

Who Killed Castelvetro?

by Gilbert Frankau, 1884-1952

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Chapter I

Her name is Kyra Sokratesco. She is a Roumanian—*petite*, and rather lovely. And unkind people on the Côte des Maures, which lies west of the more civilised French Riviera, are apt to call her „Gilbert’s girl friend.“ The Chief of the Secret Police of Toulon, however, knows better; and it was at his instigation, with my wife’s full cognisance, that Kyra and I spent a day and a night in our Local Assize Town—and disagreed all the time.

„Camille Oustric is innocent,“ began I, as soon as we reached Draguignan. „He acted in self-defence.“

„Camille Oustric is a hired bully and a cold-blooded assassin,“ began she. „If this were England he, and others with him, would hang.“

Our friend of the Secret Police of Toulon said, „I feel with you, mademoiselle. But where is there proof for a court?“

The court at Draguignan is not impressive—bare walls, bare wood, a dais for the Procureur de la République and the three judges, a box with twelve arm-chairs for the jury, a banc and a barreau for the witnesses, another banc for the accused.

When Kyra and I entered the Court-room, the accused was already seated between two gendarmes. He resembled his pictures in the newspapers—a powerfully-built man in his forties, sailorish, with a high dome of bald forehead, big cheekbones, and an immense brown moustache.

„His eyebrows twitch,“ observed Kyra, as we took our places in the Press-box. „He is frightened.“

„So would you be,“ I retorted. „Twenty years’ penal servitude in French Guiana is worse than death.“

We continued sparring—while Counsel for the Defence, little and moustachioed, shook hands with his client; while Counsel for the Partie Civile (the relatives of the victim, who claim damages for his murder) big and bearded, was arranging his dossier; and while the Greffier called over the jury-roll. Even the tinny bell and the „*Messieurs, la Cour*,“ which heralded the entrance of the red-robed »Monsieur le Président«, his two brother judges, and the Procureur de la République, bald and clean-shaven, only reduced us to whispers, until the jury had been sworn.

For our disagreement had been of long standing—ever since the first report of the case.

* * * * *

The case, as the jury now heard it from the charge-sheet, was rather sordid, but seemed of the simplest. Camille Oustric, owner of a grocer’s shop, had shot his brother-in-law, Josef Castelvetri, a sous-officier in the French Navy, on the night of the eleventh September at the Villa Fleurie in Toulon. Two witnesses—Oustric’s sister, and his sister’s fifteen-year-old boy—had witnessed the whole of the shooting. His sister’s lover, who owned the villa, had seen the beginning of it. Oustric himself confessed to it—pleading, a plea confirmed by all three witnesses, Self-Defence.

„Tell your story,“ said the President, after the charge had been read over; „and please speak up.“

„It was like this,“ said Oustric, rising, and his robust voice carried conviction. „On the night he died my brother-in-law should have come to us before dinner. We waited until nine o’clock for him—his wife, my sister; his son Jacques; Monsieur de Borneville, and I. At nine we dined on the veranda. At ten there

came a loud knocking on the outside door. I told Jacques to answer the door. He went. A moment later he staggered back, bleeding from a blow on the forehead. 'Papa has killed me,' he cried. My brother-in-law followed. He had a pistol in his hand. 'Woman, I will stand this dishonour no longer,' he shouted. Then he fired twice. My sister fell wounded. Monsieur de Borneville jumped from the veranda. Thinking he would fire again, I rushed at Josef; I caught his wrists. 'For God's sake!' I implored. But he was mad, Monsieur. He fired again—at me; and the bullet pierced the ceiling. I remembered, then, that my sister had a pistol. It was in a drawer of her writing-table. Before he could fire a fourth shot I was at the writing-table. I wrenched the drawer open. I seized my sister's pistol. I emptied it at him. God forgive me for doing it—but Josef would have killed her. What else could I do?"

„And do *you* believe that rigmarole," whispered Kyra.

„I do," said I. „Or at any rate the essentials of it. The woman was in danger of her life. He defended her."

To which Kyra retorted with the Roumanian equivalent of „Pah!"

The President, however, though he examined at great length, did not succeed in shaking the prisoner's testimony.

