



# Trial and Error

HOW CAN A MURDERER PROVE HIS OWN GUILT?



ANTHONY BERKELEY

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ANTHONY BERKELEY

## ABOUT THE AUTHOR

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Founder of the prestigious, and still flourishing, Detection Club, Anthony Berkeley Cox (1893-1971) was one of the most innovative crime writers of the so-called 'golden age' and beyond. He used the pseudonyms Anthony Berkeley and Francis Iles, and in both guises he explored the psychology of crime.

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## SYMPOSIUM

“ ‘The sanctity of Human Life has been much exaggerated,’ ” quoted Ferrers. “Just think what courage it took to say that, to a crowd of confirmed sentimentalists—professional sentimentalists, some of ’em.”

“And you believe it’s true?” asked the Rev. Jack Denney.

“Of course it’s true.”

“Ah well, I suppose it’s part of your profession as a journalist to be cynical.” The clergyman smiled and sipped his port.

Ferrers smiled suavely back, touching the elegant bow of his black tie. He was not a journalist unless the literary editor of one of London’s oldest and most dignified literary weeklies could be so described; and he recognised the jibe hidden in the meiosis. He and Jack Denney were old antagonists.

“Just as it’s part of your profession as a parson to be sentimental, Jack,” he returned provocatively.

“Perhaps, perhaps.” The clergyman refused the challenge.

On the other side of the table a soldier and a retired Indian civilian were discussing the New Youth.

Major Barrington, a tall, good-looking man with a clipped grey moustache, had retired from the regular army soon after the war to take up a diplomatic appointment and not long ago had married one of the comparatively New Youth, so that he might be expected to know something about the genuineness of Dale, the civilian, having returned from India with a prewar mind, was frankly bewildered by them; they seemed to speak almost a different language from the Old Youth whom he had known.

He had caught an echo from the other side of the table and used it to help his own argument. ‘Sanctity of human life!’ he snorted, ruffling the grey hair which tumbled over his forehead like a sheep dog’s. “There you are. A sign of the times. Just what I was saying. They’re so fond of their own precious skins nowadays that nothing else counts in comparison. But of course they have to wrap it up in some high-sounding phrase like ‘the sanctity of human life.’ ”

“I will say for ’em, they’re careful for other people’s skins as well as their own,” defended the major. “I don’t think it’s all selfishness, you know.”

Mr Todhunter, like a good host, saw his opportunity to make the discussion general. He poked forward his small round bald head, which was balanced on the top of his gaunt frame rather like a potato that has been left out of its sack, and peered through his glasses at the civilian.

“Then you agree with Ferrers, Dale, that the sanctity of human life has been much exaggerated?” he asked.

“Oh well, I didn’t say quite that, you know.”

“But you implied it,” pointed out Ferrers. “Be a man and admit that you meant it too.”

“Well, all right. Perhaps I did.”

“Of course. Any sensible man must. It’s only sentimentalists like Jack here who pretend to believe that the life of some stupid oaf is a sacred thing. Eh, Major?”

“I think you want to draw the net a bit closer,” opined the major. “I won’t argue for or against plain stupidity; but if you’d said, stupidity of the kind that’s a danger to other people, I’m with you every time.”

“There you are, Jack, you see.” Ferrers smiled his eighteenth-century smile and sketched a

unconscious little bow. Ferrers was perfect eighteenth century. "The major's a brave man, as a soldier ought to be. It takes a brave man to say straight out what all of us think: that the best thing that can happen to the stupid motorist, for instance, is that he should get killed—as quickly as possible, and against a telegraph pole—for the benefit of all the rest of us. But you think his life, which he uses to our danger, is sacred?"

"I do, certainly." The Rev. Mr Denney leaned his rotund little form comfortably back in his chair and smiled at his neighbour with that bland conviction of being in the right, against all proof and all logic, which is so exasperating to those foolish enough to argue with the clergy.

Major Barrington twiddled the stem of his wineglass. "I wasn't thinking so much of the foolish motorist. But take the case of a statesman Johnny who's going to plunge his country into war. Say that he alone can prevent it and he won't. He's going to cause the loss of hundreds of thousands of lives, sacred or not, as you like. And supposing some patriotic assassin comes along and wipes him out from the best motives. Well, would you say that was a wicked thing to do? Would you still think the statesman's life a sacred thing, in itself, irrespective of how he was going to use it?"

"Good old army," murmured Ferrers courteously. "He's got you there, Jack."

"Do evil that good may come?" The clergyman twiddled the stem of his wineglass. "Well, that's a very old problem, isn't it?"

"No doubt," agreed Ferrers. "But let's hear your views on it."

"I've often thought, you know, that that was really the best way to stop war," put in a diffident voice from the other end of the table. "I mean, threaten one or two of the leading statesmen with assassination if they declared it. But of course you'd have to make them believe that you meant it."

"That implies a very low opinion of statesmen," smiled the clergyman.

"Well, I think we all have that nowadays, haven't we?" suggested Mr Ambrose Chitterwick with the same diffidence.

"Yes," said Mr Todhunter, "but I'm inclined to agree with you, Major, that it's the way in which a life may be used, rather than the actual fact of existence itself, that may constitute the sacred element. And that raises an interesting point. What is the best use to which a life may be put?"

The others listened politely, as one does to one's host; but the general feeling obviously was that the question had not done Mr Todhunter justice.

"Surely," suggested the clergyman, "there can't be any doubt about that."

"You mean, in the service of humanity?"

"Certainly."

"Yes, of course. But service in what particular direction? There are two, you see: to some extent positive and negative. I mean, the bestowal of benefits or the removal of menace. And would it be better to aim at benefiting the whole of humanity or a very large body such as a nation, which must be a hit-or-miss affair, or concentrate on a much smaller group of people with a correspondingly great chance of achieving something?"

"Dear me, you're opening up very large questions there."

