

IT IS DARK IN THE BUSH

(Continued from previous page)

"He need have said no word about the hanging of the body; he might have contented himself with a reiterated denial of any share in the actual killing, but the man was too honest, gentlemen, too simple to hide the dreadful truth."

David looked at the barrister in admiration. No one would imagine from the man's glowing face how bitterly he had expressed himself over the pitiful tissue of lies with which Preston had at first attempted to deny his presence anywhere near the cottage on the day of the murder. It was nothing short of sublime the way that he ignored all the admissions of that untruth that the Prosecution had forced from the prisoner only a few hours before. Nevertheless, from Morgan's expression and from the triumphant note that the Prosecuting Counsel passed to his junior, David was inclined to think that at this moment Ashton's brilliance was estimating the intelligence of the jurors at somewhat too low a value.

"Think for yourselves, gentlemen — if you had wanted to lie, couldn't you have made a better job of it than that? I know I could."

He leant forward, his deep-set Celtic eyes scanning the faces below him, at

one moment moving them almost to mirth and in the next daring them to smile. Almost a ripple passed over the Court and the Judge looked up reprovingly. But Ashton gave a satisfied glance at the little group of witnesses for the defence. Had he at last succeeded in rousing a spark of imagination in those dull clods of jurymen? He was inclined to think so.

Scathingly he went on to deal with circumstantial evidence, devastatingly he pictured the acute and life-long remorse of a jury who has convicted a man on circumstantial evidence which has later been proved to be false. He spoke of the witnesses for the defence, "You saw them for yourselves, gentlemen, you heard them for yourselves—the salt of the earth, every one of them, the salt of the earth—and every man and every woman entirely convinced of the innocence of the prisoner. Can you, dare you, disregard the honest convictions of these worthy and honourable people?"

When at last the wonderful voice was silent, when the Counsel for the Defence had resumed his seat and mopped a face grown almost livid from the passion of his last appeal, David emerged slowly and with wonder from what had seemed almost a trance, or the cloying effects of an anæsthetic. So this was oratory. No wonder that men told stories of this

man swaying crowds to alternate tears and laughter, to cheers that died away into curses, cajoling them from their right judgment and their sane wits by the magic of his power. . . .

But had he cajoled those twelve stolid jurymen? Certainly they had listened spell-bound, and the foreman's mouth had opened wider and wider as the speech progressed. But had they been merely under a spell from which they were already recovering? Would a coldly calm and reasoned address not have served their purpose better? David paused here and sighed wearily. How be calm and reasoned when the whole story upon which Preston's defence rested seemed born of madness and sheer fantasy? Ashton had made a magnificent best of a very bad job.

How bad it was the Prosecuting Counsel made abundantly clear next day. His speech lasted only two hours and was in contrast, deliberate contrast it seemed, to the brilliant rhetoric that had held them all spell-bound the afternoon before. Mercilessly he tore the defence to shreds and scattered those shreds on the cold wind of common sense. Nor did he at any time make the mistake of being too aggressive; he merely contented himself with showing that both counsel and witnesses had been called upon to bolster up a case so

nebulous as scarcely to demand the serious attention of the Court.

Ann was white as a sheet at the luncheon adjournment and David did his best to persuade her not to return to the Court.

"I must hear the Judge's summing-up," she said obstinately. "When it's over I'll go straight back to the hotel."

The whole party was now showing painful signs of strain. Judith played with her food and her pallor was as marked as Ann's.

David could not bring himself to attempt ordinary conversation, and John's occasional and spasmodic efforts were not seconded by any of the rest of the party of heavy-eyed people who sat at the private table in the hotel dining-room. George Murray was silent and anxious, and even Mrs. Marsden's magnificent placidity was disturbed.

(To be continued next week)

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