„Yes," said Oustric in effect, „I admit that I knew of my sister's relations with Monsieur de Borneville; I admit that Monsieur de Borneville took me to the villa that evening; I admit that I went there to protect my sister should her husband become violent. But I was unarmed. I had no intention of killing. And the thing happened exactly as I have said."

„You say you were unarmed?" was the President's last question. „Yet it has been proved that you possessed a pistol."

„Not a pistol, Monsieur. Only a very old revolver, which Monsieur le Chef de la Sûreté found where I told him he would find it, under the counter of my shop."

When Oustric sat down on his banc, while a doctor, pure Dickens from the cut of his old-fashioned coat to the set of his old-fashioned spectacles, came pawkily to the wooden rail of the witnesses, I couldn't help being a little sorry for the Chef de la Sûreté. And the medical evidence made me sorrier still. For after describing Castelvetri's three wounds at length, our Dickensian doctor detailed his examination of Madame Castelvetri, who had been shot, „In the right thigh, gentlemen of the jury; a clean wound at close range; the bullet entering five centimetres higher than its point of exit"—a fact which had hitherto been in dispute.

„*Tu entends, ma chère*" I whispered, „that blows our friend's theory of her having been hit by a ricochet to atoms."

„I admit it," whispered back Kyra. „But his theory is not mine."

The next evidence, read by the Procureur de la République, was new to both of us—but failed, in my opinion, to throw much light on the case. An architect named Meyrowitz, whose house was eighty yards away from the villa, had heard the shooting—first one shot; then, after a short interval, a second; then a positive fusillade. This witness had also heard de Borneville run past his window, and a woman's voice calling after him, „Marcel! Marcel! Come back."

Kyra, I may say, seemed to think this deposition of some importance. She smiled to herself as she made a note of it; and nodded to our friend the Chef de la Sûreté just before he took oath at the bar.

„At five-thirty a.m. on the morning of the eleventh September,” said our friend, „I was called to the Toulon Hospital. A man had been shot. He wished to make a special deposition. So I went at once. When I got there the man, Josef Castelvetri, was on the point of death. He signed his deposition, however, which is as follows: ‘It was my fault. I was mad. I wounded her. Then Camille shot me.’“

„And after that?” prompted the President.

„After that I rang up the City Police, and told them to make full inquiries at the Villa Fleurie, from which—the ambulance driver told me—the man had been brought in.“

„The City Police will tell us the rest, I presume?”

„*Oui, Monsieur le Président, oui.*“

Our friend, who never appears personally either for or against a prisoner unless, as in this case, circumstances force him to, retired without glancing at us; and a rather foolish-looking City policeman took his place.

The police, it appeared, had gone to the Villa Fleurie immediately on receipt of our friend’s telephone message—but not alone. With them had gone the accused, who had already given himself up and made his confession, and the three principal witnesses, who had reported at the police-station at the same time. At the villa, everything—including a bullet-hole in the ceiling—had confirmed the accused’s statement. Both pistols had been left on the dining-table.

„Both of them were seven-shot Brownings,” said the City policeman. „Six-point-thirty-five millimetres. Both had been recently fired. One, manufactured at Herstahl in Belgium, contained three cartridges in the magazine and one in the chamber. This, I was told, had belonged to the victim. The other, marked M.A.B., of French make, belonged, as she admitted, to the woman, and was empty. That is all I know.“

But a second policeman, carrying the tale a step further, brought out the one point which—as I had always admitted—was against the accused.

„Acting on instruction,” said this second policeman, „I proceeded to the hospital and examined the clothes of the victim. In the pockets I found twenty-nine francs and a few centimes, a watch, a pocket-handkerchief, seventeen six-point-thirty-five millimetre cartridges, and a magazine for a Browning pistol.“

„And the mark on that magazine?” asked the Procureur de la République, who had hitherto foregone his right to examine.

„The mark on the magazine, Monsieur, was M.A.B.“

* * * * *

Since my acquaintance with Kyra and her friend of the Sûreté, who has particularly requested that I should not describe him, I have witnessed many „scenes” in French Law Courts. But rarely such a one as now occurred between Monsieur le Procureur and Counsel for the Defence.

