CHAPTER XXIV

THRESK EXPLAINS

THE afternoon sunlight poured into the room golden and clear. Outside the open windows the garden was noisy with birds and the river babbled between its banks. Henry Thresk shut his ears against the music. For all his appearance of ease he dreaded the encounter which was now begun. Pettifer he knew to be a shrewd man. He watched him methodically arranging his press-cuttings in front of him. Pettifer might well find some weak point in his story which he himself had not discovered; and whatever course he was minded afterwards to take, here and now he was determined once more to fight Stella's battle.

"I need not go back on the facts of the trial," said Pettifer. "They are fresh enough in your memory, no doubt. Your theory as I understand it ran as follows: While you were mounting your camel on the edge of the camp to return to the station and Ballantyne was at your side, the thief whose arm you had both seen under the tent wall, not knowing that now you had the photograph of Bahadur Salak which he wished to steal, slipped into the tent unperceived, took up the rook-rifle——"

"Which was standing by Mrs. Ballantyne's writing-table," Thresk interposed.

"Loaded it,——"

"The cartridges were lying open in a drawer."

"And shot Ballantyne on his return."

"Yes," Thresk agreed. "In addition you must remember that when Captain Ballantyne was found an hour or so later Mrs. Ballantyne was in bed and asleep."

"Quite so," said Pettifer. "In brief, Mr. Thresk, you supplied a reasonable motive for the crime and some evidence of a criminal. And I admit that on your testimony the jury returned the only verdict which it was possible to give."

"What troubles you then?" Henry Thresk asked, and Pettifer replied drily:

"Various points. Here's one—a minor one. If Captain Ballantyne was shot by a thief detected in the act of thieving why should that thief risk capture and death by dragging Captain Ballantyne's body out into the open? It seems to me the last thing which he would naturally do."

Thresk shrugged his shoulders.

"I can't explain that. It is perhaps possible that not finding the photograph he fell into a blind rage and satisfied it by violence towards the dead man."

"Dead or dying," Mr. Pettifer corrected. "There seems to have been some little doubt upon that point. But your theory's a little weak, isn't it? To get away unseen would be that thief's first preoccupation, surely?"

"Reasoning as you and I are doing here quietly, at our ease, in this room, no doubt you are right, Mr. Pettifer. But criminals are caught because they don't reason quietly when they have just committed a crime. The behaviour of a man whose mind is influenced by that condition cannot be explained always by any laws of psychology. He may be in a wild panic. He may act as madmen act, or like a child in a rage. And if my explanation is weak it's no weaker than the only other hypothesis: that Mrs. Ballantyne herself dragged him into the open."

Mr. Pettifer shook his head.

"I am not so sure. I can conceive a condition of horror in the wife, horror at what she had done, which would make that act not merely possible but almost inevitable. I make no claims to being an imaginative man, Mr. Thresk, but I try to put myself into the position of the wife;" and he described with a vividness for which Thresk was not prepared the scene as he saw it.

"She goes to bed, she undresses and goes to bed—she must do that if she is to escape—she puts out her light, she lies in the dark awake, and under the same roof, close to her, in the dark too, is lying the man she has killed. Just a short passage separates her from him. There are no doors—mind that, Mr. Thresk—no doors to lock and bolt, merely a grass screen which you could lift with your forefinger. Wouldn't any and every one of the little cracks and sounds and breathings of which the quietest and stillest night is full sound to her

like the approach of the dead man? The faintest breath of air would seem a draught made by the swinging of the grass-curtain as it was stealthily lifted—lifted by the dead man. No, Mr. Thresk. The wife is just the one person I could imagine who would do that needless barbarous violence of dragging the body into the open—and she would do it, not out of cruelty, but because she must or go mad."

Thresk listened without a movement until Robert Pettifer had finished. Then he said:

"You know Mrs. Ballantyne. Has she the strength which she must have had to drag a heavy man across the carpet of a tent and fling him outside?"

"Not now, not before. But just at the moment? You argued, Mr. Thresk, that it is impossible to foresee what people will do under the immediate knowledge that they have committed a capital crime. I agree. But I go a little further. I say that they will also exhibit a physical strength with which it would be otherwise impossible to credit them. Fear lends it to them."

"Yes," Thresk interrupted quickly, "but don't you see, Mr. Pettifer, that you are implying the existence of an emotion in Mrs. Ballantyne which the facts prove her to have been without—fear, panic? She was found quietly asleep in her bed by the ayah when she came to call her in the morning. There's no doubt of that. The ayah was never for a moment shaken upon that point. The psychology of crime is a curious and surpris-

ing study, Mr. Pettifer, but I know of no case where terror has acted as a sleeping-draught."

