light, for the mystery was still unsolved. But I could see that Thorndyke had a very definite strategic plan. And, glancing at the dock, I was immediately aware that the prisoners had seen the light, too.

“You have described what looked like a hole in the floor,” Thorndyke resumed, “where some boards had been raised, near the middle of the room. Was that hole nearer the sideboard or nearer the mantelpiece?”

“It was nearer the mantelpiece,” the witness replied; on which Thorndyke sat down, the witness left the box, and both the judge and the counsel for the prosecution rapidly turned over their notes with evident surprise.

The next witness was Albert Stanton and his evidence was virtually a repetition of Brodie’s; and when, in cross-examination, Thorndyke put over again the same series of questions, he elicited precisely the same answers even to the recognition of the same photograph. And again I began to see a glimmer of light. But only a glimmer.

Stanton being the last of the witnesses for the Crown, his brief re-examination by Sir John Turville completed the case for the prosecution. Thereupon Thorndyke rose and announced that he called witnesses, and forthwith the first of them appeared in the box. This was Frederick Stokes, A.R.I.B.A., architect, and he deposed that he had made a careful survey of the house called “The Larches” at Lower Ditton and prepared a plan on the scale of half an inch to a foot. He swore that the plan—of which he produced the original and a number of lithographed duplicates—was true and exact in every respect. Thorndyke took the plans from him and passing them to the judge asked that the original should be put in evidence and the duplicates handed to the jury.

The next witness was Joseph Barton of Kensington, photographer. He deposed to having taken photographs of Miss Annesley on various occasions, the last being on the twenty-third of last April. He produced copies of them all with the date written on each. He swore that the dates written were the correct dates. The photographs were handed up to the judge, who looked them over, one by one. Suddenly he seemed, as it were, to stiffen and turned quickly from the photographs to his notes; and I knew that he had struck the last portrait—the one with the short hair.

As the photographer left the box, his place was taken by no less a person than our ingenious laboratory assistant; who, having taken his place, beamed on the judge, the jury and the court in general, with a face wreathed in crinkly smiles. Nathaniel Polton, being sworn, deposed that, on the fifteenth of October, he proceeded to “The Larches” at Lower Ditton and took three

photographs of the ground-floor rooms. The first was taken through the right-hand hole of the shutter marked A in the plan; the second through the left-hand hole, and the third from a point inside the back room between the windows and nearer to the window marked B. He produced those photographs with the particulars written on each. He had also made some composite photographs showing the two prisoners dressed as the witnesses, Brodie and Stanton, had described them. The bodies in those photographs were the bodies of Miss Winifred Blake and Mr. Robert Anstey, K.C., respectively. On these bodies the heads of the prisoners had been printed; and here Polton described the method of substitution in detail. The purpose of the photographs was to show that a photograph could be produced with the head of one person and the body of another. He also deposed to having seen and taken possession of two photographs, one of each of the two prisoners, which he found in the bedroom and which he now produced and passed to the judge. And this completed his evidence.

Thorndyke now called the prisoner, Bland, and having elicited from him a sworn denial of the charge, proceeded to examine him respecting the profits from his three picture theatres; which, it appeared, amounted to over six thousand pounds per annum.

“In the event of your death, what becomes of this valuable property?”

“If my wife had been alive it would have gone to her, but as she is dead, it goes to my partner and manager, Mr. Julius Wicks.”

“In whose custody was the house at Ditton while Miss Annesley was in France?”

“In mine. The keys were in my possession.”

“Were the keys ever out of your possession?”

“Only for one day. My partner, Mr. Wicks, asked to be allowed to use the boat for a trip on the river and to take a meal in the house. So I lent him the keys, which he returned the next day.”

After a short cross-examination, Bland returned to the dock and was succeeded by Miss Annesley, who, having given a sworn denial of the charge, described her movements in France and in London about the period of the crime. She also described, in answer to a question, the circumstances under which she had lost her hair.

“Can you remember the date on which this accident happened?” Thorndyke asked.