"But rather academic?" suggested Ferrers.

The others looked as if they had understood what the questions were.

"Academic?" repeated Mr Todhunter. "Not at all. I'll give you a concrete instance if I can. Let me see. Yes. Take the case of a man whose doctor has given him only a few months to live. He——"

"I seem to have met some such situation before," laughed Ferrers. "And I'll tell you what inevitably happens. Rendered reckless by this knowledge of his approaching end, the man, who by the way is generally a feeble, henpecked, downtrodden fellow, suddenly develops powers hitherto quite unknown to himself, engages in a desperate struggle with a super-villain, knocks out his gang singlehandedly, falls in love with an incredibly beautiful girl whom he at first believes to be a member of the gang and



then discovers chained to the wall in a cellar with the water up to her chin, is unable to marry him because of his coming death—and discovers at the last minute that the doctor was wrong all the time. Is that what you mean?”

“Yes, of course the situation has been used often enough in fiction,” agreed Mr Todhunter with a polite smile. “Nevertheless it must happen still more often in real life. After all, there are many incurable diseases. And supposing, for the sake of my concrete instance, that there is such a man and that he wishes, in the few months that remain to him, to do the best that he can for his fellows: dedicate these last months, we may say, to some great service on their behalf. What do you think would be the best thing he could do?”

Mr Todhunter had addressed his question rather vaguely to the company at large rather than to any particular member, and answers came with tolerable promptitude from each.

“Shoot Mussolini,” said Major Barrington without hesitation. “He’s a great man, I’m convinced, but he’s a menace to the whole world.”

“No, Hitler,” corrected the Indian civilian. “Hitler’s the real menace. Besides, I’ve always found Jews very decent fellows. Though a better job still might be to wipe out all the leaders of the military party in Japan. Our own fellows are too contemptible to be worth bothering about.”

“Personally, I don’t believe in political assassination,” said Ferrers. “Wiping out Hitler would not necessarily destroy Hitlerism. These movements have to play themselves out. No, I think if I were in that situation I should be inclined to eliminate some perhaps quite insignificant person who was deliberately making the lives of a small group of persons intolerable. On balance, I believe that the sum total of benefit would be greater than in wiping out some dictator who is really only the mouthpiece of a movement.”

“I agree,” said Mr Chitterwick, as if thankful at being helped towards a decision. “Unless of course there was some definite case at hand of a statesman who was personally manoeuvring his country into war and whose removal would avert it.”

Mr Todhunter looked at the clergyman. “And you, Denney?”

“I? Well, you can hardly expect me to join in this general call for violence. I would offer myself to the research department of a hospital for dangerous experiments which could not be carried out on anyone not under expectation of speedy death. And I’m convinced I should be more use to my fellow creatures than any of you blood-and-thunder merchants.”

Mr Todhunter looked acutely interested. “That is quite a new idea,” he said.

No one seemed to notice that Mr Todhunter himself had put forward no view of his own.

“You’re wrong as usual, Jack,” bantered Ferrers. “For one thing no hospital would make use of you. I can promise you that; the outcry, if an experiment proved too dangerous, would be far too serious a risk. And in any case you’d be little or no use. There must be precious few experiments, if any, for which a human being is indispensable and no animal would do.”

“Are you sure of that?” asked Mr Todhunter seriously.

“I’m positive.”

The clergyman shrugged his shoulders. “Well, the whole question’s only academic.”

“Of course,” agreed Mr Todhunter at once. “Nevertheless, don’t you think it’s interesting that out of five people voting, four are for elimination; what I called the negative direction: benefiting through removal of an existing evil rather than increasing the supply of good. In other words, murder. Which seems to bring us back to where we started, the sanctity of human life.”

Mr Todhunter poured himself out another glass of port and circulated the decanter. Mr Todhunter had no wife and was therefore at liberty to sit over his dinner table just as long as he pleased; and there were in any case this evening no ladies to join.

With the second circulation of the decanter the attitudes of the others became more relaxed.

pleasantly academic subject for argument had been found, the port was good, and the absence of impatient ladies elsewhere seemed a goodly thing.

“Very well,” said Ferrers. “To bring the wheel full circle, I’ll repeat that ‘the sanctity of human life has been much exaggerated.’ And this time I’ll ask anyone who disagrees to tell me what sanctity there is in the continued existence of the worst type of moneylender, of a blackmailer, of a syphilitic seducer of young girls, of a Jack-in-office who curries favour with a stupid employer by throwing on the street decent, hard-working men with wives and families—” Ferrers’s voice had become unusually bitter. He looked round the table and seemed to collect himself. “Yes, if you like, even of incurable lunatics of the idiot type. Well, Jack?”

“You mean, you’d set yourself up as a judge of life and death?” counterthrust the clergyman.

“Why not? I should make a very good judge.”

“And your aim would be to eliminate these people, rather than reform them?”

“If I considered them unreformable.”

“So you’d be not only a judge of life and death, but of the potentialities for good and evil of the human soul itself?”

Ferrers refused to be intimidated. “Certainly. They’re not so difficult to size up as you’re suggesting.”

“I wish I had your confidence.”

“Ah, but then you’re handicapped professionally, you see. You have to believe—or pretend to believe—that the souls of blackmailers, usurers and seducers are redeemable. I don’t. And even if they were, the process would be too long and costly to be worth it, so far as the rest of the community concerned.”

“And you still think that the greatest good a man can do, in such a case as I put forward, is to eliminate a source of evil?” put in Mr Todhunter with his usual earnestness.

“Source of misery or injustice,” corrected Ferrers. “I’m not concerned with abstract evil. Yes, I do. In fact I’m convinced. In anything from a political system to the human body the bad must be cut out before the good can be increased. To go about the job the other way round is to nullify your work. You agree with me, Major?”

“I do, yes. Yes, I think that’s sound enough.”

“Absolutely,” pronounced the civilian.