Mr. Pettifer smiled and turned altogether away from the question.

"It is, as I said, a minor point, and perhaps one from which any sort of inference would be unsafe. It interested me. I lay no great stress upon it."

He dismissed the point carelessly, to the momentary amusement of Henry Thresk. The art of slipping away from defeat had been practised with greater skill. Thresk lost some part of his apprehension but none of his watchfulness.

"Now, however, we come to something very different," said Pettifer, hitching himself a little closer to his table and fixing his eyes upon Thresk. "The case for the prosecution ran like this: Stephen Ballantyne was, though a man of great ability, a secret drunkard who humiliated his wife in public and beat her in private. She went in terror of him. She bore on more than one occasion the marks of his violence; and upon that night in Chitipur, perhaps in a panic and very likely under extreme provocation, she snatched up her rook-rifle and put an end to the whole bad business."

"Yes," Thresk agreed, "that was the case for the Crown."

"Yes, and throughout the sitting at the stipendiary's inquiry before you came upon the scene that theory was clearly developed."

"Yes."

Thresk's confidence vanished as quickly as it had come. He realised whither Pettifer's questions

were leading. There was a definitely weak link in his story and Pettifer had noticed it and was testing it.

"Now," the solicitor continued—"and this is the important point—what was the answer to that charge foreshadowed by the defence during those days before you appeared?"

Thresk answered the question quickly, if answer it could be called.

"The defence had not formulated any answer. I came forward before the case for the Crown finished."

"Quite so. But Mrs. Ballantyne's counsel did cross-examine the witnesses for the prosecution—we must not forget that, Mr. Thresk—and from the cross-examination it is quite clear what answer he was going to make. He was going—not to deny that Mrs. Ballantyne shot her husband—but to plead that she shot him in self-defence."

"Oh!" said Thresk, "and where do you find that?"

He had no doubt himself in what portion of the report of the trial a proof of Pettifer's statement was to be discovered, but he made a creditable show of surprise that any one should hold that opinion at all.

Pettifer selected a column of newspaper from his cuttings.

"Listen," he said. "Mr. Repton, a friend of Mrs. Ballantyne, was called upon a subpœna by the Crown and he testified that while he was a Collector at Agra he went up with his wife from the

plains to the hill-station of Moussourie during a hot weather. The Ballantynes went up at the same time and occupied a bungalow next to Repton's. One night Repton's house was broken into. He went across to Ballantyne the next morning and advised him in the presence of his wife to sleep with a revolver under his pillow."

"Yes, I remember that," said Thresk. He had indeed cause to remember it very well, for it was just this evidence given by Repton with its clear implication of the line which the defence meant to take that had sent him in a hurry to Mrs. Ballantyne's solicitor. Pettifer continued by reading Repton's words slowly and with emphasis.

"'Mrs. Ballantyne then turned very pale and running after me down the garden like a distracted woman cried: "Why did you tell him to do that? It will some night mean my death."' This statement, Mr. Thresk, was elicited in cross-examination by Mrs. Ballantyne's counsel, and it could only mean that he intended to set up a plea of self-defence. I find it a little difficult to reconcile that intention with the story you subsequently told."

Henry Thresk for his part knew that it was not merely difficult, it was, in fact, impossible. Mr. Pettifer had read the evidence with an accurate discrimination. The plea of self-defence was here foreshadowed and it was just the certainty that the defence was going to rely upon it for a verdict which had brought Henry Thresk himself into the witness-box at Bombay. Given all that was known

of Stephen Ballantyne and of the life he had led his unhappy wife, the defence would have been a good one, but for a single fact—the discovery of Ballantyne's body outside the tent. No plea of self-defence could safely be left to cover that. Thresk himself wondered at it. It struck at public sympathy, it seemed the act of a person insensate and vindictive. Therefore he had come forward with his story. But Mr. Pettifer was not to know it.

"There are three things for you to remember," said Thresk. "In the first place it is too early to assume that self-defence was going to be the plea. Assumptions in a case of this kind are very dangerous, Mr. Pettifer. They may lead to an irreparable injustice. We must keep to the fact that no plea of self-defence was ever formulated. In the second place Mrs. Ballantyne was brought down to Bombay in a state of complete collapse. Her married life had been a torture to her. She broke down at the end of it. She was indifferent to anything that might happen."

Pettifer nodded. "Yes, I can understand that."