“Yes. It was on the thirtieth of March. I made a note of the date, so that I could see how long my hair took to grow.”

As Thorndyke sat down, the counsel for the prosecution rose and made a somewhat searching cross-examination, but without in any way shaking the prisoner’s evidence. When this was concluded and Miss Annesley had returned to the dock, Thorndyke rose to address the court for the defence.

“I shall not occupy your time, gentlemen,” he began, “by examining the whole mass of evidence nor by arguing the question of motive. The guilt or innocence of the prisoners turns on the accuracy or inaccuracy of the evidence of the two witnesses, Brodie and Stanton; and to the examination of that evidence I shall confine myself.

“Now that evidence, as you may have noticed, presents some remarkable discrepancies. In the first place, both witnesses describe what they saw in identical terms. They saw exactly the same things in exactly the same relative positions. But this is a physical impossibility, if they were really looking into a room; for they were looking in from different points of view; through different holes, which were two feet six inches apart. But there is another much more striking discrepancy. Both these men have described, most intelligently, fully and clearly, a number of objects in that room which were totally invisible to both of them; and they have described as only partly visible other objects which were in full view. Both witnesses, for instance, have described the mantelpiece with its two standard lamps and a table with twisted legs on the near side of it; and both saw one corner only of the sideboard. But if you look at the architect’s plan and test it with a straight-edge, you will see that neither the mantelpiece nor the table could possibly be seen by either. The whole of that side of the room was hidden from them by the jamb of the arch. While as to the sideboard, the whole of it, with its two standards, was visible to Brodie, and to Stanton the whole of it excepting a small portion of the near side. But further, if you lay the straight-edge on the point marked C and test it against the sides of the arch, you will see that a person standing at that spot would get the exact view described by both the witnesses. I pass round duplicate plans with pencil lines ruled on them; but in case you find any difficulty in following the plans, I have put in the photographs of the room taken by Polton. The first photograph was taken through the hole used by Brodie, and shows exactly what he would have seen on looking through that hole; and you see that it agrees completely with the plan but disagrees totally with his description. The second photograph shows what was visible to Stanton; and the third photograph, taken from the point marked C, shows exactly the view described by both the witnesses, but which neither of them could possibly have seen

under the circumstances stated.

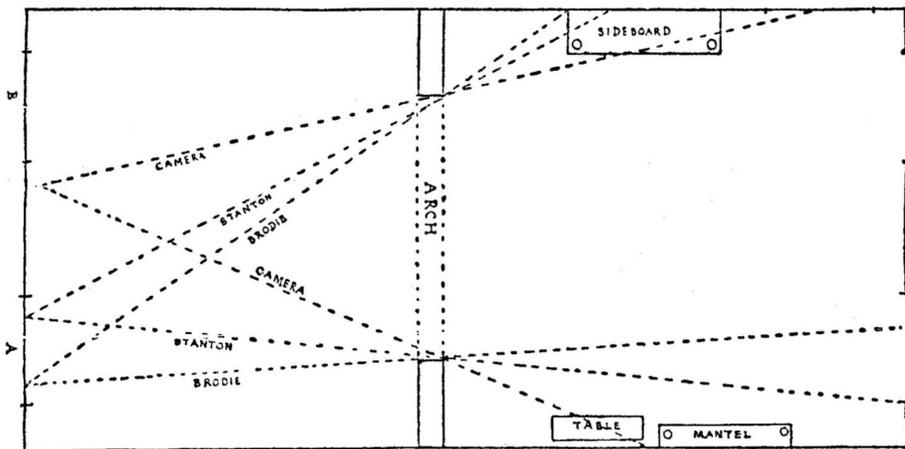
“Now what is the explanation of these extraordinary discrepancies? No one, I suppose, doubts the honesty of these witnesses. I certainly do not. I have no doubt whatever that they were telling the truth to the best of their belief. Yet they have stated that they saw things which it is physically impossible that they could have seen. How can these amazing contradictions be reconciled?”