„I protest,” screamed Counsel for the Defence, rising. „And I shall continue to protest. This evidence is trivial. It can have no bearing on the issue. The Herstahl and the M.A.B. pistol are absolutely identical. The same magazines, the same cartridges fit either of them.“

„Quite so,” screamed back the Procureur. „We admit it. That, we say, is how your client made his mistake.“

„Mistake! But it is you, Monsieur le Procureur, who make a mistake when you try, as the Juge d'Instruction tried, to prejudice an innocent man, my unfortunate client——“

„Gentlemen,“ interrupted the President, „gentlemen——“

But the President's interruption went unheeded—till his bell rang for the „suspension of debates.“

During this suspension Kyra fell into one of those moods which I can only describe as „Kyraish,“ her lovely eyes half-closed, her lips pursed, one thin little hand drawing idle designs in her notebook—and I, still more or less convinced of Oustric's innocence, went out to have a cigarette.

Our friend of the Sûreté was outside; and I condoled with him a little. He replied, „If Mademoiselle does not aid us, I fear this villain, and also his accomplices, will go free.“

When I came back, the Court seemed much fuller; Messieurs les Avocats had apparently made up their differences; and a third policeman, a Commissioner, stood at the bar saying: „Yes, Monsieur. When the accused came to my office on the morning of the twelfth September, I took all four statements separately. I noticed nothing peculiar about any of the four people except that Monsieur de Borneville had a bruise, caused, as he said, by striking himself against the hood of his motor-car, on the bridge of his nose.“

Two gunsmiths, contradicting one another, as all expert witnesses in all countries, followed the Commissioner. Both, however, questioned by the Defence, „If a customer purchases a six-point-thirty-five millimetre Herstahl pistol and asks for a spare magazine with it, is he not as liable to be supplied with an M.A.B. magazine as a Herstahl?“ answered, „Yes. That is so. The magazines are interchangeable.“

At which Kyra frowned.

Chapter II

Kyra was still frowning while we took our luncheon; and with her, too, I condoled a little, for being over-imaginative—as indeed she is.

„There is no mystery in this case,“ I told her. „It is all perfectly straightforward.“

She said, quietly, „My friend, no case with a strong sex-motive behind it is absolutely straightforward. I am a woman—and I know.“

At twenty minutes past two the judges' guard of soldiers came marching by us; by half-past we were again in Court. The Court was fuller than ever. Looking back over my shoulder at the crowd pressing to the rails behind us, I was reminded of the French Revolution—as reconstructed by the American film. But the crowd stood orderly, and only the tiniest shiver of anticipation ran through it when de Borneville, giving Kyra a glance as he passed the Press-box, came to the bar.

A highly-strung little man, I judged de Borneville. He had the long nose of the aristocrat, the „tooth-brush“ moustache of an English officer, and curiously soft, rather imaginative brown eyes. He gave his age as thirty-nine, unmarried; his profession as „landowner“; took the oath calmly, and turned to the jury at once.

„Before I make my deposition,“ he began, „I want to assure you, gentlemen of the jury, of my deep regret at having been the unwilling cause of this tragedy. Also of my determination—once I am assured that Camille Oustric is found innocent—of compensating the Castelvetri family for the bereavement which they have suffered—as, indeed, I would have done already had they not brought suit against the accused.“

„*Quelle blague*,“ whispered Kyra. But I could see that de Borneville had impressed the jury; and the favourable impression deepened as he went calmly on.

His relations with the woman he admitted frankly, making no excuse for himself. „What would you? We are all human. Despite the difference in our position, I loved her. I still love her. We should have married had not her husband been an ardent Catholic; had he not refused to grant her, as most men would have done, a divorce.“

„During the two years you and his wife lived together,“ interrupted the President, „you had often asked Castelvetri to divorce her?“

„Yes, often. Whenever he came home from a cruise.“

„He came home from a cruise on the tenth of September, and the purpose of your meeting on the night of the eleventh was to discuss the same topic?“

„Precisely.“

„And because you were afraid Castelvetri might become violent, you took Oustric with you?“

„That is so. I am, as you will see, by no means a Hercules.“ And de Borneville looked towards the foreman of the jury, who smiled.