"It followed that her advisers had to act upon their own initiative."

"And the third point?" Pettifer asked.

"Well, it's not so much a point as an opinion of mine. But I hold it strongly. Her counsel mishandled the case."

Pettifer pursed up his lips and grunted. He tapped a finger once or twice on the table in front of him He looked towards Thresk as if all was

not quite said. Harold Hazlewood, to whom the position of a neglected listener was rare and unpalatable, saw an opportunity for intervention.

"The three points are perhaps not very conclusive," he said.

Thresk turned towards him coldly:

"I promised to answer such questions as Mr. Pettifer put to me. I am doing that. I did not undertake to discuss the value of my answers afterwards."

"No, no, quite so," murmured Mr. Hazlewood. "We are very grateful, I am sure," and once more left the argument to Pettifer.

"Then I come to the next question, Mr. Thresk. At some moment in this inquiry you of your own account put yourself into communication with Mrs. Ballantyne's advisers and volunteered your evidence?"

"Yes."

"Isn't it strange that the defence did not at the very outset get into communication with you?"

"No," replied Thresk. Here he was at his ease. He had laid his plans well in Bombay. Mr. Pettifer might go on asking questions until midnight upon this point. Thresk could meet him. "It was not at all strange. It was not known that I could throw any light upon the affair at all. All that passed between Ballantyne and myself passed when we were alone; and Ballantyne was now dead."

"Yes, but you had dined with the Ballantynes on that night. Surely it's strange that since you

were in Bombay Mrs. Ballantyne's advisers did not seek you out."

"Yes, yes," added Mr. Hazlewood, "very strange indeed, Mr. Thresk—since you were in Bombay;" and he looked up at the ceiling and joined the tips of his fingers, his whole attitude a confident question: "Answer that if you can."

Thresk turned patiently round.

"Hasn't it occurred to you, Mr. Hazlewood, that it is still more strange that the prosecution did not at once approach me?"

"Yes," said Pettifer suddenly. "That question too has troubled me;" and Thresk turned back again.

"You see," he explained, "I was not known to be in Bombay at all. On the contrary I was supposed to be somewhere in the Red Sea or the Mediterranean on my way back to England."

Mr. Pettifer looked up in surprise. The statement was news to him and if true provided a natural explanation of some of his chief perplexities. "Let me understand that!" and there was a change in his voice which Thresk was quick to detect. There was less hostility.

"Certainly," Thresk answered. "I left the tent just before eleven to catch the Bombay mail. I was returning direct to England. The reason why Ballantyne asked me to take the photograph of Bahadur Salak was that since I was going on board straight from the train it could be no danger to me."

"Then why didn't you go straight on board?" asked Pettifer.

"I'll tell you," Thresk replied. "I thought the matter over on the journey down to Bombay, and I came to the conclusion that since the photograph might be wanted at Salak's trial I had better take it to the Governor's house at Bombay. But Government House is out at Malabar Point, four miles from the quays. I took the photograph out myself and so I missed the boat. But there was an announcement in the papers that I had sailed, and in fact the consul at Marseilles came on board at that port to inquire for me on instructions from the Indian Government."

Mr. Pettifer leaned back.

"Yes, I see," he said thoughtfully. "That makes a difference—a big difference." Then he sat upright again and said sharply:

"You were in Bombay then when Mrs. Ballantyne was brought down from Chitipur?"

"Yes."

"And when the case for the Crown was started?"

"Yes."

"And then the Crown's witnesses were cross-examined?"

"Yes."

"Why did you wait then all that time before you came forward?" Pettifer put the question with an air of triumph. "Why, Mr. Thresk, did you wait till the very moment when Mrs. Ballantyne was going to be definitely committed to a

particular line of defence before you announced that you could clear up the mystery? Doesn't it rather look as if you had remained hidden on the chance of the prosecution breaking down, and had only come forward when you realised that to-morrow self-defence would be pleaded, the firing of that rook-rifle admitted and a terrible risk of a verdict of guilty run?"

Thresk agreed without a moment's hesitation.

"But that's the truth, Mr. Pettifer," he said, and Mr. Pettifer sprang up.

"What?"

"Consider my position"—Thresk drew up his chair close to the table—"a barrister who was beginning to have one of the large practices, the Courts opening in London, briefs awaiting me, cases on which I had already advised coming on. I had already lost a fortnight. That was bad enough, but if I came forward with my story I must wait in Bombay not merely for a fortnight but until the whole trial was completed, as in the end I had to do. Of course I hoped that the Prosecution would break down. Of course I didn't intervene until it was absolutely necessary in the interests of justice that I should."