He paused, and in the breathless silence, I noticed that the judge was gazing at him with an expression of intense expectancy; an expression that was reflected on the jury and indeed on every person present.

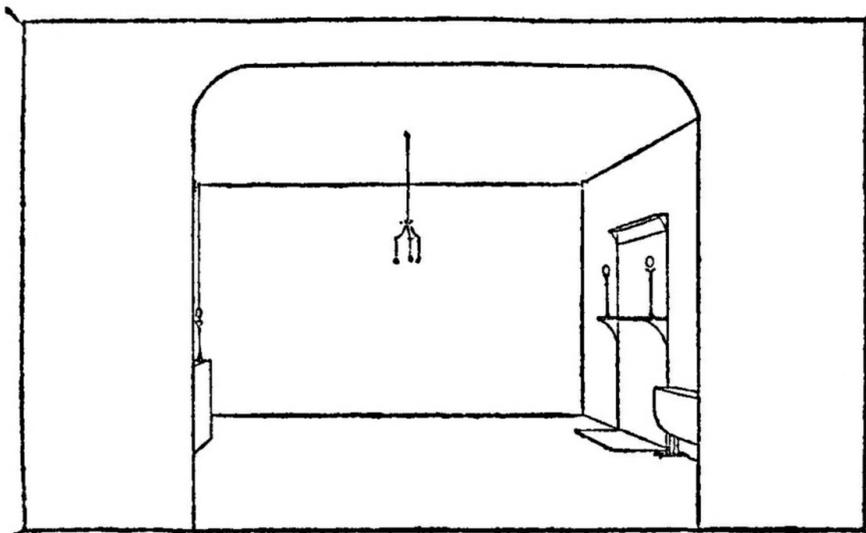
“Well, gentlemen,” he resumed, “there is one explanation which completely reconciles these contradictions; and that explanation also reconciles all the other strange contradictions and discrepancies which you may have noticed. If we assume that these two men, instead of looking through an arch into a room, as they believed, were really looking at a moving picture thrown on a screen stretched across the arch, then all the contradictions vanish. Everything becomes perfectly plain, consistent and understandable.

“Thus both men, from two different points of view, saw exactly the same scene; naturally, if they were both looking at the same picture, but otherwise quite impossible. Again, both men, from the point A, saw a view which was visible only from the point C. Perfectly natural if they were both looking at a picture taken from the point C; for a picture is the same picture from whatever point of view it is seen. But otherwise a physical impossibility.

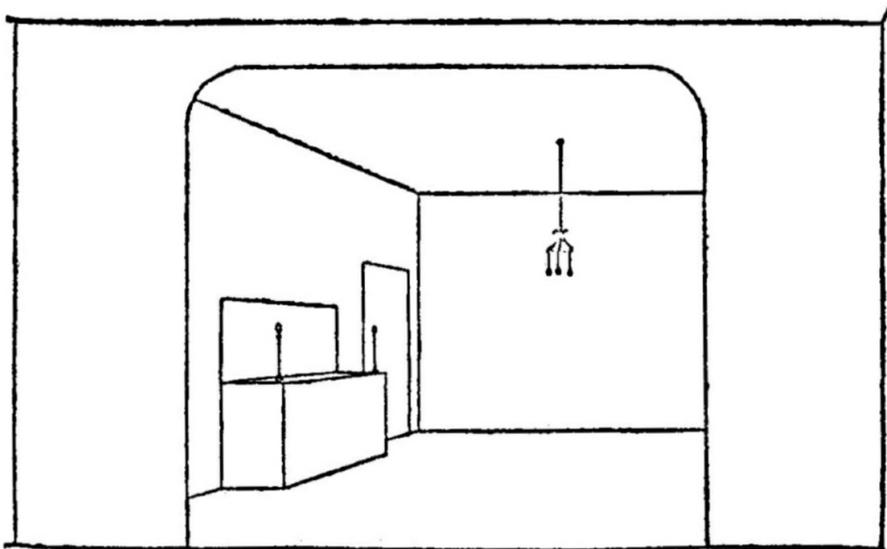
“You may object that these men would have seen the difference between a picture and a real room. Perhaps they would, even in that dim light—if they had looked at the scene with both eyes. But each man was looking with only one eye—through a small hole. Now it requires the use of both eyes to distinguish between a solid object and a flat picture. To a one-eyed man there is no difference—which is probably the reason that one-eyed artists are such accurate draughtsmen; they see the world around them as a flat picture, just as they draw it, whereas a two-eyed artist has to turn the solid into the flat. For the same reason, if you look at a picture with one eye shut it tends to look solid, really because the frame and the solid objects around it have gone flat. So that, if this picture was coloured, as it must have been, it would have been indistinguishable, to these one-eyed observers, from the solid reality.



