



## THE CASE FOR THE DEFENCE

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It was the strangest murder trial I ever attended. They named it the Peckham murder in the headlines, though Northwood Street, where the old woman was found battered to death, was not strictly speaking in Peckham. This was not one of those cases of circumstantial evidence in which you feel the jurymen's anxiety because mistakes have been made - like domes of silence muting the court. No, this murderer was all but found with the body: no one present when the Crown counsel outlined his case believed that the man in the dock stood any chance at all.

He was a heavy stout man with bulging bloodshot eyes. All his muscles seemed to be in his thighs. Yes, an ugly customer, one you wouldn't forget in a hurry - and that was an important point because the Crown proposed to call four witnesses who hadn't forgotten him, who had seen him hurrying away from the little red villa in Northwood Street. The clock had just struck two in the morning.

Mrs Salmon in 15 Northwood Street had been unable to sleep: she heard a door click shut and thought it was her own gate. So she went to the window and saw Adams (that was his name) on the steps of Mrs Parker's house. He had just come out and he was wearing gloves. He had a hammer in his hand and she saw him drop it into the laurel bushes by the front gate. But before he moved away, he had looked up - at her window. The fatal instinct that tells a man when he is watched exposed him in the light of a street-lamp to her gaze - his eyes suffused with horrifying and brutal fear, like an animal's when you raise a whip. I talked afterwards to Mrs Salmon, who naturally after the astonishing verdict went in fear herself. As I imagine did all the witnesses Henry MacDougall, who had been driving home from Benfleet late and nearly ran Adams down at the corner of Northwood Street. Adams was walking in the middle of the road looking dazed. And old Mr Wheeler, who lived next door to Mrs Parker, at No. 12, and was wakened by a noise - like a chair falling - through the thin-as-paper villa wall, and got up and looked out of the window, just as Mrs Salmon had done, saw Adams's back and, as he turned, those bulging eyes. In Laurel Avenue he had been seen by yet another witness - his luck was badly out; he might as well have committed the crime in broad daylight.

'I understand,' counsel said, 'that the defence proposes to plead mistaken identity. Adams's wife will tell you that he was with her at two in the morning on February 14, but after you have heard the witnesses for the Crown and examined carefully the features of the prisoner, I do not think you will be prepared to admit the possibility of a mistake.'

It was all over, you would have said, but the hanging.

After the formal evidence had been given by the policeman who had found the body and the surgeon who examined it, Mrs Salmon was called. She was the ideal witness, with her slight Scotch accent and her expression of honesty, care and kindness.

The counsel for the Crown brought the story gently out. She spoke very firmly. There was no malice in her, and no sense of importance at standing there in the Central Criminal Court with a judge in scarlet hanging on her words and the reporters writing them down. Yes, she said, and then she had gone downstairs and rung up the police station.

'And do you see the man here in court?'

She looked straight at the big man in the dock, who stared hard at her with his Pekingese eyes without emotion.

'Yes,' she said, 'there he is.'

`You are quite certain?'

She said simply, `I couldn't be mistaken, sir.'

It was all as easy as that.

`Thank you, Mrs Salmon.'

Counsel for the defence rose to cross-examine. If you had reported as many murder trials as I have, you would have known beforehand what line he would take. And I was right, up to a point.

`Now, Mrs Salmon, you must remember that a man's life may depend on your evidence.'

`I do remember it, sir.'

`Is your eyesight good?'

`I have never had to wear spectacles, sir.'

`You are a woman of fifty-five?'

`Fifty-six, sir.'

`And the man you saw was on the other side of the road?'

`Yes, sir.'

`And it was two o'clock in the morning. You must have remarkable eyes, Mrs Salmon?'

`No, sir. There was moonlight, and when the man looked up, he had the lamplight on his face.'

`And you have no doubt whatever that the man you saw is the prisoner?'

I couldn't make out what he was at. He couldn't have expected any other answer than the one he got.

`None whatever, sir. It isn't a face one forgets.'

Counsel took a look round the court for a moment. Then he said, `Do you mind, Mrs Salmon, examining again the people in court? No, not the prisoner. Stand up, please, Mr Adams,' and there at the back of the court with thick stout body and muscular legs and a pair of bulging eyes, was the exact image of the man in the dock. He was even dressed the same - tight blue suit and striped tie.

`Now think very carefully, Mrs Salmon. Can you still swear that the man you saw drop the hammer in Mrs Parker's garden was the prisoner - and not this man, who is his twin brother?'

Of course she couldn't. She looked from one to the other and didn't say a word.

There the big brute sat in the dock with his legs crossed, and there he stood too at the back of the court and they both stared at Mrs Salmon. She shook her head.

What we saw then was the end of the case. There wasn't a witness prepared to swear that it was the prisoner he'd seen. And the brother? He had his alibi, too; he was with his wife.

And so the man was acquitted for lack of evidence. But whether - if he did the murder and not his brother - he was punished or not, I don't know. That extraordinary day had an extraordinary end. I followed Mrs Salmon out of court and we got wedged in the crowd who were waiting, of course, for the twins. The police tried to drive the crowd away, but all they could do was keep the road-way clear for traffic. I learned later that they tried to get the twins to leave by a back way, but they wouldn't. One of them - no one knew which - said, `I've been acquitted, haven't I?' and they walked bang out of the front entrance. Then it happened. I don't know how, though I was only six feet away. The crowd moved and somehow one of the twins got pushed on to the road right in front of a bus.

He gave a squeal like a rabbit and that was all; he was dead, his skull smashed just as Mrs Parker's had been. Divine vengeance? I wish I knew. There was the other Adams getting on his feet from beside the body and looking straight over at Mrs Salmon. He was crying, but whether he was the murderer or the innocent man nobody will ever be able to tell. But if you were Mrs Salmon, could you sleep at night?