After that he described the start of the actual shooting, telling the same story as Oustric, quietly, but this time making an excuse for himself. „I ran away after the first shot,“ he admitted. „It looks cowardly, I know, but I fancied that Castelvetri would follow—that I would draw his fire.“

„You ran for help?“ suggested the President. „That hardly bears out what you have just told us.“

„I only ran for help after I heard the fusillade, after I guessed that a tragedy must have happened. It seemed to me that the sooner I got some independent witness the better. As soon as I had secured that witness, I jumped into my car; I drove for the doctor, for the ambulance. At six o'clock I reported myself to the police.“

De Borneville, under the President's examination, under that of the *Partie Civile* and the *Procureur*, remained imperturbable. The impression he continued to give was that of a man in the most cruel of difficulties, behaving in the correctest way. When asked, „Was Oustric armed when you took him to the villa?“ he retorted instantly: „Had I thought arms necessary, there would have been no need for Oustric. In the war I was not quite unused to firearms. I could have carried a pistol myself.“

Only once, or so it seemed to me, did he display any hesitancy, and that at the *Procureur's* question: „We have been told that Castelvetri, just before he fired, shouted: ‘Woman, I will stand this dishonour no longer.’ Do you confirm that, or not?“

„It may have been so,“ said de Borneville then. „He certainly said something. But of the actual words I have no recollection. And I do not think he shouted. I would rather describe it that he hissed.“

Asked, „Were you not amazed that Castelvetri should have struck his own son?“ he answered: „No. The son had always sided with his mother, you see“; and shortly after retired to the banc.

„The clever devil!“ whispered Kyra, watching him; and in a minute or so the woman stood at the bar.

She was dressed in black, fairly fashionably. A tall creature, dark-haired and slim of figure, with long, expressive hands. Her eyes were big, and held something of fear in them. But her voice, as she gave her age, „Thirty-seven,“ sounded clear, self-certain, and somehow sweet.

„As the victim's widow,“ explained the President, „this woman cannot give sworn testimony. But she has volunteered a statement, and she can be interrogated on it. Madame, you may now proceed.“

* * * * *

The widow's statement tallied, to a nicety, with Oustric's and de Borneville's. Examination revealed no flaws in it. Only at the end were the spectators—Kyra and I, of course, were prepared for it—treated to a surprise.

„In view of what you have just told us,“ said the President, „how comes it that you told one witness, ‚I did it. I killed my husband? And how comes it that your son told the same witness almost the same thing?“

„I can explain that very easily,“ the woman answered. „Indeed, I have done so twice already. As the moral culprit, it was my intention to take this crime on my own shoulders. I wanted to save my brother. Therefore, I told my son——“

„To lie, madame?“

„To lie in what I thought a good cause, Monsieur le Président.“

„But your son had seen everything?“

„Oui.“

„You persist in that? It is claimed, you know, that he told another witness, at his father's funeral, ‚I saw nothing. I was not in the veranda. I was outside the door.‘“

„Jacques saw everything,“ asseverated the woman. „The suggestion that he was not in the veranda is mere gossip.“

„That,“ retorted the President, „we shall see.“

A little later, after only one admission, secured by the *Partie Civile*, „Yes. I called at my brother's shop to buy my usual provisions on the morning of the eleventh,“ that seemed to me in any way pertinent, the woman joined her lover on the bench of the witnesses, and her son, Castelvetri's orphan, came in.

„He, too,“ said the President, „cannot give sworn testimony.“ And I saw Kyra's eyebrows go up as the boy began.

The boy, very strong, dark-haired, stocky of figure, dark-eyed, but not, or so I thought, over-intelligent, made his deposition stoutly. His father had hit him with his pistol-butt. He had seen his father shoot at his mother: seen his uncle struggling with his father; seen his uncle snatch the pistol from the drawer. When he had finished this deposition the President again „suspended the debates.“

„Very unusual before his own examination,“ I commented to Kyra.

„Very,“ admitted Kyra. „I suspect our friend's hand in it. However, we shall see.“

We saw our friend's hand, and could not help chuckling a little at the subtlety of him, when the bell rang, and the President, full of apologies, turned to the jury saying, „Gentlemen, I am very sorry. I made a mistake. A dead man's

son or daughter can give sworn testimony, either for or against his murderer. I am therefore going to ask this witness to repeat what he has just told you. But this time on oath."

