THE SILENT HOUSE OF SLEEP

A DR JACK CUTHBERT MYSTERY

ALLAN GAW

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For Ellen

Sunt geminae Somni portae, quarum altera fertur
Cornea, qua veris facilis datur exitus umbris,
Altera candenti perfecta nitens elephanto,
Sed falsa ad caelum mittunt insomnia Manes.

Two gates the silent house of Sleep adorn;
Of polish'd ivory this, that of transparent horn:
True visions thro' transparent horn arise;
Thro' polish'd ivory pass deluding lies.

Virgil, Aeneid VI 893. Trans. John Dryden, 1697

Chapter 1

London: 17 December 1928

The rich, oak-panelled room with its high vaulted ceiling of white stucco was designed both to impress and intimidate. High above the courtroom on the domed roof was the gilded figure of a Greek goddess, Themis. Her golden arms outstretched, she bore her sword in one hand and her scales to balance justice in the other. But, contrary to common belief, she wore no blindfold. Justice in this courtroom was delivered with open eyes, and the judge presiding had his fixed firmly on Cuthbert as he rose from the well of the court to take the stand.

This was the first glimpse the jury had of the expert witness. As he walked past their two enclosed rows of seats, what immediately struck them was his height. Some of the jurors were momentarily distracted from the gravity of the setting by the tall, good-looking man. He was dressed in a black, well-fitted, three-piece suit that showed off his broad chest and slim hips. His boots were polished to a mirror finish and his thick dark hair was oiled back and parted with precision. The only glint of colour was the rose gold of the watch chain on his waistcoat.

The ornate sword of state hung vertically above Mr Justice Avery's high-backed chair on the bench. It reminded everyone present that this man had the power of life and death at his disposal, handed him by authority of the king. Such symbolism was not lost on Cuthbert, but he had little time for the theatricality of the law. However, he did acknowledge the judge and his position with a short, business-like bow of his head, and before taking his oath, Cuthbert also turned to his right and similarly offered his respect to the jury. This was neither conventional nor expected, but Cuthbert was in no doubt as to who held the real authority in this court.

'I swear by Almighty God that the evidence I shall give shall be the truth, the whole truth, and nothing but the truth.'

'Please state your full name and profession.'

'John Archibald Cuthbert. Senior pathologist at St Thomas's Hospital and senior police surgeon with the Metropolitan Police.'

'Dr Cuthbert, please would you tell the court what you found during your examination of the body of Charles Edward Everett on the eighteenth of September this year?'

Cuthbert stood erect in the witness box. When he turned to the jury on his right, they caught their first sight of his gaze. His eyes were intense and deep blue, but they also possessed a warmth that was almost cordial. There were eight men and four women all now leaning slightly forward, waiting to hear what this man was going to say.

He spoke directly to them in a manner that no other witness in the trial had used. He brought them into his world and explained in just enough detail the pathological findings in the case. And he used language that was simple yet precise without ever being condescending.

When Cuthbert first came to work in London, he quickly acquired a reputation as an excellent expert witness. Barristers

who called upon him knew that he would be an asset to their case. This was not because he was ever partisan, but because they relied on him completely to educate and inform the jury, and indeed the judge, on any and all medical matters. He never needed to consult his notes and was always fully briefed on every detail of the case. And, most importantly, the juries always trusted him.

When he was cross-examined, his expression never betrayed any annoyance at the often childish tactics of some of the barristers. He spoke in measured tones in his deep but soft Scottish accent. When he was grilled, he would occasionally glance over to the jury before answering the more outrageous questions put to him, as if to say, *We adults do have to put up with a lot from these children, don't we?* But he was always completely courteous and invariably thanked his interrogator before stepping down from the stand.

He was known to be unflappable, immovable from his conclusions and resolute in his considered opinions. He offered the courtroom confidence and assurance, which was especially welcome in complex cases such as this.

The prosecution alleged that Charles Edward Everett had been poisoned by his wife. She was now sitting across the court from Cuthbert, in the dock of the Old Bailey, on trial for her life. Her husband had died, apparently of natural causes, after a lengthy illness, and it was only when suspicions were raised by his younger brother that a call was made to exhume the body and have it re-examined. That post mortem examination had shown he had been the victim of arsenic poisoning. A further re-examination, however, had cast doubt on that conclusion. And it was that second post mortem examination that Cuthbert was now relating to the jury.

'Is it your contention, Dr Cuthbert, that Mr Everett died of natural causes rather than any unnatural poisoning?'

'It is not my contention; it is my conclusion. The body of Mr Everett was not poisoned by anyone other than the very ground in which he was laid to rest. The soil of the grave was rich in naturally occurring arsenic compounds. As may occur with any soil contaminants, these leached into his coffin and then into his body.

'I am not surprised that my distinguished colleagues found significant amounts of arsenic in his exhumed corpse. But assigning the origin of that poison to deliberate administration by the deceased's wife was erroneous. Mr Everett had clear evidence of extensive coronary artery disease, and although the state of the body at the time of my examination was poor, it was still possible to detect evidence of a large coronary thrombosis – a heart attack – that would ultimately have been the cause of his death.'

The judge as well as the jurors made notes as Cuthbert spoke, clearly delivering his expert testimony. When the pathologist had concluded, the judge turned his attention to the counsel for the prosecution.

