

A Millionaire in the Dock

by Baroness Emmuska Orczy, 1865-1947

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The man in the corner had finished his glass of milk. His watery blue eyes looked across at Miss Polly Burton's eager little face, from which all traces of severity had now been chased away by an obvious and intense excitement.

"It was only on the 31st," he resumed after a while, "that a body, decomposed past all recognition, was found by two lightermen in the bottom of a disused barge. She had been moored at one time at the foot of one of those dark flights of steps which lead down between tall warehouses to the river in the East End of London. I have a photograph of the place here," he added, selecting one out of his pocket, and placing it before Polly.

"The actual barge, you see, had already been removed when I took this snapshot, but you will realize what a perfect place this alley is for the purpose of one man cutting another's throat in comfort, and without fear of detection. The body, as I said, was decomposed beyond all recognition; it had probably been there

eleven days, but sundry articles, such as a silver ring and a tie pin, were recognizable, and were identified by Mrs. Kershaw as belonging to her husband.

"She, of course, was loud in denouncing Smethurst, and the police had no doubt a very strong case against him, for two days after the discovery of the body in the barge, the Siberian millionaire, as he was already popularly called by enterprising interviewers, was arrested in his luxurious suite of rooms at the Hotel Cecil.

"To confess the truth, at this point I was not a little puzzled. Mrs. Kershaw's story and Smethurst's letters had both found their way into the papers, and following my usual method—mind you, I am only an amateur, I try to reason out a case for the love of the thing—I sought about for a motive for the crime, which the police declared Smethurst had committed. To effectually get rid of a dangerous blackmailer was the generally accepted theory. Well! did it ever strike you how paltry that motive really was?"

Miss Polly had to confess, however, that it had never struck her in that light.

"Surely a man who had succeeded in building up an immense fortune by his own individual efforts, was not the sort of fool to believe that he had anything to fear from a man like Kershaw. He must have known that Kershaw held no damning proofs against him—not enough to hang him, anyway. Have you ever seen Smethurst?" he added, as he once more fumbled in his pocket-book.

Polly replied that she had seen Smethurst's picture in the illustrated papers at the time. Then he added, placing a small photograph before her:

"What strikes you most about the face?"

"Well, I think its strange, astonished expression, due to the total absence of eyebrows, and the funny foreign cut of the hair."

"So close that it almost looks as if it had been shaved. Exactly. That is what struck me most when I elbowed my way into the court that morning and first caught sight of the millionaire in the dock. He was a tall, soldierly-looking man, upright in stature, his face very bronzed and tanned. He wore neither moustache nor beard, his hair was cropped quite close to his head, like a Frenchman's; but, of course, what was so very remarkable about him was that total absence of eyebrows and even eyelashes, which gave the face such a peculiar appearance—as you say, a perpetually astonished look.

"He seemed, however, wonderfully calm; he had been accommodated with a chair in the dock—being a millionaire—and chatted pleasantly with his lawyer, Sir Arthur Inglewood, in the intervals between the calling of the several witnesses for the prosecution; whilst during the examination of these witnesses he sat quite placidly, with his head shaded by his hand.

"Müller and Mrs. Kershaw repeated the story which they had already told to the police. I think you said that you were not able, owing to pressure of work, to go to the court that day, and hear the case, so perhaps you have no recollection of Mrs. Kershaw. No? Ah, well! Here is a snapshot I managed to get of her once. That is her. Exactly as she stood in the box—over-dressed—in elaborate crape, with a bonnet which once had contained pink roses, and to which a remnant of pink petals still clung obtrusively amidst the deep black.

"She would not look at the prisoner, and turned her head resolutely towards the magistrate. I fancy she had been fond of that vagabond husband of hers: an

enormous wedding-ring encircled her finger, and that, too, was swathed in black. She firmly believed that Kershaw's murderer sat there in the dock, and she literally flaunted her grief before him.