And when Jacques Castelvetri repeated his second deposition on oath, it tallied—word for word, as a hidden shorthand writer proved to us that evening—with his first!

"*Tu entends, mon cher*," whispered Kyra triumphantly; and I, "Supposing he did learn his statement by heart, it proves nothing." Nor did the threefold examination prove very much more.

"I said mother had done it because mother told me to," admitted Jacques Castelvetri.

"Then you lied?"

"Yes. To save uncle."

"And there is a witness who maintains you told him, 'I saw nothing.'"

"Never, Monsieur le Procureur."

"You are on your oath."

"On my oath, Monsieur."

"You maintain that?"

"Absolutely."

"Very well."

The boy, his tale told, went to his mother. He took her hand; held it. The woman was crying a little. He tried to comfort her. De Borneville moved along the bench towards them, thought better of it, moved away.

I called Kyra's attention to the humanity of the picture they made. She whispered, "Yes. They are great actors," as the next, perhaps the all-important, witness came in.

"My name is Henri Piquart, and I am in the Octroi," said that witness, a hefty, clean-shaven youngster, with the manner of the minor French official. "The Octroi (Town Customs) Station is about a quarter of a mile from the Villa Fleurie. At about ten-fifteen on the night of September the eleventh Monsieur de Borneville, who was unknown to me, rushed in. There had been une bagarre, he told me. He could find no policeman; would I come at once? I went with Monsieur de Borneville, but only after he had proved his identity to me. When we reached his villa, a boy ran out to us, crying, 'He is dead. Mother has killed him.' De Borneville said, 'Not your mother. Surely not your mother.' The boy answered, 'Yes. Yes. Mother.' Then we went in."

The man from the Octroi described the scene—Castelvetri on his back, his wife bleeding, Oustric with a bandage, trying to stanch her wound.

"We saw that the man was not yet dead," he went on. "De Borneville, who seemed very frightened, said, 'I have my car here. I will go for the doctor, for the ambulance.' He took the boy with him. And I remained."

"At de Borneville's suggestion?" interrupted the President.

"Yes. After he had gone, Castelvetri seemed about to recover consciousness. I sent Camille Oustric to get water for him. While he was away, the woman said to me, 'I will tell you how it happened. I shot him. It was an accident. All the shots in the pistol seemed to go off at once.' Castelvetri was muttering something then; and Oustric had come back with the water. Oustric said, 'Do not believe her. I did it.' When I gave Castelvetri the water, he opened his eyes and muttered, 'Camille, you have killed me.' Castelvetri seemed in great pain. I did what I could for him. But it was difficult, because of the woman. She

seemed quite beside herself. I gathered that there must have been some terrible quarrel. She kept on flinging herself down by her husband, and reproaching him—about some other woman. This went on all the time till de Borneville returned with the doctor. I was very tired by then. I thought I had done my duty. And after giving my name to de Borneville, I went away.“

Chapter III

„If that is the whole case for the prosecution,“ said I, some hours later, „it fails.“

We were sitting, I must admit, in Kyra's bedroom—she on the edge of the bed, legs crossed, a cigarette between her fingers; I close to her, a brandy-and-soda at my side. Unfortunately for the unkind ones, however, there was a third party present—our friend of the Secret Police.

„We have other evidence for to-morrow,“ said he. „But only circumstantial. Our main witness, the one who overheard the boy say, ‘I saw nothing,’ has sent a doctor's certificate to say he is not well enough to attend. All we can actually prove is that Oustric occasionally carried a pistol.“

„A pistol,“ interrupted Kyra, „or a revolver?“

„Among the lower orders in France, mademoiselle, the terms are unfortunately synonymous.“

„I know. It is a pity. And de Borneville's payments to Oustric?“

„He has always admitted that he financed Oustric's grocery shop.“

„He admits everything, that devil.“

„Except his complicity in the death of Castelvetri.“

„His complicity. And the woman's. She visited her brother that morning. Obviously to arrange the crime.“

„But if it was no crime?“ I interrupted. „If it all happened as they say it did?“

„In that case,“ Kyra flashed at me, „the wrong magazine would not have been in the dead man's pocket; there would have been no statement, ‘I shot him; it was an accident,’ from the woman; there would have been no bruise on de Borneville's nose; the boy's evidence would not have been word-perfect—and de Borneville would have been at the police-station several hours, three at any rate, before six o'clock.“