He spoke so calmly, there was so much reason in what he said, that Pettifer could not but be convinced.

"I see," he said. "I see. Yes. That's not to be disputed." He remained silent for a few moments. Then he shuffled his papers together and replaced them in the envelope. It seemed that

his examination was over. Thresk rose from his chair.

"You have no more questions to ask me?" he inquired.

"One more."

Pettifer came round the table and stood in front of Henry Thresk.

"Did you know Mrs. Ballantyne before you went to Chitipur?"

"Yes," Thresk replied.

"Had you seen her lately?"

"No."

"When had you last seen her?"

"Eight years before, in this neighbourhood. I spent a holiday close by. Her father and mother were then alive. I had not seen her since. I did not even know that she was in India and married until I was told so in Bombay."

Thresk was prepared for that question. He had the truth ready and he spoke it frankly. Mr. Pettifer turned away to Hazlewood, who was watching him expectantly.

"We have nothing more to do, Hazlewood, but to thank Mr. Thresk for answering our questions and to apologise to him for having put them."

Mr. Hazlewood was utterly disconcerted. After all, then, the marriage must take place; the plot had ignominiously failed, the great questions which were to banish Stella Ballantyne from Little Beeding had been put and answered. He sat like a man stricken by calamity. He stammered

out reluctantly a few words to which Thresk paid little heed.

"You are satisfied then?" he asked of Pettifer; and Pettifer showed him unexpectedly a cordial and good-humoured face.

"Yes. Let me say to you, Mr. Thresk, that ever since I began to study this case I have wished less and less to bear hardly upon Mrs. Ballantyne. As I read those columns of evidence the heavy figure of Stephen Ballantyne took life again, but a very sinister life; and when I look at Stella and think of what she went through during the years of her married life while we were comfortably here at home I cannot but feel a shiver of discomfort. Yes, I am satisfied and I am glad that I am satisfied;" and with a smile which suddenly illumined his dry parched face he held out his hand to Henry Thresk.

It was perhaps as well that the questions were over, for even while Pettifer was speaking Stella's voice was heard in the hall. Pettifer had just time to thrust away the envelope with the cuttings into a drawer before she came into the room with Dick. She had been forced to leave the three men together, but she had dreaded it. During that one hour of absence she had lived through a lifetime of terror and anxiety. What would Thresk tell them? What was he now telling them? She was like one waiting downstairs while a surgical operation is being performed in the theatre above. She had hurried Dick back to Little Beeding, and when she came into the room her eyes roamed round in suspense from Thresk

to Hazlewood, from Hazlewood to Pettifer. She saw the tray of miniatures upon the table.

"You admire the collection?" she said to Thresk.

"Very much," he answered, and Pettifer took her by the arm and in a voice of kindness which she had never heard him use before he said:

"Now tell me about your house. That's much more interesting."

Stella looked at him in doubt.

"You want really to know?"

"Yes, I do," he answered. "Will it suit you when you are married?"

There was no longer any possibility of doubt. By some miracle this hour of suspense had transformed her enemy into her friend. Her troubles then were really over? She could sleep without waking up every hour in terror lest this wonderful happiness which had come to her should be no more than a dream, a wreath of smoke? She felt weak. For a moment it seemed to her that she must fall; and she would have fallen but that Pettifer's arm steadied and supported her.

"Sit down," he said gently and he placed her on the couch beside him. "I know. You have had a time of anxiety, Stella. You must not blame us too much. Look up and talk to me! You are going to be my neighbour. Tell me about your house!"

Stella looked up at him with shining eyes, and in her cheeks which had grown pale slowly the rose bloomed again.

"There's a high garden looking right across Hinksey Park," she said, "where once ages ago I lived. There are a couple of bath-rooms—isn't that splendid in a small house?" And then across the room she heard the scratch of a lucifer and words were spoken which brought her fears in an overmastering legion back to her.

"So you smoke a pipe?" Dick Hazlewood was saying to Thresk, and Thresk, as he set the match to the tobacco in the bowl, remarked:

"Ah! You didn't know that, Captain Hazlewood? I am lost without my pipe. Before now when I have left it behind me I have come back for it under all sorts of circumstances, even at the risk of losing a train. But you didn't know that, Captain Hazlewood?"

The words were aimed at her, were spoken so that she might hear them. She sat and trembled. Mr. Pettifer was satisfied; yes, but there was another here who sent her a warning across the room which she had yet to reckon with.