"I was indescribably sorry for her. As for Müller, he was just fat, oily, pompous, conscious of his own importance as a witness; his fat fingers, covered with brass rings, gripped the two incriminating letters, which he had identified. They were his passports, as it were, to a delightful land of importance and notoriety. Sir Arthur Inglewood, I think, disappointed him by stating that he had no questions to ask of him. Müller had been brimful of answers, ready with the most perfect indictment, the most elaborate accusations against the bloated millionaire who had decoyed his dear friend Kershaw, and murdered him in Heaven knows what an out-of-the-way corner of the East End.

"After this, however, the excitement grew apace. Müller had been dismissed, and had retired from the court altogether, leading away Mrs. Kershaw, who had completely broken down.

"Constable D 21 was giving evidence as to the arrest in the meanwhile. The prisoner, he said, had seemed completely taken by surprise, not understanding the cause or history of the accusation against him; however, when put in full possession of the facts, and realizing, no doubt, the absolute futility of any resistance, he had quietly enough followed the constable into the cab. No one at the fashionable and crowded Hotel Cecil had even suspected that anything unusual had occurred.

"Then a gigantic sigh of expectancy came from every one of the spectators. The *fun* was about to begin. James Buckland, a porter at Fenchurch Street railway station, had just sworn to tell all the truth, etc. After all, it did not amount to much. He said that at six o'clock in the afternoon of December the 10th, in the midst of one of the densest fogs he ever remembers, the 5.5 from Tilbury steamed into the station, being just about an hour late. He was on the arrival platform, and was hailed by a passenger in a first-class carriage. He could see very little of him beyond an enormous black fur coat and a travelling cap of fur also.

"The passenger had a quantity of luggage, all marked F.S., and he directed James Buckland to place it all upon a four-wheel cab, with the exception of a small hand-bag, which he carried himself. Having seen that all his luggage was safely bestowed, the stranger in the fur coat paid the porter, and, telling the cabman to wait until he returned, he walked away in the direction of the waiting-rooms, still carrying his small hand-bag.

"I stayed for a bit,' added James Buckland, 'talking to the driver about the fog and that; then I went about my business, seein' that the local from Southend 'ad been signalled.'

"The prosecution insisted most strongly upon the hour when the stranger in the fur coat, having seen to his luggage, walked away towards the waiting-rooms. The porter was emphatic. 'It was not a minute later than 6.15,' he averred.

"Sir Arthur Inglewood still had no questions to ask, and the driver of the cab was called.

"He corroborated the evidence of James Buckland as to the hour when the gentleman in the fur coat had engaged him, and having filled his cab in and out with luggage, had told him to wait. And cabby did wait. He waited in the dense

fog—until he was tired, until he seriously thought of depositing all the luggage in the lost property office, and of looking out for another fare — waited until at last, at a quarter before nine, whom should he see walking hurriedly towards his cab but the gentleman in the fur coat and cap, who got in quickly and told the driver to take him at once to the Hotel Cecil. This, cabby declared, had occurred at a quarter before nine. Still Sir Arthur Inglewood made no comment, and Mr. Francis Smethurst, in the crowded, stuffy court, had calmly dropped to sleep.

“The next witness, Constable Thomas Taylor, had noticed a shabbily dressed individual, with shaggy hair and beard, loafing about the station and waiting-rooms in the afternoon of December the 10th. He seemed to be watching the arrival platform of the Tilbury and Southend trains.

“Two separate and independent witnesses, cleverly unearthed by the police, had seen this same shabbily dressed individual stroll into the first-class waiting-room at about 6.15 on Wednesday, December the 10th, and go straight up to a gentleman in a heavy fur coat and cap, who had also just come into the room. The two talked together for a while; no one heard what they said, but presently they walked off together. No one seemed to know in which direction.

“Francis Smethurst was rousing himself from his apathy; he whispered to his lawyer, who nodded with a bland smile of encouragement. The employés of the Hotel Cecil gave evidence as to the arrival of Mr. Smethurst at about 9.30 p.m. on Wednesday, December the 10th, in a cab, with a quantity of luggage; and this closed the case for the prosecution.