„And besides,“ she went on, „their story, though plausible, is slightly ridiculous. How could Oustric have wrenched the drawer open to get at the pistol? The moment he let go of Castelvetri he would have been shot down. And then there is Meyrowitz, who heard the woman cry, ‘Marcel, come back;’ but never heard the loud knock or the boy's ‘Papa has killed me.’ or Castelvetri's ‘Woman, I will stand this dishonour no longer.’“

„And what of Castelvetri's mental state before he went to the villa?“ She turned to our friend. „Have you no evidence on that point? Somebody must have seen him, spoken with him?“

„Only his father. And his father is the Partie Civile. He can give no evidence. Castelvetri, it appears, was always very reticent about the whole position.“

„Didn't he say anything to his father?“

„Nothing of importance—except that he had an appointment with de Borneville, who was still bothering him about the divorce.“

„Castelvetri did not mean to grant the divorce, then?“

„No, mademoiselle. He was far too devout. And, as you know, the last man in the world to contemplate violence——“

„Yet he shot his wife in the leg,“ I interrupted.

„I refuse to believe it,“ snapped Kyra.

„Then who did shoot her? De Borneville? Oustric? Her own son, perhaps? Dash it all, her husband himself admitted, on his death-bed, and to our friend here——“

„Castelvetri's deposition,“ said Kyra, „merely proves him a gentleman—and that he died loving his wife.“

In all the detective stories I have ever read—and I have read many, mostly to please her, since my acquaintance with Kyra—the narrator is made out a half-wit. And as such I, of all people, was treated during the next half-hour. Kyra and her pet policeman simply left me out of their discussion—while they pored over plans and photographs of the veranda dining-room, over the two pistols and the ten used cartridge cases, and the whole common-or-garden paraphernalia of their trade.

„You're wasting your time,“ I said at last—and, I fear, irritably. „Granted all the flaws in the story—and I can see them as well as you can—it will be good enough for the jury. The woman's evidence is unshaken; the boy's also. And your Juge d'Instruction, when he made his original inquiry, must have been a perfect fool.“

„In what way?“ queried our friend, with his usual politeness.

„Eh bien,“ said I; „Jacques says, they all say, that his father hit him with his pistol-butt; that he staggered in bleeding. A blow like that would have left a scar——“

„It did,“ retorted our friend. „The Juge d'Instruction had it examined by a doctor. It was a superficial head wound, not serious, but such as might easily cause profuse bleeding——“

„And such as might have been inflicted by a pistol-butt?“

„Quite possibly. Since it was under the hair.“

A silence followed; and in that silence I looked at Kyra, still smoking, legs crossed, on her bed.

„You're very clever, Gilbert,“ she said at last. „Almost as clever as de Borneville. But you can't get over the fact that he had eight hours to concoct this story—and that it was supremely in the interest of all of them that Castelvetri should die.“

„Not in the boy's,“ I protested. „Not in Oustric's.“

„In theirs too. Financially. De Borneville is a rich man, remember.“

„You make the boy out a monster, Kyra.“

„The boy still thinks his mother did it. He thinks he is lying to save both her and his uncle. That is why he lies so well.“

Another silence followed—with our friend fingering his copy of the dossier, and Kyra at her most Kyraish, a picture of applied concentration, cigarette extinguished, eyes closed.

„De Borneville's war record?“ she asked, when her eyes opened. „You say it is a good one. About how good? Was he ever wounded?“

„Never.“ Our friend's eyes were on the dossier. „Towards the end he had a touch of shell-shock, and got three months' leave for it. But he returned to duty

and was promoted Major for conspicuous coolness and ingenuity during a night raid, almost single-handed, into the enemy's lines."

"H'm!" said Kyra. "That helps."

She closed her eyes again, and sat back for a long time, apparently dreaming. Then she said, "Shell-shock! That explains his bolting. He must have got his nerve back rather quickly. Yet he lost it again, according to Piquart, when the boy said, 'Mother has killed him.' She lost her nerve, too. And so did Oustric. There was no need to empty the whole pistol. Or to plant all those cartridges. I wonder if we dare try it? One could in Roumania. But here! Here!"