Everyone looked at Mr Chitterwick, who blushed.

“Yes, I—I’m afraid I must agree too. It sounds distressing, in a way; but we must take things as they are, not as we would prefer them to be.”

“Then that seems one point established,” Mr Todhunter summed up. “With its corollaries it amounts to this: that the sanctity of human life has exceptions and that the greatest good a man could do is to eliminate a selected evildoer whose death must fulfil the condition of changing misery into happiness for a larger or smaller group of persons. That is the general opinion?”

“With one dissentient,” said the clergyman firmly. “You’ve made out a very specious case for murder, but there’s one insuperable answer to it: murder can never be justified, in any circumstances at all.”

“Oh, come, sir,” objected the major. “That’s not an argument, is it? It’s merely an assertion incapable of proof. I mean, I might just as well say that sometimes murder can be justified. It’s a dead end.”

Ferrers’s eyes twinkled. “Do you mean to say, Major, that you haven’t yet discovered that nine tenths of Jack’s arguments are only assertions? What else can a poor parson do when he’s called upon to defend what no one can prove? He can only fall back on repeating what he considers to be axioms. And if we don’t accept them as axioms of course there’s a dead end.”

"You'd be a better man if you did accept some of them, Lionel," retorted the parson amiably.

"I doubt it. But of course you have to say so."

"Yes," said Mr Todhunter. "Then what it all amounts to is that the man with only a few months to live can't do anything better than commit a murder, of the type defined. You really believe that?"

"I'm not going to run away from a nasty word," Ferrers smiled. "Whether you call it murder or elimination, that's what I believe."

"A man in such a position would be well placed to commit a righteous murder, wouldn't he?" hazarded Mr Chitterwick. "I mean, if he timed it properly there would be no fear of the strongest practical argument against murder—the hangman."

"Yes, that is perfectly true," said Mr Todhunter with interest. "But if we decide on murder, what kind of murder is he to commit? Two of you seemed to be in favour of a political murder, with the idea of benefiting the whole world, or at any rate a whole nation, and two preferred the private murder. It would be interesting to hear the arguments on either side."

"Oh, I withdraw Mussolini," Major Barrington offered. "I didn't make the suggestion very seriously. Besides, it's more than I'd care to do, to take the responsibility of deciding whether Mussolini or a Hitler doesn't fulfill some need in the world today, if only on the principle that things have got to be worse before they can be bettered. In other words, like Ferrers, I don't believe in political assassination."

"And you, Dale?"

"Well, if the major withdraws Mussolini I'll withdraw my candidate. Though I must say I'd like to see every dishonest politician in this country shot."

"Would there be any left?" smiled Ferrers.

"Oh, come now," protested the clergyman. "There'd be Stanley Baldwin."

"And his pipe."

"Of peace, yes."

"Peace at any price—even fifteen hundred million pounds. Yes, and his pigs. Well, they'd be useful to fill up the vacancies in the cabinet. We should never notice the difference."

"Oh yes, we should," grinned the major. "Pigs wouldn't sign outrageous agreements with French prime ministers and let us down with a thud all over the world and then have to be publicly disowned. Pigs would have their uses."

"Yes," said Mr Todhunter. "Then the idea now seems to be that the private murder is to be preferred to the political assassination. Well, it would be interesting to hear what kind of private person would confer most benefits on his fellow creatures by dying."

"A newspaper proprietor who deliberately deceives his readers to further his own ends," suggested the major.

"Wouldn't that mean all newspaper proprietors?" asked Mr Chitterwick with unwonted cynicism.

Ferrers looked pained.

"Oh, we'll except the *London Review* of course," the clergyman told him. "We all know that the *London Review* stands alone in the newspaper world. Lionel wouldn't be working for it otherwise."

"The *London Review* isn't a newspaper," Ferrers pointed out.

"Well, my vote would be for a really vindictive anonymous letter writer," said Dale. "No one does more harm, and no one is more difficult to bring to justice."

"Except a blackmailer, don't you think?" supplied Mr Chitterwick.

"Well, you ought to know something about murder, Chitterwick," Ferrers said. "Two, isn't it, that you've been mixed up in?"

"Well, yes, I suppose so, in a way," agreed Mr Chitterwick uneasily. "But. . ."

"No, no. All in confidence. Between friends and so on. Guaranteed not for publication. Come on."

Protesting, Mr Chitterwick was bullied into relating one or two of his experiences.

~~The decanter circulated for the third time.~~

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Mr Todhunter allowed the discussion to drop. Any further attempts to keep it going would, he felt, look suspicious. In any case he had learned what he wanted to know.

For Mr Todhunter had been told by his doctor a week ago that he could not possibly live for more than a few months; and he had called together this carefully chosen group of assorted persons to advise him, all unwittingly, what to do with the time that remained to him.

And greatly to Mr Todhunter's surprise, it appeared that he had been advised, with remarkable unanimity, to commit a murder.

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# **PART I**

**Picaresque**

**MR TODHUNTER IN  
SEARCH OF A VICTIM**

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# CHAPTER I

When Mr Lawrence Todhunter learned from his doctor that he was suffering from an aortic aneurism and must not expect to live for more than a few months, his first feeling had been one of incredulity.

“Well, how old are you?” asked the doctor, seeing his unbelief.

“Fifty-one,” said Mr Todhunter, buttoning his shirt again over his bony chest.

“Exactly. And you’ve never been very fit.”

“Of late years,” agreed Mr Todhunter solemnly, “no, certainly not.”

The doctor swung his stethoscope. “Well, what can you expect? Your blood pressure’s been too high for years. If you hadn’t followed my directions so carefully, you’d have been dead long ago.” The doctor, an old friend, spoke with what seemed to Mr Todhunter unseemly callousness.