“Everybody in that court already *saw* Smethurst mounting the gallows. It was uninterested curiosity which caused the elegant audience to wait and hear what Sir Arthur Inglewood had to say. He, of course, is the most fashionable man in the law at the present moment. His lolling attitudes, his drawling speech, are quite the rage, and imitated by the gilded youth of society.

“Even at this moment, when the Siberian millionaire’s neck literally and metaphorically hung in the balance, an expectant titter went round the fair spectators as Sir Arthur stretched out his long loose limbs and lounged across the table. He waited to make his effect—Sir Arthur is a born actor—and there is no doubt that he made it, when in his slowest, most drawly tones he said quietly;

“With regard to this alleged murder of one William Kershaw, on Wednesday, December the 10th, between 6.15 and 8.45 p.m., your Honour, I now propose to call two witnesses, who saw this same William Kershaw alive on Tuesday afternoon, December the 16th, that is to say, six days after the supposed murder.’

“It was as if a bombshell had exploded in the court. Even his Honour was aghast, and I am sure the lady next to me only recovered from the shock of the surprise in order to wonder whether she need put off her dinner party after all.

“As for me,” added the man in the corner, with that strange mixture of nervousness and self-complacency which had set Miss Polly Burton wondering, “well, you see, I had made up my mind long ago where the hitch lay in this particular case, and I was not so surprised as some of the others.

“Perhaps you remember the wonderful development of the case, which so completely mystified the police—and in fact everybody except myself. Torriani and a waiter at his hotel in the Commercial Road both deposed that at about 3.30 p.m. on December the 10th a shabbily dressed individual lolled into the coffee-room and

ordered some tea. He was pleasant enough and talkative, told the waiter that his name was William Kershaw, that very soon all London would be talking about him, as he was about, through an unexpected stroke of good fortune, to become a very rich man, and so on, and so on, nonsense without end.

“When he had finished his tea he lolled out again, but no sooner had he disappeared down a turning of the road than the waiter discovered an old umbrella, left behind accidentally by the shabby, talkative individual. As is the custom in his highly respectable restaurant, Signor Torriani put the umbrella carefully away in his office, on the chance of his customer calling to claim it when he had discovered his loss. And sure enough nearly a week later, on Tuesday, the 16th, at about 1 p.m., the same shabbily dressed individual called and asked for his umbrella. He had some lunch, and chatted once again to the waiter. Signor Torriani and the waiter gave a description of William Kershaw, which coincided exactly with that given by Mrs. Kershaw of her husband.

“Oddly enough he seemed to be a very absent-minded sort of person, for on this second occasion, no sooner had he left than the waiter found a pocket-book in the coffee-room, underneath the table. It contained sundry letters and bills, all addressed to William Kershaw. This pocket-book was produced, and Karl Müller, who had returned to the court, easily identified it as having belonged to his dear and lamented friend *Villiam*.

“This was the first blow to the case against the accused. It was a pretty stiff one, you will admit. Already it had begun to collapse like a house of cards. Still, there was the assignation, and the undisputed meeting between Smethurst and Kershaw, and those two and a half hours of a foggy evening to satisfactorily account for.”

The man in the corner made a long pause, keeping the girl on tenterhooks. He had fidgeted with his bit of string till there was not an inch of it free from the most complicated and elaborate knots.

“I assure you,” he resumed at last, “that at that very moment the whole mystery was, to me, as clear as daylight. I only marvelled how his Honour could waste his time and mine by putting what he thought were searching questions to the accused relating to his past. Francis Smethurst, who had quite shaken off his somnolence, spoke with a curious nasal twang, and with an almost imperceptible soupçon of foreign accent, He calmly denied Kershaw’s version of his past; declared that he had never been called Barker, and had certainly never been mixed up in any murder case thirty years ago.

“‘But you knew this man Kershaw,’ persisted his Honour, ‘since you wrote to him?’

“‘Pardon me, your Honour,’ said the accused quietly, ‘I have never, to my knowledge, seen this man Kershaw, and I can swear that I never wrote to him.’