Chapter IV

Both as a law-abiding English citizen and as a friend of France, whose justice in the main is also equitable, I experience a certain diffidence in relating the events of the next hour.

Our friend, when Kyra first broached her plan to him, would have none of it. "It is impossible," he said. "Impossible. Even by the Sûreté, it could not be done."

"But he is sleeping in this very hotel," protested Kyra. "I have only to send a note along the corridor."

"He will not come for your note."

"He will—if he is guilty." And in the end, after long argument, Kyra got her way.

She showed us her note before she rang for the waiter; and though my sense of fair-play revolted, I had to admit the thing a masterpiece. "All is known," it read. "To-morrow, when the Court opens, you and she will be arrested. The Sûreté is watching. Do not try to find me. Be careful.—A Friend."

Before she rang for the waiter, too, she made us hide ourselves; so that it was half-stifled in a slip of a bathroom that I heard her say: "For the gentleman in twenty-eight, garçon. You are to wait until you see him open it. If he asks you from whom it comes, you are to say nothing. When you have delivered the letter, return here."

"Subtle," whispered our friend. "It is a thousand to one he will follow the waiter." And a moment later Kyra turned out her bedroom light.

We waited breathless—and both nervous. We heard the waiter come back; heard Kyra say, sleepily, "Merci. C'est bon. My petit déjeuner at eight-thirty, please," and about five minutes later, a cautious knock.

Kyra did not answer that knock; and after an interval it repeated itself. At the third repetition she called out, as one startled: "Who is it? Who is it?" and we heard her run to the door.

She gave a tiny cry as she opened the door; and presently we heard her say, "But this is madness. Madness. They are watching you." Then the door closed, and we knew that de Borneville was inside the darkened room.

"Who are you?" he asked, and from the tone his teeth must have been chattering.

"A friend. I told you. But it is folly—folly what you have just done."

"Folly or not, I am here. All is known, you wrote. What is known? Tell me. I insist."

„Enough is known. You are betrayed. The Sûreté has evidence that Oustric habitually carried a pistol, not a revolver. They have evidence, too, that the old revolver under the shop counter was not his, but yours.“

I am, as I protest, no half-wit. Nor did it take me more than a few seconds to follow the line Kyra was adopting for her totally illegal experiment in the Third Degree. If the revolver was de Borneville's, and the woman admitted owning one pistol, and Oustric could be proved to have been in the habit of carrying another ... Yet, even so, I was not prepared for de Borneville's gasp.

He gasped, after Kyra had spoken those two deadly sentences, exactly as I once heard a man gasp when the point of a bayonet took him in the vitals, „Ah! Ah!“ with a gurgle in the throat. Imaginatively I saw him sway—and in a second Kyra drove at him again.

„They can prove Castelvetri was unarmed,“ she drove at him.

„Ah!“ Again the gurgle.

„And that the three of you had planned to murder him. They know the truth about Jacques's wound, and about hers, and about Castelvetri's dying deposition. They know everything, Monsieur de Borneville.“ And with her man still gasping, Kyra clicked on the light.

It was our friend's signal to go in; and he went in, his hand on the weapon in his jacket pocket, very quickly, yet not, as it seemed to me, watching the scene dirough the bathroom doorway, quite quickly enough.

De Borneville, as I had imagined him, was still swaying where he stood under the chandelier in the centre of the bedroom. His complexion might have been white cheese. Sweat soaked his forehead. The clipped hair on his upper lip twitched like a dog's ear. But his brown eyes were unwinking as they looked on Kyra—and it seemed to me—in fact, I was certain of it—that he must have recognised her, in the second the light went up, for the woman he had glanced at in the Press-box on his way to the bar.

He did not gasp again when our friend came in and past him. But the key, turning in the lock, sent a galvanic shiver through his slight body, and I, who have been through shell-shock, knew that he was suffering that peculiar torment which must have been inflicted in other days by the rack.

Our friend, his pistol drawn now, was standing at the locked door. I saw de Borneville's unwinking eyes turn over shoulder at him. Then they switched back to Kyra, who spoke slowly, emphasising every word.