He produced what was intended for a cynical laugh but which sounded to his own ears more like a cackle of rather cheap bravado. “Yes, but to be told that one can’t last longer than a few months . . . mean, it’s a situation that seems to belong to romantic fiction rather than real life.”

“It happens often enough in real life,” returned the doctor drily. “After all, there are plenty of incurable diseases, apart from the kind of thing that you’re suffering from. And there’s always cancer. The body must give out sooner or later. It’s an exceedingly complicated mechanism, you know. The wonder is that all its parts continue to function as long as they do.”

“You seem to regard death very lightly,” observed Mr Todhunter not without resentment; and by “death” he meant “my death.”

“I do,” retorted the doctor with a little smile.

“Eh?” For a moment Mr Todhunter was quite taken aback that anyone could regard death lightly and in particular his own death.

“I said, I do. No, no, I’m not a religious man. At least, not religious in any orthodox way. I just happen to believe quite firmly in survival.”

“Oh!” said Mr Todhunter, somewhat blankly.

“I also believe that this present life on the physical plane is a damned nuisance; and the sooner we’re out of it the better. To ask for sympathy for a dying man seems to me tantamount to asking for sympathy for a man coming out of prison into freedom.”

“The deuce it does,” remarked Mr Todhunter, staring. “I must say, for a man who likes good clear air as much as you do, that sounds a bit thick.”

“A prisoner must have his consolations. Sympathy,” continued the doctor, warming to his subject, “on behalf of those left behind in prison, yes. They have a personal loss; though their feeling ought to be one of envy rather than grief. But in your case, my dear fellow, even that is absent. You have no wife, no children, not even any close relatives. You’re extremely lucky. You can walk out of prison with an untroubled mind.”

Mr Todhunter, who did not consider himself at all lucky, grunted a little angrily.

“However,” relented the doctor, “if you don’t see it that way, I suppose we must try to keep you in prison as long as we can; though I must say I wish I had your chances. Frankly, you remind me of the poor old chap in Madame Tussaud’s who was released from his cell in the Bastille by the mob and never got over it.”

“Don’t talk such damned nonsense,” said Mr Todhunter wrathfully.

“You mustn’t get angry,” advised the doctor. “That’s the first thing. No strong emotions, please, or

you'll be shot out of prison straight way. Likewise, no violent exertion. Walk slowly, never run, ~~every second step going upstairs, no excitement, be on your guard all the time against any sudden~~ strain. It'll be a drab life, but you can prolong it that way if you really want to. We can't cut down your diet much further, or I'd do that too. In any case, the aneurism is almost bound to burst within six months—well, a year at the outside—however careful you are. You asked me to be frank, you know."

"Oh yes, I did," Mr Todhunter agreed bitterly.

"Rest as much as you can," the doctor went on. "Avoid all alcohol. No smoking. Heaven help you, if I were in your shoes I'd run straight home from here and arrive there dead. Made your will, I suppose?"

"I never knew," said Mr Todhunter with distaste, "what a damned old ghoul you are."

"Nothing of the sort," retorted the doctor indignantly. "Ghoul be blowed! That's just your infernal conventionalities, Todhunter. You always were a conventional old stick. It's the accepted thing to be sorry for the dying—yes, in spite of religion which teaches us that anyone who isn't a scoundrel is going to be a whole lot better off dead—so you think I ought to be sorry for you; and when I tell you I envy you instead, you call me a ghoul."

"Very well," said Mr Todhunter with dignity. "You're not a ghoul. But I can't help wondering whether your unselfish anxiety for my welfare can have coloured your diagnosis. In other words, I think I'd like a second opinion."

The doctor grinned and drew a slip of paper towards him. "You won't get me rattled that way. Everybody all means have a second opinion, and a third, and a fourth. They'll only confirm me. Here's an address for you. A very sound man, perhaps the soundest for this kind of thing. He'll soak you three guineas and you'll jolly well deserve it."

Mr Todhunter slowly put on his coat.

"I wonder," he said with reluctance, "whether you're not really such an ass as you sound?"

"You mean, whether there's something in what I've been saying? My boy, there's a whole lot in it. In my opinion the case for survival is proved—scientifically proved. And what does that give us? Well, no state can be lower, and consequently more unpleasant, than the physical one. That means that any subsequent state must, for the ordinarily decent person, be considerably more pleasant. It absolutely follows therefore that——"

"Yes, yes," said Mr Todhunter and took his leave.

## 2

Feeling slightly unreal, Mr Todhunter took a taxi to Welbeck Street. Although well able to afford it, this was actually the first time he had ever taken a taxi from Richmond, where he lived, to the West End; for Mr Todhunter was as careful in matters of money as in matters of health. But the occasion seemed to demand a taxi this time.

The specialist took his three guineas and confirmed the doctor's diagnosis, and prognosis, too, in every detail.

Shaken, Mr Todhunter took another taxi. He was a cautious man and seldom made up his own mind on any point until he had canvassed the views of at least three other people. He therefore caused himself to be driven to a second specialist, who could not conceivably be in a league with either of the other two men. When this third opinion proved in complete agreement with theirs, Mr Todhunter allowed himself to feel convinced.

He took a taxi back to Richmond.

Mr Todhunter was a bachelor.

The state was his own choice; for in spite of his complete lack of anything which might be expected to rouse a lady's passion, it had often been hinted to him that he should change it. Not that Mr Todhunter was repellent to the other sex. His nature, which he was unable to disguise under a cloak of cynical disillusion, was a singularly sweet one. Mr Todhunter was in fact one of those unfortunate persons who court disappointment after disappointment by always believing the best of their fellow creatures. No amount of enlightenment had ever convinced Mr Todhunter that his friends could ever be capable of ignoble actions. He knew that in a way grown men can bully children, that apparently decent women do write exceedingly indecent anonymous letters and that there must be a great deal of unpleasant behaviour in this far from perfect world. But it was always other people who behaved in these strange ways, never Mr Todhunter's own friends or acquaintances. To these Mr Todhunter automatically credited his own high standards; and if emphatic evidence to the contrary were ever offered him, Mr Todhunter with much indignation ignored it.