“‘Never wrote to him?’ retorted his Honour warningly. ‘That is a strange assertion to make when I have two of your letters to him in my hands at the present moment.’

“‘I never wrote those letters, your Honour,’ persisted the accused quietly, ‘they are not in my handwriting.’

“‘Which we can easily prove,’ came in Sir Arthur Inglewood’s drawly tones, as he handed up a packet to his Honour; ‘here are a number of letters written by my

client since he has landed in this country, and some of which were written under my very eyes.'

"As Sir Arthur Inglewood had said, this could be easily proved, and the prisoner, at his Honour's request, scribbled a few lines, together with his signature, several times upon a sheet of note-paper. It was easy to read upon the magistrate's astounded countenance, that there was not the slightest similarity in the two handwritings.

"A fresh mystery had cropped up. Who, then, had made the assignation with William Kershaw at Fenchurch Street railway station? The prisoner gave a fairly satisfactory account of the employment of his time since his landing in England.

"I came over on the TSARSKOE SELO,' he said, 'a yacht belonging to a friend of mine. When we arrived at the mouth of the Thames there was such a dense fog that it was twenty-four hours before it was thought safe for me to land. My friend, who is a Russian, would not land at all; he was regularly frightened at this land of fogs. He was going on to Madeira immediately.

"I actually landed on Tuesday, the 10th, and took a train at once for town. I did see to my luggage and a cab, as the porter and driver told your Honour; then I tried to find my way to a refreshment-room, where I could get a glass of wine. I drifted into the waiting-room, and there I was accosted by a shabbily dressed individual, who began telling me a piteous tale. Who he was I do not know. He said he was an old soldier who had served his country faithfully, and then been left to starve. He begged of me to accompany him to his lodgings, where I could see his wife and starving children, and verify the truth and piteousness of his tale.

"Well, your Honour,' added the prisoner with noble frankness, 'it was my first day in the old country. I had come back after thirty years with my pockets full of gold, and this was the first sad tale I had heard; but I am a business man, and did not want to be exactly *done* in the eye. I followed my man through the fog, out into the streets. He walked silently by my side for a time. I had not a notion where I was.

"Suddenly I turned to him with some question, and realized in a moment that my gentleman had given me the slip. Finding, probably, that I would not part with my money till I had seen the starving wife and children, he left me to my fate, and went in search of more willing bait.

"The place where I found myself was dismal and deserted. I could see no trace of cab or omnibus. I retraced my steps and tried to find my way back to the station, only to find myself in worse and more deserted neighbourhoods. I became hopelessly lost and fogged. I don't wonder that two and a half hours elapsed while I thus wandered on in the dark and deserted streets; my sole astonishment is that I ever found the station at all that night, or rather close to it a policeman, who showed me the way.'

"But how do you account for Kershaw knowing all your movements?' still persisted his Honour, 'and his knowing the exact date of your arrival in England? How do you account for these two letters, in fact?'

"I cannot account for it or them, your Honour,' replied the prisoner quietly. 'I have proved to you, have I not, that I never wrote those letters, and that the man—er—Kershaw is his name?—was not murdered by me?'

“Can you tell me of anyone here or abroad who might have heard of your movements, and of the date of your arrival?”

“My late employés at Vladivostok, of course, knew of my departure, but none of them could have written these letters, since none of them know a word of English.’

“Then you can throw no light upon these mysterious letters? You cannot help the police in any way towards the clearing up of this strange affair?”

“The affair is as mysterious to me as to your Honour, and to the police of this country.’

“Francis Smethurst was discharged, of course; there was no semblance of evidence against him sufficient to commit him for trial. The two overwhelming points of his defence which had completely routed the prosecution were, firstly, the proof that he had never written the letters making the assignation, and secondly, the fact that the man supposed to have been murdered on the 10th was seen to be alive and well on the 16th. But then, who in the world was the mysterious individual who had apprised Kershaw of the movements of Smethurst, the millionaire?”

