

think, a not unattractive man, made the acquaintance of Miss Emily French, a woman of fifty-six. How he was treated by her with kindness and even with affection. The nature of that affection you will have to decide for yourselves. Dr. Wyatt will tell you that in his opinion death occurred at some time between nine-thirty and ten on the night of the fourteenth of October last. You will hear the evidence of Janet MacKenzie, who was Miss French's faithful and devoted housekeeper. The fourteenth of October – it was a Friday – was Janet MacKenzie's night out, but on this occasion she happened to return for a few minutes at nine twenty-five. She let herself in with a key and upon going upstairs to her room she passed the door of the sitting-room. She will tell you that in the sitting-room she heard the voices of Miss French and of the prisoner, Leonard Vole.

**LEONARD.** *(rising)* That's not true. It wasn't me.

*(The WARDER restrains LEONARD and makes him resume his seat.)*

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

*(The INSPECTOR rises. He holds a file of papers which he refers to often during the scene. He hands a typewritten*

*sheet to the CLERK and another to the STENOGRAPHER. He then enters the witness box. The CLERK hands the sheet to the JUDGE. The USHER rises, crosses and stands by the witness box. The INSPECTOR picks up the oath card and Bible from the ledge of the box.)*

**INSPECTOR.** I swear by Almighty God that the evidence that I shall give shall be the truth, the whole truth and nothing but the truth. Robert Hearne, Detective Inspector, Criminal Investigation Department, New Scotland Yard.

*(He puts the Bible and oath card on the ledge of the box.)*

*(The USHER crosses and sits on his stool.)*

**MYERS.** Now, Inspector Hearne, on the evening of the fourteenth October last were you on duty when you received an emergency call?

**INSPECTOR.** Yes, sir.

**MYERS.** What did you do?

**INSPECTOR.** With Sergeant Randell I proceeded to twenty-three Ashburn Grove. I was admitted to the house and established that the occupant, whom I later ascertained was Miss Emily French, was dead. She was lying on her face, and had received severe injuries to the back of her head. An attempt had been made to force one of the windows with some implement that might have been a chisel. The window had been broken near the catch. There was glass strewn about the floor, and I also later found fragments of glass on the ground outside the window.

**MYERS.** Is there any particular significance in finding glass both inside and outside the window?

**INSPECTOR.** The glass outside was not consistent with the window having been forced from outside.

**MYERS.** You mean that if it had been forced from the inside there had been an attempt to make it look as though it had been done from the outside?

**SIR WILFRID.** (*rising*) I object. My learned friend is putting words into the witness' mouth. He really must observe the rules of evidence. (*He resumes his seat.*)

**MYERS.** (*to the INSPECTOR*) You have been engaged on several cases of burglary and housebreaking?

**INSPECTOR.** Yes, sir.

**MYERS.** And in your experience when a window is forced from the outside, where is the glass?

**INSPECTOR.** On the inside.

**MYERS.** In any other case where the windows have been forced from the outside, have you found glass on the outside of the window some distance below, on the ground?

**INSPECTOR.** No.

**MYERS.** No. Will you go on?

**INSPECTOR.** A search was made, photographs were taken, the place was fingerprinted.

**MYERS.** What fingerprints did you discover?

**INSPECTOR.** Those of Miss Emily French herself, those of Janet MacKenzie and some which proved later to be those of the prisoner, Leonard Vole.

**MYERS.** No others?

**INSPECTOR.** No others.

**MYERS.** Did you subsequently have an interview with Mr. Leonard Vole?

**INSPECTOR.** Yes, sir. Janet MacKenzie was not able to give me his address, but as a result of a broadcast and a newspaper appeal, Mr. Leonard Vole came and saw me.

**MYERS.** And on October the twentieth, when arrested, what did the prisoner say?

**INSPECTOR.** He replied, "O.K. I'm ready."

**MYERS.** Now, Inspector, you say the room had the appearance of a robbery having been committed?

**SIR WILFRID.** (*rising*) That is just what the Inspector did not say. (*to the JUDGE*) If your lordship remembers,

that was a suggestion made by my friend – and quite improperly made – to which I objected.

**JUDGE.** You are quite right, Sir Wilfrid.

(*MYERS sits.*)

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

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

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

**SIR WILFRID.** (*rising*) My lord, I really must continue my objection. My learned friend is again seeking to obtain an opinion from this witness. (*He sits.*)

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

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

**INSPECTOR.** Only the glass, sir.

**MYERS.** Nothing else?

**INSPECTOR.** No, sir, there was nothing else.

**JUDGE.** We all seem to have drawn a blank there, Mr. Myers.

**MYERS.** Was Miss French wearing jewellery of any value?

**INSPECTOR.** She was wearing a diamond brooch, two diamond rings, value of about nine hundred pounds.

**MYERS.** And these were left untouched?

**INSPECTOR.** Yes, sir.

**MYERS.** Was in fact anything taken?