This trait of his was apparent at once to any woman over thirty, and they naturally looked on Mr Todhunter as the heaven-designed husband. Younger women might have looked askance at his gaunt bony frame, his bald little head which poked forward on his shoulders to address them, and his dusty coat collar, no less than at his old-maidish fussiness, his concern with his own health, his indifference to their attractions and even his slightly obtrusive scholarship. They might have looked so askance had not Mr Todhunter possessed something which outweighed any lack of appeal to the passions and any number of dusty collars, namely, a very snug little private income.

It was this snug little income which allowed Mr Todhunter to live in a comfortable house in a chosen street in Richmond, looked after by a housekeeper, a housemaid and a man to do the boots, the garden and the furnace.

Not that Mr Todhunter lived in complete complacency in all this comfort. His conscience troubled him, making him feel at times quite guilty that he should thus be indulged when over two million of his fellow countrymen were existing only on pittance. Not even the fact that the government, by direct and indirect methods, relieved him of at least half his income for the purpose of benefiting his own nationals and killing those of other countries, could assuage Mr Todhunter's qualms. Not content therefore with reflecting that out of his eleven or twelve hundred a year he was maintaining directly a tolerable comfort one housekeeper, one housemaid and one elderly man, that he must be maintaining elsewhere in irksome idleness at least one able-bodied but thwarted worker and his family, that he was maintaining a substantial portion of one unknown civil servant, probably superfluous, and that he was giving to the country each year at least half a dozen shells and perhaps a vital part of a machine gun or two—not content with all this, Mr Todhunter was accustomed to devote such other gleanings from his income as he could save to certain private charities of his own preference and to the ready hands of anyone who turned up at his front door with a tale of hard luck.

Returning now from his consultation with the second specialist, Mr Todhunter sank down into an armchair in his library just in time for tea. Tea was served to Mr Todhunter in his library precisely fifteen minutes past four each day. If it arrived at fourteen minutes past four, Mr Todhunter would send it away again with instructions for it to return at the proper time; if it had not appeared by fifteen and a half minutes past four Mr Todhunter would ring his bell and raise gentlemanly hell. Today, since Mr Todhunter was unprecedentedly absent, tea was a full five minutes late: and Mr Todhunter slumped in his chair, said not a word.

"Coo!" as the house-parlourmaid observed to the housekeeper two minutes later. "And not expecting to have the sugar basin thrown in me face, as you might say. He's had bad news, mark me."



words.”

“That’ll do from you, Edie,” replied Mrs Greenhill austerely.

But Edie was right, and both of them knew it. Nothing less than bad news could have made Mr Todhunter overlook such a lapse.

## 4

In Mr Todhunter’s mind strange thoughts were coursing.

They continued to course for the next week, becoming stranger and stranger.

It had taken him just three days, spinning it out as long as possible, to make sure that his affairs were in order; and of course they were. After that there had seemed to be nothing to do but sit about and wait and never hurry upstairs. This seemed to Mr Todhunter a morbid as well as a boring business.

It was then that the strange thoughts began first to invade Mr Todhunter’s mind; for after another three days he had decided that he could sit about no longer. He must do something. What, he did not know. But something. And something, if possible, out of the ordinary. Mr Todhunter began to feel, not without surprise, that he had really been excessively ordinary all his life, and if this drab record were ever to be broken now was the time. In fact Mr Todhunter, most conventional of men, began for the first time in his life to experience a strange, unholy urge to do something spectacular, just once, before he passed out.

Unfortunately the only spectacular deeds that he could remember on the part of others seemed so futile. Hadn’t someone once thrown herself under the hooves of the Derby horses in order to prove that women ought to have the vote? Hadn’t people been thrown out of the public gallery of the House of Commons for being spectacular at the wrong moment? And of course there was Moseley, most spectacular of all and—dear, dear, dear!—most futile. Though of course there was Lawrence of Arabia, too. But Lawrence’s chances were not likely to come anyone else’s way.

What, then, Mr Todhunter began to ponder with increasing frequency as he sat in his comfortable library in Richmond and stroked his long fingers together—what, then, was it possible for a man in his position to do of a nature sufficiently startling to satisfy this strange new urge towards self-assertion but which would yet not involve the lifting of any heavy logs, the running violently up any stairs or the consumption of alcohol? There seemed no answer.

Nor was there anything in Mr Todhunter’s previous life to suggest an answer.

Mr Todhunter had always lived what is called “a sheltered life.” First of all he had been sheltered by his mother; then by a kindly regulation which forbade the enlisting of semi-invalids in the British army during the late European War and so prevented Mr Todhunter from attending that function—much against his will but, one could not help feeling, much to the British army’s benefit; then, at the very private school where he had felt himself impelled to work at one period in order to avoid the self-reproach of idle uselessness, he had been sheltered by the young gentlemen themselves who, ragging as fiercely any other master whom they could, yet had enough of the Proper Spirit to realise that ragging Mr Todhunter would be just about on a sporting par with standing a baby of two in boxing gloves up against the school champion. Since his mother’s death some years ago Mr Todhunter had been most efficiently sheltered by his elderly housekeeper; and always he had been sheltered from the only real unbearable tribulation of this world by an adequate private income. So far as previous experience went, therefore, Mr Todhunter simply had none to help him.

As to contact with the great world, this was limited on Mr Todhunter’s part to a few middle-aged and elderly cronies with whom he played bridge one or two evenings a week when there was no good music to be listened to through his earphones, to the Children’s Clinic where, at the dictates of conscience, he spent half a dozen repellent hours every week doing voluntary work connected with the

scrofulous skins of the youthful Richmond poor, and to his visit each Wednesday afternoon to the literary offices of the *London Review*; for Mr Todhunter, whose tastes were scholarly, had a sound somewhat finicky critical intellect and contributed a column each Friday to the book pages of the *London Review* upon some suitable volume of biography or historical research. Indeed the Wednesday visits to Fleet Street and the happy half-hour he spent in the editor's room fingering the dozens of books awaiting review or chatting with Ferrers himself made up the high spots of Mr Todhunter's life.