PLAN OF THE ROOM.



THE ROOM AS DESCRIBED BY BRODIE.



THE ROOM AS SEEN FROM BRODIE'S SPYHOLE.

“Then, let us see how the other contradictions disappear. There is the appearance of the prisoner Annesley. She was seen—on or after the eighteenth of May—with her long hair coiled on the top of her head. But at that date her hair was quite short. You have heard the evidence and you have the photograph taken on the twenty-third of April showing her with short hair, like a man’s. Here is a contradiction which vanishes at once if you realise that these men were not looking at Miss Annesley at all, but at a photograph of her taken more than a year previously.

“And everything agrees with this assumption. The appearance of Miss Annesley has been declared by the witnesses to be identical with that photograph—a copy of which was in the house and could have been copied by anyone who had access to the house. Her figure was perfectly stationary. She appeared suddenly in the arch and then disappeared; she was not seen to come or to go. And the light kept coming and going, with intervals of darkness which are inexplicable, but that exactly fitted these appearances and disappearances. Then the figure was well lighted, though the room was nearly dark. Of course it was well lighted. It had to be recognised. And of course the rest of the room was dimly lighted, because the film-actors in the background had to be unrecognised.

“Then there is the extraordinary dress; the striped pinafore with the great white collar and the painter’s blouse worn by Bland. Why this ridiculous masquerade? Its purpose is obvious. It was to make these observers believe that the portraits in the arch—which they mistook for real people—were the same persons as the film-actors in the background, whose features they could not distinguish. And Mr. Polton has shown us how the clothing of the portraits was managed.

“Then there is the lighting of the room. How was it lighted? None of the electric lamps was alight. *But*—a piece of a carbon pencil from an arc lamp, such as cinematographers use, has been found near the point C, from which spot the picture would have been taken and exhibited; and the electric light meter showed, about this date, an unaccountable leakage of current such as would be explained by the use of an arc lamp.

“Then the evidence of the witnesses shows the hole in the floor in the wrong place. Of course it could not have been a real hole, for the gas and electric mains were just underneath. It was probably an oblong of black paper. But why was it in the wrong place? The explanation, I suggest, is that the picture was taken before the murder (and probably shown before the murder, too); that the spot shown was the one in which it was intended to bury the body, but that when the floor was taken up after the murder, the mains were

found underneath and a new spot had to be chosen.

“Finally—as to the discrepancies—what has become of the third spectator? The mysterious man who came to the gate and called in these two men from the lane—along which they were known to pass every day at about the same time? Who is this mysterious individual? And where is he? Can we give him a name? Can we say that he is at this moment in this court, sitting amongst the spectators, listening to the pleadings in defence of his innocent victims, the prisoners who stand at the bar on their deliverance? I affirm, gentlemen, that we can. And more than that it is not permitted to me to say.”

He paused, and a strange, impressive hush fell on the court. Men and women furtively looked about them; the jury stared openly into the body of the court, and the judge, looking up from his notes, cast a searching glance among the spectators. Suddenly my eye lighted on Mr. Wicks and his fiancée. The man was wiping away the sweat that streamed down his ashen, ghastly face; the woman had rested her head in her hands, and was trembling as if in an ague-fit.