„There is no need to confess,“ said Kyra. „Unless you feel that a confession may save your mistress by proving that she acted under your instigation. Everything is known. When Castelvetri came to the door of your villa, unarmed, you sent Jacques to open it. You had given Jacques his orders—to come back with his father. You knew, when you gave those orders, that the boy's father would not permit him to be present at your discussion. And you calculated that his father would keep the boy out of the veranda long enough for the three of you to do your murder, though possibly not on the struggle that ended in Castelvetri's flinging the boy from him, or the boy's head being struck as he fell.

„Yes. You calculated on being able to kill him before Jacques got back on to the veranda,“ repeated Kyra; and I realised, from the pause she made, that she must be expecting an answer. But no answer came from de Borneville, and presently she went on.

„When Castelvetri entered the veranda,“ went on Kyra, while de Borneville's lips still twitched at her, „he did not see Oustric, or his wife either. He only saw

you. You were standing where it had been planned that you should. You had calculated on telling him to approach. As he approached, it was your plan that his wife, who was behind him, should have fired one shot—wide and high. Then Oustric, hidden behind you, could have fired the second shot—to kill. After that, it would have been easy enough to place Oustric's pistol by the dead man's side, to plant the correct magazine in his pocket—and there would have been two of you to swear that a woman, always easy to defend before a French jury, had shot her husband in fear of her own life.

„That was your plan.“ Again Kyra had paused. Again de Borneville had made no answer. „But you had reckoned without your victim's anger. His struggle with his son had enraged him. He sprang straight at you, his fists clenched. He struck you. The bruise on your nose proves it. And as he struck, your mistress—fearful for your life—fired one shot.

„She fired,“ repeated Kyra, „and missed. But Oustric didn't dare to fire. Castelvetri had been too quick for him. Castelvetri had turned. He had caught his wife's wrist. As they struggled the pistol went off, muzzle downwards, wounding her thigh. Castelvetri tore the pistol away. When you saw him with it in his hand, your nerve cracked. You bolted. Oustric's nerve had cracked too. He fired in a panic, seven times. Castelvetri returned that fire—once, with the tenth cartridge, as he was shot down.“

Kyra's voice stopped, on a silence such as follows machine-gun fire at night over No Man's Land when a raider is alone. And perhaps de Borneville relived such a moment, for as our friend moved, and the hand of the law rested on his shoulder, his mouth fell open and through thirty dreadful seconds it seemed to me that he must confess.

„It will be better for her if you admit everything,“ said our friend.

„I——“ he began.

But on that, abruptly, another shiver galvanised the slight body; the feet steadied; the teeth snapped together; the lips ceased their twitching, and I—who have been through shell-shock—knew that, for the moment at any rate, de Borneville was past his crisis, keyed up to that tension which makes a man's body more dangerous than magazine-pistols to handle, and his wits sharper than knives.

„Du bluff,“ he said to the Chief. „You know nothing. Release me, Monsieur.“ And to Kyra: „A pretty trap. A pretty theory.“

Our friend, being a man, knew—as he told us later—from the very stiffening of de Borneville's shoulder-muscles that he and Kyra were already beaten. But Kyra, being a woman, for all her cleverness, didn't. Also, or so it seemed to me, she lost her temper a little. For, though our friend's hand released de Borneville, her attack went on.

„Theory!“ she shot at him. „It is the truth. You cannot deny it.“

„I do deny it. You cannot get over the evidence.“

„Whose evidence?“

„Castelvetri's dying deposition.“

„Begged of him by his wife, under cover of those reproaches heard by the witness Piquart—after his muttering, ‘Camille, you have killed me,’—had made even the fool Oustric, who planted the wrong magazine, realise that your story of crime passionnelle must be altered—before you, Monsieur de Borneville, had time to consult with your accomplices, to invent a fresh story——“

But de Bornville, still keyed, by his love for the woman perhaps, to that pitch of emotional tension when a man, for good or ill, can accomplish miracles, interrupted, grinning, „*Your* story is certainly the more ingenious, mademoiselle. It might even be the correct version. Yet the law is the law; and I wager my neck that our twelve honest citizens will find mine the more credible one.“

* * * * *

And though Kyra still maintains, and our friend with her, that hers is the only possible answer to the question: „Who killed Castelvetri?“ those twelve honest citizens did!

—————♦♦—————