It was therefore at this juncture that Mr Todhunter, following his usual habit, decided to consult the views of others. In this case, however, the consultation must be surreptitious. He therefore invited a carefully selected group of men to dinner and, over the port, cunningly introduced his subject. The unanimity with which his guests, all of them men of impeccable correctitude, had settled upon murder as the solution of his problem, had come as a shock; and Mr Todhunter was not at all sure that the Rev. Jack Denney, that well-known and popular cricketing parson, would not have joined with the others if he could have forgotten his cloth after another round of the decanter sufficiently to say what he really thought as a man.

Mr Todhunter had been shocked; but he had also been impressed. Murder had never entered his head at all. Some vague deed of an unspecified benevolent nature had been in his mind, the only clear thing being that it must be of benefit to his fellow creatures. But now that he came to consider murder filled this particular bill quite admirably. The removal of some human menace to the peace and unhappiness of the world would be a deed as useful to mankind as any, and what could be more spectacular?

This being so, had his advisers been right in recommending him to steer clear of political assassination?

Mr Todhunter may have been in the habit of consulting other people before he made up his mind, but this does not mean that his subsequent decision coincided with the advice he received. Very often he was convinced in exactly the opposite way. This of course does not make the advice any less helpful. On this very important matter, however, Mr Todhunter found himself unable to decide.

There were excellent academic arguments. For an altruistic murder his situation was ideal. Indeed in his more glamorous moments, during the evenings, for instance, sipping very slowly his one glass of port, which, in defiance of his doctor, he continued to allow himself, Mr Todhunter was able to see himself as dedicated to a great cause—the man who could alter history, the ruthless servant of humanity. That was most interesting and great comfort to a man with only a few months to live. But in practice . . . well, murder is a nasty business. And when Mr Todhunter remembered what a very nasty business it was, he would cast around once more for some other form of coup by which he could benefit his fellow creatures in a particularly striking way. And he would not be able to find one.

And so by degrees Mr Todhunter did come to accept the idea of murder. It took him two or three weeks, and his thoughts went round in many circles before they came to rest. But once there they remained. Murder it was to be.

Or rather, political assassination. For on this point, too, Mr Todhunter had practically made up his mind. After all, as a benefit to mankind a political assassination, if one can find just the right candidate, is practically unbeatable; and there was certainly no lack of suitable candidates. Whether it came to rubbing out Hitler or bumping off Mussolini or even putting Stalin on the spot, the progress of humanity would receive an equal jolt forward.

Having arrived thus at the stage of considering himself a dedicated shotgun in the hand of humanity, Mr Todhunter determined to take further advice. It was essential that he should not be wasted; his aim must be directed truly and firmly at the most worthy objective. It was necessary therefore to take the very best opinion on the matter. And, considering the question in all its aspects

Mr Todhunter could imagine no better opinion than that of Mr A. W. Furze. He therefore rang up Mr Chitterwick, who claimed some slight acquaintance with Furze, and with much cunning arranged for an introduction to that gentleman.

Three days later the introduction materialised into an invitation to take lunch with Mr Furze at his club. Mr Todhunter accepted with gratitude.

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## CHAPTER II

Furze rubbed his massive head.

“Do I understand, then,” he said carefully, “that you are offering to murder anyone whom I recommend?”

“Tee-hee,” cackled Mr Todhunter. “Well, if you put it so bluntly, yes.”

“It’s best, I think, to have these things quite plain.”

“Oh, undoubtedly, undoubtedly.”

Furze ate a few more mouthfuls with a thoughtful air. Then he glanced round the club dining room. The walls were still there, the elderly waiters, the baron of beef on the cold table, everything seemed quite normal except his guest.

“Then let me sum up what you’ve told me. You’re suffering from an incurable disease. You’ve only got a few more months to live. But you feel quite fit. You want to use the situation to do some good in the world, of a kind that a man not in your position could hardly do. And you’ve come to the conclusion that a judicious murder would best meet the case. Is that correct?”

“Well, yes. But as I told you, the idea was not mine; I had a few men to dinner a few weeks ago and put the case to them, of course in a hypothetical way. Except for a clergyman, they all agreed on murder.”

“Yes. And now you want my advice whether to go out to Germany and assassinate Hitler?”

“If you’d be so good.”

“Very well, then. Don’t.”

“Don’t?”

“Don’t. For one thing, you’d never get near him. For another, you’d only make bad worse. Hitler isn’t nearly so impossible as his successor might be. And the same applies to Mussolini, Stalin and even Sir Stafford Cripps. In other words, keep off dictators, actual or potential.”

Mr Todhunter seemed inclined to argue. “Don’t you think that the man who shot Huey Long did more good for America than Roosevelt himself has?”

“Perhaps I do. And Sinclair Lewis has pointed the moral. But that was an isolated case. The New Deal movement collapsed with Huey Long’s removal. Hitlerism wouldn’t collapse if Hitler were killed. In fact the Jews in Germany would probably find themselves worse off still.”

“That,” said Mr Todhunter reluctantly, “is more or less what these fellows said the other night.”

“They showed sense. By the way, Chitterwick doesn’t know all you’ve been telling me?”

“Oh no, not a thing. He believed, like the others, that we were discussing a supposititious case.”

Furze permitted himself to smile. “Don’t you think that if they’d known it was a real case, they wouldn’t have advised murder quite so readily?”