I was not the only observer. One after another—spectators, ushers, jurymen, counsel, judge—noticed the terror-stricken pair, until every eye in the court was turned on them. And the silence that fell on the place was like the silence of the grave.

It was a dramatic moment. The air was electric; the crowded court tense with emotion. And Thorndyke, looking, with his commanding figure and severe, impassive face, like a personification of Fate and Justice, stood awhile motionless and silent, letting emotion set the coping-stone on reason.

At length he resumed his address. “Before concluding,” he began, “I have to say a few words on another aspect of the case. The learned counsel for the prosecution, referring to the motive for this crime, has suggested a desire on the part of the prisoners to remove the obstacle to their marriage. But it has been given in evidence that there are other persons who had a yet stronger and more definite motive for getting rid of the deceased Lucy Bland. You have heard that in the event of Bland’s death, his partner, Julius Wicks, stood to inherit property of the value of six thousand pounds per annum, provided that Bland’s wife was already dead. Now, the murder of Lucy Bland has fulfilled one of the conditions for the devolution of this property; and if you should convict and his lordship should sentence the prisoner, Bland, then his death on the gallows would fulfil the other condition and this great property would pass to his partner, Julius Wicks. This is a material point; as is also the fact that Julius Wicks is, as you have heard, an expert film-producer and kinema operator; that he has been proved to have had access to the house at Ditton, and

that he is engaged to a film-actress.

“In conclusion, I submit that the evidence of Brodie and Stanton makes it certain that they were looking at a moving picture, and that all the other evidence confirms that certainty. But the evidence of this moving picture is the evidence of a conspiracy to throw suspicion on the prisoners. But a conspiracy implies conspirators. And there can be no doubt that those conspirators were the actual murderers of Lucy Bland. But if this be so, and I affirm that there can be no possible doubt that it is so, then it follows that the prisoners are innocent of the crime with which they are charged, and I accordingly ask you for a verdict of ‘Not Guilty.’ ”

As Thorndyke sat down a faint hum arose in the court; but still all eyes were turned towards Wicks and Eugenia Kropp. A moment later the pair rose and walked unsteadily towards the door. But here, I noticed, Superintendent Miller had suddenly appeared and stood at the portal with a uniformed constable. As Wicks and Miss Kropp reached the door, I saw the constable shake his head. With, or without authority, he was refusing to let them leave the court. There was a brief pause. Suddenly there broke out a confused uproar; a scuffle, a loud shriek, the report of a pistol and the shattering of glass; and then I saw Miller grasping the man’s wrists and pinning him to the wall, while the shrieking woman struggled with the constable to get to the door.

After the removal of the disturbers—in custody—events moved swiftly. The Crown counsel’s reply was brief and colourless, practically abandoning the charge, while the judge’s summing-up was a mere précis of Thorndyke’s argument with a plain direction for an acquittal. But nothing more was needed; for the jury had so clearly made up their minds that the clerk had hardly uttered his challenge when the foreman replied with the verdict of “Not Guilty.” A minute later, when the applause had subsided and after brief congratulations by the judge, the prisoners came down from the dock, into the court, moist-eyed but smiling, to wring Thorndyke’s hands and thank him for this wonderful deliverance.

“Yes,” agreed Mayfield—himself disposed furtively to wipe his eyes—“that is the word. It was wonderful. And yet it was all so obvious—when you knew.”

THE END

TRANSCRIBER NOTES

This story is Number Twenty Five from the book
“The Famous Cases of Dr. Thorndyke
Thirty-seven of his criminal
investigations as set down by
R. Austin Freeman.”

also known as

“Dr. Thorndyke His Famous Cases as
Described by R. Austin Freeman”.

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Misspelled words and printer errors have been corrected. Where multiple spellings occur, majority use has been employed.

Punctuation has been maintained except where obvious printer errors occur.

Illustrations have been moved to assist with flow of the narrative.

Book name and author have been added to the original book cover, together with the name and number of this story. The resulting cover is placed in the public domain.

[The end of *Phyllis Annesley's Peril* by Richard Austin Freeman]