'Your witness, Mr Carruthers.'

'M'lud. Now, Dr Cuthbert, are you really asking this court to believe that the victim, whose body was full of that vile poison, died a natural death?'

'My findings, sir, are based on the scientific method and have nothing whatsoever to do with belief. I am a scientist and I do not deal in beliefs. I deal in verifiable facts.

'Fact number one: the body of Mr Everett contained a high concentration of arsenic.

'Fact number two: the soil in which Mr Everett's coffin was interred contained even higher concentrations of arsenic.

'Fact number three: Mr Everett's exhumed coffin was heavily contaminated by arsenic absorbed from the soil. This absorption would have been promoted by the water-logged

conditions of the grave and the thin, rather cheap wood used to construct his coffin.

'Fact number four: we initially hypothesised that Mr Everett's corpse in turn absorbed this arsenic from the contaminated wood of his coffin. To confirm this hypothesis, my assistant and I conducted a series of carefully controlled experiments in which we studied the rate of absorption of arsenic from soil samples into wood and thence into human flesh. We concluded that quantities sufficient to account for the concentrations of arsenic seen in Mr Everett's corpse could readily have been absorbed in the time period between interment and exhumation.

'Fact Number Five: Mr Everett's post mortem examination revealed conclusive evidence of his true cause of death, which was not consistent with arsenic poisoning.

'Therefore, I do not say I believe Mr Everett died a natural death: I know he did.'

Cuthbert looked again momentarily at the members of the jury. He said nothing except with his gaze – *I know you understand, but I wonder how many more times this little man in the wig will need it explained.*

Marjory Everett was gripping the rail on the raised dock in the centre of the court with both hands as she listened to Cuthbert's evidence. She had been in custody for the last three months and was now thin and weary. Her face was grey, her lips drawn, and there were dark circles under her eyes. She dared not hope that the expert's testimony might free her, but she was grateful that he alone seemed to believe in her innocence.

Cuthbert never once looked at the prisoner in the dock, focusing instead his whole attention on the barrister questioning him opposite and the jury on his right. He waited for the brief's next question and stared at him while he rifled through a sheaf of papers. The judge became irritated by the

delay and urged him to proceed or allow the witness to stand down.

'Which is it to be, Mr Carruthers? My patience is short.'

'No more questions, m'lud.'

'Dr Cuthbert, thank you for your testimony. You may stand down.'

With that, the reporters in the courtroom were readying themselves for a swift conclusion to the trial. One or two were already reaching over the rail, trying to pass notes to Mrs Everett's lawyer in order to secure an exclusive interview with her when she was released. The lawyer read these and scrunched them up, scowling at the press benches as he did so.

Cuthbert did not stay in the courtroom to hear the outcome, for that was not what interested him. He regarded his task as one of examining the evidence in order to provide the truth of the matter. This was a truth that would only reveal itself through logical enquiry of the circumstances, careful evaluation of the physical evidence and detailed analysis of the human remains. When he delivered this truth, it was up to others to use it appropriately.

*

He left the Old Bailey, and as it was already almost five o'clock, he chose to walk back to his home in Bloomsbury rather than return to the hospital. The late afternoon air was cold and damp, and the pavements of London were still wet with the melting slush from the previous week's snowfall.

Cuthbert trod carefully to avoid the worst of it, but as he turned onto Fleet Street, there were large, dirty puddles of melting ice everywhere. He cursed his decision to walk. His boots, normally black and polished to the highest of shines, were already wet and dull. He shook his head in irritation, and before their condition affected him any further, he hailed a cab.

It would only be a short journey to Gordon Square and Cuthbert spent it bent over, trying to polish the worst of the slush away. However, the damp, dirty stains on his boots were refusing to yield to his handkerchief. He rubbed all the more, almost scratching the leather as his force became frantic.

Suddenly, he was caught by the bitter cordite burning his throat. He tried to swallow to rid himself of it, but his mouth was dry and his tongue was rough. His heart began to thump in his chest. The colour drained from his face. It was starting again. Taking great gulps of air, he shook his head from side to side, vainly trying to clear his mind of the noise and the gunfire. He flinched and cowered on the seat of the cab at the ear-splitting thuds of the exploding shells all around him. The cab driver was watching him in the rear-view mirror. His fare was sweating and shaking. He had seen it before but never in a gentleman like this.

'All right, guv'nor?'

Cuthbert could not speak to reply. He just gripped his briefcase close to his chest, trying to steady himself and hide the worst of it from the driver. Finally, he managed to nod and was relieved that they had already stopped outside his front door on the square. His hand was still shaking as he handed over the coins, and he did not wait for his change. Cuthbert fumbled his key into the lock before stumbling into his hallway and slamming the street door behind him. With the door at his back, he sank to the ground and waited for the horror to subside. It would pass, for it always did, but not before it had crushed a little bit more of him.

He was grateful at least that his housekeeper had been spared this sight of him. The attacks were now less common than they had been, but when they came, they always caught him unawares. For a man so guarded and always so much in control of his own feelings, that was the worst of it.

His heart was now slowing in his chest, but his hands were still shaking as he wiped the tears of the terror from his eyes. He struggled to his feet and found his way into the sanctuary of his study on the ground floor. It was too late to think about anything else.