“Oh, I’m sure of that,” Mr Todhunter grinned, not without a touch of malice. He took a very small sip of claret. “You see, it was just because I knew I shouldn’t get a genuine opinion otherwise that I pretended it was a supposititious case.”

“Yes, quite so. And Chitterwick suspected nothing when you asked him for the introduction to me?”

“Why should he suspect anything? I told him I’d always admired your work and would like to ask you to lunch and have a talk. Instead of which, you very kindly asked me.”

“Well,” said Furze, “the thing I don’t understand is why the devil you want my advice at all. This is the sort of thing a man has to worry out for himself. Why ask me to take the responsibility of advising

you on anything so crazy?"

Mr Todhunter leaned across the table, his head poised in front of his bony shoulders, more like the head of a tortoise than ever.

"I'll tell you," he said earnestly. "Because I'd formed the opinion that you aren't afraid of responsibility. Nearly everyone is. I am myself. And furthermore, I believed that anything a little bit crazy, as you describe it, might appeal to you."

Furze gave a sudden shout of laughter, startling a waiter. "By Jove, I believe you're right there too."

"And thirdly," pursued Mr Todhunter seriously, "because you're one of the few people I know of who are really doing some good in the world."

"Oh, nonsense," Furze contradicted. "There are plenty of people working in a quiet way, without any thanks or recognition. You'd be surprised."

"I should," said Mr Todhunter drily. "In any case, I know through Chitterwick what you've been doing ever since the war, for the Middleman's League-oppressed middle classes and so on. And I know how much solid good you've done, if all these things like insurance for blackcoat workers and so on that they've been putting through Parliament lately are chiefly due to you, as Chitterwick says. So you seemed to me the obvious person to advise me on my own position and tell me if there's any way I can use it for the general good,"

"That's all nonsense of course. There are dozens of us working on this tack alone and still more trying to get things done on sensible lines for the unemployed. There's plenty of altruism about still. Thank heaven, though goodness knows how long it will last. But as for your own case, if you really want me to advise you. . ."

"Yes?" said Mr Todhunter eagerly.

"Go off and have as good a time as you can and forget all about Hitler and everyone else."

For a moment Mr Todhunter looked disappointed, and his head drew back as if into its shell. Then once again it shot forward.

"Yes, I understand. That's your advice. And now tell me what you'd do if you were in my place."

"Ah," said Furze, "That's quite different. But I think, if you don't mind, that I won't. After all, I've never met you before, have I? I'm sure Chitterwick is quite right in all he says of you, but I really can't put myself in the position later of having been an accessory before the fact."

Mr Todhunter sighed. "Yes, I quite see your point. And of course the idea sounds quite fantastic. It was very good of you to listen to me at all."

"Not at all. Most interesting. You'll have cheese, won't you? The green cheddar here is usually quite eatable."

"No, thank you. I'm afraid cheese invariably disagrees with me."

"Really? That's a pity. By the way, are you interested in cricket? I was at Lord's last Wednesday and--"

"How very odd. So was I. A magnificent finish, wasn't it? And that reminds me, you and I once played against each other."

"Is that so?"

"Yes. I was in the Valetudinarian team that came down to Winchester the year you were keeping wicket, during the war."

"The old Crocks? Were you really? I remember that match very well. Then you must have known Dick Warburton?"

"Very well indeed. We went to Sherborne the same year."

"Oh, you were at Sherborne? I've got a young cousin there now."

There are persons, ill informed and ignorant, who aver that public-school career never did any good to anyone. How wrong is this idea may be gathered from the case of Mr Todhunter which is now being

cited. For after about ten minutes of this sort of thing Mr Todhunter, reverting to the main issue, posed his question once more.

“No truthfully, Furze, what would you do in my place?”

And this time he received an answer.

For Furze, mellowed by the public-school spirit, rubbed his massive head once more and delivered himself as follows:

“Well, don’t be influenced by anything I say, but I think that if I were in your position I should look round for someone who was making life a burden to half a dozen people, whether out of malice of judgment or wrongheadedness—a blackmailer, say, or some rich old bully who will neither die nor hand out a dinner in advance to a pack of semistarving descendants—and . . . well, as I said, these things don’t bear talking about.”

“Dear me, this is very odd,” cried Mr Todhunter, much struck. “That’s exactly what those fellows the other night advised.”

“Well,” grinned Furze, “*verb. sat.*, no doubt, *sap.*” Then he remembered that his guest was a man under sentence of death and cancelled the grin.

As for all this earnest talk about altruistic murder, Furze never took a word of it seriously. And that is just where Furze made a big mistake.

## 2

For Mr Todhunter took it very seriously indeed.

He had been impressed by Furze and was ready to attach much more weight to his advice than to the advice of his own friends; as indeed one usually is in the case of strangers. In any case Mr Todhunter now abandoned political assassination as his gesture; and could they have known it, no doubt Hitler and Musolini would have breathed more freely in consequence.

But he was still a Man with a Mission. The only problem now was to find an adequate subject for treatment.

How that treatment was to be applied Mr Todhunter did not for the moment wish to consider. From such gruesome details his mind shrank. Perhaps, too, his instinctive caution kept him from a frank realisation of all the unpleasantness which murder involves. Up to this point Mr Todhunter was regarding the whole thing in an entirely academic way, and the word itself remained to him little more than a word. On the other hand, he did go so far as to congratulate himself, not without astonishment upon the qualities of pluck and decision which he must possess which Mr Todhunter had hitherto never dreamed might be his. The realisation that they were, gratified him a good deal.

Academic though Mr Todhunter’s purpose might be, one thing he realised quite clearly: he must have a victim.

Not without some reluctance Mr Todhunter roused himself to go forth and look for one, walking very carefully on account of his aneurism.

## 3

However bravely one may be determined to commit a helpful murder, it is not so easy to find a victim. One cannot very well approach one’s friends and say:

“Look here, old fellow, can you tell me anyone who ought to be murdered? Because I’m prepared to do the job.”

And even if one did, the chances are that the friend would not be able to assist. After all, the number of people whom the average person would like to see murdered is very small; and when these a

winnowed down to the number who actually deserve murdering, the result is surprisingly often negative.

Enquiries therefore have to be exceedingly circumspect. Mr Todhunter's personal feeling was that a nice juicy blackmailer would suit the bill best, but here again there are difficulties, for blackmailers are elusive creatures. Unlike almost any other person today, they seek no publicity. And if one asks one's friends point-blank whether, by any chance, they are being blackmailed, they would almost certainly resent it.

Mr Todhunter did think at one time that he had got on the track of a promising writer of anonymous letters, but the malice of the lady whom the victim roundly named as their author was directed against one person alone, and the final proof rested in the office of the king's proctor, who seemed wishful to shield her; so on the whole Mr Todhunter thought he had better not oblige.

By the end of a month Mr Todhunter was becoming so worried that several times he quite forgot to take his digestive tablets after a meal. Here he was, all ready to commit murder, and there was simply no response to his unspoken appeal. And time was getting on. Soon he would be so busy expecting to die at any moment that he would simply have no time to spare for murdering. It was most disturbing.

In this dilemma Mr Todhunter at last decided, having thought it over for several hours, to invite Mr Chitterwick round for an evening's conversation and quietly pump him.

#### 4

"Even in July," remarked Mr Todhunter affably, "it's sometimes nice to see a fire."

"Oh, certainly," agreed Mr Chitterwick, stretching out his plump little legs to the blaze. "The evenings are really quite chilly."

Mr Todhunter prepared to be cunning.

"I thought that was a highly interesting discussion we had at dinner last month," he said in a careless voice.

"Oh yes, extremely. About the pollination of fruit trees, you mean?"

Mr Todhunter frowned. "No after that. About murder."

"Oh, I see. Yes, of course. Yes."

"You belong to a Crime Circle, don't you?"

"Yes, I do. We have some quite distinguished members," said Mr Chitterwick with pride. "Our president's Roger Sheringham, you know."

"Oh yes. Now I expect," said Mr Todhunter still more carelessly, "that in the course of your discussions you hear of a good many people who ought to be murdered?"

"Ought to be murdered?"

"Yes, you remember we were discussing last month people who ought to be murdered. I expect you come across a good many?"

"No," said Mr Chitterwick in a puzzled voice. "I don't think we do, really."

"But you're aware of several blackmailers, no doubt?"

"No, I can't say that we are."

"Not even any dope kings or white slavers?" asked Mr Todhunter a little wildly.

"Oh no, nothing like that. We only discuss murder, you know."

"You mean; murders that have been committed already?"

"Yes, of course." Mr Chitterwick looked surprised.

"I see," mumbled Mr Todhunter, much disappointed. He looked gloomily at the fire.

Mr Chitterwick shifted in his chair. He had disappointed his host, though he could not quite understand how, and that made him feel remorseful.

Mr Todhunter was brooding gloomily on Hitler once more, as the only man whom he knew really deserve being murdered. Or Mussolini, of course. Those Abyssinians . . . the Jews . . . yes, it would be a great gesture. Someone might even put a statue up to him after he was dead. That would be nice. But his death would probably come from being trampled under the heavy boots of infuriated Nazis, like that assassin at Marseilles. No, that would not be so nice.

He turned back to his guest.

“Don’t you know a single person who ought to be murdered?” asked Mr Todhunter with disapproval.

“Well—er—no,” Mr Chitterwick had to apologise. “I’m afraid I don’t.” He wondered why his host should appear to set so much store by his acquaintance with potential murderees but hardly liked to ask.

Mr Todhunter frowned at him. He felt that Mr Chitterwick had accepted his invitation on false pretences.

He felt, too, that he might just as well give the whole idea up, now as later. Mr Todhunter was not prepared to advertise his services in the daily press as a benevolent murderer to those in need, and short of some such drastic step it seemed that those services would never be required. He found himself both relieved and, at the same time, curiously disappointed.

## 5

One goes forth to seek something and finds it not; one returns home and finds the object of one’s search being handed to one by some kind friend on a platter.

It was on a Tuesday evening that Mr Todhunter decided, on the failure of Mr Chitterwick, that he must abandon his great plan. It was on the very next afternoon that Ferrers, the literary editor of the *London Review* handed him, in the most casual way, exactly what he wanted. While Mr Todhunter had been searching the highways and byways for a suitable victim, it seemed that one had been lurking complacently all the time right in his path.

It was a chance question of Mr Todhunter’s which brought the matter to light. Before going to Ferrers’s room to select his book for review he had strolled down another passage to pass the time of the day with an old friend of his on the staff, one of the leader writers, to whom in point of fact Mr Todhunter’s own slight connection with the *London Review* was due. The man was not in his room and there was another name on the door.

“By the way,” said Mr Todhunter when he had deposited his ancient brown trilby hat on a file of newspapers in Ferrers’ big room overlooking Fleet Street, “by the way, is Ogilvie away ill? He’s not in his room.”

Ferrers looked up from the copy he was cutting, blue pencil in hand. “Ill? Not he. He’s the latest to go, that’s all.”

“To go?” repeated Mr Todhunter, mildly puzzled.

“Sacked! Poor old Ogilvie’s been sacked, to put it frankly. They handed him a cheque for six months salary yesterday and told him to clear out.”

“Ogilvie sacked?” Mr Todhunter was shocked. Ogilvie, with his big head, bulging with solid brain and his calm, penetrating pen, had always seemed an integral part of the *London Review*. “Dear me, I thought he was a fixture here.”

“It’s a damned shame.” Ferrers, usually discreet in trousers, spoke with unwonted heat. “Just shoo him out, like that.”

One of the fiction reviewers was turning over a huge pile of new novels on a table by the window. “Why?” he asked.



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